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The Guilt of Catiline

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THE GUILT OF CATILINE

BY

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VITA AUCTORIS

Thomas Edward Griffin, S.J. was born in New York City on February 16, 1915. He received his elementary school education at St. Benedict's Parochial School. His high-school course was pursued at Fordham Preparatory School from 1928 to 1932. He entered the Society of Jesus at Wernersville, Pa. in 1932, and there pursued undergraduate studies; he transferred to West Baden College of Loyola University in 1936 and received his A.B. degree from Loyola University, June 9, 1937, and entered the Loyola University Graduate School in the Autumn of 1937 to begin the study for the Master's degree in Latin.
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CHAPTER I

History of the Catilinarian Conspiracy.

The first century B.C. marks what is probably one of the most interesting and exciting eras in history, likewise one of the bloodiest and most unfortunate. For with the year 90 B.C. and the Social War, in which the Italian allies were forced to resort to arms in a vain attempt to gain the franchise, came the first intimation that the structure of the great Roman Republic was crumbling. From the next blow Rome never fully recovered—the excesses of the popular leaders Marius and Cinna and the consequent Civil War between Marius and Sulla. Sulla indeed was the eventual victor, and he reaped a bloody revenge. There followed in quick succession the insurrection in Spain under Setorius and the rebellion at home of the consul Lepidus, the revolt of the slaves under Spartacus, and the last desperate struggles between Pompey and Caesar, Brutus and Augustus, Augustus and Antony, until at the battle of Actium in 31 B.C. of the glorious republic that was Rome there remained nothing but a shambles and a ruin. The conspiracy of Catiline was another in the long series of catastrophies that befell the Roman state.

January 1, 65 B.C. was a day of marked unrest even in the Rome of those turbulent times. Armed
bands of men swept through the streets of the city, and there were rumors abroad of a plot to assassinate the consuls at the inaugural ceremonies that day. Crassus, the wealthiest man in Rome, would then usurp the dictatorship, nominating in turn as his magister equitum the young and ambitious Caius Julius Caesar. So the rumor ran. The time indeed was ripe for such an attempt, for with Pompey and the army busily engaged in far off Syria and Armenia, and the whole of Italy ungarrisoned, there was at Rome no force capable of suppressing any such organized outbreak. At the last moment, however, the whole affair fell through because Crassus for some unknown reason failed to put in an appearance and Caesar was consequently prevented from giving the appointed signal to the conspirators. What role Catiline played, whether he was really the moving spirit behind the whole affair or was merely acting as the tool of Crassus and Caesar is a question that will later command a more detailed treatment. At any rate, thus ended the fiasco known as the first or Minor Conspiracy of Catiline, so called because the second conspiracy was a direct outgrowth of this earlier one.

Catiline had desired to run for the consulship in 66 B.C., but was prevented from doing so because he was unable to present himself as a candidate within the legitimate number of days, since he was under an indictment
for the maladministration of his province when propraetor in Africa. Despite the clearest evidence against him, he was finally acquitted owing to the wholesale bribery and corruption of the jurors and the praevaticatio or collusion of his accuser, the notorious P. Clodius Pulcher. Nothing daunted, he again sued for the consulship in 64 B.C., this time in company with C. Antonius, a man of scarcely better reputation than his own, and, it is alleged, with the ready approbation and financial assistance of both Crassus and Caesar. It was, in fact, the fear inspired by this combination that induced the Senate and the nobles to throw their support to Cicero, Catiline's rival, much against their will, for Cicero was a "novus homo" while Catiline was descended from one of the ancient patrician families of Rome, that of the Sergii. Cicero and Antonius were elected consuls. Thereupon Cicero promptly purchased the good-will of his colleague and a free hand in the management of affairs at Rome by resigning to Antonius the rich province of Macedonia which had been allotted to him, in place of the less lucrative province of Gaul. Catiline, however, disappointed in his hopes of gaining by legitimate methods the power he desired, resolved upon a desperate expedient. He formulated a plot to overthrow the existing government and to mount the curule chair by blood and the sword if no other way was open to him.
With this intention of using force, he gathered about himself the worst elements in the city. Cicero, in the Second Oration against Catiline, delivered to the people in the forum on November 8, gives a detailed inventory of the various groups that went to make up Catiline's following. In the first place, there were the wealthy who were submerged in debt and anxious for the *Novae Tabulae* or repudiation of all debts; secondly, the office seekers, men who wanted power and the chance to rule; thirdly, the veterans of Sulla, tired of fighting the soil and looking for new spoils and plunder; fourthly, the spendthrifts and bankrupts for whom any change was for the better; fifthly, the rabble and riff-raff of the city's slums, and, lastly, Catiline's more intimate associates and friends, including the reckless youths of the city whom Catiline had personally seduced and led astray. Among this last group was a certain Quintus Curius, an utterly untrustworthy individual, who to retain the favor of his mistress Fulvia, fell to boasting of his intended misdeeds. Fulvia in turn promptly reported her information to Cicero, and the latter secured her as his agent and spy.

Alarmed by the reports of the plot, Cicero convoked the Senate on October 21, 63 B.C. and informed them that he had reason to know that an armed outbreak was planned
for the 27th. of that month. The following day, October 22
the Senate, after considering the statement of the consul,
passed the "ultimum Senatus Consultum" or, as it was termed,
the "Extreme Decree", charging the consuls to take care that
the commonwealth suffer no harm, conferring on them supreme
power and inaugurating a state of martial law. Levies were
likewise ordered throughout Italy, and the consul Antonius
and the praetor Metellus Celer were directed to take the
field against the insurgents, who, appeared in arms on October
27 at Faesulae in Etruria under Gaius Manlius, a veteran
centurion of Sulla and Catiline's second in command. Not
long after, Catiline was arraigned under the Plautian law,
which was directed against acts of violence and breaches of
the peace. He realized his affairs were becoming desperate
and that he must act quickly.

On the night, then, of November 6, at the
home of Marcus Porcius Laeca in the street of the Scythe-
makers, he assembled his principal associates. First, he
pledged them to faith and secrecy, and then rehearsed in de-
tail their two-fold plan—the firing of the city at several
strategic points and the simultaneous advance on the city of
the army from Etruria under Manlius. According to the ac-
count of Sallust, the pledge was sealed by the drinking of a
bowl of human blood mixed with wine. Concerning this episode
Plutarch in his life of Cicero gives an even more sensational account, but his story is uncorroborated, and would, in fact, seem to lack any foundation in reality.

Before dismissing the assemblage Catiline explained to them how necessary it was for the success of their enterprise that Cicero should be immediately dispatched. Gaius Cornelius, a Roman knight, and Lucius Vargunteius, a senator, volunteered to relieve Catiline of any anxiety on this score, and, since the meeting had been prolonged to the early hours, they set off a little later with their escort for Cicero's home, ostensibly to pay him the salutatio or ceremonial call. It had been agreed that the consul should be murdered as soon as they gained admittance to his room. Their mission, however, was unsuccessful. They arrived at their destination but were refused admittance because Cicero, who had been forewarned of their coming through Fulvia, had summoned to his aid several of the chief citizens of Rome, and had taken other measures to protect himself. That he was thoroughly alarmed, however, is evident from the fact that he called a meeting of the Senate on the next day not in the curia, but for greater protection, in the temple of Jupiter Stator on the Palatine. It was this occasion and the unexpected presence of Catiline that called forth the first of the four famous orations.
The first of the Catiline orations is, in brief, an expose of Catiline and his plan, and a command to the rebel leaders to depart from the city. When Catiline, attempting a defense was howled down, he rushed from the place in a rage threatening to head the leaderless mob. That night he fled the city, pretending he was going into exile at Marseilles, but, in reality, he headed directly for Faesulae and the camp of Manlius. On the following day, Cicero assembled the people in the forum and delivered the Second of his orations against Catiline, explaining to the people why Catiline had departed from the city, and begging his accomplices either to desist from their revolutionary attempts or to follow Catiline into exile.

Meanwhile at Rome the praetor, Publius Cornelius Lentulus, who in the absence of Catiline had assumed leadership of the conspirators, had gathered together a force considered sufficient for their purposes. It was agreed that when Catiline had reached the camp of Manlius at Faesulae, Lucius Bestia, a tribune of the plebs, should assemble the people in the forum with the intention of attacking and denouncing Cicero. This was to be the signal for the others to carry out their various parts: Statilius and Gabinius with their followers were to fire the city at twelve important points, and in the confusion that would in-
evitably result, Cethegus was to make his way to Cicero and slay him.

Cicero, though well aware of the schemes that were afoot, had until this time been able to secure no definite and decisive evidence against Catiline and his followers. At this juncture, however, fortune played right into his hands, placing in them the very evidence he needed. There happened to be in the city at this time certain envoys of the Allobroges, a tribe in Transalpine Gaul, who had come to Rome to complain about the behavior of their governor. These envoys were approached by one Publius Umbrenus, an agent of Lentulus, in the hope of inducing them to join the conspiracy. In return for the redress of their grievances and other substantial rewards, they were, on their return, to induce their people to revolt and to dispatch a squadron of cavalry to swell the growing forces of Catiline at Faesulae.

The envoys, at this point, entertained certain doubts regarding the feasibility of the whole scheme. In their perplexity they laid the matter before their patron, Fabius Songa, who, in turn, relayed his information to Cicero. Here was Cicero's opportunity, and he decided to make the most of it. Summoning the envoys to himself, he bade them continue negotiations with the conspirators, instructing them at the same time to obtain if possible written documents
attesting the intentions of the followers of Catiline. Lentulus, Cethegus and Statilius fell headlong into the trap. Oaths and pledges of faith were signed, sealed, and handed to the envoys. Among the documents was a letter from Lentulus to Catiline urging the latter to enlist the aid of slaves.

