University of Richmond
UR Scholarship Repository

Master's Theses | Student Research

4-1-1941

The Catilinian conspiracy : a translation from French

Walter E. Bass

Follow this and additional works at: http://scholarship.richmond.edu/masters-theses

Recommended Citation
Bass, Walter E., "The Catilinian conspiracy : a translation from French" (1941). *Master's Theses*. Paper 11.

This Thesis is brought to you for free and open access by the Student Research at UR Scholarship Repository. It has been accepted for inclusion in Master's Theses by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.

THE CATILINIAN CONSPIRACY

A Translation From French

by

WALTER E. BASS

ORIGINAL BY

GASTON BOISSIER

Of The French Academy

A THESIS

Submitted to the Graduate Faculty
Of the University of Richmond in
Candidacy for the Degree of

MASTER of ARTS

Department of Greek

UNIVERSITY of RICHMOND

August 1941

LIBRARY
UNIVERSITY OF RICHMOND
VIRGINIA

PREFACE

Of all the characters of the Ancient World none is better known today, both to scholars and to those whose knowledge of that history is small, than Cicero, Statesman, Orator, and Author. And of all the achievements of that great man the most widely known is the part he took, in co-operation with the Senatorial party, in crushing the Catilinian Conspiracy.

Despite the fact that this is his outstanding achievement, however, there is nowhere in English a full history of that period. In text books, containing the orations of Cicero, will be found a chapter or so on the subject, which, however, merely attempts to give an outline. It is the purpose of this TRANSLATION to put into English a full discussion of it.

Along with all students of Ancient History M. Boissier has his theories which other historians will disclaim. He is, nevertheless, a writer of highest merit and is so recognized. This is vouched for by his <u>Gracchii, Marius, and Sulla</u>, a book on the dictators, which has already been translated into English. It is the Translator's hope that this book will be a worthy addition to our knowledge of the Romans.

THE CATILINIAN CONSPIRACY

A Translation from French

TABLE OF CONTENTS

THE CONSPIRACY OF CATALINE

CHAPTER I

THE PRELIMINARIES OF THE CONSPIRACY

No one will say that I am seeking something new. There is subject in Ancient History which has been treated upon more than the conspiracy of Cataline, nor one which seems more commonplace. It was used very much, as have all the remembrances of the Roman Republic, during the time of our revolution; Mirabeau[1] himself often found that it was being abused: ("Well, Gentlemen, a propos to a rediculous motion of the Palais-Royal, and to an insurrection which never had any importance except in feeble imaginations or the perverse designs of certain dishonest men, you have recently heard these insane words, Cataline is at the gate of Rome, and they are holding a conference to consider the matter " — Mirabeau, discours du 26 septembre 1789.— I follow M. Aulard, who is compiling at this time the letters sent to the Convention a propos to the 28th of July, that, in nearly all the addresses, especially in those of small

1. Mirabeau was a court adviser during the French Revolution who originated the idea that the king with foreign troops should force the people to peace and understanding. He died before the Revolution got into full sway.

villages, where the mayor and the municipal advisers had not made a study of the classics, Robespierre is called the modern Catiline). But there is no reason for not returning to it. Besides, the events which have been so much discussed are the very ones about which there is much to say, and while further discussion might be only concerning the manner in which these events are judged, this particular one is especially curious, partly by the interest of the happenings and partly by the importance of the actors, and I add that, in spite of the abundance of information, there remains much obscurity.

I do not flatter myself that I have clarified all of these obscurities; that will become very obvious in the course of this book. It seems to me, however, that modern developments are able to cast some light upon some of these events. Mankind changes only on the surface. Often we demand from doubtful and remote documents some explanation of ancient affairs, when it would suffice to look around us to have the understanding. It is the least we can expect that, when it is a question of studying the revolutions of other times, the experience which we have had during more than a century of popular movements, conspiracies, coups d'etat, may serve to some purpose; we have suffered enough in them to have the right to profit from them. I believe, therefore, that the remembrances will make us better understand that which passed at Rome in the last years of the seventh century of the Republic.

I

The facts are well known; they have been handed down to us by two great writers, Cicero and Sallust, who were truly well learned. We have also the greater advantage that these two witnesses did not belong to the same political party and that it is possible to check one by the other.

Cicero first. —— It is the role that he played in the conspiracy that has made it popular. Men of letters must have been particularly flattered that one of their number had ruled his country gloriously and that, without anarchy, without soldiers,[1] by his words alone he snatched it from a very great danger. This was a political answer to the scorn which men of action, politicans by trade, and men of war felt towards them. Voltaire, who found that this great recollection honored singularly the whole corporate body, drew from it a strange tragedy, Rome Sauvee, which he played many times himself, at his own private theatre, at Sceaux for the Duchess of Maine, or at Berlin for Frederick II. He played the part, with much success, of Cicero, and Condorcet, who saw him play it, said, thirty years later, "Those who were present at this event have not forgotten the moment when the author of Rome Sauvee cried out:

"Romans, I love glory and do not at all wish to keep silent about it,"

with a truth so impressive that one did not know whether this noble confession happened to escape from the soul of Cicero or of Voltaire.

1. M. Boissier deals in hyperbole here. There was a savage battle fought in Northern Eturia before the conspiracy was crushed.

It was natural that Cicero, who was not modest, was more convinced than any other of the merit of his action and the service which he had rendered to Rome. He wished above everything else that these things should not be forgotten. The most sure way of preserving the memorial did not seem to him, as it did the Greeks, that of building monuments and erecting statues; he placed more trust in history, oratory, and poetry: "I love only that which makes a noise," he said -- Nihil me mutum potest delectare. (In Cat., III, 11)[1]. For this purpose he addressed himself to all the men of his knowledge who knew how to write even a little, and whom he believed were disposed to serve his renown, and he asked them, without false shame, to celebrate his great consulship. But, by a kind of fate, it happened that they were all busy, or about to be. Only Atticus, whose accommodation was inexhaustible, complied, without completely satisfying his friend, who found in his work less talent than good intention. The others excused themselves with regrets and compliments. Cicero, seeing that he would obtain nothing from them, decided to tell about it himself, and to celebrate himself; he wrote the hostory of his consulate in verse and in prose, both in Latin and Greek. Both the works which he wrote for this period are lost, and that

1. There seems to be a typographical error here. This passage is found in In Cat.,III, XI, 26. A larger section of this passage will show how modest Cicero was: "In return for these things, O Senators, I ask from you no reward of virtue, no insignia of honor, no monument of praise, except the eternal remembrance of this day. I wish all my triumphs, all ornaments of honor, monuments of praise, insignia of honor to be deeply lodged in your minds. Nothing mute is able to please me, nothing silent, and finally nothing of that which the less worthy may be able to attain." In Cat., III, XI, 26.

small part of them which has been preserved furnishes us little regret for the rest.

It is more regretable that we do not have his correspondence from this period. He was not at that time as great a person as he became much later, and people had not started saving his letters. Atticus himself did not yet think that he would live in the memory of men only due to the letters of his friend, and that, according to an ancient, Cicero would lead him into glory. When, toward the end of his life, he prepared the publications of the correspondence to which his name remains attached, he was able to find only a dozen letters prior to 691,[1] and not one ord of the year during which Cicero was consul. Happily we possess the greatest part of the Consular Discourses, and especially the four orations against Catiline, which have reached us entirely intact. These Discourses, without doubt, were not compiled until three years after they were pronounced, and we do not know what changes Cicero was able to make in them when he published them. It is none the less true that here especially is where it is necessary to probe for the history of the conspiracy.

Despite its small size The Catilina of Sallust is the first, with respect to date, of the real historic works which Roman literature has left us. Thus it is natural that we desire to know under what circumstances it was produced, how the author was led to write it, and the purposes he had in mind when he composed it. It is not easy to answer all these questions.

1. 691 A.U.C. (i.e. 753 B.C.) 691 would be 63 B.C.

It seems to me that it is easy enough to determine exactly the period in which it was written. As it is certain that it was not possible for it to appear during Caesar's lifetime and as we are told that Sallust died four years before the battle of Actium[1], he must have been busy with these works from 710 to 718[2], and if he began with The Catilina, which appears reasonable enough, as it is necessary to leave time for writing, it must have been published between 712 and 713[3], that is immediately after the battle of Philippi[4], and the defeat of the Republicans. Now for the first time since the death of Caesar there was no army present; there was no longer war, but peace had not yet come. The times were still very sombre; the victors distributed to their soldiers the lands of the conquered, and, when that did not suffice, they siezed the lands of others. The pillage and massacre left Italy and the provinces desolate; the chiefs of the Caesarians had divided the world among themselves, but as none of them appeared content with his part, they were always on the point of taking up arms, and nevertheless it seemed that, in spite of this lack of quietude and of these menaces, one could feel, as it were, a breath of Springtime in the sick society. The Civil Wars had brusquely interrupted an admirable literary movement which would truly have developed if the time had been more favorable. In a few years Roman literature had been produced, among

1. 723 A.U.C., 31 B.C.
2. 44 - 36B.C.
3. 42 - 41B.C.
4. 42 B.C.; Brutus and Cassius defeated by Octavian and Antony.

many others, that of Cicero, Lucretius and Catullus. They had disappeared almost together, but it was truly probable that at the first chance the outburst was ready to begin again. From the day after Philippi one was able to grasp certain prophetic signs. From the banks of the Po arrived the first Bucolics of Virgil,[1] and at Rome among the bitter voices of discontent, one could distinguish that of Horace.[2] It is at about the same time, at the still confused and troubled dawn of a great century, that the appearance of The Catilina should be placed, I believe.

Sallust, when he published his first work, must have been about forty-five years old. How was it that he waited so late to make his debut in the field of literature? He takes it upon himself to inform us. At the beginning of The Catilina and The Jugurtha he has placed a very long prologue which Quintillian reproaches as having no connection with the work which follows. (Quintilian III, 8, 9.). When one reads tham a little hastily, he has a tendency of seeing there only a vague moral lesson and a train of common trivialities. But the common trivialities are not always as insignificant as one may think; it happens that a person uses them sometimes to put across what he does not wish to say openly, and which he is anxious, however, to let us guess the implication of. It is thus that it is possible, I believe, to discover, in all these generalities of Sallust, expressions of personal sentiment and almost of confidences. One sees in them, first of all, very clearly that he is a disillusioned person who attacks without pity all parties,

1. The Eclogues or Pastorals. Publication: 37 B.C., Knapp.
2. Horace was on the losing side, and so lost his possessions.

even the one to which he belonged, who hardly treats the people more kindly than the aristocrats, who accuses as vehemently his old comrades as his adversaries of seeking only their private profit under the pretext of public interest. (Sallust, Cat., 38).[1] There is no trouble for a person to grasp the cause of this severity. It was without a doubt due to the disappointments which he had experienced while he wasin the public life. Twice politics had crushed him. Chased from the Senate by their rigorous condemnation, for having pronounced seditious harangues during the quarrels of Clodius and Milo,[2] and for being mixed up in street riots, he re-entered when Caesar became master, and under his protection. But he did not obtain all the satisfactions which he hoped for: after being praetor, he was not made consul. From that time he found "that merit was disregarded". (Sall., Jug., 3: neque virtuti honos datur.) Disappointed in politics, into which he plunged twice in succession without success, it appeared to him "that a man could do something better than waste his time greeting the people in the Campus Martius and giving dinners for voters." (Sall., Jug., 4.). and he renounced public life for all times.[3]

1. "Contra eos(various public nuisances) summa ope nitebatur pleraque nobilitas senatus pro sua magnitudine... bonum publicum simulantes pro sua quisque potentia certabant." Bellum Catilina, 38.
2. Sallust is accused of having an affair with Milo's wife. He also condemned Cicero and Milo upon the murder of Clodius. Appius Claudius Pulcher, censor at that time was likewise a Pompeian. So, out Sallust.
3. His last political position was Governor of Numantia and Africa; on his return he was tried for extortion and freed, thanks to Caesar. Guilty? Well, he had become very rich.

The old Romans, when they retired from public life, withdrew themselves to the country; but Sallust was not the kind of a man to be content with farming and the pleasures of the hunt; "These", he said, "are the occupations of a slave." (Sall., Catil., 4.). He had to have others for himself. This unimportant Sabine of Amiternum[1], although he came from an unknown family, had arrived in Rome with an immoderate desire to make a name for himself quickly, of becoming an illustrious man. "All the efforts of man," he tells us, "ought to have as their purpose that of not passing through life without others honoring them; otherwise they are no different from beasts which live bent towards the earth and slaves to low appetites." (Sall., Catil., 1.). One notices that these grand words of gloria, fama, claritudo, and immortalitas recur often in his prologues. This fame which he appeared to love with so much ardor, he had demanded it forst from politics, and politics had not granted it to him; but he was able to turn elsewhere to attain it. Since he loved literature, he did not overlook the fact that "the arts which are of the realm of the spirit offer many ways for attaining renown." (Jug., 2.). During his youth he had had for a time the idea of writing history; he returned to it in his old age. He was, however, all the more certain of being quickly recognized in that Rome had not yet a great historian, and, as he himself remarked, "posterity cherishes not only the memory of those who do famous deeds, but also those who tell of those deeds. (Sall., Catil., 3: et qui fecere et qui facta aliorum scripsere laudantur.)

1. Amiternum, birthplace of G. Sallust Crispus, is in Sabine territory about fifty miles N.E. of Rome, just below Mons Fiscellus, the Gran Sasso d'Italia where the Apennines rise to a height of 9815 feet.

During the following period, during the first years of the Principate of Augustus,[1] one notices with surprise certain men of the state, as Pollio[2] and Messala,[3] whose origins went, due back as far as the period of the Republic, after having served the new government for a time, retired from the world of affairs before age forced them to. Perhaps they found out that a Prince was not able to offer them the honor and glory which a free government would have given them. In order that they might cover their retreat and not appear discontented, they held academies in their palaces, opened their rooms for public readings, and demanded from literature a position which politics refused them, or did not make for them brilliant enough. It was Sallust who set and example for them.

II

But why did Sallust, when he had decided to write books on historical matters, choose as a subject the Conspiracy of Catiline? People have assigned to him different motives, many of which did not appear to me very reasonable.

1. Augustus' title was Princeps (first citizen). This was a sly way of avoiding the odious word Rex (king). He also carried the title Imperator, but this meant Commander-in-chief, not Emperor.
2. Probably Caius Pollio Asinius, historian, poet, patron of literature, of the time of Augustus.
3. Marcus Valerius Messala Corvinus was the patron of Tibullus, the poet. He was the first to hold the Praefectus Urbi under Augustus.

Since he passed the first part of his life in public affairs, and as he had not always had things to his own liking, some have thought that he had some peeve to satisfy and that he wished to take vengeance on his enemies. But the Conspiracy of Catiline did not seem, by its very nature, to furnish him the occasion. Without doubt he does not refuse himself the pleasure of addressing injuries to the aristocratic party, which he does not love; but he is obliged to place them in the mouth of a rascal, which hardly gave them any authority.(Sall.Catil.20)[1]. According to the manner in which he depicted the enemies of the aristocrats, that is to say the conspirators and their chief, no one is able to wish them success; it was truly the Senate and the consul who defended public order, and one is forced, in whatever opinion he approaches it, to be on their side. The people, to the contrary, played a miserable role; they awaited the turn of events before declaring which side they were on, and they held themselves in readiness to destroy everything at the first success of Catiline. (Catil.39) No one is able, therefore, to maintain that the book of Sallust may have been written to glorify the popular party.

The hypothesis which Mommsen supported has more truth in it.According to him, Sallust might have written The Catilina in order to establish the fact that Caesar did not have a part in the conspiracy. He had been accused of it many times and

1. Nam postquam res publica in paucorum potentium ius atque dicionem concessit, semper illis reges, tetrachae,vectigales esse,populi, nationes stipendis pendere; ceteri omnes, strenui, boni, nobiles atque ignobiles, volgus fuimus sine gratia, sine auctoritate, eis obnoxii, quibus, si res publica valeret, formidini essemus.(Sall. Catil.20,7)

it is necessary to recognize that the appearances were to the contrary. Probably Sallust did not believe that the accusations had any foundation; he supposed, perhaps, that the innocence of Caesar would be evident from the manner in which he was going to recount these facts; but there is no reason for thinking that it was only to prove this fact that he undertook the narration. If he wished to make a real apology for Caesar, would not the tone have been different? Would he have been content, in justifying it, just to omit his (Caesar's) name in the list of conspirators? When he saw that he was attacked in a full Senate by accusers by trade who were supported by great men, would he not have believed it necessary to furnish certain precise explanations, which would have reestablished the truth? Against formal, violent, and plausible accusations, silence was not sufficient; it was necessary to give proofs. One should not conceive that he would have done it anywhere if truly he had written it only in order to justify Caesar from the suspicions which hung over him. I add that it does not appear, when one reads Sallust, that he had preserved for his old chief an unmixed affection. One finds, in his prologues, certain phrases which are able to give rise to some malevolent interpretations. For example, when he abuses "these classes of men", as he calls them, who have been admitted into the Senate by the protection of the dictator (Sall., Jug., 4: quae genera hominum in senatum pervenerint) does not the reproach fall back upon him who admitted them? Sallust thought it fitting that he be ushered into the Senate again, but he would have wished

to re-enter alone, and the colleagues which had been given to him were not always to his taste. Elsewhere I read this thought which gives room for reflection: "To make oneself master of his own people and country by violence, whatever ease he has in it and however well he is able to accomplish it, it is a sorrowful role".(Sall.Jug.3) If it is to Caesar that he makes this allusion, and it is diffocult for me to see it otherwise, the blow is bitter. Likewise that beautiful eulogy which he made of him, in comparing him with Cato, instead of pleasing him, took the chance of wounding him. Caesar had a generous soul; he had pardoned nearly all his enemies. Cato is the only one whom he openly detested. I believe that he would have been much displeased to be placed in a comparison with him.[1]

If it was not to defend Caesar that Sallust wrote his Catilina, is it not reasonable that it might be to attack Cicero? That he did not love him, we are sure. He was a political adversary, and the circumstances of his private life had made him a personal enemy. We know the particular reasons why Sallust did not love Milo.

1.M. Boissier's reference here is to Sallust's Bellum Catilinae 53 and 54. Translation of 54 follows: "Therefore, in social rank, age, and eloquence they were almost equals; the greatness of their souls was equal, likewise their fame, but in different things. Caesar was considered great because of his benefactions and liberality, Cato by the uprightness of his life. Caesar was famous because of his sympathy and compassion. The severity of Cato gained dignity for himself. Caesar by giving, helping, and pardoning. Cato bought no glory by bribery. Caesar was a refuge for the unfortunate. Cato was punishment for the wicked. Caesar's affability and Cato's temperance were praised. Finally Caesar had trained his soul to work hard to be watchful; considering the affairs of his friends to neglect his own, to deny nothing which was worth a gift; he desired for himself great power, an army, new war, where his ability would be able to shine. To Cato there was zeal for modesty, decorum, and especially severity. He did not struggle with the rich in riches, with the factious, but with the strenuous in virtue, with the modest in honor, with the innocent in abstemiousness. He preferred to be good than to seem to be good. Thus the less less he sought fame, the more it followed him."

(Milo had married the daughter of Sulla, and she was a very loose woman. One day he surprised Sallust while he was with her. Instead of handing him over to the law, he whipped him and fleeced him. The affair made a lot of rumor in Rome. It was laughed at even in the time of Horace.) Cicero, who defended Milo with so much devotion, must have been despised by him. It is, therefore, natural to think that he would have been glad to find some occasion to disparage him; and certainly he did not say concerning Cicero all the good that Cicero thought of himself. That was hard to do. It is necessary to remember however, that, on three points, whether he wished it or not, he made a defense of him, and these three points are essential. He showed that Cicero did not slander Catiline, since he treats him worse than he. When he affirmed that Rome had never been nearer to its ruin, he proved that Cicero had not exaggerated the service which he had rendered to his country in saving it from this danger. Lastly, if he was not always fair to him, he permits us to be, or rather he forces us to be. Without doubt he passed over the name of Cicero in silence as much as possible; when he recounted the measures which led to the defeat of the conspiracy, he made the mistake of not saying always that it was at his instigation that these measures were taken; but he did not say, either, that it was at the instigation of another; and, as he did not mention instead of him (Cicero) any other person of importance to whom they are able to be attributed, and because he laid the whole affair between him and Catiline alone,

one is completely led to believe either that the things straightened themselves out as if by a kind of providential chance, or that it was truly Cicero who conducted the whole affair. Surely the book, such as it is, was not written to satisfy the vain consul, and there is no doubt that, if he had been able to be acquainted with it, he would have been exceedingly irritated; but he would have been wrong. To sum it up, this book of an enemy was more favorable to him than all the flatteries and all the lies which he solicited from the historians and poets of his knowledge would have been. His (Cicero's) figure emerges from it enlarged, and Sallust would have been a veritable fool, if, when he wished to attack the memory of Cicero, he had furnished the weapons with which to defend it.

It is seen that the reasons for writing the Catilina which have been attributed to Sallust are very unsatisfactory. Why, therefore, should we not hold on to that one which he himself has given us? If he had told these events, he tells us, it is because they seemed to him to be among those which deserve to be held in memory.(Sall., Catil., 4.). Is this not ,otive enough for selecting it? When Sallust got the idea of making himself a historian, a friend of his who was a grammarian, Ateius Philologus undertook, no doubt at his (Sallust's) own request, to write a resumé of Roman History, in order to place the whole history before his eyes and thus to give him a method of choosing the parts which it would be most convenient for him to treat. (Seutonius, Gramm. 10).

He wished, therefore, following his expression, to cut up Roman History into bits, res gestas populi romani carptim perscribere. If such was his intention, the Conspiracy of Catiline must have appeared immediately a subject of such nature as to attract him. It was not distant enough to have been forgotten, nor near enough to be remembered in detail. Sallust had witnessed it, without being personally mixed up in it, which left him more at liberty to speak of it. He had received the confidences of Crassus; he had been able to talk of it to Caesar, and was, therefore well informed. But that which was most suitable to him in this subject was its dramatic quality, in that it brought a clash between important persons, which gave him the occasion to paint their portrait, to make them talk and speak, which gave him the opportunity to depict the customs of the times, all the things in which he excelled and of which the public was very fond. It was, therefore, quite natural that Sallust, who sought for success in literature, preferred the subject of Catiline to another, because he believed it would interest the public and would make them read the work.

That which shows conclusively that Sallust, in writing it, had the preoccupation of a man of literature, in the care which he took to write it well. His style was not of that kind which one has at birth and which is a gift of nature. Having become a writer after his fortieth year, he worked out his own method; one sees in it preconceived opinions and effort; everything is

deliberate and sought out in it. One is especially shocked at the contrast which it presents with that of Cicero when one passes brusquely from one to the other. First, the words are not the same, wholly, not taken from the same vocabulary. Sallust intentionally employed words which were out of usage, which he sought out from the books of Cato, the Elder. In addition to these, which appeared to him without a doubt to give authority to his language, he introduced more simple words, or even wholly commonplace, in order to have the appearance of avoiding the elegance of school. He is not among those who seek to give importance to a thought by the choice of words which express the thought. He desired, to the contrary, to enoble the words by the thought, and it is in this that, it seems to me, he succeeded the best. And also his sentence is constructed in a new manner; it has no resemblence to the Ciceronian period, with its symmetric divisions. And that which is found even less, and which is the very soul of Cicero's style, id the development, that is, this series of periods, following one another and leading us in a regular and definite manner up to the complete conclusion of the reading. Sallust's way of proceeding is very different; he proceeds by spurts, suppressing the intermediaries, hinting at the idea, going no further than to warn us by a conjunction, sed, igitur, etc., that we have something to reconstruct. It is in this obstinate and meticulous task of Sallust, to write different from Cicero, that it is necessary to hunt for the proof of his hatred of him, and not only, as it has been done, in certain ungracious phrases of his Catiline.

At this time everything seemed to turn against the great orator![1] Quintilian tells this to us in a beautiful sentence: "After he (Cicero) had become a victim to the proscription of the triumvirs,[2] his enemies, those who were jealous of him, and those also who wished to flatter the new government, cast themselves upon him all the more violently since he was no longer able to answer them." (Quintilian XII, 10, 13.). The friends of Antony defaced his actions in the same heinous pamphlets; Pollio, who previously said that he was his student, injured him in the midst of the Forum; at the Palatinate, people hid themselves in order to read his works and no one dared to pronounce his name. (Le nom de Ciceron ne se trouve ni dans Virgile, ni dans Horace.) The Royalty of the writer appeared itself menaced by this Attic school which had caused him so much unrest and anger during the last years of his life. Sallust attached himself to this school, and in the compass of his own ability, he continued it. His Catiline is, therefore, regarded as a kind of literary manifesto against Cicero. But it has been seen that at least not anyone found in it anything which reasonably was of a nature to compromise the renown of this good citizen and the memory of the services which he rendered to his country. In the midst of this fury, this relative moderatipn must have been noticed, and it appears to me sure that the book of Sallust in spite of all, its omissions and intentional mitigations, must have served to bring back public opinion towards Cicero.

1. M. Boissier means the time of Cicero's death and immediately thereafter, that is 43 B.C....
2. The Second Triumvirate: Octavian, Antony, and Lepidus.

III

At the moment of beginning his narration, and, after having said some words concerning Catiline, Sallust thought that it would be useful, in order to better understand Catiline, to place him in his own element, and interrupting himself rather brusquely, he presents us a picture of the society of this time.

No one will be astonished that this picture is very black; we saw that, after the mishaps of his political life, Sallust bore a grudge against nearly everyone. The manner in which he first of all expressed his discontent is no more of a surprise to us. The Romans had a unusual method of complaining off the present: it was to celebrate the poet. The eulogy of the good old times, from which none of them escaped, was one of the forms of their bad humor. This eulogy was very natural under the republic, which lived upon the traditions of antiquity; but it seems that the government which overturned the republic and took its place ought to have been inclined to judge the past with more independence. Such was not the case, and even before this new government had definitely installed itself, it had attacked the fashion of speaking of the old time. Sallust, this Caesarian of the old [illegible], did not have a pleasant enough appearance to paint the happiness which the Romans of other times enjoyed under the regime which he had helped the dictator to destroy. "In those times," he said, "the custom were honest and concord reigned everywhere. No one knew cupidity. People practiced justice and honor, not in obedience to laws, but following nature. Quarrels,

enmities, hates, they were reserved for foreigners; citizens were rivals only for virtue. For the honor of the gods they spent without counting the cost; as for themselves, they lived frugally. They were faithful to their friendships. Two essential qualities, courage when they had to fight, and equity when peace was made assured their own safety and that of the State."(Sall.Catil.9)

To this picture of an ideal past he sets opposite a very sad present. It is a perfect contrast: the century of iron after the age of gold. This republic, which was the most beautiful in the world, has become the most miserable and the most corrupt, ex pulcherruma pessuma ac flagitiossuma facta est. In order to show that it was then in complete decadence, which is hardly contestable, Sallust depended much more upon moral considerations than on political reasons; one knows that this is the tendency of ancient historians. We tend today to reproach them, but the people of the seventeenth century made for them, to the contrary, many praises, and they preferred Sallust to all the others precisely because it is the one in which one finds most of the studies of custom, the pictures of character, lessons on the conduct of life, and piquant reflections which one is able to apply to himself or to his neighbors. Saint Evremond had more taste for him than for Tacitus, "because he gave as much to the nature of man as the other gave to politics, and because this talent of understanding man perfectly is the most necessary talent of the historian." This was also the opinion of the President of Brosses who found "that Tacitus attributed the actions of

people to indirect means and imaginary views, while Sallust, more versed in the knowledge of the human heart, found in the temperament of each of them the mobile principles by which they most always acted." Today we are no more of this same opinion; we find that Sallust would have instructed us better of the state of the republic at this time if he had shown himself as much a historian as a moralist, and that these two qualities could have been united without harming him.

For Sallust the corruption of Roman society could be summed up in two words: ambitio et avaritia;[1] that is to say, the love of power and the love of money. "All evil," he said, "comes from these." Ambition did not appear to him as a vice; it appeared to him as a next-door-neighbor to virtue. Since it was not permitted that a citizen refuse public duties, it ought to be honorable to desire them. It is only when one wishes power at all costs, when he seeks it by bad means, outside of the legal route, that ambition is criminal, and it is very true to say that at such a time it would become a cause of corruption and immorality. It taught men to lie; it accustomed them to have on their lips the contrary to that which was in the heart, to make the rule of friendships and enmities, not justice, but interest, not to be concerned about honesty of the soul, provided that they appeared to be honest." (Catil.10) Surely the description is just; we also know to what extremes the man, who wishes to reach a goal at all cost, permits himself to be led and the trouble which his schemes and intrigues cause in his relationship with

1. Igitur primo pecuniae, deinde imperi cupido crevit; ea quasi materies omnium malorum..... (Sall. Catil.X, 3.)

society. But it appears to us that the effects of an unbridled ambition are much more serious in public life than in private, and we are much astonished that Sallust scarcely spoke of it at all. It is true that in order to restrain and, so to speak, dam up the ambition of some of their citizens, the Romans had devised an institution which was very useful to them and they knew how to conserve this almost up to their last days. It was established that one could attain their highest political office only after having passed through a series of inferior offices, separated from them by a period of two years.[1] This was a method of keeping ambition on the alert and of disciplining it without destroying it. A person thus profited from the strength it gave to the soul, and moreover was less exposed to the dangers that it was able to offer. Each time a higher goal was proposed to the eager desire of the candidate, and by these successive satisfactions, he was prevented from becoming too impatient. He did not attain the goal (i.e., the consulate) until about the age of forty-five, when his desires were less violent and when the extended exercise of power had cooled off his passions. We must believe that this was a good custom since so many of the young people resigned themselves to ascend the ladder one after the other. We know, however, that one day patience happened to be lacking to one of them. It is true

1. This was the cursus honorum. The Quaestorship, lowest office, could be candidated for only after a person had completed ten ten years of military service which began at the age of seventeen. Thus at twenty-eight one was able to run for Quaestor. The next offices in order were Curule Aedile, Praetor, then Consul. Since two years had to pass between each office, the lowest age for candidacy for Consul was thirty-seven, but forty was the usual low limit.

that it was Caesar, an ambitious person as he was, was able to be afraid "of becoming too old, if he waited until he was fifty to satisfy himself in conquering the world." (Pascal). Seutonius reports that when he was at Gades, in Spain, in the temple of Hercules, in front of a statue of Alexander he was heard to bemoan the fact that he was only a Quaestor at the age when the Macedonian had already subdued an empire.(Seut., Caesar,7. The fact is also told by Plutarch- Caesar,7- but a little differently.) He had then the thought of quitting his province and returning to Rome to profit from the opportunities there. Nevertheless, he did nothing about it and, after some hesitations, he got back in the ranks along with the others. To sum it, during more than five centuries, with certain exceptions which almost explain themselves by some extraordinary circumstances, the rule had been faithfully followed; it is thus that he had never seen, in this country of soldiers, a commander-in-chief of the age of twenty-four, as Hoche, or a Bonaparte, absolute master of his country at thirty years of age. Marius Cinna, and Sulla, themselves had passed through all the degrees, filled all the legal offices, when they usurped the sovereign power. It truly seemed that this ambition was able to be permitted only to some of those men who had been consuls. We are going to see, in the history which will follow, this kind of obstinate precedent perpetuating itself right in the middle of the most violent revolutions, and respected by those very men who utterly disregard everything else. Catiline persisted, three times, one after the other, at the risk of losing favorable opportunities, in wishing to be consul. He did not believe

it possible to do it in any other way than it had been done up to that time. It is true that after having received this ordination of the consulate, the ambitious believed themselves sometimes authorized to protect that power, to no longer consult the Senate nor the people, to proscribe their enemies without trial and to appropriate their fortunes. Marius and Cinna, who attempted this, succeeded only for a while, but Sulla was fortunate up to the end. Sallust had good reason for saying that this was her own precedent which wrought ruin upon the republic. In a country of tradition, as was Rome, precedents seemed to make everything legitimate; after Sulla, the ambitious were ready to dare anything, and the citizens to suffer all.

Those are the results of ambition. The other fault which Sallust attributes to the Romans of his time, the love of money, appeared to him, with reason, more serious than the love of power; but he was wrong in claiming that this was with them a new evil and that there had ever been an age when they were desirous only of glory (Sall. Catil.7, laudis avidi, pecuniae liberales erant); they had always been much interested (in money). Certain bits of information, which the histories have preserved for us by chance, show us that the peasants, whose life was so laborious on this meager and unhealthy soil, when they participated in war, desired very much to bring back with them other things than wounds and glory. During the siege of Veii,[1] during the golden age of Roman virtue, one tells us that a garrison permitted itself

1. 402-391 B.C. It is interesting to note that during the siege of Veii, Roman soldiers first began to receive pay. (Trever, p.37)

to be taken because its people had gone out of the village and throughout the suburbs "in order to do a little business". (Livy V,8) It is not thus that one pictures Roman soldiers in a campaign; but it is necessary to believe that they never departed from this custom, since, during the Macedonian War, they carried some gold in their belts in order at the opportunity to transact some advantageous business. (Livy, XXXIII,29) The Aristocracy in this were no different from the peasants and soldiers. They had grand words in their mouths: "Base profits are not becoming to the senators!..."It is not necessary that the same people aspire to conquer the world and to exploit it". But they were only words. In reality, the preoccupation of most of the nobility was to make their money yield as much as possible. They lent money with high interest to their neighbors who, having served their country against the Volscians and the Hernici, were not able to sow their fields in the autumn and found themselves without resources in the spring which followed. The debt was heavy for these poor people, and the creditor was without pity. They had the debtor siezed if he was not able to pay; when the time for payment came, he had him chained and threw him in prison, his own prison, because, Livy tells us, there was not a great landowner who did not possess a prison for debtors in arrears. Law gave them the authority; it had been made for the creditors. But the plebs endured it resentfully; this was the motive which set them for the first time against the patricians and began that quarrel which was to last many centuries. (Livy, XI,23) Let's imagine

that is has just been forty years since the republic was founded, to which period it is necessary to go back to find that happy time which Sallust praised, when money was disdained. From the first conflict the patricians were eager to yield and to promise "that no citizen would again be chained nor imprisoned for debt". They renewed this promise very often, but thy never kept it, and it is indeed necessary to believe that this old cruelty, thanks to the general consideration towards usurers, had never entirely disappeared, since Manlius, the lieutenant of Catiline, said that he and his companions had taken up arms only in order to escape the cruelty of their creditors, who, after having taken their fortunes, desired also to deprive them of their liberty. It is thus that the Aristocracy ended by the appropriation of small estates and forming the great domains, which, to use the expression of Pliny, destroyed Italy. There were other economic causes which contributed to this ruin, for example, the scarcity of manual labor which was the result of the emigration of the peasants in the villages, the low price of wheat, brought on by the arrival of foreign wheat. But that which was the origin of this distress was, in the end, the debts which deceived the republic, and it is impossible to read Livy without hearing, amidst all the tumult, a cry of misery and hate against the creditors who envolved themselves in political demands.

