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BRUCE MARSHALL

## Pompeius' Fear of Assassination

In the decade of the 50s something relatively new appeared in the career of Cn. Pompeius Magnus – a number of plots were alleged to have been formed against his life. There are two instances where this had happened to him before, but these plots had occurred a long time earlier, when he was a young man (and one of them was not really directed at him).<sup>1</sup> It is probably not without significance that, up until the 50s, Pompeius had been almost continually absent from the city fighting against Rome's enemies and he had not had to involve himself too heavily in the hurly-burly of senatorial politics. When he had returned at the end of the 60s he was the most wealthy, the most powerful, and potentially the most influential man in Rome, but for the next ten years or so he found that he had to involve himself in the complex and confusing game of power politics in Rome. It was a game which at times he did not play all that well, and he did not seem as comfortable at it as he did winning battles against a Sertorius or a Mithridates.

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<sup>1</sup> While a *contubernalis* in the army of his father, the young Pompeius forestalled an attempt, supposedly initiated by Cinna, to assassinate his father; he was apparently to be included himself among those murdered (Plut. Pomp. 3). It is not likely that anything can be made of this assassination plot. The second incident is described in Plut. Pomp. 5.1: the young man left Cinna's camp secretly because he was fearful of some accusation and withdrew to the family estates in Picenum. Because it was thought that Cinna had done away with the young Pompeius, an onslaught was made against him in which he was killed. Pompeius claimed (sincerely or hypocritically?) that his life was in danger, and so took himself home. The incident fits the pattern which is discernible in the plots against his life in the 50s. For a discussion of these incidents, casting doubts on their authenticity, see R. SEAGER, *Pompey: a Political Biography* (Oxford 1979) 4 and 7–8 (= SEAGER). The following works will also be cited in abbreviated form: P. GREENHALGH, *Pompey, the Roman Alexander* (London 1980) = GREENHALGH (1980); *Pompey, the Republican Prince* (London 1981) = GREENHALGH (1981); E. S. GRUEN, *Pompey, the Roman Aristocracy, and the Conference of Luca*, *Historia* 18 (1969) 71–108 = GRUEN (1969); *The Last Generation of the Roman Republic* (Berkeley and Los Angeles 1974) = GRUEN (1974); J. LEACH, *Pompey the Great* (London 1978) = LEACH; A. W. LINTOTT, *Violence in Republican Rome* (London 1968) = LINTOTT (1968); Cicero and Milo, *JRS* 64 (1974) 62–78 = LINTOTT (1974); W. C. McDERMOTT, *Vettius ille, ille noster index*, *TAPA* 80 (1949) 351–67 = McDERMOTT; D. R. SHACKLETON BAILEY, *Cicero's Letters* (Cambridge 1965–80) = SB, Att., Fam., Q. F., etc.; A. M. WARD, *Marcus Crassus and the Late Roman Republic* (Columbia 1977) = WARD. References to Asconius are by page and line number of A. C. CLARK's edition (Oxford 1907).

What does one make of the apparently sudden development in this particular period of plots against Pompeius' life? Do they indicate that part of his personality was a genuine fear of assassination,<sup>2</sup> and that political rivals, aware of it, took advantage of it to keep scaring him off (for it is not likely that they really wanted to ›do him in‹, as they would not at times want to have to deal with the public consequences of his violent removal) and so to keep him in his place? That does not seem to be the answer. Pompeius is never depicted as a man of cowardice, for he was willing to appear in public in Rome, often on quite violent occasions, and to stand up to gangs and rowdies, such as the occasion when he finished out a speech in defence of Milo despite the abuse and physical violence of Clodius' henchmen (Cic. Q.f. 2.3.2), or the time when in the violence associated with the elections in 55 he returned home with his toga spattered with blood, causing his wife to faint and bringing on a miscarriage.<sup>3</sup> If Pompeius did have a genuine fear of assassination, we would have expected to see evidence of such plots earlier, on those occasions when he was back in Rome and when there was aristocratic opposition to major appointments which he was attempting to secure (e.g. the opposition to his request in 71 to move straight into the consulship, or to the Gabinian and Manilian laws proposing extensive campaigns). Nor do we hear of Pompeius' fear of plots against his life during any of his periods of campaigning, for example in Spain, where he spent the longest period of military command, though it was a place for assassinations.<sup>4</sup>

Another answer to the question why these plots were apparently confined to the decade of the 50s can be suggested. It was in this period that there were times when Pompeius' political stocks were particularly low, or there were particular political goals which he wished to achieve, but which were likely to receive strong aristocratic opposition, and it may be that the ›plots‹ were deliberately fabricated by Pompeius or his agents, in order to gain popular sympathy and revive his flagging popularity (now that he was not in a position to maintain his popularity through successful military campaigns) in an endeavour to impress upon the state his indispensability, or in order to cast suspicion on his aristocratic opponents and so weaken their opposition. It is the purpose of this paper to examine the plots against Pompeius' life and to suggest that this is the more acceptable of the two answers.

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<sup>2</sup> MCDERMOTT 363 and 366; W. ALLEN, *The Vettius Affair Once More*, TAPA 81 (1950) 160–1; SEAGER 100 (›Pompeius was always liable to be impressed by suggestions that his life was in danger‹) and 109 (›... a man with his exaggerated fear of plots against his life‹).

<sup>3</sup> Val. Max. 4.6.4; App. B. C. 2.17; Plut. Pomp. 53.3; Dio 39.32.2.

<sup>4</sup> For example, the campaign of Pompeius against Sertorius was virtually brought to an end by the latter's assassination (references in MRR 2.118), and Cn. Calpurnius Piso, an *inimicus* of Pompeius, was killed by mutinous Spanish horsemen (Sall. Cat. 19.3–5; Ascon. 92.22–25 and 93.15–16; Dio 36.44.5).

