

# Introduction

## *A Culture of Civil War?*

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At the end of his account of the Catilinarian Conspiracy, Sallust masterfully captured the horrors of civil war as well as its highly paradoxical character. When Catiline and his supporters had been vanquished in a final battle near Pistoria, the troops of the victorious consul C. Antonius Hybrida roamed the battlefield, but the flush of victory soon turned into terror and grief. Turning over the bodies of the dead, they found ‘now a friend, now a guest or kinsman; some also recognised their personal enemies. Thus the whole army was variously affected with exultation and mourning, lamentation and gladness.’<sup>1</sup> Having achieved a glorious victory on behalf of the *res publica*, Antonius’ soldiers simultaneously had to acknowledge that the price for this success was the death of thousands of fellow-Roman citizens.<sup>2</sup> The outcry one might have expected as a result, however, failed to materialise. On the contrary: as Cassius Dio reports, echoing Sallust’s account, the soldiers acclaimed Antonius *imperator*, the senate even decreed a *supplicatio*, ‘and the people changed their raiment to signify their deliverance from all dangers.’<sup>3</sup>

For Theodor Mommsen, this episode signified a kind of turning point in the history of Roman civil war. In a brief comment on the episode in his *History of Rome*, Mommsen pointedly claimed that Catiline’s defeat, and especially its aftermath with the honours decreed for Antonius, ‘showed that the government and the governed

- 1 Sall. *Cat.* 59.8f.: *Multi autem, qui e castris visundi aut spoliandi gratia processerant, volentes hostilia cadavera amicum alii, pars hospitem aut cognatum reperiebant; fuere item qui inimicos suos cognoscerent. Ita varie per omnem exercitum laetitia, maeror, luctus atque gaudia agitabantur.*
- 2 Sallust explicitly calls Catiline’s supporters *cives* in the preceding sentence, emphasising how brave they had fought and died in the face of defeat (Sall. *Cat.* 59.6).
- 3 Cass. Dio 37.40.2: [...] ἔπεμψε, καὶ αὐτοκράτωρ ἐπὶ τῇ νίκῃ, καίτοι τοῦ ἀριθμοῦ τῶν πεφονευμένων ἐλάττονος παρὰ τὸ νενομισμένον ὄντος, ἐπεκλήθη. βουθυτηθῆναι τε ἐψηφίσθη, καὶ τὴν ἐσθῆτα ὡς καὶ πάντων τῶν δεινῶν ἀπηλλαγμένοι μετέβαλον.

were beginning to become accustomed to civil war.<sup>4</sup> This phrase which Mommsen seemingly made in passing and on which he does not subsequently come back, touches on the central questions and topics the present volume aims to address: from the murder of Tiberius Gracchus in 133 BCE to Young Caesar's victory over Antonius (and Cleopatra) at Actium in 29 BCE, the history of the Late Roman Republic was characterised by recurrent episodes of civil strife. Many inhabitants of the empire and even Italy itself had to face the disastrous consequences: marauding bands of soldiers or veterans, violence and forced dispossessions. The *res publica* encountered severe and far-reaching changes in a whole number of areas. A large number of the members of the senatorial families that had determined Roman politics and society for centuries perished on the battlefields of Pharsalus, Mutina, Philippi or Actium. Others took their seats in the senate and re-negotiated the balance of power. At the end of this development stood the new political order of the Principate.

For a long time, scholarship has invested much effort in reconstructing the episodes of civic bloodshed, as well as their causes and consequences, that tore apart the Roman Republic, mainly focusing on incidents of political murder or the years of actual warfare, the preceding political machinations, and the de-stabilising consequences for the *res publica*. Previous studies have repeatedly emphasised the disruptive effects of diverging interests of different social groups that supposedly left the *res publica* defenceless against assaults by ruthless warlords and dynasts.<sup>5</sup> Others, like Christian Meier, have highlighted the inflexibility of the Republican political order, based on the tradition of the *mos maiorum*, which prevented political institutions, as well as Roman society as a whole, from adapting to changing circumstances and new challenges, creating a 'crisis without alternative.'<sup>6</sup> Erich Gruen, in contrast, claimed that the Republican system was highly functional until Caesar decided to cross the Rubicon and start a war that would bring the *res publica* to its knees.<sup>7</sup> More recently, Robert Morstein-Marx and Nathan Rosenstein have adduced the loss of cohesion among the members of the senatorial elite and a resulting loss of authority of the established institutions as the decisive factor for the demise of the traditional political system.<sup>8</sup> All of these approaches share a rather narrow political and institutional scope, which has increasingly been subjected to scrutiny in recent years.<sup>9</sup> While the contributors to a collection edited

4 Mommsen 2001, 187: 'Antonius ward wegen dieses Sieges vom Senat mit dem Imperatorenitel gebrandmarkt und neue Dankfeste bewiesen, daß Regierung und Regierte anfangen, sich an den Bürgerkrieg zu gewöhnen.' (transl. Dickson 1870, 222–223.)

