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SIGLE ȘI ABREVIERI / SIGLE E ABBREVIAZIONI*

ACO	<i>Acta Conciliorum Oecumenicorum</i> , ed. E. Schwartz, Berlin, 1914 sqq.
ANRW	<i>Ausstieg und Niedergang der römischen Welt. Geschichte und Kultur Roms im Spiegel der neueren Forschung</i> , II, <i>Prinzipat</i> , Berlin-New York.
BOR	<i>Biserica Ortodoxă Română</i> , București.
CCL	<i>Corpus Christianorum. Series Latina</i> , Turnhout, 1953 sqq.
CSEL	<i>Corpus Scriptorum Ecclesiasticorum Latinorum</i> , Vienna-Leipzig, 1860 sqq.
EAC	A. Di Berardino (ed.), <i>Encyclopedia of Ancient Christianity</i> , vols. 1-3, Downers Grove, 2014.
LCI	E. Kirschbaum (ed.), <i>Lexikon der christlichen Ikonographie</i> , vols. 1-4, Rome-Freiburg-Basel-Vienna, 1994.
LIMC	<i>Lexicon Iconographicum Mythologiae Classicae</i> , I-VIII, Zürich-München-Düsseldorf, 1981-1997.
MMS	<i>Mitropolia Moldovei și Sucevei</i> , Iași.
PG	<i>Patrologiae cursus completus. Series Graeca</i> , Paris.
PL	<i>Patrologiae cursus completus. Series Latina</i> , Paris.
PLRE, I	<i>The Prosopography of the Later Roman Empire</i> , I, A. D. 260-395, by A. H. M. Jones, J. R. Martindale, J. Morris, Cambridge, 1981.
RIC	<i>Roman Imperial Coinage</i> .
RE	<i>Realencyclopädie der classischen Altertumswissenschaft</i> (Pauly-Wissowa-Kroll), Stuttgart-München.
RGZM	<i>Römische Militärdiplome und Entlassungsurkunden in der Sammlung des Römisch-Germanischen Zentralmuseums</i> , Mainz.
RLBK	K. Wessel (ed.), <i>Reallexikon zur Byzantinischen Kunst</i> , Bd. I, Stuttgart, 1966 sqq.
SC	<i>Sources Chrésiennes</i> , Paris-Lyon.
ThLL (ThLL)	<i>Thesaurus linguae Latinae</i> .

* Cu excepția celor din *L'Année Philologique* și *L'Année Épigraphique* / Escluse quelle segnalate da *L'Année Philologique* e *L'Année Épigraphique*.

DEFENDING SULLA... TO CONDEMN THE CATILINARIANS ONCE AGAIN? SOME MORAL AND POLITICAL CONCEPTS FROM CICERO'S *PRO SULLA**

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Keywords: *Cicero, P. Sulla, Catiline's conspiracy, antithetical pairs, Roman values.*

Abstract: *For Catiline and his fellow conspirators, the most important Latin sources are Sallust's *Bellum Catilinae* and Cicero's *Catilinarians*. Yet also other works deserve proper attention, in particular some of Cicero's orations, especially the *Pro Sulla* (62 BC). This paper intends further to explore some values and examples relating to the ideological interpretation of the *Pro Sulla* and, consequently, to the environment in which Cicero and his political adversaries lived. More specifically, the focus will be on some antithetical pairs (namely, 'madness-rationality', along with 'immorality-integrity', 'severity-mercy' and 'regnum-libertas') that are not only relevant in rhetorical terms, but also reflect the political tensions and the different ideologies in Cicero's days.*

Cuvinte-cheie: *Cicero, P. Sulla, conjurația lui Catilina, perechi antitetice, valori romane.*

Rezumat: *Apărând pe Sulla... pentru a condamna încă o dată pe adepții lui Catilina? Câtva concepte morale și politice din Pro Sulla a lui Cicero. Pentru Catilina și adepții săi conjurați, cele mai importante surse latine sunt *Bellum Catilinae* a lui Sallustius și *Catilinarele* lui Cicero. Totuși, și alte lucrări merită atenția cuvenită, în special unele dintre discursurile lui Cicero, în special *Pro Sulla* (62 î.Hr.). Lucrarea de față își propune să exploreze în continuare câteva*

* This article represents an expanded version of a paper I delivered in the conference *L. Sergius Catilina – History and Tradition* (Lublin, November 2023): to the organisers and all participants go my deepest thanks. I am also grateful to Andrea Balbo, Philip Barras, Ermanno Malaspina, Simone Mollea for reading this article and for providing me with useful advice. A special thanks goes to the *Fondation Hardt* for allowing me to further explore a large part of the literature related to this article. That said, I alone am responsible for any remaining imprecisions or mistakes.

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valori și exemple legate de interpretarea ideologică a discursului Pro Sulla și, în consecință, de mediul în care au trăit Cicero și adversarii săi politici. Mai precis, accentul va fi pus pe unele perechi antitetice (și anume, „nebuție-raționalitate”, împreună cu „imoralitate-integritate”, „severitate-milă” și „regnum-libertas”) care nu sunt relevante doar în termeni retorici, ci reflectă și tensiunile politice și diferitele ideologii din zilele lui Cicero.

Introduction

Inconsistency and self-defence are two recurring motifs in the *Pro Sulla*. Cicero, consul in 63 BC and the most fierce opponent of Catiline's conspiracy, in 62 BC delivered a speech in defence of P. Sulla, the nephew of the dictator L. Sulla,¹ charged by L. Manlius Torquatus² with being involved in the conspiracy. Cicero not only aimed to provide proof of Sulla's innocence, but also to defend and strengthen his own political position – which was more fragile than in the year of his consulate – by recalling his role as saviour of the *res publica*.

The *Pro Sulla* takes us into a complicated historical-political climate, in which Cicero has to deal with the consequences of the Catilinarian danger and the hostility of those who did not agree with the summary execution of five Catilinarian leaders in December 63 BC.³

Much ink has been spilled on the matter of Sulla's guilt, which has aroused various opinions among scholars, even though, as has been pointed out, it is likely that Sulla was not a conspirator *tout court*. As D. H. Berry puts it:

for Sulla, guilt has usually been equated with participation in the Catilinarian conspiracy, yet he was put on trial for *vis*, not for Catilinarianism: it is in theory possible that Sulla was guilty of *vis*, but nevertheless had no connection with Catiline. Secondly, it should be remembered that Sulla's guilt is dependent on his actions, not on his possible sympathies or provisional intentions.⁴

¹ According to Berry 2020, 15, n. 23. On Sulla's life and family cf. also Berry 1996, 1-13 and Syme 2016.

² Cornelius was Torquatus' *subscriptor*: cf. Berry 1996, 10, 20.

³ In this sense, Kumaniecki's analysis (1972, 235-241) is illuminating. Similarly, Berry 1996, 1-62 provides an exhaustive overview and highlights the position of Cicero and his client since the so-called 'First Conspiracy' (66 BC). On the execution of the Catilinarian conspirators cf. Drummond 1995, 95-113; Berry 2020, 48-51, 164-173; Woodman 2021.

⁴ Berry 1996, 34.