By the evening of December 2 all their arrangements were complete, and the Allobroges and their escort, accompanied by Titus Volturcius, one of the conspirators, stole silently out of the city. As they crossed the Mulvian bridge two miles north of Rome they were arrested by the forces which Cicero had planted there for that purpose. The Allobroges who were a party to the scheme quickly submitted, and Volturcius after a brief show of resistance quietly followed their example. The letters were seized and speedily delivered to Cicero who declined to open them but instead called an immediate meeting of the Senate in the temple of Concord, summoning thither Cethegus, Statilius, and Gabinius. He himself led in Lentulus by the hand. Volturcius, on the promise of a pardon, consented to reveal all he knew concerning the conspirators and their plans, and his testimony was confirmed by that of the Allobroges. But the most damaging evidence lay in the letters. Each of the accused was confronted with his seal and forced to acknowledge it before the thread was cut. The letters which urged the Gallic tribe to
revolt were then read. The guilt of the accused was too manifest to be mistaken. By a unanimous vote Lentulus was requested to resign his praetorship, and then he and the other conspirators were ordered to be taken into custody. This was the occasion of Cicero's third oration against Catiline.

Meanwhile the freedmen and the dependents of Lentulus were scouring the streets of the city endeavoring to rouse the artisans and the slaves to rescue him, while Cethegus was sending messages to his followers to gather arms and force their way to him. On hearing these reports Cicero again convoked the Senate to demand what he should do with the prisoners. Decimus Junius Silanus, the consul-elect and therefore the first to speak, recommended that they be put to death, but later, after the speech of Caesar, he retracted this opinion in favor of the proposal of Tiberius Nero who had merely advised that the guards be increased and the question reopened. Caesar, however, when his turn came to speak, advised against departing from the traditions and customs of their forefathers by putting Roman citizens to death without the people's consent. He proposed instead that the accused be imprisoned for life in the various municipal towns, and all their property confiscated. His speech evidently made a profound impression for Cicero felt obliged to rise and deliver his fourth and last oration.
against Catiline.

He told his listeners that as far as he was concerned, the simpler proposition was that of Caesar, namely, life-imprisonment, but he commended the proposal of Silanus on the ground that traitors to their country had forfeited their rights as citizens. The majority of the Senate, however, were still in favor of Caesar's motion, when the stern and unbending Cato rose to speak. He assailed with characteristic vigor all half-way measures, and demanded, as the country's only salvation, the supreme penalty. His motion prevailed and that same day the prisoners were let down one by one into the Tullianum, the ancient prison of the kings, and strangled. On his way home Cicero addressed the anxious and curious people in what was probably the briefest speech of his career: "Vixerunt", "they have lived their life". It was a march of triumph for Cicero. Torchlights flared in every doorway, and on all sides he was acclaimed the father and preserver of his country.

The execution of Lentulus and his fellows broke the backbone of the conspiracy. A short time later in a pitched battle at Pistoria, some twenty miles from Faesulae, the remnants of Catiline's army were routed, but only at the cost of a terrific slaughter on both sides. Fighting valiantly in the van of his troops, and surrounded by the bodies of his foes, Catiline breathed his last, and the second
conspiracy was at an end.
NOTES TO CHAPTER I

2. Suetonius, Vita J. Caesar, 1, 9
3. Plutarch, Life of Cicero; Sallust, Cat. xvi.
5. Sallust, op. cit., xviii
6. Cf. Harper's Dict. Class. Antiquities, p.1309 art. "Praevvaricatio"—literally, a deviation from the straight path; it was a Latin term for the improper conduct of a case on the part of a prosecutor in favor of the defendant or on the part of a patronus to the detriment of his client. The penalty was forfeiture of the right to prosecute, and to act as an advocate.
10. Sallust, op. cit., xxviii.
11. Cicero, Pro Murena, chap. 25.
12. Sallust, op. cit., xliii
13. Sallust, op. cit., xl
14. Sallust, op. cit., li
15. Plutarch, Cato Minor, xxiii, 1.
CHAPTER II

Political Gangs at Rome

Much that took place in the Rome of the first century B.C., and, more particularly, much that concerns the conspiracy of Catiline is inexplicable without some appreciation of the part played in Rome by the political gangs that harassed the last years of the dying republic. For it would be a serious mistake to identify the mongrel rabble that flocked after Catiline (Clodius, Milo and Sestius) with the glorious "Populi Romani" whose virtues and achievements Cicero never tires of lauding. Indeed, the man who had inherited from Arpinum his fierce patriotism and tender love of Rome and his deep reverence and respect for her traditions and past glories never did himself greater violence than when he addressed this idel and corrupt mob with the proud title of "Populi Romani". This must be understood, however, not as a universal condemnation of the bulk of honest and patriotic citizens living in Rome and outside it, but of that noisy portion of the populace which though small in number dominated the popular assemblies, exercising an influence out of all proportion to their numbers.

It had been apparent, however, for some time that the old Roman virtues were practiced not in Rome but outside it in the provinces which had but recently gained
the franchise. Furthermore, the city mob, though it may have included originally a small percentage of the honest and upright citizens, had in the last few years changed radically in character. It now included in its ranks large numbers of foreigners ignorant of Rome and her patriotic and political traditions. For when Rome became the mistress of the world she also became the melting-pot of the world, into which flowed adventurers of every description till it could be said of her in the time of the empire that ninety percent of the resident population of Rome was of foreign extraction.

These strangers were, for the most part, slaves, but many of them were freedmen who enjoyed the right to vote. Their numbers were increased by the crowds of farmers who flocked to Rome at this time either because they had been Marian sympathizers and had been dispossessed of their land to make way for the veterans of Sulla, or because they were unable any longer to compete with slave labor. They preferred instead to roam idle through the streets of Rome, whither they had been lured by the promise of cheap food at the expense of the state. In later years the soldiers of Sulla finding the life of colonial farmers uncongenial to their tastes drifted slowly back to Rome.

It seems, however, that the greatest single contributing factor to the social and economic distress of the
city was the slave population. Though the number of slaves at Rome can never be accurately determined, they seem beyond all doubt to have formed a considerable part of the population. Pompey and Caesar alone are roughly estimated to have sent over a million human beings under the yoke. "Long lines of chained prisoners from Germany, Gaul, and even Britain", says Duruy, "were led to Rome. Utica and Egypt furnished blacks; Numidia, swift runners; Alexandria, grammarians; Sidone and Cyprus, those intelligent, docile and corrupt Asiatics so highly prized as house servants; Greece, her handsome boys and girls; Epirus and Illyria, the most experienced shepherds; Germany, Gaul and Thrace, the most savage gladiators; Cappadocia, the most patient laborers".

The result of this slavery was disastrous for the moral and social as well as the economic life of the city. The thrifty and hardy Roman for all his contempt for oriental pomp and ease, fell a willing victim before the seductive and talented slave of the East, often his superior in culture and learning. Before long the slaves had gained the ascendancy in the greater part of the professions. They were the doctors and the teachers, the artists and the musicians, the tutors and the writers. The gladiators formed a class apart and it was but natural that men whose business it was to kill and be killed at the pleasure of a fickle mob
should contribute much to the disorder and confusion of the city. It was, in fact, the custom to remove them from the city in times of danger.

The greatest harm, however, wrought by the slaves was that in Rome, as in all slave states, labor came to bear the stigma of disgrace. The ordinary citizen chose to stand hungry and idle in the streets rather than work, preferring to be fed, feasted, and entertained at the expense of the state, even when work was available, which was not often the case, for the cheap slave labor forced them from their jobs into the ranks of the unemployed. It was impossible to compete with slave labor especially when the slaves were worked in gangs and hired out in groups by their owners. It was this last evil and its specific application to the large scale plantation that emptied the rural districts into Rome. When the slave was no longer profitable he could be conveniently granted his freedom, and cast off on the state. Manumissions of this sort did much to swell the turbulent and discontented elements of the city.

All these evils might have been present and yet have worked no appreciable difference in the political life of the city were it not for one peculiar feature of Roman politics—the lack of permanent party organizations at Rome. Voters followed a leader rather than a political
principle. The appeal of any particular candidate for office lay not so much in any definite political platform as in his own individual and personal qualifications. Strictly speaking, there were at Rome no rival political parties as we know them today. Though there were knights and nobles and plebs and senators, yet it was not a contest between knight and senator for the consulship. The consulship, it was understood, remained strictly within the charmed circle of the senatorial order, and rarely in the long history of the republic was this tradition violated, notable exceptions were Cicero and his fellow townsman Marius. Since the individual then played so important a role in Roman politics, it was essential that he should gather around himself as many adherents as possible. For this purpose he was accustomed to equip himself with a large and handsome retinue. A favorable impression was thereby created and generally the importance of the candidate and the strength of his cause could be gauged by the size of his escort.

There was, naturally, among office seekers a fierce rivalry to gain the favor and votes of the mob, who, as a rule, sold their votes to the highest bidder. Conditions, indeed, had not changed much in the time of Juvenal, who termed the people's right of suffrage the privilege of selling their votes. It was when bribery and
corruption and the gentler methods of persuasion had failed that the political gangs demonstrated their unusual effect- iveness. Every sword in the candidate's retinue came to signify so many more votes, since the peaceful elements in the community could usually be induced to vote as their more desperate fellows indicated.

Coincident with the change in the character of the Roman mob, there appears on the stage of Roman politics a new character whom Rolfe terms the "political boss". He divides the political boss into three types: the higher type, of whom Marius, Sulla and Caesar are specimens; the lower type who does not aspire to the higher offices, but who controls the votes and is able to "deliver the goods"; and, "a middle type symbolized in Clodius and Milo, who attained high office without rising to the highest grades but who pushed the fortunes of other men, or dragged down their enemies". It is to this lower and middle type that we have reference when we speak of the political gangster. It was to be expected that the urban rabble would fall under the leadership of such men, who organized them into guilds and political clubs called sodalitates or collegia sodalacia. These were, in fact, little more than escort gangs. Originally, the collegia had comprised the various religious brotherhoods and associations banded together in this manner
for the celebration of some special cultus, but, gradually, they had lost their sacred character, and, at this time, they served merely as a pretext for arming the worst elements in the city. Any type of organization rendered them terribly effective, particularly for purposes of bribery and coercion.

