

*Quo usque tandem abutere, Catilina, patientia nostra?
quam diu etiam furor iste tuus nos eludet? quem ad finem
sese effrenata iactabit audacia? Nihilne te nocturnum
praesidium Palati, nihil urbis vigiliae, nihil timor
populi, nihil munitissimum horum ora
munitissimum horum ora
vultusque munitissimum horum ora
constrictam mentis
coniuratione
superiore no
quid consilii cepertis, quem nostrum ignorare arbitraris?
O tempora, o mores! Senatus haec intellegit. Consul
videt; hic tamen vivit. Vivit? immo vero etiam in
senatum venit, fit publici consilii particeps, notat et
designat oculis ad caedem unum quemque nostrum. Nos
autem fortes viri satis facere rei publicae videmur, si
istius furorem ac tela vitemus. Ad mortem te, Catilina,
duci iussu consulis iam pridem oportebat, in te conferri
pestem, quam tu in nos [omnes iam diu] machinaris. An
vero vir amplissimus, P. Scipio, pontifex maximus, Ti.
Gracchum mediocriter labefactantem statum rei publicae
privatus interfecit; Catilinam orbem terrae caede atque
incendiis vastare cupientem nos consules perferemus?
Nam illa nimis antiqua praetereo, quod C. Servilius
Ahala Sp. Maelium novis rebus studentem manu sua*

'A learned man and a patriot'
**The Reception of Cicero in the Early
Imperial Period**

DPhil in Classical Languages and Literature

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Abstract

'A learned man and a patriot': the reception of Cicero in the early imperial period.

This thesis is a literary study of how the life and works of Marcus Tullius Cicero were received in the century that followed his death. There are two ways of understanding the importance of such a study: the first is to think of it as a vital first step in assessing Cicero's impact on European thought and literature; the second is to see it as a study of how the people of early imperial Rome interacted with their Republican past. In order to provide a broad overview of this subject, I have chosen to focus on three separate areas of imperial literature which together provide a representative snapshot of Roman literary activity in this period. The period in question is essentially an extended Augustan age: beginning with Cicero's death ending in the reign of Tiberius.

The first area of imperial literature under consideration is historiography. This section begins with a consideration of Sallust's decision to downplay Cicero's role in defeating the Catilinarian Conspiracy, ultimately concluding that this is authorial posturing on Sallust's part, a reflection of Cicero's importance in the years immediately following his death. This is followed by a chapter on the presence of Ciceronian allusions in Livy, arguing that they were a key means by which he enriched his narrative of the Hannibalic war. It concludes with two chapters on historiographical descriptions of Cicero's death, noting that these treatments become markedly more hagiographic the further one progresses into Tiberius' Principate.

The second area under consideration is rhetoric, specifically focussing on the prominence of the declamation hall in this era. The three chapters in this section study the testimony of Valerius Maximus and Seneca the Elder, both of whom bear witness to Cicero's fundamental importance to this institution. The section concludes that the world of declamation was the prime motor for the hagiographic treatments of Cicero that was noted in the later historical accounts of his death.

The third and final section considers the poetry of the Augustan era, demonstrating that a process of declining sophistication is not the whole story in Cicero's reception. By looking at Virgil and Ovid's intertextual relationships with Cicero, this section demonstrates that he was a rich source of inspiration for some of the ancient world's most erudite authors.

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Introduction

After Cicero

ἡμεῖς τοι πατέρων μέγ' ἀμείνονες εὐχόμεθ' εἶναι.¹

The bibulous son of Marcus Tullius Cicero never escaped the long shadow cast by his father.² As Seneca caustically put it in his *de Beneficiis*:

sacra est magnarum virtutum memoria, et esse plures bonos iuvat, si gratia bonorum non cum ipsis cadit. Ciceronem filium quae res consulem fecit nisi pater?³

Pleasingly cutting though this remark may be, Seneca's pursuit of concision forces him to omit certain key details of how the younger Cicero's ancestry was a help rather than a hindrance in reaching high office in the early years of the imperial period.

Fortunately, Seneca is not our only source here. Plutarch's biography of Cicero explains precisely *why* the son of Cicero was chosen for the consulship:

*Moreover, as soon as he [Octavian] had finally defeated Antony, and when he was himself consul, he chose Cicero's son as his colleague in the office, and it was in his consulship that the senate took down the statues of Antony, made void the other honours that had been paid him, and decreed besides that no Antony should have the name of Marcus. Thus the heavenly powers devolved upon the family of Cicero the final steps in the punishment of Antony.*⁴

¹ *We declare ourselves to be better men by far than our fathers.* Hom. *Il.* 4.405.

² For Cicero the younger's alcoholism, see: Sen. *Suas.* 7.13; Plin. *NH.* 14.147. For his political career, see: App. *BC.* 4.51; Sen. *Suas.* 7.13; Burnett (2011), pg. 22.

³ Sen. *Ben.* 4.30.

⁴ Plut. *Cic.* 49.6.

Cassius Dio narrates a similar tale in his history:

At the beginning, then, they not only voted him [Octavian] these honours but also either took down or effaced the memorials of Antony, declared the day on which he had been born accursed, and forbade the use of the surname Marcus by any of his kin. When, however, they learned of Antony's death, the news of which came while Cicero, the son of Cicero, was consul for a part of the year, some held that it had come to pass not without divine direction, since the consul's father had owed his death chiefly to Antony.⁵

Finally, we also find the juxtaposition of young Cicero's consulship with Antony's destruction in Appian's history of the civil wars:

Cicero, the son of Cicero, had been sent away to Greece by his father, who anticipated these evils. From Greece he proceeded to join Brutus, and after the latter's death he joined Pompeius, by both of whom he was honoured with a military command. Afterwards Octavian, by way of apology for his betrayal of Cicero, caused him to be appointed pontifex, and not long afterwards consul and then proconsul of Syria. When the news of the overthrow of Antony at Actium was forwarded by Octavian this same Cicero, as consul, announced it to the people and affixed it to the rostra where formerly his father's head had been exhibited.⁶

There is a lack of consistency between these accounts. Plutarch and Dio disagree on whether the destruction of Antony's public monuments took place before or during

⁵ Dio 51.19.3-4.

⁶ App. BC. 4.51.

the consulship Octavian shared with Cicero, while Appian entirely misdates the consulship to 31 BC to coincide with Antony's defeat at Actium, rather than his final defeat and death in Alexandria the next year.⁷

This lack of consensus, however, can tell us something about why this story mattered and why it was told and retold in antiquity as part of the story of the rise of Augustus. When it came to narrating the consulship of Cicero's son, the authors evidently cared about more than just the factual accuracy of their reportage. What is important to these authors is that the fall of Mark Antony should be marked by the resurgence of Cicero.

It is hard to believe that this was a purely literary phenomenon. Rather than being a small detail that the literary tradition has magnified, the consulship of Marcus Tullius Cicero minor was a piece of political theatre deftly managed by Octavian. His elevation entailed the young man's personal involvement in the political rituals that marked Antony's fall. Parsing this episode requires contemplating what Cicero meant in Rome more than a decade after his death.

Octavian made a calculated decision when he put Cicero's son at the heart of the pageantry that marked the end of the civil conflict that had battered the empire since Julius Caesar fell dead in the Theatre of Pompey. It produced three major public relations victories for the new regime, all of which rely on slightly different perceptions of what Cicero stood for in this era.

⁷ For independent verification of Cicero's consulship as 30 rather than 31, see: Fast. Venus. *CIL* 1² pg. 66; Fast. Amit. *CIL* 1² pg. 61.

The first of Octavian's triumphs is rooted in Cicero's importance as a historical character. If Sallust's monograph on the Catilinarian Conspiracy is anything to go by, the Triumviral period was far from lacking an interest in the dramatic events of Cicero's consulship. The return of the son to an office held so famously by his father was bound to suggest comparisons between the two. And what fruitful comparisons there were to be made! Since the closing days of 63 BC, when had Rome's citizens last been able to gather in the Forum and breathe a sigh of relief at the consul's announcement that a monster hell-bent on Rome's destruction had been cast down and destroyed? What better way to evoke the atmosphere of a city saved from an existential threat than to have Antony's defeat announced by the son of Catiline's conqueror?⁸

The second victory relies on Cicero's association with the old *res publica*. The same impulse that drove Brutus to call Cicero's name after the assassination of Julius Caesar drove Octavian to recall the memory of Cicero in the aftermath of Antony's suicide.⁹ Cicero's association with the *libera res publica* was evidently a powerful one. Octavian's introduction of Cicero's son as suffect-consul only a matter of weeks after the news of Antony and Cleopatra's deaths could have reached Rome ought to be read in light of his later attempts to proclaim a *res publica restituta*.¹⁰ Cicero's connection both with the abstract *res publica* and with the more concrete remnants of the

⁸ The link between Catiline and Mark Antony was prominent in the Philippics: *Phil.* 2.1, 118-9.

⁹ *Phil.* 2.28, 30; Dio 44.20.4.

¹⁰ For the exact date of the younger Cicero's consulship (the Ides of September), see Plin. *NH* 22.13. For Octavian proclaiming a *res publica restituta* only a few years after this, see: Rich & Williams (1999).

Republican old guard gave additional power to his son's proclamation of the death of the man who was held by his father to have been the greatest enemy of Rome's republican *libertas*.¹¹

The final victory is more personal, and it is noted most succinctly by Cassius Dio:

*Some held that it had come to pass not without divine direction, since the consul's father had owed his death chiefly to Antony.*¹²

Octavian delivered the irony of Cicero's son announcing the defeat of his father's great enemy with the subtlety of a sledgehammer. This *coup de théâtre*, however, has a more delicate edge. Cicero was without doubt the civil war's most prominent victim, and Octavian was quick to capitalize on this fame. While he himself was being associated with the peace that now shone throughout the empire, Antony was simultaneously being bound up with the horrors and injustices of the preceding decade of strife. Moreover, Antony was made to bear singular responsibility for Cicero's death; an act Octavian was keen to distance himself from.

καὶ σὺ, τέκνον;¹³

Appian, Plutarch and Dio present the story of young Cicero's consulship as a complete success for Octavian. However, it does not take a great deal of imagination to feel a bit uneasy about this piece of political theatre. The alignment Octavian created

¹¹ For Cicero's rhetoric of *libertas*, see: Manuwald (2007), pg. 306.

¹² Dio 51.19.4.

¹³ *And you, my son?* Suet. *Iul.* 82.2.

between himself and Cicero on the one side and Antony on the other is a familiar one. One might recall the alliance that brought Antony to the brink of defeat at Forum Gallorum and again at Mutina. One might also recall the violent end of that alliance; one might remember how the young Caesar turned on his champion in the senate and entered into an alliance with Antony; one might remember that his new alliance was sealed with Cicero's proscribed blood.¹⁴

If the story above were our only evidence for Cicero's reception in the Augustan age, we would perhaps be forced to conclude that the citizens of the empire closed their eyes to the young Caesar's hand in Cicero's death and imagined that he was remembered as an uncomplicated Republican martyr. However, this is not the only story that was told about how Cicero could be incorporated into the Rome that continued to flourish after his death. Any study of the reception of Cicero in the early imperial era requires the careful interpretation of the following story from the end of Plutarch's *Life of Cicero*.¹⁵

The biographer tells us that in the last decade of the first-century BC the emperor Augustus, by this point happily consolidated in his position of supreme power, paid an unexpected visit to one of his adopted sons. This unscheduled house-call caught the boy by surprise and, like many an adolescent dropped in upon out of the blue by a parent, the boy immediately attempted to conceal what he was up to.

¹⁴ Octavian gave the young man the consulship "by way of apology for his betrayal of Cicero". App. BC. 4.51.

¹⁵ Plut. *Cic.* 49.5. Cf. Moles (1988), *ad loc.*; Kaster (1998); Lintott (2013), *ad loc.*

Shrewdly spotting a suspicious bulge in his grandson's garments, Augustus demanded that the boy explain himself. Sheepishly, he produced a book that he had been reading – a book written by Cicero. The emperor, Plutarch tells us, took the book from the boy's hands and read it for a great while, eventually handing it back with the words:

λόγιος ἀνήρ, ὦ παῖ, λόγιος καὶ φιλόπατρις.

He was a learned man, my child, a learned man and a patriot.

There are two narratives about Cicero at the heart of this story tugging in different directions. The conflict thus produced can tell us a great deal about the ambiguous position Cicero inhabited in the early empire.

One of these narratives puts the emphasis on Cicero's literary output. According to Plutarch's story, this was so central a part of imperial culture that Augustus could only approve of the great man's learning. Meanwhile, his success in championing his own role as the saviour of the *res publica* in these works was so great that his patriotism could not easily be ignored. Indeed, Augustus' approval of Cicero's cultural and political creations went beyond this tantalizing little story. Cicero's influence on the *Princeps* can be detected in everything from his oratorical criticism to his *Res Gestae*.¹⁶

¹⁶ For echoes of *Phil.* 2.18, 20, 42-3, 3.21-2 in Augustus' criticism of Mark Antony's oratory (as detailed in: Suet. *Aug.* 86.2-3), see: Mahy (2013), pg. 1. For the influence of Cicero's third Philippic (*Phil.* 3.5) on the opening of Augustus' *Res Gestae*, see: Wirszubski (1950), pg. 100-1; Braunert (1974), pg. 358; Woodman (1983), pg. 127-8; Ramage (1987), pg. 67; Galinsky (1996), pg. 45-6; Manuwald (2007), pg. 336-8; Cooley (2009), pg. 106-8; Hodgson (2014) pg. 255-62, 268-9.

The other narrative in play in this story, however, casts Cicero as a contraband figure. Even the emperor's son seemed to think that reading Cicero was a prohibited activity. Although Augustus defuses the tension by showing his appreciation of Cicero and delivering a suitably pat epigram summing up his life, the story is only told because on some level it was assumed that the works of Marcus Tullius Cicero would have been anathema to the emperor.

It seems to have been a fact that in the early imperial period Cicero was at the very heart of the Romans' conception of themselves, whilst simultaneously remaining an unacceptable figure from their bloody past. This made him, as we will see, an irresistible figure to the writers and readers of the early empire.

Methodology

The vast size of Cicero's oeuvre and of the literary corpus of the early empire renders any attempt to create a study of the reception of the former in the latter a necessarily selective venture. The aim of this thesis is to give an impression of the range of ways in which Cicero was employed by the writers of this period, and the effects produced by his appearances in their texts.

It should be noted immediately that this is a literary study. This thesis is not intended to be a historical survey of Cicero's influence on the formation of the Principate. Although such a work would be supremely useful for our understanding of how the political institutions of the Roman Empire developed, this thesis is centrally

concerned not with politics, but with the development of the empire's literary culture.¹⁷

There is, however, one aspect of Cicero's influence on this literary culture that will not be covered in this thesis, and that is the impact of his philosophical works. Part of the reason for this is the state of our evidence: there are no philosophical works from this period which we might compare with Cicero's philosophical output.¹⁸ The body of texts in which we can most easily see the impact of Cicero's philosophical treatises is, in fact, the poetry of the Augustan era. Margaret Hubbard and Denis Feeney have already commented on the overwhelming likelihood that the Augustan poets would have sought the basics of Hellenistic philosophy from the pages of beautiful, clear Latin left behind by Cicero rather than the famously inelegant prose of Chrysippus or Epicurus.¹⁹ But a concerted study of this aspect of Cicero's reception is beyond both the scope of this thesis and the competence of its author.

The early imperial age is, of course, a loose way of defining a time period. As well as explaining the generic scope of this thesis, I would also like to use this introduction to define the time period it encompasses. A study of Cicero's posthumous reception can at least claim a definite starting point in the moment the assassin's sword met his neck. Part of the piquancy of the study of immediate

¹⁷ For Cicero's *de Re Publica* as a blueprint for the Principate, see: Reitzenstein (1917). See *contra*: Powell (1994).

¹⁸ One can make such a comparison if one extends the period in question to include the works of Seneca the Younger. For such analysis, see: Gambet (1970); Moreschini (1977); Grimal (1984); Griffin (1988); Martín Sánchez (1989); Setaioli (2003).

¹⁹ Hubbard (1975); Feeney (2002b).

reception lies in the proximity of the authors and readership to the figure in question. Ending such a study, however, is another matter.

Tacitus supplies two ways of formulating an answer to that question. The first is taken from the *Annales* and comes at the end of a survey of Augustus' career:

quotus quisque reliquus qui rem publicam vidisset.²⁰

The second is taken from his *Dialogus de Oratoribus*, in a discussion of what gulf (if any) separated the great Republican orators from those of Vespasian's day:

nam ut de Cicerone ipso loquar, Hirtio nempe et Pansa consulibus, ut Tiro libertus eius scribit, septimo idus [Decembris] occisus est, quo anno divus Augustus in locum Pansae et Hirtii se et Q. Pedium consules suffecit. statue sex et quinquaginta annos, quibus mox divus Augustus rem publicam rexit; adice Tiberii tris et viginti, et prope quadriennium Gai, ac bis quaternos denos Claudii et Neronis annos, atque illum Galbae et Othonis et Vitellii longum et unum annum, ac sextam iam felicitis huius principatus stationem, qua Vespasianus rem publicam fovet: centum et viginti anni ab interitu Ciceronis in hunc diem colliguntur, unius hominis aetas.²¹

Tacitus takes an uncharacteristically optimistic view of the length of the human lifespan. His insight, however, is a good one. Following his reasoning, and slightly adjusting his calculation of a reasonable old age, I shall allow this study to trail off towards the end of Tiberius' reign.

²⁰ Tac. *Ann.* 1.3

²¹ Tac. *Dial.* 17.

Another aspect of Ciceronian reception that makes a study such as this immediately circumscribed is the disparity between our canon of Ciceronian texts and those available to readers in the early imperial period. Trying to piece together the quantity and variety of Ciceronian texts that survived in the early imperial period is not an easy business, although it can be divided into three Rumsfeldian categories.²²

To begin with, we have the known knowns: the texts that survive today and were read in the period that followed Cicero's death.²³ As well as these, there are the known unknowns: the texts that we do not possess ourselves, but know to have existed in the early imperial period. These unknown texts come in two forms. First, there are those lost texts that were written about Cicero, such as the lost biographies by Tiro and Cornelius Nepos.²⁴ Secondly, there are those texts that we know from various *testimonia* that Cicero wrote, but which have either subsequently been lost or only survived in fragmentary form.²⁵

Finally, there are the unknown unknowns: the texts about or by Cicero that have neither survived to the present day, nor even left any obvious footprint in our evidence from the early imperial period. Although by definition we cannot speculate

²² The famous "known knowns, known unknowns and unknown unknowns" comment delivered by former U.S. Defence Secretary Donald Rumsfeld at a Department of Defence news briefing in February 2002.

²³ This category includes famous works such as the *Catilinarians*, the *de Officiis* and the *Philippics*, but it could be extended to include pieces of *Ciceroniana* like *Catullus 49*.

²⁴ For Tiro, see: Peter (1865), pg. 129-35; Jaufmann (1896-7); Gudeman (1902), pg. 26-47; McDermott (1972), pg. 259-86; Scardigli (1979), pg. 114-9; Drummond (2013a); pg. 159-163. For Nepos, see: Geiger (1985), pg. 261-70; Briscoe & Drummond (2013); pg. 171-173.

²⁵ E.g. a full text of *de Legibus* and *de Re Publica*, both versions of the *Academica*, Cicero's poetry, curiosities like the *Cato*.

usefully about the content of such works, it is nonetheless important to bear in mind the near-certainty of their existence. Even in the surviving evidence from the early imperial period (which in its own right is vastly fragmentary) there are bound to be numerous Ciceronian allusions or moments of intertextuality with his works that we are unable to identify as a result of our incomplete picture of the precise shape in which Cicero survived in this period.

Having looked at the early imperial era as one that is privileged in terms of its access to Ciceronian material, we should also question whether or not that view might be turned on its head: are there any ways in which we have better access to Cicero than those living and writing in the period in question? Although the insights of later writers such as Plutarch, Appian and Cassius Dio should not be wholly ignored (nor, indeed, should the cumulative wisdom of more modern scholarship), it would be difficult to make the case that they leave us substantially more informed about Cicero's life than our predecessors in the early empire.

There is, however, one area in which our view of Cicero's life might be seen as substantially the richer. This is the fact that we possess several collections of Cicero's private correspondence.²⁶ There is a substantial debate over the date at which these collections surfaced in the ancient world, but there is at least some broad agreement

²⁶ The collections of surviving letters are *ad Familiares*, *ad Atticum*, *ad Quintum Fratrem* and *ad Brutum*.

that the collections of letters as we now possess them were not available in the period under consideration.²⁷

This should, on the one hand, counsel caution. Given that later authors may not have had access to these epistolary texts, we should be wary of apparent moments of intertextuality between Cicero's letters and the works written under the reigns of Augustus and Tiberius. On the other hand, a study of this kind presents something of an opportunity to challenge the consensus, especially since the argument in favour of a later date of publication rests largely on one author's silence.²⁸ Since we know that at least some of the letters were available in one form or another in the early imperial period, we should not dismiss out of hand apparent allusions to these texts in early imperial works.²⁹

The Texts in Question

As mentioned above, this thesis is a literary study, and as such its source material is to be found among the literature of the Roman elite. In order to provide a

²⁷ To the extent that there is any agreement about the date of publication, it is usually placed at some point between the reigns of Claudius and Nero. For modern scholarship on the publication of Cicero's letters, see: Boissier (1863); Gurlitt (1879), (1901), pg. 532-58; Peter (1901), pg. 38-96; Meyer (1919), pg. 588-606; Büchner (1939), pg. 1211-23; Carcopino (1947), I. 9-65, II. 217-458; Taylor (1964); Setaioli (1976); Cugusi (1983), pg. 168-73; Hutchinson (1998), pg. 4.n.4; White (2010), pg. 174-5.

²⁸ The silence is that of Asconius. It is argued that such a conscientious Ciceronian scholar would not have passed over the letters had they been available in the period in which he was writing. This argument could be challenged in two ways: first one could point to the fragmentary state of Asconius' commentaries; secondly, one could argue that the fact that the letters were unavailable to Asconius does not entail their being unavailable to everyone.

²⁹ This issue is explored at greater length in a chapter arguing for a degree of intertextuality between Cicero's exile correspondence and Ovid's epistolary poetry: pg. 371-399.

representative snapshot of how this group received and understood Cicero, I have selected three areas of early imperial literature that seem particularly important to the culture of early imperial Rome, and therefore particularly worthy of study as elements of that era's reception of Cicero. Those broad areas are: historiography, declamation and poetry. Within those three genres, I then selected individual authors whose usage of Cicero's life and works in their texts seemed particularly interesting.

Historiography

The focus of the section on historiography (as befits that amorphous genre) is the most multifaceted. It opens with a study of a text that has Cicero at its core: Sallust's *Bellum Catilinae*. This chapter explores the variety of ways in which Sallust incorporated Cicero into his monograph on the Catilinarian conspiracy, exploring both his usage of the Catilinarians and his assessment of Cicero as a historical figure.

The second chapter leaves the Triumviral period behind and moves onto Augustan Rome's foremost historian, Livy. An assessment of Cicero's appearances in the entirety of the *ab Urbe Condita* would be too large for inclusion in a thesis of this kind. As such, I have selected one particular section for extended discussion: Livy's narrative of the Second Punic War. Under consideration here are the various ways in which Livy made use of Ciceronian material (most noticeably the Verrines) to illustrate various characters and themes in these ten books, ultimately showing that Ciceronian allusions were a key part of Livy's craft as a writer of history.

The final two chapters move away from author-based studies and focus on how a particular moment from Cicero's life was handled by the historians of the early

imperial period. The moment in question is Cicero's death, an event which is surprisingly well-documented in surviving material from the period. The death notices and obituaries are, in fact, so abundant that those from the Augustan period have been separated out from those written under Tiberius. The first of these two chapters compares the obituaries written by Livy and Asinius Pollio, before contrasting them with the narratives of Cicero's death that can be found in Augustan texts from different genres. The second chapter looks at the obituaries written by Cremutius Cordus, Bruttidius Niger, Aufidius Bassus and Velleius Paterculus. It first compares these texts with each other, and then places them in the context of those explored in the previous chapter, noting significant departures from some of the tropes created by Pollio and Livy.

Declamation

The three chapters that make up the second section of the thesis are concerned with an institution rather than a genre; they trace Cicero's presence in the declamation halls of the early empire. In part, the choice to focus on declamation is a by-product of the need to investigate Cicero's influence on the rhetoric and oratory of the period. However, our evidence for public oratory in the early empire is scanty, and we must rely on *testimonia* relating to very few individuals to assess what the Forum or the Curia might have sounded like in this period.³⁰ This is especially true in the case of the

³⁰ Kennedy (1972), pg. 308-12.

reigns of Augustus and Tiberius; our evidence from that period is not only deficient in terms of actual oratory, but it also lacks the theoretical works that help to fill out the picture in later years.³¹ The only way to achieve anything like a detailed picture of the rhetorical world of early imperial Rome is to investigate the culture of the declamation hall – the place where most orators received their early training. Establishing the presence of Cicero in such a formative locale is crucial if we are to have a measure of his importance to the oratory of this period.

As well as viewing a study of declamation as a means to an end, it is also an end in itself. The centrality of the declamation hall to the culture of the early Principate cannot be understated. This was a popular pastime in which the (largely elite) practitioners and their audience could hold a mirror up to their own social mores and consider what it was that made Roman society Roman.³² Once again, the presence of Cicero at the heart of such an institution would suggest that he was a crucial part of Augustan and Tiberian culture.

In order to demonstrate Cicero's centrality to the declamation hall, I will be looking at two main texts. The first chapter will be concerned with Valerius Maximus' *Facta et Dicta Memorabilia*. Although not a first-hand account of declamation, the 967 anecdotes contained within his work were key ingredients for the creation of the *colores* that the individual declaimers used to enrich their rhetorical creations.³³ The

³¹ E.g. Quintilian's *Institutio Oratoria* or Tacitus' *Dialogus de Oratoribus*.

³² Beard (1993).

³³ Bloomer (1992).

twofold goal of this chapter is to show that there is both a preponderance of anecdotes *about* Cicero and evidence that Valerius Maximus relied heavily upon Ciceronian sources when choosing which stories to include in his collection.

The second and third chapters deal with actual declamatory texts in the form of Seneca the Elder's *Controversiae* and *Suasoriae*. The first of these focuses on the presence of Cicero in the declamatory exercises set for discussion and on the declaimers' reactions to those exercises. Analysis of these two areas of Seneca's text helps to cast a light on which areas of Cicero's life were held up to scrutiny in the declamation hall and what sort of discussion these themes generated among the declaimers.

The next chapter takes an important step back from the trees of quotation and takes a look at the wood that is Seneca's text. After this assessment of how individual rhetoricians made use of Cicero in their declamations, the next chapter investigates how Cicero is presented in the analytical sections of Seneca's text. This does not just mean looking at what Seneca personally thought of Cicero and his influence on the declamation hall; it also means looking into the various accounts he provides of how various high-profile orators and rhetoricians interacted with Cicero's legacy outside the walls of the declamation hall.

Poetry

The final section turns away from prose and considers Cicero's presence in the most celebrated product of the Augustan golden age: poetry. The poetry of this era is treated in much the same way as the texts of the previous two sections. What is under

investigation here is the extent to which Cicero was an identifiable figure in these imperial texts. In other words, this thesis is not so much concerned with Cicero's subtle influence on the development of the Latin hexameter as it is interested in why certain poets chose to make reference to Cicero when they were crafting their texts.³⁴

For reasons explained at greater length below, the analysis of Cicero's appearances in verse texts of the early empire is limited to two authors.³⁵ The opening two chapters of this section focus on Cicero's appearances in Virgil. The first of these provides a broad overview of the moments of Ciceronian intertextuality that crop up throughout the Virgilian corpus. This chapter is certainly not exhaustive, but it does make an effort to show the variety of guises in which Cicero appears in the *Eclogues*, *Georgics* and *Aeneid*.

The second chapter expands upon this overview and offers a close reading of an individual section of the *Aeneid* that is home to a particularly dense cluster of Ciceronian allusions. Although it is well-known that a Ciceronian resonance sits at the heart of the sixth book of Virgil's great national epic in the form of Anchises' speech, the entire book is suffused with references to Cicero's life and works. Having looked at the breadth of Cicero's presence in the previous chapter, the point of this one is to add an element of depth to that study.

³⁴ For Cicero's development of the hexameter in relation to later models (especially Virgil), see: Ewbank (1933), pg. 40-71. See also: Conte (1994), pg. 200-2.

³⁵ For the omission of Horace from this analysis and the rationale for focusing on Virgil and Ovid, see: pg. 403-405.

The final chapter adds another author to this picture and considers whether we can see a similar level of Ciceronian engagement in the poetry of the early empire outside the Virgilian oeuvre. To make such a case, I turned to the author who has been described as the only “truly Augustan poet”, Ovid.³⁶ The conclusion to this section on poetry is an investigation of the various correspondences that exist between Cicero and Ovid’s accounts of exile. Although exile may have been a common enough theme in the ancient Mediterranean, the extent to which Ovid relied on this one author to nuance his poetic account of this experience is remarkable.

Whither Reception?