The common people were at one time ruined by the Aristocracy, but the Aristocracy likewise ruined itself. Sallust noticeably remarks that it was its prosperity that ruined it. "Those people

who had easily endured anxiety and perils, overcame without weakening the most embarrassing and laborious situations, yielded under the weight of repose and fortune. Their sorrow was having obtained that which a person ordinarily desires." (Sall., Catil.,4)[1] They seemed to have been confused by their first conquests outside of Italy; hardly knowing what they should do with the rrealms od which they had become the masters, they decided to leave them to their ancient sovereigns, after having received merciless tribute from them. It was thus that they imposed a tribute of 170 million francs[2] on the King of Syria, Antiochus, and that they received from all the conquered princes more than 700 million francs. It was a river of gold which suddenly flowed over Italy; all conditions of life were changed by it; one found himself rich without transition, and very quickly. And let us notice that at the same time when money flowed into Rome, Asia, which furnished it, gave to Rome the method of spending it. "Watch out," said Cato, at the beginning of the Eastern Wars, "we are placing our feet in a country where all the stimulants to pleasure abound." (Livy, XXXIV,4 - Iam in Graeciam Asiamque transcerdimus, omnibus libidimum illecbris repletas.) The Romans did not resist it,

1. M. Boissier here refers to Catil.10, "Qui labores, pericula dubias atque asperas res facile toleraverant, eis otium, divitiae, optanda alias, oneri miseriaque fuere."
2. The value of the franc is about $ 0. 193. Thus the tribute amounted to $ 32, 800,000. The annual pay for a soldier at the time of the Hannibalic War was about $ 20. This tribute would have paid the salary of 1, 640,000 soldiers. The whole population of Ital at this time was less than 3, 000,000.

and when their armies returned from these fruitful expeditions, soldiers and officers were no longer the same. Livy tells us that this change took place following the defeat of the Galatians by Manlius, that it was then that gilded beds were introduced into Rome with their magnificent cloth coverlets; tables with one leg and sculptured marble in preciouse boxes; that the dancers and flute players were introduced in the feats; that the custom of repast was made elaborate, that the chef grew in importance "and in its own way, the lowest of all previously, it became an art". (Livy, XXIX,6) Sallust doesn't go back quite that far; it is Sulla whom he considers responsible for the awful corruption of the customs of his time, (Sall. Cat.,15)[1] and I believe that he was right. It was really after Sulla had returned from Asia, after he had led back his army "from these bewitching places, where it had accustomed itself to make love, to drink, to pillage homes and temples, to take from them statues, tables, and chiselled vases" that the evil reached its height. Above all it had lost its Aristocracy. For the army, the fortune, which had come quickly, had aroused the taste for luxury, and luxury had quickly devoured the fortune. There were without doubt some great noblemen, as Crassus, who did not cease to accumulate their riches by fruitful speculation. Some others, as Pompey, siezed parts, or as we say in our day, shares in farmers' banks for taxes and used them for their benefits; and others, still more avid, as Brutus, the austere Brutus, hiding themselves under complacency for the meanwhile, lent their money

1. Sall. Catil.,11.

at 48% to the indebted kings and villages of Asia; but these were the exceptions, for most of them had lost everything. "At Rome," said the tribune Phillipus,"there were not two thousand citizens who had a patrimony." (Cicero, De Offic. II,21) Cicero who reported this, said that it was impertinent for him to say that, but he did not contest its truth. Evidently Phillippus intended to speak only of the fortunes which were clear and net; for there were exceedingly few which had not been impaired in some way. In this number of indebted noblemen, many without doubt had been imperilled only by their luxury or their bad management. There remained for them enough money to do credit to their affairs, but on the condition that they did not continue to weaken themselves in foolishly struggling against a usury continually more harsh, with their revenues always diminishing. Cicero advised them not to allow themselves to fall into irrevocable ruin. "Well!" he said to them, "You have your extended fields, your palaces, silver-plating, numerous slaves, precious objects, riches of all kinds, and you are afraid to take away anything from your possessions in order to add to your credit!" (Cicero, In Catil., II,8) But he talked in vain; they would not consent to sell any of their possessions in order to pay their debts. It was because they planned to free themselves more cheaply. Revolutions seemed to them a convenient way to free themselves of their creditors, and they had also seen that they would always be able to hope that there would be in these revolutions some other from whom they would profit.

They were therefore always on guard, avoiding to implicate themselves too soon, but ready to declare themselves as soon as each was able to do it without danger. With regards to those who no longer possessed anything, neither fortune nor credit, who had hope only in the hopeless, it is understood that they awaited the turn of events with even more impatience. Of these there were always some conspirators or those who were preparing themselves to be, and, however, these people belonged almost all to the illustrious families, and carried glorious names; but, reduced to misery and forced to live by expediecy, rather than renounce their luxury and their pleasures they were ready for any shame and crime. I do not believe that there has ever been anywhere so grand an aristocracy which has fallen so low.

IV

We are now able to place Catiline in that society for which he was made. It will be much easier for us to understand what Cicero and Sallust tell us concerning him.

The first time that he is mentioned by Cicero is in a letter to Atticus where he annolnced to his friend that he proposed to defend Catiline, his compeditor, accused of extortion, and he drop, ed a hint that, in the elections for the consulate, which were approaching, he considered to make a campaign with him. there was therefore a time when Cicero would have been much inclined to have him as a colleague; that surprises us. Be that as it may, the proposal fell through, since, in a discourse pronounced in the Senate during his candidature, and of which

we have some fragments, he attacked his rival with violence.[1] These attacks are reproduced and enlarged upon in his Orations against Catiline. Nevertheless one notices that these same discourses, that is to say right in the midst of the battle, he tended to mix with the most passionate invectives against Catiline certain most favorable appreciations. In the first, the most severe of all, in reviling his wickedness, he praised his energy. (Catil., 1,10) When he praises himself, in the second Oration, of having forced Catiline to withdraw from Rome, he remarks that it is a great success, because he alone, among the conspirators, was formidable. (Catil., 2,5) In the third, his praise of the competency of Catiline serves to bring to the front the clumsiness of his associates. "We see that he was not with them; it was not he who would allow a favorable opportunity to pass; he was too clever to allow himself to be taken, as they did." (Catil., 3,7) But here is something more serious. Five years later, when the affair has colled off, Cicero defended Caelius who was reproached for having been too

1. M. Boissier has a considerably higher estimation of Cicero's desire to do the right thing than I do. He acted upon expediency. When apologizing to Atticus for not taking the case of Caecilius against Satyrus-a good electioneer-he said, "Please try to forgive me and believe that delicacy prevented me from appearing against a friend whose very good name was at stake, in the hour of his misfortune, when the friendly attention he had paid to me had been unfailing. If you cannot take so kind a view, pray consider that my candidature stood in the way." And again, "You would never believe how pleased everyone is with my conduct of Macer's case. I might certainly have shown more partiality to him; but the popularity I have gained from his condemnation is far more important to me than his gratitude at an acquittal would have been." (Loeb, Letters to Atticus, I,1 and 4)

closely connected with Catiline; he excused him on the ground that Catiline had seduced others also, because he had the appearance of some beautiful qualities, even if he did not have them in reality. "I do not believe," he said, "that there ever existed a like prodigal, one made up of passions so diverse, so contrary, and more inclined to fight ~~with one another~~." (Pro Caelio.6) Nothing in this passage from Pro Caelio expressly contradicts the accusations of the orations against Catiline; people are not scarse in whom there is a little good mixed up with a great deal of bad. Nevertheless, this more clement manner of speaking of him, this role more greatly inclined to his good qualities, was able to confuse the judgment of the readers of Cicero, and and they were demanding which of the two Catilines, the one of the Orations, or the one of the Pro Caelio, was the true one, when just at that time the book of Sallust appeared. It contained a portrait of the person which would seem immediately the last word. He treated him there in a manner even more merciless than Cicero had done in his most violent discourses; and, as the author promised to be impartial, and since there was no reason for him not to be, because the fight had been completed more than twenty years and the passions extinguished, Sallust led the opinion toward severity. Catiline became than for all the world the arch-type of conspirator. Vergil cast him without hesitation into the lower world, placed him next to the Furies and chained him to a rock, as Prometheus:

.....et te, Catilina, minaci
Pendentem scopulo, Furiaumque ora trementem.[1] (Vergil VIII, 668)

I have no intention of appealing from this judgment. No one, in antiquity, ever contested it. This which it is possible to do is to study as closely as possible the teachings which have been given us, to compare them, to explain them, to try to draw from them, if it is possible, a living personality.

Sallust had good reason for beginning his picture of Catiline in saying that he was of a noble house, because his birth is able to serve to make us understand his character. The gens Servia, to which he belonged, was, as one said at that time, a Trojan family, that is to say that it claimed to have descended from one of the companions of Aeneas. He included heroes among his ancestors; his great-grandfather, Sergius Silus, was wounded twenty-three times during the war against Hannibal, and, having lost his right arm in a battle, had made for himself a hand of iron and continued to fight. But neither this grand birth nor these exploits profited this branch of the Sergii; we know that it remained poor and that not one of them attained any of the offices in the cursus honorum. Without doubt they found that they were paid poorly for their services, and it was natural that their poverty and oblivion in which they had been left embittered their heart and disposed them to a revolt. Nevertheless they had not lost their rank in the Roman Aristocracy. Catiline

1. .....and you, O Catiline, hanging upon an overhanging rock, shrinking from the place of the Furies.

maintained close relationship with the most noble gentlemen. It was to Lutatius Catulus, on of the chiefs of the party, that his last latter was addressed, and it trests him as a familiar friend. At the moment when his affairs were in the worst straits, he had a home on the Palatine in the quarters of the nobles and the rich, and the necessity of living with these great personages must have rendered his position more difficult. Certain words which escaped from him in the most severe circumstances of his life show that he guarded well all the pride of his birth. Surely it was especially this upon which he leaned, when he was accused, in order to attest his innocence, and he would not suffer that a patrician, as him, be compared with Cicero, a citizen of the outlying district, newly come from his small village. In this letter to Catulus, of which I just spoke, in which he declared that he had taken up arms because he had been refused that which was due him, he used the word dignitas, dear to the Roman Aristocrats and which Caesar, another great noble who revolted, used also under similar circumstances. (Sall. Catil.38: quod statum dignitatis non obtinebam.-Caesar, Bell. civ., I,7. Speech to his soldiers: ut eius existimationem dignitatemque defendant.) His kind, along with him, were recognized everywhere: in their vices as in their qualities, there was nothing of the mediocre or niggard in them. "It was," said Sallust, "a vast spirit, which thought without ceasing of great, unbelievable, gigantic projects." (Sall. Catil.5: vastus animus immoderata, incredibilia, nimis alta semper cupiebat.)

How he must have despised his rival Cicero, who seemed to him without doubt the perfect tpye of the honest bourgeois. He had something of the boisterous in his violences. He acted willingly in the open daylight, and it did not displease him to defy custom. (Cic. Pro Murena, 25: ....atque illo, ut semper fuit apertissimus, non se purgavit, sed indicavit atque induit.)[1] Perhaps he was not reproached with so many of his crimes because he distained, by a sort of boasting, to take the pain to defend himself in them. What is it necessary to think of all these crimes of which he has been accused? There are so many of them, and they are so abominable, that it is impossible to keep from having some doubts as to their reality. It has been said that many of these accusations, especially those which incriminate his private life, probably had their origin in the lawsuits which he had to sustain. It is known that the lawyers of Rome hardly hesitated to accuse the men whom they were persecuting of imaginary crimes. They had taken up the habit in the schools of declamation where they exercised themselves in the art of speaking. They were taught to us that which is called des couleurs, that is to say a certain manner of presenting the most insignificant facts, which make them appear guilty, and likewise when needy, to slip among these facts cleverly certain cruel lies which would be useful. Since they had seen the method succeed at school, they continued to use it at the bar. Moreover they did not always take the trouble to invent a new crime, made up especially for the circumstances and appropriate for the person; they had those which served for all occasions.

1. "....and he, as he has always been most outspoken, did not justify himself, but he made himself known and envolved himself."

When the case seemed a little weak and did not furnish enough of eloquence to the lawyer, he had no scruples against adding a good accusation of assassination. "It had become a habitude," Cicero tells us simply. (Consuetudinis causa. Moreover-Pro Murena,5- inventions of this type appeared to him an ordinary process, a law of accusation, lex accusatoria.) For example Clodia, who did not find that it was a sufficient accusation against Caelius, her lover, of having accepted money from her and not returning it, accused him of having tried to poison her. A propos to this let us recall that neither the Greeks nor the Romans knew anything about what we call the public Ministry, which represents the State, and which would be able to establish the truth. Everyone was free to accuse another, and he was able to say against him whatever pleased him; of the two sides only passion spoke and it was able to allow itself anything. That which rendered these abuses less effective was that, in general, no one was fooled by these lies, that these furious accusations were not believed to the letter; they merely brought forth such beautiful movements of eloquence, and the audacity of the lawyers were held in check by the incredulity of the public. Nevertheless this unwholesome custom was able to have two dangers: the first, it was that by the dint of continually speaking of these crimes the horror which they should inspire was weakened; in affirming that they had been committed often, one was led to commit them, and there perhaps is one of the ~~cases, those, whose interest was aided~~ reasons why they became so widespread in this society. The other danger was that in many cases those, who interest was helped by believing these accusations, considered them true without

taking the trouble to verify their exactness, and it was possible that thus, after having spread themselves throughout the world, This is what has happened for Catiline, perhaps, as for many others they would insinuate themselves into history. He is accused of having killed his brother-in-law, probably out of accommodation for his sister who was not able to endure her husband; of having killed his wife in order to take another, his son, in the interest of a step-mother who wished to enter a house only devoid of heirs. (This last crime is the most shocking of those of which Catiline is accused. Cicero makes allusion to it in the first Oration against Catiline.)[1] All these crimes are possible in the condition in which Roman society found itself, and the character of Catiline does not render them impossible; but, as they are of that type which the public knows only by private indiscretion or of malevolent prattling, when they had not been the object of a serious inquiry, it is as difficult for us-because of our distance from those events-to deny them as to affirm them. It is possible to say this that they are faithfully reported by all the ancient writers who occupied themselves with the conspiracy.

But why is there any need for us to linger on some of the facts which we have never come to know well. There are other facts which have come to full light, in public places, in the streets of Rome, and to which there is no possible doubt. These permit us to judge Catiline in all sureness of conscience.

1. Sallust does more than make an allusion. "Finally captivated with a love for Aurelia Orestilla except for whose figure no good man ever praised her, because she hesitated to marry him, fearing his stepson, a grown man, for truth it is believed that, having killed his son, he made his house ready for a vile marriage. (Catil.15)

He should have been about twenty-five years old when Sulla led his legions back from the Orient in order to reconquer the power which Marius had taken away from him. We are not surprised to find Catiline in his party: first of all his family rank would attach him to this party; but he had other reasons for choosing it. His father had left him only a grand name; he needed to join to that name a grand fortune. Well, anyone knew that Sulla was liberal without measure to those who devoted themselves to his service. He had attacked the officers and soldiers, who had followed him in Asia, to him by closing his eyes to their disorder and pillage; a person became richer and richer from the campaigns that he made with him. At Rome and in Italy the profits would be even more. Civil wars are always wars without pity, and Sulla was not disposed to spare his enemies. Marius, however, had set him an example in this; only, as he was a man of order, he proceeded with more regularity. He authorized himself duly by law to kill all those whom he wished, (Cic. De Leg., 1, 15) and Catiline, whom he without doubt had learned to know, was chosen to be one of the executors of these high deeds. The task was well paid, which was, however, easy for the dictator, since he paid the executioners with the money of the victims. The property of the proscribed was confiscated and was to be ~~ought to have been~~ sold at public auction for the profit of the State. But not everyone was permitted to attend the auctions; only those whom he wished to favor were able to approach the lance near which the

commissioner, who had charge of the sale, was standing, so that they bought whatever suited them at the price which they wished to pay. It was thus, we are told, that Crassus began his immense fortune. Catiline ought to have benefitted well; but he did not resemble Crassus, and money hardly stuck between his fingers.

He well deserved to have a part in the spoils and he very conscientiously acquitted himself of the task which Sulla had given him. We know the names of many of his victims, who belonged to famous families. Among these names is found that of Marius Gratidianus, a native of Arpinium, the district from which the great Marius and Cicero came. He was a person so loved by the people that statues had been erected for him in some places in Rome, and the people of the district made a cult of them. Condemned to die, he was led before the tomb of Catulus to whom they wished to offer a human sacrifice. There his legs were broken, his arms were cut off, and his eyes were torn out. "They wished," said Seneca, "to kill him many times consecutively." Then, when they had cut off his head, Catiline took it in his hands and carried it, all dripping with blood, from the Janiculum to the Palatine, where Sulla awaited him. It is sure that this execution caused a stir in Rome and would not be forgotten. One, therefore, asks with surprise how it came about that this occurence, which remained in the minds of all, did not bring any disadvantage to Catiline. He preserved up to the end some honorable friends; he has been a candidate for the highest public offices and had

often obtained them. When some of the censors, a little more severe then the others, undertook to clean the Senate, where many unworthy men had slipped in by the advantage of civil strifes, they forced sixty-four Senators to leave office at one time; Catiline was not in this number. After the death of the dictator, under the pressure of Caesar, some well known proscriptionists, the centurion L. Luscius, L. Bellienus, and still others, who had received the established price for each head they cut off, whose receipts were found on the public registers, because under Sulla all was done with regularity, were prosecuted and condemned; there was no question of Catiline. It was only a little later, when he had just failed to attain the consulship, that an important man of the Aristocratic party, L. Lucceius, thought that it was a favorable occasion to turn him over to the tribune who had charge of punishing assassins (quaestio de sicariis). It must have been a fiery attack: Lucceius passed for an excellent orator. Nevertheless the attack did not succeed, and Catiline was acquitted. Cicero was not able to understand, when he saw that some of the accused who denied their crimes, or tended to lessen the seriousness of them, were rigorously punished and that Catiline was spared, he who indeed was forced to confess his, since he had all Rome for witnesses, and who, without doubt, did not go to the trouble to excuse himself from them. It is necessary to believe that it was this very audacity which brought him impunity. This bloody course, which was remembered with horror, had created for him a sort of prestige which set him apart from the others. This time

moreover, as it often happens, the most obscure crimes were punished, and the most guilty escaped.

It is therefore necessary to think that this prestige was due to something in the allurement which the women and young men experienced toward him? It is certainly possible. We are going to speak much, later, of the help which the women gave to his conspiracy; they also held a large place in his private life. Those who were most intimately associated with him carried some of the best names of Rome. There was in the number a vestal virgin who was chosen, as they all had been, from the most illustrious families; and, which makes the adventure more piquant, she was the sister of Terentia, the wife of Cicero. It was a serious case; Catiline had been found in her bedroom. But all the nobility of Rome were interested in her; Cato himself undertook her defense. Piso, who was a celebrated orator, gave in her defense an oration which is admired very much, and she was acquitted. In the dissipated life which he led, and which was, it must be said, the life of most of the men of his time and his world, we are told that he cheated many husbands and was himself cheated sometimes. He had been the lover of the wife of Aurelius Orestes, whose daughter he later espoused, which made Cicero say "that the same love had furnished him at one time a child and a wife." She was rich and beautiful, but, Sallust adds, in one of those impertinent phrases which he knew how to use, that when one had spoken of her beauty there remained nothing else to praise in her. Catiline appeared to have loved her very much.

When he left Rome to take command of the conspirators in Etruria, he wrote a letter to Quintus Catulus which ended with these words, " It remains only for me to entrust Orestille to you and to confide her to your honor. Protect her against all injury; I beg this of you in the name of your children. Adieu." (Sall. Catil., 35).

All writers tell us of the unbelievable ascendancy which he exercised over this young girl. Cicero maintains that he was for her a veritable charmer: iuventutis illecebra fuit. (Cat. 11, 4). It is easily seen how he must have seduced her: he had the qualities which pleased her the most, energy, resolution, bravery, and a hardiness which nothing could disconcert. No one endured fatigue, thirst, loss of sleep, and deprivation better than this friend of soft pleasures. Nothing equalled the agreement of his trade and the versatility of his character; he suited himself to everyone and to all occasions, serious with serious people, willingly pleasant with pleasure seekers, he was ready to cope with the most debauched. Sallust and Cicero are in accord in saying that he was the resort of all those who either had done something bad or wished to attempt some mischievous deed. He took them under his wing without ever inquiring of their past, and, once he had received them, he never abandoned them. He placed his fortune and his audacity at their disposal; he furnished money for their expenses without keeping an account; he procured mistresses for them; he chose horses or dogs for them; he attached them to himself

not only by his interest in their pleasures, but also in their crimes. Sallust maintains that he had a kind of school where youths were taught the art of producing false witnesses, counterfieting signatures, getting rid, in all ways, of those people who hindered them, or, from time to time, even those who did not hinder them, just to keep in practice. This was for Catiline a method of keeping his men in practice and at the same time of commiting them, so that, once they had joined his band, he made it impossible for them to get out. These young men formed around him a sort of guard of honor, made up usually of the sons of families who had lost their fortunes, but who preserved all their vices. The genius of Cicero is inexhaustible when he depicts them hovering over the Forum or besieging the members of the Senate. " They are saturated with perfume; they are resplendent with purple; they follow all the modes of the day; some are careful of their depilatories; others sport an abundant beard, well trimmed; they are clothed with tunics which fall to their heels; they have trailing sleeves; their togas are made of materials so sheer that one would call them womens veils." Those sweet boys, so graceful, so delicate, were at the same time players and darlings; they excelled only in dancing and love making; in case of need they poured out poison and weilded the sword. Cicero witnessed for them an ironic pity when he considered that they were going to set out for war and that they were placing themselves in the following of Catiline, to make campaign with him: " What

are these unhappy men thinking? Will they lead their mistresses into camp with them? But how would they be able to do without them, especially during the long nights of winter? And likewise, how will they endure the snows and the frosts of the Apennines? Do they think they are in condition to brave the rigors of the season because they were accustomed to dance all nude in their festivities?"

This picture shows us well the situation which we have at hand: For many of these young men the conspiracy was only a coup-de-main of spendthrifts in desperate condition under the leadership of an ambitious man who had no scruples.

V

When Sulla died, Catiline had no trouble in seing that he did not leave an heir, and, since he had a good opinion of himself, he judged that he would be able to lay claim to the succession. The sinister renown that the proscriptions had made for him would hardly restrain him since he conceived the hope of one day becoming the master of the Republic. It is not necessary to be deceived by words. Under the name of Dictator Sulla had been veritably King: that is what Cicero said in De Harusp. Resp., 25; and Catiline also, as Sulla, aspired to royalty. (Sall., Cat., 5: dum sibi regnum pararet.). But it was a question of a royalty of a particular kind, which avoided with care certain manifestations, which connected itself as much as possible to republican institutions, which wished to maintain along side of it the ancient magistratures

as much as it could, a life-long royalty which was not founded on heredity, as others were. The empire was already in the making and could be foreseen, because, in the history of Rome, everything was according to order and was established; nothing took place by leaps and bounds, and revolutions likewise took up the regular and traditional forms.

But it has been seen that it was not the custom to reach the top suddenly, and although Catiline had little repugnance for revolutionary methods, he submitted to take the long route that everyone had followed and which, through certain magistratures, led slowly to the consulate. The route carried him through a number of years during which we lose sight of him. He must have done what he always did - and the same thing that most of the others did - : devote himself to the functions which he performed in the interest of his pleasures and his fortune, live at Rome and in the provinces in the midst of disorders, debaucheries, and adventures of every kind.

In 686[1] he was praetor, and the following year he was sent as governor to Africa. It was a rich province and was marvelously agreeable to a propraetor who had his fortune to make or to recover. Catiline, as it is well known, did not neglect to seize this good opportunity, and he profitted from it so well that his subjects who had been ruthlessly pillaged decided to carry a complaint to the Senate of his exactions.

1. A.U.C., 88 B.C.

He quitted his province in 688[1], and should have arrived at Rome toward the middle of the year. At this moment the disorder there was at its height. The consular elections for the following year had given the majority to Publius Cornelius Sulla and Publius Autronius, two persons entirely discredited. P. Autronius resembled Catiline very much, whose friend he was and whose accomplice he became much later. He passed for an orator, because he had a powerful voice; but he was above all a man of action, who did not shrink before an evil deed. Sulla, nephew of the dictator, had a large fortune, which he had placed to the disposal of his colleague for the purpose of buying the votes of the electors; but the bribery had been so scandalous that the election was hardly over when it was referred to the tribunate and annulled. The two rejected consuls were replaced by the same ones who had handed them over to justice, Aurelius Cotta and Manlius Torquatus.

It was during this interval, if Sallust is believed, and during the vacancy of the consulate, that Catiline, who had just disembarked, put forward his name as a candidate. He thought, without a doubt, that this troubled situation would be able to give him more chances. Unhappily for him the deputies of Africa had been diligent, and, when he presented himself to announce his candidature, the complaint had already been lodged. The consul in office, Lucius Volcatius Tullus, a little embarrassed, assembled a council of certain impor-

1. A.U.C., 86 B.C.

tant Senators in order to know what should be done. It was decided that it was impossible to receive the declaration of Catiline as long as the case which hung over him had not been judged. This was a cruel disappointment for him, especially since trials of this type could take a long time. He therefore found himself indefinitely put off. The long wait, to which he had resigned himself in passing through successively all the intermediate offices, must have been very irritating already; this new delay made him lose patience. From the time that he was not able to reach the top by the regular roads, he no longer hesitated to have recourse to violent methods. His situation resembled that of Autronius: while one was prevented from running for the consulate for which he had striven for ten years, the other was denied it when he believed that he had it in his hands. They must have naturally come to an agreement to put their hands upon this which the people did not wish to let them take. It was easy for them to find associates among the needy and debauched youths who filled Rome. Among those who were enlisted, there was one who perhaps carried the most renown name of the Roman Aristocracy, Gnaius Calpurnius Piso, of whom Sallust said, " He was of an extreme audacity, accustomed to intrigue, having been ruined, and his distress as much as his perversity excited him to overthrow the Republic." They agreed quickly as to what they had to do. They decided to kill the two consul designates, Cotta and Torquatus, and to put Autronius and Catiline in their places.

Everything had been minutely prepared, and the success appeared so certain that lictors had been procured in advance for the installation of the new magistrates. The affair, which had been decided for the Nones of December, was noised abroad, and those in authority took precautions. It was then reset for the Kalends of January; but this time it was not only a question of killing the consuls; a part of the Senators must be added to them, and some said even the entire Senate. Catiline reserved for himself the task of giving the signal for the massacre. Did he make the mistake, as it is said, of acting in too much haste, or must we believe that the conspirators, who were lacking in zeal, took their places too late? This is certain, that when the time came to act, they were not found in their places. After this second defeat, the coup was definitely a failure.

That is what was later called the first conspiracy of Catiline. It is easily seen that it differed entirely from the other one. First, it is not certain that he played the leading role; he had accomplices, Autronius and Piso, who seemed to have at least as much importance as he, whereas, in the true conspiracy, not only was he foremost, but it is almost possible to say that he was alone, in as much as the others are in the background and appear mediocre. Afterward the plot, having failed really before it was put into action, was known only in a way very imperfect. Much rumor was spread abroad which, as it is today, could not possibly be verified. Asconius let it be understood, according to Cicero,

that many important persons were in it who did not wish to be known. Suetonius is more precise: He affirmed that Caesar and Crassus favored the enterprise, and that, if it had succeeded, Crassus would have been named dictator and Caesar master of the horse. There was evidently some noise spread about in Rome; but as it is impossible to verify the fact of any of it today, I believe that it is useless to spend any time on it.

From the information which we have preserved we learn this more surely, that the number of the conspirators was not large, pauci said Sallust. We also learn that they did not plan a revolution, but an ambush. They wished to kill certain persons in order to take their places. These crimes, coldly prepared, undertaken without scruples by men of high society, in the midst of an elegant social life, men well-lettered, who read the great works of the sages of Greece and who prided themselves on knowing how to live, appear incomprehensible to us at first. But as it is impossible to deny them, we must at least try to account for them. Merimee asked if the fault should not be imputed to the spectacles of the arena which familiarized the people from infancy with the view of blood. (Merimee, Conluration de Catilina, p. 105); and it is indeed possible that thay had this sad result of ensavaging the nation which took in them so great a pleasure. But I believe that they were led rather by a kind of assimilation which was created between the battles of the Forum and those which they waged against foreigners. In both cases it was war, more infuriated and

violent when citizens were fighting each other. But it was the rule among ancient people that in war the conquered should die and that victory conferred upon the conqueror all power over him. It was a law which everyone accepted and against which even he who was going to suffer under it made no complaint. The situation of political adversaries was even more dangerous than that of foreign enemies, for finally, when one grew tired of killing an enemy who no longer resisted, it was possible to make him a slave (servus quasi servatus). But since a political opponent, being a citizen, was not able to be sold, it was necessary that he be put out of the way, if one did not wish to be exposed to finding him before him much later. There only remained, in order to get rid of them, either the proscriptions, if one were master, or assassination, when one wished to become master. That is how the proscriptions - under Marius, under Sulla, and under the Triumvirs - became regular operations, almost legal, and why political assassinations had been practiced without hesitation at all times and by all parties. At the beginning of the Republic the patricians gave an example of this by having the tribune Genucius, who was thwarting their plans, killed in his home. (Livy, 11, 48). The example was faithfully followed afterwards. In 654[1], in order not to go back too far, Saturnius, who wished to become tribune of the people and who feared the rivalry of Quintus

1. A.U.C., 100 B.C.

Nummius, a tool of the aristocrats, had him killed by the soldiers of Marius, his friend, who very willingly placed them at his disposal. The following year Quintus Memmius, a very honest man, whom some people feared to see succeed in the consular elections, was killed by a cudgel by a band of good-for-nothings, and nothing was done about it. It is known that a deserter from the nobility, Drusus, prepared some popular laws; it happened that he did not have time to have them adopted, and one night when he returned home, he was stabbed at his door, and he fell into the atrium, at the feet of his father. The assassin was never found. Finally Sulle, who did not wish that Quintus Lucretius Ofella, one of his friends however, should ask for the consulate, after having tried to reason with him in vain in order to persuade him not to do it, found it more simple to send Billienus, one of his executioners, to assassinate him. It seems to me that after having read this long list, to which it would be possible to add many more, one understands better the facility with which Autronius and Catiline decided to kill the two consuls whose places they desired, and even to join with them a certain number of Senators. The conspiracy of 688[1] appeared tc have caused neither surprise nor scandal at Rome. This fact conclusively shows to what to what degree acts of this type were common. No one considered making an inquiry or instituting charges. The

1. A.U.C., 66 B.C.

consul Torquatus held no grudge for the dangers he had experienced; when he was questioned concerning the conspiracy, he answered that " he had heard certain things said concerning it, but he did not believe any of them." (Cicero, Pro Sulla, 29). The conspirators did not stop coming to the Senate, a part of the members of which they had wished to assassinate, and, without a doubt, the members continued to offer them their hands as usual. Not only was Piso not prosecuted, but he was voluntarily granted that which he had wished to procure by a crime; he was sent as propraetor to Spain (quaestor pro praetor). It was a method of getting rid of him and of being disagreable to Pompey whose enemy he was known to be. But, at his arrival, he was killed by the very soldiers over whom he had come to take command, which set everyone at ease.

As for Catiline he was still under the charges of extortion which the province of Africa had against him. It is necessary to believe that this case had not yet been judged in the month of July, 65 B.C., when the consular elections took place, since he was not a candidate. It was probably a little later that the affair came before the tribunal. (M. Bucheler, in the preface of his edition of the Reliquiae Quinti Ciceronis, thought that the case must have been judged in the month of November, 65 B.C.). The charges were grievous, but he was aided by everybody. Hortensius, the great orator of the aristocrats, took charge of his defense. On the day of the trial the Forum was full of the most honorable people who came to

render their testimony of his virtue and his unselfishness. The consul Torquatus, whom, twice in succession, Catiline had intended to kill some months before, had his curule chair carried in and, clothed with his consular ornaments, came to attest by his presence and his words the innocence of the accused. Catiline had taken up an even more sure custom in order to escape a condemnation which seemed inevitable: He had bought off the judges, which cost him a great deal. " He is as poor today," it was said at Rome, " as the judges were yesterday." For more surety, and in order to win over Publius Clodius, his accuser, he had also given him a good sum of money. It was thus at that time that everything was bought and sold, that everything at Rome could be purchased: " A city for sale", said Jugurtha, who well knew.

Catiline was freed. He was therefore able, at last, to present himself in the elections of the month of July, 64 B.C. in order to be consul for the following year.....but he was going to run up against Cicero.

CHAPTER II

THE CONSULATE OF CICERO

The consulate was the dream of all Romans who entered political life, if they had any ambition and believed that they were talented enough. Nothing prevented them from seeking it. By right all citizens at Rome were eligible and electors; no condition of birth or fortune was demanded of them. Terentius Varro, the conqueror of Cannae, came from a butcher; the father of Marcus Aemilius Scarus was a coal merchant. It is true that in reality all things tended to render the attainment of the consulate difficult. That long route of public offices that the candidates were forced to follow before arriving there became narrower as it advanced. There were twenty quaestors; there were no more than eight praetors, who fought among themselves for the two consular positions. The defeated candidates were forced to recommence their competition the following years, in conditions often more difficult against new competitors, the number of whom was steadily increased, with the result that the greater part of these young men, who had started out with so much ardor and hope for the conquest of the supreme dignity, were condemned from the start never

to attain it.

Cicero was not one of those whom this disgrace seemed to menace. From his first candidature his voters remained obstinately faithful to him. He attained from the first try all the offices which he asked for, and he filled them with honor. He was praetor the same year that Catiline formed his first conspiracy. And he found a way of not committing himself during it. Nevertheless, although he seemed to have all chances in his favor, he was not completely assured, because he well knew the inconsistency of public suffrage: he had many times compared the waves of the comitia, as he called them, to those of an agitated and capricious sea, where the ebbing carried away that which the tide had brought in; but his anxiety became more alive, it is understood, in proportion to the approach of the last contest. It was natural that this was shared by his relatives; one does not ignore the fact that the honor which he desired gave honor to a whole family. His brother, Quintus Cicero, who was tenderly attached to him, and who, moreover, counted on profitting from the glory of his elder brother in his own political career, confesses that he did not cease to think night and day about the fearful climax. He himself had just been aedile and had handled the public vote with cleverness. He had, therefore, the idea of placing his experience to the service of his brother, and he wrote him a letter in which he enumerated all those things which a candidate who wished to succeed should do. It was not, he said,

that he had any pretensions of teaching him anything which he did not know; but the matter was so complicated, the obligations so numerous, that one always ran the risk of forgetting something. Quintus, who is able to be called, as Caius Cotte, an artist in elections, and who held this title to his credit, was stimulated to the pleasure of writing it so well that his letter ended by assuming the proportions of one of those small treatises under the epistolary form (epistolicae quaestiones) which were the style of this time. It appeared to him, when he had finished it, that, although written especially for his brother, it could be useful to others. He decided, therefore, to publish it, since he asked Cicero to review it, and it is probable that he had it appear under the title of Commentariolum Petitionis, or of De Petitione Consulatus, as it is on the manuscripts, and which can be translated thus: Manual of a Candidate .

