UNIVERSITY OF CAPE COAST

POLITICS IN THE ROME OF CICERO'S DAY

BY

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DECLARATION

Candidate's Declaration

I hereby declare that this thesis is the result of my own original research and that no part of it has been presented for another degree in this university or elsewhere.

Candidate's Signature ....Date........................

Name …………………………………………………………………

Supervisors' Declaration

We hereby declare that the preparation and presentation of the thesis were supervised in accordance with the guidelines on supervision of thesis laid down by the University of Cape Coast.

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ABSTRACT

Cicero is unique among the great men of Rome in antiquity because through him we gain an enormous reflection of the ancient Roman world, more especially the last century of the Roman Republic. The research seeks to assess and discuss salient factors that made Rome of Cicero's day drift away "from the good old days" (i. e., the early Roman Republic) as well as abandon the ancestral ways, *mos maiorum*; in exchange for corrupt and violent politics. It also demonstrates how the Rome of Cicero's day was governed by men who agreed far more than disagreed on the fundamental questions facing the ailing Republic. Inevitably, Cicero was the man who saw what had made his day become so different from the early Republic. In point of fact, an important feature during this turbulent period was the corrupt nature of Rome's politicians. Political leaders were no more concerned about the safety and welfare of the citizens; rather they were filled with unbridled passion to exploit the Republic given the slightest opportunity open to them. The study ends with a concise discussion of how Cicero stood by the traditional Republican ideals, to defend the Republican government.

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DEDICATION

To my lovely wife, Mrs. Linda Teiko.

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CHAPTER ONE

INTRODUCTION

Background to the Study

We may begin with the question: What is politics? In *Collins English Dictionary* (2001, p. 1198) *politics* is defined as the art or the science of forming, directing and administering states and political units. It can also be defined as the complex or aggregate of relationships involving authority or power. Or, any activity concerned with the acquisition of power, gaining one's own end. Politics has its roots from the Greek word *polis*, which literally means *city-state*. Thus ancient Greek society was divided into a collection of independent city-states, each of which possessed its own system of government. Athens, the largest and most influential among all the city-states, is often portrayed as the home of democratic government. In this light, politics can be understood to refer to the affairs of the *polis*, in effect, "what concerns the *polis.*" No wonder Aristotle opined that: "Man is by nature a political animal" (Aristotle, *Politics*, 1).

Politics, in its broadest sense, is the activity through which people make, preserve and amend the general rules under which they live. The existence of rival opinions, different wants, competing needs and opposing interests guarantees disagreement about the rules under which people live. People recognize that, in order to influence these rules or ensure that they are upheld, they must work with others. Thus we can further define politics as "…the most important form of human activity because it involves interaction amongst free and equal citizens. It thus gives meaning to life and affirms the uniqueness of each individual" (Anonymous).

This is why the heart of politics is often portrayed as a process of conflict resolution in which rival views or competing interests are reconciled with one another. However, politics in this vein is the search for conflict resolution than just achievement. It is important to note that, not all conflicts are, or can be, resolved. From this point, Munroe (2002, pp. 3, 31) notes that attention is drawn to Cicero's day which coincides with the last century of the Roman Republic and mainly the political behaviour that characterised the period. Cicero's day presented a society in stark form with issues that marred the beauty of Roman politics till the commencement of the imperial era. Most people equate politics with the stereotypical politician and because of this, most of us have the view that the nature of politics is power-hungry, self-seeking, corrupt, and, in some cases, violent. These ideas come from our socialization as well as from our exposure to social forces and our own experiences with politicians.

Marcus Tullius Cicero's (106-43 BC) ascent into the political limelight in Rome at the time was not a swift leap to greatness, nor was it assured through privileges because he was a (*novus homo*) new man. However, Cicero worked arduously at his studies, and made a lot of valuable relationships early in his political career. One truth that cannot be ignored is the fact that he possessed unparalleled abilities as a public speaker, which was key to his political ambitions. His speech on *Pro Roscio Amerino* (80 BC) is an example of how Cicero's skills gave him merit over most of his contemporaries. Without fail, Cicero upheld the firm belief that, public officials are bound 'to keep the good of the people so clearly in view that, regardless of their own interests, they will make their every action conform to that (Cicero, *De Officius*, I. xxv. 85).' 'Exploiting 'the state for selfish profit is not only immoral: it is criminal, and

infamous' (Cicero, *De Officius*).

Kathryn Tempest (2011, p. 20) suggests that Cicero's dramatic rise through the Roman political system and his outstanding career as an orator was not without its struggles. To succeed in Rome, a man needed the right family and a substantial fortune. By Cicero's time, the original distinction between the patricians and the plebeians was not as important as it once had been; but it *was* important that a man was descended from one of the noble families. The fact that the wealthy could manipulate the justice system was, for Cicero, pernicious to the Republic (Cicero, *Against Verres*, 1. 1. 1). With this belief in Cicero's mind, he set out to achieve justice in his first public case in defence of Sextus Roscius in 80 BC. This case was one of the most significant in his life, for it was during this trial that he openly without fear indicates the trend of his political life. Hence, to accuse Cicero of being a coward must be of necessity overlooked and an assumption premised on quicksand. Cicero's political life commences with this career at a sensitive period when all the great advocates of Rome were cowed by fear of Cornelius Sulla. It was Cicero who singlehandedly stood and dared to raise his voice against the cruel proscriptions, confiscation of property, and made an open attack on the Dictator's favourite, Chrysogonus, and consequently Sulla himself. Thus, in this case, even in the presence of Sulla the dictator, Cicero unashamed and without fear exclaimed, "This government has of late lost not only the quality of pardoning but the habits of justice" (Cicero, *Pro Sextio Amerino*, 2).

The fact is that Cicero was an exceptional statesman who distinguished himself from most of his contemporaries. To him, the proper task of the magistrate, that is, the politician, national figure, or the statesman, is to be aware

that he represents the state and that he must uphold its dignity and honour, respect the laws, define rights, and constantly bear in mind the things that are placed in his trust (*De Officiis*. 1, 34, 124). This view is further developed in a passage from the *De Legibus*: "Here you can see what the power of the magistrate is: he must lead, and command what is right, useful, and in accordance with the laws. For as the laws govern the magistrate, so the magistrate governs the people and it may truly be said that the magistrate is a speaking law, whilst the law is a silent magistrate" (*De Legibus*, III, 1, 2).

Marcus Tullius Cicero, was born on January 3, 106 BC and was murdered on December 7, 43 BC. He was born to a non-senatorial family but to a prominent and wealthy equestrian family from the *municipium* of Arpinum. He was educated both at Rome and Athens, and rose through the senatorial ranks of the *cursus honorum* to become the first *novus homo* in thirty-one years to reach the consulship and bestow the status of *nobilitas* upon his *gens*. During his days, the Roman Republic was filled with crucial events which shaped not only the political environment of the Republic, but also altered the personal and political relationships of the individuals within the Republic.

It is noteworthy that Cicero's day was characterised by fierce competition among an embattled oligarchy, the rise of military dynasts, a series of civil wars and urban riots, and vigorous literary activity. The literature at the time includes the poetry of Catullus (87-54) and Lucretius (99-55), war commentaries by Caesar (102-44), historical monographs by Sallust (86-35), biographies by Nepos (110-24). Yet, through it all, the figure who gave his name to the age was Marcus Tullius Cicero (Cf: Eric Gruen, 1974, p. 387; Michael Crawford (1978, p. 160), & Thomas N. Mitchell (1979, p. 203). Undoubtedly, Cicero has over the

centuries been lauded as one of the most clear-sighted statesmen produced by the Roman Republic. However, the last century of the Republic, which coincidentally coincides with Cicero's day, was plagued with a lamentable story of political oppression and chicanery in which the *optimates* (i.e., politicians who conduct themselves so as to gain the approval of the best people for their policies) strove to retain control of the state against the *populares* (i.e., politicians who want their actions and words to be pleasing to the multitude) whose leaders, with but few exceptions, no less cynically used popular agitation for political and economic reform to advance their personal interests. However, not all *populares* politicians (such as the Gracchi) were self-centred or politically corrupt, though the majority of *populares* politicians were corrupt and defied the order of the Roman political and legal procedural system. Nevertheless, such issues are to be expected since Rome of Cicero's day had already been thrown into a complex state of affair and unforeseen events

We note that Cicero's passion for the institutions of the Roman Republic drove his unparalleled devotion to the essence of coming up with his *concordia ordinum*. In the traditional or conventional sense, *concordia ordinum* meant "public harmony" or the "harmony of the Republic." It was a basic principle or belief that the foundation of a well-functioning state must be the unity, friendship, agreement or reconciliation of its citizens. There is a conventional belief that *concordia ordinum* is a uniquely Ciceronian expression, that the expression forms part of "the Ciceronian tradition" (Nicolet & Oakley, 1997, p. 725). It was an arduous task for Cicero to drive through or make strides with his ideals, since he found himself in an age of military leaders who were ready at any given time to offer more compensation to their supports than Cicero's political

rhetoric. Cicero's *concordia ordinum* deserves our commendation as he was able to withstand danger from Catiline, the Roman Senate and Knights. Sadly, Cicero was forced into exile in 58 BC. Yet, when he returned in 57 BC, his political ideals remained unchanged. In the *Pro Sestio*, Cicero vigorously re-affirmed his belief in the necessity for unity of all the classes under the guidance of patriotic leaders bound by allegiance to the Roman Senate (*Pro Sest.* 136ff, p. 97).

In addition, Cicero's deeply patriotic devotion to the Roman Republic cannot be fully explained by Habicth in his book titled, *Cicero the Politician*, or by any utilitarian purpose. Cicero writes; "nothing in the world is more precious to me than the Republic herself" (*Fam.* II, xv, 3). Later, on two separate occasions, Cicero exclaims that he cherishes the state more than life itself, and further contends; "so great is love of country [*patriae*] that we measure it not by what we feel but by the salvation of our country itself" (*Fam.* VII, xxviii, 3; X, xii, 5). How then can such a person be tainted as a reporter and transmitter? Whereas, an achievement worth noting is his capacity as consul of 63 BC to foil the conspiracy hatched by Catiline (Anonymous), and ensure that peace prevailed in the Republic. In fact, one way to demonstrate Cicero's firm stand for respect of the *mos maiorum* is what a small section of the Roman citizenry wondered as to whether that aroused Cicero's detest for/of the Gracchi and Saturninus. These personalities had contravened the Roman *mos maiorum* which Cicero venerated because custom was the medium whereby the heritage of the past was to be transmitted from one person to another by virtue of *auctoritas* (Rambaud, 1953, p. 106f).

However, the key point to note is Anthony Everitt's (2003, pp. 10-11) position that: "The greatest underlying problem facing the Republic (as in, Rome

of Cicero's day), was in its governance. Rome of Cicero's day was a state without most of the institutions needed to run a state. The Republic was governed by the rule of law in theory but it did not operate a public prosecution service, and elected politicians acted as judges. Everitt further explained that all these things, in their various ways, were obstacles to effective administration. More so, the constitution, which controlled the conduct of politicians, was the Republic's greatest weakness." Despite the afore-mentioned challenges, Cicero began his public life by appealing to the conventional meaning of Republican harmony as a way of dealing with disagreements over Sulla's reforms, over the management of economic resources, and to deal with the antagonism of certain ambitious individuals. The disagreement had been a long-ago problem between the *optimates* and the *populares*, or the rich and the poor over issues bothering on politics, legal matters, and social issues. He soon realised that his own success and the harmony of the Roman Republic could only be achieved within a kind of coalition, and thus began to see *concordia ordinum* as a political strategy. The strategy was to build an alliance, and in effect political harmony between the two major orders of the state: the *Senate* and the *Equites.* Unfortunately, the politicians of his time appeared to be corrupt and no longer possessed the "virtuous character" that had been the main attitude of Romans in the earlier days of Roman history. This loss of virtue was, he believed, the cause of the Republic's difficulties.

In fact, Cicero took up the political slogan *concordia ordinum*, that is, the *harmony of the Orders*, and this was a policy designed to prevent the different sectors of society from going into conflict with each other. Cicero thought that justice was necessary for this harmony, and that it was the most effective method

of preserving the state, and that he had achieved such a harmony during his consulship (Radford, 2002, pp. 35-6). Thus, after Cicero's consulship in 63 BC the Roman Republic was not any better; the spark that was needed to ignite the flame had already taken place. Thus, there were power drunk men such as Catiline who were ready to turn down every custom or convention that had bound the Republic. Mary Beard (2005) notes that: "Whatever its rights and wrongs, 'The Conspiracy' takes us to the centre of Roman political life…The conflict between Cicero and Catiline was partly a clash of political ideology and ambition, but it was also a clash between men of very different backgrounds." I agree to Mary Beard's view that, "…the contrasting careers of Cicero and Catiline offer a vivid illustration of just how varied political life in Rome of the first century BC could be."

Particularly, it is fascinating how Cicero oftentimes in his speeches and letters made emphatic references to the *Republic* or the "Good old days." It may be surprising when we begin to ponder as to why he persistently referred to the *Republic* and what deductions or inferences are most likely to be drawn from his use of the word or term, when, in fact, he still lived in the Republic. The notion of *res publica* is often translated as "the common good," but more properly it is what citizens hold in common and above their own narrow self-interest. It may sound like an ancient term today, more appropriate for discourses on classical Roman law (Ola Zetterquist, 2011).

In point of fact, Cicero mostly referred to the *Republic* with the backdrop of recounting or recalling a once virtuous driven Roman society. For, during Cicero's day, respect for the various magistracies, as well as the rule of law was battered into submission, while the Republic all the more easily succumbed to the

rule of men. The fall was brought about not necessarily by external armies or revolution, but largely by the Romans' own tacit agreement that their rules could be bent and broken as needed. For the Romans, at least, the argument that "the end justifies the means" proved to be the antithesis and the undoing of constitutional government. Although Rome was developing at a rate that it needed sincere and honest politicians to steer its affairs, on the contrary, while the masses had confidence in the ailing Republic, there were just a few men (such as Marcus Tullius Cicero) who still had confidence in the redemption of the once moral and politically moderate or ideal Republic.

Interestingly, the richer Rome became, the more extensive, and diffused the problem of bribery seemed to become in Rome of Cicero's day. During the time of Cicero, bribery became institutionalised and sums of money required became enormous. There were even organized associations many of which were based on tribes set up for extortion and intimidation. The long-term consequences of political bribery had become noticeable by the sixties and fifties BC when the massive borrowing needed for bribes created financial instability and subsequently political instability among the aristocracy and a subsequent loss of faith in the constitution.

In all, as a result of the various struggles that emerged in the Rome of Cicero's day, it must be acknowledged that the period under study was deeply immersed in political turmoil due to the quest for power by some self-seeking and power drunk generals as well as political stakeholders. Eric Gruen (1974, p. 47) argues strongly that politics in Rome had traditionally operated through aristocratic alliances, while a relatively small number of families occupied key positions and controlled the wellspring of power. Rome, during this period,

experienced an escalating abuse of elections which inculcated in the Romans the idea that their constitution and the rule of law had no intrinsic value, but existed only as tools in the service of power and desired goals. Besides, bribery and violence were key factors that disintegrated the Republic. Thus bribery and violence were symptoms of an increasing disrespect for all established values in a situation where a breakdown in consensus seemed to challenge the authority of values themselves.

Purpose of the Study

Marcus Tullius Cicero, considered that Rome had been at its best in 'the good old days' of the Republic under the administration of patriotic, selfless and virtuous statesmen. This sentimental regard for the past apparently arose from disgust at the excesses of individualism, political intrigues, and corruption at his time. Thus in his works, he presents an idealised 'ancestral constitution' by persistently referring to the good old days', or 'the Republic,' with criticism of the existing political situation in Rome of his day. My purpose in this work therefore, is to examine the nature of politics and governance of the early Republic *vis a vis* political activities or events during the time of Cicero which informed him to persistently and nostalgically refer to 'the good old days' or 'the Republic' in his works and speeches, when, in fact, he was still living in Republican Rome.

Methodology

This research will apply the qualitative research approach or a library-based research. Thus, information will be gathered from both primary works in translation and secondary sources that are relevant to the general theme.

Organisation

The work is sectioned into five chapters. Chapter One, which is the introduction, comprises background issues during the early Roman Republic and Cicero's days. Also, this chapter will undertake a review of scholarly literature.

In Chapter Two, I shall discuss the nature of politics during early Republican Rome, highlighting events from the early years of the Republic to about the time of Cicero.

In Chapter Three, my focus will be on the nature of politics in Cicero's day. This chapter will comprise two sections. First, I shall examine the two main political divides, the *Optimates* and the *Populares*, and the means by which they dominated and determined the course of events in the Republic. Second, the chapter will also do a discussion and an examination of the intrusion of the army into Roman politics; assessing some personalities who spear-headed the practice, and then examine what activities precipitated the intrusion of the army into Roman politics. Following that discussion, I shall then consider how the Roman *contio* (i.e., a non-decision-making meeting called by a magistrate) in the period under study was used by magistrates and politicians to their advantage. In so doing, I shall hint on some of the intrigues that characterised the proceedings that went on in the *contio* and how it influenced decision-making in the Rome of Cicero's day.

In Chapter Four, I shall critically examine electioneering crisis in Roman politics of Cicero's day, as well as bribery and corruption that became the norm of Roman political administration with respect to the period under study.

Chapter Five will show how Cicero's political life achieved some success. There will then be a summary of the work by way of conclusion.

Literature Review

Cicero is one of the most revered orators of the ancient Roman world. He stands so tall above almost all his contemporaries. However, this work's intent is to examine the nature of politics in the age of Cicero, and to look at Cicero as a Roman politician not as an orator. Indeed, we cannot entirely deny the fact that his oratorical prowess was what brought him unto the centre-stage of politics in the Roman Republic. As a matter of fact, it has been argued by some scholars such as Mommsen and Drumann who hold the view that Cicero was no better politician. In fact, Mommsen denied Cicero the accolade of a politician. Also, Mommsen assessed Cicero as "nothing but an opportunist who gained office after office posing as a reformer, only to reveal his true colours, those of a reactionary, once he had secured the highest rank, the consulate." In addition, Meier, C. (1968) who also shares a similar view as that of the former, but slightly different, remarks that: "Cicero's substance was in no way equal to his position, the less so, since he knew little of political tactics, not much more of political judgement. To put it bluntly, he was no politician."

As a matter of fact, it is unfortunate that some scholars do not view Cicero as a statesman, but rather as an orator and advocate. This is evident in the work of Jonathan Powell and Jeremy Paterson (2004, p. 6) in whose book titled *Cicero the Advocate*, they argue that Cicero's real or essential talent was as an advocate rather than a politician. Jonathan Powell and Jeremy Paterson explain that Cicero's success in the two capacities (i.e., as a politician and an advocate) has been commonly stated and probably has some truth, if one judges Cicero's success in the two capacities with the hindsight of history; but I believe that Cicero himself would not have accepted it. For Cicero, advocacy was indeed a

form of service to the *res publica* and a means of acquiring popularity and fame. However, it must be noted that Cicero himself placed the greatest value on his achievements as a statesman (or politician). I think Jonathan Powell and Jeremy Paterson's book is a brilliant academic work put together, but the thing that we must note is that Jonathan Powell and Jeremy Paterson portrayed Cicero distinctively as a legal advocate (i.e., a lawyer) who was more concerned about defending his clients at the law courts and the nature of his speeches.

On the contrary, Christian Habicht (1990, pp. 3-4, 8) raises a strong counter view that Cicero's distinction as a man of letters tends to obscure the fact that all his life he wanted nothing more than to be a statesman. It may seem tragic that in this role he failed more often than he succeeded (although in politics, too, he definitely had his moments) and that he achieved immortality by doing what he regarded as only a substitute (that is, as a legal advocate) for politics. Habicth goes on to explain that with regard to Cicero's ability to judge politics, he did err often, but more often still he clearly analysed the political situation of the day and accurately foretold future developments. Only prejudice can deny that Cicero, despite all his weaknesses and lack of robustness, deserves a prominent place among the political leaders of the time. More so, Habicth hits hard at Cicero's critics that for a scholar who enjoys a sheltered position at his desk, where no question of life and death is at stake, it is easy enough to poke fun at a politician who vacillates in critical situations. It is easy, but not fair.

With regard to what the nature of politics was during the early years of the Roman Republic. Cowell (1962, p. 131) notes that so great was the prestige of the men and institutions by which the destiny of Rome had been guided and so high was the pride it inspired in every well-born Roman that the stubborn, stolid

and unimaginative Romans do not seem to have had serious doubts the governing bodies of their Republic would be able to handle the affairs of a world empire.

During the first centuries of the Republic the political 'centre of gravity' in Rome may be found more often in the Senate than anywhere else, especially during the central period from 300 BC to 130 BC. According to Cowell (1962, p. 132) throughout the earliest centres of the Republic, politics had been a fairly simple business managed by a few officials called magistrates, given supreme power by people who elected them afresh every year. The magistrates were guided by a strong advisory council called the Senate. Later in the history of the Republic, the arrangement was supposed to rest largely on popular support because the people not merely elected the magistrates who became Senators after their first year of office, but also had the last word before any new law came into force. This system was bewildered with fierce challenge in the class struggle in which the older and richer patrician families, the *optimates*, without fail sought to do away with the new comers and poor plebeians. This momentous disparity between Cicero's day and what he thought of the early Republic in its period of glory, clearly suggests how morally decayed and politically corrupt the Republic had become during his day.

Lintott (1971, pp. 447-8) notes that Cicero considered as true patriots those who supported the collective authority of the Senate, and he often described such men as *boni,* meaning *good*. Other politicians tended to favour measures that had popular appeal, and preferred to legislate directly through the people's Assembly. There might seem to be varying opinions to these positions held by Cicero. Cicero characterized such men as *populares*, and distrusted them. One of Cicero's remarks on the *populares* politicians is revealing: "*Populares* are

people who, unable to win respect from the Senate, are driven out of the safe harbour of the Senate into the rough sea of popular politics." But, in a more honest analysis I think Cicero got it wrong to some extent as regards the negative notion he held about the *populares* politicians. It would be a mistake to think of two parties with organized long-term programmes. Most senatorial decisions were pragmatic responses to the needs of the moment. It was also extremely rare for an individual magistrate to consistently and coherently propose popular reforms. Personal factors weighed heavily in the scale of political decisions. Senators were influenced not only by the content of a proposal, but also by the reputation of its proposer, and by considerations of kinship, political friendship and personal obligation (Rowe, Schofield, Harrison & Lane. ed., 2005, p. 479).

The fierce antagonism between the two political factions, namely, the *optimates* and the *populares*, is a salient feature of Roman domestic politics during the age of Cicero. Cicero's definition of the *populares* has been recognised to be polemical: The *populares*' aim was to please the multitude, while the *optimates* sought to gain the approval of the best people. Equally suspect are Cicero's remarks in speeches of the fifties on why politicians become *populares*; because they distrust their ability to win support and respect from the Senate; because of personal grievances against the Senate, and because they get carried away by a *populares* aura (or, in Clodius' case, because of embarrassment) (*Provo cons*, 38). To Earl (1967, pp. 54-5), modern definitions of *populares* bear a striking resemblance to Cicero's opinions: to be *populares* was to adopt a certain method of political working, to use the populace rather than the Senate as a means to an end; the end being most likely, personal advantage for the politician concerned.

However, as Nicola Mackie rightly points out, it seems some activities of the *populares* politicians had a level of positive undertones, as against the widespread view held amongst many scholars, even Cicero. Like Cicero, modern scholars believe that the *populares* politicians treated the populace as a means, not an end; that they aimed to please it, not genuinely to consult its interests; and that they chose this means because they believed it could be more effective than senatorial support in securing their objectives. However, according to Valentina Arena (2012, p. 170), the *optimates* subscribed to the concept of preserving the *status quo* of the Republic, using the concept of *libertas* as a rationale. Chaim Wirszubski (1950, p. 8) showed that this was exploited differently by the *populares*, who claimed *libertas* as the justification for enhancing popular sovereignty. The *optimates* were viewed as individuals who subscribed to a comparatively stable and restrictive interpretation of *libertas*, even if they did not form a fixed day. A clear aim of the *optimates* was identified by Walter Lacey (1962, p. 70): They strove to achieve recognition and fame through their opposition to dangers facing the state, endeavouring to be perceived as working selflessly.

Another crucial issue in this discussion of the *populares* and the *optimates* politicians has to do with *clientelae*. It was the relationship of an inferior entrusted by custom or by himself to the protection, of a stranger more powerful than himself (Badian, 1958, p. 1). The relationship demanded certain services and observances in return for the protection of the patron. Ernst Badian enhances the interpretation of *clientelae*, by illustrating how this could be applied to foreign communities, rather than simply being viewed as an isolated practice. Brunt (1956, pp. 93-4) then confirmed the political importance of the Italian and

allied involvement in political events of the late Republic, supplementing Badian's assertions. Brunt (1965, pp. 1, 7, 20) again expanded upon the understanding of political interrelations, demonstrating the diverse range of meanings associated with ties of *amicitia* which means friendship. He then investigated the varied practical application of *amicitia* in politics, in a progression of the understanding put forward by Taylor and Syme.

