The Two-Headed State: How Romans Explained Civil War

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Abstract and Keywords

This chapter examines explanations of civil war in authors contemporary (or nearly so) with Rome's civil wars in the first century bc, Varro and the more familiar Cicero and Sallust being the principal informants. These authors, all themselves scarred by one or more civil wars, placed the starting point in the second century bc, with the Gracchi; no Romulus, no Remus, no ancestral curse. The underlying cause unearthed here is political: popularis legislation or its murderous suppression, depending on the explainer's political orientation.

Keywords: Cicero, Varro, Sallust, Gracchi, civil war, popularis

Quo, quo scelesti ruitis? In Horace's haunting poem (Epode 7), the speaker challenges the Roman people to explain why yet again—for the seventh time in twenty years—they are preparing to kill each other in a civil war. Pallid and numb, they do not reply, but the poet thinks he knows the answer. Sic est, "that's what it is": the expiation of an ancestral crime, “when the blosod of innocent Remus trickled into the earth, a curse to his descendants.”

But in that case, why was the crime so long unpunished? For the Romans, civil war was a recent and anomalous phenomenon, not something they had had to live with since the foundation. Other more down-to-earth explanations had already been offered, by Romans who were perhaps better placed than the freedman's son from Venusia to make a judgment, and the purpose of this chapter is to draw attention to them and try to see what they imply. I
deliberately concentrate on contemporary sources, numbering the quoted texts for convenience of cross-reference.

I

My title is taken from the most systematically misunderstood author in the whole of Latin literature—the soldier and senator, poet and satirist, philosopher and historian Marcus Varro. It was probably about twelve years before Horace's poem, in the anxious and dangerous months after (p.26) the murder of Caesar, that Varro wrote his four-volume “biography of the Roman people” (De vita populi Romani); its companion piece, the four-volume “genealogy of the Roman people” (De gente populi Romani), is securely dated to 43 BC.² The first book of De vita evidently dealt with the Rome of the kings, the second with the Early Republic, the third with the period of the Punic Wars, the fourth with the disasters of Varro's own time.

A fragment from Book 4 of De vita is our first witness.

1. Varro De vita populi Romani fr. 114 Riposati = Nonius 728 Lindsay

in spem adducebat non plus soluturos quam vellent; iniquus equestri ordini iudicia tradidit ac bicipitem civitatem fecit, discordiarum civilium fontem.

He encouraged them to hope that they would pay no more than they wanted; he unfairly handed the jury-courts over to the equestrian order and made the citizen body two-headed—the origin of the civil discords.

The first sentence must refer to Gaius Gracchus' lex frumentaria; so according to Varro, the origin of the conflicts of the Late Republic was the law passed in Gracchus' second tribunate, in 122 BC, transferring responsibility for the quaestio repetundarum from the senators to the equites (App. bc 1.22.91–2).

That is confirmed by Florus' use of the key phrase in his narrative of Livius Drusus.

2. Florus 3.17.3 (2.5)

iudiciaria lege Gracchi diviserant populum Romanum et bicipitem ex una fecerant civitatem. equites Romani tanta potestate subnixi, ut qui fata fortunasque principum haberent in manu, interceptis vectigalibus peculabantur suo iure rem publicam.

The Gracchi had divided the Roman people by the judiciary law and made the previously unified citizen body two-headed. Buoyed up by such great power, since they had the fate and fortunes of the leading citizens in their hands, the Roman knights were defrauding the republic on their own account by intercepting its revenues.
Note the evasive use of the plural name; Florus' own view was that the crisis began with Tiberius Gracchus in 133 BC, and so a little fudging was necessary for him to be able to use Varro's opinion at this point.\(^3\)

Only one other author attributes the beginning of the crisis to the younger Gracchus. In his long digression on the “constitution of Romulus” (2.7–29), Dionysius makes this comment: (p.27)

3. Dionysius of Halicarnassus *Antiquitates Romanae* 2.11.2–3

So strong was the harmony between the Romans that originated from the customs set up by Romulus that they never went so far as bloodshed and mutual killing for 630 years, even though many great disputes about public policy arose between the people and those in office, as is liable to happen in cities, large and small alike. By mutual persuasion and instruction, by conceding some things and gaining others from those who conceded, they achieved political solutions to their complaints. But from the time that Gaius Gracchus, in the exercise of his tribuniciam power, destroyed the harmony of the constitution, they have never yet ceased from killing each other and driving each other out of the city, not refraining from any irreparable act in the pursuit of victory.

Dionysius' entire account of the Romulean constitution is inserted into the narrative from an evidently nonnarrative source; since he cites Varro's *Antiquities* at one point, and uses clearly Varronian ideas at several others,\(^4\) I think we may safely attribute to Varro Dionysius' reflections on the loss of Roman harmony.

What he says is very reminiscent of the introduction to Appian's *Civil Wars*, though Appian puts the crucial date eleven years earlier.