After the political gangs had been suppressed it was Clodius who revived them. Caesar on his ascent to power in 47 B.C. suppressed them again. Though it was against the law for a citizen to carry arms within the city, these bands of swordsmen swept through the streets doing exactly as they pleased since there was at Rome no regular police force to see that the law was observed. During the last days of the republic they had no doubt become a permanent feature in Roman politics, and, it may have been in the capacity of a gang leader that Crassus and Caesar first made use of Catiline. No one, however, seems to have organized them so effectively and on so grand a scale as Clodius and Milo. It was by the aid of precisely such means that Clodius succeeded in forcing through the laws that resulted in the exile of Cicero. As early as 62 B.C. when there was a bill before the assembly to try Clodius in connection with his profanation of the rites of the Bona Dea, Clodius surrounded the ballot boxes with his armed ruffians, and succeeded in breaking up the meeting without a vote. The great Pompey, though he liked to consider
himself the first man in Rome, hardly dared at one time to venture out of his house for fear of Clodius and his gangsters. They were harassing him at the instigation probably of Crassus, Pompey's bitter rival. It was only after Milo with his own band of hired assassins had engaged Clodius in a prolonged series of brawls and street fights that the assembly was able to meet and pass the bill recalling Cicero. The senate on this occasion voted a sum of money to rebuild Cicero's house, but Clodius and his gang drove off the workmen and burned down the house of Cicero's brother next door.

After the departure of Crassus for the East, a reconciliation was effected between Pompey and Clodius. When Milo, therefore, ran for the consulship in 52 B.C. much against the will of Pompey, Clodius had an added motive for attacking him. Milo replied in kind by hiring several rival gangs and the war was on. Rome was the scene of one riot after another, and street fighting became the order of the day. The elections, of course, were rendered impossible so that this state of anarchy might have continued indefinitely had it not been for the memorable meeting between Clodius and Milo on the Appian Way near Bovillae some ten miles from Rome, when the swordsmen of Milo after an encounter in which they came off victorious, dragged the wounded Clodius from a tavern into the road and murdered him.
Pandemonium broke loose in Rome when it was announced to the rabble that Clodius had been slain. They besieged the senate house and heaping up the benches they laid on this improvised pyre the body of their idol, burning the senate house to the ground in their grief. Meanwhile the gangs of Clodius, on the pretext of looking for Milo and his friends, were busy burning and pillaging. At length, to prevent further disorders, Pompey was recalled and made sole consul, which was just what he desired. Since there was no one at Rome to hire them now, the gangs became superfluous; so Rome sat back to watch the struggle between Pompey and Caesar who were playing for much greater stakes this time and with armies instead of gangs.
NOTES TO CHAPTER II

5. Ibid.
CATILINE'S GUILT IN THE FIRST CONSPIRACY

This thesis, it may be well to remark, is in no sense of the word an apologia or defense of Catiline. A number of such defenses have been attempted, none with more notable success probably than that of Professor E. S. Beesley, which first appeared in the Fortnightly Review and has since been reprinted. Unfortunately most of Professor Beesley's conclusions have since been discredited and his essay makes interesting, if not altogether satisfactory, reading. This thesis is, however, an attempt to determine and estimate the extent of Catiline's guilt, using as a basis of judgment the accounts of the conspiracy handed down by Cicero and Sallust.

Our efforts will be confined principally to the texts of Sallust and Cicero because the "Bellum Catilinae" of the former and the "Four Orations of Cicero against Catiline" are the chief sources from which our reliable information of the conspiracy is derived. The history of the Catilinarian conspiracy as found in the subsequent authorities--Plutarch, Appian, Suetonius, Dion Cassius, Florus, and Paterculus--does not differ essentially from the accounts of Sallust and Cicero. Nothing, indeed, can be more certain than the fact that in Rome in the year 63 B.C. there was a conspiracy, and that the
leader of this conspiracy was a notorious individual, by name, Lucius Catilina. The precise guilt of Catiline, however, and the exact blame that attaches to him for his share in the plot, is not quite so evident. Cicero, of course, has tried to immortalize him as public enemy no. 1 in the rogues gallery of the Roman Republic. On the one hand it may be that Catiline was not so black as he is generally painted; on the other hand, perhaps, he was more so. It is our purpose to find out whether and to what degree Catiline may be acquitted or convicted of the charges brought against him.

We shall have gone far in our efforts to determine the precise guilt of Catiline if we can assign him his rightful role in the first conspiracy of 66 B.C. As is evident, the crime of Catiline is rendered more heinous and his guilt more obvious if we find that as early as 66 B.C., three years before the major conspiracy, Catiline had already led several unsuccessful attempts to overthrow the government. On such a hypothesis the major conspiracy was not the result of some sudden and desperate resolve, but the fruit of three years of scheming and planning. On the other hand, his guilt is somewhat diminished if we find, instead, that the plot of 66 B.C. which supposedly comprised the two attempts on January 1, and February 5, was in all probability not repeated on February 5, as Sallust claims and secondly, that Catiline was
merely acting as the instrument of Crassus and Caesar, and
played, therefore, a rather minor role in the whole affair.

Both Cicero and Sallust give us very unsatisfactory accounts of this first conspiracy. Sallust alone of all the authorities makes any mention of a second attempt on February 5. If, as we intend to show, Crassus and Caesar were the real leaders in this conspiracy, it quite contradicts what we know of Caesar and his established policies and methods to say that he would risk a second failure so soon after the first. Moreover, if, as Mommsen claims, "from the passing of the Gabinio-Manilian laws down to the return of Pompey there was perpetual conspiracy in Rome", it would seem only reasonable to adopt the conclusion of Professor E. G. Hardy, who had given us probably the finest treatment to date of this vexing question, that it is well "in the complete absence of all other mention of this second and more atrocious plot, to dismiss it as irresponsible rumor carelessly repeated by Sallust". The most convincing piece of evidence, however, that this second attempt never took place is the fact that Cicero in his account of the first conspiracy, at a moment when he is violently inveighing against Catiline and raking up all sorts of charges against him both true and false, fails to make even the slightest reference to this damaging bit of information.
The truth of the matter is that both Sallust and Cicero are at evident pains to avoid all mention of Crassus and Caesar in connection with the affair. Sallust as an avowed partisan of Caesar and the acknowledged recipient of innumerable favors at his hands would naturally shrink from introducing the name of his dead chief in so odious a venture. Cicero for obvious reasons would not care to antagonize the two greatest men in Rome at a time when his own position was so precarious. For the orations against Catiline were written, it must be recalled, some three years after the conspiracy when the first burst of enthusiasm had subsided and a popular reaction had set in against Cicero for his share in the execution of Lentulus and his fellows. Plutarch in his life of Caesar tells us expressly that Cicero "voluntarily overlooked and neglected the evidence against him (Caesar) for fear of his friends and power for it was very evident to everybody that if Caesar was to be accused with the conspirators, they were more likely to be saved with him, than he to be punished with them".

Suetonius, however, had no such motives for being reticent, and in no uncertain terms he tells us that Caesar "venit in suspicionem consiprassse cum Marco Crasso consulari, item Publio Sulla et L. Antonio post designatioem consulatus ambitus condemnatis, ut principio anni senatum
adorirentur, et trucidatis quos placitum esset, dictaturam
Crassus invaderet, opse ab eo magister equitum diceretur
constituaque ad arbitrium re publica Sullae et Antonio cons-
sulatus restitueretur. Unlike Sallust in his treatment of
this particular question, Suetonius immediately proceeds to
quote his authorities: "Meminerunt hujus conjurationis
Lanusius Geminus in historia, Marcus Bibulus in edictis, C.
Curio pater in orationibus", and he adds that Cicero too had
hinted as much in a letter to Axius.

A good deal of mystery still attaches to this
first conspiracy. If the affair were as simple as Cicero and
Sallust would have us believe, why were the conspirators never
brought to trial, and why the seemingly tacit agreement on all
sides that the matter be dropped as quickly and as quietly
as possible? When we compare the account of Sallust with
what actually did transpire in Rome after the failure of the
conspiracy, we are faced with some very remarkable conclusions.
The story of the first conspiracy as told by Sallust is as
follows:

"Sed antea item conjuravere paucii contra rem publicam
in quis Catilina fuit; de qua verissime potero dicam.
L. Tullo et M. Lepido consulibus P. Antonius et P. Sulla
designati consules legibus ambitus interrogati poenas
dederant..............Erat eodem tempore Cn. Piso,
adolescentis nobilis, summiae audaciae, egens, factiosus,
quem ad purturbandam rem publicam inopia atque mali
mores stimulabant. Cum hoc Catilina et Antonius cir-
citer nonas Decembris consilio communicato parabant in
Capitolio kalendis Januariiis L. Cottam et L. Torquatum
Catiline and Antonius then were to kill the consuls Cotta and Torquatus, and Piso was to be sent with an army into Spain. The attempt was a miserable fiasco. But lo and behold, a few months later we find Torquatus actually defending Catiline against a charge of repetundae and Piso by a decree of the Senate marching off to Spain with an army. Cicero is our witness for the first statement in his speech in behalf of Sulla, another of the conspirators:

"Quin etiam parens tuus, Torquate, consul reo de pecuniis repetundis Catilinae fuit advocatus, improbo homini et supplici, fortasse audaci et aliquando amico. Cui cum adfuit post delatam ad eum primam illam conjurationem, indicavit se audisse aliquid non credisse". 10

The second statement quoted above is testified by Sallust himself, who immediately after telling us that it was part of the conspirators plan that Piso should be sent to Spain with an army, has this to say: "Postea Piso in citeriorem Hispaniam quaestor pro praetore missus est adnitate Crasso, quod eum infestum inimicum Cn. Pompeio cognoverat". 11 In that little sentence we have probably the key to the whole first conspiracy. From it we are able to conclude to the moving spirits behind the whole affair, Crassus and Caesar, for Sallust seems not to have understood that he could not cast suspicion on Crassus without at the
same time implicating Caesar. Crassus and Caesar had joined forces out of fear of Pompey who, it was expected, would attempt to set up a military dictatorship on his return to Rome from his brilliant campaigns in the East.

