THE *BELLUM CIUILE POMPEIANUM: THE WAR OF WORDS*

The irrelevance of ideology is perhaps one of the most strongly held views shared by the historians of the Late Republic. As indicated by M. Gelzer in 1912, in those final years of the Roman Republic, 'political struggles were fought out by the *nobiles* at the head of their dependents'.[1] In his opinion, this was nothing more than a power struggle, in which slogans or ideas were merely propaganda, without any real value. In 1931, analysing the political proposals of Cicero, his disciple H. Strasburger rejected the existence of political parties, as in his opinion, terms such as *optimates* or *populares* were merely propagandistic mottos, and pure wordplay.[2] As a result, it became widely believed that the civil war between Caesar and Pompey was nothing more than a struggle between *dignitates*, i.e. a confrontation for leadership between ambitious politicians who were not prepared to compromise.[3] More recently, in 1994, L.

---

1 M. Gelzer (tr. R. Seager), *The Roman Nobility* (Oxford, 1975 = *Die Nobilität der römischen Republik*, Leipzig and Berlin, 1912), 139.

2 H. Strasburger, *Concordia ordinum. Eine Untersuchung zur Politik Ciceros* (Leipzig, 1931), IV.

3 Some important contributions include R. Syme, Review of M. Gelzer, *Caesar der Politiker und Staatsmann*, *JRS* 24 (1944), 92-103, at 98 = R. Syme, *Roman Papers* Vol. 1 (Oxford, 1979), 148-81, at 161; C. Wirszubski, *Libertas as a political idea at Rome during the Late Republic and the Early Empire* (Cambridge, 1950), 78: 'the Civil War was a struggle for *dignitas*'. H. Strasburger, *Caesar im Urteil seiner Zeitgenossen,* (Munich, 1968^2), 243; P. Jal, *La guerre civile à Rome. Étude littéraire et moral* (Paris, 1963), 38; J. Hellegouarc'h, *Le vocabulaire latin des relations et des partis politiques sous la République* (Paris, 1972), 388-9. See further K. Raaflaub, *Dignitatis contentio. Studien zur Motivation und Politischen Taktik im Bürgerkrieg zwischen Caesar und*

Loreto considered the conflict between Caesar and Pompey to be aimed at seizing power, unlike 'ideological' wars, where the aim was to maintain or instate a specific type of social or political order.[4]

R. Syme expressed this more bluntly. In reference to the death of Caesar, and the motivations of the Liberators, his view was unforgiving: 'Liberty and the laws are high-sounding words. They will often be rendered, on a cool estimate, as privilege and vested interests.' He made a similar statement with regard to individuals who were much less encumbered, such as the average voter, who also had no interest in lofty ideals: 'the Roman voter, free citizen of a free community, might elect whom he would: his suffrage went to ancestry and personality, not to alluring programmes of solid merit'.[5] C. Meier drew a series of pertinent conclusions from this perspective, in which ideas were nothing more than hot air. As politics did not exist beyond the oligarchy, and this shared a common ideology, then a different, alternative constitution was not even imaginable. It was a *Krise ohne Alternative* during the Late Republic, and the system finally collapsed without anyone suggesting what might replace it, until it had already been destroyed.[6] Meier's ideas were enormously influential, starting with the work of his

Pompeius (Munich, 1974), 183-6 for the conclusion that the defence of his own *dignitas* was of paramount importance for Caesar.

4 L. Loreto, *Il piano di guerra dei Pompeiani e di Cesare dopo Farsalo* (Amsterdam, 1994), 7. Even so, he recognises that even in 'political' civil wars, there is an ideological component.

5 R. Syme, *The Roman Revolution* (Oxford 1939), 59 and 374.

6 C. Meier, *Res publica amissa. Eine Studie zur Verfassung und Geschichte der römischen Republik* (Wiesbaden, 1966), 174, 182, 189. Cf. the review by P.A. Brunt in *JRS* 58 (1968), 229-32.

former professor. In his biography of Cicero, Gelzer insists that the existence of 'political parties' is a fantasy that was created in the nineteenth century, by T. Mommsen in particular, as there was never a democratic ideology or party in Rome. The actions of the *populares* were initiatives by a number of politicians who had been excluded from the competition by the *optimates*, and who had been denied any real political influence.[7] There were no ideological rifts in the dominant oligarchy, only different strategies in the struggle for power. Similarly, M.A. Robb considers that there was no *popularis* ideology, because everyone in Rome defended the sovereignty of the people, which was the key to keeping the aristocratic system in place: those who opposed it were not *populares* but instead *seditiosi*.[8]

Some years ago, these quiet waters were disturbed by the proposal of F. Millar, who considered the Late Republican political system as a democracy. One of the central arguments of Millar's proposal regarded the importance of rhetoric, i.e. of political discourse and debate, which led to a series of studies on the *contiones* by other scholars, highlighting their importance, while denying that they served as a means for a genuine political debate. Eventually, R. Morstein-Marx turned Millar's argument on its head: control of information by the elite led to a hierarchized communication, in which the figure of the orator stood out as above the rest. It was not so important what they said – they all shared the same rhetoric, which sought to praise the people, presenting themselves as a 'true' friend– but instead who said it (*auctoritas*). There was no *popularis* ideology, but instead pure 'contional' rhetoric. For this reason, following in

[7] M. Gelzer, *Cicero. Ein biographischer Versuch* (Stuttgart, 2014 = Wiesbaden, 1969), 47 and 60, here in n.32, he refers directly to Meier (n. 6).

[8] M.A. Robb, *Beyond Populares and Optimates. Political Language in the Late Republic* (Stuttgart, 2010), 167.

the same line as Meier, new initiatives could not even be proposed; the *contiones* served to underpin the discourse of the elite, and not to propose alternatives to their authority. There were none.[9] Morstein-Marx himself has recognized that an authentic, autonomous voice of the *plebs* existed, but he locates this voice outside the *contiones,* in political graffiti, even if these are very rarely mentioned in our sources.[10] Even though we can see that the Roman *plebs* in the Late Republic was a real power, capable of pushing past senatorial opposition in order to have around 35 laws passed between 139

---

[9] F. Millar, *The Crowd in Rome in the Late Republic* (Ann Arbor, 1998), 126; R. Morstein-Marx, *Mass Oratory and Political Power in the Late Roman Republic* (Cambridge, 2004), 265 and 277-8. There have been numerous recent studies on oratory and *contiones*. See for example F. Pina Polo, *Contra arma verbis. Der Redner vor dem Volk in der späten römichen Republik* (Stuttgart, 1996); D. Hiebel, *Rôles institutionnel et politique de la contio sous la République romaine (287-49 av. J.-C.)* (Paris, 2009); C. Steel and H. van der Blom (edd.), *Community and Communication. Oratory and Politics in Republican Rome* (Oxford, 2013); A. Russell, 'Why did Clodius shut the shops? The rhetoric of mobilizing a crowd in the Late Republic', *Historia* 65 (2016), 186-210. Most recently, against Morstein-Marx's 'ideological monotony' in contional oratory, see J.A. Rosenblitt, 'Hostile Politics: Sallust and the Rhetoric of Popular Champions in the Late Republic', *AJPh* 137 (2016), 655-88. On the relation between *contiones* and public feasts (*feriae)* see P. López Barja, 'The *Quinquatrus* of June, Marsyas and *libertas* in the Late Roman Republic', *CQ* 68 (2018), 143-159.