There are two main reasons why a sustained and wide-ranging study of Cicero’s influence on the culture of the early empire is an important and necessary contribution to classical scholarship. The first of these reasons is concerned with the burgeoning field of reception studies. Anthony Grafton has described Ciceronian reception as following the pattern of a sine curve – an alternating series of peaks and troughs that spans from the 21st century back to the early imperial period:

From the early imperial period onward, Cicero’s contentious life and vast literary production provoked admiration and criticism in nearly equal proportions: Seneca, who would enjoy great authority in the Middle Ages and the Renaissance, viewed him critically, but Quintilian – whose treatise on rhetoric would have an enormous influence when the full text was

³⁶ Millar (1993), pg. 1.

recovered in the 15th century – admired him unreservedly and took him as an absolute model.³⁷

Grafton's overview of the place of Cicero and Ciceronianism in the Classical Tradition adduces a wide variety of sources: from St Jerome to Mommsen; from John Adams to George W. Bush. Whether he was being venerated for his genius or castigated for his posing, the centrality of Cicero to the formation of our literary canon, if not our entire culture, is clear.³⁸

As is also clear from the above quotation, however, Grafton's survey passes over the crucial first hurdle of Ciceronian reception – maintaining a readership in the years that immediately followed his death. The particular circumstances of Cicero's demise make it by no means obvious that Cicero's popularity would continue unabated after his death. Awkward questions could always be asked about Augustus' involvement in the inclusion of Cicero's name on the proscription lists, and, as the anecdote about his grandson suggests, this led to a certain anxiety about the propriety of reading Cicero in the fraught years of peace that followed the civil wars.

Previous scholarship on Ciceronian reception has, in fact, displayed a tendency to assume that Cicero was a somewhat dormant figure in the Augustan age, only really springing into life at the end of Tiberius' reign before commencing his route to

³⁷ Grafton (2010), pg. 195.

³⁸ For major works on Ciceronian reception beyond the early empire, see: Sabbadini (1885); Zielinski (1912); Baron (1938); Bolgar (1963); Rolfe (1963); Clarke (1964); Murphy (1974); Vos (1979); Ward (1983), (1995); Freedman (1986); Mouchel (1990); Henderson (1992); McLaughlin (1995); Jones (1998); Rowland (1998); Cox (1999); Fumaroli (1999).

literary immortality that finds its truest expression in Quintilian's hagiography and Asconius' scholarship. The most recent survey of Cicero's reception in the imperial period refers to these years as "a century of (relative) silence".³⁹

Although there has not been a complete lack of scholarship on the earliest stage of Cicero's posthumous reception, these years have received a comparatively short shrift, to such an extent that the world is still waiting for the publication of a holistic and book-length treatment of the beginning of the Ciceronian tradition in the early empire. This study hopes to fill that gap in order that the full extent of Cicero's posthumous reception might be traced from the very beginning. Previous work on this subject has tended to be scattered far and wide and focused largely on individual moments, rather than attempting to see what they might add up to.

There are a few exceptions to this rule. The revised edition of Zielinski's study of Cicero's *Nachleben*, although anxious to provide the full scope of Ciceronian influence on the millennia that followed his death, does not skim over the first few decades of his reception.⁴⁰ One of Zielinski's goals in writing his study of Cicero's afterlife was to fight back against the likes of Mommsen and Drumann, who had portrayed Cicero as a pedantic and corrupt politician, out of sorts with the world he found himself in.⁴¹ Zielinski relies on the early years of Cicero's reception to show that

³⁹ Gowing (2013a), pg. 234; cf. pg. 234-9.

⁴⁰ Zielinski (1912).

⁴¹ Mommsen (1856-85); Drumann (1834-44).

such interpretations of Cicero's life were nothing new, but in fact were merely recycled criticisms from the early empire.

After Zielinski's pioneering work, 20th-century study of Cicero's early imperial reception was confined to articles on individual moments of intertextuality. This introduction is not the place to summarize those numerous scholarly *diseiecta membra*; they will rather be addressed in the case studies that comprise the body of this thesis. The few holistic studies of Ciceronian reception in this period tend to be confined to the later centuries; one might pick out Highet, Bolgar and Clarke as important contributors to English-language studies of Cicero's place in the classical tradition.⁴² Richter's contribution to Gerhard Radke's *Cicero: ein Mensch seiner Zeit* is perhaps the most accomplished successor to Zielinski, albeit one hampered by the short space in which it is forced to operate.⁴³

The most recent contribution to this field, in English at least, comes in the form of Robert Kaster's contribution to Wendell Clausen's *Festschrift*.⁴⁴ This article, 'Becoming CICERO', asks precisely how Cicero the man was transformed into 'Cicero' the cultural icon. Kaster's study focuses on Seneca the Elder's account of the Ciceronian declamations and uses these rhetorical exercises to show how Cicero gradually morphed into a by-word for eloquence. The concise form of Kaster's article

⁴² Highet (1949); Bolgar (1963); Clarke (1964).

⁴³ Richter (1968); see also: Weil (1962).

⁴⁴ Kaster (1998).

prevents him from putting this element of Ciceronian reception in the context of the broader literary culture of early imperial Rome.

Thanks to the relatively recent trend of producing ‘companions’ to Cicero, collections of articles providing overviews of various elements of Cicero’s life and works, there is now a pair of recent, English-language overviews of Cicero’s early reception. Gowing’s summary in Catherine Steele’s *Cambridge Companion to Cicero* is the source of the quotation above referring to the period at the heart of this thesis as “a century of silence”.⁴⁵ Gowing’s concern lies chiefly in later years with Seneca the Younger and Quintilian, although he does have some insights into earlier authors which will appear later in the thesis.

George Kennedy’s earlier account of Ciceronian reception in James May’s *Brill’s Companion to Cicero* has a different perspective.⁴⁶ It is considerably more wide-ranging than Gowing’s, taking in the full-scope of Ciceronian reception rather than just the imperial period, on top of which its focus is also channelled by the *Companion*’s focus on oratory and rhetoric. Unlike Gowing’s chapter, Kennedy does not treat the first century of Cicero’s reception as one of relative silence. On the contrary, he emphasizes what we can learn of how Cicero was remembered in the two generations after his death by looking closely at Seneca the Elder’s declamatory texts.

There is only one major piece of book-length scholarship that makes an in-depth investigation of Cicero’s reception in the empire. 2003 saw the publication of

⁴⁵ Gowing (2013a).

⁴⁶ Kennedy (2002).

Emanuele Narducci's *Aspetti della Fortuna di Cicerone nella Cultura Latina*, a collection of articles exploring the ways in which various Latin authors received Cicero in their works.⁴⁷ The chapters by Setaioli and Narducci on Seneca the Younger and Lucan respectively lie beyond the scope of this thesis.⁴⁸ However, Degl'Innocenti Pierini's essay on Cicero's reception in the Augustan and Tiberian ages goes to the very core of this study.⁴⁹

The sources adduced by Degl'Innocenti Pierini as germane to this study are similar to those studied by Robert Kaster. What sets it apart from that work, however, is a desire to range far more widely and incorporate a broader variety of source material in order to flesh out the picture of Cicero that is found in the declamation halls of early imperial Rome. Valerius Maximus, Cornelius Severus, Velleius Paterculus and even Manilius are brought forward in order to create a fuller picture of what was written, said and thought about Cicero in this period. However, where that study was restricted to an in-depth analysis of a single aspect of Ciceronian reception (his death), this thesis will attempt to show the breadth of Cicero's influence in the early imperial period. By ranging widely in search of different sources, I hope to show that the first stage of Cicero's posthumous reception was considerably livelier than it is often made to seem.

⁴⁷ Narducci (2003a).

⁴⁸ Setaioli (2003); Narducci (2003b).

⁴⁹ Degl'Innocenti Pierini (2003). The book also contains a study of Cicero's influence on Vitruvius: Romano (2003).

Res Publica Restituta

As important as it is to study Cicero's reception in the early imperial era in order to lay down the groundwork for later work on how Cicero influenced the culture of other periods, it is also possible to conceive of this study from another angle. Rather than thinking of it as a thesis about Cicero, this thesis is also about the culture of the early imperial period.

Judging from recent publications, there seems to be something of an academic vogue for studies of how the Roman Republic was incorporated into the culture of the early imperial period. To take only three salient examples from the last decade, one could point to Alain Gowing's 2005 study of the representation of the Roman Republic in imperial culture, Sam Wilkinson's 2012 study of the concept of 'Republicanism' in the early empire, and the collection of essays on the presence of the Roman Republic in Augustan poetry edited by Joseph Farrell and Damien Nelis and published in 2013.⁵⁰

'The Roman Republic', however, is such a large and nebulous concept that, on one level or another, all three of these volumes run into some trouble when trying to define what should and should not be classed as instances of this concept rearing its head in the midst of an imperial discourse. Is it right to treat the overthrow of the kings in the same bracket as the Philippics? Should Cato be judged as a representative

⁵⁰ Gowing 2005; Wilkinson (2012); Farrell & Nelis (2013).

of the Republic or is he a character in his own right? How can one separate out nostalgia for the past from a specific longing for the old Republic?

Such attempts to study how the unwieldy concept of 'the Roman Republic' was received in imperial Rome are biting off more than can feasibly be chewed. This study uses the life and works of Cicero to provide a manageable and identifiable set of criteria by which we can identify elements of the Republic as they surface in the literary culture of the early empire. By highlighting the breadth and depth of references made by the literary elite to one of the Republic's most prolific authors and central historical figures, we can begin to lay an important foundation for an understanding of how the Roman Republic impacted upon the experiences of the people who lived under the Principate.

Part I: Cicero and Historiography

Introduction: Clio's Cicero

Just as the historians of the early imperial period had little choice but to interact with the legacy of Marcus Tullius Cicero, the student of Cicero has little choice but to interact with these historians. There is a simple utilitarian reason for this: their access to far greater amounts of *Ciceroniana* than we could possibly lay our hands on ought to make these early historians veritable treasure troves of useful information for fleshing out our picture of Cicero's life and career. Chronological proximity to the subject, however, is not the only criterion by which the quality and accuracy of a history should be judged.¹ One rather surprising aspect of these early historians' writings is the fact that they rarely contribute anything new to our understanding of Cicero's life. With the exception of Sallust's history of the Catilinarian conspiracy, most of the information that has come down to us gathers around the banal, the obvious and the unreliable.

Although that content may not sound especially promising, there are other factors that make these historiographical accounts worthy of our attention. These historians may not tell us a great deal about Cicero himself, but they can tell us an enormous amount about how he was perceived more broadly among their audience. The following chapters will explore why these historians felt it was important to make

¹ The most famous example of an imperial historian firmly grasping the stick at the wrong end when it comes to narrating a detail of Cicero's life can be found in Asconius. The historian Fenestella, although writing well within living memory of Cicero's death, dutifully recorded the 'fact' that in 65 BC Cicero defended Catiline on a charge of extortion: *Asc. Tog Cand.* 85C. Fenestella's mistake seems to be based on the fact that Cicero had at one point considered defending Catiline: *Att.* 1.2.

room for Cicero in their works, how his portrayal shifted over time, and what sort of themes and topics were bound up with these Ciceronian reminiscences.

This study is divided into three major sections: the first two explore important authors and the third explores an overarching theme. Chapter 1 focuses upon what it means for Sallust to have decided so soon after Cicero's death to dedicate an entire monograph to the Catilinarian conspiracy. It also considers why Sallust, having made that choice, went out of his way to minimize Cicero's role in the narrative. I shall consider both what this can tell us about the audience Sallust was writing for, and what it can tell us about his conception of himself as a historian.

The second chapter is concerned with Livy, the other major surviving historian of the period. Since the part of the *ab Urbe Condita* that dealt with the events of Cicero's lifetime has not come down to us, it has been necessary to take a different approach to assessing Cicero's impact on Livy's writing. The methodology of this chapter is to look at an important part of Livy's narrative (in this case, the Hannibalic war, narrated between books 21 and 30) and to look for moments of Ciceronian intertextuality. This approach not only reveals which of Cicero's writings Livy was familiar with and which he could expect his reader to recognize; it also informs us about the sort of themes and topics around which allusions to Cicero were likely to congregate.

The final two chapters of this study of the historiography of Marcus Tullius Cicero turn to the fragments of the imperial writers, investigating what pictures of Cicero we can piece together from the remains of the historical texts that have not come down to us complete. Although there are plenty of small fragments reporting

various minor details from Cicero's life, there is one overarching theme to the larger fragments: the death of Cicero.

The first chapter surveys the Augustan age and investigates the run of historical fragments that cover either Ciceronian obituaries or reports of his murder. These texts trace a historical tradition that began not long after the event itself with Asinius Pollio's obituary and ended decades later with a Livian riposte. Alongside these historiographical treatments, this chapter will also add to our knowledge of how Cicero's death was depicted by focusing on contemporary texts written on this subject in other genres.

The second of these chapters picks up where the last one left off with Cremutius Cordus' history and ends midway through the reign of Tiberius with the works of Aufidius Bassus. Thanks to Seneca the Elder's preservation of several historical narratives of Cicero's death, we have numerous different obituaries and death notices to compare. As well as being a fairly heterogeneous set of texts, these fragments are also substantially different from those written in the Augustan era. By looking at the texts from these two chapters in chronological order, we can detect a very sharp transformation in how the story of Cicero's death was told. The nature of this transformation has the potential to tell us a great deal about imperial Rome's evolving relationship with its Republican past.

The historical tradition surrounding the life (and death) of Marcus Tullius Cicero was not a static one. The historians of the early imperial period drew upon Cicero's name, works and experiences in order to tell a variety of stories on a variety

of themes in a variety of ways. If there is one constant, it is the fact that throughout this period Cicero never lost his potency as a tool for thinking about Rome's history.

Chapter 1

Hamlet Without the Prince: Cicero in Sallust's *Bellum Catilinae*

Introduction

As dawn broke through the trees on the Heights of Weehawken on the morning of the 11th July 1804, two giants of the Republic confronted each other with pistols drawn. The American Founding Father Alexander Hamilton occupied the higher ground, while the Vice President of the United States Aaron Burr stood opposite him, facing the rising sun. Through the summer mist two shots rang out. The first musket ball splintered a tree; the second crashed into Hamilton's abdomen, felling him on the very spot where his son Philip had been killed in a duel three years earlier. Mortally wounded, he passed away on the afternoon of the following day.

This duel was the end of the notorious and longstanding feud between the two men. In December 1800, at the height of this enmity, Hamilton took up his pen to assail Burr, with rather greater effect than his later attempt to use a flintlock pistol to the same end. After Hamilton's Federalists had botched any chance of holding onto the White House, the contest to become the third President of the United States of America was at an impasse between the two front-running candidates, Thomas Jefferson and Aaron Burr, who held 73 Electoral College votes each. It fell to the outgoing, largely Federalist, House of Representatives to decide which of these two Democratic-Republicans was to hold office.

Hamilton had little love for either candidate, but when push came to shove he had little doubt in his mind whom he would prefer to elect. He began a war of words against Burr, seeking to sway the bloc of Federalists who preferred Burr's candidacy as a means of thwarting the ambition of their nemesis Jefferson. After seven days and 35 deadlocked ballots, Hamilton's campaign finally succeeded: on the 36th ballot, held on the 17th February 1801, Congress voted that Thomas Jefferson was to be President, and Aaron Burr his Vice President.

Part of Hamilton's campaign survives to us through Henry Cabot Lodge's edited collection of his letters. The collection preserves a part of Hamilton's furious attempts to convince his colleagues of Burr's unsuitability for the office. One of his most common allusions in these letters is to a certain resemblance between Aaron Burr and a figure from antiquity who had become a by-word for every kind of villainy. He lays down this charge most fully in a letter to his successor as Secretary of the Treasury, Oliver Wolcott, a man he deemed influential and connected enough to sway a few New England Congressmen:

To Oliver Wolcott,

New York, Dec. 16, 1800.

It is now, my dear sir, ascertained that Jefferson or Burr will be President, and it seems probable that they will come with equal votes to the House of Representatives. It is also circulated here that, in this event, the Federalists in Congress, or some of them, talk of preferring Burr. I trust New England, at least, will not so far lose its head as to fall into this snare. There is no

doubt but that, upon every virtuous and prudent calculation, Jefferson is to be preferred. He is by far not so dangerous a man; and he has pretensions to character.

As to Burr, there is nothing in his favor. His private character is not defended by his most partial friends. He is bankrupt beyond redemption, except by the plunder of his country. His public principles have no other spring or aim than his own aggrandizement, *per fas et nefas*. If he can, he will certainly disturb our institutions, to secure to himself permanent power, and with it wealth. He is truly the Catiline of America.¹

In Hamilton's correspondence, Catiline takes on the role of the bogeyman: a figure so incredibly wicked that his name had come to stand for depravity, deceit and destruction.

Of course the year of 1800 was not the first appearance of Catiline in such a garb as this. Not too many decades after his death, no less a poet than Virgil put him centre stage on Aeneas' shield:

...hinc procul addit

Tartareas etiam sedes, alta ostia Ditis,

et scelerum poenas, et te, Catilina, minaci

¹ Lodge (1904), pg. 392. Other references to Burr as Catiline can be found at: pg. 387, 395, 419, 421. For a reference to Burr as an "embryo-Caesar", see: pg. 22.

pendentem scopulo Furiarumque ora trementem,
secretosque pios, his dantem iura Catonem.²

Although Virgil's reader has already encountered a Catilinarian character in *Aeneid* V (in the form of the *furens animi* oarsman Sergestus³), Catiline's engraved appearance nonetheless comes out of the blue. As Fordyce points out in his commentary, this scene acts as a "not entirely convincing" bridge between Rome's earlier history (Tarquinius Superbus, Lars Porsenna, Horatius Cocles etc.⁴) and its present (Actium).⁵ Catiline, we are presumably to infer, is held to be such a wicked character that he can stand as a synecdoche for all the sins of Rome's recent history.⁶

Cicero's own poetry on Catiline's afterlife is lost to us, and so we cannot be privy to any allusions to it in Virgil's vignette. It is nevertheless difficult to imagine that Cicero would have been over the moon with Virgil's presentation of this episode. Harrison's contention that Virgil's scene bypasses Cicero's account and is instead directly influenced by his reading of Sallust is difficult to refute.⁷ Not only is Cicero himself absent from the scene, but the role of the anti-Catiline, the pious and virtuous statesman, is already taken. Indeed it has been usurped by the one man who was

² Virg. *Aen.* 8.666-70.

³ Virg. *Aen.* 5.121.

⁴ Virg. *Aen.* 8.646-728. For the historical significance of the shield, see: Woodman (1989); Harrison (1997).

⁵ Fordyce (1977), *ad loc.*

⁶ Although in the underworld of *Aeneid* VI this is also represented by Caesar and Pompey: Virg. *Aen.* 6.828-35.

⁷ Harrison (1997), pg. 74. See also, Peta Fowler's observation (noted at pg. 74 n.15): "It is also notable that Sallust's Caesar in the *Nones* debate denied the existence of the underworld (*Cat.* 51.20), and was contradicted by Cato (52.13): the fact that the Vergilian Cato is placed in the underworld which he argued for in Sallust is surely another pointed allusion to the Catiline."

Cicero's rival claimant to the glory of the *Nones*: Marcus Porcius Cato.⁸ Cicero's absence from Virgil's underworld is symptomatic of a broader trend in the narrative surrounding the Catilinarian conspiracy: the gradual loosening of the bond between the events of 63 BC and Cicero's narrative of them.

The single most important event in this story since the publication of the *Catilinarians* occurred not long after Cicero's death, when Sallust wrote the *Bellum Catilinae*.⁹ Cicero's recent murder in the proscriptions might be seen as precisely the catalyst that pointed Sallust towards this project. The death of the author of the definitive account of the Catilinarian conspiracy provided Sallust with an opportunity to set his account against Cicero's and demonstrate his own independence as a historian (without the complication of Cicero being able to compose a reply).¹⁰

Aside from its own obvious merits, the *Bellum Catilinae* is an extremely fortuitous survival as a piece of *Ciceroniana*. As a later historical monograph dedicated to a subject synonymous with Marcus Tullius Cicero, the *Bellum Catilinae* proves an ideal source for the perception of Cicero's consulship. As it stands, the work provides a very different slant on the narrative from the one offered to us by Cicero. Where the Ciceronian texts are keen to emphasize the consul's own agency in subduing Catiline's conspiracy, Sallust's abiding interest is the separation and distinct development of the

⁸ Cato's role in the Catilinarian conspiracy is of great importance to the reception of this episode of Roman history and will be treated more thoroughly below, see pg. 68-77.

⁹ In this chapter I am following the general consensus that the dissemination of Sallust's history is to be dated broadly to the Triumviral period.

¹⁰ Another interpretation would be to read this choice as an attempt to spare Cicero's feelings.

characters of Catiline and Cicero, alongside other figures in the drama. How Sallust manages this and the effect this text has on the perception of Cicero after his death will be the subject of this section.

Cicero's *Nones*

A comparison of the *Bellum Catilinae* and Cicero's works on the Catilinarian conspiracy is of great import. Such a study allows us to balance Cicero's presence in the historical record against other historical actors who were not the creators of so many of our texts from this period. Although this is a broad problem with late Republican historiography, it is particularly acute in relation to the Catilinarian conspiracy.

Cicero's personal responsibility for defeating Catiline was not only the central pillar of his conception of his consulship; it was the mainstay of his political life thereafter. In order to understand the implications of someone other than Cicero writing on this subject, it is vital to understand just how jealously Cicero guarded this particular aspect of his legacy during his lifetime, and just how vigorously he promoted it.

Some aspects of Cicero's continuous promotion of his consular achievement are too well-known to require anything more than the barest mention: his boastful letter to Pompey almost immediately after trouble at Rome had been quelled (*ad Fam.* 5.7); his poetic compositions on his handling of the conspiracy (both *de Consulatu Suo* and *de Temporibus Suis*); his attempts to coax fulsome works on the subject out of other writers (the poet Archias - *Arch.* 28; *ad Att.* 1.16; the historian Luceius *ad Fam.* 5.12;

and even Posidonius *ad Att.* 2.1.1-2); and, of course, his publication of the Catilinarian speeches, as well as many others which take as read his heroic role in saving Rome and Italy from Catiline.¹¹

Alongside these examples of self-promotion, however, there are two aspects of the same phenomenon which deserve further elucidation. Before launching into an investigation of Sallust's treatment of the Catilinarian conspiracy, I would like first to demonstrate just how deeply Cicero associated himself with these events, and secondly to show that Cicero's construction of himself as Catiline's destroyer was especially relevant to the next generation's perception of him.

The first aspect of this phenomenon can be seen in a letter written to Publius Sestius in December 62 concerning Cicero's debt following the purchase of a house:

ego tua gratulatione commotus, quod ad me pridem scripseras velle te bene evenire, quod de Crasso domum emissem, emi eam ipsam domum HS. $\overline{\text{XXXV}}$ aliquanto post tuam gratulationem; itaque nunc me scito tantum habere aeris alieni, ut cupiam coniurare, si quisquam recipiat, sed partim odio inducti me excludunt et aperte vindicem coniurationis oderunt, partim mihi non credunt et a me insidias metuunt nec putant ei nummos deesse posse, qui ex obsidione feneratores exemerit.¹²

Just over a year after Cicero's consulship we find him going out of his way to use the language of conspiracy in a text on a completely different topic. Although not part of

¹¹ For notice of Cicero's intention to publish the Catilinarian speeches, see: *Att.* 2.1.3.

¹² *Fam.* 5.6.2.

the canon of texts in which Cicero praises his own deeds *non sine causa, sed sine fine*, this letter displays the same desire on Cicero's part to maintain the image he created for himself in his consular year.¹³

Even on an intimate, interpersonal level Cicero was keen to nail his colours to the mast of the *Nones*. This has consequences both for our understanding of why Sallust chose to publish his *Bellum Catilinae* when he did (i.e. once the keenly territorial Cicero was out of the way), and for our understanding of just how deeply felt the connection between Cicero and Catiline seems to have become.

The second aspect is taken from a particularly useful pair of texts drawn from the final years of Cicero's life: the *de Officiis* and the Philippics. Both of these works use the Catilinarian conspiracy to furnish the reader with Cicero's credentials as the man most suited to lead the opposition to Mark Antony. The stylistic gulf that separates polemic and moral philosophy makes it necessary that this theme be employed in different ways in the Philippics and the *de Officiis*.

While Cicero largely puts his own achievements on the side-lines in the *de Officiis*, he makes a major exception for the Catilinarian conspiracy.¹⁴ This episode figures twice in the *de Officiis* in prominent sections of the first two books. In book 1,

¹³ For this pithy phrase about Cicero's self-praise, see: Sen. *Brev.* 5.1.

¹⁴ For the impersonal nature of the *de Officiis* being a result of it being a translation of Panaetius, see: Pohlenz (1934), who treats the Roman aspects of the *de Officiis* not as evidence of Cicero's philosophical innovation but as a sign that Panaetius wrote for a Roman audience. For a rebuttal of this, see: Dyck (1996), pg. 24-29. For Cicero's own philosophical contribution to Panaetius' original, see: Kries (2003). For Cicero treating himself as an intellectual exemplar rather than a political one in the *de Officiis*, see: van der Blom (2010), pg. 317.

the suppression of the conspiracy forms the climax to Cicero's discussion of *megalopsychia*, which largely takes the form of a list of the great civic and military achievements of the Mediterranean world.¹⁵ Near the end of book 2, the Catilinarian conspiracy (and Cicero's part in its failure) arises again. In a discussion of debt cancellation, Cicero opts for a strident defence of his own actions:

nec enim ulla res vehementius rem publicam continet quam fides, quae esse nulla potest, nisi erit necessaria solutio rerum creditarum. numquam vehementius actum est quam me consule ne solveretur. armis et castris temptata res est ab omni genere hominum et ordine; quibus ita restiti, ut hoc totum malum de re publica tolleretur. numquam nec maius aes alienum fuit nec melius nec facilius dissolutum est; fraudandi enim spe sublata solvendi necessitas consecuta est.¹⁶

In this instance there is not even an attempt at false modesty. Cicero closes the Panaetian section of the *de Officiis* with a ringing endorsement of his activity as consul, priding himself on his personal actions which put an end to the nefarious plots of the debt-ridden *improbi*. With his Catilinarian credentials set out in the first two books of the *de Officiis*, Cicero ends the third with an image of himself setting off to battle with

¹⁵ *Off.* 1.77. Dyck (1996) *ad loc.* notes that Cicero attempts to shrug off a charge of vanity by couching the part of this section about the Catilinarian conspiracy in an address to his son. He also achieves this by limiting discussion of the conspiracy to the merits of his poetry about the event.

¹⁶ *Off.* 2.84.

the unnamed Antony in order to save his city, presenting his son Marcus with the collection as a mediated farewell.¹⁷

When Cicero finally joined battle with Antony in the Philippics, the Catilinarian conspiracy is especially prominent. It is particularly evident in Cicero's opening salvo against Antony, the second Philippic. Self-aggrandising references to his consulship act as bookends to this (never orally delivered) oration. Cicero begins his speech by taking his audience back two decades and surveying his subsequent role in Roman history:

quonam meo fato, patres conscripti, fieri dicam, ut nemo his annis viginti rei publicae fuerit hostis, qui non bellum eodem tempore mihi quoque indixerit? nec vero necesse est quemquam a me nominari; vobiscum ipsi recordamini. mihi poenarum illi plus, quam optaram, dederunt: te miror, Antoni, quorum facta imitere, eorum exitus non perhorrescere. atque hoc in aliis minus mirabar. nemo enim illorum inimicus mihi fuit voluntarius, omnes a me rei publicae causa lacessiti. tu ne verbo quidem violatus, ut audacior quam Catilina, furiosior quam Clodius viderere, ultro me maledictis lacessisti, tuamque a me alienationem commendationem tibi ad impios civis fore putavisti.¹⁸

He returns to the same theme in the *peroratio*:

¹⁷ *Off.* 3.121.

¹⁸ *Phil.* 2.1.

respice, quaeso, aliquando; quibus ortus sis, non quibuscum vivas, considera; mecum, ut voles, redi cum re publica in gratiam. sed de te tu videris, ego de me ipse profitebor. defendi rem publicam adulescens, non deseram senex; contempsi Catilinae gladios, non pertimescam tuos. quin etiam corpus libenter optulerim, si repraesentari morte mea libertas civitatis potest, ut aliquando dolor populi Romani pariat, quod iam diu parturit. etenim, si abhinc annos prope viginti hoc ipso in templo negavi posse mortem immaturam esse consulari, quanto verius non negabo seni! Mihi vero, patres conscripti, iam etiam optanda mors est perfuncto rebus iis, quas adeptus sum quasque gessi. duo modo haec opto, unum ut moriens populum Romanum liberum relinquam (hoc mihi maius ab dis immortalibus dari nihil potest), alterum, ut ita cuique eveniat, ut de re publica quisque mereatur.¹⁹

In the later Philippics, Cicero continues to compare Antony with Catiline.²⁰ He even echoes the first Catilinarian at the start of the third Philippic:

quo enim usque tantum bellum, tam crudele, tam nefarium privatis consiliis propulsabitur?²¹

Cicero's general argument is that since it was he who put down Catiline's revolution, he was the ideal leader of the fight against Antony.

¹⁹ *Phil.* 2.118-9.

²⁰ *Phil.* 4.15; 8.15; 13.22; 14.14.

²¹ *Phil.* 3.3

Had Cicero won his fight against Antony, his defeat of Catiline might have become a lesser part of his self-valuation. As the record stands, however, Cicero based his political reputation on the events that took place in the winter of his consulship.

To tell the story of the Catilinarian conspiracy was far from a simple exercise in historiography: these events reached to the very core of Cicero's reputation. When Sallust undertook the *Bellum Catilinae* he was engaging in a fundamentally Ciceronian exercise. He was writing a historical monograph which could not avoid positioning itself relative to Cicero's works on that same topic. The differences between Sallust and Cicero's works must in part lie in the manipulation of Cicero's carefully-crafted reputation, but they also must reflect how Cicero's position in Roman minds had mutated in the years after his death.

Quousque tandem...