One move in the game of Crassus and Caesar to check Pompey was to put in the consulship men like Catiline and Antonius whom they could manipulate without too much difficulty. Another move was to send Piso, Pompey's deadly enemy, to Spain with an army. That was the original plan of the conspiracy and though it failed miserably, still Crassus was powerful enough and wealthy enough to force the Senate to send Piso to Spain after all, and not only that, but to endow him with praetorien powers as well. This is confirmed by Asconius in his commentary on Cicero's lost election speech "In Toga Candida", in which Cicero makes the following statement: "Dico, P. C. superiore nocte cujusdam hominis nobilis et valde in hoc largitionis quaestu noti et cogniti domum Catilinam et Antonium cum sequestribus suis convenisse". Asconius makes the following commentary:

"Aut C. Caesaris aut M. Crassi domum significat, ei enim accerrimi ac potentissimi fuerunt Ciceronis refragatores, cum petiiit consulatum, quod ejus in dies civilem crescere dignitatem animadvertent; et hoc ipse Cicero in expositione conciliorum suorum significat. Sed ejus quoque conjurationis, quae Cotta et Torquato coss. ante annum quam haec dicerentur facta est a Catilina et Pisone, arguit M. Crassum auctorem fuisse".13
Sallust in his attempt to clear Caesar's name of suspicion, magnifies naturally Catiline's share in the proceedings. He is prompted by no such consideration with regard to Crassus:

"Fuere item ea tempestate qui crederent M. Licinium Crassum non ignarum ejus (Catilinae) consilli fuisse, quia Cn. Pompeius invisus ipsi magnum exercitum dictabat, cujusvis opes voluisse contra illius potentiam crescere, simul confisum, si conjuratio valuisset, facile apud illos principem se fore."14

Caesar's connection with the conspiracy was equally notorious. Caesar and Crassus were extremely anxious at this time to get their hands on Egypt, the richest country in the East, and in the advent of trouble with Pompey an invaluable base of operations. With men of the stamp of Catiline and Antonius in the consulship, their scheme stood some chance of realization. What other uses they would have made of Catiline we can only conjecture. We have a few indications, however, in Titus Labienus who proposed the bill restoring the election of the Chief Pontiff to the people instead of the college of Pontiffs, and thereby secured the victory of Caesar over his formidable rivals Catulus and Servilius. Another tool of Caesar and Crassus, the tribune Servilius Rullus was employed to introduce a measure which if carried would have given them the power and the money and the armies they wanted. It was the famed Agrarian Law for the distribution of land to the poor, the money to purchase the land being raised by the sale of government property in nine different provinces. The
law was to be administered by ten commissioners invested with military power for a space of five years. Caesar of course, would head this commission, only the measure was defeated by the efforts of Cicero.

These facts are important as showing where the balance of power lay in Rome, and what the relations must necessarily have been between Crassus and Caesar on the one side and Catiline on the other. Catiline was clearly the tool. It was with the evident intention of making some such use of him that Caesar as president of the commission that was trying those accused of performing the wholesale executions for Sulla allowed the rest to be condemned, but the most patently guilty of all, Catiline, to be acquitted. Rome, however, was not deceived. Later when the second conspiracy was at its height, Mommsen tells us that "the young men who had taken up arms to ward off the incendiaries were exasperated against no one so much as against Caesar; on the fifth of December when he left the Senate they pointed their swords at his breast and he narrowly escaped with his life even now on the same spot where the fatal blow fell on him seventeen years afterwards; he did not again for a considerable time enter the senate house." At the trial of the conspirators when Caesar had spoken against the death penalty and made a profound impression on his listeners, Plutarch tells us
that "the first man who spoke against Caesar's notion was Catulus Lutatius. Cato followed and so vehemently urged in his speech the strong suspicion about Caesar himself and so filled the senate with anger and resolution that a decree was passed for the execution of the conspirators."

The hand of Caesar, like that of Crassus, was too manifest to be mistaken. But at the same time the influence of Caesar like that of Crassus was powerful enough to discourage any proceedings that might be taken against him. Crassus, it will be remembered, had been seriously implicated by the testimony of Tarquinius. Though many believed in the guilt of Crassus still the testimony against him had been stricken from the records and Tarquinius instead bundled off to prison. Even though Crassus was guilty, it was considered a much wiser and safer policy to propitiate rather than exasperate him at such a crisis. All this being true it might well be questioned with what amount of fairness, considering the relative parts played by Catiline and the powerful combination of Caesar and Crassus, the name of Catiline has come to be attached to this "First Conspiracy of Catiline". Clearly he can have been no more than a minor and subordinate figure. It is highly significant that Suetonius in his account of the first conspiracy does not even mention the name of Catiline.
NOTES TO CHAPTER III

4. Cicero, Oration against Catiline, I, c. vi.
7. Ibid.
8. Hardy, op. cit., p. 14
9. Cicero, Pro Sulla, c. xxviii
10. Sallust, op. cit., c. xix
13. Sallust, op. cit., xvii
15. Mommsen, op. cit., vol. IV, p. 181
16. Ibid.
17. Plutarch, op. cit.
18. Sallust, op. cit., c. XLVIII
19. Suetonius, op. cit., C. IX
CHAPTER IV

The Evidence in Cicero for Catiline's Guilt

In the present chapter our efforts will be mainly confined to a consideration of the evidence advanced by Cicero, for and against the guilt of Catiline, in his four famous orations. There is question here of Catiline's guilt with regard to the conspiracy i.e. precisely how great or how little blame attaches to him as a conspirator. This will however necessarily entail some discussion of the further question of Catiline's private life and morals. Little need be said in behalf of the case presented by Cicero against Catiline. We need only remark that so complete and masterful was the task performed by Cicero that he has secured for Catiline an immortality, which, questionable as it is, the latter could never have achieved by his own efforts. It is an eloquent commentary on the skill of Cicero, and a wonderful tribute to his genius that succeeding generations have hardly dared to question the judgment he pronounced against Catiline. Amid a welter of facts, and details and data incontestible, Cicero has proved beyond all doubt that in the year 63 B. C. there was a movement afoot in Rome against the government, a conspiracy, if you like, and that the leader of this movement was Catiline. If one chooses to view Catiline solely through the eyes of Cicero, the case is closed and Catiline
was just about the worst wretch that has ever graced this earth. But when Catiline is viewed through the eyes of a third person, and the implied statement weighed and balanced against the explicit, the case against him is not quite so obvious and terrible. We see much at times in the very words of Cicero that at a first glance might escape us. We find at times certain details left unexplained. Some of these we shall attempt to solve. For our explanation we claim, not that it is the only one or the commonly accepted one or the best possible one but merely, that, given the circumstances, it is a reasonable one and a quite plausible one. It is in this frame of mind that we now look at the four orations delivered by Cicero when the conspiracy was at its height.

The time of the composition and delivery of the four orations is of course extremely important. Had they been written some fifteen years or so after the crisis had passed and the conspiracy was no longer a live issue, we should expect to find even Cicero less violent in his denunciations of Catiline. As a matter of fact, the speeches as we have them were not written till some three years after the conspiracy when it was Cicero's avowed object to depict Catiline in as lurid a light as possible. A reaction had set in against Cicero, as has been already mentioned, for the part he had played in putting the conspirators to death. These speeches were, therefore, as much a defense of Cicero's own
policy as an arraignment of Catiline. It must be apparent that Cicero's best defense lay in emphasizing and elaborating the guilt of the conspirators. This was, of course, particularly true of Catiline not only as leader of the opposition but as the symbol of that whole side of Roman life which Cicero hated and condemned. For these reasons we must be somewhat cautious and critical in our interpretation of what Cicero has to say of Catiline and attempt to estimate the latter's guilt more by the content of what Cicero has to say than the highly rhetorical manner in which he says it.

At the precise time the first oration against Catiline was delivered (Nov.8, 63 B. C.) Cicero was striving desperately to convince the authorities at Rome that this conspiracy was to be taken seriously and that this Catiline was in reality a dangerous character. The last point most of them would have been quite willing to concede. Cicero faced a much stiffer task, however, in the attempt to convince them that Catiline was a serious menace to the safety of the city as a whole. His own words are a virtual admission of this fact. "Quamquam non nulli sunt in hoc ordine qui aut ea quae imminent non videant aut ea quae vident dissimuent; qui spem Catilinae mollibus sententiis aluerunt conjurationemque crescentem non credendo conroboraverunt". Earlier in the same speech he had confessed as much when he declared:
"Si te jam, Catilina, comprehendi, si interfici jussero, credo, erit verendum mihi non potius hoc omnes boni serius a me quam quisquam crudelius factum esse dicat. Verum ego hoc quod non jam pridem factum esse oportuit certa de causa nondum adducor ut faciam".2

The "certain reason" why Cicero did not dare to take any definite steps against Catiline was the fact that these good citizens either did not as yet take Catiline's attempt at a revolution seriously, or else they were not disinclined to view with an indulgent eye a scheme that in any way appeared to challenge Pompey. In either case Catiline could not have seemed to them the revolutionary abomination that Cicero pretends; in fact, they were quite likely to welcome a movement that promised resistance to Pompey.

It was only when the people realized that the movement was directed against themselves that they took any pains to suppress the conspiracy. For already the several classes in Rome had begun to regret the excessive powers they had themselves placed in Pompey's hands by the passage of the Manilian and Gabinian laws. As Mommsen says: "never since Rome stood had such powers been united in the hands of a single man." Pompey was now by reason of his victories over the pirates and Mithradates virtual commander of the Roman forces on land and sea. Rome was consequently in a state of feverish anxiety waiting to see what use the great soldier would make of his dictatorial powers when he grew tired of making and unmaking monarchs in the East.
The aristocratic oligarchy in Rome feared Pompey as a threat to their supremacy and the popular party with which Pompey was presumably allied realized that it now had in Pompey an ally too powerful for its own good. The senate and the optimates were willing to go any lengths in their toleration of Catiline if only they might thereby offset in some manner the advantages of Pompey. This is clearly shown by the fact that they sent the quaestor Gnaeus Piso with an army to Spain with praetorian powers, simply because of the deadly enmity that was known to exist between himself and Pompey, although Piso was a notorious intimate of Catiline and had been implicated with him in the first conspiracy.