The letter contains some general observations, and others which apply only to the particular circumstance for which Quintus wrote it. I shall pass over the first, and I regret it very much, because it is pleasant to see how universal suffrage acted in each epoch, what it retains today of the ancient customs, and what it has lost of them. But this study would lead us too far away. Let's set the limit of them to those conditions in which the election of Cicero to the consulate took place.

Quintus appeared, in the whole letter, to be sure of the final success of his brother. However, he must have doubted

whether he should refrain from saying this to him or not. Nevertheless he did not conceal the obstacles which he would have to overcome. There was one which appeared to him more serious than the others, or rather it is the only one which he seemed to fear. Cicero was what was called a new man (novus homo), that is, none of his ancestors had held a public office at Rome. The law had indeed proclaimed that these offices were open to everyone, but precedent, which is stronger than law, seemed to reserve them for the Aristocracy. Those who entered the Senate outside of the aristocrats can be counted; for thirty years there was not a new man who had become consul.

That was the difftculty against which Cicero set himself, and it was more serious for him than for the others. Among the new men none of them had been more disagreable to the aristocrats. First, he had much talent, and the aristocrats could fear that, once established in the government of the Republic, he would make for himself a large place. Moreover, he was a man of insight, and he saw easily the eccentricities of the others and did not refrain from reviling them on their account. If he had assumed an humble aspect before them, if he had seemed to ask forgiveness for his eloquence, his popularity, and his success, they would have been able to forget that he did not have a noble birth; but in addition to the great mistake of being born a plebeian, he had the error of having a plebeian impertinence. He answered the self-conceit of the

great lords with his cruel jestings which spread over the whole world. All his life he had been too foolish to know how to refrain from a bon mot; he found " that it is more difficult to hold a retort upon the lips than to hold a burning coal upon the tongue". Is this not one of the reasons which brought it about that the Aristocracy was never a sure ally for him? Treason is sometimes forgiveable, but a raillery is never forgotten. It was not only Catiline who reproached him for being a parvenu; two years after the conspiracy, in the open Forum, one of those patricians whom his courage had saved recalled to him his low birth. When he was condemned to exile, it appeared to him that the Senate did not defend him with good spirits; he was suspicious that, among his former allies, there were some who were not disappointed that he had gone, and I believe that he was not wrong.

His low birth created for Cicero another disadvantage in the political fight, with which Quintus was occupied. A young noble had no need to find for himself a group of clients. On the day when he pleaded his first case, or when he appeared for the first time in the Campus Martius in order to ask for a public office, it was certain that some clients would come in crowds to greet him in the hallway, that they would accompany him through the streets of Rome and even go with him back home. They were not acquainted with him; about him they may have known only his name, but they venerated and respected that; it was under this type of patronage, from father to son, that they were accustomed to range themselves. Now, at Rome, one

of the first conditions of success was for a candidate never to appear in public unless he had a large retinue accompnaying him; no one was even considered if he did not lead a crowd of attendants; he must, said Quintus, always live with the multitude. (esse cum multitudine - De Pet.,IX,37). Sadly for Cicero he did not find in his inheritance from his family, as the patricians did, the friends who would come to greet him upon his awakening in the mornings, those clients who would follow him and listen to him in the Forum, and he was forced to procure them for himself. It took a great deal of trouble. First, he made himself champion of the order of knights, to which he belonged by birth, and which he had always supported by his authority and his words. They were not numerous, but they were very rich and their influence was considerable. He had also on his side the friends whom he had acquired by the services which he had rendered, especially in the cases which he had defended. Sadly, all these friends were not reccommendable. The necessity of finding for himself some clients had often led him to take up some bad cases. Finally he had the scholars, who admired in him the greatest orator at Rome; among them were young men in great numbers, many of whom were from illustrious families and who considered it an honor to be counted his disciples. They followed him everywhere, ready to carry out his orders, to serve him as messengers, to defend him if he were attacked. Quintus tells us that this kind of young guard, when it was well organized, as this one which

Cicero placed around himself, produced an excellent effect at the Campus Martius on the day of election. The young people seemed to share themselves between Catiline and him. The more studious and the more honest ranged themselves on his side; probably they were not the most numerous. Catiline attracted the others by his prodigality and accommodation. Caelios hesitated a long time between the two. As he was at that time a man of much spirits and an incorrigible libertine, he went from one to the other, according as his taste suited him to literature or attracted him to pleasure.

But let us not forget that it was a question of universal suffrage. It was not only some delicate souls, a society of polite scholars who determined the success; it depended upon the masses. Quintus took great care to call this to the attention of his brother, who without a doubt did not forget it. He advised him to assure himself of the good will of the small classes of the slums, not to forget the important persons of the popular groups, to acquaint himself with those, in each section, who would have some influence over their neighbor. He was convinced that by the ease of his attack, by the agreeableness of his manners and his untiring accommodations, Cicero would have no trouble in winning them. He hoped that with the exception of the clients of the great families, who voted as they were told to, and the factionists, who awaited the order of their chiefs, and finally of those who sold their votes and who lived by this business, the population of the town would be for him. There is no doubt that he counted above all upon those who were called the frequenters of the count room (subrostrani); since they

frequented the Forum and followed great events, they had heard Cicero defend the interests of Pompey, in the Manlian oration, and plead for Cornelius, and they were carried away by his words. One would be wrong to believe that this method of speaking so carefully, so amply, and so harmoniously should be intended only for certain distinguished spirits and would be able to please only those who had studied the art of rhetoric in the schools. Cicero thought to the contrary that it was this which would be agreeable to the assembled crowds, that they naturally had little taste for a sober, cold, dry word made from deductions and serious reasonings, like those which the Greek imitators wished to impose upon them, while they were sensitive to this abundance of ideas and of words, to these niceties of expression, to this largeness of development for which one rebuked him, and that this was truly popular eloquence. The experience that we have had with public assemblies and the merit by which people have succeeded in them seems indeed to prove that he was right.

Among the recommendations that Quintus made to his brother there is one of them upon which I believe it useful to insist. "You should have care," he told him, "to place in your soul and to conserve in your memory the whole of Italy, just as it is, with its parties and divisions, so that there will not be found a municipality, a colony, a praefecturate, or any place whatsoever, where you may not be assured of possessing sufficient strength. Search, seek everywhere, in whatever country it may be, some people with whom you are acquainted to attach to your cause, and to spur them on when they weaken. Demand them to place themselves in a campaign to canvass

votes for you in their neighborhood and to make themselves in your favor veritable candidates." Quintus thought therefore that Italy was going to take some part in the election, and one which, it was well seen, was not negligible. Was this not a kind of novelty which deserves to be given some attention?

It is known that the ancient republics were founded as municipal towns and how it was difficult for them, when they had expanded by conquests or alliances, to tear down their primitive way of life, and pass from the regime of the city to a state, compact and unified. In Greece they never completely succeeded. Rome by its origin and its nature was better equipped to solve this problem. After the Social War, it had extended the title of city to Italy, but then a serious difficulty presented itself. The main privilege of the citizens was the vote. Unhappily one could only vote at Rome, and they never had the idea that it was possible to be done otherwise. Now, the new citizens wished to vote; indeed this was necessary in order that the consuls, the praetors, aediles, and quaestors, who were no longer only the magistrates of a town, might become the representatives of the entire state. Surely—— the Italians were able to vote, but on the condition of making a journey. At Rome they were inscribed in one tribe; when they presented themselves at the gate of the ovile[1], where the elections took place, the officers allowed them to enter, and they were able to put their ballot in the urn. But the voyage was long; the Aristocrats, who were almost their masters, did not encourage them to come, and they received them haughtily; they remained at home. There was a method which would have eased the situation, voting by correspondence.

1. An enclosure in the Campus Martius where the votes were cast at the comitia.

Augustus, we are told (Seut. Aug., 46), thought of it. But either because the organization was weak or because the Romans of Rome did not view with favor the importance which the Romans of the province might take, the measure did not succeed. Some years later the problem was solved but in a different and more radical manner. Tiberius suppressed the popular comitia and no one could vote except the Senators, where the provinces were included with some very distinguished representatives. It was thus that all the citizens were placed on the same footing, those of the city and those outside, that Rome ceased to be the whole State, which she was previously, for to be only the capital, and that imperialism, as we say today, was able to definitely establish itself.

Quintus was not ignorant of the fact that the Italian villages, from this epoch, planned to profit from their right to vote; accordingly he announced to his brother, as a sure thing, that they were going to send "a multitude of citizens who would vote for him". And not only would they come in great numbers, but it must be believed that they would come from afar. In a letter to his friend Atticus, Cicero told him that he was going to make a campaign trip to the region of the Po, "because," he said,"the votes of Gaul count high." (Cic. Ad. Att. I.2.)[1] Gaul therefore prepared itself thus to send voters to Rome, despite the distance, and these voters would be in favor of Cicero, who, as they, came from a municipality. There is, therefore, hardly any doubt that in the election of the month of July 690,[2] the people of Italian municipalities were numerous at the Campus Martius. We know of some from Arpinium and

1. Teubner, Ad Att. I.1
2. A. U. C., 64 B.C.

and Rheati; we can suspect that there were many others.(In Piso,1) Much later Cicero found the same eagerness, the same homage, when he returned from exile, and it tells us that he was carried from Brindisi to Rome "on the shoulders of Italy".

II

When Quintus affirmed to his brother that he had very good chances of being elected, it was not vain encouragements which he was giving to him. He had reason for thinking that Cicero's talent, his spirit, his good humor, and the services which he had rendered to so many people had made many friends for him, that the larger part of the Roman people were well disposed for him, that the voters of the Italian municipalities would vote for him; all this appeared very reasonable. But what was more, he owed his success principally to a series of happy and unexpected circumstances; pure chance had given to him some opponents who seemed especially created to make their rival succeed, and, as it often happens in elections, many people voted against them rather than for him.

There were six aspirants: two patricians of illustrious families, two who belonged to the great Plebian families who formed the second stage of the nobility, and finally two of lower origin, but whose fathers had obtained some public offices; as we have seen Cicero was only a new man and a simple knight. It seemed therefore that he was going to have to deal with very strong forces, but, from the the beginning of the contest it was seen that these candidates who carried such high names were not formidable. The campaign really did not begin until the same year in which the election was held, but toward the end of the preceding year the skirmishes began.

The candidates who wished to make themselves known and to feel out public opinion profitted from some circumstances which created a crowd in the Campus Martius, and they went about from class to class, shaking the hands of the voters, and, as much as possible, calling them by their names. This is what they called the prensatio, a ceremony which appears strange enough to us, not that candidates have lost this custom, but they place in it today less of solemnity, and, when they do it they intend that no one should see them. But, to the contrary, they voluntarily set themselves up to be seen. Their attitudes were going to be noticed, their assurance or timidity observed, their gestures commented upon, and estimations of their success or failure would be formed by the manner in which the people received their civility. After several weeks of such actions everyone at Rome was convinced that four of the aspirants had no chance and that only three were able to hope to succeed: these were Cicero, Catiline, and Antonius.

I have spoken of Catiline. Antonius was the son of that M. Antonius, famous man of wealth and illustrious orator, whom Cicero had celebrated in his works on rhetoric; but he was not like his father. He came, as Catiline and so many others, from that band of young nobles whom Sulla had around him and who scandalously he had quickly enriched himself from the pillage following the proscri/ptions exploited his victory. As his companions, he had quickly dissipated his fortune, and, although he had intended to replenish it by pillaging Greece with the aid of certain knights of Sulla, he had been reduced to live by expediency. He was a dishonest and mediocre man. "There was," said Quintus, "this difference between Catiline and him,

that Catiline feared neither Gods nor men, while Antonius was afraid even of his shadow." Nonetheless he had a certain popularity, which came to him from the affection in which his father was held. One of the strongest virtues of the Roman people, perhaps the last which perished, was the respect for traditions and the faithfulness to their memories. They had this good characteristic, so rare among other people, of not forgetting.

The choice of the two consuls therefore was going to be made among these three candidates; Cicero, if he were elected, would have to resign himself himself to having one or the other for a colleague. There is no doubt that he would have preferred another; but he was not free to have his own way, and it was necessary for him to yield to that one whom the caprice of the masses imposed upon him. It seems that at first he was led to prefer Catiline, and it was for the purpose of winning his good graces that, as it is seen, he prepared to defend him in his trial. This preference, after all, should not surprise us too much. He tells us that in looking about he believed that he saw in him "certain appearances of good quality." (Pro Cael.,5); in Antonius only vices were found. Forced to decide between two dishonest men, he turned himself toward that one in whom perhaps a certain spark of humor and generosity was able to be awakened. I am likewise minded to believe that, if the affair did not succeed as Cicero wished it, it was not completely his fault. Catiline knew men; he judged without a a doubt that Cicero would be a hindering colleague and that he would not allow him the freedom to carry out his projects, while he could

do whatever he wished with Antonius, and he turned to him. These two formed an entente (coitio), and they worked together in the campaign.

One thinks well that corruption was not forgotten among the methods which they used to succeed; it was that which they employed the most at that time. Unluckily both of them were ruined, but someone came to their aid. Cicero accused among them a person whom he designated, without naming him, in saying that he was of noble birth and willingly practiced trade of these kinds. It was probably of Caesar or Crassus that he meant to speak; Crassus was especially known to come to the aid of candidates who were in embarrassing circumstances, when he was able to find in them some profit. We are told that it was in the home of this obliging person that this election was planned[1]. The Romans, who employed order everywhere, even in that which did not seem to permit it, had made of political corruption a veritable science, which had its processes and rules from which no one deviated. For example, care was taken in advance to set aside the money for the voters whom they had bought; they didn't have enough confidence in them. The money was deposited with some men who were called sequestres, who distributed it after the candidate had been elected. All these things were done in the open without any anxiety about laws, which permitted them. Cicero announced that, in the home of this rich man whose name he did not wish to mention but whom everyone

1. An interesting discussion of whether or not Caesar and Crassus backed Catiline is found in the American Journal of Philology, Volume 56, pages 302-316.

knew, the sequestres had assembled with Catiline and Antonius; and, in order that there might be no doubt, he indicated the day and the hour of the meeting.(In Toga Candida, Asconius, p. 83: Dico, Patres Conscripti, superiore nocte, cuiusdam hominis nobilis et valde in hoc largitionis quaestu noti et cogniti domum, Catilinam et Antionum cum sequestribus suis convenisse.) These actions became so scandalous that the Senate became anxious concerning them and that it was proposed to add some severe clauses to the electoral law. It was on this occasion that Cicero announced the discourse which is called IN TOGA CANDIDA, on account of the white robe which he wore in the qualification of a candidate. We have of it only certain fragments which are of extreme violence. Although no one hardly makes it a point of moderation and urbanity in political contests today, I doubt that anyone would dare to go so far. At that time there were no newspapers to receive and report the injuries which the candidates said of each other; orations took the place of them. It is, therefore, probable that this one of Cicero was copied and handed out; it is certain that, if it had been placed in the hands of the public, it would have been well read. Towards the same time, that is at the approach of the elections, the letter of Quintus to his brother, which maltreated Catiline and Antonius as cruelly as did the discourse of Cicero and sometimes in the same terms, must have appeared. No one tells us what impression these two pamphlets, the discourse and the letter, appearing almost alike, repeating one another, striking blow after blow upon the same spot, produced on public opinion, but it is indeed possible that, if it had remained

indifferent some times, it must have begun to move itself then; and it is permitted to believe that it was these violent invectives, these portraits traced so energetically, and the mind called back to so many crimes, which cast some anxieties among honest people. Yet, if they were sure that only one of the two would happen to be elected, they were able to hope that the opposition of an honest colleague would paralyze his evil designs. But all was lost if they were both elected. "It would be", according to the words of Quintus Cicero, "to plunge two daggers at once into the breast of the Republic." (De Petit.,III,12). They began to think, therefore, that before everything else it was necessary by all means to prevent the success of both of them.

At the last minute, hardly a month before the elections, certain rumors began to be spread that a conspiracy was brewing in the shadows. It was said that Catiline had reunited his partisans and that he had revealed to them what he intended to do if he were elected. The rich men, bankers, farmens, and great land owners were thus informed that it was not the government alone which was menaced, but their fortunes were also in danger. The unrest became thereupon very much alive in the world of affairs. The Aristocracy, most directly menaced, concluded that it would not be possible, on the very verge of the election, to improvise a new candidate and that it was indeed forced to join forces with the only one who was able to succeed. It was thus that in the last hour Cicero became the indispensable candidate of all those who wished to maintain order and the safety of the Republic.

We know nothing of that which took place during the last weeks; perhaps it is possible to imagine what it was from what happened much later. The Aristocracy was too clever not to make Cicero pay in some way for its help, although it was impossible not to give it to him. They knew that he was of an independent enough nature and thought without doubt that it was good to take precautions with him. It is probable that on certain questions they obtained some commitments fromhim which we are able to figure out, since he held loyally to them. The zeal with which, while he was consul, he defended the interests of the Senate, even when, from the bottom of his heart, he was at odds with them, seemed to indicate that he had committed himself in advance to maintain what remained of the laws of Sulla.

The practice which we have taken of universal suffrage with ourselves and with others permits us to understand the method in which the election of 690 brought itself to an end. When everyone votes, it is often by a kind of impulse that the elections are decided. People are agitated, they are excited one by another and, towards the last hours, they form a current to which no one offers resistence. When the balloting was opened, the crowd ran to the Campus Martius. The voters did not content themselves with placing their vote in the urn, "the mute guarantee of the freedom of voting," they acclaimed with enthusiasm the name of Cicero, so that it is possible to say "that it was not only the voice of a herald, byt that of the Roman people which proclaimed him consul" (De lege agr., II, 2.) Antonius carried only a few votes above Catiline.

III

It was a great victory for Cicero. He was elected at the head of the list, to the applause of all the people. He obtained the highest office of the republic two years after he had been praetor, that is to say as soon as the law permitted him to have it, while his fellow townsman Marius, so great a man of war, had taken seven years to rise from praetor to consul. When one understands his delicate feeling and his tendency to be pleased with himself, he knows that he had experienced an overflowing joy. Although he had had in his life some great days of triumph, he had perhaps never been more happy than when, at the Campus Martius in the villa publica, where the candidate stayed during the election, this cohort of young men whom he had taken to his service, came to announce to him the results of the election.

But, if he at first was intoxicated with his success, which was natural, it is certain, when it is understood, that the rapture did not last.

He was too perspicacious; he had too much the habit of seeing the bad side of things not to see clearly, from the first days, the gravity of the situation and the dangers which he was going to run against. Of all the dangers, the closest and most menacing, the one which it was necessary to discard first, came to him from the colleague whom the election of the citizens had just given to him. Barely a few weeks ago he had heaped injuries upon him before the Senate, called him a thief and assassin, and the election had just made him his associate, the man who was going to govern Rome

with him. They were at all moments to work in unison, to come to an understanding with eachother, to take up measures in common, and it was known that they had contrary opinions and didn't agree in anything. What would result from this badly made alliance, and how would the State advance, with conductors who would drag it in different directions.

The old Roman, in order to free themselves from the inconveniences of royalty, had contrived to limit the term to one year, and had invested power in two persons instead of one; that is, they replaced the kingship with the consulate; and it is necessary to believe that the custom was good, since the royalty did not reappear for some centuries. But it also presented some dangers. The most serious was this which Cicero had to undergo, which resulted from the diversity of feelings and sentiments between the two colleagues. This danger was the more to be feared because in originating the new office, it had been desired to deserve the grandeur and prestige of the ancient. Inorder not to appear to diminish the majesty of the office in dividing it, and in order that each one might have the appearance of possessing it entirely, making too precise a separation of the powers between the two colleagues had been avoided, which, as it seems, must have rendered conflicts almost inevitable. The strange thing is that these conflicts had been so rare and that a machine so delicate had continued so many centuries without encumbrances. Nothing makes us admire the patriotism of the magistrates of this early age more than to consider the reciprocal concessions, sacrifices of self-interest, of opinions, of interests

which they had one for the other, in order to retain concord between themselves. There were nevertheless some enmities and conflicts which were settled at first as much as possible, but which broke out into violence when public customs began to be changed. Some years before the consulate of Cicero, the quarrel between Octavius and Cinna, two colleagues who had promised to live in good friendship, ended in a civil war. Much later, Caesar and Bibulus, two mortal enemies, were elected consuls together. Passionate conflicts were expected, but Caesar, who knew well that he was dealing with a stubborn and mediocre colleague with whom he could never reason, undertook to do away with him entirely. He let him shut himself up in his house and protest solemnly to all that was done in his silence while he alone took charge of public affairs. This year there was truly only one consul. (To date this consulate, instead of placing the names of the two consuls, as was customary, certain wags said: Caio et Julio consulibus.)

Cicero arrived at the same goal by another method. He knew that it would be possible for him to come to terms with his colleague by paying the price. Antonius was completely bankrupt and he planned to restore his fortune in the province which, according to custom, he would govern after his consulate. The two provinces which had been reserved in advance for the consuls, when they should go out of office, were Macedonia and Cisalpine Gaul; they had to decide by lots between themselves which would go to each. Macedonia was much more advantageous and Antonius coveted it;

Cicero ceded it to him before the lots were cast. He did not deserve much credit for this, because he had resolved that he would not accept either of the provinces and did not wish to leave Rome under any pretext. Nevertheless, Antonius was grateful to him for this favor; and it is attributed to this fact that, as long as this badly assorted state of affairs existed, there was no public discord on either side; but neither was there any reciprocal confidence. No one ever heard Antonius confess that he was formally engaged to support the politics of his colleague. He continued his intimate relationship with Catiline, who did not cease to count upon his support, and it is probable that he kept his old ally informed of whatever he wanted to know. In spite of all, Cicero, who was not ignorant of the situation, continued to treat him with the best regards and sought to disarm him by his kindness. But at the same time he kept his eyes open for all of his actions. As he had the chance to be in very close relationship with Publius Sextius, Antonius' quaestor, he used him very cleverly to control his colleague and, when needed, to watch him. It was not less a great inconvenience to have near you, in the same councils, someone before whom you did not dare to speak freely, and who, in the case of an undecided contest, would without doubt place himself on the other side and would authorize by his presence the projects of the enemy. Nothing shows better how completely versatile and competent Cicero was than to see how he knew how to avoid the perils of this inconvenient intimacy. It is true that he was aided by the perfect incapacity

of his colleague, which equaled his profound rascality. He succeeded so well in annihilating him during his whole consulate that it can be said, as for Caesar, that that year there was only one consul.

IV

That was not, unhappily for Cicero, the only reason which he had for being anxious. He must have discovered many others during those five months of meditation when, as consul designate and participant in public affairs without, however, having any of the responsibilities, he was in a good position to study the events and to observe men. This which alarmed him most in the troubled situation of the republic was not the overt plots of the parties and this scum on the surface against which one could defend himself because he had them before his eyes; it was, rather, this which endeavored to conceal itself and which could not be suppressed with one blow. There were, he said, some men more formidable than Rullus and than those noisy and vulgar agitators behind whom they concealed themselves. He designated these men clearly when he added that they were the ambitious who nourished unlimited hopes and coveted extraordinary powers. It was not of Catiline that he wished to speak, as is believed. On the day after the election when he was defeated one is able to believe that he was crestfallen, and certainly it is not a question of him in any respect at this time. The political men to whom he made allusion, whose names it was not necessary to pronounce in order for the people

to recognize them, who were lying in wait ready to profit from occasions, were, rather, those who just brought such rude blows to the Republic in forming the first triumvirate, that is to say, Pompey, Crassus, and Caesar.[1] Directly or indirectly they are going to be mixed up in the whole history of the consulate of Cicero, and, before going into it, it is necessary to say in a few words what the political situation of each of them was at that time.

Pompey was in command of the army of Asia; nevertheless he was not as far away from Rome as one might believe, because he occupied the thoughts of all the politicians. The conquest of the Orient being over, it was well known that he was ready to return, but no one knew what he was going to do. No one imagined that this ambitious man would conduct himself as the conquerors of other times[2], who, their task completed, returned to plow or took calmly their place in the Senate. Good citizens, a bit suspicious, as Cato, dreaded that he wished to invest himself with soverign authority by a sudden coup-de-force, and they prepared to resist. Those who knew him better, and did not believe him capable of the daring enterprises, believed that he would profit from his prestige in order to reclaim those exceptional powers for which he had such a taste because they flattered his vanity

1. There is either an error in translation, or M. Boissier seems to have made an error in chronology here. The time in question is somewhere in the last months of 64B.C., whereas the first triumvirate was formed in 60 B.C.
2. If people thought so much of ancient conquerors, they must have been unable to see close to themselves. Twenty years before had occured the disgraceful farce of Marius and Sulla.

and placed him above others. To that his old comrades did not resign themselves, those who had been his equals and did not wish to become subordinate to him. It had been thought, with reason, I think, that the expectation of his return which disturbed them, the need of fortifying their positions, of finding themselves some allies, and of taking, thanks to the general confusion, a stronger position are among the principal motives which moved them to bestow favor on all conspiracies. One can, therefore, attribute to Pompey, although he was absent, an important part in the aggitations which troubled the consulate of Cicero.

Of the two other triumvirs it was Crassus who least concealed his anxiety. Although he had made at some time a good showing at the head of armies, he represented in this alliance the power of money; he therefore played a role less brilliant, but perhaps in reality more effective. The origins of his fortunes were disgraceful enough: he had begun it under Sulla in procuring for himself cheaply the possessions of the proscribes; it was increased later by some lucky speculations. He profitted from the fires which were so frequent at Rome, by buying at a low price the damaged homes and having them rebuilt by the architects and masons who were in his service. He thus became the proprietor of entire districts; he also possessed some well cultivated plantations and some silver mines. Above all he engaged in slave trade which was one of the businesses which yielded the best profits, he had them instructed at his school, watching over their education and applying himself even to the work in order to resell them later at a very high price to those

who had need of good secretaries, readers, attendants, and innkeepers. He was the richest man in the republic; but it did not suffice him to have obtained this consideration of which one is assured when he possesses forty millions in landed property and good debts against the most important personages of his country; he wished also to have political power, and in order to acquire it, he used his fortune with the prodigality which is not common to those who have laboriously acquired it. Having become as generous as he was avaricious, he willingly obliged his friends and acquaintances, he lent his money without interest, and thus he had for debtors a large number of his colleagues in the Senate. As for the people, he charmed them with his civility, and, which was more agreeable, he had furnished them bread gratuitously for three months. One understands that in paying so dearly for these, he had made many friends; however, the successes which he had obtained in his political life did not satisfy him entirely. By a kind of bad luck he had always found Pompey on his threshold. Pompey had snatched from him the glory of completing the defeat of Sparticus which he had very wisely begun. He had been able to obtain the highest offices only by allying himself with Pompey, and they had been elected consuls together. This consulate had been very agitated; he had to endure in it, on the part of his vain colleague, many of those personal vexations which were particularly tormenting, because he was disposed to believe, as all the financiers, and he being the richest, that he ought to be the most powerful and most honored. It is understood that with so many reasons for detesting Pompey, he was discontented

to see himreturn, and he tried, by all kind of movements and even suspicious alliances, to make for himself a party which permitted him to resist the ill-will of an odious rival.

Caesar must not have been more satisfied than Crassus at the return of one who threatened to compromise the lead which he had taken over in the popular party. Since the departure of Pompey he had been the veritable leader of it. He had the advantage over his associates of having always held to the same policy. While the others, having come from the camp of Sulla, had come by many detours to democracy, he was known to have faithfully followed the same cause. Partisan of Marius from the first days, he did not renounce it after his defeat. He had just had his trophies set up again, the ones which had been torn down by Sulla; he prosecuted with tenacity his enemies before the tribunal. The people had full confidence in him, and he knew it, a fact which doubled his strength. To the degree that he advanced in life he added confidence in himself and confirmed himself in his ambition. He had this quality, which was lacking in his rivals, of knowing plainly what he wanted to do. He felt that the moment was decisive to establish in a definite manner the superiority which he had acquired in his party. But he understood also how difficult it would be for him to do it, if he had Pompey face to face with him. The arrival of this troublesome guest would thwart him as it would Crassus, and it was natural that, by all kind of machinations and intrigues, they sought in advance to take precautions against him.

In the presence of these three personages, what was the attitude of Cicero?— He was the protege of Pompey and he intended to continue

be. As he knew his tastes, he paid him suitable compliments. This great name recurred fully in all his discourse: it was for him that he ornamented himself as if an ornament and for whom he covered himself as if a defence to all purpose. But, inspite of his services which he rendered and the eulogies which he copiously spoke, he was acquainted enough with him to know that no one could win him over entirely. Likewise in the excess of praises which heaped upon him, one feels an effort to hold on to a gratitude always ready to free itself. One sees also at times that this slavery began to burden him, and he disclosed, even in the midst of his flatteries, certain slight desires of freedom. For example, he remarked that, if he had been elected consul with the consent of Pompey, it was, however, in his absence, which obviously diminished the part which he had taken in it. This observation must not have avoided evil-minded persons. It was impos ible also that one did not perceive the insistance with which he did not cease to recall that he owed his successes only to his eloquence, and that one did not sense a point of irony against military glory. This was the prelude to the famous hemistiche - cedant arma togae-, for which Pompey never forgave him. In spite of all, the eulogy of the conqueror of Asis still recurred often in his discourses. He continued to regard himself as Pompey's creation and to place himself in the shadow of of this great name.[1] It was this which Crassus was not able to endure, and which made him irrevocably hostile to Cicero. Caesar did not have any personal hatred against him; but, as he had just seen him

1. Feb. 13, 61 B.C. Cicero says, "but I still gladly receive any crumbs Pompey lets fall openly or covertly."(Ad Att., I, 14.)

succeed in his candidature with the support of the Aristocracy, he did not doubt that the circumstances were necessarily leading him to fight him, and he prepared himself for it. There were his powerful adversaries, and Cicero should have asked himself upon what allies he was able to depend in order to cope with them. He had to have strong staunch men who not only would take his part in the political assemblies where he was going to be vigorously attacked, but who would also defend him against an aroused poeple, if, as could be feared, the struggle degenerated into sedition. The Aristocracy held sway only over the Senate, where it was master, but with the mass of clients, of attendants, of debtors whom it controlled, with the patrons who gave them the respect of antiquity, the respect of traditions and customs, it was able in the streets, in case of riot, in the Forum, during public meetings, at the Campus Matius, on election days, to cope with the public masses. Cicero was therefore forced to turn himself towards the Aristocracy.

In his heart he was not contrary to it. He had always affirmed that his sentiments carried him to this side. He had the temprament of a conservative and moderate. Quintus Cicero maintained that, if he often attacked it in the first part of his political life, it was only to please Pompey who was in battle with it. (De petit.cons.,1,5) Quintus exaggerated; he had other reasons, more legitimate, for holding a grudge against it.* Likewise when he blasted the proscriptions of Sulla, which were among the first spectacles which he had ever seen and which he never gorgot, he was careful to say that if the dictator cruelly abused his victory, his cause was not for that

* Insert

* And, however, one believes to see that even in opposing it, it is towards it that his preference naturally went.

reason less legitimate; secuta est honestam causam non honesta victoria.(Cic., De Offic., II, 8.) Cicero was a sage whom all exaggerations wounded. When he found that a party was going too far, even his own, he was not able to keep himself from censuring it. It was, in reality, that he was not completely of any party; he even dreamed of making one party of them to his own taste which would be made up of all good citizens, those of the village and of the country, those of the municipalities, to whom he had always shown a particular preference, and even, according to need, certain honest freedmen. He exacted no other condition for being a member except a regular conduct, a right nature, and a fortune intact. He had even found a name by which to designate this party, a convenient name which lent itself readily and which disposed of more precise explanations; he called it the optimates, the honest men.(He gave the program for this party in Pro Sext., 45) But he saw indeed when he was in power, that he ought to renounce this fancy. It was not the moment to place himself between the parties, in order to receive the blows of both sides. It was necessary for him to resolutely decide for one of them and accept its entire program. When one permits himself to choose, he is always regarded as a doubtful ally to whom only an intermittent support was due. Since he was not strong to impose these conditions on others, he was indeed forced to submit to theirs. It is reasonable enough, we have seen that he had engaged himself to them on the eve of the election, but, in every case, the study of the situation which he had just made during five months showed him that at any rate he was prisoner of the Aristocracy, and he resigned himself to it.

A new phase of his life began; he, who had almost always up to that time defended popular cases, was going to become the orator of the Senate.

V

On the Kalends of January, he began his duties as consul. On the same day of his installation, he had to begin a speech in the Senate against a tribune of the people,[1] and this dispute lasted up to the end of December. In all the history of Rome there was never a consulate as agitated as that of Cicero. It divided itself into two periods: this which is the most well known, in which he had his struggle with Catiline, occupied only the last months of the year; the other part is filled with verbal contests, which did not make as much noise, but which were hardly less important.

From the first days it was well known that his enemies had decided to let him have no peace; the brilliance of his election had just proven the power which he had over the people: they wished to make him lose this power. The tactics used for success in this consisted in forcing him to continually contradict his past actions: ancient laws were proposed again, ancient trials were taken up again, in order that he might be led to express opinions contrary to those which he had previously upheld. They wished to show to the people repeatedly, in order that he might be well convicted, that their old defender had abandoned their cause. The tribunes, Rullus and Labienus, led the campaign, but it was well known that

1. A tribune, Rullus, had proposed an agrarian law, which included the formation of a board of ten who were to administer the law and who could draw from the resources of the State treasury. Cicero opposed it violently, thus losing popular support at the very beginning of his consulship.

they took their orders from the chiefs of the democratic party; they were especially prompted by Caesar, and the part which he played in it is really what gave to these debates their importance.

There is a reason for laying stress upon those in which he evidently had a part. There was one of them however, in which he probably was not engaged, and I would not wish to omit it, because there can be seen perhaps better than any here else the power that the word of Cicero exercised over the people. I mean this one which arose concerning the subject of the Roscian law and the privileges which it bestowed upon Roman knights. For a long time there had not been any reserved seats in the theatres of Rome; each one took whatever he found free at his arrival. In 550,[1] during the second consulate of Scipio Africanus, the Senators were permitted to carry their curule[2] chairs into the orchestra and occupying it. Much later, in 687, four years before the consulate of Cicero, the tribune Roscius Otho had a law passed which granted to the knoghts (that is to say, those who possessed 400,000 sesterces, about 80,000 francs) the first four tiers. It was more than an agreement for them, and it was not a question only of giving them the pleasure "of hearing more closely the lachrymose dramas of Pupius". They wished to assume a political importance; they meant to form an intermediate order between the Senate and the people; the Roscian law gave to this intention a sort of visible and official sanction. Thus it was received by them with great interest. Cicero affirmed that the people likewise were very satisfied with it and had even demanded it for them. (Asconius, p.78: non solum accepit

1. 550 A.U.C., 204 B.C.
2. 687 A.U.C., 67 B.C.

sed etiam afflagitavit). All that is possible to be admitted is that the people resigned themselves to it without too much bad feelings: the knights were at this time very popular; Sulla had indeed maltreated them and they profitted from the reaction which had set in against the preceeding regime. Moreover, they had just helped Pompey, who was at that time the idol of the people, obtain the command in the war against the pirates, nd the people were thankful to them for it;but four years later things were changed. Cicero, by his personal influence, had drawn the knights into close relationships with the Senate, and at the same time the people were alienated against them. It happened therefore that one day when the former tribune had taken his place in the theatre, he was hissed outrageously by the crowd who occupied the back rows; the knoghts answered back with cheers; thereupon injuries followed, and from injuries blows were about to be passed when Cicero appeared, who had been sought in all haste. His presence calmed the tumult; he made a sign for them to follow him to the temple of Bellona, where he spoke with such great success that, in returning to the theatre, Plutarch says, the knights and the people struggled between themselves only in which would applaud the former tribune the most warmly.