The first plot comprised the strange and inconclusive Vettius affair.<sup>5</sup> The basic facts are provided by Cicero in a letter to Atticus (Att. 2.24.2–4), usually dated to August 59.<sup>6</sup> Vettius, acting in Caesar's interests, had wormed his way into the younger Curio's friendship and eventually told him that he had resolved to assassinate Pompeius with the help of his slaves; Curio told his father, the elder Curio informed Pompeius, and the matter was brought before the senate (presumably by Pompeius). Vettius, examined before the senate and turning state's evidence, claimed that a group of young aristocrats had been formed under Curio's leadership, including Paullus, Caepio Brutus, and L. Cornelius Lentulus the younger (with his father's knowledge).<sup>7</sup> The consul Bibulus was even added to the list, though he had sent information to Pompeius some months earlier on 13th May, warning him of a plot, for which Pompeius had duly thanked him.<sup>8</sup>

On the next day, Caesar brought Vettius onto the *rostra* and allowed him to say whatever he liked about the matter, though he had obviously come primed and coached (Cicero says).<sup>9</sup> First, he left out Caepio, whom he had most emphatically named in the senate; it was observed that a night had passed – and a nocturnal intercession.<sup>10</sup> Second, he named individuals on whom he had not cast even the slightest suspicion in the senate: Lucullus (through an intermediary, C. Fannius), L. Domitius (Ahenobarbus), Cicero's son-in-law Piso, and M. Laterensis. There were even oblique references to Cicero himself.<sup>11</sup>

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<sup>5</sup> Detailed modern discussions of the affair include: McDERMOTT 351–67; L. R. TAYLOR, *The Date and the Meaning of the Vettius Affair*, *Historia* 1 (1950) 45–51; ALLEN, art. cit. (n. 2) 153–62; R. F. ROSSI, *La congiura di Vettio*, *Ann. Triest.* 21 (1951) 247–60; R. SEAGER, *Clodius, Pompeius and the Exile of Cicero*, *Latomus* 24 (1965) 519–31; R. J. ROWLAND, *Crassus, Clodius and Curio in the Year 59 B. C.*, *Historia* 15 (1966) 217–23; WARD 236–42.

<sup>6</sup> TAYLOR, *On the Date of ad Atticum* 2.24, CQ 4 (1954) 181–2, and elsewhere, attempted to date this letter to mid-July; this was rejected by P. A. BRUNT, *Cicero: ad Atticum*, 2.24, CQ 3 (1953) 62–4, and others. For discussion of the controversy, with bibliography to date, see WARD 236 n. 18.

<sup>7</sup> These are all men plausibly to be named because they all had reason to be considered opponents of Pompeius. Lentulus the elder was currently a competitor for the consulship against Pompeius' candidate Gabinius (Cic. Vat. 25). Paullus was actually away from Rome at the time (probably as *quaestor*: MMR 2.190), but it does not follow that he could not have taken part: D. STOCKTON, *Cicero: A Political Biography* (Oxford 1971) 185; GREENHALGH (1980) 225.

<sup>8</sup> This is probably not to be regarded as a separate plot (as GREENHALGH [1980] 219 and 223 does) but as part of the whole fabrication called the Vettius affair.

<sup>9</sup> In the speech against Vatinius two and a half years later, Cicero says it was Vatinius who produced Vettius in public, not Caesar (Vat. 24–25). The list of conspirators and accomplices is much the same in this later account of Cicero.

<sup>10</sup> In other words, Servilia, Caesar's mistress and mother of Brutus, had had the chance to plead with Caesar. It was at about this time that Caesar was said to have given Servilia a magnificent pearl (Suet. Iul. 50.2).

<sup>11</sup> For an explanation of the oblique references, see SB, Att. 1.402. Cf. Cic. *Sest.* 132. Dio 38.9.2–3 asserts that Cicero and Lucullus commissioned Vettius to assassinate Pompeius and

The senate decided that Vettius should be kept in prison, and that he should be charged with the use of violence before Crassus Dives. The affair ended mysteriously with the death of Vettius in prison, either by strangulation (Cic. Vat. 25; Plut. Luc. 42.8) or by poisoning (Suet. Iul. 20.5). Almost all the ancient writers suggest that the murder was carried out by the very men who had engaged Vettius' services, because they were afraid of the evidence he might give (Suet. *ibid.*; App. B. C. 2.12; Plut. Luc. 42.8; Dio 38.9.4).

Perhaps we should conclude with at least one modern scholar that excessive speculation about the meaning and motivation of the whole affair is pointless,<sup>12</sup> echoing the ancient view of Dio (38.9.3–4), who despairs of determining what really happened, since various reports were current and nothing was proven. Both he and Appian (B. C. 2.12) conclude that the affair was a plot by one side to calumniate the other. A majority of modern scholars favours the view that Caesar was behind the plot, either to scare off those of the *boni* who were named by the informer,<sup>13</sup> or to scare Pompeius and prevent him seeking an accommodation with the *boni*.<sup>14</sup> For others, there actually was a plot hatched by some hot-blooded young aristocrats who really intended to get rid of Pompeius and Caesar.<sup>15</sup> Almost all the ancient sources agree, however, that the whole thing was a fabrication. Suetonius' phrase (Iul. 20.5) perhaps sums it up best: Vettius was bribed to denounce certain individuals publicly according to a pre-arranged plan (*ex compacto*).