As Cicero shows in the above quotation from the third Philippic, the opening line of Cicero's first Catilinarian is a natural point from which to begin a discussion of the events of 63 BC. From Congolese dictators to French historians, the ringing denunciation *quousque tandem abutere, X, patientia nostra* has pursued malefactors and miscreants for more than two millennia.²² These words have not only come to function as shorthand for Cicero's four Catilinarian speeches and for the entirety of his campaign against Catiline; they have come to be attached to any attack on a figure perceived to have outraged society.

²² Beard (2013), pg. 85-6.

This practice started rather earlier than might be appreciated. Sometime in the early summer of 61 BC Cicero wrote a letter to Atticus describing the aftermath of his decision to give evidence against Clodius in the latter's trial for invading the rites of the *Bona Dea*.²³ Clodius, no doubt feeling piqued that Cicero had not just given evidence against him in the trial, but had done so after promising to provide his alibi, did not take kindly to Cicero using the Curia as a platform from which to denounce the corruption of the jury which had acquitted Clodius and to hold forth on the guilt of the man himself. Cicero relates to Atticus the *altercatio* which blew up between himself and Clodius in the aftermath of one of these speeches. Among the barbs thrown back and forth between the two, Clodius presents the following:

"quousque," inquit, "hunc regem feremus?"²⁴

This may be a fairly simple joke (using Cicero's own rhetoric to criticize his highhanded execution of the conspirators), but it is an effective one, and good evidence that it did not take long for the rhetorical question with which Cicero began the first Catilinarian to gain a life of its own.

Leaping forwards a few decades, Seneca the Elder records another instance of the line's growing canonical status. In his discussion of a *Suasoria* on the subject of Cicero's fictional final reckoning with Antony, Seneca turns to the subject of Cicero's bibulous son:

²³ *Att.* 1.16. For a recent interpretation of this letter, see: Lintott (2008), pg. 6-8.

²⁴ *Att.* 1.16.10. Cicero's neat rejoinder remarks on the fact that Clodius was no authority on the subject of kings since he had recently been snubbed in the will of a man named Rex – a pun Julius Caesar would later make his own: Suet. *Iul.* 79.2.

Hybreae, disertissimi viri, filio male apud se causam agenti ait: ἡμεῖς οὖν πατέρων; et, cum in quadam postulatione Hybreas patris sui totum locum ad litteram omnibus agnoscentibus diceret, 'age,' inquit 'non putas me didicisse patris mei: quousque tandem abutere, Catilina, patientia nostra?'²⁵

Again, the quotation appears as part of a joke: portraying an audience bored by a speaker's repeated plagiarism as the Roman senate witnessing Catiline's stubborn refusal to hide his face after Cicero's denunciations. The internal logic of the *bon mot*, however, is very useful to the student of Ciceronian reception: it takes as read the idea that *in Catilinam* 1.1 would be immediately recognizable to a general audience as a piece of Ciceronian oratory.

An account of the Catilinarian conspiracy that failed to make some use of Cicero's apophthegm would be a very peculiar text indeed. Sallust does not disappoint. In the middle of the work's very first speech, the reader encounters this rallying cry:

quae quousque tandem patiemini, o fortissimi viri? nonne emori per virtutem praestat quam vitam miseram atque inhonestam, ubi alienae superbiae ludibrio fueris, per dedecus amittere?²⁶

This is a neat piece of *variatio* upon the original Ciceronian line: the phrase itself loses its place as a speech's opening note²⁷; the notorious first couple of words have been

²⁵ Sen. *Suas.* 7.14.

²⁶ Sall. *Cat.* 20.9.

²⁷ Other plays on the phrase retain it in its opening position: we can see this in Livy above, but it is also apparent in Tacitus' two uses of the phrase and its usage in Apuleius: Tac. *Ann.* 1.13, 28; Ap. *Met.* 3.27.

bumped back one place behind the object, which has been thrown forward to the front of the sentence and become a relative pronoun; the vocative has taken the object's place at the sentence's end and has been replaced with another Ciceronian formulation from the first Catilinarian²⁸; while the sense of the original *patientia* is taken over by the main verb of the sentence (a cognate form which also appears frequently in the Catilinarians²⁹).

These minor and artful modifications are, however, small fry next to the biggest alteration of all: the fact that Cicero's exordium has been transferred into Catiline's mouth. It is far from easy to know what to make of this transposition, and it has been the object of some (but not much) scholarly discussion. Sir Ronald Syme provides a good starting point for the debate. Discussing this passage in his *Sallust*, he recognizes Catiline's appropriation of the line, but does not think much of its importance. As he idiosyncratically puts it:

If that is malice, it is not very noxious.³⁰

Renihan provides the antithesis to this view: he argues that, noxious or not, the parody shows a disrespectful attitude to Cicero on Sallust's part: you cannot, he argues, imagine Sallust doing something similar to Cato or Caesar. Summing up this stance in what is presumably his own parody of Syme's style:

²⁸ *Cat.* 1.21 (referring to his own supporters outside the temple where he has convened the Senate): "honestissimi atque optimi viri, ceterique fortissimi cives".

²⁹ *Pator* appears in its various forms nine times in the course of the four Catilinarians.

³⁰ Syme (2002), pg. 106.

Here the Roman Thucydides laughed.³¹

Seager agrees that this passage shows that Sallust had a sense of humour.³²

Writing in the same year as Seager, Innes provides a rebuttal to Renehan's thesis. On her reading, Sallust is not attempting to parody Cicero by putting his words in Catiline's mouth, but rather he is highlighting the latter's wickedness. Just as Catiline misuses and perverts the meaning of words like *virtus fidesque* at the start of his speech, his appropriation of the words of the first Catilinarian shows that he can even take the words which sealed his doom and forge them into an exhortation to his *caterva* of miscreants. In Innes's view, this is really a subtle tribute to Cicero and the original valour of his speech.³³ One might push this idea further, and argue that Catiline's ability to talk like Cicero is evidence of the fact that he had all the qualities necessary to be an outstanding citizen. His Ciceronian rhetoric, on this reading, serves as a reminder of the path not taken.³⁴

Malcolm takes a very different approach to the problem of how to interpret the appearance of these words in Catiline's speech, identifying Catiline himself as the originator of this phrase.³⁵ In Malcolm's provocative reading, Cicero's rhetorical genius lay in throwing Catiline's own words back in his face. Sallust, then, is merely

³¹ Renehan (1976), pg. 100.

³² Seager (1977), pg. 383. Although there is little material directly concerning Sallust, for a treatment of wit in Roman historiography, see: Plass (1988).

³³ Innes (1977), pg. 468. She goes on to compare this with Sallust's other parody of the line at *Hist.* 1.77.15, with Philippus being set up as a proto-Cicero against Lepidus, who is being subtly compared to Catiline through this allusion.

³⁴ I owe this last point to Rhiannon Ash.

³⁵ Malcolm (1979), pg. 219-20; cf. Skard (1956), pg. 108.

returning the phrase to its rightful inventor. There is unfortunately little to back up the thesis and much to dispute in it. We should be suspicious that this interpretation appears nowhere in ancient scholarship on the first Catilinarian. It is difficult to believe that Quintilian would have missed so important a point in his studies of this line.³⁶

This survey of scholarship should demonstrate that it is that it is not easy to untangle exactly what is going on in this passage. Divergent and even opposite stances have been taken, but all agree that this passage is deeply entwined with Cicero's Catilinarians. There is no reason why we should have a problem with saying that a text can simultaneously mock and praise Cicero.³⁷ After all, a large part of the richness of the *Bellum Catilinae* lies in Sallust's presentation of a superficially attractive but deeply dangerous Catiline.

The prejudices the reader brings to Catiline's speech will ultimately be the determining factor in working out what it means for him to take over the opening words of the first Catilinarian. Of course this does not preclude me from having an opinion of my own, but I would prefer not to treat this episode in isolation. Over the course of the rest of this chapter I will analyse in greater depth exactly how Sallust treats Cicero in the *Bellum Catilinae*. I shall abuse the reader's patience and return to consider this line again at the end of the chapter.

³⁶ Quintilian directly quotes the line twice (*Inst.* 4.1.69, 9.2.7) and never even so much as hints that the words were originally spoken by Catiline.

³⁷ Cf. Hinds (1998), pg. xi.

Sallust's First Catilinarian

Interesting though it might be to focus on what Catiline is given to say by Sallust, it is impossible to understand what this can tell us about the presentation of Cicero unless we have a full understanding of how the character 'Cicero' is treated in this text. Such an understanding is somewhat hampered by the dispersed nature of scholarship on the subject. Although it is difficult not to encounter at least some discussion of Cicero in any major reading of the *Bellum Catilinae* (be that as contemporary, character, prose stylist or source), a full-scale and joined-up study of what Sallust makes of Cicero in this work has not been produced in recent years. I shall attempt to sketch out just such a close reading of Cicero's Sallustian appearances (in his various guises) below.

One factor that might deter writers from embarking upon such a study is the striking scantiness of the figure cut by the consul in Sallust's monograph. Cicero must rank among the juiciest characters for a historian of the late Republic to set his mind to portraying, and this seems particularly pertinent to a historian giving an account of the Catilinarian affair. Cicero's own weighty testimony recording his role in events sets out a clear model of how to construct a tale of epic proportions around the plight of the plucky Arpinate. Even if the vainglory of Cicero's account is tempered slightly, it is still difficult to imagine how a historian of Sallust's calibre could pass up the

obvious opportunity to unfurl his rhetorical tail-feathers by having the *disertissimus Romuli nepotum* as (at the very least) a major supporting character.³⁸

This is not, of course, to suggest that Sallust would necessarily have viewed the chance to inhabit the oratorical persona of Marcus Tullius Cicero as a way to praise his salvation of the state, nor does it follow that he would have jumped at the opportunity to worshipfully recreate Ciceronian *clausulae* in a fictional Curia. Indeed, it has been frequently noted that Sallust's style can be viewed as a self-conscious antithesis of Cicero's.³⁹ But whether in a style of praise or criticism, it seems unimaginable that Sallust could have viewed Cicero (whatever his opinion of him as a historical actor) as anything other than a figure loaded with potential for expressing ideas about speech and politics: themes which are fundamental to the *Bellum Catilinae*.⁴⁰

How, then, does Sallust render Cicero's legendary Catilinarian orations in his monograph? I have treated above his oblique insertion of the first line of *in Catilinam* 1 into this text; I would now like to look for the rest of the speech. Sallust does not dissent from the view that the delivery of the first Catilinarian was a central moment in the Catilinarian affair. After detailing the conspirators' wicked designs and Cicero's

³⁸ For rhetorical treatments of Ciceronian material in the declamation schools, see: pg. 250-252.

³⁹ Woodman (1988), pg. 117-8 notes that Sallust follows almost all of the ideals for history writing set out by Cicero in *de Oratore*, but systematically breaks every rule when it comes to style. It ought to be noted, however, that the well-known differences between the two authors' writing styles do not necessarily indicate ideological enmity between the two.

⁴⁰ For studies of the importance of the themes of language, meaning and politics in the *Bellum Catilinae* see: Batstone (1990) and Sklenář (1998).

reconnaissance of them, Sallust shows Catiline taking a gamble and appearing in the senate to face his adversary:

postremo dissimulandi causa aut sui expurgandi, sicut iurgio laccessitus foret, in senatum venit. tum M. Tullius consul, sive praesentiam eius timens sive ira conmotus, orationem habuit luculentam atque utilem rei publicae, quam postea scriptam edidit.⁴¹

A once-dominant school of thought which held that the *Bellum Catilinae* was a Caesarian retort to Cicero's posthumous *de Consiliis Suis* considered this passage describing the delivery of the first Catilinarian to be vital proof of Sallust's broader intention to denigrate Cicero with a view to glorifying Caesar.⁴²

It is argued that Sallust's refusal to incorporate or even summarize Cicero's famous speech is proof of his desire not to show the consul in the best light. McGushin gives this argument rather short shrift in his commentary and points to Tolkiehn and Baehrens' articles from the 1920s refuting the notion that refusal to repeat or adapt a published document necessarily shows disdain for the original.⁴³ McGushin's scepticism seems sensible: whatever Sallust meant by calling Cicero's speech *luculenta* and *utilis rei publicae*, it is certainly not meaningless verbiage, and unless one wants to

⁴¹ Sall. *Cat.* 31.5-6.

⁴² Wirz (1864) and Schwarz (1897) are the main proponents of this view. Hardy (1917) claims not to have read these monographs, but reaches similar conclusions: although he is not engaging primarily with Sallust's historiography, he sees Sallust's purpose in places as being the exoneration of Caesar (e.g. pg. 171).

⁴³ Tolkiehn (1925); Baehrens (1927); McGushin (1997), *ad loc.*

read these compliments as ironic, it is difficult to see this as part of a wholly negative portrait of Cicero.

Nonetheless, it remains difficult to subscribe to a view that holds Sallust as being *entirely* fair to Cicero in this part of the *Bellum Catilinae*. Scholars who have used these words to forge a waterproof case of Sallust's covert Caesarian politics certainly go too far, but there remains a kernel of truth in their suspicions. What does not quite fit is the clash between the importance of this speech in most readers' understanding of the Catilinarian Conspiracy and the brevity with which Sallust passes it over: damned by faint praise hardly begins to cover it.

Scholars who attempt to defend Sallust against charges of animosity towards Cicero often (and quite rightly) point to Livy's treatment of Cato the Elder's speech to the Rhodians, another speech that was, they argue, too well-known to require repeating.⁴⁴ This is a fine and fair parallel, and one which Sallust points us towards in his comment that Cicero, having delivered the speech, *postea scriptam edidit*. Convincing though this may be in terms of Roman historiography, only the briefest of glances at the bibliography related to, for example, Thucydides' Periclean funeral oration shows that there is ample scope for discussion of the relationship between historiographical speeches and the original they purport to represent.⁴⁵

⁴⁴ Syme (2002), pg. 105-6. The relevant section of Livy is 45.25.1. The constraints on Sallust as a writer of a monograph were event greater than those on Livy who was composing a monumental history. Arguably this makes him even more likely to pass over a speech in the interests of brevity.

⁴⁵ Pericles' funeral oration has gathered a large bibliography over the years. For a comprehensive and relatively recent work on the subject, see: Loraux (1986); for Hornblower's view of the speech as something between a record of the original and Thucydides' original composition, see Hornblower

It is then, I think, a matter of contention why Sallust chose to tell his reader that they could go and look up this *oratio luculenta* if they so desired, rather than create a rhetorical set-piece of his own. A consideration of the constraints placed on Sallust by the monograph format cannot be irrelevant to an investigation into why the historian passes over this oration. However, given the number of speeches that Sallust did insert into the *Bellum Catilinae*, these constraints cannot have been the deciding factor. Another consideration would be Sallust's ability to create an oration that could match up to Cicero's first Catilinarian. A certain anxiety would be understandable when it comes to creating a piece of prose to stand in for what was (as I have detailed above) the best-known speech of Rome's most eloquent orator. While it is utterly beyond our evidence to claim with any certainty that Sallust's psyche was such as to be daunted by this challenge, we might argue that it is irrelevant. The most important factor when it comes to considering why Sallust passes so briefly over the first Catilinarian is to note that its absence is in no way out of keeping with the narrative Sallust creates about these events.

On Sallust's terms alone, it makes perfect sense to do no more than report the bare fact that Cicero gave a speech that played the trump card of his secret information about the conspiracy and drove Catiline out of the city. Up to this point in the text

(1987), pg. 62 n. 66; see also Hornblower (1991-2008), *ad loc.* This is all perhaps a moot point: Sallust of course did not choose to include his own potted summary of Cicero's speech, accurate or otherwise, in his text. The point I would like to make in bringing up Thucydides here is to suggest that while it is understandable that there should be no version of the first Catilinarian in the *Bellum Catilinae*, the fact that this should have been the case is not as inevitable as Syme suggests.

Sallust has shown little or no interest in portraying Cicero as anything more than a diligent investigator of Catiline's nefarious deeds. The reader only notes the absence of the speech as significant because they are so familiar with Cicero's own narrative of events; a narrative that places a heavy emphasis on his four speeches *in Catilinam*.

If we look at the rest of the scene of the first Catilinarian's delivery, we can see what elements Sallust was interested in putting into the foreground:

sed ubi ille adsedit, Catilina, ut erat paratus ad dissimulanda omnia, demisso vultu, voce supplicis postulare a patribus coepit, ne quid de se temere crederent: ea familia ortum, ita se ab adulescentia vitam instituisse, ut omnia bona in spe haberet; ne existumarent sibi, patricio homini, quoniam ipsius atque maiorum plurima beneficia in plebem Romanam essent, perdita re publica opus esse, quom eam servaret M. Tullius, inquilinus civis urbis Romae. ad hoc male dicta alia quom adderet, obstrepere omnes, hostem atque parricidam vocare. tum ille furibundus 'quoniam quidem circumventus' inquit 'ab inimicis praeceps agor, incendium meum ruina restinguam.'⁴⁶

After paying his compliment to Cicero's furiously fluent speech (whether or not he is sincere in his praise, he is certainly markedly curt), Sallust turns to his main character. Catiline hijacks the narrative and throws the emphasis on what happened after the

⁴⁶ Sall. *Cat.* 31.7-9. For Cicero's own use of the rhetoric of the *inquilinus*, see: *Phil.* 2.105.

speech was delivered.⁴⁷ Much in the style of the rhetorician Cestius Pius, who refused to teach his students Cicero's speeches until he had composed a suitable reply to them, Sallust allows one of Marcus Tullius' opponents the opportunity to redress the balance and give the reply that posterity had hitherto declined to note down.⁴⁸

We know from Cicero's account of this meeting in the temple of Jupiter Stator that Catiline saw that he had been beaten and fled the city.⁴⁹ Sallust immediately challenges this reading and interprets Catiline's *demissus voltus* and *vox supplex* as a deceitful display of dissimulation.⁵⁰ Rather than hearing the accusations made against Catiline, we are treated to Catiline's defence of himself. Sallust gives Catiline space in the text to promote his noble lineage, praise the deeds of his forefathers and make a sly dig at Cicero's *novitas*. The senators are portrayed as not at all convinced by his self-defence, but the reader (who does not have the benefit of having just heard Cicero's denunciation) is left rather more uncertain, and at the very least rather intrigued by Catiline's brazen attitude. In a final coup for a reading of this speech that holds the heroic moment of triumph to belong to Catiline rather than Cicero, Sallust gives only the former any direct speech: "*quoniam quidem circumventus ab inimicis praeceps agor, incendium meum ruina restinguam.*"

⁴⁷ For Sallust's willingness to allow his characters to control the direction of his historical narrative, see: Kraus (1999a), pg. 217-47.

⁴⁸ *Sen. Contr.* 3.pr.15. For more on Cestius, see below: pg. 275-281.

⁴⁹ *Cat.* 2.1.

⁵⁰ Ulysses acts in a similar way before replying to Ajax's speech in Ovid's *Metamorphoses*: *Ov. Met.* 13.123-7.

The line Sallust gives Catiline to deliver is, in a rather ironic way, actually Cicero's. Sallust is not the first to attribute this imagery of conflagration to Catiline. In the speech *pro Murena*, Cicero reports that when Cato threatened to prosecute Catiline before the consular elections in 64, Catiline retorted that "he would put out the fire engulfing his prospects with demolition rather than water."⁵¹ It is possible that this remark survived in a separate tradition to the *pro Murena*, but even if Cicero is not the only source for this comment, Sallust is still refashioning a line known at least partly from Cicero's anti-Catilinarian oratory and using it in a place which highlights the consul's relative silence in the presentation of this scene, and hints at his concomitant insignificance in the broader narrative of the Catilinarian conspiracy.

The Continuing Silence of Marcus Tullius Cicero

This dismissive treatment of the first Catilinarian is Sallust's most shameless interaction with Cicero's oratory, but it is far from unique in his monograph. Although the first of Cicero's speeches seems to be by far the most well-known of the Catilinarians, we can assume that Sallust's readers would have known the other three speeches *in Catilinam*. Unlike the speech made in the temple of Jupiter Stator on the 8th November, the delivery of the other three speeches is not even reported, but Sallust's treatment of them is more subtle than that might suggest.

Even if Sallust does not explicitly signal the fact that Cicero gave three other speeches on the 9th November, 3rd December and 5th December, he does leave certain

⁵¹ Cic. *Mur.* 51: "Catoni, fortissimo viro, iudicium minitanti ac denuntianti respondisset, si quod esset in suas fortunas incendium excitatum, id se non aqua sed ruina restincturum."

clues in his text which highlight the fact that he has omitted to mention their delivery. As a study in subtlety, his treatment of the third Catilinarian is particularly interesting. In his handling of this speech, Sallust takes the parenthetical glance given to the first Catilinarian to its logical extreme. The third Catilinarian is the most triumphant of Cicero's speeches. After securing proof via the Allobroges of a connection between a handful of prominent Romans and the uprising in Faesulae now headed by Catiline, Cicero presented his evidence to the assembled senators who condemned the accused for conspiring against the *res publica* and voted a *supplicatio* in Cicero's honour. The third Catilinarian conveyed these events to the people.

This speech was not, however, just an example of Cicero patting himself on the back for a job well done. It was also a key turning point in his efforts to convince the city as a whole (especially the *plebs urbana*) that the conspiracy was both real and in nobody's best interests.⁵² Sallust's treatment of Cicero's oratorical triumph is fair, but terse:

interea plebs coniuratione patefacta, quae primo cupida rerum novarum
nimis bello favebat, mutata mente Catilinae consilia execrari, Ciceronem ad
caelum tollere, veluti ex servitute erepta gaudium atque laetitiam agitabat.⁵³

The use of a dismissive ablative absolute to conceal the third Catilinarian puts the spotlight on Sallust's desire to relegate Cicero to the background of his narrative, while the praise of Cicero that is present here is decisively focalized through other

⁵² Vasaly (1993), pg. 75-80.

⁵³ Sall. *Cat.* 48.

characters in the text. Even McGushin (who generally rejects the idea that Sallust disparages Cicero in this text) notes in his commentary that it was “the emphatic counter-propaganda of Cicero’s *Third Catilinarian*”, and not the senatorial meeting condemning the conspirators, that caused the decisive change of heart among the *plebs*. Once again the reader is presented with a murky, backstage Cicero, as opposed to the rhetorical showman we know from his own account.

As neat as Sallust’s evasion of a report on the third Catilinarian may be, his treatment of the second has an even greater effect on the narrative of the *Bellum Catilinae*. Cicero delivered the second Catilinarian the day after the first, when Catiline had withdrawn from the city. He addressed himself to a *contio* of the *populus Romanus* in order to demonstrate Catiline’s guilt, to explain the nature of the conspiracy to them and to warn them that the danger had certainly not left the city along with Catiline. Sallust makes no mention of Cicero’s speech informing the people as to what had transpired in the temple of Jupiter Stator. He does, however, maintain the structure of the first two Catilinarians by allowing the protagonist to justify himself and his actions, describe what happened during the meeting of the senate and set out his future plans.

The difference of course is that in Sallust’s narrative the protagonist is not Marcus Tullius Cicero. Instead Sallust reproduces Catiline’s *apologia pro vita sua* in the form of his letter to Catulus.⁵⁴ As well as acting as an anti-second Catilinarian in terms

⁵⁴ Sall. *Cat.* 34-5.

of its position in the narrative and in its broad purpose, the contents of Catiline's letter (naturally) serve to undermine Cicero's case in general, and *in Catilinam* 2 in particular. Catiline denounces the state of the *res publica* in uncompromising terms and casts himself as a heroic defender of an impoverished population. He castigates Cicero (both for what he is and for what he has done) and blames him for driving a scion of the nobility from his home with lies and insults and forcing him to go to such lengths to maintain his *dignitas*.

Once again Catiline is granted a passage of direct speech while the same is denied to Cicero. It has often been noted that (for better or for worse) Sallust's overall narrative broadly coheres with the version laid down by Cicero.⁵⁵ This treatment of the second Catilinarian, however, flags up a tension inherent in a telling of the story which follows the itinerary of Cicero's account so closely (especially when Sallust is speaking *in propria persona*), but inverts the tenor of the drama by making Catiline its protagonist. As a result of this speaking role, Catiline is at the very least able to emerge from the *Bellum Catilinae* as an attractive anti-hero. Moreover, since Sallust has adjusted the story's timbre with such rhetorical artistry, the reader cannot help but question the Ciceronian narrative that underpins the project as a whole.

This discussion of the first three Catilinarians leads us naturally to the most famous evasion of Cicero's oratorical contribution to the Catilinarian affair: Sallust's treatment of the fourth Catilinarian. The debate in the senate about what to do with

⁵⁵ Syme (2002), pg. 73; Mellor (1999), pg. 35.

the arrested conspirators is possibly the best-documented moment of 63 BC. Through a combination of Cicero and Sallust's accounts and assorted minor testimonies, we have three approximations of the speeches delivered on the subject of the fate of the prisoners. I use the phrase "approximations", as there is strong (if not overwhelming) evidence to suggest that the speeches that Sallust puts in the mouths of Caesar and Cato in chapters 51 and 52 of his *Bellum Catilinae* owe a great deal more to Sallustian historiography than they do to the *ipsissima verba* of the day.⁵⁶ Such doubts can be extended even so far as Cicero's fourth Catilinarian. Lintott may well be correct in his judgement that, for all his doubtless eloquence on the day, Cicero's *esprit d'escalier* led to him dawdling on the stairs for two years after the banquet of the *Nones* while he either polished or wholly invented the remarks he had made before the gathered senators.⁵⁷

As is probably clear from the above, Sallust elides Cicero's contribution to the debate by focussing on the oratorical contributions made by Caesar and Cato. No lesser authority than Sir Ronald Syme has challenged those who see an anti-Ciceronian bias in this move by claiming that Cicero's contribution to the debate was not important in itself and that Sallust was merely refocusing attention on the speeches that were actually significant.⁵⁸ This may well be true; on nobody's reading is Cicero's speech held to be the one which changed the minds of a large number of

⁵⁶ Batstone (1990); Sklenář (1998).

⁵⁷ Lintott (2008), pg. 17-8.

⁵⁸ Syme (2002), pg. 105-6.

senators, nor the one which at the end of the day stiffened their resolve to execute the prisoners. Velleius Paterculus, for example, is quite clear that it was Cato who deserved the plaudits for this particular element of the suppression of the conspiracy.⁵⁹ Even Cicero seems to have been aware that it was Cato who held the place of greatest prominence in this meeting of the senate. Nonetheless, he felt that his own contribution was important and deserving of inclusion in a historical account of the debate.

When Brutus wrote his *Cato*, a published eulogy of his uncle, he included a description of Cato's contribution to the debate of the *Nones*. We know about this because it offended Cicero. He elaborates in a letter he wrote to Atticus:

legi Bruti epistulam eamque tibi remisi sane non prudenter rescriptam ad ea quae requisieras. sed ipse viderit. quamquam illud turpiter ignorat. Catonem primum sententiam putat de animadversione dixisse quam omnes ante dixerant praeter Caesarem et, cum ipsius Caesaris tam severa fuerit qui tum praetorio loco dixerit, consularium putat leniores fuisse, Catuli, Servili, Lucullorum, Curionis, Torquati, Lepidi, Gelli, Volcaci, Figuli, Cottae, L. Caesaris, C. Pisonis, M'. Glabrionis, etiam Silani, Murenarum designatorum consulum. cur ego in sententiam Catonis? quia verbis luculentioribus et pluribus rem eandem comprehenderat. me autem hic laudat quod rettulerim, non quod patefecerim, cohortatus sim, quod

⁵⁹ Vell. 2.34.1-4. For Velleius' positive assessment of Cicero, see: pg. 190-199.

denique ante quam consulerem ipse iudicaverim. quae omnia quia Cato laudibus extulerat in caelum perscribendaque censuerat, idcirco in eius sententiam est facta discessio. hic autem se etiam tribuere multum mi putat quod scripserit optimum consulem. quis enim ieiunius dixit inimicus? ad cetera vero tibi quem ad modum rescripsit! tantum rogat de senatus consulto ut corrigas. hoc quidem fecisset etiam si a librario admonitus esset. sed haec iterum ipse viderit.⁶⁰

Schwarz used the reappearance of Brutus' phrase *optimus consul* in the *Bellum Catilinae* as proof that Sallust sought to ridicule Cicero. It seems highly dubious to me that a contemporary reader could have been expected to see this phrase as an allusion either to Brutus' *Cato* or to Cicero's complaint about it.⁶¹ In the former case we should take into account the fact that Brutus' intention was a good one, even though the result was deemed undercooked by Cicero. In the latter case we might question how well-known this piece of correspondence could have been so soon after Cicero's death.

It is of course Cicero's special province to complain that he is being side-lined, and it is not Sallust's job to follow his complaints when writing his own narrative. We are certainly in no position to judge whether Brutus or Cicero gave a more just rendering of the debate, and it would not be fair to castigate Sallust for following one version over the other. There already existed a narrative of the Catilinarian conspiracy which foregrounded Caesar and Cato towards the end and moved Cicero out of

⁶⁰ *Att.* 12.21.1.

⁶¹ *Sall. Cat.* 43.1; Schwarz (1897). For an extended treatment of this episode, see: pg. 79-80.

prominence. We simply do not have enough evidence to be certain in a claim that it was an act of anti-Ciceronian bias in itself for Sallust to choose this particular narrative.

But regardless of the potential even-handedness of a history that promotes other actors above Cicero, the terms upon which Sallust engages in his narration of the final senatorial debate on the fate of the conspirators seem almost cruel in their revisionism. Even if we agree with Syme's assessment of the fourth Catilinarian as having no significant impact on the verdict that was eventually handed down, this does not mean that the speech was of no importance to a history of the Catilinarian conspiracy. Simply by being the climax of Cicero's extremely well-known narrative of the events, the historian's judgement of Cicero cannot but be bound up in the prominence given to this speech.

