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Sallust’s *Epistulae ad Caesarem*

A popularis Proposal for the Republican Crisis?*

**ABSTRACT:** For decades, a remarkable number of publications have been devoted to the so-called *Epistulae ad Caesarem*. Most have focused on the question of whether they are authentic or forgeries, and only a few have analysed them as a source for valuable historical evidence. This paper intends to demonstrate that the letters could certainly have been written in the middle of the first century BCE and that Sallust could indeed be the author. The letters, particularly Ep. 2, show that there were alternative political agendas and provide a better understanding of Sallust as a politician and historian, as well as of the political debate surrounding the outbreak of the civil war and Caesar’s rule.

*Keywords:* Sallust, Caesar, *populares*, factio nobilitatis, Pompey, mactare

Throughout the twentieth century a considerable number of publications have been dedicated to the so-called *Epistulae ad Caesarem*, only a few of which have dealt with the documents’ content from a historical viewpoint and considered them as a source for valuable historical evidence. Instead, much more ink has been spilled over whether they are authentic or forgeries; this question goes hand in hand with considerations about whether Sallust actually wrote them in the middle of the first century BCE or, alternatively, whether it was a rhetor who penned them at some point during the Principate. Interestingly, scholarly appraisals of the *Epistulae*’s authenticity have tended to be divided along linguistic fault lines. To my knowledge, nobody has used the English language to defend their authenticity and Sallust’s authorship in the wake of Ronald Syme’s forceful rejection of both possibilities in the late 1950s and early 1960s.¹ It can hardly be doubted this has much to do with Syme’s stature and influence in the field. However, during the same period, Claude Nicolet, writing in French, defended the authenticity of the letters and Sallust’s authorship, hence reaching a set of conclusions that allowed him to use these documents as a historical source.² Other French scholars have followed

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The last edition and translation of the letters in English has been made by Ramsey in 2015 for the Loeb series. All the translations are taken from Ramsey’s edition.


2 Nicolet 1959. Against the authenticity, see Ernout 1962.
Nicolet’s equally authoritative example. Likewise, a number of scholars from Italy, Germany, Sweden and Spain, have concluded that the letters are authentic. The general panorama of the issue, therefore, reveals there is no unanimous consensus on the question, as one might wrongly conclude by only examining the Anglophone scholarship.

My current purpose is to re-examine the main claims against the letters’ authenticity. The dismissal of the documents’ authenticity relies on arguments concerning the manuscript in which they are collected as well as certain philological and historical aspects of the texts. By the end of my analysis, I hope to have demonstrated that the letters could certainly have been written in the middle of the first century BCE and that Sallust could indeed be the author.

The manuscript

One of the reasons why both the authenticity of the Epistulae ad Caesarem and their authorship have been a recurring matter of debate for centuries is that they have only been preserved in a single manuscript, which is notable for various reasons, such as its content and authorship. This manuscript is Codex Vaticanus Latinus 3864, which consists of three different sections that came originally from three distinct manuscripts, probably dated to the late-ninth century and then transmitted jointly. The first part contains Caesar’s De bello Gallico, followed by a single page of the Cosmographia Ethici (here called Cronica Iulii Caesaris); the second section includes Pliny’s Epistulae I-IV; and the third portion is entirely devoted to Sallust. The first eleven documents are speeches plucked from the Coniuratio Catilinae and the Bellum Iugurthinum, which have been arranged according to the order in which they appear in these works. The following four documents are speeches selected from the Historiae and also seem to be presented in the order that they appeared in the original text. The remaining eight texts are all letters, two from the Coniuratio Catilinae and two from the Bellum Iugurthinum, plus one from the Historiae, the only one that is placed out of order. It is after letter 21 and on the same folio (127r) that the first of the Epistulae ad Caesarem is found. The text is preceded by the words ad Caesarem senem de re publica, which serve as a title. The second letter is inserted immediately after the first, without the inclusion of a heading or any other textual indication that it is a different document. In fact, it is only separated by a gap of approximately two lines. Although the presumed composition date of the Epistulae ad Caesarem would suggest that they should have been placed before the epistles excerpted from the mono-

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5 See Paladini 1952, 5–14; Ramsey 2015.
6 Palmer 1971, 394–396; Canfora 1986, 12–13; Ramsey 2015.
graphs, their positioning at the end of the document is not illogical, since the events to which they refer are more recent.

A further fact about the composition of the manuscript deserves our attention: there have been no doubts about the authenticity of the other Sallustian fragments, as is the case with the various texts contained in the other two parts dedicated to Caesar and Pliny. It is also significant that the spurious *Invectivae* against Sallust and Cicero, which belong to another tradition, were not collected in this manuscript. Given that the compiler placed these *Epistulae* next to unquestionably authentic texts that were carefully organised, it appears that he himself believed that Sallust was the author, that they are authentic and that they are letters rather than speeches. This, however, cannot be taken as definitive proof of their authenticity, since we do not know whether it was only a presumption based on stylistic similarities with the known works of Sallust,\(^7\) or whether the compiler had more solid information about these texts. At the same time, these facts cannot be written off as a mere coincidence either.

Before turning to strictly historical and philological issues, we must examine several additional factors that have given rise to doubts over the authenticity of the *Epistulae ad Caesarem*: the absence of the author’s name, the title used and the facts that we cannot compare them with other manuscripts nor is their existence confirmed in any known ancient source. There is no reference, direct or indirect, to the *Epistulae*, which would seem to indicate that they did not circulate widely and/or that they were not considered important in Antiquity.\(^8\) Yet this does not prove that they are spurious, just as the fact that the *Invectivae* against Cicero and Sallust are mentioned by some ancient authors does not make them authentic. If these letters were ever mentioned in ancient sources, that information has been lost.

Regarding the explicit attribution of authorship, it is quite possible that the compiler considered such information to be unnecessary because it was obvious, since the letters were inserted in a clearly Sallustian context. Indeed, this is by no means a definitive argument against authenticity, especially considering that Sallust’s name is not found at the beginning of the letters taken from his historical monographs. The difference is, of course, that their existence cannot be verified independently.

With respect to the title, at first glance it is striking that the term *senex* is used to refer to Caesar. For some scholars, this lexical choice provides yet another reason to deny the authenticity of the *Epistulae*.\(^9\) It is certainly unlikely that Sallust headed a letter addressed to Caesar – who would have been in his fifties at the time – in such a way.\(^{10}\) The inclusion of *senex* should be understood as an attempt to distinguish the ‘older’ Caesar from the ‘younger’ one, that is, Caesar from Octavian-Augustus. Such a distinction would have been unnecessary for Sallust, if he was writing these letters in 50 and 48 or

\(^7\) *Chouet* 1950, 2.

\(^8\) *Duplá, Fatás and Pina Polo* 1994, 71–72.


\(^{10}\) *Chouet* 1950, 3: claimed that a Roman could have labeled someone as a *senex* when he was 40–50 years old. This argument, however, does not offer a convincing explanation for the title of the letters.
46. This suggests that the title was added later by someone other than Sallust. According to the scholars who see the letters as an exercise from the rhetorical schools written during the Principate, the real author would have been the one to include the word *senex.* During the Principate, however, a distinction between an ‘old’ and ‘young’ Caesar was unnecessary, since the younger one was unanimously referred to as Augustus. The same could be said if we think of the possibility that a copyist added *senex* to differentiate both men. In my view, the first editor of the *Epistulae* may have added *senex* at a time when the confusion between the old and young Caesar could still have been an issue. This would have been the case before 27 BCE, when the younger Caesar officially became known as Augustus, and after Sallust’s death in 35, since he would never have given such a title to his letters. The same could have happened with the second part of the title, *de re publica,* which the editor would have extracted from the general content of the letters. Subsequent copyists would have kept the phrase in later manuscripts.

The style of the letters: too Sallustian?

The controversy over Sallust’s authorship of these documents has unleashed a flurry of both broad and specific studies on aspects such as their diction and syntax, with special attention paid to the so-called minutiae. Each author’s use of such minutiae is idiosyncratic and hence very difficult to imitate; to pull this off convincingly, an imitator would have to conduct an exhaustive stylistic analysis of the author, which is perhaps a rather tall order for a mere rhetorical exercise. In any case, arguments against the letters’ authenticity and Sallust’s authorship have often been based on a series of linguistic and stylistic features. Interestingly, these very same features have been seen by many other scholars as confirmation of their authenticity. In essence, the debate has gone around in a surprisingly vicious circle for decades: while there is no doubt that the style and language of the epistles are Sallustian, some scholars take this as confirmation that Sallust was indeed the author, whereas for others these Sallustian features, paradoxically, indicate that the documents are the work of an imitator. Syme and Canfora provide two good examples of eminent scholars who have maintained that the documents are forgeries: Syme thought they were too Sallustian, while Canfora described them as a hyper-Sallustian pastiche. In short, the fact that the letters undoubtedly sound like Sallust’s historical monographs paradoxically provides the reason why we should conclude that they were not written by Sallust. Such argumentation seems, *prima facie,* to be an oxymoron.