That was surely one of the greatest triumphs of eloquence. One would like to believe that Vergil was thinking of this when, in order to picture the violent winds and the waves which suddenly calmed themselves at the appearance of the master of the sea, he compared them to this beautiful sight of a furious people calmed by a great orator.(Verg., Aen., 1, 151: si forte virum quem conspexere, silent. It is natural to believe that this sudden

protest against a privilege which the knights had tranquilly enjoyed for four years was not produced per se and that the people had been urged by some agitator; but this must not have been Caesar: he had always treated the knights gently. Their alliance with the Senate should not have caused him any fears. He knew men of money, and was very sure that they would return to him when they should see him the strongest, and that is exactly what happened.

His intervention was, to the contrary, visible in another affair which gives less honor to Cicero and of which it is necessar to say a word, although his discourse is lost. Sulla was not content to proscribe his enemies, that is to take their lives and fortunes; he had passed a law which declared their children incapable of ever holding any public office. "He was the only person," said Sallust, "who decreed punishments against people who did not yet exist and who were surer of being punished than of being born." (Sall., Oratio Lepidi). A tribune of the people, whose name is unknown, proposed that this law, perhaps the most inhuman of all of Sulla's laws, be abolished. No one, as it seems, should have opposed it less than Cicero. Had he not been the first to condemn, even during the life of the dictator, these horrible injustices? Nevertheless he believed that he ought to combat the proposal of the tribune for political reasons, and he made it fail. He spoke much later of this affair with some regret, complaining of the fate of these young men, "so full of merit and courage," (Adolescens fortes et bonus. In Pisonem, 2.), whom he had opposed;

but, at the same time, he did it without hesitation, calling down upon himself all the odium of the measure, and being uniquely preoccupied in saving the reputation of the Senate. Is that not proof that he wished to keep a bargain which he had previously made and upon which rested his agreement with the Aristocracy? As for Caesar, in this there is no doubt that he was the man behind the tribune. He had promised to destroy all that remained of the regime of Sulla, and much later, when he was master, he hastened to grant to the sons of the proscribed, the rights which had been denied them.

We have the good luck of having preserved the larger part of the discourse pronounced by Cicero in two other affairs which caused much noise, the agrarian law of Rullus, and the case of Rabirius, accused of murder. It is therefore possible for us to give more details on each of these; it will be seen that they deserve it.

It is useless to repeat, a propos to the agrarian laws, what everyone knows. Let us recall only that they did not have at the beginning the radical and socialistic character which was later given to them. The Greeks, who were aristocrats, and rich, did not have the idea of despoiling those who possessed their goods legitimately to the profit of those who had nothing in order to establish among all a fanciful equality, of which Cicero said justly that it would be the greatest of injustices (ipsa aequitas iniquissima est). It was a question of the State's repossessing the lands which belonged to it, which it had ceded by leases to important persons who little by little gained possession of them and distributed them among the poor citizens for the purpose of

reestablishing the rural class which had disappeared. Thus understood the measure was just and useful to the republic, and, in principle at least, no wise spirit would have been able to contest the expediency of it. But all these questions which touch upon propriety are so delicate to undertake and so difficult to solve that, in the end, the agrarian laws, by the hatreds, discords, and civil strifes which were the consequence of them, had hardly any other result than to aggrevate the miseries which it intended to relieve.

In spite of all they remained very popular up to the end, and the agitators knew well that it was sufficient to just speak those words in order to lead the masses. There was however, in this infatuation for them, a little of tradition and custom. It often happened that after having demanded with passion the establishment of new colonies, there was not found at Rome, if the colonies were obtained, a sufficient number of farmers to feed the people. It was thus, according to the very just remark of Mommsen, that C. Gracchus had had adopted two kinds of laws which were contradictory and which destroyed one another. While the agrarian laws, which promised to each immigrant a domain of thirty jugera (almost 8 acres), had as its design to carry them back to the farms, the grain laws, which distributed to the people of the city wheat at a low price or for nothing at all, kept them at Rome, where, because of them, life was made much easier. The people found in the city some advantages which the country was not able to give them, and, when the time came for them to go away, they felt no longer the courage

to leave their walks in the Forum or in the Campus Martius, the displays of the theatre, the events at the great circus, the combats at the arena "in order to go and cultivate the soil of Siponta or the infested marshes of Salapia." Thus in the last times it was especially the soldiers, returning from their expeditions, who profitted from the colonies that the tribunes had had voted by the people. Since they did not approve of the allurements of the large city and since they desired repose, they were happy to accept this small field which had been promised to them. Sulla, when he became master, distributed to those who had aided him a hundred and twenty thousand lots.

Rullus, who attached his name to the new agrarian law, was not a democrat by birth. He came from the aristocracy, or at least, if one believes Cicero, he wished pepple to believe that; but he thought that he would make his way more quickly in the popular party. He therefore had himself elected tribune of the people, and thereafter, so that no one might be able to be mistaken in him, he pretended to take an attitude and exterior in conformity with his new connections. "He endeavored to give himself a different appearance, another tone of voice, a new gait. He wore more ragged clothes; he allowed his hair and beard to grow; he wished that, when anyone saw him pass by, he would recognize a ferocious tribune and that honest citizens would become terrified at him."(De lege agr., II, 5.)

All these grand airs did not prevent the law of Rullus from being, in short, very wise and moderate. It avoided, as much as

possible, all spoiation and all violence; the act consisted of a series of sales and purchases suitably joined together. As it was necessary before all to procure some money, it was begun by selling that which had not been transferred to another from old conquests: this was a kind of general liquidation of what remained of public domain. The receipts from these sales were used to purchase lands in Italy, where colonies for poor citizens would be established. These lands were not taken by force from their possessors, as had happened too often. The owners must have come to an agreement with those who wished to buy them and pay them their price. The colonies were situated in enticing and fertile countries, notably in Campagne, and the occasion was a profit by restoring Municipal rights to Capua, which had been denied them since the second Punic War. It was the realization of a project dear to the democrats, but it seemed at the same time the authors of the law had sought to reconcile themselves to the opposite party. One particular article declared that all the lands assigned since the consulate of Marius and Carbo would be definitely acquired by their possessors by the same title as the most legitimate patrimonial estates; in this method, all the liberalities of Sulla were ratified at one stroke, and they were guaranteed to those who had profitted from their calm possession of them. The law of Rullus was therefore a transaction between the parties who sought harmony by reciprocal concessions which seemed calculated to establish public peace.

Why, therefore, did Cicero declare himself so vehemently against

it? Here again, is it not necessary to believe that he was bound to it in advance? But beyond this general reason that the politics of the Senate had always been hostile to agrarian laws, which seemed to obligate him to fight this of Rullus, it must be said that he had, at this time, some particular reasons to be on his guard against it. Experience had taught him that laws of this nature never came without trouble, and the Republic seemed to him so sick thatvhe feared that the slightest agitation would be fatal to it. Finally it must be understood that if, all in all, the law was suitable and wise, it contained also certain articles which were able to be abused and which Cicero described with implacable fervor. But whatever he pretended, it was not that which made him the enemy of it; it seems indeed that he had decided to attack it, even before he knew the details of the bill. He hardly gave himself time to study it. As soon as he knew that Rullus had published it, he sent many copyists, in all haste, to transcribe it, and, on the first of January, at the meeting of the Senate by which he was inaugurated, he was ready to oppose it.

The business began, therefore, before the Senate; but it had to be decided elsewhere. The opinion of the Senate was predestined; there was no need for anyone to excite it against agrarian laws; Cicero knew that he had to win the people over to it, and this would be more difficult. Nevertheless he had no doubt of success; the triumph of his election had convinced him more than ever of the power of his elpquence, and he counted on it for success. From a simple citizen, it had made him Consul; it would help him to

maintain himself in the place where it had put him; "light will break forth all at once, when the voice and authority of a consul made itself heard."(De lege agr., 1, 8.) Also he did not wish to imitate his predecessors, who, once having attained the highest offices, rested in their high dignity and fled popular assemblies from fear that he would be called upon to give an account of himself. Him, he wished to preserve his communications with the peeople; he placed himself at the disposal of those who wished to question him, and, in order to begin without delay, he announced that, on the following day, he would join the assembly at the Forum; then, turning himself towards the tribunes, he summoned them not to be absent. "I challenge you," he said, "come hear me; I wish that the Roman people decide between us." (De lege agr., 1, 7; lacesso vos, in contionem voco, populo Romano disceptatore uti volo.)

On the next day there was a large crowd at the public square; the consul had brought with him the whole Senate, without a doubt as a protection — was this a sure method of defending himself from the bad humor of the people? — In spite of the assurance of his words of the day before and the insolent defiance which he addressed to the tribunes he must not have been completely calm. The situation was serious; it was necessary for him to make known the reasons he had for fighting a law of the tribune, he who, up to that time, had always suppotted them. He began by solemnly promising that he would always be a consul of the people, and he repeated this promise many times; only he took care to add that one is truly popular not when he flatters the caprice of the people, but when he serves their interests, and it was just this which it w as not always easy for them to understand, because often they thought

less of their interests than their caprices[1]. In one of those grand displays in which he excelled he took it upon himself to assure them of peace, repose, and liberty, which were the real lands-or wealth-, those which their ancestors had taken so much trouble to conquer and which must be preserved at all cost. I do not know whether these explanations were of the kind to satisfy the crowd, but it had such a habit of respecting their orator and of letting themselves be led by his words that they accepted them without murmur. This tough spot having been passed over without trouble, the rest became more easy for him. The law, as we have seen, had some imperfections, of which he was able to extract a good part. It created ten commissioners and attributed to them some very wide powers; Cicero forthwith made kings of them, insupportable despots, abominable tyrants, to whom the whole world was going to be betrayed. As their duties consisted above all of buying and selling and as some considerable sums would pass through their hands, they would be able to be tempted to save a part of it for themselves; the people allowed themselves quickly be persuaded that this was a temptation which those who managed the public fortunes hardly resisted, and Cicero did not have much trouble making them believe that the law of Rullus was, at its foundation, only a large exploitation of Roman conquests, to the profit of certain political men who were in debt. Finally, concerning this which had to do with Capua, where a colony was going to be founded, he understood without a doubt

1. The translation here is ambiguous. It could well be, " and it is just this which it was hard for him to made understood, because often he thought less of their interests than his caprice."

that it was just to pardon, so long a time, the treason which Capua had committed in the period of the Punic wars, but was it not to be feared that they would badly use the rights which would be granted them. The incurable vanity of the Campanians was known. Cicero seemed to already see the re-born colony affecting the air of a capital and seeking to rival Rome. He pictures it with its duumvirs which it called praetors, which temporarily they dared to call consuls, surrounded by lictors carrying fasces; with its pontifices whc came to sacrifice the great victims in the Forum; with its municipal counsellors who were greeted by the title Peres Conscripti. The populace of Rome loved for anyone to make fun of the villages of the surrounding country; it must have taken as much pleasure in these fantastic descriptions of Cicero as it ever had found in the railleries of Plautus when he poked fun at the barbarisms of the Praenestians.

The people, therefore, appeared to have received this discourse well, in spite of the reasons which it had for not always being satisfied with it. Cicero affirmed the the people upheld the orator " by its approbation, its gestures, its acclamation." (Pro Rabirio,12). When he had finished speaking, no one rose to answer him. The cause seemed won. Nevertheless the tribunes did not consider themselves conquered; they took their revenge, not at the Forum where they were silent before Cicero, but in their own assemblies where he was not present; and what shows that they had some success is that the consul was obliged to take up the fight twice again, and before an audience which he felt was less favorable. Nevertheless he won his public again,

so well that the tribunes did not dare to expose their law to a popular vote, and it was definitely pigeonholed.

There is no doubt that it was a work of Caesar, who alone was able to place in it so much moderation and political spirit. All historians affirm it, and Cicero let it be understood when he said that Rullus was only a dummy and that the affair in reality been managed by more important persons. What proves it more is that among the first cares of Caesar, during his consulate, was to prepare a law similar to that which Cicero had not wished, which abstained, as that of Rullus, from all violent and revolutionary movements. It is interesting enough to state that Caesar seemed to have held certain considerations from the observations of Cicero a propos to the law of Rullus. The commissioners were chosen with care, from among the most honest men, and twenty were appointed instead of ten, in order to preventing them from taking on an exaggerated importance.

The envolvement of Caesar is even more noticeable in the last affair of which it remains for me to speak. This time it was a question of an event long past, but the memory of which had not been effaced. In the year 100 B.C. - thirty six years previous - a tribune of the people, Saturnius, a praetor, Glaucia, both in office, after an attempt at revolution which did not succeed, had taken refuge at the Capitol, in the temple of Jupiter, and although the had been granted a sort of amnesty, they had been massacred when they tried to come out. From this bloody drama, an actor survived, who was accused of having taken

an important part, Caius Rabirius. He was old, infirm, in retirement. He had filled, since that time, ~~some~~ no important offices. Caesar, nevertheless, thought that he should make an example which would frighten the people. The tribune of the people, Labienus, the one who had been his most brilliant officer among the Gauls, before he became his most cruel enemy during the Civil Wars, took it upon himself to prodecute the old mam and to accuse him of the assassination of a tribune. In reality the assassin was a slave, who had been freed as a recompense; but Rabirius, young at the time and a passionate partisan of the Senate, made himself noticeable by his violence. It was said that he had carried the head of Saturnius into a banquet hall and had consigned it to the insults of the diners. It had not been forgotten; he probably bragged about it; thus an extraordinary stubborness was used in prosecuting him. For this occasion the ancient forms of justice, which had fallen into disuse, were revived. Accused of perduellio, that is, a crime even more odious than that of treason, he was handed over to two duumvirs created for the situation, who were, indeed, Caesar and one of his relatives, and he had no other alternative than to appeal to the judgment of the entire people. (provocatio) He was defended by the two greatest orators of Rome, Cicero and Hortensius. Labienus, his accuser, who wished to place a limit to the eloquence of Cicero, had it decided that there would be granted to him only a half an hour for his discourse. He intended to himder him; perhaps, without intending to, he

rendered him a service. He forced him to hold himself more closely to the subject, to suppress unuseful introductions, to hold himself to closer reasoning, which brought it about that this discourse of Cicero, most of which is extant, is one of the best which he has left us.

One has no trouble, in reading it, to understand the interest which Caesar had in instigating the proceedings and why he attached so much importance to it. Cicero had reasons to maintain that he had other designs than to make a war with whips and hang an old man. He had a grudge against this law which granted to the Senate the right to invest the consuls with extraordinary power and which it had notably used to kill Saturnius and Glaucia. The Romans had too much political spirit not to understand that there were some occasions at which it was necessary to add a particular force to the public authority in order that it might be able to overcome exceptional dangers. It was for this purpose that they had created the dictatorship. When, much later, the dictatorship ceased to be in usage, probably following some abuses of power, the word disappeared, but it was felt that it was necessary to retain the idea. A formula was, therefore, thought up by which the Senate could give to the consuls the power which the dictators had possessed. It was a very simple phrase which, without emphasis, without disturbances, charged them to prevent the Republic's suffering any damage: Caveant consules, ne quid detrimenti res publica capiat.

This senatus-consultum, said Sallust, invested a magistrate with the most extended powers which the Roman constitution was able to confer upon him. It permitted him to levy troops, to make war, to compel citizens and allies by all methods, to have charge of Rome and the army; in a nut-shell: civil and judicial authority. It was, as Sallust says again inanother passage, the supreme senatus-consultum; beyond this there was nothing. (senatusconsultum ultimum) It was very natural that the democratic party, the one which had made the revolutions, had never accepted with good graces this custom which had been used to suppress them. Caesar, who foresaw that the Senate would be led to use this weapon against him, wished to remove it from them. Cicero, to the contrary, who was going to use it to serve against Catiline, intended to preserve it. It was, therefore, around this law of public safety that the whole case revolved, Cicero seeking to maintain it in all its force and Caesar wishing to bring it into disrepute by the punishment of Rabirius. It is probable that this time the affair seemed to be going badly and that Rabirius ran the risk of being condemned, when a tribune, a friend of the Senate, believed that it was necessary to employ an old device which, more than one time, had served the aristocracy when the issue of a case or a vote seemed doubtful to them. He made the flag which floated over the Janiculum be taken down, which forced the assembly to delay its deliberation to a later time. Caesar did not believe that it was necessary to begin the battle again. He thought that the effect had been produced; the affair was abandoned.

Such was the campaign that Caesar led against Cicero during the first months of the consulate. It seemed at first that he succeeded badly enough. The children of the proscribed were not re-established in their rights, nor was the agrarian law passed, nor was Rabirius punished. But was it really a defeat for Caesar and did he have very good intentions of abtaining what he demanded? In reality he wished above all to place the questions before the people, reserving for himself the task of solving them when he should become master, and we have seen that he did solve them. What he really desired was to weaken the political position of Cicero. It was not that he had against him any personal aversion, as he had for Cato; to the contrary he had a taste for his spirit; he admired his talent; he loved him personally. Still more, it is not probable that he feared him very much; he knew his weaknesses too much to have any great fear of him. But one can think that he was a little disturbed at the control which his great speech exercised over the people; that was his great talent and he did not wish to share the management of it with anyone; probably, moreover, it did not please him to hear, from those eloquent lips, ceaseless praises of Pompey. They were allies at this time, but it is natural that, in the long run, anyone gets tired of hearing even his best friends praised with such intemperance.

Did Caesar gain anything by ceaselessly harassing Cicero as he had done for many months? It can be believed that he did; Without a doubt he had furnished the occasion to have his elo-

quence admired; but at the same time he had forced him to display his new opinions, which must have ended by angering the people. Thus he had proof that this audience which was accustomed to applaud him had displayed discontent against him twice. First it was in connection with the agrarian law. The second time that he had to speak of it in the Forum, he tells that he perceived indeed that his listeners were not as sympathetic to him as they were before; he had even to suppress a murmur; but it was more than a murmur.(strepitus). In the case of Rabirius, things went further. Since the crime which was being prosecuted had taken place thirty-six years previous, in order to refresh the memory of it, the accuser, Labienus, had painted a very good picture which represented the death of Saturnius, and he produced it solemnly in his peroration. This exhibition, accompanied by sympathetic words, must have moved the people exceedingly. Accordingly Cicero received it very badly, although, instead of excusing his client, who had been accused of assassinating a tribune, he declared that he regreted that he had not done it, that it would be an honor for him, not a disgrace, to have delivered the Republic from one of its enemies. At this moment some <u>boos</u> were heard from the audience, and, as he answered heatedly that he had no fear of them, they began again. "Hold your tongue", he responded; " stop those clamors which attest your foolishness and which show your small numbers."(<u>Quin continetis vocem, indicem stultitiae vestrae, testem paucitatis</u>.).

The noise ceased, and Cicero was able to finish his discourse; but that which proves that he did not completely recapture his audience is that we are told that the Aristocracy feared very much that Rabirius would be condemned.

Before all, what Caesar sought and in which he marvelously succeeded was to establish in a very perspicuous manner and to render clear to all eyes his political program. Each of the debates which he undertook marked a point in this program. To definitely destroy what remained of the laws of Sulla, to punish the enemies of democracy, , to avenge the persecution which it had suffered all the way back to ancient times, to watch over the well-being of the people by taking up again the projects of the Gracchi, those things would be in his plan, if he were called to power, and he proclaimed them not only by promises and words, in which candidates are always plenteous, but also by his acts. Without a doubt he worked for a long time to make an important position for himself in his party, and he was a parvenu in it; but it was only in these last few months that he had become the complete master of it. It all happened to him at one time. He had just been designated as praetor; the position of pontifes maximus becoming vacant, he was elected to it, although he had as competitors some of the best names in Rome, Servilius Isauricus and Gaius Lutatius Catulus, prince of the Senate.

Pompey could return; the ranks were changed. The position which he had held at the head of the democratic party was filled; and it was he who was going to be obliged, in order to obtain from the people what he demanded, to call upon Caesar for help.

CHAPTER THREE

THE CONSPIRACY

I

These debates had taken much time. The second half of the year had rolled around, and Cicero was able to say, in his flowery language that after a tempestuous voyage, he saw the land at last (Pro Murena, 2), when a storm broke forth much more grave than those from which he had just escaped.

It was really in the last months of his consulate that that the conspiracy of Catiline was uncovered and punished. In reality, it must have been brewing for some time, but no one had seen it, or rather no one had wished to see it; because it was, in the midst of these perpetual agitations, as if a choice to live from day to day and not being anxious of the future. This sort of willingness not to speak of it had been able to make them think that it did not exist, and certain historians have maintained that it really began only towards the time when it was uncovered (this is the opinion of M. John, in his work: Die Entstehungsgeschichte der Catilinarische Verchschworung). It is indeed difficult to believe this when it is known how extended and complicated the organization of it was, that it comprised not only Rome, but almost all Italy, and that in Etruria it had happened that some assemblages of troops, large enough, had been formed. Likewise in supposing that these movements were begum only when the conspiracy was stifled, it remains no less that in order to conceive the idea, to begin

the execution, to place this heavy machine in action, it seems that some weeks or even some months were not sufficient.

We shall never know precisely at what time Catiline conceived the idea of the conspiracy and when he began to convert it into action. Let us content ourselves in seeking out the manner in which it came to the knowledge of the public. We are able to lean here upon some precise texts. At the time when the case of extortion held against Catiline by the Africans was pleaded, there was no suspicion of it: Cicero said this formally — (Pro Sulla, 29: Nulla tum patebat, nulla erat cognita coniuratio). It was suspected no more during the first months of the year 64 B.C., during the contest in which the candidates devoted themselves in the consular elections. There was no question of it, neither in the letter of Quintus nor in the discourses of Cicero— In toga candida— in which he treated Catiline so badly. If he had known what was brewing, he would not certainly have failed to speak of it. It was seen, without doubt, that Catiline devoted himself to much evil in order to attract to himself all the youths without resources or scruples. The trouble which he took, the sacrifices which he imposed upon himself in order to attract them should have, as it seems, inspired certain anxieties and opened their eyes to his secret designs. But he was a candidate, and it could always be maintained that he undertook so much evil and sought to join so many partisans around himself only for the success of the election. The same reason was able to explain, up to a certain point, why he sought to win over to his cause the

villages of Etruria, Piceniam, Gaul, Faesula, Arretium, and Capua. We have just seen that Italy also sent voters to the Campus Martius and that the candidates had an interest in making for themselves some partisans there.

Therefore the middle of the year 64 arrived without the existence of the conspiracy's being suspected, and in reality, it barely existed. Catiline had perhaps confided his plans to certain of his surest friends, but we know that to the largest part of them he had made only half-confidences; "he took them apart, examined some, encouraged others, showed them the resources which he had at his disposal, the Republic without defense, and how success would be easy and profitable." (Sall., 17: singulos appellare, hortari alios, alios temptare, opes suas, imparatum rempublicam, magna praemia coniurationis docere). It was therefore after he had taught them separately that he joined with him those upon whom he could count the most, that is to say the most audacious and those in the worst circumstances, and he told them openly what he had resolved to do. Sallust has given us the date of this meeting: it was about the first of June, 64 B.C., almost a month before the election which was going to set him opposite Cicero. It is indeed probable that, if he went beyond his reserve, it was because he wished to arouse the zeal of those who were going to vote for him, and we see indeed that when ending his discourse, he charged them "to busy themselves actively with his candidature." It is told, from first-hand information of one who happened to be present at these appalling scenes, that Catiline

had some cups passed among his companions in which there was human blood mixed with wine, and each one touched it to his lips offering up horrible imprecations. Sallust doubted the truth of this account very much; but since he added that something resembling this took place in ordinary sacrifices, it is possible that the accomplices, in order to bind themselves to each other in a more intimate way, had believed it was necessary to borrow from religion the rites which were in usage when a treaty of alliance was made; imagination and public horror added the rest, and Plutarch seriously maintained that they had choked a man, without doubt a slave or child, and had eaten its flesh. Once on the path of the horrible, the credulity of the people did not arrest itself.

It was hardly wise to hold in the centre of Rome, in the quarters of the nobility, not far from the Forum, a large assembly in which the method of destroying the Republic was going to be discussed. Catiline was content, in order to prevent this indescretion, to assemble his friends "in the most secret chamber of his house." (Sall., 19: <u>in abditam partem aedium</u>.) The precaution was insufficient. In this large number of disreputable people whom he drew around himself, he would find some traitors; he must necessarily have had some prattlers in it. Certain things which he said in the meeting spread themselves among the people. According to custom, these rumors were exaggerated in the repetitions. Honest men became indignant; the rich became fearful, and all together they decided to vote for Cicero, even those who did not love him. This, said Sallust, was the principle reason why he was elected consul.

It was natural that the defeat of Catiline had at first disconcerted his partisans; but he did not lose confidence in himself. He conserved that indominable assurance which very quickly made his strength and which very quickly became insinuated into his allies. Besides, he did not intend to conquer all at once, since Antonius, his associate, had succeeded, and because he believed he could count on him to hold Cicero in check during the whole time that they governed together. He therefore put himself to the work with more ardor than before. We are hardly able to doubt this time, even when Sallust does not say it, that it was the conspiracy which employed him above everything else. He had entrusted the secret of it to his accomplices; he was definitely involved; he was able no longer to withdraw himself from the affair unless he succeeded.

Time was not lacking to him to work for the success of his enterprise. Between his first serious attempt at election, in which he was defeated by Cicero, and that of 63B.C., of which we shall speak much later, a year had passed, and during all of this time his actions are unknown to us. In the five months that followed the election, when Cicero was consul-designate, it was not a question of Catiline. It has just been seen that from the first day of January, when the Consuls entered into their office, the battle between Cicero and Caesar began. Catiline took no part in it, and it is well understood why he was not able to be mixed up in it. Caesar intended to have abolished what remained of the laws of Sulla; would he have been able to join in this design an old Sullan

as well known as Catiline? Nevertheless it is hardly thinkable that a man as adventurous, of whom we are told that his spirit was never at rest, might remain such a long time without doing anything. It was, without any doubt, the period during which he must have definitely organized his conspiracy.

What it was in reality and of what elements it was composed, Sallust and Cicero give us some idea when they tell us that Catiline intended to arouse Rome and Italy to revolt at one time. There were in this one conspiracy two plots which did not have completely the same character, although they were conceived in the same thought and aimed at the same goal; one must have drawn together certain great noblemen of the city, the other called to arms the old soldiers of Sulla who were scattered throughout Italy. Each of them had its distinct organization and its particular role, up to the day on which they were to have joined themselves beneath the walls of Rome in order to fall upon the Aristocrats and the financiers and burned them in their palaces.

Let us study separately these two categories of conspirators. It would be more regular without a doubt, to begin with those in the city. They were closer to Catiline, companions of his pleasures, confidants of his plans, and these were certainly the first to whom he must have addressed himself when the thought came to him to try his luck. But, on the other hand, we shall see that at the decisive moment, it was in the conspirators of Italy that he had the most confidence; they had been, all in all, his last hope and best support. If one trusts the account of Sallust, it was of them

that he thought first after the defeat of the candidature; "His first care was to send them weapons and money which he had borrowed under his own name or by the credit of his friends." (Sallust, 24.) I am going to occupy myself first with them; there will be time to return to the others later.

II

One of the most important developments in the history of Rome towards the end of the seventh century was the intervention of the army in civil strife. It is not without interest to find out how this happened.

Whatever reputation of discretion had been assigned to Rome, it had never had domestic peace. Strife is the way of life of free countries; they must resign themselves to it. "As a general rule," said Montesquieu, "whenever every one is seen to be peaceful in a State which has the name of a Republic, one can be assured that freedom is not there." At Rome, the strife between the plebeians and the Aristocracy began on the day following the expulsion of the kings, and it endured until the establishment of the empire; but it had different phases. At first the polemics were less vehement; they readily assumed a form with which we are well acquainted, that of the strike. The common people left the city, retiring with their army to the Aventine or the Sacred Mount, and there they waited until the nobility, which was not able to live in isolation, should make concession, which did not fail to happen. Little by little things spoiled, and the riot was reached. It is necessary to remark, however, that even in the most tumultous scenes of the last years of the Republic, the character of the people, among

which they were brought about, is found. They affected a certain respect for the law, a visible anxiety of attaching themselves in a certain manner to the constitution, even when they violated it. It was always for the same purpose that the battle was undertaken and on the same field of battle that they came to arms. It was a question of carrying an election or of having a law approved. The method used to succeed was always the same: all the members of the opposite party were driven from the Campus Martius or the Forum with stones or bludgeons, and the vote was taken when one was sure of having unanimity. The process was violent; but at least it was voted upon, and appearance was saved; most people demanded no more. The greatest difficulty lay in taking possession of the rostrum and maintaining it. One was installed in it towards the middle of the night, with a goodly number of troops, and he prevented his adversaries from approaching it. An interesting report of Cicero which, he reproduced many times, can give us some idea of what happened in these great riots. It is of some interest to compare what he has told us with that which we have seen in our own affairs. First, an ordinary tribune, who wished to excite the masses, ordered the shops to be closed. (In Piso., 21: edictis tuis tabernas claudi iubebas.) The purpose was, without a doubt, to give those who began to desert their political assemblies every pretext for remaining with them. Having been thus thrown out into the street, it was thought that they would find nothing more to do than to present themselves at the Forum. But on their side, the members of the clubs— there were some of them in all sections (collegia compitalicia) — came together in their ordinary places of meeting; they were regimented; they were formed into companies; a place of getting together

was indicated. (Pro Sextio, 15: quum vicatim homines conscriberentur, decuriarentur.) All this happened openly, without anxiety of the police, who did not exist at that time, in the middle of a crowded thoroughfare, near a court room or a praetor who rendered justice. Weapons were prepared in the temple of Castor, where the steps were obstructed so that no one could come and take them (the weapons); then, when they had been distributed among the accomplices, they were hurled into the disarmed masses, and those who made the least resistence were struck without pity. The next day it was necessary to sponge the Forum; the dead were cast through the opening into the sewer of Tarquin, an account of which is still seen on the side of the basilica of Julia, and the Tiber rolled their corpses in its bloody waters.

One understands that these violences, which terrified honest men, often succeeded; they brought about the success of Clodius and the exile of Cicero. But one ought to understand quickly enough that they procured only a passing victory. In its turn, the conquered party, if it were rich, distributed its money in the tribes, won over the habitues of the clubs by paying them, and enrolled some gladiators ar slaves; it had only to use the same methods as its adversaries in order to incite a riot in the opposite sense which would produce opposite results; and this was always going on. One was able to hope to obtain a lasting superiority only if he possessed a disciplined force, obedient, which he was sure to always have at hand. Since violence and corruption disposed of votes in the Forum, and since political faith which bound the citizens to one party no loger existed, it was natural that one would think to replace

it by the respect and affection which drew the soldier to his commander, and that the army should be used thereafter in order to arrive at a conquest of the first rank. Marius first, then Sulla, did it with success, and they gave the example of it to others. The most ambitious, who, towards the time of the consulate of Cicero, were disputing about powers, had indeed decided to do as they did, and we see that all of them sought the method of having an army at their service. Pompey attended to it; he commanded the army of the East, which was entirely devoted to him. If he wished to lead them into Italy, they would follow him, and it was this which frightened his rivals. Crassus well understood that his fortune was not sufficient alone to give him the position which he desired. He remembered that he had made war with honor, and he wished to recover it. He spent large sums of money to create an affair in Egypt which would furnish him the occasion to be placed at the head of an army and, since he did not succeed in it, he threw himself into this foolish expeditions against the Parthians, where he would find death. It seems that at first Caesar had the thought of siezing power only in the domestic battle, and he withheld, for many years, from being far away from the Forum. But probably the situation which Pompey had created made him reflect; he saw that he could have no argument with the army of the East by riots and votes. He thought a moment, as Crassus, to sieze the party by the affair of Egypt; then, having become consul, he planned the conquest of Gaul.

Catiline must have thought as they did. He saw indeed to what interest it was for him to have an army at his disposal; but, as

he was under pressure to act, it was necessary for him to have it immediately, and circumstances were not favorable. Rome was at peace with the whole world, which rarely happened to it, so that, even if he succeeded in his candidature, he would hardly have a reason to obtain an important military command. Besides, was it to the legions that he should address himself in behalf of the kind of revolution he was preparing? Although they had few scruples, they were able to feel repugnance at that. He needed troops of a particular character, ready for any task. He knew where to find these troops; there were everywhere in the Italian provinces, especially in Etruria, old soldiers of Sulla to whom the dictator, as has just been seen, had liberally distributed 12,000 lots. But these despoilers of Asia had had a lot of trouble to become honest farmers. They became weary in these domains which had been given them; as they hardly knew how to make them pay, they had become crippled with debts and harassed by creditors. They missed their old position, which had been so profitable to them, and at the first sign anyone should give them, they were ready to take up arms. It was well known that he did not lack men to join to those. Everywhere they were going to find some discontented people, some revolutionists whom they could join in their fortune. There were especially the old proprietors of lands which had been appropriated after each victory of the conqueror, who, finding themselves without money, had become robbers. Since the social war and the civil wars all the roads had been infested with them. (Cic., Pro Tullio, 2) There were also the gladiators who were trained in large schools

for the pleasure of the public, and who were always disposed to escape whenever anyone would open the gate. Milo and many others used them as a guard which they carried with them to the public places on days of voting and election. There were finally the shepherds who protected their large flocks in the dangerous gorges of the Apennines. They were a valuable resource to the conspirators. It is told that the consul Antonius, who passed his time enriching himself by pillage and ruining himself by debaucher/, having been reduced to the straights of selling his domains and his flocks, had kept his shepherds, to make use of them when he wished to make a bad blow.(In toga candida) Those of the elements of which the small army of Catiline was composed. The centre of this military movement must have been Faesula (Fiesole today), in the heart of Etruria. It was there that Catiline organized the bulk of his troops, under the command of an old centurion of Sulla, Manlius or Mallius, in whom he had full confidence. All that has been told us of this Manlius is that he was a brave soldier and knew how to die with courage. (Cic., Catil., II, 9.)

