

Clementia Caesaris

The Creation and Dissemination of a Reputation

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*Clementia Caesaris*

**The Creation and Dissemination of a Reputation**

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I hereby declare that this thesis has not been accepted in substance for any other degree. It is the result of my own independent research and all sources utilised are acknowledged in the references.

Natalie Angel

## Abstract

Caesar's *clementia* is often commented upon in both ancient and modern texts, but a systematic study of the use of this term with reference to Caesar has, until now, been lacking. This thesis will fill that gap and trace the development of Caesar's policy for mercy, showing how it became what is now regarded as Caesar's reputation for *clementia*. I will show that Caesar maintained a consistent policy of mercy towards citizens throughout his own lifetime, while examples of *clementia* to foreigners (especially in the *Bellum Gallicum*) are evidence for a discourse current in Rome during the late Republic on the correct treatment of provincials and what constituted the 'ideal' Roman commander. As such, this work will challenge traditionally accepted ideas of *clementia* and offer an alternative hypothesis regarding the development and use of the *clementia Caesaris*.

The first chapter identifies the development of Caesar's policy for mercy as a reaction to Sulla's domination in Rome and the methods of violence he implemented. Besides direct opposition to Sulla himself, Caesar uses prosecutions and his progress in the *cursus honorum* to promote such a position. It is finally with the Catilinarian conspiracy of 63BCE that Caesar's actions are moving into a more firm policy of mercy. It is also during this period that the first distinct traces of an opposition to Caesar's policy of mercy as a means of gaining political support are identifiable.

Chapter Two moves away from the Roman political scene to Caesar's campaigns in Gaul as recorded in his *Bellum Gallicum*. It is here that we first find Caesar using the term *clementia* of his own actions and that his 'reputation' specifically for *clementia* has been traced by many modern scholars. I will show that these *Commentaries* are written in the tradition of a Roman general recording his *Memoirs*, and place them in their first century BCE context. This chapter will challenge modern concepts of mercy and cruelty, and again by placing Caesar's actions in their proper context, illustrate that Caesar's actions in Gaul were not only accepted, but expected.

The first part of Chapter Three moves again into a civil sphere and shows how Caesar sought to dissociate himself from Sulla by advocating a policy of mercy in the early stages of the civil war. At the same time as he was dissociating himself from Sulla, he was creating direct links between Sulla's cruelty and Pompey. Part 2 continues to look at the link between Caesar and Sulla, this time through the associations and comparisons made in the period after Caesar's death. It will be shown that ultimately, despite his lack of violence, Caesar's actions were considered the more dishonourable when compared to those of Sulla.

Chapter Four is a study of Caesar's *Bellum Civile* and the way in which he both sought to paint his enemies as cruel while creating an overwhelming image for mercy for himself. I illustrate the methods through which this is done and highlight some notable exceptions

to Caesar's *clementia* in this work. Caesar's representation of Pompey will also be discussed to highlight the distinction Caesar drew between him and other enemies.

Chapter Five looks at Cicero's Caesarian speeches and his use of the term *clementia* in these works. It traces the development of Cicero's attitude to Caesar, showing how during 46BCE he was hopeful but that this attitude dissolved into despondency and resentment by late 45BCE. Cicero's philosophical works from 46-45BCE will also be used to highlight this progressive decline in Cicero's attitude. This chapter will also study the letters to various exiles to show the truly selective nature of Caesar's policy of mercy.

Chapter Six analyses the various ways the Continuator's approached Caesar's *clementia*. Their works will be used to highlight some of the propaganda methods used during the relevant campaigns, and illustrate the way in which Caesar's 'reputation' for *clementia* was further developed for a non-senatorial audience.

Chapter Seven illustrates the way in which especially Antony appropriated the term *clementia* in an effort to create animosity against the assassins and how the concept of *clementia Caesaris* was cemented in this period.

Chapter Eight identifies and discusses the ideological battle between Cicero and Antony in 44-43, and will illustrate both the appropriation and attempted rehabilitation of this term.

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## Abbreviations

<i>ACD</i>	Acta Classica Universitatis Scientiarum Debreceniensis
<i>Aclass</i>	Acta Classica
<i>AJAH</i>	American Journal of Ancient History
<i>AJPh</i>	American Journal of Philology
<i>ANRW</i>	Aufstieg und Niedergang der Römischen Welt
<i>BICS</i>	Bulletin of the Institute of Classical Studies
<i>CJ</i>	Classical Journal
<i>ClAnt</i>	Classical Antiquity
<i>CPh</i>	Classical Philology
<i>CQ</i>	Classical Quarterly
<i>CW</i>	Classical Weekly
<i>G&amp;R</i>	Greece and Rome
<i>JHS</i>	Journal of Hellenic Studies
<i>JRS</i>	Journal of Roman Studies
<i>MH</i>	Museum Helveticum
<i>MRR</i>	<i>Magistrates of the Roman Republic</i> , vol. 2
<i>NC</i>	Numismatic Chronicle
<i>REL</i>	Revue des Études Latines
<i>REA</i>	Revue des Études Anciennes
<i>RhM</i>	Rheinisches Museum
<i>SyllClass</i>	Syllecta Classica
<i>TAPhA</i>	Transactions of the American Philological Association

- \* Unless noted otherwise, Ancient Greek and Latin quotations are based on the Teubner editions.
- \* Except where indicated, all translations are based on the Loeb Classical Library.

## Introduction

*'temptemus hoc modo si possimus omnium voluntates recuperare et diuturna victoria uti, quoniam reliqui crudelitate odium effugere non potuerunt neque victoriam diutius tenere praeter unum L. Sullam, quem imitaturus non sum.'*<sup>1</sup>

In the early months of the civil war, Caesar set out an explicit policy of mercy. No more would civil war be conducted with the *crudelitas* displayed by Sulla. It was time for a new style of conquest. Caesar was unequivocal; Sulla's cruelty in the aftermath of the first civil war would not be the way in which he exercised his own success. He would employ mercy, not cruelty, as the defining feature of his own victory. The cruelty with which Sulla had used his victory had cast a shadow over Caesar's own generation, and formed the *exemplum* against which all future actions could be measured. This mercy – *clementia* – was the policy for which Caesar became famous.

The phrase *clementia Caesaris* did not find its way into representations and characterisations of Caesar during his lifetime. In fact, its earliest contemporary use occurs in the post assassination period, around April 44.<sup>2</sup> The question may then be asked, how and when did this concept develop? Throughout Caesar's lifetime numerous references were made to his mercy, employing both *clementia* and other associated terms. Yet the simple recognition that these terms were used provides no solution and the answer must be sought elsewhere. This requires identifying the point at which Caesar began to construct what would become his policy for mercy. Only after the origin of Caesar's *clementia* has been identified will it be possible to trace the development of this reputation.

Until the Catilinarian conspiracy, Caesar's intention had simply been to oppose the Sullan method of rule and constitution, without any clearly defined concept of *clementia*. From the Catilinarian conspiracy and after, Caesar refined his approach and began developing

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<sup>1</sup> Cic, *Ad Att.*, 174C:1 (9:7C:1).

<sup>2</sup> Hirt., *BG.*, 8:3; Crawford, 480/21, although the temple featured on this coin was proposed during his lifetime.

an association between his own **name** and the idea of mercy towards citizens. This culminated in a distinct claim to *clementia* by Caesar in 57-56 when writing about his campaign in Gaul.<sup>3</sup> This was soon followed by a reference to Caesar as *clementissimus* in 56,<sup>4</sup> illustrating that by this point a firm association between the word and Caesar had been established.

The *Oxford Latin Dictionary* defines *clementia* as: 1. Clemency, disposition to spare or pardon, leniency; complaisance. **b.** (personified). **c.** (as a special attribute of the Caesars). **d.** (of government, law). 2. (of the weather, climate, etc.) Mildness, genial character, clemency.<sup>5</sup> It is the first definition from the above list that will be discussed throughout this thesis. Related terms were also used in the Late Republic, specifically *lenitas*, *humanitas*, *misericordia* and *mansuetudo*. Caesar himself was described as *mitis*, and his actions were recorded using verbs denoting forgiveness such as *ignoscere* and *parcere*. In Greek, the related terms associated with mercy include ἐπιεικεία, ἔλεος and φιλανθρωπία. Throughout this study, these terms will be investigated for their meaning and reference to Caesar and his actions. As it is difficult to find suitable words in the English vocabulary to define the ancient Roman notion of *clementia*, I intend to leave this and other mercy terms untranslated throughout this thesis, allowing the context to explain the meaning. This will illustrate the wide variety of vocabulary that was employed when discussing the concept of mercy, as well as illustrating the semantic range.

The earliest extant use of *clementia* comes from Roman comedy. The word is used in four plays by Plautus, *Miles Gloriosus*,<sup>6</sup> *Trinummus*,<sup>7</sup> *Stichus*,<sup>8</sup> *Mercator*,<sup>9</sup> and *Epidicus*,<sup>10</sup> each time meaning to forgive or pardon someone. In the *Epidicus* we even find *Clemens* as a cognomen. In both the *Miles Gloriosus* and the *Trinummus* the term *clementia* is used to describe an individual personal quality.<sup>11</sup>

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<sup>3</sup> Caes. *BG.*, 2:14, 31.

<sup>4</sup> Cic., *In Vat.*, 22.

<sup>5</sup> *OLD*, 1968, p. 336.

<sup>6</sup> Plaut. *Mil. Glor.*, 4:6:36; 3:1:89; 4:3:4.

<sup>7</sup> Plaut. *Tri.*, 4:1:5.

<sup>8</sup> Plaut. *Stic.*, 4:1:27.

<sup>9</sup> Plaut. *Merc.*, 5:2:111.

<sup>10</sup> Plaut. *Epid.*, 2:2:24.

<sup>11</sup> Plaut. *Mil. Glor.*, 3:1:89; 4:3:4; *Tri.* 4:1:5.

Terence also uses the term *clementia* in his play *Hecyra*. This play offers an insight into the way in which the term *clementia* could be used before it gained a political or military meaning. The term is used to describe the kindness exhibited by Pamphilus to his wife Philumena, similar to the way in which Plautus employs the term in the *Miles Gloriosus* and the *Trinummus*.<sup>12</sup> Devoid of the late Republican military and political context, *clementia* here is representative of an individual's actions towards someone. The examples cited in both Plautus and Terence illustrate that the term *clementia* formed part of normal daily language. The use of this term to describe forgiving an individual is similar to the way in which Caesar would use it in the late first century BCE, although he gave it a slightly different meaning when he transferred it to a political context. While in these early instances the term *clementia* is mostly used to describe the actions and personalities of slaves, it is reflective of the civilian origins of the word.<sup>13</sup>

The term *clementia* also possesses agricultural associations, as evidenced by Varro's use of the word in this context.<sup>14</sup> Catullus uses the term *clementia*, although in a meteorological context.<sup>15</sup> The use of *clementia* would remain constant in these contexts throughout the Republican and Imperial periods, regardless of the change in political meaning in the post-Caesarian period.<sup>16</sup> Barden-Dowling has recognised that such language is equally applicable to political storms, hence expanding the meaning for this term yet further.<sup>17</sup>

Caesar's *clementia* has been addressed by numerous modern commentators and this has resulted in a number of different interpretations of its exact nature and history. Some argue that Caesar's *clementia* was a natural part of his genius that he displayed

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<sup>12</sup> 'ego me scio cauisse, ne ulla merito contumelia fieri a uobis posset: idque si nunc memorare hic uelim quam fideli animo et benigno in illam et clementi fui, uere possum, ni te ex ipsa haec magis uelim resciscere: namque eo pacto maxime apud te meo erit ingenio fides, quom illa, quae nunc in me iniquast, aequa de me dixerit.' (I am conscious of having taken every care not to give your family any just grounds for complaint. If I cared to recall here and now how loyal and kind and understanding I have been to her, I could do it quite truthfully, except that I should prefer you to hear it from her own lips.) Ter. *Hec.*, 470-475.

<sup>13</sup> Dahlmann, 1934, p. 9. *Contra Hellegouarc'h*, 1963, p. 262; Barden Dowling, 2006, p. 5-6. Plautus' and Terence's use of *clementia* as part of common venacular illustrates this point and is the earliest evidence for the term. It is only later examples of the term that focus on political, legal and military contexts.

<sup>14</sup> Var. *De Re. Rus.*, 3:7.

<sup>15</sup> Cat., 64:272.

<sup>16</sup> Col. *De Re. Rus.*, 1:9; 2:2, 2:9; 4:23, 4:27; 5:5; 6:37; 7:3, 7:24, 9:13; 11:2, 11:3.

<sup>17</sup> Barden Dowling, 2006, p. 6.

throughout the civil war. Advocates of this theory argue that by releasing his enemies, Caesar was simply revealing his generous temperament. Alternatively there are those who take Caesar's *clementia* to be a policy designed purely for political purposes. While *clementia* proved popular he continued to use it, but once its utility diminished, actions of mercy also become less frequent. Included within this argument is the idea that Caesar was intent on winning support through *clementia*, and that all acts of mercy should be viewed with scepticism. This thesis will build on the earlier studies to show that the development of Caesar's *clementia* should be traced through his whole life. We need to ask if it should be called a single policy or a combination of policies implemented to suit very specific circumstances. Almost all scholars begin their treatment of Caesar's *clementia* with the civil war, although some do recognise Caesar's use of *clementia* in the *Bellum Gallicum*. Within these works, there is a general tendency to assume that this is part of the same policy that was implemented during the civil war. A brief outline of the arguments and their proponents will identify the various positions previously suggested and illustrate the previous attempts to identify the scope of Caesar's *clementia*.

### Mommsen

Mommsen's monumental status in the field of Roman history has left an indelible mark on scholarship for any Caesarian researcher. Between 1854 and 1856 Mommsen published his *Roman History*, a work containing a vision of Caesar as the consummate statesman and political leader. Such an interpretation of Caesar's personality allowed no room for acts of cruelty or malice, and it is this work that is singularly responsible for many of the later positive analyses of Caesar's actions. In this work, Caesar's mercy begins during the civil war period, and Mommsen traces it from the surrender of Corfinium to Caesar's recall of numerous exiles after the success at Thapsus. Although Mommsen does comment on Caesar's use of Marius and his early opposition to Sulla, he seems not to consider this as a precursor to the development of Caesar's policy of mercy. Instead, he characterises Caesar as offering pardon wherever he could in the period up to Ilerda,<sup>18</sup> and subsequently only enacting political and financial punishments against his enemies.<sup>19</sup> Mommsen identifies Caesar's policy that only those who had previously been pardoned were sentenced to death, but notes that in many cases even this punishment was

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<sup>18</sup> Mommsen, 1894, 5:319.

<sup>19</sup> Mommsen, 1894, 5:320.

rescinded: ‘...anyone of these, who had formerly accepted pardon from Caesar and was once more found in the ranks of the enemy, thereby forfeited his life. These rules were however materially modified in the execution. The sentence of death was actually executed only against a very few of the numerous backsliders.’<sup>20</sup> Mommsen’s belief that executed individuals were ‘backsliders’ is illustrative of his bias in Caesar’s favour and consequently his positive judgement of Caesar’s *clementia*. While he does not specifically state that Caesar’s mercy was an intrinsic part of his personality, he does argue that it was generally through the actions of his supporters and not Caesar himself that those who fought against him were put to death. It was this belief and focus on Caesar as a great man that led to much of the later belief in Caesar’s innate mercy.

### Rice Holmes

Rice Holmes advocates the Caesarian tradition developed from Mommsen and overall presents an extremely favourable view of Caesar, seeing his *clementia* as an inherent quality that was representative of his greatness. Rice Holmes’ *Caesar’s Conquest of Gaul*, published in 1911, only briefly addresses Caesar’s *clementia*. He comments on the two instances of the term in the Gallic context, noting that it was first designed to increase the standing of the Aedui,<sup>21</sup> and second to achieve a reputation for mercy.<sup>22</sup> Rice Holmes does not offer any other analysis for Caesar’s use in these particular situations, nor does he make any distinction between the use of *clementia* with reference to citizens and foreigners. Rice Holmes’ account of Caesar’s civil war *clementia* is very much based on Caesar’s own version of events, hence ensuring his vision of *clementia* is positive. He sees Caesar’s reputation for mercy as preceding him as he moved through Italy,<sup>23</sup> regarding his *clementia* as a continuous policy that was developed at Corfinium and continued in the post-Pharsalus period.<sup>24</sup> Under the influence of Caesar’s propaganda for *clementia*, Rice Holmes notes that Caesar offered a general amnesty, restoring many of

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<sup>20</sup> Mommsen, 1894, 5:320.

<sup>21</sup> Rice Holmes, 1911, p. 75. This position is also taken by Campi, 1997, p. 255-6, although he does also note that the Bellovaci had already been defeated so they posed little threat to Caesar, therefore making an offer of *clementia* easier.

<sup>22</sup> Rice Holmes, 1911 (2<sup>nd</sup> Ed.), p. 80.

<sup>23</sup> Rice Holmes, 1923, Vol 3, p. 28.

<sup>24</sup> His account of Pharsalus calls Caesar’s mercy ‘notorious’ (Rice Holmes, 1923, 3:171) and he does not mention the deaths of a number of Caesar’s detractors in Africa.

his enemies, promoting former opponents and recalling exiles.<sup>25</sup> There is no mention of a refusal to pardon and any killings that did take place were at the hands of his supporters, in direct opposition to Caesar's own desires.<sup>26</sup>

### Gelzer

Gelzer's biography of Caesar, published in 1921, again illustrates the strong influence Mommsen has exerted on studies of Caesar's career. As with other authors, Gelzer's study concentrates on Caesar, rather than his *clementia*, which he does not treat in any great depth. When he does treat this topic, he sees the development and implementation of Caesar's *clementia* as being gradual, only becoming an over-riding policy after the victory at Pharsalus.<sup>27</sup> Caesar's policy relied on a desire for reconciliation with his enemies, although Gelzer does note that there were limits imposed on the implementation of this policy.<sup>28</sup> Gelzer's final statement on Caesar's policy of mercy illustrates his overall approach: '*The policy of reconciliation after victory was therefore seriously intended and its failure was the cause of the catastrophe.*'<sup>29</sup> Gelzer's belief in the sincerity of Caesar's *clementia* as a method to end the conflict, and the subsequent failure of this policy, ensured he interpreted Caesar's murder as a 'catastrophe'.

### Dahlmann

In 1934, Dahlmann traced the development of the overall concept of Roman *clementia*, yet the nature of his study demanded that he specifically consider *clementia Caesaris*. His focus began with Sallust's reconstruction of the debate on the fate of the Catilinarians. He viewed the *synkrisis* as the most important section of the work, suggesting that Sallust was intent on setting Caesar as the new style of politician employing *clementia*, while Cato maintained old-style Roman *severitas*.<sup>30</sup> He presents a brief, favourable overview of Caesar, and while he does identify Caesar's early career as presenting a strong opposition to the senatorial elite, he does not locate *clementia* within this context. Dahlmann sees Caesar's implementation of *clementia* throughout his career

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<sup>25</sup> Rice Holmes, 1923, p. 312.

<sup>26</sup> Rice Holmes, 1923, p. 269.

<sup>27</sup> Gelzer, 1968, p. 243.

<sup>28</sup> '*Only those whom he had already speared once, such as Lucius Afranius and Marcus Petreius, were in general excluded.*' Gelzer, 1968, p. 243. See also p. 269-270.

<sup>29</sup> Gelzer, 1968, p. 331.

<sup>30</sup> Dahlmann, 1934, p. 21.

as an innovation, although as he regards this as a single theme that was implemented throughout Caesar's career, he misses some of the important developments in the policy. He treats Caesar's *clementia* in the civil war as the same as that in Gaul<sup>31</sup> and combines Caesar's actions in Africa with the speeches on behalf of Marcellus, Ligarius and Deiotarus.<sup>32</sup> Ultimately Dahlmann's belief is that Caesar's policy for *clementia* was useful politically, but it stemmed from a far more innate quality, justifying this by an emphasis on his belief that if Caesar had not been naturally merciful, he would have rid himself of this policy after the civil war.<sup>33</sup>

### Meier, Yavetz, and Weinstock

A further advocate for Caesar's mercy as an expression of his greatness is Meier.<sup>34</sup> In 1982 he proposed the idea that Caesar's mercy was '*prompted by an immense consciousness of superiority*',<sup>35</sup> and that through a strong resolve he was generally able to refrain from exhibiting cruelty through anger. Meier traces the origins of *clementia* to Roman foreign policy,<sup>36</sup> although with Caesar specifically he argues that it was put into effect from Corfinium.<sup>37</sup> His recognition of the expression of superiority involved in exhibiting mercy to the defeated ensures that Meier sees Caesar's *clementia* as an expression of both mercy and autocracy,<sup>38</sup> therefore limiting its efficacy. With the faults in Caesar's policy recognised, Meier returns to his analysis of Caesar's greatness, arguing that in the civil war it was through his exhibition of *clementia* that Caesar showed himself superior to those whom he was fighting against.

Yavetz too falls into this category, although he is slightly more judicious in his analysis, noting that while Caesar's mercy was an inherent quality,<sup>39</sup> it was also a powerful device he could use to gain political support.<sup>40</sup> Neither of these authors deals with Caesar's *clementia* in any great detail, nor do they see it as appearing any earlier than the civil war

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<sup>31</sup> Dahlmann, 1934, p. 22.

<sup>32</sup> Dahlmann, 1934, p. 23.

<sup>33</sup> Dahlmann, 1934, p. 24.

<sup>34</sup> Meier, 1996, p. 374.

<sup>35</sup> Meier, 1996, p. 374.

<sup>36</sup> Meier, 1996, p. 375.

<sup>37</sup> Meier, 1996, p. 375.

<sup>38</sup> Meier, 1996, p. 374, 375.

<sup>39</sup> Yavetz, 1983, p. 76.

<sup>40</sup> 'In reality, Caesar pardoned some of his former enemies for boldly political reasons but at other times pardoned people quite simply because he was good natured.' Yavetz, 1983, 174.

period. They are again followed by Weinstock, who sees Caesar's *clementia* as being part of an overall 'generosity' on Caesar's behalf rather than a form of policy.<sup>41</sup> His evidence for this is based on his belief that Caesar displayed his *clementia* continuously throughout the civil war; such constancy is evidence for an inherent mercy and not a political utility.<sup>42</sup>

### Balázs

Balázs, in his 1986 study on *Clementia* and *Divinitas*, offers an extensive analysis of Caesar's *clementia*, maintaining a positive representation of Caesar throughout. Balázs focuses primarily on Caesar's *clementia* in a civil context, and as such he does not comment on Caesar's use of the term regarding his campaigns in Gaul. Balázs' brief discussion of Caesar's role in the Catilinarian conspiracy debate does not cover his proposed mercy;<sup>43</sup> and although he analyses Caesar's early career, he does not treat *clementia* within this study. Instead, he maintains that Caesar's *clementia* began as a policy during the civil war.<sup>44</sup> Balázs' belief in Caesar's over-riding concern for *clementia* takes form in his statement that Caesar planned to erect a temple to *clementia Caesaris* and also that he minted the coins with the image and legend of the temple himself.<sup>45</sup> Such assumptions form the basis of his analysis. When he comes to his study of the letter to Oppius and Balbus, Balázs clearly illustrates the purpose and intention Caesar had in writing. He recognises that Caesar's *clementia* was a well planned policy aimed at achieving long term results,<sup>46</sup> and uses the evidence this letter provides to emphasise Caesar's desire to remove any association with his predecessors in civil war.<sup>47</sup> Balázs' generally accurate assessment of Caesar's intentions at the outbreak of the civil war also highlights his attempts to cast Pompey as the successor to Sulla.<sup>48</sup> Balázs, however, views Caesar's *clementia* after Pharsalus as designed to convince Pompey that reconciliation was still possible,<sup>49</sup> an attempt to win Pompey over (as he had been trying to do since the beginning of the war) so that they could set up a duumvirate and realise

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<sup>41</sup> Weinstock, 1971, p. 239.

<sup>42</sup> Weinstock, 1971, p. 239.

<sup>43</sup> Balázs, 1986, p. 252-3; p. 255.

<sup>44</sup> Balázs, 1986, p. 262.

<sup>45</sup> Balázs, 1986, p. 244.

<sup>46</sup> Balázs, 1986, p. 266.

<sup>47</sup> Balázs, 1986, p. 266.

<sup>48</sup> Balázs, 1986, p. 266.

<sup>49</sup> Balázs, 1986, p. 273-274.

their respective plans for Rome together.<sup>50</sup> After Pompey's death the policy of *clementia* was pursued with the aim to increase his status (with the associated superior/inferior messages),<sup>51</sup> and to create a level of being close to divinity.<sup>52</sup>

The above scholarship represents the positive interpretations of Caesar's *clementia*. While some of these scholars recognise the political utility of such a policy, they ultimately have been influenced by Mommsen's interpretation of Caesar as a great politician and statesman, and interpret the policy of *clementia* as representing just one aspect of this greatness. Other scholars, however, are more ambivalent towards Caesar in their analysis of his mercy. These individuals have highlighted the propagandistic nature of this policy and regard Caesar's aim in employing *clementia* as purely an attempt to gain power.

#### **Strasburger, Meyer, and Treu**

In 1922, Meyer argued against Mommsen's representation of Caesar's greatness, and as a result, also attacked his use of *clementia* in the civil war period. In 1948 Treu followed Meyer, arguing that Caesar's *clementia* was purely a political tool.<sup>53</sup> His analysis concentrates to a great extent on the letter from Caesar to Oppius and Balbus in 49,<sup>54</sup> and consequently only takes into account a limited time period, yet his interpretation follows the line set by Meyer. Again, in 1968, Strasburger continued the belief that Caesar's *clementia* was politically motivated, seeing it more as an attempt to gain support than the sincere enactment of policy.<sup>55</sup> Each of these men focus primarily on the civil war period, thus offering a distorted picture of what Caesar was aiming to achieve. Caesar's *clementia* does not form the main focus of their study, but rather represents a background to the overall history and Caesar's actions in the civil war. These historians refer to an ideal but the concept plays no great part in their overall study. It is seen simply as a political construct, and each author is conclusively negative regarding the sincerity of the *clementia Caesaris*.

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<sup>50</sup> Balázs, 1986, p. 276, 277.

<sup>51</sup> Balázs, 1986, p. 281, 283,

<sup>52</sup> Balázs, 1986, p. 309, 310, 311.

<sup>53</sup> Treu, 1948, p. 198, 199.

<sup>54</sup> Cic. *Ad Att.*, 174C.

<sup>55</sup> Meyer, 1922, p. 339-340; Strasburger, 1968, p. 43, 45.

## Syme

Syme's 1939 *Roman Revolution* illustrates the author's admiration for Caesar, but at the same time offers an equivocal analysis of his policy of *clementia*. He records that Caesar used his *clementia* to palliate his guilt for starting a civil war,<sup>56</sup> and to remove associations with Sulla and his own actions.<sup>57</sup> This is hardly a positive impression, although he does note that Caesar's motivation was not simply design; he concedes that Caesar's actions may have been stimulated by a natural tendency towards mercy.<sup>58</sup> This is indicative of Syme's ambivalence; Caesar's use of his natural tendency towards mercy is interpreted as mitigation for embarking on civil war. Syme continued to recognise the utility of *clementia* in his later works, but by 1958 his analysis of Caesar's implementation of such a virtue has changed. Although he maintained *clementia* was implemented through both design and nature, he now offered a far more negative analysis of its origin, recording that it was a quality of a despot and subject to whim.<sup>59</sup> Syme further developed the association between Caesar's *clementia* and despotism in his 1964 work on Sallust. By this point *clementia* was not only a sign of despotism, but actually worked against Caesar. His enemies resented the assumption of power that Caesar's *clementia* implied, and there is no reference to his inherently merciful nature. This study represented *Clementia Caesaris* as a sign of absolute power, and whenever it was used with reference to Caesar, it was done so insidiously.<sup>60</sup>

## Rambaud

The above argument surrounding the negative associations between Caesar and *clementia* is most conspicuously advanced by Rambaud in his work on Caesar's propagandistic intentions in the *Bellum Gallicum* and *Bellum Civile*. Rambaud too supports the idea that Caesar's *clementia* was designed specifically as a political tool, devoting an entire section of his book on Caesar's misrepresentations in his *Commentaries* to discussion of the ways in which Caesar promoted his *clementia* for propagandistic purposes.<sup>61</sup> He cites

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<sup>56</sup> Syme, 1939, p. 159.

<sup>57</sup> Syme, 1939, p. 51, 159.

<sup>58</sup> Syme, 1939, p. 65;

<sup>59</sup> Syme, 1958, p. 414.

<sup>60</sup> Syme, 1964, p. 119.

<sup>61</sup> Rambaud, 1966, p. 284, 287, 289.

numerous examples in support of his argument, illustrating contradictions and misrepresentations throughout the work that place Caesar in a positive light as opposed to his enemies.<sup>62</sup> Rambaud's interpretation of the origins of Caesar's *clementia* does not provide a full analysis of the use of this policy, although he does deal with Caesar's involvement in the trial of Rabirius.<sup>63</sup> The remainder of his analysis of Caesar's early career is focused on the 'cruelties' committed in Gaul, and when it comes to the civil war,<sup>64</sup> on Caesar's efforts at Corfinium which were purely for show and popularity.<sup>65</sup> Throughout his work, Rambaud clearly identifies the propagandistic value of a policy of *clementia* and is convincing in much of his argument regarding Caesar's mercy.

### Collins

Collins' 1971 article, '*Caesar as a Political Propagandist*', is careful not to offer an opinion on whether Caesar was truly merciful. His avoidance is associated with the specific purpose of his article, in which he notes that '*The question of the sincerity of Caesar's clementia is one that scarcely admits of a rigorous answer from the sources.*'<sup>66</sup> Collins makes no mention of Caesar's early attempts to win a reputation for mercy, declaring that there is no evidence of *clementia* in the *Bellum Gallicum* and that Caesar exhibited what can only be referred to as shocking severity in his treatment of the Gauls.<sup>67</sup> Caesar's account of the civil war, however, is complete in its promotion of *clementia*, and it is from this period that he reckons it to have first truly appeared.<sup>68</sup>

Caesarian studies declined in the period between the early 1970s and the beginning of the new millennium, with few major works being dedicated to Caesar. The publication of *Caesar as Artful Reporter* in 1998 marked the first such book dedicated to Caesarian studies in over a decade, although this work contained no direct study of *clementia*

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<sup>62</sup> The most obvious example of this is his treatment of Caesar's attack on the Usipetes and Tencteri in Gaul in 55, Rambaud, 1966, p. 286, and the letter from Oppius and Balbus to Cicero (Cic. *Ad Att.*, 174C (9:7C)), Rambaud, 1966, p. 289.

<sup>63</sup> Rambaud, 1966, p. 284.

<sup>64</sup> Rambaud, 1966, p. 286, 287.

<sup>65</sup> Rambaud, 1966, p. 289-290.

<sup>66</sup> Collins, 1972, p. 962.

<sup>67</sup> Collins, 1972, p. 933. He does not discuss the use of the term *clementia* in book 2 of the *Bellum Gallicum*.

<sup>68</sup> Collins, 1972, p. 959-962.

*Caesaris* and only a few references to this topic in its nine articles.<sup>69</sup> In the past few years, attention has been drawn to the concept of mercy in the Roman world, and it is through this that attention has again been drawn to Caesar, this time with a greater emphasis on his policy of *clementia*.

### Konstan

In 2001, Konstan published a work dedicated to the study of pity in the Roman world in which he addresses Caesarian mercy. Konstan viewed Caesar's *clementia* during the civil war in the same light as that of the *Bellum Gallicum*, offering no differentiation for the differing status of the recipients.<sup>70</sup> Even in his brief discussion of Caesar's role in the Catilinarian conspiracy, Konstan's approach is through Sallust, where he believes that Caesar is '...at pains to discount his own reputation for mildness as a motive for sparing the lives of citizens...'<sup>71</sup> Again, in 2005 Konstan published a work which specifically dealt with Caesar's *clementia* in which he aimed to rehabilitate the term and its use with reference to Roman citizens.<sup>72</sup> Contrary to the evidence contained within Cicero, Konstan suggests that the concept of Caesarian *clementia* was welcome and was not representative of tyranny.<sup>73</sup> There is no indication whether Konstan thought Caesar's *clementia* was an inherent feature or a political program within his work on pity, and he expressly states that he could offer no opinion on Caesar's motives in his exhibition of *clementia*.<sup>74</sup>

### Barden Dowling

The most recent contribution to the study of ancient Roman mercy is Barden Dowling's *Clemency and Cruelty in the Roman World*, published in 2006. Barden Dowling offers an overall study of *clementia* in the Roman world, and while the focus is *clementia* from Octavian/Augustus onwards, she necessarily makes numerous references to Caesar. The work starts with a study of the Greek background to the concept of *clementia*, which she notes was a public quality that could only be extended to those who were inherently in

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<sup>69</sup> Welch and Powell, 1998. Levick, 1998, p. 70 touches on *clementia*, while Powell, 1998, p. 129-132 provides a more extensive analysis, but addresses the issue as part of a study of massacre.

<sup>70</sup> Konstan, 2003, p. 98.

<sup>71</sup> Konstan, 2003, p. 95.

<sup>72</sup> Konstan, 2005, p. 338-339.

<sup>73</sup> Konstan, 2005, p. 344.

<sup>74</sup> Konstan, 2005, p. 337.

the wrong or who were of a lower class; *clementia* did not belong in a democratic society as it relied on the assumption that the person exhibiting *clementia* is of a higher status than the person receiving.<sup>75</sup> In a society where all citizens were encouraged to participate in politics, this quality was not going to win popularity. The Greek vocabulary used to represent this idea is limited in Barden Dowling's vision to three terms; φιλανθρωπία, πραότητα, and ἐπιείκεια.<sup>76</sup> She notes that with the increase in displaced populations during the third century a concept of *clementia* (or amnesty towards those populations) was developed that foreshadows the politicisation of *clementia* during the Late Republic.<sup>77</sup>

Barden Dowling finds a vast array of *clementia*-associated language in use in various situations. She includes *moderatio*, *indulgentia*, *misericordia* and *mansuetudo*, although she does not take into consideration the use of the term *lenitas*.<sup>78</sup> Nor does she consider the verbs *ignoscere* and *parcere* as specific mercy-related words.<sup>79</sup> Barden Dowling traces the various uses of the term *clementia* throughout the Republic,<sup>80</sup> noting that by the Late Republic it was an unpopular virtue amongst the elite because of the implications associated with unequal status its use required.<sup>81</sup> Most importantly, she identifies the civil origins of the term, noting that it was both acceptable and commonly used in a legal setting.<sup>82</sup>

Barden Dowling treats Caesar's *clementia* in the *Bellum Gallicum* and in the civil war period, identifying the differences in approach within these two works. During the Gallic campaigns, she sees *clementia* being extended only once certain mitigating circumstances have been met,<sup>83</sup> and views Caesar as playing down his *clementia*.<sup>84</sup> In her analysis of the *Bellum Civile*, Barden Dowling has noted the relative absence of the term *clementia*,

<sup>75</sup> Barden Dowling, 2006, p. 3-4.

<sup>76</sup> Barden Dowling, 2006, p. 4.

<sup>77</sup> Barden Dowling, 2006, p. 5.

<sup>78</sup> This term is often used in the late Republic, especially with reference to Caesar and by Caesar himself. There are numerous examples, but see Cic., *Ad Att.*, 174C:1; Caes. *BC.*, 1:74; Cic. *Pro Marc.*, 12; Cic. *Pro Lig.*, 15. This is to be expected as Barden Dowling's focus is not on Caesar.

<sup>79</sup> However these terms do appear in quotations throughout the work. For the first instance of *ignoscere*, see Barden Dowling, 2006, p. 66; for *parcere*, see Barden Dowling, 2006, p. 87.

<sup>80</sup> Such as its meteorological and agricultural associations, Barden Dowling, 2006, p. 6.

<sup>81</sup> Barden Dowling, 2006, p. 17, 19.

<sup>82</sup> Barden Dowling, 2006, p. 18-20.

<sup>83</sup> Barden Dowling, 2006, p. 21.

<sup>84</sup> Barden Dowling, 2006, p. 22.

but highlights Caesar's concentration on acts of mercy as opposed to Pompeian cruelty.<sup>85</sup> She shows the initial hesitancy contemporaries held about Caesar's *clementia* in the early stages of the civil war, and the belief that it would not last.<sup>86</sup> The dedication of a temple to Caesar's *clementia* (not Caesar AND *clementia* as Dio and Appian note) was evidence of the changing nature of *clementia*.<sup>87</sup> The practise of *clementia* was propaganda at its best, and while popular with soldiers fighting in the armies<sup>88</sup> and the people,<sup>89</sup> its use was suspended after his death.<sup>90</sup> Barden Dowling does not study the early roots of Caesar's policy, although she comes close to recognising them, noting that the implementation of *clementia* just a generation after Sulla's proscriptions would have seemed a natural way to calm fears of proscriptions.<sup>91</sup> She does not study the use of Caesar's *clementia* and *beneficia* against the assassins,<sup>92</sup> nor Cicero's use of the notion with reference to Lepidus. She contends instead that *clementia* began its rehabilitation with the army under Antony and Octavian,<sup>93</sup> making its reappearance in a new guise under Augustus.<sup>94</sup>

While many individuals have addressed Caesar's *clementia*, such references are usually brief and are included in a more comprehensive study of Caesar's lifetime. Those few individuals who have conducted a more thorough analysis of *clementia Caesaris* again do not separate this policy into different stages. Instead, it is treated as a single theme that was present throughout the civil war period, which does not allow for the numerous developments and difficulties that arose through the promotion and implementation of such a policy. There has also been little work done on the origins of *clementia*, with most scholars seeing this as an innovative policy Caesar developed at the outset of the civil war period. Most modern sources trace this policy back to the beginning of the civil war, although some do recognise Caesar's use of the term with relation to his actions in Gaul. My study shall trace the development of *clementia* from its civil, legal origins and

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<sup>85</sup> Barden Dowling, 2006, p. 21.

<sup>86</sup> Barden Dowling, 2006, p. 22-3.

<sup>87</sup> Barden Dowling p. 28. Dio, 44:6:4; App. BC, 2:106.

<sup>88</sup> Barden Dowling, 2006, p. 22. I do not necessarily agree with this. The mutinies that took place during the civil war period illustrate that the troops were not happy with Caesar's close guard of individual property.

<sup>89</sup> Barden Dowling suggests through donations of food, public entertainments and good administration (Barden Dowling, 2006, p. 24), but I do not think this is *clementia*.

<sup>90</sup> Barden Dowling, 2006, p. 28.

<sup>91</sup> Barden Dowling, 2006, p. 20.

<sup>92</sup> Although she does analyse *beneficium* with reference to Octavian, Barden Dowling, 2006, p. 30.

<sup>93</sup> Barden Dowling, 2006, p. 48.

<sup>94</sup> Barden Dowling, 2006, pp. 64-69, 71-75.

analyse how and why Caesar implemented such a policy. Caesar's entire policy of *clementia* can be traced back to his very early career and the aftermath of Sulla's dictatorship. By actively opposing Sulla and his methods throughout his career, Caesar was able to develop an unparalleled reputation for mercy. This was not initially a conscious move towards *clementia*, but rather an active policy against the mistreatment of citizens. It is only through the influence of Pompey's actions in the east, and then during the Catilinarian conspiracy that the policy begins to take shape. Its development would continue throughout the remainder of Caesar's career, and ultimately shape Caesar's living and posthumous reputation. This necessitates an in-depth study of Caesar's entire career, and will illustrate the way in which his policy for *clementia* formed part of an overall desire to build a reputation based on the correct treatment of Roman citizens. The concept of mercy towards citizens underwent many different phases, especially in the civil war period.

Numerous ancient sources refer to Caesar's *clementia*, although a great deal of the later material is influenced by Caesar's reputation for mercy throughout his life. There are few extant contemporary historians dealing with Caesar's *clementia*, although the works of Cicero are an exception. The letters, political and legal speeches, and philosophical treatises of Cicero each contain references to Caesar's *clementia*, and form the single most informative source for Caesar's *clementia* during his lifetime. These works will be integral to the following argument, particularly as Cicero has been credited with developing the association between Caesar and *clementia*.<sup>95</sup> That Cicero's works span Caesar's entire career and often offer the only contemporary source for his actions makes them even more important, especially during the civil war period when the letters can be used to validate the veracity of Caesar's own account. Cicero's personal relationship with both Caesar and his close associates also placed him in a position where he was privy to knowledge of the actions and motivations of these men. As a result, the works of Cicero will provide the primary evidence upon which a great deal of the following argument is based.

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<sup>95</sup> Weinstock, 1971, p. 237; Griffin, 2003, p. 162.

Caesar's own works, the *Bellum Gallicum* and the *Bellum Civile*, as well as his letters preserved in the works of Cicero, will also be used extensively. As noted above, the propagandistic value of these works has not been lost on modern scholars, with these works providing historians with a clear indication of how Caesar himself wished to be perceived by his contemporaries. The *Bellum Civile* and the letters preserved within Cicero's collections also allow us to understand the way in which Caesar chose to portray his enemies and his justifications for his actions. The eighth book of the *Bellum Gallicum*, written by the Caesarian partisan Aulus Hirtius will be used to supplement information but will be studied where it belongs, among the material that emerged after Caesar's assassination. Sallust also provides another perspective in the debate about Caesar's reputation in the years immediately following his death. Their references to Caesar's *clementia* illustrate the heated debate that was taking place in the post-assassination period, providing an insight into the ways in which this policy was viewed.

The Pseudo-Caesarian collection of works incorporating the *Bellum Alexandrinum*, *Bellum Africanum*, and *Bellum Hispaniense* will be provided with an in-depth analysis to illustrate the way in each author desired to represent Caesar's *clementia*.<sup>96</sup> These works provide an extraordinary view of the Caesarian wars from a combatant's perspective. These works will also allow for a greater understanding of the extent and utility of Caesar's reputation for *clementia*. Authors from the Imperial period will be consulted extensively and used to provide additional information, especially for aspects of Caesar's career which are absent from contemporary texts. Biographies such as those of Suetonius and Plutarch, when used cautiously, provide a great deal of information for Caesar's early life and career and illustrate the starting point for his policy for *clementia*. These works will be used to discover some of the anti-Caesar propaganda that circulated during his lifetime, and the effect Caesar's later reputation for *clementia* had, if any, on later accounts of his life. Other histories and accounts referencing Caesar's *clementia* will be employed and discussed to provide an overview of the way in which Caesar employed the term *clementia*.

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<sup>96</sup> Theories concerning who wrote these Commentaries differ. For some of the relevant arguments see de Witt, 1942, p. 348; Green, 1978, p. 2-3; Hall, 1996, p. 413-415.

It is the development and use of *clementia* throughout Caesar's career and after his death that is the focus of this thesis. Through an analysis of Caesar's own motives and actions, a greater understanding of Caesar's policy for *clementia*, and its after-effects, will be gained. It was Caesar's ability to manipulate policies and situations that would further his career that led to his unparalleled position of power at the end of his life. Caesar's early reliance on familial connections to achieve his aims was instrumental in the development of his policy for *clementia*. His early experiences of the Sullan regime made him aware of the importance of advocating mercy, and it was ultimately from this arena that we find Caesar developing his policy for *clementia* that was both welcomed and despised by his contemporaries. It was the duality of this policy that ensured it maintained a substantial political currency even after his death.

## Fashioning *clementia*

From early in his career Caesar displayed a notable opposition to the violence perpetrated under Sulla, but it has not been so readily recognised that it is from here that the early stages of a policy for *clementia* should be traced. Simply by rejecting Sulla's offer of involvement and association with the ruling elite of the 80s,<sup>1</sup> Caesar made a statement about the use of violence and his preference to remain apart from such practises. His early career illustrates the extent to which he used his anti-Sulla, anti-violence stand as an entry into Roman politics. Caesar's rehabilitation of Marius as saviour of the state, his prosecution of important Sullan supporters and minor individuals who profited from Sulla's proscriptions are each illustrative of the way Caesar cast himself in opposition to Sulla's cruelty. This culminated in the debate on the punishment of the Catilinarian conspirators where Caesar advocated a policy of mercy in opposition to a majority of the Senate and Cicero himself. It is from this date that we see Caesar's policy for mercy clearly beginning, along with a strong opposition that would become more evident in the civil war period.

### Sulla's Influence

Sulla's actions after his victory in the civil war had a major impact on Roman politics and the treatment of citizens for generations after his death. Although Sulla is used as an exemplar of *crudelitas* in both ancient and modern sources,<sup>2</sup> one modern author has illustrated that the negative image of Sulla was the result of a later construct and that there is evidence of Sullan mercy throughout a number of ancient sources.<sup>3</sup> While there is little contemporary evidence for Sulla's reputation, in his *Pro Sulla* of 62 Cicero

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<sup>1</sup> Suet. *Iul.*, 1-2.

<sup>2</sup> Ancient sources that depict Sulla as especially cruel include Cic. *Sul.*, 72; *Ad Att.*, 174C (9:7C:1); 177:3 (9:10:3), 182:2 (9:14:2); Livy, *Per.*, 88; Vell. 2:28:2; Val. Max. 2:8:7, 2:10:6, 3:1:2b, 6:8:2, 7:6:4, 9:2:1; Flor. 2:8:5, 21-28; Plut. *Sul.*, 31-32; Dio, Fr. 109:5-10; App. *BC*, 1:95-96. Numerous modern sources have represented Sulla as notorious for his cruelty, including Ferrero, 1907, p. 99; Valgiglio, 1956, pp. 53-63; Hinard, 1985, 191-222; Keaveney, 2005, pp. 124-139.

<sup>3</sup> Barden Dowling, 2000, pp. 304-5. Evidence for Sulla's mercy includes allowing his relative, P. Sulla, to beg for the lives of his friends, Cic. *Sul.*, 72; Diod. 38:16; Liv. *Per.*, 85, and the ability of the Aurelii Cottae to save Caesar as mentioned above.

referred to the fact that Sulla was willing to offer individuals their lives if they were prepared to plead for mercy.<sup>4</sup>

The theme of mercy is repeated in a number of ancient authors who provide important evidence to show that at the beginning of the civil war, Sulla had exhibited his *clementia* to his enemies.<sup>5</sup> Each of these authors records (either explicitly or implicitly) that Sulla's approach changed after his victory, although they do not state that this took place during his march against Rome in 83. At the outset of the war, Sulla was expecting to face little opposition and so he chose to exhibit mercy to those who opposed him.<sup>6</sup> It was only when he realised that, unlike in 88,<sup>7</sup> he was going to face continued resistance that he consciously chose to eschew his policy of mercy. The notion that Sulla explicitly chose not to continue with a policy of mercy is evident from the accounts of both Appian and Livy. Both authors note that Sulla had offered peaceful terms to Scipio and that these had been rejected. In a further effort to convince his detractors of the sincerity of his offer, after capturing Scipio through peaceful means, Sulla let him go free. It was only after Scipio continued to fight against him that Sulla wilfully cast aside any possibility of mercy. It was this overt rejection of mercy that led to his reputation for cruelty. Almost forty years later this would serve as an important lesson for Caesar as he marched into Italy and began the civil war.

### Opposing Sulla

After Sulla's death there was a marked backlash against the violent methods he had employed, even by those who had actively supported him during this time. Separating oneself from involvement with the Sullan regime was critical to political survival during the 70s and 60s; in 78 Lepidus began the opposition to Sullan methods calling for a repeal of the laws enacted under his dictatorship. This was followed by C. Aurelius Cotta in 75, who passed a law allowing the Tribunes to stand for other magistracies, and then

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<sup>4</sup> Cic. *Pro Sul.*, 72. Barden Dowling, 2000, p.308 also notes '*People whom Sulla had deemed traitors and enemies of the state were pardoned by him when they requested it.*'

<sup>5</sup> Livy, *Per.*, 85; Vell. 2:25:2-3.; App. *BC*, 1:86; Diod. 38:16. Sulla's *clementia* will be discussed in greater detail in Chapter Three, 'Caesar, Sulla and civil war *clementia*.'

<sup>6</sup> Liv. *Per.*, 85; Vell. 2:25; App. *BC*, 1:85-6; Plut. *Sul.*, 28:2-4.

<sup>7</sup> On the slight resistance Sulla faced in 88 when he marched against Rome, see App. *BC*, 1:57-59; Livy, *Per.*, 77; a very garbled version of this is also contained in Flor. 2:9:6-7.

Pompey and Crassus in 70 who restored the rights of the Tribunes.<sup>8</sup> Slowly but surely, many of Sulla's measures were being repealed, a reaction to the methods he employed in his victory. More importantly, however, the rescinding of Sullan legislation showed that the individual who proposed the repeal did not support the violence perpetrated under Sulla, and was effectively distancing himself from his methods.

## Pompey

The career of Cn. Pompeius Magnus is illustrative of the way in which individuals who had fought with Sulla consciously sought to dissociate themselves from the atrocities committed during his dictatorship. Pompey had begun his career under Sulla, yet numerous ancient sources illustrate how he actively showed mercy to his opponents from an early period. Plutarch notes that when in Sicily Pompey pardoned many individuals<sup>9</sup> and after defeating the remnants of Sertorius' army in Spain in 72,<sup>10</sup> he burned the correspondence M. Perpenna Vento provided him with which were written by Roman citizens.<sup>11</sup> Plutarch gives as Pompey's reason the need to avoid further civil war, showing he believed that Pompey was aware that mercy could bring internal disputes to an end. These actions were intensely political in nature, sending a clear message that Pompey would employ his victory with regard for the lives of Roman citizens and the need to remove the prospect of civil war. They also illustrated that Pompey was intent on removing himself from association with Sulla's violent acts against citizens.

In 67 Pompey moved the concept of mercy towards enemies into a new sphere when he gained a command against the pirates inhabiting the Mediterranean Sea.<sup>12</sup> His success was recorded in the *Pro Lege Manilia* in which Cicero linked the qualities of

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<sup>8</sup> Lepidus, Sall. *Hist.*, 1:48; Plut, *Sul.*, 34:5; *Pomp.*, 16:1-2; App. *BC*, 1:107; Flor. 2:11:2-6; Dio 44:28:2. C. Aurelius Cotta, Asc. 78; Sall. *Hist.*, Macer 8. Pompey and Crassus, Cic. *Verr.*, 1:1:44-46, 2:5:175; *Leg. Agr.*, 2:36; *Sal. Cat.*, 38:1; *Caes. BC.*, 1:7; *Liv. Per.*, 97; *Vell.* 2:30:4; *Suet. Iul.* 5; *Plut. Pomp.*, 22:3; App. *BC*, 1:121, 2:29; Dio, 36:38:2, 38:30:3.

<sup>9</sup> *Plut. Pomp.*, 10:5-6.

<sup>10</sup> *Livy, Per.*, 96; *Val. Max.* 6:2:8; *Plut. Sert.*, 27:1; *Pomp.*, 20:3; App. *BC*, 1:115.

<sup>11</sup> *Plut. Pomp.*, 20:4; *Sert.*, 27:2-4. Appian contains a different version of events; after his capture, Perpenna was claiming he could implicate many leading Romans who desired conflict in Rome. Pompey thus had him executed before he could reveal details. Appian judges Pompey to have acted prudently and that this assisted in ending the war. App. *BC*, 1:115. After the battle of Pharsalus, in a similar fashion Caesar is said to have burned the correspondence found in Pompey's camp, Dio, 41:63:5.

<sup>12</sup> Cic. *Pro Leg. Man.*, 34-35; *Livy, Per.*, 99; *Vell.* 2:31:2-3; *Plut. Pomp.*, 26; App. *Mith.*, 94.

*mansuetudo*, *misericordia*, *humanitas* and *temperantia* with Pompey.<sup>13</sup> This was specifically related to his lenient treatment of the pirates, which Dio calls φιλανθρωπία<sup>14</sup> and χρηστότης,<sup>15</sup> while Appian and Plutarch both refer to the pirates' hope for lenient treatment at the hands of Pompey.<sup>16</sup> While this treatment of the pirates possibly stemmed from philosophical beliefs rather than the political motivations apparent in Pompey's treatment of citizens mentioned above,<sup>17</sup> it does show that Pompey continued to develop this ideal. That Pompey's reputation for mercy endured is evidenced by the language of later Roman and Greek authors whose references to Pompey's actions against the pirates reflect those of Cicero.<sup>18</sup> These actions were symbolic of Pompey's conduct throughout the remainder of the 60s and into the 50s as he sought to distance himself further from his involvement with the Sullan regime.<sup>19</sup> That Pompey was successful in creating a reputation for mercy is evident in the anti-Pompey propaganda being circulated from Caesar's camp during the civil war.<sup>20</sup> Pompey had cast off his association with Sulla and built an image of a lenient leader through his conquests in the East.

### Uses of *clementia*

The Romans had recognised that *clementia* towards citizens was useful, at least in a legal setting, well before Caesar employed this concept in the civil war. The *clementia* of a jury could be called upon during a trial,<sup>21</sup> providing clear evidence for the use of this word and its acceptability in a forensic context during this period. It was generally only used within a legal context in support of citizens. In his *Pro Roscio Amerino* in 80 Cicero

<sup>13</sup> Cic. *Pro. Leg. Man.*, 13, 42.

<sup>14</sup> Dio, 36:37:4.

<sup>15</sup> Dio, 36:37:5.

<sup>16</sup> Φιλάνθρωπος, App, *Mith.*, 96; ἐπιεικής, Plut. *Pomp.*, 27:4.

<sup>17</sup> Strasburger, 1965, pp. 51.

<sup>18</sup> Livy, *Per.*, 99; Plut. *Pomp.*, 27-29; Vell. 2:32:4-5.

<sup>19</sup> In reality his links with the Sullans remained. He was married to Sulla's step-daughter initially, and when she died in childbirth (Plut. *Pomp.*, 9:2-3) he married Mucia (Plut. *Pomp.*, 42:7; Cic. *Ad Att.*, 12:3 (1:12:2)), daughter of Q. Mucius Scaevola, a firm Sullan adherent. Through this marriage he also gained connections with the Metelli (Haley, 1985, p. 50). His final marriage to Cornelia again provides him with connections to the Metelli.

<sup>20</sup> Cic. *Ad Att.*, 182:2 (9:14:2); Sall., *Orat. Ad Caes.*, 4; Plut. *Pomp.* 10:3-4; Val. Max., 5:3:5, 6:2:8. This shall be dealt with in more detail in the later chapter on Caesar and Sulla in the civil war.

<sup>21</sup> Cic. *Pro Clu.*, 105, 202; *Pro Planc.* 31.

used the term *clementissimus* of the trial judge,<sup>22</sup> and in his *De Inventione*, written some time around 81, he provides a definition for the term *clementia*.<sup>23</sup> It is also found within other early Ciceronian works. In the Verrine orations of 70, Cicero employs the term twice.<sup>24</sup> The first time it is used is with reference to the mercy the Roman people had showed to Verres on an earlier occasion, and in the second instance the term is paired with *mansuetudo* to describe the Roman rule of Sicily. In this case the *clementia* and *mansuetudo* of the Roman people is contrasted with the *crudelitas* and *inhumanitas* of Verres' governorship of the province.<sup>25</sup> Cicero's pairing of these opposites provides a suitable contrast to illustrate Verres' brutality and highlights the need for a severe judgement. Cicero's use of the word *clementia* is designed to ensure that no mercy was offered to Verres on this occasion.

The term *clementia* can also be found in other legal speeches by Cicero. In the *Pro Tullio* of 69 the term is used with reference to a law regarding self-defence against thieves.<sup>26</sup> In the *Pro Cluentio* of 66 Cicero employs the term *clementia* with regard to a jury's acquittal of Oppianicus – notably that they regretted their *clementia*.<sup>27</sup> It is used again in the peroration of the *Pro Cluentio* when Cicero reminds members of the jury that it was their duty as merciful men not to find his client guilty. The term *clementia* was also used in the *Pro Plancio* in 54, where Cicero once again employed it with reference to the

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<sup>22</sup> 'Ego quamquam praeest huic quaestioni vir et contra audaciam fortissimus et ab innocentia clementissimus, tamen facile me paterer vel illo ipso acerrimo iudice quaerente vel apud Cassianos iudices, quorum etiam nunc ii quibus causa dicenda est, nomen ipsum reformidant, pro Sex. Roscio dicere.' (As for myself although this inquiry is in the hands of a man who shows as much courage in the face of audacity as mercy on the side of innocence, I would willingly consent to defend Sextus Roscius, even before that very searching judge himself or other judges like Cassius, whose name even now strikes with terror accused persons who have to stand their trial.) Cic. *Pro. Rosc. Amer.*, 85.

<sup>23</sup> '*clementia, per quam animi temere in odium alicuius iniectionis concitati comitate retinentur;*' (*clementia* is a kindly and gentle restraint of spirits that have been provoked to dislike of a person of inferior rank.) Cic., *De Inv.*, 2:164. It should be noted here that the text for this section of the *De Inventione* is corrupt, and this definition is based on that given in Seneca's much later *De Clementia*. See note p. 330-1 of Loeb Classical Library volume.

<sup>24</sup> Cic. *In Ver.*, 2:5:74, 2:5:115.

<sup>25</sup> '*indigne ferunt illam clementiam mansuetudinemque nostri imperii in tantam crudelitatem inhumanitatemque esse conversam...*' (they were appalled by the change from the former mildness and mercy of our rule into such cruelty and inhumanity...) Cic. *In Ver.*, 2:5:115.

<sup>26</sup> Cic. *Pro Tull.*, 50.

<sup>27</sup> Cic. *Pro Clu.*, 105.

attributes of a jury.<sup>28</sup> Finally, it is used as a quality of the Senate and people of Rome after Cicero's return from exile in his speeches to both the Senate and the people.<sup>29</sup>

Other language for mercy and forgiveness can also be found in Cicero's legal speeches, further illustrating the use of this concept when dealing with Roman citizens. Cicero employs the terms *parcere* and *ignoscere* frequently,<sup>30</sup> and uses other words such as *lenitas*, *miser cordia* and *mansuetudo* with reference to the actual or desired mercy of the jury or prosecutors.<sup>31</sup> This language for mercy is also often combined with the concept of 'saving' a citizen,<sup>32</sup> and forms a major part of the defence appeal. In many cases there is an admission of guilt, but Cicero asks for mercy on behalf of his client or his family. This association with citizens would later play a major role in Caesar's appropriation of the term within a military context.

### Caesar's Early Career

From such a background Caesar's policy for *clementia* would eventually emerge. The language itself derived from the law courts, but the political utility developed from an active opposition to Sulla's cruelty. It was based overall on the principle of the way in which a citizen should or should not be treated. The first datable incident relating to Caesar's anti-Sullan policy comes from his aunt's funeral in 69. This provided Caesar with the opportunity to present a speech in which he could gain both the support of the people and credibility as an opponent of the methods Sulla had employed after his victory. Caesar used the funerary oration to recall Julia's family and ancestors, and, as Plutarch notes, to display portraits of Julia's husband, Caius Marius, during the funeral procession.<sup>33</sup> Images of Marius had been outlawed under Sulla, and by flouting this law Caesar illustrated his defiance of both Sulla and his actions. From this single incident it is possible to trace the development of Caesar's desire for the correct treatment of citizens which would ultimately result in his policy of *clementia* during the civil war.

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<sup>28</sup> Cic. *Pro Planc.*, 31.

<sup>29</sup> Cic. *Post Red. Pop.*, 15; Cic. *Post Red Sen.*, 17.

<sup>30</sup> See Table One.

<sup>31</sup> See Table One.

<sup>32</sup> See Table One.

<sup>33</sup> Plut. *Caes.* 5.

As all of the sources for Caesar's early career were written at a much later date, reconstructing the ideological principles in his early career is perilous. There are few contemporary texts, but the evidence we have features a strong anti-Sullan theme. That such opposition is presented in the surviving sources as having begun from an early age is apparent; upon Sulla's return from the East and his success against Carbo and the Marian faction, Caesar is represented as deliberately opposing Sulla's offer of reconciliation and acceptance into the governing regime.<sup>34</sup> While his refusal to divorce Cornelia at Sulla's request could be viewed as a sign of support for the Marian and Cinna regime,<sup>35</sup> it can also be interpreted as defiance of Sulla and the power he had appropriated. This had led to Caesar himself being proscribed and his patrimony and the dowry of his wife confiscated.<sup>36</sup> It was only through his close familial connections with members of the Sullan elite, the Aurelii Cottae, that the persecution Caesar did face was finally ended.<sup>37</sup> Such deliberate opposition to the accepted norms of the ruling elite set Caesar apart from many of his contemporaries and is portrayed in the ancient sources as the beginning of his anti-Sullan position.

One has to wonder just how much Caesar believed in this ideology. Despite displaying an early opposition to Sulla and his methods, Caesar was still capable of working with prominent *Sullani* when he chose. Naturally, any Roman wanting a political career would have to work within the Sullan framework, and while until the mid-70s those who disagreed with the ruling elite's policy could join Sertorius in Spain, this was at the cost of a legitimate career in Rome. Caesar obviously chose to embrace the opportunities that presented themselves in Rome and worked with former Sullans in his attempts to carve a

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<sup>34</sup> Suet. *Iul.*, 1:1; Plut. *Caes.*, 1:1. It should be remembered, however, that Caesar possessed a firm familial connection with the ruling Sullan faction through his mother and his uncles, the Aurelii Cottae. Suet. *Caes.* 1:2.

<sup>35</sup> Especially when compared to Pompey, who did agree to divorce his wife, Plut. *Pomp.*, 9:1; *Sul.*, 33:3.

<sup>36</sup> Vell. 2:41:2 (that he was proscribed only); Suet. *Iul.*, 1:2-3; Plut., *Caes.*, 1:2.

<sup>37</sup> Suet. *Iul.*, 2. Halpern, 1964, pp. 36-37, 46, 48; Gruen, 1966, p. 387. Even though Caesar's own family was closely linked with the Sullan elite and it was through their intercession that he was saved, he chose to make a career out of opposing such individuals. The advantages such familial connections wrought is illustrated by comparing Caesar's career with that of his own brother-in-law, Cinna's son. As a member of the losing side in the Sullan/Marian civil war, he had to wait until Caesar's own reforms in 49 allowed the sons of proscribed men to stand for office, Suet. *Iul.* 41:2; Plut. *Caes.*, 37:1.

political career. Detailed information on Caesar's early military career is lacking, but we do know that he gained military experience under M. Minucius Thermus and P. Servilius Isauricus,<sup>38</sup> both of whom were well known Sullan supporters.<sup>39</sup> His co-option into the pontifical college in 74-3 also suggests that he was considered acceptable to this Sullan-packed priesthood<sup>40</sup> – again his connections with the Aurelii Cottae would have proved invaluable in this instance.<sup>41</sup> Suetonius discusses Caesar's early military posts, noting that he collected a military force to oppose a Mithridatic army in 78,<sup>42</sup> although he does not mention anything other than Caesar's success in repulsing the attack. Plutarch and Suetonius mention that he held the position of military tribune in 71, but provide very little information on his actions during this time.<sup>43</sup> Again, evidence for Caesar's tenure as *quaestor* in Spain in 69 only provides a vague indication of his actions and achievements during this period.<sup>44</sup>

### Prosecuting Sullan Supporters

Caesar's anti-Sullan stance can be distinctly dated to the previous decade and his appearance in the law courts as a young man. In 77, Caesar prosecuted Cn. Cornelius Dolabella for extortion.<sup>45</sup> Dolabella was a well-known Sullan supporter who had been consul in 81,<sup>46</sup> governor of Macedonia from 80-78, and awarded a triumph for his military successes.<sup>47</sup> This was an important case for Caesar as he was placing himself in opposition to a former leading Sullan supporter.<sup>48</sup> While the prosecution itself was

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<sup>38</sup> Distinguishing himself in the process and being awarded the *corona civica* at the siege of Mytilene. Suet. *Iul.* 2-3.

<sup>39</sup> M. Minucius Thermus, praetor 81, *MRR*, 2:76 and Governor of Asia 80, *MRR*, 2:81. P. Servilius Vatia (Isauricus), consul 79, *MRR* 2:82, proconsul in Cilicia 78, *MRR* 2:87.

<sup>40</sup> Taylor, 1942, p. 403-404.

<sup>41</sup> Halpern, 1964, pp. 55-56.

<sup>42</sup> Suet. *Iul.* 4:2.

<sup>43</sup> Plut., *Iul.*, 5.1 and Suet. *Iul.* 5.

<sup>44</sup> Plut., *Iul.*, 5:3; Suet. *Iul.*, 7:1; Vell. 2:43:4.

<sup>45</sup> Suet. *Iul.*, 4:1; Plut. *Caes.*, 4:1.

<sup>46</sup> *MRR* 2:74.

<sup>47</sup> Cic. *Pis.* 44; Suet. *Iul.*, 4:1.

<sup>48</sup> Although there appears to have been a legitimate case against Dolabella, Plut. *Caes.*, 4. On this prosecution and the messages it sent regarding Caesar's opposition to those who supported Sulla, see Gruen, 1966, p. 388.

unsuccessful, Caesar gained a reputation as an excellent speaker<sup>49</sup> and champion of those oppressed by the former Dictator. He continued his opposition to the Sullan Senate in 76 when he prosecuted another well known Sullan supporter, C. Antonius Hybrida, for extortion.<sup>50</sup> Modern authors dealing with this prosecution see it merely as an attempt to gain a reputation as a skilled advocate, ignoring both the early date and the important political implications of prosecuting two prominent Sullans within a short period of time.<sup>51</sup> This is especially important when Caesar's close familial connections with Marius and Cinna are recalled – which they soon would be in his speech at his aunt's funeral. That the alleged crimes had taken place almost ten years earlier in 84<sup>52</sup> illustrates that Caesar was deliberately attacking Sullan associates.<sup>53</sup> He was actively pursuing an anti-Sullan, anti-cruelty policy. While not specifically associated with *clementia* at this early stage in his career, it was this that would ultimately lead to his later well-known policy.

### The Pirates

Great care must be taken to sift later interpretation from historical fact, although extant biographies show the way Caesar wished his life to be recorded and his desire to cast even his early career as containing acts of mercy. This does not mean Caesar was merciful, simply that episodes from Caesar's early career were recast to include acts that represented his later reputation for *clementia*. The most notable instance from Caesar's

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<sup>49</sup> Suetonius notes '*Post accusationem Dolabellae haud dubie principibus patronis adnumeratus est.*' (After his accusation of Dolabella, he was without question numbered with the leading advocates.), Suet. *Iul.*, 55:1.

<sup>50</sup> Q. Cic., *Com. Pet.*, 8; Asc. 84; Quint. *Instit.*, 12:6:1; Plut. *Caes.*, 4:2-4. See Marshall's commentary on Asconius, especially 82.6 for Antonius' role as a Sullan supporter. Marshall, 1985, p. 282.

<sup>51</sup> Ferrero (1934, p. 55), Fuller (1965, p. 57.), Badian (1964, p. 82) and Gelzer (1968, p. 23) are just a few authors who ignore the important political statement Caesar was making in his prosecution of prominent Sullans. Strasburger fails even to mention the fact that both Dolabella and Antonius were prominent Sullans, Strasburger, 1966, pp. 61-2. Meier recognises that these prosecutions might have been associated with a deliberate anti-Sullan policy, but fails to follow this thought and abandons the idea after its statement. Meier, 1982, p. 108.

<sup>52</sup> Broughton places them in 84 (*MRR* 2, p. 61-62), but Marshall allows that Antonius' crimes could have taken place earlier. Marshall, 1985, p. 293.

<sup>53</sup> Damon and Mackay allow for this idea, but do not take it seriously under consideration that the trial was held before L. Lucullus, a staunch Sullan supporter. They do note, however, that while Caesar was not successful in his trial, the censors recognised Antonius' guilt and expelled him from the Senate. Damon and Mackay, 1995, p. 55.

early career where this can be identified is his capture by pirates in the east in 75/74,<sup>54</sup> and his subsequent punishment of them. All accounts relating this incident mention that Caesar punished the pirates by executing them,<sup>55</sup> the standard punishment for this period.<sup>56</sup> There are, however, noteworthy differences in the method of punishment. Polyaeus says he drugged them and ordered them killed in their sleep,<sup>57</sup> while the rest of the sources record that they were crucified.<sup>58</sup> Polyaeus' version is significant as it represents an alternative tradition to that of the other accounts. The use of poison to first drug the pirates presents a more merciful image of Caesar than that found elsewhere. By cutting their throats only after they were asleep, Caesar ensured he punished them in a humane manner.

In opposition to the story contained in Polyaneus and reflecting the way in which Caesar's later reputation for mercy influenced accounts of his life written after his death, Suetonius provides an addition to this anecdote:

*'Sed et in ulciscendo natura lenissimus piratas, a quibus captus est, cum in dicionem redeisset, quoniam suffixurum se cruci ante iurauerat, iugulari prius iussit, deinde suffigi...'*<sup>59</sup>

(Even in avenging wrongs he was by nature most lenient, and when he got hold of the pirates who had captured him, he had them crucified, since he had sworn beforehand that he would do so, but ordered that their throats be cut first.)

Suetonius recalls Caesarian propaganda from the civil war in this section by noting not only that Caesar was *lenissimus*, but also including the point that this was a natural inclination. While a quick death from a cut throat was obviously preferable to dying

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<sup>54</sup> Initially Ward argued for the much earlier date of 81 (Ward, 1975, p. 267), but has since revised his argument and settled on a later date of 75/4, see Ward, 1977, p. 26. This date is accepted by both Gelzer (1968, p. 335) in his work on Caesar and De Souza (1999, p. 140) in his work on piracy in the ancient world. Most of the sources dealing with this incident quote the later date, with only Plutarch (80, *Plut. Caes.*, 2:4) and Polyaeus (81, *Poly. Strat.*, 8:23:1) referring to the earlier.

<sup>55</sup> *Poly. Strat.*, 8:23:1; *Suet. Iul.*, 74:1; *Plut. Caes.*, 2; *Vell. Pat.* 2:43:2; *Val. Max.* 6:9:15.

<sup>56</sup> See Ormerod, 1924, p. 55; De Souza, 1999, p. 135; *Cic. Verr.*, 2:5:66. It must be recalled that this episode occurred before Pompey's campaign of 67 had popularised leniency towards one's enemies and an alternative method of dealing with the problem of piracy was implemented. Caesar's actions here were therefore not under the same influence as they might have been had this episode occurred during the mid to late 60s.

<sup>57</sup> *Poly. Strat.*, 8:23:1.

<sup>58</sup> *Suet. Iul.*, 74:1; *Plut. Caes.*, 2; *Vell. Pat.* 2:43:3; *Val. Max.* 6:9:15.

<sup>59</sup> *Suet. Iul.*, 74:1.

slowly by crucifixion, such 'leniency' was limited. This episode represents a rewriting of Caesar's early career and illustrates the way in which any harsh acts were recast into as positive a light as possible.

### **Aedileship**

During his Aedileship in 65 Caesar substantially enhanced the reputation he had created in 69 through his display of Marius' image at his aunt's funeral. On this occasion, Caesar took his reclamation of Marius' reputation to a new level in an attempt to emphasise his anti-Sullan stance.<sup>60</sup> Where he had previously only mentioned his familial connection with Marius by displaying his image, he now used this office to restore Marian trophies from campaigns against Jugurtha and the Cimbri and Teutones. This obviously highlighted Marius' military achievements and recalled his reputation as the saviour of Rome.<sup>61</sup> Plutarch reports that Caesar's actions caused a stir in Rome and were denounced in the Senate as the honours and images of Marius had been outlawed under Sulla.<sup>62</sup> These actions recalled Marius' image from obscurity, burying his later actions during the civil war. More importantly, however, their re-erection symbolised an explicit defiance of the Sullan law banning such images. This served to reinforce the image that Caesar was trying to project; that of a man definitively opposed to Sulla and his methods.

### **Justice is served**

In 64, Caesar instigated further trials as *Iudex Quaestionis*, this time allowing prosecutions against those who had been involved in the Sullan proscriptions of the 80s.<sup>63</sup> M. Porcius Cato had provided the opportunity for these trials to be conducted when as *quaestor* he called to account those who had profited under the Sullan proscriptions. He forced them to repay the money they had received,<sup>64</sup> alleging they had public money in

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<sup>60</sup> I would like to thank Kathryn Welch for pointing out the connection between Caesar's standing for office and his introduction of Marius back into Roman consciousness.

<sup>61</sup> Vell. 2.43.4; Suet. *Caes.* 11; Plut. *Caes.* 6.1-4.

<sup>62</sup> By Q. Lutatius Catulus "οὐκέτι" γὰρ "ὑπονόμοις", ἔφη, "Καίσαρ, ἀλλ' ἤδη μηχαναῖς αἰπεῖ τὴν πολιτείαν" (No longer, indeed, by sapping and mining, Caesar, but with engines of war are you capturing the government.) Plut. *Caes.* 6:6-7.

<sup>63</sup> Dio, 37:10:2.

<sup>64</sup> Dio, 47:6:4.

their possession through unjust means.<sup>65</sup> Cato's allegations relied on a law proposed by Cn. Lentulus Clodianus, consul in 72, which allowed for the exaction of money Sulla had remitted to purchasers of confiscated property.<sup>66</sup> This law was an obvious attack on the methods employed by Sulla, but had not been enacted after it had been passed. Once Cato had begun his attack on individuals involved in the proscriptions, Caesar too took advantage of this law to promote further his anti-Sullan stance and his position on the proper treatment of citizens. Caesar's prosecution of those who had benefited from the Sullan regime placed him in opposition to the Senate, as it was not only an attack on Sulla who was dead, but those who were living who had supported him and who could be condemned for their complicity.

When discussing these trials, Broughton notes that Caesar only *considered* bringing to trial those who had been involved in the proscriptions, '*...but desisted when Catiline was brought before him.*'<sup>67</sup> Evidence from Dio,<sup>68</sup> Suetonius<sup>69</sup> and Asconius<sup>70</sup>, however, supports the theory that these trials did in fact take place and that Caesar was instrumental in their conduct. This discrepancy can be accounted for by looking at those whom Caesar prosecuted at this point in his career; he avoided prosecuting any *nobiles*, including Catiline, in his attack on the former Sullan supporters.<sup>71</sup> As Caesar's career advanced, his attacks on the Sullan elite became far more careful, concentrating on minor individuals or an overall situation, no longer focusing on major political figures. The prosecution of less well-known Sullan supporters was more politically astute as he was more likely to gain a conviction and at the same time was still able to make a statement regarding his opposition to Sulla's methods.<sup>72</sup> With these trials Caesar was once again placing himself in a position that illustrated his opposition to the cruelty of the Sullan regime, and in consequence, to his senatorial contemporaries. He consciously displayed

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<sup>65</sup> Plut. *Cat.*, 17:4-5.

<sup>66</sup> Sall. *Hist.*, 4.1.

<sup>67</sup> *MRR* 2, p. 162. Suet. *Iul.*, 11; Dio, 37:10:2.

<sup>68</sup> Dio, 37:10:2-3.

<sup>69</sup> Suet. *Iul.*, 11.

<sup>70</sup> Asc., 91.

<sup>71</sup> Asconius names L. Luscius, a centurion, and L. Bellienus as individuals who had been tried and convicted. Asc. 90-91.

<sup>72</sup> Although again it should be noted that Caesar still maintained strong Sullan connections; he was married at this time to Pompeia, Sulla's granddaughter. Suet. *Iul.*, 6:2; Plut. *Caes.*, 5:3.

qualities that were associated with mercy, and was seeking to create an image that was representative of these actions. It is from these beginnings that Caesar's celebrated reputation for *clementia* emerged.

### The Prosecution of Rabirius

While many of Caesar's attempts to gain a reputation for mercy were related to his opposition to Sulla and his methods, he widened that scope to include a stand on violence against citizens in general with his involvement in the prosecution of Gaius Rabirius in 63.<sup>73</sup> The prosecution was led by T. Labienus<sup>74</sup> and the defence by Cicero in what was, from the beginning, a case of some importance. The charge was that Rabirius had been involved in the murder of the tribune, Lucius Appuleius Saturninus, in 100.<sup>75</sup> The political implications of the trial and the message it sent about the correct treatment of Roman citizens meant that it was significant, despite the somewhat farcical appearance of the charge. It illustrated that the execution of a citizen without a trial, regardless of the evidence for his guilt, was illegal and punishable by law.

Cicero's defence in this trial rested to a great degree on the legality of the opposition to Saturninus, providing a justification for senatorial actions. Cicero styled Saturninus as a *hostis* of the Roman people and hence Rabirius' participation in his death was not only legal, but honourable.<sup>76</sup> By declaring Saturninus a *hostis* of the Roman people, Cicero removed the claim to the protection of the rights of a citizen.<sup>77</sup> Rabirius' prosecutors, acting at Caesar's behest, successfully drew attention to the possible implications of killing citizens without a trial. This was part of a policy Caesar was developing in opposition to the Senate, who had advocated Sulla's methods and persecution of citizens.

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<sup>73</sup> Suet. *Iul.*, 12.

<sup>74</sup> And possibly some of his relatives, Cic. *Pro Rab. Perd.*, 14. See also Tyrrell, 1978, p. 95, who notes the possibility that Labienus was supported by a brother or cousin.

<sup>75</sup> Cic. *Pro Rab. Perd.*, 18.

<sup>76</sup> Cic. *Pro Rab. Perd.*, 18, 24.

<sup>77</sup> That this speech was provided to Atticus at the same time as the Catilinarian orations suggests that it too was reworked in 60 to combat Cicero's perilous position at this time, providing this argument with an additional resonance. Tyrrell's (1978, p. 35) view that this trial was an attack on the *Senatus Consultum Ultimum* is accurate, but he does not take his idea further and consider either Caesar's involvement or the contribution he was making at this time to the wider debate on the need to ensure the correct treatment of citizens.

While we know that the trial was begun and a speech delivered in Rabirius' defence, it was never completed. With the desired political points scored, Caesar allowed the trial to be discontinued and the matter of Rabirius' complicity in Saturninus' murder was laid to rest.<sup>78</sup>

### Governor in Spain

After his Praetorship of 62, Caesar travelled to Further Spain as governor in 61.<sup>79</sup> Many of the ancient sources refer to Caesar's term as governor in Spain and provide evidence for his military actions while there. Both Suetonius and Dio provide lengthy accounts of Caesar's actions, although as both are extremely late sources for Caesar's career they contain different biases within their respective versions. Caesar's aggressive expansionist policy as shown in his battles against the Lusitani served as a prelude to his Gallic campaigns and his attempts to gain a military reputation on the model of Sulla, Lucullus and Pompey. Suetonius notes that he was accused of attacking and sacking towns without provocation,<sup>80</sup> although elsewhere he allows for the possibility that Caesar undertook military action at the request of the allies in Spain.<sup>81</sup> The differing views present in Suetonius' account illustrate that he had access to both positive and negative sources for his account of Caesar's time in Spain. The charge regarding Caesar's unprovoked military action is evidently derived from a hostile source<sup>82</sup> and shows that

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<sup>78</sup> Abbott and Philipps casts the prosecutor, Labienus, as being out-manoeuvred by the Praetor Metellus who lowered the flag on the Janiculum, therefore missing the point of the trial, Abbott, 1917, p. 7. Phillips, 1974, p. 90, 101. Tyrrell, 1973, p. 297, claims that Pompey was working with Caesar and Labienus in this trial.

<sup>79</sup> *MRR*, 2:180.

<sup>80</sup> *'ut enim quidam monumentis suis testati sunt, in Hispania pro consule et a sociis pecunias accepit emendicatas in auxilium aeris alieni et Lusitanorum quaedam oppida, quanquam nec imperata detrectarent et aduenienti portas patefacerent, diripuit hostiliter.'* (for as certain men have declared in their memoirs, when he was proconsul in Spain he not only begged money from the allies, to help pay his debts, but also attacked and sacked some towns of the Lusitani although they did not refuse his terms and opened their gates to him on his arrival.) Suet. *Iul.*, 54:1.

<sup>81</sup> *'...an quo maturius sociis inplorantibus subueniret...'* (...to respond more promptly to the entreaties of our allies for help...) Suet. *Iul.*, 18:1.

<sup>82</sup> Suetonius lists numerous hostile sources used in his biography of Caesar, including Tanusius Germinus (9:2), M. Bibulus (9:2, 10:1, 49:1), Gaius Scribonius Curio (9:2, 49:1, 52:3), Marcus Actorius Naso (9:3), Licinius Calvus (49:1), Dolabella (49:1), Marcus Brutus (49:2), Gaius Memmius (49:2), Catullus (73), Aulus Caecina (75:5), Pitholaus (75:5), Titus Ampius (77:1). Other sources mentioned by Suetonius include Cicero (30:5, 49:3; 55:1, 56:1, 54:6) Asinius Pollio (30:4, 56:4), Gaius Oppius (52:2, 53), Helvius Cinna (52:2), Hirtius (56:3), Augustus (56:7), 'other Greek writers' (52:2), 'certain men' (54:1), Quintus Tubero (83:1).

there were direct attacks being made against Caesar's later claims to *clementia* and his own attempts at self-promotion.

Dio's account is significantly more detailed than Suetonius', and provides a slightly more positive interpretation of Caesar's battles against the Lusitani. Dio directly states that Caesar was influenced by the successes of Pompey, and that he wished to emulate the power that he and others had acquired.<sup>83</sup> While Dio provides a broadly neutral account of Caesar's governorship of Spain, he does note that Caesar was purposefully confrontational in his dealings with the inhabitants of the Herminian Mountains so that he might engage in military actions against them.<sup>84</sup> Such conduct was clearly different to that of Pompey, who had purposely sought to treat those he opposed with magnanimity. The tactics Caesar employed in this campaign illustrate an over-riding concern for the development of a military reputation which would increase his popularity in Rome and from which he could gain a consulship. This obviously worked – Cicero records Caesar's growing reputation only and offers no references to violence at all.<sup>85</sup> The accounts of unnecessary violence during Caesar's Praetorship derive from a period when sources hostile to Caesar were endeavouring to undermine his established reputation for *clementia*.

Plutarch's account of Caesar's time in Spain is markedly different to that of both Dio and Suetonius, and offers a positive impression of his conduct. While he is represented as engaging in military action against the Lusitani, Callaici, and other tribes that were not under Roman power, the sense is that this was done in accordance with the usual practises of a Roman governor.<sup>86</sup> Plutarch's account of Caesar's governorship in Spain provides the only evidence for his civil administration in his province, and credits him as treating those under his power with consideration. He is reported to have established

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<sup>83</sup> Dio, 37:52:1. Nicolet has highlighted Caesar's attempt to surpass Pompey in his military successes, recalling the erection and dedication of a statue (or group of statues) on the Capitol as one of the honours he received after his triumph in 46. Nicolet, 1991, p. 39. In his account of the funerary speech Antony delivered after Caesar's death, he explicitly states that Caesar surpassed all those individuals who had fought in Spain before him. This naturally included Pompey, Dio, 44:41:1-2.

<sup>84</sup> Dio, 37:52:2-3; Caesar's campaign against the Lusitani is also noted by Suet. *Iul.*, 18:1-2, 54:1; Plut., *Caes.*, 12; Vell. Pat. 2:43:4.

<sup>85</sup> Cic. *Ad Att.*, 21:6 (2:1:6).

<sup>86</sup> Plut. *Caes.*, 12:1.

peace between the cities and found acceptable solutions to the dissension between debtors and creditors.<sup>87</sup> Plutarch finishes his account by noting:

‘ἐπὶ τούτοις εὐδοκιμῶν, ἀπηλλάγη τῆς ἐπαρχίας, αὐτός τε πλούσιος γεγονὼς...’<sup>88</sup>  
(In high repute for this administration he retired from the province...)

In Plutarch’s account this popularity with the Spaniards was due to his lenient civil administration, providing a counter to the view presented in Dio and in sections of Suetonius that Caesar’s governorship in Spain was undertaken with a view purely towards military glory and at the expense of any reputation for mercy.