11 Ernout 1962.
12 Dietz 1956.
13 In support of the year 34, see Perl 1967.
15 Canfora 1986, 16.
It is far from my purpose to mention, let alone analyse, all the concepts, terms, expressions and constructions that have been studied from a philological perspective in the countless articles and books from the previous decades. As a principle, it is correct to say that every argument used to endorse the authenticity of the letters has led to a counterargument, and vice versa. Nevertheless, several examples can illustrate how the debate has developed.

When it comes to stylistic issues, Syme, in addition to being the most respected and acknowledged authority, was the most vocal critic of any attribution to Sallust, as he generally was in all aspects of the controversy over the letters’ authenticity and authorship. According to Syme, no one wrote with Sallustian style in 48/46 or earlier, when the letters were supposedly written: consequently, Sallust could not be the author. Syme maintained that Sallust pioneered his own unique language and style only when he wrote his historical works (not before 42); accordingly, it would make no sense for him to employ such a style or diction full of archaisms in his letters. Syme concluded that the imitator exceeded his model, by using words typical of Sallust’s mature historical style too frequently and too awkwardly, without realizing that the historian’s style had in fact evolved from one monograph to another. In short, too much, too good and too early.

Yet what was the style in which letters were written at Rome in the first century BCE? Was there a uniform style? While we know very well the style that Cicero employed in his letters, we certainly should not conclude that everybody would have written like him (or like those who wrote letters to Cicero). Should we disqualify Sallust as a possible author because his epistolary style does not match Cicero’s? Alternatively, could it be the case that Sallust had already developed a distinctive style when he wrote his letters, which he went on to use and develop in his later works?

On the other hand, it is impossible to know exactly how Sallust wrote before composing his historical works – unless we admit the authenticity of the letters. It is, however, plausible to posit that his style could have developed by the year 50 and even more so in 48 or 46, just six or four years before he wrote the Coniuratio Catilinae. It can be assumed that Sallust emphasised his archaizing style in his historical monographs, but such a style must have been the fruit of a long process and years of practice; furthermore, we must bear in mind that Sallust was in his forties when he wrote his work on Catiline. In any case, the claim that Sallust’s way of writing was necessarily different before 42 is no more than speculation that finds no basis and relies on no written testimony, since it seems to take for granted that Sallust wrote nothing before the Coniuratio Catilinae. What if the letters actually provide some information about the way in which Sallust’s literary style developed?

17 In fact, Skard 1964, 36–37, asserted that the letters fit perfectly into the evolution of Sallust’s language, because they reflect the style found in the Coniuratio Catilinae and are further from that of the Bellum Iugurthae and especially the Historiae.
The vocabulary in the letters – the political terminology in particular – has also been an object of scrutiny. For instance, the use of *mulier* and *adulescens* would be appropriate in a late-Republican context, since a forger living during the Principate would instead have opted for *femina* and *iuvenis*. This observation would seem to support a late-Republican dating for the letters. However, for those who defend the authorship of an imperial forger, this is simply an illustration of the imitator’s skill and deep knowledge of the Sallustian oeuvre.

On the contrary, scholars have pointed to a series of words and expressions (e.g. *multipliciter*, *magis aut minus*, *multo multoque*) that are not attested in the late-Republican period and, therefore, would have been anachronistically used by the imitator. The presence of these lexemes and phrases has been adduced to disprove the authenticity of the epistles. Indeed, such words and expressions are exceptional in the literature of which we know from the first century BCE. Given the partial nature of what has been preserved in the tradition, however, we are far from having a complete picture of late-Republican style; therefore, we must be careful when labelling something singular or out of the ordinary. That is, these words and phrases are attested only later for us, but this does not mean that they were not used earlier. For instance, Syme took the rare use of *senatorius* as a noun in *Ep. 2.11.6* (*cum paucis senatoriis*) as an indication of the text’s spurious nature, since, although the word is common in Latin and in particular in Sallust, it never appears as a noun. Syme’s argument has been questioned, and other scholars have suggested emending the text or have proposed that *senatorius* ought to be taken as an adjective modifying, perhaps, the word *hominibus*. But again, we cannot exclude the possibility that the word sounds strange to us only because of our limited knowledge.

In any case, this all points to a recurring contradiction found in the arguments of those who contest Sallust’s authorship: the presumed forger is extraordinarily skilful and is so clever that he can use even the most hidden of Sallustian minutiae, but the same forger is also surprisingly clumsy and makes some naive mistakes. But would not such a learned expert in the Sallustian oeuvre know that Sallust never used *senatorius* as a noun? So, if the text sounds ‘too Sallustian’, this is because it is a top-notch forgery; if the text does not sound Sallustian – or late-Republican – this is because it is a shoddy forgery. Either way, it must be a forgery.

Something similar is at play with the use of other words and expressions. This is the case with *factio nobilitatis*, which appears twice in *Ep. 2* (2.2.4 and 2.8.6). Sallust frequently combines both words in his historical works, but never uses them together as a collocation, something that Syme found suspicious. However, the notion that a small

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18 AXELSON 1948.
19 LAST 1923 and 1924.
20 SYME 1958a, 54.
23 SYME 1964, 337.
group of nobiles was hijacking the civitas and oppressing the Roman people is present in Sallust’s works; therefore, factio nobilitatis is a perfectly Sallustian expression and even smacks of the locution factio paucorum used by Caesar to justify the crossing of the Rubicon. For Sallust there were not two factiones confronting each other, but only one trying to hold all the power: illi factiosi who ruled over the courts and controlled the magistracies (2.3.3–4).

Ep. 2 begins with these words: Scio ego quam difficile atque asperum factu sit consilium dare regi aut imperatori, postremo quoquam mortalii, quouis opes in excelso sunt.25 Recently, Santangelo has dubbed this sentence as “an anachronism if ever there was one” on the basis that – if we assume that the dramatic date is 50 – “no associate of Caesar in his right mind would have even dared to mention such a heavily charged word as rex at the eve of the clash with Pompey and the Senate.”26 This claim seems to me more than exaggerated, because it is evident that the sentence is intended as a rhetorical captatio benevolentiae: the author does not imply at all that Caesar is or should be a king.

The author addresses Caesar several times as imperator (2.6.6; 2.12.1; 1.2.2). Syme (and Richard) argued that such a title would have been acceptable for a soldier under Caesar’s command, but not for Sallust, who would have addressed him just as Gaius Caesar.27 Syme concluded that this was further proof that the document was written during the Principate, when the use of imperator would have been a more obvious choice for a forger. However, both in 50 and 48 or 46, when Sallust would have written the letters, Caesar was indeed an imperator, and it was not at all strange to use this title, both officially and privately.28 In the tabula Contrebiensis, an inscription from the Ebro valley dated to 87 BCE in which a lawsuit is settled between indigenous communities, the governor of Hispania Citerior who gave the sentence, Gaius Valerius Flaccus, does not appear as proconsul, his official office, but rather as imperator (iudicium addeixit C(aius) Valerius C(ai) f(ilius) Flaccus imperator).29 The same can be found in the Bronze of Ascoli, probably dated to 89, where Cn. Pompeius Strabo is likewise called imperator.30 Why would it be surprising for a privatus like Sallust to address Caesar as imperator? It is, in fact, the very same word that Cicero used when he addressed some of his letters to P. Lentulus (fam. 1.9), Ap. Claudius Pulcher (fam. 3.1 and 3.2), C. Antonius (fam. 5.5), etc. Likewise, Cato opened a letter to the proconsul Cicero in this way: M. CATO S. D. M.