5 See Brunt 1988, 1–92.

6 Meier 2017.

7 Gruen 1974, 504: 'Civil war caused the fall of the Republic, not vice versa.'

8 Morstein-Marx/Rosenstein 2010, 629–635.

9 Osgood 2006 and Steel 2013 are among those who take a more comprehensive view in their accounts of the last decades of the Republic and the coming of the Principate, respectively. See also the contributions in Pina Polo 2020 on different aspects of the period between 44 and 31 BCE.

by Karl-Joachim Hölkeskamp have developed the political perspective by applying the concept of ‘political culture’ to the period, other approaches have tried to broaden the perspective by leaving the field of political and institutional history and focusing on anthropological or cultural phenomena like collective memory or the various methods of coming to terms with the horrors of the civil war era in later literary or historiographical texts.<sup>10</sup> Still others have taken a comparative view either by taking into account the Greek context, where the concept of *stasis* was an integral element of *polis* culture, or by establishing continuities between the Roman civil wars and ideas of civil war in Early Modern Europe and the United States of America.<sup>11</sup>

Building on these approaches, the present volume, which originated from a joint conference organised by the Universities of Heidelberg and Konstanz in 2017, aims to demonstrate that the period from 133 to 29 BCE merits a much more extensive type of investigation: ‘the age of civil war’ consisted of more than intermittent periods of in-fighting and the eventual emergence of the Principate. Even when arms fell silent, the sources show that constant fear of renewed internecine violence was a pervading experience, implicitly shaping the ways in which contemporaries not only conceived the political system or the course of events, but also how they interpreted central norms and values, traditions or the media that were used to transmit and implement them.<sup>12</sup> The constant threat and regular recurrence of internecine warfare thus also transformed Rome’s cultural imaginary. Following Mommsen’s notion of a society getting used to violent internal conflict and even outright war among citizens, we argue that civil war became a figure of thought in the first century BCE, a benchmark of the manifold discourses on politics, the social foundations of the *res publica* and the essence of human nature and community in general.<sup>13</sup> Civil strife thus changed Roman society to a degree which cannot fully be revealed by an analysis of military campaigns or politics alone. Instead, in order to fully understand how it shaped the lives of those

10 On the concept of political culture in relation to the civil war period, see Hölkeskamp 2009. Westall 2018a, a special issue of *Hermathena*, combines contributions on both the ‘anthropology of civil war’ and its literary representation with more traditionally oriented articles on prosopography and legal history. On civil war in literary and historiographical texts, see Henderson 1998; Breed/Damon/Rossi 2010; Welch 2015; Lange/Vervaeke 2019. On civil war and material culture, see Maschek 2018.

11 On *stasis* in classical and Hellenistic Greece, see Gehrke 1985 and Börm 2019, respectively, as well as Gray 2015. For a comparative approach to Greek *stasis* and Roman civil war, see Börm/Mattheis/Wienand 2016. The broader historical perspective is taken by Armitage 2017 (on which see the detailed critical review of Lange 2017).

12 On the crucial significance of violence in the context of civil war, see Kalyvas 2006 and Lange 2018. On fear as a driving force during the Triumviral Period, see Hurllet 2020 and Havener 2016, 55–76; for fear as a rhetorical device in Cicero’s orations, see Pina Polo 2019.

13 See also the seminal study by Jal 1963 who emphasises that civil war ‘apparaît ainsi comme une véritable “catégorie de la pensée romaine”’ (57) which left a particular mark on literary texts from Late Republican to Imperial times.

who had to experience it, it is necessary to write a cultural history of Roman civil war – or rather: a history of the Late Roman Republic as a ‘culture of civil war’.