III

We have just seen all that it is possible to know - or suspect- of those troops which Catiline had united Faesula. Since the conspirators at Rome were more in the light and had important names, we have more informations concerning them. When anyone knows Catiline, he has no trouble imagining how so many important personages were attached to him. In order not to go any farther back than what was called the first conspiracy, we have seen that that plot, which

was only a coup de main, weakly planned and poorly executed, was stranded by the impatience of certain ones and the cowardice of the most of the conspirators. Catiline had lost no thing by this failure; to the contrary, he won in it by becoming better known. Among all the weak and hesitant he was shown to be watchful, energetic, ready for all things: these were the qualities of a leader. Thus it is probable that all those who sought a fortune took from that time the habit of grouping themselves around him. During the two years which followed, he did not leave Rome; he must have profitted in this by increasing the number of his partisans. Sallust pointed out certain ones of them a propos to the meeting of June, 64B.C., in which, he tells us, Catiline revealed his plans to his friends. No doubt, he did not intend to name all of them; he took the most well known, the most important, those who had filled the highest offices. There were found among them two exconsuls, praetors, quaestors, and other members of the Senate. What is more remarkable is that they all belonged to the highest rank of Roman society. There were some of the Cornelii, Calpurnii, Stalilii, near relatives of Sulla, a Cassius, Gabinius, Fulvius Nobilior, the most well known men of Rome. One is not accustomed to see so many persons of this rank joined together in a revolutionary plot. It was the particular characteristic of the conspiracy of Catiline; it was really, as a poet of that time called it, a crime of the patricians, Patricium nefas. (Seneca the Elder, Suas., VI, 26.)

To these great names Catiline added others afetr his defeat in the election of 64. We are told that he sought then to make for himself some new adherents, and this which proves that he had lost

nothing of his prestige is that he succeeded. We know from Cicero that Caelius was among those who enlarged his party at this time. His joining was of importance: there was not, among the young people of this time, a name more well known than his. In the Forum his sarcastic words were feared, and he was already regarded as a formidable orator. Cicero, who had taught him, reproached him for not knowing how to restrain himself. "It is more violent than I wish," he said; "but it was exactly these violences which created his popularity. At the same time he was a hero of fashion. One noticed the elegance of his dress, the particular brightness of his purple tunic, and he appeared in public only when followed by a train of admirers and friends.

Sallust adds that even then Catiline associated with women who were of high society. The details which he gives us about this, with a certain complacency, are of the nature to tantalize our curiosity; but he especially provokes our surprise, because we always have before our eyes the type of Roman matron such as is found in historians and moralists. I do not know whether this type has ever been exact, since those who present it to us are very much suspected of bragging too much about antiquity; but surely, at the period which we are studying, it had completely ceased to exist. The slackening of public morals, the custom of divorce, the law which granted to the woman the free disposition of her personal fortune in order that she might carry it with her when she left her husband, these had entirely broken up the family. Thus Catiline did not have any trouble in finding in high society some women.

"who, after having for a long time been satisfied in all their caprices by digging into the pocketbooks of their lovers, when age had rendered their profits less, were seen to be reduced to contract some immense debts." (Sall., 24). They had, therefore, the same motive for entering into the conspiracy as so many of the men without resources, who sought to relieve an embarrassing situation by a general revolution. But it is reasonable that they were drawn into it by the seduction which the chief of it exercised on their sex, and in the life by which women had held so great a place. This is what happened later, in the plot planned against Nero, and which so nearly succeeded. Tacitus tells us that it was made up not only of Senators and knights, but even women who were engaged less by a hate of the prince than by their inclinations for Piso, a bad person of high society.

The most important of these women whom Catiline led in his conspiracy seemed to have been Sempronica, of the family of the Gracchi, the mother of that Decimus Brutus, who was a friend and then one of the murderers of Caesar. Sallust has painted for us a composite portrait, in his own manner, of short detached phrases, which I wish to reproduce, although it is well known, because of the light which it casts upon the society of this time. (Sall., 25) "Sempronica," he said, "often committed actions which demanded the bravery of a man. She had received good birth and beauty from fortune; she was fortunate in husband and children. Instructed in Greek and Latin literature, she knew music and the dance more than was necessary for an honest woman, and possessed still other talents

which served only to inflame passion. But there was nothing which was more indifferent to her than decency and honor, and one would have great trouble to say which she tried least to save, her reputation or her fortune. She yielded to her desires with so little caution that it happened that she offered herself to men more often than she was sought by them. For a long time she had become accustomed to break her promises, to deny a debt which she had contracted, and to be an ccomplice of a certain murder: her debauchery and perury had thrown her into the depths of the abyss. However, her spirit did not lack pleasantness: she wrote poetry; her speech was vivacious; she knew how to use a modest language upon occasions, or a tender and provacative one; in a word, she was a woman full of humor and grace."

In this portrait in which contradictions happen upon eachother, one finds at the same time the two Sallusts whom we know, the one of the first years when he fought in the Forum the partisans of the ancient institutions, and when he was the lover of Milo's wife, who, without doubt, was hardly worth more than Sempronia, he must have been more indulgently disposed towards her; the other, the old Sallust, who made himself the preacher of the ancient virtues or, as one of his enemies said, "the untiring condemner of other's vices." Without intending that the severity of the repentent moralist might be without merit, it seems to me that there was another thing in which he reproached Sempronia and those who resembled her than the violent outbursts of a passionate nature. Perhaps it is necessary to see in it the revolt of women in love with emancipation and who sought by a new ideal to oppose that of the matron of

another period. Their design was to sieze all the attributes which prejudiced injustice ordinarily reserved for men. It was a program which is not unknown to us. They wished to receive the same education, participate in the same attainments, enjoy the same liberties. When they had intellect, they believed they had the right to show it; they did not believe that the modesty of their sex should create for them the necessity of separating themselves from society and of retaining on their lips the witticism which came to them. They had their lovers as their husbands had their mistresses, and they did not believe that they were held to keep it a secret. It has been seenthat the domestic life of Sempronia did not appear very troubled and perhaps it was necessary to attribute this reciprocal tolerance to the easiness of divorce. A person adjusts himself more easily to a situation when he knows that he can stop it whenever he wishes to. Each of the spouses looked out for his own affairs and disposed of his fortune as he intended. The wife, who was hardly inconvenienced by the law which her guardian gave her, who were more often only agreeable or cooperative, administered her affairs according to her fancy. She sold, bought, lent and borrowed, and she did not pay back. Why should they hesitate to imitate this which had been done around them so often? Let us be sure that Sempronia must have congratulated herself as if in a conquest when she gained the right, which seemed rather reserved for men, of taking bankruptcy. I believe indeed that in participating in the conspiracy, it was again a privilege of men which she intended to usurp. She entered into politics, not in secret council and as if behind a veil, which often happened, but openly, in broad daylight.

To take part in a work of violence which was going to overturn honest men, was this not a brilliant way to make a break with ancient society and to affirm her independence?

It is easy to see the reason that Sempronia and others could have had for listening to the proposals of Catiline.; but what motives did Catiline have in making those proposals to them? It is difficult to believe Appius, who tells us that they must have brought him money, of which he had so great a need, when it is known that most of them were no richer than he was. The opinion of Sallust is more reasonable. (Sall., 24). He maintained that they had kept, in spite of their distress, a household of slaves, and he wished to profit from this multitude of slaves who filled their dwellings, in order to set fire to Rome when the time arrived. Sallust adds that he counted upon them to win their husbands over to his cause, or, if they refused, for them to assassinate them. This tone of perfect indifference with which, at the end of a sentence, without adding a word, he gives us this atrocious detail, shows indeed that he would not be surprised at it. The Roman woman, in general, was not tender and sweet by nature. In her whom the peasants of Latium or the Sabine country chose "to give him children" the qualities which he preferred were seriousness and energy. In the theatre of Rome, grace, tenderness, and passion are reserved for the courtesans; the woman of free birth was ordinarily impertinent and stubborn. Although she sometimes said that she bowed "before the majesty of man", she held her head up resolutely and arose against him, and history proves that she sometimes indeed went much farther than to quarrel with him. It is possible to understand that,

during the war of the Samnites, during the grand period of Roman virtue, a whole huge plot had been discovered formed by the women to poison their husbands? Livy did not invent the story, since he spoke of it only with regrets and because he affirms that one hundred and seventy of them were convicted and condemned to death by the family tribunals. (Livy, VIII, 18.) Later in the affair of the Bacchanal, many of the women were exposed and they were accused of joining with the follies of oriental mysticism some crimes of all sorts. (Livy, XXXIX, 8 et sq.) One understands, when he remembers these precedents, that they would have even less scruples to commit murder in a period in which assassinations were so frequent among the men. This was even another way of making themselves equal to the men.

IV

We would like very much to be able to carry farther this study which is a little brief; it would be of importance to us especially to be able to estimate, at least in an approximate way, the real force of the different groups of which the conspiracy was made. Unluckily the information is lacking to us or it is incomplete and contradictory. Even on the exact figure of the troops that gathered in Etruria, although it came into full light and although, as a consequence, it was more easy to evaluate it, the writers are not in accord. Sallust maintained that, at the beginning, it comprised of only two thousand men; he adds, it is true, that this number was quickly augumented. Neverhheless, he did not appear to have believed that it ever surpassed ten to twelve thousand men, since he said that Catiline formed of them only two legions. Plutarch

and Appian speak of twenty thousand men, and this figure appears reasonable enough when one considers the force that the government believed was opposing them. It was already a small army and destined to grow rapidly. Truly, hardly a fourth of them possessed real weapons; the others served with poor javelins, scythes, or even cudgels hardened with fire. But they were brave soldiers, resolute, the remains of the old ranks of Sulla.

We know that Catiline was not content to call Etruria to arms; it seems that he desired to set all of Italy afire. He conversed with a few of the emissaries from everywhere; from Capua, where the gladiators destined for the public games were trained; from Ostia to arouse the crew of the navy; in Picenium, Brutium, Apulia, Cisalpine Gaul. Among these emissaries there is one whose name is worth remembering; he was Publius Sittius of Nocera. He was a strange person, who, in his life of adventure, had certain interesting journeys. He had begun by being a grand swindler in financial affairs, and he was, as it seems, very adept in this business; aside from his money business, he had another which brought great advantage to him. He joined about himself, in Africa, where he worked, some discontented people, proscribed men, men whom the civil wars had ruined, and formed of them an army which was entirely devoted to him; he engaged this army, following occasions, in the services of those petty princes whom Rome had permitted to live, and who profitted from them by setting them against eachother. He put his army up for bidding and passed without scruple from one party to another. From these practices of condotterie he had gained a certain

name and a good treasure. The day on which Caesar approached Africa to combat the defeated men of Pharsalae, Sittius went to find him with his army, and under this grand direction, the adventurer, having become a suitable and happy general, finished the defeat of the republican armies. Catiline was not therefore deceived when, before Caesar, he had taken Sittius as one of his lieutenants; but he was less pleased with the others. They were men without experience, tormented with a need of doing something rather than doing with a purpose, and who ran aground everywhere. "They acted without thought," said Sallust, "and taken as if with dizziness in the head; they wished to do everything at once, holding secret night meetings, having their troops transported at risk, hastening without motive, scattering trouble everywhere; in a word, more alarming than dangerous." (Sall., 42). There, as elsewhere, Catiline was badly served by the agents whom he employed. There is not one reason to disregard the fact that, in general, he had more success in what he himself did directly. At the time of the Philippics, Cicero compared him with his new enemy, Antonius, and he said that, if one was as criminal as the other, Catiline had more intelligence and activity, and he boasted of the rapidity with which he had known how to make an army of nothing. It is necessary to mention that this army was composed especially of veterans. This was their first appearance in the history of this period; they are going to take a larger place yet with Antonius and Octavian. It is not less true that it was Catiline who first conceived the kind of service which could be demanded of them.

As for the conspirators at Rome, since it is hardly a question

only of the most importance and because they all belonged to the high aristocracy, we are inclined to believe that the conspiracy remained there upon these heights, that the rank of the people took no part in it, and that it was really a military office without soldiers. Let us not forget, however, that all these noblemen possessed clients, some freedmen, some servants who grouped around them and by whom they were able to profit Catiline. Far from disdaining their support, we have seen that he worked hard to render them more numerous in endeavouring to attach to his party certain women of high descent, who had a large domestic household and possessed many domestic servants. As his plans were not carried through, because he did not have the occasion to call upon their devotion, we do not know if he was able to count upon them and what services he would have drawn from them. Towards the last minute there arose a dispute between his partisans and himself. Since he was before all a soldier and because he had the respect of the army, he resisted those who demanded him to enroll their slaves in his legions; he consented to their appeal to arms, but on condition that they would form a separate band. He found them good for putting Rome to the fire, and it was especially for this task that he accepted their help.

Be that as it may, we do not have precise information, neither on the number of those noblemen who directed the enterprise, nor upon those people who placed themselves at their service. The historians, who cite some names for us, do not give us any figures. But perhaps it is useless enough to seek to know whether those who were formally bound to Catiline were numerous or not, since we are told that what made the real force of the plot was less the direct

participation of certain ones than the secret connivance of almost everybody. Cicero makes it very evident in a significant passage of his second oration against Catiline. He intended to make there an enumeration as complete as possible of those whom he regarded in a certain way as the partisans of Catiline; he divided them in six classes which he enumerated and described one after the other. But when one looks closely, he sees that of these six classes there are only two or three at the most which might have been composed of people truly connected with the conspiracy. The others favored it only in secret; they were ready to join it openly the day it broke forth, and if it had any chance of success. Strictly speaking, Cicero had the right to denounce them as accomplices, because Catiline could not have intended his enterprise if he could not have depended upon them; however, they were not real conspirators: they did not make any promise; they did not bind themselves by any oath; they awaited the time when the events would take form. This disposition which Cicero attributes especially to the indebted noblemen and frustrated politicians, Sallust extends to all the people. He affirms "that not only the conspirators, but all the people approved the designs of Catiline, and that, if at the first encounter, the result appear ever so little uncertain, the Republic was lost." (Sall., 39.) Catiline knew it well; beyond his decided adherents, his friends whom he met at night "in a secret place in his house", he perceived the crowd of others whom he knew were ready to follow him, and it was this which gave him so much confidence. What did it matter, the number of those who cast the first torches, if the multitude, from the time when it would see the fire burn, must have

run to their help? It was a signal which was awaited, and to give it was sufficient for certain resolved men.

It was precisely that which created the danger of the situation for Cicero and the Senate. They knew that the conspirators were ready, that they counted on the sympathy of a large number of people, and that a riot, in a few hours, was able to become a revolution: they had good reasons to be frightened. Their fear grew out of the difficulty from which they were to defend themselves. Against all those perils which menaced them they were unarmed. The law, which ordained that they watch out for the security of the city, did not furnish them with the means. Rome possessed no garrisons; the legions which returned from war were obliged to remain outside of the sacred precincts of the pomaerium. It was with difficuly that certain public slaves be found about the gates to close them at night and guard them, to make some patrols during the night, which did not prevent the knights from being assassinated when they returned too late to their homes. (Cic., Pro Roscio Amer., 29.), to put out fires, of which task they acquitted themselves so badly that bands of volunteer firemen were formed who were paid for their services. Ther was, without a doubt, a sufficiently large number of inferior workmen. In a country in which exhibition was loved, as at Rome, the magistrates never went out without being surrounded by a train of followers; they had their lictors who preceeded them, their assistants, their gentlemen-ushers, viatores, and accensi. But all this escort was more to honor them than to protect them. It was made up of good knights, a few dreadful ones, who had bought their positions, as sollicitors and notaries do with us, and upon

them one could not count too much, on days of riot. As for political police, there were none. In order to discover plots against the republic the consul was able to count only upon the treason of some of the accomplices. Happily for Cicero traitors were not to be lacking in a party which counted so much upon dishonest men. He had the luck to especially find one of them, of whom Sallust tells us, who was very useful to him. "Among the conspirators there was Quintus Curius, who belonged to a distinguished family but who was dishonored by all sorts of crimes and whom the censors had chased from the Senate because of his scandalous life. This man did not have less of instability than audacity; he was incapable of keeping secret what he had learned or even to dissimulate his evil actions; he took no more care of his words than his deeds. For a long time he had been the lover of Fulvia, a woman of noble birth. But, as the constraint in which he found himself forced him to be less generous, he was less well received in it. All of a sudden she noticed that he had changed his tone; he took on haughty airs, sometimes promising her mountains and marvelous things, sometimes threatening to kill her if she resisted him, and showing himself more arrogant than he ever had before. Fulvia sought for the cause of this extraordinary change, and, and when she had discovered that it was the conspiracy, she understood the danger that the Republic was in and she did not believe that she ought to be silent about it. She told what she knew and how she had come to learn it without telling the name of the person from whom she obtained it." Cicero must have been one

of the first warned. He made some grand promises to Fulvia, who, whatever Sallust said, had indeed other cares besides the safety of the Republic; he gained from her foreknowledge of all the designs of Catiline, and it was thus that he happened to frustrate them. He congratulated himself many times upon this happy chance, and upon the cleverness with which he knew how to profit from them. Sallust thus made a compliment to him of it, the only one, perhaps, which he addressed to him, and which was a little like irony: "In order to snatch himself from danger", he said, "he lacked neither the ability nor the deceit." (Sall., 26).

V

While Catiline was busy organizing his conspiracy in Rome and in Italy, he had taken a resolve at which we are at first a little astonished: he decided, before taking up arms, to try again his luck in an election. Perhaps he made the mistake of mixing an election and a candidature, but it has been seen what the prestige of consular dignity was and that the most daring conspirators hesitated to undertake their enterprise as long as they had not been clothed with that office. Moreover, Catiline always had his eyes on Sulla, who was his master and hi s model, and he hoped to arrive at the supreme power as he did, through the consulate. He therefore placed himself again in the rank of the candidates for the year 62 B.C.

The battle was hard and the competitors were fearful. We recognize among them Servius Sulpicius, the greatest jurist of

his time; Decimus Junius Silanus, an honest man with great renown, but rich and generous, who, while he was aedile, had given some games which were remembered; and finally Lucius Murene, lieutenant of Pompey, whose father had served with honor under Sulla in Asia and triumphed over Mithradates. The success of Silanus appeared certain; he was one of those men of the second order who was disagreeable to no one. Sulpicius, by his renown, outweighed all his rivals, but he was especially appreciated among the people learned in literature, who were thankful to him for having endeavored to introduce a little philosophy into Roman law. Sadly it was a kind of merit to which the general voter was not sympathetic. Moreover he was reproached for some of the faults of his profession, a too scrupulous regard for legality, perhaps, and a spirit of quibbling. He saw misdemeanors everywhere and incessantly threatened people with cases against them. He maintained that Cicero, his friend, had passed a law, new and too rigorous, against bribery, although there had already been a great number of them which did not pass as very mild ones. This law which took the name of its author (lex Tullia, De Ambitu) increased the punishment pronounced against candidates who permitted themselves to give games and banquets to the people, or pay the poor people in order to make a following of them; and, if they were convicted, condemned them to exile. In spite of these threats, the law of Tullia was no more effective than the others. - The method of suppressing fraudulent elections has not yet been found. - This complaint

had no other result than to display the anxieties of Sulpicius and drew him farther from those who would vote only for a candidate who had some chances. Murena, to the contrary, who was a soldier, carried on his campaign with more plain dealing and dexterity; he must have pleased the people by the sway which resolution and a good humor always exert over it. It is also indeed probable that he opened for those who had need certain liberal opportunities. Holding himself strictly within the confines of the law, he gave games and offered banquets to the people through his friends and relatives; finally, he knew how to use the name of Pompey, his general, fittingly; for Pompey was then very popular; and he knew how to use the prestige of the war of the East, which had just been completed in so glorious a manner.

The electoral contest, the details of which we do not know, must have been very exciting. Catiline payed for his boldness. Either by a sort of bragging which was natural to him, or because he came into appearance to frighten the people more and more, he did not take the troube to conceal his plans. In a meeting of the Senate, when Cato threatened to have his name brought before the tribunal, he answered fiercely, " If anyone tries to put fire to the structure of my fortune, I shall destroy the incendiary beneath the ruins." (Cic. Pro Murena, 25). Towards the same time some violent rumors were circulating, full of threats, which he had maintained in a meeting of the men of his party, which spread alarm in Rome. Cicero, who was perfectly

informed of the whole thing, resolved to profit from it. It was the eve of the election; he demanded that it be put off, maintaining, without a doubt, that it would be dangerous to proceed in it the next day. The Senate consented to it with eagerness. He appeared full of good intentions, having decided to take energetic measures; but when, two days later, he met it again, his disposition was not the same. The night had been spent in council. Cicero having demanded of Catiline that he explain the words which he had been accused of saying, he did not take the trouble to lie, or to deny the designs which had been ascribed to him, and he answered with arrogance: " There are two bodies in the Republic, one is weak with a head that is no better than it; the other is full of froce, but has no head at all; in recognition of what it has done for me, there is necessit upon me to serve it as long as I live." These provocations were received with unanimous murmurs, but no one dared to propose to place him on trial, and he departed with an air of triumph. (Cic. Pro Murena, 25).

When the election took place is not known, but from the time when Catiline was not prosecuted there was no reason to delay it indefinitely; it must have taken plame in the month of August or September. Catiline kept his assurance up to the end. He walked with head up, happy appearance, in the midst of those brilliant youths which followered him everywhere, escorted by informers and assassins, proud to lead after him a whole army of men who had arrived from Arretium and Faesula;

for he had made Manlius and his men come from Etruria for the occasion. He hoped that the election would not pass without some fighting, and, especially, he had given the order that the consul should not come out of it alive. But Cicero was forewarned and had taken precautions; all the young knights formed, as it were, a guard aroun him. In order to show the conspirators that he was not ignorant of their projects and to make known to good citizens that his life was menaced, he covered himself with a brilliant brest-plate which could be seen beneath his toga. Was it, as it pleased him to think, the sympathy which they had for him and the sentiment of danger which he had just run against which decided the election? Still it happened that with the inevitable Silanus, Murena was elected, and Catiline was once more defeated.

The contest had an epilogue. Salpicius, who naturally had a very good opinion of himself and regarded the art in which he excelled as very much above all the others, was not able to understand how a soldier had been preferred to a jurist and he persuaded himself very quickly that Murena was able to have gained his success only by some criminal maneuvers. With the aid of Cato, a man of great wealth, but of too small a soul, he hastened to report it to the tribunal. Cicero, who up to that time had supported Salpicius, did not hesitate to take the defense of Murena, once he was elected. He had a good reason: no new chance must arise for the Republic to fall into the hands of Catiline; it was necessary that on the first of January there be two consuls to protect it. This speech for his defense was

therefore a good action, it was at the same time a very good discourse; hardly any of them were better spoken. One is not reconciled to the surprise that he experienced in seeing him in such serious citcumstances (it was probably between the second and third oration against Catiline), in the midst of deadly anxieties which the conspiracy caused him, when his life was menaced each minute, taking charge of a criminal affair and pleading it with so much ability and good humor. But it was not a case for him; it was a diversion and a distraction which he gave himself. He was glad to escape from politics for a moment in order to return to judicial debates which were his natural domain. From the first stroke, from the time he entered the tribunal, he found his freedom of spirit, his gaity, his malice, and forget all the rest. Without doubt Cato and Sulpicius were his friends; but it is not of his best friends that one knows the most faults. He knew by everyday experience that he had with the goos Sulpicius a depth of trifling legalism and stiff doctrinarianism, that honest Cato was the most stubborn and the most awkward of men, and he did not resist the pleasure of saying it. One must have laughed heartily in the Forum hearing these portraits of the jurist who solemnly sold his petty formulas, and of the rigorous stoic who proclaimed "that all mistakes were equal; one is no more a criminal for strangling his father than for killing a chicken without need." One forgot that, in this charming discourse, it seemed that the orator took pleasure in contradicting himself each minute, that he was pleading for a man who was accused-

not without certain probability- of having violated the law of Tullia, that is a law he himself had just made and which carried his name; that he argued very spiritually in it that a soldier is more important for the Republic than a man who engages himself only in the arts of peace, on the very eve of the day when he was going to write the famous line: adant arma togae. But the contradiction hardly cost him anything and he was not held strictly to them: Murena was acquitted.

The contest was therefore finished; Catiline had no other method to remain within the law, and he found himself definitely bound to his conspiracy.

VI

Since it was going to become henceforth his only occupation and his last resort, it is the time, as it seems, to study more closely and precisely, if it is possible, his true character.

The program of Catiline had not probably been conceived at a single time and it must have been modified according to the circumstances. One is able to suspect, for example, that it was not the same during his candidature as after his defeat. Nevertheless, Sallust let it be understood that principally his intentions were hardly changedand that, candidature or not, he proposed to grasp tightly the privileges that fortune, which had won them, had installed in the high offices of the State, in order to give them to his friends: "This," he had him say when he met them for the first time, "is what I shall do with your help when I shall be consul." (Haec ipsa, ut spero, vobiscum una consul agam.Sall.,20). What he clearly means is that the consulate is for him only a

method of realizing more easily his previous plans. But if his plans remained principally the same, it is evident that, being in power, all would have been easy for him, and there would have been no need to have recourse to the same violences. In any case, if he had changed, it is not possible for us to take into account these variations of which we are entirely ignorant. Let us limit ourselves to a knowledge of the last designs, those which he made and exposed to his friends in the last hours, when he had no more caution to take.

The contemporaries, when they spoke to us of the conspiracy, contented themselves to lavish upon it the harshest qualities; they called it atrox, nefaria, tetra, horribilis, which only shows us the fear which it caused them. Sallust, however, gives us a more precise description from which we are able to profit when he tells us, at the beginning of his book, that he had decided to choose the subject, which he was going to treat, by the novelty of the crime which was then intended and from the peril which the Republic ran, sceleris et periculi novitate. (sall., 4) It seemed to him, therefore, that the conspiracy of Catiline had this particular characteristic to differ from the preceeding ones, and, in order to understand it, it is necessary for us before all to try to know what novelty there was in it.

One is shocked at first to see that, contrary to what had happened up to this time, politics, properly called, took in it so small a place. Cicero maintained in one of his moments of optimism that, after all the concessions which the people had

obtained, there remained nothing which might separate them from the high classes of the State, that there remained nothing more for it to desire, and that it had no motive to make new revolutions. (Pro Sext., 49). This was going too far, especially because the revolutions without motives were frequent occurrences. It was, however, certain that at this time the serious problems of domestic politics, for which so many battles had been committed, were resolved or almost so. Long since, the plebs had gained access to all the public offices, and if the Aristocracy, thanks to the prestige which it still enjoyed, continued to acquire the highest dignities, the success of Marius and Cicero to the consular office proved that it was not impossible for them to acquire it. Following the social war, which was just ended, the Italians had attained the rights of Roman citizens, and certain countries, as Cisalpine Gaul, who did not yet possess it completely, must not have been put off long in receiving it. The people were therefore half satisfied, and it was natural that they began to be uninterested in questions which had aroused their fathers. No trace of them was found in the programs which were accredited to Catiline. He made allusion neither to the agrarian laws, not the power of the tribunes, nor the privileges of the classes, not the reform of the Constitution. No one saw any longer that he should hide himself under some grand popular name, as his predecessors had willingly done. They found in that, this double advantage of inheriting the partisans that the person had left and of resuming the whole program in a single word. It had sufficed Caesar to say that he

had come to avenge Marius in order to find himself completely at the head of a party. Catiline does not seem to have been placed behind anyone. Whom, truly, would he have chosen for patron? He was not able to think of Marius whose last friends he had treated so cruelly; as for Sulla, his old master, although he evidently preceeded him and inspired him with his memory, he was not able to openly authorize himself under his name, at the same time in which he had just fought this Aristocratic faction which intended to save what remained of his work and to continue his political program.

Therefore what did he wish to do? In order to be perfectly informed of it, it would be necessary to slip in with those of his partisans, of whom he was most sure, in this secret part of his home where he joined them, to attend this meeting of the family (contio domestica), as Cicero called it, to hear him expose his plans with that firmness and frankness to which even his enemies rendered homage. But sadly, we are forced to receive and reproduce, in trying to interpret it, what the writers of that time were able to know of it and what they intended to tell us of it.

In two very important passages of his small book Sallust informs us of the plans of Catiline. One is the letter of Manlius, chief of the conspirators in Etruria, to Quintus Marcius Rex, ex-consul. The tone of it is respectful and moderate: it is a centurion who is addressing himself to a general. It is necessary to search there only for the weak complaint of small people that misery had forced them to revolt, how they excused themselves for it.

They called for gods and men to be witnesses of their good intentions; their request was moderate; it was no longer a question of demanding a part in the government of the city, as it was when the plebs retired to the Sacred Mount; it would suffice them if they were no longer cast into prison when they were not able to pay their debts. The law defended this, but neither the creditors, not the praetor respected the law. These were, at least in appearance, timid revolutionists, who appeared to have decided as much as possible not to go beyond the bounds of legality.

Catiline spoke in a different tone in the discourse which Sallust had him make to the conspirators at Rome, at the period of his consular candidacy. He had around him only his dependable friends; he was able to say to them what he thought and to announce to them what he wished to do. Why does the reading of this discourse, the reputation of which has been so remarkable hitherto in literature, produce in us today less reaction? It is because, in reality, it is not Catiline himself that we hear, but Sallust and because he expresses himself as a schooled orator rather than as a conspirator. There is nothing more to say of this custom of ancient historians of attributing to their characters discourses of their own invention. We condemn it today, but the people of that time complimented them very much for it, and it is indeed probable that the histories of Sallust were read especially because of the discourses which they contain. This one of Catiline which is one of the most well known, is able to inform us of the manner in which they were ordinarily composed. The writers, who were merely unadulterated

rhetoricians, contented themselves to fabricate some pieces of eloquence in order to make their talent admired; others, as Sallust and Tacitus, endeavored to fit them to the true situation; they made those who spoke say, if it was not what they really said, what they ought to have said, so that these discourses are not without utility for the historians of our day and they are able to be consulted with profit, provided that they do it with precaution. It is this which shows us the speech of Catiline. Some rhetoric is certainly found there, that is to say a certain method of replacing the true detail with brilliant generalities. It happened for example, that at the moment when the orator appeared to forget the particular kind of grief for which he was pitying those who heard him, and, since a person ordinarily revolts only to escape oppression, he excites them, with resounding phrases, to reconquer their liberty: En illa, illa, quam saepe optastis libertas! But it was not a question for them to break the chains: neither Lentulus nor Autronius who had been consuls, nor the others were slaves. In the state of social disorganization in which they found themselves, liberty was what they least lacked; they needed something else. One sees it well, however, in the same discourse, such as it is, if he ignores the oratorical forms, which are a kind of necessity, and goes directly to the point of the thing. What complaint did Catiline really have against this faction of Aristocracy which held power, if not that of gaining public fortune and not letting him have a part of it? If he begrudges their holding the highest offices, it was because they

found in them the occasion to appropriate all the money which kings, tetrachs, and conquered nations paid to the Republic. " Who is able to endure the fact that they gorge themselves with riches and that they spend it without account in covering the sea with constructions and making mountains level, while we lack the things most necessary to life? They build many palaces one after the other while we do not have anywhere even a family hearth. They have done all follies, bought pictures, statues, chiseled vases, torn down the homes which they had just built in order to build new ones; these wasters of money, in spite of their efforts, have not succeeded in coming to the end of their fortunes. And we, what is our lot? Misery within, debts without, a sad present, and an even sadder future; there hardly remains for us the miserable air which makes us live." (Sall. Cat., 20). It seems to me, therefore, that this discourse contains the thoughts of Catiline, when one knows how to read it. It is even more visable in a few lines which Sallust makes follow those. He thought that cartain of the conspirators, to whom rhetoric without doubt was a little suspicious and who intended to know well to what they were binding themselves and sure what profits they would be able to count upon, would demand their chief to speak more clearly and without affectation. " Then he promised them ", said Sallust, " the lessening or abolition of debts, proscription of the rich, possession of priesthoods and magistratures, pillage, all which the caprice of a conqueror had been able to permit himself in similar battles. " There in certain words and without deceit was the program of Catiline.

We wish, indeed, that his program had reached us in the form in which he gave it; we would understand better the extent of this which he prepared; we would enter better within his thoughts, if we could have heard him in those conversations with his friends, of which Sallust speaks, when he plotted against the honest people, and afterwards, taking each of them aside, he addressed compliments to some, recalled to others their miseries or their favorite desire, or the danger and infamy to which their embarrassed affairs exposed them; and finally he made those attractive pictures of the victory of Sulla, from which the oldest among them had profitted; and as, at the same time, he announced that this which had been then would be again and that the Republic would be for them a new livery as a reward, one understands the joy of this band of starving men who heard those recomforting promises. Sadly, we have of Catiline only one letter of a few lines, which he addressed to Catulus when he left Rome. One reads in it these very significant words: "Cast aside by injustices and affrontry deprived of the fruit of my labors, I have made myself, according to my custom, the public defender of the miserable." (Sallust,35) There is a true confession of faith. It is explained and commented upon by several words which he spoke during a meeting of his partisan, and which Cicero has reported. "The unhappy," he said, "are able to be faithfully defended only by someone who is miserable as they are. The promises of rich and powerful men may not inspire confidence in poor and ruined citizens. May those who wish to repair their loses and enter again into their wealth take into

account especially in this one who may lead them, what he himself has lost, what remains to him, what he is able to dare. It is necessary that these miserable people have a miserable and brave chief, who marches at their head." (Cicero, Pro Murena, 25). Cicero tells us that this speech struck Rome with terror. He was not one of those ordinary agitators, and even those who had said almost the same things had said them in a different tone. In speaking thus, Catiline repudiated the tradition of the Greeks, those demagogues of high society; he separated himself clearly from Caesar and Crassus, whom he declared improper to sustain a popular cause; he intended to set off the originality of his work. He no longer addressed himself, as his predecessors did, to political passions: it was a social movement which he meant to excite.

But who are the "miserables" or whom he insists with so much agreement, and of whom he intends to declare himself chief? Today we would have no difficulty in answering. The idea would come to us immediately that he meant to speak of these people so numerous in our society who live poorly on their daily salary, factory workers, handworkers, manufactureres, workers in small business, farmers, who after having been oppressed for a long time are on the road to becoming masters and will perhaps tomorrow be the oppressors. But let us not forget that we are at Rome, where there was little commerce and almost no industry, that in this country of slavery, where manual labor was disreputable; among scornful aristocrats, those poor people who remained every day on their chairs and made bad soldiers were jeered readily in the face of their work. It was not for these that Catiline risked his life.

Those whom he called "miserable" were the ruined men, without resources, who had made debts and were not able to pay them. Cicero tells us that there had never been as many of them at Rome as at this time, (De Offic., II, 24.); some of them were found from all ranks of society. At the bottom were the victims of cheap usury, those peasants who little by little had been chased off their farms, those colonists, to whom lands had been distributed, but who did not know how to cultivate them, and they became quickly the prey of creditors from the city, the most dishonest and most cruel of all. Manlius made himself their interpreter in this letter to Quintus Marcius Rex, which has just been considered. As for Catiline, it is understood that he was especially interested in the "miserables" of high society, those wounded by life, as Cicero called them, who had known riches, which made their distress more wretched. As they had led a princely existence, since they were gamblers, prodigals, and debauchees, they had soon dissipated their patrimony and lost their credit. It was those whom Catiline thought of in his discourses, and they heard him with rapture because he brought to them the method of repairing their fortune with one stroke.