[10] See R. Morstein-.Marx, 'Political Graffiti in the Late Roman Republic: Hidden Transcripts and Common Knowledge', in C. Kuhn (ed.), *Politische Kommunikation und öffentliche Meinung in der antiken Welt* (Heidelberg 2012), 191-217, at 214.

and 52 B.C., the truth is, according to Morstein-Marx, that it did not provide a decisive impulse toward the creation of a democratic '*Alternative*'.[11]

It is not my intention to offer a detailed historiographic analysis of the role of ideology in Late Republican politics, although it should be noted that not all historians have followed this same line of denial. Some have highlighted the importance of the ideological confrontation between *populares* and *optimates.*[12] In general terms, the criticism levelled against those who consider that ideology is nothing more than simple wordplay, and therefore irrelevant, was already made by Q. Skinner: 'even if your professed principles never operate as your motives, but only as rationalisations of your

---

[11] R. Morstein-Marx, 'Cultural Hegemony and the Communicative Power of the Roman Elite', in C. Steel and H. van der Blom (edd.), *Community and Communication. Oratory and Politics in Republican Rome* (Oxford, 2013), 29-47, at 44.

[12] These include J.-L. Ferrary, 'Le idee politiche a Roma nell'epoca republicana', in L. Firpo (ed.), *Storia delle idee politiche, economiche e sociali*, vol. I, *L'Antichità classica* (Turin, 1982), 724-804; L. Perelli, *Il movimento popolare nell'ultimo secolo della repubblica* (Turin, 1982); N. Mackie, 'Popularis Ideology and Popular Politics at Rome', *RhM* 135 (1992), 49-73; T.P. Wiseman, 'Roman History and the ideological Vacuum', in T.P. Wiseman (ed.), *Classics in Progress. Essays on Ancient Greece and Rome* (Oxford, 2002), 285-310, and Rosenblitt (n.9). T.P. Wiseman claims there were two opposed interpretations of civil war: the one held by Varro, Sallust and Lucan, which put the blame on Roman aristocracy, and the one which was Cicero's favourite, that is, *seditiosi* were responsible for disturbing *concordia,* so their killing was justified. Claims (T.P. Wiseman, 'The Two-Headed State: How Roman Explained Civil War', in B.W. Breed, C. Damon and A. Rossi (edd.), *Citizens of Discord. Rome and Its Civil Wars* [Oxford, 2010], 25-44).

behaviour, they will nevertheless help to shape and limit what lines of action you can successfully pursue'.[13]

Over the following pages, the aim is to show that there was a *popularis* or democratic 'Alternative,' even if it is difficult for us to reconstruct it fully, due to the scarcity of our sources. We have neither a dialogue on political philosophy written by a *popularis* (if such a book was indeed ever written) nor a narrative of the civil war by some leader of the *optimates*, so we have to look elsewhere, for example at the linguistic choices in our sources, as this is where we can find a number of interesting clues. The civil war in Rome –the *bellum ciuile Pompeianum*- drew a dividing line between two sides that defended opposite ideas, in an ideological confrontation.[14] This means that the slogans of each side were not interchangeable, and were not mere wordplay, suitable for any given situation. I intend to follow in the footsteps of Skinner, attributing to the political ideas the importance they had, studying them in their

---

[13] Q. Skinner, *Liberty before Liberalism* (Cambridge 1998), 105; cfr. Q. Skinner, 'Meaning and understanding in the History of Ideas', *History and Theory* 8 (1969), 3-53, at 42 n. 171.

[14] Suet. *Iul.* 56.1. As it is known, to designate this civil war as *Pompeianum* implies adopting a Caesarean point of view (V. Rosenberger, *Bella et expeditiones. Die antike Terminologie der kriege Roms* [Stuttgart, 1992], 11 and 40). D. Armitage, *Civil Wars. A History in Ideas* (New York, 2017) has placed much emphasis on the invention of the notion of 'civil war' by the Romans, but see the comments on this view by C.H. Lange, '*Stasis* and *Bellum Civile:* A Difference in Scale?', *Critical Analysis of Law* 4.2 (2017), 129-40.

linguistic context, and demonstrating the savagery of the ideological debate at the moment of greatest tension, during the war between Caesar and Pompey in 49-48 B.C. More specifically, it will first be shown that Caesar never claimed to be fighting for the *res publica* and then, secondly, our attention will be drawn to a very politically charged slogan asserting the freedom of either the people or the *res publica: populum/rem publicam in libertatem uindicare*. As far as we can gather from the few sources we have, *popularis* politicians used the first option, while the *optimates* preferred the second one.

Our main contemporary sources, which are the starting point for reconstructing the ideological debate that took place at that time, are the corpus of Caesar and the letters of Cicero. The dates of Cicero's letters can generally be established with a high degree of precision, but in the case of Caesar's *Bellum Ciuile,* in particular, it is difficult to reach a definitive conclusion. The generally accepted hypothesis, with which I concur, is that, although it was published posthumously, it was written at an earlier date, probably in the year 48 B.C. while Caesar was in Alexandria, where he had been forced to remain longer than he would have liked. His clear concern to situate his actions within the framework of traditional legality would not have made sense at any subsequent moment, when the honours and privileges he received could no longer be justified within this legal framework.[15] In any event, it must have been written before

[15] J.H. Collins, 'On the Date and Interpretation of the *Bellum Civile', AJPh* 80 (1959), 113-132, partly coinciding with the ideas of A. Klotz, 'Zu Caesars Bellum Ciuile', *RhM* 66 (1911) 81-93, in that Hirtius was responsible for its publication after the death of Caesar. On the contrary, K. Barwick, *Caesars Bellum Ciuile. Tendenz, Abfassungszeit und Stil* (Leipzig, 1951) states that the work had already been published, albeit in two parts, the first of which corresponded to books 1-2 (as a single volume) at

the autumn of 48 B.C., when Caesar took on his third consulate, in breach of the same legality he had boasted about respecting up until that point.[16]

---

the end of 49 B.C., and book 3 at the end of 48 B.C. or in early 47 B.C.; A. Peer, *Julius Caesar's Bellum Civile and the Composition of a New Reality* (Farnham, 2015), 167-181: she thinks that books 1-2 were written and separately published in 49 B.C. while book 3 was written in 48 but finalized and published in 46; A. La Penna, 'Tendenze e arte del *Bellum Ciuile* di Cesare', *Maia* 5 (1952), 191-233, at 209-10 and 224-33 thinks that almost the whole work (up to 3.99) was published in 46 B.C. The scholarly consensus is that when Caesar was assassinated, the *B Civ.* was in an unfinished state (so briefly C. Damon, *Studies on the Text of Caesar's Bellum Civile*, [Oxford 2015], 10-12). In this article, the recent Oxford Classical Text of the *Bellum Ciuile* by C. Damon (Oxford, 2015) will be used.

16 M.T. Boatwright, 'Caesar's Second Consulship and the Completion and Date of the *Bellum Civile*', *CJ* 84 (1988-9), 31-40. Other alternatives have been proposed: R.T. Macfarlane '*Ab inimicis incitatus:* On dating the Composition of Caesar's *bellum civile'*, *SyllClass* 7 (1996), 107-32, states that Caesar only uses *inimici* to refer to his opponents in the first 33 chapters, as he then goes on to openly refer to *aduersarii/hostes*; based on this, he infers that Caesar wrote these 33 chapters prior to April 49 B.C., when there were still hopes of reconciliation. His argument has been convincingly criticized by J. F. Gaertner and B.C. Hausburg, *Caesar and the Bellum Alexandrinum: an analysis of style, narrative technique, and the reception of Greek historiography* (Göttingen 2013), 185-188. According to M. Jehne, 'Caesar und die Krise von 47 v.Chr.', in G. Urso (ed.), *L'ultimo Cesare. Scritti riforme progetti coniure* (Cividale del Friuli, 1999), 151-73, the context fits the publication of the *Bellum Ciuile* in 47 B.C.