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24 Caes. B Civ. 1.22.
25 Ep. 2.1.1: “I know how difficult and rough a task it is to give advice to a king or a commander, in short, to any mortal whose power is lofty.”
26 Santangelo 2012, 32.
27 Syme 1964, 340–341; Richard 1969, 68.
28 Syme (1958b, 179) himself noted that in the final phase of the Republic there was a tendency to use the title imperator instead of other possible titles when possible: “When a magistrate or pro-magistrate had been hailed as ‘imperator’, a certain incompatibility seems to have been felt between that name and the titles of his authority, consul or proconsul, praetor or propraetor. They tend not to occur in conjunction, and the more splendid name prevails.” Cf. Wistrand 1968, 64.
29 Fatás 1980; 1983; Richardson 1983. See in Hispania Ulterior the so-called Lascuta Bronze, dated to 190 or 189 BCE, where L. Aemilius Paullus is called L. Aemilius L. f. imperator (CIL I 1, 614).
30 ILS 8888. Criniti 1970. Cicero called himself imperator in his letters written from Cilicia, where he was acting as proconsul: Cic. fam. 2.7; 2.10–19; 15.4; 15.10–11; etc.
Finally, in his *Coniuratio Catilinae* Sallust narrates how C. Manlius sent a message to Marcius Rex, in which Manlius addressed Marcius Rex as *imperator*: *Deos hominesque testamus, imperator* . . . (Sall. Cat. 33).

The underlying problem in these and other arguments against the authenticity of the letters is that some scholars have a rigid conception of what, in their opinion, would be ‘normal’ in a document written in the first century BCE: what lexemes would have been used, how individuals should be addressed, etc. Yet we are the ones who determine what we decide to consider ‘normal’ according to the available philological and historical information, which is necessarily fragmentary. As a consequence, it is undeniable that we do not know everything and we should be therefore open to accept possibilities that strike us as abnormal but are nevertheless within the realm of possibility. In short, we cannot hold onto our own notions of the ideal Sallustian style and, as a result, reject what he could very well have written.

**The date of the documents**

Regarding the date of the documents, the consensus among most of the scholars who have opposed their authenticity is that they were written during the Principate. According to this theory, they would have been produced within a school of rhetoric, where a rhetor or a student would have composed them as a scholarly exercise. This author would have thoroughly mimicked the Sallustian style and language from the author’s well-known monographs and would have also culled information from historical sources dealing with the period. In short, this theory maintains that the *Epistulae* are the product of a deliberate imitation.

Also proceeding from the belief that the letters were spurious, Canfora formulated a very different hypothesis: the letters are a rhetorical exercise composed by a rhetor named Gaius Sallustius Crispus who lived in the fourth century CE and, in his estimation, was the compiler of the anthology of the late-Republican Sallust included in the Vatican manuscript, to which he added his own letters imitating Sallustian style. In other words, if Canfora’s thesis is accepted, a Gaius Sallustius Crispus set out to imitate his namesake from five centuries earlier, copying his style in detail; apparently this late antique rhetor was motivated because of the coincidence in name and he sought to propose a series of measures that he believed would be equally useful in his own time.

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31 Cic. fam. 15.5. These headings were part of the letters and as such included by the sender, not by a later editor, as is seen in Cic. fam. 3.11: M. CICERO AP. PULCHRO, ut spero, CENSORI S. D.

32 Syme asserted in 1958a that the letters could have been written in the time of the Antonine emperors, when Sallust was held in high esteem. However, in 1964 he was confident that they were written after Sallust’s *Historiae* and likely during Augustus or Tiberius’ rule. Richard 1969, suggested that the letters were written at a much earlier time than is usually thought. This led him to assume that they contain interesting historical evidence, following Nicolet’s conclusions in this respect.

33 Canfora 1980 and 1986. Mastrorosa 2017 also has recently defended the notion that the letters were written by a Sallust in the fourth century AD.
and the first century BCE. But, why would he have hidden his identity? How did he intend to draw attention to his subtly formulated proposals for his contemporary society? In a word, why would he have decided to go to such lengths? The truth is that both the general context of the letters and the details contained therein are clearly applicable to the first century BCE. Canfora’s proposal was not based on any verifiable argument, but on pure speculation. As a result of his attempt to resolve the question of the authenticity and authorship of the letters, he only generated further problems, which are in turn unsolvable.

Although Ep. 2 appears in the second position in the Vatican manuscript (hence its usual name), there is no doubt that the historical situation to which it refers is prior to that of Ep. 1. The contents of the epistle make it clear that the civil war between Caesar and Pompey had not yet broken out, which requires a date before 10 January 49. On the other hand, the expression contra adversum consulem in 2.2.3 cannot refer to 49, since in that year both consuls, C. Claudius Marcellus and L. Cornelius Lentulus, were openly hostile to Caesar. Consequently, both 51 and 50 had been suggested as more likely dates for the composition of Ep. 2 (or alternatively as its dramatic date). In my opinion, 50 is the more probable option, in particular the autumn of that year when the civil war was not clearly seen on the horizon, but tensions between Caesar and Pompey already existed.

One of the reasons why Syme emphatically rejected the authenticity of the letters was the, in his opinion, surprising mention of Favonius, a character who, according to Syme, did not have enough political clout to merit such a role in a letter addressed to Caesar. However, it is worthwhile to draw attention to an often over-looked fact: M. Favonius must have failed in his attempt to become a praetor for the year 50, but he was elected to this office for 49. Therefore, although Favonius was not one of the most prominent leaders of the factio to which the author refers, he was fully involved in the political struggle and was going to occupy an office of great importance in the coming months, the praetorship, a magistracy with imperium that was the last step before reaching the consulship. As praetor, he could have damaged Caesar’s interests as well as the reformist purposes of the letter’s author. If the author was Sallust, he must have been rather familiar with Favonius’ ideas since he had been an aedile in 52, while Sallust was a tribune of the plebs. That would explain why Favonius is mentioned and would indirectly indicate that Ep. 2 was written (or dramatically set) at a time when either it was known that Favonius had a good shot at being elected praetor, or more likely after the elections had been held in the autumn of 50.

As regards the first letter, its date has not been the focus of such debate. Some scholars – Syme, for instance, and more recently Ramsey – have proposed 48, after the bat-

34 See different opinions about the date of Ep. 2 in Duplá, Fatás and Pina Polo 1994, 105–106.
35 Broughton MRR 2.257; Brennan 2000, 756. See, however, the doubts raised by Ryan 1994.
The content of Ep. 2

While the second and earlier letter offers a genuine political programme, with specific social and institutional proposals for reforms, the first mostly contains general recommendations addressed to the winner of the recently concluded civil war, as well as criticism of several of Caesar’s followers. In this article, I will focus exclusively on Ep. 2, which contains several key passages that have been used to challenge Sallust’s authorship.

The author seeks, on the one hand, to inform Caesar of the situation in the Urbs (de negotiis urbanis), since Caesar was away from the city and engaged in military tasks (inter labores militae interque proelia victorias imperium). On the other hand, he levels his attack against the factiosi, who were enemies of Caesar and his dignitas, and offers advice to stabilize and strengthen the civitas (Quo magis tibi etiam atque etiam animo prospicientium est, quonam modo res stabilias communiasque). With this aim in view, the author devoted one section of the letter to the physical and moral renewal of the plebs (2.5–9) and another to the senate, recommending its empowerment through the liberation of the senators from the control of the factiosi (2.10–11).

The author begins by explaining why he had taken Caesar’s side. His chief reason is the failures of Pompey, who is mentioned in Ep. 2 only once, and very briefly at that (2.3.1). He is criticized for placing the government of the city in the hands of a few senators (2.3.2), who are characterized at 2.3.3. and 2.3.6 as factiosi and inertissimi, having led the Urbs into a desperate situation. It is against that factio that the author directs his
ire, and which he blames for the wretched state of affairs (rather than blaming Pompey directly). In this way, he leaves the door open for Pompey to change course and perhaps reconcile with Caesar, his former political ally. Such a stance is consistent with the position that Caesar adopted at the outbreak of the war, when he sought to come to terms with Pompey by disassociating him from the factiosi in the senate. The author of the letter portrays even Sulla’s actions as moderate in comparison with the insatiable and bloodthirsty characters of M. Cato, L. Domitius and other members of the factio (2.9.1–3). In this context, we encounter the following passage (2.9.4) that has posed a potential obstacle for those who wish to maintain Sallust’s authorship:

reliqui de factione sunt inertissimi nobiles, in quibus sicut in titulo praeter bonum nomen nihil est <additamenti>.41 L. Postumii M. Favonii mihi videntur quasi magnae navis supervacuanea onera esse

After having mentioned M. Bibulus, L. Domitius and M. Cato as its prominent members in 2.9.1–3, it appears that when referring to the ‘the rest’ (reliqui) of the factio nobilitatis, the author includes L. Postumius and M. Favonius, the latter of whom was clearly not a member of the nobilitas.42

Syme saw the inclusion of Favonius among the nobiles as a decisive mistake, given that his family came from Terracina and he was clearly a homo novus.43 Despite judging the letters to be later rhetorical exercises, Orelli proposed a simple emendation that removes the objection to the description of Postumius and Favonius:

reliqui de factione sunt inertissimi nobiles, in quibus sicut in titulo praeter bonum nomen nihil est. Additamenta L. Postumii M. Favonii mihi videntur quasi magnae navis supervacuanea onera esse.

