

THE “FIRST TRIUMVIRATE” AT HOME AND ABROAD INCICERO’S *PRO FLACCO* 13-18*

Joseph DiLuzio – Baylor University

joseph_diluzio@baylor.edu

1. *Flac.* 3-4
 Non estis de Lydorum aut Mysorum aut Phrygum, qui huc compulsi concitatieque venerunt, sed de vestra re publica iudicaturi, de civitatis statu, de communi salute, de spe bonorum omnium, si qua reliqua est etiam nunc quae fortium civium mentis cogitationesque sustentet; omnia alia perfugia bonorum, praesidia innocentium, subsidia rei publicae, consilia, auxilia, iura ceciderunt. [4] Quem enim appellem, quem obtester, quem implorem?

You will pass judgment, not on those of Lydians, Mysians, or Phrygians, who have come here stirred up and under compulsion, but on your own republic, on the condition of the commonwealth, on the general welfare, on the hope of all good men, if there is even now a remnant to sustain the hearts and minds of brave citizens. Every other refuge for good men, defense of the innocent, foundation of the republic, deliberation, protection, law, have collapsed. [4] To whom exactly shall I appeal, entreat, implore?

2. *Flac.* 94
 Videtis quo in motu temporum, quanta in conversione rerum ac perturbatione versemur. Cum alia multa certi homines, tum hoc vel maxime moliuntur ut vestrae quoque mentes, vestra iudicia, vestrae sententiae optimo cuique infestissimae atque inimicissimae reperiantur. Gravia iudicia pro rei publicae dignitate multa de coniuratorum scelere fecistis. Non putant satis conversam rem publicam, nisi in eandem impiorum poenam optime meritos civis detruserint.

You see in what times of revolution we live, in what a great reordering and upheaval of affairs. At the same time as certain men contrive many other things, they also especially want your opinions, your verdicts and your votes to be found extremely hostile and dangerous to all the best citizens. To preserve the honor of the republic, you have rendered many severe verdicts regarding the crime of the conspirators. These men do not think the republic has been sufficiently overturned, unless they visit upon the most worthy citizens the same penalty as the conspirators.

3. *Flac.* 104
 Sed cetera sint eorum; sibi habeant potentiam, sibi honores, sibi ceterorum commodorum summas facultates; liceat eis qui haec salva esse voluerunt ipsis esse salvis.

But let them have everything else. Let them have their power, their offices, the immense store of all their other advantages. But let those who wanted to keep these things safe be safe themselves.

* All translations are my own.

4.

Flac. 13-15

Itaque hanc partem totam relinquam; tantum a vobis petam, iudices, ut, si quid ipsi audistis communi fama atque sermone de vi, de manu, de armis, de copiis, memineritis... [14] Sed ut hanc vim omittam, quanta illa sunt quae, quoniam accusatorio iure et more sunt facta, reprehendere non possumus, queri tamen cogimur! Primum quod sermo est tota Asia dissipatus Cn. Pompeium, quod L. Flacco esset vehementer inimicus, contendisse a Laelio, paterno amico ac pernecessario, ut hunc hoc iudicio arcesseret, omnemque ei suam auctoritatem, gratiam, copias, opes ad hoc negotium conficiendum detulisse... Adiunxit illa ut eos qui domo exire nolebant testimoni denuntiatione terreret, qui domi stare non poterant, largo et liberali viatico commoveret. [15] Sic adulescens ingeni plenus locupletis metu, tenuis praemio, stultos errore permovit.

And so I will pass over this entire part. I will only ask you, gentleman, if you yourselves have heard anything by way of widespread rumor or gossip about violence, force, arms, or troops, remember it... [14] But to pass over this violence, how many are those practices, which we cannot condemn because they were done in accordance with the rights and practices of a prosecutor, but which we are still forced to regret! First, that a report was spread throughout the whole of Asia that Pompey, because he was supposedly a bitter enemy of L. Flaccus, had prevailed upon Laelius, a friend and intimate acquaintance of his father, to summon this man before this court, and that he had granted Laelius all his authority, favor, resources, and power to bring this matter to its completion... Additionally, he (*sc.* Laelius) frightened those who did not wish to leave their homes with a subpoena, and he influenced those who were not able to stay in their home with a lavish and generous travel allowance. [15] In this way, this young man, full of talent, affected the wealthy through fear, the poor by the promise of prizes, and the foolish by deception.

5.

Flac. 13

Vehementem accusatorem nacti sumus, iudices, et inimicum in omni genere odiosum ac molestum; quem spero his nervis fore magno usui et amicis et rei publicae; sed certe inflammatus incredibili cupiditate hanc causam accusationemque suscepit. Qui comitatus in inquirendo! Comitatum dico; immo vero quantus exercitus! quae iactura, qui sumptus, quanta largitio!

We have found for ourselves, gentlemen, a zealous prosecutor, and an enemy that is in every way odious and dangerous. I hope that, with all of his strength, he will be of great use to his friends and the republic; nonetheless, he certainly undertook this case and prosecution inflamed with an unbelievable passion. What a staff he had when conducting his investigation! Do I say “staff”? No, rather, how great an army! What waste, what expense, what largess!

6.

Flac. 15-16

Sic sunt expressa ista praeclara quae recitantur psephismata, non sententiis neque auctoritatibus declarata, non iure iurando constricta, sed porrigenda manu profundendoque clamore multitudinis concitatae. O morem praeclarum disciplinamque quam a maioribus accepimus! Si quidem teneremus, sed nescio quo pacto iam de manibus elabatur. Nullam enim illi nostri sapientissimi et sanctissimi viri vim contionis esse voluerunt; quae scisceret plebes aut quae populus iuberet, submota contione, distributis partibus, tributim et centuriatim discriptis ordinibus, classibus, aetatibus, auditis auctoribus, re multos dies promulgata et cognita iuberi veterique voluerunt. [16] Graecorum autem totae res publicae sedentis contionis temeritate administrantur.

6.

Flac. 15-16 (English)

In this way those distinguished "resolutions" that are being read out were extorted, not pronounced on the basis of authoritative opinions, not constrained by an oath, but by the raising of hands and shouts issuing from an inflamed mob. O, the distinguished custom and order we received from our ancestors! If only we could hold on to it, but it is now somehow slipping from our grasp. For those most wise and virtuous men of ours wanted the *contio* to have no power. As to what the plebs might resolve or the people ordain, they wanted matters to be approved or rejected after the *contio* had been dismissed, the people had been distributed by tribal divisions or classified in centuries by orders, classes, and age groups, those with *auctoritas* had been heard, and the proposal had been publicized many days in advance and understood. [16] All public matters of the Greeks, by contrast, are administered by the rashness of a seated *contio*.