4. Appian *Civil Wars* 1.1.1, 1.2.4–5

At Rome, the people and the senate were often in conflict with each other, both about legislation and about debt-cancellation, land distribution, or elections. But there was no civil violence, only lawful differences and arguments, and even those they settled honorably by making mutual concessions....No sword was ever brought into the assembly, and no civil bloodshed ever took place, until Tiberius Gracchus, a tribune of the plebs and engaged in legislation, was the first to be killed in political strife; and many others with him, crowded together on the Capitol, were killed around the temple. And the strife did not end with this abomination.

In this scenario, what causes the discord is not what the tribune did, but what was done to him; not the political act, but the act of murder. The same view appears also in Velleius.
5. Velleius Paterculus 2.3.2-3

Then the “best citizens”—the greater and better part of the senate and equestrian order, and the plebeians who were immune to pernicious policies—rushed on Gracchus as he stood with his crowds in the piazza stirring up a throng from practically the whole of Italy. He fled, running down the Clivus Capitolinus, and struck by a broken-off piece of bench (p. 28) he ended in untimely death a life that he could have lived most gloriously. This was the beginning of civil bloodshed and the impunity of the sword in the city of Rome. From this time on, right was crushed by violence; the most powerful demeanor was the one that took precedence; disputes among citizens that had previously been solved by negotiation were settled by armed force, and wars were begun not for good cause but according to the profit they brought.

The diagnosis here is all the more significant because Velleius had already signaled serious disapproval of Tiberius Gracchus' proposals.⁵ That was the optimate view as expressed by Cicero, who regarded Tiberius as “justly killed” and Scipio Nasica as a national hero.⁶ Velleius' insistence that, nevertheless, the ἀρχή κακών was the manner of Tiberius' death and not the nature of his policies must imply that there was an influential non-Ciceronian source of which he also had to take account. The most likely candidate is Pollio, who we know was unimpressed by Cicero.⁷

Cicero himself puts a carefully neutral assessment of the crisis into the mouth of Laelius in the preliminary conversation of De republica.

6. Cicero De republica 1.31

quid enim mihi L. Paulli nepos, hoc avunculo, nobilissima in familia atque in hac tam clara re publica natus, quaerit quo modo duo soles visi sint, non quaerit cur in una re publica duo senatus et duo paene iam populi sint? nam ut videtis mors Tiberii Gracchi et iam ante tota illius ratio tribunatus divisit populum unum in duas partes.

Why, I ask you, does the grandson of Lucius Paullus, the nephew of [Scipio] here, born in a most noble family and in this famous republic, ask how two suns have appeared, and doesn’t ask why in a single republic there are now two senates and practically two peoples? For, as you see, the death of Tiberius Gracchus, and even before that the whole policy of his tribunate, has divided one people into two parties.

In one sense, Cicero is being properly objective here: whether we think it was the policy or the death that did it depends on which of the two parties we favor. But I think his phraseology suggests a tacit admission that the death version was
the one normally accepted, with Laelius (and of course Cicero himself) wanting to place responsibility on the victim by blaming his policies.

If so, then we have three clearly distinguishable reasons why a previously integrated citizen body, capable of resolving political differences by negotiation and compromise, was split into two, resulting in discord, political violence, and ultimately civil war. To put the reasons in chronological order of attestation, they are: (p.29)

(a) the murder of Tiberius Gracchus; this was the view implied (but not endorsed) by Cicero's Laelius in 51 BC and stated explicitly by Velleius and Appian, possibly via Pollio;
(b) the "whole policy" of Tiberius Gracchus' tribunate, presumably meaning the agrarian law; this was the view preferred by Cicero's Laelius in 51 BC;
(c) the judiciary law of Gaius Gracchus; this was Varro's view, as expressed probably in 44 BC.

What the second and third reasons have in common is the assumption that the ultimate cause was a political measure rather than the unprecedented use of violence. To that extent they may be described as "optimate" explanations, diverting responsibility away from the men who did the killing, and it would be easy to suppose that Cicero and Varro were of one mind, differing only on the minor point of which particular Gracchan measure was the catalyst. But that won't do.

In the first place, Varro's explanation is different in kind from Cicero's. He does not suggest that Gaius Gracchus' judiciary law was so intolerable that murder was justified, which is clearly what Cicero implies about Tiberius' policy.8 His point seems to be that once the equites were given political power, there were two rival interest groups within the citizen body that inevitably came into conflict; Gracchus' fault was in creating the conditions for discord, not starting it himself.

Secondly, Varro's political outlook was not the same as Cicero's. It is not enough just to describe him, as in the Cambridge Ancient History, as “an older contemporary of Cicero, whom he resembled in social background and political sympathies” (Griffin 1994: 701). We know that Cicero found him difficult,9 and in 59 BC, when Cicero was fulminating about the “tyranny” of Caesar and Pompey, Varro was serving on the commission administering Caesar's agrarian law.10 The difference between the two men may best be seen if we consider Cicero's top-down view of republican politics.
II
There is a very revealing passage in the first book of *De oratore*, written in 55 BC. Antonius is disputing Crassus' argument that the orator should also be a philosopher, and he cites Crassus' own speech to the people in 106 BC, urging the return of the jury-courts from the *equites* to the senate.