“The remaining members of the faction are nobles of utter ineffectiveness, in whom there is nothing except a famous name, as on a commemorative tablet. Men like Lucius Postumius and Marcus Favonius seem to me mere appendages, like the excess cargo of a large ship.”

If we accept this minor change to the text, Favonius and Postumius are no longer included among the nobiles. Instead, they are mentioned as additional adherents of the factio nobilitatis, and the description emphasizes their inferior standing.44 Postumius and Favonius would belong to the paucis senatoriis, quos additamenta factionis habent mentioned at 2.11.6.45 SYME categorically rejected Orelli’s emendation,46 despite the similarity to the language at 2.11.6, which shows the author using addimenta in precisely the way it can be understood at 2.9.4 in the description of Postumius and Favonius. Fur-

41 Additamenti, which is the reading of the MS, may not, however, have been what the author wrote. See below.
42 MALITZ 1975, 107, regarded the combination Postumius – Favonius and their inclusion among the inertissimi nobiles as absurd.
44 PALADINI 1952; MALCOVATI 1958; VRETSKA 1961; LEEMAN 1964 and RAMSEY 2015, among others, have adopted Orelli’s emendation.
45 Ep. 2.11.6: “The nobles, together with a few men of senatorial rank whom they treat as an appendage of their clique …” Cf. Büchner 1960, 61; Leeman 1964, 382; Mazzarino 1966, 384.
46 SYME 1964, 339.
thermore, we ought to note that the enumeration of the figures in the factio is arranged hierarchically, with the most important men (i.e. Bibulus, Domitius and Cato) listed according to their seniority as ex-magistrates.47

SYME further considered it inappropriate for the author at 2.9.1 to have given prominence to Bibulus, who had not yet returned to Rome from governing Syria in 50 (the supposed date of composition of Ep. 2). SYME also regarded Domitius and Cato as poor choices to describe prominent nobiles instead of the increasingly influential Marcelli, or even Appius Claudius Pulcher.48 Canfora pointed out that in a letter addressed to Atticus in January 49, Cicero singled out Favonius, Cato and Postumius in discussing a senatorial debate over possible terms of peace with Caesar.49 In that letter Cicero portrays none of those men in a favourable light and makes it clear that both Favonius and Postumius were minor figures in comparison with Cato. One might expect the same collocation of these three names to be adduced as evidence in support of the view that Sallust could realistically have linked those same names in Ep. 2; however, CANFORA dismissed the value of this evidence, supposing that the forger had most likely come across these names in Cicero’s letter and been influenced to include them in his own text.

SYME does have a point that historians might expect Sallust to have mentioned the Marcelli and Ap. Claudius. The argument, however, cuts both ways. The reasoning is certainly logical from the point of view of a modern historian, but it dismisses the letter out of hand as historical source simply because it does not meet modern expectations. Their counterintuitive nature, it may be argued, is an indication that they are genuine, contemporary documents, written by an author who mentioned the individuals he did, and not others, because he was better informed than we are two millennia later. An appropriate question to pose is why, for instance, was Favonius included. Part of the answer may lie in the fact that he is likely to have been elected praetor for 49 (see above). Consequently, if Ep. 2 was written in autumn 50, Favonius would have been a leading man at the time.50

To put this in perspective, the unexpected prominence given to Favonius and Postumius would be even more surprising in a letter concocted in the imperial age. The counterintuitive inclusion of these names points more towards the authenticity of the letter than to its being a rhetorical exercise. In this regard, it potentially offers historians valuable, first-hand information. Indeed, if a forger wrote the document, the logical thing would have been for him to list those very same famous characters whom SYME singled out. How could the writer make the blunder of giving prominence to the absent

48 SYME 1958a, 52; 1964, 342.
49 Cic. Att. 7.15.2. Cf. CANFORA 1986.
50 In spite of not having reached a higher magistracy, Cicero presents Favonius as a politician with a notable prominence in the senate already in 57 and 56. In September 57, consulars, with Favonius leading them (duce Favonio), although he was not a consularis, grumbled about the great powers that the rogatio of the tribune C. Messius granted to Pompey (Cic. Att. 4.1.7). In February 56, Favonius is mentioned along with the consuls Bibulus and Curio leading the criticism of Pompey (Cic. Q.fr. 2.3.2). It seems clear that Favonius’ stature in Roman politics in the 50s was beyond the offices he had held so far, way out of proportion with his standing as a junior senator. Cf. Cass. Dio 39.14.1.
Bibulus instead of, say, Appius Claudius or even Cicero? How could a writer masquerading as Sallust fail to mention important, well-known figures? It defies logic for a late rhetor to give prominence to Postumius as a member of the *factio*. Such a feature of the narrative is easier to explain if it was the product of someone who knew the subtleties of the politics of his time; in short, the presence of these names is better explained if we posit a contemporary of Sallust, if not Sallust himself.

The following passage (2.4.1–2) has posed perhaps the most serious obstacle for those who want to defend *Ep. 2* as a genuinely Sallustian work, since the content, at first glance, flies in the face of historical reality:

*L. Sulla, cui omnia in victoria lege belli licuerunt, tametsi supplicio hostium partis suas muniri intellegebat, tamen paucis interfectis ceteros beneficio quam metu retinere maluit. At hercule M. Catoni L. Domitio ceterisque eiusdem factionis quadraginta senatores, multi praeterea cum spe bona adolescences sicut ei hostiae mactati sunt.*

“Lucius Sulla, to whom the law of war permitted anything in his victory, realized that by the execution of his foes his party could be strengthened, but he preferred nevertheless, after putting a few to death, to keep the rest under control by kindness instead of intimidation. But, by Hercules! – at the instigation of Marcus Cato, Lucius Domitius, and others of that faction, forty senators and many young men of excellent promise have been butchered like so many sacrificial victims.”

The assertion that “forty senators and many young men of excellent promise have been butchered” (*mactati sunt*), supposedly in the sense of being killed, was for Syme the decisive proof that the letter was a forgery.

Certainly, the assassination of forty senators shortly before the outbreak of the civil war would have left a mark in the historical record. The silence concerning such a massacre is deafening. It is, therefore, extremely unlikely that such an event took place. But if this is true, then the forger would show an amazing lack of skill. The invention of such a blatantly fictitious episode would completely undermine the author’s attempt at verisimilitude through imitation of Sallustian style and the sketching of a historically accurate context for the year 50 BCE. If, on the contrary, the document was really written in the year 50, we can assume that the passage would have been well understood at the moment and that the author could not have invented from whole cloth the death of forty senators – or whatever happened to them – since such a claim could not possibly have deceived anyone. How should we interpret the text?

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53 Oertel 1951, 65–68, replaced *quadraginta senatores* with *multi senatores*, alleging that it probably was a mistake made by the copyist. However, nothing suggests that the text is corrupt. In any case, the problem of interpretation remains ultimately the same. Seyfarth 1962 proposed to change senatores to senatoribus, so that, according to this interpretation, the forty senators would be responsible for the deaths and not those sacrificed. Again, there seems to be no justification for such a significant change.
Some scholars who defend the authenticity of the *Epistulae* have accepted *mactati* with the meaning ‘assassinated’ and have tried to offer a suitable interpretation. Chouet assumed that Sulla, in fact, did kill those forty senators. According to Chouet, Sallust meant that such murders had been carried out for the benefit of people like Cato and Domitius Ahenobarbus, and in general of the *factio nobilitatis*. However, this interpretation clashes with the previous sentence, in which the author of the letter presents a relatively bloodless (and distorted) view of Sulla, stating that he put to death only a few people (*paucis interfectis*). Vretska suggested that Sallust was referring in general to the repression carried out by the *optimates* beginning with the dictatorship of Sulla; on this view, the forty senators were the victims of the proscriptions conducted by the dictator, since it would have been impossible for Cato and Domitius to have been responsible for those deaths. Again, this interpretation does not match the sentiment in the previous sentence about Sulla. It does seem clear, on the contrary, that whatever happened to these “forty senators” and “many young men” must have occurred close to the time of writing and that “Marcus Cato, Lucius Domitius [Ahenobarbus], and others of that faction” were responsible for whatever took place. It must be assumed, therefore, that the addressee of the letter would have been able to easily identify the events to which the author was referring. Our challenge is to figure out what these were exactly.