However that may be, it was Cicero's *auctoritas*, along with the influential position he held during his consulship, that probably decreed Sulla's acquittal.⁵

Moreover, most contributions on the *Pro Sulla* focus on Cicero's defensive strategy, thereby privileging the rhetorical *côté*,⁶ or on the orator's self-representation, with the aim of analysing his moral tendencies (e.g. the deployment of his *auctoritas* and the belief in the immutability of human nature).⁷ In this respect, a recent article by C. Guérin, entitled *L'orateur, le témoin et le recours à l'auctoritas: le cas du Pro Sulla*, enhances these two lines of investigation: according to him, Cicero attempts to give a truthful account of events, just like a witness who has solid knowledge of the past, instead of just relying on his *auctoritas* as *pater patriae*.⁸

Nonetheless, this speech has not always received a positive assessment. Thus J. M. May wrote in 1988:

despite [...] the ultimate success of the plea, Cicero's speech on behalf of Sulla remains somewhat unsatisfying, at time unconvincing. [...] The *Pro Sulla* is perhaps too blatant in its appeal to authority for a modern audience [...]. More likely, however, is the detection by the reader of a bit of laziness, a kind of smug complacency on Cicero's part [...]; he seems content to thunder the threat of his authority continually and without much variation.⁹

But already in 1996 Berry showed his reservations and reconsidered the *Pro Sulla*:

Cicero's reputation is here in jeopardy as in no other speech: it is of the greatest importance whether or not he did defend a Catilinarian conspirator. [...] *Pro Sulla* is one of Cicero's most sensational speeches. The case was a difficult one for him not because the evidence against Sulla was particularly strong (it was not), but because the consequences of losing would have been so momentous.¹⁰

⁵ Berry 1996, 47. Cf. also May 1988, 77 and Tahin 2014, 87-100.

⁶ Cf. especially Stroh 1975, 188-191; Goodwin 2001; Craig 2014.

⁷ Cf. May 1988, 69-79; Berry 1996, 39-42; Pieper 2014.

⁸ Guérin 2020.

⁹ May 1988, 78.

¹⁰ Berry 1996, 62.

This approach privileges external and contingent factors that call into question either Cicero's political reputation or the difficult environment in which he operated.

The *Pro Sulla*, however, is a significant source also for undertaking an in-depth analysis of the political and moral ideology related to Roman Republican elites as well as the labels that Cicero frequently uses to identify them (e.g. *boni*, *nobiles*).¹¹ This speech thus deserves more exclusive attention, since Cicero, beyond using powerful and convincing rhetorical arguments, resorts to values, examples and moral precepts which enable us to interpret the *Pro Sulla* from a broader perspective. That implies taking into account both Cicero's political-philosophical outlook and, more generally, the moralistic thought embedded in Roman historiography (especially in Sallust).

In this light, moral values blend with Ciceronian characters, since the former become essential to identify the behaviour of the latter. In the *Pro Sulla*, in fact, integrity, honesty, aspiration to freedom, mercy and rationality are the major distinctive traits of the Roman republican leader, which, not surprisingly, Cicero aims to attribute to himself. By contrast, Catiline – as well as his followers – is defined by negation and becomes the objective correlative of evil *par excellence*. Unlike Sallust's 'paradoxical portrait'¹² (*Catil.* 5), Cicero only intends to shape rigid contrapositions in the name of the Roman code of values.¹³

For this purpose, this paper aims to focus just on three antithetical pairs of words which, far from being merely an efficient rhetorical means, also reflect the characterisation of different political groups and ideologies in Cicero's time and in his works. Accordingly, in the next sections, I will look at the contrapositions 'madness-rationality' along with 'immorality-integrity' (§1), 'severity-mercy' (§2) and '*regnum-libertas*' (§3).

¹¹ Mouritsen 2023.

¹² La Penna 1976.

¹³ Cf. Berry 2020, XXII, although he focuses on the Catilinarian orations: "while the *Catilinarians* present Catiline in almost unremittingly negative terms [...], Sallust gives his readers a more nuanced portrait, allowing Catiline sufficient redeeming features to explain how it was that he was able to attract a following – something that Cicero does not explain, except by painting the other conspirators in the same lurid colors in which he paints Catiline himself". On the difference of Catiline's portrait in Cicero and Sallust cf. at least Bianco 2009 and Shaw 2022, 292-307.

1. *Madness-rationality and immorality-integrity*

In the *Pro Sulla* the semantic field related to illness, contagion and fury is deployed to represent Catiline and his supporters. For example, *facinus* (*Sull.* 60), *furor* (*Sull.* 53, 56, 75-76), *morbus* or *pestis* (*Sull.* 53, 76), *scelus* (*Sull.* 52, 75-76) are often used to highlight the perverse, wicked and pestilential nature of the conspiracy and, by the same token, the need to heal the *res publica* by eradicating this evil. The point of no return is reached at §76:

nolite, iudices, arbitrari hominum illum impetum et conatum fuisse – neque enim ulla gens tam barbara aut tam immanis umquam fuit in qua non modo tot, sed unus tam crudelis hostis patriae sit inventus –, beluae quaedam illae ex portentis immanes ac ferae forma hominum indutae exstiterunt.

Do not think, gentlemen, that this attack and this enterprise were the work of human beings – there never was race so barbarous or savage as to produce a single enemy of his country with the cruelty of these brutes, let alone a host as numerous. They were a sort of wild beast, sprung into being from monstrosities – animals clothed in human form (transl. Macdonald 1977).¹⁴

Cicero puts in place a reversal with hyperbolic contours: the Catilinarians' condition is even worse than that of barbarians and enemies, since they have lost their Romanness to the extent of being equated with *beluae immanes ac ferae*. What is more, in Cicero's thought the adjective *immanis*, together with the noun *immanitas*, can be identified as the opposite of *humanitas*, which distinguishes mankind from beasts and finds its defining elements in a cultural and philanthropic dimension¹⁵. In this sense, Cicero wrote at *off.* 1.62:

sed ea animi elatio, quae cernitur in periculis et laboribus, si iustitia vacat pugnatque non pro salute communi, sed pro suis commodis, in vitio est; non modo enim id virtutis non est, sed est potius immanitatis omnem humanitatem repellentis.

But if the exaltation of spirit seen in times of danger and toil is devoid of justice and fights for selfish ends instead of for the common good, it

¹⁴ All translations of the *Pro Sulla* are taken from Macdonald 1977.

¹⁵ Della Calce/Mollea 2023, 125.

is a vice; for not only has it no element of virtue, but its nature is barbarous and revolting to all our finer feelings (transl. Miller 1913).

According to A. R. Dyck, *humanitas* “stands for the interest of the human community”¹⁶ and then emphasises the ability to contribute to public welfare. Similarly, in a passage from the *Pro rege Deiotaro*, Cicero shows that *immanitas* is a corrupting force of the *humanitas* (*Deiot.* 32), which instead would enable citizens to take care of each other, and thus preserve the stability of their community.¹⁷ Nonetheless, *immanitas* is one of the worst features of the tyrant: for instance, at *rep.* 2.48, the tyrant gets the better of wild beasts as concerns *immanitas* (*qui quamquam figura est hominis, morum tamen immanitate vastissimas vincit beluas*)¹⁸ and at *off.* 3.32 he is precisely embodied in Phalaris, tyrant of Agrigentum (6th century BC):

ut membra quaedam amputantur, si et ipsa sanguine et tamquam spiritu carere coeperunt et nocent reliquis partibus corporis, sic ista in figura hominis feritas et immanitas beluae a communi tamquam humanitatis corpore segreganda est.

As certain members are amputated, if they show signs themselves of being bloodless and virtually lifeless and thus jeopardize the health of the other parts of the body, so those fierce and savage monsters in human form should be cut off from what may be called the common body of humanity (transl. Miller 1913).

