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The Consular Candidacy of Catiline in 66

By F. X. Ryan, Johannesburg

Two separate consular elections were held in 66 B.C. P. Cornelius Sulla and P. Autronius Paetus were successful in the first, but by their conviction under the *lex Calpurnia de ambitu* they lost the right to hold office and their membership in the senate (Dio 36.38.1, 37.25.3; Schol. Bob. 78–79 St.). L. Aurelius Cotta and L. Manlius Torquatus won the second election. It is clear that L. Sergius Catilina withdrew his consular candidacy in the face of opposition from the consul L. Volcacius Tullus (Ascon. 89C: *destitit a petitione*), but there has been disagreement about the election from which he withdrew; in recent discussions the belief that he was a candidate in the supplementary election has dominated, but doubts remain¹. The preference for the second election is not too surprising, since Sallust (*Cat.* 18.2–3) states as a fact that Catiline was prevented from standing a short time after (*post paulo*) the conviction of Sulla and Autronius. Nor is the willingness of some to reject Sallust surprising, since he represents Catiline as *pecuniarum repetundarum reus* in 66. The trial of Catiline in fact did not take place until the middle of 65 (Cic. *Att.* 1.2.1; Ascon. 66, 85C), so Sallust's statement might be understood as a description of his inability to canvass in 65, and not as a description of his abortive candidacy in 66².

In what follows I shall argue that Catiline was a candidate in the regular election in 66. I shall not refer to the arguments advanced by those who favor the second election; another discussion of the same evidence would yield no certain conclusions. Instead, I shall adduce a new piece of evidence which obviates the necessity of counterargument.

- 1 T. N. Mitchell, *Cicero: The Ascending Years* (New Haven 1979) 223 n. 93, believed that Catiline was a candidate in the first election; G. V. Sumner, "The Consular Elections of 66 B.C.," *Phoenix* 19 (1965) 226–231, P. McGushin, *C. Sallustius Crispus, Bellum Catilinae: A Commentary* (Leiden 1977) 127, and J. T. Ramsey, "Cicero, pro Sulla 68 and Catiline's Candidacy in 66 BC", *HSCP* 86 (1982) 121–131, argued that Catiline campaigned in the second election; B. A. Marshall, *A Historical Commentary on Asconius* (Columbia, Mo. 1985) 302–303, did not state a conclusion, though his remarks favor candidacy at the supplementary election; T. Robert S. Broughton, *Candidates Defeated in Roman Elections: Some Ancient Roman "Also-Rans"* (Philadelphia 1991) 29–30, did not take cognizance of this particular dispute. References to earlier views are especially extensive in the fuller discussions of Sumner and Ramsey.
- 2 So, most recently, K. Vretska, *C. Sallustius Crispus, de Catilinae coniuratione*, vol. 1 (Heidelberg 1976) 293–294, and R. J. Evans, "Candidates and Competition in Consular Elections at Rome between 218 and 49 BC", *Acta Classica* 34 (1991) 121 and n. 63. – Alternatively, as one of my referees points out, *reus* might mean that Volcacius rejected the candidacy since Catiline was under threat of prosecution in 66; cf. D. C. Earl, "Appian B.C. I, 14 and 'professio'", *Historia* 14 (1965) 327–328.

No attention has been paid to a fragment of Cicero's speech *In Toga Candida* (ap. Ascon. 88C = fr. 13 Puccioni): *alter induxit eum quem potuit ut repente gladiatores populo non debitos polliceretur; eos ipse consularis candidatus perspexit et legit et emit; <id> praesente populo Romano factum est. Asconius explains: Q. Gallium, quem postea reum ambitus defendit, significare videtur, hic enim cum esset praeturae candidatus, quod in aedilitate quam ante annum gesserat bestias non habuerat, dedit gladiatorium <munus> sub titulo patri se id dare. It is easy to see why this evidence has been ignored: the name of Catiline appears neither in the lemma nor in the scholium, where Asconius identifies *eum* but forgets to identify *alter*. Despite the silence of Asconius, it is not hard to determine the identity of the man whom Cicero here calls *alter*. The preceding fragment also begins with *alter*³, and to it Asconius appended a three-word note: *C. Antonium significat*. It is natural to assume that the *alter* of fragment 13 is Catiline, another consular candidate in 64. In the Argumentum to his commentary on this speech, Asconius recounted that Catiline and Antonius had made an electoral pact against Cicero (*coierant*), "so this speech is directed against Catiline and Antonius alone" (*itaque haec oratio contra solos Catilinam et Antonium est*, 83C). The same point is made again in Asconius' closing comment: *huic orationi Ciceronis et Catilina et Antonius contumeliose responderunt*, 93C).*