As has been noted above, Sallust largely follows Cicero's interpretation of the relative importance of the series of events that made up the Catilinarian affair, and he makes no exception when it comes to deciding where he should locate the climax of the piece. When Cicero put together his Consular Collection in 60 BC, he had no doubt about what the most appropriate dénouement would be: the speech he gave *in senatu Nonis Decembribus*.⁶² Sallust makes no radical departure from this schema: the

⁶² *Att.* 2.1.3.

rhetorical *synkrisis* that Sallust stages between Caesar and Cato on the *Nones* constitutes the centrepiece of the monograph.⁶³

If one was searching for compliments to Cicero in Sallust's text, then one might argue that, while Sallust does not directly mention Cicero's contribution to the debate, it should be enough for him to have mentioned the fact that an important debate took place at this time in which both great speeches and a momentous decision were made.⁶⁴ This Sallustian defender might advance three arguments in support of this point. First, this reader might point to the fact that Sallust explicitly mentions that it was Cicero who called the meeting and referred the question to the senate, and show that in Sallust's chronology this was a key moment in putting down the crisis, which maintains Cicero in his favoured position as saviour of the state.⁶⁵ Secondly, it might be argued that the execution of the conspirators is only central to Cicero's reading of the Catilinarian conspiracy because it was the cause of his exile.⁶⁶ If we refuse to hold this Ciceronian calamity as the *telos* of the events, then the fourth Catilinarian recedes into the distance.⁶⁷ Thirdly, the absence of any Ciceronian contribution could be batted away on the grounds that mere reference to the debate would automatically remind the informed reader of the fourth Catilinarian, and therefore there is no need even to

⁶³ Syme (2002), pg. 68; Batstone (1990); Kraus and Woodman (1997), pg. 19 n. 61; Sklenář (1998); Mellor (1999), pg. 37.

⁶⁴ For the number of debates referred to in this passage, see: Heyworth & Woodman (1986).

⁶⁵ Sall. *Cat.* 50.3.

⁶⁶ It would, for example, be possible to construct a narrative of the Catilinarian conspiracy that loses interest in events at Rome once Catiline has left to join Manlius.

⁶⁷ One might advance this further and argue that Cicero's silence in this debate generates sympathy: he was exiled as a result of decisions taken in a meeting in which his own speech was not pivotal.

mention the fact that Cicero gave the speech. To paraphrase Tacitus: *praeifulget Cicero eo ipso quod oratio sua non videtur*.⁶⁸

This will not do for the following reasons. In answer to the first objection, Sallust does not even do Cicero the courtesy of naming him. Neither when he calls the senate to discuss the conspirators, nor when he undertakes the agreed upon extra-judicial execution is he identified by name. Sallust simply identifies him by reference to the office he held: *consul*. Secondly, although Cicero's exile was of importance to nobody as much as himself, it came about as a result of an exceptionally rare event. The execution of Roman citizens without trial was very far from being an everyday occurrence at any point in Roman history. This debate was unique and had historical significance in its own right. Finally, in reply to a thesis that denies any Sallustian malice towards Cicero in this section, one could argue that the reader might be more willing to read some oblique and concealed praise for Cicero in Sallust's depiction of the debate were it not for the fact that so much of his language in this section reads like a deliberate slight to Cicero's reputation.

The reflection on Roman greatness, for example, which Sallust locates after these speeches, is placed at a juncture which does Cicero no favours at all. His diagnosis of the *res publica* is a general model of decline, and one in which ideally a virtuous few are able to guide the masses and produce deeds of great virtue.⁶⁹ This fits quite neatly with one of Cicero's formulations of the greatness of the Roman *res*

⁶⁸ Tac. *Ann.* 3.76, heavily adapted.

⁶⁹ Sall. *Cat.* 53.4.

publica. At the beginning of *de Re Publica* II Cicero has Scipio note that Rome's great success is unique, in that the *res publica* was not created by one great man, but rather it has become strong through a succession of virtuous men, wherein lies Rome's strength.⁷⁰ Not only does Sallust provide a formulation of Roman greatness that adheres closely to principles laid down in a Ciceronian text, but he also puts this opinion forward in a text about the event in which Cicero saw himself as most fully living up to this ideal. As I have shown above, it was central to Cicero's self-fashioning that he be identified as the man who put himself in danger to pursue the virtuous path in executing the conspirators and putting down Catiline's attempted *coup d'état*.

Here are Sallust's remarks on the state of the *res publica* which form the conclusion to the section of the narrative which involved the debate in the senate:

sed postquam luxu atque desidia civitas corrupta est, rursus res publica magnitudine sui imperatorum atque magistratuum vitia sustentabat ac, sicuti teffeta parentum†, multis tempestatibus haud sane quisquam Romae virtute magnus fuit. sed memoria mea ingenti virtute, divorsis moribus fuere viri duo, M. Cato et C. Caesar. quos quoniam res obtulerat, silentio praeterire non fuit consilium, quin utriusque naturam et mores, quantum ingenio possum, aperirem.⁷¹

⁷⁰ *Rep.* 2.2. McGushin (1977), pg. 270 is correct to identify Plato's *Menexenus* (240e) as a parallel, but the specifically Roman context of Cicero's remarks makes them the more likely parallel.

⁷¹ Sall. *Cat.* 53.5-6.

Sallust puts the idea that he might be following Cicero's interpretation of the Catilinarian conspiracy just within reach, and then snatches it away. Although Cicero saw the resolution of the debate held on the 5th December as his own moment of personal triumph (and spared no effort in publicizing that view), Sallust thinks differently.

Sallust could scarcely be more emphatic in his demonstration that he does not hold Cicero to be the hero of these events. He chooses the very moment that Cicero held to be his moment of personal triumph to extol Cato and Caesar as the great exemplars of Roman statesmanship. Sallust does not even choose this moment because he thinks that the role played by these men in the Catilinarian conspiracy was particularly important. In his own words, Sallust chooses to make a digression on Cato and Caesar at this point purely because this was a fortuitous interaction between the two Romans whom he considered to be the greatest that he had encountered in his own lifetime; two men whom he seems to have considered great for reasons that have little or no bearing on the ostensible subject of his monograph – the Catilinarian conspiracy.

Sallust's inescapable conclusion seems to be that the outcome of the debate on the execution of the conspirators (i.e. that Cicero should take in hand the immediate execution of Roman citizens for the greater safety of the *res publica*) was of so little importance in itself that it could be pushed aside for a parenthesis on the comparative

virtutes of Cato and Caesar.⁷² However sympathetic a critic might be to the idea that Sallust is reassessing what was actually important in the Catilinarian crisis and what was important only to Cicero, it remains highly audacious for Sallust to take the moment at which Cicero most felt that he was at centre stage and treat it as a moment of so little significance that it should be a suitable place for a digression on a pair of characters tangential to the larger narrative.

This strategy seems even more audacious when one looks closely at the words Sallust uses to praise Cato:

at Catoni studium modestiae, decoris, sed maxume severitatis erat; non divitiis cum divite neque factione cum factioso, sed cum strenuo virtute, cum modesto pudore, cum innocente abstinentia certabat; esse quam videri bonus malebat: ita, quo minus petebat gloriam, eo magis illum sequebatur.⁷³

One might note a certain similarity with Cicero's own praise in his *Cato* (as preserved by Macrobius):

sensus hic in Catone Ciceronis est his verbis: contingebat in eo, quod plerisque contra solet, ut maiora omnia re quam fama viderentur: id quod non saepe evenit, ut expectatio cognitione, aures ab oculis vincerentur.⁷⁴

Cicero's use to Sallust is as a source of praise for his heroes, not a hero in his own right.

⁷² Sallust's resumptive *ut dixi* at §55.1 makes it clear that the preceding section on Cato and Caesar has no bearing on the overall narrative.

⁷³ Sall. *Cat.* 54.5-6.

⁷⁴ Macr. *Sat.* 6.2.33.

This is a central aspect of Sallust's history. Cicero is displaced early on by his antagonist Catiline, who under Sallust's guidance steals the very words from his mouth and redeploys them in order to wrest control of the narrative away from the consul: a control that had been monopolized by him for over twenty years.⁷⁵ Alongside that, we have the work's rhetorical set piece taking place between his younger contemporaries Cato and Caesar. If the reader wishes to see the *Bellum Catilinae* as a work of historical revisionism, moving the traditional narrative away from its established patterns, it is very easy to see who the winners of this process are, and who loses the most as a result.

Sallust's decision not to make Cicero the framer of his narrative is clear. As I have suggested above, anxiety would be an understandable reaction when faced with the challenge of incorporating such well-known speeches into a historical account of the Catilinarian conspiracy. This alone could well account for the absence of the Catilinarians from Sallust's monograph, as could a desire to maintain a level of authorial control that would not be possible were the narrative swamped by excessive reference to another's ubiquitous works on the subject. One might even suggest that space is at a premium when writing a monograph, and of all the speeches Sallust might have wanted to include in this work, it was Cicero's that had to go.

This is, however, an exercise in making excuses. The simple fact of the matter is that Sallust chose to write a historical monograph about a series of events that could

⁷⁵ Cf. Kraus (1999a), pg. 217-47.

not be separated from Cicero's oratory; events which leave no neutral position on how to incorporate Cicero into the narrative. Having made this decision, not only does he side-line these speeches, but he even goes so far as to deny Cicero any direct speech at all. It beggars belief that a man so closely coupled with oratory should feature in a work that is so deeply concerned with speech and remain silent.⁷⁶

It can be difficult to tell from a distance of two millennia what is a fair reassessment of the evidence and what is a calculated bias against the man in whose favour most of our sources are predisposed. Nonetheless, based on the above, it seems difficult to escape the idea that Sallust's handling of Cicero's four Catilinarian orations and of his broader oratorical contribution to the suppression of the conspiracy belongs in the latter category.

Ciceromastix?

Yet a calculated snub is not to be equated with an outbreak of hostility. The fact that Sallust does Cicero's reputation no favours by devaluing the common perception of his oratory's importance in 63 BC does not in itself prove that he wrote the *Bellum Catilinae* with an eye to attacking the former consul. A valid conclusion to draw from the evidence above might simply be that Sallust, in a show of independence in his historical debut, was looking for new heroes in the story of the Catilinarian conspiracy. Cicero, the old protagonist, was bound to lose out in such a process, but there would be no need to infer malign intent. A tension, however, is created by this

⁷⁶ Batstone (1990), pg. 115.

act of historical revisionism, and the character of Marcus Tullius Cicero lies at the heart of it. If we are to deduce anything about the reception of Cicero in a post-Republican world from the *Bellum Catilinae*, it is essential to interrogate this issue firmly. In what follows I will document the individual passages of the *Bellum Catilinae* which come closest to providing an anti-Ciceronian reading. By looking closely at such a catalogue, we can begin to draw some conclusions on this issue.

To begin with, I would like to return briefly to an issue dealt with above – Sallust’s use of the contested term *optimus consul* to describe Cicero:

at Romae Lentulus cum ceteris, qui principes coniurationis erant, paratis, ut videbatur, magnis copiis constituerant, uti, cum Catilina in agrum †Faesulanum† cum exercitu venisset, L. Bestia tribunus plebis contione habita quereretur de actionibus Ciceronis bellique gravissimi invidiam optimo consuli inponeret.⁷⁷

In response to Brutus’ use of this phrase in his *Cato*, Cicero asked Atticus the rhetorical question: “What enemy could be more sparing in his praise?”⁷⁸ In response to this question, it is rather tempting to reply to Cicero: *tu quoque*. Referring to someone as *optimus consul* is a frequently deployed weapon in Cicero’s rhetorical arsenal.⁷⁹ From those who brought him back from exile to those who risked and eventually gave their

⁷⁷ Sall. *Cat.* 43.1.

⁷⁸ *Att.* 12.21.1: *quis enim ieiunius dixit inimicus?*

⁷⁹ Indeed, this may be Brutus’ reason for using the phrase.

lives defending the Republic from Mark Antony, no-one seems to have been safe from Cicero's wielding of this allegedly sparing praise.⁸⁰

The phrase *optimus consul*, it seems, was a commonplace in the world of Republican panegyric. Alongside the idea mentioned above that it would be a very suspicious reader indeed who was able to detect a slur against Cicero in this passage, I would like to add the fact that Sallust can scarcely be accused of innovation in using a phrase like this: the mere fact that it was a commonplace in the lexicon of praise does not diminish the possibility that it was delivered with sincerity.⁸¹ My suspicion is that the controversy has arisen from scholars of the *Bellum Catilinae* placing too much weight on Cicero's anger at Brutus' use of this specific phrase in his *Cato*. My preferred reading of the letter to Atticus would see Cicero's fury directed against the entire portrayal of his role in that text. Every aspect of its lionization of Cato undermined his conception of himself as the hero of the story. His focus on the phrase *optimus consul* seems to be an attempt to find a concrete and concise part of the text that he can quote in support of this view. In other words, *optimus consul* was convenient shorthand for Cicero's anger at Brutus' neglect of his leading role in suppressing the Catilinarian conspiracy, not a phrase that one ought to identify as inherently derogatory when applied to Cicero.

⁸⁰ *Dom.* 7.1 (directed at Lentulus Spinther); *Phil.* 11.21 (Hirtius and Pansa).

⁸¹ The impression that Cicero was a consul who performed exceptionally well in his defence of the Republic is confirmed elsewhere in the *Bellum Catilinae*: Sall. *Cat.* 27.4, 48.1, 51.35-6. For more on the phrase *optimus consul*, see: Syme (2002), pg. 106; McGushin (1977), *ad loc.*

The question, however, arises as to why scholars were at one time so keen to read malicious intent into this innocent phrase. To answer this, I would like to look elsewhere and investigate a different and, I would argue, more important piece of evidence that ought to be invoked in any investigation of whether or not the *Bellum Catilinae* presents a hostile portrait of the consul. This evidence is to be found in Sallust's use of the seemingly bland verb *comperio*. Cicero's troubled relationship with this verb during the Catilinarian crisis is hinted at in a letter he wrote to Atticus concerning the *Bona Dea* affair. While the senate debated how to handle a trial for the sacrilege that had been committed, Clodius held a *contio* in which he attacked a litany of respected senators. His accusation against Cicero, as is reported in the letter, was that he had "uncovered everything" (*comperisse omnia*).⁸² The meaning of this is made clear when compared with another letter, this time one he wrote to his former consular colleague, Antonius Hybrida:

pro his rebus nullam mihi abs te relatam esse gratiam tu es optimus testis,
contra etiam esse aliquid abs te profectum ex multis audivi; nam comperisse
me non audeo dicere, ne forte id ipsum verbum ponam quod abs te aiunt
falso in me solere conferri.⁸³

Not just Antonius, it seems. If one wished to pin Cicero's association with this verb down to a text, one could point to the four occasions on which Cicero used it in his

⁸² *Att.* 1.14.5.

⁸³ *Fam.* 5.5.2.

Catilinarians.⁸⁴ The fact that it was this word, however, that Cicero's opponents alighted upon in order to attack his secret network of information-gathering suggests that it was rather more widely-used than our texts show.⁸⁵

The appearances of the verb *comperio* in the *Bellum Catilinae*, a word famed for being used as a stick with which to beat Cicero for having made up evidence of the conspiracy, are supremely relevant to this study. Sallust uses this verb six times in the work, not a negligible number in so short a text. The first of these uses can, I think, be discarded as having very little to do with Cicero: the verb is used in the context of world history and 'finding out' the importance of *ingenium* in war.⁸⁶ The second usage is more relevant, as it relates to rumours about Catiline's followers:

scio fuisse nonnullos, qui ita existumarent: iuventutem, quae domum
Catilinae frequentabat, parum honeste pudicitiam habuisse; sed ex aliis
rebus magis quam quod cuiquam id compertum foret, haec fama valebat.⁸⁷

The fact that Sallust sets up a debate on the validity of rumours in terms of *fama* on the one hand and *comperio* on the other could of course be seen as praise of Cicero (his verb, after all, is the one on the side of truth). This formulation, though, is rather compromised by the fact that the story that was falsely *compertum* is the one that

⁸⁴ *Cat.* 1.10, 27; 3.3, 4.

⁸⁵ The relatively small number of appearances of *comperio* in the *Catilinarians* can be attributed to any combination of the following three possibilities: Cicero's heavy use of the word in contexts beside the *Catilinarians*; a desire on Cicero's part not to overuse a phrase that had become his 'catchphrase' when writing up the speeches for publication; or it may be that this verb captured the imagination and was promoted by Cicero's detractors in a way that misrepresented the number of times he actually used it.

⁸⁶ *Sall. Cat.* 2.2.

⁸⁷ *Sall. Cat.* 14.7.

Cicero himself disseminated in the Catilinarians.⁸⁸ In this phrase, I think, we can begin to see a trace of a rather more malignant portrayal of the consul.

The third appearance of *comperio* comes perhaps closest to what an archetypal mockery of Cicero's own usage of that verb would look like. It arises again in terms of rumours about the depravity of Catiline's followers. This time, however, rather than having the dubious story be something derived from one of Cicero's own speeches (i.e. something *compertum* by the consul himself), Sallust uses it in conjunction with a statement about Cicero distorting the historical record:

nonnulli ficta et haec et multa praeterea existumabant ab iis, qui Ciceronis invidiam, quae postea orta est, leniri credebant atrocitate sceleris eorum, qui poenas dederant. nobis ea res pro magnitudine parum comperta est.⁸⁹

The emphatic placement of *comperta est* at the end of the sentence can only, to my mind, increase suspicion that Sallust knew exactly the allusive potential this word had in a work about the Catilinarian conspiracy.⁹⁰

It would be worth taking a parenthetical moment to consider the implications of Sallust's reference to the *invidia Ciceronis* here. Although Cicero is not directly implicated in this charge of distorting the historical record, he does not come out of this particularly well. The Catilinarian affair was presented by Cicero as a conspiracy, and as such rumour and secrecy are an integral part of whatever narrative might be

⁸⁸ *Cat.* 2.22-4.

⁸⁹ Sall. *Cat.* 22.3.

⁹⁰ For irony in the use of *comperio* here, see: McGushin (1977), *ad loc.*

constructed around it.⁹¹ In any such story (whether that of Cicero, Clodius or Sallust) the narrator is ensnared in the issue of the truth of these rumours: how do we know that the reports of these secret activities can be believed?⁹² However independent of Cicero Sallust's narrative of the Catilinarian conspiracy may be, his historical judgement of the events he is reporting cannot avoid the issue of the reliability of Cicero's narrative, and this is not helped by Sallust's decision to advertise the fact that the record may have been dishonestly twisted in Cicero's favour.

It is worth noting that this is not the only passage in the *Bellum Catilinae* in which Sallust gives space to allegations that Cicero is not an entirely reliable source of information on the events surrounding Catiline and his affairs. William Batstone has analysed the capture of Tarquinius and demonstrated that Sallust makes use of ambiguous reports of specific incidents in order to highlight how murky these events actually were.⁹³ The following section of the *Bellum Catilinae* concerns Crassus' role in the apprehension and questioning of the fleeing conspirator Tarquinius:

praeterea se missum a M. Crasso, qui Catilinae nuntiaret, ne eum Lentulus et Cethegus aliique ex coniuratione deprehensi terrerent eoque magis properaret ad urbem accedere, quo et ceterorum animos reficeret et illi facilius e periculo eriperentur. sed ubi Tarquinius Crassum nominavit, hominem nobilem, maxumis divitiis, summa potentia, alii rem incredibilem

⁹¹ Batstone (1990); cf. Pagán (2004).

⁹² For Sallust's careful treading of the line between certainty and uncertainty in the *Bellum Catilinae*, see: Grethlein (2006).

⁹³ Batstone (1986), pg. 108-14.

rati, pars, tametsi verum existumabant, tamen, quia in tali tempore tanta vis hominis magis leniunda quam exagitanda videbatur, plerique Crasso ex negotiis privatis obnoxii, conclamant indicem falsum esse deque ea re postulant uti referatur. itaque consulente Cicerone frequens senatus decernit Tarquini indicium falsum videri eumque in vinculis retinendum neque amplius potestatem faciundam, nisi de eo indicaret, cuius consilio tantam rem esset mentitus. erant eo tempore, qui existumarent indicium illud a P. Autronio machinatum, quo facilius appellato Crasso per societatem periculi reliquos illius potentia tegetet. alii Tarquinium a Cicerone inmissum aiebant, ne Crassus more suo suspecto malorum patrocinio rem publicam conturbaret. ipsum Crassum ego postea praedicantem audivi tantam illam contumeliam sibi ab Cicerone inpositam.⁹⁴

According to Grethlein, it is not just Crassus who comes out of this badly. Cicero comes across, in his words, as a rather “shady” character.⁹⁵ Although I do not quite agree with Grethlein’s reasoning, the overall sentiment is correct, certainly when it comes to Sallust’s citation of Crassus’ testimony. Although we are more familiar with Tacitus’ use of the technique, there is no mistaking the effect unsubstantiated

⁹⁴ Sall. *Cat.* 48.4-9.

⁹⁵ Grethlein (2006), pg. 321, n. 46: “In this case, it is not only Crassus, but Cicero who appears in a rather shady light. First, he is said to have been the driving force behind Tarquinius’s incarceration, and then Sallust quotes the opinion that he set up the whole intrigue to intimidate Crassus.”

quotations (even those judged to be unfair) have upon the character of the one slandered by them.

Cicero's reputation as the man who saved the state from Catiline can only be weakened by comments such as that above alleging that plenty of evidence favouring Cicero's version of the story is potentially contaminated by his later exile, or Sallust's inclusion of Crassus' testimony that Cicero had Tarquinius give false evidence in order to implicate him in the conspiracy. Although Sallust at no point explicitly endorses these allegations against Cicero's trustworthiness as a source, his decision to include these rumours at all in the text of the *Bellum Catilinae* can only be detrimental to his reader's opinion of Cicero's role in these events. Sallust's choice of subject for his monograph forces him to tread an uneasy line between basing his historical narrative on Cicero's text (it was, after all, the main source for the conspiracy) and showing that he had the capacity to be an independent and critical judge of these events.

Parenthetical though the above may be, it is of great importance when it comes to interpreting the tone of Sallust's use of the charged verb *comperio* in the *Bellum Catilinae*, to which theme I now return. When Sallust comes to the verb *comperio* for the fourth time, it is hard not to see some malign intent. The context of this usage is Cicero's decision to finally reveal his information about the tumultuous state of Italy to the senate. Ironically, he is not shown doing this with his much-mocked boast *comperisse omnia*. Rather he is driven finally to show his hand because he had *not* found

out everything: *neque...satis compertum habebat*.⁹⁶ McGushin dismisses the idea that this usage of *comperio* might be anything other than a statement of fact, pointing to Cicero's admission of as much in the *Pro Sulla*.⁹⁷ While I agree that it is probably too much to call this "a sneer at Cicero", I would not go so far as to deny any intertextual force in the use of this specific verb here. At the very least there is a wry smile to be had at Sallust's clever and effective demonstration of the contrast between Cicero's actual knowledge of events and that which he was said to have boasted of possessing.

The fifth appearance of *comperio* seems to me to be as neutral as the first: it describes the moment at which it was discovered in Rome that Catiline had put himself at the head of Manlius' army.⁹⁸ It is not, however, entirely unworthy of comment. The phrase appears just after the point described above at which Sallust avoids mentioning the fact that Cicero delivered the second Catilinarian. It is tempting to entertain the idea that Sallust's use of the Ciceronian verb *comperio* in the passive is a subtle way of conveying the notion that it had, in fact, been Cicero who provided the people of Rome with the information that Catiline had not gone meekly into exile in Marseilles but was preparing to return to Rome at the head of an army.

Sallust's sixth and final usage of the phrase is so neat as to require little elaboration. In an elegant piece of ring composition, Sallust has Catiline begin his final speech in the same way as he began his first: by stealing the words of his arch-enemy.

⁹⁶ Sall. *Cat.* 29.1.

⁹⁷ McGushin (1977), *ad loc.*; *Sull.* 14.

⁹⁸ Sall. *Cat.* 36.2.

Where his opening oration took the famous *quousque tandem* as one of its starting notes, his exhortative address to his doomed troops on the eve of battle has as its first words: *compertum ego habeo*.⁹⁹ Interpretation of this phrase could range from a clever joke on Sallust's part, to a sign of Catiline's attempt to salvage some victory over Cicero just before his defeat on the battlefield by emphatically stealing the last word on the Catilinarian conspiracy from the consul.

Before drawing any conclusions on Sallust's use of *comperio*, I would like to make one more related parenthetical remark. The first and last speeches of the text are not in fact the only places at which Sallust links Cicero and Catiline through shared language. There is a certain verbal concurrence to be found at the moments at which both Cicero and Catiline have their *alea iacta esto* moment. Here is Sallust describing Cicero's extrajudicial murder of the captured conspirators:

postquam, ut dixi, senatus in Catonis sententiam discessit, consul optimum
factu ratus noctem, quae instabat, antecapere, ne quid eo spatio novaretur,
tresviros, quae supplicium postulabat, parare iubet.¹⁰⁰

And here is his description of Catiline deciding to join battle:

sed Catilina, postquam videt montibus atque copiis hostium sese clausum,
in urbe res advorsas, neque fugae neque praesidi ullam spem, optimum

⁹⁹ Sall. *Cat.* 58.1.

¹⁰⁰ Sall. *Cat.* 55.1.

factu ratus in tali re fortunam belli temptare, statuit cum Antonio quam primum conflare.¹⁰¹

The repetition of *optimum factu ratus* in both of these passages (otherwise not used in the *Bellum Catilinae*), placed so closely together in the text and so closely linked thematically, is certainly striking. It is easy to detect the similarity, but rather harder to unpack what Sallust is trying to say with this device.

One effect of Sallust sharing the same language between these two characters is to blur their individual characterizations and so prevent the reader from settling on a definitive picture of either Cicero or Catiline, instead portraying them as two adversaries who, at their most extreme moments, have a tendency to blend into each other. In spite (or perhaps because) of their enmity both share a ruthless and determined streak which drives them to exceptional deeds and, ultimately, ruin.¹⁰²

This is far from unrelated to what we make of the *comperio* phenomenon. Sallust's repetition of the phrase *optimum factu ratus* in relation to both Cicero and Catiline can help us in our interpretation of what it means for Sallust to have made four of his six uses of the verb *comperio* into meaningful moments of intertextuality between his own account of the Catilinarian conspiracy and Cicero's. This analysis suggests that we should put aside the idea seen in Broughton and Syme that *comperio*

¹⁰¹ Sall. *Cat.* 57.5. A similar phrase is used at 32.1 (*optimum factu credens*) to describe his decision to leave Rome after the delivery of the first Catilinarian: another moment at which Catiline hurls himself headfirst into danger.

¹⁰² One of the effects of this move, as mentioned above, is to point to Catiline's wasted potential as a leading figure in the *res publica*.

is simply one of Sallust's favourite verbs and is, therefore, inert.¹⁰³ I should like to return to Walter Allen Jr.'s view, given in passing in a short 1937 note about Catullus and Sallust, that the latter's use of *comperio* (much like *quousque tandem*) can only have recalled Cicero's oratorical style.¹⁰⁴

In these terms, what we have above is a catalogue of provocative moments at which Sallust encourages us to think harder about the ways in which we rely upon Cicero when it comes to understanding the Catilinarian conspiracy. When we place the above study of Sallust's almost combative use of the overtly Ciceronian verb *comperio* and several other related moments alongside his consistent marginalization of Cicero as an actor in this drama, we can start to see that those readers who saw an improbable slur in the appearance of the phrase *optimus consul* in the *Bellum Catilinae* may not have been completely wide of the mark. Sallust's frequent challenges to Cicero's authority as a narrator of the Catilinarian conspiracy create a tense and uncomfortable atmosphere for those who are familiar with Cicero's telling of the events. This atmosphere encouraged these critics to push the evidence too far after encountering a phrase that we know by chance to have offended Cicero in another text. Although they were incorrect in their choice of battleground, their cause was not entirely without justice. The question with which I would like to close this section is:

¹⁰³ Broughton (1936), pg. 38; Syme (2002), pg. 106. It does not to my mind follow that because *comperio* is one of Sallust's favourite verbs it must be devoid of any special meaning. It seems perfectly possible to argue the opposite.

¹⁰⁴ Allen (1937), pg. 298. Cf. Merguet (1877-84), *ad loc.*

should a narration of the Catilinarian conspiracy that consistently downplays Cicero's involvement be interpreted as an anti-Ciceronian text?

Conclusion

Any reader of Sallust with a basic understanding of the history of the late Republic knows the story of the Catilinarian conspiracy, and the reason it is so notorious an episode is not so much the *periculi novitas* that Sallust claims to have led him to the tale, but the fact that Cicero promoted it so vigorously in his lifetime. As such, we are all familiar with the heroic role Cicero had carved out for himself in his own telling of the events, and we can legitimately expect Sallust to have been aware of that.

Cicero's new background role in the *Bellum Catilinae* creates something of a problem. If you subtract Elliot Ness from *The Untouchables*, where is the audience to look for the drama's protagonist? Is it possible to avoid making Catiline's charismatic Al Capone the narrative's primary focus? To continue that metaphor a bit further, one should note that just because Cicero is not playing Elliot Ness does not mean that there is an absence of forces for good in the drama. He is rather relegated to the role of the determined and dependable (but distinctly unostentatious) Frank Wilson: meticulously working behind the scenes on a mobster's tax-returns. In such a telling of *The Untouchables*, Al Capone is always going to steal the show, but Frank in the end gets his man. A student of Ciceronian reception must consider whether a similar role for the consul in Sallust's text can really be considered anti-Ciceronian.