The corporeal metaphor symbolises the great distance – once again conveyed by the contraposition *humanitas/immanitas* – between the civilisation of the civic body and a savage and barbarous attitude.¹⁹

As for Catiline, did not Cicero save Rome from this sort of tyrant? Starting from *immanitas*, the representation of the conspirators’ vices complies with the paradigm of the tyrant, which, as already pointed

¹⁶ Dyck 1996, 191.

¹⁷ Cf. *supra*, n. 15 and, more extensively, Mollea 2022 (especially 238-240, with bibliography).

¹⁸ On this cf. especially Della Calce/Mollea 2023, 130-132.

¹⁹ Cf. Dyck 1996, 531: “[...] a tyrant like Phalaris whom one could not only despoil but even kill since, like a wild beast, he is outside of and at odds with the *hominum communitas*”. On *humanitas* as “a weapon of inclusion and exclusion” (as well as its reception in Apuleius the Orator) cf. Mollea 2021.

out, is based on some negative traits, such as *avaritia*, *crudelitas*, *libido*, *superbia* and *vis*.²⁰ It is not surprising that the *Pro Sulla* echoes this stereotype when, at §76, the Catilinarians' *libidines* are mentioned along with a cruel (*crudelis*), barbarous (*immanis*) and savage (*ferus*) behaviour.²¹ Also Sallust's *Bellum Catilinae* contains a similar description, whose aim is to highlight the Catilinarians' brutal fury:²²

Catil. 51.9: *quae belli saevitia esset, quae victis adciderent, enumerare; rapti virgines pueros, divelli liberos a parentum complexu, matres familiarum pati quae victoribus conlubiissent, fana atque domos spoliari, caedem, incendia fieri, postremo armis, cadaveribus, cruore atque luctu omnia conpleri.*

They recounted the horrors of war, the wretched fate of the conquered, the rape of maidens and boys, children torn from their parents' arms, matrons subjected to the will of the victors, shrines and houses pillaged, bloodshed and acts of arson; in short, everywhere arms and corpses, gore and lamentation (transl. Rolfe/Ramsey 2013).

Moreover, Virgil, when describing the forging of Aeneas' shield by Vulcan, explicitly refers to Catiline and his ignominious punishment in the Underworld, so as further to emphasise the memory of his nefarious crimes (8.666-669: *hinc procul addit / Tartareas etiam sedes, alta ostia Ditis, / et scelerum poenas et te, Catilina, minaci / pen-*

²⁰ Cf. e.g. Dunkle 1971, regarding the image of the tyrant in Roman historiography (Sallust, Livy and Tacitus); Tabacco 1985, 73-82, especially on Cicero, and 87-131 on the 'tyrant' in the *Declamations* (to this purpose see also Fairweather 1981, 107-115); Le Doze 2010, 275-276. With respect to Livy and, in parallel, to Cicero, cf. Vasaly 2015, 55-76, 126-129, 164, nn. 41-42 and Della Calce/Mollea 2023, 129-137.

²¹ *Perspicite etiam atque etiam, iudices, – nihil enim est quod in hac causa dici possit vehementius – penitus introspicite Catilinae, Autroni, Cethegi, Lentuli ceterorumque mentis; quas vos in his libidines, quae flagitia, quas turpitudines, quantas audacias, quam incredibilis furores, quas notas facinorum, quae indicia parricidiorum, quantos acervos scelerum reperietis!* ("Scrutinize them intently, gentlemen – for there is nothing in this case that I can emphasize more strongly – look deep into the minds of Catiline, Autronius, Cethegus, Lentulus and the rest. What passions you will find there, what crimes, what immorality, what wanton recklessness, what madness beyond belief, what stains left by their crimes, what proofs of their murder of relations, what accumulations of evil doing!").

²² On this, cf. in particular Dunkle 1971, 15-16. More generally, cf. Mariotti 2007, 561-565.

dentem scopulo Furiarumque ora trementem).²³ And at *Aen.* 6.623 Catiline is recalled by the incestuous nature of his actions (*hic thalamum invasit natae vetitosque hymenaeos*, “this man entered his daughter’s bedchamber and its forbidden union” – transl. Horsfall 2013)²⁴ and at *Aen.* 5 he even seems to revive through *Sergestus*, the founder of his own family, the *gens Sergia* (5.121):²⁵ behind the image of *Sergestus* – who *furens animi* (5.202) destroys his ship against the rocks – we can glimpse Catiline, who “did [...], through his reckless ambition, damage the ship of state”.²⁶

Furthermore, the reference to the *Furiae* represents a sort of *trait d’union* between Virgil’s *Aeneid* 8 and Cicero’s *Pro Sulla*, §76. Cicero’s text reads:

ex magnis et diuturnis et iam desperatis rei publicae morbis ista repente vis erupit, ut ea confecta et eiecta conualescere aliquando et sanari civitas posset; neque enim est quisquam qui arbitretur illis inclusis in re publica pestibus diutius haec stare potuisse. Itaque eos non ad perficiendum scelus, sed ad luendas rei publicae poenas Furiae quaedam incitaverunt.

Out of those gross, chronic and now desperate distempers of the Republic there suddenly erupted that act of violence, and only when it had been digested and eliminated could the body-politic finally begin to mend and recover its well-being. There is not a single man who would think that Rome could have endured longer while that poison remained within the Republic. You might say, then, that Furies drove those men on, not to complete their crime, but to pay the penalty of their punishment to the State.

In the myth, the Furies can be interpreted as cause or consequence of a crime, as emerges respectively from the episodes of Hercules and of Amata, and from the story of Orestes.²⁷ However, both in

²³ “At some distance from these, he adds, too, the Tartarean realms, the lofty gates of Dis, and the penalties for sins, and you, Catiline, hanging from a menacing cliff and trembling at the faces of the Furies” (transl. Fratantuono/Smith 2018). On this passage, cf. more extensively Fratantuono/Smith 2018, 685-687.

²⁴ The presence of Catiline in this passage was identified by Berry 1992: cf. Berry 2020, 195-196 and also Horsfall 2013, 431-432.

²⁵ For further details on this episode, cf. Muse 2007 and Berry 2020, 196.

²⁶ Berry 2020, 196.

²⁷ Berno 2007, 75-76, especially n. 16. With respect to Virgil’s *Aen.* 8.668-669, cf. also Fordyce 1977, 276: “the notion of the Furies as Catiline’s tormentors

Cicero's and Virgil's texts the features of 'revenge' and 'punishment' prevail in describing the Furies, in order to show to what extent the Catilinarian incident is worthy of being harshly punished.²⁸ If in Virgil the mythological component is obviously more stressed and, accordingly, the punishment needs to be 'objectivised' through some evident traits, in Cicero it takes on a more articulated configuration. In this sense, F. R. Berno has highlighted two alternative, though mutually interrelated approaches to interpreting the portrayal of the *Furiae* in Cicero's thought: the former is based on the euhemerisation of this mythical image, according to which the Furies merely paraphrase the torments that afflict a guilty conscience; the latter leads us to identify the political enemies with the *Furiae* themselves, in the way that Cicero represents Clodius.²⁹

Instead, with regard to *Sull.* 76, I think the Furies are not only a kind of hypostasis of the mythical image, since they persecute the Catilinarians – as is the case with Virgil – but they also reflect a more rationalised vision. In other words, when blaming the Catilinarians as well as their *furor*, Cicero privileges a euhemeristic and philosophical image of the *Furiae*. In the *Tusculanae disputationes*, in fact, he describes passions as *furiae* (*Tusc.* 3.25).³⁰

In light of this, the Catilinarians live in a sort of 'altered mental condition', which finally turns against them. Consequently, Cicero refers to the hypostasis of the *Furiae* that, as vengeful and punishing forces, make the Catilinarians pay for their foolish and wicked behaviour. G. Thome's remarks are particularly fitting in this regard, despite not focusing on both passages from Virgil and Cicero which, in my opinion, are essential for finding a *fil rouge* in the representation of Catiline and his followers across Latin literature: "the metaphor of disease is implied: in the Catilinarian conspiracy all negative elements are

agrees with the Greek conception of the Erinyes as punishers of domestic crime but is curiously at variance with Virgil's own picture of them at vii. 324 ff., in which their activity is that of stimulating it".