1. *RES PUBLICA*

1.1 THE *OPTIMATES*: A FIGHT FOR THE *RES PUBLICA*

In Cicero's letters and Caesar's corpus, political positions are very clearly formulated: Pompey stood firmly behind the Republican flag, while Caesar defended liberty, not in a generic form, but the very specific liberty of the people, which was associated with the *popularis* tradition or ideological 'family'.[17] We have extensive evidence of the mottos of the side of the *optimates*, including the words of Pompey himself, who repeatedly attempted to identify his cause with the Republic.[18] Cicero, as we know, spent several agonising months deciding which side he should support, and whether he should join those who had abandoned Italy or not. When he finally chose Pompey, after a feverish night of sleeplessness and vomiting, he sent a short note to his wife, stating that he had committed himself to defending the Republic together with

---

[17] I have borrowed this concept from V. Arena, *Libertas and the Practice of Politics in the Late Roman Republic* (Cambridge, 2012), 7, where she defines ideological 'families' as follows: 'systems of thought, more or less coherent in themselves, that displayed distinct orientations on questions related to fundamental evaluative terms such as liberty, justice, and sovereignty'.

[18] Cf. Pompey's letter to the consuls Cic. *Att.* 8.6 (SB 154), 2 and especially the message Pompey sent to Caesar in Ariminium, in which he refers to the *res publica* no less than four times in just a few lines (Caes. *B Civ.* 1.8.3). See L. Hodgson, *Res publica and the Roman republic* (Oxford, 2017), 166. Certainly, Caesar may have not faithfully reproduced Pompey's letter, but if he edited it, it is telling that he chose to highlight precisely the importance of *res publica* as a catchword of the *optimates.*

those men he considered closest to him in political matters.[19] Of course, and as we know, his decision was affected by many other factors, but at the moment of truth, the keyword was 'Republic' and this meant fighting for it against the man who had invaded Italy in order to destroy it. It has to be said that the propaganda was successful, as the writers who, years later, looked back on the early stages of the war considered that those who had fought for Pompey were fighting for the Republic.[20] In 45 B.C., defending Ligarius in front of Caesar himself, Cicero would state that many would have preferred to remain at home, but they could not refuse to follow Pompey faced with so many earnest men who repeatedly invoked the 'holy name of the Republic'.[21]

On Pompey's side, numerous efforts were made to present Caesar as a sworn enemy of the Republic. Marcus Cato is credited with the sarcastic comment that Caesar was the only person who had attempted to bring down the Republic without being drunk. Suetonius, who refers to the comment (Suet. *Iul.* 53.1), includes it as proof of

19 Cic. *Fam.* 14.7 (SB 155). 2. Cf. P.A. Brunt, 'Cicero's Officium in the Civil War', *JRS* 76 (1986), 12-32. On what Cicero meant by 'Republic' see p. 30 (000) below with n. 62.

20 Vell. Pat. 2.48.4.

21 Cic. *Lig.* 21. Similarly, in 46 B.C. Cicero remembered those who had taken up arms in 49 B.C. believed they were doing so *pro re publica* (*Fam.* 6.6.12). K. Welch, 'Both Sides of the Coin: Sextus Pompeius and the so-called Pompeiani', in A. Powell and K. Welch (edd.), *Sextus Pompeius* (London, 2012), 1-30, at 10 and K. Welch, *Magnus Pius. Sextus Pompeius and the Transformation of the Roman Republic*, (Swansea, 2012), 143 has suggested that it was Mark Anthony who coined the expression *partes Pompeianae* (Cic. *Phil.*5.32), which distorted reality, as those who fought against Caesar did not do so for Pompey, but instead for the Republic.

how moderate Caesar was towards drinking, although it is more interesting to note that an important leader of the *optimates* ironically accuses Caesar of wishing to obliterate the Republic. Other members on the same side supported this idea, especially Titus Ampius, a devoted supporter of Pompey, who published statements attributed to Caesar that clearly demonstrated his tyrannical intentions: 'The Sulla who renounced the dictatorship was illiterate', and above all, 'the Republic is nothing but a name, without substance or reality' (Suet. *Iul.* 77.1). Ampius possibly manipulated the phrases or took them out of context, or otherwise directly invented them. However, this matter is not relevant in our case, but instead we should focus on the date when Ampius decided to publish such a select series of *bon mots* that described Caesar as a threat to the Republic. We do have one clue: Caesar's supporters referred to Ampius as 'the trumpet of Civil War' (Cic. *Fam.* 6.1.32 = SB 226: *tubam belli ciuilis*). As the *tuba* was the instrument used to mark the start of a battle, it is tempting to consider that he earned this nickname as a result of this collection of Caesar's disreputable statements that he published, which presented Caesar as a threat, and were a war cry against the aspiring tyrant.[22] Caelius seems to have stated something similar in August (?) 51 B.C.: he had no doubts that Caesar would put his own interests before those of the Republic (Cic. *Fam.* 8.5.3 = SB 83). Again, what is notable is that Caelius presented Caesar as someone who was incapable of making the sacrifice expected from all citizens, who put the common good before his personal interests. For his enemies, the message was clear: they were fighting for the Republic, against someone who wanted to destroy it.

[22] Regarding *tuba* cf. Caes. *B Civ.* 3.90.3 (battle of Pharsalus) and Sall. *Cat.* 60.1 (battle of Pistoria). In turn, L. Morgan, '*Leui quidem de re…* Julius Caesar as Tyrant and Pedant', *JRS* 87 (1997), 23-40, at 38 dates both phrases to the final months of Caesar's life.

Naturally, this heinous image of Caesar came to a head on 7 January 49 B.C., when the Roman senate solemnly declared that the Republic was faced with a serious threat (Caes. *B Civ.* 1.5.3). From this moment on, there could be no doubts as to which of the two sides was Republican.

1.2 CAESAR AND THE *RES PUBLICA*

That said, Caesar also referred to the sacrosanct nature of the Republic, although on relatively few occasions, as we will go on to see. Amongst the specialists who have studied *Bellum Ciuile*, many have highlighted his desire for power: special mention is made of Caesar's references to the defence of his own *dignitas,* considering that these were proof of the Civil War being not an ideological conflict, but instead a brutal struggle for power. Gelzer, is somewhat reticent in this regard. In his review of Caesar's biography, Syme complains that 'not enough is reproduced of Caesar's own assertion of Caesar's *dignitas*'.[23] For Gelzer (in the same way as for Mommsen), Caesar was not merely ambitious and without scruples, but instead a veritable *Staatsman*, with a wider, more generous perspective than that of the narrow-minded Roman oligarchy, as it included all of Italy and the empire.[24] The main support for this statement lies in a passage from Caesar's letter to Scipio with proposals for peace, which include: *…quietem Italiae, pacem prouinciarum, salutem imperii…* (Caes. *B Civ.* 3.57.4).

---

[23] Syme (n. 3), 92 = 150.