To label the *Bellum Catilinae* anti-Ciceronian (that is, a text concerned with denigrating the character and achievements of Marcus Tullius Cicero, or marked by a hostile attitude towards him) is going too far. “Is Sallust *fair* to Cicero?” might be a better way of phrasing the question. If one thing should be clear from the above study, it should be that Sallust eschews an overtly deferential or respectful portrayal of Cicero’s handling of the Catilinarian conspiracy. Although the consul is indeed credited with maintaining the correct level of vigilance and taking the steps necessary to put an end to Catiline’s activities (or at least force them into the open so that they might be resolved with violence), the narrative arc is not dictated by an impulse to follow his every move against Catiline. Indeed, Sallust goes to great lengths to show that he can write independently of Cicero’s narrative.¹⁰⁵

We can, however, go further than this. At a great many points in his narrative, Sallust seems to take great care to tone down the importance of the measures taken by the consul in defence of the Republic, measures which Cicero himself had deemed crucial. Sallust consistently downplays the idea that Cicero’s oratory was *the* decisive weapon in Catiline’s undoing. When this act of historical revisionism is combined with a series of dark hints at contemporary criticisms of Cicero’s handling of the affair, we emerge with a text that helps those who wish to read against the grain of the Ciceronian narrative.

¹⁰⁵ For Sallust’s awareness of his monographs’ situation against a broader literary background, see: Levene (1992).

But again, is the label “anti-Ciceronian” the best way to think about this phenomenon? In order to understand the attitude Sallust takes towards Cicero in the *Bellum Catilinae*, I would return to a word I used earlier: provocative. As demonstrated at the beginning of this chapter, Cicero made every effort in his lifetime to make the Catilinarian conspiracy the central pillar of the narrative he told about his career. He guarded this chapter of the Republic’s history jealously and constantly sought to emphasize both the centrality of his own actions to this affair, and the centrality of this episode to the broader history of the Roman Republic. Cicero’s recent proscription provided Sallust with an opportunity to create something new; to write a history of the Catilinarian conspiracy free from the interference of the ever-controlling Cicero.¹⁰⁶ This project was on a basic level an inescapable engagement with Cicero: nobody could be expected to read Sallust’s *Bellum Catilinae* except in dialogue with the works and posthumous reputation of Marcus Tullius Cicero. To go further than this and write a monograph that forces Cicero into the background of these events was to make an *éminence grise* of the tale’s traditional hero and so kick a historiographical hornet’s nest. Only a few decades after the event, the status of the Catilinarian conspiracy as Cicero’s property remained an unshakeable one. This makes any engagement with it fundamentally an act of Ciceronian reception. Sallust’s historical exercise therefore

¹⁰⁶ For the importance of a history’s date of publication, see Pliny the Elder’s claim to have delayed publication of his history of the Germanic wars in order to curry favour with the Flavians: Plin. *Nat. Hist.* Pr.20.

goes far beyond calm and scholarly historical revisionism: the *Bellum Catilinae* can *only* be understood as a calculated piece of provocation on Sallust's part.

This begs the question why Sallust would choose as the subject matter of his first historical work a topic that was so much the province of Rome's most famous man of letters? Furthermore, having made this decision, why would he then go out of his way to write an account of the events that was so palpably contrary to Cicero's? It has been argued that this was a result of his personal distaste for the man, which stemmed from his clash with Cicero over the death of Clodius.¹⁰⁷ Later tradition even went so far as to create the biographical detail that Sallust had married Terentia, a figure who could be relied upon to have had a couple of bad words to say about her ex-husband.¹⁰⁸ Those with less desire to attribute the work's flavour to personal rancour look to hard-nosed political reality and follow a *cui bono* approach: the denigration of Cicero, it is argued, was undertaken with a (politically expedient) view to rehabilitating Caesar.¹⁰⁹

Such attempts to explain Sallust's works by reference to his politics have rather fallen out of favour recently.¹¹⁰ Although I do not doubt that Sallust's political ideology

¹⁰⁷ Asc. 37, 44-5, 49c. For Sallust's tribunate, see: Syme (2002), pg. 31-2.; Earl (1966).

¹⁰⁸ This detail is preserved by Jerome *Adv. Iovin.* 1.48. Cf. Rowland (1968); Syme (1978a).

¹⁰⁹ That is, after the publication of Cicero's *de Consiliis Suis*. For this view, see: Hardy (1917) and Baehrens (1927).

¹¹⁰ One might attribute this to today's scholars' reluctance to read ideology into Roman politics: Wiseman (2009), pg. 5-32. I prefer to attribute Wiseman's "ideological vacuum" to the growing scepticism on the part of historians of the ancient world that we can pin down the specifics of Roman political ideologies. For the difficulty of understanding the values implied by the basic groupings of *populares* and *optimates*, see: Robb (2010).

must have had an incalculably large effect on what he wrote, especially about so important a political figure as Cicero, I am not confident that enough is known about the specifics of his politics to make this a particularly helpful line of enquiry. Fortunately there exists a rather simpler perspective on Sallust's attitude to Cicero as evinced in the *Bellum Catilinae*. This comes from looking at Sallust *qua* literary figure.

I would suggest that we ought to consider the question of what Sallust is trying to say about himself as a historian writing his first monograph. This question is a frequently asked (and answered) one: the *persona* of Sallust after all intrudes heavily in all his work, and the *Bellum Catilinae* is no exception.¹¹¹ An area of discussion in which Sallust's self-conception as an author does not get too much attention, however, is the discussion of the role of Cicero in the monograph. This overlooked area has the potential to tell us something important about Sallust's self-fashioning as a historian.

As hinted in the title to this chapter, there is something remarkable about writing a history of the Catilinarian conspiracy without Cicero. To conceptualize such a project as anti-Ciceronian, I think, rather misses the broader point. It does not take much imagination to think what a properly anti-Ciceronian history of the Catilinarian conspiracy might look like, and one can only conclude that if Sallust had set out to write such a thing he pulled an awful lot of punches.¹¹² Certainly the text does Cicero no favours. As well as giving short shrift to his contributions to the suppression of the

¹¹¹ For Sallust's authorial *persona*, see: Woodman (1988) and Marincola (1997).

¹¹² For an idea of what a negative historical account could look like, see Plutarch's account of the conspirators' execution: Plut. *Cic.* 22.

conspiracy, Sallust also hints at a darker side to his role. What he does not do, though, is focus on the illegality of the execution of the conspirators, or on the veracity of Cicero's charges.¹¹³ On top of that, it is widely acknowledged that he follows the details of Cicero's account very closely.

The ambivalence that Sallust displays towards Cicero is, I think, one of the factors that has held back studies of what the *Bellum Catilinae* can tell us about the reception of Cicero. In light of this ambivalence, I would argue that it is simplistic to classify this text as either pro-Ciceronian or anti-Ciceronian. Sallust goes suspiciously far out of his way to suggest that Cicero is not his concern. So emphatic, in fact, is his apparent lack of concern with Cicero that we might be wise to disregard the idea of this being the result of his not thinking too highly of the consul's contribution to events he is describing. The brazenness with which Sallust puts Cicero in the corner for the duration of the text should alert the reader to the fact that this character is very important indeed.

My preferred reading of Sallust's interaction with Cicero in the *Bellum Catilinae* is to see his Cicero-less history as his way of making a mark on Rome's literary scene. Sallust, this text announces, is so original a historian that he can write an account of the Catilinarian conspiracy without Cicero. As I have suggested, this is a provocative

¹¹³ Although the loaded appearances of the verb *comperio* hint that Cicero exaggerated the information he had at his fingertips, the rest of Sallust's narrative bears out the truth of his allegations against Catiline's conspiracy.

move and one designed to garner attention; to show off the originality of the work and highlight the ingenuity of its author.

If, though, Sallust is primarily interacting with Cicero only on an inter-authorial level in this text, how can it help us understand Cicero's standing in the early post-Republican world? One of the great advantages of interpreting the *Bellum Catilinae* as either straightforwardly for or against Cicero was that it facilitated broader judgements about the society for whom this work was being produced—judgements which in turn helped to flesh out our knowledge of a period for which there is a conspicuous lack of contemporary written accounts. If one considered the rule of the triumvirs to be a period characterized by a general revulsion at the old way of doing things, Sallust's *Bellum Catilinae* could be read as part of a general assault against the old guard, undermining the central achievement of the last defender of the Republic. Or he could be seen as a brave and independent voice, speaking gentle and concealed praise for the man who once saved the Republic, and doing so in a context in which it was far from beneficial to his own prospects. If one held the opposite view and saw the post-Republican era as home to a more pervasive sense of nostalgia, then one could have a Sallust who produced exciting vignettes of the time when the consul saved the *res publica* from those who sought its destruction. Or he could be a furiously independent writer who gave a seductive voice to one of the Rome's great enemies.

If we claim that Cicero's diminished role is a literary device rather than a political one, then we will find it far more difficult to reach a conclusion as neat as any of the four listed above. One might of course argue that any of the four scenarios set

out above only really ends up confirming the reader's existing prejudice, so perhaps this loss of neatness is no real loss at all. But then what does it say about the context in which Sallust wrote the *Bellum Catilinae* that he was able to treat Cicero as a literary figure with whom to rival himself? If we accept this hypothesis, then one thing becomes immediately clear: Cicero's murder at the hands of the triumvirs did not mark the end of his life as a cultural figure in Rome. For Sallust's gambit to work, it is necessary for Cicero's narrative of the Catilinarian conspiracy to be widely known. If this was not the case, then the numerous subtleties outlined above could have no effect on the reader.

Unless we posit a consistent dialogue with Cicero, Sallust is reduced to little more than an innovative prose-stylist stitching together a joined-up narrative of the events spread across several disparate Ciceronian texts.¹¹⁴ Once we have recognized Cicero's cultural importance in this period we can begin to get away from seeing Cicero's oeuvre as first and foremost a resource which Sallust mined for factual information. We can rather appreciate that Sallust was participating in a sophisticated engagement with these texts. Only then can we start to read this monograph as a text which generates meaning through a continuous process of intertextual activity. This is a step on the road to appreciating why Sallust is regarded as a great historian. To

¹¹⁴ The disparate nature of the texts may not appear obvious to us, since our major extant evidence comes in four back-to-back speeches. Sallust's audience, however, had access to many other Ciceronian speeches about Catiline (not least the complete *in Toga Candida*), as well Cicero's poetry on the subject.

view him as either narrowly sympathetic or hostile to Cicero is to fail to appreciate how dynamic this monograph can be.

In many ways this strikes me as a more useful conclusion to draw than any narrowly political one. What, after all, would it mean to conclude from a reading of the *Bellum Catilinae* that Sallust was either for or against Cicero? It would be impossible to extrapolate much about broader societal trends from that. And what after all could it mean to say that Sallust's reading public was either broadly pro- or anti-Ciceronian? It seems to me quite enough to conclude that Sallust, in the very act of silencing Cicero in his history of the Catilinarian conspiracy, showed that Cicero's death did not diminish his importance in Rome's cultural memory.

Chapter 2

Livy, Cicero and the Hannibalic War

Introduction

In an unavoidable sense, attempting to provide a fair analysis of Livy's depiction of Cicero in his *ab Urbe Condita* is an utterly hopeless task. One foolhardy enough to undertake such an exercise must immediately confront the fact that the portion of Livy's narrative that focuses upon the events of Cicero's own lifetime has not survived the transition from antiquity to the modern world. Moreover, the conclusions we can draw from the *Periochae* (a later abridgement of Livy's narrative) are limited. While the muteness on the subject of Cicero noted in the previous chapter ought to be read as an authorial pose on Sallust's part, this silence looks a lot more like carelessness.

Livy's interest in Cicero, however, cannot be questioned. Later imperial sources that discuss Livy raise the issue of his commitment to following in Cicero's stylistic footsteps.¹ However, Livy was not solely interested in Cicero as a rhetorician. In this chapter I will explore two separate approaches to understanding Livy's historical conception of Cicero. The first approach is to establish a few basic facts about Cicero's role in this text from the *Periochae*. The second approach turns to the surviving portion of Livy's narrative and analyses the various Ciceronian allusions that can be seen at various points in the ten books narrating the Hannibalic War. A combination of these

¹ Sen. *Epist.* 100.9; *Contr.* 9.1.13-4, 2.26; Quint. *Inst.* 10.1.39, 2.5.20, cf. 8.2.18.

two approaches should illuminate the broad themes Livy chose to illustrate with references to Cicero.

*"The Wretched Epitomator..."*²

As I stated at the start of this chapter, an appreciation of Livy's depiction of Cicero in his history is stymied from the beginning by the fact that his narrative of the late Republic has not come down to us. Attempting to recreate any of the manifold subtleties of Livy's presentation from the *Periochae* is beyond us. The narrative of even the Catilinarian conspiracy (a topic important enough to merit its own Sallustian monograph) exists only in the most slender of outlines:

L. Catilina bis repulsam in petitione consulatus passus cum Lentulo praetore et Cethego et compluribus aliis coniuravit de caede consulum et senatus, incendiis urbis et obprimenda re publica, exercitu quoque in Etruria comparato. ea coniuratio industria M. Tulli Ciceronis eruta est.

Catilina urbe pulso de reliquis coniuratis supplicium sumptum est.³

What can we say about Livy's text from this précis?⁴ The centrality of Cicero to these events (something that, as we have seen in the previous chapter, is glaringly absent from Sallust's account) is certainly clear from this summary, as is the fact that Livy seems to follow Cicero's account of how the events of 63 BC unfolded. If we wanted to be adventurous in our analysis, we might note that the destruction of Catiline and

² Bell (1997), pg. 11 n. 69.

³ Liv. *Per.* 102.

⁴ For the relationship between Livy's text and the *Epitome*, see: Begbie (1967); Bingham (1978).

his army is not narrated until the start of the next book, perhaps suggesting that book 102 of the *ab Urbe Condita* defined itself in relation to Cicero's consulship and ended on a note of personal triumph.⁵

A glance at the summary of the next two books similarly hints that Cicero's exile at the hands of Clodius and his glorious return were important in Livy's narration of the next five or so years (which are otherwise largely dominated by the exploits of Pompey and Caesar). However, it is again impossible to discern exactly *how* Livy narrated these events.⁶ After this, Cicero is not mentioned again until he is singled out by the epitomator at book 111 for his failure to make any military contribution to the Pompeian cause at Pharsalus.⁷ It is, of course, impossible to say whether Cicero's absence from this epitomated version reflects an absence from Livy's text, or just the epitomator's own interests.

After his naming and shaming at Pharsalus, Cicero is not mentioned again in the *Periochae* until his death in the proscriptions is reported at the end of book 120. It would appear from this account of Livy's narrative that his interpretation of the period that falls between the Ides of March 44 and the forging of the Triumvirate at Bononia in October 43 (a period that is for us characterized by the Philippics and Cicero's numerous letters of instruction to various leading men throughout the Roman world)

⁵ For the Epitomator's tendency to rearrange Livy's narrative, however, see: Bingham (1978), pg. 474-5.

⁶ Liv. *Per.* 103-4. Livy seems to follow Cicero's depiction of his return as one of pseudo-triumph: *M. Cicero Pompeio inter alios texerente et T. Annio Milone tr. pl. ingenti gaudio senatus ac totius Italiae ab exilio reductus est.*

⁷ Liv. *Per.* 111: *Cicero in castris remansit, vir nihil minus quam ad bella natus.*

is not, at least as far as the epitomator is concerned, particularly preoccupied with Cicero's role in these events.

The epitomator's own judgement was, of course, the key factor in choosing which parts of Livy's narrative were prioritized for inclusion in the *Periochae* and, beyond some broad judgements, we have no way of assessing in any accurate way how faithfully this reflects Livy's text.⁸ A certain *aporia* is, perhaps, a wise reaction to the state of our evidence. We might, after all, agree with Stadter in his claim that, even on the meagre basis of the *Periochae*, we can see Livy prioritizing the death of Cicero as an "epochal" moment since he appears to use it to mark the end of his history as he originally conceived it.⁹ But even if we agree with this, what do we make of the fact that on the same evidence Livy seems to show little or no interest in Cicero's well-publicized fight for the Republic in the months leading up to his death, preferring instead a narrative of armies moving across a map?

As a countermeasure to this *aporia*, we can begin to salvage some basic ideas about Livy's conception of Cicero from the various allusions to his life and works that are dotted around the surviving text of the *ab Urbe Condita*.

Quousque tandem... (Part II)

⁸ Begbie (1967), pg. 337-8.

⁹ Stadter (1972), pg. 299, 303. Stadter's argument does not pay due attention to the fact that Cicero's death is *not* the final part of book 120 as preserved in the *Periochae* (which concludes: *praeterea res a M. Bruto in Graecia gestas continet*), nor does it reflect on the consequences of Livy's decision to continue writing after Augustus' death.

The spectre of Cicero is raised time and again in the text of Livy's history. Stephen Oakley makes a fine case for reading the entirety of chapters 14-21 of the sixth book of Livy's history on the rise and fall of Marcus Manlius Capitolinus as inextricably bound up with the rise and fall of a later *popularis* patrician made famous by Cicero: Lucius Sergius Catilina.¹⁰

Livy's attempts to parallel these two men can be seen in the late-night conspiratorial meetings in aristocratic houses and the role played by injured *dignitas* in spurring on the plot. It is made most clear in Manlius' speech to the *plebs urbana*, echoing the opening of the first Catilinarian as he exhorts the people to consider their own strength:

his simul inflatus exacerbatusque iam per se accensos incitabat plebis animos: "quousque tandem ignorabitis uires uestras, quas natura ne beluas quidem ignorare uoluit?"¹¹

The connection itself is relatively easy to spot, but understanding how this link should be interpreted is a more difficult task.¹² One of the finer points Livy accomplishes with this piece of intertextuality is to flag the duality of Manlius Capitolinus. While the combination of the *popularis* thrust of his speech and the background of conspiratorial

¹⁰ Oakley (1997), pg. 481-4. For Manlius Capitolinus, see: Liv. 5.47, 6.11, 6.14-20; Dion. Hal. *Ant. Rom.* 13.7.3-8.2, 14.4; Plut. *Vit. Cam.* 27, 36; Dio fr. 25.10, 26.1-3; Diod. Sic. 14.116.5-7. This similarity was also noted by Wiseman (1979), pg. 46-7.

¹¹ Liv. 6.18.5.

¹² This has been commented upon by: Skard (1956), pg. 108; Seager (1977), pg. 383; Wiseman (1979), pg. 47; Malcolm (1979), pg. 219; Nousek (2010), pg. 158-9. For a dismissal of this point on the grounds that the use of only the first two words of the phrase is not enough to signal Cicero, see: Renehan (1976), pg. 100.

activity that preceded it allows Livy to align Manlius with Catiline, he undermines this simple picture by having him echo Cicero's famous words.

Some readers might be happy to interpret this reference to Cicero's best-known speech as simply another indication that Livy wants his readers to see the Manlian affair as a fourth-century Catilinarian conspiracy.¹³ If we look closer, however, we see Livy doing something rather more complicated. After all, on one level it is perfectly fitting that Manlius Capitolinus should sound like Cicero in his attempt to crush Catiline's attempt to burn down the city of Rome. As Capitolinus himself reminds his audience in a speech delivered just a few chapters earlier:

'Iuppiter' inquit, 'optime maxime Iunoque regina ac Minerua ceterique di
deaeque, qui Capitolium arcemque incolitis, sicine uestrum militem ac
praesidem sinitis uexari ab inimicis? haec dextra, qua Gallos fudi a delubris
uestris, iam in uinclis et catenis erit?'¹⁴

A focus on this section of Manlius' proto-Catilinarian oration is one that reminds the reader that he is far from a simple villain. As well as being a figure put to death for conspiring against Rome, Manlius was also a hero who had saved Rome from destruction during the Gallic occupation of the city. He has equal claim to both the role of Catilinarian villain and Ciceronian hero. In an ideal world, we would be able to look forward to Livy's presentation of the Catilinarian conspiracy and see whether

¹³ The theory that the phrase *quousque tandem* was first used by Catiline himself and then repeated by Cicero, an idea found in Malcolm (1979), would certainly support this view.

¹⁴ Livy 6.16.2

the semi-heroic presentation of Manlius influences the extent to which Catiline might be viewed in the same way. Although such an analysis is beyond us, this short treatment of a small episode in Livy's history should demonstrate that we can learn much about the richness of Livy's narrative if we look closely at his Ciceronian allusions.

Even when he was narrating some of the earliest events of the city's past, Livy remained mindful of Cicero's role in Rome's history. That we cannot know how he treated Cicero's contribution to the events that took place in his own lifetime is to be greatly regretted. This heuristic hamstringing, however, in no way precludes an in-depth study of the role played by Cicero in Livy's narrative. Following on from the above treatment of the *Seditio Manliana*, I will now focus on the Ciceronian references that pepper the narrative of the Second Punic War. The selection of examples below is by no means exhaustive; my intention is simply to give an impression of Livy's practice.

Hannibal and Catiline

If the above analysis of Manlius Capitolinus is correct, we can be sure that Livy's Ciceronian echoes are not mere stylistic window-dressing: they are crucial signposts aiding the interpretation of a particular passage. One of the clearest allusions to Ciceronian material in all of Livy's surviving text is found at what is arguably the most important part of his narrative: the introduction of Hannibal.

The similarity between Livy's description of Hannibal and Sallust's depiction of Catiline has not passed unnoticed, although it only recently received the in-depth

treatment it deserved.¹⁵ One of the great advantages of Clauss's study is that he reads this connection as a Ciceronian phenomenon as much as a Sallustian one: Sallust's remarkable portrait of Catiline is deeply indebted to the description given by Cicero in his speech defending his former protégé (and suspected Catiline-sympathiser), Marcus Caelius.¹⁶ We cannot overestimate the importance of the fact that Livy turned to Cicero in order to craft the character of Rome's greatest enemy. However, before beginning to analyse this, I would like to set out the evidence for Livy's borrowing.

The most notable similarity between the three portraits is to be found in the remarkable feats of endurance attributed to Hannibal and Catiline. This is Livy on Hannibal:

caloris ac frigoris patientia par; cibi potionisque desiderio naturali, non uoluptate modus finitus; uigiliarum somnique nec die nec nocte discriminata tempora; id quod gerendis rebus superesset quieti datum; ea neque molli strato neque silentio accersita; multi saepe militari sagulo opertum humi iacentem inter custodias stationesque militum conspexerunt.¹⁷

Sallust's description of the same traits is characteristically brief, but otherwise similar:

¹⁵ The respective passages are Livy 21.4.5-8 and Sall. *Cat.* 5.3-5. For this similarity, see: Walsh (1973), *ad loc.*; Walsh (1982), pg. 1067-1068; Ramsey (1984), *ad* 3.3-6; Martin & Woodman (1989), pg. 84-7; O'Gorman (2009), pg. 238-40. Cf. Clauss (1997), esp. pg. 169-82.

¹⁶ *Cael.* 12-14.

¹⁷ Livy 21.4.6-7.

corpus patiens inediae algoris vigiliae, supra quam quouquam credibile est.¹⁸

The appearance of the same superhuman *patientia* appears in the *Pro Caelio*:

quis in voluptatibus inquinatior, quis in laboribus patientior?¹⁹

It also forms part of the conclusion of Cicero's first speech against Catiline:

habes ubi ostentes tuam illam praeclaram patientiam famis, frigoris, inopiae rerum omnium quibus te brevi tempore confectum esse senties.²⁰

The appearance of *patientia* (or cognates thereof) in all four of these passages forms a clear link between them (while also echoing the start of the first Catilinarian).

There is a further connection in the fact that all three authors focus upon what Claus calls the "remarkable physical and intellectual powers" of the two men. To begin with Cicero this time, note the focus upon Catiline's powers of mind and body in this highly rhetorical character portrait from the *Pro Caelio*:

illa vero, iudices, in illo homine admirabilia fuerunt, comprehendere multos amicitia, tueri obsequio, cum omnibus communicare quod habebat, servire temporibus suorum omnium pecunia, gratia, labore corporis, scelere etiam, si opus esset, et audacia, versare suam naturam et regere ad tempus atque huc et illuc torquere ac flectere.²¹

The introduction to Sallust's depiction of Catiline picks up on this:

¹⁸ Sall. *Cat.* 5.3.

¹⁹ *Cael.* 13.

²⁰ *Cat.* 1.26.

²¹ *Cael.* 13.

fuit magna vi et animi et corporis.²²

It is equally seized upon by Livy in his portrayal of Hannibal:

plurimum audaciae ad pericula capessenda, plurimum consilii inter ipsa pericula erat. nullo labore aut corpus fatigari aut animus uinci poterat.²³

The effect of this description is clear: the combination of power in both mind and body serves to configure the villain as a one posing an almost superhuman threat to Rome.

Hannibal and Catiline are also considered noteworthy for possessing remarkable virtues alongside their vices. Livy is expansive on the subject:

uestitus nihil inter aequales excellens: arma atque equi conspiciebantur. equitum peditumque idem longe primus erat; princeps in proelium ibat, ultimus conserto proelio excedebat. has tantas uiri uirtutes ingentia uitia aequabant, inhumana crudelitas, perfidia plus quam Punica, nihil ueri, nihil sancti, nullus deum metus, nullum ius iurandum, nulla religio. cum hac indole uirtutum atque uitiorum triennio sub Hasdrubale imperatore meruit, nulla re quae agenda uidendaque magno futuro duci esset praetermissa.²⁴

Sallust is most expansive on Catiline's virtues when describing his final battle:

sed confecto proelio, tum vero cerneret, quanta audacia quantaque animi vis fuisset in exercitu Catilinae. nam fere quem quisque [vivos] pugnando

²² Sall. *Cat.* 5.1.

²³ Liv. 21.4.5.

²⁴ Liv. 21.4.8-10.

locum ceperat, eum amissa anima corpore tegebat. pauci autem, quos medios cohors praetoria disiecerat, paulo divorsius, <alis alibi stantes>, sed omnes tamen advorsis vulneribus conciderant. Catilina vero longe a suis inter hostium cadavera repertus est, paululum etiam spirans ferociamque animi, quam habuerat vivos, in voltu retinens. postremo ex omni copia neque in proelio neque in fuga quisquam civis ingenuos captus est: ita cuncti suae hostiumque vitae iuxta pepercerant. neque tamen exercitus populi Romani laetam aut incruentam victoriam adeptus erat. nam strenuissimus quisque aut occiderat in proelio aut graviter vulneratus discesserat.²⁵

This virtuous picture of Catiline was not, however, invented by Sallust. It is found in the *Pro Caelio*:

habuit enim ille, sicuti meminisse vos arbitror, permulta maximarum non expressa signa sed adumbrata virtutum. utebatur hominibus improbis multis; et quidem optimis se viris deditum esse simulabat. erant apud illum inlecebrae libidinum multae; erant etiam industriae quidam stimuli ac laboris. flagrabant vitia libidinis apud illum; vigeabant etiam studia rei militaris. neque ego umquam fuisse tale monstrum in terris ullum puto, tam ex contrariis diversisque <atque> inter se pugnantibus naturae studiis cupiditatibusque conflatum.²⁶

²⁵ Sall. *Cat.* 61.1-7

²⁶ *Cael.* 12.

It is difficult on the basis of this evidence, to deny that Livy's portrait of Hannibal evokes memories of Catiline, both in his Sallustian and Ciceronian forms.

One might object that the resemblance between Livy's Hannibal and Cicero and Sallust's Catiline could be explained by all three drawing their inspiration from an earlier depiction of Hannibal. The evidence of the *Pro Caelio* nullifies this objection. Cicero's argument in this part of the speech is directed towards excusing Caelius' earlier involvement with Catiline. The point of this beguiling portrait of Catiline is to make clear that Caelius should not be reprimanded for falling under the spell of such a figure. Such a strategy could not be effective if the figure who won over Caelius were immediately recognizable as a reincarnation of the Carthaginian general who had brought Rome to the brink of destruction 150 years earlier. It is inconceivable that Cicero would be able to argue that Caelius could not recognize that such a figure might be up to no good.²⁷

Livy's decision to make Rome's greatest enemy resemble Catiline is testimony to Cicero's importance on two levels. First, it champions Cicero's actions as consul by equating his suppression of the Catilinarian conspiracy with the defeat of Hannibal in the Second Punic War. Secondly, and perhaps more importantly, it also bears testament to Cicero's powers as a writer. The language he used to denounce Catiline as a villainous threat to the *res publica* created a cataclysmic register suitable to be

²⁷ This argument can be applied to any common source: what portrait could serve both as a plausible *comparandum* for both Hannibal and Catiline (two of Rome's greatest enemies) while simultaneously not seeming villainous enough to make Cicero's argument in the *Pro Caelio* ridiculous? The only solution is to take the *Pro Caelio* as a starting point for these representations.

employed by later writers seeking to emphasize the threat a particular figure posed to Rome's very existence.

Livy's decision to portray Hannibal against a Catilinarian backdrop is not, in fact, just limited to that character's introduction. Hannibal's thoughts on his defeat can point us towards a deeper understanding of this aspect of his story:

'uicit ergo Hannibalem non populus Romanus totiens caesus fugatusque sed senatus Carthaginiensis obtreptione atque inuidia; neque hac deformitate reditus mei tam P. Scipio exsultabit atque efferet sese quam Hanno qui domum nostram quando alia re non potuit ruina Carthaginis oppressit.'²⁸

Hannibal's language here has a specifically Catilinarian ring to it, offering as it does a twist on Catiline's claim (made famous by the *Pro Murena* and the *Bellum Catilinae*) that "should some fire be set to his fortunes, he would quench it not with water but with demolition."²⁹ If we follow this Catilinarian echo in Hannibal's accusations we can find an even deeper vein of late Republican language and imagery running through the section of Livy's text that narrates Hannibal's domestic opposition.