Usually, this would be the place where terms like these have to be defined in order to make them operable as analytical tools. In both cases, however, this proves notoriously difficult, as there do not exist any unequivocal or uncontested definitions either of the term ‘culture’ or the term ‘civil war’. Concerning the latter, civil war studies in recent years have tried to precisely define their subject from a whole range of (inter-) disciplinary angles without coming to terms.<sup>14</sup> Significantly, most of the publications on the period of Roman civil war have not made an attempt to define the term either.<sup>15</sup> Reflecting on these difficulties, in order to facilitate its use in the context of a comparative historical analysis of Greek and Roman civil conflict (both in the Republican and Imperial period), Henning Börm has suggested the following working definition:

civil war is a violent conflict between at least two armed parties, both of which, as a rule, have a structure that is at least paramilitary; furthermore, it is necessary for at least one of the parties in the conflict to see the enemy principally as (former) members of the same group, i. e. they themselves consider the war to be an internal affair.<sup>16</sup>

Of course, there can be no doubt that this definition is fully applicable to the interne-cine conflicts of the first century BCE. For the purpose of the present volume, with its focus on the ways in which contemporaries perceived and were influenced by the experience of civil war, instead of formulating an abstract definition as heuristic tool, however, it might prove more productive to address the problem of definition from another perspective. In the following paragraphs, we will turn the question of definition into a first case study which can serve to illustrate our approach and from which can be developed the guiding questions and the main fields of inquiry that constitute the basis for the following contributions.<sup>17</sup>

14 See, among others, Waldmann 1998; Sambanis 2004; Kalyvas 2007.

15 Neither Westall nor Breed/Damon/Rossi, for example, provide a definition in their introductory texts.

16 Börm 2016, 18; see also Lange 2017, 136–139.

17 For a similar approach, see the instructive recent study by Valentina Arena who aims to show ‘what the coinage of this new phrase [i. e. *bellum civile*] and its coming to prominence in the political language of the early 40s and the Triumviral period tell us about the nature of the Roman political world of the time.’ (Arena 2020, 102.) Arena argues that ‘[b]y adopting *bellum civile* as a descriptive phrase of normative value, the Romans emphasised a conceptualisation of their community as a body starkly divided into two entities, where one section of society aimed to prevail over the other and annihilate it.’ (102 f.) This interpretation doubtlessly gets to the heart of the matter in certain ways (although, as will be demonstrated below, the notion of annihilation might be questioned). When it comes to the point of why the term *bellum civile* was coined in the first place, however, Arena seems to prefer an explanation that is based on the more traditional political and institutional paradigm outlined above: ‘[...] the notion of *bellum civile* appeared and gradually came to prominence when the constitutional answers, which were organised round the notion of *Concordia*, became inadequate.’ (121).

In a letter addressed to his friend and secretary Tiro from late January 49 BCE, Cicero vividly portrays the tense and aggressive atmosphere he perceived in Rome in the face of Caesar's march towards the city:

My existence and that of all honest men and the entire Commonwealth hangs in the balance, as you may tell from the fact that we have left our homes and the mother city herself to plunder or burning. We have reached the point when we cannot survive unless some God or accident comes to our rescue. From the day I arrived outside Rome all my views, words, and actions were unceasingly directed towards peace. But a strange madness was abroad. Not only the rascals but even those who pass for honest men were possessed with the lust of battle, while I cried aloud that civil war is the worst of calamities.<sup>18</sup>

As the course of events demonstrates, Cicero's appeals fell on deaf ears – even though, in order to make his warnings as clear as possible, he had recourse to one of the most abominated expressions of his time: *bellum civile*. Cicero could and obviously did assume that labelling Caesar's transgressive actions as 'civil war' would make a strong impression on his contemporaries. That it did not, and that neither Caesar nor his adversaries were prevented from taking up arms and leading the *res publica* into the abyss, could be interpreted as an unmistakable sign that the fundamental principles of Roman society were at stake. Under normal circumstances the term Cicero used in order to make his fears palpable did not only constitute a paradox but, as Ulrich Gotter has outlined, had to be seen as a terminological *monstrum*.<sup>19</sup> The sheer existence of the term was outrageous, as it brought together two elements that had hitherto been completely incompatible: the notions of *bellum* and *civis* and thus the strictly separate spheres of *domi* and *militiae*.<sup>20</sup>

Veit Rosenberger has tried to identify certain elements that defined a proper Roman *bellum*.<sup>21</sup> First, he takes into consideration the aspects of *Staatsrecht* and religion or to be precise their special combination that manifested itself in the act of declaring war.<sup>22</sup> Although Rosenberger reaches the conclusion that there was no formalised way of declaring a *bellum*, the ritual framework that enclosed military operations at Rome is of

