

Grasping Reality with Both Hands

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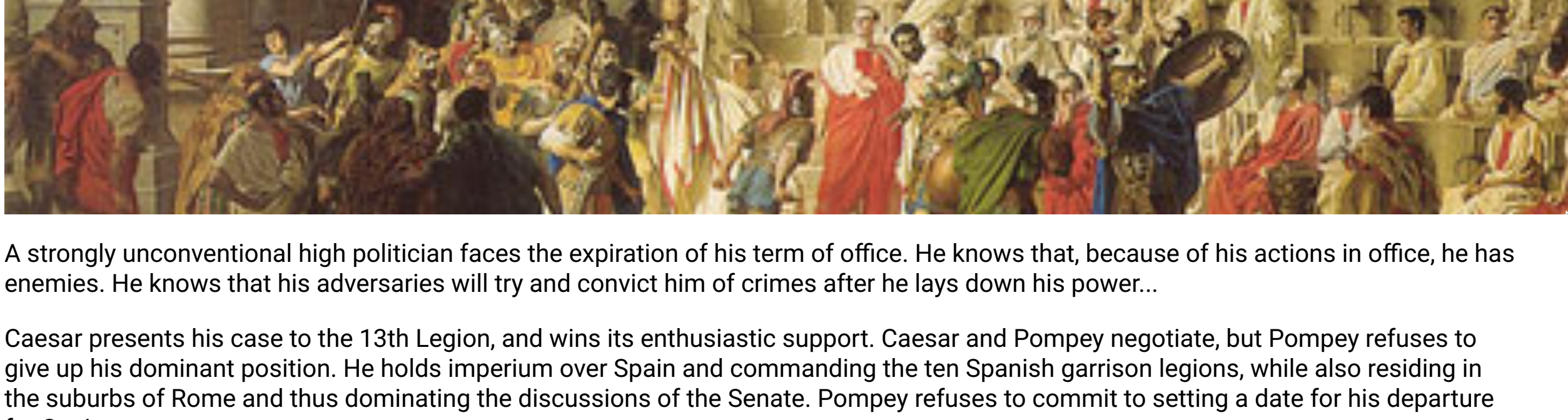
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Caesar Presents His Case to the 13th Legion, & Negotiates Unsuccessfully with Pompey: Liveblogging the Fall of the Roman Republic



A strongly unconventional high politician faces the expiration of his term of office. He knows that, because of his actions in office, he has enemies. He knows that his adversaries will try and convict him of crimes after he lays down his power...

Caesar presents his case to the 13th Legion, and wins its enthusiastic support. Caesar and Pompey negotiate, but Pompey refuses to give up his dominant position. He holds imperium over Spain and commanding the ten Spanish garrison legions, while also residing in the suburbs of Rome and thus dominating the discussions of the Senate. Pompey refuses to commit to setting a date for his departure for Spain.

Note that Caesar does not tell his readers that by taking the Thirteenth Legion to Ariminum he has exceeded his authority: his *imperium* is the power to command soldiers and give judgments in Illyrium and in Cisalpine and Transalpine Gaul, not to command soldiers in Italy. The crossing of the Rubicon River into Italy occurred before before the arrival of Pompey's negotiators, young Lucius Caesar and Praetor Lucius Roscius Fabatus. In fact, the crossing of the spine of the Appenine Mountains and the occupation of Arretium by Mark Antony and the half of the 13th Legion that was Caesar's army's vanguard appears to have occurred before the arrival at Ariminum of Lucius and Roscius:

Gaius Julius Caesar: *The Civil War*. 'When news of these events reached Caesar, he assembled his men and addressed them, retailing to them all the wrongs done to him at various times by his enemies. "They have seduced Pompey", he protested, "and led him astray, through jealous belittling of my merits; and yet I have always supported Pompey, and helped him to secure advancement and reputation...

...A precedent has been created in government; in the recent past, armed force restored the tribunes' veto; now armed force is repressing and overriding it. When Sulla stripped the tribunes of the rest of their prerogatives, he none the less left them the free exercise of the veto; Pompey has the credit of having restored their lost powers, but he has taken away even what they previously had.

The decree calling upon the magistrates to act to save the State from harm, a decree by which the Senate called the Roman people to arms, was never passed before now except in the case of pernicious legislation, or violence by tribunes, or a mutiny of the people, when the temples and heights commanding the city were seized; and these earlier precedents were atoned for by the fates of Saturninus and the Gracchi. But in the present instance, none of these things has taken place, or even been contemplated; there has been no law proposed, no attempt to appeal to the people, no mutiny.