How did he hope to bring this about. He never varied in the method which he pointed out. Since he knew that those who possessed power and fortune would not allow themselves to be despoiled of it without resistence, he could hope to succeed only by violence. His methods for success were assassination and fire. There, in its details, is the last plan which he conceived, such as he sent sent it to his accomplices from Rome by one of his emissaries,

Titus Volturcius, who was siezed at the Mulvian bridge. Catiline was to lead his troops from Faesula up to the walls of the city at the same time when the conspirators set fire to Rome. All was prepared and planned in advance. The fire was to be lit in twelve different sections, in a way so that all were burning at one time. Plutarch adds that all who tried to put them out were to be killed, and, in order to deny them the means, to stop them from getting water. It was easy to profit from the tumult and the general fear to kill the men whom you wished to get rid of. Each one had his designated victim; Cethegas had charge of Cicero. Meanwhile the soldiers of Catiline would stop those who attempted to flee, so that no one would be able to escape. The work thus set on foot, the conspirators on the inside would join with those who would enter the city, and all advancing together, the pillage would begin.

I know that the atrocity of the project has created doubts as to its reality; it has been believed that what was seen there was either an invention of the popular imagination distracted by fear or some maneuver of the enemies of Catiline who exaggerated his fault in order to excuse the harshness of the repression. But I do not believe that those hypotheses can be accepted here. Not only all the writer of antiquity report these sinister projects and give the precise details of them, but Cicero accuses Catiline of them in a full Senate, in one solemn meeting (Cic., In Cat.,I, 3.), and we do not see that Catiline defended himself from them. The next day, when he had just departed, Cicero took up the accusations again, in the presence of his accomplices, whom he seemed to indicate with this revengeful gesture: "I see them," he said, "those

who have claimed for themselves this horrible office as an honor." (Cic., In Cat., II, 3.). Would he have spoken with so much assurance if he had feared being condradicted? Some days later in the senatusconsultum, in which sacrifices to the gods were decreed with respect to the affair of the Allobroges, Cicero gave thanks solemnly "for having preserved the city and its citizens from massacre and fire." (Cic., In Cat., III, 6.). It seems indeed that at this time no one doubted the crimes of which Cicero accused Catiline, and even this which was excessive and almost grandiose, and which has brought forth in our day some defiances, appeared to agree with this which Sallust tells us "that his vast soul nourished without cease immoderate plans, unbelievable and gigantic." (Sall., 5.). Truly those who refuse to believe him capable of them answer that he was not a man to commit unuseful crimes and they had trouble understanding what utility they would have been for him. "Catiline," said Napoleon III, in 1865, "was not able to think of a thing so foolish: this would have been to wish to rule over ruins and tombs." (Histoire de Jules Cesar, I, 275.). It is probable that six years later, after the Commune and the events which followed, the author of the Life of Caesar would not have spoken completely thus. He would have seen a whole revolutionary school employ terrible methods, burn and kill without scruple and at risks, in order to frighten society, and thanks to these sinister warnings, snatch a triumph for their doctrines. One is able to believe that such was the design of Catiline. Even when anyone could prove that of itself the destruction of certain homes and the death of some individuals would not have been much profit

for him, it is certain that he won by them the fact of making everybody afraid, of paralyzing resistence, of rendering easy the great revolution which he planned. We found early in certain of his prospects the voice of the socialists of our day. Is not one able to say that these fires and massacres resemble in some way the ordinary processes of our anarchists? These comparisons which come natural to the mind, make it understood how the history of today explains that of other times.

VII

If Sallust is to be believed, Catiline redoubled his activity after his second defeat. "At Rome he was everywhere; he set snares for the consul; he planned the burning of the city; he had the most advantageous positions occupied. He himself never went out unarmed, (this was not the custom at Rome where even the military officers went unarmed, said the President of Brasses); and he invited his friends to do as he did. He exhorted them to be always ready and prepared. Day and night he toiled, without the lack of sleep and the work being able to weaken him for one moment." (Sall., 24.). It seems that nevertheless, this time, his lack of success had taken from him some of his confidence. When he learned that a young man, L. Aemilius Paulus, was going to bring him before the tribunal which had the jurisdiction to punish seditious men (lege Plautia, de vi), he, who had so fiercely braved his accusers twice, appeared to be troubled. In order to make it believed that he had nothing to unbraid himself for, and that he defied the suspicion, he offered to forestall the accusations and make himself

a prisoner. It is knownthat at Rome certain persons had the privilege of not being confined in the common prison. They were handed over to the magistrates in custody, or even to private citizens who were responsible for them. Catiline asked to be given into the custody of Marcus Lepidus, then with the praetor Marcellus, and as they refused to receive him, he went boldly to Cicero and made of him the same demand. One understands the dismay of Cicero at this proposition. How would he, who did not believe him safe in the same city with Catiline, accept to live under the same roof? Repulsed by all honest men who did not wish to burden themselves with a prisoner so dangerous, he was forced to stay with a confederate, Marcus Marcellus, where everyone knew that this display, on which he counted to persuade the credulous people of his innocence served only to diminish the prestige which his audacity had given him.

Nothing at this time seemed to go well for him. The snares which he had set for the consul had been frustrated; he was not able to form any plan which was not soon discovered and prevented. These bad times must have been very evident to him and made him doubt for the first time the success of his enterprise. Was it of these moments of irritation and discouragement that Sallust meant to make a description when he told us "that his nights and days were troubled by the memory of the crimes which he had committed, that his remorse displayed itself by his pale color, in his blood-streaked eyes, in his gait, now slow, now fast, which betrayed the chaos of his soul"? At the same time we feel by certain signs that he had lost the confidence which he had

witnessed up to that time in those noblemen of Rome who had made themselves his accomplices. He no longer spoke to them in the same tone. He said to them in the beginning, "that he knew their courage and their fidelity, and that he considered them men ofcourage."; the last time he met them, he did not hesitate to reprove them for their cowardice. (Sall., 20,). To the contrary, the old soldiers who had come to him from all parts of Etruria appeared to him brave and resolute. He now counted only on them to try his fortune; he was preparing to go find them as soon as possible and place himself at their head. Above all he had a feverish haste to make an end of it. It seems indeed that his mind was made up even before he knew definitely the outcome of the last election, and that he had decided that the uprising, whatever chance it took, would burst forth in the last months of the year.

Cicero was up to date in knowing all of this which was in preparation. On October 21 he announced to the Senate that all was ready for taking up arms; six days later Manlius was to have begun hostilities in Etruria; the next day, at Rome, the massacres would have begun. On November 1st, during the night, it was planned to surprise Praeneste, a fortified city, easy to defend, which had already served as a repository of weapons during the time of the young Marius, and which became a garrison again during the war of Antonius and Octavian. This news, of which he averred the certainty, filled the Senators with indignation and terror. He profitted from this in order to have them vote the famous <u>senatus-consultum</u> of which Caesar said that one had recourse when all was on fire and one was able to save the State only by extraordinary

methods (extremum atque ultimum senatusconsultum). It was the celebrated formula which ordained the consuls to watch over the safety of the Republic and conferred upon them the necessary authority to save it.

It seems that Cicero, as soon as he was armed with this power, must have made use of it. He had no time to lose; in striking without delay at the chief of the plot and his partisans, he was able to prevent a civil war. Some of his friends found that he not only had the right, but that it was his duty. He himself, when he recalled the example which his forefathers had given him, bitterly reproached himself. "I accuse myself of laziness; I am embarrassed at my cowardice." He was angry at himself for allowing this precious senatusconsultum to remain encased in its sheath "as a sword in its scabbard." Why, therefore, did he not at this time take a more vigorous initiative? First, it must be confessed, energetic resolutions were not a characteristic of him; but, which is more, he had here reason to be doubtful who would put themselves forward as firm as himself. In these grave circumstances in which he found himself, when he knew that so many men were ready to place themselves on the side of Catiline, he was able to attempt a coup d'autorité only on the condition of being sure that he would be approved and followed by all his party. But this party was one of conservatives and moderates, and the practice of business had taught him that energy, persistence and decision were not their ordinary qualities and that, as he tells us, the government was more easily attacked than defended. He knew his friends wonderfully, and he divided them into two categories, very different from each-

other, but equally dangerous for the Republic."There are," he said, "those who are afraid of everything, and those who are afraid of nothing." (Pro Murena, 25.). What business could be carried on with the first, who remained at home at decisive moments or left Rome when their was going to be a vote in the Senate? But perhaps the others had to be mistrusted even more. These were those who, under the pretext that they had no fear did not wish to believe that the dangers existed which had been signaled out to them, and they prevented precautions from being taken which would avoid them. They were very numerous in the following of Cicero, among men of intelligence and those men of the world to whom there happened to be an air of elegant skepticism, and who feared above all else to appear to be credulous and duped. They had this ordinary maneuver of closing their eyes to plots which were shown to them, partly in order to put up the appearance of not being afraid, partly to escape the vexation of having been previously occupied. Cicero was irritated at the stubborness of incredulity. But he well understood that in the presence of so many enemies, declared or secret, and so many weak and complacent men, disposed in advance to excuse everything, he could enter in the fight only with a united and convinced party. "You will die," he said to Catiline, "only when there is found not one single man who is able to believe that death is unjust." (In Cat., I, 2.). This explains those desparate efforts which he made in order that there might remain no doubt in the mind of anyone. It was very difficult for him to succeed in it; perhaps he took less pain in conquering the conspiracy than in showing that

it existed.

It was, however, inevitable that there would come a day or the other in a way to convince the most incredulous. Supposing even that Catiline was able to keep secret the meetings which he held at Rome, the gathering of troops which was being made at Faesulae was not able to pass unnoticed. Some sinister information was arriving from all sides. One night Cicero was awakened by an unexpected visit. It was Crassus, who seemed up to that time to uphold Catiline, but who had become afraid when he saw clearly that the conspirators held a grudge against ownership and wealth. Crassus came to bring to Cicero some letters which he had received. There was one of them for himself which he had read, others for Senators which he had not wished to open for fear of compromising himself. The one which was addressed to him, and which carried no signature, announced that there was being prepared a great massacre and advised him to be far away from Rome. At the same time some serious news was received from Etruria. "A Senator, Lucius Suenius, carried into the Senate some letters which he said came from Faesulae, in which he was informed that Manlius had taken up arms on the 27th of Ocyober and that he had with him a number of troops." No one any longer doubted that it was possible; it only remained for Catiline to join his soldiers as quickly as possible.

Before departing he assembled his partisans once more, not at his home, where the meeting could be surprised and dispersed, but at the home of Porcius Laeca, one of his friends, who lived on the street of the Taillandiers, situated probably in some secluded outskirts of town. It was during the night of November

6th. After having dwelt up his last dispositions and distributed the roles to each one in the grand siezure of arms, he added that he would part content only if someone got rid of Cicero, "who was a great obstacle to all his designs." The proposition was received coldly enough; it was known that Cicero was on guard. But finally, after some hesitation, two of the conspirators, Caius Cornelius, a Roman knight, and the Senator, Varguteius, offered themselves to attempt the enterprise. They promised to go that same night, at early dawn, with some armed men, as if to greet the consul, and to kill him in his hall, while, according to his custom, he was receiving his clients. The danger was acute, but Curius, the spy of Cicero had gotten there ahead of them, and he had taken precautions. When the assassins presented themselves, instead of an insistence that they enter, the door was shut in their faces, and they returned to their own homes.

At the same time he escaped this danger, the consul was informed of the resolutions which the conspirators had dwelt upon during the night. It was necessary, before anything else, to convoke the Senate immediately. This was done without delay. The Senate met therefore the afternoon of November 7th and Cicero pronounced the first oration against Catiline.

CHAPTER IV

THE ORATIONS AGAINST CATILINE

I

The first Catilinaire[1] is the most famous of all. It is the only one which Sallust mentioned; it was this, during the days of our fathers, which was read most piously in colleges, which one remembered readily, and which he loved to cite, when he had finished it. At the period in which we did not yet have the experience of popular revolutions, we sought from it a spectacle of antiquity, and it is understood that this dramatic contest of a great orator and a great agitator, with the Senate as a witness and the public as stakes, has stirred imaginations. Yet today, although scenes of this type have lost for us very much of their novelty, we cannot read this beautiful discourse without emotion. But we shall be able to enjoy it completely only if nothing of it remains obscure, and in order to get rid of all obscurity, some explanations are necessary.

It is first of all necessary to look into the situation of the orator of those before whom he was going to speak. Cicero held all the strings of the conspiracy. Often he had communicated what he knew to the Senate, but he had succeeded only in provoking an ephemeral movement among the defenders of established order; after some slight desires for energetic resistence, they had fallen back

1. I shall use this word henceforth, for brevity, to designate-Oration against Catiline.

into their apathy. This time, the occasion appeared suitable to him to completely sweep them along. He knew that the Senators came to the meeting full of emotional anger. What had taken place the evening before at Laeca's and that morning at the consul's home began to be known. One had remarked that, during the night the patrols had been more numerous. The meeting of the Senate must have been held in the temple of Jupiter Stator, a sort of fortress, towards the top of the Sacred Way, which was easy to defend against a surprise attack. Below, along the slopes of the Palatine, one had arranged what Rome possessed of a police force; the Roman knights, those faithful allies of the consul who had rendered him so much service during these last months, circled the temple. We are told that those young men all aroused, when they saw anyone pass whom they suspected to be favorable to the conspirators, receiveed him with murmur and that there was great trouble in preventing them from casting themselves upon him. It was in the midst of these agitations, before a nervous and tumultous assembly, of frightened or threatening men, that Cicero made his speech.

Before busying ourselves with the first Catilinaire such as we have it today, there is one question which it is necessary to settle. This discourse is certainly not wholly that which the Senate heard on the day of November 7th. Sallust said that Cicero wrote it after he spoke it, and we have from Cicero himself that it wasn't published until three years later. Thus the first, the real, discourse had been improvised. In the political eloquence of the Romans, improvisation was the rule. Since Rome was a free country, speech had always enjoyed a great reputation, and a man who did not

know how to speak was able to gain nothing. But to speak was really to act, and speech had worth only in as much as it was able to produce results. When the result had been obtained and the affair closed, the discourse which had produced its effect had no more reason for existing, and, especially in early times, it was thought of no more. It was a little later, when the city was extended beyond its first limits, when there was some Romans in the municipalities and the colonies round about, and because it was useful to keep them informed of what was taking place at Rome, that someone had the idea of circulating among them the discourses which had obtained some success in the Forum. They were therefore written, but after they had been delivered in their primitive form, being modified especially by being shortened and reduced to essentials. As for a pleader's writing before hand a political speech in order to read or recite it, this was so seldom the custom that it was remarked upon as a strange thing, that Hortensius did it when he defended Messala. Therefore Cicero conducted himself here as he did ordinarily; he at first improvised his speech, and wrote it only to give it to the public. If he allowed three years to pass this time before publishing it, it must be attributed without doubt to the events which followed and which left him little liberty. One can hardly doubt that he had many scruples against modifying it when he wrote it; it was his custom. (See Letters to Atticus I, 13.). It would be important to know the nature of these modifications, whether they went only to modify in a drastic manner the form or the very basis of the old discourse.

Of this original discourse nothing remains; but, however, we have the luck of being able to figure out some idea of it. The day after the meeting of the Senate was held, Cicero believed that he should recount to the people what had taken place in it, and here, after this account, is how the thing must have taken place. At first, instead of proposing an order of the day, as was the custom, and demanding of each Senator his opinion, Cicero believed that he ought to use his right as president to talk with them about the present situation. It is probable that it was believed that Catiline would not have the audacity to present himself, but he intended to throw a herring across the path to the very end, and he wished to justify himself if he were attacked. When he was seen to enter, no one approached him to talk with him, no one responded to his greeting. Everyone moved away at his approach, and he found himself alone on the bench where he sat. This reception, to which he was not accustomed, must have surprised and intimidated him. Cicero, to the contrary, gathered there an energy which was not ordinary for him. Addressing himself to Catiline and making him rise up, he asked him what he had done the night before and whether he attended a meeting which was held at the home of Laeca. Catiline, troubled by the force of the attack, and even more by the attitude of his colleagues, made no answer. This silence of a man ordinarily audacious was already a great success for Cicero, and much later he made a triumph of it. "Catiline kept silent before me!" he said with pride. (Orator, 37.). Immediately he proffited from it by pressing some questions: he placed before his eyes his plans which

he had discovered, he gave in details the plans of the civil war which he had prepared. Catiline, more and more troubled, opposed these violent attacks only with some embarrassed responses. "He hesitated; he was caught." (Cat., II, 6.). The consul then broke into the connected discourse[1]; he endeavored to show him that he could not remain at Rome, where everyone regarded him as a bad citizen, or rather as a mortal enemy. "He asked him why he appeared to hesitate to leave for those places where for a long time he had decided to betake himself since he had sent there before him a provision of weapons, arrows, oxen, trumpets, standards, and that silver eagle of Marius for which he held a secret cult in his home and which he honored by his crimes." He urged him to go find his soldiers, who were in camp at Faesulae, and the centurion Manlius who waited for him to declare war on the Roman people. That is, as it seems, the same subject and almost the expressions of the first Catilinaire. The only difference is that this part had been preceeded in the original discourse by a kind of singular combat between the two adversaries, which is no longer found, at least under this form, in this which we possess.

With us, in our political assemblies, personal arguments are severely forbidden. The rule prohibits them, and whenever they threaten to be produced, the president, without always succeeding, endeavors to stop them. At Rome they were allowed full liberty. Under the name of altercatio or interrogatio, they had taken a

1. Oratio perpetua.

a regular, official place in the verbal polemics; sometimes they preceeded the connected discourse; sometimes they followed it; there were even some cases in which they were the whole discourse, for example in criminal affairs when the witness was handed over to the lawyer of the other side, who embarrassed him with insidious questions, troubled him, reviled him, in order to render him ridiculous or suspicious. The letters of Cicero show that even in the Senate itself, in spite of the gravity which was ordinarily attributed to this august body, these person to person combats, which did not exist in the beginning, became very frequent.

With the vivacity of his mind and his sarcastic fervor, Cicero must have been incomparable there. But much later, when he gave his discourse to the public, he understood indeed that the altercatio could hardly have any place in it. "These passionate dialogues," he said, "the piquant witticisms have all their force and pleasantness only when one is present in a debate and participates in the heat of the discussion." (Ad Att., I, 16.). And he conveniently dissolved it from his discourse. It is this which he did to the first Catilinaire. The altercatio dissappeared from it, but, however, it seems that in searching closely for it some trace of it is found. The ardor of the fight remains there, and even in those sentences which follow eachother, the dialogue sometimes is understood. The orator presses his adversary with passionate questions: "Do you remember.....? are you able to deny?...." He observes his answers when he made any: "You tell me - make a proposal to the Senate." He triumphs even more in his silence: "Why therefore are

you silent? Try to contradict me; I shall convict you of lying." At times he appeared as if intoxicated by his success, and his joy was betrayed by this air of insolence of a man who bravely brandished a sword against an enemy who was stealing away: non feram, non patior, non sinam! If in this same part, in which he was not able to produce exactly the original discourse, he intended again to draw close to it, if he wished at least in some way to recall the memory of it, why should he deviate from it elsewhere without necessity? There was no reason for reworking that which had succeeded so perfectly and obtained all the result which he desired. It is therefore natural that he produced his speech faithfully, and in order to reproduce them, it was sufficient for him to consult the notes which his secretaries had taken, part while he spoke and part much later, or to trust his memory, the faithfulness of which is well known. This is what he did for his other discourses; it is what he did with this one. Without doubt, it is not impossible that he believed it necessary to strengthen certain points which he had treated too rapidly the first time, although the first Catilinaire is short enough and within the ordinary limits of a Senatorial discourse; perhaps he thus rounded off certain periods, added some piquant trait, some elegant epithet, by the incurable vanity of a scholar; but these changes must have been of very little importance and it is right to believe that, essentially, the discourse which we read today is almost the same as that which was pronounced before the Roman Senate on that glorious day.

This point having been made, let us come to the discourse itself. Nothing was more delicate, nothing more complicated than the circum-

stances in which Cicero made the speech. He wished to obtain from Catiline a voluntary departure from Rome. He used, in order to obtain this, all the resources of his art; he mixed threats with entreaties; he enumerated, with a frankness which did not always appear clever, the reasons why he demanded this of him. One will not be surprised that he was thinking of his personal security. Let us remember that that very morning he had been the object of an attempted assassination., and this was not the first time. After having tried many times to have him killed in public, someone had just sent men to kill him at his own home. His emotion and even his fear understood. Between him and this enemy, who left him no respite, it was necessary for him to place a barrier or, as he said, "to place a wall" which would permit him to breath in peace. But, if he was preoccupied with these dangers, it is understood indeed that he laid even more stress on those dangers which the citizens were facing. He was convinced that in removing Catiline he was assuring public tranquillity. What was strange in this situation was that Catiline was as desirous of going away as Cicero was to see him go. One thinks wisely that their reasons were not the same. Cicero believed that the departure of Catiline was the safety of the Republic, and Catiline believed that it would be the death of it, and the motives which made them believe it are easy to understand. Catiline was before all a soldier; he had littel confidence in his partisans at Rome, who talked so much and did so little. He longed to find himself in the midst of those old bands which seemed to him the real force of the conspiracy. For Cicero, whose

whole life had been occupied with politics, who had hardly taken his eyes off of that city which he seldom left, the conspiracy was completely at Rome, it was there that it was necessary to oppose and conquer it. The rest of the business would be in the hands of the legions, whose victory never appeared doubtful to him. Besides, he knew as well as Catiline what the conspirators at Rome were able to do. He knew that only their leader was to be feared, and he knew that once he was out of the way, the others could easily be reasoned with. That is why he so vehemently desired his departure.

One will without doubt say that he had no need to plead with so much insistence that he depart, since he was able to compel him. The senatusconsultum with which he was armed, gave him the power, and if, as it seemed, he feared to charge himself with so fearful an initiative, he could frankly have demanded the Senate to share in the responsibility with him. But he was able to fear even that the Senate might refuse that; he was not ignorant of the fact that a large number of the Senators, the majority perhaps, were not disposed to take any compromising measures. That which proved that he knew it was a strange incident which took place during the case. One time when Cicero insisted most vehemently that his adversary depart on his own and not wait until the Senate condemned him to exile, Catiline, exerting his audacity, responded that, to the contrary, he wished it to decide the question. "Make the proposal of it," he said to the consul, "and if it condemns me, I shall obey." Inorder to speak with this assurance, it was necessary

that he believe that the Senate would do nothing about it. Cicero also suspected it, and, as he did not wish to expose himself to a refusal, got himself out of the situation by means of a clever expedient. "No," he answered, "I shall not make a formal proposal, which is strange to my character, but you are nevertheless going to know what this Senate thinks of you"; then, addressing him even more directly and with more force: "Catiline," he said to him, "leave Rome, deliver the Republic from its terrors, and, if it is this word which you are awaiting, go into exile." This word having been let loose, he became silent. No approbation was heard, but also no murmur, and Cicero, after having been silent a minute, without doubt took up the speech again: "You see," he said, "they have heard me and they are silent. What is the need of their voices when their silence tells you their sentiments?" And he continued in this tone. He was therefore convinced that he was able to ask from the Senators no other manifestation than of saying nothing; their courage went no farther than silence. This scene was characteristic; it must be remembered when one is attempted to accuse Cicero of weakness. What could he do, having for support only some men whom he knew to be incapable of strong resolution? Since he did not dare to impose exile upon Catiline, he saw himself reduced to advise him to go. He showed him, with all the ability of his insinuating eloquence, the shame which there would be for him to live among citizens who feared and hated him. He went even so far as to pity the fate which had created for him this general hatred. He asked him, many times, to go away as a personal favor, and he

inferred that Rome itself took up the word to plead with him to do it, although he knew very well that Catiline had no desire to render favors to his enemies and that a man as he, whom he accused of wishing to set Rome afire, was not able to be very sympathetic to the prosopopeia of the Fatherland.[1] It must be confessed that all this pathos hardly appeared of a nature to touch Catiline, and that it risked producing the opposite effect. Was it not to be feared that he might be led, in spite of the decision which he had taken, to have a slight desire to remain? But since Cicero did not believe it possible to employ force, he was obliged to take recourse to persuasion.

It is true that he had an easier way to get out of the difficulty; all he had to do was keep quiet. He knew that Catiline had decided to go away and that all his preparations were made; therefore he had only to let him depart. But this is exactly what he did not wish. It was necessary that he depart only under certain conditions which would render his return impossible. If he appeared to yield to force, one could have believed that he was a victim of the abuse of authority, and he would find some men to pity him. To the contrary, in departing himself, under the reproaches of honest men and because he felt that it was no longer possible for him to remain, he would seem to acknowledge the crimes of which he had been accused, and it would become impossible to doubt them since he admitted them himself. In this way there would remain no more incredulous people and he would obtain this that unanimity of

1. Prosopopeia is personification or the representation of a dead or absent thing. His meaning here, I believe, is that the idea of the Fatherland meant nothing to a man whose sole desire was to rule and pillage.

opinion which might save the Republic. But in order to succeed in this, in order to bring about his departure voluntarily and forced at the same time, it was necessary that the discourse of the orator vascillate ceaselessly between threat and persuasion. That is the nature of the first Catilinaire and that is why, at first glance it is so hard to understand. The difficulty of the situation is reflected there, and this difficulty was such that Cicero himself, when, on the next day, he told the people what had happened, lacked terms of expressing how he had brought it about that Catiline departed. "We have chased him out," he said, "or, if you prefer it, we have opened the gates for him, or even better, we accompanied him with our words while he was departing." (Cat., II, 1.). The first expression (eiecimus) is evidently too strong, and Cicero defended himself a little later for having let it slip out; it was only much later that he made it an honor as if a title of glory. The second word (emisimus) is yet more suitable; the gate had not only been held open, but he had been given a little push as he went out, as is done to beasts that are cast into the arena. But the last (egredientem verbis prosecuti sumus) is the very truth. Catiline left; Cicero accompanied him with his invectives. He must not be allowed to return to Rome proudly, with head high as one of those generals of ancient times for whom his friends made a procession from the Capitol to the gates of the city, whence he took command of an army. It was necessary that at the last minute an eloquent voice arouse against him the indignation of honest men, and that he go out with head lowered under the anathema of the consul.

Such was the design of Cicero in his first Catilinaire, and since he succeeded in it, Sallust had good reasons to say "that it was useful to the Republic.

II

During the discourse of Cicero, Catiline was attacked; when the consul attacked him, he took words to answer him. He saw, indeed, that the assembly was not favorable to him and that it was necessary to reclaim it. In place of that insolent tone which he had taken in the meeting in which he answered Cato, Sallust said "that he lowered his eyes and spoke in a suppliant voice". This was not his custom. But he did not have the same reasons to treat Cicero with caution; to the contrary, he sought in discrediting him to flatter the aristocratic emotions of his audience. He spoke of the gens Sergia, of the services of his forefathers, and his own and "asked if it were possible that the patricians, as himself, descended from such a family, would wish to destroy the Republic, while it should be saved by Marcus Tullius, a citizen of the country, almost a stranger." (The term which Catiline uses is rather strong. He said that Cicero was at Rome a simple tenant, inquilinus.) He wished to continue in this tone, but he was not allowed to proceed; the beautiful words of the consul still resounded in all their ears. He was interrupted, treated by everyone as a public enemy, and he angrily left the meeting.

There remained for him nothing to do but leave Rome. It has been seen that he had decided to do this. It appeared, however,

that at the last minute he hesitated, since one said "that he revolved a thousand plans in his mind." He was going to play the major role and could ask himself if he really had a reason for separating himself from the Forum and Senate and leaving to others the direction of his enterprise. But, on the other hand, he saw that the government was making preparations for the struggle and was going to levy troops. He was interested in forestalling it and in placing his small army in movement before there was time to assemble the legions. Moreover, the scene at which he had just been present must have given him something to think about. He could no longer doubt the change which had taken place in public opinion. His plans began to be known and condemned. The consul and the Senate had, for the first time, given some evidence of energy. Anything could be expected. In the middle of the night, while he was writing to Catulus to inform him of his resolutions, someone came to tell him that they were preparing to arrest him. He believed it and hastened to depart with some faithful friends.

Feeling must have run high at Rome the next day, when his departure became known. For many days the city had been in process of changing appearance. The precautions taken by the consul, which he intended indeed to hide, had suddenly revealed the danger. From the enjoyment of a long peace one found himself brusquely cast into the terrors of a civil war. Everyone was anxious, agitated. "The women especially, for whom, by reason of the power of the Republic, the fears of civil war were a thing unknown, delivered themselves to a clamorous grief: they raised their hands to heaven

they bewailed the fate of their children, pressed questions upon the passers by and they were frightened in everything." (Sall., 31.). When Catiline was seen to leave Rome, no one doubted any longer that hostilities were going to begin.

Cicero doubted it less than all others. So he hastened to take the most urgent measures to make the city protected from a surprise attack. With the men which he had at his disposal, although they were few in number, he believed he was able to he responsible for the safety of the streets. He enjoined, more than ever before, upon the citizens of the outskirts the defense of their homes. From the first hour the colonies and the municipalities of Italy had anticipated to close their gates and to hold themselves on guard. That was not enough; in order to have an answer for Catiline it was necessary to think of assembling heavy forces. By a happy chance, there were at the gates of Rome two generals, Quintus Marcius Rex, and Quintus Metellus Creticus, who were asking for the honors of triumph, to which they had a right, but which was being contested. In waiting for it to be accorded them, they had kept some troops, according to custom, to accompany their triumphal chariot, when they were permitted to ride to the Capitol. The soldiers which were at hand were used without delay: Metellus was sent into Apulia, where the slaves were rising up; Marcus Rex was sent to Faesulae, and even this last one, who departed before the meeting of November 7th, happened to anticipate the arrival of Catiline.[1] At the same time, levying of troops was ordered around

1. If this translation is correct, I see nothing remarkable in the fact, unless it was the moving of the troops.

Rome, and it was decided to form an army of them which would be placed under the command of the other consul, Antonius. The two Praetors, Quintus Pompeius Rufus and Quintus Metellus Celer, were sent in all haste, one to Capua, the other into Picenum, at the foot of the Apennines. In that place were three legions which probably were watching over the movements of the Gauls (legiones gallicanae). Metellus received the order to complete them and to prevent Catiline from rushing into Cisalpine Gaul. These measures were clever and must have had complete success. They were great honors to the military men who advised Cicero, and to Cicero himself, who adopted them boldly and had them executed. It is necessary to recognize that this man of speech showed himself here a man of action.

As these things had to be agreed upon by the Senate, the Senate was immediately convoked. But in order that he might lose no time in this, while the Senators were coming to the Senate-house, Cicero assembled the people around the tribunal and gave what has been called the second Catilinaire.

This discourse had a great quality, the greatest quality a discourse is able to have: it was animated. This was, however, the characteristic of almost all of those which Cicero spoke before the people. His senatorial harangues had more magnificence, but they were also colder and more studied. When he spoke to the people, one feels that he was completely at ease; he put there more gaiety and warmth. He had good reason, in his polemic with Brutus, in the question of the Greeks, to maintain that he was a popular orator.

Cicero mounted the rostrum in order to inform the people of this which had just taken place, but his design was especially to prevent them from conceiving any alarm of it, and it ought to have been rather easy to reassure them because at this time he himself had full confidence. As it often happens to the timid, he was tempted to believe that a danger was suppressed when it was removed by distance: thus one feels that, at the beginning of his discourse, his joy overflowed. It was truly a chant of triumph which he intoned: exultant, triumphat oratio mea; the words press themselves upon his lips in order to say that the public enemy is no longer at Rome: abiit, excessit, evasit, erupit. He had just scarcely gone, but it seemed that everything took on a new appearance: relevata mihi et revreata respublica videtur. In order to completely convince those who heard him that success was certain, was it not sufficient to set the defenders of the Republic opposite its adversaries? This parallel was the occasion for him to point for us some pictures, in which art he excelled. The whole party of Catiline, with its divisions and subdivisions pass before our eyes. The people must have found great pleasure in these portraits, so animate, and under which it was easy to place the proper names. Cicero laid the least stress upon the army of order; one short enumeration sufficed him: it contented him to show that it included the Senate, the knights, the true Roman people, colonies and municipalities, "the flower and the strength of Italy." If he said nothing more of it, it was because he did not have much good to say of it; he had few illusions of his partisans: he knew by experience that they were fearful, irresolute, attached to their

interests, that they feared to implicate themselves, that they above all clung to the convenience of not being troubled in their tranquillity. What proves that he knew them is that twice he promised them that he would preserve peace "without their having any difficulty and their repose being troubled." (Cat. II, 12.). They were not men to sacrifice the regularity of their habits and their pleasures for the safety of the Republic.

One of the reasons which made Cicero so happy at the departure of Catiline was that it seemed to him henceforth he would not be able to remain without fear of his plans. "Finally," he said, "we are going to fight in the light of day; that man is forced to do openly his work of robbery. (Cat., II, 1.). I have attained the goal which I set for myself: there is no one who is not forced to avow to the existence of the conspiracy." He was wrong; everyone was not convinced. There remained some men - in small number without doubt,- who pretended to believe, or to say, that Catiline was not guilty and who accused the Senate of having exiled him without trial. They said that this honest man had accepted without complaining an unjust sentence, in order not to disturb public peace, that it was not true as it was maintained, that he had gone to the camp of Manlius, that instead of going to take command of revolutionary troops, that he had set out towards Marseilles, that is to say towards the city which all the banished noblemen of Rome chose as a preference to pas the time of their exile. It was this which Catiline himself maintained in departing, and which he wrote to some of his friends, without a doubt in order that no one might have the idea of pursuing him. Cicero was satisfied to answer that he

wished indeed that this were true, and that as a good citizen, he would be happy that thus one had been able to avoid a civil war, but that unhappily he was not too sure of what Catiline intended to do. "IN three days," he said, "you shall know where he has gone." He had departed on the Aurelian Way, which in reality could lead to Marseilles as well as to Faesulae. He seemed to go away with regret and walked slowly. He even stopped for three days at Arretium at the home of a friend. From there he went to the camp of Manlius where, renouncing all deceit, he put on consular armaments and had himself preceeded by lictors. The Senate, on learning it, declared then, Manlius and him enemies of the country: this was to place both of them outside the law.

The day of his departure, there occurred an event which must have made a profound impression in Rome. A young man, A. Fulvius, son of a Senator, whom this sway which Catiline held over the youth of Rome drew along, started out to follow him; but he was met by his father, who led him back home, condemned him to die and had him executed. One was no longer accustomed to those severities of other times and it is probable that many were frightened by it. Sallust, who told of the incident, did not add a word of praise or blame. Some years later, Virgil, in the rememberance which he gave to all the great men of the Republic, having depicted the consul Brutus, judge and executioner of his children, asked what judgment posterity would place upon this action which their forefathers had glorified. As for him, he was not able to refrain from hurling a cry of deep pity:

Infelix! Atcumque ferent ea facta nepotes,
Vincet amor patriae! (Vir., Aen., VI, 822.).