7. Cicero *De oratore* 1.225–26 = Lucius Crassus *Suasio legis Serviliae* fr. 24 Malcovati

But Crassus, if those [philosophical ideas] were valid among peoples and citizen bodies, who would have allowed you, for all your fame and distinction as a leading politician, to say what you did in a crowded meeting of your fellow-citizens? “Rescue us from our misery, rescue us from the jaws of those whose cruelty cannot be satisfied except with our blood! Do not allow us to be the slaves of anyone, except you as a body, whose servants we can and ought to be.” ...As for your final comment that the senate not only can but ought to serve the people, what philosopher could be so weak, so soft, so feeble, so committed to the standard of physical pleasure and pain, as to assert that the senate serves the people, when the people itself has handed over to the senate the power of controlling and guiding it, like reins?

Crassus had taken it for granted in his speech that the senate was the servant of the people. Cicero makes Antonius admire Crassus' eloquence but reject his view of the constitution, assuming instead not only that the senate guides and controls the people as a rider guides and controls his horse but also that its authority to do so was formally conferred by the people itself.

Four years later, in *De republica*, the reins are in the hands of a single wise statesman, the *optimus civis* who was the main subject of the dialogue. In that work, however, Cicero prefers a different metaphor, that of the *gubernator*, the helmsman of the republic. And he is not just a philosophical construct but an urgent necessity in practical politics. That comes out most clearly in a letter to Atticus written at a time of acute political tension, in February 49 BC.


I therefore spend all my time reflecting on the essential greatness of the figure I have portrayed conscientiously enough, in your opinion at least, in my volumes. Do you remember the standard which I want my ideal statesman to apply to all his actions? This is what Scipio says in Book V, I think:
Just as a fair voyage is the object of the helmsman, health of the physician, victory of the general, so our statesman’s object is the happiness of his countrymen—to promote power for their security, wealth for their abundance, fame for their dignity, virtue for their good name. This is the work I would have him accomplish, the greatest and noblest in human society.

To this our Gnaeus [Pompey] has never given a thought, least of all in the present context.

What Varro thought about that may perhaps be inferred from his own rather pointed use of the *gubernator* metaphor in *De lingua Latina*. It comes at the point (p.31) where Varro is arguing that only the people can be the arbiter of correct usage of its own language.

9. Varro *De lingua Latina* 9.6

populus enim in sua potestate, singuli in illius; itaque ut suam quisque consuetudinem, si mala est, corrigere debet, sic populus suam. ego populi consuetudinis non sum ut dominus, at ille meae est. ut rationi optemperare debet gubernator, gubernatori unus quisque in navi, sic populus rationi, nos singuli populo.

The people has power over itself, individuals are in the power of the people. So just as each person should correct his own usage if it is bad, so the people should correct its own. I am not in the position of a master of the people's usage, but it is of mine. As the helmsman ought to obey reason, and each member of the crew ought to obey the helmsman, so the people ought to obey reason, and we ought to obey the people.

In a work written just a few years after *De republica*, and dedicated to Cicero himself, that choice of the helmsman metaphor can hardly be fortuitous.

Was Varro implying that “we ought to obey the people” also in matters of politics? Since his own political works are lost, there can be no certain answer, but even from the surviving fragments a consistent viewpoint can be reconstructed. Consider for instance a phrase used by Aulus Gellius, in a passage for which Varro was certainly one of his authorities.

10. Varro(?) fr: 58 Funaioli = Gellius 17.21.48

isdemque temporibus Diogenes Stoicus et Carneades Academicus et Critolaus Peripateticus ab Atheniensibus ad senatum populi Romani negotii publici gratia legati sunt.
And in that same period Diogenes the Stoic, Carneades the Academic, and Critolaus the Peripatetic were sent by the Athenians as ambassadors on public business to the senate of the Roman people.

“The senate of the Roman people” was not a phrase that rose easily to Cicero's lips, but it is quite consistent with the attitude of Lucius Crassus in the speech cited for criticism in De oratore. If it was indeed Varro’s phrase, it fits well with Varro's view about the proper limits of the authority of the people's elected magistrates. (p.32)

11. Varro Antiquitates humanae fr. 21.3 Mirsch = Gellius 13.13.4

qui potestatem neque vocationis populi viritim habent neque prensionis, eos magistratus a privato in ius vocari est potestas. M. Laevinus aedilis curulis a privato in praetorem in ius est eductus; nunc stipati servis publicis non modo prendi non possunt sed etiam ultrlo submovent populum.

It is legally possible for a private citizen even to summon to law those magistrates who do not have the power of summoning the people as individuals or of arrest. Marcus Laevinus, a curule aedile, was brought to law before the praetor by a private citizen. Nowadays they are escorted by public servants; not only can they not be arrested, but they even go so far as to move the people away.

What is revealing about that passage is Varro's sense of a change in behavior; today's aediles are arrogant and full of their own importance. Born in 116 BC (Marius must have been consul when he received the toga virilis), Varro was a witness of Roman politics over a very long period, and his evidence for changing standards should be taken seriously.