However, amidst all the views discussed earlier, Mouritsen Henrik's position proffers an idea of a better appreciation of the issues and why the activities of the *populares* politicians became rife. These views were reconciled by Henrik Mouritsen (2001, p. 15). Thus, Henrik Mouritsen recognised the political potential of the masses in Rome at the time. He attempted to compromise between the traditional views of senatorial dominance and the debate between Millar's and North's ideas. This was achieved by recognising the symbolic value of popular involvement in politics, but attributing it to a different level of abstraction than the political mechanisms employed by the state. Personally, Meier's divergent view on the activities of the *populares* politicians and what they stood for, to a large extent appears more appealing because he intelligently diagnosed the nature of party politics in Cicero's day. I support Meier's argument because I don't entirely accept the general notion that the *populares* politicians thrived on just attaining goals that were selfish or partisan. Meier distinguished between unique and regular political practices, stating that *populares* politicians appeared principally in exceptional circumstances.

Apparently, the Republic that governed at Rome for nearly 500 years with annually elected magistrates was wracked during Cicero's day by an unprecedented degree of electoral abuse. The yearly ritual of choosing the state's

leaders became a crass spectacle of delay, manipulation, mass bribery, corrupt deal-making and violence. These abuses occurred more regularly in thickets and multitudes. Cicero's day witnessed a generation that trampled on its rules for desired ends, rules which were to be enforced against opponents, but to be dispensed with for supporters. According to Lintott (1991, pp. 1-3, 160), electoral bribery, like most other forms of corruption, seems to have been fairly normalised." In fact, it was such a big business that it even gave rise to its own profession: distributors of bribes called *divisores*. Nonetheless, there was much moralising and handwringing on the subject, for Cicero emphasised the importance of laws to prevent the *buying of votes* (Cic, *Laws*, in *De Republica; De Legibus*, III. xvii. 39-49).

Lintott (1999) explains that a review of primary source accounts vividly demonstrates how abuse accelerated over the final century of the Roman Republic. Until the turning-point of the 60s and 50s BC, a number of elections were either delayed, cancelled, rigged by violence, marred by bribery or prearranged by bargain. To Cowell (1962, p. 219), Lintott attempts to reconstruct the intellectual categories in which a Roman of this period would have processed a violent activity in the public square, concluding that personal enemies were invariably presented as enemies of the state; namely the *optimates* and the *populares* as noted above. These were the two main factions or "political parties" that dominated the political scene within the period under study. While the *populares* in most cases wanted their actions and words to be pleasing to the multitude or masses, the *optimates* conducted themselves in a manner to win or gain approval of the best people for their policies.

According to Cowell (1962, p. 219) to win elections as a magistrate and

to become a Senator…had long been the height of ambition for any active, able young man of Rome, especially, Rome of Cicero's day. It is noteworthy that a review of the primary accounts provides enormous instances of electoral crises that accelerated during Cicero's day until the turning point of the 60's and 50's BC, a morass of elections delayed, some cancelled, others marred by violence, while there was also the practice of bribery. In this vein, Troxler Howard (2008, p. 8) posits that: "The escalating abuse of elections inculcated in the Romans the idea that their constitution and the rule of law had no intrinsic value by themselves, but existed only as tools in the service of power and desired goals. With the rule of law battered into submission, the Republic all the more easily succumbed to the rule of men. The fall was brought about not by external armies or revolution, but by the Romans' own tacit agreement that their rules could be bent and broken as needed." Ironic as it may be, elections in the Rome of Cicero's day was the interest of all the rival groups, that is, the political factions, and it inevitably brought these groups together during the annual political ritual of elections. Undeniably, election was the core of Rome's political identity, in other words, the heartbeat of the *res publica.* Yet, it suffered much crisis. These crises in effect, marred a beautiful political system which during Cicero's day lacked men of virtuous nature to keep to *the good old days* of the early Republic.

Electoral bribery was a phenomenon that was not experienced in the early Republic, but was rife in the Rome of Cicero's day. The Latin word for electoral bribery is *ambitus*, and it is connected with the verb *ambire*, 'to go round,' 'to canvass support,' and with the noun *ambitio*, which expresses the concept of the pursuit of office and political fame (Lintott, 1990, p. 1). *Ambitus* traditionally has been defined in Roman Republican scholarship as electoral bribery, an illegal and

corrupt canvassing practice in which candidates gave money to voters in exchange for electoral support and votes (Linderski, 1985, pp. 93-94; Gruen 1991, pp. 255-257; Yakobson, 1999, pp. 22-26). However, recent discourses on *ambitus* have questioned fundamental assumptions about the concept, such as its status as a normatively defined crime or a form of corruption. Some scholars such as Andrew Lintott, have argued that charges of *ambitus* should best be understood as a form of invective Roman Senators used to weaken the prestige of political opponents (Lintott, 1990, p. 16). On the other hand, Cristina Rosillo Lopez (2010, pp. 16-23, 49-69) has taken note of these criticisms but nonetheless argues that *ambitus* should be understood as a form of corruption that the Romans had defined as such. In contemporary political practice it appears unacceptable for a canvassing politician to give a gift to a voter in his constituency in exchange for that voter‘s vote, yet in the Rome of Cicero’s day, gift giving, especially to a Senator‘s own tribe, was an acceptable and expected method of canvassing for votes.

According to Malem Seña (2000, pp. 25-26) corrupt behaviour implies three things: (i) the violation of duties of an office granted by the state, (ii) an attempt to benefit privately, though not necessarily by gaining money, (iii) and a normative condemnation of such behaviour, whether from a legal, social or ethical source. Therefore, the supposition may be rnade that Romans in the Rome of Cicero’s day canvassing for office who committed *ambitus* undoubtedly wanted to benefit privately by employing methods condemned as illegal through many laws adopted against *ambitus*. It seems undeniable that the role of *ambitus* in the political culture of the Republic at the time is too complex to be labelled as corruption. We then conclude, as Lintott (1990, p. 16) does, that in the Roman

view the crime of bribery indeed depended on who was doing the bribing? Thus, if Lintott's position is true, then we can conjecture those accusations of ambitus were purely methods for aristocrats to damage the careers of political rivals. In this view, there was nothing wrong with *ambitus*; because everyone engaged in the practice. There is some truth to Lintott's argument, but it is ultimately unsatisfactory.

Another important issue is the Roman army's intrusion into politics. This practice began when the military general Gaius Marius, of equestrian background, appeared to have found a solution to the masses of dispossessed and unemployed Roman and Italian citizens. J. B. Leaning (1987, p. 6) suggests that military service had become a possible career instead of a civic responsibility. But I find it hard to be convinced by J. B. Leaning's position because most of the citizens who ended up in the army under the command of Marius were bent on survival. Hence, both by debt cancellation and land allotment or distribution, these disgruntled citizens (which were mostly peasants) saw the joining of the army as a means to an end, even though we can infer that they knew the risks involved. More to the point, I think we can perhaps conclude that the practice of recruiting volunteer soldiers, and the desire to partake in this process became a sort of occupation.

Marius can thus be regarded as the originator of the professional army at Rome. And its professionalism was increased by the instilling of a new spirit and sense of discipline, and by the introduction of certain changes that made it a more effective fighting force. After Marius' soldiers relied on their generals to provide them with an opportunity to gain, loot, and to provide them with land upon retirement in return, the generals relied on their troops to give them complete

loyalty and to support them in their goals to gain political power. In fact, it is worth noting that office-seekers (especially the generals) during Cicero's days to a large extent did despise the venality of an electorate, which may, unknown to them, be exercising a considerable degree of independent judgement; the electorate for its part may deduce from the bribes that it is offered, that those pursuing public office are merely self-seekers who are not concerned with the general interest of the public.

However, Leaning (1987, p. 6) appears to hold a different view that Marius' use of the army was not necessarily meant to gain political power, but his reforms rather allowed and opened up the way for other generals to test their troops' loyalty. Marius' concern, to Leaning, was simply the welfare of his troops. He had no inclination to use his army to further his ambition, and, as its patron, to dominate the state. In point of fact, it was Sulla who first realized how he could use his troops or legions to achieve his own political ends. Particularly, Sulla capitalized on it by marching his forces on Rome in 88 BC and 82 BC. Sulla's success at marching on Rome started a rippling effect causing other generals to imitate his actions by using their legions as their own political weapons to help advance their political careers. With the *capite censi*, that is, those assessed in the census by a head-count, making up the bulk of the military, the Senate did not realize they had to change their policy on troop retirement, in order to keep the loyalty of the troops. Consequently, the Senate's inability to change its policy towards the troops, allowed the generals to step in and become the heroes by giving their troops land, which eventually caused the soldiers to shift their loyalty from the state to the generals.

But, prior to Sulla's regime, Marius's military reforms undoubtedly contributed to the decline of the Roman Republic by creating the potential for subsequent generals to use the promises of enrichment and land to gain the loyalty of the troops. These mercenary soldiers could then be used as political weapons against enemies in order to win control of the State. Unfortunately, Marius never realised the potential that he created, but future generals did. It would be these men who would bring about the shift of a loyal Roman army who took pride in serving their state, to the greedy soldiers who cared little for Rome, swearing loyalty to whomever would grant them most profit, which comprised war booty and lands as compensation. These generals of the late Republic of Cicero's day turned the army into a political weapon, instead of its original function of protecting Rome and extending its imperial power.

The accounts given by the primary sources seem to suggest that the intrusion of the army into Roman politics during Cicero's day was just an event that could not have been avoided. To explain the just noted point, I agree with Kofi Ackah (2010, pp. 99-100) as he notes that: "For now the question of pension or pay for the new standard army has become acute; and the Senate had missed the opportunity of earning the loyalty of the army by its repeated failure to acknowledge that the army is entitled to a livelihood after serving the state in the risky business of war. The Republic lost control of the manpower reserves, as power shifted to the legions in which volunteers made up a majority of the troops."

Andrew White (2011, pp. 1-2) also holds the view that, Marius' soldiers relied on their generals to provide them with an opportunity to gain loot and to provide them with land upon retirement. Hence the generals also expected their

troops to give them complete loyalty and to support them in their goals to gain political power. Due to Marius's reforms, the loyalty of the Roman legions started to shift away from the Republic in favour of the generals. Since the Republic did not offer a retirement plan, the soldiers began to lose any loyalty they felt for/to the Republic. If a general did not offer his soldiers a chance at looting and therefore gain their loyalty, the soldiers did not become loyal to the state, but instead tried to transfer to serve under a new general, who looked out for his soldier's interests. Sulla and Caesar were masters at gaining their troops' loyalty to the point where they had created their own private armies. Both Sulla and Caesar knew the way to the troops' loyalty was through wealth, which made them very generous in their spoils of war. Andrew White's position depicts a moment whereby the two groups involved, that is, the generals and the volunteer soldiers simply could not do without each other. Therefore, it won't be wrong to note that the change in loyalty (i.e., from the Roman Senate to the generals of the legions) played perfectly well against the Roman Republic since the Roman Senate failed to honour its soldiers who were risking their lives for the safety of the Republic and its imperialist ideals within the Mediterranean region.

And, as a solution to the apparent loss of too much, Dyck (1996) suggests: "Cicero's civic virtue aimed at reforming the political culture at Rome, which he saw veering dangerously from the ideals of traditional patriotism toward the kind of egotistical quest for glory and self-aggrandizement that had brought ruin upon Greek city-states and could lead to the permanent establishment of tyranny." Apparently, Rome was in a state of moral decline as it was becoming populated by so many newcomers. It was therefore necessary, as recognized by Cicero and others, to provide reminders of moral and ethical

behaviour as well as simple social etiquette to those not exposed to them. The solution put forth was that all in Rome in their ethical conduct should return to the *mos maiorum*, *the way of our ancestors*. Neal Wood (1988), suggests that Cicero wanted principled leaders in the service of the Republic, and freedom for human beings so that they could do the right thing. As struggle between the ruling class and its chief class enemies' wanes, when their threat diminishes, members of the dominant class can afford to quarrel among themselves, especially if the stakes are very high. The increasing strife within the Roman aristocracy seems, then, to have been proportionate to the decline of the peasant danger to their interests and security.

On the basis of the evidence above, I support Gruen's (1974, p. 498) view that, "The fall of the Republic was inevitable and desirable." It is quite ungracious of Eric Gruen to ascribe to such a belief premised on the fact that the strife between the *plebes* and the *nobiles* and the practice of patronage amidst other factors plunged the Roman Republic, especially during the days of Cicero. As will be discussed in this study, a number of ancient sources such as Livy and Polybius, uphold the view that trust on virtue and respect for the *mos maiorum* were key principles that had been battered into the submission and replaced by vice and undisciplined behaviour among the citizens.

Furthermore, Michael Grant (1960, pp. 7-8) gives credit to Cicero for his dedication to principle. He posits that Cicero was willing to fight against his opponents in spite of terrible discouragements for his Republican principles and against tyrannical rule. Cicero, to him, was determined to struggle for the freedom of the individual against odds and establish the Republic on consistent moral principles which should never be changed. Grant believes that Cicero held

the opinion that right and wrong are irreconcilable and that no law can change one into the other. To him, Cicero was completely against the concept of dictatorship; and that throughout Cicero's career, he did everything he could to prevent tyrannical forms of government from coming into existence, and to support Republican government which he considered to be the only stable and balanced form of government. In any case, Grant believes that Cicero failed because he could not handle the "cutthroat" politics of late Republican Rome, and was only aided by his eloquence in combating his enemies.

Lastly, Smethurst (1958, p. 75) posits that it is easy to poke fun at the visionary nature of Cicero's ideas, even though any prejudiced student of Republican history must admit that Cicero, for all his weaknesses, did approach as closely to it as any of his contemporaries, including Cato, whose personality surely has been less repellent, had it been graced with a little humanity. It is evident that Cicero, consciously or not was trying to defend his own career, as he tried hard to live up to his ideals. At this point in time, public life and virtue consciousness had broken down. As political morality and politics in the Rome of Cicero' day decayed, it paved the way for practices that inevitably drove out virtuous lifestyles among Roman citizens, especially members of the Senate, politicians and generals.

Conclusion

To sum up, the sources indeed indicate that during the age of Cicero, the Roman Republic on several occasions found itself nipped in the bud by its politicians and army commanders with the threat of civil war by the likes of Cornelius Sulla in 88 BC and 82 BC; Pompey and Crassus in 71 BC; Pompey, Crassus and Caesar in 60 BC; Caesar in 49 BC; and by the young Octavian in 43

BC. Cicero, as the study in subsequent chapters will demonstrate, emphasized service through political leadership, which he believed was the greatest necessity and calling among men, and that the well-being of the Roman Republic was dependant on the response of men with virtue. In all, the reviewed works have shown the contrast between what Cicero thought of 'the good old days,' while it was in its glory as against the actual experiences of his own day.

CHAPTER TWO

THE NATURE OF POLITICS IN THE EARLY ROMAN REPUBLIC

A popular refrain characteristic of Cicero was his reference to *the Republic* in his works. By this (the Republic), Cicero meant *the good old days* of Rome before his time, that is, the early years of the Roman Republic. By his almost persistent reference to *the Republic* one can notice that there was always a feeling of nostalgia in Cicero. He always felt that Rome had seen better days and better times. Tacitus holds the notion and reprehends the desire for *gloria* and *potentia* as a feature of human society. That such qualities broke down society and destroyed the Republic, he saw not the more alarming fact that that society itself was founded on them, and that individuals in displaying those qualities were responding to the demands and pressures it imposed.

The early Romans, and of course, a handful that lived in Cicero's day had obsession with morality. Therefore, it will appear that this consciousness had far reaching implications for the political culture of "the good old days" of the early Republic. Moral authority was political authority. This ideology or way of life that dominated the lifestyle of the early Romans is best captured in Dionysius' words: "I am led to narrate these details for no other reason than to make clear to everyone what type of men the leaders of Rome were at that time, that they worked with their own hands, led self-disciplined lives, did not complain about honourable poverty, and, far from pursuing positions of royal power, actually refused them when offered" (Dionysius of Halicarnassus, *Roman Antiquities*, 10:17). And Cicero himself exclaims metaphorically: "But though the Republic, when it came to us, was like a beautiful painting whose colours, however, were

already fading with age, our own time has not only neglected to freshen it by renewing the original colours, but has not even taken the trouble to preserve its configuration and, so to speak, its general outlines" (*De republica* 5.1.2).

Now, the important question is: What manner of men were the Romans during the early Roman Republic? Since men are best known by their deeds; therefore in response to this question, their history willingly judged them. Without fail, from the earliest days of Rome we can detect in the Roman citizen a sense of dedication, at first crude and inarticulate and by no means unaccompanied by fear. In the early Republic, Barrow (1958, pp. 10-11) hints that this is clearly expressed and is often the mainspring of action. The early Roman's virtues are honesty and thrift, forethought and patience, work and endurance and courage, self-reliance, simplicity, and humility in the face of what is greater than him. In the *De Officiis* I. XVII. 57, Cicero, himself a man of provincial origin, notes: "Out of all relationships, there is nothing more serious, nothing dearer than that which exists for each one of us with the *res publica*. Parents are dear, children are dear, relatives, and good friends, but the fatherland embraces every affection of ours, for it, what noble man would hesitate to meet his death, if he might be useful?"

As Andrew Feldherr (2009) notes; "civic loyalty is a natural extension of all other affections. Thus, if you love your wife and children, you will necessarily love the Republic which encompasses and protects them. Hence it is not enough to serve the Republic simply as a means of preserving your family." This ideology reflects Livy's projection of the values of the early Principate onto the early Republic, and echoes the words of Coriolanus' mother. Thus, in Veturia's speech to Coriolanus she is similarly presented as behaving in the way that a

Roman ought to behave: as an exemplary Roman matron she laments the fact that no attack on Rome would take place if she had never had a son. Livy's presentation of a mother appealing to her son emphasises the duty owed to one's state. Syme in his book titled *The Roman Revolution* (1939, pp. 444-6) reaffirmed this principle of family love vis a vis the state when he suggests that the morality and marriage legislations passed in subsequent years had as their aim; 'to bring the family under the protection of the state, a measure quite superfluous so long as Rome remained her ancient self' and represented an unprecedented encroachment on the autonomy of the family.

Reflecting on the early Republic, we note that the political scene in Rome was different and its wars were fought (far from the Italian peninsula). Also, the early Republic acquired immense wealth and still its political system was open to all including non-Romans. In describing the early Romans, Sallust portrays them as blameless, incorruptible, and all working in service of the *res publica*: "To such men, no labour was unaccustomed, no place was at all dark or steep, no armed enemy was scary; virtue was the master of all. But the greatest contest for glory was among themselves." They had no regard for riches, "they were desirous of praise, generous with money; they wished for huge glory, honest riches."

It is noteworthy that to the Romans, there was an imperative continuity from the past to the present, guided by the ways of the forefathers, the *mos maiorum*. And so, the political system that Cicero had to learn to navigate naturally evolved through the wisdom of the ancestors (North, 2006, p. 252). This meant that the Roman Republic had no written constitution. The early Republic had just emerged from a rebellion against a monarchical system, and

particularly the Romans at the time had to prevent a relapse. Hence it won't be wrong to posit that it was for this reason that the Roman constitution established such a weak executive, which is not of much importance to this study.

According to Earl (1967, p. 33), there was an obsession with virtue (*virtus*) among Roman citizens at the time, which signified the embodiment of moral integrity as it pertains to the Roman perspective. Thus, the Roman aristocrat was expected to show courage and wisdom; the two qualities which are most important for a general and a magistrate. In this context, wisdom did not denote a rarefied philosophic detachment or an intellectual enquiry into first causes and the nature of things, rather it meant practical political judgement, which was of little use unless expressed in words at meetings of the Roman people and of the Senate, in such a way as to influence the course of events. In a more practicable manner, to demonstrate the virtuous nature of the early Romans, Livy records some ambiguity as to whether the embassy led by Coriolanus' mother was the result of "public policy or the fear of women" (*De Rep*, II. 40. 1). Regardless of its origin, this contingent clearly had the true interests of the Republic at heart, as the women argue for the good of the Republic (*res publica*) in such an emotional, personal way.

By all indications, the early Romans were also very much aware that liberty can be safeguarded only if the rule of law extends throughout society, binding everyone equally. It can admit of no legal privilege or of any possibility that anyone would become superior to the law. Those who govern must do so by *virtue* of lawfully constituted offices. The authority of rulers comes from the law and they are creatures of the law. It was this equality before the law that made all citizens *pares libertate*; that is, "equal in liberty," a form of equality essential in a

res publica. But the rule of law does not, in itself, guarantee liberty, because clearly bad laws can emerge that destroy rather than protect the rights and interests of citizens. Similarly, Cicero speaks of the many pernicious and destructive enactments of peoples to be found in human history.

As demonstrated in the preceding paragraphs, the obligations of a good Roman citizen as depicted by Livy do not necessarily match what might have actually been the case in Cicero's day. As I explained earlier in this chapter, Livy treats Coriolanus as a *fabula*, a legend set in the early Republic that describes a fundamental truth of Roman identity. These identities were their respect for the *mos maiorum* and civic discipline. To this end, Raaflaub (2006, p. 128) writes that: "Indeed, the past is important because it served as a moral guide to the Romans in subsequent centuries of the Republican era." Unfortunately, the story became the opposite during Cicero's day.

Also, though the early history of Rome, albeit legendary, is valuable to the Roman historian Livius because of the lessons of morality contained therein (Liv. *Praef.* 6–13. Cf: Cornell, 1995; Forsythe, 2005; Raaflaub, 2006). To Hammer (2013, p. 74) the Roman aristocracy and their system of values, the actions of their forefathers, described in Rome's history, were an important source in determining proper political behaviour. The elite measured themselves against the past. Therefore, morality and politics were also fused together in a fundamental way through the link of history.

Aided by a succession of able men, the might of Rome was painstakingly restored. Of all of them the name of Marcus Furius Camillus (a Roman soldier and statesman of patrician descent) is outstanding. For a quarter of a century, he was the man to whom Romans looked in times of trouble, and he did not fail

them. He and the men around him were succeeded by others famous in the traditions of Rome. For instance, T. Manlius Torquatus, was thrice consul (347 BC, 344 BC and 340 BC), and M. Valerius Corvus, Consul in 348 BC, and in 335 BC. Rome again became a strongly fortified town; military colonies were planted at strategic points, and the army was reformed by abandoning the phalanx or serried, as well as horde formation and introduction open order fighting by spear throwers. Also, Cowell (1962, p. 84) explains that one hero of the early Republic, M. Curius, was said that ‘after having subdued his enemies…of all the booty and pillage taken from them, he reserved nothing for himself except a little fewer of beechwood wherewith he might sacrifice to the gods.

Livy tells us that Lucius Quinctius Cincinnatus congratulated Gaius Servilius Structus Ahala for saving his country from tyranny and that in his official explanation of the incident the dictator declared that Maelius’ death was justified because “planning violence to avoid undergoing a trial, he had been repressed by violence” (Livy 4. 15. 3). Furthermore, Cincinnatus is said to have ordered that Maelius’ house be demolished and the “goods which had been tainted with the offer of them as the price to buy a tyranny be confiscated” (Livy 4. 15. 8).

It was not until 1970 that Lintott wrote a controversial article titled “The Tradition of Violence in the Annals of the Early Roman Republic.” In it, he made the case, through textual analysis of the extant sources on the Early Republic, that although the stories of violence in the Early Roman Republic, in particular those about Spurius Cassius, Spurius Maelius (and his executioner Servilius Ahala), and Marcus Manlius Capitolinus, have certainly been embellished by

later historians (these are Livy and Dionysius of Halicarnassus) with details pertaining to late Republican politics, the basic plot of those stories can be found in the histories of Rome written by the early *annalists* (i.e., class of writers on Roman history). As such, Lintott (1970) suggests that due to Cicero's frequent references to traditional figures (like Servilius Ahala) in his writings, as well as the occasional source citations found in Dionysius' histories and the writings of Pliny the Elder, it is necessary to re-evaluate the importance of these early Republican stories when it comes to explaining the violence of the Late Republic.