[24] The title of Gelzer's biography. *Caesar, der Politiker und Staatsman* (Wiesbaden, 1960[6]) prompted the ironic comment of C. Schmitt, *Un giurista davanti a se stesso. Saggi e intervista* (Vicenza, 2012[2]), 153: 'Questo lo trovo ridicolo: como se dicesi Carlo Magno como automobilista'. According to Schmitt, the state was as much a fantasy in Caesar's times as cars were in Charlemagne's.

Although the sentence is framed against the backdrop of a very specific situation, Gelzer considers it to be a 'political programme,' in which the absence of Rome is especially noteworthy, indicating in his opinion that Caesar was not thinking in terms of the city-state, but instead in wholly imperial terms.[25] Both Syme and Meier emphasize the importance of the *dignitas* in the outbreak of the civil war.[26] Similarly, according to Raaflaub, personal grievances were one of the main factors, while the other motives were simply an alibi, aimed at presenting Caesar as nothing less than the defender of the majority of the Senate, supporting *libertas* (in the sense given to this word by the *optimates)*, and confronting the oligarchic faction who had unjustly acquired a dominant position.[27] We can consider this insistence on *dignitas*, seen as an expression of Caesar's personal ambition, as the dominant explanation of the outbreak of the civil war.[28]

---

[25] Caesar's sentence becomes almost a *Leitmotiv* in Gelzer's biography, *Caesar. Politician and Statesman* (Oxford, 1968, trans. P. Needham), it is often quoted or alluded to, for example on p.217 n.4; 232 n.1; 273.

[26] Syme (n. 5), 48. Meier (n. 6), 297-9.

[27] Raaflaub (n. 3), 182-3. Raaflaub builds his case upon Caesar's proposal in *B Civ.* 1.9.5: *omnis res publica senatui populo romano permittatur* which he sees as encapsulating a very important political goal of the *optimates:* the abolition of extraordinary commands (166-7).

[28] See *supra* n.3 and very recently Peer, (n.15), 45. Peer claims (at 54) that Caesar only in book I mentioned *libertas,* even if recognizing (ftnote 56) that *libertas* also appears in book III, when Crastinus makes his short speech. She appears not to have noticed that the same can be said of *dignitas,* only mentioned in books I and III (among

However, not all historians agree on this point. Some suggest that the *Bellum Ciuile* was instead a defence of the legitimacy of the Republic; the work is interpreted as the expression of a 'Republican' Caesar, who presents himself as the living embodiment of the law, emphasising all of the illegal acts committed by the supporters of Pompey.[29] L. Grillo states: 'throughout the *BC*, Caesar projects a constitutional and republican façade'.[30] This different approach has also affected the interpretation of the

---

Crastinus words again) because at *B Civ.* 3.83.1, it is Domitius Ahenobarbo's *dignitas,* not Caesar's what is at stake.

[29] The most influential paper in this sense probably has been the one written by Collins, (n. 15). La Penna, (n. 15), 195-200 claims Caesar's political platform was moderate and law-abiding.

[30] L. Grillo, *The Art of Caesar's Bellum Civile. Literature, Ideology and Community* (Cambridge, 2012), 58 n.1. He quotes five passages from Caesar's *Bellum Ciuile* as proof of his thesis (*B Civ.* 1.7.1; 1.9.1-3; 1.22.5; 2.21; 3.1.1) but only in one of them (1.9.3), Caesar did mention the *res publica*. C.H. Lange, **'**Triumph and civil war in the late Republic', *PBSR* 81 (2013) 67-90, at 75 n.32, thinks that Caesar's justification in the civil war was *rei publicae causa*. As supporting evidence, he quotes Caes. *B Civ.* 1.9.5; cf. 1.8.3; 1.9.3; Caes. *B Gall.* 6.1.2, but none of them is decisive: in *B Civ.* 1.9.5 (and 1.9.3), Caesar is speaking about the tug of war after crossing the Rubicon, enumerates his grievances and declares to be willing to suffer everything 'for the Republic's sake'. He does not say that what he did (crossing the Rubicon) was 'for the Republic's sake'. In 1.8.3 it is not Caesar who is speaking but an emissary from Pompey. In *B Gall.* 6.1.2, it is only said that Pompey (not Caesar) remains near the *urbs* and does not travel to his province *cum imperio rei publicae causa*. On this topic, Hodgson's (n.18, 180) view is preferable: 'Caesar would have had to strain so hard to

term *dignitas,* which Morstein-Marx considers to be an invocation to the Republic: the people had granted Caesar the possibility of presenting himself *in absentia* to the consulate, something the senate had now taken away from him. Therefore, in defending his *dignitas,* Caesar was defending values that were an essential component of Roman legality.[31] Very much in the same vein, R. Westall claims that 'the text of Caesar's *Civil War* is manifestly informed by Republican sentiment. There can be no denying that the proconsul was particularly attached to his *dignitas*'.[32]

Now, we should firstly notice that it is not only Caesar's *dignitas* that is at stake in the *Bellum Ciuile*: that of the plebeian tribunes was in a similar position; secondly, Caesar did want to present himself as the defender of law and order, but not as a defender of the *res publica*, because this term was inevitably associated with the proclamations of the *optimates.* As regards the *dignitas* of the plebeian tribunes, Caesar states that he abandoned his province, and invaded Italy in order to return it to them: *tribunos plebis in ea re ex ciuitate expulsos in suam dignitatem restitueret* (Caes. *B Civ.* 1.22.5). This directly refers to the *Senatus Consultum ultimum* (SCU) of 7 January, whose interpretation is more difficult than at first appears, as it is not merely a reference to the fact that the plebeian tribunes had been expelled from Rome; here, much more compellingly, Caesar was stating that they had been deprived of their Roman

---

make *res publica* relevant to his action that he was better off saying as little as possible about it'.

31 R. Morstein-Marx, '*Dignitas* and *res publica*: Caesar and Republican Legitimacy', in K.-J. Hölkeskamp (ed.), *Eine politische Kultur (in) der Krise? Die 'letzte Generation' der römischen Republik* (Munich, 2009), 115-40.

32 R.W. Westall, *Caesar's Civil War. Historical Reality and Fabrication* (Leiden 2017), 275-6.

citizenship.[33] Caesar refers to *ciuitas,* not to *urbs;*[34] the tribunes had not been expelled from Rome, but instead from the entire community of citizens, and now they had to be reintegrated within it, in a similar way as Lepidus would, when the moment arrived, with Sextus Pompey.[35] It is very likely that the SCU was accompanied by a formal declaration from the Senate, which condemned the tribunes, Caesar, and his troops, as enemies of the Roman people.[36] Even if we do not grant any legal value to a *Hostis-Erklärung*, the tribunes would have had great difficulties in defending their condition as

---

33 Cass. Dio 41.3.2 says that the names of the tribunes were erased from the senatorial register, although Caesar is much more direct: their citizenship was revoked.

34 Regarding the contrast between *ciuitas* and *urbs* see Cic. *Fam.* 9.14.8 = SB 326; *Phil.* 11.25; *Rep.* 1.58; *Off.* 2.78.