### **Catilinarian Conspiracy**

From the time the Catilinarian conspirators were executed in 63, through until 60, there was a political currency circulating in the language of mercy and cruelty, with both Caesar and Cicero heavily engaged in this debate. As illustrated above, Caesar had previously revealed his policy of the need to treat citizens with mercy through the trial of Rabirius and in this instance he was opposed by Cicero and other leading members of the Senate. During the debate on the fate of the Catilinarians, Caesar again advocated mercy towards citizens and for the first time in his career directly sought to associate himself with the ideal of mercy. In doing so, Caesar set himself against both Cicero and a majority of the Senate. Through Cicero’s letters and speeches covering this period it is possible to reconstruct the language and arguments that were being used at this time about mercy and cruelty, and the correct treatment of citizens. It is also possible to illustrate the methods Caesar used to attack those who had advocated the execution of the Catilinarians on the basis of cruelty, while at the same time highlighting his own policy of *clementia*.

That Q. Metellus Nepos launched an attack on Cicero soon after the Catilinarians were executed is clear,<sup>89</sup> and that Cicero’s actions during his consulship remained a highly

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<sup>87</sup> Plut. *Caes.*, 12:1-2.

<sup>88</sup> Plut. *Caes.*, 12:2.

contentious issue in the following years is evidenced by a letter from Cicero to Atticus in February 61.<sup>90</sup> This letter illustrates that P. Clodius Pulcher's opposition was beginning at this time and that he was issuing threats associated with Cicero's conduct of the Catilinarian investigation.<sup>91</sup> The hostility that was directed towards Cicero at this time makes it likely that his accounts of his consulship and some newly revised speeches from the same period were directed towards justifying his actions against the Catilinarians and highlighting his claim to have saved the state.<sup>92</sup>

Cicero's publication of his speeches in defence of L. Murena and P. Cornelius Sulla contains the first evidence for the language this debate encompassed at the time. Although the publication date of the *Pro Murena* has been debated,<sup>93</sup> the speech itself was delivered in the period after Catiline's departure from Rome but before the execution of the conspirators. That it was published after the execution of the conspirators can be inferred from internal evidence justifying Cicero's actions and making strong reference to his own mercy.<sup>94</sup> In section six of this speech Cicero goes to great lengths to highlight his own mercy, employing the terms *lenitas* and *humanitas* of himself and referring to his

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<sup>89</sup> Metellus Nepos (and L. Calpurnius Bestia) had started his attacks the day Cicero laid down his consulship, Cic. *Ad Fam.*, 1:1 (5:1:1); 2:7 (5:2:7); *Sest.*, 11; *Pis.*, 6-7; Plut. *Cic.*, 23:1-2; Dio, 37:38:2.

<sup>90</sup> In this letter Cicero describes a scene from the senate where Crassus had shown his support for Cicero's actions against the Catilinarians. While this was a deft political move on Crassus' behalf (which Cicero himself recognised), it does provide contemporary evidence for the continuing debate over Cicero's actions. Cic. *Ad Att.*, 14:3 (1:14:3), 13 February 61. The letters to Quintus from 60-59 contain a brief hint of the language that was circulating not long after. Cicero notes, '*...praesertim cum hi mores tantum iam ad nimiam lenitatem et ad ambitionem incubuerint...*' (Cic. *Ad Fratr.*, 1:11 (1:1:11).) (...now that our modern ways have leaned so far in the direction of excessive lenity and popularity hunting...) While Cicero was not writing with specific reference to himself, as will be shown below, the use of the term *lenitas* indicates he was thinking specifically of the debate current in Rome at that time.

<sup>91</sup> Cic. *Ad Att.*, 14:15 (1:14:5). See also Shackleton Bailey's commentary on this letter, Shackleton Bailey, 1965, p. 311-312.

<sup>92</sup> Cic. *Ad Att.*, 14:5 (1:14:5); 20:6 (1:20:6). Throughout this period Cicero also comments on Clodius' attempts to stand as Tribune and then become a Plebeian. Cic. *Ad Att.*, 18:4 (1:18:4); 19:5 (1:19:5), 21:5 (2:1:5). Rawson recognises the propagandistic value of these works, but merely mentions that they were perhaps written, amongst other reasons, in fear of Clodius' attempts to hold the Tribunate, Rawson, 1975, p. 104.

<sup>93</sup> Boulanger has argued that the *Pro Murena* was published in 60 (Rosenberg, 1902, p. 10-11) based on references to affairs of the *publicani*. Moreau agrees with Boulanger's dating, arguing that the speech was published in its final form only in 61 or 60 (Moreau, 1980, p. 233). Shackleton Bailey comments only on the possibility that Atticus requested the *Pro Murena* from Cicero in 60, although due to the dating he finds it unlikely (Shackleton Bailey 1965, p. 365, commenting on Cic. *Ad Att.*, 27:1 (2:7:1). April 59.) Against this argument is McDermott, who places the speech's publication soon after it was delivered. This is based on his belief that Atticus did not publish Cicero's speeches at this time. McDermott, 1972, p. 277.

<sup>94</sup> Cic. *Pro Mur.*, 6. See also MacKendrick, 1995, p. 75; Paterson, 2004, p. 90.

*miser cordia* twice, all in the space of ten lines.<sup>95</sup> Sallust and Cicero himself indicate that this kind of language was used by Caesar during the debate,<sup>96</sup> illustrating that these attributes became part of the language surrounding the punishment of the Catilinarians. Cicero was in a position where he needed not only to appropriate terms of mercy for himself, but also to display that he too would ensure the correct treatment of citizens. As such he uses this section of the *Pro Murena* to highlight his greater natural inclination towards mercy.<sup>97</sup> Cicero twice refers to his *severitas* in dealing with the Catilinarians and once casts his actions as *vehemens*,<sup>98</sup> recasting what could be *crudelitas* as respectable *severitas*.<sup>99</sup> Finally, Cicero uses the *Pro Murena* to recall the danger Catiline posed to the state on three occasions.<sup>100</sup> This section of the *Pro Murena* highlights the attacks being made on Cicero soon after his execution of the Catilinarians, the language that was being employed against him, and the beginning of his response to these accusations.

The *Pro Sulla* also contains a defence of Cicero's actions against the Catilinarians. This speech was delivered in 62,<sup>101</sup> and contains a studied defence of Cicero's involvement in

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<sup>95</sup> *'Negat esse eiusdem severitatis Catilinam exitium rei publicae intra moenia molientem verbis et paene imperio ex urbe expulisse et nunc pro L. Murena dicere. Ego autem has partis lenitatis et misericordiae quas me natura ipsa docuit semper egi libenter, illam vero gravitatis severitatisque personam non appetivi, sed ab re publica mihi impositam sustinui, sicut huius imperii dignitas in summo periculo civium postulabat. Quodsi tum, cum res publica vim et severitatem desiderabat, vici naturam et tam vehemens fui quam cogebam, non quam volebam, nunc, cum omnes me causae ad misericordiam atque ad humanitatem vocent, quanto tandem studio debeo naturae meae consuetudinique servire?'* (He (Cato) maintains that I am not displaying the same severity, in expelling Catiline from the city with threats and almost force when he was plotting the destruction of the state from within the walls of the city, and now in undertaking the defence of Murena. But I have always played the part of leniency and compassion which Nature herself taught me; I have not been eager to assume that mask of sternness and austerity. However, when the state placed it upon me, I wore it during the crisis in the state's existence as the majesty of this office demanded. But if at a time when the state needed force and sternness, I overcame (my) nature and was as stern as I was compelled to be, not as I wished to be, now when every reason invites me to mercy and kindness, with what enthusiasm ought I follow my natural inclination?) Cic. *Pro Mur.*, 6.

<sup>96</sup> Cic. *Cat.*, 4:10; Sall. *Cat.*, 51:1, 4.

<sup>97</sup> Three times within the same ten lines.

<sup>98</sup> Cic. *Pro Mur.*, 6.

<sup>99</sup> Berry's commentary calls the references in the *Pro Murena* to *severitas* and *lenitas* 'anachronistic' in light of the fact that this speech was delivered before the actual execution of the Catilinarians took place (Berry, 1996, p. 56, n. 264.) This does not take into consideration the fact that the published version of the speech was written after the conspirators had been executed and aimed at justifying Cicero's actions in executing the conspirators.

<sup>100</sup> Cic. *Pro Mur.*, 6.

<sup>101</sup> In his commentary, Berry tenuously fixes the date of the trial to some time between May and October of 62 and has argued that this speech was published soon after it was delivered, Berry, 1996, 14. For the publication date, see pp. 55-56.

the execution of the Catilinarians.<sup>102</sup> It is significant that this speech was written after the defeat of the remaining forces under Catiline and the trial of others implicated in the plot.<sup>103</sup> The focus on mercy-related terms is extremely pointed. Cicero uses the term *miseriordia* eight times in this speech,<sup>104</sup> *mansuetudo* twice,<sup>105</sup> *lenitas* six times,<sup>106</sup> and refers to his *humanitas* twice.<sup>107</sup> These claims to mercy were also combined with a specific denial of *crudelitas*, indicating that Cicero was intensely concerned to answer criticism at the time of publication.<sup>108</sup> More importantly, the specific (and abundant) use of these mercy-related terms indicates the language that was being employed at the time, as well as the language Caesar had used during the debate. While it has been noted that this speech employs self-defensive language,<sup>109</sup> no modern commentator has identified that this was a response to Caesar's involvement and language during the debate. Cicero's *Fourth Catilinarian* speech provides the best evidence for the way in which Caesar set himself against the senatorial aim of punishing the conspirators and Cicero's reaction against his proposed policy of mercy. This speech was edited extensively in 60 and published against the above backdrop of accusations of *crudelitas* being made against Cicero.<sup>110</sup> As such, the references to Caesar within the speech reflect the language and image he was projecting at this time.

Cicero refers to Caesar in a derisive manner when he states:

*'Itaque homo mitissimus atque lenissimus non dubitat P. Lentulum  
aeternis tenebris vinculisque mandare et sancit in posterum ne quis*

<sup>102</sup> Cic. *Pro Sul.*, 27-29, 33-34, 84-85.

<sup>103</sup> This is discussed in Berry's commentary on this speech, see Berry, 1996, pp. 27-28.

<sup>104</sup> Cic. *Pro Sul.*, 1 (twice), 8 (twice), 20, 87, 88, 93

<sup>105</sup> Cic. *Pro Sul.*, 92, 93

<sup>106</sup> Cic. *Pro Sul.*, 1, 8, 18, 47, 87, 92;

<sup>107</sup> Cic. *Pro Sul.*, 48, 92. In sections 1 and 8 *miseriordia* and *lenitas* are given additional power as they are combined, similarly *mansuetudo* and *miseriordia* in section 93.

<sup>108</sup> *'Nisi vero me unum vis ferum praeter ceteros, me asperum, me inhumanum existimari, me singulari immanitate et crudelitate praeditum.'* (Unless you wish me to be considered a man of eminent ferocity before all other men, a man savage, inhuman, and endowed with an extraordinary cruelty and barbarity of disposition.) Cic. *Pro Sul.*, 7. Note also not just the use of *crudelitas*, but the inclusion of *inhumanum* and *immanitate*. As Berry noted, the latter is used specifically of the Catilinarians later at section 75-76, Berry, 1996, p. 145.

<sup>109</sup> In Berry's commentary on this speech. Berry, 1996, p. 28, 145, 177.

<sup>110</sup> Evidence for the editing of this speech (and many others) is based on a letter from Cicero to Atticus dated c. 3 June 60. Cic. *Ad Att.*, 21:3 (2:1:3). Winterbottom, 1982, p. 62. *contra* Cape, 1995, pp. 258-9.

*huius supplicio levando se iactare et in pernicie populi Romani posthac popularis esse possit.*<sup>111</sup>

(In this way the kindest and gentlest of men does not hesitate to consign P. Lentulus to darkness and chains for the rest of his life and makes it illegal for anyone to be able to advance his own cause in the future by lightening his punishment or subsequently to win popularity at the expense of the Roman people.)

The terms *lenissimus* and *mitissimus* are used ironically with reference to Caesar and are intended to illustrate that his 'mildness' towards the conspirators was in fact not mercy at all. Cicero is picking up on the language Caesar was using to contrast his own lenient proposal with what he himself was casting as Caesar's harshness.

While ironically referring to Caesar as *lenissimus* and *mitissimus*, Cicero appropriates other terms for mercy, *miseriordia* and *humanitas*, for himself:

*'Nam ita mihi salva re publica vobiscum perfrui liceat ut ego, quod in hac causa vehementior sum, non atrocitate animi moveor – quis enim est me mitior? – sed singulari quadam humanitate et misericordia.'*<sup>112</sup>

(My wish to enjoy with you the Republic that I have saved is as genuine as the truth that I am moved not by cruelty, although in this case with a greater severity than is natural for me – for who is gentler than I? – but by an exceptional humanity and compassion.)

The explicit denial here of cruelty (*atrocitas*) when discussing the execution of the Catilinarians is an implicit accusation against Caesar on the basis of advocating cruelty. More importantly, the terms are being contrasted with *mitior*, which is being used to combat the accusations being made in the aftermath of the prisoners' execution.<sup>113</sup> Recalling that this work was published in 60, the strong advocacy Cicero makes in his own defence can be interpreted as a reaction to the threats Clodius was making towards him at this time.

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<sup>111</sup> Cic. *Cat.* 4:10.

<sup>112</sup> Cic. *Cat.* 4:11. This claim to terms of mercy can be paralleled with his later claim to *clementia* as governor of Cilicia in 51-50. Cic. *Ad. Att.*, 109:3 (5:17:3) *clementia*, 114:5 (5:21:5) *clementia*, 116:5 (6:2:5) *Clemens*. The change in vocabulary reflects the different periods in which these two claims were made.

<sup>113</sup> Cic. *Ad Att.*, 14:5 (1:14:5); 18:4-5 (1:18:4-5); 21:5 (2:1:5).

Cicero's appropriation of the terms for leniency continued. His desire to see the execution of the Catilinarians becomes *lenior*<sup>114</sup> and Cicero himself is *mitior*.<sup>115</sup> He juxtaposes these words for leniency and mildness by close association with the words *crudelitas*, *atrocitas* and *vituperatio*.<sup>116</sup> Cicero's explicit denial of cruelty in preferring the execution of the Catilinarians shows the way in which he was seeking to separate himself from charges of cruelty, and thus Sullan methods. It also, once again, recalls Clodius' threats and persecution of Cicero at this time.<sup>117</sup> Again in close context he contrasts the word *atrocitas* with *humanitas* and *miser cordia* to highlight his own merciful tendencies.<sup>118</sup> Cicero finishes this chapter with emotive language and describes in detail his imagined destruction of the Republic. By doing so Cicero successfully appropriates the terms suggesting mercy for his argument in support of capital punishment. By highlighting the juxtaposition between his true mercy and his ability as a Roman leader with the false mercy and demagoguery of Caesar, Cicero successfully undermines Caesar's arguments in favour of imprisoning the Catilinarians, and creates an image of merciful consular competence for himself.<sup>119</sup>

Cicero's use of the term *popularis* with reference to Caesar highlights his proposed leniency and calls his motives into question. The word occurs six times in two chapters and through its repetition Cicero subverts the term his audience will associate with Caesar's policy:<sup>120</sup>

*'Quam ob rem, sive hoc statueritis, dederitis mihi comitem ad contionem populo carum atque iucundum, sive Silani sententiam sequi malueritis, facile me atque vos a crudelitatis vituperatione prohibebo atque obtinebo eam multo leniorem fuisse.'*<sup>121</sup>

(If, then, you vote for Caesar's proposal, you will give me a companion at the public meeting who is popular with the people and welcome to them; but if you prefer to admit the motion of Silanus,

<sup>114</sup> Cic. *Cat.* 4:11.

<sup>115</sup> Cic. *Cat.* 4:11.

<sup>116</sup> Cic. *Cat.*, 4:11.

<sup>117</sup> Cic. *Ad Att.*, 15:5 (1:15:5); 18:4-5 (1:18:4-5); 21:5 (2:1:5).

<sup>118</sup> Cic. *Cat.*, 4:11.

<sup>119</sup> The threats Clodius was making at this time should also be taken into consideration. This re-written speech provides a defence of Cicero's actions in 63 as well as an analysis of the part Caesar played in the debate in the Senate.

<sup>120</sup> Cic. *Cat.*, 4:9-10.

<sup>121</sup> Cic. *Cat.*, 4:11.

the Roman people will readily release both you and myself from the accusation of cruelty and it will be easy for me to maintain that this motion was much more merciful.)

Cicero's concentration on the term *popularis* illustrates how he was playing with the word and seeking to subvert its traditional meaning to his own advantage,<sup>122</sup> as well as illustrating the way in which Caesar himself was utilising this word. The combination of this term with the superlatives *lenissimus* and *mitissimus*, adjectives Cicero had associated with Caesar and implied represented his *popularis* tendency,<sup>123</sup> with the punishment of life imprisonment without hope for release, illustrates this subversion. Cicero sought to use these terms with reference to Caesar's actions, and then to highlight Caesar's cruelty in asking for life internment and the confiscation of property.<sup>124</sup> By naming Caesar's proposed punishment *cruciatus*, Cicero undermined Caesar's entire argument for the punishment of the conspirators.<sup>125</sup> Relegating someone to penury and life imprisonment was not the action of a merciful man. By playing on the language Caesar has been using and labelling the proposed punishment as an act of cruelty, Cicero subverts the ideal of mercy to gain support for the execution of the Catilinarians,<sup>126</sup> but more importantly attempts to protect himself from such charges of cruelty.

Cicero sought to undermine Caesar's argument further in the minds of his senatorial audience by contrasting the demagogue (*contionator*) with the true *popularis* who seeks the best for the Republic (*animum vere popularem saluti populi consulentem*). With his seemingly lenient proposal and populist methods, Cicero insinuates that Caesar's proposal was close to that of the *contionator*. Cicero also combines this with reference to Gaius Gracchus, of whom Cicero says:

*'At vero C. Caesar intellegit legem Semproniam esse de civibus Romanis constitutam; qui autem rei publicae sit hostis eum civem esse nullo modo posse; denique ipsum latorem Semproniae legis iussu populi poenas rei publicae dependisse.'*<sup>127</sup>

<sup>122</sup> As he had done also in his speech on the Agrarian Law in January 63, Cic. *De Leg. Agr.*, 1:23, 24; 2:7, 9, 10, 15, 102.

<sup>123</sup> Cic. *Cat.*, 4:10.

<sup>124</sup> Cic. *Cat.*, 4:10.

<sup>125</sup> Cape, 1995, pp. 269-70, although he does not highlight the use of the term *cruciatus*.

<sup>126</sup> Cape, 1995, p. 270.

<sup>127</sup> Cic. *Cat.*, 4:10.

(But Caius Caesar considers that the Sempronian law was passed about Roman citizens, but that he who is an enemy of the Republic can by no means be a citizen; and moreover that the very proposer of the Sempronian law suffered punishment by the command of the people.)

This reference to the Sempronian law illustrates that Caesar had attempted to associate himself with the correct treatment of citizens, and to accuse Cicero of not adhering to these laws.<sup>128</sup> This argument would have been all the more powerful when it is recalled that Caesar had already been responsible for the trial of Rabirius earlier in 63 on exactly the same charges. Cicero twisted this to associate Caesar with Gaius Gracchus and demagoguery, and undermining Caesar's position called into question the motives for his leniency. He deals with the principles of how citizens should be treated by declaring that the Catilinarians were not citizens, but *hostes*.

Cicero himself naturally represented himself as Caesar's opposite, whose proposals as consul only had the good of the Republic in mind.<sup>129</sup> As such, Cicero implied that mercy towards the state, which required *severitas* towards those who threatened it, was the only possible approach. In his view, Caesar was mistaken if he supposed that leniency towards the conspirators was for the good of the state. As such Cicero was endeavouring to appropriate Caesar's own language and recast it as his own. In the process Cicero also addressed the accusations of cruelty he had been facing since the actual execution of the conspirators. He proposed an alternative version of mercy, one in which he was no longer open to accusations of the mistreatment of citizens; to allow the conspirators to survive was to leave the Republic open to danger and this was not merciful, neither to the Republic itself nor to those citizens still living.

Once again Cicero appropriates the traditional *popularis* stance of Caesar's proposal and intimates that Silanus' proposal is truly for the benefit of the Republic.<sup>130</sup> The use of the

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<sup>128</sup> Cicero's extant Catilinarian speeches argue that as the conspirators had been declared *hostes*, they were no longer public citizens and therefore the normal rules did not apply. *Cic. Cat.*, 4:10. Throughout his Catilinarian speeches Cicero refers to Catiline as *hostis* on a number of occasions. *Cic. Cat.*, 1:33, 2:11, 3:17, 4:10, 13.

<sup>129</sup> For a full discussion of Cicero's methods, see, Cape, 1995, 263-272.

<sup>130</sup> Cape, 1995, p. 269.

terms *misericordia* and *humanitas* recall Cicero's speech, the *pro lege Manilia*, which was delivered in support of Pompey in 66. In this speech Cicero established these two qualities as of the highest importance in the desired attributes of the ideal Roman commander.<sup>131</sup> While Cicero himself was not a military commander, he claimed that his actions against the Catilinarians had saved the Republic (...*ita mihi salva re publica...*).<sup>132</sup> Such claims, particularly the *salva re publica*, was traditionally only used in a military context; that Cicero made such a claim for his execution of the Catilinarians was his attempt to gain an additional note of credibility. It was by this alone that the state had been saved and, as such, Cicero had acted within the bounds of his recognised power. This claim was supported by members of the Senate when they named Cicero *parens patriae*,<sup>133</sup> and later in a speech to the Senate by Crassus.<sup>134</sup> By claiming that his actions against the Catilinarians were equal to those of the greatest general of the time, Cicero was making a strong point against Caesar's apparent leniency. It was only Silanus' proposal, which was the one that Cicero himself was advocating, that was truly lenient because it was for the greater good, not simply the lives of the accused.

That Caesar sought to develop a reputation for mercy in the late 60s, particularly by casting the execution of the Catilinarians as cruel, is clear. That he was successful in this is indicated by the defensive position Cicero was forced to adopt after his consulship. Caesar's proposal of mercy had ensured the policy was connected with his name. The utility of this early reputation for mercy can be seen during the early months of the civil war. In an attempt to convince Cicero that he would not utilise violence against those who opposed him, Caesar wrote to Cicero asking him to abstain from the war, providing assurances that he would act mercifully. '*...tu explorato et vitae meae testimonio...*'<sup>135</sup> (...you have the witness of my career...). Shackleton Bailey interprets this as referring back to Caesar's recent actions at Corfinium.<sup>136</sup> This, however, does not take into

<sup>131</sup> Cic. *Pro Leg Man.*, 13, 15, 24, 36, 42.

<sup>132</sup> Cic. *Cat.*, 4:11.

<sup>133</sup> Cic. *In Pis.*, 6.

<sup>134</sup> Cic. *Ad Att.*, 14:3-4 (1:14:3-4), although I have no doubts there were ulterior motives to the deliverance of this speech.

<sup>135</sup> Cic. *Ad Att.*, 199B:2 (10:8B:2).

<sup>136</sup> 'Caesar's vita, which of late particularly had shown him as a man of mercy, is one ground for reassurance.' Shackleton Bailey, 1968, p. 411-12.

account that Caesar had been developing his policy for mercy from much earlier in his career. Shackleton Bailey's contention that Caesar wished to recall his actions at Corfinium is correct, but as Caesar's policy for mercy can be traced to a much earlier period it is far more likely that this comment was intended to draw on his entire career. Caesar meant for Cicero to take his actions during the debate on the punishment of the Catilinarians, and even earlier, into account. This comment would also remind Cicero of Caesar's early anti-Sullan sentiments. Throughout his entire career Caesar had advocated mercy and this is why he could reasonably make reference to his early career at the beginning of the civil war.

### **Conclusion**

From the very beginning of his career, Caesar can be seen to adhere to concepts closely linked to *clementia*, starting with an opposition to the techniques employed by Sulla after the civil war. Sulla's reputation for cruelty and Pompey's for mercy ensured that Caesar was provided with a clear indication of which was the most politically expedient. Sulla had sullied his reputation by his later cruel actions, and Pompey had worked hard to overcome his early association with Sulla through his use of mercy; Caesar was never going to make these mistakes and was intent on creating an anti-Sullan position from his youth. While in some instances he showed a lack of mercy when dealing with his enemies, these were rare. Instead, recasting the memory of his uncle Marius, he sought to create a reputation that would ensure he remained in the minds of the Roman people. This was combined with a continued opposition to the Roman Senate, and the culmination of his reputation can be seen in the accounts of his participation in the debate on the punishment of the Catilinarian conspirators. This policy of opposition to the Senate, and the desire to emulate his predecessors, saw Caesar's reputation for *clementia* develop over time and by the late 60s there was a strong association between his name and the concept of mercy.

## Saving Gauls – Caesar as the Ideal Commander

Different to the notion of mercy towards fellow citizens that Caesar displayed throughout his early career was the principle of humanity when dealing with foreign enemies. There was a tradition of the merciful treatment of enemies with strong precedents in the military actions of earlier commanders such as Scipio, Sulla and Pompey.<sup>1</sup> Throughout the *Bellum Gallicum* Caesar adheres to and promotes this concept and there is evidence to suggest that he was spurred towards great military achievements because of the actions of his predecessors.<sup>2</sup> One method by which Caesar does challenge the reputations of his predecessors is to highlight his merciful treatment of the Gauls, although it is important to note that Caesar only twice uses the term *clementia* throughout the entire seven books of the *Bellum Gallicum*.<sup>3</sup> Other terms such as *miseriordia*, *mansuetudo*, and *lenitas* are also used sparingly.<sup>4</sup> While Caesar is reticent with terms denoting mercy throughout all of his extant writings,<sup>5</sup> he goes to great lengths to ensure that the descriptions of his actions promote his mercy. Caesar did this to ensure that others would ascribe *clementia* to him, enabling him to gain the reputation without having to claim such a quality for himself. As shall be seen, however, he ignores, justifies or cursorily recounts any moments when he exhibited harshness or cruelty in dealing with his Gallic opponents.<sup>6</sup>

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<sup>1</sup> Regardless of the realities of his actions, Scipio did possess a reputation for kindness and mercy. See Polyb. 10:3:1; Dio, 21:70:9. Sulla pardoned the city of Athens, Strab. 9:1:20. Pompey's lenient treatment of the pirates and in the war against Mithridates in the East is well recorded. Cic. *Pro Leg Man.*, 13, 35, 36, 42; Dio, 36:37:4-5, 37:20: 4; App. *Mith.*, 96, 104, 105; Flor. 1:41:14-15. Barden Dowling traces the development of the Roman tradition of *clementia* through the Middle Republic, noting its use in both a civil and military context. Barden Dowling, 2006, pp. 8-18.

<sup>2</sup> Dio, 37:52:1.

<sup>3</sup> Caes. *BG.*, 2:14, 31. Voi, 1991, p. 121-22. Compare this to Book Eight of the *Bellum Gallicum*, written by Aulus Hirtius after Caesar's death. In the 55 chapters of this book, the term *clementia* appears twice. Caesar's lack of use of the term will be discussed below.

<sup>4</sup> *Mansuetudo* appears twice, each time paired with *clementia*, 2:14, 31. The term *lenitas* is found only once within Caesar's *BG*, but in this case, it refers to the characteristic of a river. '*Flumen est Arar...incredibili lenitate...*', (The river Arar...is incredibly sluggish...) see Caes. *BG.*, 1:12. *Miseriordia* appears four times, Caes. *BG.*, 2:28, 7:15, 26, 28.

<sup>5</sup> Besides the use of the term *clementia* noted above, the word appears only once in the *Bellum Civile*, and that is with reference to Trebonius, see Caes. *BC*, 3:20. During the civil war he favours other terms such as *lenitas* and *miseriordia* although again these are used sparingly, see Cic. *Ad Att.*, 174C:1 (9:7C:1)

<sup>6</sup> Rice Holmes notes this about the entire work: '*As a rule, Caesar gives us only the outline of a battle, - he tells us just so much as may enable us to understand the moves, to differentiate his account from his accounts of other battles, and no more.*' Rice Holmes, 1911, p. 212. Others include Powell, 1998, 125, 127; Barlow, 1998, pp. 151-2; *Contra* Barden Dowling, 2006, p. 22, who believes that Caesar played down his *clementia* in the *Bellum Gallicum*.

The presentation of Caesar as a general conforming to the ideal was not the only purpose of the *Bellum Gallicum*. Through careful study it is possible to detect many other influences within this work: Gaius Marius haunts Books One and Two,<sup>7</sup> and the politics of Rome itself were never far from Caesar's mind when describing his actions within the *Bellum Gallicum*.<sup>8</sup> Even the structure of the work as accounts of annual campaigns ensured Caesar was able to meet developments within the Roman political sphere. To this end presentation of his own mercy was designed to meet the qualities of an ideal commander. Overall Caesar successfully moulded his image to fit that of the victorious Roman general exhibiting qualities that were expected of such a position, and used the *Bellum Gallicum* to convey messages and ideas he wished directed to his reading public in Rome.

In his *Pro Lege Manilia* Cicero provides an overview of the qualities required to make a good general. Written in support of Pompey, this speech names a number of attributes that were part of a wider discourse circulating in Rome at the time surrounding what made a good military commander. This speech was in support of a proposal for Pompey to undertake command of the war against Mithridates, and explicitly names Pompey's *mansuetudo* towards his enemies,<sup>9</sup> and credits him with a magnanimity that ensured his opponents willingly surrendered.<sup>10</sup> While other terms such as *lenitas* and *humanitas* are used in this speech, *clementia* is not expressed in references to Pompey's treatment of the captured pirates. Regardless, those words that are present imply mercy similar to *clementia*, and as such at this point in time these terms were virtually interchangeable.<sup>11</sup>

Cicero's letters written during his time as governor in Cilicia illustrate the utility of *clementia* in a foreign context. Cicero discusses his treatment of the Cilician provincials, noting that his *clementia* has been appreciated and that he had maintained the standards of how a governor should act:

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<sup>7</sup> Caes. *BG.*, 1:33, 40; 2:4, 29. His spectre also makes a brief reappearance at 7:77.

<sup>8</sup> Caes. *BG.*, 2:14, 31, 35; 4:38, 7:1, 7:90. Stevens, 1952, p. 12. Levick, 1998, p. 67, 71; Torigian, 1998, p. 56.

<sup>9</sup> Cic. *Pro Leg Man.*, 13, 42.

<sup>10</sup> Cic. *Pro Leg Man.*, 35.

<sup>11</sup> Konstan, 2005, p. 341; Yavetz, 1983, p. 175.

*'...inflammati vicimus omnis (hoc tu ita reperies) cum abstinentia tum iustitia, facilitate, clementia.'*<sup>12</sup>

(...I have broken all records (yes you will find it so) not only for integrity but for justice, affability, and mercy too.)

Cicero's adherence to these ideals is a recurrent theme throughout his time in Cilicia, with *clementia* and *abstinentia* forming the two most cited qualities.<sup>13</sup> In fact, of the fourteen extant letters Cicero wrote to Atticus during this time, his own *clementia* is referred to on three separate occasions.<sup>14</sup> While this does not seem an overly high number, comparatively speaking, the word is featured more times in Cicero's fourteen letters than in the entire seven books of Caesar's *Bellum Gallicum*. Cicero's letters show that when he was governor of Cilicia he too was endeavouring to adhere to the wider ideals he had promoted in the *Pro Lege Manilia*,<sup>15</sup> and this supports the theory that mercy was considered an important quality a Roman commander or governor should possess.<sup>16</sup>

Caesar's entrance into this discourse records his campaigns in Gaul, accounts which were written not only to provide readers with an outline of his achievements, but also to

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<sup>12</sup> Cic., *Ad Att.*, 114:5 (5:21:5), 13 February, 50. And also *'...et omnibus mehercule etiam adventu nostro reviviscunt, iustitia, abstinentia, clementia tui Ciceronis cognita, quae opinionones omnium superavit.'*<sup>12</sup> (Upon my word, the mere fact of my arrival brings them back to life, knowing as they do the justice, the abstinence, and the mercy of your friend Cicero, which has surpassed all expectations.) Cic. *Ad Att.*, 109:3 (5:16:3), 14 August (?) 51. Thus placing him on equal or superior footing with Caesar and Pompey (my thanks to Kathryn Welch for highlighting this point.)

<sup>13</sup> These terms are used the most often. Cicero's *abstinentia* is referred to five times, Cic. *Ad Att.*, 108:2 (5:15:2), 109:3 (5:16:3), 110:2 (5:17:2), 111:2 (5:18:2), 114:5 (5:21:5). For references to his *clementia*, see below. Indicative of the importance of treating provincials well are a number of letters from Cicero to his brother where Cicero explicitly states that Quintus was expected to adhere to high standards of government. *'... in hac custodia provinciae non te unum sed omnes ministros imperi tui sociis et civibus et rei publicae praestare videre.'* (Cic. *Ad Fratr.*, 1:1:10.) (...in this guardianship of your province it may appear that you are responsible to the allies, the citizens, and the state, not for yourself alone, but for all the officials of your government.) And again *'Toti denique sit provinciae cognitum tibi omnium quibus praesis salutem, liberos, famam, fortunas esse carissimas.'* (Cic. *Ad Fratr.*, 1:1:13.) (In a word, let it be recognised by the whole province that the welfare, children, reputation and fortunes of all whom you govern are most precious to you.) Cicero's conception of a governor's role here could not be clearer; the ideal governor (and his staff) would place the interests of the provincials ahead of his own gain, and would administer the province in a just manner.

<sup>14</sup> Cic. *Ad Att.*, 109:3 (5:17:3) *clementia*, 114:5 (5:21:5) *clementia*, 116:5 (6:2:5) *clemens*. Cicero also refers to his *mansuetudo* and *lenitas*. Cic. *Ad Att.*, 111:2 (5:18:2) (*mansuetudo*) and Cic. *Ad Att.*, 113:1 (5:20:1) (*lenius*).

<sup>15</sup> Other qualities Cicero proudly recalls he displayed include *moderatio* (Cic. *Ad Att.*, 116:4 (6:2:4)), *continentia* (Cic. *Ad Att.*, 116:4 (6:2:4)) and *iustitia* (Cic. *Ad Att.*, 109:3 (5:16:3), 114:5 (5:21:5)).

<sup>16</sup> In 54 Cato too was seeking to improve the lot of the provincials by introducing legislation to control the behaviour of governors in the provinces, Cic., *Ad Att.*, 115:13 (6:1:13).

illustrate that Caesar met the criteria of the ideal Roman commander.<sup>17</sup> Throughout the *Bellum Gallicum* Caesar is careful to display to his readers that he does indeed possess the attributes that characterised this ideal.<sup>18</sup> In an effort to set himself apart from those who preceded him, however, Caesar employs the term that had not previously been used in a military context, *clementia*.<sup>19</sup> Mercy was only one of the qualities in which Caesar was competing with Pompey. Its later close association with Caesar makes its study in this context revealing. In specific situations Caesar pardoned foreign armies who opposed him, thus creating an image comparable to that for which Pompey was renowned in the *Pro Lege Manilia*.<sup>20</sup> Yet in cases where he was betrayed or faced with strong or consistent opposition, Caesar exhibited a harshness that is seemingly incompatible with this quality. Unlike Caesar's later use of mercy in the civil war, in foreign wars mercy could be offered sparingly, and only in very specific situations or to select individuals. What modern authors have called atrocities<sup>21</sup> in Gaul were often an accepted part of the Roman military tradition in foreign wars and should be viewed in this context. Placing modern ideals on ancient actions takes them out of context and leads to a misinterpretation of such behaviour. With these differences in mind, Caesar's use of the term *clementia* in the *Bellum Gallicum* can be interpreted in its proper context.

In writing about his efforts in Gaul, Caesar was elaborating a tradition established by previous governors and generals.<sup>22</sup> L. Sulla and Cicero had both written memoirs of their achievements,<sup>23</sup> and the campaigns of Pompey and L. Licinius Lucullus had been

<sup>17</sup> This has long been recognised, see Collins, 1972, p. 933, 940f., 946; Hall, 1998, p. 9; Levick, 1998, p. 71; Welch, 1998, p. 85-6; Goldsworthy, 1998, p. 204.

<sup>18</sup> Caes., *BG.*, 1:40 (*innocentia*), 2:14, 31 (*mansuetudo*), 1:40 (*scientia rei militaris* in his speech to his troops before facing Ariovistus), 1:31, 33, 7:32 (*auctoritas*), 1:40 (*felicitas*) 1:18, 37; 2:3, 12; 3:3; 4:14, 21, 34; 5:48, 49; 6:1, 3 (*celeritas*).

<sup>19</sup> Caes. *BG.*, 2:14, 2:31.

<sup>20</sup> Cic. *Pro Leg. Man.*, 13, 42. Caesar's actions were not as innovative as Pompey's solution.

<sup>21</sup> Collins, 1971, p. 933.

<sup>22</sup> Collins disagrees, noting that 'We have no positive testimony that Caesar wished his 'Commentaries' to stand in direct and favourable comparison with those 'Acta' and 'Epistulae' of Pompey, Crassus, and others that in Tacitus' time were still to be found in the libraries of antiquarians, and were collected in fourteen books by Licinius Mucianus... But just as Pompey's once green 'piratica laurea' had to fade and wither in the sun of Caesar's victories in Gaul, so too did Pompey's literary achievement sink to negligence in competition with Caesar's.' Collins (1972), p. 941.

<sup>23</sup> Cicero's writings were on his achievements as consul, but as shown in the previous chapter, Cicero had ensured that the records of his efforts against the Catilinarians contained all of the qualities Pompey had been praised for in his war against the pirates.

celebrated by historians.<sup>24</sup> In each instance, these works had been written and published after the fact. Much contention has surrounded the publication dates for Caesar's *Bellum Gallicum*. Scholars such as Stevens, Meier, Gelzer and Rambaud argue for publication in 52-51,<sup>25</sup> while Collins and Torigian leave the date open.<sup>26</sup> Other scholars such as Hall, Wiseman and Welch argue for the annual publication of this work.<sup>27</sup> An annual publication of books describing his Gallic campaigns ensured Caesar's name would remain in the public consciousness and that his exploits would be discussed in the city of Rome. A study of emphasis on specific terms in individual books is indicative of Caesar's reactions to events in Rome. This can be specifically shown through Caesar's use of the term *clementia* in Book Two. As his position as governor was initially set to last for five years, Caesar needed to find a medium through which he could publicise his achievements.<sup>28</sup> This proved especially important as his governorship progressed and he faced incidents of disaster or defeat; such negative news would undoubtedly find its way back to Rome. Through a medium such as the *Bellum Gallicum*, Caesar was able to combat the negative effects by providing his own version of the story. As we shall see, this proved exceptionally valuable in 55 when Caesar faced criticism for his treatment of the Usipetes and Tencteri, and again in 54 and after the loss of the legions under Sabinus and Cotta.

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<sup>24</sup> Sulla wrote memoirs that recounted his time abroad (Plut. *Sulla*, 37:1.). Lucullus, Cic. *Ad Att.*, 19:10 (1:19:10). See references to Cicero's own account of his consulship, Cic. *Ad Att.*, 21:1-2 (2:1:1-2), DeWitt, 1942, p. 347. See also Welch, 1998, p. 86. Levick proposes that even P. Crassus would have written an account of his efforts in Gaul, Levick, 1998, p. 67; Welch, 1998, p. 86.

<sup>25</sup> Stevens, 1952, p. 1, Meier, 1995, p. 253, Gelzer, 1968, p. 171 and Rambaud, 1953, p. 9.

<sup>26</sup> Collins, 1972, p. 932 and Torigian, 1998, p. 50.

<sup>27</sup> Hall, 1996, 414, n. 12; Welch, 1998, p. 86-87, 94, 98; Wiseman, 1998, p.4.

<sup>28</sup> Of course this was only one method through which Caesar could highlight his success. Suetonius reports the vast amounts of gold that poured into Rome from Gaul (Suet. *Iul.*, 54:2) and we know of vast building projects Caesar undertook with the wealth he gained in Gaul (Cic. *Ad Att.*, 89:8 (4:16:8)). Caesar was also the source of many loans for Roman senators; Cicero had borrowed money from him (Cic. *Ad Att.*, 94:2 (5:1:2), 99:2 (5:6:2), 103:4 (5:10:4), 106:3 (5:13:3), 126:11 (7:3:11), 131:5 (7:8:5)). We also know that letters were travelling between Caesar's camps in Gaul and Rome, Cicero himself is the recipient of letters from his brother Quintus (Cic. *Ad Fratr.*, 17-27 (2:13-3:7)), *Ad Att.*, 89:7 (4:16:7), 92:5 (4:18:5)), Caesar (Cic. *Ad Fratr.*, 15:4 (2:11:4), 18:1 (2:14:1), 21:5, 10, 17, 25 (3:1:5, 10, 17, 25), 25:3 (3:5)), *Ad Att.*, 89:7 (4:16:7), 92:5 (4:18:5)), and Trebatius (Cic. *Ad Fam.*, 27-39 (7:6-7:18)) while they were each in Gaul. Cicero also mentions other letters either sent or expected from Caesar, Cic. *Ad Att.*, 63:1 (3:18:1), 88:2 (4:14:2).

## The First Year: Ariovistus

In his campaign against Ariovistus, Caesar portrays himself in the role of the ideal Roman governor protecting the interests of those over whom he has power, while similarly protecting his own interests. As consul in 59, Caesar himself had granted Ariovistus the rights of a “Friend and Ally” of the Roman Senate.<sup>29</sup> This is mentioned as a great favour, and the language used illustrates Caesar’s belief that Ariovistus was indebted to him and should be assisting him:

‘...illum, cum neque aditum neque causam postulandi iustam haberet, beneficio ac liberalitate sua ac senatus ea praemia consecutum.’<sup>30</sup>

([Ariovistus], although he had no right to an audience with the senate, and no just cause of claim, had obtained the rewards in question by the favour and generosity of Caesar and of the senate.)

Caesar’s use of *beneficium* (especially paired with *liberalitas*) clearly implies his belief that Ariovistus was obliged to assist him in his endeavours.<sup>31</sup> This relied on the Roman idea that those upon whom a *beneficium* had been conferred were under an obligation to their patron.<sup>32</sup> Caesar was using Roman ideals and customs to assist him in fulfilling his military ambitions in Gaul; he clearly expected Ariovistus would aid him, and Ariovistus’ refusal to show proper regard for such an (inferred) obligation was against Roman ideas of correct conduct. Ariovistus had also attacked Caesar under truce and was threatening the Aedui,<sup>33</sup> with whom Caesar possessed especially close ties. This was all combined and used to provide Caesar with a pretext for launching an attack against Ariovistus and his Germanic army.

In the meeting with Ariovistus, Caesar makes a speech that places great emphasis on the difference between the *beneficia* he has provided Ariovistus in the past, and the *superbia* of the German.<sup>34</sup> This also leads the reader to contrast the *liberalitas* of Caesar with Ariovistus’ *crudelitas* towards those under his authority. Caesar is the image of the

<sup>29</sup> Caes. *BG.*, 1:35, 43.

<sup>30</sup> Caes. *BG.*, 1:43.

<sup>31</sup> Martin, 1965-6, p. 65.

<sup>32</sup> Cic. *Phil.*, 2:5; Cic. *De Off.*, 1:42.

<sup>33</sup> Caes. *BG.*, 1:36 (attacking the Aedui); 1:46 (attacking Caesar under truce and during a parley). Seager, 2003, p. 21.

<sup>34</sup> ‘...superbe et crudeliter imperare...’, see Caes. *BG.*, 1:31.

competent commander, reminding Ariovistus that privileges granted by the Senate were not bestowed lightly, and that their continuance was not a right to be counted on if there was no advantage for the Romans.<sup>35</sup> This encounter presents a contrast between the 'good' Roman commander and the 'bad' German leader.<sup>36</sup> As Ariovistus was threatening Roman allies he was not showing the necessary respect for Roman convention; Caesar was thus justified in launching an attack against him and fulfilling the role of the Roman commander protecting the interests of Rome against the barbaric German.

### Dumnorix's Betrayal

While Caesar was able to claim leniency towards those Gauls who opposed him, in certain instances this is balanced by his ability to remain resolute when actions potentially damaging to the Roman cause were required. Early in Book One, Caesar portrayed himself as the merciful leader towards the anti-Roman Aeduan Dumnorix, claiming that friendship with Dumnorix's brother required his forgiveness of the actions of Dumnorix himself.<sup>37</sup> This can be contrasted with Caesar's later experiences dealing with Dumnorix, where his continued refusal to show allegiance to the Romans and active attempts to raise animosity against them resulted in his death.<sup>38</sup> In this instance Caesar justifies Dumnorix's death, carefully recording his own numerous attempts to gain and maintain his allegiance to the Roman state.<sup>39</sup> Seager disagrees, instead interpreting this episode as indicative of Caesar's lack of justification for his actions. *'Caesar's opponent among the Aedui, Dumnorix, had to die: there is no apology, no concealment, no passing of the buck.'*<sup>40</sup> This statement does not take into account the great lengths to which

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<sup>35</sup> Caes. BG., 1:35, 43.

<sup>36</sup> Collins, 1972, p. 930.

<sup>37</sup> *'Caesar eius dextram prendit; consolatus rogat, finem orandi faciat; tanti eius apud se gratiam esse ostendit uti et rei publicae iniuriam et suum dolorem eius voluntati ac precibus condonet.'* (Caesar took him by the hand and consoled him, bidding him to end his plea, and showing that his influence was so great that he excused the injury to Rome and the vexation felt by himself, in consideration for the goodwill and the entreaties of Diviciacus.) Caes. BG., 1:20.

<sup>38</sup> *'...si vim faciat neque pareat, interfici iubet, nihil hunc se absente pro sano facturum arbitratus, qui praesentis imperium neglexisset.'* (If he offered force or refused to obey, to put him to death; for he supposed that a man who had disregarded his command to his face would do nothing right-minded behind his back.) Caes. BG., 5:7.

<sup>39</sup> *'...dabat operam, uti in officio Dumnorigem contineret, nihilo tamen setius omnia eius consilia cognosceret...'* (...he endeavoured to keep Dumnorix in his allegiance, but not the less to learn all his designs...) Caes. BG., 5:7.

<sup>40</sup> Seager, 2003, p. 23.

Caesar goes to explain the continued opposition Dumnorix had offered and the chances he had been given for redemption.

Even during his final clash with the Romans, Dumnorix is represented as fighting until the end, and ‘...saepe clamitans liberum se liberaeque esse civitatis.’<sup>41</sup> (...crying repeatedly that he was a free man and of a free state.) In conforming to the model of the ideal Roman commander, Caesar could only accept Dumnorix’s continued opposition for so long. Caesar himself is clear in his reasoning for tolerating Dumnorix’s resistance at all – his relationship with Diviciacus and the importance of the Aedui had saved him.<sup>42</sup> This entire episode is introduced by recalling Dumnorix’s earlier pardon,<sup>43</sup> illustrating that Caesar could only justifiably continue to offer mercy to his foreign enemies for a short time, and that ultimately his position as Roman *imperator* could not allow such resistance to go unpunished.

### ***Clementia in the Bellum Gallicum***

Throughout the *Bellum Gallicum* Caesar wrote of his merciful actions, yet otherwise avoided the term *clementia*. This allowed those reading the work to attribute *clementia* to him and recognise that he was acting in a manner deemed appropriate for Roman commanders. As such, he provides various accounts of occasions when he defeated Gauls in battle, and then proceeded to display his mercy. Caesar’s conflict with the Nervii provides an excellent example of the way in which this was done. Caesar’s army overcame the Nervii after a particularly difficult battle that:

‘...prope ad internecionem gente ac nomine Nerviorum redacto...’<sup>44</sup>  
(...brought the name and nation of the Nervii almost to utter destruction.)

Caesar noted that the surviving Nervii requested his protection and so were saved from complete destruction.<sup>45</sup> The relating of this event shows that Caesar was actively

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<sup>41</sup> Caes. *BG.*, 5:7.

<sup>42</sup> Caes. *BG.*, 1:20, 5:7.

<sup>43</sup> ‘*Erat una com ceteris Dumnorix Haeduus, de quo a nobis antea dictum est.*’ (Among the others there was Dumnorix of the Aedui, of whom we have spoken before.) Caes. *BG.*, 5:6.

<sup>44</sup> Caes. *BG.*, 2:28.

promoting his mercy and illustrating that those tribes who did specifically seek his pity were granted it. This then allowed individuals reading the *Bellum Gallicum* to ascribe the quality of *clementia* to him themselves. The term *misericordia* is used as an indicator of his mercy, while the use of the superlative *diligentissimus* provides an additional marker to highlight his commitment to saving the tribe. Caesar's earlier description of the Nervii as fierce and of great courage (...*feros magnaue virtutis*)<sup>46</sup> is used to highlight his success in defeating them and to increase the value of his victory. It provides an excellent precursor to Caesar's later merciful language and enhanced his reputation as a compassionate leader because of his commitment to ensure the Nervii survived as a tribe.

As noted above, the term *clementia* appears only twice in Caesar's *Bellum Gallicum*,<sup>47</sup> although other instances of Caesar's merciful actions towards Gallic tribes and their representatives do exist.<sup>48</sup> On both occasions *clementia* is paired with the word *mansuetudo*, and is done so by representatives of Gallic tribes in the form of an appeal to Caesar for mercy. The first time this phrase is used is when the Bellovaci surrendered to Caesar. They had initially allied themselves against Caesar with the rest of the Belgae, but had forsaken this alliance when they had realised that their own tribal lands were being invaded by the Aedui.<sup>49</sup> Having congregated in the town of Bratuspantium they surrendered to Caesar before his army had attacked the town. The Aeduan Diviciacus, who supported Caesar, spoke on behalf of the Bellovaci, noting that they had always been protected by the Aedui and he requested that Caesar ignore their crime of fighting against the Romans. Diviciacus argued that the Bellovaci had been incited against the Romans by their leaders, who had fled to Britain to escape Caesar's wrath. He is then represented as asking:

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<sup>45</sup> *'Quos Caesar, ut in miseros ac supplices usus misericordia videretur, diligentissime conservavit suisque finibus atque oppidis uti iussit et finitimis imperavit, ut ab iniuria et maleficio se suosque prohiberent.'* (To show himself compassionate towards their miserable supplication, Caesar was most careful for their preservation; he bade them keep their own territory and towns, and commanded their neighbours to restrain themselves and their dependants from outrage and injury.) Caes. *BG.*, 2:28.

<sup>46</sup> Caes. *BG.*, 2:15.

<sup>47</sup> Caes. *BG.*, 2:14, 31.

<sup>48</sup> Most notably Caes. *BG.*, 2:28. See also 2:12, 7:41 (of the Aedui).

<sup>49</sup> Caes. *BG.*, 2:10.

*'Petere non solum Bellovacos, sed etiam pro his Haeduos, ut sua clementia ac mansuetudine in eos utatur'*<sup>50</sup>

(Not only that the Bellovaci, but the Aedui on their behalf, seek that he make use of his mercy and kindness.)

Diviciacus is used as the intermediary through whom Caesar's *clementia* is recognised. Caesar has recorded this situation in such a way that he is not claiming *clementia* – the Aeduan recognises that he possesses this quality and calls upon it. Caesar agrees to Diviciacus' request to save (*conservaturum*) the Bellovaci,<sup>51</sup> although he presents this as something done more out of respect for the Aedui than of any great desire to save those who had challenged his authority.<sup>52</sup> This shows that any mercy offered was not part of a consistent policy on Caesar's behalf, but rather offered as and when he deemed it advantageous.

The second occasion on which the term *clementia* occurs is at 2:31 when Caesar is preparing to lay siege to a stronghold of the Aduatuci. In this instance, the Aduatuci had initially prepared for war against the Romans, and had begun to march against Caesar in support of the Nervii.<sup>53</sup> Once Caesar successfully defeated them in battle, the Aduatuci returned to their homes.<sup>54</sup> They fortified themselves in a town and attacked Caesar's troops as they were preparing to lay siege.<sup>55</sup> Caesar notes that when they saw the siege engines he had constructed they sent forth messengers to treat for peace.<sup>56</sup> The Aduatuci sought Caesar's forgiveness, stating that they had heard of his mercy from other Gauls:

*'Unum petere ac deprecari: si forte pro sua clementia ac mansuetudine, quam ipsi ab aliis audirent, statuisset Aduatucos esse conservandos, ne se armis despoliaret.'*<sup>57</sup>

(‘In one matter only did they seek indulgence: that if through his mercy and kindness, which they had heard about from others, he would decide the Aduatuci should be saved, he would not despoil them of their arms.’)

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<sup>50</sup> Caes. *BG.*, 2:14.

<sup>51</sup> Caes. *BG.*, 2:15.

<sup>52</sup> Campi, 1997, p. 255; Seager, 2003, p. 20.

<sup>53</sup> Caes. *BG.*, 2:16, 29.

<sup>54</sup> Caes. *BG.*, 2:29.

<sup>55</sup> Caes. *BG.*, 2:30.

<sup>56</sup> Caes. *BG.*, 2:31.

<sup>57</sup> Caes. *BG.*, 2:31.

Caesar responded that he would save the Aduatucan state, although this was due more to custom than desert on their part.<sup>58</sup> From this section it is notable that Caesar has begun to emphasise his policy of *clementia*, and that he is explicitly claiming that he is customarily merciful, rather than that his mercy is being offered because his opponents deserve to be spared.<sup>59</sup> Caesar is ensuring his treatment of the Aduatuci corresponds to expectations of the way in which a Roman *imperator* would behave.<sup>60</sup>

In the cases of both the Bellovaci and the Aduatuci, the defeated tribes appeal to Caesar's *clementia* and *mansuetudo*. David Konstan argues that these terms are interchangeable,<sup>61</sup> although he does concede that *clementia* is a quality and *mansuetudo* an emotion and so allows for differences in use.<sup>62</sup> In this respect Konstan has a point – there was a difference in definition, and hence use, in these two terms. *Mansuetudo* was the ability to pity one's foes, while *clementia* was the capacity of a superior to forgive an inferior. Caesar employed *clementia* and *mansuetudo* in his *Bellum Gallicum* in his efforts to fit his image to that of the ideal commander. It also recalled his earlier attempts to establish a reputation for mercy through his actions in the Catilinarian debate, recalling his proposed leniency to the public consciousness.

Caesar's account of the surrender of the Aduatuci provides readers with an indication of the way in which he chose to portray himself. When asking for his forgiveness, the Aduatuci are made to say that they had heard of Caesar's mercy from others. Though not present in the commentary, Caesar's claim that his *clementia* and *mansuetudo* were well known and spoken of by the Gauls suggests a previous widespread attempt to enhance his reputation for mercy, and consequently as a leader. The Aduatuci were aware of Caesar's

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<sup>58</sup> Caes. *BG.*, 2:32. He did, however, demand that they surrender their arms – an important point when considering their fate. I shall return to the case of the Aduatuci later in the chapter.

<sup>59</sup> Rambaud believes the reference to *clementia* served to prepare the reader for the official sale of 53000 Aduatuci as slaves, Rambaud 1953, p. 287. Campi (1997, p. 269) argues that Caesar never claimed *clementia* directly. This is true; Caesar always places the word in the mouths of the Gauls. He is still claiming to possess the quality, but in a slightly more circumspect manner.

<sup>60</sup> *Clementia* in a foreign context is designed to reflect well on the dispenser, taking less regard for the merit of the pardoned. This illustrates that mercy in this context was different to that of a civil context where, as Barden Dowling has noted, there was a connection between bravery and *clementia*. Barden Dowling, 2006, p. 19.

<sup>61</sup> Konstan, 2001, p. 91.

<sup>62</sup> Konstan, 2001, p. 101.

decision to spare the surviving members of the Nervii, but their expressed belief in his *clementia* confirms that Caesar was trying to increase his image as a merciful leader. At this point in his campaign in Gaul, offering mercy was part of his strategy to conquer Gaul and not part of a consistent policy. As time went by, this strategy would change to account for the continued opposition he faced.

While it is important to recognise that Caesar uses the term *clementia* in his *Bellum Gallicum*, there are few authors who directly address why he chose to use this term in this particular book, and nowhere else. Konik supposes that Caesar's *clementia* was offered in order to subjugate the Gauls,<sup>63</sup> and Powell notes that Caesar features Gauls referring to his *clementia ac mansuetudo*, but does not continue to argue why this might be the case.<sup>64</sup> Other authors have a tendency only to note its use in this section and not to analyse the reasons Caesar used *clementia* at this point in his narrative rather than another synonymous term.<sup>65</sup> Campi sees Caesar's use of the term *clementia* in this instance as merely an indication of his desire to gain control in Gaul and to rule indirectly through the Aedui.<sup>66</sup> While this contention can be interpreted as correct on some levels, as will be shown below, Caesar's use of the term *clementia* in the commentaries at this point was done with a far more specific purpose in mind.

The context in which the term *clementia* was used is of great importance. Book Two of the *Bellum Gallicum* covers the campaigning season for 57, and was written during the winter of 57-56. In 56, discussions on which provinces were to be assigned to the consuls of 55 were to take place. Caesar's position as governor was due to expire in 55 and therefore Caesar was under threat of losing his command in Gaul. Caesar needed to

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<sup>63</sup> Konik, 1988, pp. 226-7.

<sup>64</sup> Instead he follows Collins and notes that '...Caesar made no great or sustained effort in the BG to appear to his fellow Romans as a mild conqueror.' Powell, 1998, p. 130. Collins, 1972, 933-5.

<sup>65</sup> Voi, 1991, p. 121-22, although her analysis does distinguish between the foreign and civilian contexts of the *Bellum Gallicum* and the *Bellum Civile*. See also Dahlmann, 1934, p. 22; Weinstock, 1971, p. 236; Konstan, 2001, p. 98; Ducos, 2004-05, 122. Barden Dowling, 2006, pp. 20-21, who notes that Caesar's *clementia* in this circumstance is not a mitigation of punishment.

<sup>66</sup> Campi, 1997, p. 255. He also believes that the Bellovaci had already been destroyed and so they were not dangerous for the Romans. This made the offer of *clementia* through Diviciacus an attempt to increase both Caesar's and the Aedui's *auctoritas*. In this way, as the Aedui had given him their support this had allowed the Romans (in this case Caesar) to gain control in Gaul and Narbonese Gaul. Rice Holmes states that it was because he was "Wishing to develop a reputation for clemency..." Rice Holmes, 1911, p. 80.

ensure his efforts in Gaul that year were recognised and celebrated in an attempt to extend his tenure as Governor. His success in achieving his aim can be seen through the voting of a fifteen day supplication in his honour for his achievement at the end of this campaigning season.<sup>67</sup> As noted above, the specific use of the term *clementia* represented one of the qualities of the concept of the ideal commander. The recognition of his *clementia* and *mansuetudo*, however, recalled Pompey,<sup>68</sup> but differentiated Caesar sufficiently to ensure he stood alone in his achievement.<sup>69</sup>

### Cicero's *In Vatinius* and the *De Provinciis Consularibus*

Cicero's *In Vatinius* illustrates the impact Caesar's quest for a reputation for *clementia* had on political phrasing in the mid-50s. By the time these speeches were delivered in 56, Caesar had gained many military successes in Gaul<sup>70</sup> and he had created a specific language of *clementia* with reference to his own actions.<sup>71</sup> In the *In Vatinius* Cicero attacks Vatinius mercilessly, but maintains a respectful attitude towards Caesar.<sup>72</sup> This is understandable; Cicero was aware that even though Caesar was in Gaul, he possessed a great deal of power through his friends and allies in Rome. Through his exile Cicero had experienced the consequences of not maintaining the support of Caesar and his friends, and he needed to ensure he maintained good relations with Caesar when he returned.<sup>73</sup> Cicero's distrust of Caesar is evidenced later in 56 when he delivered a speech in support of Caesar retaining his command in Gaul and again during the early stages of the civil war when Cicero feared that Pompey and Caesar may reconcile.<sup>74</sup> Yet it is in the *In*

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<sup>67</sup> Caes. *BG.*, 2:35.

<sup>68</sup> Who had been praised for his *mansuetudo*, Cic. *Pro Leg. Man.*, 13, 42 and *misericordia*, 24.

<sup>69</sup> This is made doubly clear in Caesar's reference to the supplication he had been voted, '*...quod ante id tempus accidit nulli.*' (...which had previously been accorded to no one.) Caes. *BG.*, 2:35.

<sup>70</sup> The level of success Caesar achieved is a subject for debate, although if Caesar's own *Bellum Gallicum* is to be believed, his victory was almost complete: '*His rebus gestis omni Gallia pacata tanta huius belli ad barbaros opinio perlata est, uti ab eis nationibus quae trans Rhenum incolerent mitterentur legati ad Caesarem, qui se obsides daturas, imperata facturas pollicerentur.*' (These achievements brought peace throughout Gaul, and so mighty a report of this campaign was carried to the natives that deputies were sent to Caesar from the tribes dwelling across the Rhine, to promise that they would give hostages and do his commands.) Caes. *BG.*, 2:35.

<sup>71</sup> Caes. *BG.*, 2:14, 34.

<sup>72</sup> Cicero refers to his defence of Sestius and his attack on Vatinius in a letter to Lentulus Spinther, Cic. *Ad Fam.*, 20:7.

<sup>73</sup> As well as Pompey and Crassus. While these men were not directly involved in Cicero's exile, they had possessed the power to protect him.

<sup>74</sup> Cic. *Ad Att.*, 150:2 (7:26:2); 161D:7 (8:11D:7); 199:5 (10:8:5).

*Vatinius* that Cicero clearly seeks to ensure Caesar's favour, while at the same time attacking a man for whom Caesar had shown marked support throughout his career.

In the *In Vatinius*, Cicero says:

*'... idemque tu cum his atque huius modi consiliis ac facinerosis nomine C. Caesaris, clementissimi atque optimi viri, scelere vero atque audacia tua...'*<sup>75</sup>

(Further, when by these and the like designs and atrocities, committed in the name of that most merciful and excellent man, Caius Caesar, but really by your own criminal audacity...)

This is the first time we have evidence for the term *clementia* being used with reference to Caesar by a third party.<sup>76</sup> The use of the superlative (*clementissimus*) and its combination with *optimus vir* illustrates the trouble Cicero took to ensure Caesar was not offended;<sup>77</sup> it is at this point in the speech that Cicero contrasts Caesar's mercy with Vatinius' cruelty. The combination also shows the power the word *clementia* had gained through it being linked with the phrase *optimus vir*. Cicero's use of this term shows that he had picked up on Caesar's own reference to his *clementia* within the *Bellum Gallicum*, and that he was desirous of reflecting the very image Caesar himself had been intent on projecting. This speech was delivered in mid to late February or early March 56, at a point when the situation regarding Caesar's tenure as governor in Gaul was a source of much speculation. Although this was in the lead up to the conference at Luca, there was the possibility in Cicero's mind that Caesar might return to Rome in the forthcoming months.

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<sup>75</sup> Cic. *In Vat.*, 22.

<sup>76</sup> There is no evidence of the term *clementia* being used specifically of Caesar during the Catilinarians or in the aftermath.

<sup>77</sup> Again at Cic. *In Vat.*, 29 Cicero attacks Vatinius but is careful to ensure he refrains from assailing Caesar: *'...ut omnes intellegere possent a te non modo nostra acta quos tyrannos vocas, sed etiam amicissimi tui legem esse contemptam; apud quem tu etiam nos criminari soles, qui illi sumus amicissimi, cum tu ei contumeliosissime totiens male dicas, quotiens te illi adfinem esse dicis.'* (...you treated with contempt not only the acts of us whom you call tyrants, but also the law of your best friend, to whom you are in the habit of slandering even us, who are his greatest friends, and whom you grievously insult whenever you boast of being connected to him.) Cicero is obviously referring to Caesar here, although he is not explicitly named. Pocock recognises that the reference to tyranny here is picking up on the language that had been circulating before Cicero's exile about his execution of the Catilinarian conspirators (Pocock, 1926, p. 116). Cicero is careful to distance the accusations against Vatinius from Caesar, even though Caesar himself had been deeply involved in the use of such language (as noted above in his use of the term *clementissimus* with reference to Caesar.) The claim of Caesar's close relationship with Cicero (*amicissimi*) along with the final clause in the above section illustrates the lengths to which Cicero was going to ensure he did not offend Caesar.

These references to Caesar as *clementissimus* and *optimus vir* were not intended as sycophancy or simply to pick up on the language and image Caesar was projecting of his own efforts in Gaul. They also form part of a plan to ensure Cicero's safety should Caesar return later in the year.<sup>78</sup> The improvement in Cicero's situation is illustrated through another speech delivered later in the year; in the *De Provinciis Consularibus* Cicero supported retaining Caesar as commander in Gaul, yet in a speech where laudatory terms would have been appropriate, the term *clementia* (or any related term) is missing. Caesar's endeavours in Gaul were undertaken with *fides*, *virtus* and *felicitas*,<sup>79</sup> suitable terms for a commander engaged in a foreign war. While desirable, mercy was not necessary and as shown above it formed part of a commander's strategy. It was not part of Roman policy in dealing with non-Romans and as such *clementia* (and other related terms) were not included.

#### Caesar and Collins: *Clementia* or *Atrocitas*?

John Collins has challenged the contention that Caesar deliberately sought to gain a reputation for mercy. In his article 'Caesar as Political Propagandist', he noted:

*'The Bellum Gallicum records, without apology, many acts of shocking severity, which in any modern war would be called 'atrocities', and would be suppressed in a public report.'*<sup>80</sup>

Collins' comment does not take into consideration either the context in which Caesar was operating or the many justifications he provides for his actions. Remembering that

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<sup>78</sup> It is not universally accepted that Cicero's reference to his 'palinode' in a letter to Atticus is in fact this speech. If it is, this illustrates he was not happy with having made the speech, although he recognised the necessity of doing so: *'quin etiam (iam dudum enim circumrodo quod devorandum est) subturpicula mihi videbatur esse παλινοδία. sed valeant recta, vera, honesta consilia. non est credibile quae sit perfidia in istis principibus, ut volunt esse et ut essent si quicquam haberent fidei. senseram, noram inductus, relictus, proiectus ab iis. tamen hoc eram animo ut cum iis in re publica consentirem.'* (There was also the fact (I might as well stop nibbling at what has to be swallowed) that I was not exactly proud of my palinode. But good night to principle, sincerity, and honour! You will scarcely credit the treachery of our ex-consuls, as they set up to be and *would* be if they had a grain of honesty about them. I have seen it, knew it, led on by them as I was, deserted, thrown to the wolves. Yet even so I was disposed to agree with them in politics.) Cic. *Ad Att.*, 80:1 (4:5:1).

<sup>79</sup> Cic. *Pro. Cons. Prov.*, 35.

<sup>80</sup> Collins, 1972, p. 933. Rambaud also notes that Caesar was consistently lacking in mercy throughout the *Bellum Gallicum*, Rambaud, 1953, p. 287. Levick opposes this, noting *'The trade-offs (allowing Roman-friendly tribes to intercede and protect those who had offended Caesar) appear, for the sake of the Roman People's self-regard, as acts of clementia and fides; and atrocities such as the massacre of the Venetic senate and the claimed but implausible sale of the rest of the Veneti, as necessary departures from a customary clementia.'* Levick, 1998, p. 70.

Caesar's purpose in writing the *Bellum Gallicum* was to illustrate how he possessed the credentials necessary to meet the ideal of the Roman commander, what Collins calls '*shocking acts of severity*' were in fact sometimes actions expected of a Roman *imperator*. As for his justification, whether the reader believes Caesar's claim does not matter – Caesar himself was attempting to ensure his actions appeared legitimate in the eyes of his readers by stating his reasons for his conduct;<sup>81</sup> the 'whitewashing', as Collins calls it, is part of the justificatory discourse within this work.

Even where he does record that he inflicted punishments on those opposing him, Caesar does not provide a great deal of information on the nature of the punishment dispensed, and there are incidents where he leaves the reader to assume that retribution was sought.<sup>82</sup> On occasions when Caesar does suggest he punished his enemies, the comment is made in passing and he quickly moves on to other matters.<sup>83</sup> The reader is occasionally informed that Caesar turned a town over to his troops, but there is little mention of the fate of the inhabitants.<sup>84</sup> Caesar does mention the carnage that was wrought during military engagements, since the opportunities to show mercy in battle were limited.<sup>85</sup>

The instances where Caesar passes quickly on to other information each occur after a battle has been won or in situations where there has been some sort of rebellion or betrayal. The punishment of the opposition was accepted in such circumstances,<sup>86</sup> although on these occasions Caesar is hesitant to specify his treatment of the enemy. Collins notes '*It seems worthwhile to bring together a list of these acts to see by their accumulated weight how little Caesar was concerned to conceal them.*'<sup>87</sup> He provides a list of nine episodes where he says that Caesar highlights his 'atrocities'. Collins' list does indeed provide evidence for Caesar's reaction to the committing of atrocity,

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<sup>81</sup> For an account of Caesar's reasoning behind his actions, see Powell, 1998, p. 125, 127.

<sup>82</sup> On the lack of information regarding the punishment of the Belgae who betrayed Caesar to the Nervii, see Caes. *BG.*, 2:17-28.

<sup>83</sup> Caes. *BG.*, 1:28.

<sup>84</sup> Caes. *BG.*, 7:11.

<sup>85</sup> Caes. *BG.*, 1:12; 3:26; 5:21; 5:51; 6:8; 7:88.

<sup>86</sup> Note Pompey's actions against the pirates which were deemed merciful. He defeats a number of them and then acts leniently: Vell. 2:32:4-5; Flor. 1:41:12-14 (although Florus does note that the pirates retired soon after the first engagement); Dio, 36:37:5.

<sup>87</sup> Collins, 1972, p. 933.

although as he notes 'The question here is not whether Caesar was justified in doing what he did, but whether he has attempted to soften or "whitewash" it.' His conviction that Caesar was willing to describe atrocity without providing explanation or justification in the *Bellum Gallicum* is less apparent than he believes.

i. **BG, 1:28:2**

The first example of this (which functions as the starting point in the *Bellum Gallicum*) is during Caesar's campaign against the Helvetii in 58. After having been compelled to surrender by Caesar, men from the canton Verbigene fled from the Roman army. Upon learning this Caesar demanded that the fugitives be returned by those through whose land the escapees had fled. This, according to Caesar, was carried out, and '*reductos in hostium numero habuit*;<sup>88</sup> (When brought back he treated them as enemies.) Other than noting that the remaining Helvetii were admitted to surrender after yielding their weapons, nothing further is said about the punishment of the canton Verbigene. Whatever happened does not matter. His language reveals nothing of the ultimate fate of these prisoners. Collins himself expresses doubt as to whether they were executed (his preferred interpretation) or sold into slavery. From stating that he treated the runaways as enemies, Caesar moves quickly on to a description of how he ensured the remaining Helvetii were treated with the utmost care, with food provided for them,<sup>89</sup> and placed under the protection of another powerful Gallic tribe.<sup>90</sup> Throughout Book One of the *Bellum Gallicum* Caesar worked hard to justify his attack on the Helvetii. His portrayal of their invasion of the Roman province ensured his actions were in defence of the province and as such in defending Roman territory Caesar was acting as a commander should. Collins' argument that Caesar enumerates his 'atrocity' here without trying to justify it is not valid.

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<sup>88</sup> Caes. *BG.*, 1:28.

<sup>89</sup> '*...Allobrogibus imperavit ut iis frumenti copiam facerent*' (...he required the Allobroges to give them a supply of corn.) Caes. *BG.*, 1:28.

<sup>90</sup> As in the case of the Boii, Caes. *BG.*, 1:28.

ii. *BG*, 2:33:6

This section deals with the sale of the entire population of the town of the Aduatuci into slavery. Once again, Caesar's reference is minimal. He noted:

*'Postridie eius diei refractis portis, cum iam defenderet nemo, atque intromissis militibus nostris sectionem eius oppidi universam Caesar vendidit. Ab iis qui emerant capitum numerus ad eum relatus est milium quinquaginta trium.'*<sup>91</sup>

(On the next day the gates of the town were broken open, for there was no more defence, and our troops were sent in; then Caesar sold as one lot the booty of the town. The purchasers furnished a return to him of fifty-three thousand persons.)

The reference is once again brief and then quickly moves on to other achievements. No joy is evinced at the capturing of the town, or at the obviously substantial profit Caesar was able to make by selling the inhabitants into slavery. Campi argues Caesar did not need to justify his harshness as the Aduatuci had betrayed the truce, and as such their subsequent treatment was what they deserved and would not have caused any shock to public opinion.<sup>92</sup> Yet Campi himself has highlighted Caesar's very justification: the Aedui had betrayed the truce. Caesar is not hiding the fact that he sold individuals into slavery; in fact he is making no greater reference to this than was generally acceptable.

This encounter with the Aduatuci shows that Caesar would exact harsh punishment against those who had surrendered, asked for mercy and then changed their plans. This served to justify Caesar's later harsh actions against them. When approaching the Aduatuci for the first time, Caesar had noted that:

*'Se magis consuetudine sua quam merito eorum civitatem conservaturum, si priusquam murum aries attigisset, se dedidissent; sed deditionis nullam esse condicionem nisi armis traditis.'*<sup>93</sup>

(He would save their state alive as it was his custom, not because they deserved it, if they surrendered before the battering-ram touched the wall: but there could be no terms of surrender save upon delivery of arms.)

<sup>91</sup> Caes. *BG.*, 2:33.

<sup>92</sup> Campi, 1997, p. 257. For a parallel, see Cicero's references to his capture of Pindenissum in Cilicia and the slaughter this involved, Cic. *Ad Att.*, 113:5 (5:20:5). This may be contrasted with his claims to *clementia*, Cic. *Ad Att.*, 109:3 (5:17:3) *clementia*, 114:5 (5:21:5) *clementia*, 116:5 (6:2:5) *clemens*.

<sup>93</sup> Caes. *BG.*, 2:32.

Here Caesar is promoting his willingness to save states which surrendered to him, although his intentions were conditional on the surrender of arms. This formed part of the conquering Roman commander ideal and was expected in Rome. That the Aduatuci accepted these terms, then attacked the Romans and were defeated accounts for their treatment at Caesar's hands.<sup>94</sup> The Aduatuci provide a special case here; unlike others, they initially requested Caesar's *clementia* and *mansuetudo*,<sup>95</sup> so their duplicity in resisting the Roman army both ensured and justified the fact that they were visited with harsh reprisals.

iii. **BG, 3:16:4.**

Collins classes the treatment of the council of elders of the Veneti as an atrocity, and once again Caesar provides explanation for his actions when he relates this episode. In 56, Publius Crassus was wintering with legions in the region of the Veneti, and facing a corn shortage he sent representatives into the various surrounding states seeking rations to tide him over.<sup>96</sup> These deputies were detained first by the Veneti, and then by the remaining tribes, who demanded that Caesar return their hostages if he wished to have his own representatives released.<sup>97</sup> Caesar writes:

*'Veneti...quod quantum in se facinus admisissent intellegebant – legatos, quod nomen ad omnes nationes sanctum inviolatumque semper fuisset, retentos ab se et in vincula coniectos –, pro magnitudine periculi bellum parare ...'*<sup>98</sup>

(The Veneti...perceived the magnitude of their offence, – they had detained and cast into prison deputies, men whose title had ever been sacred and inviolable among all nations. Therefore, as the danger was great, they began to prepare for war on a corresponding scale...)

Caesar's comments here highlight their crime – it was the Veneti who had committed the 'atrocity' and who must face retribution for their actions. The campaign against the Veneti was difficult, as the maritime position of their towns meant they were able to

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<sup>94</sup> Caes. *BG.*, 2:33.

<sup>95</sup> Caes. *BG.*, 2:31.

<sup>96</sup> Titus Terrasidius was sent to the Esubii, Marcus Trebius Gallus to the Curiosolites, and Quintus Velanius and Titus Silius amongst the Veneti. Caes. *BG.*, 3:7.

<sup>97</sup> Caes. *BG.*, 3:8.

<sup>98</sup> Caes. *BG.*, 3:9.

escape easily.<sup>99</sup> Caesar recorded his eventual success in a naval battle,<sup>100</sup> after which the Veneti and other maritime nations surrendered to him.<sup>101</sup> Caesar then noted that:

*'In quos eo gravius Caesar vindicandum statuit quo diligentius in reliquum tempus a barbaris ius legatorum conservaretur. Itaque omni senatu necato reliquos sub corona vendidit.'*<sup>102</sup>

(He decided that their punishment must be the more severe in order that the privilege of the deputies might be more carefully preserved by the Gauls in the future. He therefore killed all of their Senate and sold the captives as slaves.)

Caesar dedicates a full nine chapters to explaining the outbreak of hostilities against the Veneti, and highlights their perfidy in detaining his envoys as the primary reason for the harshness of their punishment. This punishment is the final sentence of the account on the Veneti – Caesar then moves straight on, providing as little detail on the punishment of the Veneti as possible. The length of Caesar's justification in the lead up to his actions against the Veneti and the considered nature of his punishment inflicted provide ample evidence against Collins' assertion that Caesar did not try to 'hide' or 'justify' his actions. Caesar not only provides a great deal of explanation for his actions, he had thought about his actions and how to explain them in great detail.

#### iv. **BG 3:28 and 29:3.**

Collins' argument that Caesar '*...attacked, entirely without provocation, the Morini and Menapii, giving as his sole reason the fact that they had not sent envoys to make submission...*' is again incorrect. Caesar states his very justification for his actions – these tribes had not sent hostages, remained under arms, and never sent ambassadors to him to treat for peace.<sup>103</sup> The Morini and the Menapii had also provided men for the rebellion led by the Belgae in 57 – another reason for Caesar's attack on them now.<sup>104</sup> Why Collins should choose this episode from the *Bellum Gallicum* to illustrate Caesar's uninhibited ambition is revealing – it is well recognised that Caesar worked hard to

<sup>99</sup> Caes. *BG.*, 3:9-10, 14.

<sup>100</sup> Caes. *BG.*, 3:14-15.

<sup>101</sup> Caes. *BG.*, 3:16.

<sup>102</sup> Caes. *BG.*, 3:16.

<sup>103</sup> Caes. *BG.*, 3:28.

<sup>104</sup> The Morini sent 25000 men and the Menapii sent 7000. Caes. *BG.*, 2:4.

justify his subjugation of Gaul throughout the *Bellum Gallicum*.<sup>105</sup> To Caesar's mind the simple fact that these tribes had not sent hostages and had supported the Belgae in their uprising against him was enough. Other tribes who had sent hostages had been treated well,<sup>106</sup> thus the actions of the Morini and Menapii were hostile. His attack is justified and explained simply by noting their non-compliance to his demands and their active opposition in assisting those under arms against Caesar.<sup>107</sup>

v. **BG, 4:13-14.**

Collins criticises Caesar's action against the Usipetes and Tencteri. While Caesar's intentions in requesting the meeting with the German envoys may have been to capture the representatives as hostages to ensure the Germans' compliance, he places the Germanic attack on his cavalry as the reason for their retention.<sup>108</sup> Caesar specifically noted that the Germans had asked for a truce for that day,<sup>109</sup> and he had ordered his cavalry not to attack.<sup>110</sup> Caesar goes into great detail to highlight the perfidy of their attack and the needless death of members of the Roman cavalry and a close Roman ally, Piso of Aquitania.<sup>111</sup> Powell supports the idea that Caesar provides justification for his actions by noting the language Caesar uses when describing this event:

*"That there is an element of apology in this account may be shown most decisively by considering 4:13:2, where Caesar explains why he had to strike fast, before the German cavalry had time to return. To have waited until the enemy forces increased, he writes, 'would have been, in his judgment, the height of lunacy, (summae dementiae esse iudicabat).'"<sup>112</sup>*

In the tradition of defending Roman allies and the troops under his command, Caesar had provided ample justification for his actions.

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<sup>105</sup> Martin, 1965-66, pp. 65-66; Ramage, 2002, p. 135-136.

<sup>106</sup> Caes. *BG.*, 1:28, 30; 2:3, 15, 3:21-22.

<sup>107</sup> Attacks against perceived (or actual) enemies of Rome can also be found in Cicero's account of his time in Cilicia, Cic. *Ad Att.* 113:3, 5 (5:20:3, 5).

<sup>108</sup> Caes. *BG.*, 4:12-13.

<sup>109</sup> Caes. *BG.*, 4:12.

<sup>110</sup> Caes. *BG.*, 4:11.

<sup>111</sup> Caes. *BG.*, 4:12.

<sup>112</sup> Powell, 1998, p. 127.

vi. **BG, 6:44:2.**

Collins records that Caesar executed Acco, whom he had previously pardoned, but states that there was no reason offered for this act.<sup>113</sup> Yet Caesar's actions in this instance are given much account. At the beginning of Book Six Caesar noted the plan for general rebellion and that the Senones and Carnutes were participating.<sup>114</sup> Acco was the leader of the Senones' rebellion, and Caesar records that he had urged them in their rebellion to fight against him.<sup>115</sup> This was abandoned when Caesar approached them and the Senones:

*'...deprecandi causa ad Caesarem mittunt. adeunt per Haeduos, quorum antiquitus erat in fide civitas. Libenter Caesar petentibus Haeduis dat veniam excusationemque accipit, quod aestivum tempus instantis belli, non quaestionis esse arbitratur.'*<sup>116</sup>

(...sent deputies to Caesar to entreat his forgiveness, approaching him through the Aedui, the protectors of their state from ancient times. Caesar willingly granted pardon and accepted their pleas at the instance of the Aedui; for he held that summer was the time for the coming war, not for judicial inquiry.)

It is the reference to the fact that summer was used for campaigning that provides the reasoning for Caesar's execution of Acco. The end of Book Six records that Caesar decided to hold an inquisition into the rebellion of the Senones and Carnutes at the beginning of the summer. Caesar had delayed their punishment until he was in a position to deal with the rebellion as he considered appropriate.<sup>117</sup> Acco had also already been pardoned once and his position as the leader of a rebellion was justification for Caesar's actions. As the leader of the conspiracy, Acco was punished in a harsh manner in an effort to discourage further dissension amongst the Gauls.

vii. **BG, 6:34:4.**

Caesar's account of the punishment of the Eburones contains ample explanation as an attempt to 'soften' his story of their punishment. In 54, Ambiorix, the chief of the Eburones, had led Q. Titurius Sabinus and C. Aurunculeius Cotta into an ambush that

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<sup>113</sup> Collins, 1972, p. 934.

<sup>114</sup> Caes. BG., 6:3.

<sup>115</sup> Caes. BG., 6:4.

<sup>116</sup> Caes. BG., 6:4.

<sup>117</sup> Caes. BG., 6:44.

resulted in the annihilation of one whole legion, plus another five cohorts.<sup>118</sup> The following year Caesar sought to punish Ambiorix and the whole tribe of the Eburones.<sup>119</sup> Caesar's language '*...pro tali facinore...*' is his justification.<sup>120</sup> Any tribe which would act with such treachery deserved the fate they received. The serious consequences of losing a legion and five cohorts ensured that Caesar would seek vengeance for such treachery. Had Caesar allowed Ambiorix to go free, his reputation in Rome would have suffered. His inability to capture him was bad enough and keenly felt by Caesar, but throughout the remainder of the *Bellum Gallicum* he had to make sure he appeared to be doing everything to gain vengeance for such a betrayal. There was no room for mercy on an occasion such as this, or any need for Caesar to provide explanation or justification to a Roman audience for his actions. This instance is more blatant in its language than others mentioned by Collins, and yet Caesar still goes to lengths to ensure that his actions are explained and his reasoning understood.

**viii. BG, 7:28:4.**

Collins' choice of the siege at Avaricum is the most pertinent to his argument. Caesar provides elaborate detail of the siege of Avaricum,<sup>121</sup> and once again records that the taking of the town was a bloody one, involving the deaths of a greater part of the inhabitants, regardless of age or gender. His account of the harsh treatment of the people of Avaricum is spelt out:

*'Sic et Cenabensi caede et labore operis incitati non aetate confectis, non mulieribus, non infantibus pepercerunt. Denique ex omni eo numero, qui fuit circiter milium XL, vix DCCC...incolumes ad Vercingetorigem pervenerunt.'*<sup>122</sup>

(In such fashion, the troops, maddened by the massacre at Cenabum and the toil of the siege work, spared no aged men, nor women, nor children. Eventually, of all the number, which was about forty thousand, scarcely eight hundred reached Vercingetorix in safety.)