His sense of the corruption of the traditional republican ethos was no doubt what motivated his Menippean Satires, written in the seventies and sixties BC; even in the brief fragments that survive it is a constantly recurring theme. For instance, what looks like the comment of a cynical politician:

12. Varro Menippean Satires fr. 512 Astbury = Nonius 310L

hodie, si possumus quod debemus populo in foro medio luci claro decoquere,

“If today, in the middle of the Forum in broad daylight, we can melt away what we owe to the people,...”

Or the satirist's observation of the decadence of modern equites:

13. Varro Menippean Satires frr. 479–80 Astbury = Nonius 64L, 69L
itaque tum ecum mordacem calcitronem horridum miles acer non vitabat...
nunc emunt trossuli nardo nitidi vulgo Attico talento ecum.

So in those days a keen soldier didn't avoid a bad-tempered horse that
would bite and kick....

Nowadays the cavaliers gleam with cosmetics, and normally buy their
horse for an Attic talent.

(p.33) One recurring character in Varro's Satires is Manius, a man with a
historic praenomen. Manius Curius was one of the great Roman commanders of
the third century BC, famous for the frugality of his personal life.14 It was he
who conquered the Sabines and divided their land into equal seven-iugera plots
for the Roman people, declaring it the sign of a bad citizen to want more land
than he can cultivate himself and of a bad commander to demand more than his
soldiers get.15 Two fragments from one of the satires that featured his modern
namesake give an idea of how Varro saw the modern world.

avi et atavi nostri, cum alium et cepe eorum verba olerent, tamen optume
animati erant.

Our grandfathers and great-grandfathers had an excellent attitude, even
though their words did smell of garlic and onion.

non te pudet, Mani, cum domi tuae vides conmilitonum tuorum cohortis
servis tuis ministrare caementa?

Aren't you ashamed, Manius, when at your house you see cohorts of your
fellow-soldiers supplying your slaves with rubble for concrete?

Varro himself grew up in the Sabine territory, in the Quirina tribe among those
seven-iugera farms allotted by Manius Curius.16 How could that egalitarian
ethos have failed to influence his own understanding of the republic?

Certainly he disapproved of the lavish villas created by the leading optimates of
his own time. Here at least we have the secure evidence of an extant text.

15. Varro Res rusticae 1.13.6-7

item cetera ut essent in villa huiusce modi quae cultura quaueret
providebant. nunc contra villam urbanam quam maximam ac politissimam
habeant dant operam ac cum Metelli ac Luculli villis pessimo publico
aedificatis cernant.
Similarly [the men of old] took care that a villa of this sort should contain everything else required for cultivation. Nowadays, however, people strive to have as large and elaborate an “urban” villa as possible, and they compete with the villas of Metellus and Lucullus that were built to great public detriment.

Cicero too deplored the luxury of Lucullus’ villa but was never so explicit in his criticism. A later passage in the same work suggests that Varro took essentially the same view as Tiberius Gracchus about the rich landowners of the Late Republic. (p.34)

16. Varro *Res rusticae* 2.pref.4

itaque in qua terra culturam agri docuerunt pastores progeniem suam qui condiderunt urbm, ibi contra progenies eorum propter avaritiam contra leges ex segetibus fecit prata.

And so, in the land where the shepherds who founded the city taught their descendants agriculture, their descendants have made pasture out of cornfields, from avarice and in defiance of the laws.

So when Varro wrote his “biography of the Roman people,” in a time of murderous political conflict, it is reasonable to suppose that he did not take a simple optimate line. Indeed, one of the surviving fragments suggests that he blamed the *optimates* for the political crisis.

17. Varro *De vita populi Romani* fr. 121 Riposati = Nonius 802L

tanta porro invasit cupiditas honorum plerisque ut vel caelum ruere, dummodo magistratum adipiscantur, exoptent.

Besides, most of them have been infected by so great a lust for honors that they’d even long for the sky to fall, provided they get their magistracy.

In 44 BC, with the young Caesar coming to claim his inheritance, it must have seemed that the sky had indeed fallen on the politics of the Roman republic.

III

If our inference about Varro's political outlook is anything like the reality, it is not difficult to see why he disapproved of the Gracchan *jury-courts*. The *iudices* of the previous *quaestio repetundarum*, set up in 149 BC, were members of the “senate of the Roman people” (item 10 above)—that is, men who had previously offered themselves for election by the citizen body and been entrusted with the responsibility of office. For the new juries, however, as we know from the surviving *lex repetundarum*, the qualification was defined as *never* having been elected to office. As P. A. Brunt (1988: 202) sums it up,
All present and former members of the senate, together with holders of offices which gave a claim to future membership of the senate, and the fathers, brothers, and sons of such persons, are ineligible; the positive qualification is lost in lacunae of the text, but there is no doubt that it (p. 35) was in some sense equestrian, whether the iudices were to be past or present holders of the public horse, or to be merely of free birth and equestrian census. They also had to be resident in Rome; so they were not likely to be mere country gentlemen, but the richest members of the order, notably publicans who needed a Roman domicile for their business.

The criterion was no longer election by the Roman people but merely wealth.