It must be apparent, then, that to convince this audience which might be inclined to treat in somewhat cavalier fashion the charges against Catiline, Cicero was forced to tax his resources to their utmost, and to leave unsaid nothing that could be construed to Catiline's disadvantage. This is no unfair reflection on Cicero, for in his speech Pro Cluentio he himself expressly warns us against accepting as historical facts the charges he might chance to urge against anyone, guided as he was by the exigencies and the circumstances of each particular case:

"Sed errat vehementer, si quis in orationibus nostris, quae in judiciis habuimus, auctoritates nostras consignatas se habere arbitratur. Omnes enim illae orationes causarum ac temporum sunt, non hominum ipsorum
aut patronorum. nam si causae opse pro se loqui possent, nemo adhiberet orationem."5

That we have interpreted these words in their true sense, we quote in proof Professor E. G. Sihler who writes in this connection, "He (Clu 139) positively refuses within the sphere of his professional conduct or procedure to be bound or constrained by any published utterance of the past. An advocate cannot maintain genuine consistency in dealing with the shifting and changeful cases which he undertakes. He is necessarily (Clu 139) determined by the case in hand and by the circumstances attending it! Cicero himself, later on openly boasted that in this particular case he had thrown dust into the eyes of the jury. A distinction must be drawn between the genuine sincerity of Cicero, the Roman patriot and the occasional special pleading of Cicero, the Roman lawyer and rhetorician. It is our task to get behind the rhetoric and the invective and to let the facts speak for themselves.

The first oration against Catiline is to a large extent an impassioned appeal to Catiline to leave the city. This is the motif and it occurs time and time again with singular insistence: "egredere alicamdo ex urbe, patent portae, profisciscere.......sin tu, quod te jamdudum hortor, exieris.......exire ex urbe jubet consul hostem. interrogas me num in exsilium? non jubeo, sed si me consulis, suadeo...
......quam ob rem discede atque hunc mihi timorem reipe.....
......quae cum ita sint, Catilina, dubitas, si emori aequo
animo non potes, abire.........egredere ex urbe, Catilina,
and so on through the rest of the speech we find Cicero
begging, persuading and ultimately forcing Catiline to leave
the cit.

Why was Cicero so anxious that Catiline
depart safely from the city when he had already arraigned
him in sustained passages of invective as a desperado and
criminal whose freedom was a menace to the state? Why was
Catiline not summarily arrested and thrown into prison or at
least incapacitated in some way from wreaking further harm
on the state? Certainly Cicero never dreamt for a moment
that his pleas to Catiline to abandon his ostensibly wicked
designs had made the slightest impression on him. Nor do
the reasons Cicero gives for not seizing Catiline and putting
him to death seem entirely satisfactory. Neither the "customs
of their ancestors" nor the "laws regarding the punishment of
Roman Citizens" would have caused Cicero any serious scruples
as he himself admits, for; "persaepe etiam privati in hac
re publica perniciosus civis mote multarunt," and as re-
gards punishing Roman citizens, why: "numquam in hac urbe
qui a re publica defecerunt civium jura tenerunt." He
did not hesitate a few weeks later to put Lentulus, Cethegus,
Gabinius, Caeparius and Statilius to death without a formal trial although they were Roman citizens and the law demanded it. The third reason Cicero gives, "the odium of posterity" might well have been a consideration with him, but we can be sure that Cicero in his recital of the events would take good care that no odium should reflect upon himself. We should expect hardly less of a man whose supreme ambition lay not in the amassing of wealth or in the exercising of authority but in the winning of admiration.

We cannot help suspecting, however, that Cicero's real reason for not apprehending Catiline was the simple fact that Catiline had not as yet committed any overt act that would justify such behaviour on Cicero's part, or if he had, that Cicero had not clear evidence of the fact. This would also explain the unexpected presence of Catiline in the senate on this particular day for even Cicero does not appear to have suspected him of such daring. But Catiline knew and Cicero knew that as long as the former could keep up a bold front in the city he was safe. If, however, Catiline could be driven out of the city he had no other recourse but to go to the camp of Manlius and once he did the conspiracy was a fait accompli and Cicero had won. Cicero had hinted as much when he declared: "Nunc intelligo, si iste, quo intendit, in Manliana castra pervenerit, neminem tam stultum fore qui
It was, as a matter of fact, in just some such manner that events actually transpired. Catiline had entered the senate and with the utmost coolness had taken his customary seat in their midst, but gradually as Cicero fired one denunciation after another at Catiline's head, those sitting closest to him, fearing to draw Cicero's attention to themselves, had quietly removed to a safe distance. Sitting alone in the crowded senate chamber, and listening to the merciless invective directed against him by the greatest orator in Rome, Catiline had finally betrayed himself. Rising to his feet to answer Cicero's charges he had been howled down, till at length mad with fury and raging under the insults heaped upon him by Cicero, he had rushed out of the place shouting that: "since he was driven desperate by his enemies, he would extinguish his fire by general devastation."

Cicero had forced his hand and that night Catiline left Rome for the camp of Manlius. Cicero could now proceed against Catiline as a declared enemy of the state, and since in virtue of the extraordinary powers conferred upon him by the senatus consultum ultimum, his field of action was unlimited, it is not hard to understand why Catiline lost no time in fleeing the city. It is, at any rate, the opinion of Paterculus that: "Catilina metu consularis imperii urbe pulsus
What conclusion are we to draw? Not that Catiline was not a conspirator for a conspirator he certainly was but merely this conclusion that if Cicero had to force Catiline into open rebellion in order to convince the majority of Rome to take the conspiracy seriously, then this is hardly in accord with the traditional picture originated by Cicero of a Catilinewith pallid face and bloodshot eyes who roamed the streets of Rome breathing incendia scelera, caedes, parricidia, latrocinia, etc. This of course does not exculpate Catiline from the charge of conspiracy. It does not lessen his guilt. It merely gives us cause for pause. Either Catiline was a much more clever individual than we have been led to believe and if he was, how explain his hesitancy, the childish parade of lictors, the melodramatic speeches, drinking of blood, etc.---or else he was not entirely the monster that Cicero has painted him. The point we are making is that Cicero was designedly confusing two separate issues--he was convincing his listeners of the heinousness of the conspiracy with a recital of the heinousness of Catiline's private character.

We are of course dealing here only with Catiline's guilt in connection with the conspiracy, and it must be confessed that once he had proceeded to the camp of
Manlius, there could be little doubt relative to that. Regarding the charges leveled by Cicero against Catiline's private life, it would not be amiss to say something here since our judgment of Catiline and the conspiracy has been so largely influenced by the terrible stories of his private life and while we have no reason to doubt their validity, this however must be said. Catiline lived in an age remarkable in history for the utter abandon with which charges of the most outrageous nature were freely bandied about. Courts for cases of slander and libel were unknown so one could accuse his enemy of whatever crimes he chose and not fear the consequences. The only defense was to retaliate in kind, with the result that neither side was believed nor even expected to be believed. Such a state of affairs was the logical outgrowth of the legal training of the day. The budding orator or lawyer was taught to color his case, to render heinous the most insignificant faults of his adversary and even, if need be, to slip in a few useful lies here and there. The procedure was transferred with the greatest facility from the school to the platform and the courtroom.

"On sait," says Bossier, "que les advocates de Rome n'hésitaient guère à charges les gens qu'ils pour suivaient de crimes imaginaires...... Ils ne prenaient même pas toujours la peine d'inventer un crime nouveau, créé tout exprès pour la circonstance et approprié au personage; il y en avait qui servaient pour tout les occasions. Quand la cause semblait un peu maigre et ne fournissait pas assez à L'éloquence
de l'avocat, il ne se faisait aucun scrupule d'y joindre une bonne accusation d'assassinat. C'était devenu une habitude, nous dit simplement Ciceron."

Cicero elsewhere refers to such proceedings as the law of accusations, the *lex accusatoris*: in another place he refers to the *mendaciuncula*.

The accusations mentioned above received the ready approbation of even the most prominent men. Quintus Cicero, in his treatise, *De Petitione Consulatus*, advises his brother to: "contrive if possible, to get some new scandal started against your rivals (Catiline and Antonius) for crime or immorality or corruption, according to their character." Professor T. Rice Holmes tells us that "this last injunction Cicero diligently observed." To us who read the catalogue of Catilinarian crimes, Catiline appears somewhat of a monster, but to the ordinary Roman who knew how to subtract and divide what was said, he would in all probability have appeared not much worse than his fellows.

Catiline could not have seemed to his contemporaries a wholly bad character for he enjoyed evidently the acquaintance of some of the most outstanding men in Rome, among them the noble and upright Quintus Catulus. It was to Catulus, as he was going to his doom, that Catiline entrusted his wife Orestilla in the very last words that are known to have come from his pen. Cicero himself professes to have
found some admirable traits in Catiline. In the midst of the violent denunciations he hurled against his rival Catiline in the election speech, In Toga Candida, and the charges which he later repeated in a still more aggravated form in the Catilinarians, Cicero still found something to praise in his adversary.

Five years later when the conspiracy was no longer a live issue Cicero in his speech, Pro Caelio, makes some references to Catiline that are even more surprising. Defending Caelius against the charges of having been too intimate with Catiline, Cicero uses these words with regard to Catiline:

"Illa vero, judices, in illo homine mirabilia fuerunt, comprehendere multos amicitia, tueri obsequio, cum omnibus communicare, quod habebat, servire temporibus suorum omnium pecunia, gratia labore corporis, scelere etiam si opus esset, et audacia versare suam naturam et regere ad tempus atque huc et illuc torquere ac flecere cum tristivus severe, cum remissis jucunde, cum senibus graviter, cum juventute comiter, cum facinerosis audacter,"18

and a few lines further on:

"Me ipsum, me, inquam, quondam paene ille decepit, cum et civis mihi bonus et optumi cujusque cupidus et firmus amicus ac fideliter videretur; cujus ego facinora oculis priusquam opinione, manibus ante quam suspicione deprehendi."19

Cicero, in fact, seems to have been so completely deceived that he even contemplated defending Catiline when he was being tried for malfeasance in office in order
that he might secure Catiline's aid in his quest for the consulship.

"Hoc tempere, Catilinam competitorem nostrum defendere cogitamus; judices habemus quos voluimus, summa accusatoris voluntate. Spero, si absolutus erit, conjunctorem illum nobis fore in ratione petitionis; sin aliter acciderit, humaniter feremus."20

Thus in this letter to Atticus we find Cicero, in the first known reference he makes to Catiline preparing if need be to bear manfully the loss of Catiline's friendship. Some have even believed that Cicero actually did defend Catiline, notable Fenestella, but most authorities seem inclined to adopt the position of Asconius, in his commentary on the In Toga Candida:

"defensus est Catilina, ut Fenestella tradit, a M. Cicerone quod ego ut addubitem haec ipsa Ciceronis oratio facit, maxime quod is nullam mentionem rei habet, cum potuerit invidiam facere competitiori tam turpiter adversus se coeunti."21

It seems evident at any rate that even Cicero had not always regarded Catiline as the traditional *bête noire* of Rome.