Hannibal, in fact, has good reason to attack Hanno in language redolent of the Catilinarian conspiracy: his nemesis is not averse to borrowing the language of the Catilinarians when making his attacks.³⁰ The first indication of opposition to Hannibal

²⁸ Liv. 30.20.3-4.

²⁹ Mur. 51: "si quod esset in suas fortunas incendium excitatum, id se non aqua sed ruina restincturum." Cf. Sall. *Cat.* 31.9.

³⁰ Clauss (1997), pg. 175-81; Rossi (2004), pg. 376-8; and Levene (2010), pg. 102-3.

in the Carthaginian senate is introduced in a flashback to a speech put in the mouth of Hanno on the occasion of the young Hannibal being summoned by Hasdrubal to join his army and get a taste for military life. In response to this request, Hanno (described as the leader of the opposing faction, *alterius factionis princeps*) delivers the following speech:

'et aequum postulare uidetur' inquit, 'Hasdrubal, et ego tamen non censeo quod petit tribuendum.' cum admiratione tam ancipitis sententiae in se omnes conuertisset, 'florem aetatis' inquit, 'Hasdrubal, quem ipse patri Hannibalis fruendum praebuit, iusto iure eum a filio repeti censeo; nos tamen minime decet iuuentutem nostram pro militari rudimento adsuefacere libidini praetorum. an hoc timemus ne Hamilcaris filius nimis sero imperia immodica et regni paterni speciem uideat et, cuius regis genero hereditarii sint relictis exercitus nostri, eius filio parum mature seruiamus? Ego istum iuuenem domi tenendum sub legibus, sub magistratibus, docendum uiuere aequo iure cum ceteris censeo, ne quandoque paruus hic ignis incendium ingens exsuscitet.' pauci ac ferme optimus quisque Hannoni adsentiebantur; sed, ut plerumque fit, maior pars meliorem uicit.³¹

Several aspects of this speech should remind us of Cicero. If we judge a man by the company he keeps, we might immediately make this connection: maintaining the

³¹ Liv. 21.3.3-4.1.

support of *optimus quisque* is, as we know from the *Pro Sestio*, a Ciceronian ideal and a phrase that appears frequently in Cicero's best-known works.³² Hanno in this instance seems to play to the same audience (*pauci ac ferme optimus quisque Hannoni adsentiebantur*).

Other aspects too should direct us towards Cicero and the Catilinarians. The theme of sexual corruption, for example, is central to Cicero's charges against Catiline. Although the roles are switched from active to passive, Clauss is surely correct to read the allegations of sexual immorality in Hannibal's rise to power in Carthage as linked to Cicero's allegations in the Catilinarians (and beyond) that Catiline had debauched the youth of Rome in order to put them under his influence.³³

To this pair of similarities we might add Walsh's contention that Hanno's speech puts the reader in mind of Cicero through its rhythms. The double spondee and spondee + trochee clausulae stand out as unusual in Livy's text and are highly reminiscent of Cicero's prose rhythm.³⁴ This short passage contains many of Cicero's favoured clausulae: a cretic + trochee³⁵; a molossus + cretic³⁶; one molossus + double trochee³⁷; and one double cretic.³⁸ Walsh spots a further Ciceronian clausula in the

³² *Sest.* 97 (*quis ergo iste optimus quisque...*). See also: *Ver.* 2.1.151; *Clu.* 73, 130, 136; *Sest.* 105, 140; *Phil.* 7.4; *Lael.* 41, *Off.* 1.85.

³³ Clauss (1997), pg. 174. For Cicero's allegations against Catiline, see: *Cat.* 2.23, cf. 2, 8; *Red. Sen.* 10; *Dom.* 62.

³⁴ Cf. Clauss (1997), pg. 176. For writers using Ciceronian clausulae when writing on Ciceronian subjects, see: pg. 143, 147-149.

³⁵ *exercitus nostri*.

³⁶ *ingens exsuscitet*.

³⁷ *mature serviamus*.

³⁸ *ceteris censeo*.

phrase *libidini praetorum*, claiming that this explains why Livy chooses to use the word *praetor* here, rather than *imperator* or *dux*, which he normally uses for foreign generals.³⁹ Personally, I am not sure what particular clausula Walsh might be referring to and cannot see how it fits any known Ciceronian rhythm.⁴⁰ Even if we discount Walsh's contribution, however, Hanno's speech is still rhythmically Ciceronian.

The conclusion of Hanno's speech, however, is the part that most strongly calls to mind Cicero's rhetoric in the *Catilinarians*. The metaphor of the *incendium*, while not in itself rare in Livy, has particular resonance in a speech that, as we have seen, is delivered by a man whose supporters call Cicero to mind, takes place in the senate, employs Ciceronian rhythms, indulges in themes found in the *Catilinarians* and focuses on a man who poses a terrible threat to Rome's very existence. We have already seen the association of Catiline with fire in the quotation supplied in the *Pro Murena* and *Bellum Catilinae*. There is, however, a further connection between Catiline and *incendium*. After all, one of Cicero's most damaging allegations against Catiline (and one that Sallust viewed as decisive in cutting him off from any popular support) was that he planned to burn down the city.⁴¹

Not only does Hanno here refer to Hannibal as "a small fire that will one day kindle a large conflagration", but he repeats the allegation in his next speech. After Hannibal has brought Carthage to the brink of war by breaking the treaty of

³⁹ Walsh (1973), *ad loc.*

⁴⁰ Emending *praetorum* to the more usual *ducum* produces a cretic + iamb clausula.

⁴¹ The word *incendium* and its cognates are common in the *Catilinarians*: *Cat.* 1.3, 6, 9, 29; 2.6, 10; 3.8, 10, 15, 19, 21; 4.4, 11. For Sallust's analysis, see: *Sall. Cat.* 48.1-2.

Saguntum, Hanno returns to the theme of Hannibal as an *incendium*, and this time makes it clear who will be burned by him:

‘iuuenem flagrantem cupidine regni uiamque unam ad id cernentem si ex bellis bella serendo succinctus armis legionibusque uiuat, uelut materiam igni praebentes, ad exercitus misistis. aluistis ergo hoc incendium quo nunc ardetis.’⁴²

Hanno is set up through speeches like this as Hannibal’s great political enemy, the statesman who opposes him in the senate and attempts to put an end to his machinations, machinations that he believes will lead to the destruction of the city. When the reader reaches book 30 and Hanno is presented as the man who finally defeated Hannibal, the man who fought on the senate floor rather than on the battlefield, a *dux togatus*, it should not be at all surprising that we are given some reminders of the clash that arose between Marcus Tullius Cicero and Lucius Sergius Catilina 150 years later.

This sustained comparison between Hannibal and Catiline has important implications for how we interpret the trans-historical importance of the Second Punic War. It is not enough simply to note that Hannibal is presented as a Catiline *avant la lettre*. Livy’s history is a sophisticated narrative and the resemblance between the Carthaginian general and the aristocratic conspirator achieves more than just making the threat of Hannibal seem more vivid, or (as Clauss suggests) providing the Roman

⁴² Liv. 21.10.4.

reader with a negative *exemplum*, or (as Rossi suggests) situating the narrative in a post-Sallustian historiography.⁴³

The link between Hannibal and Catiline can be more profitably read as one of causality. David Levene's in-depth study of Livy's account of the Hannibalic war provides the cue for such a reading.⁴⁴ In the third chapter of his book, Levene explores Livy's treatment of individuals and ethnicities. He shows how throughout these books Livy consistently complicates categories like 'Roman', 'Italian', 'Barbarian' and 'Foreigner', allowing them to undermine and blend into each other.⁴⁵ Although Livy presents Rome and Carthage as two nations possessing their own characteristics, Levene focuses on moments at which the boundary between the two becomes blurred. As he puts it in his discussion of the similarity between the composition of the Roman and Punic armed forces: "Rome has already gone down the route that brought the Carthaginian empire to ruin."⁴⁶

The idea that Rome must become like Carthage if it is to defeat Carthage is a powerful theme in Livy's presentation of the Second Punic War. Nowhere is this more evident than in the comparisons between Rome's generals and Hannibal. Livy repeatedly pushes the idea that the road to victory over Hannibal requires Rome's generals to modify their behaviour and become more like their enemy. As Levene makes clear, Livy does not shy away from praising Fabius Maximus and even Scipio

⁴³ Clauss (1997), pg. 180; Rossi (2004), pg. 376-7.

⁴⁴ Levene (2010).

⁴⁵ Levene (2010), pg.164-260.

⁴⁶ Levene (2010), pg. 244.

Africanus when they adopt techniques that make them look uncomfortably like Hannibal himself.⁴⁷

In light of this, the model of Hannibal as a prefiguration of Catiline garners a new force. Hannibal does not just serve to remind the reader of the fact that after the Romans have defeated their great external enemy they will have to confront internal villains like Catiline. By the end of the Second Punic War Livy makes even Rome's greatest commanders resemble Hannibal (and through him Catiline), this suggests that we should read this conflict as containing the first beginnings of characters like Catiline, characters who will plague the history of the late Republic. The experience of fighting Hannibal, and the changes the Roman state and psyche had to undergo to finally defeat him, set in motion the moral decline that spawned figures like Catiline.

The fact that Livy focused specifically on Catiline to make this point reflects Sallust's importance to the world of historiography in this period. Nevertheless, as we saw in the previous chapter, engaging with Sallust necessarily entails engaging with Cicero. Livy's construction of Hannibal reveals a sophisticated engagement with Cicero. He is put in the spotlight and made to bear considerable interpretative weight at one of the most important moments in Livy's narrative.

Cicero in Sicily

The cases of both Hannibal and Manlius Capitolinus rely to a certain extent on a reading of Cicero that is filtered through Sallust. I would like to balance this with a

⁴⁷ For Fabius resembling Hannibal, see: Liv. 25.39. For Scipio, see: 28.33. Levene (2010), pg. 228-35. For Livy's parallels between Hannibal and Scipio, see: Rossi (2004).

new case study. Although the suppression of the Catilinarian conspiracy was the event with which Cicero was most determined to identify himself, his successful prosecution of Verres, the venal governor of Sicily, comes a close second. That he was successful in keeping this case in the public consciousness long after Verres had packed up his loot and departed for Marseilles is evident from a remark made by Seneca the Elder in which he treats the Verrines as a byword for a text that an audience could be expected to know by heart.⁴⁸

Livy, it would seem, was no stranger to this aspect of Ciceronian reception. We have already seen that the historian is keen to make use of Ciceronian texts to illustrate, complicate and enrich his study of one of the cardinal moments of the Second Punic War. However, this is not an isolated event. When the narrative turns to Sicily and its environs, Livy employs Cicero's Verrines to help him tell the story.⁴⁹

Henna

The first interaction between Livy's text and the Verrines that I would like to look at has been the focus of a study by Stephen Hinds.⁵⁰ The context of this moment of intertextuality is the massacre at Henna. While Syracuse was being besieged by Marcellus' army, his prefect in Henna, Lucius Pinarius, took drastic steps to counter the possibility of the locals following the example of their neighbours in Murgantia and defecting to the Carthaginians. After the people of Henna had asked him to

⁴⁸ Sen. *Suas.* 2.19. See also Verres' appearance in the *Histories* of both Sallust (IV.32,53) and Asinius Pollio (Sen. *Suas.* 6.24) as evidence of the Verrines' fame.

⁴⁹ For the intertextual relationship between the Verrines and Livy's text, see: Jaeger (2010), pg. 15-45.

⁵⁰ Hinds (1982), pg. 477 n.2.

restore their right to use the city gates at will, Pinarius feared that they were plotting to surrender the city to the enemy. On this assumption, Livy informs us, he invited the men of the city to a council held in the theatre. While Pinarius filibustered on the subject of whether he had the authority to restore this right without recourse to the consul, he had his soldiers shut off the exits to the theatre. At a given signal, the garrison of Henna (mindful of the fate that had befallen their comrades at Murgantia) fell upon the unarmed assembly and butchered them.

Livy's narrative of this brutal incident is intercut with references to Cicero's *Verrines* at several major points. The first appears right at the beginning as Livy sets the scene:

Henna, excelso loco ac praerupto undique sita, cum loco inexpugnabilis erat, tum praesidium in arce ualidum praefectumque praesidii haud sane opportunum insidiantibus habebat.⁵¹

It is generally agreed that Livy's source for this episode was Polybius.⁵² However, the language used in this opening directs the reader towards a more contemporary source – Cicero's ephrasis on Henna in the *Verrines*:

Henna autem, ubi ea quae dico gesta esse memorantur, est loco perexcelso atque edito, quo in summo est aequata agri planities et aquae perennes, tota vero ab omni aditu circumcisa atque directa est.⁵³

⁵¹ Liv. 24.37.2.

⁵² Klotz (1940-1), pg. 113.

⁵³ *Ver.* 2.4.107.

The similarity between Livy's *excelso loco ac praerupto undique sita* and Cicero's *est loco perexcelso atque edito* is far too close to be attributed simply to the fact that both authors are describing the same place.⁵⁴

The link with the Verrines becomes more forceful when we reach the next set of interactions, which I will group together on the basis of their connection with the divine sphere. Note first the wording of the invocation of Ceres and Proserpina made by Pinarius before he begins his massacre:

uos, Ceres mater ac Proserpina, precor, ceteri superi infernique di, qui hanc urbem, hos sacratos **lacus lucosque** colitis, ut ita nobis uolentes propitii adsitis, si uitandae, non inferendae fraudis causa hoc consilii capimus.⁵⁵

The phrase *lacus lucosque colitis* picks up two separate parts of the Verrines. Perhaps most saliently for our purposes, it appears in relation to Proserpina in Cicero's description of Henna just after the section analysed above:

quam circa **lacus lucique** sunt plurimi atque laetissimi flores omni tempore anni, locus ut ipse raptum illum virginis, quem iam a pueris accepimus, declarare videatur.⁵⁶

On top of this, the phrase also reappears in Cicero's invocation of Ceres and Proserpina at the grand conclusion of his prosecution:

⁵⁴ The Polybian background renders a missing common source unlikely.

⁵⁵ Liv. 24.38.8.

⁵⁶ Ver. 2.4.107.

vos etiam atque etiam imploro et appello, sanctissimae deae, quae illos Hennensis **lacus lucosque** incolitis, cunctaeque Siciliae, quae mihi defendenda tradita est, praesidetis, a quibus inventis frugibus et in orbem terrarum distributis omnes gentes ac nationes vestri religione numinis continentur.⁵⁷

These are important and memorable moments in the Verrines and it is hard to imagine any explanation for their appearance in Livy's narrative that does not involve him going out of his way to draw attention to the Ciceronian text.

Livy's description of Henna in Pinarius' speech before the massacre is not the only place that puts the reader in mind of the Verrines. He also gives the aftermath a flavour of these speeches:

Marcellus nec factum improbavit et praedam Hennensium militibus concessit, ratus timore fore deterritos prodicionibus praesidiorum Siculos. atque ea clades, ut urbis in media Sicilia sitae claraeque uel ob insignem munimento naturali locum uel ob sacrata omnia uestigiis raptae quondam Proserpinae, prope uno die omnem Siciliam peruasit et, quia caede infanda rebantur non hominum tantum sed etiam deorum sedem uiolatam esse, tum uero qui etiam ante dubii fuerant defecere ad Poenos.⁵⁸

This analysis has three salient connections with Cicero's Verrines. In the first place, Livy's reference back to the city's natural defences reminds the reader of the

⁵⁷ *Ver.* 2.5.188.

⁵⁸ *Liv.* 24.39.7-9.

Ciceronian phrase he used to describe that feature of Henna's geography. Secondly, Livy's talk of the *vestigia raptae... Proserpinae* recalls Cicero's own reference to the *vestigia deorum* in the fourth Verrine's description of Henna.⁵⁹ Thirdly, Livy's belief that events at Henna have the ability to draw the attention of the whole of Sicily seems to be predicated on Cicero's similar contention that Verres' plundering of Henna was a blow felt by all of Sicily.⁶⁰

We might ask why Livy chooses to draw a sustained comparison between the massacre of the citizens of Henna carried out by Pinarius in 214 BC and Verres' plundering of the most sacred shrine in that same city during his governorship of Sicily in the 70s. In his own analysis of these allusions, Levene argues that Livy uses this passage to show how Roman defeat is prefigured by bad conduct in the provinces:

(T)he sense that not only Henna but the whole of Sicily is consecrated to these gods... gives particular colour to Livy's account of the whole of Sicily reacting against the Henna massacre. In Cicero the reaction is on the divine level as well as the human, at least in the Sicilians' eyes: the island is suffering from a mass failure of crops, though Cicero carefully offers the alternative naturalistic explanation that this is the result of Verres driving the farmers from the land (II Verr. 4.114). Livy is himself not explicit that the Sicilians' reaction against the Romans has a divine cause, but the evocation of the sacrilege of Verres, combined with the language in which

⁵⁹ Ver. 2.4.107.

⁶⁰ Ver. 2.4.106 (*insulam Siciliam totam*), 107 (*tota Sicilia*), 113 (*omnium Siculorum*).

he describes the universal consequence of the disaster, makes such an interpretation a natural if not inevitable one.⁶¹

This interpretation can be further strengthened. A full analysis of the massacre at Henna and its connection to Cicero's prosecution of Verres must incorporate other moments in Livy's text at which the archetypally corrupt governor can be glimpsed peeking out from behind the cast of characters assembled by Livy to narrate the action from the Sicilian theatre of the Hannibalic War.

Marcellus

Marcus Claudius Marcellus cannot be avoided in any discussion of the role played by Sicily in the resolution of the Second Punic War. The fact that Marcellus is primarily remembered as the man who conquered Syracuse, in spite of the fact that he is one of only three (or perhaps four) men to have won the far more prestigious *Spolia Opima*, speaks volumes for the importance of his Sicilian command. Marcellus' capture of Syracuse in 212 BC (after two years of siege) is not considered a great achievement because it drove the Carthaginians out of Sicily (that was not achieved until 210), but rather because it marked the point at which control of the island shifted decisively in Rome's favour: a development that immensely strengthened Rome's ability to control the key littorals of Italy and North Africa.

Aside from considerations of geopolitics, however, there is another reason why Marcellus' conquest of Syracuse should be as prominent as it is in our narrative of

⁶¹ Levene (2010), pg. 343. For this analysis in its entirety, see: Levene (2010), pg. 341-3, cf. 212-3.

Rome's development as a Mediterranean power. The enormous cultural fallout from Marcellus' victory lends even greater weight to this historical moment. The transport of Syracuse's artwork to Rome in the course of the city's sacking was, as we shall see, a key point in the development of Rome's hegemony in the Mediterranean.⁶² Livy's narration of this event is of crucial importance to his history as a whole. The terms upon which he engages with this watershed moment of Mediterranean history should tell us a great deal both about his approach to writing history and his approach to how that history unfolded. One piece of Livy's account stands out as indicative of the central role played by Cicero in Livy's conception of how one tells the story of the Hannibalic war.

The following is taken from the 25th book of the history. After Livy has narrated how a Roman knight named Lucius Marcius narrowly preserved Rome's hold on the province of Spain in the wake of the defeat of the Scipio brothers and the annihilation of the bulk of their forces, he turns back to Sicily to describe how Marcellus behaved in the aftermath of his conquest of Syracuse:

dum haec in Hispania geruntur, Marcellus captis Syracusis, cum cetera in Sicilia tanta fide atque integritate composuisset ut non modo suam gloriam sed etiam maiestatem populi Romani augeret, ornamenta urbis, signa tabulasque quibus abundabant Syracusae, Romam deuexit, hostium quidem illa spolia et parta belli iure; ceterum inde primum initium mirandi

⁶² Liv. 25.24.1-14; Plut. *Marc.* 19. 1-2. For the transport of artwork from Syracuse to Rome as a watershed moment, see: McDonnell (2006), pg. 68-90.

Graecarum artium opera licentiaeque hinc sacra profanaque omnia uolgo spoliandi factum est, quae postremo in Romanos deos, templum id ipsum primum quod a Marcello eximie ornatum est, uertit. uisebantur enim ab externis ad portam Capenam dedicata a M. Marcello templa propter excellentia eius generis ornamenta, quorum perexigua pars comparet.⁶³

This is Livy's major comment on an event set up as being deeply important in Rome's history; it repays close reading.⁶⁴

On the back of the Henna episode, Livy's reader should be on the lookout for references to the Verrines. Indeed, even without that nudge, it is hard to imagine that one could read about a Roman governor who plundered artwork from Syracuse without thinking of Gaius Verres. As well as a general feeling that the two situations are somewhat analogous, Livy provides his reader with some more concrete allusions to help them in that direction. The reader might detect, for example, the opening of the final speech of Cicero's prosecution:⁶⁵

nemini video dubium esse, iudices, quin apertissime C. Verres in Sicilia sacra profanaque omnia et privatim et publice spoliarit, versatusque sit sine ulla non modo religione verum etiam dissimulatione in omni genere furandi atque praedandi.⁶⁶

⁶³ Liv. 25.40.1-3.

⁶⁴ For this passage's interaction with Sallust, see: Jaeger (2010), pg. 22-5.

⁶⁵ Levene (2010), pg. 124.

⁶⁶ Ver. 2.5.1.

Livy's reference to the Roman people's love of plundering the province for artwork in the phrase *sacra profanaque omnia vulgo spoliandi* very clearly echoes this formulation.⁶⁷

However, as well as making this rather simple connection (i.e. 'contemporary Romans plunder art from the provinces and in that sense they rather resemble Verres'), Livy complicates the picture by folding the following Ciceronian eulogy to Marcellus from the fourth speech into his own more morally complicated picture of the spoliation of Syracuse:

nunc ad Marcellum revertar, ne haec a me sine causa commemorata esse videantur. Qui cum tam praeclaram urbem vi copiisque cepisset, non putavit ad laudem populi Romani hoc pertinere, hanc pulchritudinem, ex qua praesertim periculi nihil ostenderetur, delere et extinguere. itaque aedificiis omnibus, publicis privatis, sacris profanis, sic pepercit quasi ad ea defendenda cum exercitu, non oppugnanda venisset. in ornatu urbis habuit victoriae rationem, habuit humanitatis; victoriae putabat esse multa Romam deportare quae ornamento urbi esse possent, humanitatis non plane exspoliare urbem, praesertim quam conservare voluisset.⁶⁸

The use of the phrase *sacra profanaque omnia et privatim et publice spoliavit* in the fifth Verrine acts as a summary of the preceding speech, and seems especially pertinent to the *laus Marcelli* quoted above. Livy can thus be seen to allude to two parts of the

⁶⁷ This allusion to Verres' plundering puts the suffering of the people of Syracuse into the picture: Levene (2010), pg. 123. *Contra*: Burck (1982), pg. 1179-80.

⁶⁸ *Ver.* 2.4.120.

Verrines: both Cicero's general remarks in the fifth speech, and his claim in the fourth that Marcellus' careful pruning of Syracuse's treasures was morally exemplary in comparison to the devastation visited upon Sicily by Verres.⁶⁹

Part of the force of this allusion must rest in the fact that it complicates Cicero's simple contrast of Good Marcellus versus Bad Verres. Certainly Livy maintains the bare bones of the contrast: Marcellus is explicitly cleared of any implication that his taking of Sicily's artwork might have been wrong in and of itself; while the use of language from the Verrines has the effect of adding further condemnation of Verres.⁷⁰ In short, Livy adds to the process of canonizing Verres as the prototypical corrupt governor. Nonetheless, by making use of Verres' later behaviour and calling Marcellus' actions a *primum initium*, Livy places the two *imperatores* on the same spectrum. However clear the historian may be in stressing that the particulars of Marcellus' actions were different from those of Verres, he nonetheless highlights the causal chain connecting the two governors.

If the reader takes this Ciceronian allusion seriously and allows it more expressive force than just calling to mind another Roman description of Sicily, then we are faced with a complicated picture of Roman imperial expansion. Indeed it becomes difficult to read this passage without thinking that Livy is suggesting that Marcellus can in some sense be held responsible for the later abuses that beset the

⁶⁹ *itaque aedificiis omnibus, publicis privatis, sacris profanis...non oppugnanda venisset.*

⁷⁰ This use of the Verrines contributes to making the language of these speeches shorthand for criticizing the conduct of bad provincial governors.

interactions between Roman governors and their provincial subjects. The expectation that his reader could identify a Ciceronian allusion in this section allows Livy to pursue a far darker narrative for the development of the Roman Empire. Although the strongest point to take away from this allusion is that Marcellus' exploits in Syracuse form a positive contrast to the depths to which Rome would later sink, we can see by looking to the Henna episode that the seeds of Verres' notorious greed and cruelty are already present in Rome's conduct in the Hannibalic war.

Locri

There is, in fact, a further test case for the notion that the Hannibalic war is the place to start looking for the seeds of Roman corruption, and once again it involves the Verrines. As the structure of Cicero's speeches makes clear, although Verres' mistreatment of provincials was monstrous, by far the greatest of his crimes related to his treatment of Roman citizens. Cicero's description of Verres' summary execution of Publius Gavius is one of the most famous parts of the Ciceronian corpus. It should not be surprising to find it referred to in Livy's narrative.

The background for this allusion is provided by Locri, a settlement on the toe of the Italian peninsular. Not only was Locri one of the Carthaginians' final strongholds in Italy, but it was also one of Proserpina's major cult sites. The specific analogue for Verres in this case is Quintus Pleminius, the *legatus pro praetore* of the consul Scipio.⁷¹ Although Scipio and Pleminius had been successful in recapturing

⁷¹ Liv. 29.6.9.

Locri from the Carthaginians, events took a downward turn once Scipio had returned to his Sicilian province and left Pleminius in charge of the captured city.

In a suitably Verrine fashion, sacrilege and murder was the order of the day.

Livy presents the events that followed Scipio's return to Messana as follows:

ipse Pleminio legato praesidioque quod arcem ceperat ad tuendam urbem relicto, cum quibus uenerat copiis Messanam traiecit. ita superbe et crudeliter habiti Locrenses ab Carthaginiensibus post defectionem ab Romanis fuerant ut modicas iniurias non aequo modo animo pati sed prope libenti possent; uerum enim uero tantum Pleminius Hamilcarem praesidii praefectum, tantum praesidiarii milites Romani Poenos scelere atque auaritia superauerunt ut non armis sed uitiis uideretur certari. nihil omnium quae inopi inuisas opes potentioris faciunt praetermissum in oppidanos est ab duce aut a militibus; in corpora ipsorum, in liberos, in coniuges infandae contumeliae editae. iam auaritia ne sacrorum quidem spoliatione abstinuit; nec alia modo templa uiolata sed Proserpinae etiam intacti omni aetate thesauri, praeterquam quod a Pyrrho, qui cum magno piaculo sacrilegii sui manubias rettulit, spoliati dicebantur. ergo sicut ante regiae naues laceratae naufragiis nihil in terram integri praeter sacram pecuniam deae quam asportabant extulerant, tum quoque alio genere cladis

eadem illa pecunia omnibus contactis ea uiolatione templi furorem obiecit
atque inter se duces in duces, militem in militem rabie hostili uertit.⁷²

The accusations of cruelty against women and children, the charge of *spoliatio sacrorum* and especially the focus on Proserpina sets Pleminius up as another character in Livy's narrative whose treatment of his provincial subjects is best understood through the lens of Cicero's condemnation of Verres.

The events that follow this orgy of plundering, however, give a far more specific nuance to Pleminius' role as a proto-Verres. As the looting at Locri gets out of hand, two military tribunes rebuke one of the soldiers for stealing a silver goblet. The troops divide into factions and begin to fight each other, with the following outcome:

uicti Plemini milites cum ad Pleminium cruorem ac uulnera ostentantes non
sine uociferatione atque indignatione concurrissent probra in eum ipsum
iactata in iurgiis referentes, accensus ira domo sese proripuit uocatosque
tribunos nudari ac uirgas expediri iubet.⁷³

Livy narrates these scenes in terms that are particularly reminiscent of Cicero's description of the scourging of Gavius that Verres orders before his crucifixion:

ipse inflammatus scelere et furore in forum venit; ardebant oculi, toto ex ore
crudelitas eminebat. exspectabant omnes quo tandem progressurus aut

⁷² Liv. 29.8.5-11.

⁷³ Liv. 29.9.1-4.

quidnam acturus esset, cum repente hominem proripi atque in foro medio nudari ac deligari et virgas expediri iubet.⁷⁴

There is an unmistakable similarity between Cicero's *repente hominem proripi atque in foro medio nudari et deligari et virgas expediri iubet* and Livy's *accensus ira domo sese proripuit, vocatosque tribunos nudari ac virgas expediri iubet*. Although Stephen Oakley may be correct in his assessment that there is nothing particularly unusual about finding the phrase *virgas...expediri iussit* in Livy, a connection between the two scenes remains tempting.⁷⁵ The appearance of the verb *proripio* in both passages makes it difficult to imagine that the appearance of this Ciceronian phrasing in Livy's text might be a coincidence, as does the balancing of Livy's *accensus* with Cicero's *inflammatus*.

David Levene notes that the effect of this passage comparing the scourging of the military tribunes with Verres' execution of a Roman citizen "(i)s that Pleminius, acting of course under the aegis of Scipio, is prefiguring the most notorious excesses of the late Republic."⁷⁶ This is correct, of course, but there is more to be said. It seems important that over the course of the Hannibalic War, Livy's reader has seen a development in the similarities between various figures and Verres. His likeness first appears in book 24, in the guise of the venal lieutenant Pinarius as he massacres the

⁷⁴ *Ver.* 2.5.161.

⁷⁵ Oakley (1998), pg. 724. Oakley is correct to note that the phrase *virgas expediri iussit* is common in Livy, but it is not found elsewhere (with the exception of a passage of Valerius Maximus: 2.7.8 and the passage of Cicero quoted above).

