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WAR AND JUSTICE ACCORDING TO CICERO AND VIRGIL

In his tract *De officiis* (*On Duties*) Marcus Tullius Cicero speaks about norms and rules of behaviour: ultimate kindness, cognition of the truth, high spirituality, charity and justice. He mainly draws on concepts of stoicism, the views of Panetios and Dionysius, as well as Plato's philosophical writings.

The discourse about war and morality is particularly noteworthy in this tract – What kind of war is considered fair? When is it necessary? What rules should be observed during war? How should the winner treat the loser? When is waging war justified?

According to Cicero, there are two ways of settling a dispute: that of negotiations and that of violence. The former is characteristic of men and the latter is of beasts. The use of the second (violent) method can only be justified when it is impossible to resolve the problem through the first method (negotiations) (*De officiis*, I, 34).

Cicero believes that one should find every possibility to settle disputes peacefully and by way of negotiations and not rush into war. However, avoiding war should not become an end in itself. One should engage in war only if one expects a positive result from this. War should be a means of attaining peace. A clever commander decides in advance what good and what bad a war may bring to his country and he should be aware of how he will act in either case, so that he does not have to justify himself saying he had not contemplated this. Starting a war suddenly, attacking an enemy without preparation is a wild act, characteristic of beasts. Wise people should avoid this. They should be convinced of the rationality of their actions (*De officiis*, I, XXIII, 79-81).

Cicero distinguishes just and unjust wars. According to him, when one side voices grievances to the other and states in advance what the essence

of the dispute is, such a war can be deemed just. The concept of a just war was strictly defined by the priests of Feciales, the Deity of Fidelity (Dius Fidius). They were due to hold negotiations, declare wars and conclude truces. No citizen had a right to engage in battle without taking an oath. Cicero cites specific examples from Roman history, when in one instance a father asks the commander-in-chief to allow his son to take an oath in order for him to be able to take part in the battle. In another case, a father advises his son to refrain from a battle because he has not taken the oath (*De Officiis*, I, 36-37). This example is clear evidence of the attention Romans attached to military discipline.

Cicero distinguishes two kinds of wars: one is the Romans' war with the Celt-Iberians, Cimbrians, which was conducted for the sake of survival; another is a war with Latins, Sabinians, Samnitiens, Punicans, Pyrrhus - for the sake of gaining power and dominion. As far as Rome's power and grandeur are concerned, Cicero finds the latter quite acceptable. Later, in the epoch of Augustus, famous poets and historians came to back this idea. Cicero believes that the basis for wars of power and greatness should be as solid as those of 'just' wars. Apart from this, the winner should demonstrate tolerance towards the loser, especially, if the defeated enemy throws down weapons and surrenders, or if the enemy does not exhibit cruelty in the battle. The winning nation should undertake an obligation to take care of the population of the losing side; it should become their protector and defend the peace of the obedient country (*De officiis*, I, 35). This was the rule the Roman state observed in its expansionist policy.

Cicero speaks about ethical norms during war. He believes that warriors should not break an oath given to the enemy, even if this costs them their life. He cites the example of Roman consul Regulus. During one of the Punic wars, he fell captive but did not break the promise he had given to the enemy and returned to Carthage from Rome (where he had been dispatched by Punicans to negotiate the return of Punician captives held by the Romans), even though he knew that he would not escape execution. After this Cicero recalls an example demonstrating the high moral standards of the Romans, when one of the warriors of King Papirus of Etruria, came to the Romans and promised them he would poison Pyrrhus and ensure their victory this way. Romans captured the traitor and sent him back to the king (*De officiis*, I, 39).

Cicero assesses not only the noble acts of Roman citizens but the enemy's virtue as well. He speaks with great appreciation about the noble behaviour of King Papirus, who freed Roman captors without demanding a ransom. Cicero admires the king's nobility (*De officiis*, I, 38).

Cicero believes that the kindness that true men demonstrate towards their compatriots, as well as towards the enemies, during wars should be duly appreciated.

Cicero almost does not mention the issue of civil wars in this tract, although he mentions in passing a confrontation between Caesar and Pompeius. He believes that a war aimed at attaining glory and primacy is unacceptable because when one struggles to become the only ruler, it is difficult to defend justice. Such people cannot tolerate when other people defeat them in discussions about laws, justice and other issues (*De officiis*, I, 38).

It is interesting to see how the Roman poet Virgil's views of war ethics are compatible with Cicero's views about the same issue. Cicero's tract *De officiis* was written in 44 BC, while Virgil's *Aeneis* was written later, in the year 19 BC in Augustus' era. The poem famously aimed to portray Rome's state power. Despite the fact that *Aeneis* is a poetical piece and the author does not convey his ideas about war and morality directly, the actions of the main hero, Aeneas and his comrades, as well as their opponents during the war, makes it possible to talk about Virgil's concept about war and morality.

Is it possible to justify Aeneas' Trojan hero's battle with the Italian population? At first glance, his opponent, Turnus, the commander of the Rutulians, is right when he sees Aeneas as a foreign aggressor striving to deprive him of his fiancée, the daughter of Latinus, the king of the Latins, as well as of his kingdom:

Turnus adest medioque in crimine caedis et igni
terrorem ingeminat: Teucros in regna vocari.

Aeneis, VII, 578-579

Advectum Aenean classi victosque penatis,
inferre et fatis regem se dicere posci.