The third and fourth Catilinarian in as far as they directly affect Catiline add little to the condemnation that Cicero had already pronounced against him in the first and second orations. The third oration delivered before the people on December 3 is largely a narration of how Cicero with the aid of the Allobroges had trapped the leaders of the conspiracy in Rome. The fourth is concerned with the
punishment that is to be inflicted on them. We, therefore, turn, our attention to the second oration delivered before the people on November 9. It is for the most part an arraignment of Catiline and his associates and contains the famous catalogue of Catiline's accomplices. It was Cicero's object to throw discredit on Catiline and his movement by holding up to ridicule the elements on which it rested, and in this he had succeeded. It is interesting to note however, that all six classes mentioned by Cicero have some connection, either proximate or remote, with the universal evil of the day—debt. Knights, senators, gamblers, bankrupts, spendthrifts, paupers, idlers, soldiers,--they had but one thing in common, the misery and the anxiety of the debtor. It was the promise of the Novae Tabulae and repudiation of debts that drew them round the standard of Catiline. They were a class whose allegiance was valuable neither to the optimates nor the popular party. This would explain why they fared badly at the hands of the two traditional parties and their leaders, but would not on that account make this third party a necessarily disreputable one, except in the eyes of its enemies. The above classification of Catiline's followers, it must be remembered, is Cicero's. Any disrepute lay not in the fact that they were debtors but that they were small debtors. There was scarcely an eminent man of the day again-
st whom this charge could not be leveled, including Cicero's own followers. According to the severe regulations of the times regarding mortgages, if a debtor was unable to meet his obligations punctually, even if it were only the interest on his debt, the creditor was entitled to take possession of the mortgaged property. One can readily imagine the countless number of debtors such a measure would breed even amongst the wealthy senatorial class who were no longer capable of raising the huge sums necessary for the maintenance of their hereditary estates. The case of Caesar is of course notorious. Even if we discount the figure quoted by Plutarch, 1300 talents, his debts must have been prodigious—and this before he had held any public office. The imputation of debt therefore was not something peculiar to the party of Catiline alone.

Catiline, in fact, was extremely solicitous about the good name of his enterprise. Throughout the whole course of the conspiracy his actions tend to show "that desperate though his plight might be, he felt that he had a respectable cause and was determined to keep it so."

One of the most significant acts of Catiline in this direction was his refusal to enlist the aid of slaves. It has been remarked already how numerous these slaves were in Rome and what a constantly disturbing factor they proved in the maintenance of order within the city. It can be seen
at a glance what a welcome contribution they would have made to the slender forces Catiline had at his disposal. Only a few years previous these slaves had risen under Spartacus and had succeeded for a time in terrigying the whole Italian peninsula while holding at bay the armies of several Roman magistrates. They only fell before the superior might of Crassus and Pompey.

To the very end Catiline was adamant in his refusal to enroll slaves, despite the entreaties of the other leaders at Rome, particularly Lentulus. The following is a copy of the letter which Lentulus sent Catiline, only to have it intercepted by Cicero:

"Quis sim ex eo quem ad te misi cognosces. Fac cogites in quanta calamitate sis, et memineris te virum esse consideres quae tuae rationes postulent. Auxilium petas ab omnibus, etiam ab infimis,"

and adds Sallust:

"Ad hoc mandata verbis dat; cum ab senatu hostis judicatus sit, quo consilio servitia repudiet."25

Still later when Catiline was being besieged by the army of Antonius and was in sore need of recruits, he still refused the aid of the slaves who flocked to him in large numbers. Sallust says:

"Interea servitia repudiabat, cujus initio ad eum magnae copiae concurrebant, opibus conjurationis fretus, simul alienum suis rationibus existimans videri causam civium cum servis fugitivis communicavisse."26

That Catiline evidently considered his cause
an honorable one we may conclude from Cicero's own words in the second oration where he tells us that Catiline had sent in advance to the camp of Manlius, among other things; "fascis, tubas, signa militaria, aquilam illam argenteam." Now no sane man at an extreme crisis of his life—least of all a man like Catiline—is going to burden himself with a lot of ceremonial clap trap and appendages unless he had some serious purpose in view. It was evidently Catiline's intention by the use of these traditional insignia of authority to impress upon his followers as well as upon the rest of Italy the honesty and legitimacy of the cause he had undertaken. For the fasces were originally the emblem of the king's absolute authority over life and limb, and as such had passed over to the Roman magistrates as the symbol of sovereign power. The aquila argentea referred to was the insignia of Marius, the great popular hero and was intended to earn for Catiline the sympathy and support of the common people. It was also designed to gain the assistance of the rural provinces, on which Catiline was counting heavily for men and arms, for it was through the efforts of Marius and the tribune Sulpicius Rufus that the Italian allies had been enrolled among the tribes in Rome. All this tended to cloak the designs of Catiline in respectability. To say that Catiline believed his cause a good one is far from claiming that the cause he espoused was objective—
ly a good one. We have no evidence, not even from the pen of Cicero, that Catiline did not sincerely believe in the cause for which he was prepared to risk everything. His actions on this point at least, are surprisingly consistent. True, the instruments he used were anything but respectable but Catiline was a desperate man and he had recourse to such methods only when he saw that the legitimate approaches to his design were closed to him. He had seen himself worsted time after time by the equestrian monied interests and the influence they could buy. For we must remember that Catiline was defeated in his quest for the consulship by only a few votes that had been marshalled against him by the equestrians and their friends. If Catiline is accused of importing voters into the city, the same is true of his enemies in a greater degree. On that day many nobles and knights "who had never appeared in the Campus Martius in their lives came with set and anxious faces to the voting booths followed by a procession of friends and clients. The voting was very close but once more money had overcome numbers."

Cicero, moreover, was subsequently proven wrong in the slurs he cast on the morale of Catiline's associates and their loyalty to him. Cicero referring to them had ostentatiously declared: "quibus ego non modo si aciem exercitus nostrī, verum etiam si edictum praetoris ostendero,
Cicero's grim little joke was not without its point for in his edict the praetor was accustomed to lay down the laws he would observe in arranging the proceedings of the regular courts for the coming year and in deciding cases not covered by the twelve tables. Cicero thought that a joking reference to its contents might be enough to discourage the more timorous of Catiline's followers. He was wrong however for they did fall eventually at the battle of Pistoria but not at the praetor's edict. They wrote, in fact, the noblest chapter in Catiline's life, for says Sallust:

"confecto proelio tum vero cerneres quanta audacia quantaque animi vis fuisset in exercitu Catilinae. nam fere quem quiscue vivos pugnando locum ceperat, eum amissa anima corpore tegebat.........postremo ex omni copia neque in proelio neque in fuga quisquam civis ingenuus captus est; ita cuncti suae hostiumque vitae juxta perpercerant."29

Even before this time, when the senate had pronounced Catiline and Manlius traitors and had voted that an army should be levied immediately to pursue Catiline, we learn from Sallust: "ex tanta multitudine neque praemio inductus conjurationem patefacerat neque ex castris Catilinae quisquam omnium discesserat."30 It might readily be construed then as something of a tribute to the character of Catiline as well as his associates that despite the fact that they were one and all heavily in debt, not one came forward to testify against Catiline and claim the promised rewards. For
the senate had voted various rewards at this time to anyone volunteering information about the plot, to a slave, his freedom and a hundred thousand sesterces, and to a free man, with immunity from complicity, two hundred thousand sesterces.

31 The awards, however, went unclaimed. This is a rather remarkable circumstance if as Cicero tells us, Catiline was so universal an object of hate and his associates so utterly abandoned. It is a fact that might have gone unmentioned. It does not make Catiline any less a conspirator but it does help toward giving us a fairer less distorted and therefore truer picture of that conspirator.
NOTES TO CHAPTER IV

1. Cicero, Cat. I, c. 12
2. Cicero, op. cit., c. 2
3. Mommsen, History of Rome, Bk. IV, ch. 3 and 4
4. Cf. Sallust, Cat. c. XIX
5. Cicero, Pro Cluentio, c. 50
6. Sihler, Cicero of Arpinum, pg. 112
7. Cicero, Cat., I, passim
8. Cicero, op. cit., c. XI
9. ibid.
10. Strachan-Davidson, Life of Cicero, p. 151
11. Cicero, op. cit., c. XII
12. Sallust, op. cit., c. XXXI
15. Holmes, T. Rice, The Roman Republic, I, p. 239
16. Sallust, op. cit., c. XXXV
17. Cicero, op. cit., c. X
18. Cicero, Pro Caelio, c. vi
19. ibid.
20. Cicero, Epis ad Atticum, I., ii
21. Asconius, 85
NOTES TO CHAPTER IV--2


24. Strachan-Davidson, *op. cit.*, p. 50

25. Sallust, *op. cit.*, c. xliiv

26. Sallust, *op. cit.*, c. lvi

27. Ferrero, *op. cit.*, pg. 278

28. Cicero, Cat. II, c. ii

29. Sallust, *op. cit.*, c. lxi

30. Sallust, *op. cit.*, c. xxxvi

31. Sallust, *op. cit.*, c. xxx
CHAPTER V

The Evidence For Catiline's Guilt in Sallust.

As with Cicero, so with Sallust an analysis must be made of the historian's attitude towards Catiline if we are to form a true judgment of Catiline's guilt. In this way we shall consider not only what is said by Sallust about Catiline, but, by reading between the lines, much of what is often left unsaid. For Sallust in the Bellum Catilinae has sketched for us a picture of Catiline blacker if anything than that painted by Cicero. Yet a closer scrutiny of his picture reveals just enough light touches here and there to leave us with the unmistakable impression that Catiline was after all not entirely base, and that the wicked and perverse qualities in his character were not unaccompanied by some admirable and redeeming traits that affect his character both as a conspirator and a private citizen. Sallust's portrait of Catiline, however, as has been remarked, is far from flattering. He repeats in substance the same charges against Catiline that Cicero had made years before. He mentions, for example, Catiline's passion for Aurelia Orestilla at whose bidding Catiline was supposed to have murdered his own stepson, but with this qualification, "so it is generally believed." In another place repeating Cicero's accusation against Catiline of personally corrupting the
young men of the city, Sallust nullifies the whole charge when he admits that the report had become current not through any real evidence "sed ex aliis rebus, magis quam quod cui-quam id compertum foret, haec fama valebat." In other words, this charge also was the result not of any real proof, but still another "creditur." It appears as such and no more even to Sallust.