⁷⁶ Levene (2010), pg. 123.

citizens of Henna before plundering the city and its shrine to Proserpina. By book 25, Livy has moved up the ranks and draws a causal connection between the consul Marcellus' plundering of Syracuse and Verres' later disastrous governorship of Sicily. The culmination of this process is to be found in the events at Locri in book 29.

David Levene sees the Locri episode as significant and worthy of forming the apex of this development in Livy's narrative because it marks the point at which someone operating under the aegis of Scipio finally begins to operate in a manner resembling Verres. Important though this may be, part of the gravity of this final step must lie in the fact that this form of abuse is no longer confined to the three corners of Sicily and is no longer being inflicted upon purely provincial victims. By book 29 of the *ab Urbe Condita*, the corruption that induces Roman magistrates to behave like the defendant in Cicero's *Verrines* has crossed the straits of Messina into Italy, and is now being directed against Roman citizens.

Conclusion

It is not easy to combine the evidence of Cicero's presence in Livy's text from the *Periochae* with the intertextual study carried out above. The heavily abridged summary of Livy's narrative implies a sporadic role for Cicero *qua* historical actor: drifting in and out of the narrative of the late Republic, occasionally holding the centre stage, but more often than not in the wings. Looking closely at books 21-30, however, we can see a pervasive and central role being given to Cicero *qua* author. Even with our truncated text, we can see that the Hannibalic War was one of the grand centrepieces of the *ab Urbe Condita* and that Livy placed a great deal of interpretative

weight on allusions to Ciceronian texts. Regardless of the Epitomator's judgement, the influence of Cicero clearly weighed heavily upon Livy.

The connection drawn between Livy's portrayal of Hannibal and Catiline is helpful in understanding what the historian is doing with this series of Ciceronian allusions. If the similarity between Hannibal and Catiline helps the reader to understand the source of the woes that would beset the Republic in its last years, then the moral and geographic progression of the allusions to the Verrines serves as a chart of that decline.

The Romans' defeat of Hannibal necessitated their learning to behave like him, a process that reaches to Cicero to show its ultimate endpoint. A thread of Romans abusing their *imperium* runs parallel to this Hannibalic/Catilinarian descent, and it seems appropriate that Livy also made use of a canonical Ciceronian text to make this point. A causal link between the conquest of Sicily and the gubernatorial abuses of Verres is mapped out by a series of escalating interplays between Livy's history and Cicero's prosecution.

There is a strong theme of decline in Livy's work, one that shows a slow but inevitable degeneration from the city's mythical but troubled foundation down to the calamitous civil wars of the mid-first century BC.⁷⁷ The fact that Livy turned to Cicero to mark one of the pivotal moments of this decline is a testament both to the sway he held as a point of reference in the Augustan age and to the depth of Livy's appreciation

⁷⁷ For Livy's narrative of decline, see: Earl (1961), pg. 45-6; Luce (1977), pg. 250-64; Will (1983), pg. 169; Rossi (2004).

of his works. In order to properly pass judgement on this appreciation, however, we must turn to the sole episode from Livy's narration of Cicero's life to have come down to us intact: the account of his proscription and murder.

Chapter 3

Tully's Ends: The Age of Augustus

Introduction

Although a combination of the *Periochae* and some Ciceronian allusions in books 21-30 of *ab Urbe Condita* can scarcely be an adequate replacement for Livy's actual narrative of Cicero's lifetime, we do possess a couple of crucial fragmentary passages from Livy's text telling us at least how his story of Cicero's life ended. By a peculiar twist of fate, Livy's narrative of Cicero's death and his obituary have both been preserved in the text of Seneca the Elder's *Suasoriae*. Part of my intention in this chapter is to analyse these fragments with the intention of discovering what can be said about Livy's interpretation of Cicero's place in the *ab Urbe Condita*.

By far the larger part of this chapter, however, will focus on comparing Livy's obituary for Cicero with the various ways in which other Augustan writers marked the passing of Republican Rome's foremost orator. Pride of place in this investigation goes to the obituary written by Livy's great predecessor, Asinius Pollio. However, space is also given to writers working in other genres: biography in the cases of Cornelius Nepos and Tiro; and poetry in the cases of Cornelius Severus and Sextilius Ena. The preliminary conclusions of this chapter will be completed in the next, which deals with how the tradition of writing about Cicero's death evolved in the works of the historians writing under the emperor Tiberius.

Livy's Death Notice: 'moriar in patria saepe servata'

In Seneca the Elder's text, Livy's narrative of Cicero's demise comes in two parts: first comes the description of how he met his end, after which we are given a summary of his life. I will treat these two portions of text separately on the basis that we have no way of knowing how closely they were placed in the narrative of the *ab Urbe Condita*. As a general rule, treatments of Livy's account of Cicero's death prefer to focus upon the obituary itself.¹ The actual narrative of how Cicero met his death, however, has a value of its own.² Here is the account as preserved in Seneca the Elder's text:

M. Cicero sub adventum triumvirorum urbe cesserat, pro certo habens, id quod erat, non magis Antonio eripi se quam Caesari Cassium et Brutum posse; primo in Tusculanum fugerat, inde transversis itineribus in Formianum ut ab Caieta navem conscensurus proficiscitur. unde aliquotiens in altum provectum cum modo venti adversi rettulissent, modo ipse iactationem navis caeco volvente fluctu pati non posset, taedium tandem eum et fugae et vitae cepit, regressusque ad superiorem villam, quae paulo plus mille passibus a mari abest, 'moriar' inquit 'in patria saepe servata.' satis constat servos fortiter fideliterque paratos fuisse ad dimicandum; ipsum deponi lecticam et quietos pati quod sors iniqua

¹ E.g. Pomeroy (1988), pg. 180-1.

² For the sources of Cicero's death, see: Homeyer (1964), esp. pg. 32-4 for Livy; this thesis does not stand up well to scrutiny: Roller (1997) pg. 115 n. 17.

cogeret iussisse. prominenti ex lectica praebentique innotam cervicem caput praecisum est. nec <id> satis stolidae crudelitati militum fuit: manus quoque scripsisse aliquid in Antonium exprobrantes praeciderunt. ita relatum caput ad Antonium iussuque eius inter duas manus in rostris positum, ubi ille consul, ubi saepe consularis, ubi eo ipso anno adversus Antonium quanta nulla umquam humana vox cum admiratione eloquentiae auditus fuerat; vix attollentes lacrimis oculos humentes intueri truncata membra cives poterant.³

The initial point that I would like to make about this short text concerns the earlier chapter on Sallust. As noted there, it is remarkable that in the entirety of Sallust's narration of the Catilinarian Conspiracy, a work which draws heavily on Cicero's speeches *in Catilinam*, the author does not at any point allocate a portion of direct speech to Cicero. Livy, in contrast, makes sure that Rome's most famous orator is not allowed to pass away without a last piece of *oratio recta: moriar in patria saepe servata*.⁴

Regardless of the provenance of these *ultima verba*, they are nevertheless important from a historiographical perspective. Even if they are unlikely to be an accurate reflection of Cicero's last words, this remark at least reveals Livy's conception of Cicero's character, and suggests that the historian set a great deal of store by

³ Sen. *Suas.* 6.17.

⁴ Although presumably apocryphal, these words might be traced back to the slaves who witnessed Cicero's death. Cf. Hägg (2012), pg. 264, n. 56.

Cicero's self-presentation in the Philippics when it came to assessing his life as a whole.⁵

Although it would be unwise to read too much into Livy's portrait of Cicero from these five words, we can note several familiar character traits in it: pride in his defeat of Catiline and Clodius; a touch of arrogance; an awareness of the power of fate. But most of all, we can read in these last words Cicero's overpowering awareness (and, indeed, construction) of himself as an important character in the history of Rome, a characteristic with which the reader of the Philippics and the *de Officiis* will be all too familiar.⁶ Livy may or may not have chosen the exact wording of Cicero's final utterance, but it is important that he included it, and worth keeping in mind when we look at the obituary that follows.

Another important aspect of Livy's death notice lies in the battle-lines he draws up to explain the conflict that led to Cicero's proscription: *Cicero...pro certo habens, id quod erat, non magis Antonio eripi se quam Caesari Cassium et Brutum posse*. A distinction is drawn up here that we will see being repeated (with variations) throughout the reception of Cicero in the early imperial period: although a shared cause may have made allies of Octavian and Mark Antony, there was a very clear difference in their attitude to Cicero.⁷ Although the exact extent to which Augustus was complicit in Cicero's death was debated throughout the early imperial period, Livy reflects a

⁵ This complicates the *Periochae's* marginalization of Cicero's role in these years: pg. 101-103.

⁶ E.g. *Phil.* 2.1, 118; *Off.* 2.84.

⁷ Livy's conception of Cicero and Antony as primarily personal *inimici* will be explored below: pg. 157.

general consensus that the implacable enmity of Antony was the prime cause of Cicero's death.⁸

Although it is impossible to find much in the way of nuance from a small and isolated fragment of Livy's history, we can at least see that he does not completely eschew the notion that Octavian could make a plausible case for being a bystander in Cicero's death.⁹ It would, of course, be exceptionally useful to know in full detail how Livy presented Octavian's role in Cicero's inclusion on the proscription list, but this should not make us overly-zealous in squeezing this fragment for information. The most we can say, and this is not negligible by any means, is that Livy has Cicero realize the danger he is in when he completes the logic puzzle: 'Who is to Mark Antony as Brutus and Cassius are to Octavian?'

One last point that is worth emphasizing is Livy's focus on the power of Cicero's eloquence. More specifically, the idea that Cicero's oratorical prowess served as the basis for his political career. The grief felt by the Roman people at the sight of Cicero's mutilated remains being displayed on the Rostra is interpreted as a reaction to the fact that they had heard him speak there with a force like no other over the preceding twenty years. Livy's depiction of this popular memory stands as a testimony to Cicero's own oratorical power, reflecting as it does Cicero's claim in the

⁸ For the general conception that Livy wrote Cicero's death in a manner that would be pleasing to Augustus, see: Lamacchia (1975).

⁹ This can be supported with *Periochae* 120, which lists Cicero's death alongside that of Mark Antony's brother. We might infer that these two names are grouped together along the lines of Antony and Octavian both being prepared to sacrifice a favourite if the other wanted them dead.

second Philippic that his clash with Antony should be read as a repeat of his suppression of the Catilinarian conspiracy.¹⁰

The idea that Cicero's reputation was bound up with his oratorical ability might seem to be the sort of statement that can be taken as read. However, it is worth noting as part of a demonstration that even when discussing the late Republic, a period dominated by oratory and orators, Livy still gives a special pride of place to Cicero's particular association with this skill.¹¹

The overarching theme of this narrative, however, is the brutality of Cicero's murder. The *stolida crudelitas* of the soldiers is emphasized, as is their unusual zeal in hacking off Cicero's hands in revenge for what they had written against Mark Antony. Since we lack the surrounding narrative of the proscriptions and the rise of the Triumvirate, it is hard to assess the impact of this scene. It would surely, for example, be preferable to know whether Cicero's death notice alone was presented in this much detail or whether it was part of a string of similar tales. In spite of this uncertainty, we might note that the arresting detail of the death suggests a desire on Livy's part to place this event at centre stage. Although we cannot say precisely how, it seems certain that the tragedy of Cicero's violent and brutal end was presented as an important and climactic moment in Livy's history.¹²

¹⁰ *Phil.* 2.1, 118.

¹¹ This is particularly relevant to discussions of how Ciceronian we should consider other Augustan depictions of orators to be. Although these figures (e.g. Drances in the *Aeneid*) may reflect an entire political milieu as much as an individual orator, Cicero becomes synonymous with the practice of oratory long before the works of other orators were lost.

¹² Stadter (1972), pg. 298-9.

Livy's Obituary: *vir magnus ac memorabilis*

While this assessment of Cicero's death can be used to illuminate certain aspects of Livy's assessment of his role in the fall of the Republic and the rise of the Triumvirate, it should not be read in isolation. It is paired with a eulogy for Cicero – a eulogy described by Pomeroy as Livy's "most carefully crafted, and perhaps most ambiguous tribute".¹³

vixit tres et sexaginta annos, ut, si vis afuisset, ne inmatura quidem mors videri possit. ingenium et operibus et praemiis operum felix, ipse fortunae diu prosperae; sed in longo tenore felicitatis magnis interim ictus vulneribus, exilio, ruina partium pro quibus steterat, filiae morte, exitu tam tristi atque acerbo, omnium adversorum nihil ut viro dignum erat tulit praeter mortem, quae vere aestimanti minus indigna videri potuit, quod a victore inimico <nihil> crudelius passus erat quam quod eiusdem fortunae conpos ipse fecisset. si quis tamen virtutibus vitia pensarit, vir magnus ac memorabilis fuit et in cuius laudes exequendas Cicerone laudatore opus fuerit.¹⁴

One might immediately draw up a fairly obvious contrast between the presentation of Cicero in the narrative of his death and the presentation in this obituary. Whereas in the previous account Cicero's pre-eminence as an orator holds centre stage, here Livy relegates this aspect of his life to a pithy concluding statement. Although the role

¹³ Pomeroy (1988), pg. 180.

¹⁴ Sen. *Suas.* 6.22.

played by oratory in Cicero's life is privileged by being given the last word in his obituary, it is nonetheless striking (especially in comparison with the previous passage) that the rest of the assessment of Cicero's life makes no specific reference to his oratorical prowess.

Seemingly in line with this shunning of Cicero's rhetorical fame, it has been claimed that even the style of this eulogy restrains itself from full-blown imitation of Ciceronian oratory.¹⁵ Although it is certainly possible to imagine that Livy might have written a more obvious pastiche of a Ciceronian purple-passage to commemorate Cicero's death, there is still (*contra* Leeman) plenty of material here to point us in the direction of Cicero's oratorical style. Livy delivers the litany of misfortunes Cicero suffered in his life in a crescendo of syntactical variation reminiscent of the *copia* for which the orator was praised by Caesar.¹⁶ On top of this, we might note an adherence to Ciceronian rhythm. Cicero's three most-used *clausulae* (the cretic + trochee, molossus + trochee and double cretic) all appear in this short passage, with an unmistakable trend at the conclusion of the eulogy towards the cretic + trochee – the *clausula* with which Cicero's oratory was most identified.¹⁷ Looking for Ciceronian rhythms only at the most obvious sense breaks in this passage, we should identify: a double cretic at *fortunaē diu prosperae*; a cretic + iamb at *memorabilis fuit*; a molossus

¹⁵ Leeman (1963), pg. 191.

¹⁶ For Caesar's praise of Cicero as *princeps copiae*, see: *Brut.* 253.

¹⁷ For Cicero's favouring of the cretic + trochee rhythm, see: Berry (1996), pg.49-54, esp. 50-1.

+ trochee at *ictus vulneribus*; and four separate cretic + trochees (with various levels of resolution) at *pro quibus steterat, ipse fecisset, vitia pensarit* and *laudatore opus fuerit*.

Even if we temper Leeman's view and claim that this eulogy does in fact make reference to Cicero's fame as an orator on a stylistic level, this aspect of his career is still very much pushed into the background. It is difficult to avoid a negative interpretation of Livy's decision to downplay Cicero's greatest and least controversial achievement when writing up his obituary. However much Livy may have admired Cicero and taken him as a stylistic model, this obituary, which focuses on his historical role as a Roman statesman, is left being far from a hagiography.¹⁸

Indeed the dominant theme is failure. Livy judges Cicero a failure in his personal life for his inability to bear the death of his daughter as befits a man and he expounds at great length upon the various failures in his political life, touching upon his exile, the collapse of his coalition and the fact that he placed himself in a zero-sum game with Antony and lost. There is not even a hint in Livy's presentation of the final fight with Antony that Cicero was at least fighting against a tyrannical figure. Livy's obituary, as Pomeroy notes, depicts the conflict of 44 and 43 as "a personal enmity being worked out with as much right on Antony's side as on Cicero's".¹⁹

Although Livy is prepared to conclude that Cicero's virtues outweighed his vices, that he had a great intellect and was a great and memorable man, no space is

¹⁸ For Livy's concern in the obituaries to see how the individual interacts with the state, see: Pomeroy (1988), pg. 179.

¹⁹ Pomeroy (1988), pg. 181. Cf. Ridley (2013), pg. 299.

given to any of the personal or political triumphs of his career.²⁰ If this is praise, it is muted indeed. We might even detect some criticism in the final note of the obituary praising Cicero's eloquence (*in cuius laudes exequendas Cicerone laudatore opus fuerit*). One could take this line at face value and argue that Livy is making the point that Cicero's deeds were so great that he was the only person whose oratory was capable of praising them. However, this sits rather ill with the rest of the failure-littered eulogy. If Livy felt Cicero's deeds were so great, why the failure to give them a place of prominence in his eulogy?

Even if we were to imagine that the rest of the missing books of the *ab Urbe Condita* gave us ample reason to think that Livy felt Cicero had performed many deeds that were worthy of praise, it would still remain striking that this line of apparent praise had been bolted onto such an overwhelmingly negative assessment of his life. What seems far more likely is that while this line does indeed make reference to Cicero's oratorical pre-eminence, it simultaneously flags up Cicero's tendency towards self-praise, a tendency best put into words by the younger Seneca, who notes that Cicero praised his own consulship *non sine causa, sed sine fine*.²¹ Nobody, Livy argues, could praise Cicero with as much gusto as the man himself was wont to do.

²⁰ The absence of the Catilinarian conspiracy from this obituary is particularly glaring.

²¹ *Not without reason, but without end*. Sen. *Brev. Vit.* 5.1. For this assessment of this line in Livy's eulogy, cf. Pomeroy (1988), pg. 181.

Pollio: Ciceronis mortem solus ex omnibus maligne narrat

As noted at the start of this chapter, we have no real hope of assessing this obituary of Cicero on Livy's own terms. We simply do not have enough of the relevant sections of the *ab Urbe Condita* to understand how this section fits into his broader picture of Cicero's life and career. What we can do, however, is compare this obituary with another resource that we are very fortunate to have had come down to us: the trove of Ciceronian obituaries from other texts that were written at a similar date to Livy's. The most important of these, at least in terms of interaction with the Livian obituary, was written by Asinius Pollio in his *Histories*.

Pollio's obituary of Cicero is preserved in the same tradition as Livy's. His is the last of several Ciceronian death notices excerpted by Seneca the Elder from the works of early imperial historians and set out in his discourse on the sixth *Suasoria* of his collection (*Cicero deliberates whether to beg Antony's pardon*). The obituary as preserved in Seneca the Elder's text runs as follows:

huius ergo viri tot tantisque operibus mansuris in omne aevum praedicare de ingenio atque industria super<vacuum est>. natura autem atque fortuna pariter obsecuta est ei, si quidem facies decora ad senectutem prosperaque permansit valetudo. tum pax diutina, cuius instructus erat artibus, contigit. namque prisca severitate iudiciis exacta maxima noxiorum multitudo provenit, quos obstrictos patrocinio incolumes plerosque habebat. iam felicissima consulatus ei sors petendi et gerendi magno munere deum, consilio <suo> industriaque. utinam moderatius secundas res et fortius

adversas ferre potuisset! namque utraeque cum <e>venerant ei, mutari eas non posse rebatur. inde sunt invidiae tempestates coortae graves in eum, certiorque inimicis adgrediendi fiducia. maiore enim simultates appetebat animo quam gerebat. Sed quando mortalium nulli virtus perfecta contigit, qua maior pars vitae atque ingenii stetit, ea iudicandum de homine est. atque ego ne miserandi quidem exitus eum fuisse iudicarem, nisi ipse tam miseram mortem putasset.²²

There are several points of contact between this obituary and Livy's which I would like to investigate here.

Seneca himself points us in the direction of one such connection. I noted above that a certain stylistic homage to Cicero can be detected in the *clausulae* of Livy's obituary. Similarly, Seneca comments of Pollio's:

adfirmare vobis possum nihil esse in historiis eius hoc quem rettuli loco disertius, ut mihi tunc non laudasse Ciceronem sed certasse cum Cicerone videatur.²³

In much the same way as we saw with Livy's text, it was noted more than a century ago that part of the competition that Seneca identified on Pollio's part can be seen in his attempt to echo Cicero's favoured rhetorical rhythms.²⁴

²² *FrRH* 56, F7 = Sen. *Suas.* 6.24.

²³ Sen. *Suas.* 6.25.

²⁴ Lenchantin de Gubernatis (1909), pg. 387-9.

The imitation, however, runs deeper than this. While we might expect to find some evidence in this obituary of the choppy and jerky style of writing that the younger Seneca claimed characterised Pollio's writings, the prose on display here seems to show none of those tendencies.²⁵ This reading is not accepted by all. Clark, for example, finds that this passage:

“(H)as all the characteristics ascribed to Pollio by literary critics; a tense, nervous style (bleak, to those who disliked it), lacking the smoothness and fullness of Cicero, and somewhat disconcerting in cadence and word-order.”²⁶

The Ciceronian *clausulae* noted above should serve in part as a refutation of Clark's reading of the style of this obituary. In addition, one might point to the proliferation of antithesis and balance in several of Pollio's phrases. All things considered, Seneca the Elder's claim that this part of the text (according to Drummond, “evidently a purple passage”) was written to rival Cicero's own oratorical style is to be preferred to Clark's.²⁷ One can do little better than quote Woodman's judgement of the

²⁵ Sen. *Ep.* 100.7; Drummond (2013b), I.442; Leeman (1963), pg. 160-3, 187-90; Woodman (1988), pg. 127-8; *ORF*⁴ 516-8.

²⁶ Clark (1973), pg. 74. Clark is not wrong in detecting some Asinian *asperitas* in the hyperbata, repetition of words (especially *is*) and use of the future participle in the ablative absolute. However, in Woodman's words, the text “is in fact a good deal more complicated than she allows.” Woodman (1988), pg. 150-1 n. 48.

²⁷ This balance and antithesis is particularly clear, for example, in the following three sentences: *utinam moderatius secundas res et fortius adversas ferre potuisset!*; *maiore enim simultates appetebat animo quam gerebat*; and *atque ego ne miserandi quidem exitus eum fuisse iudicarem, nisi ipse tam miseram mortem putasset*. For Drummond's judgement that this is a purple passage, see: Drummond (2013b), I.442.

Ciceronian element in the style of this passage: “The explanation for these features no doubt lies in the Ciceronian context (*imitatio cum aemulatione*).”²⁸

In fact, beyond the unusual stylistic similarity, we can be even more specific in pinning down Ciceronian references in this obituary: it is shot through with allusions to Ciceronian texts. In a discussion of how unusual it is to see metaphorical language in Pollio’s writing, Leeman notes that the unusual phrase *invidiae tempestates* can be best explained as a reference to the first Catilinarian: “video...quanta tempestas invidiae nobis...impendeat.”²⁹ Nor is this the only interaction with a Ciceronian text. We can also detect a reference to the fourth speech of the second *actio* of the Verrines in Pollio’s phrase *namque prisca severitate iudiciis exacta*, which Drummond judges to be a “pointed borrowing” of Cicero’s formulation *posteaquam iudicia severa Romae fieri desierunt*.³⁰

In addition to this, Degl’Innocenti Pierini identifies two more specific instances of intertextuality in this short passage through which Pollio uses Cicero’s own language to pass judgement on his life. The first is a reference to the *de Officiis* found in Pollio’s phrase “utinam moderatius secundas res et fortius aduersas ferre potuisset!” As Cicero says in a discussion of haughtiness in the first book of his treatise on duties:

nam ut aduersas res, sic secundas immoderate ferre leuitatis est.³¹

²⁸ Woodman (1988), pg. 150-1 n. 48; Morgan (2000), pg. 62.

²⁹ *Cat.* 1.22. Leeman (1963), pg. 189.

³⁰ *Verr.* 2.4.133. Drummond (2013b), III.527.

³¹ *Off.* 1.90. Degl’Innocenti Pierini (2003), pg. 9.

The verbal echo is unmistakable. Degl'Innocenti Pierini identifies the second Ciceronian quotation in this obituary in Pollio's concluding phrase: "atque ego ne miserandi quidem exitus eum fuisse iudicarem, nisi ipse tam miseram mortem putasset." She sees a reference here to Cicero's boast in the fourth Catilinarian:

nam neque turpis mors forti uiro potest accidere, neque immatura
consulari, nec misera sapienti.³²

In fact, the intertextual link between this famous section from the fourth Catilinarian and the last line of Pollio's obituary might be further strengthened.³³ Given that Pollio (and apparently Pollio alone) narrated Cicero's death *maligne*, we might think that his reference to this passage calls into question the first part of Cicero's formulation, that a brave man can never meet a shameful death. According to Pollio, Cicero (unlike Verres) did not face death as a *fortis vir* and so met with a death that was *turpis*.³⁴

These last two allusions can, I think, point us towards an overall interpretation of what Pollio is doing with this obituary and how it interacts with Livy's. There are two strands that run through this obituary (and indeed run through all discussions of Pollio's treatment of Cicero in his *Histories*). The first can be seen prominently in Syme's description of the anti-Ciceronian trend in Pollio's works and argues that this

³² *Cat.* 4.3. This phrase is given heightened prominence by being quoted at *Phil.* 2.118-9.

³³ Degl'Innocenti Pierini (2003), pg. 10.

³⁴ Although Seneca explicitly tells us that Pollio's claim that Cicero recanted his opposition to Antony to save his life was not part of his *Histories* (*Sen. Suas.* 6.15), the introduction to this obituary (*Sen. Suas.* 6.24) suggests that he stuck to his guns in claiming that Cicero died a coward's death (*Pollio quoque Asinius, qui Verrem, Ciceronis reum, fortissime morientem tradidit, Ciceronis mortem solus ex omnibus maligne narrat*).

obituary is no different in its attitude to Cicero than the hostile reports preserved elsewhere of Pollio's smearing of Cicero's reputation.³⁵ A second strand of thought follows Richter's 1968 assessment and takes the line that on the whole Pollio's obituary is a realistic account of Cicero's life and, though still being critical, emphasizes many more positive aspects than Syme's followers allow.³⁶

It cannot be denied that there is merit on both sides. In favour of the reading of this obituary as anti-Ciceronian invective, it is difficult not to agree with Pomeroy in his assessment that there is some malice in Pollio's judgement that Cicero's political victories (his election to the consulship, his defeat of Catiline and his many successes in the Forum) should be attributed to his good *Fortuna*, while his failings are presented as the result of Cicero being personally unable to cope with the blows of bad fortune.³⁷ Moreover, we might look again at the Ciceronian quotations presented by Degl'Innocenti Pierini.³⁸ The effect of these quotations is to make Cicero out to be a hypocrite: he was unable to follow his own advice about excessive boasting and complaining; and while he may have claimed that he thought death was a thing not to be pitied, in the end he found his own lot to be deeply pitiful.³⁹ This last allusion only strengthens what is already a cruel Parthian shot fired by Pollio to conclude his obituary. If anything in this text is suggestive of Pollio's famous *asperitas*, this is it.

³⁵ Syme (1959), pg. 54; Leeman (1963) and Pomeroy (1991) make the strongest arguments in favour of the malice of Pollio's obituary.

³⁶ Richter (1968), pg. 174-80.

³⁷ Pomeroy (1991), pg. 144.

³⁸ Degl'Innocenti Pierini (2003), pg. 9-10.

³⁹ For this last idea, see: Leeman (1963), pg. 189-90.

Although I am certain that those who subscribe to Syme's reading of this obituary are correct in reading these judgements as criticisms of Cicero, an interpretative problem remains. Given that we know Pollio voiced some very anti-Ciceronian sentiments at other points in his career, and given that the obituary itself is introduced with Seneca the Elder's claim that Pollio narrated Cicero's death *maligne*, it is tempting to read the obituary itself as a continuation of these views.⁴⁰ Ironically for someone whose reading of this obituary is criticized for not paying sufficiently close attention to the text, Richter strikes the best balance in seeing that the obituary actually contains a blend of praise and criticism.⁴¹

In sharp contrast to the Livian valediction, Pollio makes Cicero's positive contributions to the *res publica* a key part of his obituary. Pomeroy may be correct in noting that these contributions are shown by Pollio to be part of Cicero's *Fortuna*, but *Fortuna* is not the same as dumb-luck. Pollio's decision to assess Cicero's life in terms of how he reacted to the highs and lows of his *Fortuna* is a common trope in Greek and Roman historiography and we should be wary of going far beyond our evidence in asserting that this constitutes proof of Pollio's 'malice' towards Cicero.⁴²

Indeed, as well as stressing Cicero's *ingenium* and noting that with *Fortuna*'s blessing he attained the consulship and saved the state from Catiline, Pollio also picks out praise specific to Cicero's status as a *homo novus*. Pollio twice employs the word

⁴⁰ It has long been noted that one should be cautious about doing this: Gabba (1957), pg. 336-7.

⁴¹ Ramage (1971), pg. 273.

⁴² Drummond (2013b), I.442; Marincola (2007), pg. 39-40, 46-7. For accusations of malice in this obituary, see: Pomeroy (1991), pg. 144.

industria when describing Cicero's achievements: firstly claiming that Cicero's great works mean that his *industria* will be remembered forever; and secondly stating that Cicero attained the consulship through a combination of divine favour, wise counsel and *industria*.

We might compare Pollio's use of this noun with Cicero's comment about *novitas* in the conclusion of his prosecution of Verres:

semper nobis vigilandum, semper laborandum videmus. inimicitiae sunt, subeantur; labor, suscipiatur... hominum nobilium non fere quisquam nostrae industriae favet.⁴³

We do not need to take Pollio's praise of Cicero's *industria* as a direct reference to this passage. However, the similarity exists because this virtue was identified in antiquity as one of the tropes of *novitas* and so functioned as a specifically Ciceronian piece of praise, apparently made with all sincerity.⁴⁴

In many cases it would be rather mealy-mouthed to say that both sides in this argument have good points to make. On the one hand, it is certainly correct to note that there is some malice in Pollio's emphasis on Cicero's lack of fortitude and inability to live up to his own ideals. On the other hand, however, it would be perverse to ignore the fact that there is plenty of praise (both implicit and explicit) in this obituary, praise that stands in marked contrast to the prevailing view of Pollio's opinion of Cicero.