We have already seen what Varro thought of the wealthy equites of his own day (item 13 above). He knew at first hand the fierce conflict of interests between private profit and public responsibility that resulted from the Gracchan judiciary law: no doubt he was too young to have heard Lucius Crassus' speech in 106 (item 7 above), but the scandalous condemnation of Rutilius Rufus, which took place when he was a young man, 20 may well have had a formative effect on his thinking. That was evidently what he meant by making the citizen-body two-headed; but how does it fit with his equally forthright condemnation of ambition for office?

Here we may turn to another contemporary witness, Titus Lucretius. True, he was not a senator, but the philosophical mentor of Gaius Memmius was well placed to know how senators operated. His view of the political life is summed up in a famous passage.

18. Lucretius 2.7-13
sed nil dulcius est, bene quam munita tenere
edita doctrina sapientum templa serena,
despicere unde queas alios passimque videre
errare atque viam palantis quaerere vitae,
certare ingenio, contendere nobilitate,
noces atque dies niti praestante labore
ad summas emergere opes rerumque potiri.

But nothing is sweeter than to dwell in the serene temples on high, fortified by the teaching of the wise, from which you can look down on others and see them wandering this way and that, going astray as they seek the way of life, striving in talent, competing in nobility, struggling night and day with extreme effort to emerge on to the heights of wealth and to wield power.
Here is the same pathological pursuit of office that Varro described but with an extra nuance: the *nobiles* are competing for wealth as well as power. What drives them is avarice. (p.36)

19. Lucretius 3.59–64
denique avarities et honorum caeca cupid
quae miserors homines cogunt transcendere finis
iuris et interdum socios scelerum atque ministros
noctes atque dies niti praestante labore
ad summas emergere opes, haec vulnera vitae
non minimam partem mortis formidine aluntur.

Besides, avarice and the blind lust for office, which compel wretched men to go beyond the limits of right, and sometimes as accomplices and ministers of crime to struggle night and day with extreme effort to emerge on to the heights of wealth, these wounds of life are fed to no small extent by the fear of death.

Varro too had noted *avaritia* as the motive for the illegal behavior of the great landowners (item 16 above), the abuse Tiberius Gracchus had tried in vain to check. The pursuit of office was also the pursuit of wealth, frequently by the abuse of power in the provinces. That is something we are very familiar with from the *Verrines*—but we must remember that the Cicero of the *Verrines* is not the Cicero of *De oratore* and *De republica*, even less the Cicero of *De officiis*, and it is the later, determinedly optimate Cicero that we know so thoroughly from his correspondence. If we think we understand Roman politics from the inside, it may be that we only understand one part of it. Cicero had so thoroughly internalized his political assumptions that we may be tempted to think that was all there ever was.

Between them, Lucretius and Varro offer a valuable corrective. Here is the poet, in sociological vein:

20. Lucretius 5.1120–26
at claros homines voluerunt se atque potentis,
ut fundamento stabili fortuna maneret
et placidam posent opulenti degere vitam,
nequiquam, quoniam ad summum succedere honorem
certantes iter infestum fecere viai,
et tamen e summo, quasi fulmen, deicit ipsos
invidia interdum contemptim in Tartara taetra.

Men have wished to be famous and powerful, so that their fortune might rest on a firm foundation and themselves live a peaceful life in enjoyment of riches—but in vain. For in striving to reach the summit of honor they
have made their own way dangerous, and even from the top, like lightning, envy often casts them down in contempt to the foul abyss.

(p.37) And here is the senator as satirist, attacking funeral speeches:


qui potest laus videri vera, cum mortuus saepe furacissimus ac nequissimus civis iuxta ac Publius Africanus...

How can a eulogy seem true, when often the dead man [is praised] like Publius Africanus when he was the biggest thief and villain in Rome?

There is no reason to suppose that Roman citizens as a body accepted the self-evaluation of the aristocracy, and of men like Cicero, who shared most of the aristocracy’s values.

When Clodius was killed in 52 BC, the Roman people burned down Sulla’s senate-house and had to be held back by armed guards when Cicero defended the murderer. For Cicero, and for Brutus and Cato too, it was self-evident that the death of Clodius was of benefit to the republic. As with Tiberius Gracchus, they simply took it for granted that some political initiatives were so unacceptable that nonlegal violence was justified to prevent them from happening. Varro evidently regarded that attitude as symptomatic of the irrevocable discord that divided the citizen body (item 3 above).

It was probably soon after the burning of the senate-house that Cicero wrote *De legibus*, in which he gave his brother Quintus a lengthy diatribe on the seditious nature of the tribunate; Sulla, said Quintus, had the right idea about tribunes. One of the tribunes who had been most vocal on behalf of the people in 52 BC was expelled from the senate two years later by an optimate censor. That was Sallust, and when after a checkered career under Caesar he retired from politics to write history, he too had a very clear case to make about what had gone wrong with the republic.

IV

He began with a monograph on a minor civil war, the *Bellum Catilinae*. In order to account for the vices of his protagonist, Sallust inserted a lengthy digression on the corruption of public morals after the destruction of Carthage in 146 BC. He identified the same vices as Varro and Lucretius (items 16, 17, and 19 above)—avarice and lust for office.