Our concern, however, is not so much with the guilt of Catiline's private life as with his guilt in connection with the conspiracy. In one paragraph Sallust gives us a complete summary of the whole affair:

"Eis amicis sociisque confisus, Catilina simul quod aes alienum per omnis terras ingens erat et quod plerique Sullanii milites largius suo usi rapinarum et victoriae veteris memores civile bellum exoptabant, opprimendae rei publicae consilium cepit. In Italia nullus exercitus, Cn. Pompeius in extremis terris bellum gerebat; ipsi consulatum petenti magna spes; senatus nihil sane intentus; tutae tranquillaeque res omnes sed ea prosus opportuna Catilinae."3

There in brief we have the history of the origin of the conspiracy as Sallust sees it. But that immediately raises the question, how did Sallust see it? What is his attitude throughout towards Catiline? We know Cicero's motives for writing against Catiline; what were Sallust's? To answer these questions at all satisfactorily we must consider briefly some few events of Sallust's life.

Gaius Sallustius Crispus (86 B.C.-34 B.C.)
had received as a youth a rather good education and so was enabled at an early age to enter upon a political career at Rome. In 52 B.C. he was elected tribune of the commons; two years later, however, he was expelled from the senate by the censor Appius Claudius Pulcher. The following year Caesar reappointed him to the quaestorship, and Sallust became once more a member of the senate. A new and significant phase of life had begun for him. In the year 48 B.C. he was appointed commander of one of Caesar's legions in Illyricum but was defeated by Octavius and Libo. His next appointment was equally disasterous. He was sent to Campania to quell a mutiny among the troops but was lucky to escape with his life. At last in 46 he succeeded in distinguishing himself, by sailing to the island of Circina and seizing the enemy's stores. He was rewarded by Caesar with the appointment of the proconsular governorship of the province of Illyria and Africa. On his return to Rome he was tried for extortion but was acquitted doubtless through Caesar's influence. It is maintained, but on doubtful authority, that he even gave Caesar a bribe of two million sesterces. He was, at any rate, immensely wealthy and could afford to retire from political life to the magnificent gardens that bore his name and were afterwards the personal property of the emperors. It is not at all difficult to understand
why Sallust should have revered the name of Caesar. Nor is it difficult to understand why, when Caesar was assassinated and Sallust was seeking a theme for his pen, he should have chosen this means of repaying his dead benefactor. One way of glorifying Caesar was to clear his name of the charges that had linked him with the conspiracy of Catiline. One sure way of distracting attention from Caesar's name in this connection was to magnify and enhance the part played by Catiline. Whether Sallust really undertook the Bellum Catilinae with this intention is of course a mooted question. Many authorities are inclined to believe he did. Mommsen for one is quite emphatic in his affirmation of the fact: "Such an apology is the "Catiline" of Sallust, which was published by the author a notorious Caesarian after the year 708 (46 B.C.) either under the monarchy of Caesar or under the triumvirate of his heirs evidently as a treatise with a political drift, which endeavors to bring into credit the democratic party--on which in fact the Roman monarchy was based--and to clear Caesar's memory from the blackest stain that rested on it; and with the collateral object of whitewashing as far as possible the uncle of the triumvir Marcus Antonius...........

The circumstance that the adroit author keeps the apologetic and inculpatory character of these writings of his in the background, proves, not that they are not partisan treatises,
but that they are good ones." Despite the sympathies, then, that Sallust, as an avowed opponent of the oligarchs, might feel for Catiline, he would of necessity be forced to treat him rather severely if he were to achieve his purpose of clearing Caesar's name.

We must not, however, be unfair to Sallust and it is only reasonable to credit him with the motive he himself tells us he had in mind in choosing this particular theme: "Igitur de Catilinae conjuratione quam verissime potero paucis absolvam; nam id facinus in primis ego memorabile existimo sceleris atque periculi novitate."

He had just stated previously: "statui res gestas populi Romani Carptim, ut quaeque memoria digna videbantur, prescribere." This may well have been Sallust's chief reason for picking as his theme the conspiracy of Catiline for as Boissier points out, among its other attractive features, Sallust had been a personal witness of much that had transpired, had received the confidences of Crassus and was on familiar terms with Caesar. But most important of all:

"Mais ce qui lui convenait surtout dans ce sujet, c'est qu'il était dramatique, qu'il mettait aux prises des personages importants, qu'il lui donnait l'occasion de tracer leur portrait, de les faire agir et parler de peindre les moeurs du temps, toutes choses dans lesquelles il excellait et dont le public était alors très friand."8

Assuredly all these considerations would have weighed heavily with a man like Sallust, making as he was a bid late in life
for fame as a writer.

But the motive here assigned and the one previously offered—his anxiety to clear Caesar's name—are by no means irreconcilable. Sallust could take this theme as it was delighting in the opportunities it afforded his peculiar genius and still manipulate his materials in such a manner that Caesar would come through the ordeal unscathed. The only one who might suffer in the process was Catiline and that scarcely mattered since he was so notoriously guilty already. It would, moreover, heighten the dramatic tone of the work to enlarge the part of Catiline and intensify his guilt. We know for a fact that it was some such motive that led Sallust deliberately to antedate the conspiracy a full year. If Catiline could be shown to have plotted against the state on his own initiative for over a complete year, there could be no earthly reason for dragging in the name of Caesar, and Sallust's purpose would have been achieved.

No true estimate of Catiline, however, can ever be formulated unless we understand the motive that induced him to take up arms against the government. Despite the fact that it is on precisely this point that the whole justification of the conspiracy stands or falls, it is a question that has received but scant treatment. That Catiline had some good reason for rebelling, we cannot doubt.
No man in his right mind ever took up arms against his own country out of sheer perversity. And we have the best of evidence that Catiline was not a madman. On the contrary, it has been declared "that a re-examination of the evidence from an unprejudiced point of view shows that there is a remarkable consistancy in Catiline's various remarks concerning his program. On no important plank of his platform does he contradict himself, nor does any action of the conspirators waver in purpose. They all knew what they were about and they had a real program in which it can be shown by Ciceronian evidence they honestly believed." What this program was it is our intention to discover.

In a quotation from Sallust previously cited we saw that the reason there assigned for Catiline's plan to overthrow the government was the fact that his own debt was enormous: "aes alienum per omnes terras ingens erat"; and, secondly, that the veterans of Sulla were eager for war: "Sullanii milites.....civile bellum exoptabant." Clearly this cannot be the whole story. No man ever induced his fellowmen to join his conspiracy because he was heavily in debt and because they were of a generally revolutionary character. As a matter of fact, this is refuted by the letter of Catiline to Catulus. That the letter was genuine we have no reason to doubt. It is evident that Sallust believed it
was genuine from the way he accepts it with the simple comment: "earum exemplum infra scriptum est." In this letter which throughout breathes a tone of sincerity that is notably wanting in his other letters, Catiline explains to Catulus that he had undertaken this revolution not because he was unable to pay off his own personal debts: "non quia aes alienum meis nominibus ex possessionibus solvere non possem (et alien-is nominibus liberalitas Orestillae suis fili egue copiis 11 persolveret)". Any other obligations could be met from the estates of Orestilla and her daughter. Catiline had, it is true, squandered enormous sums in his various trials and campaigns for office but it is not unlikely that he had still some little left from his lucrative years as provincial governor in Africa. If worst came to worst there was always Crassus to fall back on.

Crassus had already tried Catiline's services in the first conspiracy. He would be willing to go many lengths to retain them. He was at present financing the political career of Caesar. In his struggle with Pompey, however, he could probably get more advantage out of Catiline than he could out of the less tractable Caesar. We know, for a fact, that he was willing to go much further in his championship of Catiline. According to the account of Sallust it was even believed that Cicero had instigated Tarquinus to
testify against Crassus in connection with the conspiracy in order to prevent Crassus from taking up their cause: "Alii Tarquiniuim a Cicerone immissum aiebant, ne Crassus more suo suscepto malorum patrocinio rem publicam conturbaret". And, adds Sallust, as if to remove the last shred of doubt on this score: "Ipsum Crassum ego postea praedicantem audivi tantam illam contumeliam sibi ab Cicerone impositam". There was unmistakably behind the whole conspiracy something more than the mere fact of Catiline's indebtedness. It was more than the case of a lone individual seeking redress from society at large for his own personal grievances.

It would, however, be true to say that it was this question of debt if anything that lay back of the whole conspiracy. That it was the whole problem of debt that was responsible for the outbreak and not any personal embarrassment on the part of Catiline himself can be proven from Cicero's own words in his letters where he makes reference to the conspiracy in terms of money and debt alone and does not so much as mention the name of Catiline:

"Itaque me nunc scito tantum habere aeris alieni, ut cupiam conjurare, si quisquam recipiat, sed partim odio inducti me excludunt et aperte vindicem conjurationis oderunt, partim non credunt et a me insidias metuunt nec putant se nummos deesse posse qui ex obsidione faenatores exemerit".13

Three years later writing to his brother Quintus in a more serious vein, he remarks not that his consulship has saved
the country but that it had saved the fortunes of the wealthy:
"qui aut quod publicani sunt, nos summa necessitudine attin-
gunt, aut, quod ita negotiantur ut locupletes sint, nostri
consulatus beneficio se incolimus fortunas habere arbitran-
tur."

That Cicero knew well enough what lay behind the conspirators' action can be shown from "his cruel joke about frightening the conspirators with the urban praetor's edict." The edictum here referred to was the mandate of the civil authority imprisoning the debtor in default of payment and confiscating his personal possessions. Whether this was an absolute right to the debtor's person or merely a limitation of his liberty until the debt was paid, is a question that can have made little practical difference. It was in either case equally disastrous for the poorer classes. It was as a champion of these oppresses people that Catiline designed to appear. He says: "publicam miserorum causam pro mea consuetudine suscepi." Whether he spoke the truth or not we have no means of knowing, save that these words were written in the face of an approaching doom to his friend C. Catulus, by far the noblest of Catiline's acquaintances and, indeed, one of the most upright men in all Rome. Catiline could scarcely have hoped to deceive Catulus at this point.