Though Catiline was a candidate in 64 and though the *In Toga Candida* was delivered in 64, it does not follow that the lemma necessarily refers to activities in the current consular campaign. Indeed, if we believe Asconius, the lemma must refer to the campaign of 66, since it was in that year that Q. Gallius sought the praetorship. Gallius was aedile in 67⁴ and praetor in 65⁵; his failure to observe a *biennium* between the two posts is a blessing to us, since it leaves just one possible date for his praetorian candidacy. The praetorian candidate would have given his *gladiatorium munus* before the consular comitia met, since the praetorian comitia might take place the day after the consular comitia. In short, if Asconius was right to associate Catiline and Gallius, then Catiline was a candidate in the first consular election of 66.

Now it must be admitted that Asconius was not absolutely certain that the *eum* mentioned by Cicero was Q. Gallius: hence *videtur*. On occasion Asconius' identification of *eum* with Gallius has been dismissed as an obvious

3 Fr. 12 Pucc. (ap. Ascon. 87C): *alter pecore omni vendito et saltibus prope addictis pastores retinet, ex quibus ait se cum velit subito fugitivorum bellum excitaturum*.

4 M. Hölzl, *Fasti Praetorii ab a. u. DCLXXXVII usque ad a. u. DCCX* (Leipzig 1876) 40; P. Willems, *Le Sénat de la République romaine*, vol. 1 (Louvain 1878) 461; J. Seidel, *Fasti aedilicii von der Einrichtung der plebejischen Ädilität bis zum Tode Caesars* (Breslau 1908) 57; E. Pais, *Ricerche sulla storia e sul diritto pubblico di Roma*, vol. 3 (Rome 1918) 223; T. R. S. Broughton, *MRR* 2.144.

5 P. Wehrmann, *Fasti Praetorii ab a. u. DLXXXVIII ad a. u. DCCX* (Berlin 1875) 51; Hölzl, op. cit. 40; Willems, op. cit. 461; Seidel, op. cit. 57; F. Stella Maranca, *Fasti Praetori dal 366 al 44 av. Cr.*, *MAL*⁶ 2 (1927) 357; Broughton, *MRR* 2.158.

guess⁶. Ramsey has argued that the identification is wrong because the fragment should refer to the campaign of 64. He pointed out that the preceding fragment referred to Antonius: "Both should ideally refer to the activities of Cicero's two chief rivals during the current campaign." He also pointed out that the preceding fragment claims that Antonius planned to use his farmhands as a personal army, and he likened this fragment to fragment 13, where "the implication is that the announcement of this entertainment offered Catiline a pretext for recruiting armed men"⁷. Ramsey argued his case well, but his interpretation of the fragments is not the only possible one. The charge of planning violence is explicit in the fragment dealing with Antonius, but neither explicit nor clearly implicit in fragment 13. The explicit criticisms in fragment 13 seem to lie in the phrases *gladiatores populo non debitos* and *perspexit et legit et emit*: Cicero criticizes Catiline for taking over a *munus* which was not his own and which was strictly unnecessary in the first place. It is not hard to believe that Cicero could criticize a candidate for giving a *munus*: his own consular *lex Tullia de ambitu* forbade the giving of gladiatorial shows in the *biennium* in which one was a candidate, save those *ex testamento* (Cic. *Vat.* 37, *Sest.* 133–135; Schol. Bob. 140 St). Electoral *munera* were therefore coming into general disrepute, and Cicero would not have failed to make the most of it. It is well to remember that his speech was delivered in the senate, in certain quarters of which *munera* had long been held in disdain: Philippus, Cotta, and Curio had boasted that they attained the highest offices *sine ullo munere* (Cic. *De off.* 2.59). The only clear implication in fragment 13, as I think, is that Catiline had engaged in *ambitus*. If it is necessary to find a common theme in the preceding fragment, it can be found in the references to the sale of livestock and the mortgaging of ranches. We are not told what Antonius was planning to do with this money, but once again *ambitus* is implied. Yet nothing forces us to believe that fragment 13 can only refer to the year 64. Cicero first charged Antonius with electoral malpractice, and then turned to Catiline; it would be unreasonable for him to overlook the campaign of 66 if he knew of a similar incident then which he could now use to discredit Catiline. Cicero undoubtedly would go on to mention the most recent sharp practices of Catiline, but that part of the speech (*ex hypothesi*) is not preserved.