18 Cic. *fam.* 16.12.1 f.: *Quo in discrimine versetur salus mea et bonorum omnium atque universae rei publicae, ex eo scire potes, quod domos nostras et patriam ipsam vel diripiendam vel inflammandam reliquimus: in eum locum res deducta est, ut, nisi qui deus vel casus aliquis subvenerit, salvi esse nequeamus. Equidem, ut veni ad urbem, non destiti omnia et sentire et dicere et facere, quae ad concordiam pertinerent; sed mirus invaserat furor non solum improbis, sed etiam iis, qui boni habentur, ut pugnare cuperent me clamante nihil esse bello civili miserius.*

19 Gotter 2011, 61: 'Vor diesem Hintergrund wird das *bellum civile* zum begrifflichen Ungetüm, dessen Monstrosität in der Kombination von *bellum* und *civile* liegt.' See also Brown 2003, 103 and Jal 1963, 21–32.

20 On the religious as well as political implications of this distinction, see Rüpke 2019, 245–261 as well as Russell's paper in this volume.

21 Rosenberger 1992, 128–133.

22 See also Rüpke 2019, 99–126; on the fetials and the *ius fetiale*, see Santangelo 2008.

undeniable importance (see below).<sup>23</sup> Rosenberger comes to similar results considering other possible starting points for a definition: the duration, scope or impact of a campaign, the political organisation of the combatant parties, the numbers of troops involved in the fighting or the strategies of legitimation developed by the protagonists could all be adduced for some of the conflicts termed *bella* in our sources, while others did not fall under any of these categories. One factor, however, seems to have been absolutely crucial – at least prior to the times of Cicero and his contemporaries: a *bellum* was firmly situated in the *militiae* sphere, that means it was conducted against a foreign enemy. A *civis*, in turn, characterised precisely by his status as a Roman citizen with the corresponding duties, rights and privileges, could not be termed a foreign enemy *by definition*.<sup>24</sup> Against this background, it is highly significant that for centuries the Romans did not even have an expression in order to describe the phenomenon of civil war – the idea of citizens fighting a proper war against fellow citizens was not only outrageous, it was unthinkable.

This obviously changed in the decades following the conflict between Marius and Sulla.<sup>25</sup> Two terminological as well as conceptual developments converged in this period.<sup>26</sup> First, the various protagonists of the civil war era started to experiment with the term *hostis*, which had hitherto marked the enemy in a *bellum* as unmistakably foreign. Now, the expression was transferred to the internal context and used against Roman adversaries, stripping them of their rights and privileges as Roman citizens – but not necessarily indicating that they were no longer perceived as Romans, as is clearly suggested by the fact that contemporary as well as later sources do not strictly distinguish between those conflicts featuring a *hostis*-declaration and those which did not when using the term *bellum civile* with its emphasis on the civil component.<sup>27</sup> The coining of this expression constituted the second – and more innovative – development. Scholarship usually emphasises that the term *bellum civile* was a new as well as highly provocative creation, first attested in the 60s BCE.<sup>28</sup> David Armitage, for example, states: ‘The

23 See Rich 2013.

24 See Arena 2020, 112 f.

25 On the crucial importance of the Sullan civil war for later developments, see Flower 2010.

26 For a contrasting view, see Raaflaub 2021 who argues that both contemporaries as well as later Roman historians did not engage systematically with the concept of civil war and that ‘the elite developed mechanisms aimed at denying the reality of civil war, at least officially and publicly.’ (113)

27 See Havener 2016a, 155–157; see also Arena 2020, 113 who emphasises that the term as well as the act obviously ‘seemed to be losing effectiveness, and, above all, its relevance’ due to the fractured structures of political legitimacy in the aftermath of Caesar’s murder in 44 BCE. On the development of the term, see Hellegouarc’h 1972, 188 f. For the juridical aspects, see Kunkel/Wittmann 1995, 238–240 and Ungern-Sternberg 1970. On the *hostis*-declaration in general, see Allély 2012 and Cornwell 2018 who, however, views the act as an instrument in order to render a conflict external rather than internal. Lange 2013, 86, in contrast, sees the *hostis*-declaration as an alternative to the externalisation of a conflict and one means to legitimise a civil war triumph (on this aspect, see below).