22. Sallust *Catiline* 10.3–6

And so there grew the lust first for money and then for power; those were the building materials, so to speak, of every kind of evil. For avarice (p.38) destroyed honesty, integrity, and all the other virtues; instead of them, it
taught arrogance, cruelty, neglect of the gods, the belief that everything can be bought. Ambition compelled many men to be liars, to have one thing ready on the tongue and something else hidden in the heart, to judge friendship and enmity by advantage rather than fact, to look good rather than to be good. At first these vices grew slowly, and were occasionally punished; later, when the contagion spread like a plague, the citizen body changed its nature, and power that had once been just and upright became cruel and intolerable.

Sallust’s two monographs were written probably in the late 40s, two or three years after the appearance of Varro’s “biography of the Roman people” (and the proscription of its author). His main work, the Histories, carried the same message for readers in the 30s.

23. Sallust Histories 1.11 Maurenbrecher = Augustine Civitas Dei 2.18

optumis autem moribus et maxuma concordia egit inter secundum atque postremum bellum Carthaginiense…at discordia et avaritia atque ambitio et cetera secundis rebus oriri sueta mala post Carthaginis excidium maxume aucta sunt.

[Rome] acted by the highest moral standards and with the utmost harmony between the Second Punic War and the final one….But discord, avarice, ambition, and the other vices that usually emerge in prosperous times, increased enormously after the destruction of Carthage.


Once fear of Carthage had been removed, there was space for the waging of political feuds. Frequent riots, seditions, and finally civil wars broke out. A few powerful men, to whose influence the majority had acceded, were aiming at domination under the honorable name of the senate or the plebs. Citizens were not called good or bad according to their services to the republic, since all were equally corrupt; but anyone of outstanding wealth who was powerful in wrongdoing was regarded as a “good citizen” because he defended the status quo.

Here at last we have an explicit link between the moral corruption of avarice and ambition and the political corruption of violence and civil war. As a historian, Sallust was very careful to present himself as above partisan politics, and in this passage the powerful few who aimed at domination included some who claimed to (p.39) speak for the plebs. But the following sentence revealed his main target, the rich who did not want their privileges disturbed.
In his second monograph he had made the point more clearly. Having stated firmly that the Gracchi “defended the people’s liberty and exposed the crimes of the few,” he then went on to make only a slight reservation.

25. Sallust *Jugurthine War* 42.2–4

It is true that in their eagerness for victory the attitude of the Gracchi was too unrestrained, but it is more proper for a good man to accept defeat than to use evil means to overcome a wrong. The aristocracy used its victory just as it chose, getting rid of many people by killing or banishing them; it thus added more to its future fear than its future power. This has been the usual cause of the ruin of great states, when each side wants to defeat the other by any means at all, and take too ruthless a vengeance when it has done so.

The guilty few were now identified as the aristocracy (*nobilitas*), acting in its own interests without restraint. To avarice and lust for office Sallust had added a third defining characteristic, arrogance.

26. Sallust *Jugurthine War* 5.1–2

bellum scripturus sum quod populus Romanus cum Iugurtha rege
Numidarum gessit,...quia tunc primum superbiae nobilitatis obviam itum est; quae contentio divina et humana cuncta permiscuit equo vecordiae processit ut studiis civilibus bellum atque vastitas Italiae finem faceret.

I propose to write the history of the war the Roman people waged with Jugurtha, king of the Numidians...because that was the first time a challenge was offered to the arrogance of the aristocracy. The conflict threw everything human and divine into confusion, and reached such a level of madness that the hostility between citizens ended in war and the devastation of Italy.

Sallust agreed with Varro (item 3 above), and with the source of Velleius and Appian (items 4–5 above), that when the republic was in a healthy condition the senate and people settled their differences peacefully. He also agreed with Varro (items 1–2 above) that the Gracchi were not wholly blameless in exacerbating the crisis. However, there can be no doubt about where he placed the primary responsibility—on the aristocracy, and its arrogant pursuit of wealth and power. It is quite possible, so far as we can guess from the fragments (item 17 above), that that too was Varro’s position.

(p.40) It is all a far cry from Cicero’s confident statement in 56 BC that the Roman citizen body had *always* been two-headed:

27. Cicero *Pro Sestio* 96 (trans. R. Gardner, slightly amended)
duo genera semper in hac civitate fuerunt eorum qui versari in re publica atque in ea se excellentius studuerunt, quibus ex generibus alteri se populares, alteri optimates et haberi et esse voluerunt. qui ea quae faciebant quaeque dicebant multitudini iucunda volebant esse, populares, qui autem ita se gerebant ut sua consilia optimo cuique probarent, optimates habebantur.

There have always been two classes of men in this state who have sought to engage in public affairs and to distinguish themselves in them. Of these two classes one aimed at being, by repute and in reality, *populares*, the other *optimates*. Those who wished everything they did and said to be agreeable to the masses were reckoned as *populares*, but those who acted so as to win by their policy the approval of all the best citizens were reckoned as *optimates*.