My arguments so far, if accepted, establish only that the fragment might well refer to the campaign of 66. A positive case in favor of 66 has not yet been made, but I believe that one can be made. We do not need to insist that Asconius was right to identify *eum* as Q. Gallius, and it would be wrong to do so since Asconius himself was not completely certain. But the biography of Gallius is not our concern⁸. On Asconius we depend only for the date indicated

6 M. I. Henderson, "De Commentariolo Petitionis", *JRS* 40 (1950) 11.

7 J. T. Ramsey, "A Reconstruction of Q. Gallius' Trial for Ambitus", *Historia* 29 (1980) 417–421.

8 A good reason for the suppression of the name of Gallius, however, is provided by *Comm. pet.*

by the name of Gallius, 66 as against 64⁹. The service of Gallius in the aedileship of 67 and in the praetorship of 65 has been noted, but the views of Seidel and Wehrmann are less important here than the personal knowledge of Asconius himself. Did he know that Gallius was aedile in 67 and praetor in 65? By very good luck, we can demonstrate that he was acquainted with both these facts. Asconius in fact is our only source for the aedileship (88C), and again our only source for the praetorship (62, 88C; dated at 60C). We could admit that Asconius erred in identifying *eum* as Q. Gallius, but it would have to be conceded that the error was made because he knew that Q. Gallius gave a *munus* as a candidate in 66. As fashionable as it is to doubt the reliability of Asconius, it remains a fact that he is the only ancient writer whom we can trust to date the praetorian candidacy of Q. Gallius correctly, and his identification of *eum* as Q. Gallius therefore proves that fragment 13 refers to a consular candidate of 66.

The date 66 gives us proof of what is usually assumed without argument¹⁰, that *alter* in fragment 13 refers to Catiline. The proof, which I have not found elsewhere, can be redoubled. It might be thought that the fragment referring to Catiline has dropped out, and that fragment 13 starts another comparison and refers to Antonius again. Since C. Antonius was praetor in 66, the consular campaign of 64 was his first; if fragment 13 refers to him, he was cosponsor of games in 64. Now we can be quite certain that Antonius did not give a *munus* in 64: recalling his recent consular campaign late in 63, Cicero only admits to nervousness over the *ludi* Antonius had given as urban praetor in 66 (*Mur.* 40); if he had given a *munus* in 64, it would certainly be mentioned in this passage¹¹. We do not have to rely on assumptions to believe that the *alter* of fragment 13, the *consularis candidatus*, is Catiline.

Cicero was not incapable of prevarication, and least of all, one suspects, when wearing the whitened toga. But Cicero could not have lied about so public an occurrence as a *munus*, nor about the very public (*praesente populo Romano*) arrangements which were made for it, since these events had transpired just two years before. We can have confidence in the veracity of Cicero and in the chronological accuracy of Asconius, and we must prefer their testimony to the patently confused account of Sallust. A thesis many scholars have maintained, backed only by intuition, can now be stated as a fact, based on solid evidence: Catiline was a candidate in the first elections for the consulship in 66 B.C.

19: Cicero was relying on the support of Gallius in his consular campaign, and would not wish to offend him. Cf. Ramsey, *op. cit.* (above n. 7) 418 and n. 54.

9 We know that Catiline was not a candidate in 65: cf. Broughton, *op. cit.* (above n. 1) 30 n. 49.

10 E.g., Henderson, *op. cit.* (above n. 6) 11; J.-M. David, "Le 'Commentariolum Petitionis' de Quintus Cicéron", *ANRW* 1.3 (Berlin/New York 1973) 273; Ramsey, *op. cit.* (above n. 7) 408.

11 A *munus* by Antonius in 64 would destroy the force of Cicero's argument at *Mur.* 40, which stresses the electoral advantage enjoyed by the urban praetor. We can trust Cicero's account: since the elections for 63 had taken place less than eighteen months earlier, he could not expect his auditors to have forgotten a *munus* delivered then.