But if it was all a fabrication, what can have been the point and who was responsible for the whole elaborate scheme? The general political background needs to

Caesar; this statement could only have come from the strongly anti-Ciceronian bias in Dio. For a list of other occasions on which Cicero was accused of plotting against Pompeius, see L. G. POCOCK (ed.), *Cicero in Vatinius* (London 1926) 185, and McDERMOTT 364 n. 29.

<sup>12</sup> GRUEN (1974) 96. The variety of speculations and questions to be considered is admirably summed up in T. RICE HOLMES, *The Roman Republic and the Founder of the Empire* (London 1923) 1. 479–82.

<sup>13</sup> Examples of this view: TAYLOR, *art. cit.* (n. 5) 48–51; CH. MEIER, *Zur Chronologie und Politik in Caesars erstem Konsulat*, *Historia* 19 (1961) 93–6; M. GELZER, *Caesar: Politician and Statesman*<sup>6</sup>, trans. R. SEAGER (Oxford 1968) 90–1.

<sup>14</sup> Examples of this view: McDERMOTT 366; ALLEN, *art. cit.* (n. 2) 153–62. If Caesar were really the instigator of a plot, one would have to ask why he chose to use Vettius, a notorious bungler of his attempts to inculpate persons in plots, who had tried four years earlier to include Caesar (unsuccessfully) in the list of Catilinarian conspirators which he handed in on that occasion. There is a counter-argument, of course: it would not matter if Caesar chose a bungler, since there was never any intention that the plot should actually succeed, and in the end he was going to be expendable. For these arguments, see RICE HOLMES, *op. cit.* (n. 12) 481–2; cf. M. CARY, *CAH* 9.521.

<sup>15</sup> Examples of this view: CARY, *ibid.*; STOCKTON, *op. cit.* (n. 7) 185; LEACH 128. Another possibility is that Vettius was operating on his own: e.g. POCOCK, *op. cit.* (n. 11) 184, and GREENHALGH (1980) 225–6. A recent novel view is that of SEAGER, *art. cit.* (n. 5) 525–9, who argues that Clodius was behind Vettius, though with the aim of preventing Pompeius from going over to the side of the *optimates*.

be set. In the previous year the coalition between Pompeius, Crassus and Caesar had been formed to secure Caesar's election to the consulship so that certain measures could be pushed through in the individual interests of each of the three men. The use of force by the coalition to secure its aim had become more and more blatant, and as a result it became more and more unpopular.<sup>16</sup> Of the three partners in the coalition, Pompeius was the one who incurred the greatest loss of prestige, since he would have appeared in the eyes of most people to be the most influential member and the one most responsible for its actions.<sup>17</sup> He had probably been reluctant to approve the increasing use of force, but inevitably he had been dragged along by the need to push the measures through against stiffening opposition.<sup>18</sup> In several letters Cicero reveals that the great general's popularity had sunk to an all-time low.<sup>19</sup> Pompeius even confided in Cicero that he was bitterly unhappy (Att. 2.22.6), longing to get back the position he had before his fall (ibid. 23.2); Pompeius indicated that he was openly casting about for a remedy (ibid.), though Cicero was afraid that Pompeius might adopt a violent solution (ibid. 21.4).

The depths to which the popularity of the coalition, but most especially Pompeius, had sunk was made most manifest in the reception which he and Caesar received in the theatre. When Caesar entered there was silence, and on one occasion when an actor spoke the line *nostra miseria tu es magnus* there were a dozen encores called for this play on Pompeius' *cognomen* (ibid. 19.3). In contrast, the younger Curio received applause whenever he entered the theatre such as Pompeius used to receive (ibid.). For much of 59 Curio led a young band of aristocrats in opposition to the coalition, especially Pompeius (ibid. 7.1, 8.1, 12.2). It is not without significance that he was the principal ›conspirator‹ in the ›plot‹ alleged by Vettius to have been formed against Pompeius.

Bibulus' popularity too had increased as the year went on and as the increasing despotism of the coalition became apparent (ibid. 19.2, 21.4). Of special point for the timing of the Vettius affair was a particular edict of Bibulus, proclaimed about mid-July, postponing the elections until 18th October (ibid. 20.6, 21.5). With the current unpopularity of the coalition, this postponement was seen as a threat to the chances of the candidates for the consulship being promoted by the coalition, A. Gabinius (Pompeius' protégé) and L. Calpurnius Piso Caesoninus (recently made Caesar's father-in-law by his marriage to Calpurnia). Little wonder that Bibulus too, and (through his son) Lentulus, a rival candidate of Gabinius for the consulship (see above, n. 7), should be on the list produced by Vettius.

Plutarch's account of the Vettius affair (Luc. 42.7–9) may provide us with the key. He says that it was the partisans of Pompeius (οἱ Πομπηϊανοί) who produced

<sup>16</sup> With all sections of the community, according to Cic. Att. 2.19.2, 20.3, 21.1, 22.6.

<sup>17</sup> GRUEN (1969) 79 and 89; SEAGER 94–5.

<sup>18</sup> Cf. Cic. Att. 2.16.2.

<sup>19</sup> Ibid. 2.13.2, 17.2, 19.2–3, 21.3.