To be sure, the most common meaning of the verb *mactare* is that of making a sacrifice, involving the actual death of one or more victims, and in this context the verb is placed immediately after the phrase *sicatei hostiae* (‘like sacrificial victims’). That said, *mactare* can also have, though more rarely, the figurative meaning of ‘ruin’ or ‘destroy’ instead of ‘kill’. This surely is the more appropriate meaning of *mactati sunt* in the context of the letter. Several instances of the metaphorical use of *mactare* are to be found in works written close to the presumed date of composition of Ep. 2. In his *Pro Flacco*, delivered in 59 in the context of a trial against L. Valerius Flaccus, Cicero twice refers to the ruin of his client, using the verb *mactare* in both instances: *Huic illi legato, huic publico testi patronum suum iam inde a patre atque maioris, L. Flaccum, mactandum civitatis testimonio tradissent?* And later in the same speech, we have: *Quam potestis P. Lentulo … mactare victimam gratiorem quam si L. Flacci sanguine illius nefarium in vos omnis odium saturaveritis?* It is clear that Cicero is not referring to Flaccus’ actual death but to…

54 Chouet 1950. The number of senators that Sulla is credited with putting to death happens to be forty according to App. B *Civ*. 1.95. See Ramsey 2015, 502–503 n.36.
55 Vretska 1957 and 1961 (a similar interpretation in Zawadzi 1951).
57 This was already Hellwig’s proposal in 1873 (cf. Johnson 1930; Carlsson 1936). The thesis was developed by Wistrand 1968, 5–29, but has subsequently been ignored. See the positive reviews on Wistrand’s book by R. Seager (JRS 59, 1969, 310–311) and P. Grimal (REA 70, 1968, 491–492).
58 Cic. *Flacc.* 52: “Would they have delivered over Lucius Flaccus, their patron, as was his father and his ancestors before him, to this envoy, to this public witness, to be slaughtered by the evidence of their state?” (trans. Macdonald). Cf. Hellwig 1873, 23; Wistrand 1968, 10.
his metaphorical sacrifice on the “altar of justice”. We find the same metaphorical use of *mactare* in Livy, in the context of the investigations against L. Scipio and his staff in 187: *et Carthaginenses exilio Hannibalis contentos esse, populum Romanum ne morte quidem P. Scipionis exsatiari, nisi et ipsius fama sepulti laceretur et frater insuper, accessio invidiae, mactetur.* In this case, Lucius Scipio’s political destruction is described metaphorically as a slaughter.

The meaning of *mactare* as a metaphor is therefore attested in the first century BCE, both in a forensic speech and a historical work. Nothing prevents it from being used in the same way in a letter written in the year 50. Consequently, the text should be understood in the sense that “forty senators and many young men of excellent promise” had recently been politically and socially (perhaps also economically) “slaughtered” like sacrificial victims, meaning that they had been “ruined” or “destroyed.” The main instigators, according to the author of the letter, were Cato and Domitius Ahenobarbus. The question is when and how this could have happened.

The most likely – even obvious – answer is that the author of the letter is referring to the trials set in motion after Pompey’s consular legislation of 52, in which a great number of political figures were condemned. Cato Uticensis played a decisive role in the appointment of Pompey as *consul sine collega*, as did Bibulus, on whose motion the senate passed a decree authorizing the election of a single consul. This would explain why the name of Bibulus is given prominence in the *factio* at 2.9.1, despite him being abroad in 50. The sponsor of a motion that resulted in a *senatus consultum*, especially one that brought about something out of the ordinary such as a sole consulship, gained extra recognition. Ultimately, it was ‘Cato’s circle’, of which Bibulus, Cato’s son-in-law, was the most senior consular, that supported Pompey throughout his mandate. In fact, it can be argued that without their support, Pompey could not have achieved any of his far-reaching legislative reforms in 52, including his *lex de magistratibus* and his *lex de..."
provinciis, both of which played a part in forcing Caesar either to take up arms in 49 or to capitulate to his enemies in the senate, whom were led most staunchly by Cato.68

As sole consul Pompey passed a lex de vi and a lex de ambitu. Both resulted in an indeterminate number of expeditious trials, which surely lie behind the imagery of the “slaughtered” (mactati sunt). Whereas the lex de vi instituted a temporary court to prosecute violent crimes committed in the recent past (in particular during the mobilisations in Rome after Clodius’ assassination), the lex de ambitu was more retrospective, so that those who had committed offenses in previous years could be prosecuted.69 The penalty may have been exile for life.70 It is evident that Pompey was completely in charge of the whole process, and none other than the consular Lucius Domitius Ahenobarbus presided over the extraordinary quaestio established by Pompey’s lex de vi, undoubtedly in accordance with Pompey’s desire.71 Cato was one of the jurors personally chosen by Pompey to hear cases under his laws de vi and de ambitu. In addition, M. Favonius, one of Cato’s noted adherents, presided as quaesitor over trials de sodaliciis.72

There is no doubt that Cato Uticensis and his brother-in-law Domitius Ahenobarbus played a prominent role in helping Pompey restore order in Rome in 52,73 ille iudicialis annus in Cicero’s words.74 Within such a context, the author of the letter clearly suggests that an ideological purge was being carried out.75 It is, furthermore, important to remember that Sallust was a tribune of the plebs in 52 and an active participant in convening contiones to demand that Milo be brought to trial for Clodius’ murder: he must, therefore, have been well aware of what had happened.76

68 See Suet. Iul. 30.3: cum M. Cato identidem nec sine iure iurando denuntiaret delaturum se nomen eius, simul ac primum exercitum dimississet.
69 Gruen 1974, 235–236: “Trials held under the new law were to be models of efficiency, and sanctions were severe.” Cf. Asc. in Mil. 36 C: poena graviore et forma iudiciorum breviore. On the lex de ambitu see Rosillo-López 2010, 73. According to Velleius Paterculus, Pompey put all his strength into the repression of ambitus during his consulship sine collega (Vell.Pat. 2.47.3). On its retrospective nature see Plut. Cat.min. 48.3.
70 Bauman 1996, 30.
71 Cic. Mil. 22: Quod vero te, L. Domiti, huic quaestioni praecesso maxime voluit … Cf. Asc. in Mil. 38C.
72 Asc. in Mil. 38C; 54C. See Morrell 2018, 166–167.
73 According to Cicero, Pompey’s mission as sole consul was to restore the city to health, both by suppressing licence and passion and also by bringing the laws and courts into order: Cic. Mil. 78. In October 50, Cicero speaks of “that divine third consulship of Pompey” (Att. 7.1.4). See Cic. Att. 8.3.3: Pompey defensor rei publicae in his third consulship. Cf. Tac. ann. 3.28.
74 Cic. Brut. 243: illius iudicialis anni severtatem. Kaster 2020, 134 n. 378 points out that the number of trials attested in 52 is significantly higher than for any other year except 54.
75 This was already suggested by Taylor 1949, 156: “Sallust is speaking here of the activity of the factio in the courts, and the statement … refers, I think, to the trials which continued to be held under Pompey’s laws on malpractice and violence. The penalty imposed for malpractice was loss of rank; for violence it was loss of citizenship.” Wistrand 1968, 54: the forty senators were exiled, not executed. Their exile constituted their civil ‘death.’ The many young men of excellent promise refer to “the sons and relatives of the senators martyized” (8 n.2). It should be noted that Wistrand considered that the letter was written at the beginning of 51, when the events were still fresh (56–58).
76 Asc. in Mil. 37C; 49C; 51C. Cf. Pina Polo 1989, 305–306.
We do not know precisely how many trials took place under the Pompeian laws since 52, and therefore it is impossible to estimate the number of men convicted. Is it feasible that precisely forty senators were condemned in those trials, and therefore politically "sacrificed" (mactati)? Of potential significance is the fact that "forty" occasionally serves as a rounded number denoting completeness, and Sallust several times writes "forty" where he is undoubtedly giving an approximate number in that range: e.g. forty elephants belonging to the Numidians were killed (Iug. 53); of all the Roman army, only forty men kept in mind that they were Romans and thus acted bravely (Iug. 58); the Romans took the important city of Thala within forty days of their arrival (Iug. 76); Bocchus' five envoys talked to Sulla and stayed for forty days while waiting for Marius to arrive (Iug. 103); and in his letter to the senate, Pompey claimed to have assembled an army within forty days (Hist. 2.98M).