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<sup>118</sup> Caes. *BG.*, 5:26-38.

<sup>119</sup> Caes. *BG.*, 6:5.

<sup>120</sup> Caes. *BG.*, 6:34.

<sup>121</sup> Caes. *BG.*, 7:22, 24-27.

<sup>122</sup> Caes. *BG.*, 7:28.

While the people fighting against his authority would have incited Caesar to show less leniency to them in defeat, the simple fact that Caesar noted that no one was spared from attack by the troops, and that he gives the numbers reckoned to have survived, shows that Caesar was serving notice that he was prepared to employ harsh methods against his opponents in certain circumstances. It should be noted that mercy requires first surrender and then a request for forgiveness – in this case that had not happened. Caesar does note that the troops' reaction was in response to the events at Cenabum – this was a revenge attack and must be recognised as such. The notion of *clementia* had served its purpose in his earlier campaigns, but had ultimately proved unsuccessful in quelling rebellious outbreaks against Rome; it was time to use force to gain his objectives.

ix **BG 7:78:5.**

The final example Collins offers is at Alesia, when Caesar refuses to allow non-combatants to pass through his lines. Yet Collins himself notes that this was common practise in warfare, and as such, it is scarcely an atrocity in Roman terms. Caesar's account does not dwell on his refusal, stating merely that he had posted sentries on the rampart and prevented their admission.<sup>123</sup> Caesar simply states his case using neutral, detached language, and moves on. It is worth highlighting the position of the campaign at Alesia. Caesar had been fighting in Gaul for seven campaigning seasons, and all of the tribes involved had previously been pardoned. There was a time and a place for offering mercy to the enemy. Caesar's Roman audience would have understood that the Gauls had been provided with the opportunity for a peaceful settlement and they had not taken it. At this point in his narrative Caesar needed no justification for his treatment of those at Alesia.

Collins' contention that Caesar did not seek to 'whitewash' or soften the presentation of his acts is incorrect. While modern sensibilities may consider Caesar's actions 'atrocities', in each case he provides firm justification and was doing nothing more than was expected of him as a Roman *imperator*. As his actions in Gaul were in accordance

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<sup>123</sup> Caes. *BG.*, 7:78.

with this ideal, Collins' belief that Caesar blatantly recorded violence and mayhem without explanation is mistaken.

Collins' concentration on these nine episodes bypasses one of the greatest instances of Caesarian massacre without comment. This event is Caesar's account of the capture of the town of Cenabum in 52, although the date of these events is important as they took place when Gaul was supposed to be pacified. The rebellion in this year was fresh opposition to Roman authority and needed to be dealt with ruthlessly – justification was not necessary. The treatment of this town is in direct contrast to earlier accounts of the capture of towns in the *Bellum Gallicum*, as in this case Caesar offers no chance for negotiation or explanation. Upon learning that some of the town's inhabitants were trying to escape,<sup>124</sup> rather than protecting the town from his soldiers, Caesar attacked:<sup>125</sup> '*Oppidum diripit atque incendit, praedam militibus donat...*'<sup>126</sup> (He plundered and burnt the town, and gave the booty to the troops.) Caesar's lack of mercy to the town's inhabitants is manifest. This was again a revenge attack; the townspeople had not only rebelled against the Romans, they had also killed the citizens who were in the town.<sup>127</sup> The perfidiousness of the townspeople had to be avenged and so Caesar attacked them and turned the town over to the troops.

Once again, there is a lack of detail regarding the killing; in the same sentence Caesar states that '*...exercitum Ligerim traducit atque in Biturigum fines pervenit.*'<sup>128</sup> (...he crossed the Loire with the army, and reached the borders of the Bituriges.) He quickly moves the narrative on from the capture of the town to his march against the Bituriges. Readers are left with no time to reflect on the fate of Cenabum; they are led from the scene almost immediately and introduced to a new arena for the campaign within a single

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<sup>124</sup> '*Cenabenses paulo ante mediam noctem silentio ex oppido egressi flumen transire coeperunt*' (A little before midnight, the men of Cenabum moved out in silence and began to cross the river.) Caes. *BG.*, 7:11.

<sup>125</sup> Contrast this with the treatment of the Aduatuci in Book Two where Caesar specifically stated that he ordered the town gates closed so that his troops would not commit outrages against the inhabitants. Caes. *BG.*, 2:33.

<sup>126</sup> Caes. *BG.*, 7:11.

<sup>127</sup> Caes. *BG.*, 7:3

<sup>128</sup> Caes. *BG.*, 7:11.

sentence. The next chapter recalls that the Gauls are united under Vercingetorix,<sup>129</sup> leading the reader even further from Cenabum. The town is not mentioned again, and as a consequence Caesar's harshness at Cenabum is obscured by a careful reconstruction of events. To a Roman reader, however, the attack would have been justified. The treacherous behaviour of the townspeople had made their fate permissible.

### Caesar and the Aedui

The most significant example of Caesar's portrayal of his own leniency can be seen in his treatment of the Aedui in Book Seven. This tribe had supported Caesar from the beginning of his campaign in Gaul,<sup>130</sup> and had been recognised as a 'friend and ally of the Roman people'.<sup>131</sup> In 52, however, individuals amongst the Aedui were convinced to join in the rebellion against Caesar.<sup>132</sup> As part of this rebellion, Aeduan cavalry tortured and killed Roman citizens.<sup>133</sup> Caesar then noted that the Aedui realised their mistake, surrendered and begged his mercy.<sup>134</sup> Although he could have gained revenge and had those involved killed, he decided to save them.<sup>135</sup> Yet the Aeduan revolt did not end with this episode, developing instead into a full scale rebellion that only ceased when the Gauls were defeated at Alesia and Caesar had time to recover the state.<sup>136</sup> Caesar writes that he forgave the Aedui for murdering Roman citizens, and there is no indication he exacted retribution for their participation in the general rebellion. That the Aedui were held in great esteem by Caesar himself, and that it was their authority that had prevented a general uprising until this point,<sup>137</sup> influenced Caesar to treat them with leniency. The Aedui had featured significantly throughout the *Bellum Gallicum* until this point, and their position as pre-eminent amongst the Gauls was certain. On other occasions when

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<sup>129</sup> Caes. *BG.*, 7:12.

<sup>130</sup> Caes. *BG.*, 1:11.

<sup>131</sup> Caes. *BG.*, 1:31, 36.

<sup>132</sup> Caes. *BG.*, 7:37-38.

<sup>133</sup> Caes. *BG.*, 7:38.

<sup>134</sup> Caes. *BG.*, 7:40.

<sup>135</sup> '...nuntiis ad civitatem Haeduorum missis, qui suo beneficio conservatos docerent quos iure belli interficere potuisset...' (...sent messengers to the state of the Aedui to report that the men, whom by right of war he might have put to death, had by his own favour been saved...) Caes. *BG.*, 7:41.

<sup>136</sup> Caes. *BG.*, 7:90.

<sup>137</sup> Caes. *BG.*, 7:37.

Gallic tribes had participated in rebellions or betrayed him, Caesar had employed a simple 'two strikes' policy and acted with swift and harsh punishments.<sup>138</sup>

Caesar's account of the siege of Alesia, the final stand of the united Gauls, is one dedicated to showing the might of the Romans, and the capabilities of Caesar and his army. Nowhere to be found is the *clementia* that Caesar had gone to such lengths to promote throughout the rest of the work. Prisoners from all tribes but the Aedui and Arverni were made a gift of plunder to the Roman legions.<sup>139</sup> But the fate of the leader of this rebellion, Vercingetorix, is left; Caesar tells readers that he was surrendered, but no more.<sup>140</sup> Caesar's lack of *clementia* in dealing with the captives from Alesia is expected – it was a fresh rebellion against the Romans by tribes who were thought to have been pacified. The *Bellum Gallicum* was written for a Roman audience, and no Roman reading Caesar's account of the campaign in 52 would have expected Caesar to act leniently. Each of the tribes had been subdued either peacefully or militarily during Caesar's time in Gaul, with many of them receiving Caesar's *clementia* (or a semblance of it) during this time. By 52 however, Caesar felt he had a right to be impatient with the continued resistance. Individuals and tribes had been pardoned before and continued in their fight against him; this resulted in retribution being sought against those who had fought on previous occasions. The influence of events in Rome at this time was also an issue. The unified Gallic uprising in 52 needed to be overcome quickly, besides which there was no longer a need for *clementia*.

## Conclusion

When reading the *Bellum Gallicum*, it is possible to see how the political situation in Rome affected the way in which Caesar displayed *clementia* in Gaul. We are aware that at certain times during his tenure as governor of Gaul, Caesar was confronted with

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<sup>138</sup> Aduatuci, Caes. *BG.*, 2:33, Cenabum, *BG.*, 7:28.

<sup>139</sup> Caes. *BG.*, 7:89.

<sup>140</sup> Caes. *BG.*, 7:89. Of course the *Bellum Gallicum* was published before the ultimate fate of Vercingetorix was decided, but there is indication of intention for Vercingetorix. Florus' account is similar to Caesar's, Flor. 1:45:26. Plutarch tells us that Vercingetorix was kept safe to be led in Caesar's triumph. Plut. *Caes.*, 27:5. Dio notes that Vercingetorix had hoped for Caesar's *clementia*, but was instead thrown into chains, led in his Gallic triumph and then executed. This account is no doubt influenced by later Caesarian propaganda. Dio, 40:41:1 and 3.

adverse political situations in Rome.<sup>141</sup> During these periods of uncertainty, Caesar's accounts of his campaigns in Gaul are vivid in detail. He enumerates the ways in which he was able to defeat the enemy, regardless of how well prepared they were, or the adverse conditions under which he was fighting. The justice of, and justification for, his actions is the most important point, leaving *clementia* as a much smaller part of the overall image he was aiming to project. Caesar aims to overwhelm the reader with the magnitude of his successes throughout the *Bellum Gallicum*, but in those years where political realities in Rome were foremost on his mind his exploits against the Gauls are even more noteworthy. This is particularly evident in 57, 55, and 52 when Caesar is careful to highlight that his efforts in Gaul gained him unprecedented supplications in his honour.<sup>142</sup>

Caesar's *Bellum Gallicum* belongs in the tradition of recording military exploits, although as noted above it differs from earlier accounts in its annual publication of a current war. Even if the *Bellum Gallicum* was not published annually, but in 52 as some scholars believe, the fact that it was written while the war was still being waged makes it different from previous accounts of military exploits. The work itself was primarily designed to record Caesar's achievements in Gaul and gain him a reputation for military excellence in the spirit of his predecessors. Caesar also used the *Bellum Gallicum* to outstrip the successes of Sulla, Lucullus, and Pompey in the East, thereby portraying himself as the greatest military leader of his time. Caesar's use of the term *clementia* was to highlight a quality that distinguished and differentiated him from his predecessors' actions. In his account of the campaign of 57 Caesar portrays Gallic tribes recognising his *clementia*, and in March 56 Cicero himself would refer to Caesar's reputation for *clementia*.<sup>143</sup> As the war in Gaul progressed and Caesar faced growing opposition in Rome, the *Bellum Gallicum* also served a number of other purposes. It provided him with the opportunity to defend his actions where he might face censure and provide his own version of events where there was a situation that could reflect poorly upon him. As the war progressed,

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<sup>141</sup> Suet. *Iul.*, 24:1; Plut. *Caes.*, 22:3, 29. Cicero's entire speech *De Provinciis Consularibus* was aimed at gaining an extension to Caesar's command in Gaul.

<sup>142</sup> *Caes. BG.*, 2:35; 4:38, 7:90.

<sup>143</sup> Cic. *In Vat.*, 22.

justification for his actions remained necessary, but mercy was no longer expected. That he was defending Roman interests in Gaul provided him with significant scope to ensure his authority was recognised and his actions justified. The *Bellum Gallicum* also allowed Caesar to promote himself and his efforts when events in Rome were working against him. Ultimately the *Bellum Gallicum* was the work that legitimised Caesar's image as a successful commander. The foundations for his later reputation as an outstanding military leader and merciful victor were laid during this work. *Clementia*, as represented in the *Bellum Gallicum*, was just one part of that foundation.

# Caesar, Sulla, and Civil War *clementia*

## Part One – The Early Stages of the War

Caesar's command in Gaul finished when he marched into Italy in January 49, marking the start of the second civil war in forty years. From this period on we see Caesar more explicitly implement his policy of mercy towards citizens. Through this policy, Caesar actively sought to avoid (by confrontation) any comparison with Sulla, and at the same time to recall Pompey's early connection to him. Caesar was acutely aware that such comparisons would be made – both he and Sulla had marched against their country. This desire to ensure there was a marked difference between himself and Sulla resulted in Caesar's prominent acts of *clementia* towards those who opposed him in the early months of the war. Through the assistance of Oppius, Balbus and other supporters, Caesar consciously disseminated a message of tolerance and leniency regarding his own actions, denouncing his Republican opponents for pursuing power along 'Sullan' lines. The various avenues through which Caesar broadcast messages specifically designed to recall his mercy included letters, speeches and coinage. As can be seen in both contemporary and later ancient sources, the battle over the label of 'Not-Sulla' that developed during the early months of the civil war shaped the actions of both sides in the war.

While some scholars have chosen to see differences between Caesar's invasion of Italy compared to that of Sulla,<sup>1</sup> it will be shown that the similarities in their approach were not lost on ancient authors.<sup>2</sup> The way in which many of these sources chose to portray Caesar's actions was remarkably similar in many instances to the way in which they depicted Sulla's march into Italy in 83. The difference between them lay in the way these two men chose to use their success; Sulla was notorious for his cruelty, while Caesar was celebrated for his *clementia*.<sup>3</sup> This was not accidental. Caesar was aware that people would make the connection between himself and Sulla, so he endeavoured to differentiate

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<sup>1</sup> A selection of these authors includes Syme, 1939, p. 51; Frisch, 1946, p. 27-8; Fuller, 1965, p. 315; Gelzer, 1968, p. 279; Hinard, 1985, p. 281; Brunt, 1986, p. 21; Raaflaub, 2003, p. 60, 63. Griffin tacitly accepts this idea, Griffin, 2003, p. 162, 168.

<sup>2</sup> Ancient authors who see similarities include Liv, *Per.*, 85; Vell. 2:25; App. *BC*, 1:85-6; Plut. *Sul.*, 28:2-4.

<sup>3</sup> Of course this has been noted by modern authors as well. Both Syme and Yavetz note that the difference between Caesar and Sulla was Caesar's *clementia*, Syme, 1939, p. 51; Yavetz, 1983, p. 174.

himself from his predecessors' actions. Cicero's letters illustrate that Caesar's contemporaries did see clear parallels between the two men. Cicero himself makes a direct comparison between them before the civil war even started.<sup>4</sup> In his efforts to combat the negative connotations of being considered another 'Sulla', Caesar consciously entered into this debate in order to win it.

The use and promotion of mercy throughout the early period of the civil war by Caesar and his supporters illustrates that this was part of a widespread public debate. The particular importance that is attached to the term *clementia* from this period is illustrative of the events it is used to describe. *Clementia*, a term that was traditionally associated with law courts, but which first Caesar and then Cicero had appropriated for use with reference to foreign enemies,<sup>5</sup> was offered to Roman citizens in a military context. The previous legal association made it particularly suitable for use during a civil war, although Caesar's explicit and continued policy of *clementia* was innovative in employing a previously civilian term as a code of conduct for a civil war context.<sup>6</sup> This was of great importance throughout the early months of the civil war as it was clearly in opposition to the expectations held of Caesar and the memory of Sulla's actions. It was the recollection of Sulla's treatment of other Roman citizens that ensured Caesar created and implemented such a policy.

### The Importance of Cicero

Cicero's letters to Atticus, along with those to others involved in the war including Caesar and his supporters,<sup>7</sup> offer an indication of the fear and uncertainty that prevailed

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<sup>4</sup> Cicero is the first source we find that makes the comparisons between Caesar and Sulla, in his letters to Atticus, *Cic. Ad Att.*, 130:7 (7:7:7, c. 19 December 50).

<sup>5</sup> Evidence for other individuals employing this term is lacking, although this is probably due to the lack of other authors rather than an absence of the word. Konstan, 2001, p. 97.

<sup>6</sup> Pompey's actions in burning Perperna's correspondence (discussed in chapter one) and Sulla's treatment of Scipio (discussed below) were one-off situations, not a continuous policy, and in this respect differ from Caesar's very conscious and overt policy.

<sup>7</sup> Cicero often exchanged letters with Caesar and his supporters. See *Cic. Ad Att.*, 172:1 (9:6:1, from Balbus), 172A (9:6A, from Caesar), 174A (9:7A, from Oppius and Balbus), 174B (9:7B, from Balbus), 178A (9:11A, from Cicero to Caesar), 181A (9:13A, from Balbus), 182:1 (9:14:1, from Q. Pedius), 184 (9:15A, from Matus and Trebatius), 185:2-3 (9:16:23, from Caesar), 194:2 (10:3A:2, from Caesar), 199A (10:8A, from Antony), 199B (10:8B, from Caesar), 200A (10:9A, from Caelius), 201:1 (10:10:1, Cicero to Antony), 201:2 (10:10:2, from Antony), 210:2 (10:18:2, Cicero to Balbus). More importantly, Cicero was

in the early months of the war. These letters provide readers with almost daily updates on the developments in the war, and illustrate the doubts surrounding Caesar's impending arrival, his conspicuous acts of *clementia*, and the eventual outcome of the war. Cicero had lived through the Marian/Cinnan and Sullan war of the 80s, and this provided him with insights into the consequences of a civil war that are not available through other sources.

Cicero's letters are useful for showing how Sulla's actions in particular were at the forefront of people's minds in this period.<sup>8</sup> As Rome headed once again towards civil war, Caesar's supporters were actively recalling the spectre of Sulla. As shown in the discussion on Caesar's early career, the 70s and 60s were a time when political association with Sulla was detrimental to both an individual's reputation and career. In the 50s this had abated somewhat: Q. Pompeius Rufus' was able to feature Sulla's image on coinage minted in 54,<sup>9</sup> as could Faustus Sulla.<sup>10</sup> In late 50 however, Caesar and his supporters sought to recall Sulla's image and highlight the atrocities he had perpetrated against Roman citizens. This naturally also drew attention to individuals who had started their career under Sulla. Cicero wrote to Atticus of a speech Antony delivered in a *contio* which contained an attack on Pompey:

*'...in qua erat accusatio Pompei usque a toga pura, querela de damnatis, terror armorum.'*<sup>11</sup>

(...in which an accusation against Pompey from the day he came of age, a protest on behalf of the persons condemned, and threats of armed force.)

Cicero's use of the phrase '*...usque a toga pura...*' shows that this speech contained reference to Pompey's early association with Sulla, thus reminding listeners of his violent past. This was a topic that would continue to be recalled until Pompey's death.

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aware that Caesar might display or pass along letters written by Cicero himself to other people, or even to use Cicero's name improperly, Cic. *Ad Att.*, 152:1-2 (8:2:1-2).

<sup>8</sup> Cicero does make reference to the other participants of both wars; Cinna is given cursory treatment at the beginning, during and after the civil war (Cic. *Ad Att.*, 130:7; 153:6 (both condemnatory), and 177:3; and Cic. *Ad Fam.*, 20:11 (1:9)), and Cicero mentions Marius twice in his letters to Atticus (Cic. *Ad Att.*, 177:3 and 199:7) but he is generally left out of discussions of the current civil war.

<sup>9</sup> Crawford, 434/1-2.

<sup>10</sup> Crawford, 426/1.

<sup>11</sup> Cic. *Ad Att.*, 131:5 (7:8:5, 25 or 26 December 50).

Cicero's letters provide contemporary evidence for the battle that was taking place throughout the early months of the war regarding which side would be branded as the 'heirs' of Sulla. While the similarity between Caesar's and Sulla's actions was obvious and caused inevitable comparisons, Caesar and his supporters were also able to link Pompey closely with the atrocities committed under Sulla's regime. The consequences of a cruel civil war victor had been seen in the 80s, first with Cinna and Marius, and later with Sulla. Having entered into a civil war, Caesar could not escape comparison with his predecessors and the fear that he would act in a similar manner. Indeed, as will be shown below, he actively sought such comparisons so that he could provide evidence that he would not act according to their precedent. This then allowed Caesar to illustrate very clearly that, unlike Pompey and his supporters, his actions during the civil war would not in any way resemble those of Sulla.

### Expectations of Caesarian Cruelty

The civil war involving Marius, Cinna and Sulla had set the standard for cruelty in a civil conflict, and had led to a very real fear of the way any future civil war would be conducted. Having lived through this period, and aware of Caesar's past actions and current supporters, Cicero held particularly low expectations should Caesar enter into a civil war.<sup>12</sup> Cicero summed up his belief in Caesar's impending cruelty before the war even commenced when he noted:

*'nemini est enim exploratum cum ad arma ventum sit quid futurum sit, at illud omnibus, si boni victi sint, nec in caede principum clementiorem hunc fore quam Cinna fuerit nec moderatiorem quam Sulla in pecuniis locupletum.'*<sup>13</sup>

(For nobody can be sure what will happen once the fight is on, but everyone can assume that if the honest men are beaten Caesar will be no more merciful than Cinna in the slaughter of leading men and no more temperate than Sulla in plundering the rich.)

<sup>12</sup> Cic. *Ad Att.*, 126:4-5 (7:3:4-5), 130:6-7 (7:7:6-7) and 146:1 (7:22:1).

<sup>13</sup> Cic. *Ad Att.*, 130:7 (7:7:7, c.19 December 50). Cicero also expressed his belief that Caesar would engage in proscriptions earlier in the same letter: *'si victus eris, proscribare, si viceris, tamen servias?'* (Proscription if you're beaten and if you win slavery just the same?)

Cicero's concern was that Caesar would combine the worst characteristics of both Cinna and Sulla, and surpass them in his actions against both Senators and Equestrians.<sup>14</sup> Caesar had instituted military auctions in the early months of the civil war and this led Cicero to believe that proscriptions would follow.<sup>15</sup> The comparison with Sulla focuses on economics rather than the threat of violence.<sup>16</sup> As will be shown, Cicero would maintain this position even as the war progressed and Caesar demonstrated his willingness to save the lives of his enemies.<sup>17</sup> By this time Cicero was able to commend Caesar's exhibition of *clementia*, but did not take it seriously as an enduring policy.

It should be highlighted that in the above letter Cicero attributes violence to Cinna and pecuniary depredations to Sulla – their respective targets were different although each was deplorable. This letter provides an excellent example of the way in which Marius' image had been rehabilitated throughout the 70s and 60s by Caesar (and also Cicero), and the Cinna and Sulla brutality became the focus of the previous civil war. In a similar way the reference to Sulla also plays on his posthumous reputation. While his institution of the proscriptions was well known and had resulted in many deaths, his restoration of senatorial superiority had overshadowed the violence he perpetrated.<sup>18</sup> His cruelty was related more to his persecution and plunder of Equestrians. Of course these pecuniary depredations implied a level of violence, but Cicero's language is intended to highlight the murder of the *principes* under Cinna. Sulla and Cinna were bad, but under Caesar there would be no distinction drawn between the two orders and both would be targeted for violence and confiscations.

Cicero's belief in Caesar's cruelty did not subside as the war began. His letters to Atticus illustrate a continued fear of reprisals, and comparisons with Rome's historical enemies

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<sup>14</sup> Barden Dowling, 2000, p. 309.

<sup>15</sup> 'de Reatinorum corona quod scribis, moleste fero in agro Sabino sementem fieri proscriptionis.' (As for what you write about the military auction at Reate, I am sorry that the seeds of proscription should be sown on Sabine land.) Cic. *Ad Att.*, 175:1 (9:8:1, 14 March 49).

<sup>16</sup> The use of the term *locupletio* when describing Sulla's actions is reference to Cicero's belief that Caesar would institute proscriptions.

<sup>17</sup> For Cicero's continued belief that Caesar would institute widespread massacres if he was victorious, Cic. *Ad Att.*, 199:2 (10:8:2) and 201:5 (10:10:5).

<sup>18</sup> Cic. *Ad Att.*, 236:3 (11:21:3). He had maintained the cause of the *nobilitas*, a praiseworthy action in the minds of his senatorial contemporaries.

such as Hannibal.<sup>19</sup> Cicero also makes reference to the Gallic sack of Rome in 390 when discussing Pompey's actions after Caesar had marched into Italy. Caesar was to be viewed as a great threat to the survival of the Republic, as well as barbaric for attacking his own country. In a letter from 22 January 49, Cicero indicates that Atticus shared his concern regarding Caesar's actions in Italy:

*'nam istum quidem cuius Φαλαρισμὸν times omnia taeterrime facturum puto; nec eum rerum prolatio nec senatus magistratuumque discessus nec aerarium clausum tardabit.'*<sup>20</sup>

(As for the man whose Phalarism you dread, I expect nothing but atrocities from him. Neither the suspension of business nor the departure of Senate and magistrates, not the closure of the Treasury will put a brake on him.)

Cicero believed Caesar would institute widespread violence as he continued his march through Italy. Yet his disillusion with Pompey made him question the wisdom of joining the Republican faction against Caesar, whom he believed possessed true power.<sup>21</sup> Caesar's progress through Italy faced little military resistance,<sup>22</sup> although as time progressed concerns continued to grow regarding both Caesar's actions and intentions. Caesar was doing everything within his power to ensure he could claim merciful intentions, but his actions were failing to have a lasting effect. His claim to *clementia* was not established by the end of January 49 and throughout the rest of the civil war period he would go to great lengths to promote his policy of reconciliation and mercy.

### Corfinium

The most striking evidence for Caesar's intention to act with leniency comes from early in the war through his actions at Corfinium. This episode saw Caesar's enemies, led by

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<sup>19</sup> *'Utrum de imperatore populi Romani an de Hannibale loquimur?'* (Is it a Roman general or Hannibal we are talking of?) Cic. *Ad Att.*, 134:1 (7:11:1, 21 January (?) 49).

<sup>20</sup> Cic. *Ad Att.*, 135:2 (7:12:2).

<sup>21</sup> *'an cuncter et tergiverser et iis me dem qui tenent, qui potiuntur?'* (Or shall I temporise and sit on the fence and offer myself to those in actual power.) Cic. *Ad Att.*, 135:3 (7:12:3).

<sup>22</sup> Cicero quotes a letter he had received *'quaeso, quid est hoc? aut quid agitur? mihi enim tenebrae sunt. 'Cingulum' inquit 'nos tenemus, Anconem amisimus;...'* (What's all this? What is going on? I am in the dark. 'We hold Cingulum, we've lost Ancona...') Cic. *Ad Att.*, 134:1 (7:11:1). Labienus had deserted Caesar (Cic. *Ad Att.*, 134:1 (7:11:1), 135:5 (7:12:5), 136:1 (7:13:1), 140:1 (7:16:1)) and Pompey and a large number of senators had fled Rome. Cic. *Ad Att.*, 134:3 (7:11:3).

Domitius Ahenobarbus, oppose him with a force of thirty cohorts.<sup>23</sup> When Caesar had surrounded the town Domitius and his supporters were captured, along with all of their money and equipment. Caesar released the men, handed over the money, and enrolled a number of Domitius' troops in his army.<sup>24</sup> Ancient sources provide varying levels of detail on Domitius' capture,<sup>25</sup> but the result of Caesar's success is agreed: upon receiving Domitius and his supporters into his power, Caesar illustrated his mercy by allowing them to go free and return to Pompey if they wished.<sup>26</sup>

This incident was intended to be the defining moment in this phase of the civil war, ensuring Caesar gained the reputation for mercy he was intent on creating. Cicero wrote to him expressing his pleasure at Caesar's *clementia* in this affair,<sup>27</sup> which prompted a reply from Caesar. This reply was a reiteration of the policy he had outlined in the letter to Oppius and Balbus,<sup>28</sup> although on this occasion it was written specifically to respond to Cicero's comments:

*'Recte auguraris de me (bene enim tibi cognitus sum) nihil a me abesse longius crudelitate. atque ego cum ex ipsa re magnam capio voluptatem tum meum factum probari abs te triumpho gaudio. neque illud me movet quod ii qui a me dimissi sunt discessisse dicuntur ut mihi rursus bellum inferrent; nihil enim malo quam et me mei similem esse et illos sui.'*<sup>29</sup>

(You rightly surmise of me (you know me well) that of all things I abhor cruelty. The incident gives me great pleasure in itself, and your approval of my action elates me beyond words. I am not disturbed by the fact that those whom I have released are said to have left the country in order to make war against me once more.

<sup>23</sup> Cic. *Ad Att.*, 155:1 (8:7:1).

<sup>24</sup> *'Milites Domitianos sacramentum apud se dicere iubet'* (The soldiers of Domitius he orders to take the oath of allegiance to himself...), Caes. *BC.*, 1:23.

<sup>25</sup> Caes. *BC.*, 1:19-23; Liv. *Per.*, 109; Vell. 2:50:1; Suet. *Iul.*, 34:1; Plut. *Caes.*, 34:3-4; App. *BC.*, 2:38 say that Domitius was surrendered by his own troops and the people of Corfinium. Cicero himself notes in one letter to Atticus that Domitius and his supporters had surrendered to Caesar. Cic. *Ad Att.*, 158:2 (8:8:2). Florus provides no details, simply noting that Domitius was defeated at Corfinium, Flor. 2:13:19. Pliny says that he was taken prisoner at Corfinium, Plin. *NH.*, 7:186. Seneca agrees and notes that Caesar spared Domitius, Sen. *Ben.*, 3:24.

<sup>26</sup> Caes. *BC.*, 1:23; Sen. *Ben.*, 3:24; App. *BC.*, 2:38; Vell. 2:50:1. While this was not necessarily something that Caesar wanted his captives to do, he allowed it to happen. That he was using their perfidy to his own advantage is illustrated in a letter to Cicero, Cic. *Ad Att.*, 185:2 (9:16:2) as discussed below.

<sup>27</sup> Cic. *Ad Att.*, 185:1 (9:16:1).

<sup>28</sup> This will be dealt with in detail below.

<sup>29</sup> Cic. *Ad Att.*, 185:2 (9:16:2, 26 March 49).

Nothing pleases me better than that I should be true to my nature and they to theirs.)

Caesar's intention in sending this letter was threefold. First, he reiterated his intention to avoid using cruelty along a Sullan line, even in the face of continued opposition. This was a conscious decision, providing a clear delineation between his actions and those of Sulla.<sup>30</sup> Caesar's release of Domitius, who was a long-standing enemy, supported his claim to leniency with a demonstration of his policy in action.

Caesar's second aim in writing this letter can be illustrated by the respectful language he uses towards Cicero. At this stage, Caesar was still endeavouring to gain Cicero's support or neutrality in the conflict.<sup>31</sup> As such, he was working hard to try to convince Cicero that he would not act in a manner similar to Sulla and that the other side would.<sup>32</sup> This leads directly into the third intention to Caesar's letter, which was to place his own actions in a positive light when compared to those of his enemies. Caesar is careful to note that those he had released were intent on continuing the war, while implying that he was aiming towards a peaceful solution. Caesar's *clementia* appeared all the greater in light of the bellicose nature of those who opposed him.

The events at Corfinium persuaded a number of people within Italy itself that Caesar was indeed going to pursue a lenient course during the war. Cicero noted that people were impressed with Caesar's *clementia* and afraid of Pompey's anger:

*'municipia vero deum, nec simulant...sed plane quicquid mali hic Pisistratus non fecerit tam gratum est quam si alium facere prohibuerit. hunc propitium sperant, illum iratum putant...sed mehercule illum magis; huius insidiosa clementia delectantur, illius iracundiam formidant.'*<sup>33</sup>

(As for the towns, they make a god of him... but the truth is that any evil this Pisistratus has not done is earning him as much popularity as if he were to have stopped someone else doing it. In him they hope to find a gracious power, while [Pompey] they think is an angry

<sup>30</sup> See the discussion on the letter to Oppius and Balbus. Cic. *Ad Att.*, 174C (9:7C).

<sup>31</sup> And that of other individuals, but particularly Lentulus Spinther, see Cic. *Ad Att.*, 160:2 (8:9A:2); 161:5 (8:11:5); 165A:2 (8:15A:2).

<sup>32</sup> Made explicit by the sentence, '*nihil enim malo quam et me mei similem esse et illos sui.*' (Nothing pleases me better than that I should be true to my nature and they to theirs.)

<sup>33</sup> Cic. *Ad Att.*, 166:1-2 (8:16:1-2).

one...but I'll be bound they are more frightened of [Pompey] than of Caesar. They are delighted with his treacherous mercy and fear the other's wrath.)

Caesar's policy of *clementia* made an impression on many people and his campaign linking Pompey and Sulla had succeeded (according to Cicero) in making people afraid of what actions Pompey would take. Regardless of what others thought of Caesar's mercy, Cicero was determined that it was a ruse even after Corfinium. This is explicitly highlighted in his reference to Caesar's *insidiosa clementia*.<sup>34</sup> Cicero did not trust such a policy and could not see that it would last, and this was made worse by the fact that Caesar had managed to convince people that Pompey would act harshly against them. Combined with the reference to Pisistratus, Caesar's policy of *clementia* becomes a tool through which to fool the Romans into thinking that Caesar was sincere. This was a fear Cicero had previously expressed in his letters to Atticus:

*'...metuo ne omnis haec clementia ad unam illam crudelitatem colligatur.'*<sup>35</sup>

(...I am afraid that all this piling up of mercy may be simply a prelude to the cruelty we feared.)

Regardless of Caesar's attempts to create an image of mercy, there were those such as Cicero who remained unconvinced. He also cites individuals such as Appius Claudius and the Marcelli who had left Rome in fear of Caesar's retributions, even though they would have preferred to remain neutral.<sup>36</sup>

Cicero was even more incensed at the success Caesar's policy was having in allaying fears. Even when he did illustrate his potential for violence when faced with the opposition of the tribune L. Metellus,<sup>37</sup> Caesar was able to maintain his popularity due to his professed preference for leniency. This contrasted with the reports about threats of violence being issued from Pompey's camp.<sup>38</sup> Pompey himself had held that there was

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<sup>34</sup> Cic. *Ad Att.*, 166:2 (8:16:2).

<sup>35</sup> Cic. *Ad Att.*, 160:2 (8:9a:2). Is it possible that Cicero wrote this with reference to recollections of Sulla's early mercy but which soon turned into cruelty?

<sup>36</sup> Cic. *Ad Att.*, 167:4 (9:1:4, 6 March 49). C. Marcellus, however, did remain neutral in the war and in 46 can be found seeking his cousin, C. Marcellus', restitution. Cic. *Ad Fam.*, 230:6 (4:7:6).

<sup>37</sup> See below.

<sup>38</sup> Cic. *Ad Att.*, 166:2 ( 172:7 (9:6:7); 174:3-4 (9:7:3-4); 177:2-3 (9:10:2-3); 178:3 (9:11:3).

no possibility for neutrality in the war,<sup>39</sup> while Caesar had reiterated that those individuals taking no active part in the conflict would not be persecuted.<sup>40</sup> Caesar's actions at Corfinium, along with the rumours of the Republican supporters' intended cruelty, had long-term effects and ultimately assisted Caesar's success in the civil war. Caesar's stated desire to save citizens lives, supported by his action in freeing captured enemies,<sup>41</sup> made certain he would win over those who were wavering in their allegiances or who wished to remain neutral in the conflict.

### Caesar's Letter to Oppius and Balbus

That Caesar actively sought comparisons between himself and Sulla so that he could provide evidence that he would not act according to their precedent, is amply demonstrated in his letter to Oppius and Balbus. This letter was written c.5 March 49, after Caesar had invaded Italy and approximately two and a half months after Cicero's initial letter stating that Caesar would imitate Cinna and Sulla.<sup>42</sup> It is constructed with a clear purpose in mind: it was an explicit statement of Caesar's intention to pursue a lenient policy, and an open invitation for individuals to contrast his own actions with those of Sulla:<sup>43</sup>

*'gaudeo mehercule uos significare litteris quam ualde probetis ea quae apud Corfinium sunt gesta. consilio uestro utar libenter et hoc libentius quod mea sponte facere constitueram ut quam lenissimum me praeberem et Pompeium darem operam ut reconciliarem. temptemus hoc modo si possimus omnium uoluntates recuperare et diuturna uictoria uti, quoniam reliqui crudelitate odium effugere non potuerunt neque uictoriam diutius tenere praeter unum L. Sullam, quem imitaturus non sum. haec noua sit ratio uincendi ut misericordia et liberalitate nos muniamus. id quem ad modum fieri possit non nulla mihi in mentem ueniunt et multa reperiri possunt. de his rebus rogo uos ut cogitationem suscipiatis.*

<sup>39</sup> Cic. *Ad Att.*, 177:2 (9:10:2), 217:6 (11:6:6).

<sup>40</sup> Cic. *Ad Att.*, 174B:1-2; 199B; Cic. *Pro Lig.*, 33.

<sup>41</sup> Those individuals captured at Corfinium were not the only ones who were recipients of this leniency during the early phases of the conflict. In his letter to Oppius and Balbus (and which was ultimately written for public dissemination) Caesar notes that he had also freed N. Magius, Cic. *Ad Att.*, 174C:2 (9:7C:2).

<sup>42</sup> Cic. *Ad Att.*, 130:7 (7:7:7, c. 19 December, 50).

<sup>43</sup> Both Treu and Raaflaub have studied this letter in depth, but come to different conclusions. Both analyses concentrate on the first part of the letter only. See Treu, 1948, p. 199, 205-209; Raaflaub, 1975, 311-312, 315-316.

*N. Magium Pompei praefectum deprehendi. scilicet meo instituto usus sum et eum statim missum feci. iam duo praefecti fabrum Pompei in meam potestatem uenerunt et a me missi sunt. si uolent grati esse, debebunt Pompeium hortari ut malit mihi esse amicus quam iis qui et illi et mihi semper fuerunt inimicissimi, quorum artificiis effectum est ut res publica in hunc statum perueniret.*<sup>44</sup>

The messages in this letter were constructed using a specific language to ensure that they were delivered in the clearest manner possible. As such, Caesar begins his letter by getting straight to the point and noting that the letter is about his efforts at Corfinium (*quae apud Corfinium*). This made sure that those reading the letter were clear that it was his actions at Corfinium on which he wished to be judged. This then leads into his statement that he will follow the advice of his supporters, indicating that even amongst Caesar's friends there was a great desire for mercy towards fellow citizens. This was in direct contrast to the rumours that were circulating from Pompey's camp which indicated that the Pompeian supporters were threatening violence against those who were not with them. In an effort to make his point even stronger, Caesar writes that he wanted to be as lenient as possible and to reconcile with Pompey (*quam lenissimum me praeberem et Pompeium ...reconciliarem.*) This was a clear statement of the policy Caesar would pursue throughout the war. The use of the superlative provides emphasis and constitutes one of the most important points of the letter. It is also important to note that Caesar emphasised that one aspect of being lenient involved reconciling with Pompey.<sup>45</sup> Such a statement from Caesar shows that he was endeavouring to shift blame for the

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<sup>44</sup> "I am glad that you express in your letter such hearty approval of the proceedings at Corfinium. I shall willingly follow your advice, all the more willingly because I had of my own accord decided to show myself as lenient as possible and to do my best to reconcile Pompey. Let us try by this method, if we are able, to recover the good will of all and make use of a lasting victory, since others have not been able by cruelty to escape hatred nor hold on to a lasting victory, except only L. Sulla, whom I am not going to imitate. Let this be a new way of conquering, to fortify ourselves with compassion and generosity. In what way that is to be accomplished some things come to mind, and many more can be found. I ask you to set your thoughts to these matters.

I captured N. Magius, Pompey's Prefect. Of course I followed my established practice and had him sent back immediately. Two *praefecti fabrum* of Pompey's have come into my power and have been sent away by me. If they wish to be grateful, they will have to encourage Pompey to prefer to be a friend to me rather than to those who have always been worst enemies both to him and to me, by whose contrivances it is that the state has been brought to this current situation." Cic. *Ad Att.*, 174C:1 (9:7C:1). I would like to thank Roger Pitcher for his assistance with this translation.

<sup>45</sup> Cic. *Ad Att.*, 160:2 (8:9a:2). On Cicero's fears should they reconcile, see Cic. *Ad Att.*, 150:2 (7:26:2).

continuation of the war onto Pompey, a point that is developed later in Caesar's *Bellum Civile*.<sup>46</sup>

The second major point of this letter is Caesar's reference to *crudelitas* and Sulla (...*crudelitate odium effugere non potuerunt ... praeter unum L. Sullam*...) This is a recognition that cruelty is unpopular and leads to hatred, such as was felt against Sulla for his actions in the previous civil war. Caesar is pushing Sulla's name to the forefront of the reader's consciousness through his use of *unum Sullam*. This meant people drew the comparison between himself and Sulla: it was specifically written so this was the effect. Rather than trying to avoid comparison with Sulla, Caesar knew it was inevitable, so he chose to meet such comparisons head on. In this way individuals could compare Caesar's actions with those of Sulla, and find his policy for leniency the exact opposite of Sulla's *crudelitas*. This reference to Sulla and his *crudelitas* also calls to mind Pompey's involvement in the first civil war, which had been previously publicised and which was no doubt still the topic of much Caesarian propaganda. As such, it contains a veiled allusion to charges of cruelty against Pompey, hinting that he will engage in similar actions in this civil war as he did during the previous one.<sup>47</sup> The combination with Sulla makes the link, just in case individuals reading the letter do not. It then contrasts such thoughts of cruelty with Caesar's stated desire to be as lenient as possible. Naturally, Caesar appears the more lenient.

Again, Caesar's statement '*...noua sit ratio uincendi...*' accentuates this point. The proposal for using mercy in the civil war is a *new* way of conquering. It is a reiteration of his statement that he will *not* act like Sulla. Taken with Caesar's reference to using *misericordia* and *liberalitas* to fortify himself, there is again a statement of the methods Caesar desired to use to overcome his opposition. The military metaphor of 'fortifying' (*munire*) himself through mercy is important;<sup>48</sup> he had protected himself in the Catilinarian debate through a proposal for mercy and he would use the same method to conquer Italy. This statement follows on from the reference to being *lenissimus* earlier in

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<sup>46</sup> Caes. *BC.*, 1:9-10. Cic. *Ad Att.*, 181A:1 (9:13A:1).

<sup>47</sup> Treu, 1945, p. 202.

<sup>48</sup> Treu, 1945, p. 208.

the letter, and shows that unlike those who came before him, Caesar knew how to treat citizens.

Finally, Caesar's reference to his capture and release of N. Magius is a reiteration of the fact that his mercy at Corfinium was not a solitary occurrence, but rather part of a policy he intended to continue. This is explicitly stated in his comment that in releasing N. Magius, he was following his established practice (...*scilicet meo instituto*...). Caesar is *showing* that mercy is his policy and that he will continue to put it into practice. He has twice captured individuals who are fighting for Pompey and illustrated his mercy by releasing them. There can be no doubt that his actions at Corfinium were sincere, and that this was a policy Caesar would continue to follow.

While this letter was addressed to Oppius and Balbus, the language and messages included indicate that it was written with the intention of wide distribution.<sup>49</sup> In passing Caesar's letter on to Cicero, Oppius and Balbus were aiming to dispel notions of a similarity between Caesar and Sulla, and hoping that Cicero would assist in this task by circulating Caesar's message. This letter, with its direct reference to Sulla's cruelty (*crudelitas*) and his intention not to follow such a policy, was designed to acknowledge people's fear that Caesar would act in a manner similar to Sulla.<sup>50</sup> This is the clearest example Caesar delivered in his quest to gain an advantage from a comparison between himself and his predecessor. Once this was delivered, Caesar consistently reiterated through his actions that he would not imitate Sulla, and this resulted in him gaining support with both the upper and lower classes to the Republican forces' detriment.<sup>51</sup>

The language used in this letter is significant when it is considered that Caesar was aiming to acquire a reputation for *clementia*. As shown in the first chapter, Caesar's efforts in 63 had already succeeded in associating with himself the concept of mercy, but his actions during the civil war period were specifically designed to cement this

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<sup>49</sup> Tyrrell and Purser, 1918, p. 111; Gelzer, 1968, p. 202; Lacey, 1970, p. 7; Raaflaub, 1974, p. 297; Meier, 1982, p. 372; Balázs, 1986, p. 264; Griffin, 2003, p. 162.

<sup>50</sup> Brunt, 1986, p. 21.

<sup>51</sup> Upper class/senatorial support see Cic. *Ad Att.*, 165:2; 166:1. Lower classes and municipalities supporting Caesar, see Cic. *Ad Att.*, 163:2; 166:2 and 183:3.

reputation. Unlike his Gallic War *Commentaries*,<sup>52</sup> during the civil war Caesar never uses the term *clementia* with reference to himself, nor do men such as Oppius and Balbus. Instead, they employ mercy-related language such as *lenitas* and *misericordia*. Cicero credits Caesar with this virtue, although he did not believe that Caesar's mercy was necessarily a good thing.<sup>53</sup> For his *clementia* to be recognised, Caesar had to ensure he was credited with this quality by individuals other than his own adherents and that it was supported by arguments for the justice of his position; to claim the term for himself would denote superiority over his fellow citizens that it would have been unwise to publicise, regardless of the reality of the situation. Through his actions Caesar actively sought to have *clementia* associated with his name, thereby distancing himself from the violence and persecution of the previous civil war and any comparison with Sulla.

This letter also indicates that along with ensuring that Caesar was specifically dissociated from Sulla, his policy of mercy was designed to imply that Pompey and his friends were Caesar's opposite and that they would carry out 'Sullan' reprisals. This propaganda aimed to highlight Pompey's association with Sulla in the previous civil war, and hence build fears that he would emulate Sullan cruelty.<sup>54</sup> By explicitly stating that he would not act like Sulla, Caesar created a distance between himself and the former civil war and styled how he wished his conduct in the civil war to be viewed. That Caesar himself had been persecuted by Sulla during the civil war, and that Caesar had adopted a firm anti-Sullan stance from early in his career made this plausible.

As the war progressed, Cicero continued to believe that Caesar would act in a violent manner. Yet such thoughts were the minority, and Cicero himself reports that Caesar's calculated act had worked and that his reputation had vastly improved amongst the townships and some members of the Senate.<sup>55</sup> In early May Cicero wrote of Caesar:

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<sup>52</sup> Caes. *BG.*, 2:14, 34.

<sup>53</sup> Cic. *Ad Att.*, 166:2 (8:16:2).

<sup>54</sup> That Livy was the most important source for Lucan at this point (Bruère, 1950, p. 218, 221) makes it likely that language linking Pompey and Sulla was preserved in his account of the civil war and that Lucan's language here is representative of the actual propaganda circulating about Pompey during the civil war period. For an indication of the type of language that was being used regarding Pompey's early career under Sulla, see Luc. *Phar.*, 1:324-331; 7:303-307. Lintott, 1971, p. 498.

<sup>55</sup> Cic. *Ad Att.*, 166:1-2 (8:16:1-2); 167:1-2 (9:1:1-2); 175:1 (9:8:1) for the townspeople and some Senators.

*'nam caedem video si vicerit et impetum in privatorum pecunias et exsulum reditum et tabulas novas et turpissimorum honores et regnum non modo Romano homini sed ne Persae quidem cuiquam tolerabile'*<sup>56</sup>

(For I foresee a massacre if he wins and an onslaught on private property and return of exiles and cancellation of debts and election of villains to office and despotism worse than any Persian, let alone Roman, could endure.)

The following day he forwarded a similar letter to Atticus, reiterating these beliefs.<sup>57</sup> A number of incidents had taken place in the weeks preceding these two letters; the first was Caesar's action against L. Metellus in Rome. The second event was a visit from Caelius when he received notification of the incident with Metellus, and the third a letter from Curio. These three episodes confirmed in Cicero's mind that regardless of what Caesar maintained his actions would be, there was an impending threat of violence from him in either success or defeat.

### **L. Metellus and Curio's Visit**

A meeting between Cicero and Curio on 16 April 49 confirmed that Caesar would not act leniently toward those who opposed him.<sup>58</sup> From this point forward, Caesar would press Cicero to abstain from the conflict through implied threats and intimidation, delivered through their many mutual acquaintances. Curio had recently been in Rome with Caesar, and had come to see Cicero to gain an understanding of his intentions and report on Caesar's state of mind. Curio, informing Cicero of the confrontation between Caesar and the tribune, L. Metellus, provided the following information:

*'et plane iracundia elatum voluisse Caesarem occidi Metellum tribunum pl., quod si esset factum, caedem magnam futuram fuisse. Permultos hortatores esse caedis, ipsum autem non voluntate aut natura non esse crudelem, sed quod putaret popularem esse clementiam. Quod si populi studium amisisset, crudelem fore; eumque perturbatum quod intellexeret se apud ipsam plebem*

<sup>56</sup> Cic. *Ad Att.*, 199:2 (10:8:2, 2 May 49).

<sup>57</sup> Cic. *Ad Att.*, 201:5 (10:10:5, 3 May 49).

<sup>58</sup> The letter containing the report of this meeting notes that it was written on the Kalends of April. Cicero notes, however, *'Cum haec scripsissem, a Curione mihi nuntiatum est eum ad me venire. Uenerat enim is in Cumanum uesperi pridie, id est Idibus.'* (I had written this much when a message arrived from Curio that he is coming to see me. He arrived at his place at Cumae yesterday evening, i.e. on the Ides.) Cic. *Ad Att.*, 195:7 (10:4:7).

*offendisse de aerario. Itaque ei cum certissimum fuisset ante quam proficisceretur contionem habere, ausum non esse vehementerque animo perturbato profectum.*<sup>59</sup>

(He added that Caesar had been quite carried away with rage against the tribune Metellus and had wanted to have him killed; in which case there would have been a great massacre. There were any number of people who were urging him that way, and as for Caesar himself, it was not by inclination or nature that he was not cruel but because he reckoned that *clementia* was the popular line. If he lost favour with the people he would be cruel. He was upset because he realised that even the populace had not liked his behaviour over the Treasury. So although he had had every intention of holding a public meeting before he left, he had not dared to and set off in a very agitated state of mind.)

Curio, one of Caesar's main supporters, appeared to have confirmed that Caesar's *clementia* was a façade, maintained for popularity purposes rather than a clear policy to which he intended to adhere. Referring back to this incident two weeks later, Cicero also noted that Caesar's attack on L. Metellus revealed not only Caesar's 'pretence' of mercy (*mansuetudo*) but also *simulatio divitiarum* (the pretence of wealth) through his attempt to gain entry to the Treasury.<sup>60</sup> Caesar's lack of control in this situation reflected poorly on him and his purported policies, and cost him popularity with the people.<sup>61</sup> These reports showed that Caesar's claim to both mercy and wealth were limited, and in Cicero's assessment served to confirm further that Caesar would exact harsh 'Sullan-style' retribution against those who opposed him.

This visit also served as a reminder to Cicero that Caesar was firmly in power in Italy,<sup>62</sup> and that there was the possibility that if his actions further displeased Caesar, he too might eventually face the consequences of Caesar's wrath. A letter written to Cicero around the same time as Curio's visit provides further evidence for veiled threats against those who did not do as he wished. Caesar states:

*'postremo quid viro bono et quieto et bono civi magis convenit quam abesse a civilibus controversiis? quod non nulli cum probarent,*

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<sup>59</sup> Cic. *Ad Att.*, 195:8. (10:4:8).

<sup>60</sup> Cic. *Ad Att.*, 199:6 (10:8:6).

<sup>61</sup> Cic. *Ad Att.*, 199:6 (10:8:6).

<sup>62</sup> The recounted conversation regarding the laurels decorating Curio's *fasces* illustrates this point perfectly. Cic. *Ad Att.*, 195:10 (10:4:10).

*periculi causa sequi non potuerunt; tu explorato et vitae meae testimonio et amicitiae iudicio neque tutius neque honestius reperies quicquam quam ab omni contentione abesse.*<sup>63</sup>

(Finally, to hold aloof from civil quarrels is surely the most fitting course for a good, peace-loving man and a good citizen. Some who favoured that course were prevented from following it by fear for their safety. You have the witness of my career and the judgement implied in our friendship. Weigh them well, and you will find no safer and no more honourable way than to keep aloof from all conflict.)

It is the final lines here that contain the implied threat. Curio had already delivered the message that Caesar was starting to lose his patience with the opposition he was facing in Italy, and that he would consider enacting reprisals if he deemed it necessary. Even though he did not actually kill him, Caesar's actions against L. Metellus illustrated that he was willing to utilise force if he deemed it necessary.

### **Caelius' Letter**

Cicero received confirmation of his beliefs in Caesar's future violence when he received a letter from Caelius. Dated c.16 April,<sup>64</sup> this letter provided Cicero with information on the outcomes of Caesar's visit to Rome, as well as Caesar's disposition toward those who opposed him. The letter calls on Cicero to remain at least neutral in the civil war, and was particular to note how Caesar would act against his enemies when he was victorious:<sup>65</sup>

*'Per fortunas tuas, Cicero, per liberos te oro et obsecro ne quid gravius de salute et incolumitate tua consulas. Nam deos hominesque amicitiamque nostram testificor me tibi praedixisse neque temere monuisse sed, postquam Caesarem convenerim sententiamque eius qualis futura esset parta victoria cognorim, te certiore fecisse. si existimas eandem rationem fore Caesaris in dimittendis adversariis et condicionibus ferendis, erras. Nihil nisi atrox et saevum cogitat atque etiam loquitur. iratus senatui exiit, his intercessionibus plane incitatus est; non mehercules erit deprecationi locus'*<sup>66</sup>

<sup>63</sup> Cic. *Ad Att.*, 199B:2 (10:8B:2).

<sup>64</sup> And so written around the same time as the letter from Caesar himself and coinciding with the visit from Curio.

<sup>65</sup> Brunt, 1986, p. 14.

<sup>66</sup> Cic. *Ad Att.*, 200A:1 (10:9A:1, c. 16 April 49) and *Ad Fam.*, 153:1 (8:16:1).

(I beg and implore you Cicero, in the name of your fortunes and your children, to take no step which will jeopardise your well-being and your safety. I call gods and men and our friendship to witness that I have told you how it will be, and that it is no casual warning I give; having met Caesar and found what his disposition is likely to be once victory is won, I am telling you what I know. If you supposed that Caesar will continue his policy of letting opponents go free and offering terms, you are making a mistake. He thinks and even talks of nothing but cruel severity. He left Rome angry with the Senate; he is thoroughly incensed by these vetoes. Believe me, the time for intercession will be past.)

Cicero's belief that Caesar would not demonstrate *clementia* to those who opposed him is confirmed by this letter. Caelius' use of the words *atrox* and *saevum* to describe Caesar's attitude towards those who defied his wishes, as well as his analysis of Caesar's comments, show that Cicero's belief that there would be no room for mercy in this war was founded on legitimate causes.

Caelius' letter can be interpreted as having an additional purpose other than merely providing information about Caesar, especially when Curio's visit and Caesar's letter are also taken into account. Caelius states that he was with Caesar when it was written, and that they had been discussing what action they believed Cicero would take. This letter implies that rumours were circulating that Cicero would join Pompey.<sup>67</sup> Cicero's neutrality would help mitigate some of the animosity Caesar's actions in Rome with the tribune L. Metellus had caused; Cicero was a consular with well known ties with Caesar and Pompey. His support for Caesar would be interpreted as a sign that he approved of his actions.<sup>68</sup> As such, Caesar needed to provide Cicero with a reason not to join Pompey and the threat of violence was the path that was taken. Both Curio and Caelius had been with him around this time<sup>69</sup> and Caesar used these men in his attempts to persuade Cicero to remain aloof from the conflict. Caelius and Curio each used the threat of violence to

<sup>67</sup> *'hoc quod tu non dicendo mihi significasti Caesar audierat ac, simul atque 'have' mihi dixit, statim quid de te audisset exposuit. negavi me scire, sed tamen ab eo petii ut ad te litteras mitteret, quibus maxime ad remanendum commoveri posses.'* (What you conveyed to me without putting it into words Caesar had heard already. He scarcely said good day to me before he told me what he had heard about you. I professed ignorance, but asked him all the same to write to you in terms best adapted to induce you not to leave.) Cic. *Ad Att.*, 200A:4 (10:9A:4); *Ad Fam.*, 153:4 (8:16:4).

<sup>68</sup> I believe Caesar had given up on gaining Cicero's active support by this stage and that his actions were designed to gain Cicero's neutrality as his best option.

<sup>69</sup> Curio, Cic. *Ad Att.*, 195:8; Caelius, *Ad Fam.*, 153:4 (8:16:4); *Ad Att.*, 200A:1 (10:9A:1).

convey this message, and Caesar himself supported this approach by writing his own letter to Cicero.<sup>70</sup> They all used similar threatening language regarding Caesar's intentions to ensure Cicero understood that if he did not remain aloof from the conflict, his future would be uncertain.<sup>71</sup> In the early months of the civil war, Caesar knew Cicero felt obligated to Pompey and that he would probably join him. In an attempt to dissuade Cicero from this path, as well as adding his own skills of persuasion to the effort, Caesar dispatched Cicero's friends within his own camp to try to convince Cicero to remain neutral.

The language used and implied threats of Sullan-like violence had no effect on Cicero. In his reply to Caelius' letter, Cicero indicates he was aware of the letter's intention:

*'Nec me ista terrent quae mihi a te ad timorem fidelissime atque amantissime proponuntur.'*<sup>72</sup>

(Nor am I alarmed by the threats which you, in all loyalty and affection, bring out to frighten me.)

Cicero emphatically denied that he was thinking of acting in a manner that could be deemed against Caesar.<sup>73</sup> While Cicero did consider it possible that Caesar would enact harsh retributions, from an early date he was aware that to do so would not be in his interests.<sup>74</sup> In receiving news that Caesar had lost popularity while in Rome, Cicero was strengthened in his resolve to remain separate from the Caesarian cause. That Cicero ultimately joined Pompey and the Senate shows that neither Caesar's public or private *clementia*, nor veiled threats succeeded in convincing Cicero to support him. In fact, Caesar's use of such threatening language only served to highlight the illegality of his conduct.<sup>75</sup>

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<sup>70</sup> Cic. *Ad Att.*, 199B:2 (10:8B:2).

<sup>71</sup> White (2003, p. 76) deals with these letters and the visit to Cicero at this time. His focus is somewhat different, however, and does not fully expand on the significance of these letters. He notes "A letter from Caelius that is extant was written several weeks after the one just mentioned. It followed a consultation Caesar had with Caelius about Cicero's slowly ripening decision to join Pompey, and it warns him not to bolt."

<sup>72</sup> Cic. *Ad Fam.*, 154:4 (2:16:4).

<sup>73</sup> Cic. *Ad Fam.*, 154:1-3, 6-7 (2:16:1-3, 6-7).

<sup>74</sup> Cic. *Ad Att.*, 146:1 (7:22:1).

<sup>75</sup> Cic. *Ad Att.*, 199:2-4, 6.

Cicero's response to Caelius' letter (and thereby also to Caesar's letter and Curio's visit) provides further evidence for the way in which he linked the previous civil war with the events that were taking place at the time. He makes vague reference to attitudes that were held during (or towards) the earlier war,<sup>76</sup> and comments on the reputation he will leave his son if a free state survives.<sup>77</sup> The threats contained both in Caesar and Caelius' letters, and Caesar's actions against L. Metellus as reported by Curio, threatened to recall the victorious actions of Marius, Cinna and Sulla against their enemies.<sup>78</sup> The previous civil war and the atrocities committed during this time were obviously on Cicero's mind when he answered Caelius' letter, and while these letters made Cicero's flight from Italy easier, it had been the meeting with Caesar in Formiae on 28 March 49 that had resolved him in his decision to join Pompey.<sup>79</sup> Caesar, Caelius and Curio's attempts to convince Cicero to stay only served to confirm his decision to leave.

### Caesar's Coinage of 48

Coinage Caesar minted during the civil war provided another forum through which he could advertise his policy for mercy and the correct treatment of citizens. This is particularly so for coins minted in 48. The coin minted in Caesar's name<sup>80</sup> shows a marked concern for promoting his belief in the correct treatment of citizens and coins issued by his supporters refer to Caesar's policy for mercy and reconciliation.<sup>81</sup> A coin

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<sup>76</sup> His comment about Hortensius saying he had never participated in a civil war relates to the Sullan/Marian civil war Cic. *Ad Fam.*, 154:3 (2:16:3) as Hortensius died before the civil war between Caesar and Pompey began (Cic. *Ad Att.*, 121:2, (6:6:2); 125:7 (7:2:7); 126:9 (7:3:9)). Cicero's reference to the way old men (*senes*) spoke when he was young (*adulescens*) is a somewhat more obscure reference, but I believe it relates to the Sullan/Marian civil war. Cic. *Ad Fam.*, 154:6 (2:16:6). Cicero was only in his mid-twenties during this war, young enough to be called *adulescens*.

<sup>77</sup> Cic. *Ad Fam.*, 154:5 (2:16:5).

<sup>78</sup> In fact, he appears to have been proscribed in 43 by the Triumvirate, Hinard, 1985, pp. 436-437.

<sup>79</sup> The date for this visit is based on Cicero's letters to Atticus dated 27 March where Cicero discusses Caesar's impending arrival (Cic. *Ad Att.*, 186 (9:17)) and 28 March (187 (9:18)) where he provides Atticus with an account of how the meeting with Caesar took place. Cicero's statement that he would send Atticus news of the meeting as soon as it had taken place implies that the meeting took place just before the letter on the 28 March was written. See also Cic. *Ad Att.*, 199:5-6.

<sup>80</sup> Crawford, 452/1-5.

<sup>81</sup> Crawford, 448/1a-b (L. Hostilius Saserna), Crawford 450/2 (Albinus Brutus. F.) and Crawford 451/1 (Albinus Brutus. D. and C. Pansa), Crawford, 1974, p. 466. The exception is that of C. Vibius C.f.C.n Pansa Caetronianus. One of his coins does, however, contain a laureate head of *Libertas* on the obverse, with an image of a victorious Roma being crowned by a flying victory on the reverse. Crawford sees this as representative of Caesar's claim that he was freeing Rome from a small minority in the Senate who were oppressing the state (Caes. *BC.*, 1:22; Crawford, 1974, p. 465). If Pansa was the son of a proscribed man, the image of *Libertas* could relate to the law Antony introduced in 49 rescinding the law saying they were

minted by D. Iunius Brutus Albinus features on the obverse the head of *Pietas*, with her name written downwards behind and a border of dots. The reverse features two hands clasping a caduceus, with ALBINVS BRUTI F. below and a border of dots. Crawford notes that the image of *Pietas* combined with the symbols of *felicitas* and *concordia* can be taken to refer to Caesarian propaganda circulating during the civil war regarding his desire for moderation and reconciliation.<sup>82</sup> This reflects Caesar's policy for mercy and ensuring the correct treatment of citizens. The image of hands clasping a caduceus is again used on a coin from the same year minted by D. Brutus, this time in association with C. Pansa, forming an additional coin containing the same message.<sup>83</sup>

The most notable coins minted in 48 contain an image of a female head wearing an oak wreath on the obverse. This image was used both by Caesar and L. Hostilius Saserna,<sup>84</sup> and while it is impossible to say with any certainty which goddess the image represents, it is the presence of the oak wreath that is most significant.<sup>85</sup> As there is no evidence to suggest that *Clementia* was personified as a goddess at this point and there is uncertainty surrounding an exact identification, Crawford's analysis simply as a female wearing an oak wreath must suffice.<sup>86</sup> He notes that the oak wreath symbolises the saving of citizens' lives,<sup>87</sup> and dates this coin to the period after 13 July 48 or sometime in 47.<sup>88</sup> This reflects the propaganda Caesar was disseminating during this period surrounding his

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unable to stand for public office. For a recent discussion of the use of *Libertas* in Caesarian propaganda from 49, see Raaflaub, 2003, p. 35-67.

<sup>82</sup> Crawford, 1974, p. 466.

<sup>83</sup> Crawford, 451/1.

<sup>84</sup> The image appears on *aureii* and *denarii* minted by Caesar, Crawford 452/1-2,4-5 and a denarius of L. Hostilius Saserna, Crawford 448/1a-b.

<sup>85</sup> The female head has been variously identified as *Pietas* by Grueber (1910, p. 505-506 nos. 3953-3960) although he dates this coin to 49 soon after Caesar's arrival in Italy. Sydenham (1952, pp. 167-168, no. 1008-1011) notes that it is either Venus or *Pietas*. Alföldi (1970, p. 176; 1975, p. 168) identified this image as *Clementia*. Barden Dowling (2006, p. ii) also (independently?) assigns this image the name *Clementia*; she does not refer to either of Alföldi's works.

<sup>86</sup> The only other occasion of an individual wearing an oak-wreath on a coin is that of L. Memmius in 109 or 108 (Crawford, 304/1). Other innovative uses of the oak wreath include L. Gellius Poplicola's suggestion that Cicero be awarded the *corona civica* for his role in suppressing the Catilinarian Conspiracy, Cic., *Pis.*, 6; *Phil.*, 14:24. It appears that this was never put into practice, as there is no mention of him actually receiving it.

<sup>87</sup> Crawford, 1974, p. 735.

<sup>88</sup> Crawford, 1974, p. 467. There have been different interpretations of the symbol  $\perp$ . It is most likely that it represents Caesar's age at the time the coin was minted. Grueber, 1910, p. 506 remains uncommitted but allows for this possibility, while Sydenham 1952, p. 167, believes that it does truly represent Caesar's age.

*clementia* and his claims to ensure the correct treatment of citizens. Taken with the previous coins firmly attributable to 48 by D. Brutus and Pansa, as well as the fact that the coin by L. Hostilius Saserna is also dateable to 48, the coin Caesar minted should be dated to this year. The presence of the oak wreath is linked to Caesar's actions at Corfinium and in Spain where he spared the lives of his enemies – in other words, where he had illustrated his policy of *clementia*. That these coins have been found in Benevento, Italy, and Locusteni and Satu Nou, Romania indicates that they could have been minted in 48 while Caesar was still in Macedonia.<sup>89</sup> That this type was minted on both *aurei* and *denarii* ensured that it received a wide distribution. This is the first evidence for the minting of a gold coin in over twenty years,<sup>90</sup> illustrating the importance Caesar gave to the message this coin contained. A number of *denarii* have been found, and the wide dispersion of the coin provides evidence again for the importance of its message. Caesar was intent on broadcasting his policy for mercy during this period and if this coin was minted during Caesar's time in Macedonia, these coins are illustrative of a constant and widespread attempt to promote his reputation for *clementia*.

### Pompey

As shown earlier, even before the civil war began, Caesar's supporters were seeking to tarnish Pompey's reputation, but during the actual war Caesar went further in his accusations of cruelty against Pompey. Cicero notes in a letter to Atticus from the early months of the civil war that Caesar too was engaging in these accusations:

*'atque eum loqui quidam ἀθροεντιχῶς narrabat Cn. Carbonis, M. Bruti se poenas persequi omniumque eorum in quos Sulla crudelis hoc socio fuisset; nihil Curionem se duce facere quod non hic Sulla duce fecisset;'*<sup>91</sup>

(and according to one first-hand authority he talks of avenging the deaths of Cn. Carbo and M. Brutus and all of the other victims of Sulla's cruelty, in which Pompey, as he says, participated. Curio, he says, is doing nothing as his lieutenant which Pompey did not do as Sulla's.)

<sup>89</sup> Crawford, 1969, p. 113.

<sup>90</sup> The last recorded *aureus* until this point was minted by Pompey in 71, Crawford 402/1a, 402/1b.

<sup>91</sup> Cic. *Ad Att.*, 182:2 (9:14:2, 24 or 25 March 49).

While he was distancing himself from Sulla, Caesar was advertising that as Pompey's early career had been under Sulla, he could be associated with the extremes of that victory.<sup>92</sup> Pompey had deliberately sought to distance himself from Sulla in the 70s and 60s and his success in doing so had undeniably won him acclaim as a merciful and temperate leader. He accomplished this firstly through his burning of the letters offered by Perperna in Spain in 72, but later enhanced his reputation for mercy in his war against the pirates and the eastern campaign.<sup>93</sup> Caesar and his supporters exploited Pompey's previous experience in a civil war along with long-ago acts of violence. These could be used as a rich area for propaganda during the civil struggle, despite Pompey's earlier efforts to reinvent himself.

In the early period of the war Cicero associated Pompey with expectations of Sullan cruelty, but the culmination of this came in mid-March when he wrote to Atticus recalling his earlier beliefs on the war:

*'...sed genus belli crudelissimi et maximi, quod nondum vident homines quale futurum sit, perhorruī. Quae minae municipiis, quae nominatim viris bonis, quae denique omnibus qui remansissent! Quam crebro illud 'Sulla potuit, ego non potero?'*<sup>94</sup>

(...but I shuddered at the kind of war intended, savage and vast beyond what men yet see. What threats to the municipalities, to honest men individually named, to everyone who stayed behind! 'What Sulla could do, I can do' – that was the refrain.)

While this comment was made privately, these accusations of imitation of Sullan methods were particularly virulent as Pompey's early association with Sulla had recently been advertised. While such phrases by Pompey could have been used regarding Sulla's strategy of taking Italy from the east, in the hands of a hostile author Pompey could easily be constructed as advocating Sulla's entire civil war policy. Taken in combination with Cicero's preceding sentence recalling threats that had been made against the *municipia*,

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<sup>92</sup> Balázs, 1986, p. 266.

<sup>93</sup> Although the latter were against foreign enemies, Cicero, *Pro Leg Man.*, 42. For other references to Pompey's merciful nature within the speech, see 13, 35, 36. Later sources continue the tradition, Dio, 36:37:4-5; App, *Mith.*, 96; Vell. 2:32:5-6; Plut. *Pomp.*, 27:3-4; Diod. Sic. 40:2.

<sup>94</sup> Cic. *Ad Att.*, 177:2 (9:10:2). cf. Brunt, 1986, p. 15, 21.

to individuals and anyone who stayed behind,<sup>95</sup> this letter can be used to show that Pompey's Sullan past was recalled even to his supporters.

Rumours of attitudes in the Pompeian camp served to ensure accusations and associations with Sulla were made regarding not just Pompey, but those who were with him as well. Relating recent visits he had received from a number of Republican supporters who had recently been in Pompey's camp at Brundisium, Cicero wrote to Atticus of the threatening language and references to Sulla that were taking place:

*'illa vero omnes, in quibus etiam Crassipes qui prudentia potius attendere, sermones minacis, inimicos optimatum, municipiorum hostis, meras proscriptiones, meros Sullas; quae Lucceium loqui, quae totam Graeciam, quae vero Theophanem!'*<sup>96</sup>

(All, including Crassipes so far as his sagacity enabled him to pay attention (?), report threatening talk – enemies of the *optimates*, foes of the municipalities, proscriptions and Sulla in every sentence. The language attributed to Lucceius and to the whole Greek set, Theophanes in particular!)

These reports of threats served to make Caesar's *clementia* appear in an even more positive light, enabling him to gain support within the municipal towns where Pompey might have previously been preferred.<sup>97</sup> A comparison between reports circulating from Pompey's camp and the letter to Oppius and Balbus provides another insight into the methods Caesar used to discredit his opponents. When discussing his aim to use *lenitas* as his method to overcome his enemies in the conflict, Caesar notes:

*'id quem ad modum fieri possit non nulla mi in mentem ueniunt et multa reperiri possunt. de his rebus rogo uos ut cogitationem suscipiatis.'*<sup>98</sup>

(As to how that is to be done, certain possibilities occur to me and many more can be found. I request you to apply your thoughts to these matters.)

<sup>95</sup> *'quae minae municipiis, quae nominatim uiris bonis, quae denique omnibus qui remansissent!'* (what threats to the municipalities, to honest men individually named, to everyone who stayed behind!) Cic. *Ad Att.*, 177:2 (9:10:2).

<sup>96</sup> Cic. *Ad Att.*, 178:3 (9:11:3). See also *Ad Att.*, 217:2, 6 for further reports of proscriptions and property confiscations, although this was at a time when Cicero needed to justify his actions for having abandoned the war. Brunt, 1986, p. 21.

<sup>97</sup> Cic. *Ad Att.*, 166:2 (8:16:2). Plutarch's comment on Cato's law that no Roman be killed except on the battlefield (Plut. *Cat.*, 53:4; *Pomp.*, 65:1; *Caes.*, 41:1) allows the references to proscriptions to be based more on rumour than fact.

<sup>98</sup> Cic. *Ad Att.*, 174C:1 (9:7C:1).

Not only was Caesar seeking to use mercy where he could, he was also encouraging his supporters to think in terms of peace and mercy. This contrasted sharply with the reports emanating from Pompey's camp, and illustrates the way in which Caesar was able to turn such information into distinctive and effective anti-Pompeian propaganda.

Further evidence for anti-Pompey propaganda that explicitly associated him with Sulla during the civil war can be found in Plutarch. In his *Life of Pompey*, Plutarch notes that Oppius (when writing for Caesar) accused him of cruelty during his command in Sicily, adding that these accusations should not be believed as Oppius was an unreliable source.<sup>99</sup> It appears that this accusation, also found in Valerius Maximus and pseudo-Sallust,<sup>100</sup> dates from the civil war period when Caesarian supporters were endeavouring to discredit Pompey as the leader of the Republican forces.<sup>101</sup> The effectiveness of associating Pompey with Sulla can be seen in a further letter Cicero wrote to Atticus in May 49. When Servius Sulpicius Rufus visited Cicero, he commented not on Pompey's expected, but actual, cruelty.<sup>102</sup>

## Part Two – Following in Sulla's Footsteps

When reading later accounts of Caesar's actions at the beginning of the civil war, there are a striking number of parallels between his actions and those of Sulla. While there are parallels in the language used in Livy's *Periochae* to describe the activities of the two civil wars, the similarities between Sulla and Caesar in their treatment of captive enemy commanders is of greater interest. By studying these similar incidents, it is possible to identify how Sulla's reputation influenced Caesar's actions in the early parts of the civil

<sup>99</sup> Plut. *Pomp.* 10:4-5.

<sup>100</sup> Val. Max, 5:3:5, 6:2:8; Ps- Sal. *Orat. Ad Caes.*, 4:1. I would like to thank Kathryn Welch for highlighting this point.

<sup>101</sup> That is, the accusations of earlier cruelty appeared at this time, although the incidents referred to occurred earlier.

<sup>102</sup> *illum sibi iratum, hunc non amicum; horribilem utriusque victoriam cum propter alterius crudelitatem, alterius audaciam, tum propter utriusque difficultatem pecuniariam; quae erui nusquam nisi ex privatorum bonis posset.* (Pompey was angry with him, Caesar no friend. The victory of either was a dreadful prospect, not only because one was cruel and the other unscrupulous, but because of the straits both were in for money, which could only be extracted from private property.) Cic. *Ad Att.*, 206:1 (10:14:1). Of course this letter reflects poorly on Caesar as well, but it is the explicit association between Pompey and cruelty that is of interest in this context.

war. As will be discussed in part two, Caesar's achievement at Corfinium is the clearest example of the way in which he exhibited and promoted his policy of mercy. The following discussion and analysis of Sulla's invasion in 83 will illustrate Caesar's debt to Sulla, and the extent to which Caesar himself broadened the scope of his propaganda to successfully dissociate himself from the very predecessor he was imitating.

### Civil War and Sulla

When Sulla marched into Italy in 83, he faced armies led by the two consuls, C. Norbanus and L. Cornelius Scipio Asiaticus. After defeating Norbanus in battle, Sulla enticed Scipio's army into surrender and as a consequence was able to capture Scipio himself. A number of ancient sources report this incident,<sup>103</sup> and each of them highlights Sulla's release of Scipio unharmed. Livy explains:

*'Et cum L. Scipionis, alterius cons., cum quo per omnia id egerat, ut pacem iungeret, nec potuerat, castra oppugnaturus esset, universus exercitus consulis, sollicitatus per emissos a Sulla milites, signa ad Sullam transtulit.'*<sup>104</sup>

(When Sulla was about to attack the camp of the other consul, L. Scipio, with whom he had made every effort to come to terms without success, the entire army of the consul, on being invited by soldiers sent by Sulla, carried their standards over to Sulla.)

Upon his success in getting Scipio's army to desert their leader and capturing Scipio and his son, Sulla was faced with a choice. He could have executed his prisoners, thereby recalling Marius's entry into Rome, but instead Sulla chose to release them. While the term *clementia* is not used here, the sentence *'Scipio cum occidi posset, dismissus est'* carries the implication of *clementia*. This shows that Sulla did enact at least a limited policy of *clementia*, one which was aimed at the *principes*. This incident from the first civil war would have been well known,<sup>105</sup> as it was one of the few cases where Sulla

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<sup>103</sup> Liv. *Per.*, 85; Vell. 2:25; App. *BC.*, 1:85-6; Plut. *Sul.*, 28:2-4. Cicero provides an account of the lead up to Sulla's pardon of Scipio in the *Philippics*. See Cic. *Phil.*, 12:27; 13:2.

<sup>104</sup> Liv. *Per.*, 85.

<sup>105</sup> Indeed this incident no doubt formed the basis for Dio's assertion 'Ὅτι ὁ Σύλλας νικήσας τοὺς Σαυίτας μέχρι μὲν δὴ οὖν τῆς ἡμέρας ἐκείνης διαπρεπῆς ἦν, καὶ ὄνομα ἀπὸ τε τῶν στρατηγημάτων καὶ ἀπὸ τῶν βουλευμάτων μέγιστον ἔσχε φιλανθρωπία τε καὶ εὐσεβεία πολὺ προέχειν ἐνομίζετο, ὥστε καὶ τὴν τύχην σύμμαχον ἀπὸ τῆς ἀρετῆς πάντας ἔχειν αὐτὸν ἡγεῖσθαι.' (Sulla up to the day that he conquered the Samnites had been a conspicuous figure, possessing the greatest renown for his generalship and his plans, and was believed to be a very superior man both in

overtly exhibited *clementia* to his fellow citizens and presented a strong contrast to his later actions.

A number of parallels can be seen between Caesar's conduct at Corfinium and Sulla's action against Scipio. Both Sulla and Caesar were generals leading Roman armies against their country, and both faced fears that they would be judged in a similar manner to their predecessors.<sup>106</sup> Most importantly, however, Sulla actively illustrated his mercy when he released a captured Roman general.<sup>107</sup> Sulla's influence on Caesar can be seen through his actions at Corfinium when he too released an opposing Roman general.<sup>108</sup> Such a policy worked to gain Sulla a reputation for leniency in 83, and in 49 Caesar again successfully employed this strategy. In most of the ancient sources Sulla's leniency towards fellow Roman citizens during the civil war is overshadowed by the atrocities committed after he was victorious and the institution of the proscriptions.<sup>109</sup> This provided a dichotomous image that for many ancient sources was difficult to reconcile.<sup>110</sup> With few exceptions Caesar continued to act mercifully,<sup>111</sup> and as such his reputation for *clementia* remains.

Velleius' account of this incident supports the image created by Livy's epitomator. He too notes that Sulla allowed Scipio to go unharmed after he was deserted by his army. He then continues in the theme of mercy by noting that Sulla displayed *lenitas* after this victory.

*'...quorum Norbanus acie victus, Scipio ab exercitu suo desertus ac proditus inviolatus a Sulla dimissus est. Adeo enim Sulla dissimilis*

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humaneness and piety, so that all believed he had Fortune as an ally because of his excellence). Dio, 33:109:1 (Frag. 105).

<sup>106</sup> There are no surviving contemporary accounts of Sulla's march into Rome, and later sources do not compare his actions with those of Marius. Evans, 1993, p. 30-31, notes that the atrocities of Marius were virtually ignored, unlike those of Sulla. As shown above, Cicero held grave fears that Caesar would act in a similar manner to Sulla and Cinna, while Marius is virtually ignored.

<sup>107</sup> Liv. Per., 85; Vell. 2:25; App. BC, 1:85-6; Plut. Sul., 28:2-4.

<sup>108</sup> Vell. 2:50-52; App. BC, 2:38; Plut. Caes., 34: 3-4, 35:1-2.

<sup>109</sup> Barden Dowling has shown that Nepos (*Att.*, 2:2) is relatively balanced in his discussion of Sulla, Barden Dowling, 2000, pp. 316-18.

<sup>110</sup> Barden Dowling, 2000, p. 306 and 319.

<sup>111</sup> These exceptions will be dealt with in the following two chapters.

*fuit bellator ac victor ut dum vincit ac iustissimo lenior, post victoriam audito fuerit crudelior.*<sup>112</sup>

(Norbanus was defeated in battle, while Scipio, deserted and betrayed by his army, was allowed by Sulla to go unharmed. So different was Sulla the warrior from Sulla the victor that, while his victory was in progress he was mild and more lenient than was reasonable, but after it was won his cruelty was unprecedented.)

Appian also features an account of this episode, and once again it reflects well on Sulla, illustrating his merciful treatment of Scipio.

‘Σκιπίωνα μὲν δὴ μετὰ τοῦ παιδὸς οὐ μεταπέιθων ὁ Σύλλας ἀπέπεμπεν ἀπαθῆ.’<sup>113</sup>

(When Sulla was unable to induce Scipio to change, he sent him away with his son unharmed.)

In this account, as with Livy’s *Periochae*, Appian does not use specific language associated with mercy. In releasing a captured enemy, Sulla associated himself with a mercy that was in contrast to his later reputation for cruelty.<sup>114</sup> Sulla’s *Memoirs* were available in antiquity and these doubtless provided a balance to the negative way in which his actions were presented. These *Memoirs* may ultimately be reflected in the stories contained within Livy and Plutarch.<sup>115</sup>

Further evidence for Sulla’s mercy is provided in Diodorus Siculus, where he employs the term ἐπιείκεια<sup>116</sup> – a Greek term sometimes used to translate *clementia* but which

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<sup>112</sup> Vell. 2:25:2-3. The Loeb Classical Library text supplies *mitis* as the adjective describing Sulla during his march through Italy; ‘*Adeo enim Sulla dissimilis fuit bellator ac victor ut dum vincit, mitis ac iustissimo lenior, post victoriam audito fuerit crudelior.*’

<sup>113</sup> App. BC, 1:86. Plutarch states that Scipio was captured in his camp and allowed to go free. Plut., *Sul.*, 28:3, and Dio represents Sulla as merciful up until the day he conquered the Samnites, Dio, 33:109:1 (frag. 105).

<sup>114</sup> The dichotomous representation Barden Dowling sees developing around Sulla’s reputation in the late Republic (most evident from Cic. *Ad Att.*, 130:7 (7:7:7)) and early Principate is an attempt by ancient authors to explain such behaviour, Barden Dowling, 2001, p. 304, 313, 319. Cicero’s attacks upon Sulla’s reputation started much earlier, although at first they were veiled to some degree simply by not mentioning his name or verbally trying to distance him from acts perpetrated under his dictatorship, Cic. *Pro Rosc. Amer.*, 3, 11, 16, 21. Sulla’s own *Memoirs* would have played a large role in justifying his actions.

<sup>115</sup> Plutarch certainly used Sulla, Brennan, 1992, p. 105-106. For the possibility that Livy used Sulla see, Evans, 1993, p. 36. For Appian, see Moles, 1983, p.287; Pelling, 1979, pp. 84-5. See also Gabba, p. 83, 89-97 where he notes that Asinius Pollio was a source for Livy, whom Appian relied on for his account of the Sullan civil war.

<sup>116</sup> Diod. 38:16.

means 'reasonableness'.<sup>117</sup> Diodorus' use of the term ἐπιείκεια again shows that positive representations of Sulla's actions were both known and written about.

Diodorus' use of the term ἐπιείκεια returns to the mercy Sulla showed Scipio:

ὁ δέ Σκιπίων ἐν ἀκαρεῖ χρόνῳ τὸ τῆς ἀπχῆς ἀξίωμα μεταθεῖναι συναναγκασθεὶς εἰς ἰδιωτικὸν βίον καὶ ταπεινὸν σχῆμα, διὰ τὴν ἐπιείκειαν ὑπὸ τοῦ Σύλλα παρεπέμφθη ταχέως εἰς ἣν ἐβούλετο πόλιν.<sup>118</sup>

Thus Scipio, who in a single moment had been forced to lay aside the dignity of office for private life and a lowly status, by the mercy of Sulla was escorted to the city of his choice.)

