

The "First Triumvirate" at Home and Abroad in Cicero's *Pro Flacco* 13-18.

This paper will demonstrate how, in the *pro Flacco* (59 B.C.), Cicero depicts the heavy-handed tactics of the prosecutor among certain Greek communities in Asia as akin to those recently employed by the prosecution's "triumviral" backers. An explicit comparison between the current political situation at Rome and the conduct of Greek assemblies during the prosecution's *inquisitio* (*Flac.* 15) not only serves to undermine the credibility of the Greeks' testimony for the prosecution, it also carries implicit criticism of the *popularis* tactics of Caesar and his allies.

The orator politicizes the case against L. Valerius Flaccus and argues that the present case is, in reality, an attack on himself and the Republic (1-5, 94-106). He portrays the Republic as endangered and the prosecutor as in league with anonymous figures threatening to overturn it (Steel 2001, 66-9). Evidence suggests that Pompey was behind the prosecution, and Cicero had to tread carefully (Alexander 2002, 80-4). Earlier in the year, with the aid of Pompey and his veterans, Caesar had used violence and intimidation to cow senatorial opposition and bring his *lex Iulia agraria* and other *acta* directly to the people for approval.

Cicero portrays Laelius as having behaved like his *popularis* backers: armed with abundant resources and the ostensible support of Pompey, the prosecutor descended on various Asian cities with an "army" (*exercitus*) of staffers and procured evidence through a combination of incitement, bribery, and intimidation (13-5; cf. 18, 36, 54). In the case of Pergamon and Cyme, he went to the assemblies and secured popular resolutions condemning his client, having deterred the wealthy (*locupletis homines et gravis... deterret*) and bribed the poor with the hope of gifts (*egentis et levis spe largitionis et*

viatico publico... prolectat, 18; cf. 15). As part of an ostensible argument *a fortiori*, Cicero compares these Greek assemblies with their sometimes-raucous counterparts at Rome. He also bemoans the passing of the *mos disciplinae* of the Roman *maiores*, which directs that *contiones* have no "force" (*nullam... vim contionis*) and that those with authority be heard and proposals promulgated several days in advance of the vote (*auditis auctoribus, re multos dies promulgata et cognita*; 15). Cicero offers here more than a general critique of political trends (so, Soós 1983, 72-3). Instead, he is suggesting, albeit obliquely, that Caesar effectively transformed Rome into a chaotic democracy when he bypassed the senate and put his controversial *acta* directly before the people. Furthermore, *vis contionis* prevented *auctores* like Bibulus and Cato from being heard, and the orator would later claim that at least one law had not been promulgated in accordance with the *leges Caecilia et Didia* and *Iunia et Licinia* (App. *B. Civ.* 2.10; Dio 38.3-6; Cic. *Att.* 2.9.1; *Sest.* 135).

Cicero's account of Laelius' *inquisitio* and his comparison of Greek and Roman legislative practices collapse the distinction between Greek democracy and Roman republicanism. Though an indictment of the tactics of Caesar and his allies, the speech leaves open the possibility that the jurors will set things right: *de vestra re publica iudicaturi, de civitatis statu, de communi salute, de spe bonorum omnium, si qua reliqua est...*(3).

Bibliography

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