Vettius, claiming that they had caught him plotting against the life of Pompeius; at his examination in the senate no one believed his story, but rather it was made clear at once that the fellow had been put forward by them (i. e. the partisans of Pompeius) to make false and malicious charges. One cannot avoid the suspicion that Pompeius found the remedy he was seeking and fabricated the plot himself.<sup>20</sup> It was he apparently who raised the matter in the senate after supposedly being informed of it by the Curiones, and it turns out on further examination that Vettius, the man through whom he worked, was a Pompeian. He had once served on the staff of Pompeius' father at Asculum during the Social War,<sup>21</sup> and though Oros. 6.6.7 describes him as a Paelignian, he may well be the Vettius from Picenum (an area well known as a source of clients for Pompeius, inherited from his father) who, along with Pompeius, benefited from the proscriptions of Sulla (Sall. hist. 1.55.17 M).<sup>22</sup> With Vettius' work done, the *adulescentulus carnifex*, as often, abandoned one who had helped him out and ruthlessly removed the informant before he could damagingly reveal the real point of the plot. The plot itself worked: the aristocratic opposition for the time was quietened, the coalition's electoral candidates were successful, and Pompeius' popularity was restored for the rest of the year.<sup>23</sup>

The Vettius affair has been discussed at length, because it is the first example of the use of the device by Pompeius and because the ancient evidence provides us with more clues about the main techniques. It was to be used on a number of occasions subsequently, with variations and refinements. The next time we hear of a plot against Pompeius' life dates to 11th August 58. Asconius (46.22–26) has the fullest account:<sup>24</sup> as Pompeius entered the senate, it is said that a dagger was dropped by a slave of Clodius; when it was handed over to the consul Gabinius, it was claimed (*dictum est*) that the slave had been instructed by Clodius to kill Pompeius; Pompeius immediately returned home, and from that point on kept himself at home. Asconius goes on to describe how Damio, a freedman of Clodius,<sup>25</sup> blockaded Pompeius in his house and on 16th August appealed to the college of tribunes against a decision of the praetor L. Flavius (presumably Damio had been brought before him on a charge connected with the recent events). Asconius got his information about the appeal, he says, from the *acta diurna*, and actually quotes from them the decision of one of the tribunes (L. Novius, an associate of Clodius),

<sup>20</sup> Cf. GRUEN (1974) 96; WARD 238–42; LEACH 127–8.

<sup>21</sup> N. CRINITI, *L'epigrafe di Asculum di Gn. Pompeo Strabone* (Milan 1970) 92 and 129.

<sup>22</sup> GRUEN (1974) 96; WARD 238.

<sup>23</sup> GREENHALGH (1980) 226; cf. WARD 241–2.

<sup>24</sup> Other references: Cic. dom. 129, har. resp. 49, Sest. 69, Pis. 28, Mil. 18 and 37, aer. al. Mil. frags. 4 and 9 P; Plut. Pomp. 49.2.

<sup>25</sup> This Damio is otherwise unknown. During an attack by Clodius in November 57, Cicero took refuge in the house of a Tettius Damio (Att. 4.3.3), but as that attack was launched by Clodius and as the Damio of the incident described by Asconius was working for Clodius, the latter can hardly be identified with the man who had protected Cicero on the former occasion.

and so it is likely that the details of the attempt on Pompeius' life came from the same source. That further suggests that the attempt was publicly discussed in the senate. Who would have raised the matter? Could it not have been Pompeius himself? In the political climate at the time, with Clodius constantly in political conflict with Pompeius and adopting all sorts of violent tactics to try and secure political dominance, it would be an easy matter for Pompeius, who was still at that stage attending senate meetings, to claim (note Asconius' phrase *dictum est*) that his political opponent was plotting to have him killed.

As LINTOTT remarks, »the years of Caesar's absence in Gaul were a period of a great struggle for power in the city centred on Clodius and Pompeius . . . Pompeius, originally persuaded that Clodius was a useful ally in 59, found himself in competition with Clodius for political influence within the city from . . . April–May 58 until the conference of Luca two years later.«<sup>26</sup> Pompeius' decision to withdraw to his house and not come out for the remainder of the tribunician year should not be seen as a sign of giving in to Clodius. Pompeius was still a powerful man, with immense wealth, influence and prestige, and with wide-spread connections and support; he was not a man prone to cowardice (cf. above, n. 3). The withdrawal to his house was another tactic devised by Pompeius to re-inforce the concept of his indispensability: he resigned from public activities (Cic. har. resp. 49), leaving the state to the likes of Clodius, until he should be called upon to restore order.<sup>27</sup> By deliberately doing nothing, he adopted a tactic used on other occasions – to keep people guessing what his real intentions were.<sup>28</sup> He was to use the device of withdrawing to his house again on a couple of occasions, linking it with the device of claiming that there were plots against his life.

Before we hear of the next plot, the political situation had changed. Pompeius had taken counter-measures against the violent tactics of Clodius, supporting the recall of Cicero as an essential demonstration of his prestige. A grateful Cicero spoke in favour of a new commission for Pompeius – the curatorship of the corn supply, which was duly voted to him in September 57. As the year drew to an end and just as Pompeius might have been beginning to think that he had recovered a large part of his prestige and power, two complex issues were raised which disturbed the political scene again – debate over the Campanian land law, and protracted discussion of the question who was to be sent to regularise the position of

<sup>26</sup> LINTOTT (1968) 197.

<sup>27</sup> GREENHALGH (1981) 15–6.

<sup>28</sup> Cf. the number of instances where Pompeius (deliberately?) could not be drawn to reveal his own preference in cases where there was a move to grant him a special appointment, such as the commission to restore Ptolemy Auletes, even when it was clear that the persons making the proposals, P. Rutilius Lupus and L. Caninius Gallus, were Pompeian supporters who were thought to have been put up to it by their patron (Cic. fam. 1.1.3, 2.3, 5B.2, Q.f. 2.2.3), or his public refusal of a dictatorship in 54–53 when his supporters were proposing it (see below, n. 50). Cf. Tacitus' judgment, *occultior non melior* (hist. 2.38).