In light of these examples, it is less surprising that the author speaks of forty slaughtered senators. It can be argued that, in giving this large, rounded number – probably not that far off the mark – the author sought to convey the idea that a widespread purge had been perpetrated by what he calls the factio nobilitatis. The destruction of a good many senatorial careers undoubtedly took place in the courts established by Pompey with the backing of Cato and his political allies. Asconius confirms as much: Multi praeterea et prae­sentes et cum citati non respondissent damnati sunt, ex quibus maxima pars fuit Clodianorum. Asconius is not alone: all sources are unanimous in stating that many Roman citizens were condemned under the Pompeian laws and later restored by Caesar. Appian relates that all who were banished went “in crowds” to Caesar in Gaul. Cassius Dio asserts that “many” (συχνοὶ) were convicted under the law de vi, and “very many” (πάνυ πολλοὶ) under the law de ambitu.

77 Alexander 1990, 149–169, no. 306–351, identifies some forty-six trials (held under different laws) that can be assigned to 52–50 (roughly twenty trials are attested in 52, nos. 306–326). It is not unreasonable to suppose that there were (many) more.
78 I owe this observation to John Ramsey. See Ramsey – Raaflaub 2017, 193 n.20, where some passages are collected in which "forty" is used as a rounded number without any presumption of accuracy: Caesar achieved victory in Hispania within forty days after his arrival (Caes. B Civ. 2.32.5); Pompey victoriously completed the campaign in Africa in forty days (Plut. Pomp. 12.5); before heading to Cilicia, Pompey cleared Tyrrhenian and African seas within forty days during the pirate war in 67 (Plut. Pomp. 26.4. See however Cic. imp.Cn.Pomp. 35: Pompey defeated the pirates in forty-five days).
79 Sallust’s recurrent use of forty as a round number is not repeated with other figures such as thirty or fifty, for example. In other words, to the extent that we can judge from his preserved work, the use of forty as an approximate number seems to be a feature of Sallustian style.
80 Asc. in Mil. 56C: “Many others besides, both those who turned up and persons cited but who made no answer, were condemned, of whom the majority were Clodian partisans” (trans. R. G. Lewis).
81 See Winstrand 1968, 39.
82 App. B Civ. 2.25: τῶν δὲ φυγάδων ἐς τὸν Καίσαρα ἰόντων ἀθρόων.
83 Cass. Dio 40.55.1 and 40.52.1. There is further evidence: in describing Pompey’s intervention in the prosecution of his father-in-law Metellus Scipio for ambitus in 52, Valerius Maximus (9.5.3) writes: in maxima quidem rerum illustrium ruina. The illustres surely were senators who had been “ruined” thanks to Pompey’s harsh ambitus legislation. At the beginning of the civil war, Lucan has Caesar refer, in the context of Milo’s trial, to the tyranny exercised by Pompey in the courts in 52 (Luc. 1.319–323).
Additionally, it is possible that the author includes within the repression against which he rails the expulsions of senators from the *album senatus* that we know took place in 50 and that notably included Sallust himself. Those expulsions were carried out chiefly by the censor Ap. Claudius. There is no evidence that Cato and Domitius had anything to do with them directly, although Domitius Ahenobarbus had been Claudius’ consular colleague in 54. The broad expression “others of that factio” (*ceterisque eiusdem factionis*) which follows immediately upon the mention of Cato and Domitius (2.4.1) was possibly intended to refer obliquely to Appius Claudius.

In any event, there is no doubt that the selective repression that the Pompeian laws unleashed in 52 opened a wound in the Roman aristocracy that was still keenly felt at the beginning of the civil war, and therefore at the time *Ep. 2* was presumably written. In a letter written to Atticus on 24 or 25 March 49, Cicero alludes to Caesar’s plans to reverse the Pompeian “carnage” in the courts.\(^\text{84}\) In another one dated to 14 April, just a few days after Caesar had entered Rome, Cicero takes for granted the immediate rehabilitation of all those who had been condemned according to Pompey’s law *de ambitu*.\(^\text{85}\) And indeed, the rehabilitation did take place.\(^\text{86}\)

Now that we have examined several of the passages that have been taken as evidence that the letter is a literary exercise and not a genuine work by Sallust, let us turn to an analysis of its content. In hopes of improving the socioeconomic and political situation in Rome, the author made some specific proposals: the concession of Roman citizenship to *peregrini*; the creation of colonies in which old and new Roman citizens would cohabitate; an increase in the number of judges to staff the permanent courts by extending jury service to all the members of the first class of the census; the reform of the *comitia centuriata*, re-enacting a law already passed by Gaius Gracchus, so that the order of voting should be determined by lot at the beginning of each assembly, without distinction of classes (*confusio suffragiorum*); an increase in the number of senators; finally, the introduction of the secret ballot in the senate.

In the first place, we should note the author’s accurate analysis of the economic causes of the social inequalities that had led, on the one hand, to the poverty of the plebs, and on the other hand, to the amassing of wealth on the part of a minority that had taken control of the *civitas*. It is a socioeconomic analysis that is distinct from what Cicero proffers in his works, a version of events that threatens to dominate historical accounts of the period because of Cicero’s omnipresence. The orator offers a political theory devoid of social analysis and therefore, implicitly or explicitly, justifies the existing social order, whose inequality he never questioned. The author of the letters, on the contrary, betrays an interest in social structures and identifies economic inequalities as the ultimate cause of the crisis that ravaged Rome in the late-Republican period. For him, the

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84 Cic. *Att. 9.14.2*
85 Cic. *Att. 10.4.8*. The information had been given to Cicero by Curio. Cf. *Att. 10.13.1.*
86 Caes. *B Civ. 3.1.4*: he speaks of “some” (*nonnulli*). However, Cicero (*Phil. 2.56*) speaks of “many” exiles who were restored. Cf. App. *B Civ. 2.48* and Cass. *Dio 41.36.2*: all exiles were allowed to return with the sole exception of Milo.
key factor for the deteriorating social conditions in Rome was the progressive loss of land by a growing number of peasants, which reduced them to poverty and dependency (servitus) (2.5.1–6). Consequently, the needed correction for such inequalities was, in his opinion, essential for the reconstruction of the civitas.

The measures that he proposes next are in line with this analysis. On the one hand, it was necessary to revitalise the Roman people through a grant of citizenship to new individuals (2.5.7). The new Roman citizens would defend their freedom and that of Rome, would be free of economic dependencies and clientelae, and their independence would influence the existing citizenry to eliminate pernicious habits. On the other hand, it was necessary to restore to the peasantry the economic means to guarantee their independence. To this purpose, it was essential to found colonies in which old and new citizens could come together as a symbol of the physical and moral renewal of the people.

The author does not go into any details, nor does he specify where or in what number such colonies should be founded. In addition, he does not specify which foreigners should be granted Roman citizenship. Caesar would indeed later go on to found a good number of colonies in some provinces, especially in Hispania, and would grant citizenship to the population of Cisalpine Gaul. This does not mean that the author, supposing he were Sallust, necessarily knew of Caesar’s plans in advance. Both the extension of citizenship to foreigners and the creation of colonies – and more generally the granting of land – were already known measures that were mainstays of the political debate throughout the first century and that had been put into practice at different times throughout the period. The proposals outlined in the letters can easily be connected to those that the Gracchi had intended to implement several decades earlier; in both instances, the objective was to stop the increasing proletarisation within the Roman citizenship.