35 Cic. *Phil.* 5.39: [*Lepidus*]… *Sex. Pompeium restituit ciuitati.*

36 The sources are contradictory and the subject has been much debated. According to A. Duplá, *Videant consules. Las medidas de excepción en la crisis de la República romana* (Saragossa, 1990), 141, it was only a threat that did not become effective. Yet, P. Jal,'«Hostis publicus» dans la littérature latine de la fin de la République', *REA* 65 (1963), 53-79 thinks that there was a senatorial declaration that they were *hostes*. Recently, B, Allély, *La déclaration d'hostis sous la République romaine* (Bordeaux, 2012), 82-4, after revising all the evidence (specially, App. *B Civ.* 2.33 and 2.50; Flor. 2.13), concludes that in 49 B.C. the SCU and the senatorial declaration took place, affecting both Caesar and his soldiers. Most recently, L. Fezzi, *Il dado è tratto. Cesare e la resa di Roma* (Bari and Rome, 2017), 205 remains noncommittal.

citizens.[37] If, as Scipio Aemilianus said, *dignitas* was born from *innocentia,* then what was now being asserted was precisely the innocence of Caesar's supporters.[38] If we consider both Caesar's and the tribunes' *dignitas* together, they did not express a desire for power, but instead were calling for a return to the position Caesar and the tribunes had legally occupied in the Republic before 7 January: a full *restitutio* which returned to them their citizenship, their prerogatives, and their magistracies.[39] Cicero, after

---

[37] A. Guarino, '«Nemico della patria» a Roma', *Labeo* 18 (1972), 95-100 considered that the '*hostis* declaration' lacked any type of legal value, and that it was only of political relevance.

[38] H. Malcovati, *ORF*[3] *Scipio Aemilianus fr.* 32= Isid. *Etym.* 2.21.4: *ut est illud Africani: ex innocentia nascitur dignitas, ex dignitate honor, ex honore imperium, ex imperio libertas.* For the close connection between *dignitas* and *salus,* see J. Hellegouarc'h, *Le vocabulaire latin des relations et des partis politiques sous la République (*Paris 1972), 411-2. Interestingly, Arena (n.17) 142-3 notes that Scipio's notion of *libertas* is close to the one expressed by the supporters of democracy in Cicero's *De re publica*. Perhaps the same can also be said of his notion of *dignitas*, which seems to coincide with Caesar's. Nevertheless, some caution is necessary, as we do not know whether the fragment is referring to the commonwealth or the individual.

[39] Regarding the question of why Caesar crossed the Rubicon, the obvious answer is: because of the SCU of 7 January. However, the SCU does not appear amongst the various reasons indicated by G.R. Stanton, 'Why did Caesar Cross the Rubicon?', *Historia* 52 (2003), 67-94, who points towards Caesar's fear of a likely accusation and conviction by the tribunals. R. Morstein-Marx 'Caesar's Alleged Fear of Prosecution and his *Ratio Absentis* in the Approach of the Civil War', *Historia*56 (2007), 159-78 rejects the idea that an accusation was being prepared against Caesar.

returning from exile, referred to himself as *in meam pristinam dignitatem restitutus (*Cic. *Dom.* 9).

In fact, Caesar did not state at any time that he was fighting for the Republic, in order to defend it: instead he said he was defending his *dignitas*, the position of the plebeian tribunes, and the *libertas* of the Roman people. We will now analyse the number of times Caesar as a 'character' refers to the *res publica* in the *Bellum Ciuile*:

- 1.7.7: Caesar's speech to the soldiers of the XIII Legion, exhorting them to defend the *existimatio dignitasque* of the general with whom they loyally served the *res publica* for nine years.
- 1.9.3: in reply to a letter from Pompey, Caesar indicates the *iniuriae* he has suffered (he was stripped of 6 months' governance of the province, and was not allowed to present his candidature *in absentia* despite having been authorized to do so by the Roman people): *tamen hanc iacturam honoris sui rei publicae causa aequo animo tulisse*, that is, he had accepted this snub against his honour with grace, for the good of the *res publica*. He then states (1.9.5) that he is prepared to put up with anything for the good of the Republic (*rei publicae causa)* and suggests that the people and the senate should be allowed to administer the *res publica*. Caesar clearly indicates that at this moment in time, neither the Senate nor the people are free, and the Republic cannot exist under these conditions.
- 1.24.5: this is a neutral reference; Caesar states that it is of interest to the common good and the *res publica* that he and Pompey meet and talk.
- 1.32.7: meeting of the Senate held on 1 April. Caesar asks the senators to govern the *res publica* together with him (*ut rem publicam suscipiant atque*

una secum administrent), but declares that if they refuse out of fear, he will take charge and govern (*se rem publicam administraturum*).

- 3.10.6 and 9. Caesar's proposal for peace, which is convenient for both sides and for the Republic.
- 3.53.5. He rewards Scaeva *ut erat de se meritus et de re publica*, for his services to Caesar and the *res publica.*
- 3.90.2: Speech by Caesar before Pharsalus: he never wanted to squander the soldiers' blood, or to deprive the Republic of either army (*neque rempublicam alterutro exercitu priuare uoluisse*).

The expression *res publica* is ambiguous: on the one hand, it has a neutral meaning, referring to the institutional apparatus, which was something that subsisted as long as Rome continued to be a political community.[40] For this reason, Caesar was able to use it, for example, in reference to *ciuitates* in Gallia (Caes. *B Gall.* 6.20), or it could also be said that he took over the governance of the Republic or rewarded Scaeva for his notable services to the Republic. However, on the other hand, the expression has a much more specific meaning, derived from the fact that Pompey and his followers had taken over the 'Republican cause': as a result, *res publica* could also be understood as referring to the *res publica* defended by Pompey, that is, the real, specific version that existed in Rome in 50 B.C., and which Caesar utterly rejected. In a letter he sent to

[40] On this sense of *res publica* as public institutions (magistrates, assemblies, etc.), see for instance Cic. *Leg.* 3.41 and Cic. *Leg. agr.* 1.19 with P. López Barja, *Imperio legítimo. El pensamiento político romano en tiempos de Cicerón* (Madrid 2007), 181 and C. Moatti, *Res publica. Histoire romaine de la chose publique* (Paris 2018), 43 n.2. For the more specific meaning of *res publica* as 'public treasure', see H. Drexler, 'Res publica', *Maia* 9 (1957), 247-281, at 257-8.

Oppius and Cornelius in early March of 49 B.C., Caesar accused Pompey and his supporters of being responsible for the *res publica* being in such a condition (*quorum artificiis effectum est ut res publica in hunc statum perueniret*, Cic. *Att.* 9.7C.3 (174C SB)). Clearly, Caesar used this to make the other side responsible for the outbreak of the war, although at the same time he insisted that the reason for the war had been the destruction of the *res publica*. When Caesar, according to Ampius, stated that the Republic was no more than a name, he was not referring to the Republic in an abstract manner, but instead to the very concrete form that existed in Rome in 50-49 B.C. According to Caesar, Pompey and his followers were calling for a Republic and a legality that they themselves had destroyed. For this same reason, Caesar could not defend it, as it no longer existed.[41]

There are other references to the *res publica* in the *Bellum Ciuile*, although they are made by Pompey's supporters. In the first chapters, while describing the debates between the senators that led to the SCU of 7 January, there are already several references to the *res publica,* including the agreement by the Senate –which nevertheless was vetoed by the plebeian tribunes– whereby if Caesar did not disband his army before a given date, he would be acting *contra rem publicam.*[42] Shortly afterwards, in the letter Pompey sent to Caesar, which he received in Ariminum, the *res publica* is mentioned four times in as many lines (Caes. *B Civ.* 1.8.3). Pompey claimed that considering his high ranking position (*pro sua dignitate),* Caesar had to put his anger to one side for the good of the Republic (*studium et iracundiam suam rei publicae*

41 After 49 B.C., Caesar's closest collaborators 'nicht einmal… vermochten sich positiv über die alten Normen der *res publica* hinauszuheben', Meier (n. 6), at 299.