Ptolemy Auletes in Egypt. There were elements who viewed with concern the possibility that Pompeius' actions in 57 were clearing the way for a *rapprochement* between him and the *boni*.<sup>29</sup> The protracted debate and multiplicity of proposals about the Egyptian question showed that the *boni* were still suspicious and were unwilling to give him a further command,<sup>30</sup> while the raising of the question of the *ager Campanus* was seen by some as a chance to drive a wedge between Caesar and Pompeius and destroy the coalition.<sup>31</sup> On top of this, or perhaps as part of this,<sup>32</sup> Clodius, who was no doubt furious with Pompeius for his part in the recall of Cicero and from whom the award of the curatorship of the corn supply to Pompeius wrested another source of dignity and patronage,<sup>33</sup> resorted to extremes of violence in the winter of 57–56.

Following particularly rowdy scenes at a trial of Milo on 7th February 56 (Cic. Q.f. 2.3.2–4), the senate was hastily convened, but Pompeius went straight home (note!). On the following day the senate met again, in the temple of Apollo, so that Pompeius could be present;<sup>34</sup> though he spoke strongly, nothing was decreed. On the next day, the senate met again in the temple of Apollo, and a decree was passed declaring that the activities of 7th February were *contra rem publicam*. When C. Cato, a tribune of that year and an opponent of Pompeius since 59,<sup>35</sup> bitterly attacked Pompeius at that meeting, he replied warmly that he intended to provide better protection for himself than Scipio Africanus had against C. Carbo. Cicero goes on to explain the oblique allusion and to say that in private conversation with him Pompeius claimed he had information that a plot against his life was being formed, C. Cato was being backed by Crassus who was supplying Clodius with funds also, and both C. Cato and Clodius were being supported by Curio, Bibulus and his other enemies. In order to protect himself, Pompeius was bringing up men from the countryside.

<sup>29</sup> See, e.g., MARSHALL, *Crassus: a Political Biography* (Amsterdam 1976) 118; WARD 257–8; SEAGER 113.

<sup>30</sup> See, e.g., F. B. MARSH, *A History of the Roman World 146–30 B.C.*<sup>3</sup> (London 1963) 191; GRUEN (1969) 79–89; B. RAWSON, *The Politics of Friendship: Pompey and Cicero* (Sydney 1979) 118–24.

<sup>31</sup> See, e.g., CARY, *Asinus Germanus*, CQ 17 (1923) 104–7, repeated in CAH 9.533; STOCKTON, *Cicero and the Ager Campanus*, TAPA 93 (1962) 478–80; J. F. LAZENBY, *The Conference of Luca and the Gallic War*, Latomus 18 (1959) 68; contra, T. N. MITCHELL, *Cicero before Luca*, TAPA 100 (1969) 295–308. For Cicero's role, see J. P. V. D. BALS DON, *Roman History 58–56 B.C.: Three Ciceronian Problems*, JRS 47 (1957) 18–9.

<sup>32</sup> MARSH, *The Policy of Clodius from 58 to 56 B.C.*, CQ 21 (1927) 30–6, followed by MARSHALL, *op. cit.* (n. 29) 118–24, suggests that Crassus let Clodius loose on Pompeius deliberately to scare him and so prevent him from going over to the optimate side, and to force him back to the side of the coalition. Cf. STOCKTON, *art. cit.* (n. 31) 482.

<sup>33</sup> LINTOTT (1968) 198; GREENHALGH (1981) 24; cf. SEAGER 112.

<sup>34</sup> See SB, QF, 176–7.

<sup>35</sup> Following an attempted prosecution of Gabinius: details in GRUEN (1974) 291.

While there is no doubt that Clodius was regarded as a nuisance and that certain of the *optimates* would like to see him brought under control, they would not want to see him humbled if it meant the revived authority of Pompeius.<sup>36</sup> Despite some moves which might have indicated that Cicero's hope of a *rapprochement* between Pompeius and the *boni* was possible, Pompeius himself recognised that they continued to be hostile and irreconcilable (Cic. Q.f. 2.3.4). They drove home their attacks in the belief that his alliance with Crassus and Caesar was weakening and could be split, now that Crassus was apparently turning on his former ally. At the senate meeting on 7th February which Pompeius did not attend, it is to be noted that the persons who criticised Pompeius were listed as Bibulus, Curio, Favonius and the younger Servilius (ibid. § 2). Is it a coincidence that two of these *nobiles* were subsequently named by Pompeius as preparing a plot against his life? And coincidence also that the same two had turned up some years earlier in the list provided by Vettius of those plotting against Pompeius?

Pompeius might have thought that the usual display of efficiency and organisation which he had again given in sorting out the problems of the corn-supply had earned him the necessary recognition and revealed his indispensability. It had not entirely, and so he turned to a device which he had used with success before – to insinuate that a plot was being formed against his life (by the same persons who had been named before, plus some who were currently viewed as opponents), to suggest thereby that he was indispensable, and so to strengthen his political hand. The device worked and his hand was strengthened, for soon after this ›revelation‹ he was summoned to confer with Caesar at Luca (after Caesar had previously consulted with Crassus at Ravenna), and the coalition between the three was reorganised, with the lion's share of the spoils going to Pompeius. Not only did he gain support for a second consulship in 55 (to be shared with Crassus) and an extensive provincial command in Spain for five years (which he could exercise *in absentia* and thus remain in Rome at the centre of affairs), but also further discussion of the Campanian land law was to be dropped, and the two who had been most violent in their attacks on him, Clodius and C. Cato, were to be called off and actually to work positively in the interests of the coalition.<sup>37</sup>

Before we hear of the next claim by Pompeius that someone was threatening his life, politics in Rome had entered a period of anarchy. The years 55, 53 and 52 had begun without consuls; elections were fiercely contested and frequently delayed, with continuing outbreaks of violence and bribery on a large scale. On 18th January 52 Clodius was killed in an accidental clash between his entourage and the re-

<sup>36</sup> Ibid. 297; cf. GRUEN (1969) 89.