In her article, *The Clemency of Sulla*, Barden Dowling notes that "What is noteworthy is the explicit clemency of Sulla to a Roman aristocrat, a consul who had intended to fight against him as an enemy."<sup>119</sup> She continues to note that ancient authors confirm Sulla extended mercy to foreign enemies, but mercy towards other citizens is rarely mentioned before the advent of the *clementia Caesaris*.<sup>120</sup> It must be considered that *clementia* was previously the domain of the Roman legal system. The civil war of 83 and following is the first time we would expect to find this term used for an action one Roman could exhibit to another. During the trials against the Gracchani, Blossius of Cumae fled Italy unharmed,<sup>121</sup> although many other Gracchan supporters were killed.<sup>122</sup> Similarly, there was no mercy for Saturninus in 100,<sup>123</sup> and during the wars against Lepidus and Sertorius, who were against proclaimed public enemies, *clementia* was not appropriate or possible. Due to the proclamation that these men were public enemies (*hostes*) it could even be argued that these wars were technically not being fought against Roman citizens, although this could be disputed.<sup>124</sup> Regardless, Barden Dowling's

<sup>117</sup> Liddell and Scott, 1951, p. 632.

<sup>118</sup> Diod. 38:16. Barden Dowling, 2001, p. 321.

<sup>119</sup> Barden Dowling, 2001, p. 321.

<sup>120</sup> 'In other sources we possess numerous discussions of Sulla's clemency to the Athenians, the people of Ilium, and towards Mithridates; but none of these are Roman citizens. The extension of clemency to foreigners, who are by definition not of the same status as Sulla is a normal part of ancient military diplomacy but a rare event between Roman citizens before the *clementia Caesaris*.' Barden Dowling, 2000, p. 321.

<sup>121</sup> Plut. *Tib. Gracc.*, 20:4.

<sup>122</sup> Plut. *Tib. Gracc.*, 20:4.

<sup>123</sup> Plut. *Mar.*, 30:3-4.

<sup>124</sup> In the *Pro Rabirio Perduellionis* Cicero styles Saturninus as a *hostis* of the Roman people, Cic. *Pro Rab. Perd.*, 18. Cicero's extant Catilinarian speeches argue that as the conspirators had been declared *hostis*, they were no longer public citizens and therefore the normal rules did not apply. Cic. *Cat.*, 4:10.

identification of Diodorus' use of the term ἐπιείκεια with reference to Sulla shows that the ancient sources did recognise his mercy. It may also indicate that Sulla himself had endeavoured to promote such an image – the presence of the *principes* in his triumph hailing him as saviour of the state further suggests that this is possible.<sup>125</sup> While Barden Dowling does recognise that *clementia* gained particular notoriety under Caesar, it is possible to take this idea further and identify Sulla's initial mercy and then change of policy as an influence on Caesar. It was this particular action by Sulla that influenced Caesar's decision to use *clementia* throughout the civil war – by implementing and repeatedly highlighting his continuous policy of mercy, Caesar was able to surpass Sulla, who after realising that a policy of mercy would not assist him in his desires, consciously gave up on such a strategy.

While releasing Scipio is the only explicit action of mercy towards a fellow Roman citizen the surviving material in Diodorus attributes to Sulla, Velleius notes that this was a policy he continued to employ. He states:

*'Nam et consulem, ut praediximus, exarmatum Quintumque Sertorium, pro quanti mox belli facem!, et multos alios, potitus eorum, dimisit incolumes...'*<sup>126</sup>

(For instance, as we have already said, he disarmed the consul and let him go, and after gaining possession of many leaders including Quintus Sertorius, so soon to become the firebrand of a great war, he dismissed them unharmed.)

Once again, there are parallels with Caesar's actions in the civil war. Caesar notes that he captured and released his enemies,<sup>127</sup> adapting the policy Sulla had started to implement a generation earlier. That Caesar took lessons from the continued opposition Sulla faced is evident; he implemented a 'two-strike' policy that saw his opponents released on the first occasion they were captured, but if caught fighting again, they generally paid for their duplicity with their lives.<sup>128</sup>

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Throughout his Catilinarian speeches Cicero refers to Catiline as *hostis* on a number of occasions. Cic. *Cat.*, 1:33, 2:11, 3:17, 4:10, 13. as noted in chapter one, however, Cicero had very good reasons for denying the citizen status of these men and advocating their status as enemies of Rome.

<sup>125</sup> Plut., *Sul.*, 34:1

<sup>126</sup> Vell. 2:25:3.

<sup>127</sup> Cic. *Ad Att.*, 174C:2 (9:7C:2).

<sup>128</sup> After the African campaign, however, when a large number of men came into Caesar's hand a second time, he had to adapt this policy in order to maintain his reputation for mercy.

Having seen the abhorrence with which Sulla was viewed, Caesar was aware that he needed to use implement a policy of mercy, but at the same time maintain a flexible enough approach to deal with individuals who were intent on continuing to fight against him. Caesar was well versed in this reaction to Sullan violence; as a young man he had used it to his advantage and carved a successful career as an advocate of anti-Sullan methods. Like all members of his generation, Caesar understood the hatred the proscriptions had generated, and the subsequent effect this had on Sulla's reputation. Caesar's knowledge of the fear of proscriptions in the civil war between himself and Pompey was responsible for his active attempts to highlight the differences in their policies. It also accounts for his rescinding the law against the sons of the proscribed, thereby allowing them to enter the Senate.<sup>129</sup> These policies succeeded and illustrate how Caesar himself not only implemented actions that worked for Sulla, but also the way in which he learnt from Sulla's mistakes.

Other instances can be found to illustrate that the ancient sources writing about Caesar and Sulla saw similarities between them and sought to highlight these in their accounts of the lives of these men. Both men are portrayed as marching against Rome in an attempt to free the Senate from a small clique of men.<sup>130</sup> This was supported by the arrival of Senators in their respective camps; Sulla claimed a number of distinguished men who had fled the tyranny of Cinna and gone to him,<sup>131</sup> and the tribunes, Antony and Q. Cassius, had escaped to Caesar upon threats being made against them.<sup>132</sup> As illustrated above, Caesar also actively sought Cicero's support, and spent time liaising with the consul L. Lentulus in an attempt to win him over to his side.<sup>133</sup> Both men had themselves proclaimed Dictator, reviving the office after an extended period of disuse.<sup>134</sup> Appian

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<sup>129</sup> This has been covered by historians such as Yavetz, 1983, pp. 62-63; Hinard, 1985, pp. 217-219.

<sup>130</sup> *Caes. BC.*, 1:22. See also Brunt, 1986, p. 19. Sulla's reasons for marching into Rome are portrayed similarly to those of Caesar. *App. BC.*, 1:79; *Plut. Pomp.*, 6:1.

<sup>131</sup> *App. BC.* 1:77; *Plut. Sul.* 22; *Dio*, 33:106.

<sup>132</sup> *Caes. BC.*, 1:5, 8, 22; *Cic. Phil.*, 2:48; *Plut. Caes.*, 31:2.; *App. BC.*, 2:33; *Dio*, 41:3:1-3. Although upon leaving Rome Antony is portrayed as threatening proscriptions, see *App. BC.*, 2:33; *Plut. Ant.*, 5:4.

<sup>133</sup> *Cic. Ad Att.*, 141:3 (7:17:3); 160:2 (8:9a:2); 161:5 (8:11:5); 172:1 (9:6:1); 194:2 (10:3a:2).

<sup>134</sup> Sulla, *App.* 1:98-9; *Plut. Sul.* 33:1-2. Caesar, *App. BC.*, 2:48.; *Plut. Caes.*, 51:1.

created a link between Caesar and Sulla by showing how they both finalised the outcome of a war by ensuring the son of their enemy was killed.<sup>135</sup>

Caesar's letter to Oppius and Balbus, in which he denied he would act like Sulla, indicates that he was both aware and concerned that comparisons might be drawn between himself and his predecessor. By Caesar's time, Sulla had become a paragon of cruelty and his actions formed the foundation for all expectations of how a civil war victor would act. Caesar attempted to use this to his own advantage by associating Pompey with Sulla's atrocities. Caesar was aware of the profound impact Sulla had on Roman politics and was careful to disavow publicly all association with him and his methods. His success in doing so lay first in his early reputation as a staunch Sullan opponent. This was continued throughout the remainder of his career through the use of *clementia*, a quality Sulla had consciously laid aside after his victory. Through his consistent promotion of his leniency towards his enemies during the civil war, Caesar was able to achieve a lasting reputation for mercy, in contrast to that of Sulla on whom he had modelled many of his actions and policies.

### Conclusion

Caesar's actions in the civil war were naturally compared with those of Sulla: both men marched against their country and both were eventually victorious. Closer study, however, reveals that a great deal of Caesar's conduct was in reaction to earlier methods employed by Sulla. Caesar himself had lived through the first civil war, possessed close family ties on both the winning and losing side, and had himself faced persecution during Sulla's regime. The methods Sulla employed to win popularity were well remembered by Caesar, and forty years later when he marched into Italy he employed them with similar success. Caesar learnt from both Sulla's successes and his mistakes – utilising methods that gained Sulla support while actively denying all similarities between himself and his predecessor. This dissociation was supported by propaganda recalling Pompey's participation in the first civil war and directly associating him with Sulla's cruelty. The

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<sup>135</sup> App. *BC*, 1:85-6 (Sulla and the murder of Marius Jnr); App. *BC*, 2:105 (Caesar and the murder of Gn. Pompeius).

result, for many ancient and modern authors is that they placed Caesar and Sulla at opposite ends of the spectrum when looking at the ways the successful side in a civil war used its victory.

For all Caesar's public advocacy of *clementia* during the early stages of the civil war, he did not hesitate to threaten or utilise violence where he deemed it necessary. Cicero was one recipient of such threats, while Caesar's actions against the tribune L. Metellus established his *clementia* as a means to an end. This makes it all the more surprising to discover in the ancient sources that Caesar was remembered for his *clementia*, while Sulla's name evoked images of violence and cruelty. From the incident involving Scipio and the reference to leading Senators marching in Sulla's triumph, we can see that Sulla did utilise a policy of *clementia*, but one that was aimed almost exclusively at *principes*. Caesar continued in this policy but promoted it in such a way that it extended to most of the Senators,<sup>136</sup> while at the same time highlighting Pompey's implacability and the threats being issued from his camp. This indicates that the actions of both Sulla and Caesar must be re-interpreted. Sulla's policy did allow for mercy, and it must be recognised that Caesar was indebted to him when it came to his actions in the war with Pompey. The resulting reputations of both of these men, however, show that Caesar was more successful in his policy; he is, after all, known for his *clementia*, while Sulla is remembered for his *crudelitas*.

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<sup>136</sup> There were some notable exceptions to this which I will address in the following chapter.

## Saving Citizens in a Civil Conflict: Caesar's *Bellum Civile*

The *Bellum Civile* was written with a firm political agenda in mind. Caesar used this work to justify his conduct in starting the civil war, and to link his policy of mercy with the idea of the correct way to treat Roman citizens. If Caesar's conduct was justified, then it must also follow that the efforts of those who opposed him were not. Although the term *clementia* is used only once in the *Bellum Civile*, the concept permeates the entire work.<sup>1</sup> While mercy was the standard conduct towards his fellow citizens, Caesar does illustrate his potential for harshness towards those who opposed him. Yet these acts were directed against non-citizens and therefore are not comparable with the harshness his enemies employed. This provides firm evidence that Caesar was not merciful by nature and that the *clementia* displayed towards many of his opponents in the civil war was a highly selective policy he enacted with a firm view to the political advantages such actions would entail.

The *Bellum Civile* served not only to exemplify Caesar's own mercy, but to destroy his enemies' reputations by illustrating their duplicity and cruelty.<sup>2</sup> The message Caesar sent was clear; he would ensure the correct treatment of Roman citizens throughout the war and the Pompeian supporters would not. Yet while Caesar does create a great divide between his own actions and those of his enemies, his treatment of Pompey remained friendly throughout. This leniency towards Pompey can be contrasted with the way in which Caesar consciously attacked those with whom he had a long-standing animosity, ensuring that their actions were portrayed in an especially negative light. The *clementia* Caesar exhibits towards combatants in the *Bellum Civile* is vastly different to the lack of *clementia* he showed with the reputations of all of his enemies who were leaders within the Republican camp.

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<sup>1</sup> 'In the BC the theme (*clementia*) is all pervading, and extends far beyond the mere mention of prominent adversaries captured by Caesar and turned loose to fight him again.' Collins, 1972, p. 959. Rambaud (1953, p. 291) notes 'Mais si les exemples de cette vertu y abondent, l'auteur évite de la nommer. Tout au plus parle-t-il de *misericordia* et de *lenitas*.' (But if examples of this virtue abound there, the author avoids naming it. At most he speaks about *misericordia* and *lenitas*.) See also MacFarlane, 1996, p. 109.

<sup>2</sup> Barden Dowling, 2006, p. 21.

## Caesar's Purpose

The opening chapters of Caesar's *Bellum Civile* set the tone for the remainder of the work, and reflect the language and attitudes Caesar had openly adopted since the outbreak of the civil war. While it has been well recognised that this work seeks to justify Caesar's actions in casting Rome into civil war,<sup>3</sup> the *Bellum Civile* also contains an open declaration of policy. This work served to reiterate, in a polished form, the messages of mercy and the just treatment of citizens that were illustrated at Corfinium. The intended audience of the *Bellum Civile* was the same as that of the letter to Oppius and Balbus that had been circulated in the early phases of the war,<sup>4</sup> and there are similarities in language between the two Caesarian works. There are some particularly striking examples of the way in which Caesar sought to reiterate his message, including the dual inference that Pompey had been drawn into the war by his *inimici*,<sup>5</sup> and the recollection of Sulla's depredations against citizens.<sup>6</sup> These references to Sulla contain numerous other meanings as well, but suffice to show that Caesar was deliberately aiming to associate the actions of the Pompeian supporters with Sulla in both instances. If the *Bellum Civile* was indeed written in phases as the war progressed as has been suggested by some scholars,<sup>7</sup> such confirmation of messages would provide Caesar with a strong advantage for his success in the civil war.

## Mercy in Action

Episodes of Caesarian mercy in action can be found throughout the *Bellum Civile*. The most striking example comes after Caesar's success in the battle at Pharsalus:

*'Caesar...qui in monte conserant, ex superioribus locis in planitiem descendere...iussit. Quod ubi sine recusatione fecerunt passisque palmis*

<sup>3</sup> For example, Barwick, 1951, p. 128; Rambaud, 1953, p. 133; Collins, 1972, p. 942; Boatwright, 1988, p. 32. This also served to remove the constitutionality of Caesar's opponents' actions, Linderski, 1996, p. 164-167.

<sup>4</sup> Cic. *Ad Att.*, 174C (9:7C).

<sup>5</sup> Contrast Caesar's letter, '*Si volent grati esse, debeunt Pompeium hortari ut malit mihi esse amicus quam iis qui et illi et mihi semper fuerunt inimicissimi...*' (Cic. *Ad Att.*, 174C:1 (9:7C:1) with Caesar's account in the *BC.*, '*Ipse Pompeius ab inimicis Caesaris incitatus...totum se ab eius amicitia averterat et cum communibus inimicis in gratiam redierat...*' *Caes. BC.*, 1:4.

<sup>6</sup> Cic. *BC.*, 174C:2 (9:7C:2); *Caes. BC.*, 4-5.

<sup>7</sup> Barwick, 1951, p. 124; Collins, 1959, p. 116, although he believes that it was not published until after Caesar's death; so too Boatwright, 1988, p. 40. A posthumous publication would serve little purpose as the advantage gained from the contents of the *Bellum Civile* would be lost. By this point, the political scene in Rome had altered dramatically.

*proiecti ad terram flentes ab eo salutem petiverunt, consolatus consurgere iussit et pauca apud eos de lenitate sua locutus, quo minore essent timore, omnes conservavit militibusque suis commendavit, nequi eorum violaretur, neuquid sui desiderarent.*<sup>8</sup>

(Caesar ordered all those who had taken up their position on the hill to come down... When they did this without demur and, flinging themselves on the ground in tears, with outstretched hands begged him for safety, he consoled them and bade them rise, and addressing a few words to them about his own lenity to lessen their fears, preserved them all safe and commended them to his soldiers, urging that none of them should be injured and that they should not find any of their property missing.)

The language employed in this passage illustrates the lengths to which Caesar went to highlight his merciful treatment of the opposing army. The terms *consolatus*, *conservo*, and *commendo* are all redolent of Caesar's manifesto for the correct treatment of Roman citizens, and the term *lenitas* recalls again Caesar's letter to Oppius and Balbus. The similarities with this letter again repeat the message that he is not going to imitate Sulla's success after the civil war – the specific reference to the personal safety of the soldiers and the preservation of their property is a specifically non-Sullan message. This section of the *Bellum Civile* was designed to recall explicitly the letter outlining Caesar's policy and again illustrate its practical implementation.

Caesar's specific use of the term *lenitas* in this instance is important for a further reason. Although the policy we call *clementia* is present here, Caesar chose to employ more 'polite' language of conservation as the soldiers were Roman citizens. These individuals approaching Caesar in supplication provide the image of mercy and illustrate the appropriateness of his actions without the need to refer specifically to *clementia*.<sup>9</sup> It is significant that the troops actually approach Caesar and ask for mercy, as by doing so they placed themselves in his power. Caesar could legitimately have referred to himself as *clemens* in this instance, but even though he was in the position of authority over the soldiers, he employs language appropriate to the correct treatment of citizens. As such,

<sup>8</sup> Caes. *BC.*, 3:98. Appian records that Caesar told his men to save fellow Romans, but gave them leave to kill non-citizens, App. *BC.*, 2:80. Dio says that Caesar allowed his men to spare friends, but he killed those senators and equites he had previously captured, Dio, 41:62:1-5. See also Suet. *Iul.*, 75:2-3; Plut. *Caes.*, 46:1-2; Vell. 2:52:4-5; Liv. *Per.*, 111.

<sup>9</sup> Caes. *BG.*, 2:13; 7:47. Barden Dowling dedicates an entire chapter to the imagery of mercy and supplication. Barden Dowling, 2006, pp. 126-168.

he refers to his *lenitas* and not *clementia*. Such language supported the message of the *Bellum Civile* that Caesar was acting for the good of the state and removed any specific connotations of superiority over others. Caesar removed himself from the civil war context and ensured that the soldiers were accorded treatment appropriate to their citizen status.

### Trebonius' *clementia*

Caesar employs the term *clementia* only once in his *Bellum Civile*, although not with reference to himself. Instead it is used of Trebonius' actions in Rome in 48 and his implementation of Caesar's debt relief laws during Caelius' rebellious activities.<sup>10</sup> That this is the only use of the term throughout this work is somewhat surprising considering Caesar's *clementia* is amongst the most prominent themes of this work.<sup>11</sup> As Trebonius' actions were around debt relief, a reference to *clementia* was appropriate. This was a civil context with legal implications and thus represented an area where *clementia* had traditionally been employed to describe the actions of individuals. Barden Dowling has seen the use of *clementia* at this point as representative of the power relationship between suppliants and the court, recalling the legal domain of the term.<sup>12</sup> When dealing with this outbreak of violence in Rome, Caesar is employing terms that are strongly illustrative of both justice and mercy in an attempt to highlight and cement these concepts as part of his overall view of how Roman citizens should be treated. Thus the outcome was the provision of debt relief while avoiding the injustice of debt cancellation:<sup>13</sup>

*'Sed fiebat aequitate decreti et humanitate Treboni, qui his temporibus clementer et moderate ius dicendum existimabat, ut reperiri non possent, a quibus initium appellandi nasceretur.'*<sup>14</sup>

(But through the equitable decrees and humanity of Trebonius, who was of the opinion that in this crisis law should be administered with kindness and moderation, it happened that none could be found to originate and appeal.)

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<sup>10</sup> Frederikson (1966, 133-135) has dealt with the context of this law and the general issue of debt and debt relief during the civil war.

<sup>11</sup> Collins, 1959, p. 123; Barden Dowling, 2006, p. 21. Fabre (1936, pp. xxix-xxx) argues that Caesar is so merciful in this account of the civil war that it could be given the title *Bellum Civile: siue de Caesaris clementia*.

<sup>12</sup> Barden Dowling, 2006, p. 21.

<sup>13</sup> Frederikson, 1966, p. 138.

<sup>14</sup> *Caes. BC.*, 3:20.

Not only are the actions of Trebonius *clemens*, he displays *humanitas* as well. Trebonius' actions were demonstrative of the mercy Caesar sought to promote throughout the civil war.<sup>15</sup> Caesar continues to highlight how Trebonius' actions were reflecting his own policy when he refers to his *aequitas* and notes that he acted moderately. Describing Trebonius' enactment of Caesar's debt relief laws as *clementer et moderate* was meant to calm fears and indicate that Caesar would act in an appropriate manner towards all citizens. Caesar's civil war policy has been distilled into this single sentence.

### **Character assassination and the correct treatment for citizens**

MacFarlane has argued that the citizen status of Caesar's opponents and his expectation that he would eventually reconcile with his enemies convinced him to '*be sparing in his depiction of them.*'<sup>16</sup> A close reading of the *Bellum Civile*, however, shows that Caesar's representation of almost all of his opponents is far from 'sparing' and constantly seeks to undermine their credibility. Such attacks are made on both individuals who died in the lead up to and during Pharsalus, but also against those who survived and continued to fight in Africa. In contrast, Caesar's mercy is on display throughout the work and on all but a few occasions Caesar places his own acts of mercy in close context to the 'atrocities' of his opponents.<sup>17</sup> A repetitive pattern of atrocity followed by mercy is present throughout the *Bellum Civile*.<sup>18</sup> Caesar's depiction of numerous Pompeian supporters relied upon rumours that had already been circulated regarding their violence

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<sup>15</sup> Rambaud, 1963, p. 290.

<sup>16</sup> More fully, McFarlane states: '*In recounting his campaigns against Gallic and Germanic chieftains, Caesar had been able to paint his opponents as darkly or as brightly as he deemed necessary. Likewise, the Eastern rulers, whose hordes Pompey mustered during the civil war, demanded from the chronicler little or no diplomacy. Ties of citizenship, by contrast, urged Caesar to treat his Roman opponents differently. In recording the events of a dignitatis contentio, Caesar had an eye for the future. The invasion of Italy was never intended to become a bloody annihilation of his political opposition; clementia provided for a different narrative than that. Not only in his direct association with his civil foes but also in his written narrative, the expectation for eventual reconciliation with his opponents urged Caesar to be sparing in his depiction of them. Yet, diplomacy could extend only so far. The nature of the conflict demanded that Caesar refer to his opponents as enemies. A man of diplomacy might do this by certain careful means.*' MacFarlane, 1996, p. 112.

<sup>17</sup> See Collins' account of Caesar's intentional focus on the 'Cruelty, Terrorism and Atrocities of the Pompeians', Collins, 1972, pp. 950-952.

<sup>18</sup> Collins almost gets to this point when he notes, '*But the masterly overall picture of the 'Bellum Civile' is produced by artful selecting and grouping, by throwing in 'loaded words', by attributing base motives, by passing over extenuating circumstances, and by contrasting the sweetness and light of the author's own policies.*' Collins, 1972, p. 946. Barden Dowling, 2006, p. 21 notes both the connection and repetition.

and rapacity. Caesar directly states that his opponents were intent on enacting Sullan-like reprisals against their enemies:

*'Iamque inter se palam de imperiis ac de sacerdotiis contendebant in annosque consulatum definiebant, alii domos bonaque eorum, qui in castris erant Caesaris, petebant...'*<sup>19</sup>

(Already they openly contended for commands and priesthoods and apportioned the consulship for successive years, while others clamoured for the houses and property of those who were in Caesar's camp...)

Not only were these individuals aiming for offices amongst themselves with no regard for the constitutionality of their actions, the specific reference to the desire for the houses of those in Caesar's camp directly implies threats of proscription. Caesar's *Bellum Civile* was an effective piece of propaganda that highlighted his own merciful treatment of both those fighting against him and those unwittingly affected by the war, and caused his enemies to appear in the worst possible light. When demonstrating the severity of the commanders of the Republican forces, Caesar focuses a great deal of his efforts on individuals with whom he had held long-standing animosity, although he does not openly attack those he mentions. Rather he appears to provide his readers with an account of his enemy's actions, allowing his audience to draw their own conclusions. Where Caesar deals with long-standing and especially vehement enemies such as M. Calpurnius Bibulus and T. Labienus, his attitude is somewhat different. On these occasions he seeks to destroy utterly all credibility they have, and he holds himself as the example that they should be measured against.

### **L. Afranius and M. Petreius**

Caesar's account of the campaign in Spain and the actions of Afranius and Petreius records that troops from his opponents' army treated for peace and that an accord was reached.<sup>20</sup> Upon discovering this, Petreius is represented as acting with great cruelty,

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<sup>19</sup> Caes. *BC.*, 3:82. This accusation is supported by contemporary evidence from Cicero in March 49, who also states that many members of Pompey's camp were openly discussing what they could hope to gain after their success in the conflict although this was written after Cicero's return to Italy at a time when he was seeking to justify his actions in abandoning the Pompeian cause. Cic. *Ad Att.*, 178:3 (9:11:3, 20 March 49). See also *Ad Att.*, 217:2, 6 (11:6:2, 6) for further reports of proscriptions and property confiscations. Brunt, 1986, p. 21.

<sup>20</sup> Caes. *BC.*, 1:74.

with the punishments inflicted on Roman citizens being especially prominent. Petreius is described as arming his personal followers and freedmen and:

*'...improviso ad vallum advolat, conloquia militum interrumpit, nostros repellit a castris, quos deprendit interficit.'*<sup>21</sup>

(...he makes a sudden onset on the rampart, interrupts the soldiers' colloquies, drives our men from the camp, and slays all he catches.)

Afranius then joins in and the Pompeians are portrayed as taking their cruelty further by issuing orders that any Caesarian soldier still in the camp should be turned over to the commanders. When this was done, these soldiers were publicly executed.<sup>22</sup> Caesar used these actions to illustrate the merciless nature of the Pompeian leaders:

*'Sic terror oblatus a ducibus, crudelitas in supplicio...'*<sup>23</sup>

(Thus, the intimidation employed by the generals, the cruelty in punishment...)

Afranius and Petreius' cruelty stands out as a major factor in this incident. While Petreius is the leader, Afranius' acquiescence and participation in the execution of the Caesarian troops placed him almost on the same level as Petreius, and both men are represented as keen to shed the blood of citizens. In contrast to the criminal actions of the Pompeian commanders, Caesar noted that the soldiers concealed many of their friends and assisted them in safely returning to Caesar.<sup>24</sup> This was an important point to make: the cruelty belonged solely to the Pompeian leaders and their supporters, and not the soldiers.<sup>25</sup> By helping the Caesarian troops to escape, the soldiers illustrated that they recognised and condemned the injustice of their commanders' actions. Caesar's enemies were the commanders of the Pompeian legions, and so the soldiers were removed from any responsibility for cruelty or acts of injustice. Their later cooption into Caesar's own army required that he exculpate them from any of the crimes of the commanders.<sup>26</sup>

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<sup>21</sup> Caes. BC., 1:75.

<sup>22</sup> Caes. BC., 1:76.

<sup>23</sup> Caes. BC., 1:76.

<sup>24</sup> Caes. BC., 1:76. Collins, 1972, p. 951.

<sup>25</sup> Caes. BC., 1:85. Collins, 1972, p. 951.

<sup>26</sup> *'nequid iis noceatur neu quis invitus sacramentum dicere cogatur, a Caesare cavetur.'* (Pledges are given by Caesar that no wrong should be done to them, and that no one should be compelled to take the oath of allegiance against his will.) Caes. BC., 1:86.

Seizing upon this incident to illustrate the difference between the brutality of the opposing commanders and his own merciful treatment of the enemy, Caesar recorded that there were also Pompeian troops within his own camp:

*'Caesar, qui milites adversariorum in castra per tempus conloqui venerant, summa diligentia conquiri et remitti iubet.'*<sup>27</sup>

(Caesar gives orders that the men of the other side who had come into his camp at the time of the colloquy should be sought for with the utmost diligence and sent back.)

Unlike Petreius and Afranius, Caesar accorded Roman citizens the treatment their status required. His use of the term *adversarius* is illustrative of the citizen status of those he was opposing, and his reference to the way he treated enemy troops within his own camp shows the way in which Caesar was able to contrast his actions with those of the Pompeians. Once Caesar's superior attitude towards mercy had been identified, he needs to do little else to condemn his opponents.<sup>28</sup> Throughout the entire episode, Caesar emphasised his own desire for peace in close context with his account of the obstinacy and inherent cruelty of the opposing leaders. This highlighted not only the mercy that would be offered after Caesar's victory, but also illustrated the retribution the Pompeians would seek against those who had not sided with them. More importantly, it recalled Caesar's actions ensuring Roman citizens were treated appropriately, illustrating that the Pompeians would only seek to destroy those who had supported Caesar, regardless of their citizen status.

### **M. Porcius Cato**

There are two references to Cato in the *Bellum Civile*, both contained in Book One. While it appears Cato took no active part in the war, Caesar depicts him as a leading proponent for civil conflict.<sup>29</sup> Given that the intention of the work is to discredit Caesar's

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<sup>27</sup> *Caes. BC*, 1:77.

<sup>28</sup> Lucan, a decidedly pro-Republican writer, shows that Petreius' actions made Caesar's the better cause. *Luc. 4:258-259*. As Lucan used Livy as a major source for his work, it is possible that this was also in Livy. For Livy as Lucan's main source, see Bruère, 1950, p. 218, 221.

<sup>29</sup> He left Syracuse before any fighting could take place (*Cic. Ad Att.*, 208:3 (10:16:3); *Plut. Cat.*, 53:2-3), was left at Dyrrachium instead of fighting at Pharsalus (*Plut. Cat.*, 55:1) and in Africa he remained in Utica, taking no active part in the fighting (*Ps-Caes. B. Afr.*, 22, 36, 87, 88; *Plut. Cat.*, 58:2).

opponents, this is not unexpected. The first reference to Cato illustrates the method through which Caesar attacked his rival:

*'Catonem veteres inimicitiae Caesaris incitant et dolor repulsae.'*<sup>30</sup>  
(Cato is goaded by his old quarrels with Caesar and vexation at his defeat.)

The loaded terms *dolor* and *incitant*, combined with the *veteres inimicitiae* show how Caesar was intent on destroying Cato's character. Caesar was unable to cast aspersions on Cato's desire for bloodshed, so he accused him of personal motives for engaging in civil war.<sup>31</sup> Caesar's Cato is the antithesis of other representations of his conduct during the war. In the weeks preceding the outbreak of the war, Cicero wrote that Cato was willing to do anything to avoid entering into civil conflict. Cicero's comments on Cato's conduct demonstrate the malicious nature of Caesar's charge, as he noted that even Cato was willing to concede to Caesar's demands to avoid civil war.<sup>32</sup> Plutarch's *Life of Cato* also offers a very different view from that of Caesar. Plutarch records that Cato proposed a law that no Roman citizen would be killed except on the battlefield,<sup>33</sup> and recollects that this resolution was very popular and that Cato was praised for his mercy (ἐπιεικεία).<sup>34</sup> That this resolution is not mentioned in the *Bellum Civile* is indicative of the tendentious nature of the work; Caesar himself had sought to develop a reputation for mercy throughout his career, and allowing Cato to appear wishing to implement a similar policy would be senseless.

The second reference to Cato in the *Bellum Civile* represents him as enthusiastically embracing the prospect of the war, and then at the first sign of danger fleeing in order to protect himself:

*'Cato in Sicilia naves longas veteres reficiebat, novas civitatibus imperabat. Haec magno studio agebat...Quibus rebus paene perfectis adventu Curionis cognito queritur in contione sese proiectum ac*

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<sup>30</sup> Caes. *BC.*, 1:4. This theme is picked up by Velleius, who states that Cato insisted they fight to the death rather than give in to Caesar's demands. The pro-Caesarian stance is evident. Vell. 2:49:3.

<sup>31</sup> Dragstedt, 1969, p. 90.

<sup>32</sup> Cic. *Ad Att.*, 139:2 (7:15:2).

<sup>33</sup> Plut. *Cat.*, 53:4; *Pomp.*, 65:1; *Caes.*, 41:1

<sup>34</sup> Plut. *Cat.*, 53:6.

*proditum a Cn. Pompeio...Haec in contione questus ex provincia fugit.*<sup>35</sup>

(In Sicily Cato was repairing the old warships and requisitioning new ones from the communities, devoting much zeal to the performance of his task...when these measures were almost completed, hearing of Curio's approach he complains in a public meeting that he had been flung aside and betrayed by Cn. Pompeius... after making these complaints in the assembly he fled from the province.)

These charges were specifically designed to cast even Cato as wishing to see citizens engage in civil conflict and to infer a lack of *clementia*. His flight from Sicily is designated as an act of cowardice in the *Bellum Civile* designed to undermine his authority. This also served to ensure that while Caesar's actions in refusing to fight were cast as a desire to see citizens' lives saved, any similar conduct by his opponents was due purely to cowardice. An opposing view is offered in other ancient sources, who note that Cato left Sicily in an effort to spare the citizens of the island.<sup>36</sup> Caesar's portrayal of Cato was aimed at destroying his credibility and ensuring that he appeared enthusiastic for the war, thus monopolising any reputation for *clementia*.

### T. Labienus

At the beginning of the civil war Labienus had abandoned Caesar to fight with the Republicans and as Cicero writes, it appeared that he had abandoned a friend and pronounced his guilt. This was taken to illustrate Labienus' belief that Caesar's actions were unjust.<sup>37</sup> Caesar reacted harshly against his former *legatus*, and in one instance Labienus is depicted as interrupting and creating dissension between individuals who were discussing safe passage for envoys into the Pompeian camp. Caesar accuses Labienus of reigniting the war after an informal ceasefire had developed between the troops, and then illustrated his barbarity through his words:

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<sup>35</sup> Caes. *BC.*, 1:30.

<sup>36</sup> Plut. *Cat.*, 53:1-3. See also Dio 41.41.1, App. *BC.*, 2.40 who each provide favourable accounts for Cato leaving Sicily.

<sup>37</sup> Cicero comments on Labienus' decision to fight with Pompey, '*...damnasse enim sceleris hominem amicum rei publicae causa videretur, quod nunc ...*' (he would have appeared to have pronounced the guilt of a friend for country's sake, as indeed he does even now...) Cic. *Ad Att.*, 135:5 (7:12:5). For further references to Labienus' defection to Pompey see Cic. *Ad Att.*, 134:1 (7:11:1); 136:1 (7:13:1); 137:3 (7:13a:3); 139:3 (7:15:3); 140:1, 2 (7:16:1,2); 152:3 (8:2:3). Plut. *Caes.*, 34:2-3. Abbott, 1917, p. 11.

*'Tum Labienus: "desinite ergo de compositione loqui; nam nobis nisi Caesaris capite relato pax esse nulla potest."*<sup>38</sup>

(Then Labienus exclaimed: 'Cease then to talk about a settlement, for there can be no peace for us until Caesar's head is brought in.')

Labienus is presented here as not only obstructing peace discussions, but also of desiring to see the death of a Roman citizen. In the chapter immediately following is the account regarding Trebonius' actions, and as such there is a significant contrast between the role of the Caesarian supporters and the Pompeians. This is true also in their respective attitudes towards Roman citizens; Trebonius' actions were aimed at alleviating problems and ensuring all Roman citizens were treated correctly. Although Labienus' comment was aimed at the destruction of one specific Roman citizen, through his actions in prolonging the war he indirectly placed the lives of other Roman citizens in danger. This was in direct contrast to his involvement in the trial of Rabirius in 63, where he was involved in a case specifically about the correct treatment of citizens. While it is accepted that Labienus' participation was at Caesar's behest, this would have worked as an additional advantage for Caesar. It implied that Labienus only sought the correct treatment of citizens when Caesar was with him; after Labienus joined Pompey and his supporters, he became cruel. Regardless of whether this was through Labienus' own nature or because of the influence of the cruel individuals he was associating with did not matter. Whether those individuals reading the *Bellum Civile* made the connection is not known, but Caesar's inclusion of Labienus' actions illustrates that he was trying to portray him in a specific way. Caesar could show a consistent concern for the just treatment of citizens,<sup>39</sup> while those who supported Pompey could not.

Labienus' barbaric desire to see the death of a Roman citizen is in direct contrast to Caesar's own stated objective of concluding a peace between the armies and saving the lives of citizens.<sup>40</sup> Labienus is portrayed as even more belligerent than the rest of the

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<sup>38</sup> Caes. *BC.*, 3:19.

<sup>39</sup> Hence Caesar's comment to Cicero, as noted in chapter one, that Cicero could rely on the evidence of Caesar's whole life. Cic. *Ad Att.*, 199B:2 (10:8B:2).

<sup>40</sup> Caes. *BC.*, 3:10, 18, 19 (peace) and 3:19, 27 (saving lives).

participants in the discussion.<sup>41</sup> Carter questions Caesar's peaceful intentions in this episode and suggests that Labienus' comment might have been in response to missiles that had been thrown, perhaps in an attempt to kill him.<sup>42</sup> If this is the case, then Caesar is even more tendentious and this incident can be used to illustrate the way in which he aimed to highlight his own mercy at the expense of his opponents. Caesar's mercy and the respect shown for citizen rights excused him for the continuation of the war. The blame lay instead with Labienus. Not only does Labienus appear barbaric and bellicose, he ensures that the Pompeians appear unjust because of their desire to see Roman citizens suffer cruel punishments.

Labienus is again attacked after a number of Caesar's men had been captured in battle:

*'At Labienus, cum ab eo impetravisset, ut sibi captivos tradi iuberet, omnes productos ostentationis, ut videbatur, causa, quo maior perfugae fides haberetur, commilitones appellans et magna verborum contumelia interrogans, solerentne veterani milites fugere, in omnium conspectu interfecit.'*<sup>43</sup>

(But Labienus, having induced Pompeius to order the captives to be handed over to him, brought them all out, apparently for the sake of display, to increase his own credit as a deserter, and, styling them 'comrades' and asking them with much insolence whether veterans were in the habit of running away, killed them in the sight of all.)

Caesar uses this episode to condemn Labienus on a number of points. He illustrates his indignation at Labienus' betrayal by employing forceful language and labelling him a deserter (*quo maior perfugae fides haberetur*). Caesar used this opportunity to highlight Labienus' faithlessness, showing that he could not be trusted. This is then used to contrast Labienus' own behaviour with his accusation against the veterans of running away and abandoning their leader. Caesar has just accused Labienus himself of a similar crime, thus ensuring Labienus is cast as an inappropriate judge of such a situation. By deserting Caesar, Labienus had also illustrated his perfidious nature, which is then compounded by his final act of publicly executing these soldiers. Caesar's policy and belief in the just treatment of citizens meant that these men should have been accorded

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<sup>41</sup> Participants whose '*...omnium animi intenti esse ad pacem videbantur.*' (...minds all seemed to turn towards peace.) Caes. BC., 3:19.

<sup>42</sup> Carter, 1993, p. 160.

<sup>43</sup> Caes. BC., 3:71.

mercy due to their status as Romans. Caesar thus lays claim to justice, while Labienus represents treachery and violence. Labienus' violation of Caesar's friendship allowed no room for *clementia*; as the victor in the civil war, Caesar ensured that his former *legatus*' reputation was destroyed.

### M. Calpurnius Bibulus

Bibulus is featured in the *Bellum Civile* twice in close context and on both occasions he is depicted as being cruel, vindictive and operating outside the confines of what was acceptable in a war. In the first instance, Caesar had transported a portion of his troops in pursuit of Pompey and set Q. Fufius Calenus to transfer the remainder. Bibulus was in command of a fleet to stop Caesar's army following Pompey and continuing the war. Unable to intercept Caesar, he fell upon the empty ships returning to Italy:

*'...inanibus occurrit, et nactus circiter XXX in eas indiligentiae suae ac doloris iracundiam erupit, omnesque incendit eodemque igne nautas dominosque navium interfecit, magnitudine poenae reliquos terreri sperans.'*<sup>44</sup>

(...coming across about thirty of them, he vented on them the rage caused by vexation at his own slackness, and burnt them all, slaying all in the same fire crews and captains, hoping for the rest to be deterred by the greatness of the punishment.)

Carter has noted the coloured language Caesar employed in describing this incident, drawing a parallel between the way this episode is described and the language of the first few chapters of the *Bellum Civile*.<sup>45</sup> The exceptionally personal nature of the attack is even more revealing. Caesar attacks Bibulus for the harsh punishments he inflicted on individuals, claiming that the only reason for Bibulus' cruelty was because he was inept as a commander. Caesar's language highlighted the harshness by referring to the *magnitudo* of the punishment. Yet the greatest accusation against Bibulus is that non-combatants suffered a cruel death at his hands.<sup>46</sup> As it was the captains and crews who were killed, and not soldiers, Bibulus' actions are shown to be illegal. This then implied that the Pompeian commanders would offer no mercy to anyone who assisted Caesar, and

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<sup>44</sup> Caes. *BC.*, 3:8.

<sup>45</sup> Carter, 1993, p. 150.

<sup>46</sup> Gray-Fow offers an interesting interpretation of Bibulus' actions during the civil war. For his reasoning about this episode, see Gray-Fow, 1990, p. 187-188.

that they were willing to work outside the boundaries of acceptability in their enmity towards Caesar.

Bibulus' cruelty and illegality continues at 3:14 where his fleet captured a ship that was accompanying the transports containing Caesarian veterans:

*'Una ex his, quae perseveravit neque imperio Caleni obtemperavit, quod erat sine militibus privatoque consilio administrabatur, delata Oricum atque a Bibulo expugnata est. qui de servis liberisque omnibus ad inpuberes supplicium sumit et ad unum interfecit'*<sup>47</sup>

(One of these, which kept on its way and did not attend to the command of Calenus, because it was without soldiers and was under private management, was carried to Oricum and attacked and taken by Bibulus, who inflicted punishment on slaves and free men, even down to beardless boys, and killed them all without exception.)

Caesar's account is clear on a number of points. Those killed were non-combatants and as such this constituted an illegal act.<sup>48</sup> Bibulus was guilty of a crime against individuals who should have been allowed to remain safe. Having established the non-military role of those killed, Caesar can use Bibulus' action to show both his lack of mercy and his criminal audacity: Bibulus shows no respect for the behaviour expected in wartime or the proper treatment of individuals. This is only the second reference to Bibulus in the *Bellum Civile*, and again he is represented as committing an atrocity. Caesar places great emphasis on the fact that Bibulus punished non-combatants, slaves and freemen (*servi liberique*), and even youths (*impubes*). Bibulus could not be trusted and he would inflict harsh punishments on all those he deemed associated with Caesar, who was the cause and target of such rage.

These two accounts of Bibulus' ruthless actions bracket instances where Caesar illustrates his merciful conduct during the civil war. The effect of this is to portray Caesar as both magnanimous and lenient, while Bibulus' reputation is smeared as a criminal and vindictive leader. At 3:10 Caesar notes:

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<sup>47</sup> Caes. *BC*, 3:14.

<sup>48</sup> That such treatment of non-combatants was unacceptable is evidenced by the reaction of the Roman soldiers at Avaricum in 52. Caesar specifically states that the town was sacked because of the murder of the merchants (i.e. non-combatants) at Cenabum. In this case Caesar sought vengeance for the crime, Caes. *BG.*, 7:28.

*'Demonstravimus L. Vibullium Rufum, Pompei praefectum, bis in potestatem pervinisse Caesaris atque ab eo esse dimissum, semel ad Corfinium, iterum in Hispania.'*<sup>49</sup>

(We have shown that L. Vibullius Rufus, Pompeius' *praefectum*, twice fell into the hands of Caesar and was released by him, once at Corfinium and a second time in Spain.)

This illustrated Caesar's mercy in allowing a twice-captured enemy to go free,<sup>50</sup> as well as the fickleness of his adversaries in their continued desire to fight against him.<sup>51</sup> It also provided a stark contrast between Caesar's own treatment of captives and that of Bibulus. The reference to Vibullius also introduces a peace proposal Caesar made to Pompey.<sup>52</sup> This is then used to highlight Vibullius' faithlessness and scaremongering in delivering a message that Caesar was advancing with his army before setting out the peace proposals.<sup>53</sup> The Pompeians are depicted as Caesar's opposite. Caesar is recorded as not only exhibiting mercy in contrast to the Pompeians, but also of desiring to cease hostilities while his opponents wished to continue the war. With Bibulus tarnished the Pompeian cause is similarly stained and Caesar's enemies are as malevolent and brutal as Caesar himself is tolerant and lenient.

As a contrast to Bibulus' perfidious nature, Caesar refers to L. Torquatus' surrender of the township of Oricum.<sup>54</sup> In this instance Caesar received Torquatus into his protection, ensuring he was kept safe and unharmed (*'incolumisque ab eo conservatus est'*). The language used here illustrates the way in which Caesar drew attention to the practical application of his policy for mercy. The reader is also provided with a notable contrast

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<sup>49</sup> Caes. BC., 3:10.

<sup>50</sup> Something that would not be paralleled in later wars, see Ps-Caes. B. Afr., 64; Dio, 41:62:1-2.

<sup>51</sup> Cic. Ad Att., 185:2 (9:16:2, 26 March 49).

<sup>52</sup> Caes. BC., 3:10.

<sup>53</sup> Caes. BC., 3:11.

<sup>54</sup> *'...L. Torquatus...conatus portis clausis oppidum defendere, cum Graecos murum ascendere atque arma capere iuberet, illi autem se contra imperium populi Romani pugnatueros negarent, oppidani autem etiam sua sponte Caesarem recipere conarentur, desperatis omnibus auxiliis portas aperuit et se atque oppidum Caesari dedit incolumisque ab eo conservatus est.'* (L. Torquatus...endeavoured to defend the town by closing the gates; but on his bidding the Greeks to mount the wall and take up arms, and on their refusing to fight the imperial power of the Roman people, while the townsmen also of the own accord attempted to admit Caesar, despairing of all aid he opened the gates and surrendered himself and the town to Caesar and was kept by him safe and unharmed.) Caes. BC., 3:11. Note Caesar's claim to legitimacy in this instance; the people of Oricum refused to fight against the imperial power of the Roman people (*'...se contra imperium populi Romani pugnatueros esse negarent...'*).

between Caesar's actions in saving both Torquatus and Vibullius, and Bibulus' actions of executing individuals who assisted Caesar. All of this is done in close context, giving the impression of a wave of Caesarian mercy which is combatted by episodes of Bibulus' cruelty. Caesar's magnanimity is made to appear all the greater when it is recalled that he allowed the combatants Vibullius and Torquatus to go free, while Bibulus was intent on executing men irrespective of their participation in the war. Such a contrast also highlights the illegality of Bibulus' actions, and ensured that while Caesar is represented as treating Roman citizens lawfully, Bibulus did not. Caesar's cause is demonstrated as being more merciful, as well as more just.

### Otacilius Crassus

Caesar again contrasts his own merciful behaviour with the cruelty and deceit of the Pompeians when two ships containing his troops became separated from the rest of the fleet and were forced to anchor near a Pompeian-occupied town, Lissus. Otacilius Crassus, who was in charge of the town, took an oath that those on board would suffer no harm if they surrendered. Believing this, a number of the troops placed themselves in his protection. Caesar continues the account:

*'...qui omnes ad eum producti contra religionem iurisiurandi in eius conspectu crudelissime interficiuntur.'*<sup>55</sup>

(...and all of them, when brought to him, are most cruelly massacred before his eyes in violation of the sanctity of his oath.)

The language Caesar employs here is indicative of the message he wishes to send. The superlative, *crudelissimus*, shows that Caesar does not want his reader to miss the magnitude of the crime.<sup>56</sup> More important is Caesar's accusation that Otacilius acted *contra religionem iurisiurandi*. Collins has noted that the severity of the charge is illustrated through the unusually descriptive and wordy analysis Caesar offers.<sup>57</sup> Otacilius Crassus had violated his oath to ensure the safety of the men who had surrendered. This was an act of immense treachery, and the sacrilege perpetrated against Roman citizens illustrated not only Otacilius Crassus' faithlessness, but also his cruelty.

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<sup>55</sup> Caes. BC., 3:28.

<sup>56</sup> Collins, 1972, p. 951.

<sup>57</sup> Collins, 1972, p. 951.

In contrast to the purported cruelty and treachery of the Pompeians, Caesar recounts his own actions in the section immediately preceding this account that illustrates his own care to ensure citizens were saved.<sup>58</sup> Caesar records that some Pompeian ships had been wrecked in a storm,<sup>59</sup> and while many of the crew and soldiers had been killed, others were dragged from the rocks by Caesar's men and saved. Caesar then continues to note that those who had been rescued were sent away unharmed.<sup>60</sup> Caesar's use of 'saving' language (*conservatos*) when referring to this incident illustrates his mercy in saving those fighting against him. Caesar mentioned his sparing of non-combatants also to ensure his readers recall Bibulus' actions and contrast them unfavourably with his own. It also illustrated that Caesar, as opposed to his enemies, was concerned that the war was conducted with concern for the justice of his actions. He sought to ensure that his actions involved the correct treatment of both citizens and non-combatants, and illustrated mercy at all times. This was then used in contrast with his opponents who were treacherous and cruel, and who showed no concern for the proper treatment of citizens or the rules that governed combat.

### Pompey in the *Bellum Civile*

While Caesar was keen to destroy the reputation of many of his opponents in the *Bellum Civile*, his treatment of Pompey throughout the civil war is vastly different. Caesar does not accuse him of the violence and rapacity that he charges his other opponents with, and throughout the work his criticisms of Pompey are mild.<sup>61</sup> Cicero records that Caesar treated the memory of Pompey with the greatest respect,<sup>62</sup> while Plutarch<sup>63</sup> and Appian<sup>64</sup> note that he was not only extremely upset at his death, but punished Pompey's murderers. Suetonius also noted that Caesar:

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<sup>58</sup> Carter, 1993, p. 166.

<sup>59</sup> *Caes. BC.*, 3:27.

<sup>60</sup> '*...quos omnes conservatos Caesar domum dimisit.*' (...All these Caesar saved and sent back home.)  
*Caes. BC.*, 3:27.

<sup>61</sup> Collins, 1972, p. 954.

<sup>62</sup> *Cic. Ad Fam.*, 234:10 (6:6:10).

<sup>63</sup> *Plut. Pomp.*, 80:5-6; *Caes.*, 48:2.

<sup>64</sup> *App. BC*, 2:90.

*'... statuas Luci Sullae atque Pompei a plebe disiectas reposuit;'*<sup>65</sup>  
(...restored the statues of L. Sulla and even Pompey, which the people had thrown down and smashed)

Caesar's mild treatment of the dead Pompey was possible because he had not been involved in his death. It was possible and even desirable to glorify Pompey's memory as it cost Caesar nothing to show respect to his adversary, but would have gained him unparalleled hatred had he continued in his adversity towards the dead man. This idea of posthumous *clementia* had not been practised under Sulla, with images of Marius being outlawed by Sulla;<sup>66</sup> it was not until Caesar was Aedile that they were publicly displayed again.<sup>67</sup> Caesar would not repeat Sulla's actions, and as such was again acclaimed for his merciful treatment of his enemy.

This action of Caesar's, however, had another purpose by ensuring Caesar's successes would be compared to those of the two great generals who preceded him. Caesar's career had eclipsed those of both Sulla and Pompey, and by displaying their images he would place theirs and his own achievements in the public arena. The lack of animosity towards Pompey throughout the war and after his death is indicative of the reputation Caesar sought to secure in his treatment of his enemy. Caesar had constantly highlighted the fact that he would not act in a similar manner to Sulla, so restoring his statues also posed no problem. Such promotion of previous Roman generals whom he was known to have opposed actively was a further indication of Caesar's magnanimity towards his enemies.

This respectful attitude towards Pompey also gained Caesar popularity. A letter to Aulus Caecina 46 illustrates the effect Caesar's treatment of the memory of Pompey had on Cicero:

*'In quo admirari soleo gravitatem et iustitiam et sapientiam Caesaris. numquam nisi honorificentissime Pompeium appellat. At in eius persona*

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<sup>65</sup> Suet. *Caes.*, 75:4. The restoration of the statues of Sulla mentioned here serves as another link between Caesar and Sulla.

<sup>66</sup> Plut. *Caes.*, 6:2-3. As further evidence of Sulla's lack of mercy, especially towards Marius, see Val. Max. 9:2:1.

<sup>67</sup> Suet. *Caes.*, 11.

*multa fecit asperius. Armorum ista et victoriae sunt facta, non Caesaris.*<sup>68</sup>

(...in this connection I often admire Caesar's responsibility, fairness, and good sense. He never mentions Pompey's name except in the most respectful terms. It may be said that he committed many acts of harshness towards Pompey, but these were the work of war and victory, not of Caesar personally.)

Caesar's posthumous treatment of Pompey illustrated that he was aware of the vast support and popularity Pompey's name still held.<sup>69</sup> Such mild treatment of Pompey also assisted Caesar in illustrating that his original intention in going to war had not been due to personal enmity, and illustrated that in victory Caesar could be merciful towards his opponent.

### **Selective Caesarian *clementia***

While Caesar showed that he exhibited *clementia* to Roman citizens, his treatment of non-Romans in the *Bellum Civile* shows that he could inflict harsh punishments when he thought it advantageous. It is the account of the desertion of the citizens of Gomphi, however, that shows how Caesar's famous *clementia* was selective in nature and how he could act with brutality when deemed necessary. In this episode, Caesar attacked the town, inflicting harsh punishments on the inhabitants as an example to other towns that might declare against him. As with similar actions recorded in the *Bellum Gallicum*, Caesar justified his actions against Gomphi, noting how they had initially declared for him but upon hearing rumours of his adversity at Dyrrachium changed their allegiance to Pompey.<sup>70</sup> He then proceeded to explain his purpose in attacking the town:

*'...cohortatus milites docuit, quantum usum haberet...simul reliquis civitatibus huius urbis exemplo inferre terrorem...'*<sup>71</sup>

<sup>68</sup> Cic. *Ad Fam.*, 234:10 (6:6:10).

<sup>69</sup> Cic. *Pro Reg. Deiot.*, 12.

<sup>70</sup> *'quae gens paucis ante mensibus ultro ad Caesarem legatos miserat, ut suis omnibus facultatibus uteretur, praesidiumque ab eo militum petierat. Sed eo fama iam praecurrerat, quam supra docuimus, de proelio Dyrrachino, quod multis auxerat partibus. Itaque Androstenes, praetor Thessaliae, cum se victoriae Pompei comitem esse mallet quam socium Caesaris in rebus adversis...'* (A few months before, the inhabitants had of their own accord sent ambassadors to Caesar, to make an offer of what their country afforded, and petition for a garrison. But the report of the action at Dyrrachium, with many groundless additions, had by this time reached their ears. And therefore Androstenes, praetor of Thessaly, choosing rather to be the companion of Pompey's good fortune, than associate with Caesar in his adversity...). Caes. *BC*, 3:80.

<sup>71</sup> Caes. *BC*, 3:80.

(...he exhorted his troops and explained how useful it would be...to strike terror into the remaining communities by the example of this town...)

By closing their gates to Caesar and declaring their support for Pompey, Caesar believed the people of Gomphi had acted treacherously. This in itself provided reason enough for Caesar to attack and he relates that he besieged the town, stormed it before sunset and turned it over to his troops to plunder.<sup>72</sup> The next sentence in Caesar's account begins with him moving his army away from the town. It was merely enough to mention his attack on Gomphi. Caesar does not elaborate what punishments were inflicted on the townspeople, although later accounts of the defeat of Gomphi add that Caesar put many citizens to death before allowing his troops to plunder the town with impunity.<sup>73</sup>

While he does not record the punishment endured by the citizens of Gomphi, Caesar does note that their treatment was harsh enough to ensure that other cities did not oppose him. When the town of Metropolis closed its gates to him, Caesar was able to say:

*'sed postea casu civitatis Gomphensis cognito ex captivis ...portas aperuerunt.'*<sup>74</sup>

(But afterwards learning from captives...of the fate of the town of Gomphi, they opened their gates.)

By inflicting harsh penalties and using violence against those who opposed him, Caesar was able to gain the allegiance of many towns who had initially thought to oppose him. The vindictiveness against the citizens of Gomphi was tempered by the use of leniency toward those of Metropolis.<sup>75</sup> He inflicted cruel punishments on cities that opposed him when they did not contain Roman citizens.<sup>76</sup> In order to gain and maintain the support of various cities Caesar was lenient on select occasions and reserved harsh punishments for occasions when he deemed it either advantageous or necessary.

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<sup>72</sup> Caes. *BC*, 3:80. This is paralleled in the *Bellum Gallicum* where Caesar notes that the Aduatuci had initially surrendered to him, but had maintained some weapons with which to attack him during the night. The punishment inflicted upon this town was also harsh in response. Caes. *BG.*, 2:33.

<sup>73</sup> Dio, 41:51:4-5. The sacking of the town with impunity, see Plut. *Caes.*, 41:3; App. *BC*, 2:64.

<sup>74</sup> Caes. *BC.*, 3:81.

<sup>75</sup> Caes. *BC.*, 3:81.

<sup>76</sup> Contrast this with the treatment of the Italian peoples who were spared. Cicero notes their support for Caesar, as he left their property intact. See Cic. *Ad. Att.*, 163:1 (8:13:1).

## Conclusion

Caesar presented his *clementia* throughout the *Bellum Civile* as a quality that was to be contrasted with the cruelty of his enemies. Although he does not use the term at all with reference to his own actions, he carefully portrayed his efforts throughout the war to convey an image of mercy which he then used to maximum effect. The *Bellum Civile* as a whole was written with the intention of destroying the reputations of Caesar's enemies. Those men with whom he held long-standing animosity with were treated venomously, while Caesar's actions were used as the measure against which all individuals would be judged. Naturally, when compared to Caesar himself, his opponents were found wanting in both mercy and justice.

Caesar continuously demonstrated not only a desire for peace, but also justified his actions in beginning the civil war. His concern for the correct treatment of citizens is contrasted with the cruelty of his opponents. That Caesar would employ harsh punishments is not denied, but such actions were only committed against non-citizens in circumstances where they refused to do his bidding and as an example to others. Unlike the portrayal of many Pompeian supporters, Caesar's representation of Pompey himself throughout this work is always respectful and removes him from any association with cruelty. Featuring images recalling mercy and moderation could only work in his favour and ensured that his audience was continuously presented with the policy he had endeavoured to promote from the beginning of the civil war.

## The Mercy Years: 47-44BCE

The period 47-44 marked a significant change in the way *clementia* was used. After the battle at Pharsalus, Caesar had offered his mercy to those who would accept it. When the Republican forces regrouped in Africa, Caesar was again faced with serious opposition in 47-46. While he returned to Italy after defeating the Republican forces, Caesar confronted a new issue: what to do with individuals who continued to fight. From the beginning of 49 Caesar had indicated that he would pardon those who had fought against him once, but if they continued to fight, they would have to face the consequences.<sup>1</sup> After Africa, such a policy produced an unwelcome turn of events, with numerous Republican supporters either committing suicide or being murdered. Caesar's *clementia* needed to be reinvented. In meeting this challenge, Caesar found that Cicero was a willing participant.

Throughout this period Cicero's use and experience of Caesar's *clementia* can be separated into distinct phases. The first of these was his own experience of Caesar's *clementia* after returning to Italy at the end of 48. By the middle of 46 Cicero was writing letters to a number of exiles wishing to return either to Italy or Rome. Each of these letters was written in the post-Thapsus period and illustrates the selective nature of Caesar's *clementia*. The way in which Cicero conveyed different messages to the exiles illustrates the way in which he could and did use Caesar's *clementia* as a tool to convince various individuals of the necessity or disastrous consequences of being in Italy. Cicero was aware that Caesar's *clementia* would not extend to every individual who applied for it, and as such he found himself employing the term and manipulating its use to ensure he gained the greatest advantage for himself, his friends, and the Republic.<sup>2</sup>

Cicero treated the notion of *clementia* in different ways, depending on his audience and Caesar's attitude towards them, as well as the political situation when he was writing. He

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<sup>1</sup> Dio notes that Caesar was in the habit of saving those who had initially fought against him, but if they had been captured twice, they were put to death. Dio, 41:62:2, 43:17:3, 44:45:1-2.

<sup>2</sup> 'In Caesare haec sunt: mitis clemensque natura, qualis exprimitur praeclaro illo libro 'Querelarum' tuarum;' (In Caesar we find a mild and merciful disposition, as portrayed in your excellent volume of Remonstrances.) Cic. *Ad Fam.*, 234:8 (6:6:8).

also vacillated in his opinion of *clementia* with regard to Caesar; while he maintained that ideologically *clementia* was a positive attribute, the fact that Caesar was able to exercise *clementia* at all incensed him. This did not stop Cicero from promoting Caesar's mercy and employing the term *clementia* in the process. These references were initially made during the *Pro Marcello* when Cicero sought to encourage Caesar to exhibit such a quality and allow other exiles to return to Rome. The *Pro Ligario* offers a different use of the term, and there are strong suggestions of collusion between Caesar and Cicero in this speech. After Caesar's success at Munda, and as it became increasingly clear that Caesar would not lay aside his power, Cicero became far more pessimistic.

It is from the post-Munda period, in numerous philosophical works, that Cicero begins to deal with the idea of domination, tacitly reproaching Caesar's acquisition of power over other citizens as unacceptable and denoting tyranny or *regnum*. Cicero presents the view that no single individual should possess this power at all and that while Caesar's *clementia* was commendable under the circumstances, it was a usurpation of power that was against Roman Republican ideology. It is in this atmosphere that Cicero delivered the *Pro Rege Deiotaro* in 45. While this speech was written with an entirely different aim, Cicero continued to use the language of mercy. In this instance Cicero uses the term *clementia* to protest against Caesar's usurpation of senatorial power which had resulted in his tyranny over Rome, at the same time highlighting that a policy of *clementia*, once begun, must be continued.

#### **Cicero's Wait: Brundisium 48-47**

After the Republican forces were defeated at Pharsalus, Cicero returned to Italy and remained in Brundisium for approximately ten months until Caesar himself returned. The letters from this period illustrate the unusual situation Caesar's victory had created and the uneasiness his *clementia* aroused. In mid-December 48 there were signs indicating that while Caesar had been merciful at Pharsalus,<sup>3</sup> in the aftermath of the battle the terms of his forgiveness were subject to restrictions. He did not intend to kill his enemies, but he was not going to allow them to return to Rome without his specific

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<sup>3</sup> Caes. BC., 3:98.

permission.<sup>4</sup> Upon his return to Italy, Cicero was intent on justifying his abandonment of the war,<sup>5</sup> but equally concerned that his previous support for Pompey would prejudice Caesar against him.<sup>6</sup> Cicero reports that he had received a letter from Oppius and Balbus that sought to highlight Caesar's desire to maintain Cicero's *dignitas*:

'... *Caesari non modo de conservanda sed etiam de augenda mea dignitate curae fore, meque hortantur ut magno animo sim, ut omnia summa sperem.*'<sup>7</sup>

(...for they guarantee that Caesar will be concerned not only to preserve my *dignitas* but even to enhance it, and they urge me to keep a lofty spirit and set my hopes high.)

This letter illustrates that Cicero was seeking an understanding of Caesar's intentions towards him, and represents the way in which Caesar's supporters endeavoured to allay his fears. The term *conservando* characterises the mercy language and image Caesar had cultivated throughout the civil war period. Its combination with a reference to Cicero's *dignitas* is illustrative of a problem Caesar faced as the victor in a civil war: how did he offer *clementia* without implying an associated wrong-doing, particularly to men such as Cicero who were of consular standing? While Caesar never found an appropriate solution, mention of the desire to preserve Cicero's *dignitas* was a method that allowed for a positive and approved use of *clementia*.

As time progressed and Caesar remained in Alexandria, Cicero's hopes of reconciliation with Caesar diminished. This was accompanied by cynicism about Caesar's *clementia*, which was primarily based on the fact that Cicero soon began to receive mixed messages regarding the stability and safety of his future. This was particularly illustrated in his own experience as related to Atticus in a letter dated 17 December 48. Even though he had returned to Italy at Caesar's request, Antony wrote to him about a letter he had

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<sup>4</sup> Cic. *Ad Att.*, 218:2 (11:7:2). Caesar had heard a rumour that L. Metellus and Cato were intending on returning to Rome to live. In a letter to Antony regarding this situation Caesar ordered that no individual who had fought against him was to be allowed to live in Italy without his approval. This situation caused Cicero some concern although it was soon rectified when he informed Antony, who was charged with carrying out the directive, that he had returned to Italy at Caesar's behest.

<sup>5</sup> Cic. *Ad Att.*, 217:2 (11:6:2); 223:1 (11:12:1).

<sup>6</sup> Cic. *Ad Att.*, 223:1, 2 (11:12:1, 2).

<sup>7</sup> Cic. *Ad Att.*, 217:3 (11:6:3, 27 November 48).

received from Caesar which threatened all former Pompeians with eviction.<sup>8</sup> This problem overcome, Cicero soon began to write that Caesar's supporters were increasingly aloof, a sign he believed indicated Caesar's own attitude towards himself.<sup>9</sup> This increased Cicero's despair, especially about the financial repercussions of his decision to join Pompey, and he was convinced that both he and Terentia would have their property confiscated.<sup>10</sup> Given mixed messages regarding his own position and whether he would be forgiven, Cicero's distrust of Caesar's *clementia* continued.

Cicero's letters from this period illustrate the way in which he sought to gain Caesar's pardon and protect his interests by using his connections with various Caesarian supporters. They contain references to numerous requests Cicero had made of Oppius and Balbus,<sup>11</sup> as well as communication with Vatinius,<sup>12</sup> Trebatius,<sup>13</sup> Pansa,<sup>14</sup> Hirtius,<sup>15</sup> Antony,<sup>16</sup> L. Lamia,<sup>17</sup> Lepta,<sup>18</sup> Atticus,<sup>19</sup> Balbus Jnr,<sup>20</sup> and Caesar himself.<sup>21</sup> Such strong Caesarian connections could be taken to indicate that Cicero was never in any real danger, although as time went by he grew less comfortable in this opinion, especially as reports had also begun to reach Caesarian quarters of Cicero's disapproval of the current political situation.<sup>22</sup> These letters show that as Caesar's involvement in the Alexandrian war, as well as the resistance building in Africa, became more intense, there were questions as to whether Caesar's grants of mercy would even be worthwhile.<sup>23</sup>

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<sup>8</sup> Cic. *Ad Att.*, 218:2 (11:7:2).

<sup>9</sup> Cic. *Ad Att.*, 220:1 (11:9:1); 222:1 (11:11:1); 225:2 (11:14:2).

<sup>10</sup> Cic. *Ad Att.* 231:3 (11:25:3); 234:2 (11:24:2).

<sup>11</sup> Cic. *Ad Att.*, 217:3 (11:6:3); 218:5-6 (11:7:5-6); 219:1 and 2 (Balbus only) (11:8:1, 2); 230:1 (11:18:1)

<sup>12</sup> Cic. *Ad Att.*, 216:4 (11:5:4).

<sup>13</sup> Cic. *Ad Att.*, 217:3 (11:6:3).

<sup>14</sup> Cic. *Ad Att.*, 217:3 (11:6:3); 225:3 (11:14:3).

<sup>15</sup> Cic. *Ad Att.*, 225:3 (11:14:3).

<sup>16</sup> Cic. *Ad Att.*, 218:2 (11:7:2); 230:1 (11:18:1)

<sup>17</sup> Cic. *Ad Att.*, 218:2 (11:7:2).

<sup>18</sup> Cic. *Ad Att.*, 219:1 (11:8:1).

<sup>19</sup> Cic. *Ad Att.*, 219:1 (11:8:1), 225:2 (11:14:2),

<sup>20</sup> Cic. *Ad Att.*, 223:1 (11:12:1).

<sup>21</sup> Cic. *Ad Att.*, 223:1, 2 (11:12:1,2).

<sup>22</sup> Cic. *Ad Att.*, 229:2 (1:17a:2); 230:2 (11:18:2).

<sup>23</sup> Cic. *Ad Att.*, 218:3-4 (11:7:3-4); 221:2 (11:10:2); 223:3 (11:12:3); 225:1, 2 (11:14:1, 2); 226:1 (11:15:1).

In August 47 Cicero again makes reference to Caesar's *clementia*. Around this time he had heard that the Quinti had been pardoned,<sup>24</sup> and that Caesar was said to be denying no one who asked for his forgiveness.<sup>25</sup> This did not convince Cicero of the sincerity of Caesar's *clementia*, and at this early stage we are provided with an example of the indignation such mercy aroused when Cicero noted:

'...ab hoc ipso quae dantur, ut a domino, rursus in eiusdem sunt potestate.'<sup>26</sup>  
(...and Caesar's concessions, from a master to slaves, are his to revoke at will.)

In the same letter Cicero again illustrates his distrust of Caesar's *clementia* when he notes that although all who are hoping for mercy received it, this itself was arousing suspicion as it suggested that he would reconsider these cases at a later date.<sup>27</sup> Caesar's endeavours to create an image of mercy had obviously convinced numerous individuals that he was sincere. Cicero, however, was not amongst these individuals. Instead, he saw Caesar's *clementia* as the actions of a *dominus*, a product of power which he had no right to exercise over individuals such as himself, who had done nothing wrong except support the losing side in a civil war.

The letter to C. Cassius Longinus from August 47 illustrates Cicero's increasing insecurity regarding his position and Caesar's return to Italy. Cassius had met Caesar in Asia and been granted pardon, and at the time Cicero was writing, he was still with Caesar.<sup>28</sup> The content of the letter immediately sets out to justify Cicero's position in taking Pompey's side in the war. He also recalls that both himself and Cassius had fought against Caesar and explains his return to Italy.<sup>29</sup> Cicero makes much note of the

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<sup>24</sup> Cic. *Ad Att.*, 235:1 (11:20:1).

<sup>25</sup> Cic. *Ad Att.*, 235:2 (11:20:2).

<sup>26</sup> Cic. *Ad Att.*, 235:1 (11:20:1).

<sup>27</sup> 'etiam Sallustio ignovit. omnino dicitur nemini negare; quod ipsum est suspectum, notionem eius differri.' (He has pardoned Sallustius too. He is said to be denying nobody whomsoever, and that in itself has aroused suspicion, as suggesting that his investigation is only deferred.) Cic. *Ad Att.*, 235:2 (11:20:2).

<sup>28</sup> Cic. *Ad Fam.*, 174:3 (15:15:3).

<sup>29</sup> 'Nos tamen in consilio pari casu dissimili usi sumus. tu enim eam partem petisti ut et consiliis interesses et, quod maxime curam levat, futura animo prospicere posses; ego, qui festinavi, ut Caesarem in Italia viderem (c enim arbitrabamur) mque multis honestissimis viris conservatis redeuntem ad pacem currentem, ut aiunt, incitarem, ab illo longissime et absum et afui.' (We thought alike, but we fared differently. You made for a quarter where you would be present at the making of decisions and able to foresee events to

fact that both Achaëa and Asia had experienced Caesar's *clementia*. He wished to not only to recall Caesar's past acts to both individuals and cities, but also to praise them in an effort to ensure that he would benefit from Caesar's mercy. He was writing both in an effort to gain Cassius' support for his actions, but also in the hope that Caesar might see the letter himself. It indicated Cicero's appreciation of Caesar's mercy to various individuals and states, endeavouring to counter reports of his previous disapproval. There was talk of Caesar's return around the time this letter was written,<sup>30</sup> so Cicero was endeavouring to ensure his safety. Cicero's letters do not continue after early September 47<sup>31</sup> and no later letter provides readers with an account of their first meeting. That Cicero too was a recipient of Caesar's *clementia* is noted in Plutarch, who records that while Cicero was concerned with how Caesar would react when he returned, their first meeting was cordial and Caesar treated Cicero with the greatest respect.<sup>32</sup> This ensured the conservation of Cicero's *dignitas* and reaffirmed the initial predictions Oppius and Balbus had made upon Cicero's return to Italy. Although he did not believe in the sincerity of Caesar's *clementia*, as shall be seen, Cicero accepted it with the hope that Caesar would use him to assist in rebuilding the State.

### Cicero and Varro

During this period a close correspondent of Cicero was Marcus Terentius Varro, a long-time Pompeian supporter who had been in Spain as a legate from at least 49.<sup>33</sup> After his defeat in Spain, Varro made his way to Dyrrachium and continued fighting with the Pompeians, only returning to Italy in 47 to seek Caesar's pardon.<sup>34</sup> Along with Cicero, Varro was the most important former Pompeian Caesar pardoned, and the only individual

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come, the best comfort for an anxious mind. I made haste to meet Caesar in Italy (so we thought), on his way home after sparing many valuable lives, and to urge him to peace – spurring a willing horse, as they say. The consequence was that I have been, and still am, at a vast distance away from him.) Cic. *Ad Fam.*, 174:3 (15:15:3).

<sup>30</sup> Cic. *Ad Att.*, 234:4 (11:24:4, 6 August 47), 235:2 (11:20:2, 15 August 47), 236:2 (11:21:2, 25 August 47), 237:2 (11:22:2, 1 September (?) 47).

<sup>31</sup> This is before Caesar returned. The final letter to Atticus from Brundisium is dated 1 September by Shackleton Bailey, p. 259 Loeb Classical Library edition. The final letter to Terentia from Brundisium is also dated to 1 September. Cic. *Ad Fam.*, 172 (14:22).

<sup>32</sup> Plut. *Cic.*, 39:4.

<sup>33</sup> Varro was a legate with Pompey against Sertorius (Var. *RR*, 3:12:7) and had fought with him against the pirates (App. *Mith.*, 95; Flor. 1:41:10).

<sup>34</sup> The negative account of Varro's actions contained within the *Bellum Civile* thus indicates that this work was written before Varro's reconciliation with Caesar.

who actively embraced the new government and agreed to work within it.<sup>35</sup> His acceptance of the new regime endowed Caesar's government with additional legitimacy, especially considering his firm Pompeian past.

Although Caesar's *clementia* was welcome during the civil war, the practicalities of implementing such a policy in political terms were being worked out when Cicero wrote six letters to Varro between late 47 and June 46. These letters illustrate the position pardoned individuals were in when they returned to Rome; they were members of a vanquished party and as such were unable to participate in public affairs. Yet those who continued to support the Republican cause despised them because they had abandoned the fighting after Pharsalus.<sup>36</sup> Cicero's letters also highlight the difficult position Caesar was in when it came to creating a government in which such pardoned men would be willing to participate. He could not afford to alienate those who had supported him throughout the war, but he also desired that men, particularly of consular status, engaged in his government. This presented an additional problem as he could only afford for them to re-enter the political sphere if they said the right things and offered no opposition. The unrelenting resistance of the Republican forces placed Caesar's *clementia* and his 'two strikes' policy in a tenuous position. The situation called for careful planning and consideration so that when the war in Africa was completed, Caesar was left in a position where he could continue to promote his policy for mercy, but exclude die-hard opponents who would be unlikely to appreciate his mercy.

After his success in Africa and the death of many senatorial foes,<sup>37</sup> Caesar needed a method to combat his apparent lack of *clementia*. The suicides of Juba, Petreius,<sup>38</sup> and Cato<sup>39</sup> imply they were all aware of Caesar's 'two strikes' policy and that *clementia* was not something that would be offered because of their continued resistance.<sup>40</sup> The sources

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<sup>35</sup> Horsfall, 1972, p. 122, 124.

<sup>36</sup> Cic. *Ad Fam.*, 177:2 (9:2:2).

<sup>37</sup> Cic. *Ad Fam.*, 178:1-2 (9:7:1-2), 191:2 (9:18:2); Ps-Caes. *B. Afr.*, 88, 94, 95, 96; Suet. *Iul.*, 75:3; Dio, 41:62:2, 43:12:2-3, 43:17:3, 44:45:1-2.

<sup>38</sup> ps-Caes. *B. Afr.*, 94.

<sup>39</sup> ps-Caes. *B. Afr.*, 88.

<sup>40</sup> Dio notes that Caesar was in the habit of saving those who had initially fought against him, but if they had been captured twice, they were put to death. Dio, 41:62:2, 43:17:3, 44:45:1-2.

reporting these deaths are divided in their analysis of Caesar's involvement. Dio records that Caesar spared a number of men who had fought against him, but accords him the blame for the deaths of Afranius, Faustus Sulla and L. Caesar.<sup>41</sup> Plutarch infers that Caesar was responsible for Afranius' death, along with that of other Senators.<sup>42</sup> Such differing interpretations of Caesar's involvement in the deaths of these men indicate that there was a great deal of distrust felt towards him, and provides evidence of a backlash against his publicised *clementia*. This placed Caesar in a position where he had to provide a strong answer to his critics and publicly illustrate his *clementia* to a wide audience.

Caesar was able to combat such criticism and illustrated that his policy for *clementia* towards his enemies was flexible by allowing M. Claudius Marcellus to return to Rome. Cicero celebrated this decision in his *Pro Marcello*, which served as a reminder that only through *clementia* could Caesar hope to maintain support. This speech is illustrative of the way in which Cicero believed Caesar should behave, and clearly highlights the way in which his policy for *clementia* could be implemented positively. At the same time, Cicero also allowed for the ideal that those who fought with Pompey had done nothing wrong. While it was thankful in tone and praised Caesar's *clementia*, this speech was presented in an attempt to ensure that Caesar continued to pardon his enemies and to provide a guide for future action.

### **Cicero's *Pro Marcello***

M. Claudius Marcellus had been a strong opponent of Caesar for many years prior to the civil war.<sup>43</sup> This opposition culminated in his consulship in 51, when he ordered the scourging of a citizen in a colony Caesar had founded, and tried to have Caesar himself removed from his command in Gaul.<sup>44</sup> Marcellus had eventually joined the Republicans in the civil war, although Cicero noted early in the war that he would have preferred to

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<sup>41</sup> Dio, 43:12:2-3.

<sup>42</sup> Plut. *Caes.*, 53:3.

<sup>43</sup> Cic. *Pro Mar.*, 1-2.

<sup>44</sup> Cic. *Ad Att.*, 104:2 (5:11:2); 153:3 (8:3).

remain in Italy had he not feared for his life.<sup>45</sup> After the defeat at Pharsalus, Marcellus went into exile on the island of Mytilene.<sup>46</sup> From Cicero's letters we know Marcellus was unenthusiastic about receiving Caesar's *clementia* and returning to Rome, although he was appreciative of efforts for his recall. In September 46 Marcellus' cousin, C. Claudius Marcellus, along with Cicero and a number of other Senators, petitioned Caesar for Marcellus' recall.<sup>47</sup> This petition was successful and Marcellus was granted permission to return to Rome.

The speech in itself lauds Caesar for offering *clementia* to one of his most determined enemies. In this speech alone, the term *clementia* is used a total of four times,<sup>48</sup> while related terms such as *lenitas*,<sup>49</sup> *mansuetudo*,<sup>50</sup> and *misericordia*,<sup>51</sup> are used on five further occasions. While this language is employed throughout the speech, an actual language for pardoning – the usual verbs being *parcere* and *ignoscere* – is not found. Instead, Cicero uses *restituere* and *reddere*;<sup>52</sup> the language of forgiveness is not present, an important distinction between this speech and those presented later in favour of Ligarius and Deiotarus. As Cicero believed that Marcellus had committed no wrong, his language does not praise Caesar for forgiving him. Instead it praises Caesar for restoring him to the status and position that he would have held had the war not intervened. That Marcellus opposed Caesar and was his avowed enemy was well known. This provided excellent proof of Caesar's *clementia*, and more importantly, that he was seeking a policy of restoration and reconciliation with his former enemies.<sup>53</sup>

The *Pro Marcello* marks a turning point in Cicero's relationship and attitude towards Caesar, although it is by no means illustrative of a total acceptance of Caesar and his

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<sup>45</sup> Cic. *Ad Att.* 167:4 (9:1:4). It should be noted that C. Marcellus did remain safely in Italy. His familial link with Caesar no doubt offered some protection.

<sup>46</sup> See Cicero's letters to him in Cic. *Ad Fam.* 229-231 (4:8, 4:7, 4:9); 233 (4:10).

<sup>47</sup> Cic. *Ad Fam.*, 203:3-4 (4:4:3-4), 230:6 (4:7:6); Cic. *Pro Marc.*, 3.

<sup>48</sup> Cic. *Pro Marc.*, 1, 9, 12, 18.

<sup>49</sup> Cic. *Pro Marc.*, 12, 31.

<sup>50</sup> Cic. *Pro Marc.*, 1.

<sup>51</sup> Cic. *Pro Marc.*, 12, 21.

<sup>52</sup> Cic. *Pro Marc.*, 2 (*restituere*) and 2, 10, 13, 21, 33 (*reddere*).

<sup>53</sup> Compare this to a year and a half earlier when Cicero wrote to Atticus that Antony had said he must leave Italy, Cic. *Ad Att.*, 218:2 (11:7:2, 17 December 48).

methods.<sup>54</sup> The excessive use of the terms for mercy listed above has been taken by some to reflect a genuine appreciation for the pardoning of Marcellus,<sup>55</sup> and by others as designed to incite hatred towards Caesar due to Cicero's sycophancy.<sup>56</sup> Most recently Krostenko has argued that Cicero was manipulating the idea of Caesar's *clementia* towards Marcellus in an attempt to change the perceptions of his readers and reconstruct Caesar into a more acceptable form as a patron of the state.<sup>57</sup> While a combination of these ideas is not out of the question, one of Cicero's main purposes in delivering this speech was to reinforce the idea that Caesar would continue to exhibit *clementia* on a regular basis.<sup>58</sup> Cicero achieves this by repeatedly referring to the previous civil war and the cruelty inflicted by Sulla after his victory.<sup>59</sup> While he never mentions Sulla's name, Cicero calls upon the memory of both the man and his atrocities against Roman citizens on numerous occasions. This is most obvious when Cicero states:

*'Et ceteros quidem omnes victores bellorum civilium iam ante  
aequitate et misericordia viceras,*<sup>60</sup>  
(You had already vanquished all other victors in civil wars by your  
fairness and your compassion.)

Unlike Sulla, Caesar was using his victory in a positive manner, especially to preserve life. Such recognition was aimed at encouraging Caesar to continue with this approach,

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<sup>54</sup> Throughout this speech Cicero clearly identifies himself with the Pompeians (*Cic Pro Marc.*, 2, 12-16. He also remains very clearly a Pompeian (at least publicly) in a letter to M. Marcellus. *Cic. Ad Att.*, 230:6 (11:18:6). This will be discussed in more detail below.

<sup>55</sup> Gotoff, 1993, p. xxxii.

<sup>56</sup> R. R. Dyer, 1990, p. 21; Voi, 1991, p. 125.

<sup>57</sup> Krostenko, 2005, p. 299. See also p. 280, 289, 292,

<sup>58</sup> *Contra* Lassandro, 1991, p. 196 who argues that the *Pro Marcello* represents Cicero's official return to politics and making himself supporter of Caesar's *clementia*. This gave value to Caesar's image through Cicero's prestige as *pater patriae* and because of his energetic oratory. Caesar wanted to gain this image himself; as a generous and merciful victor. Cicero publicly returned in his relationship to Caesar even though he was a Pompeian and his political enemy.

<sup>59</sup> Although this is done on numerous occasions, Sulla's name is never mentioned. *Cic. Pro Marc.*, 9, 12, 16-18, 31.

<sup>60</sup> *Cic. Pro Marc.*, 12. See also '*Non enim iam causae sunt inter se, sed victoriae comparandae. Vidimus tuam victoriam proeliorum exitu terminatam, gladium vagina vacuum in urbe non vidimus. Quos amisimus civis, eos Martis vis perculit, non ira victoriae; ut dubitare debeat, nemo, quin multos si posset C. Caesar ab inferis excitaret, quoniam ex eadem acie conservat quos potest.*' (For it is not cause with cause that we must compare today, but victory with victory. We have seen your triumphant career consummated by the issue of successive battles, but in the city we have never seen the sword free from its scabbard. The citizens we have lost have been struck down by the might of Mars, not by the vindictiveness of victory, and none, accordingly, has just cause for doubt that there are many whom, were it possible, Gaius Caesar would recall from the world of the dead, seeing that he preserves the lives of such survivors of that encounter as he can.) *Cic. Pro Marc.*, 16-17.

but it also serves as a reminder of the changes Sulla had implemented when he 'reconstructed' the Republic. Cicero is endeavouring to persuade Caesar to make proper use of his victory by re-establishing the state.