I have been your commander for nine years; under my leadership, your efforts on Rome's behalf have been crowned with good fortune; you have won countless battles and have pacified the whole of Gaul and Germany. Now, I ask you to defend my reputation and standing against the assaults of my enemies.

The men of the Thirteenth Legion clamoured that they were ready to avenge the wrongs done to their general and to the tribunes; and being thus assured of their support, Caesar took them to Ariminum, ordering the remaining legions to leave their winter quarters and follow him. At Ariminum, he met the tribunes who had fled to join him, and young Lucius Caesar, the son of one of his lieutenants.

After Lucius had discharged the business for which he had come, he revealed that he had a message from Pompey concerning personal relations between himself and Caesar. Pompey wanted to clear himself in Caesar's eyes, and begged him not to take as a personal affront what he had done for the sake of the State; for he had always put the good of the country before the claims of personal friendship, and Caesar too, as befitted his position, should subordinate his personal ambitions and grievances to the good of Rome, and should not allow his anger against his personal enemies to lead him into damaging Rome, in his efforts to do them harm. L

Lucius added a few more remarks in the same vein, with excuses for Pompey's behaviour. The praetor Roscius appealed to Caesar more or less with the same arguments and in the same words, and expressly said that he was quoting Pompey directly. In all this, there was no apparent move to repair the wrongs done.

None the less, having thus obtained suitable agents to convey his wishes to Pompey, Caesar said to them both that, since they had brought Pompey's message to him, he hoped they would not object to taking his terms back to Pompey. 'Only consider,' he said,

that by a small expenditure of effort you can put an end to grave dissensions and release all Italy from fear. Prestige has always been of prime importance to me, even outweighing life itself; it pained me to see the privilege conferred on me by the Roman people being insultingly wrested from me by my enemies, and to find that I was being robbed of six months of my command[1] and dragged back to Rome, although the will of the people had been that I should be admitted as a candidate in absentia at the next elections. However, for the sake of Rome, I bore this loss of privilege with a good grace. When I wrote to the Senate suggesting a general demobilization, I was not allowed even that. Troops are being raised all over Italy, my two legions, which were taken from me on the pretext of a Parthian campaign, are being retained, and the whole State is in arms. What is the aim of all these preparations but my destruction?

However, I am ready to submit to anything and put up with anything for the sake of Rome. My terms are these: Pompey shall go to his provinces; we shall both disband our armies; there shall be complete demobilization in Italy; the regime of terror shall cease; there shall be free elections and the Senate and the Roman people shall be in full control of the government. To facilitate this and fix the terms and ratify them with an oath, I suggest that Pompey either comes to meet me or allows me to meet him. By submitting our differences to mutual discussion, we shall settle them all.

Roscius accepted the commission and went with young Lucius to Capua, where he found Pompey and the consuls and reported Caesar's demands. They discussed them and sent back in reply, by the same messengers, written orders the gist of which was that Caesar should leave Ariminum, return to Gaul, and disband his army, and that if he did so Pompey would go to the Spanish provinces. Meanwhile, until they received a pledge that Caesar would do as he promised, the consuls and Pompey would not suspend the levy of troops.

It was unfair that Pompey should require Caesar to leave Ariminum and return to his province, while he himself kept his own provinces, and another man's legions as well; that Pompey should expect Caesar's army to be disbanded while he levied troops; that Pompey should promise to go to his province without fixing a date by which he must do so, so that even if he still had not gone when Caesar's consulship expired, he could not be held to have broken his oath.

Further, the fact that he offered no opportunity for a conference and made no promise to come to meet Caesar made it likely that hopes of peace must be abandoned.

Caesar therefore sent Mark Antony from Ariminum to Arretium with five cohorts, while he himself stayed with two cohorts and began levying troops on the spot, and also put one cohort each into Pisaurum, Fanum and Ancona.

.#history #livebloggingthefalloftheromanrepublic #politics #2020-07-23

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Here we have a long footnote from the editor and translator, Jane Gardner:

By the Lex Sempronia of Gaius Gracchus, the annual allocation by the Senate of consular provinces had to take place before the election of the consuls who were to hold them. However, by the Lex Pompeia Licinia of 55 B.C., Caesar's command was excluded from allocation for five years. The precise formulation of this law is uncertain, but what it probably amounted to was that his province could not be allocated before 1 March 50 B.C.—that is, it could be allocated to one of the consuls for 49 B.C. The consul was not likely to leave Rome and go to take over the province until after the consular elections for 48 B.C., at which Caesar had been given permission to be a candidate in absentia.