28 See, among others, Arena 2020, 104 f.; Brown 2003, 95 and 104.

inventor is unknown. He – and it must have been a man, because he was surely a Roman citizen – joined together two distinct ideas to make an explosive new amalgam. No one before that obscure Roman had yoked these two elements together.<sup>29</sup> This observation is certainly true, yet at the same time it captures only one aspect of the term and neglects another, equally significant one: in order to characterise and designate the state of the *res publica* during the immediate past as well as their own lifetime, contemporaries did not invent something entirely new, but chose to bring together two well established terms that had very specific connotations. The central question which touches on the central premises of the present volume is why they decided to do so, especially since there already existed various expressions for civil strife. What was the additional semantic value of a highly problematic terminological combination like *bellum civile*? What message did this specific expression convey that others like *seditio*, *tumultus* or *discidium* could not? What made this term the most suitable to put in a nutshell the perceptions of Romans during the last decades of the Republic and the experiences they encountered?

The expression *bellum civile* is first attested in Cicero's speech *pro lege Manilia* in which the orator tries to paint a picture of Pompeius as the most formidable general Rome has ever seen:

Who, then, ever possessed or had reason to possess more knowledge of warfare than Pompeius [...]; who, in his youth, learned the lessons of warfare not from the instructions of others but from the commands he held himself, not by reverses in war but by victories, not through campaigns but through triumphs? In short, what manner of warfare can there be in which the vicissitudes of his country have not afforded him experience? The civil war, the wars in Africa, Transalpine Gaul and Spain, the Slave war and the Naval war, wars different in type and locality and against foes as different, not only carried on by himself unaided but carried to a conclusion, make it manifest that there is no item within the sphere of military experience which can be beyond the knowledge of Pompeius.<sup>30</sup>

29 Armitage 2017, 31 f.

30 Cic. *Manil.* 28: *Nunc vero cum sit unus Cn. Pompeius, qui non modo eorum hominum, qui nunc sunt, gloriam, sed etiam antiquitatis memoriam virtute superarit, quae res est, quae cuiusquam animum in hac causa dubium facere possit? Ego enim sic existimo, in summo imperatore quattuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem. Quis igitur hoc homine scientior unquam aut fuit aut esse debuit? qui e ludo atque pueritiae disciplinis, bello maximo atque acerrimis hostibus, ad patris exercitum atque in militiae disciplinam profectus est; qui extrema pueritia miles in exercitu fuit summi imperatoris, ineunte adulescentia maximi ipse exercitus imperator; qui saepius cum hoste conflixit, quam quisquam cum inimico concertavit, plura bella gessit quam ceteri legerunt, plures provincias confecit quam alii concupiverunt; cuius adulescentia ad scientiam rei militaris non alienis praeceptis, sed suis imperiis, non offensionibus belli, sed victoriis, non stipendiis, sed triumphis est erudita. Quod denique genus esse belli potest, in quo illum non exercuerit fortuna rei publicae? Civile, Africanum, Transalpinum, Hispaniense, servile, navale bellum, varia et diversa genera et bellorum et hostium non solum gesta ab hoc uno, sed etiam confecta nullam rem esse declarant in usu positam militari, quae huius viri scientiam fugere possit.*

In his seminal article on the terms *bellum sociale* and *bellum civile* from 2003, Robert Brown, emphasising that the latter was by no means the only terminological innovation of the first century BCE, observes that Cicero in this passage lists several kinds of wars that did not correspond to the established pattern of war designated by the term *bellum*.<sup>31</sup> Several further points are worth mentioning here. First of all, the term *bellum civile* comes without warning, without any form of definition, even without any further explanation. It is simply adduced as one of the wars that enabled Pompeius to develop his outstanding generalship. If we do not assume that Cicero here deployed a rhetorical trick, the seemingly unspectacular occurrence might indicate that by this time already, the expression was at least common and established enough for its connotations and implications to be identified by the audience.<sup>32</sup> At the same time, it is highly striking that civil war is portrayed not in an exclusively negative way here. After all, the experience Pompeius gathered by conducting, among others, a *bellum civile* predestines him, according to Cicero, for the command against Mithridates.<sup>33</sup> Even civil war, in other words, might prove useful for the *res publica* – albeit under precisely confined circumstances. Cicero’s rhetorical manoeuvre is possible only because the implications of the term are very specific in this particular case: it designates the wars against Cinna and Carbo and is thus employed in order to describe a particular conflict which, in contrast to the other *bella* listed by Cicero (apart from the slave war), had taken place on Italian soil. Brown has emphasised that *bellum civile* here seems to be an analytical category rather than a political catchphrase.<sup>34</sup> At the same time, however, the fact that Cicero employs this expression in order to describe a certain period of Roman history is highly conspicuous in combination with another aspect – a combination crucial for understanding the semantics of the concept of *bellum civile* as a whole: the notion of civil war as a *bellum confectum*. Cicero emphasises that Pompeius did not only conduct the wars he listed *solum*, but that he carried them to a conclusion. Contrary to a *seditio*, a *dissensio* or a *disidium*, a *bellum* could be brought to a definitive end, an end that could be marked, for example, by a ritual like the triumph, the closing of the doors of the temple of Janus and so on.<sup>35</sup> A *bellum* thus constituted a defined period of time as