²⁸ More generally on the image of Furies (as well as its relation to *furor*), even with regard to Roman politics and civil wars, cf. e.g. Jal 1963, 421-425; Dufallo 1998, 212; Franchet d'Espèrey 2003; Berno 2007; Le Doze 2010, 270-271; Cullick 2016. On Virgil's *Aen.* 8.669, cf. also Fratantuono/Smith 2018, 687 (with further bibliography).

²⁹ Cf. on this matter Berno 2007, 70-87.

³⁰ Cf. Berno 2007, 81-82, who takes into account also *Tusc.* 3.11 where Cicero focuses on *furor* and its negative effects.

concentrated as in a boil; when it bursts, it brings both salvation and healing”.³¹ Even Berry observes that Catilinarians’ madness “drove them to pay the price for their wickedness, by causing them to bring on themselves their own destruction”.³² Cicero, according to Berry, mentioned the Furies with the aim of transferring the responsibility for the execution from himself to the conspirators; however, in my opinion, this mythological reference was primarily devoted to stress the inevitability of the punishment and, more importantly, to create an incurable rift between the Catilinarians and the *boni viri*.

In coherence with this view, when Cicero alludes to many crimes committed by Catiline and his followers, especially Lentulus and Autronius, he does not hesitate to specify that Sulla is not involved in these dangerous and nefarious gatherings. To this purpose, he resorts both to a flood of negations and to a lexicon that underlines the huge distance between Sulla and the Catilinarians, as emerges from paragraphs 16 and 52-53 respectively:

Sull. 16: quod flagitium Lentulus non cum Autronio concepit? Quod sine eodem illo Catilina facinus admisit? Cum interim Sulla cum isdem illis non modo noctem solitudinemque non quaereret sed ne mediocri quidem sermone et congressu coniungeretur.

What scandalous conduct did Lentulus conceive without Autronius? What crime did Catiline commit without him? At this time Sulla, far from seeking a secret meeting with them by night, did not even talk to them or meet them in normal intercourse.

Sull. 52-53: num quis est igitur qui tum dicat in campum aspirasse Sullam? Atqui, si tum se cum Catilina societate sceleris coniunxerat, cur ab eo discedebat, cur cum Autronio non erat, cur in pari causa non paria signa criminis reperiuntur? [...] Ubi fuit Sulla, Corneli? Num Romae? Immo longe afuit. Num in eis regionibus quo se Catilina inferebat? Multo etiam longius. Num in agro Camerti, Piceno, Gallico, quas in oras maxime quasi morbus quidam illius furoris pervaserat? Nihil vero minus.

Surely, then, there is not a single individual who says that Sulla dreamed of entering the Campus Martius on that occasion? If, however, he had at that time been an associate of Catiline in a criminal conspiracy, why did he desert him, why was he not with Autronius, why, if their circum-

³¹ Thome 1992, 88.

³² Berry 1996, 287.

stances were identical, does there not come to light the same evidence for a criminal charge? [...] Where was Sulla, Cornelius? Not at Rome, was he? No, far away. Not in the area to which Catiline was taking himself off? No: much further away than that. Not in Camerinum? Picenum or Umbria, districts into which the infection of that mad folly had swept in its full violence? Nothing is further from the truth.

The contraposition becomes even stronger with Autronius, a perfect example of Catiline's followers: at §71 he is described as "foolhardy, aggressive and intemperate" (*audax, petulans, libidinosus*) and perpetrator of great atrocities. On the contrary, Sulla, at §73, reveals "the firmness of purpose in the rest of his life [*constantia vitae*], his distinction [*dignitas*], his generosity [*liberalitas*], his simplicity [*moderatio*] in private life and magnificence [*splendor*] in public". His portrait, just like that of Cicero, complies with that of the *bonus vir* and reaches its peak at §75, where the orator seems to convey his own interest in Republic behind Sulla's greatest care of it (*mitto rem publicam, quae fuit semper Sullae carissima*). Thus, the superlative *carissima* corroborates the relationship between the *boni*, but, at the same time, marks the distance from their opponents.

Since Cicero's enemies become enemies of Rome, by a kind of transitive property,³³ the contrast between *boni viri* and corrupt citizens (usually known as *improbi* or *homines perdit*) can then reflect the Catilinarians' attitude as opposed to Sulla's or Cicero's himself.³⁴ This is not the place to analyse in detail the social and political mean-

³³ A further example is found at *p. red. in sen.* 4 and concerns Cicero's exile and his rivalry with Clodius: *nam consules modesti legumque metuentes impediebantur lege, non ea, quae de me, sed ea, quae de ipsis lata erat, cum meus inimicus promulgavit, ut, si revixissent ii, qui haec paene delerunt, tum ego redirem: quo facto utrumque confessus est, et se illorum vitam desiderare et magno in periculo rem publicam futuram, si, cum hostes atque interfectores rei publicae revixissent, ego non revertissem* ("for the consuls, scrupulous in their observance of the letter of the constitution, were prevented from doing so, not by the law which had been passed in reference to me, but by that law which affected themselves. This measure was moved by an opponent of mine, and it enacted that I should not return to Rome until those who had so nearly annihilated our world should have returned to life. This proposal of his involved him in a twofold admission: first, that he regretted their death, and second, that the state would be in great peril, if the resurrection of her enemies and assassins should not synchronize with the recall of myself" – transl. Watts 1965). Cf. also Mouritsen 2023, 76-77.

³⁴ As it is showed by several passages, e.g.: *Sull.* 1, 20, 29, 33, 35, 71, 75, 79, on which see especially Berry 1996, 129-130.

ing of these terms, which have often been studied, as shown by J. Hellegouarc'h and, very recently, H. Mouritsen.³⁵ Nonetheless, it is sufficient to note how *boni* and *improbi/perditi* correspond to Cicero's political opponents (i.e. the Catilinarians) and allies respectively.³⁶ In addition, the so-called *boni* do not necessarily form a unique social and political category,³⁷ but they are endowed with a code of moral qualities (e.g. honesty, integrity, moderation in wealth, a certain degree of culture) which allow them to preserve the republican *status quo* by fighting against the dangerous and reckless attitude of 'bad citizens'.³⁸

This contraposition *boni-improbi* is not only suitable to Sulla's defence, but is also well rooted in Cicero's political ideology (e.g. *Verr.* 2.4.82, 2.4.89, 2.5.189; *leg. agr.* 1.23, 2.8; *Catil.* 1.32; *dom.* 5, 87; *Sest.* 43, 147; *Phil.* 7.5, 8.16)³⁹ and in Roman historiography, especially in Sallust. In the first chapters of the *Bellum Catilinae* (6-10), for instance, Sallust analyses the progressive corruption of the Roman society and, at *Catil.* 36.5, he highlights that the seed of the conspiracy spread widely among Roman citizens (*tanta vis morbi atque uti tabes plerosque civium animos invaserat*). Even *Catil.* 52.12 and 52.22, in the speech attributed to Cato the Younger during the senatorial debate on the Catilinarians' execution (5 December 63 BC), are particularly telling: in the former passage, Cato assumes that the Catilinarians deserve to be sentenced to death, given their wickedness; in the latter, he blames the corruption of the Roman society by comparing it with the moral conduct of its ancestors.⁴⁰ A similar principle is also stressed in

³⁵ Hellegouarc'h 1963, 484-493; Paul 1984, 131-132 and Mariotti 2007, 250-251 (as for an overview on Sallust's historiography); Le Doze 2010, 274, 277; Mouritsen 2023.