Moreover, the author of the letter displays a thorough understanding of the political landscape when he tells Caesar that, should he apply these plans, he would undoubtedly find himself opposed by the most reactionary sector of the nobilitas, as had happened since the time of Gracchi (2.6). This is easy to understand if we again contrast these suggestions with Cicero’s view and actions. Whereas the author of the letter intended to eliminate an important destabilizing factor through social measures, Cicero never betrayed an interest in improving the economic situation of the plebs. On the contrary, he always opposed agrarian laws and land grants to proletarii, as in the case of the tribune Rullus’ rogatio in 63. Instead, Cicero boosted the creation of a common front of the well-off classes – concordia ordinum or consensus omnium bonorum – to defend the status quo against attempts he considered revolutionary and demagogical. However, the proposals formulated in the letter are far from revolutionary and in no case are designed to give political power to the plebs and create something similar to a democracy in Rome. On the contrary, the author is clear that the plebs were not able to rule (2.5.6) and that

87 Ep. 2.5.8: Hos ego censeo permixtos cum veteribus novos in colonias constituas; ita et res militaris opulentior erit et plebs bonis negotiis impedita malum publicum faere desinet (“I therefore advise you to settle these new citizens, along with the old, in colonies; in this way both our military resources will be the stronger, and the commons, being occupied with worthy tasks, will cease to work public mischief”).
the proper functioning of the *civitas* could only be achieved when the plebs obeyed the senate, a sentiment that Cicero would have certainly shared.\(^88\)

Nevertheless, the author of the letter considered it necessary to involve the plebs further in the government of Rome, and this was precisely one of the objectives he hoped to achieve with the proposed reform of the *comitia centuriata*. His specific proposal is that the centuries should not be called to cast their vote in the traditional order according to their wealth, but instead that each time the assembly began lots should be drawn to determine the order for voting. He adds as a legal precedent a *lex* that Gaius Gracchus had promulgated during his tribunate.\(^89\) This law, however, is not mentioned by any other ancient source. Even though this is not the only law that is mentioned in just a single source, this fact has raised the suspicions of scholars who have considered this passage an outlier and, consequently, further proof that the letter is spurious. In this instance we are yet again in the same situation that we have seen before: historical inconsistencies and incongruities, such as this Gracchan law, apparently show that the letters are a later forgery made by someone who did not know the period well or was careless enough to concoct something historically implausible. On the other hand, too many historical congruities would be suspicious and hence unconvincing, since they would be the fruit of the forger’s good knowledge of history, based on the careful study of previous sources. In sum, if the author is too intelligent and accurate, we can conclude that the letters were forged; if the author is too incompetent and inaccurate, we can also determine that the documents are not authentic. As a consequence, for critics of the documents, there is no middle ground and any statement made in the letters is seen as pointing to their inauthenticity.

Nonetheless, as Claude Nicolet has argued, precisely the fact that this law passed by Gaius Gracchus is mentioned should be taken as a clue in favour of the letter’s authenticity and of the existence of the law. If the letter were the product of a forger from the imperial age, how could he have obtained information about this Gracchan law? Moreover, if he had simply invented it, the authenticity of the document would have been immediately questioned, and the apparently great effort to produce verisimilitude through a detailed study of Sallustian style and minutiae – not to mention knowledge of historical circumstances – would have served for nothing. It is therefore easier and more likely to accept that such a law really did exist and that Gaius Graccus succeeded in passing it, but it was abrogated in 121 along with his other legislation.

The proposal formulated in the letter makes sense in the context of the political debate of the first century. The so-called *confusio suffragiorum* could help avoid, or at least

\(^{88}\) Ep. 2.10.6: *Igitur ubi plebs senatui sicuti corpus animo oboedit eiusque consulta exsequitur, patres consilio valere decet, populo supervacuanea est calliditas* (“Therefore, when the commons obey the senate (as the body does the mind) and carry out its decrees, it is proper for the senators to prevail in counsel; cleverness is superfluous for the people”).

\(^{89}\) Ep. 2.8.1: *Sed magistratibus creandis haud mihi quidem apsarde placeat lex, quam C. Gracchus in tribunatu promulgaverat, ut ex confusis quinque classibus sorte centuriae vocarentur* (“Now as for the election of magistrates, I for my part find quite to my liking the law proposed by Gaius Gracchus in his tribunate, providing for the centuries to be called upon to vote in a random order of the five census classes determined by lot”).
mitigate, the corruption which existed in the late-Republican period, given that different laws against bribery were passed throughout the first century. The fact that there would no longer be a pre-established voting order would resolve the problem of bribery, which had been rampant among the first classes that had previously voted first; furthermore, such a means of corruption could not possibly be extended to all voters, since nobody could have known in advance which class and centuries would begin the voting. All in all, the vote of the lower classes would still not have become decisive in the final outcome of an election, given that the distribution of Roman citizens in census classes would not be changed and, consequently, the wealthy classes would still control the majority of centuriae.90 That said, the proposal would have allowed the plebs participate effectively in the voting process and to have the impression that they were able to exercise some influence in the comitia centuriata, without really changing power relations. In any case, the possibility of legally introducing the confusio suffragiorum in the comitia was alive in the political debate of the first century. Cicero attests to this when, in his Pro Murena, he mentions that one of the reasons why Ser. Sulpicius Rufus had been defeated in the consular elections for 62 was his claim that the confusio suffragiorum ought to be approved, something that was negatively viewed by many notables.91

The author of the letter also suggests reforming the composition of the juries in the permanent courts. He champions increasing the total number of jurors who ought to be recruited among all the members of the first census class (2.12.1). Again, this was not an attempt to democratise justice in Rome, since the courts would still be closed to the lower classes. It was rather intended to eliminate the stranglehold over the courts exercised by what the author calls the factio nobilitatis, a control that had been accentuated by the exceptional measures introduced by the consul sine collega Pompey in 52, as mentioned above.

The final reflections in the letter refer to the senate. The author praises first the role of leadership played by the senate throughout the history of Rome, but next he criticises the useless senators of his time and the consequent loss of the body’s prestige. In order to reverse the situation and strengthen the senate (2.11.5: confirmari senatum), he proposes to renew it and its internal functioning with two measures: the increase in the number of senators (he does not specify the new figure) and the introduction of secret voting by tabella during senatorial sessions.92 Just like with other passages from the letter, Syme considered these two reforms anachronistic, absurd and unattainable.93 However,

90 Cf. Hollard 2017, 113–114. However, on the significance of the centuria praerogativa, see Jehne 2000.
91 Cic. Mur. 47: Confusio nium suffragiorum flagitasti. Cf. Bauman 1985, 19. Rosillo-López 2010, 76–77, has suggested that it could refer to the lex Manilia de libertinorum suffragiis, passed in 66, sought to distribute the freedmen in all the tribes instead of registering them in the four urban tribes.
92 Ep. 2.11.5: Igitur duabus rebus confermi posse senatum puto: si numero auctus per tabellam sententiam feret. Tabella obtentui erit, quo magis animo liber facere audeat; in multitudine et praesidii plus et usus amplior est (“Therefore, I think that the senate can be strengthened by means of two reforms: if it is increased in size and voting by ballot. The ballot will serve as a screen so that the body will dare to act with a more independent spirit; the increase in numbers amounts to both more protection and enhanced usefulness”).
in the French scholarship, both Virlouvet and Bonnefond-Coudry have argued that the two reforms are logical and would have been feasible at that time.\footnote{Virlouvet 1984; Bonnefond-Coudry 1989, 710–750.}

As it is well known, the dictator Sulla increased the number of senators in 81 and Caesar did the same once he secured his victory over the Pompeians. Of course, it could be thought that a forger simply anticipated in the document the reform of the senate that Caesar would later introduce. However, the opening of the senate to new emerging social classes, such as the Italian aristocracies and the equites, was a latent issue in Roman politics from at least the tribunate of Livius Drusus in 91, and it is therefore plausible that someone who wanted to introduce global reforms would include it among their proposals. As in the case of the increase of jurors, the goal of the author was to take away the factio’s control over senators.

Nevertheless, the increase in their number could not by itself restore freedom to the senators: the introduction of the secret ballot was also necessary. This was undoubtedly a novel proposal which, significantly, is mentioned twice in the letter and clearly constitutes for the author a central idea for accomplishing the renewal of the senate. With the secret ballot, the author hopes that the senators could freely express their will without feeling pressure from the most powerful and that everyone could make their opinion known, since oral interventions were difficult given the hierarchical order for determining who could speak. In any case, the hierarchy among senators according to the magistracy reached within the cursus honorum would remain untouched.