The overthrow of monarchy in Rome by members of the aristocracy in 510 BC did not bring about the immediate creation of a full-fledged Republic. Power was merely transferred from the kings to the aristocracy represented by the consuls. As such, since Lucius Junius Brutus was one of the leaders of the revolt against the Tarquins, he was elected as one of the first consuls. So too was Lucius Tarquinius Collatinus, who joined in the revolt against the royal family after his wife Lucretia had been raped by Sextus Tarquinius, the son of Rome's last king. Yet, shortly after Brutus and Collatinus ascended to the reign of the Republic, Brutus publicly pressured Collatinus to resign because of his name. His wife's rape and subsequent suicide to preserve her honour had served as a powerful way to rally the people against Rome's last king, yet Collatinus himself was nonetheless a member of the Tarquin family. Brutus, too, was related to the Tarquins, but unlike Collatinus, his name was not an overt reminder of the monarchy, and so Collatinus stepped down (Livy 2. 2. 10). To further prove his loyalty to the Republic, Brutus not only had the people swear that they would never allow a king to come to power in Rome, but even had two of his biological

sons executed for being culprits in a plot to restore the overthrown monarchy. With the passage of time, Brutus died in battle against Rome's last king. Thus, according to tradition, Rome's first consul set the standard for loyalty to the Republic with both his words and his actions.

Neal Wood (1988, pp. 182, 185-6) describes Cicero's attitude toward violence by hinting that Cicero believed that there should be no leniency towards enemies or law breakers, but that one should always be severe with them. He states that Cicero believed that the severity should always be "impartial, consistent, and firm." He further goes on to posit that Cicero advocated violence contrary to the law as a political instrument in special cases. When law and order break down, Cicero might perhaps approve of the use of violence when self-defence, survival and the safety of the state were involved. Thus Cicero believed that violence should only be used when there was the possibility of success. He thought that it should not become an end in itself and thus degenerate into tyranny, and be used only when there was no other alternative. For us, it won't be wrong to conclude that to Cicero, the killing perpetuated by Junius Brutus against Sextus Tarquinius was a legitimate action; since it helped to forestall peace and ensure that the Republican ideals were adhered to. I agree to Wood's view on Cicero's notion of violence even though it was contrary to the law. Hence, it stands to reason that one man's ego (especially in the early Republic) which is inimical to the survival of a whole society cannot be sacrificed above the ideals of a whole state.

Interestingly, Tiberius Gracchus was not the first "friend of the people" in Roman history to be killed in 133 BC because of the trumped-up charge of "aiming at the royal power." Both Spurius Cassius (485 BC) and Spurius Maelius

(439 BC) were accused of it too, and so was Manlius who prior to his execution had the honour of being called the "saviour of the Capitol." Though Manlius was asleep at the time, the cackling of the sacred geese allegedly woke him up, thus enabling him to wake up his comrades and dispatch the Capitol's attackers. For his bravery, Manlius was subsequently given the title Capitolinus and was held in high esteem by his fellow citizens, both patricians and plebeians. The following year, however, only the plebeians held him in high regard. Whether it was because of righteous indignation, or because, as Livy believed, "he perceived that his abilities did not bring him that leadership amongst the nobles as he thought he merited," Marcus Manlius decided to spurn his fellow patricians and be the first among them to "cast in his lot with the plebeian magistrates" (Livy 6. 11. 6-7). Yet, instead of championing the cause of agrarian reforms, Manlius chose to take a stand on debt slavery. At first, he confined himself to only delivering speeches against its practice, and even verbally attacked those patricians who profited from it (Livy 6. 11. 8-9).

The obvious effect was that the Senate was displeased at Manlius inspiration and insistence on the plebes to fight for the liberty. Consequently, Manlius encountered an ironic end. His penalty for aspiring to be a king was to be flung "from the Tarpeian Rock," so that the "same spot served to commemorate extraordinary fame and the extremity of punishment" for the "self-same man" (Livy 6. 20. 10-12). Unlike Livy, however, Florus does not mention the charge of aiming at kingship, and instead says that Manlius was "hurled from the citadel" for behaving in a manner "too arrogant and ill-fitting a private citizen on the strength of having set free a number of debtors" (Florus, *Epitome of Roman History* 1. 17. 25. 8). Even so, Florus still placed the execution of

Manlius in the same category as the executions of Cassius and Maelius, and expressed admiration for the ability of the Roman people during the early Republic to zealously uphold their liberty and guard against the corrupting influence of "dangerous citizens."

Another personality worth our attention is Veturia, Coriolanus' mother. She blends the private and the public, but in the appropriate way, and Livy speaks of her approvingly. She cares so deeply about the Republic that her private, personal interests are compromised. Indeed, she would have preferred not to have a son than to see the Republic endangered by him. In no situation is the conflict between the interests of the individual and those of the state more sensitive than in cases in which the state demands that the individual split from his or her family, yet this is exactly the distinction for which Veturia argues. Upon first approaching her son, Veturia asks whether she has come "to an enemy or to my son" (*De Rep*, II. 40. 5). To her, Coriolanus cannot be her real son if he would become an enemy of Rome. In the scenario in which she is forced to choose between her son and the Republic, she chooses the Republic. She asks how he was able "to lay waste to this land, which gave you birth and nourished you" (*De Rep*, II, 40. 7).

Here, she goes so far as to allow Rome to take her own role in the family structure, that of the life-giving mother. Again, Veturia asks her son if, when he looked upon the walls of Rome, he did not think to himself, "Within those walls are my home and my household gods, my mother, my wife, and my children." *(De Rep*, II. 40. 7). To some degree, I am convinced without an iota of doubt that Coriolanus is to think of the land within those walls as his mother, not just containing his mother. Also, in this episode, Livy idealizes the Roman Republic

(that is, the early Roman Republic) as a family knit together. Invariably, this could mean nothing in comparison with an individuals' commitment to the Republic.

It is noteworthy that when referring to their past, the Romans idealized their history. As such another personality worthy of mention is Lucius Qunctius Cincinnatus. Cincinnatus was regarded as one of the Republic's heroes, somebody who embodied virtue and simplicity in his lifestyle and approach to life. After resolving the threat from the Aequi, he stepped down from dictatorship after fifteen days. This almost immediate resignation was viewed as the ultimate example of civic duty, modesty, and good leadership, and above all, service to the *res publica*. A second dictatorship to deal with threats from the plebeian class further strengthened the view of Cincinnatus as the ideal Roman, who returned to his farm and his modest life (Marin, 2009, p. 6).

The great men of the early Republic hitherto were men such as Cincinnatus, a man who left his plough to serve the state in time of crisis, and returned to it when his work was done. But this does not mean to say that the early Roman Republic was without any political blemish. Of course, they encountered certain challenges in their political administration. However, we can note that whatever challenges they faced cannot in any way be compared to what characterised Cicero's day. Not only that, but also the impression is created that the political stakeholders at the time of Cicero were apparently unconcerned about the wellbeing of the Republic, as Cicero would have it. According to Cowell (1962, p. 18) with the Romans of the early Republic, the community spirit of readiness of the individual to sacrifice himself to it was a natural and spontaneous thing."

From more recent Roman history, Livy gives the example of young Scipio, later on the conqueror of Hannibal, who in 218 BC, at the tender age of 17 and in the first phase of puberty, came to the aid of his father and managed to rescue him from certain death (Livy, 21, 46, 7). After his victory over Perseus in 168 BC, Paullus Aemilius' immediate concern was the fate of his seventeen-*year-old* son, the Younger Scipio to be, who was nowhere to be found. Great was his relief, and that of the whole army, when he turned up, dripping with blood but otherwise all in one piece: like a bloodhound, as Plutarch tells us, he had allowed himself to be carried away by the intoxication of victory (Plut, *Aem*, 22, 1–4). The heroism of the Elder Cato's son, too, was remarkable, particularly in view of his poor health. After having lost his sword in the heat of the battle, he thought life not worth living, begged his friends for help, fell upon the enemy and at last found his weapon hidden among great heaps of armour and fallen bodies. (Plut, *Aem,* 21, 1–2).

A Roman myth celebrated Titus Manlius Torquatus (thrice consul 347 BC, 344 BC and 340 BC), the commander who executed his own son for a heroic but disobedient act while on campaign, and a disgraced body of soldiers might be decimated, one in ten being selected to be brutally killed by his fellow soldiers. It is revealing a characteristic that the epithets single out praise for Barbatus (one of the two elected Roman consuls in 298 BC). He led the Roman army to victory against the Etruscans near Volterra; bravery and wisdom and the fact that his outward appearance was equal to his *virtus* may mean 'virtue' in the modern sense, but it was often used more literally, to refer to the collection of qualities that defined a man (*vir*), virtue in Roman terms being the equivalent of 'manliness.' As he walked through the Forum or stood up to address the people,

his inner qualities were clearly revealed in how he looked."

Not only was the Elder Cato known as "the most excellent and learned man of his time," but his descendant, Marcus Porcius Cato Uticensis (Cato the Younger), was a participant in several of Cicero's trials on the opposing side. This meant that Cicero could reproach the Younger Cato with not living up to the reputation of his illustrious great-grandfather, and that this rhetorical device would be fully appreciated by everyone else present (*Pro Archia*, 15-6). Cowell (1962, p. 4) notes that "the great renown of these and other historical figures was kept alive in the minds by the loyalty of the Romans to their ancestors and by the devotion of Roman fathers who trained their sons to reverence the memory of the mighty deeds of the men whose achievements made up the heroic story of the rise and grandeur of Rome." It appears to me that this profound love for their past demonstrates how the Romans of Cicero's day loved and revered their ancestors who were deified for their virtuous and patriotic deeds, as well as their wisdom. Sallust echoes these sentiments by hinting that: "The glory of one's ancestor is, in effect, a light which shines on succeeding generations, allowing neither their good nor their bad deeds to remain hidden" (*Jugurthine War*, LXXXV, pp. 313-17). But, the repugnant question is; did the virtuous deeds of the early Romans (i.e., ancestors) reflect in the lives of the Romans that lived in the Rome of Cicero's day? This question will be answered in the subsequent chapters as we discuss the prevailing issues identified in this work.

Another personality worthy of note is Gaius Servilius Structus Ahala. He was a fifth century BC politician of Republican Rome, and was considered by many later writers to have been a hero. His fame rested on the contention that he saved Rome from Spurius Maelius in 439 BC by killing him with a dagger

concealed under an armpit (William, 1867, p. 83). As related by Livy and others, Ahala served as *magister equitum* in 439 BC, when Cincinnatus was appointed dictator on the supposition that Spurius Maelius was styling himself a king and plotting against the state. During the night on which the dictator was appointed, the capitol and all the strong posts were garrisoned by the partisans of the patricians. In the morning, when the people assembled in the forum, with Spurius Maelius among them, Ahala summoned the latter to appear before the dictator; and upon Maelius disobeying and taking refuge in the crowd, Ahala rushed into the throng and killed him. [Livy, iv. 13, 14, & Cicero, Trans. Archibald A. Maclardy (1902, p. 26)] This is mentioned by several later writers as an example of ancient Roman heroism, and is frequently referred to by Cicero in terms of the highest admiration (Cicero, *Catiline Orations* 1, *Pro Milone* 3, *Cato Maior de Senectute* 16); but was regarded as a case of murder at the time. Ahala was brought to trial, and only escaped condemnation by going into voluntary exile (Valerius Maximus, v. 3. & 2; Cicero, *De re publica* i. 3, *Pro Dom.* 32). Livy tells us that Cincinnatus congratulated Ahala for saving his country from tyranny and that in his official explanation of the incident the dictator declared that Maelius' death was justified because, "planning violence to avoid undergoing a trial, he had been repressed by violence" (Livy 4. 15. 3). As noted above, Cincinnatus is said to have ordered that Maelius' house be demolished and the "goods which had been tainted with the offer of them as the price to buy a tyranny be confiscated" (Livy 4. 15. 8).

With a well-structured and organised semi-professional army the Roman Republic first began the task of systematically conquering their Italian neighbours. However, the success of Rome in conquering her neighbours soon

led to changes in her methods of warfare. Having subdued her enemies at home, her armies could not resist the temptation to embark upon distant military campaigns (Erdkamp, 2007, p. 5). According to Oman (1968, p. 28) training and discipline received much attention in the moulding of the Roman army. The training of the legionary was designed to produce drilled obedience, a high sense of competence and initiative. They were taught a vital lesson in loyalty and complete allegiance to their commander and country. Seneca has this to say about the military oath of the army at the time: “The chief bond is respect for an oath and love for the standards, and dread of deserting” (Seneca, *Epp*. 95. 35). The oath or *sacramentum* was the legal basis of the soldier’s status. The order was that the Tribunes swore an oath to the general and themselves received an oath of loyalty and allegiance. A new oath-taking had to be carried out if during a campaign there was a change of leader. Army discipline was extremely severe in the Roman army (Grimal, 1963, pp. 163, 175).

With the end of the “Conflict of the Orders,” the Roman Republic settled into a more peaceful pattern until the last half of the second century BC. There were a few popular disturbances from the end of the struggle between Plebeians and Patricians and the turmoil associated with Tiberius Gracchus in 133 BC, but overall, there were 150 years of relative peace (Taylor, 1962, pp. 19-27). The Plebeians were absorbed into the higher nobility and became part of the new, expanded governing aristocracy, although the poorer Romans actually gained very little. The poorer groups even lost their natural leaders who had been co-opted into the existing nobility. Over time, in fact, the Plebeians actually attained a position of numerical predominance in this consolidated ruling elite (Abbott, 1963, p. 48; R. Develin, 1985, p. 314; & D. C. Earl 1963, p. 44). The failure to

integrate a larger segment of the Roman population into the political system set the stage for the conflicts in later years. Other mechanisms existed to ensure a more peaceful political system. The Plebeians had gained the right to elect members of their own group into high office, but they usually supported patrician candidates instead of candidates from their own group because they accorded greater legitimacy to the higher nobility (Yakobson, 1999, p. 195).

Consequently, the shared values and rules of the political game in early Republican Rome allowed intense competition between individual leaders without disturbing the basic stability of the Republican system itself. In fact, the competition amongst the *nobiles* and would-be candidates for political careers was essential in creating the stability and dynamism of this period, which extends towards the "Middle Ages." The third and second centuries, characterised a period the Romans became guided by an advisory group of senators, who were able to withstand the challenges of long wars with Carthage, as well as keep many Italians loyal to the cause of Rome, and to expand to a position of dominance in the eastern Mediterranean, easily defeating the military might of the various Hellenistic kingdoms. It is essential to note that at this stage in Roman political history individual competition and ambition supported rather than subverted a stable Republican form of government. At the same time, an influential and largely effective Senate did not hamper individual competition for rank and renown.

It is important to stress the fact that the violence of the late Republic should not be regarded as the result of a sudden reversal of Roman values but the re-emergence of long-standing attitudes and conflicts, which had been temporarily suppressed by political prudence and the profits from success

abroad" (Crook, Lintott, & Rawson, 2008, p. 41). There is no doubt that the long periods of the fifth and fourth (as well as the third) centuries were fractured by social and political struggles between a privileged, hereditary minority and the rest (Beard, 2015, p. 151). Nonetheless, Cicero, touching on moral principles which are evident in *De Legibus*, *De Officiis*, *De Oratore*, and other speeches referenced the glory of the Roman Republic and the need for the people to live up to the deeds of their ancestors, thus proving themselves worthy successors to the once glorious Republic that had been handed to them.

At this stage, it is all the more remarkable that Cicero was entirely in favour of retaining the cultural tradition of placing a high value on ancestral example. Ancestry was vitally important to Cicero because he saw the great men of Rome's past as the cultural, rather than biological, ancestors of Romans (including himself) who were true to Roman values (Van Der Blom, 2010, p. 13). By the end of Cicero's career, the Republic was (as it turned out) on its last legs. Over about the same period, the shape of Rome's territory and the numbers of Roman citizens and Roman subjects changed dramatically. While Cicero's was perhaps not the most important or influential voice at the time, it was certainly one of the loudest; Cicero directly addressed the problems of decline of virtuous living and determining who was and was not a Roman in character.

Unfortunately, during Cicero's day, the crowning blow to the old morality came. In Sallust's account on Sulla, Sallust discussed how the Roman army became demoralised by their exposure to the luxury of Asia which in effect accelerated the growth of extreme greed for wealth. All that virtue represented had now faded. Riches had become the honoured goal of the young, directing them towards greed and waste and depriving them of all principle and

moderation (Sall, *Jug*. 41-42; *Cat*. 10-13). Hence it is not surprising that Cicero persistently echoed the reasons for the mounting woes of the Republic he found himself in to moral reasons rather than political or economic terms. Cicero's writings are dotted with descriptions of moral degeneracy of his time and its harmful political consequences, but perhaps the clearest expression of his view occurs when in the preface to the fifth book of the *De Republica* he highlights the line on Ennius. He notes; "…that the ancient values preserved by the poets as props of the state have been consigned to oblivion, vice has replaced them and reduced the Republic to a word without substance" (*De Rep*, 5.1-2).

Not altogether surprisingly, in the first century BC, Senators were finding it more and more difficult to maintain their hold on the Assemblies by these means. Many of their humble dependants had been driven off the land to live in idleness in the city and to sell their vote to the highest bidder. It was often a useful practice (even though it was a bad practice) because unemployed farmers living in Rome still voted with their rural tribe. The Senators now had to compete for it with the businessmen (*equites*) who, since the second century BC, were taking an increasingly independent line in politics and who often had very much longer purses than the Senators. Senatorial control was weakened by this disturbance of the old balance of power but the businessmen gained nothing by upsetting it. In the confusion caused by their quarrels, both they and the Senators, deaf to Cicero's insistent plea for harmony between them, *concordia ordinum*, fell a prey to a third power based upon the political strength of a popular army commander.

As a matter of fact, Cowell (1962, p. 164) best explains that this obscure but serious struggle brought about a breakdown of Roman public life. The

question is; how did it come about that the old ways (especially the political sphere) ceased to maintain their hold? In other words: What remains of the old ways in which Ennius said the Roman state stood rooted? This very question was once asked by Ennius and it is being asked again by Cicero. To this end, responses to the aforenoted question will be unravelled in subsequent chapters of this research. As a matter of fact, there are indubitable sources on which to premise our belief that there was a strong tradition at Rome that *moral corruption* was at the root of the failure of the Republic, which had its origins in the second century BC, most especially during Rome of Cicero's day. At any rate, a salient point that must be acknowledged is that the early Republic was a much better period unlike Cicero's day. And that the violence that was witnessed in the early Republic was mainly between the higher nobility and lower nobility, and these conflicts which resulted in violence were geared toward attaining positions of political power, unlike the factional politics that was characteristic in Rome of Cicero's day.

Conclusion

In concluding, we have made an attempt to demonstrate how the early Romans lived their lives and how politics was revered to a large extent by most of its citizens and political stakeholders at large. The deeds and exploits of these men who even till date are held in high esteem as heroes of the ancient Republic of Rome have inevitably won our admiration. The Roman notion of this was perhaps best expressed by Ennius in his *Annals* (Fragment, 467): *Moribus antiquis res stat Romana virisque*, that is, "Upon the manners and men of former times stands the Roman state." I am of the view that despite the challenges the early years encountered, it was still a better-off period as compared to Cicero's

day.

As Powell rightly points out, it is unfortunate that many readers of Cicero’s works conclude that he was an exceptionally self-promoting and self-conscious individual, even for a Roman; and that his frequent references to the way he saved the Roman state from the Catilinarian conspiracy, have earned for him a reputation of “self-glorification,” while the contents of some of his letters have been taken by many to reveal his “evident vanity” (Balsdon, p. 1560). But as Kaster (2005) notes, Cicero’s self-praise was not only acceptable, but expected. He did cling tenaciously to the idea of a Republic built on the lines of “the good old days,” yet fitted to the changed conditions. He was the opponent of all who aimed at power by unconstitutional means; the part of any man whom he thought capable of restoring a form of government similar to the old Republic. In fact, Cicero’s mind was much absorbed with concern for a virtuous life not just in his own lifetime, but in the times to come. The fact is that politics in Rome of Cicero’s day was much different from that of the early Republic, whereby in his day, politics had become a matter of personal ambition than the general devotion to the welfare of the Republic.

CHAPTER THREE

THE NATURE OF POLITICS IN THE ROME OF CICERO'S DAY

Introduction

It is noteworthy that there are a vast number of inter-related questions and issues that embodied Roman politics during the time of Cicero. In the best expression of Anthony Everitt (2001, pp. 11-12) "at bottom, politics was a hullabaloo of equal and individual competitors who would only be guaranteed to cooperate for one course, the elimination of anybody who threatened to step out of line and grab too much power for himself." With this phenomenon and its attendant pressures, ranging from the senatorial nobility to the problems that had beleaguered the plebes, there were factors that naturally exerted various challenges for Rome at the time. Thus, this chapter focuses mainly on two of such pressing issues; the controversial power play between the *optimates* and the *populares* politicians, and the intrusion of the army into Roman politics in the age of Cicero.

The *Optimates* and the *Populares*

To begin with, when Cicero entered his year of office in 63 BC as consul, to quote the words of Elizabeth Rawson (2001, p. 63) it was "a moment of great uncertainty, with rumours and suspicions of rife." To Anthony Everitt (2003, p. 96), the *populares* immediately threw down a challenge to the new regime. In January 63 BC, a tribune tabled the first land-reform bill for years. It was generally thought that, once again, Crassus and Caesar were behind the move. Everitt further notes that the afore-noted challenge presented Cicero with a ticklish problem. Thus, Cicero was indebted to the *optimates*, who were as hostile to the redistribution of state land as their fathers and grandfathers had

been, and indeed shared their conservative instincts. But if he could, Cicero wanted to be consul for all, believing that Rome would not have a future without what he called the *concordia ordinum*, the “concord of the classes.”

The misuse of personal power which resides in dominant political stakeholders, which originates from military, political, or social popularity has plagued mankind and his institutions from society’s inception. One of the most noteworthy features of Cicero’s day in Roman politics was the incessant conflict between two ideologically opposed factions, namely the *optimates* and the *populares*. And whereas before the period in focus, the *populares* and the *optimates* had been anachronistically referred to as “political parties,” they were now referred to as “factions,” since in practice they lacked not only a clearly defined party platform, but also the kind of organizational structure associated with modern day political parties. Instead, these “factions” came to be seen as differing from one another only, in that one used “traditional” tactics to climb the political ladder, while the other used more openly “populist” methods. Also, Cicero applied the term *factio* to a group of people, called *optimates*, who controlled the commonwealth by reason of wealth, birth, or some kind of power (*De Re Publica*, in. 13, 23; cf. I. 45, 69).

It is noteworthy that politicians in Rome, prior to and during Cicero’s day were accustomed to compete vigorously against one another from prestige and public offices, even if the Romans often wanted to present themselves ideologically as desiring only to co-exist with one another harmoniously. Competition meant that there would always be open wrangling in the Senate over, for instance, what advice the Senate should offer, as against what advice the Senate should give the people when the need arose.

Outside the Roman Senate, the wrangling (in an extreme case) might be about whether the people were always morally bound to take the Senate's advice, since the Roman people and not the Senate created the law in the first place and elected the magistrates to public offices. In these circumstances, Roman politicians could propose many plausible yet conflicting interpretations of what the constitution or the public interest reflected in particular situations (such as in the Senate debate about the Catilinarians). Consequently, the situation made unsatisfied politicians (the *populares* politicians) now move outside the Senate for appeal to the masses. Besides, the political gravity for political activities prior to Cicero's day had been with the Senate, especially during the central period and from about 300 BC to 130 BC. But thereafter, Cowell (1962, p. 143) notes; Senatorial influence was challenged in the name of the people of Rome, first by political reformers such as the Gracchi and lastly, with fatal results, by popular army commanders.

Cicero makes the situation explicit in the *Pro Sestio* of 56 BC as he remarked that; "there have always been in this state, two kinds of people devoted to political activity and achievement; those who have wanted to be thought, and to be, *optimates*; and those who wanted to be thought, and to be, *populares*. The ones who want their actions and words to be pleasing to the multitude are considered *populares*; to ones who conduct themselves so as to gain the approval of the best people for their policies are considered *optimates*." Cicero's contention has been recognised to be polemical because the *populares* aim to please the multitude, while the *optimates* strife to gain the approval of the best people (*Pro Sestio*, 96). Nicola Mackie (p. 51) notes that: "Especially suspect are Cicero's remarks in speeches of the fifties on why politicians become *populares*,

because they distrust their ability to win support and respect from the Senate; because of personal grievances against the Senate; because they are carried away by a *populares* aura (*Prov. Cons*, 38). Although this view does not necessarily represent the attitude of the *populares* politicians, it must be noted that in the Rome of Cicero's age men were ready to back any political figure who was ready to provide them land and other economic benefits. So, there is the tendency for the *populares* to be assessed from negative lenses since the *populares* politicians mostly used unconventional methods to champion their policies.