³⁶ Mouritsen 2023, 114. More generally on the contraposition *boni-improbi*, with special regard to Cicero's thought, cf. Lacey 1970 and Mouritsen 2023, 105-123.

³⁷ On this cf. in particular Mouritsen 2023, 39 (along with n. 19), 46, 79-82.

³⁸ Mouritsen 2023, 83, 95-104, 137-142, 152, 170-171 (regarding the definition of *perditi*).

³⁹ *Catiline*, in fact, becomes the term of comparison to indicate other corrupted and evil actions towards the *res publica*: cf. Kaster 2006, 217-218.

⁴⁰ *Catil.* 52.12: *sint sane, quoniam ita se mores habent, liberales ex sociorum fortunis, sint miseriores in furibus aerari; ne illi sanguinem nostrum largiantur et, dum paucis sceleratis parcunt, bonos omnis perditum eant* ("let my colleagues by all means, since such is the fashion of the time, be liberal at the expense of our allies, let them be merciful to robbers of the treasury; but let those men not be prodigal of our blood, and in sparing a few scoundrels bring ruin upon all good men" – transl. Rolfe/Ramsey 2013); *Catil.* 52.22: *laudamus divitias, sequimur inertiam*.

a fragment from Sallust's *Historiae* (1.12 Maurenbrecher 1893 = 1.16 La Penna/Funari 2015 = 1.12 Ramsey 2015), in which a general corruption makes the distinction between 'good' and 'bad' citizens difficult from an ethical point of view. As P. McGushin has pointed out, the term *boni* "is applied to the so-called defenders of the status quo, and is simply a false label to screen their acts of oppression".⁴¹ The text, indeed, reads:

bonique et mali cives adpellati non ob merita in rem publicam – omnibus pariter corruptis – sed uti quisque locupletissimus et iniuria validior, quia praesentia defendebat, pro bono ducebatur.

It was not on account of their services to the nation that citizens were given the name "good" or "bad", since all were equally corrupt. Rather, each person in proportion to his enormous wealth and superior strength resulting from injustice, was regarded as "good" because he was maintaining the status quo (transl. Ramsey 2015).

These similarities between Cicero and Sallust, however, do not imply that they interpret this antithesis in the same way. Even after 63-62 BC, Cicero believes in establishing alliances with *boni*, referring, for example, to the concept of *consensus/consensio bonorum omnium* (*dom.* 94; *Sest.* 36; *har. resp.* 45).⁴² Instead, Sallust's approach is more pessimistic: the idea of '*boni*' either seems to live just through the *maiorum imagines* (*Iug.* 4), since no one is now exempt from corruption, or are all equally dishonest, as we can infer from *Hist. frg.* 1.12 Maurenbrecher 1893.⁴³

Inter bonos et malos discrimen nullum, omnia virtutis praemia ambitio possidet ("we extol wealth, we pursue idleness. No distinction is made between good men and bad, and ambition appropriates all the prizes of merit" – transl. Rolfe/Ramsey 2013). Cf. also other Sallustian passages, e.g. *Catil.* 11.2, 37.3 (on which see Mariotti 2007, 472 and Mouritsen 2023, 26-27) and 51.30.

⁴¹ McGushin 1992, 82. Cf. also La Penna/Funari 2015, 139; Mouritsen 2023, 88-94 and 124: "Sallust made this point explicitly, noting that men were not called 'good' or 'bad' citizens on the basis of their services to the *res publica*; the rich were regarded as *boni* because they defended the 'praesentia' (i.e. the current conditions)".

⁴² As regards Cicero's representation of *boni*, Berry 1996, 129 mainly refers to *Sest.* 96-143 (on which see Kaster 2006, 31-37, for a general overview). With respect to the period following the *Pro Sulla*, cf. also Lacey 1970, 13-16 and Mouritsen 2023, 40-44, 74-84, 276-282.

⁴³ On Sallust's pessimistic judgement cf. McGushin 1992, 82.

To return to the *Pro Sulla*. Cicero makes use of a very effective metaphor to identify both *boni viri* and bad citizens: the former are represented as a *grex* (*Sull.* 77), whose meaning is disparaging, referring to a confused and irrational mass of corrupt men,⁴⁴ while the latter are described as an *arx* (*Sull.* 79), namely a kind of garrison in which all those who care about the *res publica* can take refuge, such as Cicero and Sulla.⁴⁵

Last but not least, Cicero is interested in strengthening this political position before those who either judged him with scepticism or considered the punishment of the Catilinarians in the ‘Nones of December’ to be excessive. An echo of this feeling emerges from the correspondence between Cicero and Pompey. According to *fam.* 5.7, Cicero wrote a letter – now lost – to Pompey in Asia and informed him about the deeds carried out during his consulship. However, Pompey’s reply omitted any congratulations to Cicero on subduing the conspiracy, probably to please Metellus Nepos and Caesar, who disagreed with the Catilinarians’ execution. For this reason, in the *Pro Sulla* Cicero needs to cleanse the memory of his success from any malicious insinuation and turn it against the Catilinarians. This implies that all those who do not want to seem like Catiline should stand up for the *boni viri* and believe in Sulla’s innocence.⁴⁶

2. Severity-mercy

The opposition between ‘severity’ and ‘mercy’ especially applies to the respective behaviour of Cicero and Torquatus. As for Sulla, this

⁴⁴ Such as Autronius, Lentulus, Cethegus and, especially, Catiline (*Sull.* 66, 70, 71, 75, 76). On the negative meaning of *grex* cf. *ThLL*, VI, 2, 2332, 68-73 and Berry 1996, 288.

⁴⁵ *Quam vos, iudices, nolite armis suis spoliatae atque nudatae obicere invidiae, dedere suspicioni; munite communem arcem bonorum, obstruite perfugia improborum; valeat ad poenam et ad salutem vita plurimum, quam solam videtis per se ex sua natura facillime perspicere, subito flecti fingique non posse* (“do not, gentlemen, deprive it of its proper weapons, do not lay it bare and expose it to jealousy and surrender it to suspicion. Strengthen the fortress shared by all loyal citizens, cut off the retreat of traitors. Let his life be the most telling witness to condemn or acquit a man; it alone, as you see, by its nature lends itself very readily to scrutiny, but cannot suddenly be changed or feigned”).

⁴⁶ See Berry 1996, 27-30 and 267. Cf also on this letter Shackleton Bailey 1977, 279-281 and Pieper 2014, 52.

antithesis is less recurring, except for a passage from §72, which I mention in passing:

at vero in illa gravi L. Sullae turbulentaque victoria quis P. Sulla mitior, quis misericordior inventus est? Quam multorum hic vitam est a L. Sulla deprecatus!

Why, even amid the cruelty and confusion of Lucius Sulla's victory, who was there kinder, who more compassionate than Publius Sulla? Think of all the lives he begged Lucius Sulla to spare!