Cicero's approach also played upon the Caesarian propaganda aimed at dissociating Caesar from Sullan actions. Cicero takes his argument further than simply emphasising Caesar's merciful use of victory. This is done by explicitly acknowledging fears regarding the way in which Pompey and his supporters would have used their victory:

*'Alterius vero partis nihil amplius dico quam id quod omnes verebatur nimis iracundam futuram fuisse victoriam. Quidam enim non modo armatis, sed interdum etiam otiosis minabantur, nec quid quisque sensisset, sed ubi fuisset, cogitandum esse dicebant...'*<sup>61</sup>  
(as for the other side, I will merely say that the universal fear would have been realised in the passionate excesses that would have attended their victory. For there were some of them who uttered threats not only against their armed foes, but sometimes against non-combatants; and said that it was not what a man thought but where he had been that should be taken into account...)

While these accusations are made in a speech clearly designed to emphasise the positive aspects of Caesar's victory, that they were genuine fears is supported by letters from Cicero written before he joined the Pompeians or just after Caesar's victory at Pharsalus.<sup>62</sup> The *Pro Marcello* represents a speech not only designed to convince Caesar to continue exhibiting mercy, but also to emphasise the difference between the way Caesar was using his victory in comparison to that of the previous civil war conqueror Sulla and the fears held from a Pompeian success.<sup>63</sup>

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<sup>61</sup> Cic. *Pro Marc.*, 17-18.

<sup>62</sup> Cic. *Ad Att.*, 178:3 (9:11:3); 206:1 (10:14:1); 217:2, 6 (11:6:2, 6). It should be noted that as Cicero had abandoned the Pompeians, he was in need of justification for his actions and this served also to defend his own actions. Regardless, these opinions had been expressed from the beginning of the war and that Cicero was concerned that they would act in such a manner is evident.

<sup>63</sup> *Contra* Lassandro, p. 196. Welch, 1998, p. 250 argues that this speech was a 'blueprint' for government reconstruction within the confines of the times they were living, and an attempt on Cicero's behalf to influence Caesar from within his own circle. This is not incompatible with the above argument, but represents a different approach. Indeed, *clementia* played an important part in this ideal.

Barden Dowling has illustrated that Cicero held a positive impression of the reforms Sulla instituted, evidenced in his letter to Atticus from 48.<sup>64</sup> While Cicero hated Sulla and the methods he employed, he approved of the fact that Sulla had engaged in a programme of restoration when he was in power and had successfully bolstered the senatorial regime. Most importantly, he had then resigned his power. As such he is more explicit in his references to Sulla in his praise of Caesar, tempered with advice on the need to restore the Republic and act as a good citizen.<sup>65</sup> This is reflected in his advice to Caesar in the *Pro Marcello*:

*'...constituenda iudicia, revocanda fides, comprimendae libidines, propaganda suboles...'*<sup>66</sup>  
(...law courts must be put in place, good faith recalled, licentiousness checked and the population fostered...)

What was most important was that when Sulla had completed the desired task, he had resigned his Dictatorship. In the *Pro Marcello* Cicero calls on Caesar to ensure the state was firmly re-founded along traditional lines.<sup>67</sup> Naturally this meant laying down his Dictatorship when the reforms were complete, just as Sulla had done. That such references to Sulla are made and the request for a resignation of power is missing makes the omission all the more powerful.

That Cicero possessed some faith that this was possible is illustrated in a letter he wrote to Ser. Sulpicius Rufus after Marcellus' pardon. He notes:

*'...ut speciem aliquam viderer videre quasi reviviscentis rei publicae.'*<sup>68</sup>  
(I thought I saw some semblance of reviving constitutional freedom.)

Through the use of Sulla's example, Cicero was able to highlight the positive aspects of Caesar's success in the civil war, particularly that he was employing his victory in a manner that allowed those who opposed him to return to Rome without loss of *dignitas*. This was both a positive and correct way to exhibit *clementia*. Cicero also used Sulla's

<sup>64</sup> Barden Dowling, 2000, p. 311, citing Cic. *Ad Att.*, 236:3 (11:21:3) 25 August, 47.

<sup>65</sup> Cic. *Pro Marc.*, 23, 27, thus recalling the positive outcome of Sulla's dictatorship.

<sup>66</sup> Cic. *Pro Marc.*, 23.

<sup>67</sup> Cic. *Pro Marc.*, 27.

<sup>68</sup> Cic. *Ad Fam.*, 203:3 (4:4:3). Lassandro, 1991, p. 198 who believes that Caesar's pardoning of Marcellus marked the beginning of Cicero's hope that the Republic could be reborn from violence and ruins.

restoration of the state as the example Caesar should follow, thus picking up on Caesar's earlier messages about his intentions not to use his victory like Sulla. This also highlighted that there were some positive aspects to Sulla's Dictatorship, and Caesar should use this as an example of how he should act.

Despite M. Marcellus' consistent opposition to Caesar in the past, that he had family who were in Rome and able to petition Caesar for his return must be taken into consideration. Cicero recalls that both he and Marcellus' cousin, C. Marcellus, were seeking his pardon:

*'Hic te unius sollicitudines, unius etiam multae et adsiduae lacrimae, C. Marcelli, fratris optimi, deprecantur. nos cura et dolore proximi sumus, precibus tardiores quod ius adeundi, cum ipsi deprecatione eguerimus, non habemus, gratia tantum possumus quantum victi.'*<sup>69</sup>  
(Here your best of cousins, C. Marcellus, intercedes for you as none other, with anxious thought, yes, and constant flow of tears. I stand next in solicitude and distress, but in supplication I am less forward, because having needed intercession myself, I do not have the right of approach and my influence is that of a member of a vanquished party.)

By highlighting that he was able to intercede with Caesar, Cicero was also justifying his presence in Rome and illustrating to M. Marcellus that he was using his return for the benefit of his friends. His specific reference to the fact that he was also pardoned by Caesar was an attempt to convince M. Marcellus to return to Rome. It served to remind M. Marcellus that they had both fought on the same side in the war, and that Cicero's public standing had been maintained. Thus, at the same time as he was trying to convince M. Marcellus to return, he was also justifying his own acceptance of Caesar's *clementia*.

C. Marcellus had remained neutral during the war, and as such he was, at least according to Cicero, in a position to be able to intercede with Caesar for his cousin.<sup>70</sup> As will be

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<sup>69</sup> Cic. *Ad Fam.*, 230:6 (4:7:6).

<sup>70</sup> Although Cicero comments that the Marcelli were afraid of Caesar, this could refer to the consul of 51 and his brother C. Marcellus, consul in 49. See Cic. *Ad Att.*, 167:4 (9.1.4). Evidence that C. Marcellus did indeed remain with the Caesarian supporters can be found in a letter from Cicero to Atticus, '*Servi consilio nihil expeditur; omnes captiones in omni sententia occurrunt. Vnum C. Marcello cognovi timidiorem, quem consulem fuisse paenitet...qui etiam Antonium confirmasse dicitur ut me impediret, quo ipse, credo, honestius.*' (Servius' view takes me no further. All manner of quibbles arise against every proposal. He is

illustrated below, Caesar made extensive use of familial connections in allowing exiles to return. This ensured that those individuals who were allowed to return were not only placed under an obligation, but also had an individual who could act as guarantor for their conduct much as Q. Cicero had done when Marcus was allowed to return from exile in 57.<sup>71</sup> In combination with the familial connection with Caesar,<sup>72</sup> C. Marcellus was in a strong position to petition for his cousin's return and this helps to explain Caesar's willingness to grant this request.

### *Pro Ligario*

The *Pro Ligario* represents the second of the Caesarian speeches and was delivered in 46 after M. Marcellus had been pardoned.<sup>73</sup> This speech was in defence of Ligarius, a legate who had fought against Caesar and his lieutenants in Africa both in 49 and 47,<sup>74</sup> and was delivered by Cicero in the Forum at a trial where Caesar was judge.<sup>75</sup> According to Cicero, Q. Aelius Tubero brought a charge against Ligarius of having been in Africa,<sup>76</sup> although this in itself seems insignificant and unworthy of a trial. Some modern scholars state that the actual charge against Ligarius was *perduellio*,<sup>77</sup> although Gotoff suggests that while it might have been *perduellio*, the precise charge is not stated in the speech and is thus difficult to ascertain.<sup>78</sup> That Ligarius, a man of little power and influence, was brought to trial on a charge that is not even stated indicates that the purpose of this trial was more than simply to 'punish' a former Pompeian.

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the only man I have met more timid than C. Marcellus, who is sorry he was ever consul... He (Marcellus) is actually said to have encouraged Antony to stop me leaving. I suppose it gives his own conduct a better complexion.) Cic. *Ad Att.*, 207:2 (10:15:2).

<sup>71</sup> Cic. *Ad Fam.*, 20:9, 12 (1:9:9, 12); Shackleton Bailey, 1971, p. 72; Rawson, 1975, p. 120.

<sup>72</sup> Suet. *Iul.*, 27:1.

<sup>73</sup> 'Fac igitur quod de homine nobilissimo et clarissimo fecisti nuper in curia, nunc idem in foro de optimis et huic omni frequentiae probatissimis fratribus. Vt concessisti illum senatui, sic da hunc populo cuius uoluntatem carissimam semper habuisti, et si ille dies tibi gloriosissimus, populo Romano gratissimus fuit...' (Repeat, then, today in the forum towards excellent brothers who have won the approbation of all gathered here that act which you lately performed in the senate-house towards a man of distinction and renown. As you granted him to the senate, so grant Ligarius to the people whose wishes you have ever held most dear.) Cic. *Pro Lig.*, 37.

<sup>74</sup> Cic. *Pro Lig.*, 1-5, 9, 16, 20.

<sup>75</sup> Cic. *Pro Lig.*, 1 and 37.

<sup>76</sup> Cic. *Pro Lig.*, 1, 9.

<sup>77</sup> Craig, 1984, p. 194; McDermott, 1970, p. 323.

<sup>78</sup> Gotoff, 1993, p. xxxiii.

Cicero recalls that Ligarius first went to Africa in 50 before the war started, and it was only due to necessity that he stayed there when the war broke out.<sup>79</sup> Whether this is true or not, Ligarius fought against Curio in 49 and was captured at Thapsus in 46, although Cicero implies that Ligarius' two brothers sided with Caesar in the civil war.<sup>80</sup> Caesar spared Ligarius, but did not allow him to return to Rome.<sup>81</sup> Cicero maintained a correspondence with Ligarius, informing him of the progress made in his recall.<sup>82</sup> As Cicero himself had experienced with Caesar, he told Ligarius:

*'et simul Africanae causae iratior diutius velle videtur eos habere sollicitos a quibus se putat diuturnioribus esse molestiis conflictatum.'*<sup>83</sup>

(...and at the same time he was especially irritated by the resistance in Africa, and seems inclined to prolong the anxieties of those whom he feels caused him protracted difficulty and annoyance.)

Some have described the *Pro Ligario* as a masterpiece in ancient literature, using the evidence of Plutarch and Quintilian to suggest that it was only due to the brilliance of the speech that Caesar pardoned Ligarius.<sup>84</sup> Other scholars have suggested that Cicero was endeavouring to construct a dilemma<sup>85</sup> or even that Cicero was at once trying to please Caesar with his speech and at the same time conceal the charge made against Ligarius.<sup>86</sup> Some scholars believe Plutarch's anecdote that Caesar was not aware of Cicero's plan to speak on Ligarius' behalf.<sup>87</sup> This story can be refuted with evidence provided by Cicero himself. In a letter to Ligarius, Cicero writes that he visited Caesar on 26 November to intercede with Caesar on Ligarius' behalf and had discussed the details of the case:

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<sup>79</sup> Cic. *Pro Lig.*, 3-5.

<sup>80</sup> Cic. *Pro Lig.*, 5.

<sup>81</sup> Ps-Caes. *B. Afr.*, 89.

<sup>82</sup> Cic. *Ad Fam.*, 227 (6:13); 228 (6:14).

<sup>83</sup> Cic. *Ad Fam.*, 227:3 (6:13:3).

<sup>84</sup> Plutarch's account found at *Caesar*, 39. Scholars who argue that the speech convinced Caesar to pardon Ligarius include Gotoff, 1993, xxxv-xxxvi. See also Weinstock, who takes the speech as a tribute to Caesar's *clementia*, p. 166. Meier uses the account by Plutarch to suggest that Cicero was convincing, p. 484. Lassandro argues that this speech, along with the *Pro Marcello* and the *Pro Rege Deiotaro*, were written in dedication to Caesar's *clementia*, Lassandro, 1991, p. 198.

<sup>85</sup> 'Here we have an innovation: a dilemma aimed at the judge, and extending throughout the entire speech. In *Pro Ligario*, Cicero gives a double defence that is at once a way for his client to save face, a dilemma aimed at forcing Caesar into an acquittal, and a brilliant and independent piece of rhetoric.' Johnson, 2004, p. 399.

<sup>86</sup> Montague, 1992, p. 561, 563, relying particularly on Cicero's use of irony throughout.

<sup>87</sup> McDermott, 1970, p. 323, who is also convinced that Caesar did not intend to pardon Ligarius, McDermott, 1970, p. 324-5.

*'...cum a. d. V. Kal. intercalaris priores rogatu fratrum tuorum venissem mane ad Caesarem atque omnem adeundi et conveniendi illius indignitatem et molestiam pertulissem, cum fratres et propinqui tui iacerent ad pedes et ego essem locutus quae causa...'*<sup>88</sup>

(...on 26 November, at your brothers' request, I paid Caesar a morning visit. I had to put up with all the humiliating and wearisome preliminaries of obtaining admission and interview. Your brothers and relations knelt at his feet, while I spoke in terms appropriate to your case and circumstances.)

That Cicero would have gone to such lengths to engage Caesar over this matter, and then not defended Ligarius in a legal trial, is unlikely. The fact that Cicero appeared before Caesar in the company of Ligarius' brothers provided good evidence for his conviction that Ligarius would be pardoned. As discussed above, Caesar used familial connections to ensure the good behaviour of pardoned individuals, and in this instance Cicero is indicating that he joined the Ligarii as guarantor for their brother. Cicero himself hints that a trial would also take place:

*'Ego tamen tuis rebus sic adero ut difficillimis...sicut adhuc feci, libentissime supplicabo.'*<sup>89</sup>

(Despite what I have told you, I shall lend my support to your cause as though it was one of the utmost difficulty... and shall continue to plead for you most gladly...)

Cicero's words here indicate that he is expecting that he will plead on Ligarius' behalf in the future (*libentissime supplicabo*). Combined with Cicero's conviction that Ligarius would be pardoned,<sup>90</sup> this points to the fact that at this meeting Caesar and Cicero had come to an arrangement regarding Ligarius' pardon and the method by which it could be obtained.<sup>91</sup>

<sup>88</sup> Accompanying Ligarius' brothers, Cic. *Ad. Fam.*, 228:2 (6:14.2).

<sup>89</sup> Cic. *Ad. Fam.*, 228:3 (6:14.3).

<sup>90</sup> *'...quae tuum tempus postulabat, non solum ex oratione Caesaris, quae sane mollis et liberalis fuit, sed etiam ex oculis et vultu, ex multis praeterea signis, quae facilius perspicere potui quam scribere, hac opinione discessi ut mihi tua salus dubia non esset.'* (When I took my leave it was with the persuasion, not only from Caesar's words, gentle and gracious as these were, but from the look in his eyes and many other indications more easily perceived than described, that there was no doubt about your reinstatement.) Cic. *Ad. Fam.*, 228:2 (6:14.2).

<sup>91</sup> Adherents for the collusion theory include Drumann, 1906; Walser, 1959, p. 95; Welch, 1990, p. 303-305 and 1998, pp. 249-50. Bauman is uncommitted but suggests that collusion was possible, Bauman, 1967, p. 148.

The *Pro Ligario* itself offers a number of examples in support of the collusion theory. The timing of the trial is also crucial. It was obvious that Caesar was once again going to have to conduct a campaign against citizens, so a trial emphasising his *clementia* would assist him in maintaining his reputation for mercy.<sup>92</sup> That such emphasis was placed on a minor political figure is itself evidence for Caesar and Cicero working together. But the most compelling evidence can be found in the figures of Ligarius and his family. Of a relatively undistinguished Sabine origin, Ligarius' brother was quaestor in 54, while Ligarius himself may have held the same post during the late 50s.<sup>93</sup> His role in the civil war appears to have been minor; he is not mentioned at all in the *Bellum Civile* and in the *Bellum Africum* he is featured only as a recipient of Caesar's *clementia*.<sup>94</sup> The trial of a minor political figure such as Ligarius would illustrate Caesar's *clementia*, and as Cicero was speaking for the defence, his renown as an orator would guarantee widespread interest in the trial.

C. Vibius Pansa's involvement in Ligarius' defence was designed to demonstrate that men were free to act according to their own will and that Caesar was not a tyrant. Pansa was a firm Caesarian supporter;<sup>95</sup> if there was no collusion between Caesar and Cicero, his involvement in Ligarius' trial would have seen him acting against Caesar's interests. Pansa's father had been proscribed in the previous civil war, and his participation in the trial would draw a direct contrast between Caesar's merciful actions and Sulla's harshness. His participation became a central point for the trial, showing that Caesar would 'allow' one of his supporters to defend an individual whom he had fought against. With this in mind, Pansa's participation also called forth Caesar's propaganda regarding the correct treatment of citizens. It again confirmed that Caesar would ensure his enemies received fair treatment and could hope for restitution; Pansa represented the equity of Caesar's victory.

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<sup>92</sup> I would like to thank Kathryn Welch for highlighting this point.

<sup>93</sup> *MRR*, 2:223 (T. Ligarius). McDermott, 1970, p. 321.

<sup>94</sup> '*Quo cum sine mora introisset, armis frumento pecuniaque considerata Q. Ligario C. Considio filio qui tum ibi fuerant vitam concessit.*' (Entering this town without opposition, he made an inventory of the arms, corn and money in it, and spared the lives of Q. Ligarius and C. Considius, the son, both of whom were present at that time.) *Ps-Caes. B. Afr.*, 89. He was later amongst the conspirators who assassinated Caesar in 44, *Plut. Brut.*, 11-12 (where he is called C. Ligarius); *App. BC*, 2:113.

<sup>95</sup> *Cic. Ad Att.*, 217:3, 225:3. See also *MRR* 2:334.

The point of collusion is made even stronger because of Cicero's wariness of offering reasons for his belief that Ligarius would be recalled.<sup>96</sup> Collusion offered advantages for both Cicero and Caesar; Cicero's desire for the revival of the Republic where men such as Ligarius could gain positions was assisted,<sup>97</sup> while Cicero's public advocacy of Caesar's *clementia* ensured that his mercy was specifically labelled and so became synonymous with his name. Regardless of whether Caesar was involved in the deaths of Faustus Sulla, Scipio, Cato, Petreius, Afranius and L. Caesar after Thapsus, each man had died in the knowledge that Caesar's policy of *clementia* was only offered once. These men had continued to fight against him, and as such they had either committed suicide or, illustrative of such a 'two strike' policy, had been killed. They have been represented as holding no expectations of receiving Caesar's mercy. To combat this image, Caesar collaborated with Cicero over the presentation of the *Pro Ligario* as a reaffirmation of his policy of mercy.<sup>98</sup> It was designed to send a message once and for all that Caesar would not act as Sulla had and persecute those who had opposed him.<sup>99</sup> It was a slogan, not only reiterating mercy, but also encouraging reconciliation.<sup>100</sup> As such it was a confirmation of the benefits of Caesar's victory compared to that of the Republican forces. Caesar was using his victory in a way that was for the benefit of the state. For Cicero this possessed an additional purpose – it placed pressure on Caesar to continue his policy of mercy and allow further exiles to return to Rome, which in turn would aid in the reconstruction of the state. The *Pro Ligario* was a trade-off between Caesar and Cicero

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<sup>96</sup> Cic. *Ad Fam.*, 228:2 (6:14:2, late November, 46). Shackleton Bailey dates the delivery of the speech to just after this letter was written, Shackleton Bailey, 1977, p. 393 as does Gotoff, 1993, p. xxxvii. Montague, 1992, p. 560 also follows this dating.

<sup>97</sup> Cicero's letter to Servius Sulpicius Rufus written just after Marcellus' pardon illustrates Cicero's desire to see the Republic re-established. His overt cultivation of a friendship with Brutus at this time, and his later writings such as the *Tusculan Disputations* illustrate his intention. Atticus had also presented Brutus with a family tree sometime before August 45; it seems much to Cicero's approval. This illustrated Brutus' descent from the tyrannicides Ahala and Brutus. For reference to this family tree, see Cic. *Ad Att.*, 343:1 (13.41.1). Welch, 1990, p. 305.

<sup>98</sup> Drumann, 1906, p. 636-7; Walser, 1959, p. 94; Kumaniecki, 1967, p.439; Welch, 1998, 249-50; Craig, 1984, p. 195 writes of the '...convincing view of modern scholarship that Caesar staged the trial precisely in order to acquit Ligarius and thus, with Cicero's help, advertise his clementia.' He goes on to say, however, that this does not mean that Cicero actively colluded with Caesar (p. 195, n. 6).

<sup>99</sup> *Contra* Gotoff, 2002, p. 240 who states 'A speech is a persuasive act. Lig. seems not to have been pled to convince Caesar – and Caesar had no need to convince anyone – that clementia was in his political repertoire.'

<sup>100</sup> Gotoff, 2002, p. 239. Or reconstruction, Welch, 1998, p. 249.

that was designed to achieve different goals for each man: both men were willing participants in the public presentation and then publication of this speech.<sup>101</sup>

Cicero was the perfect person to praise Caesar's mercy. His reputation as a speaker and the topic itself would have guaranteed a large audience,<sup>102</sup> but as he too had benefited from Caesar's *clementia* the speech could be passed off as sincere. Throughout this speech, Cicero makes frequent mention of Caesar's mercy, employing the term *clementia* itself on six occasions.<sup>103</sup> Cicero also employed related terms (specifically those that had been used by Caesar and his supporters in the past), with *lenitas* being used once<sup>104</sup> and *misericordia* featuring five times.<sup>105</sup> Unlike the *Pro Marcello*, the verb *ignoscere* is used seven times within this speech.<sup>106</sup> Such a weight of mercy/pardon-loaded terms is significant, illustrating both the extent to which Cicero went to ensure Caesar's message of mercy (and hence reconciliation) was disseminated, but also that the individual Cicero was pleading for was at fault. Through Cicero's emphasis on Caesar's *clementia* and his use of related language, he raised the reader's consciousness of Caesar's mercy. More importantly, however, Cicero provided others with a visual representation of this virtue – as a recipient of Caesar's *clementia*, Cicero himself signified the embodiment of this virtue.

Within this speech Cicero makes reference to Caesar's mercy, and says that in victory Caesar was not acting like Sulla. Cicero effectively recalls the horror of Sulla's domination and emphasises that Tubero's intention in prosecuting Ligarius was worse than Sulla's actions:

*'At istud ne apud eum quidem dictatorem qui omnis quos oderat, morte multabat, quisquam egit isto modo. Ipse iubebat occidi, nullo*

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<sup>101</sup> Welch, 1998, p. 249-50. *Contra* Griffin, 2003, p. 162, 163 who states that it was Cicero who permanently linked Caesar with *clementia*. This argument can be modified to state that Cicero cemented the connection between Caesar and *clementia*, but that this was only done because this was what Caesar desired.

<sup>102</sup> Gotoff, 2002, p. 238.

<sup>103</sup> Cic. *Pro Lig.*, 6, 10, 15, 19, 29, 30.

<sup>104</sup> Cic. *Pro Lig.*, 15.

<sup>105</sup> Cic. *Pro Lig.*, 1, 14, 15, 29, 37.

<sup>106</sup> Cic. *Pro Lig.*, 8, 13, 15, 16, 30 (twice).

*postulante, praemiis inuitabat. quae tamen crudelitas ab hoc eodem aliquot annis post, quem tu nunc crudelem esse uis, uindicata est.*<sup>107</sup>

(But even under the Dictator, who visited with death all whom he disliked, no one did what you are doing and as you are doing it. He ordered men to be murdered, though none accused; he lured men by bribes to commit murders; but his cruelty was requited years afterwards by the very man whom you today are urging to cruelty.)

The reference to Sulla's proscriptions recalls Caesar's entire career built on an anti-Sullan stance, reaffirming the claim that Caesar would not emulate Sulla's victory. As the son of a proscribed man, Pansa's participation in the trial served to emphasise the differences between Caesar and Sulla. This was reinforced by recalling Caesar's prosecution of Sullan supporters in 64 and supported his claim to a longstanding mercy. This section also recalls the *Pro Marcello*, where Cicero used references to Sulla even though he does not explicitly name him; in the case of the *Pro Marcello*, the comparisons are far more subtle. In both cases, by recalling the horrors perpetrated under the Sullan regime, Cicero allowed Caesar to highlight his magnanimity and reaffirm that he would not adopt Sullan methods.

That it was Cicero's intention to highlight Caesar's merciful nature can also be seen through the reference to fighting with Pompey.<sup>108</sup> Cicero absolves the Pompeians of specific criminal charges,<sup>109</sup> but questions the motives behind their engagement in the civil war.<sup>110</sup> Against this Cicero ranges his analysis of Caesar's grounds for entering the civil war and the mercy that his success had witnessed. This is a clear profession of the preference for Caesar's victory, and is finalised with:

*'Cognita uero clementia tua quis non eam uictoriam probet in qua occiderit nemo nisi armatus?'*<sup>111</sup>

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<sup>107</sup> Cic. *Pro Lig.*, 12.

<sup>108</sup> Cic. *Pro Lig.*, 6-8.

<sup>109</sup> *'...uero crimine furoris parricidii liceat Cn. Pompeio mortuo, liceat multis aliis carere.'* (but on the charge of criminal purpose, of frenzy, of parricidal treason, let the dead Cn. Pompeius and many others be absolved.) Cic. *Pro Lig.*, 18. The *Bellum Civile*, as illustrated in the previous chapter, sought to cast the Pompeian supporters as audacious criminals. The rhetoric present in the *Bellum Civile* has moved into a new sphere.

<sup>110</sup> *'...fuerint cupidi, fuerint irati, fuerint pertinaces...'* (...they may have been moved by partisanship, by passion, by obstinacy...) Cic. *Pro Lig.*, 18.

<sup>111</sup> Cic. *Pro Lig.*, 19.

(But now that we recognise your *clementia*, who is so blind as to disapprove that victory in which none save combatants fell?)

Cicero is presenting a vindication for Caesar's success in the civil war.<sup>112</sup>

That Cicero was pleased with his performance in this case is evidenced in a letter to Atticus in 45 where he noted that there was '*nihil melius*'<sup>113</sup> (nothing better). In fact, that Caesar's supporters approved of the written version of this speech and passed it along to Caesar himself supports the theory for collusion between these two men.<sup>114</sup> This speech was published in June 45, almost a year after Cicero had actually spoken in support of Ligarius.<sup>115</sup> That the work was published at this time, in the same period as his *De Finibus*, suggests that Cicero was perhaps playing a double game with the Caesarians.<sup>116</sup> The publication of the *Pro Ligario* with its emphasis on Caesar's *clementia* was meant to mitigate the displeasure Caesar might feel at the numerous anti-tyranny ideas of the *De Finibus*.<sup>117</sup> It should also be noted that the publication date for the *Pro Ligario* fell in the period after Munda. Cicero can thus be seen publicising Caesar's *clementia* at a time when he again needed to reaffirm his policy of mercy after his final success in Spain.

The references to Caesar's mercy and the comparisons with Sulla, along with Ligarius' obscure social status, provide compelling evidence for the theory that Caesar and Cicero colluded in the prosecution of Ligarius. Language denoting mercy appears more times in the *Pro Ligario* than in any of Cicero's other speeches and was used to showcase Caesar's policy of *clementia*. The sheer weight of these terms served to provide a strong link between Caesar, mercy, and the reconstruction of the state. Ligarius' trial and the later publication of the *Pro Ligario* were each specifically designed as an endorsement of

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<sup>112</sup> *Contra* Craig, 1984, p. 197 who argues that this section of the speech was designed to obfuscate the difference between Tubero and other Pompeians and hence deny the specific charge against Ligarius (which he takes to be *perduellio*). Gotoff, 2002, p. 246 is also misled, believing that Cicero places Caesar on the defensive with this section and '*...deprives Caesar's gesture of much of its humanitas.*' Finally Johnson, 2004, p. 387 argues that Cicero denies any wrong on the part of the Pompeians – if they were criminals for engaging in a civil war, then so were the Caesarians.

<sup>113</sup> Cic. *Ad Att.*, 328:4 (13:20:4).

<sup>114</sup> Cic. *Ad Att.*, 320:2-3 (13:12:2-3), 326:2 (13:19:2).

<sup>115</sup> Cic. *Ad Att.*, 328:2 (13:20:2), 336:3 (13:44:3).

<sup>116</sup> Welch (1998, p. 255, n. 99) suggests that Atticus was capable of playing a double game.

<sup>117</sup> See discussion below.

Caesar's victory and his implementation of his policy of mercy, as well as illustrating his approval of the language of *clementia*.

### **Cicero's Letters to the Exiles**

In 46,<sup>118</sup> during the same period he was delivering the *Pro Marcello* and the *Pro Ligario*, Cicero was assisting Pompeian exiles gain pardon from Caesar and permission to return to Italy. The letters can be divided into two categories which reflect their general tenor. In one group, Cicero promises assistance to the recipients and assures them of their impending restoration. The second group contains letters to exiles for whom Cicero was not confident of gaining a pardon, and in these letters he laments Caesar's power and influence along with the fate of Rome. Cicero's attitude in these letters indicates that he was aware of the specious nature of Caesar's *clementia* and his belief that it was not to be relied upon. Most importantly, these letters can be used to illustrate the development of an understanding between Cicero and Caesar regarding the policy of *clementia*. This agreement ultimately ensured Cicero would actively engage with numerous former exiles and assist them, while Caesar would agree to their return using Cicero as his 'middle man'.

The early letters to the exiles show that Cicero was still unsure of the extent to which he could wield influence with Caesar and his supporters. As time went by, however, he increasingly encouraged Caesar towards *clementia* and assisted his associates in their attempts to return to Rome. After the agreement between Caesar and Cicero had been reached, there were obvious benefits for each man in having specific exiles return to Rome. Throughout the remaining letters there is a marked difference in tone between the two different kinds of letters, showing not only the discriminatory nature of Caesar's *clementia*, but also its capriciousness. Cicero's recognition that these qualities were present in Caesar's *clementia* and his agreement to work within such confines illustrates that he was working towards a specific purpose in endeavouring to have the exiles returned.<sup>119</sup>

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<sup>118</sup> And perhaps 45, although the dating of some of the letters is questionable.

<sup>119</sup> Welch, 1998, p. 250.

The three recipients of letters promising return to Italy are Trebianus,<sup>120</sup> T. Ampius Balbus,<sup>121</sup> A. Caecina.<sup>122</sup> The letters to these men enumerate the positive aspects to living in Rome, and encourage the recipients to hope for a speedy return. Each of these men had supported Pompey and the Senate, and had fought against Caesar, but possessed specific qualities that would enable their return. This does not mean that Cicero was manipulating the situation and leading the call for *clementia*. By allowing former enemies to return to Italy, Caesar could again emphasise his policy of *clementia* and illustrate his desire for reconciliation, which was needed if he was going to maintain his position within the state.

Other letters to exiles who were promised a return to Rome are illustrative of Cicero's association with Caesar's closest supporters. These men are represented as working actively on behalf of individual exiles to ensure their return; thus Dolabella is mentioned in association with news of Trebianus' return and Pansa is portrayed as virtually guaranteeing Ampius Balbus' return.<sup>123</sup> Cimber Tillius is also represented as working to this end,<sup>124</sup> and it is in this letter that Cicero specifically records how he had been using the long-standing friendships with all of Caesar's *familiares* to assist those in exile.<sup>125</sup> As evidenced by these cases, the exiles allowed to return to Rome were those who had either a close Caesarian friend or relative to plead their case with Caesar, although Cicero also

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<sup>120</sup> Cic. *Ad Fam.*, 222 (6:10b), 223 (6:10a), 224 (6:11). M. Marcellus and Q. Ligarius have been dealt with above.

<sup>121</sup> Cic. *Ad Fam.*, 226 (6:12).

<sup>122</sup> Cic. *Ad Fam.*, 234 (6:6), 235 (6:8), 237 (6:7), 239 (6:5).

<sup>123</sup> Cic. *Ad Fam.*, 226:3 (6:12:3).

<sup>124</sup> Cic. *Ad Fam.*, 226:2 (6:12:2).

<sup>125</sup> 'Hoc Pansa, Hirtius, Balbus, Oppius, Matius, Postumius plane ita faciunt ut me unice diligant. quod si mihi per me efficiendum fuisset, non me paeniteret pro ratione temporum ita esse molitum. sed nihil est a me inservitum temporis causa, veteres mihi necessitudines cum his omnibus intercedunt; quibuscum ego agere de te non destiti.' (Pansa, Hirtius, Balbus, Oppius, Matius and Postumius carry their regard for me to really extraordinary lengths. If I had had to bring this about by my own exertion, I should not regret my trouble, considering the times we live in. But I have done nothing in the way of time serving. With all of them I have friendships of long standing and I have pleaded with them incessantly on your behalf.) Cic. *Ad Fam.*, 226:2 (6:12:2). For a similar idea although without specific identification, see *Ad Fam.*, 223:2, and again 225:6.

commented that Caesar's supporters even spoke warmly of Nigidius Figulus, who was not allowed to return.<sup>126</sup> Cicero had noted that:

*'Valent tamen apud Caesarem non tam ambitiosae rogationes quam necessariae...'*<sup>127</sup>

(When all is said, petitions founded on obligation carry more weight with Caesar than those of self-interest...)

While Trebianus was supported by Dolabella and Ampius Balbus by Pansa and Cimber Tillius, M. Marcellus was supported by his cousin, C. Marcellus,<sup>128</sup> and Cicero himself was supporting A. Caecina.<sup>129</sup> As illustrated above, Q. Ligarius presents a special case, although it has been suggested that Cicero became involved in the case at the request of Brutus.<sup>130</sup> After Africa, those exiles who had no one amongst Caesar's friends to assist them in gaining pardon were forced to rely solely on Cicero. Caesar was moved by personal obligations to assist those in exile, rather than offering an unconditional policy of *clementia*.<sup>131</sup> Each of these individuals needed an intercessor within Caesar's circle to gain a pardon and return from exile. Without such support, returning from exile was impossible, as the cases of Nigidius Figulus, Toranius, Cn. Plancius and A. Torquatus illustrate.<sup>132</sup> This is indicative of the highly selective nature of Caesar's *clementia* after his success in Africa.

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<sup>126</sup> Cic. *Ad Fam.*, 225:5.

<sup>127</sup> Cic. *Ad Fam.*, 226:2 (6:12:2).

<sup>128</sup> Not forgetting that C. Marcellus had not participated in the war against Caesar and that he was married to Caesar's niece (above).

<sup>129</sup> Caecina was Cicero's client (Cic. *Ad Fam.*, 237:5) and at this stage Caesar was eager to work with Cicero.

<sup>130</sup> McDermott, 1970, p. 322. This is based on the letter present in Cicero's *Ad Atticum* where Cicero responds to a comment by Brutus about a mistake in the published version of the *Pro Ligario*. Cic. *Ad Att.*, 336:3 (13:44:3).

<sup>131</sup> *Contra* Barden Dowling, 2006, p. 63, 71 and 122 (Caesar is implied but not mentioned).

<sup>132</sup> Barden Dowling notes that this was the way individuals gained pardon during the Triumviral proscriptions carried out by Antony, Octavian and Lepidus (2006, p. 44), although this is not compared to Caesar's actions in 46. While the Triumvirs' actions were a continuation of Caesar's policy of 46-45, Caesar himself had imitated Sulla's actions from the 80s. As noted in chapter one, Caesar himself was saved through the intervention of his uncles, the Aurellii Cottae, and Cicero notes that P. Sulla was able to beg his uncle for the lives of his friends (Cic. *Pro Sul.*, 72; Barden Dowling, 2001, pp. 308). From this it appears that it was normal practise for *clementia* to be granted through the intercession of another.

### *De Finibus and Tusculan Disputations*

While there is an overwhelming reference to Caesar's *clementia* in Cicero's speeches from this period, his philosophical works contain a markedly different language. By the time Cicero was writing *De Finibus* and the *Tusculan Disputations* in 45, his attitude towards Caesar had changed and the theme of Caesar as tyrant begins. While Cicero was still careful not to criticise publicly the Caesarians too much, there is a notable increase in the links between Caesar and tyranny even within these works. Both of these works are addressed to Brutus<sup>133</sup> and refer numerous times to the concepts of tyranny, kingship and the role of the 'good man'. At the time these works were being written, Caesar was in a position of supreme power, and his policy of *clementia* again needed to be reconfirmed in the aftermath of the Spanish campaign. Included within these works as well are references to Brutus' ancestor, L. Brutus. The *Tusculan Disputations* recount his glorious deed in freeing the Roman state from the tyranny of Tarquinius,<sup>134</sup> while the *De Finibus* goes so far as to recall specifically that it was under L. Brutus' leadership and guidance that the state was freed.<sup>135</sup> Tarquinius is not referred to as a tyrant in the *De Finibus*, but the actions carried out by his son are indicative of his tyranny and result in his expulsion from the state.<sup>136</sup> The continued references to the themes of kingship and tyranny in both of these works, along with their dedication to Brutus, illustrate that they were written with the specific purpose of not only reminding Brutus of the deeds of his ancestors, but also of ensuring that he viewed Caesar in the same way Cicero did – as a tyrant.

The *De Finibus* begins the theme of tyranny showing that Cicero was endeavouring to make specific points regarding the present situation in Rome; his intent is to demonstrate

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<sup>133</sup> Cic. *Tusc. Disp.*, 1:1; Cic. *De Fin.*, 1:1; Cic. *Ad Att.*, 320:3 (13:12:3), 331:2 (13:23:2). These two works were supported in a work by Atticus, who had traced Brutus' descent from two tyrannicides, Ahala and L. Brutus, Cic. *Ad Att.*, 343:1 (13:40:1).

<sup>134</sup> There are two explicit references to L. Brutus' assassination of Tarquinius, Cic. *Tusc. Disp.*, 4.2 and 4.50. Other references include 1:88-89, 4.1.

<sup>135</sup> Cic. *De Fin.*, 2:66; 3:75.

<sup>136</sup> 'stuprata per vim Lucretia a regis filio testata civis se ipsa interemit. hic dolor populi Romani duce et auctore Bruto causa civitati libertatis fuit, ob eiusque mulieris memoriam primo anno et vir et pater eius consul est factus.' (Lucretia, raped by the king's son, called upon the citizens as witnesses and killed herself. This grief to the Roman people was the cause of freedom for the state under the leadership and instigation of Brutus, and in this woman's remembrance in the first year her husband and father were made consuls.) Cic. *De Fin.*, 2:66. (My thanks to Roger Pitcher for his assistance with this translation.)

that Caesar's actions were those of a tyrant. Casting Cato as the interlocutor within this work also formed a contrast between his refusal to live as a result of Caesar's *clementia*, and the overwhelming power and position Caesar had gained in the state. The references to Caesar's tyranny in this work are more oblique than those in the later *Tusculan Disputations*, but their presence and intent are pointed. Although not explicitly mentioned at this point, that this included Caesar's *clementia* is clear. The first indication that *clementia* is the action of a tyrant occurs at 2:79, when Cicero discusses the role of a friend in protecting individuals from a tyrant. This can be seen to have particular resonance regarding the roles of Brutus and Cicero in this period; Cicero had played the role of advocate for a number of exiles and Brutus was being cultivated to lead the reconstruction of the Republic.<sup>137</sup> Cicero's message was that Brutus should forget the favours of the tyrant Caesar and concentrate on ensuring the Republic was restored.

Cicero again deals with Caesar's tyranny when he relates the reasons for men turning to the pursuits of study. That he had been thinking of this for some time before writing *De Finibus* is evident in his earlier letter to Varro, where he notes that together they should welcome a call to them to restore the state, but if such a call did not come, they should continue in their studies.<sup>138</sup> In returning to this theme, he notes:

*'Nos autem non solum beatæ vitæ istam esse oblectationem videmus, sed etiam levamentum miseriarum. itaque multi, cum in potestate essent hostium aut tyrannorum...dolorem suum doctrinae studiis levaverunt'*<sup>139</sup>

(But we see in such studies not only the amusement of a life of happiness, but also the alleviation of misfortune; hence the numbers of men who when they had fallen into the power of enemies or tyrants...have solaced their sorrow with the pursuit of learning.)

This section provides a justification for Cicero's own actions and illustrates one of the purposes of his current writing. It was also a specific comment on his own times and his refusal to take an overtly active role in the present government. Caesar's mercy was responsible for robbing men of their freedom, and the only remaining comfort they might take was through the pursuit of knowledge. Cicero later qualifies this statement by

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<sup>137</sup> Welch, 1998, p. 253.

<sup>138</sup> Cic. *Ad Fam.*, 177:5 (9:2:5, c.22 April 46).

<sup>139</sup> Cic. *De Fin.*, 5:53.

recalling that talented men (i.e. Brutus) should care less to be alive than to take an active part in affairs.<sup>140</sup> This was an obvious call to Brutus to take control of matters and actively help restore the Republic.

The most pointed reference to Caesar and current politics in *De Finibus*, however, comes at 3:75. In this section Cicero deals with the character of the Wise Man and remarks:

*'...rectius magister populi – is enim est dictator – quam Sulla, qui trium pestiferorum vitiorum, luxuriae avaritiae crudelitatis, magister fuit, rectius dives quam Crassus, qui nisi eguisset numquam Euphraten nulla belli causa transire voluisset. Recte eius omnia dicentur, qui scit uti solus omnibus, recte etiam pulcher appellabitur – animi enim linamenta sunt pulchriora quam corporis –, recte solus liber nec dominationi cuiusquam parens nec oboediens cupiditati, recte invictus, cuius etiamsi corpus constringatur, animo tamen vincula inici nulla possint.'*<sup>141</sup>

(A better right to the name 'Master of the people' – for that is what a dictator is – than Sulla, who was a master of three pestilential vices, licentiousness, avarice and cruelty; a better right to be called rich than Crassus, who had he lacked nothing could never have been induced to cross the Euphrates with no pretext for war. Rightly will he be said to own all things, who alone knows how to use all things; rightly also will he be styled beautiful, for the features of the soul are fairer than those of the body; rightly the one and only free man, as subject to man's authority, and a slave of no appetite; rightly unconquerable, for though his body be thrown into fetters, no bondage can chain his soul.)

Each of the above criticisms could be levelled at Caesar,<sup>142</sup> and although they were not explicitly made with reference to him, readers would see the parallels. Naming Caesar was too risky for Cicero, although the reference to Sulla is particularly notable due to the past comparisons with his actions. One of Cicero's final comments in this section is that a Wise Man need not only be pronounced happy in death.<sup>143</sup> Brutus is being called to action in the present, to act as a Wise Man and end Caesar's domination.

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<sup>140</sup> Cic. *De Fin.*, 5:57.

<sup>141</sup> Cic. *De Fin.*, 3:75.

<sup>142</sup> And were, although Cicero refrained from doing this until after Caesar's death, Cic. *Phil.*, 2:26, 27, 87; *De Off.*, 2:2; Cic. *De Div.*, 1:27, 2:23; 2:37, 2:79, 2:114.

<sup>143</sup> *'nec expectet ullum tempus aetatis, ut tum denique iudicetur beatusne fuerit cum extremum vitae diem morte confecerit...'* (Nor need he wait for any period of time, that the decision whether he has been happy

Within his *Tusculan Disputations* Cicero offers reasons for the civil war<sup>144</sup> and makes comparisons between Caesar and tyrants from myth and history. In his tyranny, Caesar is like Aetes,<sup>145</sup> Dionysius of Syracuse,<sup>146</sup> and Tarquinius,<sup>147</sup> and Cicero imagined Caesar answering that Cinna's domination was preferable to an illustrious life.<sup>148</sup> Cicero again makes reference to Caesar within the *Tusculan Disputations*, clearly avoiding his name but recalling men who would ruin their country in their desire for glory.<sup>149</sup> When comparing Dionysius the famous tyrant to the obscure mathematician Archimedes, Cicero notes,

'...qui est omnium... qui se non hunc mathematicum malit quam illum tyrannum?'<sup>150</sup>

(Who is there in all the world... who would not choose to be this mathematician than that tyrant?)

Indeed, Cicero refers specifically to the 'troubles' of the time in this work.<sup>151</sup> Caesar's tyranny was manifest and while he could not explicitly criticise Caesar by name, Cicero makes oblique references to both him and his power in Rome.

Taken individually these works represent a marked change in Cicero's expression of his attitudes towards Caesar by 45; together they illustrate the depths of Cicero's despair. The relatively positive and hopeful attitude of the *Pro Marcello* has disappeared and the idea of reconstruction and reconciliation vanished.<sup>152</sup> These works also formed part of the call to Brutus to take a stand against Caesar and rid Rome of the tyranny she was under.<sup>153</sup> The charge against Caesar as a tyrant is less explicit in these works than Cicero

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or not may be finally pronounced only when he has rounded off his life's last day in death.) Cic. *De Fin.*, 3:76.

<sup>144</sup> Cic. *Tusc. Disp.*, 3.27

<sup>145</sup> Cic. *Tusc. Disp.*, 3.26.

<sup>146</sup> Cic. *Tusc. Disp.*, 3.27; 5.57.

<sup>147</sup> Cic. *Tusc. Disp.*, 3.27

<sup>148</sup> Cic. *Tusc. Disp.*, 5.55.

<sup>149</sup> Cic. *Tusc. Disp.*, 3.3-4.

<sup>150</sup> Cic. *Tusc. Disp.*, 5.66.

<sup>151</sup> Cic. *Tusc. Disp.*, 1:91.

<sup>152</sup> Welch, 1998, p. 252.

<sup>153</sup> Welch, 1998, p. 255.

would later be; the next step in his opposition to Caesar was his speech in defence of Deiotarus.

### *Pro Rege Deiotaro*

Having established Cicero's philosophical thoughts on Caesar and tyranny in 45, we are provided with a context for the delivery of the *Pro Rege Deiotaro*. In November 45 Cicero delivered this speech in defence of the king of Galatia who had fought with Pompey during the civil war. The charge against Deiotarus was not directed at his participation in the civil war, but his purported actions when Caesar visited him in 47 after the defeat of Pharnaces. Deiotarus was charged with planning to murder Caesar during this visit. The setting of the trial illustrated the exceptional circumstances prevalent in Rome at the time – the trial was in Caesar's home and he was judging the case, while Deiotarus himself was absent.<sup>154</sup> The accuser was Deiotarus' own grandson; his witness, a former slave who had come to Rome in an embassy on behalf of Deiotarus.<sup>155</sup> In an effort to defeat the charges against Deiotarus, Cicero uses the acrimonious familial connection and the lowly status of the witness to ridicule the charges and illustrate that they were brought forward due to personal animosity and hope for gain, rather than any truth behind them.<sup>156</sup>

The *Pro Rege Deiotaro* publicises a change in the relationship between Caesar and Cicero. Where once Cicero sought to work with Caesar in re-establishing the Republic, this speech illustrates Cicero's disillusionment with the political situation at Rome. It also shows how Cicero was able to use Caesar's well-established reputation for mercy against Caesar himself and to his own advantage. Unlike the other 'Caesarian' speeches, Cicero does not overtly praise Caesar in this speech, but instead uses ideas previously expressed in his speeches to provide thinly veiled attacks on Caesar's position of power. *Clementia* is still a major theme within the *Pro Rege Deiotaro*, but Cicero uses it in a strategic manner, calling upon the term to gain advantages for his client. By November 45 when this speech was delivered, Caesar's final battle against the Republican forces

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<sup>154</sup> Cic. *Pro Reg. Deio.*, 5-6.

<sup>155</sup> Cic. *Pro Reg. Deio.*, 2-3.

<sup>156</sup> Cic. *Pro Reg. Deio.*, 2.

had been decided at Munda.<sup>157</sup> Both during and in the aftermath of this battle there was little demonstration of Caesar's lauded *clementia*,<sup>158</sup> although during this war it was almost universally celebrated. Such 'die-hard' opponents as Attius Varus and Labienus were killed in battle,<sup>159</sup> and Cn. Pompeius Magnus was tracked down and murdered while trying to flee.<sup>160</sup> Caesar's decision to celebrate a triumph for his success over Pompey's sons belied this image and illustrated a lack of *clementia* – after his success in Africa he had celebrated a triumph over Juba, a foreign enemy. The lack of mercy evident in this campaign was continued through to Deiotarus' prosecution – Deiotarus had already been pardoned once for supporting Pompey<sup>161</sup> and while this trial was a separate charge, Deiotarus' position as a foreign king could preclude Caesar showing him continued leniency. Many different reasons have been proposed for Deiotarus' actual trial, including personal animosity between Caesar and Deiotarus,<sup>162</sup> Caesar's distrust of the king,<sup>163</sup> and the idea that by placing Deiotarus' kingdom under threat, Caesar could ensure his loyalty when he was fighting the Parthians.<sup>164</sup> This speech thus offers a stark contrast to the previous Caesarian speeches, and provides readers with an insight into the political situation at Rome through its divergent content and tone.

Cicero's use of *clementia* in the *Pro Rege Deiotaro* illustrates how he was able to manipulate the notion of *clementia* and the way Caesar had used it to gain support for his victory. Cicero turned Caesar's *clementia* against him, using it to the advantage of his client. He does this in a number of ways, although Cicero notably suggested that having

<sup>157</sup> Coinciding with the publications of the *De Finibus* and the *Tusculan Disputations*. The references in Cicero's letters to *De Finibus* are from June 45, indicating this work was completed and published around this time (Cic. *Ad Att.*, 320:3 (13:12:3, 23 June 45); 326:5 (13:19:3-4, 29 June 45). Cicero wrote a letter to Atticus regarding the early publication of *De Finibus* on either 30 June or 1 July 45, 327:1 (13:21a:1). It was still being copied on 19 July 45, Cic. *Ad Att.*, 331:2 (13:23:2). Shackleton Bailey (*n.* 1, Loeb Classical Library edition, p. 113) identifies a reference to Cicero's discussion of Epicureans as indicating his work on the *Tusculan Disputations*. Cic. 341:1 (13:38:1, c.15 August 45).

<sup>158</sup> Examples of Caesarian 'atrocities' include Ps-Caes. *B. Hisp.*, 12, 13, 20, 27, 32, 39.

<sup>159</sup> Attius Varus and Labienus killed in battle, see Ps-Caes. *B. Hisp.*, 31.

<sup>160</sup> Ps-Caes. *B. Hisp.*, 39. It should be noted, however, that Sextus Pompeius escaped in Africa (277 (12:37a); 355:2 (14:1:2); 358:1 (14:4:1); 362:2 (14:8:2)) and was allowed to live. By 44 his actions were influential, affecting Roman politics, Cic. *Ad Att.*, 367:2 (14:13:2); 376:2 (14:22:2); 397:3 (15:20:3); 398:3 (15:21:3); 399 (15:22); 408:1 (15:29:1); 409:4 (16:1:4); 411:2 (16:4:1); Cic. *Phil.*, 5:39-41; 13:8-13, 50.

<sup>161</sup> Ps-Caes. *B. Alex.*, 67-68.

<sup>162</sup> Petersson, 1963, p. 508.

<sup>163</sup> Heitland, 1909, p. 361.

<sup>164</sup> Watts, 1931, p. 499.

once granted pardon to his former enemies, Caesar must ensure that his decision is not revoked.<sup>165</sup> Deiotarus had already been pardoned for supporting Pompey in the civil war,<sup>166</sup> and Cicero argued that Caesar could not legitimately find Deiotarus guilty in this case. If he did so, Caesar would be showing that his pardon was subject to whim, and not truly *clementia*.<sup>167</sup> Having extolled the virtues of Caesar's *clementia* in the first two speeches, Cicero placed Caesar in a position where he must continue to pardon his adversaries. Although Caesar may have wanted to penalise Deiotarus for his disloyalty in the civil war, the imposition of a punishment in this trial was untenable.<sup>168</sup> The trial was thus left without a verdict even up until the time when Caesar was murdered.<sup>169</sup>

There is a dual theme present in the *Pro Rege Deiotaro* that marks it as very different from the two earlier 'Caesarian' speeches: Caesar's *clementia* and his position as tyrant.<sup>170</sup> These ideas are closely intertwined, and to the Roman mind the acknowledgment of Caesar's *clementia* was not possible without also labelling him a tyrant. His arrogation of power and refusal to relinquish the Dictatorship all illustrated his tyranny.<sup>171</sup> In the *Pro Rege Deiotaro* Cicero played with these themes, emphasising

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<sup>165</sup> Cic. *Pro. Reg. Deio.*, 9. Note also Cicero's concerns voiced in 47, Cic. *Ad Att.*, 235:2 (11:20:2). Bauman, 1967, p. 150.

<sup>166</sup> Cicero makes reference to a speech Brutus made in support of Deiotarus in 47. Cic. *Ad Att.*, 355:2 (14:1:2).

<sup>167</sup> 'sed cum de illo laboro, tum de multis amplissimis viris quibus semel ignotum a te esse oportet, nec tuum beneficium in dubium vocari, nec haerere in animis hominum sollicitudinem sempiternam, nec accidere ut quisquam te timere incipiat eorum qui sint semel a te liberati timore.' (but with all my anxiety for him, my anxiety extends also to many distinguished men whose pardon received at your hands should be final, and who should feel no uncertainty about your bounty; it is not right that apprehension should linger everlastingly in the minds of men, nor that any should begin to fear you of those whom you have once and for all freed from fear.) Cic. *Pro Rege. Deio.*, 39. Bauman notices this and offers 'It seems that general revocation must have been an issue at the time. Perhaps the substantial assets of the pardoned and the needs of the proposed Parthian campaign had dictated a revision of the policy of clemency.' Bauman, 1967, p. 150. It is Cicero who is making the trial about Caesar's *clementia* – the actual charge was that Deiotarus had plotted to murder Caesar (Cic. *Pro Reg. Deio.*, 17.) The idea that Caesar might have been considering revoking his *clementia* appears untenable.

<sup>168</sup> Recalling that Deiotarus had already lost territory in Caesar's reorganisation of the province in 47 after Zela, Ps-Caes. *B. Alex.*, 78.

<sup>169</sup> For a discussion of Deiotarus' actions after Caesar's murder, see the following chapter, 'Killer *Clementia*'.

<sup>170</sup> Although Saddington regards Cicero's reference to Caesar as a tyrant as being a denial of such a supposition, Saddington, 1993, p. 91.

<sup>171</sup> The image of Caesar as a tyrant will be discussed in detail in the following chapter. Suetonius comments on Caesar's arrogant behaviour once he had attained supreme power, and notes Caesar's comment, 'Sullam nescisse litteras, qui dictaturam deposuerit.' (Sulla was ignorant to abdicate the

the fact that Caesar needed to offer Deiotarus *clementia* in order to retain his merciful reputation. Yet in this speech Cicero successfully highlights Caesar's *clementia* as one of the reasons he could be regarded as a tyrant:

*'Solus inquam es C. Caesar cuius in victoria ceciderit nemo nisi armatus. Et quem nos in summa populi romani libertate nati non modo non tyrannum, sed etiam clementissimum in victoria vidimus, is Blesamio qui vivit in regno, tyrannus videri potest?'*<sup>172</sup>

(You are the only man Caius Caesar by whose victory no one has perished except with arms in his hand. And can the man whom we, free men, born in the enjoyment of the perfect liberty of the Roman people, consider not only no tyrant but as even the most merciful man possible in the use of victory, can he appear a tyrant to Blesamius who is living under a king?)

Cicero's reference to Caesar's victory in the civil war begins his accusation of tyranny. It is subtle, but combined with Cicero's following statement regarding the Roman people and that they were born free drives home his point. Cicero also reported in the *Pro Rege Deiotaro* that Caesar's popularity was waning, that he had caused offence by the placement of his statue amongst those of the kings, and that he was no longer greeted by applause.<sup>173</sup> Cicero, in denying these rumours were signs of displeasure, allows their introduction into the text, although the excuses offered are weak and avoid the issues at hand.<sup>174</sup> Through his simple denial of these rumours, Cicero successfully draws attention to them, leaving no room for refutation by either Caesar or his supporters.

Even though Cicero denied Caesar's tyranny, this made his point stronger as he was supplying the term he wished those reading his speech to use. Caesar's denial of the Roman citizens' birthright – liberty – is evidence of this tyranny. That Cicero ties Caesar's success in the civil war and his practise of *clementia* in to this as well, serves to reinforce the idea. Caesar had usurped the power of the government and was in a position to offer his fellow citizens their lives – this was another example of his tyranny. Such a concentration on Caesar's power and *clementia* placed him in a bind where he

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dictatorship.) Suet. *Iul.*, 77. It is true that this comes from an anti-Caesarian source (Titus Ampius), but the message regarding his seizure of power is clear.

<sup>172</sup> Cic. *Pro Rege Deio.*, 34.

<sup>173</sup> Cic. *Pro Rege Deio.*, 33.

<sup>174</sup> Cic. *Pro Rege Deio.*, 34.

was forced to commit an act that would damage his reputation, regardless of which option he chose. Caesar had been given the power and opportunity (as well as ample time) to restore the Republic, but his refusal both to undertake this task and relinquish his Dictatorship led to the belief that he was a tyrant. This idea was reinforced by Caesar's mockery of elections and his introduction of the *praefectura urbis* for 45.<sup>175</sup> Caesar's *clementia* in 45 was simply another example of the wielding of power he should already have laid down. This is the reason Cicero's denial that Caesar was a tyrant is double-edged. Recalling the recent production of *De Finibus* and the *Tusculan Disputations*, Cicero's denial of Caesar's tyranny in the *Pro Rege Deiotaro* only serves to reinforce the message.

Cicero further highlighted signs of Caesar's tyranny when discussing the various disadvantages he faced in speaking at the trial. His initial criticism of Caesar was aimed at his position as judge of this case. The usurpation of the courts was an issue Cicero had dealt with in the *Pro Marcello*. In that speech Cicero had called for Caesar to re-establish the law courts, thereby providing a step toward the healing of a nation shattered by civil war.<sup>176</sup> Caesar is represented as not having taken Cicero's advice regarding this manner, and instead having seized control of the courts. Caesar had gone so far as to have the trial held in his own home, usurping the place of the Forum as the legitimate home of the courts. Added to this was the dubious charge Deiotarus faced. Most serious was Caesar's own position as judge in the case. In his criticism, Cicero noted:

*'nam dicere apud eum de facinore contra cuius vitam consilium facinoris inisse arguare, cum per se ipsum consideres grave est; nemo enim fere est qui sui periculi iudex non sibi se aequiorem quam reo praebeat'*<sup>177</sup>

(for to plead in regard to a crime before the very man against whose life you are charged with plotting that crime is, if considered by itself, a formidable task, for there is scarcely anyone who can sit in judgement upon a threat to his own life and not favour himself at the expense of the accused.)

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<sup>175</sup> Caesar appointed them before he left for Spain in late 46 and they were in power in 45. Dio, 43.48; Broughton, *MRR*, 2:313. A detailed study of the *praefectura urbis* can be found in Welch, 1990b, pp.53-69.

<sup>176</sup> Cic. *Pro Marc.*, 23-24.

<sup>177</sup> Cic. *Pro Rege Deio.*, 4.

Caesar's decision to judge this case was an example of his tyrannical rule. The good ruler would not have arrogated the judgement of Deiotarus for himself, but would have followed Cicero's advice and returned the courts (and as a consequence, the accused) to their rightful judges.<sup>178</sup>

While modern commentators are keen to see Deiotarus' trial as that of a client king in Rome,<sup>179</sup> Saddington has amply illustrated the constant 'Romanisation' of Deiotarus throughout this speech.<sup>180</sup> This ensured Cicero could call upon Caesar's *clementia* throughout this speech; it was, after all, a quality that had originated in the Roman law courts. This is one of the reasons we find Cicero praising Caesar's *clementia* in his *Pro Marcello* and the *Pro Ligario* – at the time he was delivering these two speeches he was calling for and expecting Caesar to reinstitute the law courts.<sup>181</sup> By the time the *Pro Rege Deiotaro* was published Cicero had lost hope that this would happen and had taken the position that Caesar was a tyrant.<sup>182</sup> To prove otherwise, Caesar needed to pardon the 'citizen' Deiotarus. Cicero had already cast Caesar in this mould through his references to the usurpation of the courts and the location of the trial, but to revoke his pardon would reveal its capriciousness and confirm Cicero's accusations of tyranny. Cicero's construction of Deiotarus as a Roman citizen served a very important tactical move for Cicero, placing Caesar in a bind that meant he would damage his reputation regardless of what he did. While it could be interpreted that Caesar's *clementia* was found lacking and that it was only offered in situations where there was a political advantage to be gained, this does not take into account the actual nature of the charge. In an effort to ensure Deiotarus was not found guilty, Cicero positioned his defence to obscure the actual charge of murder, making it about the fact that Deiotarus had fought against Caesar. As Caesar had already pardoned Deiotarus for this once, Cicero was using this to secure his acquittal in this instance. Through his contrast of *clementia* with *crudelitas*, Cicero ensured that Caesar would not find Deiotarus guilty. Such concentration on the civil war

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<sup>178</sup> Cicero noted the unprecedented nature of this trial when he made reference to the fact that a king had never stood trial for his life before, *Pro Rege Deio.*, 1. In earlier times decisions impacting on kings or provinces had been a matter for the Senate. See Syme, 1939, p. 394.

<sup>179</sup> Bauman, 1967, p. 150; Gotoff, 1993, p. xxxix; MacKendrick, 1995, p. 443.

<sup>180</sup> Saddington, 1993, esp. pp. 92-94.

<sup>181</sup> Cic. *Pro Marc.*, 23. Welch, 1998, p. 250.

<sup>182</sup> Above and Welch, 1998, p. 251-252.

then allowed Cicero to attack Caesar for his *clementia* as an example of tyranny; regardless of the way in which Caesar responded, he would be damned for his decision. This led to both an unwillingness and inability to make a decision on Deiotarus' case and revealed the disadvantages Cicero was able to argue were inherent in implementing and advertising a policy of *clementia*.

The final lines of the *Pro Rege Deiotaro* confirm Cicero's message of the need for *clementia*:

*'Quocirca C. Caesar velim existimes hodierno die sententiam tuam aut cum summo dedecore miserrimam pestem inportaturam esse regibus, aut incolumem famam cum salute. quorum alterum optare illorum crudelitatis est, alterum conservare clementiae tuae.'*<sup>183</sup>

(for which reason, C. Caesar, I wish you to reckon that your judgement of today will bring upon kings either most wretched plague and utmost disgrace or unimpaired reputation with status: to desire the former suits with the implacability of our opponents, to preserve the latter with the mercy which is yours.)

The reaffirmation of the need for *clementia* serves as a final effort on Cicero's part to ensure that Caesar does not find Deiotarus guilty. The pairing of *clementia* and *crudelitas* in this sentence sends Caesar a clear message that his reputation was at stake: he could exhibit *clementia* and ensure that Deiotarus' pardon remained, or he could find him guilty and replace his previous hard-won reputation for *clementia* with a label of *crudelitas*. Such a label would also contribute to Cicero's previously crafted image of Caesar as a tyrant, providing an additional incentive for Caesar to acquit Deiotarus.

## Conclusion

From Cicero's return to Italy in 47, the language used to describe Caesar's policy of mercy underwent a radical change from numerous mercy-related terms being used to a single concept of *clementia Caesaris*. After Thapsus, there was a renewed need to advertise Caesar's *clementia* to those in Rome. At this point the focus of Caesar's *clementia* also changed; it was no longer a policy designed solely to win support for Caesar's cause; it was widened to offer those who had continued to fight against Caesar

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<sup>183</sup> Cic. *Pro Rege Deio.*, 43.

the opportunity for reconciliation. After witnessing Marcellus' pardon in the Senate, Cicero spoke in support of the policy of *clementia* in the hope that such practises would continue. While this speech contained a great deal of praise, there is a distinct lack of mercy language. Instead, Cicero chose to praise Caesar's restoration of Marcellus by using the language of conservation. While there was a great deal of praise for Caesar in his actions, it was tempered with allusions to Sulla that were designed to remind Caesar of his need for a continued policy of mercy.

The *Pro Ligario* offers a different perspective and represents a period where Cicero and Caesar came to an arrangement that was mutually beneficial to both men; Cicero would promote Caesar's *clementia* and in return Caesar would allow selected exiles to return to Rome. Cicero used this agreement to focus on gaining support for the rebuilding of the Republic. From this period also the letters to the exiles support the theory of collusion between Caesar and Cicero; only men who had family or friends in Rome to support them and who had played minor roles in the civil war itself were allowed to return to Rome. Again, this worked to the advantage of both men and allowed them to achieve their respective aims.

Cicero's philosophical works from 45 represent his disillusionment with Caesar's government. The inclusion of numerous references to tyranny is indicative of Cicero's beliefs regarding Caesar's domination, while their dedication to Brutus represents an encouragement to action. The theme of tyranny is again explored in Cicero's *Pro Rege Deiotaro*. This speech was delivered in an entirely different political situation to those of the previous 'Caesarian' speeches, and the style and content are illustrative of this. *Pro Rege Deiotaro* contains a great deal of criticism of Caesar's methods, again illustrating Cicero's disillusionment with Caesar's government. This speech also shows the way in which Cicero was able to manipulate Caesar's reputation for *clementia* to ensure that he was unable to find Deiotarus guilty, although unwilling to acquit him. Cicero carefully crafted this speech and is able to highlight successfully Caesar's tyranny through praise for his *clementia*.

## Continuing the Myth: *clementia* in the Works of the Continuators

The works of the Continuators represent three very different interpretations of Caesar's actions in the civil war period, each presenting distinct approaches to the policy of *clementia*. In the *Bellum Alexandrinum*, Caesar's *clementia* is not mentioned at all, although the concept is present in this work. The *Bellum Africum* features the use of the word the most often and *clementia* forms one of the central themes that illustrate both Caesar's brilliance as a commander and his superiority when compared to his opponents. The *Bellum Hispaniense* is different again, with *clementia* featuring as an all-encompassing aspect of Caesar's personality and conduct in war. Traditionally, when scholars have studied the *Corpus Caesarianum*, they have treated it as a whole,<sup>1</sup> paying little attention to the distinct subject matter and the fact that there were multiple authors. These considerations mean that each work requires a separate analysis. The individual authors' attitudes toward Caesar and his *clementia* will be used to illustrate that while their accounts are pro-Caesarian, they provide vastly different insights into the way in which individuals fighting with Caesar viewed him as a commander.

### *Bellum Alexandrinum*

The *Bellum Alexandrinum* provides an account of operations in Alexandria in 48 and represents a significant departure from Caesar's account of the civil war. While certainly a Caesarian supporter, the author provides a less propagandistic version of events, occasionally highlighting episodes that reflect poorly on Caesar. The term *clementia* is not used at all throughout the *Bellum Alexandrinum*, nor are the related terms *lenitas*, *mansuetudo* or *miser cordia*.<sup>2</sup> In this sense the account resembles Caesar's record of his efforts in Gaul more closely than the other works in the *Corpus Caesarianum*. This is to be expected; the war in Alexandria was against a foreign enemy and as such *clementia* was less important than it had been when he was fighting fellow Roman citizens. Instead, within this work we find other mercy-related language such as the verbs

<sup>1</sup> For example, Daly, 1951; Murphy, 1986; Cluett, 2003.

<sup>2</sup> A cognate of *lenitas* is used with a meteorological meaning, Ps-Caes. *B. Alex.*, 11.

*ignoscere, parcere, and conservare*.<sup>3</sup> This reflects the language Caesar himself was using when writing of his efforts in the *Bellum Civile*.

A great deal of scholarship has been dedicated to establishing the identity of the author of the *Bellum Alexandrinum*, an issue that has been a matter of speculation since antiquity.<sup>4</sup> Some scholars have sought to identify Hirtius as the author, claiming that the references to the Alexandrian campaign at the beginning of Book 8 of the *Bellum Gallicum*, as well as stylistic reasons, are in strong favour of his authorship.<sup>5</sup> Others have argued that Hirtius did not write the *Bellum Alexandrinum*, providing various reasons why his authorship should be doubted.<sup>6</sup> If, as Daly suggests, Hirtius wrote this work in the aftermath of Caesar's murder, one would expect to see reference to Caesar's *clementia* as we do in Book 8 of the *Bellum Gallicum*.<sup>7</sup> There are a number of instances where such mercy language would be appropriate, yet it is missing.<sup>8</sup> It is thus possible that, if the author is Hirtius, the *Bellum Alexandrinum* was written during Caesar's lifetime in a period immediately following the events described, and then only published with little or no alteration after his death.

The first episode in which we hear of Caesar's merciful disposition is when he received envoys from the Alexandrians requesting that their king be released into their custody in an effort to bring an end to the war. Caesar chose to concede to the Alexandrians' request to release Ptolemaeus, and allowed him to return to their camp. The author of the *Bellum Alexandrinum* writes that Caesar did this because he thought that if the demands were any indication of the feeling of the Alexandrians, the king would remain loyal and the war would be over. This held the additional advantage that if the war continued, it was more honourable to fight against a king than fugitives.<sup>9</sup> When describing the release

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<sup>3</sup> Ps-Caes., *B. Alex.*, 21(*conservare*), 24 (*parcere*), 67, 70 (*ignoscere*).

<sup>4</sup> Suet, *Caes.*, 56:1.

<sup>5</sup> Daly (1951, p. 115) believes that this work was written by Hirtius; Townend, 1988, p. 3; Hall, 1996, p. 411, 415; Cluett, 2003, p. 120.

<sup>6</sup> Murphy (1986, pp. 310-313) provides an analysis to establish that Hirtius is not the author of the *Bellum Alexandrinum*. Other scholars who reject Hirtius as the author include Cluett, 2003, p. 120.

<sup>7</sup> Hirt. *BG.*, 3, 21.

<sup>8</sup> Such as Ps-Caes. *B. Alex.*, 67 and 70.

<sup>9</sup> '*...mansurum in fide dimissum regem credebat, sin, id quod magis illorum naturae conveniebat, ducem ad bellum gerendum regem habere vellent, splendidius atque honestius se contra regem quam contra*

of the king, the author employs an alternate phrase to describe Caesar's mercy, *nimia bonitas*. This provides a considerable contrast to the mercy language found elsewhere, and illustrates that at the time this work was written, *clementia* had not yet become the single term that was used with reference to Caesar's mercy.

The Alexandrians did not surrender to Caesar, and instead pursued the war with renewed vigour. The perfidy shown by the Alexandrians in this instance occasioned much happiness amongst Caesar's men,<sup>10</sup> as it presented them with the opportunity to fight against a 'worthy' army in an honourable war. The author also takes steps to protect Caesar against any accusation that may be made regarding Caesar's release of the king. He notes that this was not an overly generous act, but merely part of a far-sighted strategy that did not present itself to the soldiers.<sup>11</sup> This account is reminiscent of Caesar's actions in the *Bellum Gallicum* towards Dumnorix.<sup>12</sup> In both cases, Caesar's actions were calculated risks designed to gain and maintain support. The king's perfidy in continuing the war can also be compared with that of Dumnorix; having betrayed Caesar's trust, there was no longer room (or any great need) for mercy and he was ultimately fated to die due to Caesar's actions.<sup>13</sup>

The author of the *Bellum Alexandrinum* notes that when Caesar had successfully conquered the enemy army, he set out for Alexandria as soon as he could. In this

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*convenarum ac fugitivorum manum bellum esse gesturum.* ' (he decided that it was expedient to satisfy their plea for kindness, since, if their demands in any way reflected with feelings, then he believed the king would remain loyal when released; but if on the other hand, they wanted to have the king to lead them with a view to waging the war – and that was more in keeping with their character – then he thought there would be greater honour and distinction for him in waging war against a king than against a motley collection of refugees.) Ps-Caes. B. Alex. 24.

<sup>10</sup> *'Accidisse hoc complures Caesaris legati, amici centuriones militesque laetabantur, quod nimia bonitas eius fallacis pueri elusa esset.'* (Several centurions and soldiers were delighted at this turn of events, in as much as Caesar's over-generosity had, they felt, been made fun of by the deceitful tricks of a boy.) Ps-Caes. B. Alex., 24.

<sup>11</sup> Ps-Caes. B. Alex., 24.

<sup>12</sup> Caes. BG., 1:20; 5:7.

<sup>13</sup> The author of the *Bellum Alexandrinum* does note that unlike Dumnorix, the king did not specifically die on Caesar's order, although he does record: *'Constat fugisse ex castris regem ipsum receptumque in navem multitudine eorum qui ad proximas naves adnatabant, demerso navigio perisse.'* (It is established that the king himself fled from the camp and then, after being taken aboard a ship along with a large number of his men who were swimming to the nearest ships, perished when as a result of the numbers, the vessel capsized.) Ps-Caes. B. Alex., 31.

account, Caesar is depicted as a victorious Roman general entering a conquered city.<sup>14</sup> The author deliberately fashions Caesar in the image of a merciful and beneficent Roman leader, with the Alexandrians the conquered foe. Caesar formally took the Alexandrians into his protection,<sup>15</sup> just as he had done in other instances of success over other foreign enemies.<sup>16</sup> It was the role of the Roman victor to act as protector to the defeated, offering them his mercy, and in the *Bellum Alexandrinum* the author ensured Caesar's actions met these expectations. The Alexandrians' welfare was a priority for Caesar; he ensured he looked after their interests before he visited the part of town held by the Romans.<sup>17</sup> That the Alexandrians accepted Caesar's protection and consolation confirmed Caesar's place as victor and his ability to extend his mercy to the defeated.

Another such instance of Caesar exhibiting *clementia* to those who had fought against him is contained in the references to King Deiotarus of Galatia. Deiotarus had fought with Pompey in the war, but after the latter's death had retired to his own kingdom.<sup>18</sup> When Caesar entered Galatia, Deiotarus was there to meet him:

*'...neque tantum privato vestitu, sed etiam reorum habitu supplex ad Caesarem venit oratum, ut sibi ignosceret...'*<sup>19</sup>

(...and not merely dressed as a private person but actually in the garb of defendants in the courts, he came to Caesar as a suppliant to beg his pardon...)

Again there is a similarity between this work and the *Bellum Gallicum*. Caesar is characterised as a Roman commander accepting the submission of a conquered individual. Deiotarus approaches Caesar as a suppliant,<sup>20</sup> asking for forgiveness for having fought in the civil war against him. While the term *clementia* is not used, the action of pardoning is what is actually being described, hence the use of the verb *ignosco*.

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<sup>14</sup> *'Dignum adveniens fructum virtutis et animi magnitudinis tulit: omnis enim multitudo oppidanorum armis proiectis munitionibusque suis relictis, veste ea sumpta qua supplices dominantes deprecari consuerunt...'* (On his arrival he reaped the well earned fruits of valour and magnanimity; for the entire population of townfolk threw down their arms, abandoned their fortifications, assumed that garb in which suppliants are used to placate tyrants with earnest prayers...) Ps.-Caes. *B. Alex.* 32.

<sup>15</sup> *'Caesar in fidem receptos consolatus...'* Ps.-Caes. *B. Alex.* 32.

<sup>16</sup> Caes. *BG.*, 2:15; 4:22; Hirt. *BG.*, 8:3; 27.

<sup>17</sup> Ps.-Caes. *B. Alex.*, 32.

<sup>18</sup> Cic. *Pro Reg. Deiot.*, 13.

<sup>19</sup> Ps.-Caes. *B. Alex.*, 67.

<sup>20</sup> As do the Nervii in Gaul in 57. Caes. *BG.*, 2:28.

At the time these events were taking place, *ignosco* was one of many mercy-related words used to describe Caesar's policy of *clementia* and as such, this term reflects the contemporary language when this account was written.

A similar phrase is used with reference to Pharnaces in the section almost immediately following that of Deiotarus.<sup>21</sup> The account begins with the report that Pharnaces had attacked Pontus, and engaged in battle against the Roman commander Domitius Calvinus, whom he defeated.<sup>22</sup> Caesar is then represented as moving into Pontus himself and receiving envoys from Pharnaces who attempts to explain his actions.<sup>23</sup> Caesar's response was to ensure the envoys understood the situation from his viewpoint:

*'Nam se neque libentius facere quicquam quam supplicibus ignoscere neque provinciarum publicas iniurias condonare iis posse qui non fuissent in se officiosi.'*<sup>24</sup>

(For whereas nothing gave him greater pleasure than granting pardon when it was humbly entreated, yet it was impossible for him to condone public outrages against the province in the case of those who had been loyal towards himself.)

Once again the term *ignoscere* is used with reference to a pardon, rather than *clementia*. Loreto interprets Caesar's actions towards Pharnaces as a continuation of the policy of *clementia* Caesar had adopted throughout the civil war.<sup>25</sup> This, however, misinterprets Caesar's policy. Pharnaces was a foreign enemy, so Caesar's actions in these instances were as a Roman leader towards a non-Roman enemy. He responded to Pharnaces in the same way he responded to his opponents in Gaul, and this presents a very different picture to the civil war policy of *clementia*. The noun *clementia* was not necessary in instances where Caesar was dealing with a foreign enemy and the verb *ignoscere*, representing his action of forgiveness, was used instead.

While the *Bellum Alexandrinum* shares many similarities with Caesar's *Bellum Gallicum*, it differs simply because the author was not also the main participant in the action. This

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<sup>21</sup> Loreto notes the similarity of purpose in Caesar's actions here, Loreto, 2001, p. 392.

<sup>22</sup> Ps.-Caes. *B. Alex.* 65.

<sup>23</sup> Ps.-Caes. *B. Alex.* 69.

<sup>24</sup> Ps.-Caes. *B. Alex.* 70.

<sup>25</sup> Loreto, 2001, p. 392.

provided him with a different perspective when writing of Caesar's conduct against a foreign enemy. The other works of the *Corpus Caesarianum* are about wars fought against Roman citizens, and hence provide a different atmosphere and expectations regarding the correct treatment of defeated parties. While the account surrounding Caesar's actions in Egypt is limited in its references to Caesarian mercy, the sections dealing with individuals who had fought against Caesar's armies are far more enlightening when it comes to his treatment of defeated foreign enemies. Both Deiotarus and Pharnaces had fought against and been defeated by Caesar. The subsequent mercy-related language used is *ignoscere*. This is representative not only of the language Caesar himself was using, but also of the fact that while mercy towards a foreign enemy was desirable, it was not necessary. In fact, on some occasions mercy was inappropriate. More importantly, the mercy-related language in this work reflected the foreign status of these men, illustrating that a marked differentiation had developed between civil war *clementia* and the mercy offered to defeated foreign armies.

### ***Bellum Africum***

The tone and language used in the *Bellum Africum* is markedly different to that present in the *Bellum Alexandrinum*, and not simply because they were written by two different authors. The *Bellum Africum* concentrates on the renewed resistance to Caesar that marked the return to civil war. Caesar's *clementia* receives particular attention in this work. The *Bellum Africum* provides the reader with a literary battleground where a contest was fought over the right to be labelled merciful and just. That this was a civil war ensured that these two concepts were linked, and evidence can be found for both Caesar and the Republicans' claims to legitimacy and hence justice.<sup>26</sup>

### **Claim to Justice**

Before Caesar has even left Italy, he is established as the legitimate leader of the Roman people,<sup>27</sup> thus justice was on his side in his prosecution of the war. The author is blatant in his manner of establishing Caesar's claim, noting that he delayed leaving Sicily in

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<sup>26</sup> Linderski, 1996, p. 167.

<sup>27</sup> As Linderski has highlighted, this is carried over from Caesar's *Bellum Civile*, where Caesar denies his opponents legitimacy in their commands, Linderski, 1996, p. 164-166.

order to sell the property of a few individuals for the profit of the state.<sup>28</sup> This was the action of a legitimate representative of the Roman people; the author has confirmed Caesar's position although the fact he recorded this illustrates a lack of sensitivity that Caesar himself would not have cared to note. Caesar's confiscation and sale of his enemies' property highlights the powerful position he held after his defeat of the Republican forces at Pharsalus. His supporters were placed in important positions within the Roman government, and while the Republican forces concentrated their resources in Africa, his power extended from the centre of the empire. Those who opposed Caesar were enemies of the state and their actions thereafter could only be against Rome's interests.

### Republican Cruelty and Caesarian Mercy

As with the *Bellum Civile*, negative language denoting cruelty is used throughout the *Bellum Africum* with reference to Scipio and his supporters in the same way that language signifying mercy is used of Caesar's actions. Within this work, *crudelitas* appears once<sup>29</sup> and *acerbitas* twice with reference to Scipio and the Republican supporters,<sup>30</sup> while both *clementia* and *lenitas* are used three times each of Caesar.<sup>31</sup> Yet it is not only the language that is significant; throughout the *Bellum Africum* the author works hard to associate mercy with Caesar, while at the same time using Scipio's purported *crudelitas* to show his inability to act as a Roman commander should.<sup>32</sup> Such contrasts are present in this work almost from the time Caesar arrived in Africa. In chapter three, Caesar established himself in a camp before the town of Hadrumetum without causing harm to anyone – pillaging by the troops had been outlawed.<sup>33</sup> This can be contrasted with stories Caesar heard about Scipio's conduct in the province and his treatment of the provincials,

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<sup>28</sup> Ps.-Caes. *B. Afr.* 2. This action is repeated at the end of the war too, when Caesar went to Sardinia. He is recorded as penalising individuals for assisting his enemies. His ability to do so again illustrates that Caesar was the legitimate representative of the Roman state. Ps.-Caes. *B. Afr.* 98.

<sup>29</sup> Ps.-Caes. *B. Afr.*, 26.

<sup>30</sup> Ps.-Caes. *B. Afr.*, 26, 87.

<sup>31</sup> *Clementia* and *lenitas* are used in total 12 times. Ps.-Caes. *B. Afr.*, 86, 88, 92 (*clementia*) and 54, 86, 92 (*lenitas*).

<sup>32</sup> 'In contrast to the inept, harsh and cruel Scipio he was not only imbued with *felicitas*; he was also imperator *clemens*.' Linderski, 1996, p. 170.

<sup>33</sup> '...castrisque ante oppidum positus sine iniuria cuiusquam consistit cohibetque omnes a praeda.' (He then pitched camp in front of the town and established himself without molesting anyone, looting being universally forbidden.) Ps.-Caes. *B. Afr.*, 3.

not in the least the fact that he kept a 'royal' cavalry force at the province's expense.<sup>34</sup> Caesar's conduct was obviously aimed at protecting the provincials and treating them well, while Scipio was intent on inflicting harsh measures on them wherever possible.

Very early within the *Bellum Africum* the reader is provided with evidence of Caesar's mercy and desire for reconciliation in contrast to the implacability of his enemies. As soon as he has arrived in Africa, and while his opponents are preparing to engage him in battle,<sup>35</sup> Caesar is represented as trying to engage in peaceful negotiations with C. Considius:

*L. Plancus interim legatus petit a Caesare, uti sibi daret potestatem cum Considio agendi, si posset aliqua ratione perduci ad sanitatem. Itaque data facultate litteras conscribit et eas captivo dat perferendas in oppidum ad Considium...in conspectu suo statim captivum interfici iubet...*<sup>36</sup>

(Meanwhile, L. Plancus, a *legatus*, asked Caesar to give him authority to treat with Considius, to see if he could be brought to see reason. And so authority granted, he wrote a letter and gave it to a prisoner to taken to Considius in the town...He ordered the prisoner to be executed in his presence...)

Caesar's mercy is evident through his willingness to treat with Considius, and this is contrasted with the cruel execution of the prisoner. Considius' barbarity is made even worse because the prisoner is executed in his presence. This is similar to accusations made against Scipio elsewhere in this account,<sup>37</sup> and Labienus, Afranius and Petreius in the *Bellum Civile*.<sup>38</sup> Considius' cruelty is reflected back on his commander, just as Plancus' desire for peace is demonstrative of Caesar's mercy.