It seems that the dealings of the *populares* were mostly motivated toward depriving the masses of what was best for them. Rather, it would be fair to note that even though some *populares* politicians seemed to bear a resemblance of selfish interest, the underlying truth was that it was mostly meant to champion the voice of the masses which was seriously opposed (and seen as an offence) in the Rome of Cicero's day. The end result in most cases had been to silence such politicians by assassination or murder. Unfortunately, many of the *populares* sought a personal predominance (Sallust, himself once a *populares*) in contrast to the *optimates* who strived to maintain the oligarchy they controlled (Cic, *Cat*, 38). Thus probably most would now regard the *populares* as men whose purpose and motive varied considerably; they were linked together generally by a common background and always by the use of tactics.

One of the most cogent arguments in the *populares*' case was that the Roman Senate, contrary to its claims, neglected the 'common interests,' and administered the *res publica* for its own benefit (Seager, 1972); though it appears that the *optimates* can, with some justification be regarded, if not as a political party. Although lacking a generally accepted programme, they had a common-

faced interest and self-preservation. The ruling oligarchy recognised its own unity by its pretentious claim to be the best; its opponents, no less, admitting its entity in despising it as the *pauci* or *factio pancorum*. Thus the *populares* politicians are people who, unable to win respect from the Senate, are driven out of the *safe harbour* of the Senate into the *rough sea* of popular politics (*Prov. Cons*, 38 & Lintott, 1971).

The majority of our sources stress the tribune's transformation into an immoral and revolutionary character (Vell. *Pat*, 2, 18; Plut. *Mar.* 34-5; Plut. *Sull*, 8; App. *B Civ.* 1.56). Cicero, however, has been noted to be remarkably lenient in Publius Sulpicius Rufus' portrayal (Cic. *Leg.* 3. 20; Cic. *Cat.* 3. 24). Sulpicius, therefore, was not necessarily an inherently destructive character. Rather, I see him to be an individual with clear aims and an understanding of effective political methods of his day. His actions completed the transformation of the *populares* label from an antagonistic but altruistic concept to an exploitative and aggressive political tactic.

Sulpicius, initially as an *optimates* was substantiated by the oligarchic support he received at the tribunician elections. This support influenced Sulpicius' upcoming actions and demonstrated that a forceful optimate approach could effectively counter a *populares* threat. Sulpicius opposed G. Julius Caesar Strabo's attempt to gain the consulship (Diod. *Sic*. 37. 2. 12; Cic. *Brut.* 226; Cic. *Har. resp.* 43). His actions completed the transformation of the *populares* label from an antagonistic but altruistic concept to an exploitative and aggressive political tactic. Alternatively, this happening made Caesar Strabo a direct competitor to L. Cornelius Sulla (Keaveney, 2005, p. 47). Here, Adams (1978, p. 145) notes that Caesar Strabo used violence to push his magisterial claim, which

Sulpicius successfully opposed with force. Steel (2007, p. 107) states that Sulpicius' opposition was a reinforcement of Senatorial tradition and the *cursus honorum*, in line with *optimates* convention. Sulpicius had shown that Caesar Strabo's exploitation of violence, although a powerful tool, could not guarantee a *populares* electoral success.

An intriguing figure of the *populares* faction is Publius Sulpicius Rufus. Sulpicius' political orientation did not give any signs of employing *populares* tactics. His tribunate in 88 BC bridged the gap between the Social and Civil Wars (Lintott, 1971, p. 442). The majority of sources hint on Sulpicius' transformation into an immoral and revolutionary personality (Vell. *Pat*. 218; Plut, *Marius*, 34-5; App. *B. Civ*. 1. 56). In recounting the events of 88 BC, Sulpicius placed himself in a strong *optimates* position through his initial tribunician actions. Sulpicius had worked in favour of the oligarchy, wielding both violent and constitutional tools to achieve desired political outcomes. Unfortunately, his misjudgement of consular interests, however, led to the instigation of a reactionary *populares* scheme. Thus during Sulpicius' tribuneship, he moved away from the *optimates* in his opposition to the illegal candidature of the aedilician, C. Julius Caesar Strabo, for the consulship, Sulpicius was carried by a *populares* breeze further than he wished (Cic. *Har. Resp*. 43).

Although Cicero portrayed Sulpicius as getting carried away with *popularis* tactics, it could be the case that at that time transformation in the political environment may have prompted this change (Cic. *Har. resp.* 43). Sulpicius sought support for his own legislative activities, but both L. Cornelius Sulla and Q. Pompeius Rufus (consuls, 88 BC) showed an interest in his schemes. Sulpicius, hurt by this perceived disloyalty, sought alternative

legislative support. He turned to Marius, securing his *populares* links for the remainder of his magistracy (App. *B Civ.* 1, 55; Livy. *Per.* 77; Vell. *Pat*. 2, 18). These happenings demonstrate *populares* techniques as a reactionary strategy, inspired by Senatorial rebuffs. Sulpicius' switch to *populares* strategies, after his transparently *optimates* actions, showed that the *populares* label had become devoid of ideological ties. To support this stance, Tatum (1999, pp. 146-9) suggests that this implied that the *populares* pursued their ambitions following support generated by aggravated situations.

In the wake of these happenings, the transfer of command on legislation of who was to take charge of Mithridates' threat, cast a slur on Sulla's consular authority in an unprecedented manner. Also, it established a broadening of *populares* legislation to encompass military affairs. With Sulla absent, Sulpicius incited the measure by galvanising for support from the new citizens and *equites*. This unfortunate event, although not anticipated to be the major action in Sulpicius' year as tribune, was crucial due to its impact on longstanding precedents for assigning commands (Steel, 2013, p. 93). It is also believed that at this point, Sulla now faced a second defeat at the hands of Sulpicius and Marius, which would all but signal the end of his political career (Keaveney, 2005, p. 50). To Badian (1958, p. 230) the *populares* tactics had escalated the confrontation between Sulla and Marius, who both enjoyed widespread support. This legislation facilitated the beginning of the first Civil War. Antagonistic *populares* tactics had therefore developed from a contentious method of altruistic reform to a self-interested political tactic and a provocation of war.

At this point, I agree to Nash's (2015, p. 89) position that Sulpicius' tribunate provided the conclusion to *populares* tactics in the age of reform.

Having begun his tribunate associated with *optimates* ideals, Sulpicius shifted politically, demonstrating that the *populares* tactics had become a political tool to be exploited. His debt law reveals a willingness to act in a manner that reflected the wishes of the people, while his legislation concerning the exiles was *populares* because it was designed solely to oppose Sulla (an *optimates*). The major law that Sulpicius had anticipated was the enfranchisement law. This expanded upon the initiative of seeking support from a broad spectrum of the populace and employed a new demographic means to instigate legislative change. The transfer of the Mithridatic command showed that tribunician legislation could be used to adjust longstanding precedents concerning military affairs and indicated that violence was an acceptable feature of legislative procedures. Sulla, however, in his opposition to Sulpicius, displayed that opponents of *populares* could also use diverse methods in politics. It is, however, interesting to note that while the reforms of Sulla's dictatorship marked the end of tribunician power in the age of reform, Sulpicius' unrelenting position and shift from the *optimates* to the *populares* demonstrated the extent to which a political agenda could develop.

One of the most stimulating incidents in the Rome of Cicero' day was the increased violence in Rome that arose as a result of Sergius Catiline's thirst for power. In 63 BC, Catiline was seeking the consulship. The *optimates* faction, led at this time by Cicero, one of the great leaders opposed him. Although Cicero supported the idea of limited rights for the population at large, he was also interested in protecting the privileges of the nobles as the men better able to govern Rome. The year 63 BC saw Cicero's political career take a new height in Roman society. But, here again, we see how ideological differences serve as

grounds for corrupt and violent activities. In effect, Yacobson (1999, p. 165) suggests that Catiline's efforts to achieve elected office and to institute legislative changes favourable to commoners were defeated when he could not mobilize sufficient support among the other nobles. When he could not successfully win over enough members of the upper classes through the normal political processes, he resorted to violence and intimidation to attempt to win the election. Cicero had even begun to use a bodyguard for protection when he appeared before the Assemblies because violence had become so prevalent and because he was an obvious target for supporters of Catiline (Odahl, 2009, p. 79). In fact, Catiline's radicalism was disastrous to the peace and sanity that had prevailed in Rome prior to 63 BC. Ideologically, Catiline campaigned in 64 BC on the usual grounds of granting land, and extending citizenship to Roman allies (among others promises), while Cicero campaigned on grounds of social harmony.

With the election loss and little likelihood of any electoral victory in the future, Catiline formulated a conspiracy to seize power in Rome. Part of his plan included the assassination of Cicero who was seen as the one leader who could effectively rally groups to oppose the coup. The plans reached the point of active implementation, but informers inside Catiline's camp eliminated the possibility of a quick, successful strike, and the knowledge of the attempt forced Catiline to flee the city and to attempt to mobilize support in the countryside. His support melted away once the possibility of a quick victory disappeared, and Catiline and his remaining supporters were finally killed in a battle with regular troops north of Rome (Odahl, 2009, p. 79).

For Cicero, the Republic was too important to give up on it easily, and he was certain that Catiline's threat must not be treated lightly. According to

Scullard (1982, pp. 93-4) Cicero then had to try to deal with the conspirators who still remained in Rome. As he could not obtain any written evidence against them, he was in a very delicate position, since as consul he was responsible for the maintenance of law and order. Whoever Cicero was; no matter what class or party he belonged to, he was the defender of the Republic. By all authorities, defending the Republic at this time was a thing of virtue. To Campbell (2007, p. 129), Cicero, who had been hitherto distinguished only for eloquence, was now in everybody's mouth as a man of action and was considered unquestionably the saviour of his country on the eve of its destruction, for which reason the thanks of the Assembly were bestowed upon him, amid general acclamations. To me, I see this planned violence or attack as a clear indication of the inability of the Roman political system of Cicero's day to effectively deal with the levels of conflict that were present among groups.

In the end, Cicero was hailed as the saviour of Rome but his methods to execution of Catiline and his co-conspirators were fiercely attacked. Political attacks on Cicero's life began to greatly diminish Cicero's standing as consul in 63 BC. The aftermath of Catiline's death was not envisaged even by Cicero, otherwise he might have taken a different approach to the issue. Catiline's death left behind rebellion, which in itself became a constitutional difficulty. Catiline's death gave rise to conspiracies, political killings and exiles. Cicero dearly paid for his action, when he became a victim of Clodius' legislation which was particularly meant to get rid of him from the Republic at the time (58-57 BC). These happenings, I believe were an indication of some *optimates* politicians who just didn't like Cicero's action, even though he was on their side.

Other political murders and unfortunate incidents followed as political

clashes continued to exist between the optimates and the *populares*, the two political divides in Rome. P. Clodius Pulcher was one of the most important *populares* politicians during Cicero's day. First, Clodius gained great popularity among the urban plebs due to his tribunician legislation in 58 BC. Second, he successfully mobilized significant support in the city of Rome using, crucially, the internal electoral composition (*collegia*) and the neighbourhoods of Rome (*vici*). Catiline, Clodius was able, by virtue of his office, to propose a series of *populares* measures, one of which was directly aimed at raising the living standards of the *plebs urbana*. Similarly in contrast to Catiline, he successfully promoted himself to city populace as a defender of popular liberty (*libertas*). Notably, Harrison (2008, p. 111) asserts that an important way in which *libertas* was achieved is by criticizing Cicero for his role in executing the Catilinarian conspirators, culminating in the building of a shrine to *libertas* on the site of Cicero's house. Also, the relevance of Catiline's conspiracy ultimately reveals the extent to which a frustrated citizenry will abandon legal and political procedures and go for the protection of their survival and liberty.

Clodius was one of the *populares* leaders who attempted to mobilize some of the less noble groups (gangs) in Rome. He was opposed by Milo, a military leader on the side of the nobility. The political conflict escalated, and violence between their followers became commonplace in the city of Rome. Eventually, both leaders with armed retinues chanced to meet outside the city, and in a fight that broke out between the two groups, Clodius was fatally wounded. He sought refuge in a nearby building, and Milo ordered his followers to storm the building, resulting in Clodius' death (Lintott, 1974, p. 69). In the aftermath of the death of Clodius, according to Millar (1988, p. 183), rioting

broke out in the city of Rome, and a number of public buildings were burned. The continued fighting finally forced the Senate to authorize Pompey to bring some of his legions into the city to restore order.

Rome's greatest *populares* was Gaius Julius Caesar (100-43 BC), known to his contemporaries as Gaius Caesar and to history as Julius Caesar. As a *populares* politician, Julius Caesar introduced "laws to better the condition of the poor," as Appian wrote (Appian, *The Civil Wars*, and II. 11). During his last consulships, 46–44 BC, he founded new settlements for veterans of his army and for 80, 000 of Rome's plebs, distributing some of the best lands around Capua and elsewhere to 20, 000 poor families that had three or more children. Plutarch writes that Caesar's reform law "provided that almost the whole of Campania be divided among the poor and needy" (Plut, *Cato the Younger* XXXIII. 1). Among the many reforms and laws Caesar instituted, what follows are just a few to mention: He sent unemployed proletarians to repair ancient cities in the colonies or slated them for jobs on public works closer to home. He mandated that large landholders were to have no less than one-third of their laborers as freemen instead of slaves, a rule that would diminish unemployment, brigandage, and the landowners' inordinately high profits.

Also, under traditional Roman law, wealthy individuals who murdered a fellow citizen could be sentenced only to exile. Caesar added the punishment of seizure of property, for the opulent class a fate almost more frightening than death itself (Suet, *Julius Caesar*, 42). Following G. Gracchus and other *populares*, Caesar increased duties on luxury imports to encourage Italian domestic production and to make the rich pay something into the public treasury for their lavish lifestyle. He introduced sumptuary laws that placed strict

limitations on ostentatious attire, funeral costs, and banquets. He attempted to impose honest administration in the provinces, where subject peoples had long endured the pitiless exactions of rapacious governors (Anonymous).

The *optimates* politicians (especially, within the Senate) had opposed Caesar well before he assumed dictatorial power, even before he first ran for consul in 60 BC. They sought to thwart him during his pro-consulship by attempting to confer on him a province from which he would have gleaned no advantage whatever (Walter, *Caesar*, p. 121). They resisted his efforts to forge a way to high office because they detested everything he stood for. Caesar was not just another *populares* who rallied the commonality—which would have been bad enough—but a brilliant charismatic one like Gaius Gracchus, who pursued a broad program of redistributive reform. Worse still, like Marius, he had an army at his back, and far beyond Marius, he had devilishly keen political instincts and a deep grasp of social policy. Furthermore, he was personally incorruptible. True, like other public figures he indulged shamelessly in the corrupt practice of buying influence and votes, but he himself could not be bought off or otherwise lured into an alliance with the *optimates*, as could reformers manqué such as Pompey (Anonymous).

Several days later, Caesar assembled his troops and recounted all the wrongs he believed had been perpetrated against him by the Senate oligarchs. The Senate had seduced Pompey, played on his pride, and turned him against Caesar. They had used armed force to abrogate the power of the people's tribunes. Again, the Senate passed a harsh ultimum that normally was reserved for suppressing mutiny or violence—of which there had been neither, ordering Caesar to disband his army while Pompey continued to levy troops. At this stage,

the Senate could only perform its mandate, however, it lacked the force to enforce its edicts because within its membership were generals who pulled the strings and determined the course of events. Notwithstanding Caesar's overtures, Pompey would make no promise to treat with him. Caesar reiterated his offer: "We shall both disband our armies; there shall be complete demobilization in Italy; the regime of terror shall cease; there shall be free elections and the Senate and the Roman people shall be in full control of the government… By submitting our differences to mutual discussion, we shall settle them all" (Caesar, *The Civil War* I. 7–1. 13).

The end result of Caesar's manoeuvrings was best exemplified in a political assassination. Given the recent history of political confrontation, Julius Caesar's assassination can hardly be considered an aberration. In point of fact, Caesar's murder could be referred to as a necessary evil that needed to occur. What is perhaps surprising about this assassination is Caesar's failure to anticipate the possibility of such an attack and to be better prepared. His death and the ensuing civil wars eventually resulted in Octavian becoming Emperor, and the Republic at this point had long gone in extinction, and at least in part brought down by the violence in the streets and political murder among the elite.

When we critically assess Caesar's period of reign, it could be deduced that the Roman people had to trust only the tribunes who were mostly *populares* politicians to protect their interests, while the *optimates* politicians remained steadfast in their determination to manage Roman affairs and refrain as a matter of pride from turning to the people to help arbitrate their disputes or further their personal ambitions. The assassination of Caesar was a coward step taken by some twenty three Senators who felt the dictatorial approach used by Caesar was

an affront to the peace of the Republic. Even though they felt their action would bring good results, it rather worsened the political turmoil.

In assessing the post-Sullan period, Sherwin-White (1956, p. 8) notes that the weakness of the Senate lay not in the fact that it took extraordinary measures to deal with extraordinary situations that was its job, but that it failed to enforce the public laws in its own court impartially upon big men and little men alike. This failure was apparent before 70 BC, as Catulus publicly admitted and Cicero fully documented in the *Verrines* and *the Pro Cluentio*. The greatest names remained immune from the controls whereby before the Social War the proconsuls had been kept in some subservience to the State. The Senate's failure as a corporate body lies not in its weak reaction to external pressures, but in its acquiescence in the corruptions of the *optimates* cliques within. It was because they would not discipline themselves that they were in no position to discipline Pompey. For instance, Pompey emerged, not as the blunt man of action drawing a gun on the Senate, but as we meet him in Cicero's letters, the cunning prevaricator. Yet, as Julius Caesar and Pompey just knew how to win the hearts of their political opponents, he made haste slowly, and was always ready to cash in on a promising situation. But unlike Caesar, Pompey never went too far. But, the base line is that both men got what they wanted, whenever they wanted it, even when it was diametrically opposed to the constitutional structures in place.

However, it appears convincing to support Mackie's (1992, p. 50) position that genuine *populares* consulted the people's interests and did not treat the populace merely as a more effective means than Senatorial support in securing their objectives. But the challenge is, how many *populares* politicians we can really name, who genuinely had the interest of the public at heart. In fact,

it even becomes more challenging when we assess the methods they employed in championing their concerns which were mostly valid. The *populares* politicians offered the Roman people not only distributions of land and food, plus debt relief, but also "the power to protect its own interests, along with an ideology supporting the transfer of power from Senate to populace." Mackie agrees with Seager that the *populares* promoted popular rights and power, and proposed bills aimed at extending these (Seager, 1972b). But she takes the idea a step further, claiming that this only makes sense in a political environment where there is an active ideological debate (which was actually lacking in the Rome of Cicero's day). On the other hand, the Senate justified its claim to legitimacy by appealing to *Res publica*, *mos maiorum* and *leges*; while the *populares* appealed to the same values to justify the extension of popular rights and powers.

One of the key points to remember is how at times some *optimates* politicians were able to manipulate some *populares* politicians to push through their bidding. This makes it very difficult to really tell what kind of political system was in place at the time. For instance, in 56 BC, Clodius with the help of C. Cato (an *optimates* politician) and apparently the backing of some *optimates* used violence against Pompeius, especially at the trial of Milo before the people. They were resisted by the forces of Milo and Sestius (Cic. *Har. Resp.* 46; *Q. F.* ii. 3. 2). Later in the year 56 BC disturbances occurred over the obstruction of the elections. C. Cato was prevented from entering the Senate house to veto a decree forbidding religious obstruction. The mob threatened to burn the Senate and Senate house (Dio, 39. 28-9). On this count, it was not only the *populares* politicians who used violence at times but the *optimates* were also ready to apply violence as a way of forestalling their believed values as well as their whims and

caprices. This phenomenon was clearly portrayed in 59 BC, when violence was employed by Caesar and Vatinius in support of their bills, especially against Bibulus, L. Lucullus, and M. Cato (Cic. *Vat*. 5, 21-3; Red. *Quir*. 14; Suet. *Jul*. 20; Dio 38. 5-6; Plut. *Cato m*i. 32-3; Luc. 42; *Pomp*. 48; *Caes*. 14). Vettius confessed to having plotted in the company of a number of *optimates* to kill Pompeius. He was not believed and he died from unknown causes in prison (Cic. *Att*. ii. 24; Dio 37. 9. 2).

The Roman *Contio*

The term *contio* was derived from convention which originally signified "a coming together," or "a meeting" of any kind. In the political language of Cicero's age, *contio* came to be restricted to the non-voting Assembly. In Rome of Cicero's age, it was so important to be associated with the *contio*. In fact, Cicero ceased the opportunity to make good use of this platform which provided opportunities for persons such as magistrates and politicians. In one respect, the inspiration for most of the ideological differences between the *optimate*s and the *populares* politicians is well demonstrated not only in the Senate house but at the *contio*. This institution was an unofficial Assembly that held sessions to discuss issues, mostly state issues that bothered the Republic. Thus, *contiones* could be purely informative, communicating important news to the Roman citizenry. The *contio*'s activities illumined the attention of fellow-citizens, outsiders and visitors alike. The competitive routines of civic visibility were intense, as men strove to occupy positions of prominence before the attentions and judgements of crowds in houses and streets, at the games, or in the Forum. As a primary location "for advertising political success" a *contio* was a crucial element.

Fotino (1985, p. 180) hints that the *contio* even though was an unofficial

institution, it was summoned by extraordinary magistrates and magistrates with or without *imperium*. Because of its passive character, all people, those who wished to attend, were admitted whether or not they were citizens and in full possession of their political rights. The *contio* provided the only official setting for political leaders and factions, that is the *optimates* and *populares* to meet the people, and the picture presented by the ancient sources is one of lively civic events, which played a significant role in the political life of the Republic. According to Mouritsen (2001, pp. 38-9), the *contio* is identified as a focal point in the on-going negotiation of power between elite and populace, and the image of politicians addressing an assembled crowd of citizens, pleading their case and bringing all their rhetorical skills to bear in an attempt to win popular support.

According to Pina Polo (1995, 1996), a study of *contiones* reveals their importance and the role of popular approval of issues raised. Thus magistrates had to persuade the people that their policy or candidacy was worthy of support. It was in this environment that the citizens had the best opportunity to communicate with magistrates. *Contiones* also provided a unique opportunity for those in Rome on the day of these informal public meetings to witness the debate, and show their support, or lack thereof, by cheering or booing (Anonymous). They were “a tool with which to create public opinion and popular pressure” (Pina Polo, 1995, p. 216). These meetings offered a chance for citizens to express a kind of freedom of speech, just as Rome was a kind of democracy.

The *contio* was normally attended by slaves, freedmen, and the praetor (*peregrini*) responsible for the affairs of foreigners or strangers were the kind of people that appeared in the Roman *contiones*. Lintott (1968, pp. 74-88) notes that they were members of the *collegia* which were based on a unity of occupation or

place of residence. And although mainly of social and religious significance, they could be important politically, especially since some may have been units within a certain tribe. This is the reason why politicians recruited their supporters, their "bully-boys," through *collegia* which provided a permanent basis of support, ready-made groups of proletarian adherents to further the political aspirations of the *populares*. At the *contiones* there was indisputable participation on the part of the audience, but things went too far when demagogues like Clodius, a *populares* politician, had hirelings to shout at the meetings (Cic. *Pro Sest*, 106), and who introduced the Greek custom, which was at variance with the Roman, of asking the gathering questions and, when there was a response from the mob, of announcing that the shouts were an expression of the will of the people (Cic. *Pro Sest*, 126).

Another strategy employed by *contional* audiences to communicate with speakers was the shouting of slogans. In this regard, there is evidence that Clodius used a clap to abuse Hortensius and Curio with slogans at a *contio* on a discussion relating to of Cicero's exile (Dio 38.16.5). According to Taylor (1966, p. 28) this sort of attitude reveals a deterioration of discipline typical of the late Republic, but vocalisation of opinions was usually a common method in an oral society with few other communication options. The positive publicity generated by a successful *contional* speech went a long way: soundbites, slogans and published speeches circulated far and wide, reaching the municipals (Millar, 1998, pp. 29, 126, 145, 195). Morstein-Marx (2004: 185f) referred to this as the "bandwagon effect." Thus, a successful *contio* deterred opponents from voting, so that only a favourable population assembled. There does not, however, seem to be anything preventing the organisation of a rival *contio*, especially when we

take into account the small number of voters needed to be mobilised by opponents (Riggsby, 2005).

While Rome was thus torn to pieces by contending factions (i.e., *populares* and *optimates* politicians), the *contiones* offered the politician or the orator the opportunity to assess the mood of the multitude. In 63 BC, Caesar induced the tribune Labienus to prosecute Rabirius for his involvement in the murder of Saturninus following the *Senatus Consulta Optimum* in 100 BC. Apparently, the case was tried before the Centuriate assembly but the vote was never taken. A criminal conviction might have resulted had the praetor Q. Metellus Celer not raised a red flag on the Janiculum and so dispersed the preliminary *contio*. For Cicero's inflammatory remarks (he referred to Saturninus as *hostis populi Romani* meaning 'the enemy or stranger of the Roman people) resulted in public protest in the form of shouting at the *contio* (Rab. *Perd*. 18).