<sup>37</sup> LAZENBY, art. cit. (n. 31) 72; GRUEN (1969) 93. C. Cato as tribune was instrumental in postponing the elections so that Pompeius and Crassus could proceed with their candidature, and Clodius assisted their cause against the obstructionist tactics of the *boni*: details in GRUEN (1969) 94–5.

tainers of Milo. Such was the seriousness of the situation due to the rioting associated with the death and funeral of Clodius that the senate passed a *senatus consultum ultimum* which, in the absence of regularly elected magistrates, called on the *interrex*, the tribunes and Pompeius, who was in the vicinity of the city with the proconsular *imperium* of his provincial command,<sup>38</sup> to see to it that the state came to no harm. Pompeius was also given specifically the right to collect troops in Italy.<sup>39</sup>

In the disturbed days following the murder of Clodius, Pompeius had remained in his *horti* (Ascon. 33.14, 36.19, 51.6, 50.22–26, 51.26–52.1),<sup>40</sup> surrounding himself with an armed guard (ibid. 36.20–21, 50.25). He did this, not only because of his need to stay outside the *pomerium*, but also because it was the familiar tactic of withdrawing to his house, waiting to be called on. Even after he was armed with the authority of the *s.c.u.* (passed sometime in the first part of February),<sup>41</sup> Pompeius appears to have remained within his villa, and senate meetings were held in the portico of his theatre so that he could attend (ibid. 52.1–4; cf. Dio 40.50.2), and even after he was made sole consul (towards the end of the intercalary month), he seems to have remained in his villa.

Another aspect of the familiar tactic began to emerge. Milo had originally thought of going into voluntary exile, but outrage at the destruction of the senate house (used as Clodius' impromptu funeral pyre) had swung public opinion back in his favour and so he abandoned the idea and returned to Rome. As he was a candidate for the consulship, along with P. Plautius Hypsaeus and Q. Caecilius Metellus Pius Scipio Nasica, who were both being strongly supported by Pompeius, on 22nd January, just a few days after the killing of Clodius, Milo sought an interview with Pompeius, because of the support he was giving Hypsaeus, and offered to withdraw his candidature if Pompeius so desired. Pompeius refused to grant the interview, but replied that he would not interfere in the exercise of power by the Roman people by giving either official advice or a personal opinion and that he would not urge anyone either to stand or desist from standing (Ascon. 35.16–21, 51.5–7). A second message was sent through C. Lucilius Hirrus, a friend of Milo and a relation of Pompeius, telling Milo not to approach Pompeius and

<sup>38</sup> Pompeius was careful at this time to stay outside the *pomerium* (Ascon. 28.12, 34.4).

<sup>39</sup> The form of the *s.c.u.* was abnormal in that Pompeius was specifically named (SEAGER 143, but cf. LINTOTT [1968] 151–2).

<sup>40</sup> Pompeius' garden villa was on the west of the Pincian hill, possibly stretching down into the Campus Martius (S. B. PLATNER, *A Topographical Dictionary of Ancient Rome*, rev. T. ASHBY [Oxford 1929] 270). Since Pompeius at this stage had only proconsular *imperium* and since his villa was outside the *pomerium*, he was able to stay close to the city without crossing the *pomerium*. We are indebted to Asconius for a detailed account, in the introduction to his commentary on Cicero's *pro Milone*, of the events leading up to the trial of Milo.

<sup>41</sup> On the date, see LINTOTT (1974) 71; J. S. RUEBEL, *The Trial of Milo in 52 B. C.: a Chronological Study*, TAPA 109 (1979) 237–8.

not to threaten his reputation by seeking his advice in this matter (*ibid.*). Pompeius was beginning to cast suspicion on Milo's intentions towards him.<sup>42</sup>

The next move, aimed at increasing the suspicion, was to demand that Milo not be admitted to meetings of the senate (*ibid.* 52.2–4). The final scene in the scenario of deliberately developed suspicion was Pompeius' claim that Milo had formed a plot against his life. Asconius gives the clue to what Pompeius was trying to do: at several points in his commentary on Cicero's ›pro Milone‹ he says that Pompeius kept Milo away because he was afraid of him – or because he wished to appear to be afraid of him.<sup>43</sup> At a public meeting, held before Pompeius was made sole consul and conducted by the three tribunes who were most hostile to Milo (Q. Pompeius Rufus, C. Sallustius Crispus and T. Munatius Plancus Bursa), Pompeius was asked if it was true that he had heard that Milo was plotting against him, and he replied that he had (*ibid.* 51.8–14; cf. 38.1–4). He said that a certain Licinius, a *sacrificulus*, had informed him that some slaves and freedmen of Milo had been collected to arrange for Pompeius' murder, and Licinius had provided him with a list of names; when Pompeius sent to Milo asking him whether the slaves belonged to him, he replied that, of those named, some he had never owned and others he had set free; a certain Lucius had attempted to bribe the informant, and when this was discovered, Licinius was thrown into prison (*ibid.* 51.14–24).<sup>44</sup>

Cicero's version of the plot is different and, as one would expect, plays the whole thing down in the interests of his client (Mil. 65): Licinius, a *popa* from the Circus Maximus, had said that some slaves of Milo had got drunk at his shop and let slip that they were involved in a plot to kill Pompeius, and that he had later been stabbed by one of the men to stop him revealing the plot. Licinius had informed Pompeius who, on the advice of his friends (so Cicero says), brought the matter before the senate (note!). It is all so reminiscent of the Vettius affair.