He went on to define the *optimates* as all citizens who were not criminal, insane, or in financial trouble (*Sest*. 97, 99). That last criterion does at least confirm what Cicero was honest enough to admit in his private correspondence (though not of course in public), that he was the spokesman of the rich.\(^30\) In the speech for Sestius, he simply took their partisan viewpoint and presented it as if it were a historical datum, in order to instruct the youth of Rome.\(^31\)

Cicero was a humane and civilized man, and not an aristocrat. Nevertheless, his political attitude, with its unquestioning assumption that the interests of the few were identical with those of the *res publica* as a whole, was surely what Sallust meant by *superbia nobilitatis*. It was what drove Nasica and the senators to club Tiberius Gracchus to death in the public assembly, and Brutus and Cassius and their allies to butcher Caesar in the senate itself. The interests of the Roman people were not to be considered. Even when Cicero was championing the republic in December 44, his carelessness of constitutional propriety is revealed in a comment to one of Caesar's assassins.

28. Cicero *Ad familiares* 11.7.2, to Decimus Brutus

*nullo enim publico consilio rem publicam liberavisti, quo etiam est res illa maiora et clarior.*

For you liberated the republic with no public authority, which makes your deed even greater and more splendid.

(p.41) I come back yet again to Marcus Varro. He took constitutional propriety very seriously, and for all the effort Cicero put into presenting the two of them as brothers in arms, the letters to Atticus betray the fault lines in the relationship.

29. Cicero *Ad Atticum* 13.25.3, quoting Homer *Iliad* 11.654 (Patroclus to Nestor)
sed est, ut scis, δεινὸς ἀνήρ τάχα κεν καὶ ἀναίτιον αἰτιόωτο.

But he’s a strange character, as you know—“Even the blameless he’d be quick to blame.”

We don’t know what Varro was blaming Cicero for at that particular moment in the summer of 45 BC, but another fragment of his lost “biography of the Roman people” gives a clear enough indication of his point of view a year or so later.

30. Varro De vita populi Romani fr. 124 Riposati = Nonius 438L

si modo civili concordia exsequi rationem parent, rumores famam differant licebit nosque carpant.

Let them spread rumors and criticize me, provided their own policies aim at civil concord.

The arrogance of the *optimates* in the aftermath of Caesar’s assassination is well attested, and it looks as if Book 4 of De vita populi Romani included an attempt to counter it on behalf of the Roman citizen body as a whole.

V

What I hope this interrogation of the sources has shown is that the Romans’ own explanations of civil war not only invoke the two-headed state but also exemplify it.

On the one hand, we can detect a point of view broadly shared—whatever their individual emphases—by Varro, Lucretius, and Sallust: that in the second century BC, motivated first by avarice, then by ambition for the magistracies that enabled a man to enrich himself, and finally by the arrogance that equated the good of the state with the interests of the rich, the Roman aristocracy destroyed the traditional ethos of the republic.

On the other hand, we have Cicero’s view: the republic was always in the control of the “best people,” who acted as a moral example to the citizen body; the misdeeds of individuals could be controlled by self-regulation, and any political attempt to challenge this aristocracy (to use the word in its literal sense) was necessarily the work of madmen and criminals. On this view, the killings of Tiberius Gracchus, Publius Clodius, and Gaius Caesar were self-evidently justified.

It is important to understand that once Cicero had won his consulship, and no longer had to gain support by backing *populares* causes, his political stance was not significantly different from the one Varro and Sallust saw as responsible for the corruption of the republic. Of course he was less ruthless than the hard-line *optimates*, believing as he did that civil war was the worst of evils; but he
shared the mindset that had led to civil war in the first place. As a senior senator who believed, and asserted in public, that political assassination was sometimes necessary, he himself was part of the problem.

So too was Brutus, who fought at Philippi for what he saw as Roman liberty. One of his officers was the young Horace, who made sure that his readers were aware of the fact.39 I think it is not surprising that when Horace looked for an explanation of civil war he sought it in the primeval past. He was right that it all began with a murder; but the blood that flowed with such deadly results had been shed only a hundred years before.

Notes:

(2.) Arnobius *Adversus nationes* 5.8 = Varro *De gente populi Romani* fr. 20 Fraccaro.

(3.) So too Plin. *Nat.* 33.34: *iudicum autem appellatione separare eum ordinem primi omnium instituere Gracchi discordi popularitate in contumeliam senatus*.

(4.) D.H. 2.21.2 (λέγω δὲ ἄν Τερέντιος Οὐάρρων ἐν ἀρχαιολογίαις γέγραφεν, ἀνὴρ τῶν κατὰ τὴν αὐτὴν ἡλικίαν ἀκμασάντων πολυπειρότατος); 2.7.2–4 on tripartite division of people and land (cf. Varro *Antiquitates humanae* fr. 4.6 Mirsch, *L.* 5.55, 5.81, 5.89); 2.18.3 on myths unworthy of the gods (cf. Varro *Antiquitates divinae* fr. 7 Cardauns); 2.28.3 on market days (cf. Varro *R.* 2.pref. 1). For the full argument see Wiseman 2009: 81–98.

(5.) Vell. 2.2.3: *summa imis miscuit et in praeruptum atque anceps pericum adduxit rem publicam*; cf. 2.6.1: *qui Ti. Gracchum idem Gaium fratrem eius occupavit furon*.