The informal meetings of the *contiones* offered Senators the best opportunity to assess the people's opinion on issues about to be put to the vote, and to assess their chances of a successful candidature at election time. The essential instrument in the hands of members of the elite sought to create and objectify a "verdict of the Roman People" in the view of Morstein-Marx (2004, p. 158). Thus the *contio* was "an instrument with which to create a symbolic manifestation of the *popular will* and to exert the pressure of an ostensible communal consensus" (Lintott, 1999b, p. 196).

In point of fact, Cicero argued that the opinion and feeling of the Roman people could be most clearly expressed on three occasions, at a *contio*, at an Assembly, or at a gathering for plays and gladiatorial shows. He emphasized that (Cic. *Pro Sest*. 117, 77), during his day, a riot often arose from a veto by an

obstinate or uncompromising tribune, or from a culpable and unscrupulous proposal meant to win over the ignorant by a promise of advantage (*Ascon*, 45: C), or again from a rivalry between magistrates. To Mouritsen (2004, p. 41) one feature which seems to emerge from the sources is the seemingly erratic behaviour of the *contional* crowds, whose sympathies appear to vacillate from staunchly *optimates* to scarcely *populares*. To this end, Cicero gives a full description of the usual beginning of a riot. He notes: "It, the riot, begins imperceptibly; first comes an uproar and then a sort of taking sides within a *contio*. But it is only late in the day and seldom that men actually come to blows" (*Dom.* 54).

From the extract above, it appears that conflict between armed men became a common phenomenon as the *contiones* carried out their proceedings. Shouts, hostile cries, personal abuses, and insulting remarks were often addressed by the people to the speakers during the public meetings (Cic. *Q. Fr.,* 2, 3; *Fam*, I, 5 b 1). This was the behaviour of Clodius toward Pompey when he tried to defend Milo. Sometimes a tribune could stir up the people's feelings by insulting his political opponents from the Rostra (Cic. *Att*, I, 14). For instance, in 61 BC Clodius delivered some wretched speeches to the people at the *contio* in which he bestowed some vituperous epithets on Lucullus, Hortensius, Piso, and the consul Mesalla (Cic. *Att.*, I, 16). Also, Cicero was insulted by Clodius in a speech that the latter gave at a *contio* (Cic. *Att.*, 14, 20).

The Army in Roman Politics in the days of Cicero

During most of the early Republic, Rome's soldiers were badly needed in the many wars that Rome had to fight with the other Italian tribes, especially since there was a very real fear that if Rome did not succeed in conquering its

enemies it would in turn be conquered. In this regard, boycotting conscriptions ended up being a pretty good way for the plebs to obtain concessions from the elites (Dupont, 1993, p. 123). What's more, Rome's soldiers were not professionals but rather full-time farmers who fought as part-time soldiers. And the fighting was done typically during the summer months when they did not have to worry about planting or harvesting, since these men did not want to leave their lands unattended for too long. As these soldier-farmers were forced to fight the year round, and in distant lands for extended periods of time, rich landowners took the opportunity to confiscate the lands of poorer soldiers with outstanding debts. Nonetheless, these poor veterans were initially still able to work on those same lands, albeit "for a toll of the yearly crops" as rent, when they came back to Italy (Appian, *The Civil Wars* 1. 7).

Because most of the soldiers were peasant farmers, it seems imperative to compensate the soldiers for their losses which the soldier will now incur. This led to the introduction of pay for the Roman soldier. The first time in the evolution of the army that they received pay was during the siege of the Etruscan city of Veii in 405 BC before the time of Cicero (Mellersh, 1984, p. 29). In point of fact, these volunteer soldiers were no longer civilian soldiers going home after a short campaign, but now had become full tine semi-professionals. It is quite probable that the payment of soldiers was at first regarded as a very exceptional development. In fact, the tribunes of the plebs finding this innovation unpalatable to their taste initially attempted to oppose the move (Mellersh, 1984, p. 30). However, as the sphere of Rome's military campaign, especially during the days of Cicero's Rome, it was not long before the issue of payment became an accepted custom. Thus, even the looted items were now seen as payment for their

services.

In the Rome of Cicero's day, commanding an army brought about the biggest rewards. For, if successful, a general could sweep up a huge amount of plunder and booty. This was shared among his troops, but the general doubtless took the lion's share for himself. Alternatively, if he was appointed to the governorship, a Senator could recoup the expenses of his election campaign the year later in his provincial role. This was not because men were expected to extort money from their provinces, but because the lump sum granted to them for their expenses was far more than they needed. Cicero personally managed to earn over two million sesterces in this way, and it was all 'within the limits of the law' (Cic, *To Friends* 128; 5. 20. 9).

The army's intrusion into Roman politics was not just a happening without certain pressing factors, even prior to Rome of Cicero's day. It is important to note that the cause of the problem (army's intrusion into politics) was purely an economic issue. The distribution of land was largely in the grips of the aristocracy, especially during Cicero's day when power increased through expansionist campaigns. This inevitably led to social transformation which affected how land was managed. Unfortunately for the poor Roman citizens and the plebs, the wealthy Romans by their accumulation of wealth from the wars could afford to use slave labour to manage their farms. The peasant farmer on the other hand was greatly disadvantaged in that he could not afford to cultivate large plots of land due to his poverty. And as, Pierre (1963, p. 163) rightly notes: "The result was the lack of balance which increased the economic power of the patriciate at the expense of the small holders."

The problem that accompanied the recruitment of Roman soldiers was

one worth the attention of many Roman politicians. Cognizant of the fact that the very survival of Rome as an imperial power depended on the peasant farmers who constituted the core of the Roman army, some patriotic Romans pressed for agrarian reforms as a way of alleviating the economic inequality, so as to tackle the raising of additional troops. In doing so, G. Marius ignored the convention or the rule that the army should be recruited only from men enrolled in the five property classes, and rather called for volunteer fighters.

Hence, Marius's drastic change which he injected into the Roman army, especially the recruitment process, and made his military reforms appear quite logical and convincing. It is important to note that Marius' actions were premised on two motivations: First, he noticed that the scarcity of the peasant farmers who constituted the bulk of the recruitment were maintained. Second, he observed that long campaigns had served as a limitation to the endurance of the peasant-soldiers. Hence, Marius on his part was determined to raise an army of willing soldiers bound by allegiance to their chief. As a hero of the city mob, Marius knew too well where to find them. The people who responded to Marius' appeal for voluntary enlistment fell under the *capite censi* and *proletarii*. They constituted the pauper population of Rome, since they lacked the required qualification (Scullard, 1982, pp. 49-50). It must, however, be noted that the enlistment of the *proletarii* was not an entirely new development. The state had occasionally resorted to the practice as the middle class that normally constituted the army became more and more scarce (Homo, 1962, p. 163).

To meet the need for men, the Roman Republic modified the qualification for enlistment. This meant that poorer men or those who could afford what it took to be recruited could be called up. Marius, however, went much further and

enrolled the *proletarii* as volunteers on a large scale, thus establishing as a normal practice what had hitherto been very exceptional. Although Marius' reforms of the Roman army were essentially military in principle, they had very significant political and constitutional consequences (Pierre, 1963, p. 167). In the first place, the character of the army was transformed when Marius made it a volunteer force instead of one resting on the conscription. Those who flocked to join the new consul or army general had nothing to lose. The reason is simply because the provision of their weapons and other incentives was now the responsibility of the general. These volunteers naturally came forward to serve because of the confidence they reposed in the ability of a particular commander not only to win wars but also to deliver his promise to them with rewards, mostly war booty, in exchange for their service not necessarily to the Republic but to their generals. Hence the soldier's loyalty to the state was replaced by that of their generals.

In theory, I think Marius' reforms should have been able to resolve Rome's problem of an increasing population of *capite censi*, the lowest rank of Roman citizen caused as a result of the decreasing population of *eligible*, that is, property-holding soldiers. Marius, about to set off to make war on Jugurtha in Africa and having difficulty in getting the necessary numbers, simply abolished the property qualification and admitted *capite censi* (Sall. *Jug*. 86). And, here again I agree with Gabba (1976, p. 14), as he notes that; "when Marius abandoned the property qualification it is difficult to believe he acted in any doctrinaire fashion. He sought to establish no precedent and did not aim for far-reaching changes in the methods of recruiting. Rather, faced with an immediate problem he devised an immediate solution."

Marius' restructuring of the army into cohorts, although practiced previously now became regularised to form the basic unit of the legion. He was more concerned about developing a regimental loyalty among the legions. The new style legionary were highly trained duellists, whose technique in cut-and-thrust was modelled on that of the gladiatorial schools, and they developed an *espirit de corps* which was foreign to the old time militia. This regimental loyalty was symbolised in the legitimacy standard, silver eagle (Cary & Scullard, 1986, p. 219). This new development clearly demonstrates Marius' skill at command which remained a feature of legionary armies throughout the Roman army. The training of Marius' soldiers was an essential aspect in his reforms of the Roman army, with new men being drilled along gladiatorial lines. What these reforms adduced so far also point to be a high probability that the army at this time became well-equipped with standardised equipment coupled with new tactics to throwing spears that meant that the enemy could no longer re-use them.

Ultimately, Marius' reforms of the military not only increased the size of Rome's army, but also brought about tremendous shift in loyalty on the part of the rank and file. Hitherto, Rome's soldiers pledged unflinching allegiance to the Senate and the people of Rome (*Senatus Populusque Romanus,* or as was printed on the pennants of the Roman legions), their allegiance would, in less than twenty years, shift in favour of *imperatores*. Thus, those consuls or pro-consuls who had *imperium*, or "command," over a given army and had been hailed by their troops (if not the Senate) as worthy of receiving a triumph in celebration for their victory over Rome's enemies. Thus, it would be these *imperatores* that populist politicians, beginning with Lucius Appuleius Saturninus, would look up to for support in challenging the Senate's authority. In exchange, this new breed

of populists or *populares* politicians would offer the *imperatores* the kind of political support that these military-minded men needed in order to sustain their authority of firm grip in Rome within a constitutional framework. Hence the manipulation of Roman politics by some notable generals with its attendant effects on Roman politics in the last century of the Republic in which Cicero lived.

On the contrary, the alliance between Saturninus and Marius in the latter's fourth consulship, was to experience unfortunate consequences for the Republic. Saturninus, well into his tribunician year, had proved to be a formidable and reliable politician with an ambitious legislative programme reminiscent of the days of the Gracchi. Adducing from Plutarch (*Mar*. 14.7), it seems that Marius probably decided to take a calculated risk by initiating the connection with Saturninus since he was concerned about his chances of acquiring another consulship. And while Marius may have been keen to see land allotted to his enlisted volunteer soldiers, or to have land made available for the end of the campaign; he was perhaps more concerned with the problem of re-election. The timely alliance with Saturninus appears that support for Marius was ebbing away. After all, he failed to bring about a speedy conclusion to a war, although the enemy had disappeared. Marius' fourth consulship was not a foregone conclusion, and it certainly appears as though Marius required Saturninus' considerable oratorical skills (Cic. *Brut*. 224) to make sure that the result was as he had wished it to be.

But it seems undeniable that Marius' enlistment of the lower orders attracted much attention, especially the Senate (particularly, the *optimates*). Hence to what extent this reform was a revolutionary step, however, is doubtful.

Perhaps the best opportunity we have to assess him and his intentions is to examine his character, which is not the intent of this work. Irrespective of Marius' military exploits, his political career appears to have been a combination of ineptitude and bloody-mindedness. More so, Marius' ingenious decision to partner and use Saturninus (a *populares* and Tribune) as his advocate could be described as an unscrupulous act because Marius was going to use the latter (i.e., Saturninus) to convince the masses to accept his policies. Also, there appears to be some uncertainty or political naivety with regard to Marius' political ambition. Lawrence Keppie (1998, p. 43) hints that certainly from Marius' time onward, we begin to find the aims and loyalties of the army and the Republic, hitherto largely the same, yawning apart, with the soldiery starting to identify with the fortunes of their commander and giving higher priority to their personal advancement and eventual enrichment.

It is noteworthy that, during Cicero's day the Roman army assumed a new image in the field of politics. This came to light during the struggle between Marius and Sulla over the Eastern Command. Sulla as consul of 88 BC was granted command for the Eastern command of the war against Mithridates, King of Pontus. But the tribune Publius Sulpicius supported Marius in his quest to wrestle the command from Sulla. When news of his removal from the Asiatic command got to Sulla at Nola, he "told his legions bluntly, that their chances of winning with spoils in Asia Minor were in jeopardy" (Robinson, 1961, p. 148). The supposition could be made that Sulla's legions numbering 35, 000 men moved out of the camp at Nola and began a forced march upon Rome. What the evidence adduced so far points to is a high probability that Sulla's objective was to seize power, and then settle scores with his political enemies. Interestingly, the

democratic elements led by Sulpicius and Marius were no march for the force put together by Sulla’s hardened troops, who captured Rome after a few hours of street fighting.

Sulla was now in total control of the city of Rome and its affairs, and also spearheaded a series of proscriptions (a policy meant to execute perceived persona deemed enemies of the Republic). According to Plutarch in his *Life of Sulla* “Sulla now began to make blood flow, and he filled the city with deaths without number or limits.” Plutarch further notes that many of the murdered victims had nothing to do with Sulla, though Sulla killed them to “please his adherents” who felt there was the need for the assassination of especially Marian forces (Plut, *Life of Sulla*, XXXI). In fact, Sulla’s proscriptions are perceived as a revenge to similar killings which Marius and Cinna had inflicted on some individual while they were at the helm of affairs during Sulla’s absence. The purge went on for several months. To help hide or shelter a proscribed individual was punishable by death, while killing a proscribed person was rewarded with two talents (Plut, *Roman Lives*, p. 210).

Even though Sulla’s victory made him strengthen the Senate, emphasis on the ruthlessness of his proscriptions to make up for his financial exactions or promises, is worth noting. Sulla, in order to redeem the lavish promises of pay and pensions which he (Sulla) earlier had promised his troops, he had recourse to adopt the rough-and-ready tactics of confiscating the estates of the persons on his proscription lists. There were no doubt many of persons on his proscription lists had not taken part in politics, yet they suffered death on the score of their worth alone. In addition to these individual spoliations, Sulla confiscated large tracts of land from Italian cities held guilty of collusion with the Marians. Thus

appropriations were used to provide for 120, 000 discharged soldiers (Cary & Scullard, 1986, pp. 338-9).

Undoubtedly, Sulla's victory made him strengthen the Senate while he did great harm to the tribunes. In fact, one of Sulla's most important changes was to strip the ten tribunes of most of their powers and their right to seek further office, thereby weakening their effective role in Roman politics (Plut. *Sull.* 33). Consequently, Scullard (1982, p. 71) hints to us that Sulla's action demonstrates how the Republic in Cicero's day was at the mercy of a determined army general whose fidelity was won simply by the hope of gain. As a matter of fact, Sulla's unprecedented action in invading Rome was soon to be repeated by Marius and L. Cornelius Cinna in 87 BC. Once again, it was Roman soldiers who made this possible. Supported by the troops under their command, Cinna and Marius staged a march on Rome, defeated the senatorial army under Pompeius Strabo and Octavius and then took over control of the governed. Significantly, this feat made Marius the man who in 100 BC could have established a dictatorship, now attain his seventh consulship with the support of the loyal soldiers.

In effect, the practice whereby soldiers threw their support behind their generals to wrestle power from the Senate continued even after Sulla had left the political scene. For instance, in 70 BC, Crassus and Pompey managed their way to become consuls because both of them were still in control of the armies, and they suppressed the slave revolts under Spartacus (Scullard, 1982, p. 93). Again, the Roman Senate was coerced to give in to the political ambitions of the two generals (now consuls), so as to prevent a coup d'état from happening. It is obvious, then, that though the usurpation of power (that is, the consulship) of 70 BC was bloodless, the Roman army was again instrumental in getting their

favourite commanders into the reins of power.

Even though the primary sources available are not always clear on matters of detail, but from the works of some secondary sources we are informed that during Sulla's reign the Tribunate was drastically reduced to nothing. Thus, a salient point regarding how Sulla changed the face of politics had to do with Oman's (1934, p. 151) assertion that; Sulla having dealt thus with the tribunes and the assembly, his next step was to take on hand the second power in the Republic which was dangerous to the sovereignty of the Senate, that of the individual magistrates. According to the theory of the Roman constitution, the consul or praetor, deriving his authority directly from the people because he had been elected by them in the *comitia centuriata*, had a very independent position in the face of the Senate. That body, indeed, had in early days been nothing more than the band of advisers chosen by the consul, whose monitions he was equally free to accept or to reject. Even in these latter times a headstrong consul could practically disregard the voice of the Senate for his whole term of office. And if he was chosen for several years in succession, he could go on administering things much as he pleased, without being restrained to any appreciable extent. Such had been the position of Marius during the years of the Cimbric war, and of Cinna in BC 86-84.

Similarly, according to Scullard (1982, pp. 69-70), Tribunes could not propose legislation to the People (except perhaps measures already sanctioned by the Senate); they were deprived of their judicial powers (the new Senatorial quaestiones replacing tribunician impeachments); their right of veto was limited, perhaps being taken away in criminal cases; and above all, tribunes were made ineligible for any other office. Thus, the Tribunate was disarmed and all

ambitious young men would tend to avoid this political dead-end.

At this point, the important question we ought to ask ourselves is; how well could this law have worked when the spark needed for the yet to come ambitious military leaders had been lit by Sulla's reforms and misdeeds? We need to note two other reforms that sowed seeds of discord which made it very difficult for the Rome of Cicero's day top recover and eventually weaken Cicero's most cherished concept of the *concordia ordinum*.

First, the concept ensured that the powers of the tribunes were muzzled while those of the consuls were curbed. Thus, Sulla limited veto, and once one had served as tribune he was disqualified from serving in future magistracy; while he introduced 300 new senators. Scullard (1982, p. 69) notes that if the Senate was to resume firm control and become an effective governing body once again, Sulla's first task was clearly to increase its numbers, which through war and the massacres of Marius and Sulla had dropped to some 150 members. The new Senators would naturally include Sulla's own supporters, both men of senatorial families and others who had rendered him good service during the wars, but he also included 300 Equites. These new senators were definitely going to owe their allegiance to the dictator, Sulla. Second, Sulla launched scathing attacks on the Equestrian Order by implementing a series of measures against this crucial class within the Republic. One bill took away the entire control of the law-courts from them, and restored it to the senators. Once more the latter became the only persons eligible as jurymen. Of course, this was to be expected because he was bent on restoring the legitimacy of the Senate, as an *optimates* politician.

Pompey Gnaeus Magnus (106-48 BC), a living legend in his own time,

and the man whose military prowess comes to light at an early age, is of much concern to this aspect of our study. Pompey's battles brought him a huge amount of personal fame and influence. However, they had also come at a huge cost on the Roman Senate which had short-sightedly granted Pompey these extraordinary commands. Through fear, no doubt, of Pompey's personal army, a highly irregular and illegal enterprise, the Senate had given Pompey everything he had ever asked for. This was simply an unacceptable practice but for the charming military achievements of the young soldier, the Roman Senate abandoned the practice of awarding Pompey consulship an earlier age (which in actual sense is attained at the age of 42 and above). Fortunately for Pompey, the *lex Gabinia* of 67 BC granted him extraordinary proconsular powers in any province within fifty miles of the Mediterranean Sea. In other words, this law passed by the tribune Aulus Gabinius allotted three years as the term of office of the great High Commissioner; but no more than seven months had elapsed when he was able to report that his task was complete, and that piracy was suppressed throughout the Mediterranean by Pompey.

In the winter of 67-66 BC Pompey was finishing up his work by restoring Cilician cities, and organising a system of coastguards to preserve the peace of the seas for the future. There is no reason to doubt that he intended to come home in the following spring to surrender his command, according to his invariable fashion; but he was not yet destined to leave the East. A bill was brought in by the tribune C. Manilius, (*Lex Manilia*) to transfer to him the charge of the war against Mithridates and the care of all the provinces of the East. The genesis and object of the *Lex Manilia* is rather obscure: its author was not one of the acknowledged heads of the Democratic Party, but a rather obscure personage,

who had just failed in some small political plans of his own, and was apparently making a bid for renewed popularity by devising a scheme which should please the multitude (Anonymous).

The political upheavals of the 60s and 50s BC in the Rome of Cicero's day cannot be written without touching on the activities of P. Clodius Pulcher. Clodius was from the patrician family known as the Claudii. He transferred himself to become a plebeian in order to attain the office tribune of the plebs. He also embarked on a series of *populares* reforms, and maintained a well-organized following among the plebs until his murder in 52 BC. Oman (1934, p. 268) asserts that after not a very long time of waiting, the orator was avenged, for Clodius, intoxicated with his long series of successes in the Forum, took to treating Pompey himself with less respect than was his due. He began with releasing, contrary to the Triumvir's wishes, the captive son of Tigranes, the Armenian king, who was being kept at home to prevent him from raising trouble in the East. Then he prosecuted some of Pompey's dependents, and when their patron came down to give evidence in their behalf, assailed him with ribald insults and set a carefully selected mob to hoot at him. Pompey's dignity was hurt. He had often been the object of hate and fear in his earlier years, but it was a new thing to be the butt of vulgar jokes—to be called in one breath the tyrant of Rome and "the man who scratches his head with one finger" (Oman, 1934, p. 268).

Oman (1934, p. 288) holds the view that Pompey would have been a tyrant of Rome, but he never wished to be, yet he was led into doing many things tyrannical. All his life shows that he aspired to nothing more than the lace of first citizen in the Republic. Yet, he helped to make the Republic impossible, by

setting precedents and examples of fatal encroachment on the free constitution. The Gabinian and Manilian Laws, and the sole consulship of 52 BC, were landmarks in the history of the growth of the imperial idea. Pompey neither reigned nor wished to reign himself, but he did much to make the monarchy possible for his rival and successor.

Shortly, Publius Clodius Pulcher, followed in the footsteps of Sulpicius Rufus and helped a man whom Sulla considered a second Marius, namely, Gaius Julius Caesar. In this way, says Appian, the “episodes of civil strife escalated from rivalry and contentiousness to murder, and then from murder to full-scale war” (Appian, *The Civil Wars* 1.60). Sulla’s army, Appian continues, was “the first army composed of Roman citizens to attack its country as though it were a hostile power.” Although historians of Cicero’s day had attempted to find a precedent for the violence of the civil discords of their time, there were no past events in Rome’s history that could be compared to Sulla’s marching on Rome with a Roman army (Ibid).

In addition to all that has been discussed so far, the most phenomenal event for the year 59 BC was the partnership between Julius Caesar, Pompey and Licinius Crassus, called the First Triumvirate, which, to me, was nothing better but a bane for the ailing Republic. To Cicero, if the years 62–60 BC had witnessed the end to his hopes for harmony among the orders, the years 59–57 BC saw an end to everything he cherished. It was within these same years that the Republican government collapsed, and made Cicero break ties with the political powers of Rome, coupled with his forced, bitter and humiliating exile in 57 BC. Cicero’s vision had rested on achieving unity within the Roman Senate; however, it is obvious during these periods that his dreams were nipped in the

bud by the opposing and divisive forces of personal ambition (*populares* ideals) as against senatorial conservatism (*optimates* ideals).

In 59 BC, the men looking out for their own interests; namely, Pompey, Caesar and Crassus at last joined their resources, so that they had the popularity, power and the money between them to achieve their ends. In the face of this political alliance, Kathryn Tempest (2011, p. 114) suggests that Caesar had the official power and from the minute he entered the consulship he set to work. First, he passed a land bill to provide settlements and farms for Pompey's veterans; then a second bill ratified Pompey's arrangements in the East. A third measure saw to it that the tax farmers of Asia had their contracts reduced by a third, as Crassus had wanted. And after helping his friends, Caesar looked next to his own interests. Also, Kathryn Tempest notes that the Roman Senate had allocated him a very low-key province for the following year: the 'woods and paths of Italy.' Yet Caesar wanted a province that offered glory and wealth; he wanted the provinces of Gaul and Illyricum for five years with three legions, and he got them.

Nonetheless, a politician could not expect to sit on the sidelines either, for the Romans' pride in their country, traditions and achievements was deep-rooted. The men calling for change challenged the traditional system, and criticized the monopoly of Rome's leading families. Their concerns were justified, yet their methods were often radical and destructive. Some of the most dominant personalities in Cicero's lifetime, men like Pompey, Crassus and Caesar, were also the leaders of great armies, and their power launched an attack against the central tenet of republicanism, which prevented one man from having too much control at home. Let's not forget that as at 63 BC when Cicero became consul,

the Rome he inherited from the grasps of the Roman nobility was on the brink of chaos. Now, after serving as consul he still sought to stand against some of their activities as we see how he vacillates between Caesar and Pompey (but mostly tends to believe in Pompey).