III

The joy of Cicero, when he learned of the departure of Catiline, was not without some disappointment. He had hoped that he would lead out with him everyone, and he was very disappointed to see that he was followed only by some insignificant men. Thus he employed all his eloquence to persuade the others to go find him: "the gates are open," he told them, "the roads are free, their leader awaits them; would they let him pine away with desires?" In any case, if they insisted on remaining, he advised them to keep peaceful. "At the least movement they made, they would see that Rome possessed vigilant consuls, devoted magistrates, a firm and vigorous Senate; that she had arms and a prison which their ancestors had built for the punishment of major criminals." (Cat.,II,5)

They did not depart and continued to conspire. Perhaps the departure of their chief was a relief for many of them. Some were no longer in complete agreement with the part.There were in it some ambitious who tolerated the superiority of Catiline painfully and intend to work for their own benefit. Those men were not dissatisfied to be freed from a hindering authority and to be able to act in accordancy with their desire. Catiline having gone, the first rank among the conspirators fell without dispute to Publius Cornelius Lentulus Sura, from one of the first families of Rome, whose political life had been picturesque enough. His name, and also, without doubt, the favor of Sulla, had led him very quickly to the consulate. But he showed himself, in his offices, such a

shameless thief that he ended by setting even his patron, Sulla, against himself, although he was very indulgent to these kinds of crimes. To all complaints made against him he answered with some kind of witticism. Accused of evident embezzlement, he bought off his judges, and when he was freed by a two majority, he said, " I have paid one too many ". He made so much of it that the censors, in 69 B.C., expelled him from the Senate. He did not enter it again until the year when Cicero was Consul, having had himself elected praetor. He was a good speaker who pleased the crowd with his grand appearance and his powerful voice; but he had a mediocre mind which believed in soothsaying; an irresolute man who did not know how to make a decision. Cicero called him a sleepy-head. His slowness was in contrast to the foolish rashness of Cethegus, who, after Lentulus, held the second place in the conspiracy. He was one of those conspirators by habit and temperament, the likes of whom we have known many in our time, always ready to cast himself in some adventure. When he had decided to try a surprise attack, he would allow no one to cause him any delay, and he treated as cowards all those who allowed themselves to offer any suggestion. The conspiracy was therefore kept in suspense between those two extremes of audacity and timidity, and it was natural that no one was in accord with it. They ended up, however, by agreeing on the time when the blow should take place. It was to be towards the last days of the month of December, during the Saturnalia, which were a kind of carnival for the Romans.

* Error in numbering. Add one to each page number hereafter.

Cethegus did not fail to find out, according to his custom, that they were waiting too long, but he was answered that the massacre would be easier in the midst of the tumult of a festival, that the tribune came into office on December 10th, and that one of them, the popular emotions against Cicero by attacking him at the rostrum. The real reason was, without doubt, that Catiline was to interfere in the contest and because it was necessary to give him time to prepare himself.

While waiting for the decided day, the conspirators sought to raise some recruits. They were taken a little from everywhere, and without much choice. Along with some citizens, it appeared good to enroll also some strangers: and at that time there was at Rome a deputation of Allobroges with it was thought they would be able to come to some agreement. It was a Gallic nation which lived between the Rhone and the Ise, in the country which later made up Dauphine and Savoie. It had been only a few years since Rome had conquered them, and, in their quality of new-comers, they had been exploited without pity. They were burdened with taxes of all kinds, taxes for the lodgement and the passage of troops which were going to Spain, taxes for the maintenance of soldiers which had been levied among them, especially taxes on the transportation of wine, which was the wealth of the country. But the greatest of all the plagues of the province was still the invasion of Roman traffickers (negotiators) they had come, as always, in the footsteps of the legions and had suddenly taken a great importance; Cicero said that no money was circulated in

Gaul which had not passed through their hands. These traffickers took charge of procuring for some money for these cities ruined by taxes, and, as one lent to them only at high interests, they thus rendered their ruin more certain. The Allobroges did not cease to complain, but no one took the trouble to listen to them. The deputation which was at Rome at this time had been no more successful than their predecessors. The Senate was deaf to all their demands, which reduced them to such despair that they said that there remained nothing for them to do but die.

It would be thought that in this condition they would readily lend an ear to the propositions which would be made to them. Their help was not to be despised; it was a warlike nation which was especially able to furnish Catiline with some cavalry, that is to say, this which is most lacking to an improvised army. A freedman, Umbrenus, who had carried on some business in Gaul and knew the most important men there, was given the task of making overtures to them. He accosted them in the Forum, probably while they were in the Grecostase, a porch where the Ambassadors of foreign people, to whom the Senate gave an audience, met. He appeared to hear their complaints with sympathy and told them that, if they were men of courage, he would furnish them a way to deliver themselves from their miseries. Then he led them to Sempronia, in the house of Dextius Brutus, which was in the neighborhood, and placed them in conversation with Gabinius, a conspirator of importance, who had been sent for.

When they knew, in a way still vague, what the situation was and what was demanded of them, they were in great indecision. It was not motives of honor which made them hesitate: They simply asked themselves which would be most useful and whether they would gain more by participating in the conspiracy or by betraying it. They consulted Fabius Sanga, their patron, who showed them that it was the government which had the better chances of success, and there was no trouble for them to decide to place themselves with the stronger. Cicero was immediately informed, and he asked the deputies to continue the negotiation. It was a grand way to learn the plans of the conspirators and to take them all at one time, in the same casting of the net. Before committing themselves, the Allobroges needed to know if the plot were in earnest. It was natural that the names and plans of those with whom they were being asked to associate themselves would be made known to them. They were within their rights to exact some formal assurances, some written promises which they would be able to communicate to their fellow countrymen in order to obtain their compliance. Nothing was refused them. It was thus that they were brought up to date concerning all that was being prepared and that they obtained some letters from the principal conspirators, written in their own hand, with their names and their seals. Those barbarians were prudent men who knew perfectly well how to play their roles. When all was ready, They announced their departure for the morning of December 3rd. They were to follow the Flaminian Way, which crossed the Tiber

over the bridge Mulvius (ponte Molle). Cicero had taken care to send ahead two praetors, who were devoted to him, Lucius Valerius Flaccus and Caius Pomptinus; they led silently some soldiers of whom they were sure, and hid them in two farmhouses, on e on each side of the bridge. The Allobroges arrived at the end of the third watch of the night (about four o'clock). They had with them Titus Volturcius of Croton, entrusted to accompany them to the camp of Catiline, where they were to stop in passing, and some conppirators who were conducting them. When they came upon the bridge, the troops came out of their hiding place, raising loud cries. The Allobroges, as is thought, did not defend themselves; the others, seeing that resistance was impossible, allowed themselves to be taken, and all of them were led back to Rome.

Immediately the consul was informed, who, at early dawn, sent for those conspirators who were most involved. It was decided to prosecute only nine of them; out of this number only four were found at home; a fifth saved himself at the last minute, but he was taken during the day. They were held under strong guard while the Senate decided their fate. The consul had convoked it immediately, and it must have been assembled without delay in the temple of Concord, of which there remains only ruins, at the foot of the Capitol. Cicero doubted whether the meeting was going to be veru important; he was not ignorant of the fact that it could have the gravest consequences for him and that his enemies might seek in it some day some reasons to

destroy him. He wished, therefore, in his interest and in the interest of the Republic, that there remain an exact account of what was going to take place there. The verbal processes of the Senate meetings were ordinarily written out with some negligence. He took his precaution to recount that one more faithfully than the others and wished that it might not be possible to contest the truth of it. " That was ", he said much later, " an inspiration from heaven ". (Pro Sulla, 14). He chose, among the Senators who had the habit and facility to write quickly, certain irreproachable men, who were at the same time men of intelligence, because it was necessary to have intelligence in order to grasp the word on the wing and to gather from what was heard what was worth saving; and he charged them to note with care what he himself said in the meeting. There were among them one praetor in office, Quintus Cosconius, some persons of the highest nobility, one Messala, one Appius Claudius, and Nigidius Figulus, one of the top-notch wise men of the time, whom one places on almost the same level as Varro. Cicero had good reason to say that no one would ever dare to accuse them of lacking intelligence or the honesty to transcribe the truth.

The meeting of the Senate was almost no more than a long examination. First, Volturcius was brought in with the deputies of the Allobroges. He trembled from fear, but he was promised that he would not be prosecuted, and he told all they wished to know. Since he was sent with Catiline to make the last arrangements, he was informed of all the plans, and he made them known.

The deputies, from whom nothing had been hidden, were inexhaustible with details. When the turn of the prisoners came, it was not difficult to obtain a confession from Gabinius and Statilius. Cethegus put up more resistance. An investigation of his home had been made and a quantity of daggers and swords had been found there; he maintained, in order to justify himself, that he had always been an admired of good swords. But when his letter to the chiefs of the Gauls was placed before him, signed by his hand, he was troubled and ceased to deny it. Lentulus was more envolved than the others by his boastings. In order to give himself some importance he entertained the deputies with a Sibylline oracle, which announced that three persons of the family of the Cornelii would hold the sovereign power at Rome. Cinna and Sulla had been the first two; he did not doubt that he must be the third, so much the more so because the auspices, which he also consulted, affirmed to him that the time had come when this oracle was going to be fulfilled. In the meeting of the Senate, when his letter to the Allobroges was presented to him, he denied that he had written it; but he was forced to confess that the seal was his own. "Really", Cicero said to him, "this imprint is easy to recognize: it is the image of your grandfather, a great man of virtue, who loved his country with passion. Completely speechless as it is, it should have prevented you from committing so abominable a crime." Confronted by the deputies he at first assumed an attitude of <u>hauteur</u> and had the appearance of not recognizing them. But when they asked him if he did not remember

having spoken to them of the Sibylline books, his confidence suddenly fell, and, to the general surprise, he confessed stammeringly all which had been accused of him. He confessed even that he was the author of a letter which he had sent, without signing it, to Volturcius for Catiline, and which was somewhat thus; "You will know whom I am by this one whom I send to you. Be a man of courage; think of the situation in which you have placed yourself, and see to what necessity binds you; take some auxiliaries from everywhere, even from the lowest ranks." This letter, almost impertinent, proves that between the leader and the accomplices there were some serious differences. It made allusion to the repugnance which Catiline had to enrolling slaves among the soldiers; Lentulus did not have the same scruples. After these examinations no doubt could remain. The letters, the seals, the handwriting, and the confessions of the prisoners furnished an undeniable proof of the crime. But Cicero added that those who attended the scene had before their eyes even more certain indications of it: "To see the pallor of the prisoners, their eyes lowered to the earth, their gloomy attitude, their consternation, the furtive looks which they cast at each other, they seemed <u>less</u> unfortunates who had been accused <u>than</u> criminals who denounced themselves." (Cat. III, 5).

The deliberation was short. Unanimously it was decided that the nine were guilty, and that those who had been arrested should remain prisoners until their final sentence. Lentulus was praetor and, since the magistrates were inviolable, could not be

legally prosecuted until he had gone out of office. It had just been seen that the consul, respecting up to the last the dignity with which the accused had been cloaked, conducted him to the Senate by the hand, while his accomplices were led in between soldiers. In order to suppress every appearance of illegality, Lentulus was urged to resign, and he consented to it. Following - the decision- thanks were voted to the consul " for having saved the city from fire, the citizens from massacre, and Italy from civil war. " Praises were accorded the praetors for their conduct of the affair of the Mulvian bridge. Antonius himself, the other consul, had also his part; he could not be congratulated for the good that he had done - he was thanked for abstaining from doing any harm. The Gods were not forgotten; it was decided to address solemn prayers to them of thanksgiving, which were called the supplications. Up to that time they had been voted only after a victory, and in order to honor the general, who had obtained it; this was the first time that it had been made for a citizen who did not command armies and who had not ceased to wear the toga. One understands that Cicero did not fail to have that pointed out.

The day was lowering; he was burdened with fatigue, but, however, there remained something for him to do. He left the Senate while the last decrees were being written out in completion and appeared in the Forum where an immense crowd had assembled; it was waiting to be informed of what had just taken

place. Let us remark on this occasion to what point the political life was intense in those ancient Republics. Intercourse was never interrupted between the people and their officials. Directly, without intermediary, without any delay, it was constantly keeping them advised of what was able to interest them in their affairs. Rome, at the same time when she became mistress of the world, was still a small municipality, like the small communities of Latium and the Sabine territories, and it had preserved all the customs of them. In order to satisfy the impatience of the citizens, hungry for news, Cicero mounted the rostrum immediately and pronounced his third Catilinaire.

It has the same interest as the second, alive as it, passionate, and popular; it contains, first, the resume of the meeting of the Senate which was just over, a resume which reproduced the movements of it and gave the impressions of it. The orator, in an account which must have raised the spirits of the assembly, displayed the pitious attitude of the prisoners; he laid stress on the blunders which they had committed, on the confidences which they had made without precaution to strangers, on the letters which they had sent them and which had served against them as an undeniable witness. "Never", he said, "did robbers who pillaged a house have themselves caught so foolishly." The last part of his discourse has a completely religious character. It is necessary to recall, in order to understand it, that, among the Romans, religion was a part of their patriotism. They were so persuaded that the gods were busy with their affairs and did

not cease to work for them that they were not able to imagine that any event would happen to them, happy or sad, in which they should not have a part. The people would not have believed in the real importance of the conspiracy if they had thought that the gods were not interested in it. Thus Cicero had great care to recall all the omens that the praetors had noticed and by which the Republic had forestalled the dangers which menaced it. It was, ordinarily, some frightful storms which broke forth suddenly, the earth's trembling, some strange voice which someone believed he heard, the sky which shone with sinister lights. But, to the prodigies to which one was accustomed he joined this time some more significant. The preceeding year lightening had devastated the Capitol many times, throwing down the temple of Jupiter, striking a gilded flock, object of public veneration, which represented a she-wolf suckling the divine twins. Expiatory sacrifices had been celebrated, and it had been decided to replace, as fast as possible, the destroyed statue by another which would be greater and more beautiful. But the work advanced slowly. The statue was ready only in the last days of the consulate of Cicero, and he found that it could not be installed until the third day of December, the same day on which the conspirators appeared before the Senate. This coincidence was of a kind to strike the people; Cicero, although he had little confidence in omens, and although he was later to write a book against devination, did not neglect to draw from it this time a great oratorical effect, and we can be sure that this was one of the most applauded passages of his discourse. He ended it with

these certain words: "Night is falling, citizens; go address your homages to Jupiter, the guardian of this city and of you. Afterwards retire to your homes, and although the danger is passed, do not cease to watch out for your safty as on the preceeding night. To deliver yourselves from these cares and to permit yourselves to enjoy finally a true peace, entrust yourselves to me, Romans; I make it my business.

IV

That night Cicero did not return home; it was the feast of the Bonne Deesse - the good goddess -, one of the remains of the oldest Roman religion; it was celebrated every year on the night of December third, in the home of the consul. It was presided over by his wife, aided by some women of highest rank and the college of Vestals; men were rigorously excluded from it. The Bonne Deesse this time condescended to perform a miracle. The sacred fire, which was almost extinguished on the altar, reshone suddenly with such an intensity that the flame raided itself up to the coping of the house. Terentia hastened to go announce this good news to her husband. As she was superstitious, one thinks rightly that the miracle, with the interpretation which the Vestals gave it, moved her greatly, and that she drew from it the most favorable omens. The women who had been witnesses of it did not fail to retell it, and the account must have been variously received. A skeptic like Cicero, who made a declaration of not believing oracles and omens, having become the ob-

ject of heavenly manifestation, could impart a smile, and the devils did not allow themselves to make a mistake of it. One even jested, without doubt, at the haste which Terentia had taken to inform him of it, as if she felt there was need, on this occasion, that some one give him courage. It was well known that she made a perfect contrast to him. If she was of moderate intelligence and a slightly unfriendly character, as recompense she had the quality which he lacked the most, decision; ambitious, dominating, jealous of her domestic authority, which she even desired to extend outside of her home, she was, said her husband, more disposed to participate in public affairs than to allow him a part in domestic affairs. She saw to what extent the circumsatnces were serious and did not wish to allow this active and mobile mind pass too quickly, as was his custom, from joy to anxiety, from assurance to fear. Moreover, she was not alone in doing this. We are told that Quintus Cicero, so inferior to his brother, but more enerjetic than he, and the savant Nigidius Figulus, who was also a man of great courage, were very much preoccupied in preventing him from yielding to any vexatious exhaustion.

The day of December third had been only one triumph for Cicero. That of the next morning was mixed with less happy incidents. In the meeting which the Senate held there were decreed some public recompenses to Titus Volturcius and to the Allobroges, who had revealed the plans of the conspirators. Was it this which encouraged the zeal of the denouncers? They were numerous at Rome

and formed a veritable corporation. They were seen parading near the tribunal with their bundles of papers under their arms, always ready to accuse men in order to get the fourth of their wealth, which was alloted to them whenever they had anyone condemned.(Horace, Sat.,1,4,66). They were thought little of but made use of very much, and it was necessary, indeed, to make use of them since there were not at Rome, as with us, any public indicters. A certain Lucius Tarquinius, who had been arrested on the road while he was going to meet Catiline again, promised to give some new information concerning the conspiracy, provied that he could be assured that he would not be prosecuted. He added some details to those that were already known, and named Crassus among the conspirators. But hardly had he pronounced this name than cries of indignation arose from all sides. Crassus had many friends, and debtors. He was creditor for part of the assembled nobles; he could not be guilty. It was therefore decided, without any investigation, that Tarquinius lied and that he should be held in prison until he would say who had advised him to speak this lie.

The turn of Caesar followed. He was accused, in the Senate, by Curius, at the same time when Vettius, an accuser by profession, brought him before the quaestor Novius Niger. They both maintained that they had from Catiline himself the proof that he was guilty. Caesar answered Vettius only in arousing the people against him and having him thrown in prison. But before the Senate it was necessary to make an explanation; he appealed to the testimonial of Cicero and defended himself so well that the Senators deprived

his accusers of the recompense which had been promised them. With respect to this Sallust reported that Quintus Catullus and Gnaius Piso tried to obtain from Cicero, by all means, even offering him money, that he have Caesar accused by the Allobroges or by some other, and that, not being able to make up his mind on it, they busied themselves to spread some calumnious rumors, which they attributed to Volturcius or to some other well-informed persons. These rumors conveniently spread abroad ended by exciting against Caesar a furious hatred, so well that on the next day when he went out of the Senate, the knights, who were mounting the guard, cast themselves upon him and would have killed him if he had not been protected by the devotion of his friends and the opportune intervention of Cicero.

It is even today a question of controversy to know whether Caesar and Crassus were really engaged in the conspiracy. It does not seem difficult to me to solve, when one remember the distinction which was made earlier between the real conspirators, those who took part in the secret meetings and who were informed of all the plans, and that multitude of ambitious men, the discontented, who, without knowing exactly and in detail what Catiline proposed to do, favored his enterprise, thinking, whatever happened, to gain something from it and helped him, as long as it was possible to do it without envolving themselves too much. These were two different categories, and, if the spirit of the party had interest to mix them, justice demands that they be separated. It is too obvious that Crassus that Crassus was always for the conspirators only one of those doubtful adher-

ents who was carefully kept ignorant of all important secrets. He was asked for money for the success of the electoral candidature of Catiline, and he did not refuse to give money to him in order to be disagreeable to the Aristocracy. But he quickly changed his sentiments when he knew the plans of the conspirators. He, who was the banker of the greatest men in Rome, could not have much sympathy for men who wished to abolish their debts and set the city on fire. He turned brusquely to Cicero, to whom, as it seemed, he came to tell all that he knew, and in the meeting of December third, he voted for all of the measures which were proposed against Lentulus and his accomplices. Would he have dared to do it with so much assurance if he could have feared being envolved in a direct manner in the plot?

I have no more doubt concerning Caesar than for Crassus, whatever is said; it is impossible for me to picture a men like him, with such great designs and such exalted views, placing himself behind Catiline and engaging in an enterprise, in which it was a question only of pillage, massacre, and conflagration. He was the heir of the Greeks, the avenger of Marius; he wished to reorganize the Republic; how could he act in concert with men who belonged to no party and who had no political idea in their heads? The reasons which Mommsen gives to enroll Caesar in the conspiracy do not appear to me to be well founded. (Hist. Roman, VI, page 350). He remarked that he made use of some conspirators in his following, But it must not be forgotten that a man who came to make a revolution is not always free to chose his associates as he wishes; he took them where he found them.[1] He took

1. Seldom are historians more inconsistant in one paragraph than M. Boissier is here.

Sittius and Publius Sulla, who were good military men, because he needed suitable generals. He took Caelius, an eloquent blunderer, who could be useful to him in his fight with the Senate; in which, however, he made a mistake, because Caelius, who did not stick anywhere, did not remain faithful to him long. Mommsen adds that Caesar, when victorious, carried out the plans of Catiline, and he cits, in order to convince us, the agrarian law of Rullus. But we have already shown that this law had been inspired by Caesar; Catiline was next to nothing in it. When Caesar had it voted by the people, it was his boon that he took up again; he did not borrow the work from another. Suetonius said that when Caesar knew the dangers that the conspiracy made for the Republic, he did as Crassus, and went and warned Cicero. (Sue. Cae.,17); only he kept himself from imitating Crassus who wisely remained at home on the day when the conspirators were judged; he came bravely to defend them, not that he possed much sympathy for them, but it was a question of laws protecting citizens, ancient conquest of the democratic party, and he wished to make it respected. In the discourse which he pronounced for this purpose, the conspiracy was severely condemned; he called it a crime, a transgression; he said many times that the conspirators would never be punished enough; he called them parricides. When anyone knows Caesar, he has no trouble to believe that he would thus treat, after their defeat, men to whom he had just offered his aid, whom he counted on in their victory. All that one is able to say is that the conspiracy served his interests;

it disturbed a government which he wished to overthrow, and it is natural that it happened without displeasure. Whatever might be the result of it, it would always turn out to his profit. Catiline conquered would not make this uneasiness which made peaceful men wish a change of regieme any less; and if by chance he had succeeded, his success could not endure the following day; the Republic, at its wit's end, would hasten to find a savious, and this is just what Caesar was waiting for. That is why he did not prosecute Catiline at the same time as the other authors of the proscriptions of Sulla; he had even helped him in his candidature. But he went no further, and he protected himself well from doing anything which might be able to hurt him in the future. Even his ambition, which advised him to treat the conspirators kindly, prevented himself from implicating himself with them. One could not say, therefore, that he was really one of the accomplices of Catiline, and Cicero, who knew him well, treated him as an honest man when he refused Catullus' request to mix him with the others and to profit from the occasion to destroy him at the same time as them.

But he maintained himself in discreet politics; it was not wise, in so great a peril, to place too many enemies on his arm, and especially enemies so desperate. The five whom he had retained created already for him some difficulty. The Senate having decided, in their meeting during the night, that the prisoners should be guarded, they had been submitted to that kind of imprisonment which was called <u>custodia libera</u>, and which

was really a mixture of imprisonment and freedom. It consisted of entrusting them to the custody of some persons of their acquaintance, who were responsible for them, and at whose home they waited with more impatience the time to be judged. In this way the restraining prison, which displeased the Romans very much, found itself softened and almost suppressed. Crassus and Caesar were of the number of those to whom the custody of the prisoners was given: The Senate intended to give to them a public mark of confidence. One might think that this kind of custody was not very rigorous and that the prisoners could easily escape; but since the death penalty was almost never applied any longer, they had no reason to flee, since they could always at the last minute prevent a too harsh a penalty by a voluntary exile. This time, however, in the grave circumstances in which they found themselves, things could turn out worse than ordinary. The prisoners and their friends were in anxiety over it. Cethegus had it told to his slaves and clients, who were aflamed and resolved for him, to assemble and come <u>en masse</u> to make assault on the home of Cornificius, in which he was held. The men of Lentulus gave themselves much trouble. One of them was seen, who was a sort of base go-between, who had committed himself to pleasures, to enter among the shops and offer money to those who would follow them. Others, addressing themselves to the leaders of the popular societies, whose business it was to incite riots for pay. Cicero understood that, if he wished to prevent anyone from saving the prisoners, he had no time to lose, and that it was necessary to take final measures as soon as possible. He convoked the Senate for the next day.

CHAPTER V

THE NONES OF DECEMBER

I

The fifth of December, or, as the Romans said, the day of the Nones of December of the year 691 (63 B. C.), was one of the greatest parliamentary days of Rome. The question which was going to be debated that day before the Senate, the right of punishing, is perhaps the gravest that is able to arouse a deliberating assembly. It was also a revolutionary day; it recalls certain meetings of our National Convention, those in which the sections in arms, and coming to demand certain heads, filling the place of the Carrousel, where the cries of the crowd penetrated even into the room astir with the declamations of the orators and came frightening the deputies on their benches. One is going to see produced at Rome something of those violent scenes.

The excitement was great since the conspiracy was discovered; but it must have been redoubled when it was known that the fate of the conspirators was going to be decided. From all parts of the city people came to the Forum, which was the center of political life. Cicero declared that this crowd was favorable to the Senate and took oath to defend it, and on this point Sallust is in accord with him, (Sall., 48.), he maintained that since two days there had been produced a complete and sudden change in public opinion, and both of them attribute it to the same cause. A revolution

was not to scare the populace of Rome as long as it could believe that it had nothing to lose, and even that it had nothing to lose, and even that it could gain. It took to fear when it knew that conflagration had been proposed along with the pillage. The pillage menaced especially the palaces of the noblemen, but conflagration touched also the home of the poor, and it was especially in its home that it held all of its fortune. "All these common people of craftsmen," said Cicero, "were by their situation likewise friends of tranquillity. Peace nourished industry. They needed, in order to live, that buyers may come to them in great numbers. If their profits diminished on days of riots, when they were forced to close their shops, what would happen when they should be burned?" That is why he thought that the class of freedmen, in whose hands was retail commerce, was entirely devoted to the government and there was not even a slave, if his condition was ever so little tolerable, who did not make prayers for his success. It is necessary to believe, however, that if the partisans of the Senate were most numerous, there was also, in the crowd, some people of opposite opinion; certain ones, who perhaps were pretending, were preoccupied with the fate of the prisoners; others, more openly, were concerned in Caesar and feared that he would run some danger, so much that, in a moment of emotion, he was obliged to make himself seen in order to reassure them.

Cicero, whatever he said, dod not ignore it. He knew that the conquered party was aroused and feared that it might try a sudden attack. That which proved it was the precautions which he took in order to resist it. First, he convoked the Senate in

the temple of Concord, and this temple, as that of Jupiter Stator, in which he held the meeting of November the seventh, was in an excellent situation which placed it in protection from a surprise. One might be surprised that the Senate was so often assembled elsewhere than in the Senate- house, which was specially designed for it; but it was really that there was the custom of suiting the circumstances to the place in which it met. The preparations were soon made, and it could be decided without inconvenience at the last minute. As each one spoke from his own seat, there was no rostrum to install. It was sufficient that they have a large and spacious room at their disposal, which occurred in almost all the sacred buildings. When the curule chair of the president had been placed up front, prepared with seats on both sides, with a passage in the middle, the installation was completed. The temple of Concord had this advantage of being backed by rocks, so that it was not possible to be taken from behind. In order to defend the approaches on the other sides, Cicero had at command some Roman knights, some devoted auxiliaries, some functionaries of the treasury (tribuni aerarii), some clerks for writing (scribal), who formed an order (today we would say a syndicate) which Cicero called "an honorable order". Those inferior employees, probably in business relations with the knights, and situated, as they, between the people and the aristocracy, supported the influence of the consul and were arranged in his party. They were placed in this passage of the Sacred Road which was called the Ascent of the Capitol (clivus capitolinus). It was a steep ramp, which

overlooked the Forum, a kind of strategic position which it was hard to attack. There is no doubt that one was thankful that day to the consul for all this preparation of war which maintained public peace. He was reproached much later, and twenty years afterwards, in the Philippics, he was again obliged to defend himself from them. The young knights, aroused by the contest, could not endure restraining themselves from provocations and threats; it has just been seen how they treated Caesar upon his departure from the meeting. It was natural that some conflicts would often be created between the groups of different opinions, the noise of it came even to the Senate, the door of which always had to remain open. Although the most fearful Senators did not risk coming, there remained "in this assembly of kings" many timid old men, and, once, fear was so strong there, that the consul, who was speaking, interrupted his discourse, in order to show that there was nothing to fear. Let us add that, from time to time, alarming news was received from various parts of the city. One told that some attempts were made to free the prisoners, and it was necessary that the consul give the order to reenforce the guards in the homes in which they were being detained.

It was in the midst of these exterior agitations that the meeting of December the fifth was held; it was not less agitated on the inside. We have this luck of knowing exactly all which took place there. Cicero did not lie when he said "that the memorial of it would always be preserved in the memory and in the discourses of men." (Cat. IV, 10). Historians have recounted for us

all the details of it, and there is no other one of them which is as perfectly known to us. If we wish to give ourselves a view of one meeting of the Senate, we have only to read the account which they have left for us.

II

But first some explanations would not be unuseful. We are able to understand well the incidents of that memorable day on the condition of not forgetting what was the particular role of the Senate, the place that it held in the constitution and the manner in which debates were held in it. A few words will suffice to recall it. Only, it is necessary to first consent to go back a little farther in history. One gives an account of the true character of the Roman institutions only in carrying them to their origin; they always retained the stamp of their beginning despite the modifications they received, and it is this which first strikes us about them. We have trouble to understand, we who have so many times changed a regime in a century, that, for the basis and essentials, the constitution of the Romans preserved itself without too much damage for six or seven centuries. But what causes us even more surprise is that in that faraway-time from which it dates, and which was called "the time of the kings", there had been sages, capable of making laws so durable, to solve problems which, with us, have not yet found a solution, to be in accord with contrary interests, to harmonize the sovereignty of the State with the respect of the rights of the individual, to maintain the authority of tradition without rendering progress impossible. They were not

surely barbarians, men born from the trunk of an oak, as Virgil represents them to us, bandits shut up in their city, lying in wait from the heights of their walls for passers-by in order to rob them, as Neibuhr imagined them. Where, therefore, could they have gotten this knowledge, or, if one wishes it, this divination of the most delicate principles of politics? Since they were not in school or books, it must be believed that they held them from a long experience. This rare, serious, and stubborn sense must have had behind it a whole past of revolutions from which it had profitted. It is not necessary, therefore, to believe that Rome began the day on which the Sabines and Romans, having descended from the Quirinal and Palatine respectively, met and united themselves in that marshy plain which became the Forum. There must have been there on the same soil some previous cities, the memory od which was effaced by the last one. Nevertheless, they did not disappear completely, since, in some recent excavations, M. Boni found some debris of them. There remains of them hardly more than some blackened stones and certain inscriptions that can barely be deciphered; but, however, they are respectable ruins, because it was there that the Roman race slowly was formed; it was there that the experiment with the difficult art of establishing order and liberty together must have been made.

The institution of the Senate dates back to the distant antiquity; it had been created to be the council of the king. At Rome it was the rule that he who possessed sovereign power, the king in the State, even if he shared it with no one, must not

exercise it to his fancy. It was necessary before acting to take the advice of old men (Patres), who were able to instruct him. This principle having been set down, all sprang from it; the advice of the old men (Senatus) had no other purpose than to respond to the chief of the State who consulted them; it possessed no initiatory power by itself. It met when someone convoked it; it spoke when it was questioned; it did not make laws, as the assembly of people in their comitia; it gave advice (senatus-consultum) and these devices did not demand a rigorous obedience; they had only the importance which age and the position of those by whom they had been asked them gave to them (auctoritas): but that importance was never great and became greater and greater because the chief of the State was not completely free to choose them to his pleasure. He was forced to take first those whom the people had elected to any office, so that popular election was the first origin of it. When he assembled them to consult with them, he asked successively the opinion of each one, but he did not do it at random; he followed the order in which they were arranged on the list which contained all their names, and this order was that of the offices which they filled. As each one spoke in his turn, when he had been asked to speak, and as only one spoke at a time, the discussions in which one person accused and the other defended were not possible. The Roman Senate was therefore, at least in principle, uniquely an advisory assembly, and resembled in no way those of our time in France and America which carry the same name.

In time important changes were introduced in the old institution. The president of the assembly, at the beginning of the

meeting, when circumstances were grave, was permitted to expose the situation, or to question directly one of the members of the Senate, as Cicero did on November the seventh, or even to indicate his sentiments in advance in order to influence the others, as he was going to do on December the fifth. It was admitted also that he who was president could use more frequently the right to speak whenever he wished, which introduced more unexpectedness and life into the deliberations. At the same time, the members of the assembly found an indirect way to come out of the passive role in which they had been held. They siezed in some way that which we call parliamentary initiative. Only they did not exercise it freely, as is done in our day; they did not address a request to the president in order to introduce a new question. When their turn to speak had come, they were able to leave the order of the day (egredi relationem) and to treat a different subject. Since they spoke as long as they wished and no one had the right to interrupt them, they were able to develop their opinion at their ease. But, most often, this was only an isolated manifestation which did not have a following, and the order of the day was taken up again., after this incident of the meeting. What was more serious, that it was permitted to the orators, in certain circumstances, when it seemed to them that their opinion had not been well understood or when some one changed it in refuting it, to speak again in order to explain it. This concession led to others; since it was difficult to refuse to this one whom one had just fought for the right to answer, it happened that the ancient

manner of deliberating, regularly and calmly, in which each spoke only in his turn and one at a time, became at times a veritable discussion, in which one answered the other. It was thus that the altercatio, which triumphed before the judicial tribunal, during the questioning of witnesses, penetrated into the Senate. But these were only exceptions, and, despite all, the original character of the institution persisted up to the end. According to the method in which everything ordinarily took place in it, one could believe that it was still the Senate of the royalty and the first days of the Republic. What completed the illusion was that even the old formulas were religiously preserved in it. After the prayers addressed to the gods of their fatherland, with which all political meetings at Rome were opened, when the president had indicated briefly the order of the day, he asked successively in the same order and in the same terms, each of the Senators to express his opinion: dic quid censes? When the list of those who had the right to speak was exhausted, they proceeded to vote. The president announced it in saying: "Those who are of this opinion pass to this side; those who are of a different opinion pass to the other: qui hoc censetis illuc transite, qui alia omnia, in hanc partem.", and at the same time he was to show the direction with his hand. The vote having been taken, he proclaimed the result of it in these terms: haec pars maior videtur; then he told them to depart: nihil vos teneo, Quiretes, and the meeting was over.

After these very brief explanations, it will be easier for us, I believe, to understand what the historians tell us of the meeting of December 5th.

III

At first, the consul, according to custom, made known the order of the day.

It could have been only the question of the penalty to inflict upon the conspirators. The Senate, the evening before, in placing them in prison, in forcing Lentulus to abdicate the praetorship, in voting thanks and congratulations to those who had just stopped them, had sufficiently shown that it found them guilty; it seemed that it did not have to resume that. Nevertheless, Cicero wished that the question be completely set before them in order that there might remain no obscurity in so grave a matter. He has preserved for us the text of his order of the day. He requested the assembly to pronounce sentence at one time on the crime and the punishment: de facto quid iudicetis et de poena quid censeatis. He added, in order to state the situation precisely, some words in which he let it be seen that which it had to do. It is very probable that these are almost those, the sense of which, if not the words themselves, we find in the fourth Catilinaire, and which it is important to reproduce. "Before taking your votes," he said, "I wish to speak to you as a consul should do. I have indeed perceived for a long time some furious passions which were astir at the heart of the Republic; I foresaw the troubles and the unhappiness which threatened it; but that there could be created among citizens a conspiracy so vast, so terrible, I could not imagine. Now that all is discovered, what your sentiments may be and what party you should take, must be pronounced by you before night. You see

the gravity of the crimes which were declared to you; if you think that you have before you only a few guilty ones, you are wrong. The evil is more extended than one could believe. Not only has it invaded all Italy, but it has passed beyond the Alps and slipped into the provinces. Do not hope to stifle it by treating it gently. Whatever the remedy is which is carried to it will succeed only if applied without delay." (Cat., IV, 3). These words having been spoken, he asked for the opinion of Decimus Silanus, who, in his position of consul designate, should give his opinion first. Silanus, after some words to tarnish the grandeur of the crime and to recall the example of their forefathers, concluded that the criminals should be punished "with the last punishment." Evidently it was of death that he meant to speak, and everyone understood it thus; but he must not speak that word, which would cause a certain repugnance to superstitious men, which permitted him much later, as we shall see, to retract it. Those who voted after him were of his opinion, until Caesar, who spoke in his rank as praetor designate.