To the very end Catiline never wavered in
the declaration of his purpose. In his address to his troops before going into battle he still places the causes of the whole revolt on the bases of debt and its oppressions:

"Praeterea, milites, non eadem nobis et illis necessitudine impendet; nos pro patria, pro libertate, pro vita certamus, illis supervacuaneum est pro potentia paucorum pugnare....licuit nobis cum summa turpitudine in exilio aetatem agere, potuistis non nulli Bomae amissis bonis alienas opes expectare; quia illa foeda atque intoleranda viris videbantur, haec sequi decrevistis."\(^17\)

Long before this in the memorable meeting at Laeca's house Catiline had fired the minds of the conspirators by contrasting the poverty and debt in which they lived with the luxury and splendor of their oppressors:

"Nam postquam res publica in paucorum potentium atque dicionem concessit, semper illis reges, tetrarachae vectigales esse, populi, nationes stipendia pendere; ceteri omnes boni mali nobiles atque ignobles volgus fuimus sine gratia, sine auctoritate eis obnoxii, quibus si res publica valeret formidin essemus. Itaque omnis gratia, potentia, honos divitiae apud illos sunt aut ubi illi volunt; nobis reliquere pericula repulsas judicia egestatem", and further on: "cum tabulas signa toreumata emunt, nova diruunt alia aedificant postremo omnibus modis pecuniam trahunt, vexant, tamen summa lubidine divitias suas vincere nequunt. At nobis est domi inopia foris aes alienum mala res spes multo asperior denique quid reliqui habemus praeter miseram animam."\(^18\)

A still more convincing argument, however, that it was the oppressive measures enacted against the debtor class that induced the conspirators to revolt was the message sent by Manlius to Marcius Rex. This sincere and straightforward appeal from one soldier to another is the most reveal-
ing document of all. Says Manlius:

"Deos hominesque testamur, imperator nos arma neque contra patriam cepisse neque quo periculum alius faceremus, sed uti corpora nostra ab injuria tuta forent qui miseri egentes violentia atque crudelitate faenatorum semper patriae sed omnes fama atque fortunis expertes sumus. Neque cuiquam nostrum licuit more maiorum lege uti neque amisso patrimonio liberum corpus habere; tanta saevitia faenatorum atque praetoris fuit."19

Cicero's joke about the "praetor's edict" was after all not quite so harmless.

It is in this same message that we finally strike upon what is probably the best explanation of the true genius and character of the conspiracy. Manlius in justification for his taking up arms against the government appeals to the traditions and customs of their forefathers, who several times took up arms and seceded from the limits of the city when aroused by the arrogance of the magistrates.

"Saepe maiores nostrum miseriti plebis Romanae decretis suis inopiae ejus opitulati sunt, ac novissime memoria nostra propter magnitudinem aeris alieni volentibus omnibus bonis argentum aere solutum est. Saepe ipsa plebes aut dominandi studio permota aut superbia magistratuum armata a partibus secessit."20

Manlius appeals to the traditions of their forefathers on two counts, first, because of the great debt they had passed a decree whereby silver was paid in copper, and, secondly, they had taken up arms and withdrawn from the city when their rights were not respected. He was referring to the secession of the plebians who threatened to withdraw from the city and
form an independent community unless the patricians granted them certain rights. Three such secessions are recorded, the first to the Mons Sacer in 49 B.C. the second to the Aventine in 449 B.C. and the third to the Janiculum in 287 B.C. The fourth was to have been that of Catiline in 63 B.C.

If this was Catiline's intention in the beginning we can readily see why the whole affair ended as it did in armed rebellion foredoomed to failure before the superior armies of the state. In a state not yet perfectly formed it had some chance of success, but in the highly organized and efficient Rome of Cicero's day it had none whatever. To men of the genius of Cicero, Pompey, Crassus and Caesar it was but child's play to show up such a movement as an attempt at treason, and crush it. This is, as we have seen, what Cicero actually did. A not unlikely parallel is to be found in our own country. In the American Revolution the colonies were successful in their attempt to withdraw their allegiance from England. Had Carolina chosen to secede from the Union in those early subsequent years the attempt would probably have been successful. When she did make her bid she was too late. The forces aligned against her had been solidly massing all those years. So with Catiline. The forces against which he dashed himself were too firmly established. And fortunately so, for a victory for Catiline was by no means a
desirable thing. Some passing good he might have done but in the end he would have brought no lasting benefit to Rome. He would at any rate have fallen before the superior might of either Pompey, Crassus or Caesar.

We have now reached a stage in our investigation of Catiline's guilt when we can call a halt and summarize some of our conclusions. Enough of the evidence for and against Catiline has been sifted to enable us to pass some sort of judgment. Catiline did indeed plot against the state. The evidence for this fact, if we accept the evidence of Cicero and Sallust, is overwhelming. But to condemn Catiline categorically as the greatest rogue in ancient times—the ordinary procedure in our textbooks—is to stray in another direction equally as far from the truth. It may be the acceptable practice to paint Catiline in black for the sake of impressing the youthful student but it is bad history and as long as there is question of truth then at least let us employ some shade of gray. The cause of Catiline, it must be remembered has never had a pleader before the tribunal of history. We have seen how evilly he fared at the hands of Cicero. That Sallust treated him no better is perhaps the surest proof that Catiline had broken with Caesar and the popular party. For this reason his cause has never been heard "for all the authors of our historical sources were allied to
some degree with one party or the other, and naturally did not have a good word to say about Catiline or a program like his. Catiline's own party, on the other hand, being composed largely of the poorer classes and a few members of the upper classes who were either executed or silenced was completely inarticulate." The world has never heard any version of Catiline's story but the one which flows from the lips of his enemies.

One of the first conclusions we reached regarding Catiline was that his name has come to be falsely attached to the first conspiracy. His part in this affair was entirely subordinated to those played by Caesar and Crassus. His guilt, therefore, in this connection has been unjustly and unfairly magnified. Plutarch in his life of Cicero sins especially in this regard. This first conspiracy was a simple bid for power by Crassus and Caesar and though Catiline does seem to have some share in the proceedings he does not deserve the obloquy that would attach to him had he actually been planning an organized attack on the government through three continuous years.

The next conclusion we reached was that we had to be extremely cautious in accepting wholly without question Cicero's testimony against Catiline. Cicero was clearly in this case a special pleader. In the language of
today "he was out to get Catiline." The speeches were written in the midst of a wave of intense popular reaction against Cicero for his unorthodox execution of the conspirators when it was to Cicero's evident advantage to paint in as lurid as light as possible Catiline's personal character. For the same reason it was necessary that the dangerous elements in the conspiracy should be highly colored and exaggerated. One of the conclusions we reached here was that Cicero cleverly manoeuvred Catiline into a position where the latter was forced to betray himself and leave the city. No matter what the designs of Catiline may have been until then, it was now a simple task for Cicero to construe them into a treasonous attempt on the state. Catiline could then be treated as an avowed public enemy and an army dispatched against him. Another conclusion we drew in this section was that Catiline on the testimony of Cicero himself was not the totally wicked character that he has been painted in the popular imagination.

In viewing the evidence presented by Sallust, a like decision must be rendered as in the case of Cicero. Though Catiline stands to all appearances convicted still enough evidence in his favor has been found to justify a fairer and more generous treatment than that accorded by Sallust. For Sallust, too, was writing with a partisan bias.
If he was to clear his patron's name from guilt in connection with the conspiracy he necessarily had to be severe in his treatment of Catiline. He had a second motive for treating Catiline harshly if Catiline and Caesar, the recognized leader of the popular party, had severed relations. For Sallust was the mouthpiece of the popular party. It has even been contended that Sallust had in mind when he undertook his writings the glorification of the popular party and its aims. Though Catiline may have had in mind nothing more treasonable to the state than an armed secession of his party from the city modeled on those of earlier days, yet because such a movement would, at best, be seriously inconvenient for the two traditional parties, the Optimates and the Populares, these two united for the moment to crush him. Since Cicero was the speaker for the Optimates and Sallust of the Populares, it would be but natural that Catiline should suffer in the telling of the tale, especially since all our known facts concerning the conspiracy derive from these two.

All these considerations would, we believe, justify us in concluding that though Catiline did lead a movement against the government, yet, his actions might well demand a far more lenient interpretation than has generally been put upon them. That his movement was badly timed and his aims misdirected does not justify us in labeling him the
arch criminal of all times. Had he succeeded he might have been a hero. Only a few years later the great Caesar actually did carry into effect many of the reforms that Catiline had advocated.
NOTES TO CHAPTER V

1. Sallust, Bellum Catilinae, c. xv
2. Sallust, op. cit., c. xiv
3. Sallust, op. cit., c. xvi
6. Sallust, op. cit., c. iv
7. ibid.
8. Boissier, La Conjuration de Catilina, p. 15
9. Cf. Hardy, The Catilinarian Conspiracy, p. 28
10. Allen, W., "In Defense of Catiline", in Classical Journal VOL. XXXIV, No. 2, Nov. 1938, p. 71
11. Sallust, op. cit., c. xxxv
12. Sallust, op. cit., c. xlviii
14. Cicero, Epis. Ad Quintum Fratrem, I, 1, 6
15. Cf. Allen, op. cit., p. 78
16. Sallust, op. cit., c. xxxv
17. Sallust, op. cit., c. lviii
18. Sallust, op. cit., c. xx
19. Sallust, op. cit., c. xxxiii
20. ibid.
21. Allen, op. cit., p. 82
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The thesis, "The Guilt of Catiline, The Catilinarian Conspiracy as Viewed by Cicero and Sallust", written by Thomas Edward Griffin, S.J., has been accepted by the Graduate School with reference to form, and by the readers whose names appear below, with reference to content. It is, therefore, accepted in partial fulfillment of the requirements for the degree of Master of Arts.

Father Walsh, S.J. September 11, 1940
Father James J. Doyle, S.J. September 12, 1940