One important thing to note, is that, in the Rome of Cicero's day, for one to occupy a position such as the censor, praetor, on the consulship, one had to be a member or affiliated to one of the richest propertied classes or *nobiles*. And within that class, preference was always given to those whose ancestors had held the consulship or its equivalent. Unfortunately, Cicero just like Pompey, neither qualified per this criteria. Thus both Cicero and Pompey did not hail from one of the richest propertied classes in Rome; rather they were new men (*novus homo*). He had never held a single magistracy on the ladder of offices, yet Senate had granted Pompey the power of *imperium*, and the standing equivalent to a consul. In fact, the highest offices were regarded as the special preserve of the *nobiles*, those whose ancestors had held the highest office. But in assessing the manner in which the First Triumvirate influenced politics in this period one must note that the *nobiles*, and certainly not all those eligible for office, were connected with noble families in Rome at the time. Hence to an "outsider" two courses of action were open and these were (i) that the candidate might court the favour of the dominant clique, or (ii) he could try to build up a clique of his own to supplant the one in power. Now, the latter option was the option towed by Pompey, Crassus, and Caesar, although I must admit that Pompey did not act completely consistent in this regard.

To Scullard (1982, p. 96) the *concordia ordinum*, Cicero's political concept which sought to bridge the gap between the Senate and the Equites was a

little shaken, and soon shattered into fragments. The cause was in large measure the demands of Pompey, Caesar and Crassus, which were by no means outrageous, and the short-sighted reaction of the die-hard *optimates*. The formation of the First Triumvirate was a turning point in the history of the Rome of Cicero's day and it was, while both Cicero and Cato recognized, the ultimate origin of the Civil War of 49 BC. From this point, with the joint forces of these three men, they imposed their will on the Senate and ensured that they placed in positions magistrates who could satisfy their personal and selfish interests. Scullard (1982) hints that the imposition of the First Triumvirate destroyed the power of the Senate. This alliance between these army generals made the Romans kowtow to the demands of these feared men, even though they were also members of the Senate.

The Triumvirs used Clodius to remove from Rome two men whose presence was embarrassing: Cicero and Cato. Caesar first tried to spare Cicero by offering him a post on his staff in Gaul or abroad, but on Cicero's refusal he let Clodius have his head. In fact, Cicero's defense in the *Bona Dea* whereby Clodius managed to gain admittance guised as a woman, apparently for the purposes of seducing Pompeia, Caesar's wife seriously affected Cicero's political activities in Rome (Cic. *Att*. 1. 12; Plu. *Caes*, 9-10). In point of fact, this trial marked a decisive turning point in the political career of Cicero because due to his testimony against Clodius, a feud arose between the two men which led directly to Cicero's exile in 58 BC and temporarily destroyed his political influence in Rome after his return in 57 BC. When all these happenings were over, Clodius' politics transformed and became more deeply attached to Crassus.

There appears to be some sort of uncertainty on which grounds Clodius

was acquitted during the *Bona Dea* trial. Yet, after the trial, Clodius hated Cicero and now proposed a bill to outlaw anyone who condemned a Roman citizen to death without trial. This was obviously aimed at Cicero for his conduct to the conspirators in 63 BC. Despite wide appeals, which evoked much sympathy, Cicero failed to move Pompey or Caesar, and was compelled to leave Rome the same day a bill was passed which officially exiled him and confiscated his property. The triumvirs also managed to remove Cato more gently: he was sent as *pro quaestore pro praetore* to announce the annexation of Cyprus on the excuse that its king Ptolemy had helped the pirates and to sell the king's property whose estates enriched the Roman treasury by 7000 talents. There was no military resistance and Ptolemy committed suicide; Cyprus was added to the province of Cilicia (Ibid, 100-1).

Greenidge (1901, p. 229) hints that the careers of Pompey, Crassus, and Caesar demonstrate a very well-defined trend. In 70 BC Pompey and Crassus revived the censorship, one function of which was to let state contracts so lucrative for the financial section of the equestrian class, the tax-farmers (*publicani*). They also revised the composition of the juries in the courts dealing with provincial extortion and other crimes-again a favour to the equestrian class. Then, in 67 BC, Pompey was given an extraordinary command to clear the seas of pirates, the main beneficiary being the equestrian class with its Eastern interests. And in 66 BC Pompey took over the Eastern War from Lucullus, a member of the *nobiles* and/or *optimates* who had affronted the *publicani* (*Cambridge Ancient History*, vol. 9, pp. 340f. 346; p. 348f).

Caesar covertly played a dicey and dangerous game. He made at least one attempt before 63 BC to identify himself with Pompey that he might thereby

identify the interests of Pompey's supporters with himself (Plut, *Pompeius*, 25). At the same time he worked along with Crassus, making use of his influence and money as the occasion demanded (Plut, *Caes*, 11). Crassus showed active sympathy for victims of misfortune by attaching the remnants of the old Marian faction to his cause, which made him win friends in the Italian municipalities, among the Transpadani, and in the western provinces including Balbus, the wealthy equestrian businessman from Spain (Cic, *Pro Rege Deiotaro*, 14. 40; Syme, pp. 65, 72, 74ff). It should be emphasized that the non-aristocratic supporters of Caesar were not riff-raffs but members of the equestrian class, that is, men of wealth and property.

Greenidge (1901, p. 333) suggests that it can be deduced from the activities of these generals, that in Rome of Cicero's day, Pompey, Crassus, and Caesar were playing up to the various elements in Rome, Italy, as well as the provinces that were usually at odds with the *optimates*. In the political struggle, therefore, they were a very unstable element. A number of *nobiles* or potential nobiles who had suffered political, judicial, or financial misfortune wanted to break the power of the *optimates*. Then there were wealthy and distinguished men in the Italian towns who had not been able to get into political life, or who wanted a government interested in opening up avenues for trade. Prior to 63 BC, it had been the intention of Crassus and Caesar to win the support of the *populares*, *optimates* and the equites.

Now, with the army heavily politicised, the stage was set for the ultimate struggle for absolute power-play between the most numerically endowed and powerful generals, namely Pompey and Julius Caesar in 49 BC. And as Syme (1962, p. 49) rightly notes, the two personalities (Pompey and Caesar) did not

only emerge as the leading politicians in Rome, but were also very powerful by virtue of the large armies at their disposal. The two generals together with the richest politician at the time, Crassus, competed in creating the First Triumvirate which enabled them to consolidate power in their hands. In the event whereby the alliance fell apart as a result of the death of Crassus and Julia (Pompey's wife, who also doubles as Caesar's daughter), a struggle for political power between the arch rivals culminated in a civil war between 49 BC and 46 BC. This time round, the army once again played a vital role in determining the victor in the civil war.

In the midst of all these political challenges, we can agree with Dickinson (1963, p. 18) as he notes that: "Gone now was the moral restraint of the old days and in its place came the use of naked power-ploys, engineered more often than not in terms of self-interest. Significantly, this new sign of political power rose in the person of the tribune who could use the strength and emotions of the assembly and the implied threat of the proletarian mob." Scullard (1959, pp. 115-117) informs us that Cicero's constitutional ideal was courageous amid the sordid struggles of *optimates* and *populares*. According to Scullard, most political players, in contrast to Cicero, were struggling for personal power and not for preservation of the Republic. Scullard states that Cicero wanted a moderate conservative government which could achieve peace with dignity. But Pompey and Caesar rejected Cicero's pleas for concord. It was probably this more than anything else that drove a wedge in the Senate and led to the creation of what Plutarch calls two factions, namely the *optimates* and the *populares*.

Truth is, I see no reason to accord the Roman Senate its innocence, rather the Senate must carry the blame for its short-sightedness in decision-making. The

dominant reason for the shift at this time in Cicero's very last moments in the Republic was the failure on the part of the Roman Senate to secure the control of the professional army, by settling the army's crucial issue of payment and pensions which was approached lackadaisically during the days of the Gracchi just before Cicero's day or the troops as well as land grants for veterans. Naturally, the general who could meet the demands of his troops would obviously win the trust and loyalty of the troops. Had the nobles promptly acknowledged the professional soldiers' claim to an assured livelihood and bound him to themselves by the promise of payment of money and land allotments, they might have retained their hold on the Roman army.

Furthermore, it would appear from the pieces of historical happenings within the period understudy that, from the time of Marius onward, Roman soldiers did not only fight to ensure that the greatness and dominance of Rome remained supreme, rather, the army played an important part in determining who remained at the helm of affairs, that is, political power. With this new practice in place, a clear danger was posed to the continued existence of the Republic. Thus from 88 BC onward, the political history of Rome (which covers much of Cicero's day) was eclipsed by military coups d'état and counter coups d'état geared toward putting politically ambitious commanders in power. Without an iota of doubt this makes me conclude that the series of evolution Rome experienced during Cicero's day signalled that, like the ancient Monarchy, the Republic at this time was fading out while a new era of military dictatorship was emerging. The logical development of this reality rests in the insatiable concentration of power in the hands of an individual whose elevation to authority was made possible by the support of the loyal troops. In effect, Rome of Cicero's

day was back to the days when she was ruled by the kings. This is well played out as Julius Caesar emerged the victor in the political struggle with Pompey in 46 BC.

The resentment of kings in Rome prior to the Republic was a trait that defined the Roman Republican constitution. Hence because the system was weak and corrupt, it became so vulnerable, while in the wake of these happenings, those who knew its weak points used it against the system (Brunt, 1986, p. 81). On the contrary, Cicero used this view stated by Brunt to attack individuals, claiming that they had attempted to attain regal powers or had exhibited tyrannical behaviour. Tiberius suffered this fate at the hands of Cicero (Cic. *Rep*, 2.49; Cic. *Luc*, 13-15; Cic. *Amic*, 41). This demonstrated the *optimates*' fear of *populares* methods alongside the *optimates* value of looking to the past to assert political authority. The *populares*' strategies were represented as kingly, attesting to their radical nature and the static beliefs that the *optimates*' articulated within political discourse. Through this technique, Cicero defined the *popularis* and the *optimates* struggle as an individual using unprecedented or antagonistic methods to oppose the *status quo* of the Republic.

Cicero could not claim to disapprove of their actions and expect support from those who benefitted from the *populares*' legislation. Cicero consequently sidestepped this issue by finding excuses for their actions, dodging the difficult political questions. Cicero's *optimates* stance, therefore, allowed for concessions to be made to the past *populares*, disguising his disapproval of their political aims. Although the *optimates* representations of the *populares* may initially appear sympathetic, there was an underlying motive for this (Murray, 1966, p. 296). By holding a conservative middle ground, Cicero maintained his political

beliefs and consequent support from the *equites* and the Senate. He also preserved common ground with the wider citizenry, which could be exploited for political advantage. The prevailing perception of the *populares*, according to Cicero, was a disjointed series of politicians who became defined by their particularly innovative but aggressive actions.

It is indeed evident that the most notorious difficulties that faced Cicero is that he found himself in an idealist age of extremes, but strove throughout his life to reconcile the immediate claims of party politics with his own political and moral ideal that was founded partly on Roman practice. Cicero believed in the balanced constitution, and was convinced that unless knights and Senators could work together, the Republic would be torn apart. As a knight, Cicero admired the Senate's past achievements and he believed that it was his duty-mission to resolve the gap between the two classes. So, he conceived the vision of the "harmony of the Orders." For a short time during his consulship, it seemed that his hopes were realized, but re-establishing cordial relations between the two classes could only be temporary because the knights were mainly concerned to promote their pecuniary interests, especially in the provinces where, as tax-farmers, they came into conflict with the Senate. For, despite certain unholy alliances between provincial governors and their equestrian creditors, the Senate, though willing to allow the provincial sheep to be sheared, objected to its being flayed. Hence, Cicero's harmony of the orders failed, but he remained committed to the theory of the balanced constitution. It is against this turbulent background that Cicero's career and his political thought must be judged.

The intent of this work is not to look at when the Republic began to decline morally, but Sallust holds the view that without the necessity or the

capability of turning men into soldiers, the whole Republic would become corrupt, declaring that without threat of war there was a state of confusion, in which there was no longer a clearly articulated system for the pursuit of virtuous actions (Cf: Earl, 1966a, p. 47; Lintott, 1972, pp. 626-38). Fortune and a*mbitio* "grew cruel and confused all matters (Sall. *Cat*. 10.2)." The Romans suffered from taking on an entirely new role, in which they were no longer required to direct their energies toward a clearly defined goal. It is worth returning to Sallust's discussion of moral decline when we examine the soldiers themselves more closely (Sall. *Iug*. 40-2).

For Sallust, the idea of virtue has not simply declined or faded under the influence of the rise of *ambitio* and *avaritia* (i.e., insatiable thirst for wealth), it has splintered, and, ultimately, it has turned upon itself. The core exposition of the condition of virtue in the Rome of Cicero's day occurs in the debate between Caesar and the younger Cato in the *Bellum Catilinae*, regarding the fate of the captured conspirators. The picture of splintered virtues can be found in the opposing positions of Caesar and Cato, who both represent a different aspect of virtuous behaviour, and the following *synkrisis* in which Sallust juxtaposes and compares their respective versions of virtue. During the debate, the first speaker in the Senate was the consul-elect, Decimus Junius Silanus, who recommended that the conspirators be put to death (Sall. *Cat*. 49. 5).

Conclusion

In overall terms, however, this chapter has made an attempt to discuss and examine the attendant problems that eclipsed Roman politics during Cicero's day: First, by assessing the dominance of the two political factions that determined politics in Rome, namely the *optimates* and the *populares*. The

common conception of Cicero's politics is mostly viewed as one who was a staunch *optimate*, and one who was an unrelenting supporter of the Roman Senate. Cicero was in fact one of a handful of politicians in Rome who foresaw what Rome was about to become. The party politics greatly heightened tensions between the two factions as demonstrated in this chapter. The effects were that; (i) it greatly crippled the power of the Senate and (ii) it made ambitious generals with insatiable taste for power and wealth, take advantage of the Republic. These happenings led to the inevitable intrusion of the army into Roman politics. Obviously, notable generals such as Marius, Sulla, Pompey and Caesar took advantage of the situation at the time and used their respective soldiers to wrestle or win political power, as they in return provided them with war booty, and, more importantly with land allotments. It appears that the intrusion of the army in Roman politics crippled every form of proper administration of the Republic.

It is highly probable to conjecture that in the absence of war in the Rome of Cicero's day, the situation is likely to create confusion thereby making the individual soldier become morally vulnerable. In this vein, Sallust's *Bellum Catilinae* highlights prime examples of men influenced by corrupt times. For instance, Catiline, although he already possessed an "evil and corrupt" nature, had his wrong-doing motivated by the immoral atmosphere in Rome at the time (Sall. *Cat*. 6.1). Sallust explains that two prevalent vices encouraged him: "He was spurred on, also, by the corruption of the public morals, which were being ruined by two great evils of an opposite character, extravagance and avarice" (Sall. *Cat*. 5.8).

So far, we can see clearly that the loyalty of the soldiers shifted to the army generals and no longer the Republic. I believe that the fathers of the early

Roman Republic created an enviable form of government. As a testimony to the aforenoted claim is the fact that from the formation of the early Republic, the Republic had the capacity to check abuse of power through constitutional means. This ability on their part enabled them to exercise actions through the magistrates, empowered by the prestige of the Senate, or by the expressed will of the people. This catastrophe greatly affected the Senate and made the Senate dance to the general(s) whims and caprices. Consequently, a once glorious, vibrant and politically sound Republic was replaced with events inimical to the political stability of the Rome of Cicero's day.

CHAPTER FOUR

ELECTIONEERING CRISIS AND BRIBERY IN THE AGE OF CICERO

Prior to the Rome of Cicero's day, the Republic had been governed for nearly 500 years with annually elected magistrates. This annual ritual of electing magistrates was wracked in the Republic's dying years by an unprecedented degree of electoral crisis. The yearly ritual of choosing leaders became a gross spectacle of mass bribery, delays, manipulations, corrupt practices and violence. The usual causes for driving Rome during the time of Cicero to a thin moral fibre include, among others, the absence of social consensus, class struggle, inequality of land allotment, the weak and reactionary Roman Senate, the intrusion of the army into Roman politics, and the wanton wilfulness of the tribunes (mostly with unbridled passion for populist policies). Yet, amidst all the challenges Rome was fraught with, it ensured that the most important point at which the interests of all political factions and activities came together was the annual elections. Interestingly, and as noted already, there were no real political parties like to the modern conception, but small cliques of politicians with their partisans who strove to outbid each other in the popular favour and win the support of the voters (Sallust. c, 38-39).

In point of fact, annual elections were the core of the Roman political identity, and the very heart-beat of the *res publica.* Hence, manoeuvring to delay, cheat, and purchase or bully elections in Rome of Cicero's day was one of the agencies by which the Republic was driven off the cliff. In so doing, it resulted in electoral crisis as it became a political worry. It is noteworthy that Livy celebrates the overthrow of the kings and the establishment of the Republic by

emphasizing what he viewed as its key virtue, one which distinguished the new government from the days of the monarchy. Also, the elected magistrates were prevented from becoming tyrants by the strategic means of constraining them as they served only a term in office. Livy (2. 1.) identifies this and notes: “Moreover, the first step towards political liberty in Rome consisted in the fact that consuls were annually elected magistrates, in the limitation, that is, not of their powers but of their period of office.”

Besides, F. Millar and some other scholars hold the view that the older belief of the Roman Republic was not really “democratic,” rather the voting assemblies and the *plebs urbana* were puppets in a controlling patron-client system. This bears heavily on the significance of electoral crisis. Thus, if the whole electoral mechanism was a pretence and everybody knew it, then electioneering crisis meant considerably less than if meaningful constitutional institutions were under attack. In 1974, E. S. Gruen published his “Last Generation of the Roman Republic.” A major theme of the book is summed up in his conclusion: “Civil war caused the death of the Republic, and not vice-versa.”

Gruen came to the conclusion above because he viewed the political happenings of the final moments of the Rome of Cicero’s day within a context of overall stability, irrespective of the occasional challenges or riots witnessed from the streets of Rome. According to him, the consuls elected during the 70s and 60s BC to a large extent toed the path of the Sullan era. For instance, the Pompeians did not manage to wrestle control of the Republic nor to repeal the Sullan constitution. Furthermore, during the 50s the First Triumvirs, despite their portrayal as a malevolent power pushing levers behind the curtain, had little influence over the elections, with the exception being the arranged consulships of

Pompey and Crassus in 55 BC. As for the constitutional climax of the decade, the sole consulship of Pompey in early 52 BC. Gruen is not at all perturbed, saying that the innovation had legitimate roots in the Republican dictatorship (Gruen, 1974, p. 153).

Electioneering Crisis

The important point to note is that the Roman Republican practice of holding elections was not considered as a crisis in itself, rather it was a conclusion based on the Romans' own attitude. The political system of Rome with special reference to Cicero's day as noted Lintott was fluid and flexible and not easily subjected to proof that it had been "violated." It: "…was not something fixed and clear-cut, but evolved according to the Romans' needs by more means than one. It was also inevitably controversial: there were frequently at least two positions which could be taken on major issues" (Lintott, 1999, p. 7).

Hence, the use of the term *electioneering crisis* in this study is to describe the events that characterised the annual practice of holding elections in Rome during the time of Cicero. In fact, electoral politics in Rome in the age of Cicero had at this point in time become a perplexing phenomenon, which entailed the application of the most desperate and despicable tactics to clinch and maintain power, even among military generals. Thus, lawlessness, violence and impunity became indispensable elements of the electioneering experience. Therefore, it is important to consider the contextual meanings of the two words that give us light to focus on this chapter, namely "electioneering" and "crisis."

First, the word "electioneering" refers to: "The sum total of activities by which politically interested actors seek to canvass and win votes for a preferred candidate or political party. It involves the partisan activities of the opposition

parties or factions dedicated toward wrestling power from the incumbent party through strategic campaigns and mobilization. It is the practical manifestation of 'politicking' in the electoral process (Okoye, 1996). Electioneering further involves an effort to persuade or dissuade prospective voters in an attempt to gain partisan advantage in the electoral process (Bassey, 2013). On the other hand, the word "crisis" originates from the Greek word *krisis* which, when translated into English, would be similar to "decision" or "choice" (Paraskevas, 2006); or a decisive moment or turning point which could be violent in nature.

Thus, to a large extent, the choices made both by the people, the Roman electorates, and the *candidatus* (candidate) determined the course with which elections were adhered to or assessed in the Republic. So, in my attempt to define "electioneering crisis," I would say that: It is a situation whereby differences in political ideologies and the pursuit of specific goals or failure to satisfy certain demands by various political factions lead to the use of violence. In worse case scenarios, (as was the case of Cicero's day) it could result in armed conflict and may include fighting, repression, coups d'état, as well as physical attacks or assaults.

To begin with, Sulla is the best example of an individual who took steps to avoid normal election from taking place. He achieved this by consolidating his position, while he declared Marius and his allies enemies of the Republic, and he addressed the Senate in harsh tones, portraying himself as a victim, presumably to justify his violent entry into the city of Rome in 82 BC. Also, Sulla chose a constitutional means to enact and protect his reforms. First, at his own suggestion, he revived the old office of *dictator*. This had been used as an emergency office only for a sixth-month tenure. It appears that Sulla revived this

revered office to make the laws and organise the Republic at the time. Now, the implication this move had was that it meant there were no constitutional checks on Sulla. However, he did pass all laws through the Assembly (the *Comitia Tributa*).

Later on, this practice became more frequent and brazen, beginning with Lepidus in 78 BC, who refused to hold elections and demanded a second term as consul for himself. In early 77 BC, still with no new consuls elected, an *interrex*, that is, a regent had to be appointed to preside on an interim basis. "You ask for a second consulship," an opponent named L. Marcius Philippus orated against Lepidus in the Senate, "as if you had ever given up your first" (Sall. *Hist.* 1.77). Such usurpations were relatively few, however, until the ensuing two decades when electoral delay arrived upon the scene as a regular and increasingly cynical tactic. The trend appeared traditional and formalised. There was an electoral delay for the years, 67, 63-61, 59 BCs, and then an annual series of delays in 57-52 BC. For instance, violence continued in 52 BC in which Clodius was murdered by Milo's gang after a squabble on the Via Appia. Clodius' mob rioted after his death, by inciting the tribunes, namely, Pompeius Rufus and T. Munatius Plancus, to attack the house of the *interrex.* Order was restored by an ultimate decree of the Senate empowering Pompeius to levy troops to be used in the city of Rome, and this eventually resulted in his appointment as sole consul (Cic. *Mil*; Asc. 30-3, 35, 42-3 C; Dio 40. 47 ff; Plut. *Cato mi.* 47; *Pomp.* 54).

Again, in 67 BC, elections for the following year's magistrates were delayed for the first time, due to a struggle over legislation concerning electoral bribery. The people had demanded such a law; the Senate deemed it unacceptable and bade the consuls ram through an alternative that had to be passed before the

elections were held. The result was that violence and tumult ensued (Dio, 36. 38. 39). Cicero ruefully wrote to his friend Atticus that no one knew when the elections would occur, and in his speech to the Senate supporting a special command for Pompey, Cicero remarks that he has been chosen by the *comitia* as praetor-elect three times already (Cic. *Att.* 1. 11. 2; *Leg. Man.* 2). If the delay of 67 BC was employed for mere legislative machinations, the next instance was more serious, and was brought about by Cicero himself as consul in 63 BC. But violence and murder preceded the consular elections of 67 BC. On the day of the assembly the citizens employed physical threats against the consul C. Calpurnius Piso unless he accepted the candidacy of M. Lollius Palicanus, who was a Pompeian. It appears Palicanus was a favourite candidate because he would have championed the cause of Pompey.

Further violence ensued on the last day of the year when the tribune C. Manilius forced through his legislation redistributing the votes of the freedmen among the tribes (Dio, 36. 39. 1). According to Gruen (1974, p. 61), the elections for 62 BC are notorious due to the participation of Catiline who failed once again, and who then took a more dangerous course to try and win power (Sal. *Cat.* 26. 5). The drama was not confined to Catiline alone, however, since D. Iunius Silanus won after one previous 'repulsa' and L. Licinius Murena, his designated colleague, was at once prosecuted for *ambitus* by another competitor Ser. Sulpicius Rufus (Cic. *Mur.* 43, 82). Cicero's defence of Murena against a disgruntled loser illustrates the passions aroused by the competition in these elections. The elections of 63 for 62 BC were riddled with bribery allegations; in one assessment the candidate Servius Sulpicius Rufus "had the disadvantage of being an honest man" who spent more time trying to prove charges against his

rivals than winning election (Cic. *Mur*. 43-49).