The situation of Caesar was delicate indeed. He was suspected of being in the plot, and he had been formally accused of it that night. He was not ignorant of the fact that he had many enemies who sought only the occasion to destroy him. Another would not have run the risk of reawakening the suspicions from which he had so much trouble to defend himself. He would have done as Crassus, who remained at home in order not to compromise himself, or, at least, he would have voted in silence, without attracting

attention. But he was not of those who disappeared in time of danger. He knew that the popular party had its eyes on him; he wished to give it an example of courage, and he did not hesitate to oppose, whatever might happen, the opinion of Silanus.

Sallust gives us his discourse, and it is one of the most beautiful that we have preserved from antiquity. But can one believe that it is truly the discourse of Caesar, the one which Cicero had had received by his stenographers and which was transcribed in the verbal process of the Senate? Mérimée has upheld it along with many others, without the reasons which he gave having convinced the lettered and savants; the general opinion is that Sallust did here what he did everywhere, this which all the ancient historians did without scruples. Without doubt he had before his eyes the real discourse and we can believe that he used it to compose his own, since we find in it that which Cicero reports from the original. He preserved from it the principal ideas, but the arrangement and the style belonged to him; he reworked it in his own way as he reworked all the others, and I do not believe it was possible for him to do otherwise. Let us remember that the book of Sallust is before all a work of literature, intended for the delicate: would he have allowed a mixture of tastes which could harm the unity of the work? Let it be so for a letter of some lines which was reproduced exactly as a curiosity; but the discourse of a celebrated person, in any important situation, that was another thing. Lettered men awaited and dressed themselves to judge the talent of the author

on the manner in which he executed his work. Let us be sure that a man of intelligence as Sallust, who was working for his renown, would not allow to escape this occasion to show that he knew how to do it.

Sallust had been near Caesar, and, since he knew him well, he was able to make him speak. The discourse which he accredited to him was perhaps this which served him the best to paint for us his portrait. One finds in it great thoughts expressed simply, new and profound views, not political pedantry, finesse without any ostentation of wisdom. He who spoke was at the same time a man of the State and a man of the world. He knew perfectly well the men who heard him and knew the way to lay hold upon them; but his address did not have the character of those petty skills of rhetoricians who loved to make themselves seen and in whom vanity was traced. To the contrary, it pretended to be received with mistrust. He profitted marvelously from the situation which, this time, made him the defender of old laws and ancient traditions. Against his adversaries, who were the obstinate partisans of the past, he invoked the examples of their forefathers, and thus disarmed them in advance from their ordinary arguments. Was it indeed him, was it Cato who said: "Certainly virtue and wisdom was greater among our fathers, who with their so feeble resources, created such a great empire, than among us who have so great trouble to preserve this beautiful heritage"? The beginning of his discourse is certainly one remarkable address. He was not ignorant of the fact that he was speaking to those passionate and furious men who

were no longer masters of themselves. He guarded himself well indeed from exciting them even more by openly contradicting them. He began with some grave and calm words, in order to head them back to reason. It seems that these historic anecdotes called to mind at length, those general truths, which were almost banalities, on the necessity for those who governed the State to keep their temper, to contain themselves, to not yield to their passions, were suited as little as possible to an audience thus aroused; but he counted on their producing the result which he desired by the contradistinction itself and the contrast. One sees indeed that he wished to calm his audience; and he began his real discourse only when he believed he had put them in the condition of listening to it.

There is hardly any doubt that Sallust preserved the arguments which Caesar used; they had produced such an effect and were so well known that one was not able to change any of them. Caesar had solved that problem of being indulgent to the conspirators in appearing to be severe. He prevented himself indeed from justifying their crime. To the contrary, he set out with the idea that no punishment was cruel enough for them, and if he contradicted Silanus, who condemned them to die, it was because he wished to go farther than him. "Death," he said, "is not a punishment; it is repose after the troubles of life, the end of our labors and our miseries. Furthermore, there was no longer any anxiety nor joy." It seems to us a little strange to hear a high priest, the chief of the Roman religion, deny so resolutely

another life; but then one did not appear so surprised at it, and all that Cicero, who was an augur, found to answer was that it was perhaps dangerous to renounce hell and Tartarus "which the ancients had imagined in order to instill fear in evil doers". (Cat., IV, 4). Since death, instead of being the most rigorous of punishments, was often a deliverance, Caesar proposed to condemn the prisoners to life imprisonment. Let us not forget that prison was a horror to the Romans, and that the softening of public customs had consisted with them of replacing it by exile. They would therefore be rigorously imprisoned, not at Rome, where they could be dangerous, but in the important municipalities, which would be held, under most severe pains, not to allow them to escape. Moreover, their goods would be confiscated, and in order that one might be sure that they would not gain their liberty again, it would be denied to ever put forth any bill to the Senate or to the people to rescind their process. "Whoever shall violate this defense will be declared an enemy of the State and public peace."

Caesar was not naive enough to believe that all the precautions would serve any purpose. He did not hope to convince the Senate any more of their efficacy. Everyone was certain that this detention to which one was going to condemn them forever, would hardly endure. It was known that, if they did not happen to save themselves from the first days in order to go join Catiline, there would be after a little time some popular agitator who, in spite of all the defenses, would bring it about that they gain their liberty, and that they would return calmly to Rome, to take up their old practice.

But Caesar had an infallible way of leading to his opinion those whom his arguments would not convince; it was to make them afraid. Thus he endeavored to frighten them with the repercussions of the resolution which they were going to make."Lentulus and his accomplices," he said, "are certainly great criminals." But men are so made that the last impression is the only one which remains with them. One will forget their crimes to remember only their punishment, if it appears that the measure has overreached its bounds even a little, revenge will be sought." One always finds that evil comes out of legality. It is dangerous that one make the habit of measures of exception. They appear legitimate, but, when circumstances change, they end by hurting the innocent. Those who first used them often became victims of them, and it is even more easy to kill them because they have only to us as a precedent what they themselves created." All these reasons which were very appropriate, Caesar supported with some examples taken from history, and he did not have to search very far to find them. Hardly twenty years separated the epoch in which he spoke from the dictatorship of Sulla. All those who heard him had seen those horrible times, and no one had forgotten them. Cicero even said "that one held such a horror of them that no one, not even beasts, could endure the return of them." but it was the eternal illusion of honest men, with their tenacious optimism, to believe each time that these violent crises were over forever, but however to always fear that they might return. Caesar knew that well, and that is why coldly, without sentences, with deeds, he recalled these horrible memories;

he told them with complaisence; he showed them on the horizon as a threat; and one well understands that this announcement of new proscriptions, before men who feared them, without saying it, and many of whom would be the victims of them, made a shiver through the whole assembly.

We should have trouble to figure out, if it had not been told us, the effect which the discourse of Caesar produced. The whole party, which up to that time had voted with such wonderful unanimity, was disconcerted over it. One suddenly had the feeling of responsiblity which he had not seemed to suspect, and it even seemed that the far off peril which Caesar denounced was suddenly near and was going to break forth. The friends and parents of the consul, leaving their seats, placed themselves around him, as if to defend him. Cicero tells us that they cried. This must have been one of those scenes of which we have hardly any idea today and which shows the demonstative vivacity of those southern natures. The situation was truly strange: the Senate found itself between two dangers, that which threatened then from the conspirators, if it was too indulgent, and that which Caesar made them see, if they were too severe; it had the alternative of being the victim of Lentulus and his accomplices, or even the avengers of Lentulus, and it did not know which part to take. In this uncertainty all eyes turned towards the consul. One was accustomed to seeing him for some months, and especially in the last weeks, conduct the events; it was he and he alone who had just snatched the Republic from its troubles. One counted on his sovereign word to give

light and to bring the calm; everyone desired that he speak. It was under this condition that he spoke his fourth Catilinaire.

Sadly Cicero was not free from those anxieties which he had been asked to calm. It was natural that he felt them more than the others, since he well understood that his situation rendered his responsibility heavier. With his good, clear, sense he was convinced in advance that he would atone for everybody. Without doubt he had decided to do his duty to the end, but at the same moment in which he took the firm resolution of it, his vivid and active imagination placed him in the presence of the future, and he could not prevent himself from being afraid. From that cause were those rapid successions of courage and weaknesses which already occurred in his first Catilinaire, but which were more frequent in the fourth. He was under the impression of the threats of Caesar when he spoke, and they did not completely succeed in hiding the emotion which theyhad caused him. Nevertheless his beginning was energetic; he besought those who surrounded him, and who came to witness for him, their sympathy in such a noisy way, not to bother themselves with him, but to think only of the Republic: "Whatever happens to me, I shall endure it without pitying myself and even with pleasure, if my bad luck serves to the glory and safety of the Roman people." If it was necessary, he was ready to sacrifice his life, threatened so many times by Catiline, for it. It was on this occasion that he pronounced this sentence which has been so often recited among the rhetoricians, as a model of a well-made period: "Death can be neither shameful to a mass of courage, nor

premature for a consular, nor miserable for a wise man, neque enim turpis mors forti viro potest occidere, neque immatura consulari, nec misera sapienti." After all, they were not only beautiful words; what he said was what he thought. Let us not forget that he died for the Republic; let us be grateful to him that he saw it ahead of time and resigned himself to it in advance. But soon after these strange resolutions, anxieties siezed him, and he did not hide them from us. They reveal themselves by a picture of his distressed family whose tears paralyzed his strength. "I am not made of iron," he told us, and he painted in a touching manner, but little enough fitting, the grief of his brother and his son-in-law, Piso, whom he was looking at, that of his wife and his daughter, "desolate and distracted", in his home, whither he carried us. These alternatives were reproduced in his whole discourse. We have seen that it was with them that he began it; it was with them also that he finished it. After having boldly announced in his last words that his party would continue to be triumphant, "and that the sacred league of honest men would always have an answer to the violence of the seditious", he changed suddenly in order to let it be understood that it was indeed possible that he was wrong and to entrust, if the discontented killed him, his son, who had just been born, to the recognition of the Senate. We are surprised and shocked at these sudden passings from confidence to fear; it is very reasonable that those who heard him that day were less astonished at them than we are. These contrary feelings were at war in their souls as they were in his; but it

is necessary again to recognize that this was not a good way, in order to lessen the alarm of others, to show them that he shared them.

That which tended even less to lead irresolute men to frankly take a course and hold to it was to let them see that he had not decided himself. But Cicero, during his whole discourse, did not say one single time in a clear definite way what he advised them to do. Two opinions were before them, which were fundamentally very different; both of them appeared to satisfy him equally, because they both had the pretention of inflicting upon the prisoners the gravest punishment. It is true that this penalty was death for Silanus and prison for Caesar. But what did it matter? "Both of them had a language which agreed with their rank and made to be seen a severity proportionate to the size of the crime." The reason of Caesar was taken completely seriously. He complimented him on the harshness with which he treated the conspirators. He says there "the eternal testimony of his attachment to his country"; it sufficed for him to make it understood "what distance separates the orator of public meetings (contionatores), from the true friends of the people." Plutarch had reasons to say that Cicero did not declare between Caesar and Silanus and even to insinuate that he seemed to lean more to the side of Caesar. He said clearly "that it was the part which made him run the least risk and that his interest was on that side." To sum it up, he thought, or at least he said that, whatever was done the situation was good for him. "If they were

condemned to poison, he would have nothing to fear from the people, since it was the advice of Caesar; and if they were punished with death, there would remain to him the resource of recalling that Caesar had maintained that death was a sweeter punishment than imprisonment." The end of his discourse appeared therefore to be that each one could vote as it pleased him; or if, at times, the violence of his invectives against the accused seemed to make it understood that he inclined toward the opinion of Silanus, he never happened to say it in a manner frank and strong enough to lead those who were undecided.

We are told it is true, in order to justify this hesitating attitude that he wished to keep himself within the role of president and that it was not permitted to him, in making known his sentiments, to exert pressure on the men whom he was going to consult. But then why speak if there was nothing to say? His friends were evidently waiting for something else when they begged him to speak. It was not enough, in so grave a situation, to give them some vague advice about strength and courage. Even the fourth Catilinaire, in spite of the brilliance of its form and certain beautiful outbursts of eloquence, appeared to have produced little impression when it was pronounced. Not only did Sallust say nothing of it, but Cicero himself when he recalled to his friend, Atticus, the services he had rendered during the great consulate and which seemed forgotten, past over it in silence.

The Senators therefore, after the speech of Cicero, were

more anxious and more uncertain than ever when the consul delayed to take the advice of his old praetors, it was seen that there was confusion among the majority. There was no longer this harmony of the consulars, all of whom had faithfully followed Silanus; each one came from his side. The confusion became even greater after Tiberius Nero, the grandfather of the Emperor Tiberius, had given his opinion. It was almost the same as that of Caesar. He wished, as Caesar did, that the criminals should be held in prison; only he made the imprisonment more vigorous, and he delayed definite judgment until after the defeat of Catiline. This modification, which was insignificant enough in principle seemed to put all sentiments at ease. It was adopted by Quintus Cicero, and Silanus himself, being asked to explain his vote, declared that by the words "the last punishment" he had meant detention until death. From that time it was certain that the opinion of Tiberius Nero was going to carry and that most of the Senators would vote as he did, when it came the turn of Cato, who was tribune designate of the people, to speak.

The real discourse of Cato existed at the time of Plutarch, who tells us that, of all those which he had pronounced, only this one was possessed. It was not he who preserved it for us; he did not take the trouble, as most of his colleagues, to have it written after he had spoken it, to correct it and give it to the public. It was evidently the stenographer of Cicero who took it down, as they took down all this which was said in that memorable meeting. Sallust certainly did not neglect to read it, and he must have preserved something of it; but he did not compel himself to

reproduce it faithfully. We are even more sure of it than that of Caesar, because we do not find in it at all what we know existed in the original: nothing of Silanus, whose recantation he reproached; nothing of Cicero, upon whom he heaped eulogies; hardly a word of Caesar, whom he treated as a public enemy. Sallust suppressed those personalities; he watched out for what might harm the man, that tone of a grand moralist, those violences against the faults of the men of his time, and he perhaps even added to it in order that his personality might stand out more. He made of him the living antithesis of Caesar; he wished that, before reading the beautiful parallel which he had composed on these two persons, one should find in their words the same contrast as in their portrait.

He had good reason to use all his effort to place in relief before all the character of the orator in the discourse which he made him give. Cato, in this circumstance, owed his success to his character even more than to his talent. It was not therefore only by his eloquence that he succeeded in winning those whom the speech of Cicero had left indifferent. He gave to them no new reasons; almost all of those which he used are found in the fourth Catilinaire; but they produced with him another effect. First he held the safety of the Republic so much to his heart when he spoke that he did not think of himself. Cicero praised him very much in that. (Pro Sextis, 28). He would have desired someone to say as much of him, because he knew that, in order to convince his audience, there was nothing like persuading them that one was thinking only of them and that he had a care only

for their interests. He sometimes gave himself the illusion of appearing to believe that he resembled Cato in this respect, and he wished indeed to make others believe it. Surely he was sincere when he said to the Senators, "You have a leader who thinks only of you and forgets himself." (Cat., IV, 9). But how could they be convinced of it, since immediately he talked with them concerning his own, his brother, his wife, his son, his glory, and his dangers? Cato, in his whole discourse, spoke of himself only once in order to recall that he was an unbearable grumbler and that his bad humor had made him many enemies. As to the dangers to which he exposed himself on speaking freely, he said not a word. Why should he be preoccupied with them? In any situation which his frankness might one day place him, he knew the way to get out of it.

He was going to speak therefore resolutely, without suitable preparation, without premeditated reserve. For his whole exordium he contented himself to speak brusquely and almost brutally that he thought completely contrary to those who had expressed their opinions before him. Tonge mihi alia mem est, Patres Conscripti. As it was not time for beautiful speeches he did not delay to discern their opinions. In order to answer Caesar one word sufficed him: Caesar wished that the condemned be imprisoned in the Italian cities from fear that Rome some dishonest men might be paid to free them, "as if there were rascals only at Rome and not in all of Italy, and that the audacity of the criminals was no longer to be feared when there were less resources to suppress it."

As to the famous argument about hell and the other life, he hardly mentioned it in passing; and it appeared to him so remarkable that he asked if he had understood it correctly. In two expressions, and without sentences the question which was being debated was clearly exposed: "Some citizens of the highest birth have plotted to set Rome on fire; they call to arms the Gallic nations, our most terrible enemy; the leader of these revolters with his soldiers is ready to fall upon us; and you still hesitate; you ask what must be done with these traitors who have been caught within our walls!" In truth it seemed that the real situation had been ignored. One spoke as if the battle was definitely won and the struggle terminated. It was forgotten that the struggle still existed, and that it could end badly. "We are surrounded on all sides; Catiline holds us by the throat with an army. Here even in the heart of Rome other enemies are watching all our movements. We are able to do nothing which they may not immediately avert. If we hesitate ever so little all will be lost. It is not a question of waiting until the crime which is being prepared is committed to punish it. If it is not prevented, Rome, with all that it encloses is threstened to perish. In the name of the immortal gods it is you to whom I speak, you who think more of your homes, your villas, your statues and your paintings than of your country. If these possessions, whatever they are, to which you are so attached hold you to preserve them, if you wish to continue to enjoy this favorable peace at your pleasures, awaken yourselves finally and put in your hands the public interest.

All can be saved by an act of strength. The more energy is shown, the more they will lose courage. If we are weak ever so little they will be seen to rise from every side and it will be impossible to cope with them. May one think indeed that in not only the fate of Lentulus and his companions, it is the fate of Catiline and all his men that the Senate is going to Decide." —— "See, therefore," he said in closing, "what my opinion is; since these wretched men have made the gravest dangers run through the Republic because they have been convicted by the witness by the witness of Titus Volturcius and the duplicity of the Allobroges, also by their own confessions, of having prepared murder, conflagration, and other abominable crimes against their country and their fellow citizens, I think that they have merited the punishment which is inflicted upon men cought in flagrant offence of a capital crime and that it is necessary to punish them, according to the custom of our ancestors, with the final punishment."

"He sat down;" said Sallust, "immediately all the counselors and even the great part of the mere Senators approved his vote, praising his courage up to the heavens; they accused one another and reproached themselves for their weakness and proclaimed his glory and the greatness of his soul." It was thus that he came to render to them the greatest of all their services. They were wavering between their hatred of the conspirators and the fear which the discourse of Caesar had inspired in them. Not contented with themselves, but incapable of taking one part, they were in this cond-

ition of the mind in which one desires to receive from someone a resolution which he does not find in himself. Cato gave them the strength to decide.

The five criminals were then condemned to die, and the decree expressly said that it was upon the advice of Cato, in sententiam Catonis.

IV

The sentence was just; all the parties recognized that the criminals deserved their fate. But was it in conformity with the law? On this point opinions have differed from the first day and there is no more agreement today than in the time of Cicero.

Those who condemned the punishment which was inflicted upon them affirm that in principle the right to pronounce the penalty of death belonged only centurial comitia, that is to say the assembly of all the people. From the first years of the Republic a popular consul had established what was called the provocatio, that is to say the appeal to the people assembling in their comitia from capital sentence made by a magistrate. This protective law was afterwards confirmed by many others, and it remained strong for some centuries, except in exceptional cases when the dictator, in the interest of public safety which was the supreme law of Rome, believed he must suppress the provocatio and pronounce judgment himself. Later, when the penalty of death was almost abolished and replaced by exile, one had less occasion to use the old law and they fell into disuse. Nevertheless they always existed; they

were no longer applied but were spoken of with veneration, they were called "the safeguard of the Republic, and the citadel of freedom." Cicero invoked them in affected terms in his invectives against Verres, and even while he was consul, he treated badly a tribune of the people whom he accused of wishing to violate them. One understands that some historians and some eminent lawyers have severely reproached him for not having taken them into account himself on the Nones of December. Taboulaye declared that however great were the crimes of the accomplices of Catiline, Cicero was guilty of using against them some other penalty than those which were provided by the constitution. "He did wrong," he said, "in order to turn away from the Republic the dangers which threatened it, to enter into the most perilous way, this which paved the way to all tyrannies. The violation of laws with the view of public interests so often prepared for the violation of laws in a private interest." One would think correctly that Mommsen who detested Cicero was much more merciless. The judgment of the Nones of December appeared to him, "the most brutal and the most tyrannical of crimes and it was funny that it was the work of the most inconsistent and the most timorous of men, of one who boasted of being a "popular consul".

Those who, to the contrary approved of the death of the conspirators recalled that on the twenty-first of October a senatusconsultum had officially charged the consuls "to prevent the Republic from suffering any danger" Cicero could think that, since the task had been imposed upon him, the means would be

furnished to him. He did not doubt that this small phrase of a few words, as he called it, did not confer upon him all the powers which the former dictatorship had possessed, and among them, the most important of all, that of judging without appeal. Truly, democracy would not agree to it, and Caesar had prosecuted Rabirius with so much enthusiasm only in order that he might well establish that the senatusconsultum of recent times, as he called it, was not able to suspend the effect of the laws which protected the liberty of the citizens. But, even in his own party, everyone was not of his opinion. Sallust did not hesitate to confess that the magistrate, which was armed by the Senate with the sovereign formula enjoyed an abundance of judicial power (summum judicium), and it is probable that many who belonged to the aristocratic faction thought as he did. Although they had little taste for measures of exceptions, it did not seem to them, in that anarchy in which they had lived for half a century that one could otherwise maintain an appearance of public peace.

He had therefore, at this time, a conflict on the right of punishing, not only between different laws, but between different principles, the democrats wishing to reserve it wholly to the people, the others, more preoccupied with the necessities of public safety, admitted that, in certain circumstances it could be conferred upon a magistrate. It was really upon this question that the debate of November the fifth must have been held. It seems that it should have been the basis of all the discourses that were pronounced at that time; thus are profoundly surprised to see that nowhere, in

this which remains to us, is it frankly treated. It should have been especially in the discourse of Caesar. It was Caesar that represented the democratic tradition. It had been threatened. He had the necessity of defending it, and from the very first he seemed to do it resolutely. He reproached Silanus "of decreeing a new kind of punishment", and affirmed that since a punishment could not be found which equalled the greatness of the crime it was necessary to abide by those authorized by the laws.— There is the situation well put.— But of what laws did he mean to speak? Did he mean the ancient provocatio, as it was in the early times of the Republic? Did he ask that the people be assembled in the Forum to judge the criminals? He knew that all these formalities were no longer in usage. In reality, all these laws which were invoked, which were glorified had no longer any reason for existing, at least under their ancient form, since it had been permitted to the criminal to forstall the sentence by a voluntary exile; from that time, it was this right which became the law. Caesar proclaimed it twice. The natural conclusion of this reasoning was that he was going to ask that the accused be punished with exile. But when he was about to make an end of it, he perceived indeed that exile was not possible. To send them away from Rome was to send them to Catiline; he awaited them; he desired them. They would increase the number of his soldiers and augment the perils of the Republic; it was a solution which could not be admitted. He dismissed exile therefore, which would be according to him the only legal punishment, and replaced it with life

imprisonment, and replaced it with life imprisonment, which was not provided for by the law. He also, therefore, decreed a "new kind of punishment" and did exactly this which he blamed Silanus for. It seems to me that, since he himself did not stay in the bounds of legality, he did not have the right of accusing others from departing from it.

Those who answered Caesar treated even less than he the question of legality. Cato did not permit that anyone even propose it. He did not understand why one spoke of judgment and justice. They were in open battle, facing an enemy with weapons, who threatened the country. To kill him before he killed you was an act of legitimate defence. In the discourse of Cicero legality occupied just three lines."Caesar," he said, "invokes the Sempronian Law, but he is not ignorant of the fact that it was made in favor of Roman citizens, and a public enemy is not a citizen." That was all. For the rest one does not have the least doubt of the extent of his power. He was completely convinced that the decree of the Senate had clothed him with an unlimited authority, or, according to his expression, that it had delivered the Republic to him. "It has been a long time," he said to Catiline in his first Catilinaire, "that the consul should have sent you to death, and made you undergo the fate with which you threaten us." (Cat., I, 1). And elsewhere it was said by the Fatherland: "Why did you not ordain that he should be cast into prison, led to death, delivered up to punishment? What would stop you in it?" (Cat., I, 11). The assurance with which he spoke shows that he did not fear that someone might contest hid right in it. Let us be certain that he was convinced

that he could do all that he did. Is that to say that in doing it he was completely tranquil? Assuredly not; we have seen that the reading of the Catilinaire betrayed his anxieties each minute. He knew that the old laws which protected the life of citizens always existed since he himself had invoked them. He knew that the democratic party contested the legality of this exceptional power with which he was clothed, although it used it without compunction when it was master. He knew that his enemies asked for only a pretext to prosecute him, when he became an ordinary citizen again and that the death of the conspirators would furnish it to them. It was against this danger that, while doing that which he regarded as his necessity and right, he sought to protect himself in advance. That is why he wished the Senate to share in the responsibility of the measures which they had taken together. After all the Senators had voted them, and he was right to say to them, at the end of the fourth Catilinaire "he had only to execute their decree". He did not ignore that they were ready to throw everything on him, and he took his precautions in advance. I do not know why he has been so harshly reproached. Was it not right that each one have his part of the peril to which he exposed himself for all?

It appears to me that one finds in the Catilinaires another anxiety which even appears to have been stronger with him than any scruple of legality: he feared above all, in punishing the conspirators with death, that he would be accused of being cruel, and it is that which shows in him, even in politics, the man of letters and the man of the world. The cultured and polished society

of this time sought especially to appear steeped in Greek civilization, and, among the virtues which it attributed to itself, there was of them none which was more emphatic than this which was called humanité, a beautiful name, which signified at one time sweetness of the soul and the most elegant good manners. Cato, who was, however, a stately man and a disciple of the philosophies of the Greek, was irritated against these tender souls who spoke of clemency and pity with respect to a man like Lentulus. "Pity him," he said, "I advise you to do it!" And he added: "For a long time we have lost the custom of calling things by their name. Clemency, when it is a question of old conspirators, who have spent their lives in plots, is a dupery and a cowardice." Cicero was more afraid. We see him, in all his discourses of this time, return with a remarkable insistance to the idea that, if he became severe, it was in the interest of the Republic, which forced him to be. (Cat., IV, 6. Pro Sulla; 3.). It was well seen that he did not wish anyone to doubt for a minute his humanité; be would be disconsolate to pass for a barbarian. But at this time, he ran even more the risk of it, because the sages of Greece were especially thankful to the Romans for having diminished the atrocity of punishment. Polybius remarked that they had abolished the pain of death in political matters and he gave them a great compliment for it. "There is not a nation in the world," Livy said with pride, "which makes use of more kindness than we in the punishment of criminals." (Livy, IV, 9.). And rightly he found that a learned man, a disciple of the Greeks, a philosopher nourished by their doctrines, who

should have been more humain than the others, was led by circumstances to kill some citizens of the best families of Rome. Cicero feared that this manner of contradicting himself would cause him the greatest injury among those by whom he tried to be the most esteemed. Thus he did his best to attenuate the rigor of the measures which he was constrained to take. First, they would harm only a few people. The criminals were not in great number; nine only, the most involved, those who were to start the fire at Rome, would be prosecuted, and it could be suspected that some negligence was used in assuring themselves of them, since they had been able to capture only five of them. Those five, who had permitted themselves to be taken, he could have executed without any more formality. He had threstened them many times in his Catilinaires. But the moment having come to carry out his thrests, he hesitated to employ those quick processes; he preferred to appeal to an appearance of judgment and he asked the Senators to pronounce a sentence. Finally, in order to convince himself and to persuade the others that the conspirators deserved to be condemned, he felt the need to enumerate all crimes which they had committed, to develop them pleasantly and to ornament them with all the color of his eloquence. Those vulgar spots, against which Sallust so cruelly rails, which appear to us excessive, were not to him, as we are told, pure ornaments of rhetoric which time has tarnished. This which explains them, what to a certain point excuses them, is the need which he felt to justify the extraordinaty measures by the picture of exceptional crimes.

All of these precautions would hardly be serviceable to Cicero. One was little enough thankful to him to have avoided what a summary execution had of brutality; and, indeed it was possible that in taking away from this measure of public safety its character of frank violence necessitated by an urgent danger, one risked to destroy for him this which was able to justify it. He was no more fortunate in his desire to diminish his own responsibility in associating in it more closely that of the Senate. He tried in vain; it was upon him alone that all would fall. Public opinion loved to personify an event in a man, especially when he carried an illustrious name, and had taken a great part in what had happened. Even the brilliance of him brought it about that in the whole affair only he would be seen, and when finally, by following his duties, he presided at the punishment of the condemned, his memory thereafter remained attached to this grand and lugubrious scene.

It was, really, to the consul that the business of carrying out the execution belonged, once the decision had been made. Cicero did not wish to make any delay; he feared to leave to the friends and the accomplices of the condemned time to get together and act. He gave the order to the triumviri capitales to prepare everything for the punishmen; then, accompanied by a part of the Senate and a large band of armed men, he went to take Lentulus with one of his relatives, in the custody of whom he had been entrusted, who lived on the Palatine. The procession followed the Sacred Way, crossed the Forum, in the midst of a silent crowd, and arrived at the public prison, where the others had been led by the praetors.

This prison, near the temple of Concord, on one of the slopes of the Capital, had been built, it is said, in the time of the kings. It was mounted by a staircase which carried a sinister name. It was the "giggets" where the bodies of executed criminals cast, for whom it was often the punishment in the imperial period. "It contained," said Sallust, "a lower room, called the Tullianum, which was sunken twelve feet under the ground. It was enclosed with thick walls and covered with a vault of stone. It was a dirty dungeon, dark, foul, the aspect of which had something of the fearful and horrible. After Lentulus had been thrown in it, the executioners, conforming to the orders which they had received, placing a rope around his neck, strangled him. Thus ended this patrician, of the great family of the Cornelii, who had been honored with the consular dignity. After him his accomplices were executed in the same manner." On leaving the prison, Cicero found the crowd in anxiety on his way back, agitated by diverse sentiments, who did not know the fate of the conspirators, and wished to learn it. Turning himself toward them, and not wishing to pronounce a word of bad omen, contented himself with saying; "They did live." As his friends were in great number, applause broke out. Night had come; lights were burning from all sides; homes were lighted along the route; the women came to the windows to see him pass; the men accompanied him with their acclamations, calling him Savior, the second founder of the city, and Catulus, the most illustrious Roman of his time, saluted him with the title of father of his country. This name was later lavished upon the

Caesars, even those who least deserved to carry it. But Juvenal remarked that the first time that Rome gave it to one of its citizens, it was free, and that this citizen was called Cicero,

Roma patrem patriae Ciceronem libera dixit.

V

The conspiracy was conquered.

Cicero was right to believe that the struggle would be decided at Rome, and Catiline, in leaving it, made a mistake, which cost him his party. While his friends were being strangled in the Tullianum, he was taking a great deal of trouble to organize his small group. He formed of them some cohorts and legions; he procured for them some weapons; he sought to give them the appearance of an army. He would have succeeded without a doubt, because he had the quality of a soldier and a general; but from the time that it was known at Faesulae what had just taken place at Rome, the ranks became broken. The more timid and the least implicated departed; there remained only those who had decided to fight until death, at the same time the troops of the Republic arrived. Quintus Metellus, having hastened from Gaul with his three legions, closed the passage to Catiline, if he wished to escape through the Apennines. Against him were led those which had been hastily levied around Rome, and the command of which had been given, according to usage, to the consul, Antonius. Therefore one was going to see the two accomplices, who had openly dipped in the same plots, come to arms. But Antonius, at the last minute, found some pretext

to go away, and abandon the command to Petreius, an officer of fortune who had been a lieutenant of Pompey in Spain. Catiline and his soldiers, pressed close on two sides and not finding an outlet to escape in this narrow plain, made themselves kill bravely up to the end. After the battle, when the bodies were picked up, one was able to render an account of the audacity and courage which they displayed. "The body of each of them covered still the place which he had held while living. They had all fallen on their hands and struck in the front. As for Catiline, he was found a little in the front surrounded by a pile of bodies. He was still breathing and his face still retained that indomitable boldness which he had always had during his life."

Cicero no longer enjoyed his victory. He always had many enemies; the brilliance of his consulate increased the number. The Aristocracy should have upheld him; but it had never loved him, and, in getting rid of its enemies, he permitted it to be ungrateful with impunity. The people wished him to have abandoned his party in it. One had care to excite and maintain his resentments in casting on him alone the punishment of the conspirators. One month had not passed since the Nones of December. Cicero prepared for his departure from office, to speak to the people to recall to them what he had done; a tribune prevented him from doing it, under the pretext that one should not be allowed to speak who had not allowed citizens to defend themselves, and he was authorized only to take the regular oath. Cicero, to the acclamation of the crowd, swore that he had saved the Republic.

He had the right to say it. Without doubt, in the first intoxication of his success, he was able to exaggerate the compass of it; he believed and said that public peace would thereafter be better assured and the government more firm. (Cat., II, 5.). It seemed to the contrary that this violence, which had just been transversed, in alarming peaceful men, had only precipitated the movement which brought Rome to the monarchy. The day after the defeat of Catiline, Caesar took up his hardy and steady march toward the sovereign power. He was praetor; he was going to be consul; until he became dictator, and the Republic was worse off than ever. It was no less true that Cicero had saved his country from a conspiracy of which no one knew what would be the consequences, because it was something unknown. There had been at Rome, perhaps more than elsewhere, the elements of a social and anarchistic revolution. With its slave population, as numerous at least as the other, its three hundred and twenty thousand loafers, which the State undertook to feed and amuse, its multitude of freedmen, many of whom at heart retained the rancor of slavery, one could fear every day that there would break forth one of those revolts which, not being ennobled by a political demand and having no other purpose than to satisfy appetites or vengeance, would proceed only with massacre, pillage and conflagration. It is completely surprising that at Rome for some centuries nothing of the like had been produced. The only time that it had been threatened with these horrors, it was not from the slaves that the idea of it had come, but from a band of great

noblemen who had been ruined. This formidable attempt Cicero had so repressed that it never renewed itself afterward. He could therefore boast of having saved Rome, and it is right to repeat with Seneca, with respect to his consulate, that if he boasted without measure, he did not praise it without reason: consulatus sine fine, non sine causa laudatus.