So long, therefore, as the Lex Sempronia was in operation, Caesar could hope to retain his province at least until he was consul-elect.

Pompey in 52 B.C. had made into law a senatorial decree of the previous year, to the effect that a five-year interval must elapse between the holding of the office of consul or praetor and tenure of a province. This had the effect of cancelling the Sempronian law, since it made available for immediate assignment to provinces ex-consuls and praetors of more than five years' standing who had not yet held a province (the orator, Cicero, was among those affected).

In Caesar's eyes, these persons were private individuals—see Part 1.6. Caesar's supporters, with some help from Pompey himself, managed to block discussion of the allocation of his province on 1 March 50.

Now, in January 49 B.C., Caesar has received a senatorial ultimatum ordering him to abandon his province; this, he protests, robs him of the six further months on which he could have relied, under the operation of the previous laws, and also of the privilege of candidature in absentia.

_Foreshadowing from Gaius Sallustius Crispus: <https://www.bradford-delong.com/2020/07/foreshadowing-from-gaius-sallustius-crispus-liveblogging-the-fall-of-the-roman-republic.html>: A strongly unconventional high politician facing the expiration of his term of office. He knows that there is a very high probability that, because of his actions in office, his adversaries will try and convict him of crimes after he lays down his power. Let us start with some foreshadowing from Gaius Sallustius Crispus...

Caesar Offers a Compromise Solution (or So Caesar Says): Liveblogging the Fall of the Roman Republic <https://www.bradford-delong.com/2020/07/caesar-offers-a-compromise-solution-or-so-caesar-says-liveblogging-the-fall-of-the-roman-republic.html>: 'A strongly unconventional high politician facing the expiration of his term of office. He knows that there is a very high probability that, because of his actions in office, he has enemies. He knows that his adversaries will try and convict him of crimes after he lays down his power...' The Beginning of Caesar's Civil War, in which Caesar says that he had proposed a compromise solution to the political crisis.... 'The dispatch from Gaius Caesar was delivered to the consuls; but it was only after strong representations from the tribunes that they gave their grudging permission for it to be read in the Senate. Even then, they would not consent to a debate on its contents, but initiated instead a general debate on 'matters of State'.... Scipio spoke... Pompey, he said, intended to stand by his duty to the State, if the Senate would support him; but if they hesitated and showed weakness, then, should they want his help later, they would ask for it in vain...

The Optimate Faction Rejects Caesar's Compromise <https://www.bradford-delong.com/2020/07/the-optimat-faction-rejects-caesars-compromise-liveblogging-the-fall-of-the-roman-republic.html>: 'A strongly unconventional high politician facing the expiration of his term of office. He knows that there is a very high probability that, because of his actions in office, his adversaries will try and convict him of crimes after he lays down his power. Caesar narrates the reasons that the leaders of the Optimate faction—Cato, Lentulus, Scipio, and Pompey—worked hard to set the stage for war, and how the majority of Senators in the timorous middle were robbed of the power to decide freely, and driven reluctantly to vote for Scipio's motion to rob Caesar of his protections against arrest and trial...

The Optimate Faction Illegally Usurps Illegally Usurps Liveblogging Imperium <https://www.bradford-delong.com/2020/07/the-optimat-faction-arms-for-war-illegally-usurps-illegally-usurps-liveblogging-imperium.html>: 'A strongly unconventional high politician faces the expiration of his term of office. He knows that, because of his actions in office, he has enemies. He knows that his adversaries will try and convict him of crimes after he lays down his power...' Caesar narrates: Whatever norms he may or may not have broken during his consulate—in order to wrest land from the hands of corrupt plutocrats and grant it to the deserving—he says, the Optimate faction does much worse. In the first seven days of the year of the consulate of Lucius Cornelius Lentulus Crus and Gaius Claudius Marcellus Maior, the Optimate faction goes beyond norm-breaking into outright illegality. And to that they add impiety. They illegally seize power, as they grant themselves proconsular and propraetorial imperium over the provinces, without the constitutionally-required popular confirmation of imperium. They impiously violate the separation of church and state by seizing temple funds for their own use. They thus incur the wrath of the gods. And they incur the enmity of all who believe in constitutional balance, as opposed to armed plutocratic dictatorship...

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