The famous conspirator Lucius Sergius Catiline was a candidate for the office of consul for the following year and was said to be plotting against Cicero's life which eventually would affect or disturb the peace of Rome. Due to this unhatched but diabolic plot, Cicero delayed the elections and confronted Catiline in the Senate, making sure to let the public know he had been wearing armour under his garb because of the threat of violence. Cicero delayed the following year's election by postponing it and in his capacity as consul, questioned Catiline in the Senate house. When the elections were finally held Catiline was rejected by the assembly, and he embarked on his subsequent, ill-fated designs (Plut. *Cic.* 14; Cic. *Mur.* 51. Sall. *Cat.* 26). In this regard, one may concur (even though it's open to criticism) that the delay was not meant to satisfy the interest of an individual rather to save the Republic from Catiline's intended mayhem.

A peep into the unfolding scenarios suggests potential crises and unrests. Interestingly, the following year, Pompey was still in the field in the East in the Mithridatic War, hence he requested a delay in the elections for 61 BC so that he could send his legate M. Pupius Piso from the eastern campaigns to stand for office. Pompey requested an additional delay until he could enter the city and canvass for Piso personally [while he (Pompey) had to wait outside the city until the day of a triumph]. Having been the beneficiary of several extraordinary dispensations from the law and special commands in his career already, Pompey no doubt thought the request was commensurate with his station. The consular election was delayed at least long enough for Piso. There are, however, conflicting views about the delay. Dio (37. 44. 3) notes that it was out of fear that

Pompey might otherwise point his army in the wrong direction. But Plutarch says that Cato drew the line at a delay for Piso and prevailed in his insistence that the elections should not be delayed beyond that for Pompey's return (Plut. *Pomp.* 44). Plutarch (*Cat. Min.* 30) implies that Cato blocked the delay of the election altogether; while Gruen (1974, pp. 85-86) reckons that the elections were probably delayed for Piso, but not long enough for Pompey himself.

The year 56 BC witnessed disturbances that occurred over the obstruction of the elections. C. Cato was prevented from entering the Senate house to prevent him from vetoing a decree forbidding religious obstruction. Also, Clodius was nearly killed by the *equites.* The mob threatened to burn the Senate house and members of the Senate (Dio, 39. 28-9). And again, an attack by the mob was aimed at Domitius Ahenobarbus to prevent him from presenting himself as a candidate at the consular elections of 56 BC. In fact, on the day of election Domitius was driven from the Campus Martius by force of arms. Consequently, Domitius' servant was killed and M. Cato was wounded (Dio, 39. 31; Plut. *Cato mi.* 41; *Pomp.* 52; *Crass.* 15; App. *BC* ii. 17). In 55 BC violence was used during the elections of praetors and aediles (Dio, 39. 32. 2; Plut. *Cato mi.* 42; *Pomp.* 53), and to ensure the passing of the *lex Trebonia* (Dio, 39. 34-5; Plut. *Cato mi.* 43).

In 55 BC, according to Cicero, Pompey as consul employed a different tactic: He called an election for aedile suddenly and unexpectedly early. Cicero gives Pompey credit for trying to thwart bribery; the more likely reality was that he was trying to forestall bribery for candidates of whom he did not approve (Cic. *Planc.* 49). Cato then had his turn against the triumvirs and attempted to delay the entry of the year's duly elected praetors into office for a period of 60 days, rendering them vulnerable for prosecution for bribery. (Cic. *Q Fr.* 2. 7).

The following year, *all* the candidates were angled for electoral delay, each hoping for his own advantage, some hoping to emulate the triumvirs by stalling for an *interrex* while simultaneously dodging and lodging bribery charges amongst themselves. Not only were no elections held in 54 BC, but no magistrates for 53 BC were elected until nearly halfway through the year after which the manoeuvring for the elections for 52 BC began at once (Cf: Cic. *Att.* 4.17, *Q Fr.* 2.15; App. *B Civ.* 2. 3. 19; Dio. 40. 17, 40. 45).

More to the point, elections in the Rome of Cicero's day were delayed simply by the opposing individual(s) or group avoiding it, or by ensuring that the election was not held. It was Sulla who repeatedly avoided elections to remain consul, and Lepidus also exploited this medium to his advantage by preventing the annual ritual and demanded a second consulship for himself. Again, we note that in 77 BC, still with no new consuls elected, an *interrex* (a provisional ruler) had to be appointed to preside on an interim basis. Similarly, in 59 BC, delay of consular elections had become a destructive medium employed in the rivalry between Julius Caesar and M. Calpurnius Bibulus. Thus the latter, after being physically attacked during the forced passage of Caesar's agrarian legislation, withdrew to his house for the rest of the year and pronounced all of Caesar's actions to be in violation of the auspices. Caesar buoyantly overlooked Bibulus' conservative or calm approach (Plut. *Caes*. 14; Dio. 38. 6; Suet. *Iul*. 20).

Gruen (1969, pp. 71-108) asserts that the First Triumvirate may have been a medium of furthering the ambitions of the individuals (namely, Caesar, Pompey and Crassus) concerned, but if the members also hoped to dominate the electoral process they were to be disappointed. The campaign for the consulship of 55 BC was well under way before the Triumvirate was renewed at Luca,

where it was decided that Pompey and Crassus should obtain another joint consulship (Dio, 39. 27. 2). The consuls of 56 BC objected, but were able only to postpone the election a day beyond their year in office (*Q. Jr.* 2. 4. 4; Dio, 39. 27. 3). In the meantime, all but one of the candidates had withdrawn, leaving L. Domitius Ahenobarbus assiduously canvassing until violent opposition drove him from the forum (*Att.* 4.18a.2; 52. 1-2; App. *BC.* 2.17; Dio, 39. 31. 1-2). The other competitors in these elections are not attested, but one very likely contender was L. Cornelius Lentulus Crus, praetor in 58 BC, who waited another seven years before becoming consul.

Anthony Everitt (2003, p. 170) hints that the year 54 BC "experienced civic disorder and widespread corruption continued unabated and the streets of Rome were still unsafe. The only convincing centre of power, however, unconstitutional, was the First Triumvirate, but soon played a hand in subverting Caesar's brilliant rescue operations at Luca." Hence the elections for 53 BC involved at least five candidates who pursued their campaigns right up to the polls: M. Aemilius Scaurus, who survived a trial for 'repetundae' in the process, M. Valerius Messalla Rufus, who had already campaigned in 55 BC. Evans (1991, pp. 128) notes that Claudius Pulcher (Cic. *Att.* 4. 15. 7, 16. 6), Cn. Domitius Calvinus, and C. Memmius, Scaurus and Memmius were the initial favourites since they received the support of Pompey, Crassus and Caesar, but Calvinus and Messalla Rufus emerged the victors after a particularly bruising and vigorous contest (Plut. *Pomp.* 54. 3; App. *BC.* 2. 19) which extended well into the consular year. Similarly, Gruen (1969, pp. 311-321) argues that the members of the Triumvirate were not masters of the political situation especially when it came to election time.

There were no elections in 54 BC because of bribery and violence after the elections for 53 BC were not held until halfway through the year. Apparently, the tribunes namely Hirrus P. Licinius, Crassus Dives Iunanus, M. Coelius and C. Luccullus all succeeded by use of violence and obstruction to prevent all elections, so that the year dragged on with a series of *interregnum* (i.e., literally means ‘the time between kings’ but during this period was occupied by the *interrex*) until July. Later in 53 BC, a proposal to make Pompey dictator was resisted by Cato, and Pompey unwilling to use force, consented. At this point in time, the most eventful occurrence that overshadowed all other happenings, as well as, destroyed the balance of power in Rome, was the demise of Crassus on June 9, 53 BC. Crassus was defeated in his quest to conquer the people of Parthia, but he was killed by the Parthians at Carrhae.

In the same fashion as with witnessed in the preceding year, similarly, the year 52 BC opened without consuls or praetors, and without even an *interrex*. In this situation Pompey’s intent in preventing an interrex being appointed was for himself to be elected sole consul. At this point in time, anarchy and disorder reigned in the streets of Rome, as Milo and Clodius continued their brawl. The reason being that, in 52 BC both Milo and Clodius contested the position of consul. Prior to the elections, brawls broke out between the rival factions. Also, the relationship between Milo and Clodius was one of enmity, pure and simple. They viciously attacked one another in court, in political campaigns, and through gang warfare (Plut. *Cic*. 33, Asc. *Mil*. 26). Following the killing of Clodius on the Appian Way on January 18, and the subsequent violence that led to the burning of the Senate-house, the Roman Senate desperately concluded that matters were intolerable, and Pompey was appointed sole consul with the consent

of the Senate as the most irregular election of all (Dio 40.46; Livy *Per.* 107; Plut. *Caes.* 28, *Cat. Min.* 47, *Pomp.* 54; Leach, (1978, p. 157). With Pompey and the Senate now unified, consolidating their position against Caesar as he wrapped up his conquest of Gaul, and with Clodius dead, Milo tried and exiled, and the state shell-shocked from the tumultuous decade, there was a merciful lull in electoral disruption, though it was only a calm before the devastating storm to come.

The last elections at Rome before the Republic erupted into civil war on a scale hitherto unseen, and thence to dictatorship and Principate, were those for 49 BC in which three candidates contested, namely; Ser. Sulpicius Galba, a supporter of Caesar (Hirt. *Bell. Gall.* 8. 50. 4; Suet. *Galba,* 3. 2), L. Cornelius Lentulus Crus and C. Claudius Marcellus, both opponents (Gruen, 1974, p. 484). Galba, although seen as a popular candidate, was defeated…and with it came the decline of elections, while it encouraged competition as consistent and fundamental to Roman political life at the time.

As discussed so far in the foregoing paragraphs, we must note that if the Romans perceived *electoral crisis* in general, while all political factions recognized what was happening and could foretell its dangers they protested its application. But then, they employed it themselves, when it was their turn. There was not much hallowed precedence left for Caesar and the second triumvirs to overcome when it was their turn. Inevitably as it turned out, violence escalated in the 52s BC, and it reached a height in 50 BC, and then receded briefly before the outbreak of the Civil War.

The mere existence of what Lintott refers to as a “physical element” of Roman politics was not, by itself, abuse. In this regard, Lintott (*Violence*, 4, 11) suggests that: “notions involving the use of force were different in the

Republican culture than our own; there was an element of “self-help” concerning justice at the level of the individual and the family, and a common understanding that justified force.” The drama of the Republic in Cicero’s day was played out in a physical space and in physical actions, and in front of the Curia, in the Comitium, in the Forum, at the temple of Castor and Pollux, and on the Campus Martius. In 62 BC, Cato prevented the reading of a proposal to recall Pompey by the simple expedient of clasping his hand over the mouth of the reader (Plut. *Cat. Min.* 28.1; Dio 37. 44; Suet. *Iul.* 15). In 55 BC, Trebonius locked opponents of his measure in the Curia. On several occasions tribunes exercised their right of interposition quite literally, setting their chair in front of the prison, the carcer, either to prevent someone from being put in, to prevent someone from being let out, or protect someone inside. When the supporters of both Caesar and Pompey drove Bibulus from the Forum in early 59 BC, they employed the common tactics of destroying his *fasces,* the physical embodiment of the consular authority (Dio, 38.6).

In 57 BC, Milo responded to Clodian violence by having the elections delayed due to the riot that occurred between (Cic. *Att.* 4. 3). The riot that ensued between Clodius and Milo brought the Republic to a standstill in terms of consular elections. The following year, 56 BC, the Senate was outraged at the tactics of Pompey, Crassus and Caesar to have the elections delayed for their rigged consulship. And while Cato tried to whip up public opinion in the Forum, Clodius, working on the side of Pompey, stormed the Senate and might have been killed by the knights had not an angry mob interceded on his behalf, “bringing fire and threatening to burn his oppressors along with the Senate-house if they should do him any violence” (Dio, 39. 28-29). Thus, Clodius was spared

but the elections were delayed after all. When the defiant Domitius refused to withdraw his candidacy, despite the open secret that the consulship for 55 BC was reserved for Pompey and Crassus, he was set upon in public and one of his torch-bearers murdered. The triumvirs sealed the deal by surrounding the assembly with armed men. When elections were held later in 55 BC for aediles the violence continued and several deaths resulted, and although Pompey was unharmed, the violence came so close to him that his clothes were wet with blood (App. *B Civ.* 2. 17; Dio 39. 32; Plut. *Cat. Min.* 42; *Pomp.* 53). According to Plutarch, the sight of Pompey's bloody clothes sent his loving wife Julia, Caesar's daughter, into shock and miscarriage.

Electoral Corruption and Bribery

To underscore the importance of this sub-heading, electoral corruption can be broken down for the sake of convenience into three types according to object: the manipulation of rules (the legal framework), the manipulation of voters (preference-formation and expression) and the manipulation of voting (electoral administration) (Sarah Birch, 2010). Electoral corruption and/or bribery (*ambitus*) also involves manipulation of rules meant to distort electoral laws in order to benefit one faction or contestant in an election. The power-hungry man, Lucius Sergius Catiline cannot be forgotten in this matter. As a matter of fact, Catiline desired the consulship of 63 BC and 62 BC respectively. However, Smith (1975, p. 18) hints that Catiline was unable to run for the office the year he returned to Rome due to charges of extortion brought against him by his province. Similarly, Odahl (2010, p. 20) suggests that; "Extortion was a common charge many governors faced when they returned to Rome, and bribery was the common method of getting out of trouble."

Gift-giving and *ambitus* would have acted as a form of remuneration for the poorer classes in exchange for democratic participation, just as it had in classical Athens, or at least as an incentive to vote for an individual candidate (Markle, 1985, pp. 277-282; Ober, 1989, pp. 134-136). It is this *ambitus* paradox that votes of the urban plebs and of the poorer classes were insignificant, as critics of the democratic thesis claim that spurs Yakobson (1999, pp. 23-24) to argue that the urban plebs must have significantly participated in the Centuriate Assembly. After all, it is unlikely that canvassers usually courted wealthier voters with *ambitus*, since the rich would have less need to consistently change their vote in exchange for gifts or remuneration, though it is clear there were some exceptions to this rule.

Many Roman politicians used the money they gained during their governorship or pro-consulship to bribe the courts to let them go scot free. Catiline was no exception. In fact, he was able to bribe the court to drop the charges against him, but lost most of his wealth in the process. Catiline was like any other patrician during his time, in that he used his wealth to show off his class standing. He supported and hosted huge dinner banquets all of which were meant to show off his wealth, and he lived an extravagant lifestyle, which quickly drained his little wealth. His loss of wealth made him go into debt, which caused him dearly to desire the consulship even more.

Unfortunately for Catiline, in 64 BC he was taken to court again for participating in the Sullan proscriptions. Caesar was one of the men presiding over the court and he used his support to have Catiline acquitted of all the charges (Smith, 1975, p. 25). With his acquittal, Catiline was able to become a candidate for the consulship in 63 BC. Catiline’s rival for the consulship was

Cicero, a "new man" from the equestrian class. Catiline played on the political strife to gain the support of the "dissatisfied and discontented" (Ward, 1977, p. 173). He supported a debt cancellation program that gained him the support of the indebted lower class and indebted Sullan veterans.

Although, in actuality, the elections of 63 BC for 62 BC were riddled with bribery allegations in one assessment the candidate Servius Sulpicius Rufus "had the disadvantage of being an honest man" who spent more time trying to prove charges against his rivals than winning the election (Ward, *Crassus,* 170; Cic. *Mur.* 43-49 for the campaign). Crassus is accused by Cicero of bribing the jurors to acquit Clodius in his trial in 62 BC on charges that he had defiled a religious occasion (i.e., Bona Dea), and Pompey spent heavily "among the tribes" to win a consulship for his legate L. Afranius in 61 BC (Cic. *Att.* 1.14; Plut. *Pomp.* 44). In the year of Caesar's consulship (59 BC), he purchased with money from his rich running colleague L. Lucceius, together with Q. Arrius, a partisan of Licinius Crassus, as the financial power house (Cic. *Att.* 11. 1). Unfortunately for Lucceius, the other side managed to split the ticket and bring about the election of Bibulus as Caesar's colleague, relying heavily on bribery as well, and even Cato justified the practice as a necessary evil (Suet. *Iul.* 19). The first triumvirs took the consulship for Pompey and Crassus in 55 BC, and as soon as they assumed office they took measures to make sure bribery occurred only in their favor. Also, they blocked efforts by Cato to delay the inauguration of the elected praetors so they could be prosecuted (Cic. *Q Fr.* 2.7.).

In fact, Cicero claims that Pompey's ploy of holding unexpected elections for aedile was meant to forestall bribery, and during the year Crassus brought about his own *lex Licinia* to crack down on electioneering (Cic. *Planc.* 49; Dio

39. 37. 1). Hence, Ward (1977, p. 272), notes that it all was calculated and the triumvirs were simply trying to restrict the ability of their opponents to manoeuvre against them: "They had the resources to circumvent their own electoral reforms." The year 54 BC was a year of electoral payoffs. Interestingly, all four of the consular candidates were eventually prosecuted and the elections for 53 BC were delayed well into the next year. At this point in time, bribery in Rome in the age of Cicero had become very rampant and money flowed so freely that in July 54 BC, interest rates rose in the city (Cic. *Att.* 4. 15. 7; *Q Fr.* 2. 14. 4). In early August of the year 54 BC, the big truth or reality was unleashed. One of the candidates, Memmius, confessed to a plot involving a fellow candidate and the sitting consuls to reward the *centuria praerogativa* the sum of 10 million sesterces for its vote (Cic. *Att.* 4. 17, *Q Fr.* 2. 15. 4, 2. 16, 3. 1).

It is worth noting that political events that occurred at the end of the 60s inevitably drove Pompey, Crassus and Caesar into each other's arms. Thus they had no option than to join forces. Pompey, on his way back from his eastern victories, was induced or lured to bribery and arm-twisting to arrange the election of his legate Afranius as consul in the elections of 61 BC for 60 BC (Plut. *Cat. Min.* 30.5; *Pomp.* 44. 3-4). After all of Pompey's service to the Roman Republic, Pompey became bitter that the Senate had rejected his proposed settlement of the east and would not provide land for his veterans. On the side of Crassus, he was equally annoyed because he failed to reduce the price of the contract for the tax-farmers who were his clients. Caesar, having completed his term as praetor, was serving in Spain and was desperately eager to achieve his first consulship *suo anno*, as soon as he was eligible by age, befitting his sense of *dignitas*. As a result of the pact, Caesar was elected consul for 59 BC and his legislative

program included relief for his fellow triumvirs (Plut. *Caes.* 46).

The inevitable backlash, and, in particular the result of the above noted acts of political bribery and use of force brought about a renewed partnership between Caesar, Pompey and Crassus. The two generals, Pompey and Crassus, became consuls in 55 BC and they both went ahead to renew Caesar's command in Gaul for an additional five years. All these became a reality due to the pact a large number of the Senate together with Pompey, and Crassus agreed on at the city of Luca. The intent and expectation of Crassus and Pompey regarding Caesar's command in Gaul was successful. However, when events took a nose-dive and the odds were against the three personalities in 56 BC, and Cicero challenged to threaten the agrarian law, the former hastily took action to do away with the threat, while they took the opportunity to arrange the matter for the ensuing year. Thus by 54 BC, Caesar, Pompey and Crassus had the commands they wanted. In addition, they had the services of the magistrates they wanted. In this regard, Seager (2002, p. 127) contends that Pompey's report of an adverse omen against Cato in 55 BC indicates a lack of control which is weakened by the fact that Pompey was using it to control the election. Thus, Lazenby's (1959, p. 74) speculation that with Caesar under fire in Gaul, Pompey saw a chance to double-cross him, and that Crassus tagged along, has no substance. Besides, to use Lazenby's tactic of arguing based on the lack of evidence, if the triumvirs had tried and failed to impose their will on other elections during the decade, we would have heard of such a noteworthy failure in the sources.

It would appear amazing as to how the patron-client relationship helped encourage political corruption under the pretext that clients provided services for the latter (i.e., the patrons). Yet, on the contrary, the clients served their best

interest even when it was in the negative. This practice was to an extent even made to look normal in one of Cicero's orations, namely, the *Pro Murena*. But first, it is important that we re-orient our knowledge from the notion that corruption in Roman politics centred on the use of public position for acquiring wealth, amassing large armies (in the case of army generals) and to win votes. It must be admitted, that there was a significant body of habitual practice in the Rome of Cicero's day that remained exempt from constitutional structures that barred corrupt practices meant to entice electorates for their votes. Traditional client-patron relations, to give one instance, often overlapped with those of subject and magistrate or voter and candidate; in such instances, an exchange of gifts for services that we would certainly call bribery was considered more or less acceptable (Rosillo Lopez, 2010, pp. 42-43).

We may consider, for instance, these remarks from Cicero's defence of Murena: "But many followed him. Show that they were paid to do it; I will admit that it is a crime. But if that is ruled out, what fault can you find? 'What does a man want with attendants?' he asks. Do you ask me, why he needed what all the rest of us have used? Men of humble means have only one way of deserving and repaying favours from our order – by thus assisting and attending our campaigns for office. This is the loyalty of friends of rather slender means unoccupied by business. They never fail men who are upright and kind" (Cic. *Mur.* 70).

Essentially, the crowd of supporters that followed Murena around in hopes of future favours, or in repayment of past ones, was a normal product of the Roman social hierarchy, as Cicero explains here and elsewhere in the speech (Cf: Finley, 1983, p. 48) In fact, none of these public behaviours prove corruption, unless Murena had acquired these clients just by paying them, and so

the defence can refute the charge with one simple command: 'show me the money.' Yet, Cicero knew too well that all these practices amounted to corruption even though he argued on behalf of Murena.

In addition, a critical observation to be teased out from the speech above is that corruption in Rome (with special reference to the period understudy) was practically invisible against the traditional patterns of gifting, favour and patronage which, to a large extent, helped sustain the social position of politicians who sought political power and the benefits thereof. The result was that it caused an increasing level of disorder in the lives of the Roman citizenry. The foregoing assertion is seen in the work of Yakobson (1992, pp. 34-36) and Lintott (1990, pp. 1-16), whose publications demonstrate how the network of corruption could undermine and substitute for more traditional aristocratic hierarchies of patronage. Thus, it seems obvious, that another effect political corruption had on Roman politics in Cicero's day was that it created enmity among political factions as well as political rivalries, destabilised the ideals and institutions as well as damaged political relationships the Roman constitution was supposed to uphold.

Yacobson (1995, p. 441) paints a vivid picture of how electoral corruption blurred the conscience of Roman voters. He notes that a voter, bribed twice or thrice over, would still retain his psychological freedom of choice, while the secret ballot shielded him from pressures and intimidation. How massive bribery could co-exist with effective freedom of choice in late-Republican elections is shown by a story told by Cicero in his first speech against Verres. This was a forensic case Cicero was employed by the Sicilians as their advocate. In this regard, Cicero claims that during his canvass (*ambitus*) for the aedileship

of 71 BC a great sum of money was fighting against him; ten baskets of Sicilian money were transferred by Verres to the *divisores* in an attempt to ensure Cicero's defeat at the polls. Some of the *divisores* had, when approached by Verres, expressed their doubts as to the chances of success in this case. Cicero was in fact elected despite the attempt to prevent his election by massive bribery. The ten Sicilian baskets were defeated; but there is no reason to assume that they were rejected by the voters. It is far more likely that many voters took the money and then voted for Cicero.

Again, a salient instance is the censorship's abeyance after Sulla fully changed the Senate's outlook by increasing its numbers and ensuring its proper dominance over the Tribuneship. The expansion of the size of the Senate was thus accompanied by a significant shift in the role of a senator (Flower, 2010). The result was that senators had very little reason to fear that close attention might be paid to their affairs and actions. In this regard, it was no coincidence that the 70s BC were a decade of significant public corruption in two important activities, jury service and senatorial debate, which involved all members of the Senate (Wiseman, 1994, pp. 329-330). Wiseman also hints that: "Nonetheless, the alleged scale of judicial bribery in this period is striking. A senatorial juror who accepted a bribe was liable to prosecution; but the deterrent effect was apparently limited. In assessing the extent of bribery in this decade as detailed and preserved exclusively by Cicero in the speeches that he delivered when he prosecuted Verres in 70 BC and defended Cluentius in 66 BC, in both cases, Cicero stresses the prevalence of bribery, to the extent that in the *First speech against Verres*, he describes the previous ten years as a period in which, 'after the transfer of the courts to the Senate, shocking criminal behaviour has taken place

in the process of reaching verdicts' (Cic. *Verr*. 1. 38).