(8.) Cic. *Brut.* 103: *propter turbulentissimum tribunatum...ab ipsa re publica est interfectus*; spelled out more crudely by V. Max. 7.2.6b: *senatus...Ti. Gracchum tribunum plebis agrariam legem promulgare ausum morte multavit*.


(11.) Cic. Rep. 1.9: sapientis esse accipere habenas; Qfr. 3.5.1: de optimo statu civitatis et de optimo cive.


(13.) In fact, he uses it once (Pis. 18) out of about fifteen hundred occurrences of the word senatus in his extant works.

(14.) Cic. Rep. 3.40, Leg. 2.3, Sen. 55–56; Plu. Cat. Ma. 2.1–2, etc. For Varro's admiration of him, see Menippean Satires fr. 195 Astbury = Nonius 28L.

(15.) V. Max. 4.3.5b, Col. 1.pref.14, 1.3.10; Plin. Nat. 18.18, Fron. Str. 4.3.12, De viris illustribus 33.5–6. See further Wiseman 2009: 42–44.

(16.) Var. R. 3.2.1 (Q. Axius a tribulis of the author), Inscriptiones Graecae 7.413.12: Κόιντος Ἀξίος Μαάρκου υἱὸς Κυρίνᾳ; Symmachus Letters 1.2 (Varro as Reatinus); cf. Var. R. 2.pref.6 and 2.8.3 on Varro's horses and asses in Reatino, 3.2.3, 5, 9, and 12 on villae Reatinae. See Varro Logistorici fr. 25 Chappuis (Nonius 155L) on his own upbringing in the country: mihi puero modica una fuit tunica et toga, sine fasceis calciamenta, ecos sine ephippio, balneum non cotidianum, alveus rarus.

(17.) Cic. Leg. 3.30, Off. 1.140; he is more indulgent at Fin. 2.107.

(18.) For Varro's disapproval, see Cic. Att. 16.9 (November 44).


(20.) Cf. Cic. Brut. 115: quo iudicio convulsam penitus scimus esse rem publicam. Varro was twenty-four in 92 BC.

(21.) D.C. 40.49.2–3; Asc. 33C, 40–42C. For Sulla's name on the senate-house, see D.C. 40.50.2–3, 44.5.2.

(22.) Cic. Mil. 72–91; Asc. 41C, Quint. 3.6.93, 10.1.23 (Brutus); Asc. 53–44C (Cato).

(23.) Cic. Leg. 3.19–26, esp. 22: in ista quidem re vehementer Sullam probo.

(24.) D.C. 50.63.3–4; cf. Asc. 37C, 49–50C, 51C.
(25.) Sal. Cat. 4.2: mihi a spe metu partibus rei publicae animus liber erat, Hist. 1.6M: neque me divorsa pars in civilibus armis movit a vero.

(26.) So too Sal. Cat. 38.3: quicumque rem publicam agitavere honestis nominibus, alii sicii populi iura defenderent, pars quo senatus auctoritas maxima foret, bonum publicum simulantes pro sua quisque potentia certabant.

(27.) Sal. Jug. 42.1: vindicare plebem in libertatem et paucorum scelera patefacere coepere.

(28.) Sal. Jug. 41.2: ante Carthaginem deletam populus et senatus Romanus placide modolecteque inter se rem publicam tractabant, neque gloriae neque dominationis certamen inter civis erat.

(29.) The locus classicus is Sal. Jug. 41.6–10.

(30.) Cic. Att. 1.19.4 (60 BC): is enim est noster exercitus, hominum, ut tute scis, locupletium.

(31.) Cic. Sest. 96: rem...praeclaram iuventuti ad discendum nec mihi difficilem ad perdocendum.


(33.) Matius in Cic. Fam. 11.28.3 (October 44 BC): ‘plecteris ergo’ inquit, ‘quoniam factum nostrum improbare audes…o superbiam inauditam!’

(34.) Cic. Leg. 3.10, on the senatorial order: is ordo viito vacato, ceteris specimen esto.

(35.) Cic. Leg. 3.7, on the censors: probrum in senatu ne relinquunto…eaque potestas semper esto.

(36.) Iure caesus: Cic. de Orat. 2.106, Planc. 88, Off. 2.43 (Gracchus); ap. Quint. 3.6.93 (Clodius); Att. 15.3.2 (Caesar). See further Wiseman 2009: 177–210.

(37.) Q. Cicero Comm. pet. 5 and 53: persuadendumque est iis nos semper cum optimatibus de re publica sensisse, minime popularis fuisset; si quid locuti populariter videamur, id nos eo consilio fecisse ut nobis Cn. Pompeium adiungeremus…multitudo [sc. existimet] ex eo quod dumtaxat oratione in cionibus ac iudicio popularis fuisti te a suis commodis non alienum futurum.

(38.) See, for instance, Cic. Att. 7.6.2 (December 50), 7.14.3 (January 49), 9.6.7 (March 49).

(39.) Hor. S. 1.6.48, 1.7.18–35, Carm. 2.7.9–12, Ep. 2.2.46–51.