42 *B Civ.* 1.2.6; cf. 1.1.2 and 3; 1.4.3; 1.5.3.

dimittere).[43] In turn, the governor of Hispania Ulterior, Varus, punished Caesar's supporters in his province for having acted *aduersus rem publicam* (Caes. *B Civ.* 2.18.5).

Cicero was an expert at playing with the two meanings of *res publica*. He often uses it in a restrictive way, whereby the term *res publica* only applies when the body politic is based on justice. Therefore, if it is based on injustice, regardless of how well appearances are maintained, and even though there are magistracies, assemblies, and judges, this is not a true *res publica.*[44] When he returned from exile, this argument was of great use to him, because it allowed him to say that the Rome that had condemned him, dominated by Clodius and two unworthy consuls, was not a true *res publica.*[45] Caesar in the *Bellum Ciuile* made use of this same ambiguity: the Republic the supporters of Pompey appealed to so strongly no longer existed, because it was in the hands of a clique that was prepared to ride roughshod over any law; it needed to be reconstructed.[46] This is the picture Caesar is describing to us: the *Bellum Ciuile* begins

---

[43] On this very important letter, see n. 15 above and J. M.Carter, *Julius Caesar. The Civil War* (Warminster, 1991-1993), 2 vols. *ad loc*.

[44] Cic. *Rep.* 3.43-45. See further M. Schoefield, 'Cicero's Definition of *res publica'* in J.G.F. Powell (ed), *Cicero the Philosopher* (Oxford, 1995), 63-83.

[45] Cic. *Paradox.* 4.27-28; *Red. pop.* 14.

[46] In Spain in 1930, Ortega y Gasset used the word *estado* with similar ambiguity in his cry against the monarchy of Alfonso XIII: 'Spaniards! Your state is no more! Reconstitute it! *Delenda est monarchia*!': http://hemerotecadigital.bne.es/issue.vm?id=0000435614&page=1&search=berenguer&lang=es. On the biographical context for this newspaper article, see J. Gracia, *José Ortega y Gasset* (Madrid, 2014), 449-451.

with a Rome that is subjected to all types of abuses: the senators, pressurized and threatened by Pompey; the plebeian tribunes, fleeing for their lives; the provinces, divided up arbitrarily, and not according to tradition, so that private individuals had *lictores* under their control, flying in the face of all traditional testimonies (1.1-6). Compared to this image of violence and chaos, book 3 opens with quite a different image, that of a Rome governed by law and tradition: with Caesar as its dictator, elections are held, choosing him and P. Servilius as consuls. Caesar takes great care to note that this was the year in which the magistracies could be legally repeated, as ten years had passed since his consulate in 59 B.C. (Caes. *B Civ.* 3.1.1). Through laws introduced by praetors and plebeian tribunes (i.e. not by Caesar himself), he pardoned those who had been condemned by Pompey, 'in the days when Pompey had the legions garrisoned in the city' (Caes. *B Civ.* 3.1.4, that is, inside the *pomerium).* Once the elections and the *feriae Latinae* had been held, Caesar abdicated from his dictatorship, in order to take over the consulship. Now he could justifiably present himself as the legitimate representative of Rome, as he held its highest magistracy.

2. *POPULUM / REM PUBLICAM IN LIBERTATEM VINDICARE*

While Pompey's cause is quite easy to identify, Caesar's is less obvious, although I believe we have enough arguments to serve as the basis for a suggestion. Caesar's motto was *libertas*, and more specifically *libertas populi*, the liberty of the people. In the *Bellum Ciuile,* at the climax of the narrative, when both sides are about to meet in the final battle, Caesar stops the account for a moment to introduce his favourite character, a centurion who is blindly loyal to him and his cause. His name is Crastinus, and Caesar specifically makes note of the battle cry he calls out to his comrades: 'only

this battle remains: once it is over, he (Caesar) will recover his *dignitas* and we, our *libertas*' (Caes. *B Civ.,* 3.91.2).[47] Here, at the decisive moment of the war, we find the liberty of the people (as in Caesar's writings, the army sometimes represents the Roman people as a whole)[48] together with the *dignitas* of its commander. So much attention has been focused on this latter point, considered as a key element in interpreting the work that little attention has been paid on its counterpoint: the liberty of the people. Caesar fought for *both*, even though some historians have made great efforts to conceal one, and only see the other. Now we can go back to the start of this war, which ended with the words of Crastinus in Pharsalus. When Caesar captured Corfinium, and revealed his clemency towards his vanquished enemies, he stated that 'he had not quitted his province with any evil intent, but to defend himself from the insults of his foes, to restore to their position the tribunes of the people who at that conjuncture had been

---

47 While Raaflaub (n. 3), 172 n. 91 had refrained from analysing Crastinus' words, K. Raaflaub, 'Caesar the liberator? Factional Politics, Civil War and Ideology', in F. Cairns and E. Fantham (edd), *Caesar against liberty? Perspectives on his Autocracy* (Cambridge, 2003), 35-67, at 57 n. 72 (see also id., 'Between Tradition and Innovation: Shifts in Caesar's Political Propaganda', in G. Urso [ed.], *Cesare: precursore o visionario* [Cividale del Friuli, 2009], 141-57, 148 n. 29) interprets *libertas* here as *ciuitas,* but this is not likely, for *libertas* should be understood in the sense it has in the *Bellum Ciuile,* in particular as referring back to *B Civ.* 1.22.5. Against Raaflaub's proposal see K.J. Hölkeskamp, 'Friends, Romans, Countrymen: Addressing the Roman People and the Rhetoric of Inclusion', in C. Steel and H. van der Blom (edd.), *Community and Communication. Oratory and Politics in Republican Rome* (Oxford, 2013), 11-28, at 15n.17.

48 As we can also see in Caes. *B Gall.* 4.17.1.

expelled from the state, to assert the freedom of himself and the Roman people, who had been oppressed by a small faction' (… *ut se et populum Romanum factione paucorum oppressum in libertatem uindicaret.* Caes. *B Civ.* 1.22.5, trans. A.G. Peskett, LCL).[49] This was the mission that justified the civil war, and which was about to be fulfilled in the eloquent words of the centurion Crastinus on the battlefield of Pharsalus.

I believe that the phrase *populum in libertatem uindicare* is of paramount importance, although it has generally been misinterpreted, because it has been considered as equivalent to *rem publicam in libertatem uindicare,* considering that *populus = res publica,* which is not correct, at least in this case.[50] They are not interchangeable terms. The expression can also be used in very different contexts, to refer to freeing the Gauls, for example, or the *Gaditani.*[51] Also, Catiline, haranguing the conspirators, revealed to them how miserable their lives would become 'unless we are

[49] This is a case of 'ring-composition' as it has been pointed out by Carter (n. 43), 2.213. See also R.D. Brown, 'Two Caesarean Battle Descriptions: A Study in Contrast', *CJ* 94 (1999) 329-357, at 351.