## Scipio

A Roman commander should not enact brutal punishments, so when Caesar is beset with requests to remove Scipio's cruel influence,<sup>39</sup> the author is making a clear contrast between these actions and Caesar's *clementia*. He tells us that Caesar prepared for an

<sup>34</sup> Ps-Caes. *B. Afr.*, 8.

<sup>35</sup> Ps-Caes. *B. Afr.*, 3.

<sup>36</sup> Ps-Caes. *B. Afr.*, 4.

<sup>37</sup> Ps-Caes. *B. Afr.*, 46.

<sup>38</sup> Caes. *BC.*, 1:76 (Afranius and Petreius); 3:71 (Labienus).

<sup>39</sup> Ps-Caes. *B. Afr.*, 26.

immediate (winter) campaign and desired to set the Africans free from Scipio's crimes and plots (...*scelere insidiisque*...).<sup>40</sup> Scipio's cruelty is an important message, and one that was repeated throughout the *Bellum Africum*. Chapter 26 contains descriptive accounts of both citizens and provincials complaining of Scipio's acts of cruelty;<sup>41</sup> in chapter 28 Scipio kills two Caesarian tribunes;<sup>42</sup> and in chapter 87 Scipio's (defeated) cavalry twice inflict cruel punishment on those who oppose them.<sup>43</sup> At chapter 46 Scipio appears to almost have found redemption for his cruel actions, when numerous Caesarian soldiers were captured and brought before him. He is represented as speaking with them and offering a chance for release, noting that they were no doubt fighting against fellow citizens due to the nefarious influence of their commander. Scipio finishes:

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<sup>40</sup> Ps-Caes. *B. Afr.*, 26.

<sup>41</sup> *Interim nobiles homines ex suis oppidis profugere et in castra Caesaris devenire et de adversariorum eius crudelitate acerbitateque commemorare coeperunt... Africam provinciam perire funditusque everti ab suis inimicis; quod nisi celeriter sociis foret subventum, praeter ipsam Africam terram nihil, ne tectum quidem quo se reciperent, ab illorum scelere insidiisque reliquum futurum... animum advertebat enim villas exuri, agros vastari, pecus diripi, homines trucidari, oppida castellaque dirui deserique, principesque civitatum aut interfici aut in catenis teneri, liberos eorum obsidum nomine in servitutum abripi;...* (Meanwhile persons of note fled from their towns and sought refuge in Caesar's camp and proceeded to quote instances of the cruelty and harshness of his opponents... The province of Africa, he wrote, was in its death throes, in the process of utter destruction at the hands of his foes; and unless aid was promptly rendered to their allies, nothing save the very soil of Africa – not even a roof to give them shelter – would be left as the result of their enemies' treacherous crimes... for he perceived that farms were being burned to the ground, fields stripped, herds plundered or butchered, towns and strongholds destroyed and abandoned, and the principal citizens either murdered or held in chains, and their children haled off to slavery on the pretext of being hostages...) Ps-Caes. *B. Afr.*, 26.

<sup>42</sup> *Itaque deducti a Vergilio ad Scipionem custodibus traditi et post diem tertium sunt interfecti.* (accordingly they were escorted by Vergilius to Scipio, put under guard, and two days later put to death.) Ps-Caes. *B. Afr.*, 28.

<sup>43</sup> *Equites interim Scipionis qui ex proelio fugerant, cum Uticam versus iter facerent, perveniunt ad oppidum Paradae. ubi cum ab incolis non reciperentur, ideo quod fama de victoria Caesaris praecurrisset, vi oppido potiti in medio foro lignis coacervatis omnibusque rebus eorum congestis ignem subiciunt atque eius oppidi incolas cuiusque generis aetatisque vivos constrictosque in flammam coiciunt atque ita acerbissimo adficiunt supplicio.* (Meanwhile those horsemen of Scipio's who had escaped from the battle were proceeding in the direction of Utica when they came to the town of Parada. Being refused admittance by the inhabitants – for the tidings of Caesar's victory had preceded them – they gained possession of the town by force; then making a pile of faggots in the middle of the market-place and heaping on top all the inhabitants' possessions, they set fire to it and then flung into the flames, alive and bound, the inhabitants of the town themselves, irrespective of rank or age, thereby meting out to them the most cruel of all punishments. Ps-Caes. *B. Afr.*, 87.

*Itaque posteaquam castra non potuerant potiri, Uticam se in oppidum coniecerunt atque ibi multos Uticenses interfecerunt domosque eorum expugnaverunt ac diripuerunt.* (And so, finding it impossible to gain possession of the camp, the horsemen hurled themselves upon the town of Utica, where they massacred many of the inhabitants and stormed and looted their houses.) Ps-Caes. *B. Afr.*, 87.

*'Quos quoniam fortuna in nostram detulit potestatem, si, id quod facere debetis, rem publicam cum optimo quoque defendetis, certum est vobis vitam et pecuniam donare.'*<sup>44</sup>

(But now that fortune has delivered you into our hands, if you mean to do your duty and range yourselves on the side of all true patriots in the defence of the state, then I am resolved to grant you your lives and reward you with money.)

The offer of pardon here appears exactly the same as Caesarian *clementia*, but by requiring the recipient to meet a condition if his life is to be spared, it is represented as being vastly different. Caesarian *clementia* towards Roman citizens is always offered without conditions attached. In this respect Scipio's offer is more reminiscent of Caesar's mercy towards foreigners than Roman citizens,<sup>45</sup> thus implying an unequal relationship. Yet the language the author of the *Bellum Africum* employs is vastly different. There is no trace of any mercy-related words at all; thus the author denies Scipio mercy. The author continues to reject the possibility that Scipio was merciful through the language employed in response to this proposition – the centurion responds by thanking him for his *beneficium*, but refuses to accede to such an offer. This then disallows Scipio the opportunity to claim saving even one life.<sup>46</sup> Scipio, outraged at the answer he has received, orders the speaker executed in his presence and the other soldiers taken away and tortured to death.<sup>47</sup> Scipio's offer of pardon has been established as false and his real nature, cruelty, has been revealed.

### Juba's Influence

The *Bellum Africum* presents an overall sense of disapproval towards Scipio's association with Juba,<sup>48</sup> who is represented as arrogant, treacherous and cruel.<sup>49</sup> The scene is set when M. Aquinus fraternises with the enemy and is recalled by Scipio. The summons ignored, Juba sends a messenger to inform Aquinus that his conversation was

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<sup>44</sup> Ps-Caes. *B. Afr.*, 44.

<sup>45</sup> Caesar's *clementia* in Gaul was always conditional, Caes. *BG.*, 2:14, 31. Barden Dowling, 2006, p. 20-21 notes that Caesar's mercy in Gaul is not total and that a punishment is exacted.

<sup>46</sup> Ps-Caes. *B. Afr.*, 45.

<sup>47</sup> Ps-Caes. *B. Afr.*, 46.

<sup>48</sup> Linderski, 1996, p. 168.

<sup>49</sup> Ps-Caes. *B. Afr.*, 25, 48, 66, 74, 91.

unacceptable; Aquinus then withdrew in deference to the king's desire.<sup>50</sup> The author uses the Republican forces' subservience to illustrate the way a foreign king dominated the Republicans' policy. The author himself offers comment:

*'...hoc civi Romano...Iubae barbaro potius oboedientem fuisse quam aut Scipionis obtemperasse nuntio aut caesis eiusdem partis civibus incolumem reverti malle!'*<sup>51</sup>

(...that a Roman citizen...should rather have obeyed Juba, a foreigner, than deferred to Scipio's instruction or else, if he preferred, let his own partisans be massacred, while he himself returned home safe!)

The reference to massacre illustrates the reasoning behind such deference to Juba; as Livy and Plutarch attest, his cruelty was both well-known and difficult to control.<sup>52</sup> Dio too notes the difficulties Scipio experienced in his relationship with Juba – he could only convince Juba to do as he commanded through open bribery.<sup>53</sup> This account also serves to illustrate that Scipio had lost the respect of his men and was unable to influence them, while the barbarous Juba possessed more power than he should. This should not happen to a Roman commander, and it was an expression of Scipio's criminality that he was unable to control both his own men and Juba's cruel intentions.

That Scipio would eschew his own rights as a Roman to those of Juba is made even more explicit in the episode relating to his purple commander's cloak:<sup>54</sup>

*'Namque cum Scipio sagulo purpureo ante regis adventum uti solitus esset, dicitur Iuba cum eo egisse, non oportere illum eodem vestitu atque ipse uteretur. Itaque factum est ut Scipio ad album sese vestitum transferret...'*<sup>55</sup>

(...Scipio had been in the habit of wearing a purple cloak before the king arrived; and Juba – so it is said – took the matter up with him, saying that Scipio ought not wear the same dress as he himself wore. And so it came about that Scipio changed to white dress...)

<sup>50</sup> *'...dicto audiens fuit regi.'* Ps-Caes. *B. Afr.*, 57.

<sup>51</sup> Ps-Caes. *B. Afr.*, 57.

<sup>52</sup> Liv. *Per.*, 113; Plut. *Cat.*, 58:1.

<sup>53</sup> Dio, 43:4:6.

<sup>54</sup> That this cloak was an important and distinguishing feature of a Roman commander is illustrated through Caesar's reference to his own cloak at the crucial moment in the fighting at Alesia, Caes. *BG.*, 7:88.

<sup>55</sup> Ps-Caes. *B. Afr.*, 57.

This incident not only shows Juba's arrogance,<sup>56</sup> it highlights Scipio's inability to act as a proper commander. Plutarch too notes that Scipio had virtually surrendered his command to Juba, although without mentioning the cloak incident.<sup>57</sup> No true Roman *imperator* would allow a foreign king to dictate his actions.<sup>58</sup> By allowing Juba to do so, Scipio was practically surrendering his command. This laid both Roman citizens and the provincials open to the depredations of the barbarian king, who was well-known to be cruel and vindictive.

### Scipio's Response

In response to the Caesarian accusations of cruelty, Scipio minted a coin in 47-46 bearing images of justice. This coin represented Jupiter with his hair tied, with an eagle's head and sceptre, and *Metel. Pius* downwards and *Scip. Imp.* behind (running upwards) on the obverse.<sup>59</sup> More importantly, on the reverse there is a *sella curulis*, scales balanced on a cornucopia, a corn ear and a dragon's head with the inscription of *Crass. Iun.* downwards and *Leg. Pro. Pr.* upwards. Linderski identifies the reverse as holding several key propaganda symbols:

*'the scales of Scipio's coin may have, conceivably, alluded to the dispensing of the African corn, but in conjunction with the sella curulis the libra is better taken as an expression of the imperator's aequitas = iustitia, and as an answer to Caesarian accusations of crudelitas.'*<sup>60</sup>

The representation of *iustitia* recasts Scipio's harshness as *severitas*, an acceptable quality in a Roman *imperator*. Such a concentration on the image of *iustitia* indicates the reactive nature of this coin, and represents just one example of the way in which coinage was used to combat Caesarian propaganda aimed at denying Scipio legitimacy as a commander.<sup>61</sup>

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<sup>56</sup> Loreto has noted the propagandistic value of such a comment on Juba. Taken with the comment directly above this on Scipio's lack of influence with the soldiers, who preferred to obey Juba, this is a highly slanted piece of propaganda aimed at tarnishing both Scipio and Juba. Loreto, 2001, p. 434.

<sup>57</sup> Plut. *Cat.*, 57:2.

<sup>58</sup> Linderski, 1996, p. 168.

<sup>59</sup> 460/1-2 Crawford.

<sup>60</sup> Linderski, 1996, p. 175. Crawford offers no comment on the symbolism of the coin.

<sup>61</sup> Other coinage also challenges images presented in the *Bellum Africum*, especially the contention centred on the term *imperator*, a term used with reference to Caesar ten times (*Ps-Caes. B. Afr.*, 4, 10 (twice), 35,

## P. Vestrius and P. Ligarius

In Chapter 64, the author reports that Caesar captured an enemy trireme with two Roman citizens on board, P. Vestrius and P. Ligarius. Ligarius had fought against Caesar in Spain, been pardoned and then joined the Pompeians again and fought at Pharsalus. That Caesar chose to execute Ligarius illustrates Caesar's implementation of his policy for *clementia* in a negative sense; he would spare citizens the first time they were captured, but if they continued in their resistance, they would be executed.<sup>62</sup> This is illustrative of an overall far more serious problem Caesar faced when resistance continued after Pharsalus; numerous individuals had already been defeated and pardoned, so according to his 'two strikes' policy, anyone now captured would be killed. That he had widely broadcast both his intention to exhibit *clementia* and his policy regarding the correct

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44, 45, 54, 71, 82, 88.) Contrast this with Scipio who is styled *imperator* only once (Ps-Caes. *B. Afr.*, 4.) and blatantly denied the title on another occasion ('*pro tuo*' inquit '*summo beneficio Scipio, tibi gratias ago - non enim imperatorem te appello...*' (For your great kindness Scipio – I refrain from calling you commander-in-chief – I thank you...), Ps-Caes. *B. Afr.*, 45.) Yet we know that Scipio had been hailed *imperator* during his time in Syria in 49; Caesar himself mentions it in his *Bellum Civile* (Caes. *BC.*, 3:31), although Linderski (1996, p. 146) suggests that this was written in contempt. The number of times Caesar is called *imperator* compared to Scipio indicates the author's intention; Caesar is the legitimate commander, hence the term *imperator* and Scipio is not allowed to claim the title for himself (Linderski, 1996, pp. 164-67.) Again, in reaction to the Caesarian propaganda is a coin minted by Scipio in 47-46, revealing how he addressed both the issue of the legitimacy of his command and the use of the term *imperator*. This coin features on its reverse a trophy, with a *lituus* on the left and a jug on the right (460/3, Crawford, 1974, p. 472.) On the extreme right it reads *METEL. PIUS* downwards and the extreme left *SCIP IMP*. The obverse features a female head on the right, wearing turreted crown; on the left a corn ear; on right caduceus; below a *rostrum tridens*; above uncertain rectangular object; on right *CRASS IVN* downwards; on left *LEG PRO PR* upwards, and a laurel wreath as border. That the coin features Scipio's title of *imperator* is indicative of his right to command. Linderski concludes that the jug and *lituus* were representative of Scipio's *imperium* (Linderski, 1996, p. 181).

Contrasting with this is the single coin Caesar minted while in Africa (Crawford, 458/1.) This coin features on the obverse the head of Venus wearing a diadem, with a border of dots. On the reverse, Aeneas carries the palladium in his right hand, with Anchises on his left shoulder. On the right *CAESAR* is written downwards, surrounded by a border of dots. This coin differs greatly from that of Scipio; Venus' presence represents victory, an image that had particular resonance for Caesar and a goddess with whom he claimed a special relationship. Crawford, 1974, p. 735-6. Grueber (1910, 2:469) also records the relationship between Caesar's use of Venus and victory, although he notes that both the obverse and reverse associates the image of Aeneas and Anchises with the mythical descent the Julian *gens* claimed from Iulus, the son of Aeneas. The image of Aeneas and Anchises, representing *pietas*, also formed part of a consistent message Caesar had presented from the outset of the civil war (Crawford, 450/2). *Pietas* had previously been combined with other images to represent Caesarian moderation and reconciliation, and in this instance it performs a similar role.

<sup>62</sup> '*...quem ob periurium perfidiamque Caesar iussit necari.*' (in view of his falseness and treachery Caesar ordered him to be executed). Ps-Caes. *B. Afr.*, 64. Dio's account of Caesar's funeral speech notes that all were pardoned, as long as they had not previously been recipients of his *clementia*. Dio, 44:39:4-49:2.

treatment for citizens meant that Caesar was in a position where he was almost forced to continue his policy. Yet he was also aware that continued *clementia* would ensure that he faced sustained resistance. Caesar's execution of Ligarius shows the selective nature of his *clementia* after his success at Pharsalus. It was only in the aftermath of the African campaign that the policy was modified, although even then it only applied to select individuals.

Vestrius' treatment is almost completely opposite to that of Ligarius:

*P. Vestrio autem quod eius frater Romae pecuniam imperatam numeraverat, et quod ipse suam causam probaverat Caesari, se a Nasidi classe captum, cum ad necem duceretur, beneficio Vari esse servatum, postea sibi facultatem nullam datam transeundi, ignovit.*<sup>63</sup>

(But P. Vestrius he pardoned, for his brother had paid the stipulated ransom at Rome, and Vestrius himself had satisfied Caesar as to the honesty of his motives, explaining that he had been taken prisoner by Nasidius' fleet, and as he was being led off to execution his life had been saved through Varus' kindness. After that he had been given no opportunity to transfer to Caesar's side.)

There are a number of points to note here. Firstly, this section supports the idea that Caesar's *clementia* was subject to external circumstances. It confirms the importance of having an individual who was well-placed within Rome to assist in gaining pardon, and who could possibly act as a guarantor for the individual in question.<sup>64</sup> Caesar's stipulation of a price for Vestrius' pardon illustrates that his *clementia* was offered when he could gain an advantage. These were generally political advantages, but Vestrius shows that this was not always the case. At this point Caesar desperately needed funds, and by ransoming Vestrius' life he was able to make a considerable financial gain.

The case involving Vestrius should also take into account whether he was considered important enough to kill, as well as his previous military record. Obviously exercising *clementia* would assist Caesar in gaining support, but there are other considerations. In both the Gallic war and the civil war up to Pharsalus, Caesar had been willing to offer

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<sup>63</sup> Ps-Caes. *B. Afr.*, 64.

<sup>64</sup> For a more detailed discussion of this policy, see Chapter Five, *The Mercy Years*.

*clementia* to all who fought against him. In instances where they continued to fight against him and were captured again, the offer of *clementia* was revoked and they faced the repercussions of their actions. The author of the *Bellum Africum* does not state that Vestrius had previously fought against Caesar and if he had not, Caesar's *clementia* conforms to the established pattern. That the author believed Caesar's actions to be somewhat out of character may be inferred by the fact that he provides an alternative reading for Caesar's actions: Vestrius had been captured by Nasidius's fleet, and as he was being led off to execution, he had been saved through Varus' intervention.<sup>65</sup> This in itself illustrates the way in which the author was intent on denying the Republican supporters mercy. Varus' intercession is the same as Caesar's action in saving lives, yet the word used is *beneficium*, not *clementia*. Granting pardon was a *beneficium*, and as such Varus' action could also have been described employing mercy-related language. Yet there is no trace of any of these terms, especially not *clementia*. The author's refusal to employ these terms reflects the fact that *clementia* had become Caesar's exclusive domain.

### 'Punishing' Mutiny

Caesar's mercy even extended to his own soldiers who had betrayed him. The *Bellum Africum* makes numerous references to the mutiny of 47, and illustrates that infringements by Caesar's men, either individually or collectively, resulted in punishments while they were in Africa in 46. Caesar contrasted his own *lenitas*, *modestia* and *patientia*<sup>66</sup> with the troops' outrageous behaviour. The particular charges made against them were their loss of military discipline, mutinous behaviour, and attack and plunder of various towns throughout Italy.<sup>67</sup> At least four soldiers were charged with mutiny and dismissed.<sup>68</sup> That their dismissal should be for their involvement in the mutiny is important – Caesar could have easily executed them for their participation as he did those involved in the mutiny in Placentia in 49.<sup>69</sup> In this instance, the author ensures Caesar is represented as a magnanimous leader because he allowed these men to live.

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<sup>65</sup> Ps-Caes. *B. Afr.*, 64.

<sup>66</sup> Ps-Caes. *B. Afr.*, 54.

<sup>67</sup> Ps-Caes. *B. Afr.*, 54.

<sup>68</sup> Aulus Fonteius, Titus Salienus, Marcus Tiro and Caius Clusinas, Ps-Caes. *B. Afr.*, 54.

<sup>69</sup> App., *BC*, 2:47; Dio, 41:35:5; Suet. *Iul.*, 69.

The specific reference to Caesar's *lenitas* that is contained in this section is an indication of the author's intention. There is no mention of the precarious military situation Caesar was in at the time, or of the fact that Caesar could not possibly risk executing the soldiers for fear that the entire army would mutiny. In writing about this event, the author chose to highlight Caesar's mercy, even towards those in his army who had betrayed him.

### Thapsus

The battle at Thapsus illustrates the extent to which the author sought to project Caesar's reputation for mercy. Caesar did not have total command over his troops; it was their decision to attack,<sup>70</sup> and realising it was futile to resist, Caesar supported their entering battle by providing a watchword.<sup>71</sup> In the aftermath of the battle, the troops engaged in mass-slaughter of the enemy. They killed an ex-quaestor Tullius Rufus; and would have succeeded in killing Pompeius Rufus had he not sought protection with Caesar.<sup>72</sup> The author finishes:

*'Itaque ii omnes Scipionis milites cum fidem Caesaris implorarent, inspectante ipse Caesare et a militibus deprecante uti eis parcerent, ad unum sunt interfecti.'*<sup>73</sup>

(Accordingly, although all these troops of Scipio implored Caesar's protection, they were massacred to a man, despite the fact that Caesar himself was looking on and entreating his troops to spare them.)

The author passes a harsh judgement on the soldiers, but ensures Caesar is disassociated from their crimes. Caesar's lack of control over his troops is evident, but the issue of the slaughter of the men is not addressed and comment withheld.<sup>74</sup> The author hurriedly continues the narrative, noting that Caesar captured the three enemy camps.<sup>75</sup> The author

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<sup>70</sup> Ps-Caes. *B. Afr.*, 82.

<sup>71</sup> Ps-Caes. *B. Afr.*, 83.

<sup>72</sup> *'in quo numero fuit Tullius Rufus quaestorius qui pilo traiectus consulto a milite interiit. item Pompeius Rufus brachium gladio percussus, nisi celeriter ad Caesarem adcurrisset, interfectus esset.'* (among these was Tullius Rufus, an ex-quaestor, who was mortally wounded by a soldier who deliberately ran him through with a heavy javelin; and similarly Pompeius Rufus was stabbed in the arm with a sword and would have been done to death, had he not promptly rushed to Caesar's side.) Ps-Caes. *B. Afr.*, 85.

<sup>73</sup> Ps-Caes. *B. Afr.*, 85.

<sup>74</sup> This denial of atrocities committed is paralleled in Caesar's own *Bellum Gallicum*. Caes., *BG* 7:11, 28.

<sup>75</sup> Ps-Caes. *B. Afr.*, 86.

has successfully managed to remove Caesar from responsibility for any cruelty exhibited, thus ensuring his reputation for *clementia* was protected.

The day after the battle Caesar addressed Vergilius who had taken refuge in the town of Thapsus, ‘...inviting him to surrender and reminding him of his own *lenitas* and *clementia*.’<sup>76</sup> Needless to say, with the soldier’s slaughter of surrendering troops less than a day before, Caesar’s offer was unsuccessful. But this reference to Caesar’s *clementia* and *lenitas* shows how the author tried to use his reputation to enhance Caesar’s image and further remove him from his soldiers’ crimes. The account of Thapsus finishes with a military review, and rewards being given to the entire Caesarian veteran force. On other occasions when his troops had disobeyed his orders, Caesar’s reaction was harsh. That Caesar decorated his men two days after their slaughter of enemy troops clearly indicates that his soldiers’ actions were, if not approved, then certainly not worried about. The portrayal of Caesar as a caring citizen and a leader who pardoned his enemies and saved citizens lives is an obvious misrepresentation.

Caesar’s treatment of the Three Hundred at Utica supports this idea that Caesar imposed harsh punishments while cultivating an image for *clementia*. It also reinforces Caesar’s need to collect funds. The punishment set for the ‘Three Hundred’ at Utica was pecuniary,<sup>77</sup> leaving them with their lives, but relegating them to political non-existence. This ensured that they were unable to build opposition against Caesar in the foreseeable future, while ensuring his reputation for *clementia* could be maintained.

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<sup>76</sup> ‘...invitavitque ad deditionem suamque lenitatem et clementiam commemoravit.’ (...inviting him to surrender and reminding him of his own leniency and *clementia*.) Ps-Caes. *B. Afr.*, 86.

<sup>77</sup> Caesar asked for the sum of two hundred million sesterces to be paid in six instalments over three years. ‘se eis dumtaxat vitam concessurum; bona quidem eorum se venditurum, ita tamen qui eorum ipse sua bona redemisset, se bonorum venditionem inducturum et pecuniam multae nomine relaturum, ut incolumitatem retinere posset.’ (their lives at any rate he would spare: their property indeed he would sell, yet on the following condition, that if any man among them personally bought in his own property, he himself would duly register the sale of the property and enter up the money paid under the heading of a fine, so as to enable the man in question to enjoy full security thereafter.) Ps-Caes. *B. Afr.*, 90. Loreto, 2001, p. 464-465.

## Overwhelming *clementia*

Caesar's success at Thapsus was marked by great bloodshed, yet when describing the aftermath of the battle, the author provides an overwhelming sense of *clementia*,<sup>78</sup> citing numerous examples of Caesarian mercy. He first sets Cato's death against L. Caesar's speech before the people of Utica:

*'L. Caesar... convocato populo contione habita cohortatus omnes ut portae aperirentur: se in C. Caesaris clementia magnam spem habere.'*<sup>79</sup>

(L. Caesar... delivered a speech to the assembled people in which he urged them all to open their gates, saying that he set great store by C. Caesar's *clementia*.)

The speech attributed to L. Caesar forms an excellent contrast to Cato's suicide. Even more important, however, is the message it conveys. Even individuals who had fought against Caesar were convinced of Caesar's merciful nature and were fully confident in their pardon.<sup>80</sup> According to the author of the *Bellum Africum*, L. Caesar's confidence was not mislaid:

*'Cui Caesar facile et pro natura sua et instituto concessit...'*<sup>81</sup>  
(Caesar readily granted him this boon – an act which accorded both with his natural temperament and principles...)

The language the author employs, *pro natura sua* is illustrative of his intentions. Caesar's mercy extended from an inherent virtue. As such, all individuals who sought pardon would readily be granted it.

Caesar's *clementia* is the arena in which he overwhelmingly defeated his enemies and as if to illustrate further its irresistible power, the author lists the high profile individuals Caesar saved after Thapsus. The list is impressive simply due to its length; Q. Ligarius, C. Considius (*filius*), A. Caecina, C. Ateius, P. Atrius, L. Ocella (*pater et filius*), M. Eppius, M. Aquinus, as well as Cato's son and the children of Damasippus were amongst

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<sup>78</sup> Raaflaub has highlighted the way in which this concept is used throughout the *Bellum Africum*, noting that Caesar's merciful intentions stretched even to Juba's army. Raaflaub, 1974, pp. 300-304.

<sup>79</sup> Ps-Caes. *B. Afr.*, 88.

<sup>80</sup> And those who had been associated with Cato. L. Caesar had been his proquaestor, *MRR*, 2:297.

<sup>81</sup> Ps-Caes. *B. Afr.*, 89.

those individuals saved.<sup>82</sup> Most importantly, the author ensures that Caesar was portrayed as offering mercy to Faustus Sulla's wife Pompeia (who was also Pompey's daughter), as well as the lives of her children.<sup>83</sup> Caesar was also said to have left her estates untouched, a notable difference to his treatment of other enemies.<sup>84</sup> This provided an overwhelming image of a merciful leader,<sup>85</sup> but other ancient sources suggest that Caesar's *clementia* was not so extensive. Thus Dio reports that Caesar originally told his kinsman L. Caesar that he would have to stand trial, but subsequently had him killed.<sup>86</sup>

### No Mercy for Some

In accordance with his 'two strikes' policy for recipients of his *clementia*, after the African campaign Caesar's mercy did not extend to all individuals. In these instances the individuals either committed suicide in anticipation of being executed, or were killed by Caesarian troops. Others, in their efforts to escape after the battle, died in flight. Thus we hear of Scipio fleeing Africa for Spain when his ship was carried to Hippo Regius by a storm and while there was surrounded by Sittius' ships and sunk. Thus he faces an ignominious death.<sup>87</sup> The tendentious and overly pro-Caesarian account contained within the *Bellum Africum* is offset by (equally biased) stories of Scipio's glorious death in Livy's *Periochae*, Valerius Maximus, Florus, Seneca and Quintilian.<sup>88</sup>

Other individuals who face an ignominious death include Afranius and Faustus Sulla. Both men are represented in the *Bellum Africum* as being killed by Sittius' troops.<sup>89</sup> Dio records that Afranius and Faustus would not come to Caesar to ask for mercy. Instead they went to Mauretania and were captured by Sittius. When handed over to Caesar he

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<sup>82</sup> '...item Caecinae, C. Ateio, P. Atrio, L. Ocellae patri et filio, M. Eppio, M. Aquinio, Catonis filio Damasippique liberis...' (and in the same way he followed his normal procedure in sparing the lives of Caecina, C. Ateius, P. Atrius, L. Ocellae (father and son), M. Eppius, M. Aquinus, as well as Cato's son and the children of Damasippus...) Ps-Caes. *B. Afr.*, 89.

<sup>83</sup> Ps-Caes. *B. Afr.*, 95. App., 2:100 notes that Caesar captured Pompey's daughter and her two children and sent them to Cn. Pompeius in Spain.

<sup>84</sup> Ps-Caes. *B. Afr.*, 2, 98. Caesar had also confiscated and sold Pompey's vast estates, Cic. *Phil.*, 2:64-65.

<sup>85</sup> Murphy, 1986, p. 314; Linderski, 1996, p. 170.

<sup>86</sup> Dio, 43:12:2-3.

<sup>87</sup> Ps-Caes. *B. Afr.*, 95. Linderski, 1996, p. 184; Loreto, 2001, 466.

<sup>88</sup> Liv. *Per.*, 114; Val. Max. 3:2:13; Flor. 2:13:68; and Sen. *Suas.*, 6:2; *Ep. Mor.*, 24:9; Quint. *Declam. Min.*, 377:9.

<sup>89</sup> Ps-Caes. *B. Afr.*, 95.

had them executed without a trial.<sup>90</sup> When reporting the deaths of Afranius, Faustus Sulla and Lucius Caesar, Suetonius' account differs markedly from that of Dio. Notice of their deaths is contained within a section recalling Caesar's *clementia* and *moderatio*, and Suetonius specifically notes that it was believed Caesar was not involved in their murder.<sup>91</sup> Petreius too dies after Thapsus, along with Juba. They are represented as disgracefully fleeing the battle. Aware that neither man would receive Caesar's mercy, they are depicted as facing no choice but to commit suicide. The author portrays this not as a courageous act, but rather as one of necessity. They are left with no other choice. As such, they enter into a duel, with the foreign king killing Petreius and then forcing a slave to kill him.<sup>92</sup> This story is repeated in Appian,<sup>93</sup> Dio,<sup>94</sup> Livy and Florus; in the latter two the order of deaths is reversed, with Petreius killing Juba and then himself.<sup>95</sup>

### Cato in Africa

The most obvious pro-Caesarian aspect of this account, however, concerns Cato's death. Here he is almost represented as a coward, unwilling to face the consequences of fighting against Caesar. There is no mention of his refusal to accept Caesar's *clementia* as a

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<sup>90</sup> Dio 43:12:2.

<sup>91</sup> *'Moderationem uero clementiamque cum in administratione tum in uictoria belli ciuilibus admirabilem exhibuit. ...nec ulli perisse nisi in proelio reperientur, exceptis dum taxat Afranio et Fausto et Lucio Caesare iuuenes; ac ne hos quidem uoluntate ipsius interemptos putant, quorum tamen et priores post impetratam ueniam rebellauerant et Caesar libertis seruisque eius ferro et igni crudelem in modum enectis bestias quoque ad munus populi comparatas contrucidauerat.'* (He certainly showed admirable self-restraint, both in his conduct of the civil war and in his victory...and it will be found that no Pompeian lost his life except in battle, save only Afranius and Faustus, and the young Lucius Caesar; and it is believed that not even these men were slain by his wish, even though the two former had taken up arms again after being pardoned, while Caesar had not only cruelly put to death the dictator's slaves and freedmen with fire and sword, but had even butchered the wild beasts which he had procured for the entertainment of the people.) Suet. *Iul.*, 75:1-3. In his commentary on the *Bellum Africum*, however, Loreto believes there was regular communication between Caesar and Sittius, and while he notes that the actual event surrounding this incident are unclear, he infers that their murder involved Caesar. Loreto, 2001, p. 466.

<sup>92</sup> *'Rex interim ab omnibus ciuitatibus exclusus desperata salute, cum iam cenatus esset, cum Petreio, ut cum uirtute interfecti esse uiderentur, ferro inter se depugnant, atque firmior imbecillioem Iubam Petreius facile ferro consumpsit.'* (Meanwhile, King Juba, outlawed by all his townships, despaired of saving his life. And so finally, after dining with Petreius, he fought a duel with him with swords, so as to create the impression that both had met a gallant death; and the sword of the stronger man, Juba, easily put an end to Petreius, his weaker adversary.) Ps-Caes. B. Afr., 94. The description of Petreius' death is the final thrust in the attempt to destroy his reputation, being depicted as the weaker of the two men. The reference to the attempt to create an image of a virtuous death is also telling; the author was allowing no possibility for any of the Republican leaders to die as heroes.

<sup>93</sup> App., 2:100.

<sup>94</sup> Dio 43:8:3-4.

<sup>95</sup> Liv. *Per.*, 114. Flor. 2:13:69.

reason for his suicide. Like Petreius and Juba,<sup>96</sup> Cato's only option is to kill himself.<sup>97</sup> The author of the *Bellum Africum* was either writing before the Cato legend had taken hold, or was refusing to offer any semblance of the 'myth' in his account. Later accounts, such as Valerius Maximus,<sup>98</sup> Florus,<sup>99</sup> Plutarch,<sup>100</sup> Appian<sup>101</sup> and Dio<sup>102</sup> all portray Cato's death as that of the final Republican. Consequently many of them provide a great amount of detail regarding his suicide, recording his refusal to accept Caesar's *clementia*, and make his death that of a martyr. Even so, there is a touch of Caesarian *clementia* in Plutarch's account with the story of Caesar begrudging Cato's death as it provided him with no opportunity to save him.

The representation of Cato in the *Bellum Africum* is very different to that provided elsewhere. While discussing the war in Africa, Plutarch offers information not found elsewhere to the effect that Cato had attempted to ensure as few Roman lives as possible were lost in the civil war.<sup>103</sup> Contrast this with the *Bellum Africum* where he is depicted from a decidedly pro-Caesarian viewpoint. Cato is the bellicose *praetor* encouraging Cn. Pompeius to fight against Caesar which almost results in Pompeius' death.<sup>104</sup> He is responsible for conscripting all able-bodied men into the army and is twice accused of drafting slaves.<sup>105</sup> It is also Cato who is the tactician defending the 'Three Hundred' of Utica against the town's inhabitants whom he had detained in a defended camp outside the walls.<sup>106</sup> His attempt to convince Scipio's cavalry to refrain from slaughtering the people of Utica is his only admirable moment in the *Bellum Africum*, but even then it is tarnished by accusations of bribery.<sup>107</sup> Overall he is represented as pugnacious and intent on seeing Caesar defeated.

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<sup>96</sup> Ps-Caes. *B. Afr.*, 94.

<sup>97</sup> Ps-Caes. *B. Afr.*, 88.

<sup>98</sup> Val. Max. 3:2:14; 5:1:10.

<sup>99</sup> Flor. 2:13:70-72.

<sup>100</sup> Plut. *Cat.*, 70:5-6.

<sup>101</sup> App. *BC*, 2:98-99.

<sup>102</sup> Dio, 43:10-13.

<sup>103</sup> Plut. *Cato*, 53.

<sup>104</sup> Ps-Caes. *B. Afr.*, 22.

<sup>105</sup> Ps-Caes. *B. Afr.*, 36, 88.

<sup>106</sup> Ps-Caes. *B. Afr.*, 87-88.

<sup>107</sup> Ps-Caes. *B. Afr.*, 87.

The conflict in Africa was fought on two fronts: one with soldiers, the other with words. The author of the *Bellum Africum* generally chooses to ignore Caesar's harshness and extend the myth of Caesar's *clementia* and *lenitas*. Ultimately, *clementia* works as one of the main tools by which the author of the *Bellum Africum* illustrates that Caesar is the legitimate leader of the Roman army. He is tough when he needs to be; he possesses military skills which surpass those of ordinary commanders,<sup>108</sup> he is courageous and he is merciful. Even his enemies recognise his mercy – L. Caesar begs for it and encourages others to do the same. The author's representation of Caesar's wide-ranging *clementia* underpins his image within the *Bellum Africum* and forms a major part of the attempt to legitimise Caesar's position as a commander. Combined with the coin evidence minted in Africa, we are able to see through much of the Caesarian propaganda present in the *Bellum Africum*.

### **Bellum Hispaniense**

The *Bellum Hispaniense* is the final account of the civil wars and again represents a significant contrast to the two previous works. While the author's representation of Caesar contains numerous references to his superiority as a commander,<sup>109</sup> Caesar's *clementia* has become a constant theme. This is reflective of the emphasis that was being placed on Caesar's *clementia* in Rome at this time; *clementia Caesaris* was a theme often emphasised during the last year of Caesar's life.

The author of the *Bellum Hispaniense* was certainly a Caesarian partisan, and this is especially evident through his constant emphasis on Caesar's *clementia*. His exact identity will remain uncertain,<sup>110</sup> although numerous explanations have been provided to illustrate who he was. Suggestions have included a cavalry officer,<sup>111</sup> a man of similar rank to Quintus Pedius,<sup>112</sup> an equestrian of minor family, perhaps a freedman who then

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<sup>108</sup> Ps-Caes. *B. Afr.*, 31. Caesar not even attending battle, but simply watching from the 'sidelines' and issuing orders through lieutenants.

<sup>109</sup> Van Hooff, 1974, 135.

<sup>110</sup> Pascucci, 1974, p. 327, n. 2; 331 makes no attempt to identify the author.

<sup>111</sup> Storch, 1977, p. 201.

<sup>112</sup> van Hooff, 1974, p. 137.

passed in the office of Caesar's secretariat, but in Loreto's view more probably a member of Caesar's intelligence force.<sup>113</sup>

### *Clementia in the Bellum Hispaniense*

The term *clementia* is used only once in the entire *Bellum Hispaniense*, although on many occasions Caesar's actions rather than a word are used to denote his mercy. The single reference to the term *clementia* provides a great deal of information on the way in which the author of the *Bellum Hispaniense* wished to portray Caesar. In this instance, Caesar's army had defeated the enemy and were besieging the town of Ategua and an envoy, Tullius, was sent to request Caesar's mercy. Tullius provides a long list of calamities suffered because of his decision to support Cn. Pompeius. He laments that a Roman citizen should be considered a public enemy and in need of protection, and that he has been deserted by Pompeius. The language used in the request is biased, portraying Cn. Pompeius as militarily incapable, even when favoured by fortune.<sup>114</sup> This is directly contrasted with Caesar's military success, and acts as the prelude to a plea for mercy:

*'...deserti a Pompeio, tua virtute superati salutem a tua clementia deprecimur petimusque ut vitam nobis concedas'. Quibus Caesar respondit: 'qualem gentibus me praestiti, similem in civium deditioe praestabo.'*<sup>115</sup>

(...abandoned by Pompeius, recognising your superior valour, we now entreat you in your mercy to save us and beg you to [grant us our lives. To which Caesar replied] 'as I have shown myself to foreign peoples, likewise to citizens when they surrender.)

The recognition of Caesar's *clementia* illustrates the way in which the author wishes to construct his image. Not only has Tullius recognised Caesar's *clementia*, it is combined with recognition of his superior *virtus*. This ensures the reader does not miss the link between Caesar's greatness and his *clementia*.

The author places even more emphasis on Caesar's *clementia* in the response Caesar provides and this is an excellent example of the way in which Caesar's *clementia* has become all-encompassing. There is no question that *clementia* will be granted; Caesar

<sup>113</sup> Loreto, 2001, 32-33 (minor Caesarian official).

<sup>114</sup> Murphy, 1986, p. 315.

<sup>115</sup> Ps-Caes. *B. Hisp.*, 17.

will extend mercy to all who request it.<sup>116</sup> Caesar's condition that those requesting *clementia* surrender saw the siege at Ategua continue and as conditions worsened, additional requests for Caesarian mercy were made.<sup>117</sup> L. Munatius was the next to approach Caesar, followed by the original envoys returned from the town. These envoys are represented as approaching Caesar with the message that they would surrender the town if he would spare their lives.<sup>118</sup> The response given to Caesar illustrates the point to which the author has cast Caesar's *clementia* as something that can be so relied upon that there is no longer a necessity even to refer to it:

*'Quibus respondit se Caesarem esse fidemque praestaturum. Ita ante diem XI Kalendas Martias oppido potitus imperator est appellatus.'*<sup>119</sup>

(His reply to them ran thus: 'I am Caesar and I will be as good as my word.' Accordingly, on February 19 he took possession of the town and was hailed *Imperator*.)

Caesar's *clementia* is synonymous with his name and his promise. There is no need to employ the term, the mere recollection of his promise to his fellow citizens means that *clementia* is guaranteed.

### Pompeian Cruelty

The author's description of actions at Ategua is illustrative of the blatant way in which he highlights cruelties committed under Cn. Pompeius' command and contrasts them with the *clementia* for which Caesar was renowned. While the execution of prisoners was to be expected during war, killing non-combatants represented an entirely different matter. The author of the *Bellum Hispaniense* relates a number of occasions when civilians were massacred by the Pompeians. The first of these instances was the massacre of some of the townspeople of Ategua at the hands of Pompeian soldiers.<sup>120</sup> The author refers to this

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<sup>116</sup> Flaccus approached Caesar asking for pardon but refused to surrender his arms and was thus rejected. Dio 43:34:5.

<sup>117</sup> Ps-Caes. *B. Hisp.*, 17.

<sup>118</sup> *'...si sibi vitam concederet, sese insequenti luce oppidum esse dedituros.'* (...if he would spare their lives, they would surrender the town the following day.) Ps-Caes. *B. Hisp.*, 19.

<sup>119</sup> Ps-Caes. *B. Hisp.*, 19.

<sup>120</sup> *'...nefandum crudelissimumque facinus sunt adgressi in conspectuque nostro hospites qui in oppido erant, iugulare et de muro praecipites mittere coeperunt, sicuti apud barbaros, quod post hominum memoriam numquam est factum.'* (...the enemy embarked upon an abominable and most cruel outrage; for in our sight they proceeded to massacre some of their hosts in the town, and to fling them headlong from

as both *nefandus* and *crudelissimus*, with the use of the superlative illustrating the magnitude of the crime: he wants no reader to miss the brutality of this act. The author further highlights the criminality of the perpetrators when he demonstrates that even amongst the Pompeian's horror was expressed at this crime. Cn. Pompeius, Labienus<sup>121</sup> and a soldier, Junius,<sup>122</sup> are each described as expressing disapproval of the action. Yet further accusations of massacre are made when a woman claimed that her family had been killed for desiring to desert to Caesar.<sup>123</sup> In their requests for mercy, both Tullius and L. Plancus express their disillusionment with Cn. Pompeius and accuse him of abandoning his supporters,<sup>124</sup> thus highlighting the difference between Caesar and Cn. Pompeius. Overall, the account of the siege at Ategua is a patent endorsement of Caesar's *clementia*, using accusations of cruelty against the Pompeians to emphasise their different approaches.

Further examples of Pompeian cruelty abound, with the author of the *Bellum Hispaniense* often representing them as both untrustworthy and treacherous. In the aftermath of the battle at Munda, Caesarian troops had invested the town and successful engagements had resulted in numerous individuals surrendering. Yet the author records that those who had surrendered then arranged with those still in the town to attack the Caesarians, and those

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the battlements – a barbarous act and one for which history can produce no precedent.) Ps-Caes. *B. Hisp.*, 15.

<sup>121</sup> *'Eadem nocte transfuga nuntiavit Pompeium et Labienum de iugulatione oppidanorum indignatos esse.'* (That same night a deserter reported that Pompeius and Labienus had been filled with indignation at the massacre of the townsfolk.) Ps-Caes. *B. Hisp.*, 18.

<sup>122</sup> *'Eodemque tempore transfuga nuntiavit ex oppido Iunium qui in cuniculo fuisset, iugulatione oppidanorum facta clamasse facinus se nefandum et scelus fecisse; nam eos nihil meruisse quare tali poena adficerentur, qui eos ad aras et focos suos recepissent, eosque hospitium scelere contaminasse; multa praeterea dixisse; qua oratione deterritos amplius iugulationem non fecisse.'* (It was at this same period that a deserter arrived from the town with the news that, after the massacre of the townsfolk, Junius, who had been in a mine, protested that it was an abominable crime and outrage that his people had committed; for in as much as the burghers had given them the protection of their altars and hearths they had done nothing to desire such punishment: rather they had themselves polluted hospitality by a crime. Junius had said a lot more besides, according to the deserter's account, and his words had frightened them and caused them to refrain from further massacres.) Ps-Caes. *B. Hisp.*, 16.

<sup>123</sup> Ps-Caes. *B. Hisp.*, 19.

<sup>124</sup> Ps-Caes. *B. Hisp.*, 17. *'L. Munatius Caesari. Si mihi vitam tribues, quoniam ab Cn. Pompeio sum desertus, qualem me illi praestiti, tali virtute et constantia futurum me in te esse praestabo.'* (L. Munatius greets Caesar. If you grant me my life, now that I am abandoned by Cn. Pompeius, I will guarantee to display the same unwavering courage in support of you as I have shown to him.) Ps-Caes. *B. Hisp.*, 19. Loreto, 2001, 476.

within the Caesarian camp were to kill their captors.<sup>125</sup> Again, at Ursao, when town envoys were reporting Pompeian cruelty at Ategua, they were massacred. When these envoys were then discovered to be telling the truth, the citizens of Ursao lamented their fate.<sup>126</sup> The message from this incident was clear; even the townspeople who supported Cn. Pompeius were not to be trusted. Finally, when individuals from Hispalis sought Caesar's mercy and were granted pardon, a member of the community then massacred the Caesarian garrison sent to secure the town.<sup>127</sup> These instances highlight the treacherous nature of the Pompeian supporters and illustrate that while Caesar was endeavouring to ensure that *clementia* ruled his strategy in Spain, his opponents were faithless and treacherous in return.

### Cn. Pompeius' Cruelty

From the opening sentences of the *Bellum Hispaniense*, Cn. Pompeius' cruelty is emphasised. The author clearly notes that as soon as Cn. Pompeius arrived in Spain, he engaged in violent actions:

*'Ita partim precibus partim vi bene magna comparata manu provinciam vastare.'*<sup>128</sup>

(In this way he mustered a good large force, partly through entreaties, partly through violence, and was wreaking havoc in the province.)

Such violence set the tone for the rest of Cn. Pompeius' actions, and soon afterwards he was again found committing outrages against individuals. In this case the author records that Cn. Pompeius would gain possession of a town and then invent charges against wealthy individuals in order to steal their money.<sup>129</sup> He was not only violent in his actions against the provincials, he was also rapacious.

While Cn. Pompeius is represented as expressing horror at the massacre his soldiers engaged in at Ategua, he was accused of even worse cruelty. Firstly, he had a man's

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<sup>125</sup> Ps-Caes. B. *Hisp.*, 36.

<sup>126</sup> Ps-Caes. B. *Hisp.*, 22.

<sup>127</sup> Ps-Caes. B. *Hisp.*, 35.

<sup>128</sup> Ps-Caes. B. *Hisp.*, 1.

<sup>129</sup> Ps-Caes. B. *Hisp.*, 1.

throat cut for speaking against him.<sup>130</sup> He is also accused of beheading seventy-four men who were said to favour Caesar.<sup>131</sup> That the accusations of cruelty made against Cn. Pompeius were not merely the product of pro-Caesarian propaganda is evident in a letter from Cassius to Cicero in 45. Noting his fear of reprisals if Cn. Pompeius was successful against Caesar in Spain, Cassius wrote:

*'Scis, Gnaeum quam sit fatuus, scis quo modo crudelitatem virtutem putet, scis quam se semper a nobis derisum putet: vereor ne nos rustice gladio velit ἀντιμυκτηρίσαι.'*<sup>132</sup>

(You know what a fool Gnaeus is, how he takes cruelty for courage, how he thinks we always made fun of him. I am afraid he may indiscriminately answer our teasing with his sword.)

Cn. Pompeius' actions are in direct opposition to Caesar's; from the outset of the *Bellum Hispaniense* (and to a larger degree from the beginning of the civil war) Caesar had established his concern for looking after the interests of civilians and non-combatants affected by the war.<sup>133</sup> He is carefully removed from involvement in any cruelty towards those he is fighting against. This does not mean that Caesar was totally blameless – his *clementia* had its limits. Yet his willingness to pardon his enemies at all is contrasted with the actions of his opponents who are consistently represented as being cruel, vindictive and willing to go outside the bounds of legality in their desire to defeat Caesar.

### **Lack of *clementia***

Even though Caesar's *clementia* is an overriding theme throughout the *Bellum Hispaniense*, harsh acts are often committed by Caesarian troops. Examples of this callousness include the report that Caesarian troops killed twenty-two thousand men at Corduba,<sup>134</sup> and the execution of Pompeian troops who are captured.<sup>135</sup> Further examples are numerous: messengers sent from Corduba to Pompeius who accidentally entered Caesar's camp by mistake have their hands cut off before being released;<sup>136</sup> two soldiers

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<sup>130</sup> Ps-Caes. *B. Hisp.*, 18.

<sup>131</sup> Ps-Caes. *B. Hisp.*, 21.

<sup>132</sup> Cic. *Ad Fam.*, 216:4 (15:19:4).

<sup>133</sup> See earlier chapters for Caesar's concern for non-combatant provincials and Roman citizens during the civil war. For the Spanish campaign, see Ps-Caes. *B. Hisp.*, 2, 3.

<sup>134</sup> Ps-Caes. *B. Hisp.*, 34.

<sup>135</sup> Ps-Caes. *B. Hisp.*, 16.

<sup>136</sup> Ps-Caes. *B. Hisp.*, 12.

are captured and, once recognised as deserters who fought with Fabius and Pedius, they are offered no opportunity for reprieve and are executed by the Caesarian soldiers.<sup>137</sup> Chapter thirteen finds Caesarian troops capturing a soldier from Cn. Pompeius' Second Legion; again the prisoner is executed.<sup>138</sup> When three slaves and one soldier from a native legion were caught acting as scouts for Cn. Pompeius' army, the slaves were crucified and the soldier beheaded.<sup>139</sup> Individuals who had in some way injured Caesar's cause are also punished without mercy. Thus, a soldier who killed his brother in camp is caught by Caesarian troops and killed;<sup>140</sup> so too a slave who murdered his master who was in Caesar's camp is captured and burned alive.<sup>141</sup> Caesar's actions were far from merciful in this war, although as van Hooff points out, the author endeavours to justify Caesar's harsh acts by illustrating that this was not a continuation of the civil war, but rather a war against Spanish barbarians.<sup>142</sup> This removal of responsibility can be taken even further. Not only does the author emphasise the foreign quality of the enemy, it is noticeable that Caesar is removed from all of these accounts. In each case, it is the soldiers who are responsible for these actions and Caesar is in no way linked.<sup>143</sup> Therefore, he cannot be held responsible. In this way the *Bellum Hispaniense* is similar to the *Bellum Africum*. Any acts of atrocity committed by his soldiers absolve Caesar of any involvement – the troops are acting on their own judgement and must therefore be held totally responsible.

The most important 'removal' of Caesar relates to the death of Cn. Pompeius. Having fled, wounded, from the battle at Munda, he successfully avoids capture numerous times,<sup>144</sup> but is eventually caught and executed:

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<sup>137</sup> Ps-Caes. *B. Hisp.*, 12.

<sup>138</sup> Ps-Caes. *B. Hisp.*, 13.

<sup>139</sup> Ps-Caes. *B. Hisp.*, 20.

<sup>140</sup> Ps-Caes. *B. Hisp.*, 27.

<sup>141</sup> Ps-Caes. *B. Hisp.*, 20.

<sup>142</sup> van Hooff, 1974, p. 135. Loreto (2001, p. 476) also comments on the portrayal of the war in Spain. Cluett (2003, p. 130) records that Caesar's *clementia* is contrasted with his opponents' cruelty in all of the accounts by the continuators.

<sup>143</sup> But note that in Dio's account it is Caesar's harshness that is emphasised in the aftermath of Munda, Dio 43:39:1-5.

<sup>144</sup> He first arrived in Carteia and sought assistance from his remaining supporters (Ps-Caes. *B. Hisp.*, 32). When fighting broke out between the Pompeian and Caesarian supporters, Pompeius was again wounded and fled by ship (Ps-Caes. *B. Hisp.*, 37). He was followed by Didius, he again escapes (Ps-Caes. *B. Hisp.*,

*'Ita ibi interficitur. Cum Caesar Gadibus fuisset, Hispalim pridie Idus Apriles caput adlatum et populo datum est in conspectum.'*<sup>145</sup>  
(He was put to death. When Caesar was at Gades, the head of Pompeius was brought to Hispalis on April 12, and there publicly exhibited.)

Even though the author records Pompeius' death, he takes considerable care to ensure that Caesar is absent from these actions. It is Didius who pursued Cn. Pompeius from Carteia, who is held responsible for his execution, and who is described as expressing joy (*laetitia*) at his death.<sup>146</sup> During Didius' pursuit of Cn. Pompeius, Caesar is represented as being occupied first at Corduba,<sup>147</sup> then Hispalis,<sup>148</sup> Asta,<sup>149</sup> and finally Gades.<sup>150</sup> He is totally removed from the murder, and was not present at Hispalis when his enemy's head was pitilessly displayed there.<sup>151</sup> Just as Caesar was not responsible for the death of Pompey in Egypt, there was no link between Caesar and Cn. Pompeius' death.<sup>152</sup> This ensured his reputation for mercy could continue.

The *Bellum Hispaniense* portrays the war in a far more realistic way than either the *Bellum Alexandrinum* or the *Bellum Africum*. This war was gruesome and bloody, and loyalties were divided. Yet this account also attempts to show that Caesar's campaign was both justified and conducted with an over-riding notion of *clementia*. It is Cn. Pompeius and his supporters who commit heinous crimes, and the obviously pro-Caesarian author judges them harshly. This account also provides readers with a greater

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38). When Didius attacked, the Pompeians were defeated and Cn. Pompeius is again represented as fleeing, this time to a ravine where he would not easily be found (Ps-Caes. *B. Hisp.*, 39).

<sup>145</sup> Ps-Caes. *B. Hisp.*, 39.

<sup>146</sup> *'Interfecto Cn. Pompeio adolescente Didius quem supra demonstravimus, illa adfectus laetitia...'* (filled with joy at the death of the young Pompeius, Didius, whom we mentioned above...) Ps-Caes. *B. Hisp.*, 40.

<sup>147</sup> Ps-Caes. *B. Hisp.*, 33.

<sup>148</sup> Ps-Caes. *B. Hisp.*, 35.

<sup>149</sup> Ps-Caes. *B. Hisp.*, 36.

<sup>150</sup> Ps-Caes. *B. Hisp.*, 39.

<sup>151</sup> The author is careful to note that Caesar was in Gades when Cn. Pompeius' head was brought to Hispalis and publicly displayed, Ps-Caes. *B. Hisp.*, 39. Appian, however, states that the heads of Labienus, Varus and other distinguished Romans were brought to Caesar. This serves to highlight the author of the *Bellum Hispaniense*'s attempts to remove Caesar from any action that would belie his reputation for *clementia*. App., 2:105.

<sup>152</sup> The author of the *Bellum Hispaniense* writes that Sextus left Corduba after telling the town's inhabitants that he was setting out for peace talks with Caesar. Ps-Caes. *B. Hisp.*, 32. He is not mentioned again. Dio records that when he fled Corduba he was pursued but managed to escape because of the support the Spaniards gave him in memory of his father. Dio, 45:10:1.

insight into the everyday happenings of the war, but especially the various executions of prisoners of war and the various desertions that took place. By separating Caesar from most of the outrages committed against the enemy, the author maintains Caesar's reputation for *clementia*.<sup>153</sup>

## Conclusion

Each of the continuators highlights Caesar's *clementia* in a vastly different manner. The various levels to which the term *clementia* is used throughout these works are illustrative of different authors and intentions, but also represent the contemporary language for the periods they cover. The *Bellum Alexandrinum* pays the least attention to this, although this is due to the nature of the war. When fighting against a foreign enemy, the necessity for *clementia* towards the defeated was not as great as it was when fighting against fellow citizens. Caesar himself did not employ the term for his own actions at this time, thus neither does the author. The *Bellum Africum* employs the word *clementia* the most out of all of the accounts, reflecting the growing importance of Caesar's reputation for mercy. It is precisely because this account features Caesar's triumph over the Republican forces that the author provides numerous instances of Caesarian mercy and contrasts these with the cruelty of his opponents. As this war had led to the deaths of L. Caesar, Afranius, Petreius, Cato and Faustus Sulla – all Roman citizens – the emphasis on Caesar's *clementia* was even more important. In the *Bellum Hispaniense* Caesar's mercy is again contrasted with the cruelty of his enemies, and all individuals are forced to recognise *clementia Caesaris*. Even though the term *clementia* is used only once, the *Bellum Hispaniense* contains an overwhelming sense of Caesar's *clementia*. It is in this work that the term first becomes synonymous with the name, thus continuing the myth of *clementia Caesaris*.

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<sup>153</sup> Appian and Plutarch both record that in the aftermath of his Spanish war, Caesar upset the Roman people by celebrating a triumph over Pompey's sons. This in itself illustrates the extent to which Caesar's *clementia* was a 'myth'. App., 2:101; Plut. Caes., 56:4.

## **Killer *clementia*: Discourses in Mercy after Caesar's Death**

When Caesar was murdered on 15 March 44 a power struggle began between his assassins and supporters that exploited the language of *clementia* and *beneficium*. This language was appropriated most notably by Antony and used to heighten animosity against Caesar's assassins, although Antony was by no means the only Caesarian supporter to use *clementia* to increase anti-assassin sentiments.<sup>1</sup> Immediately following the assassination, Caesar's supporters divided into separate, rival groups. One group, led by Antony, sought to create and play upon enmity against Caesar's murderers,<sup>2</sup> while another which included men such as Oppius aimed at maintaining peace.<sup>3</sup> Caesar's former supporters who were involved in the assassination created a third faction. Such splintering within the Caesarians initially led Cicero to hold high hopes of peace and outmanoeuvring the remaining pro-Caesarians, although this did not last long.<sup>4</sup> It is those who fostered hatred towards the assassins who are of greatest interest. Their use and reliance on the notions of *clementia* and *beneficium* can clearly be seen in the period immediately following Caesar's death, and their success can be measured by noting Cicero's letters referring to the precarious situation the assassins found themselves in by April.<sup>5</sup>

### **The Importance of *clementia* After the Ides of March**

In the months following Caesar's assassination, literature was circulated both in support of the assassins and against them. Cicero refers to a speech Brutus had given the day after Caesar's assassination that was being published,<sup>6</sup> and also records an edict

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<sup>1</sup> See Cicero's letter on comments by Hirtius, Cic. *Ad Att.*, 376:1 (14:22:1). Also Cic. *Ad Att.*, 365:1 (14:11:1); 409:1 (16:1:1) for further reports of animosity against the assassins.

<sup>2</sup> From the outset Cicero believed that some men (in particular he mentions Matus) did not want peace (Cic. *Ad Att.*, 355:1 (14:1:1), 356:3 (14:2:3), but in a letter to Atticus Cicero notes '*signa bella, quod Calvenna moleste fert se suspectum esse Bruto*;' (It's a healthy sign that Baldie is distressed by Brutus' suspicions of him.) Cic. *Ad Att.*, 359:1 (14:5:1).

<sup>3</sup> '*o prudentem Oppium! Qui nihilo minus illum desiderat, sed loquitur nihil quod quemquam bonum offendat.*' (Wise Oppius! He regrets Caesar no less, but says nothing which any honest man could take amiss.) Cic. *Ad Att.*, 355:1 (14:1:1).

<sup>4</sup> Cic. *Ad Att.*, 357:1 (14:3:1, 9 April 44).

<sup>5</sup> Cic. *Ad Att.*, 359:2 (14:5:2).

<sup>6</sup> Cic. *Ad Att.*, 378:2 (15:1a:2).

circulated by Brutus and Cassius.<sup>7</sup> These were responses to speeches that had been made about Caesar by a number of his supporters; in a letter to Atticus dated 21 April, Cicero noted that a speech had been delivered in a *contio* and published. This speech referred to Caesar as '*tantus vir*' and '*clarissimus civis*' and was delivered both to gratify the listeners and to incite hatred against the assassins.<sup>8</sup> The audience was no doubt a mix of citizens and Caesar's legionaries who were in Rome at the time,<sup>9</sup> and whom such language would have encouraged in their anger at Caesar's death. Other speeches were also being made in a similar vein during this period by L. Antonius,<sup>10</sup> while Octavian was seeking to build support for himself as Caesar's heir through speeches and appearances.<sup>11</sup> At the same time, however, Antony was playing a double game and promoting himself as being willing to work with the assassins to find a peaceful resolution to the mounting tension.

Other Caesarian supporters were also exhibiting their own form of protest against the assassins' actions; Cicero in particular complained to Atticus of Matius' actions in praising Caesar's achievements,<sup>12</sup> and mentions the young Quintus' overt displays of support for Caesar.<sup>13</sup> By wearing a garland in Caesar's honour at some games, Quintus and others aimed to create animosity against the assassins.<sup>14</sup> That such attempts were successful is evident in Cicero's comment that threats and complaints had been made against the assassins for their action in murdering Caesar.<sup>15</sup> While Antony was engaged in his attempts to foster hatred against Caesar's murderers, both Oppius and Balbus were engaged in writing about Caesar's life, almost certainly emphasising Caesar's innate

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<sup>7</sup> Cic., *Ad Att.*, 374:3 (14:20:3). There is also a reference to an edict written by Brutus earlier in the letter (374:4 (14:20:4)).

<sup>8</sup> '*cum equidem contionem lego de 'tanto viro', de 'clarissimo civi', ferre non queo.*' (when I read a public speech about 'so great a man', 'so illustrious a citizen', I cannot take it.) Cic. *Ad Att.*, 365:1 (14:11:1, 21 April 44.)

<sup>9</sup> A letter from D. Brutus to Brutus and Cassius records the unrest in Rome of both the people and the soldiers, Cic. *Ad Fam.*, 325:1 (11:1:1). While the letter cannot be firmly dated, that it was written sometime soon after Caesar's murder is generally accepted (Tyrrell and Purser, 1915, p. 241, place it at 17 March, while Shackleton Bailey, 1977, p. 325, believes it was written after Caesar's funeral).

<sup>10</sup> Cic. *Ad Att.*, 374:2 (14:20:2); 379:2 (15:2:2).

<sup>11</sup> Cic. *Ad Att.*, 374:5, (14:20:5), 375:4 (14:21:4).

<sup>12</sup> Cic. *Ad Att.*, 355:1 (14:1:1), 358:1 (14:4:1).

<sup>13</sup> Cic. *Ad Att.*, 368:1 (14:14:1); 372:3 (14:19:3).

<sup>14</sup> And perhaps hoping to ingratiate themselves with leading Caesarians or veteran groups.

<sup>15</sup> '*ita multi circumstant, qui quidem nostris mortem minitantur, negant haec ferri posse.*' (They threaten death to our friends and call the present state of things intolerable.) Cic. *Ad Att.*, 366:2 (14:12:2).

mercy.<sup>16</sup> Political manoeuvrings at this time were conducted with a dual purpose: to win support in the battle between the assassins and those who came under the banner of Caesarian supporters. At the heart of this conflict stood references both to Caesar's *clementia* and the benefits that individuals gained through his actions.

### *Antony's Sympathies*

In the immediate aftermath of Caesar's murder, both Antony and Lepidus relied on the support of the legions to maintain order within Rome itself.<sup>17</sup> The importance of the legions can be illustrated by noting that both Antony and Lepidus spent a great deal of time with them. By the beginning of April, Lepidus had left Rome and moved his troops to his province, while Antony also spent some time with the legions outside Rome in an effort to preserve his position of power.<sup>18</sup> Caesar's popularity and generosity with these men had ensured their loyalty; the popularity Octavian gained due to his adoption as Caesar's son also made this necessary.<sup>19</sup> Ancient sources record that it was primarily the legions themselves that were the most volatile and most willing to hear calls for revenge.<sup>20</sup> Realising the utility of positioning himself as Caesar's avenger, Octavian styled himself in this manner.<sup>21</sup>

In the days following Caesar's assassination, Antony had brokered a peace with Brutus, Cassius and their supporters,<sup>22</sup> but this was virtually negated when he made an incendiary speech in the forum at Caesar's funeral. L. Calpurnius Piso had been instrumental in ensuring Caesar received a public funeral,<sup>23</sup> and Antony realised the intrinsic value of a

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<sup>16</sup> For evidence of Oppius' biography, see Suet. *Iul.*, 52:3; Plut. *Pomp.*, 10:4; *Caes.* 17:4. For reference to Balbus' work, see Suet. *Iul.*, 81:2; Sid. *Ep.*, 9:14:7. Townend, 1987, p. 330-331.

<sup>17</sup> *App. BC*, 2:118; Dio, 45:12-13.

<sup>18</sup> *Cic. Ad Att.*, 375:2 (14:21:2). This accounts for the various references to Antony's trips to towns around this time in *Ad Att.*, 371:2 (14:17:2); 374:2 (14:20:2); Plut. *Ant.*, 16:4.

<sup>19</sup> Alföldi, 1976, p. 66-67.

<sup>20</sup> *Cic. Ad Fam.*, 325:1; 329:2, 3; *Ad Att.*, 376:2 (14:22:2); 383:3 (15:5:3); *App. BC*, 2:134. Such promises of vengeance would also have provided an effective way of recruiting soldiers, as well as maintaining support with those already enlisted.

<sup>21</sup> *Aug. Res Gest.*, 2; *App. BC*, 3:95; Dio, 46:48:1.

<sup>22</sup> *App. BC*, 2:135. Dio, 44:34:5-6; Nic. Dam. *Aug.*, 106.

<sup>23</sup> *App. BC*, 2:136.

public display. From this early stage Caesar's *clementia* was brought to the fore as a principal aspect of anti-assassin propaganda.<sup>24</sup>

While no actual account of the speech Antony made at Caesar's funeral survives, Cicero makes reference to Antony's speech, Appian and Dio each contain recreations, and Plutarch provides an outline of Antony's actions during the speech itself, as well the results.<sup>25</sup> Ramsey has suggested that Cicero's reference to Antony's funerary oration in *Philippic 2* recalls the different version of the speech found within Plutarch and Appian:<sup>26</sup> the *laudatio* recalled decrees passed in Caesar's honour and the oath to protect him; the *miseratio* highlighted the many *beneficia* that had been given a number of the assassins, including Caesar's *clementia*; and the *cohortatio* that finally inflamed the listeners to action – actions which ultimately included the murder of a Caesarian supporter L. Helvius Cinna,<sup>27</sup> and the burning of one of the conspirators' homes.<sup>28</sup> This then provided Antony with numerous ways in which he could highlight the treachery of the assassins and call attention to their criminality, especially in light of Caesar's *clementia*. It also allowed him to gain the support of the people and legions, and position himself as the heir to Caesar's authority.

Appian's recreated speech also recalls the animosity Antony built towards Caesar's murderers, although he goes into much greater detail. He notes that Antony sought to create dissension through his speech from the very beginning,<sup>29</sup> and that he employed theatrical devices to heighten enmity towards those involved in the murder.<sup>30</sup> Appian has

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<sup>24</sup> Conversely, Cicero and Atticus, who supported the assassin's actions, realised the threat the opportunity for such a public display would pose, although this was written in hindsight, Cic. *Ad Att.*, 368:3 (14:14:3, 26 April 44).

<sup>25</sup> Plut. *Cic.*, 42:3.

<sup>26</sup> Ramsey, 2003, p. 293.

<sup>27</sup> App. *BC*, 2.147; Suet. *Caes.*, 85.

<sup>28</sup> Cic. *Ad Att.*, 364:1 (14:10:1); Cic. *Phil.* 2:91.

<sup>29</sup> App. *BC*, 2:143.

<sup>30</sup> '...τὸ πάθος κατέλεγον, καὶ πού τῶν θρήνων αὐτὸς ὁ Καίσαρ ἐδόκει λέγειν ὅσους εὖ ποιήσειε τῶν ἐχθρῶν ἐξ ὀνόματος, καὶ περὶ τῶν σφαγῶν αὐτῶν ἐπέλεγεν ὥσπερ ἐν θαύματι "ἐμὲ δὲ καὶ τοῦσδε περισῶσαι τοὺς κτενοῦντάς με"...' (...Somewhere from the midst of these lamentations Caesar himself was supposed to speak, recounting by name his enemies on whom he had conferred benefits, and of the murderers themselves exclaiming, as it were in amazement, 'Oh that I should have spared these men to slay me!...') App. *BC*, 2:146. This is also reported by Suetonius, see Suet. *Caes.*, 84:2.

Antony's focus on Caesar's *clementia* and the *beneficia* he had offered many of the assassins:

‘...τῇ φωνῇ δ’ ἐνσημαινόμενος ἕκαστα, καὶ ἐφιστάμενος οἷς μάλιστα αὐτὸν ἐν τῷ ψήφισματι ἐξεθείαζον, ἱερὸν καὶ ἄσυλον ἢ πατέρα πατρίδος ἢ εὐεργέτην ἢ προστάτην οἷον οὐχ ἕτερον ὀνομάζοντες...ἔνθα μὲν τὸ ψήφισμα εἶποι πατέρα πατρίδος, ἐπιλέγων·“τοῦτο ἐπικεικίας ἐστὶ μαρτυρία.” ἔνθα δ’ ἦν ἱερὸς καὶ ἄσυλος, καὶ ἀπαθῆς καὶ ὅστις αὐτῷ καὶ ἕτερος προσφύγοι, “οὐχ ἕτερος,” ἔφη, “τῷδε προσφεύγων, ἀλλ’ αὐτὸς ὑμῖν ὁ ἄσυλος καὶ ἱερὸς ἀνήρηται, οὐ βιασάμενος οἷα τύραννος λαβεῖν τάσδε τὰς τιμάς,...”<sup>31</sup>

(dwelling especially on those decrees which declared Caesar to be superhuman, sacred and inviolable, and which named him father of the country, or the benefactor, or the peerless protector of his country...as, for example, where the decree spoke of Caesar as ‘the father of his country’ he added ‘this was a testimonial of his mercy’; and again, where he was made ‘sacred and inviolable’ and ‘everybody else was to be held unharmed who should find refuge with him’ – ‘Nobody,’ said Antony, ‘who found refuge with him was harmed, but he, whom you declared sacred and inviolable, was killed, although he did not extort these honours from you as a tyrant, and did not even ask for them.’)

Appian was obviously using this recreated speech to illustrate the way in which Antony was said to have inflamed the passions of the listeners, as confirmed by Cicero through the accusations he made against Antony in his *Philippic 2*.<sup>32</sup> The reference to Caesar ensuring individuals were unharmed recalls the propaganda that his supporters were circulating after his death, specifically that it was only because Caesar had exhibited *clementia* during the civil war that he had been killed.<sup>33</sup>

Appian's focus on the notions of *clementia* (ἐπιεικεία) and ‘benefactor’ (εὐεργέτης), as well as the title of *pater patriae* (πατήρ πατρίδος),<sup>34</sup> illustrates his recognition that Antony sought to encourage an uprising against the assassins and accurately portrays the

<sup>31</sup> App. *BC*, 2:144.

<sup>32</sup> Cic. *Phil.*, 2:90-91.

<sup>33</sup> Cic. *Ad Att.*, 376:1 (14:22:1). Hinard, 1985, p. 79.

<sup>34</sup> Also used in Dio, 44:49:1.

politics of the time. Appian's use of these titles,<sup>35</sup> especially in combination, is representative of the power and meaning they each possessed for the Roman people. His recreated speech also illustrates the way in which Antony in particular sought to use the idea of *clementia* against the assassins. The focus on *clementia* implies that all of the assassins were recipients of Caesar's mercy, when in fact a number of them were not. As will be seen, the concentration on Caesar's *clementia* as the reason for his death is a theme continued in Dio and Plutarch, both of whom have also been considered to use Pollio as a source.<sup>36</sup>

The speech with which Dio provides Antony covers Caesar's entire career, and concentrates a great deal on Caesar's policy of *clementia*. The Greek term φιλανθρωπία (*humanitas*) is found on a number of occasions in Dio's text,<sup>37</sup> along with other references to Caesar's leniency towards his enemies and his role as benefactor to those who had opposed him.<sup>38</sup> While this speech does not represent the exact account of what was said, it shares similar themes with Appian's account in its concentration on Caesar's *clementia*. Throughout this speech there are numerous references to Caesar's actions in saving citizen lives during the civil war, along with the idea that it was his φιλανθρωπία that had resulted in his death.<sup>39</sup> This recalls the ideas presented in Appian, again showing that Caesar's supporters were keen to associate his murder with the *clementia* a number of the assassins had received. Dio successfully portrays the inflammatory nature of Antony's speech and the effects it had upon the crowd,<sup>40</sup> especially through his representation of the contemptible manner in which Caesar was murdered.<sup>41</sup>

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<sup>35</sup> Appian's use of these terms in *BC.*, 4:8, where he reproduces the script of the edict announcing the proscriptions, is noteworthy. For a discussion of the edict itself, see Hinard, 1985, p. 227-230. For a discussion of the language used in the edict announcing the proscription, see the following chapter.

<sup>36</sup> Coulter, 1952, p. 35-36; Gabba, 1956, p. 233, 245-246; Pelling, 1979, p. 84-85; Pelling, 1984, p. 37.

<sup>37</sup> Dio, 44:45:3; 44:46:5; 44:47:1 (ἐφιλανθρωπεύσαντό); 44:49:3.

<sup>38</sup> Dio, 44:39:3-5; 44:45:1-4; 44:46:4-47:3.

<sup>39</sup> 'ποῦ δῆτά σοι, Καίσαρ, ἡ φιλανθρωπία, ποῦ δὲ ἡ ἀσυλία, ποῦ δὲ οἱ νόμοι;...' (of what avail, Caesar, was your humanity, of what avail your inviolability, of what avail the laws?) Dio, 44:49:3.

<sup>40</sup> Cicero notes that Antony made a highly incendiary speech at Caesar's funeral, both in April in a letter to Atticus and in his *Philippic 2* Cic. *Ad Att.*, 364:1 (14:1:1) and *Phil.*, 2:91.

<sup>41</sup> Dio, 44:49:1-3.

Plutarch's *Lives* contain a number of accounts of Caesar's funeral and Antony's speech. At no time does he supply a reconstruction of the speech, concentrating instead on the dissension that was created by Antony's funeral oration. The longest account by far is that in his *Life* of Antony. In this account, Plutarch notes that Antony effectively used the occasion to build animosity against the assassins:

‘...καὶ τῷ λόγῳ τελευτῶντι τοὺς χιτωνίσκους τοῦ τεθνηκότος ἤμαγμένους καὶ διακεκομμένους τοῖς ξίφεσιν ἀνασειῶν, καὶ τοὺς εἰργασμένους ταῦτα καλῶν παλαμναίους καὶ ἀνδροφόνους, τοσοῦτον ὀργῆς ἐνέβαλε τοῖς ἀνθρώποις, ὥστε τὸ μὲν σῶμα τοῦ Καίσαρος ἐν ἀγορᾷ καθαγίσει συνενεγκαμένους τὰ βάρη καὶ τὰς τραπέζας, ἀρπάζοντας δὲ τοὺς ἀπὸ τῆς πυρᾶς δαλοὺς ἐπὶ τὰς οἰκίας θεῖν τῶν ἀπεκτονότων καὶ προσμάχεσθαι.’<sup>42</sup>

(...and when he saw that the people were mightily swayed and charmed by his words, he mingled with his praises sorrow and indignation over the dreadful deed, and at the close of his speech shook on high the garments of the dead, all bloody and tattered by the swords as they were, called those who had wrought such work villains and murderers, and inspired his hearers with such rage that they heaped together benches and tables and burned Caesar's body in the forum, and then, snatching the blazing faggots from the pyre, ran to the houses of the assassins and assaulted them.)

This incident is also reported in the *Lives* of both Caesar and Cicero,<sup>43</sup> and corresponds to the account provided above.<sup>44</sup> It is significant that there is no mention of *clementia* in

<sup>42</sup> Plut. *Ant.*, 14:7-8.

<sup>43</sup> ‘...Ἀντωνίου δὲ καὶ τὴν ἐσθήτα δείξαντος αὐτοῖς αἵματος κατάπλεων καὶ κεκομμένην πάντῃ τοῖς ξίφεσιν, ἐκμανέντες ὑπ’ ὀργῆς ἐν ἀγορᾷ ζήτησιν ἐποιούντο τῶν ἀνδρῶν, καὶ πῦρ ἔχοντες ἐπὶ τὰς οἰκίας ἔθειον ὡς ὑφάψοντες.’ Antony showed them the garments drenched with blood and pierced everywhere with the swords, they went mad with rage and sought for the murderers in the Forum, and ran to their houses with firebrands in order to set them ablaze.) Plut. *Cic.*, 42:3 and ‘Ἐπεὶ δὲ τῶν διαθηκῶν τῶν Καίσαρος ἀνοιχθειῶν εὐρέθη δεδομένη Ῥωμαίων ἐκάστῳ δόσις ἀξιόλογος, καὶ τὸ σῶμα κομιζόμενον δι’ ἀγορᾶς ἐθεάσαντο ταῖς πληγαῖς διαλελωβημένον, οὐκέτι κόσμον εἶχεν οὐδὲ τάξιν αὐτῶν τὸ πάθος, ἀλλὰ τῷ μὲν νεκρῷ περισωρεύσαντες ἐξ ἀγορᾶς βάρη καὶ κιγκλίδας καὶ τραπέζας, ὑψήσαν αὐτοῦ καὶ κατέκαυσαν, ἀράμενοι δὲ δαλοὺς διαπύρους ἔθειον ἐπὶ τὰς οἰκίας τῶν ἀνηρηκότων ὡς καταφλέζοντες, ἄλλοι δ’ ἐφοίτων πανταχόσε τῆς πόλεως, συλλαβεῖν καὶ διασπᾶσθαι τοὺς ἀνδρας ζητούντες.’ (But when the will of Caesar was opened and it was found that he had given every Roman citizen a considerable gift, and when the multitude saw his body carried through the Forum all disfigured with its wounds, they no longer kept themselves within the restraints of order and discipline, but after heaping round the body benches, railings, and tables from the Forum, they set fire to them and burned it there; then, lifting firebrands on high, they ran to the houses of the murderers with intent to burn them down, while others went every way through the city seeking to seize the men themselves and tear them to pieces.) Plut. *Caes.*, 68:1-3.

<sup>44</sup> ‘...ἀρπάζοντας δὲ τοὺς ἀπὸ τῆς πυρᾶς δαλοὺς ἐπὶ τὰς οἰκίας θεῖν τῶν ἀπεκτονότων καὶ προσμάχεσθαι.’ (...snatching the blazing faggots from the pyre, ran to the houses of the assassins and assaulted them.) Plut. *Ant.*, 14:8.

these accounts, although in each version Antony played upon the lack of gratitude the assassins had shown in their murder of Caesar and condemns them for ignoring the responsibilities they owed him as recipients of his *beneficia*. This was especially effective as the people, to whom this speech was directed, had also felt the advantages of Caesar's beneficence. Antony successfully played upon their anger over Caesar's murder and ensured hostility existed between the people and the assassins.<sup>45</sup> Pelling has noted Plutarch's lack of emphasis on Caesar's ἐπιεικεία during the civil war in his *Life of Caesar*,<sup>46</sup> but this can also be extended to his accounts of Caesar's funeral. Yet even though Plutarch does not mention Caesar's mercy in this context, he has obviously been influenced by the messages and discourses that were prevalent in 44 after Caesar's death.

Antony's conduct in the immediate aftermath of Caesar's assassination is extremely important for the development and use of *clementia Caesaris* as a propagandistic theme. Initially he endeavoured to keep the Senate onside and ensure the amnesty with the assassins endured. This accounts for his law prohibiting the office of Dictator for all time, the amnesty with the assassins, and his law stating that none of the contents of Caesar's memoranda should be made public after a certain date.<sup>47</sup> The assassins held support within the Senate, while the people and legions wanted Caesar's death avenged.<sup>48</sup> Antony's execution of Amatius also won senatorial approval<sup>49</sup> and served to remove one threat to his position of power in Rome,<sup>50</sup> although Appian recalls that this action

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<sup>45</sup> Nicolet recognises the importance of the people in the debate between Caesar's supporters and his assassins. Of the leading assassins, he notes, 'Some, like Brutus and Cassius, clearly mistook the age they were living in and the kind of public they were addressing: it was pointless to invoke the 'ancient constitution' and proclaim the restoration of liberty to a crowd that had not felt Caesar's tyranny and was grateful for his 'generosity' Nicolet, 1980, p. 350.

<sup>46</sup> Pelling does note that Caesar's ἐπιεικεία is stressed elsewhere, particularly in Plutarch's *Life of Pompey* with regard to the treatment of Afranius and Petreius in Spain. Plut. *Pomp.*, 65:3. Pelling, 1980, p. 137.

<sup>47</sup> Cic. *Phil.*, 1:3, 2:91. Liv. *Per.*, 116 (dictatorship).

<sup>48</sup> Cicero's references to the threats the assassins faced in Rome after Caesar's murder illustrate the level of animosity against them, Cic. *Ad Att.*, 356:3 (14:2:38, April 44); 359:2 (14:5:2, 11 April 44); 362:2 (14:8:2, 16 April 44); 365:1 (14:11:1, 21 April 44); 366:2 (14:12:2, 22 April 44); 368:2 (14:14:2, 28 or 29 April 44); 370:2 (14:16:2, 2 May 44); 372:1 (14:19:1, 8 May 44); 374:3 (14:20:3, 11 May 44); 376:2 (14:22:2, 14 May 44); 383:3 (15:5:3, 27 or 28 May 44), 386:2-3 (15:6:2-3, 2 May (?) 44); 388 (15:10, 5 June 44); 389:1 (15:11:1, c.7 June 44).

<sup>49</sup> Cic. *Ad Att.*, 362:1 (14:8:1, 16 April 44); *Phil.*, 1:5; App. *BC*, 3:2-3; Liv. *Per.*, 116.

<sup>50</sup> Ramsey, 2003, p. 91.

displeased the people and caused his popularity to decrease significantly.<sup>51</sup> Antony was working with the Senate to ensure he had their support (hence the execution of Amatius) although he was relatively secure in his position in that he knew he provided the only protection the Senate themselves had against the anger of the crowds.<sup>52</sup> At the same time Antony was glorifying Caesar before the people, thus stirring more trouble.<sup>53</sup> Antony's intention in all of this was to maintain his own power base within the tumultuous political atmosphere of the time. To do so he had to occupy a middle ground, yet illustrate to each group that he was working to meet their expectations. That he was initially successful in maintaining this precarious balance is illustrated through his continued power in this period.

### **No death without mercy**

Antony was not the only Caesarian supporter to use the memory of Caesar's *clementia*. In the middle of May 44 Cicero wrote to Atticus that he had been spending time with Hirtius, who had been lamenting Caesar's death. The general tone of these lamentations indicated that there was a feeling of anger at Caesar's death amongst his supporters, of which Cicero notes:

*ὑπόθεσιν autem hanc habent eamque prae se ferunt, clarissimum virum interfectum...clementiam illi malo fuisse, qua si usus non esset, nihil ei tale accidere potuisse.*<sup>54</sup>

(Their theme and slogan is that a great man has been killed... that mercy was his undoing, but for which nothing of the sort could have happened to him.)