One recurrent observation in this pertinent issue in connection with Verres' case is what Steel (2014, p. 9), vividly explains that Cluentius (in the speech against Verres) is more specific in its approach, with an extensive analysis (48-116) of the judicial history of the disputes between Cluentius and his alleged victim, Oppianicus, which nonetheless covers a number of trials in which bribery was alleged or even proven. In both cases, the treatment of bribery supports the argument which Cicero is attempting to make. In the *Verrines*, it was that senatorial jurors were now so distrusted that the only way that they could preserve their monopoly on juries was to demonstrate their probity by convicting Verres; in *For Cluentius* that verdicts which might appear to cast doubts on his client's story were reached improperly. May be a wrong assumption, then, that Cicero has gathered together any and all material which demonstrates that bribery had taken place. To Gruen (1974, pp. 29-34) even though these speeches may well give us a comprehensive picture of bribery in the 70s BC, it is not plausible to conclude that Cicero simply invented these accusations or the trials to which he refers. His evidence reflects a period in which indignation could be stirred up through reference to well-known judicial scandals, even if the amount of illegal behaviour was in fact less than he implies.

No elections were held in 54 BC for 53 BC because of a variety of bribery scandals, and no magistrates took office until late in the year. In the year 54 BC Appian (B.C. ii. 19) says that the Republic was without consuls for eight months. The happenings that brought about this delay ranged from factional struggles to monetary usage. Appian notes: "The magistrates were chosen by means of money, and faction fights, with dishonest zeal, with the aid of stones

and even swords. Bribery and corruption prevailed in the most scandalous manner. The people themselves went to the elections already bought. A case was found shocking where a deposit of 800 talents had been made to obtain the consulship. For these reasons good men abstained from office altogether, and the disorder was such that at one time the Republic was without consuls for eight months, Pompey conniving at the state of affairs in order that there might be need of a dictator."

Immediately, the convulsions began over elections for 52 BC, in which Milo was standing for consul and Clodius for praetor. On the voting-day Clodius and his supporters stormed the assembly and were repelled by Milo's forces. Subsequent attempts to hold elections either were delayed or ruined by violence. During the frequent fighting, the consuls were assailed on the Via Sacra and one of them, Calvinus, was even wounded (Asc. 30-31C). Plutarch describes the events as follows: "Often, before an election was over, the place where it had been was stained with blood and defiled with dead bodies, and the city was left with no government at all, like a ship adrift with no one to steer her" (Plut. *Caes.* 28).

And so the year 52 BC opened without magistrates. When an *interrex*, Lepidus, could be appointed, supporters of Clodius stormed his home and demanded an election be held before it could next be legally called (Dio. 40. 48). On January 18, 52 BC, the gangs and gladiators of both Milo and Clodius met on the Appian Way, and after a fierce fight between his gangs and Milo's gladiator's, the former was killed. Clodius' supporters rioted in the Forum; the fires spread from the pyre and burned down the Curia. At this point, the conscript fathers had had enough of the rioting. Thereafter, the Senate, with Cato's

consent, appointed Pompey as sole consul. Among Pompey's first acts were a series of laws that brought matters under control, until the greater violence to come in 49 BC (Plut. *Cat. Min.* 47; *Pomp.* 54). Clearly, we can see how the Rome of Cicero's day had been thrown into utter chaos, and a transition from fighting in the streets to fighting with armies in the field.

Whereas the activities discussed so far were rife in the Rome of Cicero's day, there is also some evidence that senators willingly exchanged their votes in the Senate for a variety of benefits. Bribery may have been involved in the allocation of the command against Mithridates to the consul Lucullus in 74 BC (Cic. *Parad.* 5. 40; Plut. *Luc*. 5-6). The Senate's support on this occasion was allegedly secured through the actions of Cethegus: the sources concentrate on the indignities undergone by Lucullus to get Cethegus' support (including the promise of money) but Cethegus' use of bribery among a variety of tactics he used to control his voting bloc is a reasonable inference. Even clearer are the implications of the law which the tribune Cornelius proposed unsuccessfully in 67 BC, to end the Senate's capacity to exempt individuals from laws (Asc. *Corn*. 58C-59C). The compromise, which demanded a quorum of 200 for such exemption was passed despite opposition from those whom Asconius describes as the *optimates*, 'who were accustomed to do favours to their friends, using a few people' (Asc. *Corn* 59C).

Inevitably, the Roman Senate continued to be highly politicised within this period (i.e., the 70s BC) with the regular presence of large numbers of *imperium*-holding magistrates, and it became prone to administrative blockage. It is not my intent in this research to demonstrate the consequences it had on the Roman Senate in detail during the last decades of Rome of Cicero's day;

however the relevance of these observations to the crisis of senatorial decision-making about Caesar's command between 51 BC and 49 BC are obvious.

Particularly, in this period, there was a large section of the Roman electorate which was both especially susceptible to bribery and situated conveniently at hand. These were the impoverished farmers who had come to the city in great numbers, with little property but their vote, which they were often ready to sell "to the highest bidder" (Lindersky (N. 2), 91). The votes of such people were especially valuable since, as is widely accepted, at least some of them were allowed to keep their registration in the rural tribes (See Brunt (N. 14), 25-26). Under such conditions, electoral bribery was bound to flourish; it could neither be curbed.by penalising it (through the laws against *ambitus*, that is, canvassing for support) nor discouraged by making it an unsafe investment.

Electoral bribery, like most other forms of corruption, seems to have been fairly normalised (Lintott, 1990). In fact, it was such a big business that it even gave rise to its own professional distributors of bribes called *divisores.* Nevertheless, there was much moralising and handwringing on the subject. Cicero emphasised the importance of laws to prevent the 'buying of votes' (while conceding the difficulty of doing so (Cicero, *Laws*, in *De Republica; De Legibus*, III.xvii.39-49), and the sumptuary laws introduced from 182 BC onwards had the dual purpose of reducing virtue-sapping luxury and limiting the amount that political elites could spend on gifts and entertainment for the purposes of drumming up electoral support. The first of these was the *Lex Orchia* of 182 BC, followed by other laws like the *Lex Fannia* of 161 BC and the *Lex Antia* of 68 BC (Cf: Lintott, 1990, pp. 1-16).

One of the factors complicating our understanding of what exactly public

officials owed to the public was the notion of *gratia*, which meant something like favour for which one expresses gratitude. *Gratia* could thus encompass gifts, donations and hospitality given in the context of a relationship between a socially dominant patron and his or her clients (Saller, 1982, pp. 12–19). *Gratia* and patronage however, were not always seen as corrupt or corrupting. According to Braund, some, for example, might castigate the corruption consequent on the monopolisation of *gratia*…, and yet lament the passing of more 'widespread' *gratia* among the leading noble families of the Republic (Braund, 1989, pp. 137–152, 149–150).

The Effects of Electioneering Crisis and Bribery in politics of the latter part of the Republic.

In Lisa Hills's article titled, *Conceptions of Political Corruption in Ancient Athens and Rome*, she laments bitterly on the level at which bribery had taken hold of Rome in this period under study. According to Hills (2013, p. 15) bribery was considered to be the worst and most ubiquitous form of corruption at Rome. What is noteworthy is that, the remedies were often institutional, rule-oriented and legalistic, designed with the knave principle in mind rather than with a naïve desire to restore virtue. Thus, we may note that Roman politicians could better afford the heavy and unsafe investment involved in trying to buy the votes, and had a greater incentive to do it, because these votes, once bought, would enable them, as pro-magistrates, to rob whole provinces in order to compensate themselves for previous expenses, mobilise money for future electoral campaigns and get still richer in the process.

The richer Rome became, and the more extensive and diffused the Roman Republic, the greater the problem of bribery seemed to become. By the latter part

of Cicero's day, it was institutionalised and the sums required had become enormous. There were even organized associations and many of them based on tribes set up for extortion and intimidation. As Lintott (1990, p. 15) rightly notes, the long-term political consequences of bribery had become noticeable by the sixties and fifties BC when the massive borrowing needed for bribes created financial instability and subsequently political instability among the aristocracy and a subsequent loss of faith in the constitution. This in turn, is said to have contributed to the civil war.

Similarly, Syme (1939, p. 34) also bemoans that Cato went too far. For, when the knights who farmed the taxes of Asia requested a rebate from the Senate, Cato denounced their rapacity and repelled their demand (*Ib*. 2, i, 8). But Crassus was behind the financiers and so he waited patiently in rancour. To maintain power, the government needed consuls. However, the men were not easy to find. Cato gathered a great fund to carry by bribery the election of Bibulus, his daughter's husband (Suet, *Divus lulus*, 19, i.). According to Syme (1939, p. 39) corruption and disorder coupled with suspension of public business reigned. The next year opened without consuls. Similar but worse was the beginning of 52 BC; three candidates contended in violence and rioting, chief among whom was the favourite of the *optimates*, T. Annius Milo, who was running for the praetorship. When Milo killed Clodius, the populace of Rome were in grief for their patron and championed with his body displayed in the Forum. Then they streamed out of the city to the villa of Pompeius clamouring for him to be consul or dictator (Asconius 29, 33). The foregoing request compelled the Senate to act within its constitutional power; declared a state of emergency, and instructed Pompeius to hold military levies throughout Italy

(Asconius 29. 34). The demands for a dictatorship went on to counter and anticipate which, the *optimates* were compelled to offer Pompeius the consulate without colleague (Asconius 31, 35f).

After the introduction to the treatise, in which Quintus surveys his brother's favourable chances in the upcoming election of 63 BC, the art of campaigning is analyzed as the application of effort toward two ends: enlisting *amicorum studia* and cultivating the *populares voluntas* (Quintus. *Comm Pet*, 16; Cf: Cic. *Att*. 1. 1. 2). In Quintus' recommendations of various sorts of ingratiating behaviour of voters, he urges Cicero to avoid any overt political stances during his candidacy (Quintus. *Comm. Pet*, 53). Omission of what we would recognize as a political appeal to the general populace looks to us like the absence of any serious attempt to attract its support. But the advice against taking up high politics during a candidacy must not be read in isolation from what immediately precedes and follows it. As Quintus himself has just made clear, political considerations will in fact be crucial for Cicero's chances: it is of the highest importance that each of the major orders-Senate, equites and multitude have favourable expectations of Cicero's political stance. However, this should be based on his previous record: "The Senate should believe that you will be a champion of its authority on the basis of your manner of life; the equites and sound wealthy men should consider you devoted to peace and quiet from your past actions; and the masses, that you will be sympathetic to their interests because at least in your speeches in meetings and in court you have been *popularis*" (Quintus. *Comm. Pet*, 53).

In assessing why elections in Rome in the age of Cicero became a means to an end by the *optimates* or the *nobilis*, we have already noted that there were

two main factors that made electioneering crisis a normal practice in the period in focus. First, only a few wealthy citizens had the financial strength to attain political careers. Since they could finance their campaigns it made the annual practice of holding elections become a mere practice whereby the wealthy either won political power to themselves or were able to choose those they favoured. Yakobson (1995, p. 442) expatiates this point as he notes that Roman politicians could better afford the heavy and unsafe investment involved in trying to buy the votes, and had a greater incentive to do it, because these votes, once bought, would enable them, as pro-magistrates, to rob whole provinces in order to compensate themselves for previous expenses, mobilise money for future electoral campaigns and get still richer in the process. Second, there was, in this period, a large section of the electorate which was both especially susceptible to bribery and situated conveniently at hand. These were the impoverished farmers who had come to the city in great numbers, with little property except their votes, which they were often ready to sell "to the highest bidder" (Cf: Lindersky, 1966, p. 91). The votes of such people were especially valuable since, as is widely accepted, at least some of them were allowed to keep their registration in the rural tribes (Anonymous). As normally happens, under such conditions, electoral bribery was bound to flourish and could neither be curbed by penalising it (through the laws against *ambitus*) nor discouraged by making it an unsafe investment.

Conclusion

To summarise then, I have shown how as a result of the prevalence of electioneering crisis, Roman citizens bent and ultimately broke their Republican constitution. The annual elections, which served prior to their time as the focal

point for resolving all their problems and frustrations, and the mechanism for control of the Roman Republican government, unfortunately became a mere annual practice, and significantly lost their essence. Each faction on the Roman political centre-stage was set to manipulate the elections for its own interests. Each sought to delay the elections, to bend the laws concerning office, to abuse religious rituals, to subdue the assemblies by violence or to buy them with money, to control and usurp the powers of the elected magistrates, and occasionally to steal with force the ballot-box or rig the election procedure. Any original justification for the existence of holding annual elections were swept away in the zeal of their application. Each practitioner of abuse, considering himself to be acting for the "good," justified his abuse by the offenses of another.

The historical accounts given by the sources with respect to the period in focus show that only a few consuls were prudent enough to have won the office without resorting to mass bribery, whereas the vast majority of candidates had to pay tribute to the masses which in the Rome of Cicero's day had become a political necessity, if and only if one wanted to be ahead of his opponents. Not forgetting that games and theatrical shows were another means to win the hearts of the electorates, dinners, including retinues and supporters had to be provided. Still, the Roman masses were not the only focus; powerful, but normally neutral, men had to be actively recruited in return for promises, favours (in the form of cash or kind), while enemies might be bought off the same way (Cf: Livy 39.41; Plut. *Cat. Mai*. 3; Plut. *Cic*. 10; and, Plut. *Cat. Min*., 49.). In simple terms, candidates had to bribe and organise activities noted earlier not only to ensure they keep pace with their opponent or counterparts, but to avoid rejection at the polls.

The following suppositions may therefore be rnade based on the discussions and assessments made in this chapter: First, candidates at the time found it difficult to refuse the many enticing appeals for aid or openly snub members of the electorate, otherwise they risk becoming unpopular in the eyes of the Roman electorate who have become acclimatized to expecting activities such as memorable games, extravagant banquets and receiving of cash. Second, we can conjecture that there were political benefits for granting or fulfilling requests during the election period; the least of which was the establishment of a candidate's chances of winning an election, especially consular elections. But the fact that we can make such supposition does not mean that every candidate at the time could grant every request that came his way, even if he had what it takes to do so.

It is my position that the lower classes in the Rome of Cicero's day were both essentially disenfranchised and that *ambitus* was extensive. This is because it could be argued that the purpose of *ambitus* or canvassing for votes was not to encourage poorer voters to vote for a candidate. Rather, *ambitus* was necessary for candidates to establish their wealth and senatorial status to the electorate and to maintain social cohesion by appealing to the symbolic power of the Roman people and by granting them economic benefits through the electoral process. In fact, it is difficult to determine how corruption in the Rome of Cicero's day would have functioned if its purpose was to ensure that poorer individual citizens would cast their votes for individual aristocrats. And as Lintott (1990, p. 8) says it: "Our lack of knowledge of how *ambitus* actually worked is part of the problem. The most that we can say is that aristocrats hired middlemen known as *divisores* to distribute money and gifts, perhaps tribe by tribe" (Cf: Cic. Planc.

55; Asc. 74C-75C).

As Rome in the age of Cicero drew closer to its end, its constitutional mechanisms revealed its major loopholes, thereby demonstrating how the political stakeholders (especially Senate members and army generals) could deal with unrestrained assertions of group interests, political rivalry, violence and urban frustration. It seems that the incessant experience of violence in the Rome of Cicero's day was difficult to control because the Republic at the time lacked a standing police force, and the nature of the Roman constitution did not create room for adequate executive powers to magistrates who had the will to exercise them.

But all these could be blamed on the Roman Senate for its failure to comprehend and find ways to resolve the pressing issues at the time. Of course, most Senate members were culprits of political bribery and corruption and so in effect, lacked the impetus to rebuke or call to order other politicians and magistrates who found themselves on the political stage. Also, one of the significant short-falls that countenanced pre-elections and marred the beauty of annual elections in the Rome of Cicero's day is the rigorous and corrupt nature with which campaigns were conducted. In point of fact, it is obvious, as demonstrated in this chapter, that pre-election campaigns, election times, as well as post-election periods were usually beset by political killings, bribery and armed clashes between supporters of rival political factions. In part, the controversy about annual elections in the Rome of Cicero's day points to the change in the nature of Roman politicians and the citizenry at large.

CHAPTER FIVE

CONCLUSION

Thus far, our discussion and assessment on salient issues raised in the preceding chapters clearly reveal the nature of politics and politicians in the Rome of Cicero's day; the latter (politicians) were willing to twist constitutional structures to achieve their personal, not Republican goals, interests and gains. Hence, for a politician who lived in the Rome of Cicero's day to be successful, he must be ready to utilise overwhelming force (as demonstrated by the army generals and *optimates*) in order to render his political opponents incapable of a response. This phenomenon best accounts for the ruthless political strategies employed by magistrates such as Saturninus, Clodius, and Caesar whose terms of office as tribunes and consuls respectively, coupled with political influence expanded to overpower opposition.

Policy-making was theoretically in the hands of the Roman people because magistrates were elected by popular vote, while laws were passed in the popular Assembly, and foreign policy was made by the people. Yet, it was the Roman army generals and those who had the connections that at the end of the day occupied the magistracies. In effect, it was not difficult for these corrupt magistrates to milk the Republic and the provinces they administered. In the face of these happenings, corrupt practices became rife in the Rome of Cicero's day and inevitably shook the moral fibre of its citizens and political stakeholders to its foundation. The Senate found its powers increasingly wrested from it, and it tended to be offended when foreign policy decisions were made by other bodies, especially the army generals.

Consequently, bribery encouraged participation in politics as people

could easily align themselves with the families that had had the privilege of occupying certain positions, especially the consular position. This phenomenon encouraged what became an institution of itself. Although the primary purpose of tribal headquarters, centrally located in Rome, was to organise voters, this function expanded over time to include the distribution of cash incentives, mainly to lure citizens. Tribes managed the bribery themselves. This was done through a number of groups the most notable of which was the *divisores*. Thus the instruments through which this league worked were the *interpretes*, *divisores*, and the *sequestres*, each of which took charge of a portion of a tribe. The means which they perused were not necessarily illegitimate though the word *divisores* was frequently associated with bribery. Bribery was so much imprinted; it then, can be added to food distribution and games as a means of luring Roman citizens, primarily for votes.

According to Sherwin-White (1956, p. 1) to speak of Roman politics in the late Republic, but more specifically in the age of Cicero without touching on violence would hardly be possible. The issue one observes during this period, as to why politics took a nose dive is best expressed in the words of Yacobson (1999, p. 180), that conflicts increased in this period because politics had become more important in terms of political rewards than had been the case in the earlier years of the Republic since the resolution of the 'Conflict of the Orders.' As a matter of fact, political violence could be attributed to the overzealous actions of the supporters of these politicians, rather than being incited by the individuals themselves. This reaffirms the idea of the period as one dominated by the struggle between the *populares* and the *optimates* (Anonymous). Nicola Mackie (1992, p. 51) adds to this reasoning, by explaining the idea that the Roman

populace could identify a true *populares* rather than an individual working for selfish means. She contends that the *populares* were mostly successful in times of economic strife, implying that they relied upon stress as a catalyst for the success of their legislation.

The foregoing illustrations serve to give some idea of the extensive use of bribery, which most political stakeholders in the Rome of Cicero's day identified as one of the major weaknesses and the effective use of violence to achieve political objectives. These political objectives ranged from partisan, faction oriented goals to Republican goals (which we would refer to as 'national interests' in contemporary times) or interests. This study has demonstrated also how politics in the age of Cicero was centred on two noticeable political factions, namely, the *optimates* and the *populares* for the control of the elected offices of magistrates. A cursory look at Rome during this period portrays a period whereby politics was premised on ideological differences between the two factions mentioned above. Inevitably, the scramble for political positions was characterised by factional struggles for control of the offices that came with its own benefits. The *populares* politicians were fired up during Cicero's day to boldly square up their shoulders with and above that of the conservatives in the Roman Senate, the *optimates*.

The available sources indicate also that Cicero at a point seemed to have lost regard and trust for affirming the role of the *optimates*. By May 60 BC, Catullus had died and Cicero felt that he was taking a lonely walk along the '*optimates* road,' he had no companions or supporters, but he believed his commitment to the Senate remained the right path (Cicero, *Atticus* 20. 1. 20. 1; *Atticus* 18, 1. 18. 1). For, Hortensius and Lucullus were increasingly retiring into

a life of luxury, looking after their prized fish: 'Our leading men think they have reached the summit of the stars if they can get the bearded mullets in their fishponds to eat out of their hands!' Cicero complained to Atticus (Cicero, *Atticus* 12, 2. 1. 7). All that was left was Cato. True, he was a man of integrity; but he was guiding the Senate down a route of vain obstinacy. Hence, for a conservative like Cicero, the changes brought about by these leaders represented a threat to the ideals of the old ways; liberty and the freedom from monarchy. It was an ideal for which Cicero, considered worth dying.

Politics in the Rome of Cicero's day increasingly came to rely on the use of volunteer soldiers also who owed their allegiance to their generals but not to the Republic to influence decisions that were reached in the popular Assemblies and the Senate as well. This triggered the spark needed for the intrusion of the army into Roman politics. Prominent members of the Senate who also doubled as army generals seized the opportunity to use their respective armies to garner support as well as achieve their political goals. To a large extent, the activities of army generals such as Cornelius Sulla, Gaius Marius, Pompey, Licinius Crassus and Julius Caesar determined the outcomes in the Roman Senate and even at the Assemblies. Earl (1963) suggests that such intimidation, often in conjunction with rioting and disorder in the streets of Rome, ensured that legislation favourable to a particular political faction or army general would be passed, to the extent that if they had to intimidate or even kill political opponents. One may wonder if there were no checks in place to ensure these happenings were curtailed. Lintott (1968, p. 204) hints on the intentionality with which such acts were carried out; that although a number of constitutional means were devised to check and nullify the effects, these were not proof against persistent violence on

a large scale.

The level of corruption bred violence in Rome which sparked situations that dealt a big blow to the once formidable constitutional and political structure of the Republic. As at Rome of Cicero's day, the Roman political state structures had become weak and susceptible to men who wielded the means and military might. While Rome was a Republic, it only qualified as a partially democratic political system since the nobility had disproportionate, if not overwhelming, power. Therefore, the state apparatus, most especially the Senate in Rome of Cicero's age, did not possess great power, since popular politics had become the order of the day.

These events, I believe, are demonstrated in the readiness of the poor Roman citizens to join in street-fighting and civil war(s) that resulted in gargantuan issues of electoral corruption and bribery, and the dissatisfaction of the masses of the then existing form of government. It is notable that by the use of violence by both political factions, coupled with the intrusion of the army into Roman politics, alongside the attendant problems it stemmed up, violence became a key tool employed by politicians of Cicero's day to destroy the political framework which had earlier provided Rome with its prestige and honour. It would appear then, that the great politicians of the Rome of Cicero's day were prospective dictators, setting no limit on their pursuit of personal power.

Cicero had apparently envisaged some of the acts of violence, rioting, street-murders, corruption, bribery, political manoeuvres, and military intrusions in the political life of the Republic, and so mooted and propagated his idea of *concordia* or 'harmony of the Orders,' that is, the *optimates* and the *populares*,

the two political factions in the Republic.

This concept of 'harmony between the Orders' was a good one which if it had been practiced would have helped the Republic a great deal. The varieties of Cicero's *concordia* (that is, *concordia ordinum*, *concordia civium* and *consensus omnium bonorum*) have important differences, and the differences can be seen when the question becomes how to preserve concord. Consequently, due to the many struggles of his public and private life, Cicero provides three answers to this question, of which two are uniquely his contribution. One answer, following the conventional meaning of *concordia,* is that a Republic must eliminate hatred and build friendship and agreement among its citizens. The second, which Cicero is the first to suggest, is a concept he calls *concordia ordinum:* the best way to secure concord in a Republic is to maintain a balance between its two main orders, namely the Senate and the *equites.* The third is also new: the key to preserving concord must be to preserve the common good in a consensus of all good people (Temelini, 2002, p. 161).

Thus against the background of the social, and particularly the political crisis which characterised and had engulfed the Republic in the age of Cicero, it is no surprise why Cicero later on before his death, wrote with so much heaviness of heart that: "But though the Republic, when it came to us, was like a beautiful painting whose colours, however, were already fading with age, our own time has not only neglected to freshen it by renewing the original colours, but has not even taken the trouble to preserve its configuration and, so to speak, its general outlines" (Cic, *De Rep* 5. 1. 2).

In all, there is the popular notion that Cicero was a great orator, but I believe he was more than that, because he was a voice for his day, and obviously

his day was so perilous that the Republic needed a moral voice and one who could stand up and speak against the moral decadence, political and electoral corruption amidst the violence that had engulfed Roman politics. It is fair, after reading his many speeches and books, his personal life experiences, and the manner in which he held so high Roman traditional standards, that we accord him the garment of a moral authority. Indeed, judging from how he defended Amerino Roscio in 80 BC coupled with the tense political situation at the time, up till his last effort of denouncing the tyranny of Antony, Cicero deserves our greatest admiration. Indeed he was very persistent in his denunciation even when he knew it was tantamount to death. And so he boldly proclaimed, prior to his execution: "I scorned the sword of Catiline, I will not quail before yours. No, I will rather cheerfully expose my own person, if the liberty of the city can be restored by my death" (Cic, *II Philippics, The Orations of Cicero*. 46).

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