[50] W. Weber, *Princeps. Studien zur Gechichte des Augustus* (Berlin, 1936), n. 557 contains a detailed list of passages in which either of these expressions is included, i.e. *rem publicam / populum in libertatem uindicare...* Both expressions are usually dealt with as being equivalent, without any further discussion; see e.g. Hellegouarc´h, (n.3), 555; Wirszubski (n.3), 103; R. Seager, 'Cicero and the word *popularis', CQ* 22 (1972) 328-38, at 337 n. 11 and 338 n.2; Grillo (n. 30), at 136; Moatti, *Res publica* (n. 40), at 235 n.1). An exception is A. La Penna, *Sallustio e la "rivoluzione" romana* (Milano, 1968), 238 n.271: 'É tuttavia notevole che la tradizione aristocratica ed Augusto parlino della patria o della repubblica, Cesare e Sallustio, di *populus* e *plebs*'.

[51] Caes. *B Gall.* 8.1.3; Caes. *B Civ.* 2.21.1.

capable of asserting our own liberty' (Sall. *Cat.* 20.6). This may well be a touch of irony on the part of Sallust, with the noble slogan corrupted by Catiline for his own advantage. However, the phrase *populum in libertatem uindicare* had a precise meaning: it was a war cry of the *populares*, as we know thanks to Cicero. In his dialogue D*e re publica,* when Scipio Aemilianus presents the arguments of the supporters of each type of government, he sums up those of the defenders of democracy in the following way: 'They think that this commonwealth (that is, the concern of the people: *res populi*) is the only one properly so named; and so it is usual for the 'concern of the people' to be liberated from the domination of kings and aristocrats (*itaque et a regum et a patrum dominatione solere in libertatem rem populi uindicari…*) and not for kings or the power and wealth of an aristocracy to be sought by a free people' (Cicero *De Re publica* 1.48 Zetzel's translation[52]). I believe that Cicero slightly altered the *popularis* slogan *(rem populi* instead of *populum in libertatem uindicari)* in order to maintain its correspondence with the definition he has given of *res publica* as *res populi* (1.39). In any event, the coincidence with Caesar's phrase is remarkable. It is even more so if we consider that according to Sallust, the Gracchi were the first to 'assert the liberty of the plebs' (Sall. *Iug.* 42.1): this slogan belonged to, or characterized, those who wanted to transform the Republic in a more democratic sense. This *libertas*, specifically, the *libertas populi*, was what Caesar asserted in writing in the *Bellum ciuile,* and graphically in the *denarius* minted by C. Vibius Pansa (cos. 43 B.C.) in 48 B.C., the reverse of which showed the head of *Libertas* with the motto: *LIBERTATIS.*[53] It is no coincidence that in the *Bellum Gallicum* the word 'senate' only appears 16

---

52 J.E.G. Zetzel (ed.). *Cicero: De Re Publica: Selections* (New York, 1995).

53 M. Crawford, *Roman Republican Coinage* (Cambridge, 1975), 449/4. Crawford states that '(it) is an almost visual equivalent of Caesar's claim to be freeing the Roman people from the oppression of a clique of oligarchs' (p. 736) and, very significantly, associates this coin of Pansa with Caes. *B Civ.* 1.22.5 (p. 465).

times, while 'the people' (*populus)* appears 80 times;[54] in the anonymous works of the *corpus Caesarianum* it acquires, at times an intensely *popularis* connotation, as in *Bellum Africum* (97.1) where it states that Pompey's supporters had risen up in arms against the Roman people.

The expression *uindicare in libertatem* was originally a legal term. It refers to the process whereby the liberty of man who was improperly treated as a slave is asserted.[55] The process consisted of a *legis actio sacramento in rem* in which, due to the fact that the slaves could not defend themselves, a third party (the *uindex/adsertor libertatis)* did so for them. In the way that Caesar uses it, it was also a denunciation of the *factio* that kept the Roman people illegally enslaved (Caes. *B Civ.* 1.22.5). It was a proclamation which, far from being inoffensive or irrelevant, was actually aggressive, as he formally declared that the Roman people had been unjustly enslaved by a minority, which had also sequestered the will of the Senate.

Even if our sources are scant and very little of this *popularis* tradition has been preserved, some conclusions may be gathered from the discussion about the different constitutions in book I of Cicero's *De re publica.* As Arena has shown, the supporters of the *ciuitas popularis* (democracy) defined it as a constitution where the people are in

---

[54] C.B. Krebs, 'More than Words: the Commentaries in their Propagandist Context', in L Grillo and C.B. Krebs (edd.), *The Cambridge Companion to the Writings of Julius Caesar* (Cambridge, 2018), 29-42, at 38-9.

[55] Regarding the technical phrase *uindico in libertatem* see *Dig.* 1.4.12 *pr.*; 40.12.3 *pr.* In general, see M. Nicolau, *Causa liberalis. Étude historique et comparative du procès de liberté dans les législations anciennes* (Paris, 1933) and G. Franciosi, *Il processo di libertà in diritto romano* (Naples 1961).

control of everything (including the law, courts, and international agreements) and there is equality among citizens.[56] The initiatives and laws put forward by *popularis* politicians (especially Tiberius and Caius Gracchus) followed the same lines. We can be sure that when Caesar proclaimed his will to assert the liberty of the people he was comfortably situated within this tradition, and that his readership could easily understand the meaning and purpose of the catchword.

The *optimates* had an equivalent of this *popularis* slogan: *rem publicam in libertatem uindicare*, where the liberty being asserted is that of the Republic. There are plenty of examples. Cicero uses it several times, most significantly when he states that Scipio Nasica had asserted the liberty of the Republic against the tyranny of Tiberius Gracchus. The phrase is complementary to the one of Sallust we previously saw: both Nasica and Gracchus asserted liberty, only the former was thinking about the Republic, while the latter was thinking about the people.[57] Brutus, Asinius Pollio, and Munatius Plancus use it in letters addressed to Cicero, where it is not always easy to decide if they use the slogan because it formed a part of their political language, or because they knew

---

56 Arena (n. 17), 116-68.

57 Cic. *Brut.* 212: …*Scipione… qui ex dominatu Ti Gracchi priuatus in libertatem rem publicam uindicauit*… Cf. Cic. *Fam.* 2.5 (SB 49).2 (Cicero to Curio, 53 B.C.) : … *rem publicam adflictam et oppressam… ueteram dignitatem et libertatem uindicaturus*. Cicero to Octavius after 20 December 44 B.C. (*frag. epistularum* 7 Beaujeu = Watt 14 = Non, p.419,11M): *qui si nihil ad id beneficium adderes, quo per te me una cum re publica in libertatem uindicassem*. Beaujeu has some doubts concerning its authenticity. The letter could be a fabrication responding to the one in which Brutus complaints that Cicero is being too generous to Octavius.

that Cicero would appreciate the gesture.[58] It also appears, quite revealingly, in the *Bellum Africum*, a text that is clearly in line with Caesar's ideas, although here the context is relevant: it is said by Cato himself, spurring the young Pompey into action, remembering the moment when his father stood at Sulla's side. There can be no doubt that the anonymous author knew which words would fit well into the fierce discourse of the *optimates*,[59] as we can see in another passage (*B Afr*. 44.3), when Scipio, in a speech addressed to soldiers of Caesar who had been captured, does not refer to the people, but instead to the *res publica.* As is well known, this is also the expression that Augustus used at the start of his *Res Gestae* (1.1), although, as indicated by L. Hodgson: 'By liberating not the *populus Romanus* but the *res publica* Augustus exploits his superior political position to appeal to a broader audience that Caesar had done'.[60]

---

58 Cic. *Ep. Brut.* 1.16.1 (SB 25); Cic. *Fam.* 10.31.5 (SB 368, Asinius Pollio to Cicero, 16 March 43 B.C.); Cic. *Fam.* 10.21.6 (SB 391, Plancus to Cicero, 13 May 43 B.C.).