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<sup>42</sup> Cf. Ascon. 51.26–52.1 (*ob has suspiciones Pompeius in superioribus hortis se continerat*) and 52.5–6 (*hae sunt suspiciones quas se dicit pertimescere*). That there were stages in the development of the plot seems to be clear from an analysis of indications of timing in Asconius' account (cf. RUEBEL, art. cit. [n. 41] 237–8). Asconius drew heavily on the *acta diurna* for details of the events leading up to the trial of Milo; as a number of the statements about Milo's supposed intentions were made publicly, they would have been recorded in the *acta* (cf. n. 44), and so there can have been no doubt as to the date they were made, and hence their sequence.

<sup>43</sup> Ascon. 36.18–19 (*timebat autem Pompeius Milonem seu timere se simulabat*) and 50.22–23 (*diximus in argumento orationis huius Cn. Pompeium simulasse timorem, seu plane timuisse Milonem*); cf. 51.26–52.6. That Pompeius' fear was feigned, see SEAGER 143; A. M. STONE, Pro Milone: Cicero's Second Thoughts, *Antichthon* 14 (1980) 100; GREENHALGH (1981) 78 and 84; that it was genuine, see LINTOTT (1974) 70.

<sup>44</sup> There is a gap in the manuscript of Asconius at this point, and the story is incomplete. It looks as though the story came from the *acta* (which Asconius used as a source) and so can be taken as an accurate record of what was retailed at this *contio* (thereby confirming that the *acta* contained at least a summary of what was said and done at *contiones*: J. HUMBERT, Contribution à l'étude des sources d'Asconius dans ses relations des débats judiciaires [Paris 1925] 60).

The pressure of suspicion was kept up. After Pompeius had been made sole consul, another major step in the fabrication was taken: Pompeius suddenly dissolved a meeting of the senate alleging that he was afraid of Milo's arrival, and at the next meeting of the senate on the Capitol P. Cornificius<sup>45</sup> claimed that Milo was carrying a weapon strapped to his thigh under his tunic; without delay Milo bared his thigh to prove that he was unarmed (*ibid.* § 66; *Ascon.* 36.21–26).<sup>46</sup> In order to keep up the suspicion that Milo was intent on plotting against Pompeius' life, a final innuendo was cast: the pro-Pompeian tribunes Plancus and Rufus brought on to the *rostra* one of the *tresviri capitales* and asked him whether he had arrested Galata, a slave of Milo, in the act of committing murder (*ibid.* 37.8–16). It is not specified that it was Pompeius' murder which was intended, but the context in which the details appear in *Asconius*, its proximity in time to the previously mentioned step in the fabrication, and the claim that the tribunes' revelations stirred up (indeed, were probably designed to stir up) ill-will towards Milo, all suggest that Galata's supposed target was meant to be Pompeius.

What could Pompeius have possibly been aiming at by leaking progressively details of a supposed plot against his life by Milo? First, it would allow him to distance himself from Milo and to exploit the confused situation in the first part of 52 for his own benefit.<sup>47</sup> Milo ought to have received better treatment at the hands of Pompeius for the support and assistance he had given him, particularly against Clodius over the business of Cicero's recall during his tribunate in 57. But already by late 54 there were signs that Pompeius was turning away from Milo (*Cic. Q.f.* 3.8.6), and for the consulships of 52 Pompeius had decided not to support Milo but other candidates.<sup>48</sup> When it came to Milo's trial, despite Pompeius' attempts to remain impartial and to ensure that the trial was conducted fairly and without disturbance, he needed to secure a conviction. Pompeius had been called upon to cure the ills of the state and moved quickly to initiate new laws designed to put down gangsterism. His zeal against all forms of violence would have been severely compromised if, so soon after the introduction of the laws and in the first case which came up under them, he was seen to be doing any favours for Milo. He put the jury under moral blackmail: Pompeius had proclaimed himself to be in danger, and if they acquitted Milo they would be indicating a complete lack of concern for

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<sup>45</sup> On the identification of Cornificius, see MARSHALL, *A Historical Commentary on Asconius* (Columbia 1985) 180–1.

<sup>46</sup> How was it that Milo was present, if he had been banned from senatorial meetings by Pompeius? (On what authority could Pompeius have banned him earlier anyway?) Pompeius as sole consul must have been present, and the plot could only have had point if it were known that Milo was going to be present. Perhaps Milo was now allowed to attend senate meetings.

<sup>47</sup> SEAGER 143; cf. LINTOTT (1974) 71–2.

<sup>48</sup> For a brief account of the deterioration in the relationship between Pompeius and Milo, see GRUEN (1974) 150–1; LINTOTT (1974) 63–8; cf. STONE, *art. cit.* (n. 43) 98–101.

the safety of the man who just six weeks earlier had been entrusted with the care of the whole republic.<sup>49</sup> So Milo became one more of those who had been carelessly abandoned by Pompeius.

Second, the revelation of a ›plot‹ could exploit a thread which runs through all of the similar devices examined so far: by suggesting that his life was in danger, Pompeius could emphasise his indispensability and press for some political goal he hoped to attain. In this case it was a dictatorship to settle the chaotic condition of the state.<sup>50</sup> Rumours that Pompeius had his eye on a dictatorship had begun as early as June 54 (Cic. Q.f. 2.13.5); in October 54 the rumour increased (Cic. Att. 4.18.3, Q.f. 3.4.1) and in November it was thought that C. Lucilius Hirrus, Pompeius' cousin, would propose a dictatorship for him (ibid. 3.8.4). Eventually in 53 Hirrus as tribune did make a proposal (Plut. Pomp. 54.2), as did his colleague M. Coelius Vinicianus (Cael. in Cic. fam. 8.4.3); this proposal was regarded as silly, and both Hirrus and Vinicianus paid a political penalty for it. According to Dio (40.46.1), Pompeius again refused the dictatorship offered to him, but he did use his influence to see that the elections were conducted for this year, which saw the consuls entering office six months late.