31 Brown 2003, 103 f. On the passage, see also Steel 2011, 140–147 and van der Blom 2019, 118–123.

32 Based on fragments from and references to Sulla’s autobiography in later sources, Lange/Vervaeke 2019a cogently argue that he may have been the ‘inventor’ of the term.

33 See van der Blom 2019, 120 f., similarly suggesting that the main thrust of the passage was ‘to avoid triggering bad memories of these civil wars while still making his point about Pompeius’ suitability for the command [...]’. While van der Blom is certainly correct in refuting Armitage’s claim that Cicero aimed to establish ‘a hierarchy with civil war being the most dangerous’ (see Armitage 2017, 66), it might be argued that the *bellum civile* is here adduced not only as one war among many and as Pompeius’ first command, respectively, but that its potentially provocative connotations are deliberately brought into play.

34 Brown 2003, 95 f. and 106.

35 See Rüpke 2019, 205–241.

well as a defined status with particular characteristics, regulations, and certainly not least with a specific counterpart: *pax*.

This fundamental quality made the notion of *bellum* highly functional for coming to terms with the horrors of civil war in a number of different ways.<sup>36</sup> First, and probably foremost, there could be hope that the *res publica* that had experienced serious turmoil, could be pacified again. A *bellum civile* did not have to be permanent, but could actively be brought to an end.<sup>37</sup> *Discordia*, whose personification was portrayed as the most dangerous enemy of the Roman order in various sources, could be defeated – a notion that would form one of the backbones of Young Caesar’s strategy of legitimising his role in the civil wars from 43 to 31 BCE.<sup>38</sup> Closely connected to this aspect was another element of *bellum* in general and *bellum civile* in particular: again contrary to other expressions that could be employed to designate a state of civil strife, the concept of *bellum* always entailed the notions of victory and defeat. A *bellum* was brought to an end by a final victory from which the victorious protagonists even could and did generate political power and prestige. That this held true also for a *bellum civile* is clearly demonstrated by the simultaneously innovative and highly provocative civil war triumphs celebrated by Sulla, Pompeius, Caesar and Young Caesar.<sup>39</sup> For the losing side, of course, defeat was and remained a thorn in the flesh. In a letter to Marcellus, probably written in September 46, Cicero even generally laments victory in civil war, regardless of which side had been victorious:

In civil war, never once experienced by our forebears but often by our own generation, all things are sad, but none sadder than victory itself. Even if it goes to the better party, it makes them more fierce and violent; though they may not be so by nature, they are forced to it willy-nilly. For the victor has often to act even against his inclination at the behest of those to whom he owes his victory.<sup>40</sup>

36 Instead of emphasising that civil war ‘challenged the standard Roman criteria, their very definition of war, to the breaking point’ (Armitage 2017, 33), it is therefore more productive to ask why and how those ‘standard criteria’ could be related to the phenomenon of civil war.

37 See Osgood 2015. Significantly, Cicero himself would later play with this notion, when he declared his conflict with the Catilinarians a *bellum aeternum* (see Havener’s paper in the present volume).

38 On *Discordia* as enemy of the Romans, see Breed/Damon/Rossi 2010a, 4–8 and Havener 2016, 140–150.

39 See Lange 2016 and Havener 2014.

40 Cic. *fam.* 4.9.3: *Omnia sunt misera in bellis civilibus, quae maiores nostri ne semel quidem, nostra aetas saepe iam sensit, sed miserius nihil quam ipsa victoria; quae etiam si ad meliores venit, tamen eos ipsos ferociores impotentioresque reddit, ut, etiam si natura tales non sint, necessitate esse cogantur. multa enim victori eorum arbitrio per quos vicit etiam invito facienda sunt. an tu non videbas mecum simul quam illa crudelis esset futura victoria? igitur tunc quoque careres patria ne quae nolles videres? ‘non’ inquires; ‘ego enim ipse tenerem opes et dignitatem meam.’ at erat tuae virtutis in minimis tuas res ponere, de re publica vehementius laborare.* On the passage, see Brown 2003, 109.