Aeneis, VIII, 11-12

The main motive of Turnus' struggle is that they are going to steal his fiancée and his kingdom is going to be lost too. That is to say, he is driven by personal interest. He disregards the Gods' prophecy that Latinus is to have her daughter marry a foreign hero:

Nil me fatalia terrent.
si qua Phryges prae se iactant, responsa deorum,
sat fatis Venerique datum, tetigere quod arva
fertilis Ausoniae Troes. sunt et mea contra
fata mihi, ferro sceleratam excindere gentem
coniuge praecepta...

Aeneis, IX, 134-138

This is one of the main characteristics of an unjust war, which according to Cicero, is a war not serving national interests. Turnus opposes the glorious future of the Italian people, which is to be achieved through ties with the Trojans.

The following arguments justify the fairness of Aeneas' struggle: 1. He fulfils his divine mission as he leads the Trojans to settle in their new homeland, where he was instructed by the high Gods to lead them; 2. He appeals to King Latinus and concludes an agreement according to the rules; 3. When war became unavoidable, he does not rush into war and awaits his opponent; 4. Aeneas does not seek glory or primacy; he is obliged to take care of his children; 5. In addition, Aeneas defends the interests of the people who are troubled by the cruelty of the Etruscan king.

Aeneas' demand is modest. All he wants is a small place where he would rest his Gods and give shelter to his war-weary fellow citizens. In return, he promises Latinus that he will not put him to shame and that his people will not come to regret the fact that the Trojans were given shelter (*Aeneis*, VII, 229-234).

Aeneas does not ask Latinus for either the kingdom or his daughter. It is no wonder that King Latinus trusts him, because he believes in the divine prophecy and has heard stories about Aeneas' kindness. Apart from this, according to the prophecy, by becoming a relation of Aeneas, Latinus' progeny will gain dominion over the whole universe (*Aeneis*, VII, 98-101; 254-257).

Therefore, Aeneas has reliable supporters in Italy. Evander, the King of Arcadians, also sees in ties with Aeneas a chance to save his people (*Aeneis*, VIII, 475-477).

Nevertheless, Aeneas always tries his best to avoid war and solve everything peacefully. However, when this becomes impossible, he takes battle positions and does not rush into an attack, waiting for the enemy to attack first. Turnus ascribes this to the Trojans' cowardice (*Aeneis*, IX, 55). Aeneas becomes involved in the battle only when Turnus' army begins an assault.

Consequently, Aeneas' struggle is a struggle for survival. Therefore, according to Cicero, it is just. The Trojan hero still keeps trying to justify himself, saying he did not want this war. The agreement that was concluded with Latinus, was violated twice at Turnus' insistence.

testaturque deos iterum se ad proelia cogi,
bis iam Italos hostis. haec altera foedera rumpi.

Aeneis, XII, 581-582

To the enemies who had come to ask him forgiveness he tells regretfully that it would have been good had they not violated the truce and abandoned his friendship:

quaenam vos tanto fortuna indigna, Latini,
 implicuit bello, qui nos fugiatis amicos?
 pacem me exanimis et Martis sorte peremptis
 oratis? equidem et vivis concedere vellem.
 nec veni, nisi fata locum sedemque dedissent,
 nec bellum cum gente gero; rex nostra reliquit
 hospitia et Turni potius se credidit armis.

Aeneis, XI, 108-114

Even the defeated enemy recognizes Aeneas as a just and worthy warrior (*Aeneis*, XI, 124-126) because he has qualities that Cicero believes are characteristic of the winner. Despite the fact that he sometimes exhibits the same cruelty as Turnus, which is not characteristic of a kind warrior, Virgil still refers to him as 'pius'. This is owing to the fact that even a hero struggling for a good cause is forced to struggle fiercely. This was the relentless logic of war, something that cannot be relinquished even by a hero.¹ However, Turnus' cruelty – putting the heads of defeated enemies on pikes and deriving joy out of this – is a sign of his spiritual weakness. Turnus lacks wisdom and far-sightedness, something Cicero believes should be characteristic of a true warrior. He can only demonstrate raw power. This is power and arrogance.² Turnus resents peace (*Aeneis*, XI, 460-461), while Aeneas is a fighter for peace. He agrees to a duel with Turnus with pleasure and demands a truce with Latinus in advance. This means that his ultimate aim is a union between the Trojans and the Latins. With this aim in mind, Aeneas engages in the duel to conclude this truce even at the cost of his death. For this reason, his struggle is not private but rather one that proceeds from the interests of his people, that is to say, it is just.

Is Aeneas's victory dangerous for the Latins? Will their name, language and laws be destroyed? This issue troubles Goddess Juno who asks Jupiter to ensure that all this is preserved. The highest God promises his wife that:

Sermonem Ausonii patrium moresque tenebunt,
 utque est nomen erit; commixti corpore tantum
 subsident Teucri. morem ritusque sacrorum

¹ Glei R. F., *Der Vater der Dinge*, BAC, B. 7, Trier 1991, 219-220.

² Wilsthire S. F., *Public and Vergil's Aeneid*, The University of Massachusetts Press, Amherst 1989, 96.

adiciam faciamque omnis uno ore Latinos.
hinc genus Ausonio mixtum quod sanguine surget.
Aeneis, XII, 834-840

Consequently, Aeneas' struggle against Turnus is immensely important. This should have laid the groundwork for Latin glory in the future. The strongest state in the world should have been formed which would have consolidated peace, suppressed the proud and forgiven the obedient (*Aeneis*, VI, 851-853).

Certainly this pathos was fully in tune with Rome's expansionist policy, the Romans' aspiration for dominion over the world's nations, something that was justified by Cicero's concept, for a struggle in Rome's interest is regarded as a just struggle. Aeneas' wars, his conduct towards his enemies is fully in tune with the norms Cicero expounds in his tract.