59 Both E. Koestermann, 'L. Munatius Plancus und das Bellum Africum', *Historia.* 22 (1973), 48-63 and A. Pallavisini, 'Il capitolo 22 del *Bellum Africum* e la propaganda augustea', *Contributi dell'Istituto di Storia Antica*, vol. 2 (Milano 1974), 107-14, find these words from *BAfr*. 22 to be out of touch with the *popularis* colour of the work. They therefore claim that it is the result of an interpolation. Yet this sentence is attributed to Cato, a fact that makes interpolation unnecessary and shows the capacity of its unknown author to record the enemy's propaganda in its own terms. Caesar does exactly the same thing when he records every time Pompey used *res publica* in his letters.

60 L. Hodgson, 'Appropriation and Adaptation: Republican Idiom in *Res Gestae* 1.1', *CQ* 64 (2014), 254-69, at 268.

So here we have two strictly complementary expressions: the *populares* spoke of asserting the liberty of the people (or the plebs), but without mentioning the Republic; while the opposite occurs with the *optimates*: the liberty they defend is always that of the Republic, and never that of the people. Although there were certainly different tendencies among the *optimates*, it is clear that for them, the liberty of the Republic meant the preservation of Rome's mixed constitution, ruled by the aristocratic element, namely the Senate.[61] The *populares,* on the other hand, contested this view, claiming that the government should be in the hands of the people.

This assertion of the liberty of the people, against the oppression of an aristocratic faction, repeatedly appears in Caesar's text, skilfully manifested in the opposition between the many (who supported Caesar) and the few (who supported Pompey). This is not merely a proclamation, but instead the narrator makes it a reality in reporting events. The population of Sulmo is on his side, but comes up against the opposition of two supporters of Pompey (Caes. *B Civ.* 1.18); the inhabitants of Brundisium are also in his favour, although they cannot demonstrate this openly until Pompey leaves the city (1.28); in Hispania, all of the blame is levelled against the commanders Afranius and Petreius, while their soldiers had declared their wish for peace (1.85.2).[62] There are even more examples, but one especially interesting case is that of Iguvium, where after Caesar indicated that the entire population was on his side, this led to Pompey's commander having to flee, and the district passing into the hands of Curio and his three cohorts (*B Civ.* 1.12). However, we know from Cicero that some of the inhabitants of Iguvium fled together with Pompey's commander, taking refuge in

61 Cic. *Rep.* 1.41 with Arena, *Libertas* (n.17) 97.

62 See K. Raaflaub, 'Creating a Great Coalition of True Roman Citizens' in Breed, Damon and Rossi, *Citizens* (n.12), 159-70.

Corfinium (Cic. *Att.* 7.31.1 (SB 147)). Not all of the people in the *municipia* were on his side, but this is precisely what Caesar wanted us to believe: that his enemies were only a small group of oligarchs who had sequestered the will of the Roman people, whose liberty he, and Crastinus, were ready to assert.

Cicero did not use the phrase *libertas populi Romani* too frequently, but when he did, he usually stuck to the basic principle that the *libertas populi Romani* only existed if the *senatus auctoritas* was respected.[63] Above all, this can be seen in the *Philippics*, where the chiasmus *senatus auctoritas libertasque populi Romani* is used very frequently.[64]

3. CONCLUSIONS

In the *bellum ciuile Pompeianum*, two opposing political ideas clashed head-to-head: *optimates* such as Pompey or Cicero fought for the Republic, while Caesar's cause was the liberty of the people. He never claimed to be fighting for the Republic, while his enemies did their best to picture him as a sworn enemy of the Republic, intent on destroying it. From Caesar's point of view, on the other hand, both he and the tribunes of the plebs, who had forfeited their citizenship as a result of the *SCU* and become public enemies of Rome, should have been reinstated in their previous position,

63 Cic. *Dom.* 130; cf. *Fam.* 10.6.2 (SB 370) and 11.7.2 (SB 372).

64 Cic. *Phil.* 3.8; 3.32; 3.33 (*de libertate populi Romani et dignitate uestra*; 3.37; 3.39; 4.8; 5.35; 5.53; 7.27 (*libertas agitur populi Romani, quae est commendata uobis)*; 10.23; 13.33. On other occasions, *libertas populi Romani* is associated with the consuls (3.36) or the *res publica* (5.46; 7.11; 12.29). It should also be noted that there is a close link between the army and the *libertas populi* (10.15; 14.36), which helps to explain the importance the latter has in Caesar's account.

and this is probably the meaning of *dignitas* in the crucial passage of the *Bellum Ciuile* (1.22.5). Cicero in his *De re publica* shows in a very convincing way that the catchword *populum in libertatem uindicare* was characteristic of those who were supporters of the *ciuitas popularis*, a phrase that translates the Greek *demokratia*.

The *libertas* of the Republic is set against the *libertas* of the *populus.* Meier's conception of a 'crisis without an alternative' is based on a fallacy: that a revolution only begins when there is a viable alternative to the existing situation. The *Cahiers de Doléances* prior to the calling of the *États géneraux* in France in 1789 do not contain a single reference against the king or in favour of a Republic; however, a few years later, with Louis XVI on the scaffold, the monarchy and the *Ancien Régime* came to an end in France.[65] Despite everything, in the Rome of the Late Republic, there were alternatives, and the aristocracy was perfectly aware of them: the different types of democracy from Greek history. When Cicero defined the different constitutions or political regimes (*formae rei publicae*), he did not want to use Greek terms, but instead Latin terms. Instead of 'monarchy' he used *regnum*; for aristocracy, he chose *optimates*; his translation of democracy was precisely *ciuitas popularis* (Cic. *Rep*. 1.42-43). Within this context of *popularis* ideas, we have to situate the demand for the freedom of the people on which Caesar placed so much emphasis in his account of the civil war, a *popularis* manifesto in which he staunchly defended the *libertas populi.* It is true, as has been noted by Arena, that the *populares* and *optimates* shared the same concept of *libertas*: both understood it as 'non-domination'.[66] The difference lies in which part of

65 Cf. J.C. Scott, *Hidden Transcripts. Domination and the Art of Resistance* (New Haven, 1990) 77.

66 Arena (n.17), 9: 'a commonly shared notion of liberty, understood as a status of non-subjection to the arbitrary will of either a foreign power or a domestic group or

the body politic each side in the civil war wished to liberate: either the 'Republic', as a political construct, or otherwise 'the people,' that is, the *comitia,* the only ones who had the right to pass laws.

Universidade de Santiago de Compostela PEDRO LÓPEZ BARJA DE QUIROGA

pedro.barjadequiroga@usc.es

---

individual'. As she herself has indicated, however, in Cicero's *De legibus* liberty does not mean 'non-domination' because the participation by the people in the commonwealth 'ought to take the form of a submission to the senatorial nobility': see V. Arena, 'Popular Sovereignty in the Late Roman Republic: Cicero and the Will of the People', in R. Bourke and Q. Skinner (edd.), *Popular Sovereignty in Historical Perspective* (Cambridge, 2016), 73-95, at 90.