According to Cicero, P. Sulla played an influential role in tempering his uncle's excessive *crudelitas* and sparing lives during the proscriptions (82-81 BC).⁴⁷

By contrast, the opposition 'severity-mercy' is crucial for Cicero's strategy. By maintaining that the human character cannot be changed, Cicero, right from the *exordium* (*Sull.* 1; cf. in addition *Sull.* 8), presents himself as mild and merciful by nature.⁴⁸ Accordingly, the intransigence he showed during the repression of Catiline's conspiracy was occasional and only imposed by the critical circumstances.⁴⁹ In particular, at §§18-20, Cicero highlights that the attitude to mercy was anything but reckless and therefore based on the interests of Roman citizens, not on personal ones.

On that basis, he decided not to defend Autronius, who was definitely guilty, but Sulla:

Sull. 20: *neque [...] est causa adversata naturae, nec homo nec res misericordiae meae repugnavit. Nusquam nomen, nusquam vestigium fuerat, nullum crimen, nullum indicium, nulla suspicio. Suscepi causam, Torquate, suscepi, et feci libenter ut me, quem boni constantem, ut spero, semper existimassent, eundem ne improbi quidem crudelem dicerent.*

⁴⁷ Cf. on this matter Berry 1996, 1-3, 282 (with further bibliography).

⁴⁸ Cf. May 1988, 70-71; Berry 1996, 129-130, 146 and Craig 2014.

⁴⁹ *Severitas* is a common feature of Ciceronian oratory. However, in the case of the *Pro Sulla*, there are also some references to the theatrical language, as has been already pointed out: "the notion that this severity was a mask forcibly imposed but voluntarily removed recurs at *Mur.* 6, where the imagery of the stage is developed further [...]. A comparison with actors is explicitly made at *Off.* 1.114 where Cicero talks of *necessitas* compelling one to act out of character" (Berry 1996, 146). Cf. also Berry 1996, 174 and Pieper 2014, 53, 65, n. 45.

The case was not uncongenial to my nature, and the man and his circumstances were a fit subject for my compassion. Nowhere had his name been mentioned, nowhere had there been any trace of him; there was no charge, no information, no hint of suspicion. I have undertaken the case, Torquatus, I have undertaken the case and done so gladly. I flatter myself that I have always had a reputation with loyal citizens for firmness and hope that by this decision I shall avoid a name for cruelty even among traitors.

This choice not only allows Cicero to contest his detractors, who accused him of excessive harshness, but also serves to promote the right balance between being merciful and strict and, consequently, to distance himself from the charge of despotism (which will be discussed in more detail from §21).⁵⁰ Indeed, this lack of balance is peculiar to monarchs, as a famous passage from Livy (2.3.3-4) reminds us:

regem hominem esse, a quo impetres, ubi ius, ubi iniuria opus sit; esse gratiae locum, esse beneficio, et irasci et ignoscere posse, inter amicum atque inimicum discrimen nosse; leges rem surdam, inexorabilem esse, salubriorem melioremque inopi quam potenti; nihil laxamenti nec ueniae habere, si modum excesseris.

A king was a man, from whom one could obtain a boon, whether it were just or unjust; there was room for countenance and favour; a king could be angry, could forgive, could distinguish between friend and enemy. The law was a thing without ears, inexorable, more salutary and serviceable to the pauper than to the great man; it knew no relaxation or indulgence, if one exceeded bounds (transl. Foster 1967).

Cicero's severity derives from his love for the Republic (*amor rei publicae*), namely from the mercy towards all citizens who risked being crushed by the Catilinarian danger (*Sull.* 87). At the end of the speech (*Sull.* 92-93), in fact, he really wants to form a united front with the judges,⁵¹ so that they can do as he did, by punishing wrongdoers and protecting innocents.

Lastly, let us consider the prosecutor's attitude to leniency and severity.

Compared with that of Sulla and Cicero, Torquatus' pity is directed to the wrong target: according to Cicero's argument, which sounds very ironic, the prosecutor seems to be "a Catilinarian

⁵⁰ Cf. *infra*, pp. 600-601.

⁵¹ Mollea 2022, 241.

sympathiser",⁵² as though he underestimated the serious crimes committed by the conspirators:

Sull. 31: nihil est enim tam alienum ab eo qui alterum coniurationis accuset quam videri coniuratorum poenam mortemque lugere. Quod cum is tribunus pl. facit qui unus videtur ex illis ad legendos coniuratos relictus, nemini mirum est; difficile est enim tacere, cum doleas; te, si quid eius modi facis, non modo talem adulescentem sed in ea causa in qua te vindicem coniurationis velis esse vehementer admiror.

There is nothing so damaging to a man who is accusing another of conspiracy as the appearance of regret at the punishment and death of conspirators. When the tribune of the commons [sc. Q. Caecilius Metellus Nepos or L. Calpurnius Bestia⁵³] who seems to be the only one of them left to mourn the conspirators does just this, no one is surprised; for it is hard to remain silent, when your grief is genuine. I am greatly surprised, however, at any behaviour like that on the part of a young man such as yourself and particularly in a case in which you are setting out to punish conspirators.

What is more, at §32 Cicero alludes to T. Manlius Torquatus, one of Torquatus' ancestors and consul in 340 BC, who sentenced his son to death for violating military discipline:

an vero clarissimum virum generis vestri ac nominis nemo reprehendit, qui filium suum vita privavit ut in ceteros firmaret imperium; tu rem publicam reprehendis, quae domesticos hostis, ne ab eis ipsa necaretur, necavit?

No one blames that famous member of your family and name who put his own son to death in order to strengthen his authority over the rest; do you, then, blame the State which has destroyed the enemies in its midst to avoid being itself destroyed by them?

Since Torquatus' son fought in a duel, though successfully, but without the permission of the consul, he could not avoid being sentenced to death. This punishment becomes an example of proverbial inflexibility related to the *gens Manlia*. However, as D. S Levene has noticed, "it is a very uncomfortable example",⁵⁴ as Manlius' decision is

⁵² Berry 1996, 200.

⁵³ Berry 1996, 200.

⁵⁴ Levene 2020, 233.

usually interpreted as cruel or even excessive.⁵⁵ It is then hardly surprising that Cicero mentions just this episode, so as to prove how his severity, even more so when compared with that of Manlius father, was not so much excessive as urgent.⁵⁶ The younger Manlius, in fact, would not have caused no long-term damage to the Roman community, unlike the conspirators, who planned to fire the city and destroy the *res publica*.

It is also significant that Sallust, in the speech attributed to Cato, inserts the same example to underline that Catiline's followers do not deserve any mercy at all (*Catil.* 52.30-31):

apud maiores nostros A. Manlius Torquatus⁵⁷ bello Gallico filium suum, quod is contra imperium in hostem pugnaverit, necari iussit, atque ille egregius adulescens inmoderatae fortitudinis morte poenas dedit. Vos de crudelissimis parricidis quid statuatis cunctamini?

In the days of our forefathers Aulus Manlius Torquatus, during the war with the Gauls, ordered the execution of his own son, because he had fought against the enemy contrary to orders, and that singular young man paid the death penalty for immoderate valor. Do you hesitate what punishment to inflict upon the most ruthless traitors? (transl. Rolfe/Ramsey 2013).

Through the episode of Manlius' death, Cato intends to show that the execution of the Catilinarians was consistent with the tradition. Nevertheless, as Levene has already noticed, the ambivalence of this statement is striking. If it is true that the consul's verdict was legitimate, but was traditionally considered harsh, it is also true that it does not represent such a strong argument to challenge Caesar's milder position.⁵⁸ According to Levene, "far from endorsing the execu-

⁵⁵ Cf. e.g. Cic. *fin.* 1.23, 1.35; Verg. *Aen.* 6.824-825; Liv. 8.7. For a more extensive overview, cf. Levene 2020, 222, n. 33 and, more generally on this episode in Livy's book 8, Della Calce 2023, 48-53 (with further bibliography).