There are two points to note here. The use of the superlative *clarissimus vir* is illustrative of the language that his supporters were associating with Caesar in their attempts to raise animosity against the assassins.<sup>55</sup> Cicero's reference to the speech delivered in the *contio*

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<sup>51</sup> App. *BC*, 3:3. This lack of popularity provides one reason for Antony's absence from Rome at the end of April visiting troops in Campania. Another strong motivation was, of course, the arrival of Octavian and his acceptance of Caesar's will and assumption of his patrimony. This is dealt with below.

<sup>52</sup> Frisch, 1946, p. 72.

<sup>53</sup> Frisch, 1946, p. 73.

<sup>54</sup> Cic. *Ad Att.*, 376:1 (14:22:1).

<sup>55</sup> This tactic would be used by Antony in 43 in a letter to Hirtius and Octavian that was read to the Senate. This letter was written during the siege at Mutina, and aimed specifically at challenging Hirtius and Octavian for their compliance with Cicero's wishes and support for the assassins. Cic. *Phil.*, 13:22. It is

referring to Caesar as '*tantus vir*' and '*clarissimus civis*' shows that the Caesarian supporters were playing on this language in public in an effort to raise the levels of animosity against the assassins.<sup>56</sup> A letter from D. Brutus to Brutus and Cassius illustrates the efforts Caesarian supporters went to in their efforts to condemn the actions of the assassins. He notes, '*...tanta est hominum insolentia et nostri insectatio.*'<sup>57</sup> (...in view of the general insolence and vilification of us.) The denigration and insults publicly directed at the assassins supports Cicero's contention that there was a clear plan in place when it came to building animosity against Caesar's assassins.<sup>58</sup>

That this plan in large part relied on the concept of *clementia Caesaris* is also explicit. Cicero's statement that the Caesarians were using *clementia* as a theme in their propaganda places this policy at the forefront of the attempts by Caesar's supporters to continue to increase the hatred felt towards the assassins. It was a very specific and personal attack on Brutus and Cassius, who had both been recipients of Caesar's *clementia* in 48.<sup>59</sup> In addition, it carries an underlying criticism of Cicero who was also pardoned by Caesar. This is specifically highlighted later in Cicero's letter where he notes that he will not be safe if a war ensued as not only had he made no secret of his exultation at Caesar's assassination, but that there were already criticisms circulating that

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possible that Antony chose this particular phrase to describe Caesar in an effort to recall Hirtius' earlier participation in spreading propaganda against the assassins after Caesar's death.

<sup>56</sup> Cic. *Ad Att.*, 365:1 (14:11:1). Antony uses this construction again in his letter to Octavian and Hirtius in 43, Cic. *Phil.*, 13:22.

<sup>57</sup> Cic. *Ad Fam.*, 325:2 (11:1:2).

<sup>58</sup> While it is possible that some of the animosity directed at the assassins was genuine, the rest of D. Brutus' letter illustrates that even at this early date (Shackleton Bailey assigns it to c. 22 March), Antony and other Caesarian supporters were aiming to increase animosity against the assassins. '*heri vesperi apud me Hirtius fuit; qua mente esset Antonius, demonstravit, pessima scilicet et infidelissima; nam se neque mihi provinciam dare posse aiebat neque arbitrari tuto in urbe esse quemquam nostrum: adeo esse militum concitatos animos et plebis; quod utrumque esse falsum puto vos animadvertere atque illud esse verum, quod Hirtius demonstrabat, timere eum, ne, si mediocre auxilium dignitatis nostrae habuissemus, nullae partes his in re publica relinquerentur.*' (Yesterday evening Hirtius was at my house. He made Antony's disposition clear – as bad and treacherous as can be. Antony says he is unable to give me my province, and that he thinks none of us is safe in Rome with the soldiers and populace in their present agitated state of mind. I expect you observe the falsehood of both contentions, the truth being, as Hirtius made evident, that he is afraid lest, if our position were enhanced even to a moderate extent, these people would have no further part to play in public affairs.) Cic. *Ad Fam.*, 325:1.

<sup>59</sup> In 43 Antony would remind Hirtius of the *beneficia* he had received from Caesar, charging him with ingratitude and trying to assist the assassins. Once again, Antony was recalling the language that had been used in the aftermath of Caesar's death against Brutus and Cassius in particular. Cic. *Phil.*, 13:24.

he was *ingratus*.<sup>60</sup> In the middle of May 44 the specific use of Caesar's *clementia* as a reaction against his assassination had begun. This was supported by numerous forms of propaganda highlighting Caesar's reputation for mercy.

### Coinage, *clementia* and Continuation

There are three different coins which must be identified as belonging to a single group, all minted with the intention of intensifying the already present animosity against Caesar's assassins. They each feature on the reverse an image of a *desultor*, a palm and a laurel wreath, representing the games held at the Parilia in April 44<sup>61</sup> in celebration of Caesar's victory at Munda.<sup>62</sup> It is this shared reverse that links them together, while the obverses each contain a message of prime importance in pro-Caesarian propaganda. In addition to the temple to *clementia Caesaris*, the other coins feature Caesar as *parens patriae*, while another has an image of Antony in mourning.

#### i. *Clementia Caesaris*

The coin featuring the temple to *clementia Caesaris* represents the first in a series of coins minted after Caesar's death, linked together by the image of the reverse of a *desultor*.<sup>63</sup> The coin features a tetrastyle temple with a globe in the pediment. The legend CLEMENTIAE CAESARIS<sup>64</sup> is written on the obverse, with the words on either side of

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<sup>60</sup> *'mihi autem venit in mentem, si Pompeius cum exercitu firmo veniat, quod est εὐλογον, certe fore bellum. haec me species cogitatioque perturbat. Nec enim quod tibi tum licuit nobis nunc licebit; nam aperte laetati sumus. deinde habent in ore nos ingratos.'* (It occurs to me that if Pompey comes this way with a strong army, as the evidence suggests that he will, there will be war for a certainty. This picture as I think of it disturbs me deeply. What was possible for you then will not be possible for me now, for I have made no secret of my rejoicing. Also they talk much of my ingratitude.) Cic. *Ad Att.*, 376:2 (14:22:2, 14 May 44).

<sup>61</sup> Crawford, 1974, p. 495. Alföldi, 1958, p. 28. Weinstock does not agree. He notes: *'It is not right to say that this representation refers to the games of the Parilia of 44: it may refer to any games held while Caesar was still alive. Nor is it right to quote evidence for the Parilia which in fact belongs to the ludi Victoriae Caesaris.'* Weinstock, 1971, p. 205, n. 1. Given that Weinstock does not date these coins to the period after Caesar's death, the hypothesis that the *desultor* represents the Parilia is preferable when this coin is taken as part of a series.

<sup>62</sup> Crawford, 1974, p. 493. Caesar's supporters played upon the sympathies of the attending crowds: Quintus Cicero Junior celebrated Caesar's memory. Cic. *Ad Att.*, 368:1 (14:14:1).

<sup>63</sup> 480/21 Crawford.

<sup>64</sup> The inscription varies slightly on some coins; *clementia Caesaris*; *clementia Caesaris* (with the 'a' and 'r' joined, *clementia Caesareis*, and *clementia Caesares*.

the temple (left to right).<sup>65</sup> Some of the assassins were indebted to Caesar because they had benefited from his *clementia*,<sup>66</sup> although the idea of *clementia* that is referred to in this instance was not intended to refer only to these men. While it does naturally include them, it is a far more generalised sense – Caesar’s overall *clementia*. This means that the ignominy of Caesar’s murder covered all who had allowed this to happen. It also recalls the oath that Senators had sworn to protect Caesar,<sup>67</sup> thus drawing attention to another coin in the series which was desired to recall the obligations owed to an individual one has sworn to protect. This coin represents just one instance of the propaganda used by Antony and his associates to perpetuate the relationship between Caesar and the virtue *clementia* after his murder.<sup>68</sup>

While there are no contemporary references to this temple in our written sources, the works of Dio, Appian and Plutarch are particularly notable for their advertisement of Caesar’s *clementia* in their respective accounts of 44.<sup>69</sup> Each author reports the proposal of a number of honours for Caesar during his lifetime, with one of the most significant being the dedication of a temple to *clementia*.<sup>70</sup> Both Appian and Dio refer to this temple as being dedicated to Caesar and *clementia*,<sup>71</sup> while Appian notes that the inside of the temple was to feature an image of Caesar and the goddess *Clementia* clasping hands as a symbol of unity.<sup>72</sup> The reference to the clasped hands indicates that this temple was also meant to recall an image of *Concordia* that Caesar had been endeavouring to project since the beginning of the civil war.<sup>73</sup> The use of *clementia* on coinage also reflected

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<sup>65</sup> There has been some speculation whether the temple was dedicated to Caesar’s *clementia*, or Caesar and *clementia*. Appian, Dio and Plutarch, and the coins could be interpreted either way. For a brief discussion of the various interpretations see Weinstock, 1971, pp. 308-9.

<sup>66</sup> Such as M. Brutus, C. Cassius, and Q. Ligarius.

<sup>67</sup> Suet. *Iul.*, 84:2, 86:1; App. *BC*, 2:124, 145.

<sup>68</sup> On the dating of this coin to 44 see Kraay, 1954, p. 28, Alföldi, 1958, p. 28 and Crawford, 1974, p. 493.

<sup>69</sup> For the date, see Palombi, 1993, p. 279.

<sup>70</sup> Dio, 44:6:4; App. *BC*, 2:106; Plut., *Caes.* 57:3.

<sup>71</sup> ‘...καὶ ναὸν αὐτῷ τῆ τ’ Ἐπιεικείᾳ αὐτοῦ τεμενισθῆναι ἐγνώσαν, ἱερέα σφίσι τὸν Ἀντώνιον ὡσπερ τινὰ Διάλιον προχειπισάμενοι.’ (...and ordered a temple to be consecrated to him and his *Clementia*, electing Antony as their priest like some *flamen Dialis*.) Dio, 44:6:4; ‘...καὶ Ἐπιεικείας, ἀλλήλους δεξιουμένων οὕτως ἐδεδοίκεσαν μὲν ὡς δεσπότην, ἠύχοντο δὲ σφίσι ἐπιεικῆ γενέσθαι.’ (...and one was dedicated in common to him and the goddess *clementia*, who were represented clasping hands. Thus while they feared his power they besought his mercy.) App. *BC*, 2:106.

<sup>72</sup> App. *BC*, 2:106. Palombi, 1993, p. 279.

<sup>73</sup> For clasped hands representing *Concordia*, see Crawford, 1974, p. 466, 494. *Concordia* as a theme, see the previous chapter on the discussion of coins 450/2 and 451 (Crawford).

Roman ideology regarding virtues and the use of the temple on this coin placed Caesar on an equal footing with the gods. The strong association between Caesar and *clementia* illustrated that he was an important and favoured man. That it was proposed meant that Caesar's acts of *clementia* were illustrative of a virtue that was verging on divine.<sup>74</sup> It promoted Caesar's *clementia* as directly attributable to the god-head *Clementia*,<sup>75</sup> which showed he was favoured by the gods. The use of the temple to Caesar and *Clementia* on coinage served to recall the criminality of the assassins in killing a man so close to the gods.

Plutarch's reference to this temple is brief, noting simply that it was decreed in view of his mildness.<sup>76</sup> Palombi notes that it was decreed to Caesar as *Iuppiter Iulius* and to his *Clementia*,<sup>77</sup> although modern scholarship has offered numerous interpretations of the exact dedication.<sup>78</sup> It is impossible to state with certainty what the exact dedication was as there is no evidence to suggest that the temple was ever built.<sup>79</sup> Despite the fact that it was not built, it is significant that this is the only temple to *Clementia* decreed in Roman history. Much later, in 28CE, the Senate voted an altar to *clementia*,<sup>80</sup> a virtue Tiberius

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<sup>74</sup> Cicero notes that Caesar was close to the gods in his exhibition of *clementia*. '*Animum vincere, iracundiam cohibere, victo temperare, adversarium nobilitate ingenio virtute praestantem non modo extollere iacentem, sed etiam amplificare eius pristinam dignitatem, haec qui faciat, non ego eum cum summis viris comparo, sed simillimum deo iudico.*' (but to conquer the will, to curb the anger, and to moderate the triumph – not merely to uplift from the dust the foe whose rank, genius, and merit were pre-eminent, but even to enhance his previous greatness – him who acts thus I do not compare to the greatest of men, but I judge him most like a god.) Cic. *Pro Marc.*, 8. Cicero also notes that the goddess Fortuna has even yielded to him, *Pro Marc.*, 7.

<sup>75</sup> As with Sulla and *felicitas*. Fears, 1981, p. 878.

<sup>76</sup> 'καὶ τό γε τῆς Ἐπιεικείας ἱερὸν οὐκ ἀπὸ τρόπου δοκοῦσι χαριστήριον ἐπὶ τῇ πράοτητι ψηφίσασθαι.' (and certainly it is thought not inappropriate that the temple of *Clementia* was decreed as a thank-offering in view of his leniency.) Plut. *Caes.*, 57:3.

<sup>77</sup> Palombi, 1993, p. 280. See also Weinstock who believes Dio misinterpreted the evidence and '*...that Caesar was to become Iuppiter Iulius with his own temple and own flamen, the other that he was also to share a temple with his Clementia.*' (Weinstock, 1971, p. 309).

<sup>78</sup> Gelzer believes it was a shrine to Caesar and *clementia* (Gelzer, 1996, p 474); Meier is of the opinion that Caesar was to be honoured as a 'new god' *divus Julius* in a temple with *clementia* (Meier, 1969, p. 316); Yavetz records that a temple to *Clementia* was erected in Caesar's honour, Yavetz, 1983, p. 76; Griffin takes it to be to Caesar's mercy in which Caesar and the personified goddess were featured clasping hands, Griffin, 2003, p. 159; Barden Dowling sees the temple as being dedicated specifically to *clementia Caesaris* (Barden Dowling, 2006, p. 127).

<sup>79</sup> Palombi, 1993, p. 280; Barden Dowling, 2006, p. 127; *contra* Yavetz, 1983, p. 76 who implies that it was built.

<sup>80</sup> Tac. *Ann.*, 4:74:3.

had previously celebrated on a coin in 18CE,<sup>81</sup> but this was not dedicated to Tiberius. Even in the second century CE when the notion of *clementia* had become fixed as an imperial virtue,<sup>82</sup> no temple to *clementia* appears. The temple decreed specifically to *Clementia* and Caesar, regardless of the actual wording, is unique.

The representation of this temple on coinage also called to mind the other privileges Caesar had been accorded while he was still alive. Cicero recalls that he had been granted a *pulvinar*, *simulacrum*, *fastigium*, and *flamen*.<sup>83</sup> These were all signs of Caesar's closeness to divinity, as was the temple to Caesar and his *clementia*. Appian and Dio also tell us that Caesar had been rendered inviolable (ἄσυλος) by the Senate.<sup>84</sup> By featuring the temple to *clementia Caesaris* on coins minted after his death, Caesar's supporters were recalling all of the religious honours that had been paid to Caesar, and how close he was to divinity. This was used to heighten the animosity felt towards the assassins for having murdered someone who was not only inviolable, but close to divine.

The use of the temple to *clementia Caesaris* with the images of victory (the palm and wreath) provided a sharp reminder of the benefits of Caesar's success. It was also strong propaganda against the assassins; the two leading assassins, M. Brutus and C. Cassius, had directly benefited from Caesar's *clementia*. The *desultor* image allows a further propagandistic interpretation: the games of the Parilia resulted in a show of loyalty to Caesar,<sup>85</sup> thus heightening the hatred of his murderers. As these coins were minted in the weeks after Caesar was murdered, they were concurrent with the amnesty Antony had brokered, as well as with his moderate acts within the Senate. This presents further evidence of Antony's attempts to maintain a double alliance. By combining the Parilian games where Caesar's popularity had recently been highlighted, with the temple to *clementia Caesaris*, Caesar's supporters employed powerful anti-assassin propaganda. This served as the counter-balance to Antony's moderation elsewhere, and illustrates the

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<sup>81</sup> Coin 38 (Dupondius). Sutherland and Carson, 1984, 1:97.

<sup>82</sup> As coins Antoninus Pius minted illustrate, see Mattingly and Sydenham, 1930, 3:33, 83, 84, 85. .

<sup>83</sup> Cic. *Phil.*, 2:110.

<sup>84</sup> App. *BC*, 2:144; Dio, 44:5:3 and 44:49:1.

<sup>85</sup> Cic. *Ad Att.*, 368:1 (14:14:1).

fine line he was treading in his attempts to ensure support both within the senate, and with the legions and people who were calling for revenge against Caesar's murderers.

ii. *Parens patriae*

Operating within the framework of the amnesty that had been granted to the assassins, Caesar's supporters provided a strong pro-Caesarian message. Cicero noted in a letter to Cassius that Antony was also involved in promoting anti-assassin sentiments:

*'...in statua quam posuit in rostris inscripsit 'parenti optime merito', ut non modo sicarii sed iam etiam parricidae iudicemini.*<sup>86</sup>  
(...he has inscribed the statue which he set up on the Rostra "Father Best and Deserving" – so that you are now set down, not only as assassins, but as parricides as well!)

This inscription recalled the title of *parens patriae* granted to Caesar in late 45 or early 44<sup>87</sup> represented on one of the coins from the *desultor* series in 44.<sup>88</sup>

Caesar's position as 'parent of his country' allowed Antony to play upon the hostility felt against the assassins for the murder of Caesar.<sup>89</sup> Weinstock highlights this fact when he notes:

*Caesar was the first for whom the title meant more than glory... His relation to his fellow citizens was completely changed. They all were now bound to him, like the son to his father, by pietas...those who had broken this bond and*

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<sup>86</sup> Cic. *Ad Fam.*, 345:1 (12:3:1).

<sup>87</sup> Dio notes that there were many honours and privileges granted to Caesar around this time. He does not, however, distinguish when the individual titles were granted, leaving the date of this title open to conjecture. See Dio, 44:4.

<sup>88</sup> This coin features a wreathed, veiled head of Caesar, with a *lituus* in front, an *apex* behind, and the title of *parens patriae* on the obverse. It was minted with two different reverses – one featuring the names of the *monetales*, C. Cossutius and Maridianus; and the second a *desultor* holding reins in his left hand, and a whip in his right hand.

Alföldi recognises the propagandistic value of coins minted after Caesar's assassination, agreeing they were used to create hatred against his assassins. He also asserts, however, that there were no coins featuring Caesar's veiled image minted before his death. Alföldi, (1958) p. 28. This claim does not take into consideration the futility of featuring the title of *dict. perpetuo* after Caesar's death. If, as Alföldi rightly points out, the coins minted after Caesar's assassination were aimed at creating ill-will towards the assassins, using the *dict. perpetuo* legend would have nullified the efforts of his supporters. Of the numerous reasons given for Caesar's assassination, one was that he aimed at establishing a monarchy. Advertising Caesar's position as perpetual dictator would have provided justification for his murder.

<sup>89</sup> Stevenson, 1998, p. 267.

*were excluded from the community, the exiles, were not allowed to show themselves in his presence...*<sup>90</sup>

The religious role Antony had undertaken in his position as Caesar's *flamen* demanded he illustrate *pietas*. For the assassins it was their acceptance of *clementia* and the resulting obligation for their *beneficia* that required *pietas*. It was a combination of these obligations that ensured the title of *parens patriae* appeared on coins minted after Caesar's assassination and that they were loaded with propaganda.<sup>91</sup> The *pietas* that bound the assassins and Antony himself to Caesar highlighted the fact that those who had assassinated him were guilty of impiety. The imagery was used to foment hatred against the assassins, and to illustrate their impious nature for assassinating the parent of their country.

### iii. *Bearded Antony*

Antony's funerary oration for Caesar marked his public assumption of a leading role in politics,<sup>92</sup> and was a move towards claiming the leadership of the Caesarians and ensuring that his claim was stronger than that of Caesar's adopted heir, Octavian. This claim was supported in April 44 when Antony was featured on one of the coins from the *desultor* series.<sup>93</sup> The coin featured on the obverse a bearded, veiled Antony, with a *lituus* in front and a jug behind, and the *desultor* image on the reverse. The similarity between the images on this coin and those of the *parens patriae* coins has been noted by

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<sup>90</sup> Weinstock, 1971, p. 204. *Contra* Stevenson who writes, 'Weinstock argues rather tortuously that Caesar accepted the PP title in order to invoke a technical bond of *pietas* with the citizens of Rome. This seems overly formalistic given the rich variety of associations.' Stevenson, 1998, p. 267.

<sup>91</sup> Stevenson notes '*Alföldi* may be right in seeing a dimension of contrast with Cicero. The limitation of reference to *clementia* alone is certainly too restrictive, but in view of the title's recent history it would be surprising if some kind of contrast with Cicero was not contemplated in Caesar's favour. We know that after the Ides of March Caesar's *clementia*, the sparing of citizens lives, was being contrasted with Cicero's action, the taking of citizens lives. There was a special reason to do this after the Ides of March, given that various conspirators had been pardoned by Caesar, but perhaps the contrast was being made before the Ides too. The honour could not blatantly be offensive to Cicero – a certain ambiguity was required. In this light it is worth noting that Caesar's title seems quite deliberately to have been *Parens Patriae*, whereas Cicero was apparently hailed with less precision as either *Pater* or *Parens*.' Stevenson, 1998, p. 267.

<sup>92</sup> Having already assumed this in private. When he accessed Caesar's will and confiscated his notes and letters after his death. Antony was placed in a powerful position. See Cic. *Phil.*, 1:16, 18, 2:35; App. *BC*, 2:125. Frisch, 1946, p. 63 amply highlights the benefits and the dangers of Antony's funerary speech.

<sup>93</sup> 480/22 Crawford.

Alföldi<sup>94</sup> and Kraay,<sup>95</sup> and both agree that these similarities reveal an attempt by Antony to inherit Caesar's position within the Roman state.<sup>96</sup> That this coin shares the same reverse as the *parens patriae* and *clementia Caesaris* coins firmly places them in a series, and the image representing Antony in mourning places their production to the period after Caesar's death.<sup>97</sup> The representation of the Parilia on these coins was a claim of loyalty to the memory of Caesar, and in the case of the coin featuring Antony, was designed to assist him in assuming power along Caesarian lines.

### ***Bellum Gallicum* Book 8**

Cicero's letter to Atticus regarding Hirtius' comments about Caesar's *clementia* resulting in his death implies that he was one of the Caesarians using this term in the propaganda campaign against the assassins. That he was actively engaged in producing such propagandistic material himself is evidenced by his production of Book Eight of the *Bellum Gallicum*.<sup>98</sup> That this work was produced in the period after Caesar's death is explicitly stated by Hirtius in his introduction to this work.<sup>99</sup> That it was written soon after Caesar's murder is indicated by the fact that as 44 progressed, Hirtius was gradually forming closer ties with Cicero and the assassins' supporters in the Senate. Even a week after his comments regarding Caesar's *clementia*, Cicero could write to Atticus that Hirtius was moving towards supporting the assassins against Antony.<sup>100</sup>

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<sup>94</sup> Alföldi, 1958, p. 28.

<sup>95</sup> Kraay, 1954, p. 28.

<sup>96</sup> Stevenson, 1998, p. 268 argues that the statue Antony had set up on the Rostra inscribed *parenti optime merito* was evidence of Antony's claim that Caesar had adopted him and an allusion to Caesar as *parens patriae*.

<sup>97</sup> 480/22 Crawford.

<sup>98</sup> *Contra* Daly, 1951, p. 114.

<sup>99</sup> Hirt., *BG*, introduction to book 8.

<sup>100</sup> Cic. *Ad Att.*, 380:2 (15:3:2, 33 May 44). On 11 May Cicero noted that Atticus wanted him to make a 'better republican' of Hirtius, to which Cicero responded that Hirtius was at least speaking fairly (...*ille optime loquitur...*) Cic. *Ad Att.*, 374:4 (14:20:4). Hirtius avoided the Senate when Antony convoked it on 1 June (Cic. *Ad Att.*, 383:2 (15:5:2), and was unpopular with the veterans, no doubt due to his perceived (and real?) support for the assassins, Cic. *Ad Att.*, 385:1 (15:8:1, 31 May 44). Cicero himself states that Hirtius was on unfriendly terms with Antony c.2 June (Cic. *Ad Att.*, 386:1 (15:6:1)) and in this letter he had also included one from Hirtius which illustrated his displeasure with the present events in Rome (Cic. *Ad Att.*, 386:2-3 (15:6:2-3)). These leanings towards supporting the assassins and proposals for peace indicate that by June Hirtius would not have been engaged in writing anything that would assist Antony, with whom he was on bad terms, in his claim to power.

The term *clementia* is used only twice and *lenitas* once in this work,<sup>101</sup> although this represents a marked increase in usage when compared to Caesar's own account of his time in Gaul. As illustrated in chapter two, Caesar was not expected to offer mercy to foreigners who continued fighting against him. Yet Hirtius deliberately seeks to find situations where he can employ the term *clementia Caesaris*, and on other occasions finds situations where he is able to use contexts and situations to illustrate Caesar's merciful nature. Hirtius was a strong Caesarian supporter and friend of Caesar's who had been in Gaul as a *legatus* from around 54. He states that Book Eight of the *Bellum Gallicum* was written to bridge the gap between Caesar's own account which ended in 52 and the beginning of the *Bellum Civile*.<sup>102</sup> As this book was written after Caesar's murder, it provides information on the way in which his supporters wished to portray him. Caesar's mercy is a continuous theme throughout this work.

Hirtius first uses the term *clementia* in the third chapter of this book.<sup>103</sup> He recounts that Caesar discovered the Bituriges were planning to revolt against Roman authority and to forestall this event he embarked on a campaign to dissuade them from carrying out their scheme. Hirtius describes Caesar's surprise arrival into the land of the Bituriges and notes that he captured many prisoners at this point.<sup>104</sup> Through a rapid campaign Caesar was able to maintain his power and position, as well as enforcing peace.<sup>105</sup> As a contrast to these threatening actions, Hirtius then sought to promote Caesar's reputation for *clementia*:

*'Tali condicione proposita Bituriges cum sibi viderent clementia Caesaris reditum patere in eius amicitiam finitimasque civitates sine ulla poena dedisse obsides atque in fidem receptas esse, idem fecerunt.'*<sup>106</sup>

(The Bituriges saw that Caesar's *clementia* opened the way for a return to his friendship, and that neighbouring states, without punishment of any kind, had given hostages and had been readmitted

<sup>101</sup> Hirt. *BG.*, 8:3, 21 (*clementia*) 8:44 (*lenitas*).

<sup>102</sup> Hirt. *BG.*, introduction to book 8; Hall, 1996, p. 411.

<sup>103</sup> Hirt. *BG.*, 8:3.

<sup>104</sup> Hirt. *BG.*, 8:3.

<sup>105</sup> *'...fideles amicos retinebat et dubitantes terrore ad condiciones pacis adducebat.'* (...to keep friends loyal and to bring doubters by intimidation to terms of peace.) Hirt., *BG.*, 8:3.

<sup>106</sup> Hirt. *BG.*, 8:3.

to protection; and the chance of such terms induced them to do likewise.)

Caesar's willingness to pardon the Bituriges, and specifically Hirtius' unique use of the phrase *clementia Caesaris*, indicates his desire to highlight Caesar's merciful actions towards the Bituriges and the deliberate attempt to make the specific association between Caesar and mercy. At the time this was written the term *clementia Caesaris* was a loaded term and its use here would recall the temple to *clementia Caesaris* and the coin that had been minted with this legend and an image of the temple. Not only the term used to describe Caesar's mercy, but also the *clementia* itself described in this section differs from that of Caesar at *BG* 2:14 and 2:31, and is far more reminiscent of the *clementia* offered to citizens. It is an inherent feature of Caesar's personality and not part of a policy designed to win support. Hirtius purposefully incorporated this term into his account in order to recall Caesar's *clementia* towards those who had been previously pardoned and then participated in his murder. The theme of Caesar's *clementia* was constant in the period soon after his death as attempts were made to build and capitalise on animosity towards the assassins.

Hirtius' second use of the word *clementia* continues to demonstrate Caesar's mercy in a manner reminiscent of his treatment of citizens. After Caesar had defeated the Bellovaci in battle and was preparing to deal with the final opposition, the tribe decided to seek Caesar's forgiveness by sending representatives and hostages. Hirtius reports that these representatives approached Caesar and:

*'...ut ea poena sit contentus hostium, quam si sine dimicatione inferre integris posset, pro sua clementia atque humanitate numquam profecto esset inlaturus.'*<sup>107</sup>

(...besought him to be satisfied with a punishment of his enemy which, had he been able to inflict it without a battle while their strength was unimpaired, in his mercy and kindness he would assuredly never have inflicted.)

The reference here to Caesar's *clementia* and *humanitas* recalls Caesar's own reference to the Bellovaci and their request for his *clementia* and *mansuetudo* in Book Two of the

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<sup>107</sup> Hirt. *BG.*, 8:21.

*Bellum Gallicum*.<sup>108</sup> Hirtius is using similar language to that of Caesar to ensure that the connection is clearly made, although in Caesar's case it was a matter of policy. Hirtius through his use of the phrase '*...pro tua clementia...*' is stressing that *clementia* was an inherent part of Caesar's nature. The inference is that Caesar would not have punished the Bellovaci in a battle because of his mercy. This idea again recalls Caesar's treatment of citizens during the civil war and his avoidance of battle where possible to ensure as many citizens as possible were spared.<sup>109</sup>

Instances of Caesarian cruelty are featured in Hirtius' account of the Gallic war, although Caesar's reputation for mercy is defended. As illustrated in chapter two, Romans would have had no expectation of mercy towards those Gauls who continued to defy Caesar and any punishment they received was deemed appropriate. The period in which Hirtius was writing, however, illustrates just how important an all-pervading image of mercy was for those who were hoping to build animosity against his assassins. When discussing the punishment inflicted on Gutruatus for his participation in a rebellion, Hirtius carefully shifts the blame from Caesar to his soldiers. When the ringleader of a rebellion was handed over for punishment he was executed. Hirtius writes '*Cogitur in eius supplicium contra naturam suam Caesar maximo militum concursu...*'<sup>110</sup> (In opposition to his own natural inclination, Caesar was compelled to execute him by the troops who gathered in a mighty crowd...) Hirtius places a great deal of emphasis on the fact that Gutruatus was executed in opposition to Caesar's inherently merciful nature. The specific use of the phrase '*...contra naturam suam...*' indicates that Hirtius' intention was to protect Caesar's character. The later account of Caesar devastating Ambiorix's land should not be taken to illustrate a lack of mercy on Caesar's behalf.<sup>111</sup> Ambiorix had been responsible for the loss of a legion and five cohorts, a crime that needed to be addressed to maintain Caesar's reputation in Rome. Caesar was unable to capture him, so Hirtius was illustrating that Caesar had both tried to capture him and was inflicting the

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<sup>108</sup> Through Diviciacus on behalf of the Bellovaci, Caes. *BG.*, 2:14.

<sup>109</sup> Caes. *BC.*, 98. This is also paralleled in Africa at the battle of Thapsus where Caesar is represented as trying to stop his troops from killing the remaining soldiers. Ps-Caes. *B. Afr.*, 85. Regardless of the truth of this matter, the portrayal that Caesar was desirous of saving citizens lives is important.

<sup>110</sup> Hirt. *BG.*, 8:38.

<sup>111</sup> Hirt. *BG.*, 8:24-25.

punishment that was possible. In 44 Caesarian propaganda wished to imply that Caesar's mercy was part of his nature. This meant that the assassins were perfidious and deserved harsh punishment themselves.

A further mention of Caesar's mercy is found in an unusual circumstance in Hirtius' account regarding the Gallic defeat at Uxellodunum. Hirtius records that Caesar fulfilled his intention of punishing the townspeople severely by cutting off the hands of those who had borne arms against him.<sup>112</sup> When reporting this, Hirtius takes great pains to highlight the fact that Caesar had been lenient because he had spared the lives of the people of Uxellodunum.<sup>113</sup> He notes that:

*'Caesar cum suam lenitatem cognitam omnibus sciret neque vereretur ne quid crudelitate naturae videretur asperius fecisse, neque exitum consiliorum suorum animadverteret...'*<sup>114</sup>

(Caesar's leniency, as he knew, was familiar to all, and he did not fear that more severe action on his part might seem due to natural cruelty.)

Hirtius assumes here that Caesar's mercy was so well known that only a harsh punishment would ensure that actions of rebellion would not be repeated. It also endeavours to justify Caesar's action by referring to it as *lenitas*. This relies on the idea that only harsh treatment of the Gauls would ensure that they did not continue to rebel. Hirtius portrays Caesar's merciful nature as an inherent feature of his personality and significantly well known to ensure acts of harshness could be brushed off as necessity. It was a defence of Caesar's actions that had resulted in the deaths of his enemies during the civil war.

Hirtius' portrayal of Caesar throughout book eight of the *Bellum Gallicum* is that of a merciful leader. This work undertook not only to finish the works of Caesar,<sup>115</sup> but also to defend Caesar's reputation as a merciful leader and illustrate that those who had

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<sup>112</sup> Hirt. *BG.*, 8:44.

<sup>113</sup> *'Itaque omnibus qui arma tulerant manus praecidit vitamque concessit, quo testatior esset poena improborum.'* (...and so, while granting them their lives, he cut off the hands of all who had borne arms, to testify the more openly to the penalty of evildoers.)

<sup>114</sup> Hirt. *BG.*, 8:44.

<sup>115</sup> As stated by Hirtius in the introduction. Hirt. *BG.*, 8: introduction.

murdered him had acted unjustly. This was natural when it is considered that the work was written after Caesar's death and in a period where there was a fierce ideological conflict developing between Cicero as a supporter of the assassins, and Antony and his adherents.

### Octavian's Arrival

Caesar's posthumous adoption of Octavian, however, created another individual who entered the fray intending to capitalise on his reputation with both the legions and the people. By August 44, Antony's attention had moved from creating dissension through references to Caesar's *clementia*, to focusing on maintaining support with the armies stationed throughout Italy. This was primarily due to Octavian's arrival in Italy in April<sup>116</sup> and the support he had mustered in the intervening months as Caesar's heir. His arrival and the popularity he gained threatened the power base Antony was building, and forced his attention towards maintaining support – both for his own leadership of the remaining Caesarians and against the assassins.

From early on, Octavian was aware of the power struggle he would face with Antony,<sup>117</sup> and as such the methods he used in gaining support as Caesar's heir were manifold. A great deal of Octavian's support base rested on positioning himself as Caesar's avenger, a move obviously prepared in opposition to Antony. Simply by accepting his inheritance and assuming Caesar's name,<sup>118</sup> Octavian ensured he was able to gain great support from Caesarian veterans and the people, a source of anxiety to Antony who was struggling to maintain support within both groups.<sup>119</sup> Cicero provides a good analysis of the support Octavian garnered as Caesar's heir:

*'nobiscum hic perhonorifice et peramice Octavius. quem quidem sui  
Caesarem salutabant, Philippus non, itaque ne nos quidem; quem*

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<sup>116</sup> Octavian arrived in early April (Cic. *Ad Att.*, 359:3) but his ability to muster support was not fully evident until mid-July, when Octavian started to build a large support network with the army and people, and gained the support of senators like Cicero. On his arrival see Nic. Dam. 47-48, Plut. *Cic.*, 44:1-2; App. *BC*, 3:11-13; Vell. 2:59:5-6-60:1-3.

<sup>117</sup> Cic. *Ad Att.*, 364:3 (14:10:3).

<sup>118</sup> Cic. *Ad Att.*, 364:3 (14:10:3); 366:2 (14:12:2).

<sup>119</sup> Especially after his execution of Amatius and as illustrated through his visits to the legions in April-May 44.

*nego posse esse bonum civem. ita multi circumstant, qui quidem nostris mortem minitantur, negant haec ferri posse.*<sup>120</sup>

(Octavius is here with me – most respectful and friendly. His followers call him Caesar, but Philippus does not, so neither do I. My judgement is that he cannot be a good citizen. There are too many around him. They threaten death to our friends and call the present state of things intolerable.)

Such comments illustrate that Cicero did not trust Octavian or his motives, and that he recognised the power Octavian would be able to muster through the use of Caesar's name. Cicero's suspicions are again manifest when he makes reference to Octavian's attempts to recall his relationship to Caesar and the honours that had been advertised during games held on 21 April 44.<sup>121</sup> *'de sella Caesaris bene tribuni'*<sup>122</sup> (The Tribunes have done well about Caesar's chair.) While Cicero does not mention the games themselves, this was a clear attempt by Octavian to gain support as Caesar's heir. Octavian had sought permission to use a gilded chair the Senate had granted Caesar, but an Aedile Critonius had refused.<sup>123</sup> That this attempt was blocked can be viewed as evidence for Antony's influence, more than a lack of desire to see Caesar's heir honoured in a manner similar to Caesar himself.

Octavian was able to awaken a great deal of sympathy over Caesar's death, laying claim to allegiances by paying the gratuities promised in Caesar's will.<sup>124</sup> At funeral games

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<sup>120</sup> Cic, *Ad Att.*, 366:2 (14:12:2, 22 April 44).

<sup>121</sup> It was during these games that Quintus had worn the garland.

<sup>122</sup> Cic. *Ad Att.*, 380:2 (15:3:2, 22 May 44). Shackleton-Bailey notes that this is with reference to a show given in April (n. 4, p. 228). This show was part of the festival he also mentions in his Loeb Classical Library edition of the *Letters* (n. 2, p. 178; 368:1 (14:14:1)) that was held in Caesar's honour in commemoration of the Battle of Munda. The dating of this episode, however, precludes such a conclusion. Cicero himself specifically states that Octavian arrived in Puteoli on 21 April 44, and was still there the following day (Cic. *Ad Att.*, 365:2 (14:11:2, 21 April 44) and 366:2 (14:12:2, 22 April 44)). The funeral games that Octavian held in June (and for which Matus and Postumus were acting as agents (Cic. *Ad Att.*, 379:3 (15:2:3)) is a preferable date and would make Octavian's request for use of the chair far more reasonable in light of the fact that the games were to honour Caesar.

<sup>123</sup> Shackleton-Bailey, *Ad Att.*, p. 228, n. 4 (Loeb Classical Library). *MRR*, 2:322-323.

<sup>124</sup> *'plebei Romanae viritim HS trecentos numeravi ex testamento patris mei ...'* (To the Roman Plebs I paid out three hundred sesterces in accordance with the will of my father...) Aug. *Res Gest.*, 15 (Loeb Classical Library text); Nic. Dam. *Aug.*, 109; Dio, 44:35:3; 45:6:3 and 45:7:2.

held in honour of Caesar in June,<sup>125</sup> Octavian illustrated his ability to manipulate his adoptive father's reputation for *clementia* to his own advantage:

*'inter ludos cantata sunt quaedam ad miserationem et invidiam caedis eius accommodata, ex Pacuui Armorum iudicio: men seruasse, ut essent qui me perderent? et ex Electra Acili ad similem sententiam.'*<sup>126</sup>

(At the funeral games, to rouse pity and indignation at his death, these words from the contest for the arms of Pacuvius were sung: Saved I these men that they might murder me? and similar were heard from the *Electra* of Atilius.)

This recalls Antony's funerary speech as represented in Appian, where a similar line was called out as if Caesar spoke it himself.<sup>127</sup> Antony and Octavian both employed Caesar's *clementia* to a number of the assassins in their fight for the loyalties of his legions and the people, although Antony realised that Caesar's heir was able to engender more sympathy than he could himself. Octavian was successful in his attempts to win new supporters, and as his power grew, he moved closer towards an outright challenge of Antony's authority. The power-struggle between himself and Antony that was under way in the early months after Caesar's death would ultimately lead to an alliance and the formation of the Triumvirate.

### **The Obligation of *beneficia***

In his 1968 work on Appian, Gabba recorded that evidence from Asinius Pollio's *History* illustrates his belief that Caesar's assassination was wrong. This can be gleaned from references in Appian's *Civil Wars*, which show that Pollio believed the assassins had betrayed Caesar's faith when he had exhibited *clementia* and saved their lives.<sup>128</sup> The involvement of many of the assassins in Caesar's murder was an act of ingratitude to their benefactor on the behalf of anyone who had received his *clementia* or benefited from his generosity. Gabba notes: '*...i congiurati erano venuti meno alla pietas verso il*

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<sup>125</sup> Cicero's displeasure at the use of Matius and Postumus as his agents for these games is expressed in a letter to Atticus written 18 May 44, Cic. *Ad Att.*, 379:3 (15:2:3).

<sup>126</sup> Suet. *Iul.*, 84:2.

<sup>127</sup> App. *BC*, 2:146.

<sup>128</sup> Works from the Augustan and post-Augustan period reflect this belief as well, Vell. 2:57:1, Flor. 2:13:92-93.

loro benefattore...'<sup>129</sup> (...the conspirators did not show respect for the *pietas* they owed their benefactor...) Gabba's understanding of the obligations of *pietas* places it in close context with Antony's claims surrounding Caesar as *parens patriae* after his murder; there is a religious aspect to Caesar and an impiety in his murder, thus the concept that the conspirators were at fault remains. Pollio was an active Caesarian supporter during the civil war and after, and thus represents a contemporary account of the activities of this period. His history was used by Appian in his account of Caesar's murder,<sup>130</sup> which reflects Pollio's belief in the inappropriateness of the assassins' action, as well as the thought that they were obliged to Caesar as their benefactor.<sup>131</sup>

Matius' letter to Cicero provides the best indication of the way *clementia* and *beneficia*, and the obligations of receiving them, were used within the discourse that was surrounding Caesar's murder.<sup>132</sup> Matius was keen to absolve himself from the charge that he had benefited from Caesar's victory in the civil wars,<sup>133</sup> and then seeks to criticise those amongst Caesar's supporters who '*...immoderate sunt abusi...*' (took immoderate

<sup>129</sup> Gabba, 1968, p. 235.

<sup>130</sup> Pollio was also used by Velleius in his account of Caesar's assassination, thus accounting for the similarity in attitude between these texts. This is abundantly clear in their respective analyses of the reasons and aftermath of Caesar's murder, but most especially in their respective conclusions that Brutus, Cassius and others did not show the necessary gratitude for the *beneficia* Caesar had granted them through his exhibition of *clementia* in their individual cases. See Vell. 2:57:1.

<sup>131</sup> 'Ἀλλὰ καὶ τοιοῦθε οὖσιν αὐτοῖς ἀντίθετον ἐς ἅπαντα ἦν τὸ ἄγος τὸ ἐς Καίσαρα. ὁ γε οὐδὲ ἀπλοῦν ἄγος ἦν, οὐδὲ ἐν ὀλίγῳ. καὶ γὰρ ἐς φίλον ἐγίγνετο παραλόγως, καὶ ἐς εὐεργέτην ἐκ πολέμου περισώσαντα ἀχαρίστως, καὶ ἐς αὐτοκράτορα ἀθεμίστως, καὶ ἐν βουλευτηρίῳ, καὶ ἐς ἱερέα καὶ ἱερὰν ἐσθῆτα ἐπικείμενον, καὶ δυνάστην μὲν οἶον οὐχ ἕτερον, χρησιμώτατον δὲ ὑπὲρ ἅπαντας τῆ τε πατρίδι καὶ τῆ ἡγεμονίᾳ γενόμενον.' (Against all these virtues and merits must be set down the crime against Caesar, which was not an ordinary or a small one, for it was committed unexpectedly against a friend, ungratefully against a benefactor who had spared them in war, and nefariously against the head of the state, in the senate-house, against a pontiff clothed in his sacred vestments, against a ruler without equal, who was most serviceable above all other men to Rome and its empire.) App. BC, 4:134.

<sup>132</sup> Cic. *Ad Fam.*, 349 (11:28, c. mid-October 44). Matius' letter was not the only one containing evidence of indignation against Caesar's assassins. For other Caesarian supporters such as Hirtius, see Cic. *Ad Att.*, 376:1 (14:22:1) (Hirtius). See also Cic. *Ad Att.*, 365:1 (14:11:1); 409:1 (16:1:1); Cic. *Ad Fam.*, 325:2 (11:1:2); 336:2 (11:3:2) for other reports of animosity against the assassins.

<sup>133</sup> 'Itaque in victoria hominis necessari neque honoris neque pecuniae dulcedine sum captus, quibus praemiis reliqui, minus apud eum quam ego cum possent, immoderate sunt abusi. Atque etiam res familiaris mea lege Caesaris deminuta est, cuius beneficio plerique qui Caesaris morte laetantur remanserunt in civitate. Civibus victis ut parceretur aequae ac pro mea salute laboravi.' (And so, when my friend emerged triumphant, I was not caught by the lure of office, of money, prizes of which others, whose influence with Caesar was less than my own, took immoderate advantage. My estate was actually reduced by a law of Caesar's, thanks to which many who rejoice at his death are still inside the community. For mercy to our defeated fellow countrymen I struggled as for my own life), see Cic. *Ad Fam.*, 349:2 (11:28:2).

advantage) of his generosity and success. This however, was not Matus' main point and he continued:

*'Possum igitur, qui omnis voluerim incolumis, eum a quo id impetratum est perisse non indignari, cum praesertim idem homines illi et invidiae et exitio fuerint?'*<sup>134</sup>

(Well, then, can I, who desired every man's preservation, help feeling indignant at the slaughter of the man who granted it – all the more when the very persons who brought him unpopularity were responsible for his destruction?)

Matus' comments illustrate the way in which Caesarian supporters combined the notion of *clementia* with the obligation due from *beneficia*. Men such as D. Brutus, C. Trebonius, and C. Servilius Casca had assisted Caesar in gaining power, and were rewarded for their assistance by being appointed to public office.<sup>135</sup> Tyrrell and Purser take this to be the individuals who had been granted *clementia* and who had then been involved in his murder,<sup>136</sup> although Shackleton Bailey supports the idea that Matus' reference was to Caesarian supporters, especially men such as Ser. Sulpicius Galba, L. Minucius Basilus, and D. Brutus.<sup>137</sup> The possibility that it was a combination of both theories should not be ruled out. The wealth and position of power many of Caesar's supporters had attained had caused odium, but considering his *clementia* had brought him unpopularity and, as Caesarian propaganda was claiming, it had also caused his destruction, both are possible. In fact, it is more likely that both reasons were motivating factors, depending on the individual. The main thrust of Matus' argument was that these individuals were beholden to Caesar for the *beneficia* bestowed upon them. Yet it was this expectation of the obligation of *beneficia* that had proved a source of odium against Caesar. Brutus and Cassius had also benefited from Caesar's success; initially through his *clementia* and later by acquiring public office. In murdering Caesar, each of the men

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<sup>134</sup> Cic. *Ad Fam.*, 349:3 (11:28:3).

<sup>135</sup> *'...iugulatus est iustissimasque optime de se merito viro C. Caesari poenas dedit, cuius cum primus omnium amicorum fuisset, interfector fuit, et fortunae, ex qua fructum tulerat, invidiam in auctorem relegabat censebatque aequum, quae acceperat a Caesare retinere, Caesarem, qui illa dederat, perire.'* (He thus met his just desserts and paid the penalty of his treason to Gaius Caesar by whom he had been treated so well. He who had been the foremost of all Caesar's friends became his assassin, and while he threw upon Caesar the odious responsibility for the fortune from which he himself had reaped the benefits, he thought it fair to retain what he had received at Caesar's hands, and for Caesar, who had given it all, to perish.) Vell. 2:64:1-2.

<sup>136</sup> Tyrrell and Purser, 1915, p. 413.

<sup>137</sup> Shackleton Bailey, 1977, p. 489.

mentioned above had shown ingratitude to their patron.<sup>138</sup> It was this obligation of *beneficia* that Cicero would argue against in *Philippic 2*, separating it from and illustrating that acceptance of Caesar's *clementia* did not require acknowledgement in this form.<sup>139</sup>

In the months following Caesar's murder, a number of Caesar's associates, led by Antony, sought to play upon the animosity felt at his assassination. A clear theme had been developed to gain as much political leverage and create as much antipathy as possible. Caesar was classed as a 'great man' and his mercy was both highlighted and blamed for his death. This was aimed specifically at those individuals who had been pardoned by Caesar but then participated in the plot for his assassination. That these attacks were designed to build animosity against the assassins can be seen through the use of a number of different methods to incite hatred. Caesar's funeral was an obvious flashpoint for violence and animosity, but this was soon followed with the minting of coins celebrating both Caesar's sanctity and his mercy. That Antony was able to harness immense political support through these methods is evident in the support he gained from the people and the armies. By August, however, it was apparent that his power was being challenged by the advent of Octavian, the man who soon developed an opposing position as a rival to Antony and his designs.

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<sup>138</sup> This idea is continued in other Roman sources, Flor. 2:13:92; Vell. 2:57:1.

<sup>139</sup> And perhaps prompting Cicero to write the *De Officiis* as an illustration of what *officium* lay in accepting *beneficia*.

## **'species clementiae': Cicero Strikes Back**

As the former Caesarian supporters led by Antony developed a vast amount of propaganda around Caesar's *clementia*, Cicero and the assassins' supporters were struggling to gain and maintain support. With Octavian's arrival in Italy in early April 44 the tide began to turn against Antony and by August 44 he was forced to divert his attentions from stirring animosity against the assassins to try to deal with Octavian's ever growing popularity. By August Cicero too had decided to return to Rome and once again actively engage in Roman politics. From September 44 the backlash against Antony's propaganda around Caesar's *clementia* had begun with Cicero's concurrent works, the *De Officiis* and his *Philippic 2*. Cicero vigorously attempted to regain and reintegrate the term *clementia* into a republican sphere by specifically denying Caesar the one virtue with which he was most associated. This assault on Antony's propaganda was continued into 43 when Cicero endeavoured to attract Lepidus into the Republican fold by crediting him with the virtue he had earlier denied. The concept of *clementia* would be crucial in an ideological battle that would ultimately see Antony successful and cost Cicero his life.

Octavian was also increasing animosity towards the assassins, at the same time he was negotiating with Cicero and forming an alliance in opposition to Antony as a defender of the Republic. To varying degrees, all of the individuals involved played upon Caesar's reputation for *clementia* and the *beneficia* the assassins had owed him for saving their lives after the civil war. These contests took place in the shadow of the uneasy amnesty Antony had brokered with the assassins in the days following Caesar's murder. While this amnesty technically held until August 43, it was threatened almost immediately at Caesar's funeral. Antony and his supporters used these unstable foundations to build enmity against the assassins in both a civic and military arena, and to defeat the assassins in a propaganda war using Caesar's *clementia* as a major weapon.

Cicero, representing the anti-Caesarian (or pro-assassin) view, developed a corresponding anti-Caesarian, anti-*clementia* language, and a denial of the obligations for *beneficia* Caesar had conferred. In September 44 he began his *Philippic 2*, marking the beginning of his public struggle against Antony. In *Philippic 2*, Cicero uses the language of

*clementia* and *beneficium* against Caesar and Antony; the claim that those who received Caesar's *clementia* owed him an obligation was evidence of both Caesar's and Antony's tyranny. Further attacks on Caesar's tyranny are found in Cicero's contemporaneous philosophical work, *De Officiis*.

Cicero used Caesar's previous supporters participation in his assassination to illustrate the deep-seated hatred he incurred for assuming power over the senate and people in Rome.<sup>1</sup> This argument was continued in antiquity by authors such as Florus and Livy,<sup>2</sup> and has carried through into modern scholarship.<sup>3</sup> Cicero also suggested that Caesar's supporters and those who had been recipients of his *clementia* were all influenced by the love of their country. This faithfulness to Rome surpassed their gratitude for advantages gained and their friendship with Caesar to a level where his assassination was not only possible, but necessary in order to destroy a tyrant.

### ***De Officiis*: Caesar the Unjust**

Written after Caesar's assassination, the *De Officiis* illustrates that Cicero's perspective on Caesar's actions remained unchanged, although the language used is more explicit in its disapproval. Cicero had seen how Caesar had exhibited mercy towards many of his enemies, contrasting sharply with Sulla who was remembered for the cruelty he displayed towards his enemies. The paradox of such comparisons would not have been lost on Cicero's contemporaries, who would recall Caesar's concentration on Sulla in his civil war propaganda, as well as his lifelong opposition to Sullan methods. In his *De Officiis*, Cicero appropriates Caesarian propaganda and uses it to illustrate the extent to which Caesar's actions had been worse than those of Sulla. Comparisons between Caesar and Sulla concentrate on pecuniary similarities, notably the institution of military auctions. Sulla is mentioned six times in Cicero's *De Officiis*.<sup>4</sup> In three of these instances Caesar and Sulla are directly compared.<sup>5</sup> Cicero's comments in these instances are illustrative of an ongoing debate regarding Caesar and his actions that was taking place during the

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<sup>1</sup> Cic. *Phil.*, 2:27.

<sup>2</sup> Flor. 2:13:92-93.

<sup>3</sup> Gelzer, 1968, p. 324; Yavetz, 1983, p. 190.

<sup>4</sup> Cic. *De Off.*, 1:43, 109; 2:27, 29, 51; 3:87.

<sup>5</sup> Cic. *De Off.*, 1:43; 2:27, 29.

period in which the *De Officiis* was written. It also represents Cicero's response to the Caesarian propaganda that had previously circulated offering a clear differentiation between Caesar and Sulla. By linking these men, Cicero was able to associate Caesar with Sulla's cruelty and therefore attack his reputation for *clementia*.<sup>6</sup> Cicero was providing a counter-attack in an area where Caesar was extremely vulnerable.

Both Diehl and Dyck have argued that such comparisons between Caesar and Sulla were unfair.<sup>7</sup> While such comments might be true, they do not acknowledge the environment and political circumstances of the period in which Cicero was writing. Having faced an onslaught of propaganda in Caesar's favour since March, he was responding in kind by directly associating Caesar with Sulla. While modern commentators may perceive the attack as unfair, Cicero had to position his assault in such a way that Caesar appears the worse culprit simply because of his actions in success: Caesar's policy in the civil war of offering *clementia*, of which so much had been made in the post-Ides propaganda, was to Cicero a flagrant abuse simply because it meant Caesar possessed inappropriate power over citizens. Without mentioning Caesar, Cicero addresses the issue of *clementia* and its appropriate use at 1:88.<sup>8</sup> Cicero's close attention to the correct use of *clementia*, but also the need for *severitas* in certain cases, is indicative of the time in which he was writing. *Clementia* was good when it was sincere and for the benefit of the state, but if it was exhibited for the gratification of the individual, it was bad. This calls to mind Cicero's judgement of Caesar's *clementia* in 49 as *insidiosa*. With the knowledge that this work was written immediately after Cicero's *Philippic 2*, such comments also act as a defence

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<sup>6</sup> He was also insulting Caesar since the latter took great lengths to associate himself with Marius' family and to identify himself as a victim of Sulla.

<sup>7</sup> Diehl, 1988, p. 161; Dyck, 1996, p. 393.

<sup>8</sup> '*nihil enim laudabilius, nihil magno et praeclaro viro dignius placabilitate atque clementia. In liberis vero populis et in iuris aequabilitate exercenda etiam est facilitas...Et tamen ita probanda est mansuetudo atque clementia, ut adhibeatur rei publicae causa severitas, sine qua administrari civitas non potest. omnis autem et animadversio et castigatio contumelia vacare debet neque ad eius, qui punitur aliquem aut verbis castigat, sed ad rei publicae utilitatem referri.*' (For nothing is more commendable, nothing more becoming in a pre-eminently good man than courtesy and forbearance. Indeed, in a free people, where all enjoy equal rights before the law, we must school ourselves in affability...And yet pity and mercy are to be commended only with the understanding that strictness may be exercised for the good of the state; for without that, the government cannot be well administered. On the other hand, if punishment or correction must be administered, it need not be insulting; it ought to have regard for the welfare of the state, not to the personal satisfaction of the man who administers the punishment or reproof.) Cic. *De Off.*, 1:88.

of Cicero's own actions against Antony.<sup>9</sup> He knew he was about to enter into a conflict with Antony, and as such he was calling for *severitas* for the good of the state.

Caesar is also made to appear worse than Sulla because of his maltreatment of the allies.<sup>10</sup> His use and promotion of unworthy supporters, and his destruction of the Republic combined to ensure that Cicero would regard him as worse than Sulla.<sup>11</sup> The statement attributed to Caesar regarding Sulla's abdication of the dictatorship also illustrated a major difference between these two men; Caesar was worse than Sulla because he had continued to acquire power.<sup>12</sup> As Diehl has noted, Sulla could at least be positioned as the restorer of the Republic;<sup>13</sup> according to Cicero, Caesar was a tyrant and had been the master of the Republic.<sup>14</sup>

Another reference in the *De Officiis* discusses both Caesar and Sulla's appropriation of property for the benefit of their supporters.<sup>15</sup> This is placed within Cicero's discussion of what constitutes *liberalitas*, and the justice of such actions. In this instance Cicero uses the similarity in method between Caesar and Sulla, noting that they were equally unjust. The criticism in this section is relatively balanced between Caesar and Sulla, although as Cicero progresses it will be evident that he actually deemed Caesar far worse than his predecessor. Cicero notes that misappropriation of property should not be called generosity or kindness,<sup>16</sup> and that gifts should only be given to those worthy of them.<sup>17</sup> This was particularly pointed, as this was another area (other than *clementia*) in which Caesar had endeavoured to show that he was better than Sulla. The section succeeds in

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<sup>9</sup> But also his actions against the Catilinarians, which Antony had raised in his attack on Cicero and to which Cicero responded in *Philippic 2*. Cic. *Phil.*, 2:18. Cicero refers to his production of the *De Officiis* in a letter where he notes he has already sent *Philippic 2* to Atticus, Cic. *Ad Att.*, 417:2, 3 (15:13a:2, 3, c.28 October). See also Long, 1995, p. 219-221.

<sup>10</sup> Through Caesar's representation of Massilia in his triumph Cic. *De Off.*, 2:28.

<sup>11</sup> Cic. *De Off.*, 2:29, as noted above, but this also recalls Antony and the earlier references from Cic. *De Off.*, 1:43.

<sup>12</sup> Suet. *Iul.*, 77.

<sup>13</sup> Diehl, 1988, p. 161.

<sup>14</sup> Cic. *De Off.*, 2:23.

<sup>15</sup> 'Quare L. Sullae, C. Caesaris pecuniarum translatio a iustis dominis ad alienos non debet liberalis videri; nihil est enim liberale, quod non idem iustum.' (The conveyance of property by L. Sulla and C. Caesar from its rightful owners to the hands of strangers should, for that reason, not be regarded as generosity; for nothing is generous, if it is not at the same time just.) Cic. *De Off.*, 1:43.

<sup>16</sup> Cic. *De Off.*, 1:43-44.

<sup>17</sup> Cic. *De Off.*, 1:45.

calling to mind Cicero's criticisms of Antony in *Philippic 2* as an unworthy successor to Pompey's property.<sup>18</sup> The reference thus serves a dual purpose in attacking Caesar for his likeness to Sulla in confiscating property and then using it to reward unworthy men. Recalling that this work was written in late 44, Cicero is also clearly responding to pro-Caesarian propaganda developed by Antony and his supporters relating to *beneficia* Caesar had shown many of his assassins.<sup>19</sup> During this period, Cicero absolutely denies Caesar the obligations of *beneficium* and maintains that his actions caused more harm than good.<sup>20</sup> Cicero uses this argument in his *De Officiis*, maintaining his point throughout his other works in this period.

Caesar is again compared to Sulla, although in this second instance he is made to appear the worse culprit:

*Nec vero unquam bellorum civilium semen et causa deerit, dum homines perdit hastam illam cruentam et meminerint et sperabunt, quam P. Sulla cum vibrasset dictatore propinquo suo, idem sexto tricensimo anno post a sceleratiore hasta non recessit, alter autem, qui in illa dictatura scriba fuerat, in hac fuit quaestor urbanus. Ex quo debet intellegi talibus praemiis propositis numquam defutura bella civilia.*<sup>21</sup>

(And never will the seed and occasion of civil war be wanting, so long as villains remember that blood-stained spear and hope to see another. As Publius Sulla wielded that spear when his kinsman was dictator, so again thirty-six years later he did not shrink from a still more criminal spear. And still another Sulla, who was a mere clerk under the former dictatorship, was under the later one a city quaestor. From this, one would realise that, if such rewards are offered, civil war will never cease to be.)

<sup>18</sup> *Tantus igitur te stupor oppressit vel, ut verius dicam, tantus furor ut primum, cum sector sis isto loco natus, deinde cum Pompei sector, non te execratum populo Romano, non detestabilem, non omnis tibi deos, non omnis homines et esse inimicos et futuros scias?* (Have you suddenly become so insensate, so insane, to use a better word, as to purchase confiscated goods (a man of your birth!), and those goods Pompey's goods, without knowing that you are on that account abominable and accursed in the sight of the Roman people and that all gods and all men are your enemies, now and for ever more?) Cic. *Phil.*, 2:65. Cicero continues his accusation against Antony as being unworthy of inhabiting Pompey's house, Cic. *Phil.*, 2:68-69.

<sup>19</sup> Dyck (1996, p. 159) notes the relevance to Antony here.

<sup>20</sup> Cic. *Phil.* 2:25-27.

<sup>21</sup> Cic. *De Off.*, 2:29.

Cicero accuses Sulla and Caesar of advancing undeserving men to positions of power after their respective victories, and also of providing them with pecuniary incentives to go to war through the favourable treatment of their supporters. Cicero thus draws a double association between Caesar and Sulla. Not only did their subsequent treatment of their supporters make it financially and politically worthwhile to engage in civil disputes, there is also an explicit association between Caesar and the name 'Sulla'. That Cicero used Publius Sulla and the unnamed 'Sulla' as examples of men who benefited from both wars creates a link between the civil conflicts involving Caesar and Sulla, and emphasises Cicero's point that men were encouraged to enter into civil conflict for personal gain.<sup>22</sup> This example is also damaging to Caesar; having adopted from an early age a fierce anti-Sulla position, Cicero creates a link between Caesar and the name 'Sulla' that was inescapable. Recalling that Caesar himself had been married to Sulla's granddaughter and had close familial connections to central Sullan figures,<sup>23</sup> Caesar's continuous reiteration of his anti-Sullan stance is shown to be incongruous. Caesar had sought to escape the link to Sulla by refusing to implement proscriptions and trying to distance himself from his actions, but Cicero highlights that not only had Caesar utilised similar methods and the same men in his civil conflict, he had employed his very own 'Sullas' in the process.

The third comparison between Sulla and Caesar appears at 2:27, where Cicero directly compares the motives and outcomes of the two civil wars and concludes that Caesar was the less just of the two:

*'Ergo in illo secuta est honestam causam non honesta victoria. est enim ausus dicere hasta posita, cum bona in foro venderet et bonorum virorum et locupletium et certe civium, praedam se suam vendere. Secutus est, qui in causa impia, victoria etiam foediore, non singulorum civium bona publicaret, sed universas provincias regionesque uno calamitatis iure comprehenderet.'*<sup>24</sup>

(In that man's case, therefore, an unrighteous victory disgraced a righteous cause. For when he had planted his spear and was selling under the hammer in the Forum the property of men who were patriots

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<sup>22</sup> Dyck notes that the mention of P. Sulla here '...would stir hatred and envy for his (Caesar's) beneficiaries.' Dyck, 1996, p. 406.

<sup>23</sup> Caesar's marriage to Pompeia, see Suet. *Iul.*, 6:2; Plut. *Caes.*, 5:3, 9:2.

<sup>24</sup> Cic. *De Off.*, 2:27

and men of wealth, and at least, Roman citizens, he had the effrontery to announce that 'he was selling his spoils'. After him came one who, in an unholy cause, made an even more shameful use of victory; for he did not stop at confiscating the property of individual citizens, but actually embraced whole provinces and countries in one common ruin.)

This section criticises both Sulla and Caesar's appropriation of property.<sup>25</sup> Cicero did not need to explicitly draw attention to the property confiscations and subsequent auctions that took place under Caesar, although in works written after Caesar's murder he is contemptuous of those individuals who had purchased properties at these auctions.<sup>26</sup> Cicero argues that Caesar was worse, both in his cause and in his use of victory.<sup>27</sup> Even though Caesar aimed to distance himself from Sulla's offences, particularly through his acts of *clementia* and ensuring he instituted no proscriptions, Cicero judges him as being worse than his predecessor.

An anti-tyranny theme is also explicitly highlighted in Cicero's *De Officiis*. This work provides us with an insight into the way in which Cicero viewed the deceased Caesar's actions and his much idealised *clementia*. While he does not explicitly mention *clementia* with reference to Caesar, Cicero's use of language clearly establishes his thoughts on the subject. There is a particular hatred of tyrants evident in the *De Officiis*, and throughout the three books, Cicero continually makes both direct and veiled references to Caesar's tyranny.<sup>28</sup> In the *Pro Rege Deiotaro* Cicero had cast Caesar as a tyrant because of the way in which he exercised his power: his *clementia* was merely symptomatic of his tyranny. Naturally, it was not only tyrants who could exhibit *clementia*; as shown in earlier chapters *clementia* could justifiably be offered to provincials and in war,<sup>29</sup> and its origins were in the Roman law courts. Caesar's *clementia* was an act of tyranny because

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<sup>25</sup> It also recalls the letter written to Atticus in December 50 regarding fears that Caesar would emulate Sulla, Cic. *Ad Att.*, 130:7 (7:7:7).

<sup>26</sup> Cicero discusses his displeasure at seeing the property of former Pompeian supporters occupied by Caesarian supporters, Cic. *Ad Att.*, 364:2 (14:10:2). Cicero's remarks on Antony's purchase of Pompey's property, although certainly exaggerated, provide an insight into the methods Caesar employed to raise money. Cic. *Phil.*, 2:62, 64-69. Ramsey provides an insight into Antony's purchase of Pompey's property in 47. Ramsey, 2003, pp. 254-55.

<sup>27</sup> Dyck, 1996, p. 403.

<sup>28</sup> Cic. *De Off.*, 1:112; 2:23 (twice); 2:80, 81. 3:19, 32. Cicero also refers to Caesar as *tyrannus* in his letters to Atticus, *Ad Att.*, 359:2; 360:2; 363:2; 368:2; 371:6; 380:2; 397:2; 425:1.

<sup>29</sup> Cic. *Ad Att.*, 109:3 (5:17:3), 114:5 (5:21:5), 116:5 (6:2:5).

there was no justice involved. Caesar's power to exhibit *clementia* had been gained through an unjust civil war. After his death this became even more important as the pro-Caesarian supporters claimed that Caesar's *clementia* was a *beneficium*, with the subsequent obligations implied. It was this, more than anything else that led to Cicero casting Caesar's *clementia* as tyranny, and Caesar himself as a tyrant.

The language of the *De Officiis* does not merely rely on the term *tyrannus*.<sup>30</sup> Cicero twice employs the term *dominatio* (or its cognates) within the *De Officiis*, and in Book Two he directly relates it to Caesar.<sup>31</sup> The word *dominus* is closely linked with the term *tyrannus*,<sup>32</sup> and Cicero uses it here to explain why he has deserted politics for philosophy: '*Cum autem dominatu unius omnia tenerentur...*'<sup>33</sup> (But when everything had passed under the absolute control of a despot...). The *dominus* referred to is Caesar, and the control was his post-Pharsalus position of power. This explanation of his conduct after Caesar came to prominence is strongly reminiscent of the letter to Varro from 47.<sup>34</sup>

### ***Philippic 2 and Caesar's tyranny***

The theme of Caesar as *tyrannus* is also prevalent in Cicero's *Philippic 2*, with five direct references in this speech.<sup>35</sup> The first reference is to Antony's speech at the tyrant's funeral (*funeris tyranni*),<sup>36</sup> while the second and third speak of King Deiotarus' reclaiming of land. Of Deiotarus, Cicero notes that:

*'Sciebat homo sapiens ius semper hoc fuisse ut, quae tyranni eripuissent, ea tyrannis interfectis ei quibus erepta essent recuperarent.'*<sup>37</sup>

(Being a wise man he knew that it had always been held lawful that what tyrants had seized, those from whom it was seized might recover when the tyrants had been slain).

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<sup>30</sup> Cicero elsewhere uses the term *rex* and its cognates with reference to Caesar, Cic. *Ad Fam.*, 348:8 (*rex*); 360:1-2 (*rege*); *Ad Att.*, 365:1 (*rege*).

<sup>31</sup> In Book Three it is used as a moral illustration, Cic. *De Off.*, 3:39.

<sup>32</sup> Hellegouarc'h links *dominatus*, *tyrannus*, and *regnum*, Hellegouarc'h, 1963, p.560-4.

<sup>33</sup> Cic. *De Off.*, 2:2. Cicero refers to Caesar as *dominus* in his letters to Atticus, see Cic. *Ad Att.*, 381:3.

<sup>34</sup> Cic. *Ad Fam.*, 175:2 (9:1:2).

<sup>35</sup> Cic. *Phil.*, 2:90, 96 (twice), 110, 117.

<sup>36</sup> Cic. *Phil.*, 2:90.

<sup>37</sup> Cic. *Phil.*, 2:96.

This reference recalls the earlier comments Cicero had made regarding Caesar's tyranny during his speech in defence of Deiotarus in 45. Along with the other accusations that had been made at that time,<sup>38</sup> Cicero was now able to add more evidence of Caesar's tyranny, this time his confiscation of part of Deiotarus' kingdom.<sup>39</sup>

The fourth reference to Caesar's tyranny is directed against Antony for his role as Caesar's *flamen*.<sup>40</sup> This was Cicero's response to the accusation that the assassins had killed an individual who was considered inviolable and sacrosanct.<sup>41</sup> Such language had been used to inflame the people in the aftermath of Caesar's death, and here Cicero is thus aiming to oppose the charge that the assassins had killed someone who was meant to be inviolable. Cicero is also reacting against the voting of a temple to *clementia Caesaris*. The divine association between Caesar and the goddess *Clementia* had been recalled on the coin featuring this temple, and Cicero's denunciation of the divine accoutrements Caesar had been voted included a strong criticism of all associations with divinity.<sup>42</sup> Cicero was holding Antony responsible for raising Caesar to a status where it could be claimed he was akin to the divine. In Cicero's mind Caesar was not a god, he was a tyrant. Any claims to the contrary had to be met and refuted; Caesar must be cast in a negative light at the same time ensuring Antony, as the claimant to Caesar's position, was also discredited.

The final and most important use of Caesar as *tyrannus* is at the end of *Philippic 2*. At 2:117 Cicero illustrates that it was due to his tyranny that Caesar had been slain, and that

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<sup>38</sup> Cic. *Pro Reg. Deio.*, 33, as well as the more veiled (and far more damning) references contained in the comments on location and the judge of the trial, *Pro Reg. Deio.*, 4-6.

<sup>39</sup> Contrast the argument Cicero had employed during this speech in 45, when he notes that Caesar had actually done Deiotarus a favour in reducing his kingdom, Cic. *Pro Reg. Deio.*, 35-36.

<sup>40</sup> Cic. *Phil.*, 2:110. The term *tyranni* is used only in some versions of the MSS. Others replace *tyranni* with *Caesaris*. The Loeb Classical Library uses *Caesaris*, with a brief note mentioning the use of *tyranni* elsewhere. Perseus uses the text based on A. C. Clarke (1918), with *tyranni*; Shackleton-Bailey and Ramsey both accept *tyranni*.

<sup>41</sup> Present in the recreated speeches of Appian and Dio, App. *BC*, 2:143; Dio, 44:49:3.

<sup>42</sup> '*Quem is honorem maiorem consecutus erat quam ut haberet pulvinar, simulacrum, fastigium, flaminem? Est ergo flamen, ut Iovi, ut Marti, ut Quirino, sic divo Iulio M. Antonius? Quid igitur cessas? Cur non inauguraris? Sume diem, vide qui te inaugure:*' (What greater honour had Caesar attained than to have a sacred couch, an image, a gable, a special priest? Just as Jupiter and Mars and Quirinus have their priests, so the divine Julius has Marcus Antonius. Why the delay then? Why are you not inaugurated? Choose a date, choose someone to inaugurate you.) Cic. *Phil.*, 2:110.

to have been involved in the assassination was a glorious deed. After comparing Caesar's and Antony's mutual lust for power, Cicero commends the assassins for killing Caesar:

*'Haec non cogitas, neque intellegis satis esse viris fortibus didicisse quam sit re pulchrum, beneficio gratum, fama gloriosum tyrannum occidere?'*<sup>43</sup>

(Do you not understand that it is enough for brave men to have learnt how beautiful in act, how gratifying in benefit, how glorious in report, it is to slay a tyrant?)

This is indicative of the anti-tyranny, anti-Caesarian propaganda developed in answer to Antony's leadership claims in 44, and an attempt to change the assassins' label of parricides to tyrannicides. Caesar's murder was due to his tyranny, and Cicero warns Antony that his attempts to gain power on a Caesarian model will also meet with such an end.<sup>44</sup>

Cicero's *Philippics* are informative regarding his thoughts on *clementia* and *beneficium*, and the way in which they related to Caesar. They also provide evidence for the ideological battle that was being waged between Cicero and Antony over the obligations implied by both *clementia* and *beneficium*, reflecting the propaganda that had been circulated in the period after Caesar's death.<sup>45</sup> In many of his references to the sparing of adversaries, Cicero uses the term *beneficium*. But he denied that these actions were in fact *beneficia*. At section five in *Philippic 2*, Cicero discussed the notion of *beneficia*, and wrote of Caesar's mercy:

*'... beneficium latronum nisi ut commemorare possint eis se dedisse vitam quibus non ademerint? Quod si esset beneficium, numquam qui illum interfecerunt a quo erant conservati...tantam essent gloriam consecuti.'*<sup>46</sup>

(how are brigands 'benefactors', except in being able to assert that they have granted life to those from whom they have not taken it? But if this were a 'benefaction', those that assassinated the man by whom they have been saved...would never have achieved such glory.)

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<sup>43</sup> Cic. *Phil.*, 2:117.

<sup>44</sup> Cic. *Phil.*, 2:118.

<sup>45</sup> Cic. *Ad Att.*, 376:1 (14:22:1); Hirt. *BG.*, 8:3, 21; App. *BC*, 2:144. 480/21 Crawford.

<sup>46</sup> Cic. *Phil.*, 2:5.

Cicero makes two points in this passage. The first ties in with his comments regarding *beneficia* and *clementia* in the *De Officiis*. Here he notes that:

*'Videndum est enim, primum ne obsit benignitas et iis ipsis, quibus benigne videbitur fieri, et ceteris, ...'*<sup>47</sup>

(we must, in the first place, see to it that our act of kindness shall not prove an injury either to the object of our beneficence or to others.)

Cicero considered that simply by possessing the power to offer to save the lives of those who opposed him, Caesar had injured the potential recipients of his *beneficium*.<sup>48</sup> There was no justice in his actions, therefore it was injurious. Cicero's second point is that Caesar's so-called *beneficia* were not *beneficia* at all. For if Caesar had indeed provided a *beneficium*, there were specific obligations owed to him. Cicero then argues that Caesar did not provide a *beneficium*, as the assassins would have been hated for killing him if there was one. The gift of a tyrant is not a gift. The simple fact that Caesar's assassins had achieved acclaim for their deed confirmed this. The responsibility for the receipt of *beneficia* was explicitly denied by Cicero in response to Antony's great emphasis on this in his attacks against the assassins.

Cicero's comments on *beneficium* suggest that Antony had attacked both the assassins and Cicero for a lack of gratitude to Caesar and Antony.<sup>49</sup> The assassins had murdered their benefactor, and it was Cicero who had incited them to such a crime.<sup>50</sup> Cicero continues to deal with this accusation throughout the rest of *Philippic 2*. At the end Cicero turns his argument from the idea that Caesar had granted *beneficia*, instead suggesting that the assassins themselves had conferred a *beneficium* by murdering Caesar.<sup>51</sup> Those who had executed the plot to kill Caesar were the ones who both earned and deserved the obligation that went with *beneficia*. This is the main thrust of Cicero's argument regarding the imparting of *beneficia* and the significance of such an act. Caesar

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<sup>47</sup> Cic, *De Off.*, 1:42.

<sup>48</sup> Cic, *Phil.*, 2:5-6.

<sup>49</sup> That this charge had been laid previously is evident in a letter to Atticus, Cic. *Ad Att.*, 376:2 (14:22:2).

<sup>50</sup> This accusation is dealt with twice: Cic. *Phil.*, 2:28. At 2:30 Cicero says he is quoting Antony verbatim, '*Sic enim dixit: 'Brutus, quem ego honoris causa nomino, cruentum pugionem tenens Ciceronem exclamavit; ex quo intellegi debet eum conscium fuisse.'*' (This is what he said: 'Marcus Brutus, whose name I mention with respect, called on Cicero as he held his bloodstained dagger: hence it must be inferred that Cicero was in the plot.')

<sup>51</sup> Cic. *Phil.*, 2:117.

had inflicted harm by conferring so-called *beneficia*; the assassins had granted true *beneficia* when they had freed the state from a tyrant.<sup>52</sup>

On a number of occasions, *Philippics 1* and *2* refer to the supposed *beneficium* Cicero received from Antony; Antony considered that having ‘spared’ Cicero in Brundisium, Cicero was indebted to him.<sup>53</sup> Roller (using Seneca, who himself appears to have been influenced by Cicero’s argument), offers a persuasive argument against Antony’s claim, using Brutus’ pardon by Caesar as an example. He notes:

*Seneca concludes that “failing to kill” is not the same as “saving”, and hence that Caesar granted Brutus not a benefit,... On this account, Brutus incurred no obligation to Caesar and therefore was guilty of no ingratitude in killing him.*<sup>54</sup>

Cicero denied that he had indeed received a *beneficium* from Antony.<sup>55</sup> Cicero makes vague reference to the *beneficia* in *Philippic 1*,<sup>56</sup> although it is not until *Philippic 2* that we are provided with further details. At section 5, Cicero asks of Antony ‘*Sed quo beneficio? Quod me Brundisi non occideris?*’<sup>57</sup> (But what *beneficium*? That you did not slay me at Brundisium?) Cicero continued to note that it was at the behest of Caesar that he had returned to Italy in the first place, so it was not truly Antony’s position to grant him his life, especially when the so-called *beneficium* was granted by Caesar, not Antony. When discussing the fact that Caesar had told him to return, Cicero says:

*‘Quem ipse victor,...salvum esse voluisset, in Italiam ire iussisset, eum tu occideres?’*<sup>58</sup>  
(When the very victor,... wished a man to be safe, and had ordered him to return to Italy – were you to slay that man?)

<sup>52</sup> There are numerous discussions of ‘true’ virtues in the *De Officiis*, including one on what constituted a true *beneficium* (Cic. *De Off.*, 1:42-49). Long has conducted an informative study of ‘real glory’ in Cicero’s *De Officiis* (Long, 1995, pp. 213-240).

<sup>53</sup> Cic. *Phil.*, 1:11; 2:5; 2:59.

<sup>54</sup> Roller, 2001, pp. 188-9. By this reckoning, Cicero owed Antony no obligation, and his attack in *Philippic 2* was not an example of ingratitude.

<sup>55</sup> Even though Cicero was keen to gain Caesar’s forgiveness for supporting Pompey in the civil war when he returned to Italy in 48 as indicated through a number of letters to Atticus, Cic. *Ad Att.*, 217:3 (11:6:3), 218:5, 7 (11:7:5, 7), 219:1 (11:8:1), 223:1 (11:12:1), 225:2 (11:14:2), 229:2 (11:17a:2), 234:4 (11:24:4), 235:1 (11:20:1). Cic. *Pro Marc.*, 19 (incorporating all who had been pardoned by Caesar and allowed to return to Rome).

<sup>56</sup> Cic. *Phil.*, 1:17.

<sup>57</sup> Cic. *Phil.*, 2:5.

<sup>58</sup> Cic. *Phil.*, 2:5.

Even though Cicero refers to Caesar's forgiveness he had experienced personally, he does not use the word *clementia* and seeks to deny that it was a *beneficium* from Caesar. Instead, he casts the language as an order from one Roman citizen to another, making Caesar appear a tyrant (*Quem ipse victor ...iussisset*). This is in contrast to the language Cicero had used in 47 when he writes that Caesar's request asked that he return to Italy as soon as possible (*...in Italiam qua primum venirem*).<sup>59</sup> Cicero was obviously seeking to portray Caesar in a negative manner and ensuring that he was viewed as a tyrant. This would then assist in justifying his assassination, exculpating those involved in the murder especially from a charge of ingratitude.

Cicero persisted with this theme when he discussed the assassins in *Philippic 2*. He responds to the questions Antony raised as to whether Brutus and Cassius had forgotten the *beneficia* bestowed on them, which should have stopped them from killing Caesar.<sup>60</sup> The *beneficia* Antony has mentioned was Caesar's *clementia* and the many offices individuals had been given, but Cicero also mentions the fact that there were many of Caesar's supporters involved in his assassination, most notably D. Brutus, C. Trebonius and L. Tillius Cimber.<sup>61</sup> In doing so Cicero sought to draw attention to the fact that even Caesar's friends were involved, thus justifying his murder. He removes the implication of a single *beneficium* to Brutus and Cassius, and draws the other assassins into a collective so he can deny the so-called *beneficia* they received. Caesar was exercising power he had taken from others, and therefore had no right to exercise in the first place: because Caesar had acted as a tyrant and incurred hate; because he had acted without justice and his *clementia* and *beneficia* were not as they appeared, the assassins were compelled to act.

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<sup>59</sup> The letter was actually from Dolabella, who had written at Caesar's request. Cic. *Ad Att.*, 218:2 (11:7:2).

<sup>60</sup> Cic. *Phil.*, 2:26-27.

<sup>61</sup> Cic. *Phil.*, 2:27.

At *Phil.*, 2:64 Cicero notes:

*'Caesar Alexandria se recepit, felix, ut sibi quidem videbatur; mea autem sententia, qui rei publicae sit hostis, felix esse nemo potest.'*<sup>62</sup>  
(Caesar came back from Alexandria, happy, as he indeed fancied, but in my opinion no man that is an enemy of the state can be happy.)

Cicero has portrayed Caesar here as an enemy returning to Rome, thereby placing him outside the bounds of the Roman community.<sup>63</sup> The 'Hellenistic' influence of Cleopatra had caused some concern in Rome by the time of Caesar's death, hence the rumours about, amongst other things, moving the capital to Ilium or Alexandria.<sup>64</sup> Cicero is using Caesar's well known relationship with Cleopatra here to emphasise his point, and in doing so, recalls his previous method of referring to the object of his disdain as an enemy of the state, just as he did in his Fourth Catilinarian speech.<sup>65</sup> As an enemy of Rome, Caesar's exercise of power became a tyranny. Without using the term *tyrannus*, Cicero has effectively illustrated that Caesar's power was domination and tyrannical power. Republican Roman ideals did not allow for one man to place himself in a superior position to his fellow citizens, and if an attempt was made at such domination, violence was acceptable in answer.<sup>66</sup>

### **'species clementiae' and the Climax of *Philippic 2***

Cicero's reaction to such claims of *beneficium* and *clementia* on Caesar's behalf provides us with an important contrast to the pro-Caesarian propaganda. The climax of *Philippic 2* finds Cicero cataloguing Caesar's virtues to illustrate the qualities Antony lacked. This list is then used to illustrate the way in which Caesar employed his virtuous qualities in his tyrannical actions:

*'Fuit in illo ingenium, ratio, memoria, litterae, cura, cogitatio, diligentia; res bello gesserat, quamvis rei publicae calamitasas, at*

<sup>62</sup> Cic. *Phil.*, 2:64. The Teubner, Budé, and Loeb Classical Library texts use *hostis*, but *infelix* is preferred in the Oxford series, 1965 ed., Shackleton-Bailey, 1986, p. 385 and Ramsey, 2003, p. 253. I accept the Teubner reading.

<sup>63</sup> Roller 2001: 28 n. 25: 'Since a *hostis* is usually (1) an armed adversary, and (2) foreign, then to call another Roman a *hostis*...is to expel him from the civic community, insist he has no civic rights, and imply that war may justly be waged against him.'

<sup>64</sup> Suet. *Iul.*, 79:3.

<sup>65</sup> '*qui autem rei publicae sit hostis eum civem esse nullo modo posse;*' (that an enemy of the Republic cannot in any respect be regarded as a citizen) Cic. *In Cat.*, 4:10.

<sup>66</sup> See below, especially Cicero's *De Officiis*.