As for the real possibility of applying the proposal, although it is true that until the imperial age there is no evidence that the Roman senate used tabellae to vote, this does not mean, as Virlouvet showed, that the issue had not been raised previously. In one of his Philipppicae, Cicero actually mentions the possible use of tabellae to vote in the senate, although he clearly rejects this procedure, which was typical in the comitia: “let a voting-tablet be given to us, just as one is given to the people,” Cicero says provocatively, and obviously with no desire for a secret ballot to be introduced in the senate.\footnote{Cic. Phil. 11.19: tabella modo detur nobis, sicut populo data est. Anyw} Anyway, couldn’t Cicero’s exclamation be taken as an indication that such a debate was not only possible, but actually existed at the time?\footnote{Cf. Bonnefond-Coudry 1989, 724–725. The Roman colony Urso was founded in Hispania Ulterior in 44, immediately after the assassination of Caesar and at his initiative. The fact that in the foundational law of a Roman colony, whose internal organization resembled that of Rome itself, the secret ballot was introduced in the senate seems to indicate that such a procedure would not have been seen as preposterous around the middle of the first century BCE. However, this regulation may have been interpolated later, since the preserved copy of the lex was made in bronze in the first century CE.}

When the advice and proposals contained in Ep. 2 are viewed as a whole, we must conclude that the author never questioned the basic and traditional structure of the res publica, in which the senate should always maintain leadership and the people should be subordinated to it. The author’s main objective is precisely to recover the essence of the Rome that had built an empire. To achieve this purpose, it was necessary to rescue
the *res publica* from the domination of a few *nobiles*, opening the courts and senate to emerging social groups, allowing a greater participation of the plebs in the comitia and offering the people a sufficient livelihood. Without fundamentally changing the political institutions and the social structure, the final purpose of the letter’s author, in line with previous reformers, was to create a more open and participatory society, which was therefore more accountable in the pursuit of the common good.

**Some conclusions and reflections**

Some years ago Santangelo published an article on the *Epistulae ad Caesarem* which also dealt with the invective against Cicero and the invective against Sallust. Santangelo, unwaveringly following in the steps of Syme, completely rejected out of hand the authenticity of the letters, which he referred to as *suasoriae*, as well as Sallust’s authorship. However, Santangelo admitted that Ep. 2 “shows a remarkable awareness of the main themes of the political debate of the late Republic,” and that “the political points that are made in this text … are an intelligent appraisal of some central aspects of late Republican history.” In his opinion “what makes the *suasoria* a unique document in this respect is the wealth of specific advice that is offered and its intrinsic link with an analysis of the late Republican crisis and of the background of Caesar’s victory.” In his opinion “what makes the *suasoria* a unique document in this respect is the wealth of specific advice that is offered and its intrinsic link with an analysis of the late Republican crisis and of the background of Caesar’s victory.”

Moreover, “the political arguments of the *suasoriae* show an impressive familiarity with the main issues of late Republican history,” and the claim of the author (or authors) to authenticity “was not based just on stylistic resemblance, but also on generally reliable historical knowledge.”

I cannot agree more with Santangelo’s appreciation of the document. However, since he did not allow for any possibility that the letters could really be late-Republican documents, he concluded that the specific advice contained in Ep. 2 “has no application to contemporary realities, but is instead an act of remarkable historical imagination.”

Is this really so? Or alternatively, is the reform programme that we have seen plausible and realistic for a letter addressed to Caesar in the year 50?

Based on the analysis of the content of Ep. 2, it appears that it contains no anachronisms or inexplicable errors, an observation that is also applicable to Ep. 1. In this respect, a general reflection on some of Syme’s and other scholars’ claims about the inauthenticity of the letters should be made. Syme started from the premise that in the rhetoric schools of the imperial age there could be a specially gifted student who would have studied the public life of Sallust and the social and political context of the period in which he lived. Therefore, the remarkably Sallustian features that appear in the letters are simply the fruit of his erudition. However, when Syme and others who believe that

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97 Santangelo 2012, 42.
98 Santangelo 2012, 43.
99 Santangelo 2012, 47.
100 Santangelo 2012, 43.
the letters are forgeries detect what they consider to be errors, they immediately attribute them to the forger’s ignorance. On this view, we are therefore faced with a forger who is at once brilliant and inept. Indeed, these supposed mistakes present what would be surprising and unknown information for us, which many have refused to accept as true. Perhaps recognizing the limits of our knowledge and asking what the letters could contribute to our understanding would be a more productive approach to the question.

In general terms, when some details taken as inconsistencies and incongruities are analysed in detail, they are found to be totally coherent and could not have easily been invented or known by a late rhetor. Socioeconomic and institutional proposals are appropriate for the situation in Rome in the middle of the first century, and their application was theoretically possible. This applies even to those ideas that are (relatively) new to us, such as the *confusio suffragiorum* and the secret vote in the senate. Moreover, the epistles are a clear indication that there was a debate within the ruling classes between different ideological proposals at that time. We are overly familiar with the theses defended by Cicero, but his optimate ideology was not the only one: the letters show that there were alternative political solutions that other politicians put forward. From this perspective, the political thought contained in the letters can be identified as similar to that of those whom Cicero (dis)qualified as *populares*. Of course, this does not mean that the ideas in these letters should be taken as the political programme of a ‘party’ that never existed, but as one *popularis* proposal. In this sense, the letters, particularly *Ep.* 2, are unique documents whose content has not been sufficiently exploited as a historical source because of the never-ending debates about their authenticity, excessively focused on philological and literary aspects.101

Was Sallust, then, the author of the letters? Let us admit that it is possible that the letters are the work of a later erudite imitator, perhaps a brilliant rhetor. Yet it is generally acknowledged that the author wrote like Sallust, that he thought politically like Sallust and that the content can only be completely and fully understood in Sallust’s time. Taking this into account, is it not more likely that Sallust was the author? Who better than Sallust could have written them?102

The letters must have originally been private and were possibly published after Sallust’s death, perhaps between 35 and 27.103 They were not written at Caesar’s dictation and should not be regarded as a mere reflection of Caesar’s presumed political programme. On the contrary, the letters should be seen as Sallust’s personal initiative, which explains

102 De Blois 1988, 604–605, thought it unlikely that Sallust was the author, but he suggested that the letters could be a collective work composed within the circle of the *populares* by the middle of the first century. This proposal should be rejected from an ideological perspective, because the letters do not present a kind of partisan manifesto but a series of personal statements and proposals. As it does not seem that there was a literary *popularis* style, should we assume that the authors wanted, for some reason, to imitate their contemporary Sallust to the point the authorship was attributed to him? As in the case of Canfora’s hypothesis, De Blois’ suggestion generates unnecessary problems without resolving the central issues.
the inclusion of some original proposals, which Caesar did not put into practice when he reached power. At the same time, Sallust’s approach followed the *popularis* tradition of political and socioeconomic reforms of the *res publica*.

Attention has rightly been called to the stylistic similarity between the letters and the later historical works of Sallust, but less attention has been paid to their difference in tone. Whereas in the letters, especially in the earlier (*Ep. 2*), whose date of composition appears to be 50, we can detect the hope for change, the historical monographs are full of gloom and doom about Roman political life. To make his pastiche, a forger would have relied on the vision that emerges from the historical works of Sallust, thus reflecting the disappointment of an individual who had abandoned politics before the impossibility of achieving his purposes. However, a forger would not have been able to depict with such lucidity the hope held by the politically active Sallust during an earlier period of his life, since such information about Sallust’s personal evolution would have been unknown to him. In short, the letters also cast light on the politician Sallust at a crucial moment in his life and represent an important link that can help elucidate his political career. Sallust moved from combative idealism as tribune of the plebs in 52 and from the hopeful confidence in Caesar’s reforming providentialism in 50 to scepticism, first, and finally to frustration. His disappointment between 50 and 48 or 46, the period in which the letters were written, explains the passage from the hopeful tone of the epistles to the totally pessimistic tone of the monographs.

In short, Sallust’s letters to Caesar deserve to be considered and used by scholarship as a valuable source of information that can provide a better understanding of Sallust as a politician and historian, as well as of the political debate surrounding the outbreak of the civil war and Caesar’s rule.

**Coda**

I would like to finish with a short and true story. Years ago, probably in the 1980s, someone sent a paper to the *Journal of Roman Studies*. Following normal procedure, the manuscript was sent to a referee without the author’s name. The referee rejected the publication of the article, concluding that the topic and the literary style were typical of Ronald Syme, but the paper did not measure up to Syme’s scholarship. In short, the article sounded too much like Ronald Syme but was a bad imitation. The report was sent to the author, who was furious and vowed to never publish again in the *Journal of Roman Studies*. The author was, of course, Sir Ronald Syme himself.

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104 For instance, Caesar removed the *tribuni aerarii* from the juries.
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