⁵⁶ Levene 2020, 233, n. 63.

⁵⁷ Despite Sallust's testimony, other sources (e.g. Cic. *fin.* 1.23 and Liv. 8.7) refer to T. Manlius Torquatus and attribute the event to the Latin war in 340 BC: cf. McGushin 1977, 266; Mariotti 2007, 624-625; Rolfe/Ramsey 2013, 126, n. 128.

⁵⁸ In the words of Berry 2020, 166, "confiscation of property and life imprisonment". As for Caesar's proposal, I limit to Berry 2020, 48-51 and 166-173. Instead, regarding Caesar's speech at Sall. *Catil.* 51, cf. Mariotti 2007, 551-592 and Shaw 2022, 359-361. For the debate on the Catilinarians' execution, cf. *supra*, p. 582, especially n. 3.

tion of the conspirators as part of Roman tradition, it indicates the degree to which such a policy runs against what was best in that tradition".⁵⁹

Consequently, from Cicero's perspective Sulla's prosecutor not only attacks an innocent man, but, more importantly, seems to be, in some ways, moved by the fate of the leaders just executed. Moreover, his blind intransigence is not even in line with that of his ancestor: T. Manlius Torquatus inflicted a punishment which, though cruel, strengthened the military discipline of the Roman army; by contrast, his descendant, by accusing Sulla and, what is more, by contesting Cicero's conduct, misjudges the contemporary political situation and then fails to deduce all the positive implications from the past.

The image of those who do not benefit from the past examples is fairly common in historiographical and political discourses. In this sense, a passage from Livy (45.8.3-4) is a suitable term of comparison: L. Aemilius Paullus, after defeating the king of Macedonia, Perseus, in 168 BC, delivered a speech on intensely moralistic tones:

si iuvenis regnum accepisses, minus equidem mirarer ignorasse te, quam gravis aut amicus aut inimicus esset populus Romanus; nunc vero, cum et bello patris tui quod nobiscum gessit interfuisses, et pacis postea, quam cum summa fide adversus eum coluimus, meminisses, quod fuit consilium, quorum et vim in bello et fidem in pace expertus esses, cum iis tibi bellum esse quam pacem malle?

If you had received the kingdom as a young man, I should indeed be less surprised that you were unaware how powerful the Roman People is as a friend or as an enemy. As it is, since you had a part in the war which your father waged with us, and since you were aware of the peace that followed, which we observed with the utmost faithfulness toward him, what reasoning led you to prefer war rather than peace with men whose power in war, whose good faith in peace, you had alike tested? (transl. Schlesinger 1951).

If Perseus had taken advantage from the lesson of the past, by recalling that Romans had already defeated his father (Philip V), he certainly would not have made a similar error of judgment and engaged the Roman army. Furthermore, the famous *exempla* of *adfectatio regni*, which Cicero and Livy commonly refer to Sp. Cassius, Sp. Maelius and M. Manlius Capitolinus (e.g. *rep.* 2.49; *Phil.* 2.86-87; Liv.

⁵⁹ Levene 2020, 234.

2.41, 4.13-16, 6.11-20), also show an incapacity to learn from past events and, in the case in question, from the bad fate of Roman monarchy.⁶⁰

To summarise, Cicero's action seems to have a better impact on the Roman community than that of the consul Torquatus and his descendant. Despite being mild by nature, Cicero was strict only at the right moment (i.e. 'the Nones of December'), since he was well aware that the Catilinarian conspiracy was extremely dangerous for the *salus rei publicae*. In this way, Cicero strengthens his good faith as *vir bonus* and, at the same time, undermines both those who, like Torquatus, intend to question his conduct towards the Catilinarians and those who, like Caesar, would have preferred a milder and, according to Cicero, inappropriate, punishment.

3. Regnum-libertas

According to Berry, Catiline was never charged by Cicero with soliciting royal powers,⁶¹ although his literary portrait, as well as that of the Catilinarians, has always complied with the image of the tyrant *par excellence*. What is more, his actions have been read as disruptive for the *res publica* and, in this sense, they are usually compared to those of M. Manlius Capitolinus.⁶² The latter was effectively charged with *adfectatio regni* in the 4th century BC, since he tried to impose some seditious proposals, in favour of popular masses, with the aim of overturning the political order. On the pretext of defending the *plebs*, heavily burdened by debt, Manlius began a sort of *seditio* against the *patres* that costs him his life (he was sentenced to death).⁶³ Given his representation as a demagogic leader, Manlius, in the words of T. P. Wiseman, has been identified as a "proto-Catiline, the first patrician *popularis*, whose demagoguery threatened to become (or actually became)

⁶⁰ Chaplin 2000, 78-85 includes these episodes as part of "the failure of exemplary knowledge" (78).

⁶¹ Berry 2020, 9, who, instead, highlights how "Cicero attributes a desire for kingship to Catiline's associate Publius Cornelius Lentulus Sura" (see e.g. *Catil.* 4.12).

⁶² Cf. Wiseman 1979, 46-47; Oakley 1997, 481-484; Smith 2006, 55; Krebs 2012, 140-149.

⁶³ For the story of M. Manlius Capitolinus, see *supra*, p. 599 and, in particular, the account reported by Liv. 6.11-20. More specifically, cf. also Jaeger 1993; Oakley 1996, 476-493; Smith 2006, 54-55; Krebs 2012; Meunier 2019.

an armed rising and had to be suppressed with all severity".⁶⁴ Cicero too, as mentioned above, condemns Manlius' rebellion and interprets it as a serious attack on the *libertas* of the *res publica*. Consequently, it is to some extent paradoxical that the charge of royal despotism concerns Cicero himself, since he was so devoted to fighting against Catiline who, like a new Manlius Capitolinus, was the real trouble to the security of the Roman republic. A passage from *Sull.* 21 is striking in this respect:

quod tandem, Torquate, regnum? Consulatus, credo, mei; in quo ego imperavi nihil et contra patribus conscriptis et bonis omnibus parui; quo in magistratu non institutum est videlicet a me regnum, sed repressum.

What tyranny are you talking about, Torquatus? My consulship, I suppose. I gave no orders; on the contrary I obeyed the Senate and all loyal citizens. During this magistracy, far from establishing a tyranny, I suppressed one.

Cicero goes on to specify that his role has never gone beyond the senators' wishes and the so-called front of the *boni viri*. However, it is not the only time that he reports similar accusations: in the First Catilinarian, Cicero is accused of acting like a king (1.30) by those who underestimated the Catilinarian danger and disagreed with his decision to take a stronger line. Later, Clodius defines Cicero as *rex* (*Att.* 1.16. 10) and, once the orator is condemned to exile, he dedicates a shrine to *Libertas* right where Cicero's house stood.⁶⁵

By the same token, in the *Pro Sulla*, from Torquatus' point of view, if Cicero usually relied on autocratic power, he could resort to it also for the benefit of Sulla. The charge of royal despotism presupposes Cicero's influence in the Catilinarian trials and, in particular, his responsibility in the execution of five Catilinarians, a fact which the orator is quick to justify so as not to appear in a bad light.⁶⁶

Nevertheless, Cicero is able to turn Torquatus' accusations in his favour, as emerges from *Sull.* 22 (*uter tandem rex est, isne cui innocentes homines non resistunt, an is qui calamitosos non deserit?* –

⁶⁴ Wiseman 1979, 46.