The year 52 had also begun without consuls. This time Pompeius had deliberately contributed to the anarchy:<sup>51</sup> through a friendly tribune, Plancus, he had vetoed the appointment of an *interrex* at the start of the year (Ascon. 31.9–12). The reason would seem to be that he was afraid Milo's candidature would be successful; it would also benefit his own aspirations. In the rioting in Rome which followed the killing of Clodius, the mob attacked the house of M. Lepidus, the *interrex* who had by now been appointed, tried to force him to hold an election before it was legally allowed, took the *fasces* from him and carried them first to the homes of the consular candidates, Metellus Scipio and Hypsaeus, and then to the villa of Pompeius, calling on him to accept the consulship or the dictatorship (Ascon. 33.10–15, 43.4–10).

The rumour was persistent during the days of rioting that Pompeius ought to be made dictator (Ascon. 35.25–26).<sup>52</sup> It is difficult to avoid seeing a coincidence of timing between the moves to have Pompeius made dictator and the first revelations of his ›fear‹ of Milo: the claim that Milo was plotting against his life was first made at the public meeting conducted by the three anti-Milonian tribunes, *before* Pom-

<sup>49</sup> Ibid. 106; cf. LINTOTT (1974) 75.

<sup>50</sup> Plut. Caes. 28.4–5, Cat. Min. 45.4, Pomp. 54.2; App. B. C. 2.19–20. Both Plutarch and Appian suggest that Pompeius was deliberately engineering the situation in order to be called upon to save the state (cf. LEACH 151); they also make the point that he rejected the appointment in public, but that in secret he promoted it (cf. above, n. 28).

<sup>51</sup> MRR 2.228–9; SB, Fam. 1.392. Cf. Dio 40.45.4–5; for an interpretation of the Dio passage, see LINTOTT (1974) 66 n. 56.

<sup>52</sup> LEACH 155; GREENHALGH (1981) 73; cf. D. W. KNIGHT, Pompey's Concern with Pre-eminence after 60 B. C., *Latomus* 27 (1968) 882.

peius was made sole consul. The device of stressing his safety and indispensability worked again: in the end the *optimates* themselves were persuaded to concede what he was looking for and gave him sole power, not (as it turned out) as dictator but as sole consul.<sup>53</sup>

It is not too fanciful to suggest that powerful men could fabricate the sorts of ›plots‹ examined here and exploit the device to secure their own ends, consciously capitalising on a confused and violent political scene. It has been noted already that one ancient source suggested, in relation to the claim that Milo was plotting against his life, that Pompeius may have been pretending to be afraid of Milo (above, n. 43). One might compare the account given by Plutarch of Crassus' departure from Rome in 62 (Pomp. 43.2): he took his children and his money and secretly withdrew, either because he was really afraid of what Pompeius might do on his return from the East, or rather, as seemed likely, because he wished to give added strength to the rumours about Pompeius (by pretending fear) and thus increase envy of him.<sup>54</sup> A parallel can be found to the tactic of withdrawing to his house which Pompeius used on a couple of occasions as part of his pretence of fear: at the end of 63 when Caesar was threatened by a group of young *equites* as he was leaving the senate house following the debate on the Catilinarian conspirators, we are told that he stayed away from senate meetings for the rest of the year (Suet. Iul. 14.2; Plut. Caes. 8.2), and at one stage during his praetorship Caesar dismissed his lictors, took off his magisterial robe and went off home secretly, intending to remain there because of the disturbed political times (though he succumbed to popular pressure the next day and gave up that intention).<sup>55</sup>

It would seem that Pompeius had learnt to continue using the device of fabricating a ›plot‹ as a means to secure political ends, because it had proved successful on a number of occasions, similar to the way in which in his early career he had developed the tactic of deliberately not disbanding his army in order to secure a request he was making. The only time he did not use the latter tactic, when he landed at Brundisium after his return from the East and immediately disbanded his army, he made the mistake of thinking that his requests would be automatically granted because he had earned everyone's gratitude for his outstanding achievements. With the device of fabricating a ›plot‹ he made sure he did not make the same sort of

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<sup>53</sup> The appointment was moved by Bibulus and seconded by Cato (references in MRR 2.234). On the constitutional anomaly, see GRUEN (1974) 153–5; SEAGER 144–5. Pompeius may have felt that it was less than a dictatorship, but at least he could feel that he had been called upon as the only one able to cure the state's ills.

<sup>54</sup> Cf. F. E. ADCOCK, *Marcus Crassus, Millionaire* (Cambridge 1966) 42. For a discussion as to where Crassus really went, see BRUNT, *Amicitia in the Late Roman Republic*, PCPS n. s. 11 (1965) 17; MARSHALL, *op. cit.* (n. 29) 93; WARD 193–5.

<sup>55</sup> Suet. Iul. 16.1–2. One wonders if the intention was a device deliberately designed to secure popular favour. (I am indebted to my colleague Dr T. W. HILLARD for drawing my attention to these two parallels.)

mistake and continued to use it. The instances examined show that his fear of assassination was not a real one, but was designed to exploit the belief (no doubt held by many), based on his popularity, his position and his services to the state, that any attempt at his forcible removal would bring calamitous disaster; in other words, he aimed to stress what he regarded as his indispensability to the state, either to recover lost political ground or to secure new appointments.<sup>56</sup>

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