*tamen magnas; multos annos regnare meditatus, magno labore, magnis periculis, quod cogitarat effecerat; muneribus, monumentis, congiariis, epulis multitudinem imperitam delenierat; suos praemiis, adversarios clementiae specie devinxerat; quid multa? Attulerat iam liberae civitati partim metu partim patientia consuetudinem serviendi.*<sup>67</sup>

(In that man were combined genius, method, memory, literature, prudence, deliberation, and industry. He had performed exploits in war which, though calamitous for the Republic, were nevertheless mighty deeds. Having for many years aimed at being a king, he had with great labour, and much personal danger, accomplished what he intended. He had conciliated the ignorant multitude by presents, by monuments, by largesses of food, and by banquets; he had bound his own party to him by rewards, his adversaries by a show of mercy. Why need I say much on such a subject? He had already brought a free city, partly by fear, partly by endurance, into a habit of being a slave.)

In this passage, Cicero illustrates that it was Caesar's use of *clementia* when dealing with his opponents that signified his tyranny. That the phrase *specie devinxerat* (bound by an appearance) is teamed with *clementia* demonstrates Cicero's contempt for Caesar's methods to gain support. It is also indicative of Cicero's recollection of Caesar's letter to Oppius and Balbus in 49 claiming that he would use *lenitas* and *misericordia* to fortify himself (*munire*). Cicero too is using an armoury metaphor to emphasise the way in which Caesar placed his own supporters under obligation to him – he bound or fettered them (*devinxerat*) to himself through favours (*praemium*). This then implies that Caesar offered them little choice in their support for him. That Antony was able to use Caesar's *clementia* to build animosity against his assassins ultimately made this worse. Cicero assails Caesar again by casting *clementia* as spurious (*clementiae species*) and again using the term *devinxerat*.<sup>68</sup> By doing so, Cicero effectively nullified any claim Caesarian supporters made about the obligations inherent to a recipient of Caesar's *clementia*.

Cicero's use of *consuetudo serviendi* (habit of being a slave) also highlights the extent of Caesar's tyranny, drawing attention to the loss of *libertas* Romans faced under his domination. *Libertas*, integral to the Republic, was in direct contrast to the slavery

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<sup>67</sup> Cic. *Phil.*, 2:116.

<sup>68</sup> Dyck, 1996, p. 395; Ramsey, 2003, p. 333; Griffin, 2003, p. 164. Cicero's *species clementiae* here is also reminiscent of his reference to Caesar's *insidiosa clementia* in 49 (Cic. *Ad Att.*, 166:2 (8:16:2)).

(*serviendus*) which represented life under Caesar. This had all been possible as Caesar had previously softened (*delenierat*) the people. In a single sentence Cicero highlighted the freedom the city had prior to Caesar's success in the civil war (*libera civitas*), and contrasted the fear (*metus*) and servitude (*consuetudo serviendi*) Caesar had created to ensure the citizens' submission. Only a tyrant ruled through fear and subjugated the people's freedom to his own advantage.<sup>69</sup> Placing this idea of fear and servitude in close context to Caesar's claim to *clementia* enabled Cicero to reveal the contrast between what Caesar claimed, and reality. By forcibly binding his enemies to him through acts, Caesar's *clementia* was merely an image, and not a reality. There was no justice in his actions. As he had suppressed the will of the people, Cicero was able to confirm Caesar as a tyrant.

### **Real *clementia* and its manipulation**

As well as illustrating that Caesar's *clementia* was false, Cicero used his *Philippic* speeches to provide an example of 'true' *clementia*. In *Philippic 5*, speaking of Lepidus' motion in the Senate to restore Sextus Pompeius as a Roman citizen, Cicero noted:

*'Utinam omnis M. Lepidus servare potuisset! facturum fuisse declaravit in eo quod potuit, cum Sex. Pompeium restituit civitati, maximum ornamentum rei publicae, clarissimum monumentum clementiae suae.'*<sup>70</sup>  
(Would that Marcus Lepidus had been able to save all! That he would have done so he showed where he had the power, when he restored Sextus Pompeius to his fellow citizens, to be the greatest ornament to the state, the most illustrious memorial of his own mercy.)

Cicero used Lepidus' action in brokering peace with Sextus Pompeius as an example of his *clementia*. This is important, as it was something that had been explicitly denied Caesar in *Philippic 2*.<sup>71</sup>

Earlier in *Philippic 5* Cicero had made an even more direct attack on the 'false' *clementia* of Caesar, when discussing the civil wars of 49-45:

*'...cum bellum civile maximum esset...sapientia et clementia id potius extingui quam armis et ferro rem in discrimen adducere? Quodsi eadem*

<sup>69</sup> An idea that Cicero continued to explore in the *De Officiis*, Cic. *De Off.*, 2:23.

<sup>70</sup> Cic. *Phil.*, 5:39.

<sup>71</sup> Cic. *Phil.*, 2:116.

*ratio Caesaris fuisset in illo taetro miseroque bello, ut omittam patrem, duos Cn. Pompei, summi et singularis viri, filios incolumes haberemus, quibus certe pietas fraudi esse non debuit.*<sup>72</sup> (...when there was a most important civil war...that it should be extinguished by wisdom and mercy rather than that arms and violence should be able to put everything to the hazard of a battle? And if Caesar had been guided by the same principles in that odious and miserable war, we should have – to say nothing of their father – the two sons of Cn. Pompeius, that most illustrious and virtuous man, safe among us; men whose piety and filial affection certainly ought not to have been their ruin.)

Cicero's intention here could not be clearer; true *clementia* combined with wisdom would have saved many; the false *clementia* of Caesar had resulted in the death of not only Pompey, but also his son, Cn. Pompeius.<sup>73</sup> Cicero's explicit statement, '*...sapientia et clementia id potius extingui quam armis et ferro...*', is strongly reminiscent of Caesar's own announced intention from 49 '*haec noua sit ratio uincendi ut misericordia et liberalitate....*'<sup>74</sup> This suggests that the language Caesar had employed in this letter was well-known and that it was specifically on Cicero's mind when he was writing this speech. Caesar had not used *misericordia* and *lenitas*, but employed *armis* and *ferro*. This forms a direct attack on Caesar's methods and serves to reiterate Cicero's point regarding the 'real' *clementia* Lepidus had illustrated, as opposed to the *species clementiae* of Caesar.

Cicero's use of *clementia* with reference to Lepidus was an attempt to reclaim and rehabilitate the word from its Caesarian associations, but also to gain Lepidus' support against Antony. Cicero was conscious of the success Antony had achieved, and chose in *Philippic 5* to employ the term and its Caesarian connotations as both a challenge to Antony and an offer to Lepidus. Employing the term in this manner with reference to Lepidus illustrated that the word could not only be successfully used by Antony in building support against the assassins – it could also be used against him, and as a

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<sup>72</sup> Cic. *Phil.*, 5:39 (following Loeb Classical Library text). The Budé edition also uses *clementia*, Shackleton Bailey and the Oxford text have *misericordia* in place of *clementia* (1986, p. 170). The Teubner edition contains no mercy language at all.

<sup>73</sup> It could be said that Caesar did not have the opportunity to allow Cn. Pompeius to live. While this is possible, the deaths of L. Caesar and Faustus Sulla indicate that Cn. Pompeius would not have lived, if indeed Caesar did not order his death in this instance.

<sup>74</sup> Cic. *Ad Att.*, 174C:1 (9:7C:1).

consequence, against Caesar. Having previously denied Caesar *clementia* and now attributing the virtue to Lepidus, Cicero was aiming to outmanoeuvre Antony; he was attempting to attract Lepidus to support the Republic against Antony. The significance of employing the term *clementia* (along with the other honours that were granted at this time) would not have been lost on Lepidus. Cicero was firmly associating him with a virtue that had been directly attributed to Caesar during his lifetime, but highlighting the justice in Lepidus' action. This virtue had been employed for the good of the Republic, and as a consequence Lepidus was cast as being greater than Caesar.

### **Brutus and *clementia***

Cicero does return to the use of this term to achieve his aims in the following year. This time his audience was not Lepidus and the former Caesarians, but rather Brutus and his actions in the war against Antony. From the moment of Caesar's murder, Cicero had consistently stated his belief that Caesar's assassination should also have extended to Antony.<sup>75</sup> While he continued to praise Brutus in particular for his leniency, Cicero remained adamant that by allowing Antony to live, Brutus and the other assassins had freed the state from tyranny, but left it without freedom.<sup>76</sup> By April 43, this attitude was even more evident. In the wake of the battle at Mutina and Antony's escape with the remnants of his army, Cicero was explicit in his criticism of any form of *clementia*:

*'video te lenitate delectari et eum putare fructum esse maximum; praclare quidem, sed aliis rebus, aliis temporibus locus esse solet debetque clementiae.'*<sup>77</sup>

(Clearly lenience is to your liking and you think it is the most rewarding policy. Admirable! But the place for *clementia* is apt to be found, and ought to be found, in other matters and circumstances.)

Cicero's attitude towards *clementia* changes; his policy regarding this is determined by his audience. While *clementia* at times could be a good thing, when dealing with individuals such as Antony, it was not. The idea that *clementia* must be combined with justice is again present – exhibiting *clementia* to an enemy of the state was not just. When dealing with Lepidus at the beginning of 43 Cicero appealed to his *clementia*, and

<sup>75</sup> Cic. *Ad Att.*, 366:1 (14:12:1), Cic. *Ad Brut.*, 5:2 (2:5:2); Cic. *Phil.*, 2:34.

<sup>76</sup> Cic. *Ad Att.*, 363:2 (14:9:2); 368:5 (14:14:5).

<sup>77</sup> Cic. *Ad Brut.*, 5:5 (2:5:5, Rome, 14(?) April 43).

praised him for it, offering him a position which he would not grant even Caesar. Little over three months later, Cicero's attitude is vastly different, as is the situation. This meant that his message was also going to change – *clementia* must not be allowed at any cost.

In a follow-up letter to Brutus c.20 April 43, Cicero reiterated his message and advice against any form of *clementia*:

*'sed illam distinctionem tuam nullo pacto probo; scribis enim acrius prohibenda bella civilia esse quam in superatos iracundiam exercendam. Vehementer a te, Brute, dissentio; nec clementiae tuae concedo, sed salutaris severitas vincit inanem speciem clementiae. Quod si clementes esse volumus, numquam deerunt bella civilia.'*<sup>78</sup>

(But I am far from approving the distinction you draw when you say that we should be keener to prevent civil wars than to wreak vengeance on the defeated. I strongly disagree with you Brutus. Nor do I yield to your *clementia*, but salutary severity is better than the hollow appearance of *clementia*. If we want to be merciful, we shall never be without a civil war.)

Cicero's attitude here is reflective of his belief that saving the state was more important than preserving the life of individuals who were intent on its destruction. Lepidus had allowed Antony to escape, and as such he should be punished. Even though Brutus was endeavouring to preserve the livelihood of his sister's children, their relationship with Lepidus precluded mercy. If Lepidus' family suffered because of this punishment, this was necessary. *Clementia* was not appropriate in some circumstances. Sometimes the only true form of mercy was to display *severitas* against those who were endangering the Republic.<sup>79</sup>

One final point about Cicero's use of the phrase *species clementiae*. When offered in appropriate circumstances, *clementia* is obviously a desirable concept. This is implied in Cicero's comment about the appropriateness of *clementia* in the circumstances in which they found themselves.<sup>80</sup> As with the reference to Caesar's *species clementiae*, a simple show of *clementia*, or false *clementia*, is neither desirable nor appropriate. In using the

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<sup>78</sup> Cic. *Ad Brut.*, 6:2 (1:2a:2).

<sup>79</sup> Cic. *Ad Brut.*, 6:2 (1:2a:2).

<sup>80</sup> Cic. *Ad Brut.*, 5:5 (2:5:5).

phrase *species clementiae* here, Cicero was recalling his second *Philippic*, and expected Brutus to note the similarity between this suggestion and Caesar's previous policy. The allusion would not be lost on Brutus, thus adding an additional impetus to Cicero's argument against the possibility of *clementia* when dealing with Antony.<sup>81</sup> The notion of *clementia* was only a practical option in very specific circumstances;<sup>82</sup> at the time Cicero was writing it was not possible due to the threatening nature of Antony's actions.

### A re-introduction of the Proscriptions

With the formation of the Triumvirate in August 43, the promulgation of the *lex Pedia* and the beginning of the proscriptions, opportunity for wide-spread *clementia* slipped away. The text of the edict announcing the proscription that is contained within Appian is judged by many scholars to be an authentic transcript:<sup>83</sup>

‘...εἰ μὴ δι’ ἀπιστίαν οἱ πονηροὶ δεόμενοι μὲν ἦσαν ἐλεεινοί, τυχόντες δὲ ἐγίγοντο τῶν εὐεργετῶν ἐχθροί, εἶτα ἐπίβουλοι, οὐτ’ ἂν Γάιον Καίσαρα ἀνηρήκεσαν, οὓς ἐκεῖνος δορὶ λαβὼν ἔσωσεν ἑλέω καὶ φίλους θέμενος ἐπὶ ἀρχᾶς καὶ τιμᾶς καὶ δωρεὰς προήγαγεν ἀθρόως, οὐτ’ ἂν ἡμεῖς τοῖς ἐνυβρίσασι καὶ πολεμίους ἀναγράψασιν ἡμᾶς ὧδε ἀθρόως ἠναγκαζόμεθα χρῆσθαι.’<sup>84</sup>

(...had not perfidious traitors begged for mercy and when they obtained it become the enemies of their benefactors and conspired against them, neither would Gaius Caesar have been slain by those whom he saved by his mercy after capturing them in war, whom he admitted to his friendship and upon whom he heaped offices, honours and gifts; nor should we have been compelled to use this wide-spread severity against those who insulted us and declared us public enemies.)

The language used illustrates the way in which Caesar's *clementia* was useful to the Triumvirs even in 43. The use of the term εὐεργετής highlights the concentration on the language of mercy in the justification for the proscriptions. This enabled the Triumvirs to

<sup>81</sup> Brutus refers to having read two of Cicero's *Philippic* speeches (Cic. *Ad Brut.*, 2:4), and he had probably read more. Cicero's attitude towards Caesar's *clementia* was also well known, so there is little chance Brutus would not have understood the reference.

<sup>82</sup> ‘...not only was clemency necessary to reconstruct peace in the state after the civil wars...’ Barden Dowling, 2006, p. 74.

<sup>83</sup> For example Canfora, 1980, p. 432; Hinard, 1985, p. 228; Gowing, 1992, p. 251, although he does not believe it is the whole text; Barden Dowling, 2006, p. 41.

<sup>84</sup> App. *BC*, 4:8.

cast their edict and actions in a manner suggesting they were defending the interests of the state (and of course themselves) rather than seeking revenge.<sup>85</sup>

The passage of the *Lex Pedia* was designed to punish those involved in Caesar's assassination,<sup>86</sup> but the subsequent publication of the lists of the proscribed included the names of many other individuals.<sup>87</sup> While there was a huge concentration on a rejection of Caesar's mercy in the justification for the Triumvirs' actions, some individuals were provided with pardons as time progressed. Barden Dowling has noted that during this period Octavian exhibited occasional, very well publicised acts of *clementia*.<sup>88</sup> A study of individuals who held office after the proscriptions ended illustrates that there were a number of formerly proscribed individuals who had obviously been pardoned, no doubt due to the intercession of friends or relatives.<sup>89</sup> Caesar's death and the re-introduction of proscriptions showed that Caesar's policy of mercy had been unsuccessful in winning support, illustrated through his assassination by ungrateful individuals. This provided strong justification for cruelty and revenge.

### Sallust

Sallust's account of the Catilinarian conspiracy was written much later than Cicero's Fourth Catilinarian, and after the deaths of Cicero, Cato and Caesar who feature as important characters in the work. This afforded Sallust the advantage of hindsight regarding the political fallout of this incident, and this is especially notable in his discussion of the careers of Caesar and Cato. Sallust also includes recreated speeches representing the arguments Caesar and Cato delivered during the debate on the

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<sup>85</sup> App. *BC*, 4:8-11. In his *Res Gestae*, Augustus ensured that his language reflected his defence of the state and the vengeance of his father, although these are combined to sound as though he was freeing the state from the tyranny of a minority. Aug. *Res Ges.*, 1:1-2.

<sup>86</sup> As App. *BC*, 4:8 indicates. The *Lex Pedia* was first used to convict those implicated in Caesar's assassination, although the legislation did target several others, including Sextus Pompeius. There was then the proscription of leading Republicans such as Cicero. Finally many others were included for their wealth, property or personal reasons.

<sup>87</sup> Hinard, 1985, p. 294-295.

<sup>88</sup> Barden Dowling, 2006, p. 38-39. Based on App. *BC*, 3:13.

<sup>89</sup> Hinard's work on the proscriptions contains an excellent prosopographical study of proscribed individuals, including their fate. Hinard, 1985, p. 415-552. For accounts of friends interceding for others, see Nepos, *Att.*, 11:2; 12:3-4.

punishment of the conspirators.<sup>90</sup> It is these speeches, as well as the subsequent character *synkrisis* that supply information on the way in which Caesar's role in this debate was viewed, and his reputation for *clementia* developed.

Sallust's version of Caesar's speech contains no reference to *clementia*. The related term *miser cordia* can be found twice, but on each occasion it is used to show that such an emotion should be avoided when debating the punishment of criminals.<sup>91</sup> *Clementia* is not used in this speech because Caesar's actual argument in this work does not disagree with punishing the conspirators, but rather argues against creating a precedent by executing citizens without a trial.<sup>92</sup> His alternative proposal, that they be incarcerated,<sup>93</sup> does not permit an interpretation for *clementia*. The argument contained in this speech is a continuation of the policy Caesar had endorsed earlier in 63 during the trial of Rabirius. The arguments used in Sallust's speech are similar to those Cicero addresses in his *Fourth Catilinarian*, yet it also serves to prepare his readers for the later character analysis, which studiously avoids attributing the virtue *clementia* to Caesar as a special personal characteristic.

An important part of Caesar's recreated speech recalls that the exacting of punishment without recourse to a trial would be dangerously close to the actions perpetrated under Sulla. When individuals are punished without a trial, regardless of the enormity of the crime, there is a danger of the punisher appearing cruel, especially when the punishment is inflicted by those possessing power.<sup>94</sup> The speech further recalls that those who

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<sup>90</sup> Although when he wrote it is possible he had a version of the speeches delivered in the senate. In his *Pro Sulla* Cicero stated that he had scribes recording each speaker during the debate on the punishment of the Catilinarians. Cic. *Pro Sul.*, 41-42.

<sup>91</sup> '*Omnis homines, patres conscripti, qui de rebus dubiis consultant, ab odio, amicitia, ira atque misericordia vacuos esse decet...Magna mihi copia est memorandi, patres conscripti, quae reges atque populi ira aut misericordia impulsu male consuluerint.*' (Whoever, gentlemen, is deliberating upon a difficult question ought to clear his mind of hatred and affection and of anger and compassion...There are plenty of examples that I could cite of kings and peoples who have allowed anger or pity to lead them into error.) Sall. *Cat.*, 51:1-4.

<sup>92</sup> Sall. *Cat.*, 51:21-27; 35-36.

<sup>93</sup> Sall. *Cat.*, 51:43.

<sup>94</sup> '*Qui demissi in obscuro vitam habent, si quid iracundia deliquere, pauci sciunt: fama atque fortuna eorum pares sunt; qui magno imperio, praediti in excelso aetatem agunt, eorum facta cuncti mortales novere. Ita in maxuma fortuna minuma licentia est; neque studere neque odisse, sed minime irasci decet; quae apud alios iracundia dicitur, ea in imperio superbia atque crudelitas appellatur.*' (If those who pass a

perpetrate a violent punishment, regardless of the propriety of the punishment, are remembered for their violence.<sup>95</sup> Sallust's Caesar thus recalls the Sullan regime (to which Catiline had at one time belonged) and highlights the anti-Sullan position Caesar had established earlier in his career. No doubt individuals reading the *Bellum Catilinae* would see the irony of this speech. Caesar warning against the punishment of individuals without a trial recalls the aftermath of the more recent civil war, when Caesar chose to follow a similar line by refusing to allow enemies such as T. Ampius Balbus, Aulus Caecina and others to return to Italy.<sup>96</sup> Caesar's use of this argument is therefore not about offering mercy to the Catilinarians, but ensuring he was clearly separated from Sullan politics and the cruelty of the Sullan regime.

Martin Stone has demonstrated that the high opinion Sallust held of Cicero influenced his portrayal in the *Bellum Catilinae*,<sup>97</sup> and that Sallust himself was familiar with at least one Ciceronian work.<sup>98</sup> This suggests the possibility that Cicero's influence may be found elsewhere in the *Bellum Catilinae*, most notably in Sallust's portrayal of Caesar. Sallust's analysis contains mercy language such as the nouns *mansuetudo*, *misericordia*, and the verb *ignosco*, as well as reference to his various *beneficia*<sup>99</sup> yet the absence of the single word most associated with Caesar is surprising. If the final version of the *Bellum Catilinae* was published in the period post-dating the circulation of *Philippic 2*, Cicero's act in denying Caesar's *clementia* by labelling it *species*<sup>100</sup> accounts for Sallust's

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life sunk in obscurity, commit any error, through excessive anger, few become aware of it, for their fame is as limited as their fortune; but of those who live invested with extensive power, and in an exalted station, the whole world knows the proceedings. Thus in the highest position there is the least liberty of action; and it becomes us to indulge neither partiality nor aversion, but least of all animosity; for what in others is called resentment, is in the powerful termed violence and cruelty.) Sall. *Cat.*, 51:12-14.

<sup>95</sup> 'Equidem ego sic existumo, patres conscripti, omnis cruciatus minores quam facinora illorum esse. Sed plerique mortales postrema meminere et in hominibus impiis sceleris eorum obliti de poena disserunt, si ea paulo severior fuit.' (I am indeed of the opinion, Conscript Fathers, that the utmost degree of torture is inadequate to punish their crime; but the generality of mankind dwell on that which happens last, and, in the case of malefactors, forget their guilt, and talk only of their punishment, should that punishment have been inordinately severe.) Sall. *Cat.*, 51:15.

<sup>96</sup> T. Ampius Balbus (Cic. *Ad Fam.*, 226:3 (6:12:3)) and Aulus Caecina (Cic. *Ad Fam.*, 234:9 (6:6:9), 236 (6:9), 237: 2 (6:7:1-2) (Caecina to Cicero), 238 (13:66)).

<sup>97</sup> Stone, 1999, especially pp. 61-62.

<sup>98</sup> The *De Officiis*, Stone, 1999, pp. 66-7.

<sup>99</sup> Sall. *Cat.*, 54:2.

<sup>100</sup> Cic. *Phil.* 2:116.

omission. When reading Cicero's comments on Caesar and Sallust's character analysis, the similarities between these two works is evident. Sallust's account reads:

*'Igitur iis genus aetas eloquentia prope aequalia fuere, magnitudo animi par, item gloria, sed alia alii. Caesar beneficiis ac munificentia magnus habebatur, integritate vitae Cato. Ille mansuetudine et misericordia clarus factus, huic severitas dignitatem addiderat. Caesar dando sublevando ignoscendo, Cato nihil largiundo gloriam adeptus est. In altero miseris perfugium erat, in altero malis perniciēs. Illius facilitas, huius constantia laudabatur. Postremo Caesar in animum induxerat laborare, vigilare; negotiis amicorum intentus sua neglegere, nihil denegare quod dono dignum esset; sibi magnum imperium, exercitum, bellum novom exoptabat, ubi virtus enitescere posset.'*<sup>101</sup>

(In birth, age, and eloquence, they were well matched, they had the same nobility of soul, and equal, though quite different reputations. Caesar was esteemed for the many kind services he rendered and for his lavish generosity; Cato for the consistent uprightness of his life. The former was renowned for his humanity and mercy; the latter had earned respect by his strict austerity. Caesar won fame by readiness to give, to relieve, and to pardon; Cato by never offering presents. The one was a refuge for the unfortunate, and was praised for his good nature; the other was a scourge for the wicked, admired for his firmness. Finally, Caesar had made it a rule to work hard and sleep little; devote himself to the interests of his friends and to neglect his own; to be ready to give people anything that was worth the giving. For himself he wanted a high command, an army, and a war in some new field where his gifts could shine in all their brightness.)<sup>102</sup>

And Cicero states:

*'Fuit in illo ingenium, ratio, memoria, litterae, cura, cogitatio, diligentia; res bello gesserat, quamvis rei publicae calamitosas, at tamen magnas; multos annos regnare meditatus, magno labore, magnis periculis, quod cogitarat effecerat; muneribus, monumentis, congiariis, epulis multitudinem imperitam delenierat; suos praemiis, adversarios clementiae specie devinxerat; quid multa? Attulerat iam liberae civitati partim metu, partim patientia consuetudinem serviendi...'*<sup>103</sup>

(In that man were combined genius, method, memory, literature, prudence, deliberation, and industry. He had performed exploits in war which, though calamitous for the republic, were nevertheless mighty deeds. Having for many years aimed at being a king, he had with great

<sup>101</sup> Sall. Cat., 54:1-5.

<sup>102</sup> Such a comparison was made in a paper presented at the *Philippics* conference held at the University of Auckland in 2003. My thanks to Kathryn Welch for providing me with a copy of her paper, *Nimum Felix: Caesar the Anti-Dictator?* presented at *Cicero's Philippics: Rhetoric, Performance, History*: Conference at the University of Auckland, Auckland, NZ (2003) for reference.

<sup>103</sup> Cic. *Phil.*, 2:116.

labour, and much personal danger, accomplished what he intended. He had conciliated the ignorant multitude by presents, by monuments, by largesses of food, and by banquets; he had bound his own party to him by rewards, his adversaries by a show of mercy. Why need I say much on such a subject? He had already brought a free city, partly by fear, partly by endurance, into a habit of servitude.)

Cicero had blatantly denied Caesar *clementia* in *Philippic* 2 because it was not combined with justice.<sup>104</sup> Sallust is just as subtle. He has already denied Caesar *clementia* by simply not mentioning it, so his accusation of a lack of justice must be done through Cato. This is done by allowing Cato *severitas* with its implied justice; the contrast could not be more notable. He cannot dismiss Caesar's leniency, but will not use the virtue *clementia* to describe his actions. Cicero and Sallust both recall Caesar's magnanimity, his pursuit of glory and his excellent military reputation, but both agree that without justice, there was no *clementia*.

Sallust's recreation of Cato's speech against the Catilinarians also reflects the extent of Cicero's influence. Again, it is the concept of justice that is the focus when Cato is made to note:<sup>105</sup>

*'Quia bona aliena largiri liberalitas, malarum rerum audacia fortitudo vocatur, eo res publica in extremo sita est.'*<sup>106</sup>

(It is precisely because squandering the goods of others is called generosity, and recklessness in wrong doing is called courage, that the republic is reduced to extremities)

Compare this with Cicero's *De Officiis*:

*'Quare L. Sullae, C. Caesaris pecuniarum translatio a iustis dominis ad alienos non debet liberalis videri; nihil est enim liberale, quod non idem iustum.'*<sup>107</sup>

(The conveyance of property by Lucius Sulla and Gaius Caesar from its rightful owners to the hands of strangers should, for that reason, not be

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<sup>104</sup> Kathryn Welch clearly illustrated this link in her paper *Nimium Felix: Caesar the Anti-Dictator?* presented at *Cicero's Philippics: Rhetoric, Performance, History*: Conference at the University of Auckland, Auckland, NZ (2003).

<sup>105</sup> Welch, *Nimium Felix: Caesar the Anti-Dictator?* presented at *Cicero's Philippics: Rhetoric, Performance, History*: Conference at the University of Auckland, Auckland, NZ (2003).

<sup>106</sup> Sall. *Cat.*, 52:11.

<sup>107</sup> Cic. *De Off.*, 1:43.

regarded as generosity; for nothing is generous, if it is not at the same time just.)

Cicero's *Philippic 2* also contains language reminiscent of this idea, particularly in the references to Antony's purported *beneficium* to Cicero in 48.<sup>108</sup> Cicero saw that Caesar's *clementia* was inextricably linked to his *beneficia* – his *clementia* was a *beneficium*, and this idea is picked up by Sallust. In this instance Sallust shows Cicero's influence through the use of the word, *vocatur*. Simply because an action is called *liberalitas*, does not mean that is what it is; without justice, such an action is harmful.<sup>109</sup> Through Cato's speech he is making a statement about the *beneficia* Caesar offered both those who supported and those who opposed him. Cato had committed suicide rather than receive Caesar's *clementia*, so he provides the ultimate vehicle through which to comment (negatively), albeit somewhat obscurely, on Caesar's policy.

Sallust again comments implicitly upon the civil war involving Caesar and Pompey, in his version of Caesar's speech to the Senate. When Caesar refers to the profiteering that occurred under Sulla's dictatorship, and how the *Sullani* enriched themselves on the spoils of their fellow Roman citizens, Caesar's own policy of rewarding his supporters is also called to mind.<sup>110</sup> While Caesar had not conducted proscriptions, he had been involved in the wide scale sale of his defeated enemies' property,<sup>111</sup> through which many of his supporters had profited.<sup>112</sup> Sallust is again expecting his readers to make a connection with the *De Officiis*.<sup>113</sup> As Sallust portrays Caesar criticising Sulla, the full force of this is turned on Caesar's own policy. There were advantages to using Caesar as his mouthpiece on this occasion; Sallust was able to criticise Caesar's actions in an easily recognisable fashion, and ensure that when his readers reached the reference to Caesarian generosity in Sallust's character analysis, his readers recalled the earlier reference in Cicero's *Philippic 2* and the *De Officiis* in which he referred to Caesar's false

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<sup>108</sup> Cic. *Phil.*, 2:5-6.

<sup>109</sup> And just as Caesar's *clementia* was *species*.

<sup>110</sup> Sall. *Cat.*, 51:32-34.

<sup>111</sup> Cic. *Ad Att.*, 175:1 (9:8:1) military auctions at Reate; Caes. *B. Afr.*, 2, 98 (sale of enemies' property in Sicily and Sardinia); Cic. *Phil* 2:64.

<sup>112</sup> Cic. *Phil.*, 2:64 with reference to Antony; See Matius' letter on his despair after Caesar's death and the fact that he had *not* profited from his friendship with Caesar, Cic. *Ad Fam.*, 349:2.

<sup>113</sup> Cic. *De Off.*, 1:43, 2:29.

*beneficium*.<sup>114</sup> Sallust is successfully using Caesar as the mouthpiece of Ciceronian ideas that explicitly criticise his own policies and methods after the civil war.

Cicero's *Philippic 2* illustrates the importance of the language of *beneficium* and *clementia* to the post-assassination period. Caesarian supporters, led by Antony, aimed at building animosity against the assassins by recalling Caesar's past acts of *clementia* and the obligation of *beneficium* implied therein. The opposing argument centred on Caesar's tyrannical actions, claiming that it was precisely due to these actions that no such obligation existed. Caesar had no right to offer *clementia* to any of those he had saved as the power he possessed had been gained illegally. In 45 Cicero had used his *Tusculan Disputations* and *De Finibus* to illustrate Caesar's tyranny, and after Caesar's death in 44 he could return to this claim with a renewed vigour in his *Philippic 2* and the *De Officiis*. These two works served to warn Antony of his fate should he continue toward the path of tyranny. The care taken by Cicero to negate Antony's claims of *beneficium*, especially in *Philippic 2*, ensured that the language of obligation was permanently removed from this debate. In casting Caesar as a tyrant, Cicero tried to ensure that Antony was unable to call upon Caesar's achievements in an attempt to establish himself in a position of power.

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<sup>114</sup> Once again playing on Ciceronian messages as well, see Cic. *Phil.*, 2:27, 116; *De Off.*, 1:42, 44.

## Conclusion

Caesar's *clementia* during the civil wars was not the result of a sudden new strategy or his inherent nature, but rather the continuation of a policy that he had begun and implemented since his early career. Modern scholars who only see Caesar's *clementia* developing in 49 do little justice to the consistency he displayed throughout his life. Caesar's concept of mercy began as a guiding principle for the correct treatment of citizens, which in turn was developed in response to the *crudelitas* displayed in the civil war between Marius and Sulla. It was as a reaction and a weapon against the ruling 'Sullan' elite that the policy had developed, and it was firmly rooted in a period when even those who had been Sulla's most staunch supporters were trying to strip themselves of this association. As such, Caesar's career was built on opposition to the Sullan senate and utilising the principles of mercy.

Obviously, *clementia* was a quality with a long history in Rome and which was both invoked and appreciated from at least the early second century BCE. Its use in Terence and Plautus, as well as the agricultural and meteorological contexts in which it was used throughout antiquity illustrate that this was a term well known to the Romans. The civil development of the word in the first century BCE, especially in a legal context, shows how this concept grew to encompass a more formal idea. From here we can derive the traditional definition of *clementia* as the power of a superior over an inferior.<sup>1</sup> This accounts for Cicero's use of the term on numerous occasions in his forensic speeches,<sup>2</sup> and his application of such a term with reference to his actions as governor in Cilicia.<sup>3</sup> This is not to say that Caesar was not innovative in employing the term *clementia*; it was the way in which he utilised this concept in a civil war context with respect to Roman citizens that made such an impression.<sup>4</sup> Suddenly, *clementia* gained a new meaning, drawn specifically from an ideology surrounding the correct treatment of citizens.

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<sup>1</sup> Cic. *De Inv.*, 2:164.

<sup>2</sup> Cic. *Pro. Rosc. Amer.*, 85; *In Ver.*, 2:5:74, 2:5:115; *Pro Tull.*, 50; *Pro Clu.*, 105; *Pro Planc.*, 31; *Post Red. Pop.*, 15; *Post Red Sen.*, 17.

<sup>3</sup> Cic. *Ad Att.*, 109:3 (5:17:3); 114:5 (5:21:5); 116:5 (5I:2:5).

<sup>4</sup> *Contra Hellegouarc'h*, 1963, p. 262.

By the time of the Catilinarian conspiracy in 63, Caesar's regard for the correct treatment of citizens had been more thoroughly solidified into the policy that was to become *clementia Caesaris*. Yet in the surviving accounts surrounding this conspiracy *clementia* is not the term used to describe Caesar's actions. In Cicero's *Fourth Catilinarian* speech we find the terms *lenitas*, *mitis*, *mansuetudo*, *humanitas* and associated cognates; in other speeches discussing Cicero's role as consul *miser cordia* is also present. The constant presence of these words in Cicero's speeches from 62-60 indicates that a fierce battle was being waged regarding the propriety of his actions. Cicero was clearly on the defensive in this period, as can be shown not only through the speeches from this period, but also in his private letters to Atticus and his friends. While the conspirators had been executed according to his wishes, Caesar's argument for mercy had prevailed and Cicero himself experienced the consequences of stepping outside traditional lines of punishment when he was later exiled.

Caesar's governorship in Gaul and the *clementia* references in this instance should be viewed in a different light to those that occur in a civil Roman context. That Caesar was fighting against a foreign enemy meant that the requirements for *clementia* were vastly different to those necessary during the civil war and emphasis upon this quality less necessary; as long as Caesar could provide justification for his actions – which he could – mercy was not a vital pre-requisite. It should be recalled that Caesar's use of the term *clementia* in Book Two is reflective of the political dangers he faced in the forthcoming year. Cicero's use of the superlative *clementissimus* in 56 recalls Caesar's own reference and is also indicative of the political environment in which he was working. These uses of the word also serve as the earliest contemporary association between Caesar and *clementia*, and the only occasion upon which Caesar is known to have employed the term regarding his own actions. The continuing and aggressive nature of the war in Gaul meant that there was little room for mercy as time progressed. Roman military *mores* accepted that continued opposition should be repaid by heavy punishment. There was nothing in Caesar's actions in Gaul that could discredit his claims to *clementia*.

At the outset of the civil war, Caesar himself set about emphasising his earlier merciful actions and illustrating that he was 'not Sulla'. The 50s had seen a lull in anti-Sulla sentiment, but at the end of this decade Caesar and his supporters were working hard to bring his atrocities back into the public consciousness. As Rome moved closer to civil war, Sulla – and Pompey's early career under him – returned with a vengeance. By recalling this association and highlighting his own opposition to Sulla, as well as his own mercy, Caesar succeeded in both allaying fears and gaining support as he entered into the civil war.

Yet drawing attention to his own mercy and Pompey's early association with Sulla's cruelty was not enough, and Caesar was acutely aware that he too would face comparisons with Sulla. Rather than attempting to avoid these, Caesar directly sought such association so that he could firmly deny he would act in a similar manner. This denial took the form of a letter, in which Caesar's civil war manifesto was set out. This letter is a masterpiece of Caesarian propaganda, simultaneously drawing attention to his Sullan-like actions, and then firmly casting aside any possibility or fear of his acting with similar cruelty. Evidence from numerous ancient sources written after his death shows that Caesar was ultimately unsuccessful in removing these associations; a large number of parallels between Caesar and Sulla remain. What is even clearer from these later sources is the extent to which Caesar modelled his invasion of Italy on that of Sulla. By selectively repeating actions which had worked to Sulla's advantage, as well as illustrating that (unlike Sulla) he would employ continuous mercy, Caesar shows the strong influences his predecessor had on his own actions. Caesar knew Sulla's history and he used it wisely.

The letter to Oppius and Balbus shows that Caesar was intent not only on providing an outline of his civil war policy, but also including practical applications of the way in which he would implement his promises. The absence of the term *clementia* does little to change the intention of this letter, merely illustrating that Caesar was not going to cast himself in the role of superior over inferior. He sought throughout the civil war both to justify and legitimise his position; he had no intention of employing a term himself that

was implying his superior position. Finally, this letter contains an example of the way in which Caesar was able to attack his enemies. He wholly places blame on Pompey and the Republicans for the war, and through his denial of Sullan tactics subtly implies that his enemies will utilise violence and cruelty. This again recalled anti-Pompey propaganda that Caesar had been circulating since before the beginning of the civil war, especially that regarding his early association with Sulla and the violence of the proscriptions.

Caesar's own account of the civil war, the *Bellum Civile*, has been studied to reveal the way in which Caesar was able to cast his opponents in a negative light. His continuous emphasis on Republican atrocity which is then contrasted with Caesarian mercy is striking, and provides an image of a commander who was intent on saving citizens, only to continuously face perfidious and violent enemies. The *Bellum Civile* also clearly illustrates the selective nature of Caesar's policy at this point, highlighting that mercy was only appropriate for Roman citizens and that harsh measures could be employed against foreign enemies. The coinage minted during the period covered by the *Bellum Civile* also provides an insight into the extent to which Caesar advertised his policy for mercy. This all-pervading concept dominated his propaganda until his return to Italy in 47.

The year 46 marked a change in Caesar's policy for *clementia* and presents the beginning of a clear desire to be singularly associated with this word. While *clementia* had once been offered systematically to all who sought it, as Republican resistance in Africa built Caesar was faced with a dilemma on how to approach this new threat. *Clementia* was obviously unsuccessful; it had led to a continuation of the civil conflict. From this period, Caesar would engage in far more selective acts of *clementia*, although those in which he did engage were designed to send out a new message of tolerance and mercy. The year 46 also saw Cicero's return to the domestic political sphere, and a period of hope can be seen in the developing of a close working relationship with many Caesarian supporters and Caesar himself. It was in this period that Cicero colluded with Caesar in the promotion of *clementia* and while other mercy-related language was still in use,

*clementia* was moving to the fore as the single term that would be used to define Caesar's mercy.

Such a period of hope did not last long for Cicero. As time passed and Caesar did not live up to the expectations placed upon him, especially re-establishing the Republic and laying aside his power, Cicero's relationship with the Dictator soured. By 45 such disillusionment had set in that Cicero was exhorting Brutus to action against tyranny in his philosophical works of the period. Cicero also presented his defence of King Deiotarus in this period, and the extant speech illustrates the extent to which Cicero had been disappointed. While manipulating Caesar's now well-established reputation for *clementia*, Cicero also cast him as a tyrant. Around the same time as these anti-tyranny works were published, so was the *Pro Ligario*. Cicero was playing a double game with Caesar, at once criticising him and then flattering him. This ensured he was able to express his thoughts of the present political situation, but palliate the effect and protect his own interests.

The works of the continuators illustrate how Caesar's *clementia* was used in vastly different ways, at the same time reflecting the language of the period they were covering. These accounts are representative of the way in which Caesar's mercy was employed in different contexts: from the foreign wars in Alexandria and the east, to the continuation of the civil struggles in Africa and Spain. With defeat of the Republicans and the death of many important individuals in Africa, the reader is presented with an overwhelming list of pardoned individuals. This over-riding sense of *clementia* is present again in the *Bellum Hispaniense*, and it is from here that the term *clementia* becomes synonymous with Caesar's name. The works of the continuators reveal just how powerful Caesar's reputation for *clementia* had become in the period after Pharsalus.

It has been shown that it was after Caesar's death that a struggle around the ideology of *clementia* began. It is from this period too that the specific term *clementia Caesaris* finds its way into popular use. Designed to create animosity against the assassins, this term was employed in numerous ways. Evidence for the use of Caesar's *clementia* can be

found in Cicero's letters, but on a larger scale on coinage minted after Caesar's death. Hirtius' Book Eight of the *Bellum Gallicum* has also been treated in this context. This work was written after Caesar was assassinated and should be viewed as part of the extensive propaganda that was released in this period. Without such an understanding, the references to *clementia Caesaris* in this work lose their effect. Octavian's entrance into the battle for Caesar's legacy serves to highlight the efficacy of using *clementia* against the assassins. Both he and Antony were playing a double game, endeavouring to engage the support of the remaining Caesarians, Cicero, the assassins, the legions and the people.

Yet the assassins and Republican adherents did not stop their opposition with Caesar's assassination. Cicero led a responding attack against the propaganda that was being developed around Caesar's *clementia*. The *De Officiis* and especially *Philippic 2* provide evidence for the way in which he employed Caesar's reputation for *clementia* against him. It was with these two works that Cicero finally denied Caesar even this most important quality, casting his actions as indeed great, but entirely without justice. As such, Caesar's character was fatally flawed. While this assisted in meeting the charges Antony and his supporters were making against the assassins, Cicero also attempted to reclaim *clementia* as a 'good' Roman concept, illustrating that there were situations when it was useful and necessary, but also highlighting that there were instances where such an ideal was detrimental to the state. Again, *clementia* was only a worthy concept when employed correctly. That Cicero ultimately failed in his attempts both to reclaim and reform *clementia* was illustrated through the formation of the Triumvirate and the institution of the proscriptions: *clementia* became a thing of the past.

Overall *clementia Caesaris* was a political construct. Caesar was successful in using it throughout his career in many different ways, but ultimately it was part of a propaganda machine and should not be taken as indicative of a true reputation. He was happy to leave it behind when necessary. Instances of cruelty in the surviving literature were few and far between, but their mere existence illustrates he was a military general first and foremost. While these instances might be confined to non-citizens, they provide direct

evidence against the argument that Caesar's policy for *clementia* was based on a naturally inherent quality. From the outbreak of the civil war to the period after Caesar's death, *clementia* undergoes a vast change. What was traditionally a positive attribute when exhibited towards citizens became a formidable form of propaganda for those lamenting Caesar's death. This resulted in an ideological struggle between pro-Caesarian and pro-assassin supporters, with Antony and Cicero leading the way. Regardless of the attacks made on Caesar's reputation for *clementia*, that the term continued to be associated with him is undeniable, and if there were any individuals who suffered because of Caesar's victory they were concealed behind the myth of *clementia Caesaris*.

**Table One**

Mercy references in Cicero's forensic speeches.

<i>ignoscere</i>	Cic. <i>Pro Sex. Rosc. Am.</i> , 3 (twice); 50, 56; <i>Pro Sex. Rosc. Com.</i> , 26; <i>Pro Caec.</i> , 10; <i>Pro Clu.</i> , 17 (twice); <i>Pro Mur.</i> , 61, 62, 63; <i>Pro Sull.</i> , 81; <i>Pro Sest.</i> , 31, 134; <i>Pro Cael.</i> , 2 (twice), 25; <i>Pro Bal.</i> , 32; <i>Pro Mil.</i> , 81; <i>Pro Sca.</i> , 43 (three times); <i>Pro Rab. Post.</i> , 20, 23.
<i>parcere</i>	<i>Pro Quin.</i> , 16; <i>Pro Sex. Rosc. Am.</i> , 95; <i>Pro Mur.</i> , 29; <i>Pro Flac.</i> , 31; <i>Pro Planc.</i> , 89; <i>Pro Cael.</i> , 36, 42, 67; <i>Pro Bal.</i> , 50; <i>Pro Mil.</i> , 92; <i>Pro Font.</i> , 35.
<i>lenitas</i>	Cic. <i>Pro Rab.</i> , 10; <i>Pro Mur.</i> , 6, 41, 64; <i>Pro Sul.</i> , 18, 47, 92
<i>mansuetudo</i>	Cic. <i>Pro Clu.</i> , 199; <i>Pro Rab.</i> , 13 (twice); <i>Pro Mur.</i> , 90; <i>Pro Sul.</i> , 92, 93; <i>Pro Ses.</i> , 91; <i>Pro Sca.</i> , 17; <i>Pro Rab. Post.</i> , 46
<i>misericordia</i>	<i>Pro Quin.</i> , 10, 91; <i>Pro Ros. Am.</i> , 85, 139, 150, 154; <i>Pro Caec.</i> , 26 (sarcastically); <i>Pro Clue.</i> , 76, 106, 195; <i>Pro Rab.</i> , 5, 24; <i>Pro Mur.</i> , 62 and 65 (using it to mock Stoicism), 86, 87, 90; <i>Pro Sul.</i> , 88, 93; <i>Pro Flac.</i> , 24; <i>Pro Planc.</i> , 3, 31, 102; <i>Pro Ses.</i> , 117 (of the people of Rome); <i>Pro Cael.</i> , 79; <i>Pro Mil.</i> , 92 (twice); <i>Pro Rab. Post.</i> , 46.
Mercy language combined with the concept of 'saving' a citizen	<i>Pro Clu.</i> , 117, 179, 201, 202; <i>Pro Mur.</i> , 74, 90; <i>Pro Sull.</i> , 1, 26, 40, 61, 82, 83; <i>Pro Flac.</i> , 5, 51, 60, 98, 99, 103, 106; <i>Pro Arch.</i> , 31; <i>Pro Planc.</i> , 10, 26, 69, 71, 103, 104 (three times); <i>Pro Sest.</i> , 5, 9, 37, 41, 45, 47, 49, 53, 63, 98, 99, 116, 128, 129, 138, 141, 146, 147; <i>Pro Rab.</i> , 4, 5, 15, 20; <i>Pro Rab. Post.</i> , 41; <i>Pro Cael.</i> , 77, 80 (twice); <i>Pro Bal.</i> , 12, 35, 36 (twice), 37 (twice), 38, 56, 59; <i>Pro Mil.</i> , 58, 73, 80, 104; <i>Pro Font.</i> , 28, 44.

# Bibliography

## Primary Sources

- Appian (trans. H. White) *Roman History* (London, 1912-13).  
— (ed. P. Viereck and A. G. Roos) *Historia Romana* (Leipzig, 1939).
- Asconius, Q (ed. and trans. S. Squires) *Commentaries on Five Speeches of Cicero*, (Bristol Classical Press, 1990).
- Caesar, C. Iulius (trans. A. C. Clarke) *Bellum Civile*, (Oxford 1918).  
— (ed. W. Hering) *Bellum Gallicum* (1987).  
— (texte établi et traduit par Fabre, P) *La guerre civile* (Paris 1936).  
— (ed. with an intro, trans. and comm. J. M. Carter) *The Civil War Books I and II* (Warminster 1991).  
— (ed. with an intro., trans. and comm. J. M. Carter) *The Civil War book III* (Warminster 1993).  
— (ed. with an intro. and notes G. Townend) *Caesar's War in Alexandria: Bellum Civile III.102-112 and Bellum Alexandrinum 1-33*, (Bristol 1988).  
— (trans. H. J. Edwards) *The Gallic War* (London 1917).  
— (trans. A. G. Peskett) *The Civil War* (London 1928).  
— (ed. A. Klotz) *Bellum Gallicum* (4th Edition) (Leipzig 1952).  
— (ed. A Klotz) *Bellum Civile* (Leipzig 1950).  
— (intro, testo critico, trad. e comm., L. Loreto) *La lunga guerra civile : Alessandria, Africa, Spagna* (Milano 2001).
- Catullus (trans. F. W. Cornish) *The Poems of Gaius Valerius Catullus* (London 1988).

- Cicero, M. Tullius, (ed. and trans. D.R. Shackleton Bailey) *Letters to Atticus*, vol. 1-4 (London 1999).
- (ed. D.R. Shackleton Bailey) *M. Tulli Ciceronis Epistulae ad Atticum* Vol. I-II (Stuttgart 1987).
- (ed., trans. and commentary D.R. Shackleton Bailey) *Cicero's Letters to Atticus Vols. I-VII* (Cambridge 1965-1970).
- (ed. and trans. D.R. Shackleton Bailey) *Letters to Friends*, vol. 1-3 (London 2001).
- (ed. D. R. Shackleton Bailey) *Epistulae Ad Familiares* (Stuttgart 1988).
- (ed. and commentary D.R. Shackleton Bailey) *Cicero: Epistulae Ad Familiares* Vol I-II (Cambridge 1977).
- (ed. D.R. Shackleton Bailey) *M. Tulli Ciceronis Epistulae ad Quintum fratrem, Epistulae ad M. Brutum* (Stuttgart 1988).
- (ed. and commentary D.R. Shackleton Bailey) *Cicero: Epistulae Ad Quintum Fratrem et M. Brutum* (Cambridge 1980).
- (ed. and trans. D. R. Shackleton Bailey) *Letters to Quintus and Brutus, Letter Fragments, Letter to Octavian, Invectives, Handbook of Electioneering* (London 2002).
- (trans. W. Miller) *De Officiis* (London 1951).
- (trans. H. M. Hubbell) *De Inventione, De Optimo Genere Oratorum, Topica* (London 1949).
- (trans. J. H. Freese) *Pro Publio Quinctio, Pro Sexto Roscio Amerino, Pro Quinto Roscio Comoedo, De Lege Agraria I, I, II, III* (London 1945).
- (trans. L. H. G. Greenwood) *The Verrine Orations Vol. I-II* (London 1948)
- (trans. H. G. Hodge) *Pro Lege Manilia, Pro Caecina, Pro Cluentio, Pro Rabirio Perduellionis* (London 1943).

- (trans. N. H. Watts) *Pro Archia Poeta, Post Reditum in Senatu, Pro Reditum ad Quirites, De Domo Sua, De Haruspicum Responsis, Pro Plancio* (London 1922).
- (trans. R. Gardner) *Pro Sestio and In Vatinius* (London 1958).
- (trans. W. A. Falconer) *De Senectute, De Amicitia, De Divinatione* (London 1923).
- (trans. J. E. King) *Tusculan Disputations* (London 1950).
- (trans. R. Gardner) *Pro Caelio, De Pronvinciis Consularibus, Pro Balbo* (London 1958).
- (trans. H. Rackham) *De Finibus Bonorum et Malorum* (London 1951).
- (ed. E. Stroebel) *Rhetorici Libri Duo, De Inventione* (Stuttgart 1988).
- (trans. H. M. Hubbell) *De Inventione, De Optimo Genere Oratorum, Topica* (London 1949).
- (recens. T. Maslowski) *Orationes in L. Catilinam Quattuor* (Leipzig 2003).
- (ed. Maslowski) *Orationes in P. Vatinius Testem, Pro M. Caelio* (Stuttgart 1995).
- (ed. C. Atzert) *De Officiis, De Virtutibus* (Leipzig 1963).
- (trans. W. Miller) *De Officiis* (London 1951).
- (ed. A. Klotz) *Pro Marcello, Pro Ligario, Pro Rege Deiotaro* (Leipzig 1917).
- (recog. A. Klotz) *Oratio Pro T. Annio Milone* (Leipzig 1914).
- (trans. N. H. Watts) *Pro T. Annio Milone, In L. Calpurnium Pisone, Pro M. Aemilio Scauro, Pro M. Fonteio, Pro C. Rabirio Postumo, Pro M. Marcello, Pro Q. Ligario, Pro Rege Deiotaro* (London 1931).
- (ed. H. Kasten) *Oratio Pro Sulla, Oratio Pro Archia Poeta* (Leipzig 1966).

- (ed. with intro. and commentary D. H. Berry) *Pro P. Sulla Oratio* (Cambridge 1996).
- (intro. recog. H. Kasten) *Oratio Pro L. Murena* (Leipzig 1961).
- (trans. C. MacDonald) *In Catilinam I-IV, Pro Murena, Pro Sulla, Pro Flacco* (London 1972).
- (ed. L. Fruechtel) *Oratio Pro A. Cluentio* (Leipzig 1931).
- (recog. A. Klotz) *In C. Verrem Actionis Secundae 1-3* (Leipzig 1923).
- (ed. A. Klotz) *In C. Verrem Actionis Secundae 4-5* (Leipzig 1949).
- (recog. A. Klotz) *In Q. Caecilium Divinatio, In C. Verrem Actio Prima* (Leipzig 1923).
- (ed. M. D. Reeve) *Oratio Pro P. Quinctio* (Stuttgart 1992).
- (recog. E. Stroebel) *De Inventione* (Leipzig 1915).
- (recens. C. Moreschini) *De Finibus Bonorum et Malorem* (Munich 2005).
- (trans. H. Rackham) *De Finibus Bonorum et Malorem* (London 1951).
- (recog. M. Pohlenz) *Tusculanae Disputationes* (Leipzig 1918).
- (trans. J. E. King) *Tusculan Disputations* (London 1950).
- (ed. T. Maslowski) *Orationes Post Reditum* (Leipzig 1981).
- (recog. P. Reis) *Oratio De Imperio Cn. Pompei* (Leipzig 1927).
- (ed. V. Marek) *Orationes De Lege Agraria, Oratio Pro C. Rabirio Perduellionis Reo* (Leipzig 1983).
- (ed. and trans. A. Boulanger and P. Wuilleumier) *Philippiques I à IV* (Paris 1959).

- (ed. A. Clark) *M. Tullius Cicero: Philippicae Orationes in M. Antonium* (2<sup>nd</sup> Edition) (Oxford 1918).
- (ed. J.D. Denniston) *M. Tulli Ciceronis in M. Antonium Orationes Philippicae Prima et Secunda* (Oxford.1926).
- (ed. P. Fedeli) *In M. Antonium Orationes Philippicae XIV* (Leipzig 1982).
- (trans. W.C.A. Ker) *Philippics* (London 1926).
- (ed. J. T. Ramsey) *Philippics I-II*. (Cambridge 2003).
- (ed. and trans. D.R. Shackleton–Bailey) *Philippics* (Chapel Hill 1986).
- (ed. and trans. P. Wuilleumier) *Philippiques V à XIV* (Paris 1960).
- (ed. A. C. Clark) *Pro Tullio, Pro Fonteio, Pro Sulla, Pro Archia, Pro Plancio, Pro Scauro* (Oxford 1952).
- Columella (trans. H. B. Ash) *On Agriculture* (Vol. I) (London 1948).
- (recens. and trans. E. S. Forster and E. H. Heffner) *On Agriculture* (Vol. II) (London 1968)
- (recens. and trans. E. S. Forster and E. H. Heffner) *On Agriculture* (Vol. III) (London 1979)
- Dio Cassius (ed. L. Dindorf, recog. J. Melber) *Historia Romana*, vol. 1 and 2 (Leipzig 1890-1928).
- (trans. E. Cary) *Roman History* (Vols. I-IV) (London 1914-1916).
- Diodorus Siculus (trans. F. R. Walton) *The Library of History* (London 1967).
- (ed. I. Bekker, alt. L. Dindorf, recog. F. Vogel) *Bibliotheca Historica* (Leipzig 1888-1906).
- Florus (ed. K. Halm) *Epitomae de Tito Livio Bellorum Omnium Annorum DCC Libri II* (Leipzig 1879).
- (trans. J. C. Rolfe) *Epitome of Roman History* (London 1929).

- Livy (ed. O. Rossbach) *T. Livi Periochae Omnium Librorum: Fragmenta Oxyrhynchi Reperta, Iulii Obsequentis Prodigiorum liber* (Leipzig 1910).  
(trans. A. C. Schlesinger) *Summaries, Fragments and Obsequens* (London 1959).
- Lucan (trans. J. D. Duff) *The Civil War* (London 1943).
- Cornelius Nepos (trans., intro. and commentary N. Horsfall) *A Selection, including the Lives of Cato and Atticus* (Oxford 1989).
- Nicolaus of Damascus (ed., intro., trans. and commentary Jane Bellemore) *Life of Augustus* (Bristol 1984).
- Plautus (trans. P. Nixon) *Amphitryon, The Comedy of Asses, The Pot of Gold, The Two Bacchises, The Captives* (London 1921).  
— (trans. P. Nixon) *Casina, The Casket Comedy, Curculio, Epidicus, The Two Menaechmuses* (London 1932).  
— (trans. P. Nixon) *The Merchant, The Braggart Warrior, The Haunted House, The Persian* (London 1950).  
— (trans. P. Nixon) *The Little Carthaginian, Pseudolus, The Rope* (London 1951).  
— (trans. P. Nixon) *Stichus, Three Bob Day, Truculentus, The Tale of a Travelling Bag, Fragments* (London 1952).
- Pliny (trans. H. Rackham) *Natural History* (London 1949).
- Plutarch (ed. K. Ziegler) *Vitae Parallelae* Vol. II.1 (Leipzig 1964).  
— (recens. K. Ziegler and ed. correct. H. Gärtner) *Vitae Parallelae* Vol. II.2 (Stuttgart 1994).  
— (ed. K. Ziegler) *Vitae Parallelae* Vol. III.1 (Leipzig 1971).  
— (ed. K. Ziegler) *Vitae Parallelae* Vol. III.2 (Leipzig 1973).  
— (trans. B. Perrin) *Lives: Demetrius and Antony, Pyrrhus and Caius Marius* (London 1920).  
— (trans. B. Perrin) *Lives: Sertorius and Eumenes, Phocion and Cato the Younger* (London 1919).

- (trans. B. Perrin) *Lives: Demosthenes and Cicero, Alexander and Caesar* (London 1949).
- (trans. B. Perrin) *Lives: Dion and Brutus, Timoleon and Aemilius Paulus* (London 1918).
- (trans. B. Perrin) *Lives: Agesilaus and Pompey, Pelopidas and Marcellus* (London 1955).
- (trans. B. Perrin) *Lives: Alcibades and Coriolanus, Lysander and Sulla* (London 1916).
- (trans. B. Perrin) *Lives: Pericles and Fabius Maximus, Nicias and Crassus* (London 1951).
- (trans. B. Perrin) *Lives: Agis and Cleomenes, and Tiberius and Caius Gracchus, Philopoemen and Flaminius* (London 1921).
- Polyaenus (eds. and trans. P. Krentz and E L. Wheeler) *Stratagems of War. Vol. 2, Books VI-VIII, Excerpts and Leo the Emperor* (Chicago 1994).
- Polybius (trans. W. R. Paton) *The Histories* (London 1922).
- Pseudo-Caesar, (intro. testo critico, traduzione e commento storico-militare di L. Loreto) *La Lunga Guerra Civile: Alessandria - Africa - Spagna* (2001) Biblioteca Universale Rozzoli.
- (trans. A. G. Way) *Alexandrian, African and Spanish Wars* (London 1955).
- Quintilian (ed. and trans. D. R. Shackleton Bailey) *The Lesser Declamations* (London 2006).
- Sallust (trans. J.C. Rolfe) *The War with Catiline, The War with Jugurtha, Orations and Letters from the Histories, Pseudo-Sallustian Works* (London 1971).
- (ed. A. Kurfess) *Catilina, Jugurtha, Fragmenta Ampliora* (Leipzig 1954).
- (trans. and comm. P. McGushin) *The Histories. Vol.2, Books iii-v* (Oxford 1994).
- Seneca the Elder (trans. M. Winterbottom) *Controversiae, Suasoriae* (London 1974).

- Seneca the Younger (trans. J. W. Basore) *Moral Essays* (London 1935).
- (trans. R. M. Gummere) *Epistulae Morales* (London 1953).
- Sidonius (trans., intro. and notes W. B. Anderson) *Poems and Letters* (Vol. I-II) (London 1980, 1989).
- Strabo (trans. H. L. Jones) *Geography* (London 1917).
- Suetonius (ed. M. Ihm) *C. Suetonii Tranquilli Opera* (Leipzig 1907).
- (trans. J.C. Rolfe) *Lives: Julius Caesar* (London 1944).
- (ed., intro. and comm. H.E. Butler and M.Cary) *Divus Iulius* (Oxford 1927).
- Tacitus (trans. J. Jackson) *Annals* (London 1951).
- Terence (ed. and trans. J. Barsby) *The Woman of Andros, The Self-Tormentor, The Eunuch, Phormio, The Mother-in-Law, The Brothers* (vols. I-II) (London 2001).
- Valerius Maximus (ed. J. Briscoe) *Facta et Dicta Memorabilia* (vol. 1 and 2) (Stuttgart 1998).
- (ed. and trans. .D. R. Shackleton Bailey) *Memorable Doings and Sayings* (vols. I-II) (London 2000).
- M. Terentius Varro (trans. W. D. Hooper, revised H. B. Ash) *On Agriculture* (London 1934).
- Velleius Paterculus (recog. W.S. Watt) *Historiarum ad M. Vinicium Consulem Libri Duo* (Leipzig 1988).
- (trans. F. W. Shipley) *Compendium of Roman History, Res Gestae Divi Augusti* (London 1961).
- Zonaras (ed. Ludvig Dindorf) *Epitome Historiarum* (Leipzig 1875).

## Secondary Sources

- Abbott, F.F. 'Titus Labienus', *CJ* 13:1 (1917): 4-13.
- Alföldi, A. 'The Portrait of Caesar on the *Denarii* of 44 BC and the Sequence of the Issues', in *Centennial Volume of the American Numismatics Society* (1958): 27-43.
- 'Review: Helga Gesche, *Die Vergottung Caesars*', *Phoenix* 24:2 (1970): 166-176.
- 'Review: Stefan Weinstock, *Divus Julius*', *Gnomon* 47 (1975): 154-179.
- *Oktavians Aufstieg zur Macht* (Bonn 1976).
- Badian E. *Studies in Greek and Roman History* (Oxford 1964).
- Balázs, G. 'Clementia and Divinitas: A Study in the Political Thought of the First Century B.C.', *Oikumene* 5 (1986): 243-327.
- Baldwin, B. *Suetonius* (Amsterdam 1983).
- Barden Dowling, M. 'The Clemency of Sulla', *Historia* 49 (2000): 303-340.
- *Clemency and Cruelty in the Roman World* (Ann Arbor 2006).
- Barlow, J. 'Noble Gauls and their Other in Caesar's Propaganda', in Welch and Powell (eds.) *Caesar as Artful Reporter: The War Commentaries as Political Instruments* (Swansea 1998): 139-170.
- Batstone, W.W. 'The Antithesis of Virtue: Sallust's *Synkrisis* and the Crisis of the Late Republic', *CLAnt.* 7:1 (1988): 1-29.
- Bauman, R.A. *The Crimen Maiestatis in the Roman Republic and Augustan Principate* (Johannesburg 1967).
- Boatwright, M. 'Caesar's Second Consulship and the Completion and Date of the BC', *CJ* 84:1 (1988): 31-40.
- Boulanger, A. 'La Publication de "Pro Murena"', *REA* 42 (1940): 382-387.
- Broughton, T.R.S. *Magistrates of the Roman Republic* vol. 2 (Atlanta 1954).

- Brennan, T. C. 'Sulla's Career in the 90s: A Reconsideration', *Chiron* 22 (1992): 103-158.
- Bruère, R. T. 'The Scope of Lucan's Historical Epic', *CP* 45:4 (1950): 217-235.
- Brunt, P.A. 'Cicero's *officium* in the Civil War', *JRS* 76 (1986): 12-32.
- Buckland, W.W. 'Civil Proceedings Against Ex-Magistrates', *JRS* 37 (1937): 37-47.
- Campi, A. 'La '*clementia*' di Cesare nel 'De bello Gallico', *Contributi dell'Istituto di storia antica* 23 (1997): 253-270.
- Canfora, L. 'Proscrizioni e dissesto sociale nella repubblica Romana', *Klio* 62 (1980): 425-437.
- Cape, R.W. 'The Rhetoric of Politics in Cicero's Fourth Catilinarian', *AJPh* 116:2 (1995): 255-277.
- 'Cicero's Consular Speeches', in J. May (ed.) *Brill's Companion to Cicero: Oratory and Rhetoric* (Leiden 2002): 113-158.
- Cluett, R. 'In Caesar's Wake: The Ideology of the Continuators', in Cairns and Fantham (eds.) *Caesar Against Liberty? Perspectives on his Autocracy* (Cambridge 2003): 118-131.
- Collins, J. 'On the Date and Interpretation of the *Bellum Civile*', *AJPh* 80 (1959): 113-132.
- 'Caesar as Political Propagandist', *ARNW* 1:1 (1972): 923-966.
- Coulter, C. 'Pollio's History of the Civil War', *CW* 46:3 (1952): 33-36.
- Craig, C. P. 'The Central Argument of Cicero's Speech for Ligarius', *CJ* 79 (1984): 193-199.
- Crawford, M. *Roman Republican Coin Hoards* (London 1969).
- *Roman Republican Coinage* (Cambridge 1974).
- Chrissanthos, S. 'Caesar and the Mutiny of 47BC', *JRS* 91 (2001): 63-75.
- Dahlmann, H. 'Clementia Caesaris', *Neue Jahrbücher für Wissenschaft und Jugendbildung* 10 (1934): 17-26.

- Daly, L. W. 'Aulus Hirtius and the Corpus Caesarianum', *CW* 44:8 (1951): 113-117.
- Damon, C and Mackay, C. 'The Prosecution of C. Antonius in 76 BC', *Historia* 44 (1995): 37-55.
- DeWitt, N. J. 'The Non-Political Nature of Caesar's Commentaries', *TAPhA* 73 (1942): 341-352.
- Diehl, H. *Sulla und seine Zeit im Urteil Ciceros* (Hildeshiem 1988).
- Dragstedt, A. 'Cato's *Politeuma*', *Agon (Journal of Classical Studies)* 3, (1969): 69-96.
- Drumann, W.K. *Geschichte Roms* vol. 3, revised P. Groebe (Berlin-Leipzig 1964).
- Ducos, M. 'César et la Clémence', *ACD* 40-41 (2004-2005): 117-127.
- Dyck, A. *A Commentary on Cicero, De Officiis* (Ann Arbor 1996).
- Dyer, R.R. 'Rhetoric and Intention in Cicero's *Pro Marcello*', *JRS* 80 (1990): 17-30.
- Evans, R.J. 'Sources of Appian's *Bella Civilia*', in U. Vogel-Weidemann (ed) with J. Scholtemeijer *Charistion C. Naudé* (Pretoria 1993): 29-38.
- Fears, J.R. 'The Cult of Virtues and Roman Imperial Ideology', *ANRW* 2.17.2 (1981): 828-948.
- Ferrero, G. *The Greatness and Decline of Rome* (trans. A. E. Zimmern) (London 1907).
- Frederikson, M. 'Caesar, Cicero and the Problem of Debt', *JRS* 56 (1966): 128-141.
- von Fritz, K. 'The Mission of L. Caesar and L. Roscius in January 49 B.C.', *TAPhA* 72 (1971): 125-156.
- Frisch, H. *Cicero's Fight for the Republic: the Historical Background of Cicero's Philippics* (Kobenhavn 1946).
- Fuller, J.F.C. *Julius Caesar: Man, Soldier, and Tyrant* (London 1965).
- Gabba, E. *Appiano e la storia delle guerre civili* (Firenze 1956).

- Gelzer, M. *Caesar: Politician and Statesman* (trans. Peter Needham) (Oxford 1968).
- Glare, P.G. W. (ed) *Oxford Latin Dictionary* (Oxford 1968)
- Goldsworthy, A. 'Instinctive Genius': The Depiction of Caesar the General', in Welch and Powell eds. *Caesar as Artful Reporter: The War Commentaries as Political Instruments*, (Swansea 1998): 193-219.
- Gotoff, H.C. *Cicero's Caesarian Speeches* (London 1993).
- 'Cicero's Caesarian Orations' in J. May (ed). *Brill's Companion to Cicero: Oratory and Rhetoric* (Leiden 2002): 219-271.
- Gowing, A. M. *The Triumviral Narratives of Appian and Cassius Dio* (Ann Arbor 1992).
- Gray-Fow, M.J.G. 'The Mental Breakdown of a Roman Senator: M. Calpurnius Bibulus', *G&R* 37 (1990): 179-190.
- Griffin, M. 'Clementia after Caesar: From Politics to Philosophy', in Cairns and Fantham (eds) *Caesar Against Liberty? Perspectives on his Autocracy* (Cambridge 2003): 157-182.
- Grueber, H. A. *Coins of the Roman Republic in the British Museum* (London 1910).
- Gruen, E. S. 'The Dolabellae and Sulla', *AJPh* 87:4 (1966): 385-399.
- Habicht, C. *Cicero the Politician* (London 1990).
- Haley, S. P. 'The Five Wives of Pompey the Great', *G&R* 32:1 (1985): 49-59.
- Halpern, S. *Caesar and the Aurelii Cottae*, unpublished PhD thesis, (1964 University of Pennsylvania).
- Hall, J. 'The *Philippics*', in J. May (ed.) *Brill's Companion to Cicero* (Leiden 2002): 273-304.
- Hall, L. 'Hirtius and the *Bellum Alexandrinum*', *CQ* 46 (1996): 411-415.

- 'Ratio and Romanitas in the *Bellum Gallicum*', in Welch and Powell (eds.) *Caesar as Artful Reporter: The War Commentaries as Political Instruments* (Swansea 1998): 11-44.
- Hayne, L. 'Lepidus' Role after the Ides of March', *AClass* 14 (1971): 109-117.
- Heitland, W.E. *The Roman Republic vol. 3* (Cambridge 1909).
- Hellegouarc'h, J. *Le vocabulaire latin des relations et des partis politiques sous la République* (Paris 1963).
- Henderson, J. *Fighting for Rome: Poets and Caesars, History and Civil War* (Cambridge 1998)
- Hinard, F. *Sylla* (Paris 1985).
- *Les proscriptions de la Rome républicaine* (Paris 1985).
- van Hooff, A. J. L. 'The Caesar of the *Bellum Hispaniense*', *Mnemosyne* 27 (1974): 123-138.
- Horsfall, N. 'Varro and Caesar: Three Chronological Problems', *BICS* 19 (1972): 120-128.
- Johnson, J. P. 'The Dilemma of Cicero's Speech for Ligarius', in J. Powell and J. Patterson (eds) *Cicero the Advocate* (Oxford 2004): 371-399.
- Keaveney, A. *Sulla, the Last Republican* (2<sup>nd</sup> Edition) (London 2005).
- Konik E. 'Clementia Caesaris als System der Unterwerfung', in T. Yuge and M. Doi (eds) *Forms of Control and Subordination in Antiquity* (Tokyo 1988): 226-238.
- Konstan, D. *Pity Transformed* (London 2001).
- 'Clemency as a Virtue', *CP* 100 (2005): 337-346.
- Kraay, C.M. 'Caesar's *Quattuorviri* of 44 BC: The Arrangement of their Issues', *NC* 14 (1954): 19-31.
- Krostenko, B. 'Style and Ideology in the *Pro Marcello*', in Welch and Hillard (eds.) *Roman Crossings: Theory and Practice in the Roman Republic* (Swansea 2005): 279-312.
- Kumaniecki, K. 'Der Prozess des Ligarius', *Hermes* 95 (1967): 434-457

- Lacey, W. K. 'Boni atque Improbi', *G&R* 17:1 (1970): 3-16.
- Lassandro, D. 'La Pro Marcello ciceroniana e la clementia Caesaris', *Contributi dell'Istituto di storia antica* 17 (1991): 195-200.
- Lazenby, J.F. 'The Conference of Luca and the Gallic War: A Study in Roman Politics 57-55BC', *Latomus* 18 (1959): 67-76.
- Leggewie, O. 'Clementia Caesaris (als Beispiel einer exemplarischen Unterrichtsreihe)', *Gymnasium* 65 (1958): 19-36.
- Levick, B. 'The Veneti Revisited: C.E. Stevens and the tradition on Caesar the Propagandist', in Welch and Powell (eds.) *Caesar as Artful Reporter: The War Commentaries as Political Instruments* (Swansea 1998): 61-84.
- Liddell, H. G. and Scott, R. *A Greek-English Lexicon* (Oxford 1953)
- Linderski, J. 'Q. Scipio Imperator', in J. Linderski (ed.) *Imperium Sine Fine. T. Robert S. Broughton and the Roman Republic*. (Stuttgart 1996): 145-185.
- Lintott, A. 'Lucan and the History of the Civil War', *CQ* 21:2 (1971): 488-505.
- Long, A. A. 'Cicero's Politics in the *De Officiis*', in Laks and Schofield (eds.) *Justice and Generosity: Studies in Hellenistic Social and Political Philosophy : Proceedings of the Sixth Symposium Hellenisticum* (Cambridge 1995).
- Martin Jnr., H. 'The Image of Caesar in *Bellum Gallicum* 1', *CJ* 61 (1965): 63-67.
- Marshall, B. A. *A Historical Commentary on Asconius* (Columbia 1985).
- McDermott, W. 'In Ligarianum', *TAPhA* 101 (1970): 317-347.
- 'Cicero's Publication of his Consular Orations', *Philologus* 116 (1972): 277-284.
- MacFarlane, R. T. 'ab inimicis incitatus: The Composition of Caesar's *Bellum Civile*', *SyllClass* 7 (1996): 107-132.
- MacKendrick, P. *The Speeches of Cicero* (London 1995).
- Meier, C. *Caesar* (trans. D. McClintock) (London 1996).

- Meyer, Ed. *Caesar's Monarchie und das Principat des Pompejus: Innere Geschichte Roms von 66 bis 44 . Chr.* (Stuttgart 1922).
- Moles J. L. 'Virgil, Pompey, and the Histories of Asinius Pollio', *CW* 76 (1983): 287-288.
- Mommsen, Th. *History of Rome* (trans. W. P. Dickson) (London 1894).
- Montague, H. W. 'Advocacy and Politics: The Paradox of Cicero's *Pro Ligario*' *AJPh* 113 (1992): 559-574.
- Moreau, P. 'Cicéron, Clodius et la Publication de "*Pro Murena*"', *REL* 58 (1980): 220-237.
- Morgan, L. 'The Autopsy of C. Asinius Pollio', *JRS* 90 (2000): 51-69.
- Murphy, P. R. 'Caesar's Continuators and Caesar's *Felicitas*', *CW* 79:5 (1986): 307-317.
- Nicolet, C. *The World of the Citizen in Republican Rome* (trans. P.S. Falla) (Berkeley 1980).
- *Space, geography and politics in the early Roman Empire* (Ann Arbor 1991).
- Ormerod, H.A. *Piracy in the Ancient World: An Essay in Mediterranean History* (Liverpool 1924).
- Pallavisini, A. 'Tradizione e novità nel giudizio de Cesare sui barbari nel *De Bello Gallico*', *Contributi dell'Istituto di storia antica* 1 (1972): 98-107.
- Palombi, D. '*Clementia Caesaris aedes*', in E.M. Steinby (ed.) *Lexicon Topigraphicum Urbis Romae*, vol. 1 (A-C) (Rome 1993): 279-280.
- Pascucci, G. 'Iterpreazione di due Excursus Dell'*Hispaniense*', *Maia* 15 (1973): 326-341.
- Paterson, J. 'Self-Reference in Cicero's Forensic Speeches', in Powell and Patterson (eds.) *Cicero the Advocate* (Oxford 2004): 79-96.
- Pelling, C.P.R. 'Plutarch's Method of Work in the Roman Lives,' *JHS* 99 (1979): 74-96.
- 'Plutarch's Adaptation of his Source-Material', *JHS* 100

- (1980): 127-140.
- 'Notes on Plutarch's *Caesar*', *RhM* 127 (1984): 33-45.
- Petersson, T. *Cicero: A Biography* (Berkeley 1920).
- Phillips E. J. 'The Prosecution of C. Rabirius in 63 B. C.', *Klio* 56 (1974): 87-101.
- Pocock, L. G. *A Commentary on Cicero In Vatinius: with an Historical Introduction and Appendices* (London 1926).
- Raaflaub, K. 'Caesar the Liberator? Factional Politics, Civil War, and Ideology' in Cairns and Fantham (eds.) *Caesar Against Liberty? Perspectives on his Autocracy* (Cambridge 2003): 35-67.
- *Dignitatis Contentio* (München 1974).
- Raditsa, L. 'Julius Caesar and his Writings', *ANRW* 1:3 (1973): 417-456.
- Ramage, E. S. 'The *Populus Romanus*, *Imperium*, and Caesar's Presence in the *De Bello Gallico*', *Athenaeum* (2002): 125-146.
- Rambaud, M. *L'Art de la Déformation historique dans les Commentaires de César* (Paris 1953).
- Ramsey, J. T. 'Did Mark Antony Contemplate an Alliance with His Political Enemies in July 44 BCE?', *CP* 96 (2001): 253-68.
- 'Mark Antony's Judiciary Reform and its Revival', *JRS* 95 (2005): 20-37.
- Rawson, E. *Cicero: A Portrait* (1975).
- Rice Holmes, T. *Caesar's Conquest of Gaul* (2<sup>nd</sup> Edition) (New York 1911).
- *The Roman Republic and the Founder of the Empire* (Oxford 1963 Edition).
- Roller, M. *Constructing Autocracy: Aristocrats and Emperors in Julio-Claudian Rome* (Princeton 2001).
- Ross Taylor, L. 'Caesar's Colleagues in the Pontifical College', *AJPh* 63 (1942): 385-412.
- Saddington, D.B. 'Preparing to Become Roman – the 'Romanization' of

- Deiotarus in Cicero', in Vogel-Weidemann (ed.) with J. Scholtemeijer *Charistion C. Naudé* (Pretoria 1993): 87-97.
- Seager, R.. 'Caesar and Gaul: Some Perspectives on the *Bellum Gallicum*', in Cairns and Fantham (eds.) *Caesar Against Liberty? Perspectives on his Autocracy* (Cambridge 2003): 19-34.
- Shackleton-Bailey, D.R. 'The Roman Nobility in the Second Civil War', *CQ* 10 (1960): 253-267.
- *Cicero* (London 1971).
- 'Caesar's Men in Cicero's Correspondence', *Ciceroniana* 10 (1998): 107-118.
- de Souza, P. *Piracy in the Graeco-Roman World* (Cambridge 1999).
- Stevens, C.E. 'The *Bellicum Gallicum* as a Work of Propaganda', *Latomus* 11 (1952): 3-17.
- Stevenson, T. 'The 'Divinity' of Caesar and the title 'Parens Patriae'', in Hillard, Kearsley, Nixon and Nobbs (eds.) *Ancient History in a Modern University: Proceedings in Honour of Prof. E.A. Judge* vol. 1, The Ancient Near East, Greece and Rome (Cambridge 1998): 257-268.
- Stone, A.M. 'Tribute to a Statesman: Cicero and Sallust', *Antichthon* 33 (1999): 48-76.
- Storch, R. H. 'The Author of the *De Bello Hispaniensi*: A Cavalry Officer?', *ACI* 20 (1977): 201-204.
- Strasburger, H. 'Poseidonios on Problems of the Empire', *JRS* 55 (1965): 40-53.
- *Caesar's Eintritt in die Geschichte* (Darmstadt 1966).
- *Caesar im Urteil seiner Zeitgenossen* (Darmstadt 1968).
- Sydenham, E. A. *The Coinage of the Roman Republic*, rev. with indexes by G.C. Haines. Forrer and Hersh (eds.) (London 1952).
- Syme, R. *The Roman Revolution* (Oxford 1939).
- *Tacitus* (Oxford 1958).
- *Sallust* (Berkeley 1964).

- Sutherland, C. H. V. and Carson, R. A. G.  
*The Roman Imperial Coinage*, vol. 1 (revised ed. Sutherland) (London 1984).
- Torigian, C. 'The Λογος of Caesar's *Bellum Gallicum*, Especially as Revealed in its First Five Chapters', in Welch and Powell (eds.) *Caesar as Artful Reporter: The War Commentaries as Political Instruments* (Swansea 1998): 45-60.
- Townend, G.B. 'Oppius on Julius Caesar', *AJPh* 108 (1987): 325-42.
- Treu, M. 'Zur *Clementia Caesaris*', *MH* 5 (1949): 197-217.
- Tyrrell, R. Y and Purser, L. C.  
*The Correspondence of M. Tullius Cicero: Arranged According to its Chronological Order* (2<sup>nd</sup> Edition), vol. 4. (Dublin 1918).
- Tyrrell, W. 'The Trial of C. Rabirius in 63B.C.', *Latomus* 32 (1973): 285-300.  
*A Legal and Historical Commentary to Cicero's Oratio Pro C. Rabirio Perduellionis Reo* (Amsterdam 1978).
- Valgiglio, E. *Silla e la crisi repubblicana* (Firenze 1956).
- Voi, G. 'Clementia e lenitas nella terminologia e nella propaganda cesariana', *Contributi dell'Istituto di storia antica* 1 (1972): 121-125.
- Walser, G. 'Der Prozeß gegen Q. Ligarius im Jahre 46 v.Chr.', *Historia* 8 (1959): 90-96.
- Ward, A.M. 'Caesar and the Pirates', *CPh* 70.1 (1975): 276-8.  
 — 'Caesar and the Pirates II: The Elusive M. Iunius Iuncus and the year 75/4', *AJAH* 2 (1977): 26-37.
- Weigal, R.D. *Lepidus: The Tarnished Triumvir* (London 1992).
- Weinstock, S. *Divus Julius* (Oxford 1971).
- Welch, K. *Caesar and Rome: A Study of Roman Politics and Administration 49-44BC*, unpublished PhD thesis (1990), University of Queensland.

- 'The *Praefectura Urbis* of 45B.C. and the Ambitions of L. Cornelius Balbus', *Antichthon* 24 (1990): 53-69.
- 'Cicero and Brutus in 45'', in Hillard, Kearsley, Nixon and Nobbs (eds.) *Ancient History in a Modern University: Proceedings in Honour of Prof. E.A. Judge* vol. 1, The Ancient Near East, Greece and Rome. (Cambridge 1998): 257-268.
- 'Caesar and his Officers in the Gallic War Commentaries', in Welch and Powell (eds.) *Caesar as Artful Reporter: The War Commentaries as Political Instruments* (Swansea 1998): 85-110.
- 'Both Sides of the Coin: Sextus Pompeius and the So-Called Pompeiani', in Powell and Welch (eds.) *Sextus Pompeius* (Swansea 2002): 1-30.
- '*Nimium Felix*: Caesar the Anti-Dictator?' presented at *Cicero's Philippics: Rhetoric, Performance, History*: Conference at the University of Auckland, Auckland, NZ (2003).
- '*Nimium Felix*: Caesar's *Felicitas* and Cicero's *Philippics*' in Stevenson and Wilson (eds.) *Cicero's Philippics: History, Rhetoric, Ideology* (Auckland 2006) (Forthcoming).
- Wiseman, T. P. 'The Publication of the *De Bello Gallico*', in Welch and Powell (eds.) *Caesar as Artful Reporter: The War Commentaries as Political Instruments* (Swansea 1998): 1-10.
- 'The Senate and the Populares, 69-60 B.C.', in Crook, Lintott and Rawson (eds.) *Cambridge Ancient History*, vol. 9 (2<sup>nd</sup> Edition) (Cambridge 1994): 327-367.
- White, P. 'Tactics in Caesar's Correspondence with Cicero', in Cairns and Fantham (eds.) *Caesar Against Liberty? Perspectives on his Autocracy* (Cambridge 2003): 157-182.
- Winterbottom, M. 'Schoolroom and Courtroom', in B. Vickers (ed.) *Rhetoric Revalued*, Medieval and Renaissance Texts and Studies 19 (New York 1982): 59-70.
- Yavetz, Z. *Julius Caesar and his Public Image* (London 1983).