⁶⁵ On these accusations cf. Berry 1996, 177-178; Martin 2015, 448-455; Mouritsen 2023, 276-279 (with n. 33).

⁶⁶ Berry, 1996, 171-178.

“which is the tyrant? The man whom the innocent dare not face or the man who does not abandon those afflicted by disaster?”). Showing a blind inflexibility, Torquatus sounds like a real tyrant, while Cicero conforms to the following ideal of *rex*:

Sull. 25: nisi forte regium tibi videtur ita vivere ut non modo homini nemini sed ne cupiditati quidem ulli servias, contemnere omnis libidines, non auri, non argenti, non ceterarum rerum indigere, in senatu sentire libere, populi utilitati magis consulere quam voluntati, nemini cedere, multis obsistere. Si hoc putas esse regium, regem me esse confiteor.

You may of course think it tyrannical to live in such a way that you are in bondage to no man nor even to any passion; to make light of all excesses; to need neither gold, nor silver, nor any other possession; to give your opinion freely in the Senate; to consult the people's interests more than their wishes; to yield to no man; to resist many. If you think that this is tyrannical, then I admit that I am a tyrant.

This portrait, which reveals a Stoic influence,⁶⁷ finds its concrete realisation in Cicero's efforts to benefit the *res publica*:

Sull. 26: ego, tantis a me beneficiis in re publica positus, si nullum aliud mihi praemium ab senatu populoque Romano nisi honestum otium postularem, quis non concederet? Ceteri sibi haberent honores, sibi imperia, sibi provincias, sibi triumphos, sibi alia praeclarae laudis insignia; mihi liceret eius urbis quam conservassem conspectu tranquillo animo et quieto frui. Quid si hoc non postulo? Si ille labor meus pristinus, si sollicitudo, si officia, si operae, si vigiliae deserviunt amicis, praesto sunt omnibus; [...] si voluntas mea, si industria, si domus, si animus, si aures patent omnibus; si mihi ne ad ea quidem quae pro salute omnium gessi recordanda et cogitanda quicquam relinquatur temporis: tamen hoc regnum appellabitur, cuius vicarius qui velit esse inveniri nemo potest?

If I were asking the Senate and the Roman people for no reward for myself other than an honourable retirement in return for the great benefits that I have conferred upon the State, who would not grant it? The others would then keep for themselves their offices, commands, provinces, triumphs and other marks of exceptional distinction; but I would be allowed to enjoy with a calm and tranquil mind the sight of the city that I had preserved. What if I do not ask for this? If my drudgery over long years, if my anxious care, my sense of obligation, the help I have given,

⁶⁷ Berry 1996, 190.

the vigilance I have shown, are active in the service of friends and readily available to anyone; [...] if my goodwill, my unremitting efforts, my house, my brain and my ears are at the service of all comers; if time is not left me to record and recollect even those measures which I took for the general safety; will this still be called tyranny when no one can be found willing to succeed to it?

By confronting Torquatus, Cicero therefore highlights the relevance of a traditional Roman concept, namely the *odium regni*. He emphasises the characteristics that a Republican politician should have, such as self-restraint, focus on the republic's priorities, disdain for any kind of bribery and corruption, fighting for citizens' freedom, as if he were preparing the ground for the *De republica*.⁶⁸

In addition, not only does he strengthen his loyalty to the *mos maiorum*, but also reminds that it was the prosecutor's family who betrayed these ideals. The contrast is even stronger at *Sull.* 27, when Cicero refers to the aforementioned M. Manlius Capitolinus:

longe abest a me regni suspicio; si quaeris qui sint Romae regnum occupare conati, ut ne replices annalium memoriam, ex domesticis imaginibus invenies.

The suspicion of being a tyrant is quite foreign to my character; but if you ask who have tried to establish tyrannies at Rome, do not search through historical records, you will find them in your own family-tree.

⁶⁸ *Rep.* 2.51: *bonus et sapiens et peritus utilitatis dignitatisque civilis quasi tutor et procurator rei publicae; sic enim appelletur, quicumque erit rector et gubernator civitatis* ("the good, wise, and skilful guardian and protector, as one may say, of the practical interests and of the self-respect of the citizens of the State; for these are titles which will be granted to one who is truly the guide and pilot of a nation" – transl. Keyes 1970) and 6.13: *omnibus, qui patriam conservaverint, adiuverint, auxerint, certum esse in caelo definitum locum, ubi beati aevo sempiterno fruuntur; nihil est enim illi principi deo, qui omnem mundum regit, quod quidem in terris fiat, acceptius quam concilia coetusque hominum iure sociati, quae civitates appellantur; harum rectores et conservatores hinc profecti huc revertuntur* ("all those who have preserved, aided, or enlarged their fatherland have a special place prepared for them in the heavens, where they may enjoy an eternal life of happiness. For nothing of all that is done on earth is more pleasing to that supreme God who rules the whole universe than the assemblies and gatherings of men associated in justice, which are called States. Their rulers and preservers come from that place, and to that place they return" – transl. Keyes 1970). On these passages, cf. Zarecki 2014, 77-94; Zetzel 2022, 247-264; Della Calce/Mollea 2023, 132-133 for a more detailed overview and bibliography.

To sum up, the memory of the past is disgraceful for Torquatus, who carries the burden of his ancestor's sin, but dignifies Cicero who, by recalling his deeds against Catiline, complies with the behaviour of the best Republican leader.⁶⁹

Conclusion

As I have attempted to show, behind the curtain of the rhetorical strategy, the tensions and dichotomies that actually characterised Cicero's times acquire some important ideological and moral implications in the *Pro Sulla*, as also happens in Sallust's *Bellum Catilinae*. In this sense, it is sufficient to recall the different impact that the conduct of *boni* and *improbi* has on the *res publica*, or even the consequences that mercy can arouse in favour of wrongdoers, like the Catilinarians, as emerges from the contrasting speeches of Caesar and Cato in the *Bellum Catilinae* (Sall. *Catil.* 51-52). Moreover, the use of the *exempla* of Manlius Capitolinus and Manlius Torquatus (cos. 340 BC) enables Cicero not only to disassociate himself from the charge of adopting tyrannical and harsh behaviour respectively, but also to reveal the fragility, at a rhetorical and ideological level, of the prosecutor's arguments: Torquatus, on the one hand, assumes a 'blind' severity, persisting in accusing Sulla, while Cicero showed an occasional and appropriate strictness; on the other hand, Torquatus is unable to draw lessons from the past, 'confusing' the role of Cicero as saviour of the community with that of king, which is instead well rooted in his family's history.

To conclude, the antithetical pairs I have just analysed shed new light on some values that belong to Roman tradition (integrity, freedom, hatred of monarchy, mercy and severity) and identify the *optimus civis* of Cicero's thought, as is further specified in the *De republica*. By the same token, these contrapositions reflect the dynamism of a political environment in constant turmoil, in which being a *bonus vir* means not to support Catiline and showing mercy becomes a good

⁶⁹ Cf. Pieper 2014, 57-58: "Cicero stresses that he himself will never be able to forget the Catilinarian conspiracy and will always be aware of the answer required of a virtuous politician [...]. He also alludes to collective memory: a constant renewal of the memory of his deeds as a consul [...] is one of the main aims of his life". More generally, on the concept of memory and its relevance in the *Pro Sulla* (but only in relation to Cicero), I refer to Pieper 2014, 52-58.

option only if combined with the right amount of severity and intransigence.

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