⁴³ *Verr.* 2.5.181-2.

⁴⁴ Drummond (2013b), III.527; Wiseman (1971), pg. 110-1.

As stated, in many cases this would be an anodyne assessment. When it comes to Asinius Pollio, however, it hits the nail on the head. Pollio is exactly the historian from whom we should expect a critical but balanced appreciation of an important figure from the Roman Republic. In his assessment of Pollio's style of writing in the *Histories*, Kornemann notes that the historian had a tendency to impose himself on his narrative, to intrude on the historical scene he is narrating and to make clear that he himself was part of this narrative.⁴⁵ Morgan expands this tendency into a paradigm of autoptic writing that characterizes Pollio's approach to historical narrative: his authority as a historian is based upon the fact that he was there, that he knew the major actors and moreover that he himself was one of them.⁴⁶

This balanced assessment of Cicero, ostentatiously combining both his vices and virtues, is importantly and deliberately different from the stance that Pollio adopted towards Cicero in his oratory, which was (according to our sources) based around a need to knock his reputation down in order to lend some respectability to the world of post-Republican oratory.⁴⁷ His priorities when writing history, however, were different. His stance of autoptic precision and verisimilitude is not well-served by bilious polemic. This attitude must be linked to Seneca the Elder's claim that while

⁴⁵ *Das Vordrängen der eigenen Persönlichkeit*: Kornemann (1896), pg. 601.

⁴⁶ Morgan (2000), pg. 54-5. For the role of autopsy in historiography more generally (bearing out Morgan's statement that this feature is unusually prevalent in Pollio), see: Marincola (1997), pg. 63-86.

⁴⁷ For Pollio's negative attitude to Cicero in oratory, see pg. 281-287. See also his storming out of a recitation in which Cicero's death was described as the "silencing of the Latin tongue." Sen. *Suas.* 6.27. Cf. pg. 167-169. For Asinius Pollio's renown as an orator, see: Aulard (1877), pg. 40-1; Osgood (2006), pg. 530-2, 544-6.

Pollio was happy to allege in the Forum that Cicero had offered to write speeches in favour of Mark Antony in exchange for his life, he had refrained from repeating such claims in his *Histories*.⁴⁸

It is a fundamental error to assume that we should read this obituary as malign character-assassination simply because we have evidence for Pollio elsewhere adopting a stance of outright hostility towards Cicero. Pollio's concern in this work is to provide a history of the late Roman Republic that emphasized his own peculiarly privileged access to events as they happened. Pollio's obituary is written from the point of view of an expert: a man who knew Cicero; a man who could objectively assess his strengths and his weaknesses; a man who knew how these fitted into the broader train of events he was narrating. Although it is tempting, we are fundamentally asking the wrong question if we attempt to read this obituary as either simply pro-Ciceronian or anti-Ciceronian.

A Comparison

What influence did Pollio's obituary have on Livy's? Similarities between the two are obvious. As Leeman notes:

Although it was written some forty-five years after Pollio's necrology, it clearly reckons with Pollio's judgement in almost every line.⁴⁹

⁴⁸ Sen. *Suas.* 6.15.

⁴⁹ Leeman (1963), pg. 190.

Livy most clearly follows Pollio in his focus on the role played by *Fortuna* in Cicero's life, in particular his subject's failure to bear misfortune with fortitude.⁵⁰ On top of this we also see smaller similarities, such as their focus on Cicero's old age at the time of his death or the enduring reward provided by his genius and writings. Livy even follows Pollio in adding a barbed comment to conclude the obituary.

An unusual comment on the relationship between Livy's obituary and Pollio's is provided by Pomeroy who comments in his 1988 article that "Livy is not merely recasting the words of the prior historian - he removes malice."⁵¹ This view is expanded in his 1991 book on death notices in ancient historiography in which he makes the argument that Livy removes the sting from Pollio's remarks on Cicero's death, cleans up the description of Cicero's poor reaction to the highs and lows of fortune and even blots out Pollio's Parthian shot with a wittier one of his own.⁵²

This seems misguided. Livy's decision to focus solely on Cicero's inability to deal with bad fortune rather than his boasting amidst good fortune scarcely makes the obituary more positive: if anything, it simply heightens the focus upon Cicero's inadequacies by presenting them in greater detail. There is a similar problem with the idea that Livy blots out Pollio's original barbed comment with a better one of his own. The failing of this argument is that Livy's comment only brightens the tone of the obituary if one rejects the negative reading of the line as a hint that Cicero was known

⁵⁰ Pomeroy (1988), pg. 181.

⁵¹ Pomeroy (1988), pg. 181.

⁵² Pomeroy (1991), pg. 146-8.

as the greatest *laudator sui*. If the reader is paying close enough attention to Pollio's obituary to judge this last remark as a rejoinder to the original, then they should be on the lookout for a remark on Cicero's boasting about his own successes, since this is missing from the assessment of Cicero's ability to cope with the vagaries of *Fortuna*. One can quite easily find the corresponding remark here if one is looking for it. It seems very difficult for Pomeroy to have it both ways: if his ideal reader cares enough about the Livian obituary's intertextual relationship with Pollio to read each part of it as a comment upon the original, then they are sure to pick up on the negative aspect of Livy's final comment.

The most difficult argument to make, however, is that which claims that Livy cleans up Pollio's negative assessment of Cicero's death. Certainly it is true that Livy corrects Pollio by asserting that Cicero faced his death bravely, albeit in a way that serves to denigrate his ability to face up to other misfortunes. However, while Pollio (who was, we should bear in mind, an erstwhile supporter of Mark Antony) remains silent on the justice of the cause for which Cicero died, Livy (the *Pompeianus*) interprets the fight against Antony in terms of a personal enmity, calling him only Cicero's *inimicus* and failing to raise the fight to the ideological level (as it was presented by Cicero himself in the *Philippics*).⁵³ In fact, Livy goes even further than this. Having narrated the barbaric death of Cicero at the hands of the Triumvir's assassins, Livy

⁵³ For Livy as *Pompeianus*, see: Tac. *Ann.* 4.34; cf. Ridley (2010).

makes the comment that Antony would have suffered no less cruelly at Cicero's hands.⁵⁴

The idea that Livy's interaction with Pollio's obituary is characterized by an attempt to remove the venom is mistaken. It rests upon a reading of Pollio's obituary that transfers too much of what we know of Pollio's other writings on Cicero into this particular text. Pollio's concern is with balance and *veritas*: good and bad are mixed together, perpetually undercutting each other, and presenting a summary that appears to have been written by an expert, a man who was on the spot and knows what Cicero was really like in all his complications and contradictions. It also rests on a view of Livy that does much the same, inserting into the obituary our knowledge that Livy admired Cicero's style and respected the Republican cause with which he was identified.⁵⁵ The simple polarity this creates between the two historians and between their respective obituaries dramatically undermines the complications of the two texts.

It is tempting to argue that this part of Livy's text must stand out in its negative assessment of Cicero's life; it certainly runs counter to the seeds of hyperbolic praise found in the narration of his death. Sadly, we have nothing like enough evidence to

⁵⁴ Livy's use of *crudelius* in the obituary picks up the description of the murderers' *crudelitas* in the death notice. For Livy's elevation of Antony's cause to an equal level with Cicero's, see: Ridley (2013), pg. 699. For an opposing view of Cicero's death avoiding this matter so as to please Augustus, see: Lamacchia (1975). Lamacchia's argument that Livy avoided too much detail in order to avoid implicating Augustus in Cicero's death fails to account for the effect it has of removing the tyrannical aspect of Antony's cause, which would surely have been contrary to Augustus' desired reading of these events.

⁵⁵ Quint. *Inst.* 10.1.39, 2.5.20, cf. 8.2.18; Tac. *Ann.* 4.34; Ridley (2010).

make an assessment of how Livy's general presentation of Cicero might have interacted with this Pollio-flavoured obituary. What we can say, however, is that Pollio's depiction of Cicero's death was important enough that, even after several decades, Livy still felt the need to interact with it on an almost line-for-line basis when writing his own. This is of great importance when it comes to thinking about a broader assessment of what sort of Ciceronian narratives were popular in the early empire. However, to make sense of the richness of these narratives, we should look at the other traditions surrounding Cicero's death to see whether Richter is correct in his assessment that Pollio's narrative represented a refreshingly critical take on Cicero, in contrast to the over-the-top adulation offered by other accounts.⁵⁶

Tiro: Another Autopsy?

While Pollio's autoptic obituary of Cicero is confined to giving the inside story of his life, there have been attempts to identify the role played by autopsy in other narratives of Cicero's death. The detailed accounts of Cicero's murder preserved in Plutarch and Appian have led to speculation that these histories were themselves based on an earlier historical account written by an eye-witness to the assassination. McDermott for one is confident in identifying this source:

The vivid details of Cicero's assassination were already well-known in the Augustan age, and they have all the indications of an eye-witness account. Moreover in the three accounts extant there are only minor inconsistencies.

⁵⁶ Richter (1968), pg. 174-80.

Certainly then the account is based largely on Tiro. He could have questioned those who were present, but I think it more likely that he accompanied Cicero on that fatal day. He then may have been with those slaves who, according to Livy and Appian, were ready to defend their master.⁵⁷

McDermott is not alone in making this assessment. Homeyer's study of the *Hauptquellen* for Cicero's death similarly classifies Tiro's biography of his former master as the source of the more vivid details in this tradition.⁵⁸ This theory has enormous importance for our understanding of Cicero's reception in the imperial era. The ability to treat Plutarch's detailed narration of Cicero's death as an eyewitness account would (if one desired such a thing) provide an important tool for calibrating the veracity of the other accounts.

We should tread carefully, however, when it comes to speculating on the influence Tiro's biography might have exerted on later narratives of Cicero's death. All of our evidence for Tiro's narration of Cicero's death, in fact, is to be found in a single sentence of Plutarch's *Life of Cicero*. After repeating the story of Antony turning over the treacherous slave Philologus to Cicero's sister-in-law, who tortures him for betraying her family, Plutarch comments:

⁵⁷ McDermott (1972), pg. 269.

⁵⁸ Homeyer (1964), pg. 67.

*So some historians have related, but Cicero's own freedman Tiro does not even mention Philologus' treachery at all.*⁵⁹

The argument goes that since we can tell from this short passage that Tiro wrote a narrative of Cicero's death and that Plutarch had certainly read it, the account of his proscription that precedes it must be based on that narrative. Moreover, since most of the other accounts are largely the same, they are most likely also to be based on Tiro's account. On top of this, the fact that the account is so detailed suggests that Tiro was an eyewitness to the events (the presence of Cicero's slaves, after all, is pervasive in Plutarch's account), and so it makes sense that the narrative tradition of Cicero's death should start from this point.

There are, however, several problems with this line of argument that should serve to severely undermine our confidence in tracing any of the accounts of Cicero's death back to Tiro's biography. We might first note that it is tendentious to claim (as McDermott does) that the sources on Cicero's death are largely consistent: as we shall see, there are plenty of variations.⁶⁰ Secondly it should be noted that it is nowhere explicitly stated in our sources that Tiro was present at Cicero's death, nor is it clear that Tiro actually wrote a detailed narrative of the murder. It is clear from Plutarch that Tiro wrote about the aftermath of Cicero's death, and it is certainly hard to imagine that a biography of Cicero that spanned over four volumes (possibly double

⁵⁹ Plut. *Cic.* 49.4.

⁶⁰ Wright (2001), pg. 437.

that) did not mention the circumstances of his demise.⁶¹ However, since that account (whatever it looked like) must remain entirely conjectural, it is asking a lot to demand that the accounts that we do have ought to be traced back to Tiro.

However, the most damning objection to the notion that Plutarch's account is a reproduction of Tiro's narrative of Cicero's death is the fact that the story in the *Life of Cicero* contains the one detail that we know Tiro did *not* include in his biography. Indeed, Plutarch makes this anti-Tironian detail the fulcrum of his narrative. This is Plutarch's account of what happened when Antony's thugs reached the villa in which Cicero was hiding:

They found the doors locked and broke them down. When, however, Cicero was not to be seen and none of those inside said they knew, the story goes that a young boy, educated by Cicero in liberal studies and literature, Philologus by name, told the centurion that the litter was being carried through the groves and covered walks to the sea.⁶²

It seems impossible to read this narrative of Cicero's death and Plutarch's description of Tiro's refutation of any involvement by Philologus and reach the conclusion that Plutarch must have based his account on Tiro's biography.⁶³

Kicking away the supports for this reading of the most complete narrative of Cicero's death can, in fact, be rather helpful. It allows us to open up the possibility that

⁶¹ For Tiro's biography of Cicero, see *FrRH* 46, F1. For its likely length, see: Drummond (2013), I.403.

⁶² *Plut. Cic.* 48.2.

⁶³ Wright (2001), pg. 444-5; Drummond (2013a), I.403.

the historical narratives of Cicero's death were influenced by non-historiographical works. As I shall argue in passing in the rest of this section, and far more in the next, the role played by the institution of declamation cannot be underestimated when it comes to assessing the narratives of Cicero's death that have come down to us, even those written in serious historical texts.⁶⁴

Cornelius Severus: *Rapti Imago Ciceronis*

As well as recognizing that the world of declamation had a strong influence on the construction of the historical narrative of Cicero's death, we should also look to poetry. One of the most remarkable Ciceronian survivals from antiquity is surely Cornelius Severus' epic rendering of the death of Cicero. Seneca the Elder excerpted it and placed it among the historiographical representations of Cicero's death.

Perhaps rather hyperbolically, Seneca introduces the poem with the claim that no-one, out of all the eloquent writers he had consulted, had lamented the death of Cicero better than Cornelius Severus.⁶⁵ I reproduce Seneca's quotation in full:

oraque magnanimum spirantia paene virorum
in rostris iacuere suis, sed enim abstulit omnis,
tamquam sola foret, rapti Ciceronis imago.
tunc redeunt animis ingentia consulis acta
iurataeque manus deprensaque foedera noxae

⁶⁴ For the role of declamation in shaping the historical narratives of Cicero's death, see: Roller (1997); Lobur (2008), pg. 128-69. See also: pg. 253-260.

⁶⁵ Sen. *Suas.* 6.25: *Nemo tamen ex tot disertissimis viris melius Ciceronis mortem deploravit quam Severus Cornelius.*

patriciumque nefas extinctum: poena Cethegi
deiectusque redit votis Catilina nefandis.
quid favor aut coetus, pleni quid honoribus anni
profuerant, sacris exculta quid artibus aetas?
abstulit una dies aevi decus ictaque luctu
conticuit Latiae tristis facundia linguae.
unica sollicitis quondam tutela salusque,
egregium semper patriae caput, ille senatus
vindex, ille fori, legum ritusque togaeque
publica vox saevis aeternum obmutuit armis.
informes voltus sparsamque cruore nefando
canitiem sacrasque manus operumque ministras
tantorum pedibus civis proiecta superbis
proculcavit ovans nec lubrica fata deosque
respexit: nullo luet hoc Antonius aevo.
hoc nec in Emathio mitis victoria Perse
nec te, dire Syphax, non fecit <in> hoste Philippo,
inque triumphato ludibria cuncta Iugurtha
afuerunt nostraeque cadens feros Hannibal irae
membra tamen Stygias tulit inviolata sub umbras.⁶⁶

⁶⁶ FRP 219.

On the basis of this quotation, one might immediately question whether Seneca's claim that this was the best lamentation of Cicero's death says more about the quality of the opposition than the inherent genius of the composition.⁶⁷

Rather than snipe at the quality of the verse, however, I am rather more interested in exploring what this poem can tell us about attitudes to recording the death of Cicero in the early imperial period. There are several important differences between this text and the obituaries and death notices of Livy and Pollio, but there are similarities too; all of which go together to create a language for marking the death of Cicero in Augustan literature.

The most immediate similarity is to be found in the focus that both Severus and Livy place upon the reaction of the Roman people to the sight of Cicero's remains upon the Rostra. Where Livy has citizens who can scarcely bring themselves to look on Cicero's mutilated corpse due to the tears in their eyes, Severus has an audience so aggrieved at the sight of Cicero's head that they forget the countless others nailed to the same Rostra.⁶⁸ Livy's claim, however, is not simply that the Roman people are sad to see Cicero nailed to the Rostra because they pity his death. Their sadness is rather directed towards the horrible irony that he had ended up nailed to the very platform from which he had spoken so eloquently, both in his consulship and more recently

⁶⁷ Courtney (2003), pg. 326; for a recent bibliography on this fragment, see: Blänsdorf (2011), pg. 289-90; this list may be supplemented with the treatment of Lobur (2008), pg. 150-1; for the fullest commentary, see: Dahlmann (1975), pg. 74-119.

⁶⁸ *vix attollentes lacrimis oculos humentes intueri truncata membra cives poterant = sed enim abstulit omnis, | tamquam sola foret, rapti Ciceronis imago.*

against Antony. As mentioned above, Livy uses this motif to demonstrate his awareness of Cicero's conception of himself as a historical actor whose great fights can be seen to bookend his career: fighting Catiline in his consulship, and 20 years later taking on the burden of leadership to fight the despotism of Mark Antony.

Cornelius Severus' poem achieves the same effect, albeit through slightly different means. In Livy's text, the sight of Cicero's head and hands on the Rostra calls to mind his 20 years of service to the *res publica*, with his fights against Catiline and Antony gathered together at the beginning and end of a tricolon: *ubi ille consul, ubi saepe consularis, ubi eo ipso anno adversus Antonium...auditus fuerat*. Severus prefers to separate out these two conflicts. His description of Cicero's fight against Catiline begins in the fourth line of our fragment and ends in the seventh. There is a substantial delay between the mention of Catiline and the appearance of Antony's name (which is not mentioned until the twentieth line). The two are connected, however, through the shared theme of the power of Cicero's butchered remains to provoke memories of his service to the *res publica*.

The memory of his campaign against Catiline is focalized through the Roman people: when they see Cicero's head nailed to the Rostra they recall the Catilinarian Conspiracy. The memory of Cicero's struggle against Antony is similarly triggered by the appearance of his head. However, in this case it is the appearance of Severus' gruesome description of his defiled face and blood-stained hair that causes the poem

to move onto this theme.⁶⁹ In contrast with the start of the fragment, where the onlookers focalize the reminiscence of Catiline that results from their seeing the mutilated remains of Cicero, here it is the reader who focalizes the memory of Cicero's fight against Antony when the sight of Cicero's severed head is described.

Severus also picks out the focus on Cicero's eloquence that we find in Livy, which in that text is put in terms of the claim that the people were aggrieved to see Cicero on the Rostra in this manner since he had formerly spoken from that very spot with an *eloquentia* never before noted in human voice.⁷⁰ Severus picks this up when he notes that the Latin tongue has been struck dumb by Cicero's death: *ictaque luctu conticuit Latiae tristis facundia linguae*. It may not be surprising that this theme is not found in the obituary of Asinius Pollio, whose claim to greatness as an orator precluded such praise. Pollio is, however, in the minority on this issue: Livy and Cornelius Severus share this idea with another text written on the theme of Cicero's death, in this case another piece of verse.

Seneca the Elder records a line of poetry written by a poet named Sextilius Ena (who would otherwise be unknown to us) on the subject of the proscriptions:

deflendus Cicero est Latiaeque silentia linguae.⁷¹

⁶⁹ The link being that Cicero's *voltus*, *canities* and *manus* are being trampled by Antony in his short-lived moment of triumph. Hollis (2007), *ad loc.*

⁷⁰ *ubi eo ipso anno adversus Antonium quanta nulla umquam humana vox cum admiratione eloquentiae auditus fuerat.*

⁷¹ FRP 202.

This line is the opening of what was to be a full poem. The reason the first line is preserved is because when Sextilius Ena commenced his recitation at the house of Messalla Corvinus, Asinius Pollio took offence at this line and stormed out.⁷²

As Hollis notes, there is a lot of precedent for this sort of sentiment in eulogistic poetry.⁷³ The idea that the art itself passes away with the death of its foremost practitioner can be seen in the Lament for Bion, Naevius' epigram as preserved in Aulus Gellius and Domitius Marsus' poem on the deaths of Tibullus and Virgil.⁷⁴ It is important to note, however, that this need not be considered the most natural way to treat Cicero's death. Although nobody would deny that Cicero's eloquence was a key element in his public identity, his political achievements were also fundamental. The poet is making a conscious choice in describing Cicero as the foremost practitioner of his art rather than emphasizing his role as *rector rei publicae*.

We ought to be a little cautious with this, as we cannot say to what extent Ena might have developed his poem in the direction of Cicero's public career. However, as a statement of intent, this opening line certainly suggests that Cicero's eloquence was his defining feature, and Seneca the Elder tells us that it at least struck Cornelius Severus as worthy of imitation (and capable of improvement).⁷⁵ While Seneca is correct that a trace of Ena's poetry can be detected in Severus' verse, it should be noted that the interpretation of Cicero as an orator first and foremost is not carried over.

⁷² Sen. *Suas.* 6.27.

⁷³ Hollis (2007), pg. 339.

⁷⁴ Mosch. *Ep. Bion.* 11-2; Gell. *NA* 1.24 (lines 3-4); *FRP* 180.3-4.

⁷⁵ Sen. *Suas.* 6.27.

Severus' focus is on Cicero's political activity: his destruction of the Catilinarian conspiracy holds centre stage, without even a reference to the notion that he relied heavily upon his eloquence to accomplish this. Even in Severus' most laudatory passage, Cicero's eloquence is seen as a means to an end, rather than an end in itself: his mastery of the *ars loquendi* existed to provide safety to the harassed; to guide the senate and the nation; to lead *contiones*.

One might not, perhaps, be so keen to read so much into Ena's verse were it not for the fact that a view of Cicero that configures him primarily (if not exclusively) as the acme of eloquence is one that was of great importance for Cicero's reception in the imperial age.⁷⁶ Compare this line, for example, with this passage from the prologue to the ninth book of Vitruvius' *de Architectura* in which he discusses memory and canonicity:

item plures post nostram memoriam nascentes cum Lucretio videbuntur
velut coram de rerum natura disputare, de arte vero rhetorica cum
Cicerone, multi posteriorum cum Varrone conferent sermonem de lingua
latina...⁷⁷

As Andrew Wallace-Hadrill has noted, the relevance of Cicero to a handbook on architecture lies in the fact that his rhetorical treatises act as a perfect model for the combination of "Greek *ratio* with Roman *consuetudo*".⁷⁸ Vitruvius' concern here is not

⁷⁶ Cf. pg. 243-245, pg. 314-336; Gowing (2013a), pg. 238-9.

⁷⁷ Vitr. *Arch.* 9.pr.17.

⁷⁸ Wallace-Hadrill (2008), pg. 145-6.

with the content of Cicero's writings, rather it is with the method by which he conveyed them. In this case, Cicero's precepts on the subject of how the orator can lead the state are side-lined in favour of using his texts as a model for conveying instruction in the evolving world of Roman intellectual thought in the first century BC.

In much the same way, although we can only speculate what Sextilius Ena's poem might have looked like, his first line taps into a depoliticizing trend of focusing on the means by which Cicero communicated, rather than focusing on what he actually spoke about. In the evidence we have looked at so far, this is exceptional: neither Ena's fellow poet Cornelius Severus nor the historians Pollio and Livy treat Cicero primarily as an artist.⁷⁹ As we shall see, this is an important development in the reception of Cicero and one that we will see most clearly in the declamation schools' treatment of his death.⁸⁰ This is not, then, a difference we can attribute to genre. As Cornelius Severus shows in his detailed focus on Cicero's consular *acta*, poetic treatments of Cicero's death do not necessarily show a greater tendency to focus on his literary accomplishments than prose accounts do.

We can, however, point to one key difference between these poetic treatments and those found in the histories of Pollio and Livy. In contrast to the balanced mixture of praise and criticism that we find in the two historical accounts, Ena sets out a programmatic statement that the death of Cicero marked the end of Latin oratory and

⁷⁹ The caveat remains that Ena's poem has not survived intact.

⁸⁰ Cf. pg. 253-260.

Cornelius Severus provides a detailed list of Cicero's greatest achievements and attributes a hyperbolic series of accolades to him. Nowhere in that account is there a sense that Cicero's career had been plagued by failure and periods of irrelevance; nowhere the idea that the destructive rhetoric in the Philippics made him complicit in his own violent death; nowhere the impression that his successes ought to be attributed more to *Fortuna* than his innate talents.

Conclusion

In a comparison between the poets and the historians, this contrast of poetic blind praise versus historical criticism may appear to be drawn along lines of genre. This is an assessment, however, that needs to be questioned. Although Pollio and Livy steer clear of such adulation, Matthew Roller's argument that the historical tradition of Cicero's death is deeply contaminated by the declamation schools demands to be taken seriously.⁸¹ Since, as will be seen in a later chapter, this was an institution awash with blind praise of Cicero, we cannot rely on a simple dichotomy of poetry versus historiography to explain the phenomenon of Ciceronian panegyric in the early imperial period.⁸²

We need to question exactly when a declamatory convention of panegyric entered the historiographical tradition. One possible starting point is Cornelius Nepos' fragmentary biography of Cicero.⁸³ Given the state of what remains of this

⁸¹ Roller (1997).

⁸² Pg. 237-260.

⁸³ Gowing (2013a), pg. 235; Briscoe & Drummond (2013), I.401.

work, one should not be too confident in reconstructing its general tone. A great hint, however, is given in the preface to the *de Historicis Latinis* section of the *de Viris Illustribus*, preserved in a manuscript of the *Philippics*.⁸⁴ Panegyric could certainly not be described as far-removed from the following assessment, the subject of which is the state of the genre of Latin historiography:

non ignorare debes unum hoc genus Latinarum litterarum adhuc non modo non respondere Graeciae, sed omnino rude atque inchoatum morte Ciceronis relictum. ille enim fuit unus qui potuerit et etiam debuerit historiam digna uoce pronuntiare, quippe qui oratoriam eloquentiam rudem a maioribus acceptam perpoliuerit, philosophiam ante eum incomptam Latinam sua conformarit oratione. ex quo dubito, interitu eius utrum res publica an historia magis doleat.⁸⁵

On the basis of this fragment, it is certainly hard to imagine the tone of Nepos' biography being anything other than laudatory.⁸⁶

Although it is unfortunate that we cannot assess the influence Nepos' work might have had on the historical accounts of Cicero's life (and death), it is interesting to note the fact that he draws up the same contrast as noted above – that between Cicero's service to the *res publica* and his service to the arts. What we can draw from this fragment is the knowledge that the wholly panegyric

⁸⁴ Cod. Gudianus 278 (g).

⁸⁵ Marshall (1977), F58.

⁸⁶ This corresponds with Gellius' comment on Nepos' admiration for Cicero: Gell. *N.A.* 15.28.1.

tradition surrounding Cicero's life is not limited to poetry, the declamation hall or even Vitruvius' architectural handbook: it can be seen too in biography, the genre that comes closer than any to that of historiography.

This is a development that we will see coming to the fore most clearly in the next chapter. Livy's obituary was by no means the last word on the subject of Cicero's death, this theme continued to flourish and develop in a radical new direction in the historiographical texts of the writers who followed Livy, the historians of the Tiberian Principate.

Chapter 4

Tully's Ends II: The Age of Tiberius

Introduction

For the final chapter of this section on Cicero's treatment at the hands of the historians, I would like to move away from the non-historiographical influences on Cicero's death narratives, and return to interrogating the historical texts written by the authors of the Tiberian era. Drawing on the conclusions sketched out from the treatments of Cicero's death that we can see in Livy, Pollio, Severus, Ena and Nepos, I will now explore how these principles can be applied to the accounts of Cicero's death as written by historians of the final years of Augustus' reign and the Principate of Tiberius.

In his short study of the reception of Cicero in the imperial period, Alain Gowing has described these accounts as:

[L]argely sympathetic..., but their final assessments of Cicero...are guarded... None disputes (and most praise) Cicero's eloquence, but none offers us Cicero's life and career as something worthy of emulation.¹

Gowing's assessment is necessarily a cursory one and his conclusion is largely accurate. However, this topic is one that deserves a more detailed study, and there are plenty of nuances that can be added to this evaluation.

¹ Gowing (2013a), pg. 237.

I propose to use this final chapter to detail precisely how the tradition of describing Cicero's death that was begun by Pollio and self-consciously continued by Livy begins to be rejected by the historians writing about the same event in the reign of Tiberius, and how, in its place, we witness the increasing dominance of a tradition that draws on a far broader (and far less narrowly historical) set of influences. In a sense, this chapter describes the convergence of two pre-existing Augustan modes of describing Cicero's death. In another sense, however, it is a story of how one came to swamp the other.

Cremutius Cordus

I would like to begin this chapter by focusing on a treatment of Cicero's death written by a historian who straddled the divide of the reigns of the first two *principes* – Cremutius Cordus. Cordus is best-known to us for the burning of his histories that followed his prosecution and death, a chain of events presented by Tacitus as a martyrdom to literary freedom.² If we follow Seneca the Elder's opinion on his writings, however, we might come to the conclusion that this martyrdom rescued his reputation. Although emphatically not an admirer of the historian, Seneca the Elder preserves two sections of Cordus' history on Cicero. The first narrates his death:

Cremutius Cordus et ipse ait Ciceronem, cum cogitasse utrumne Brutum
an Cassium an Sex. Pompeium peteret, omnia illi displicuisse praeter
mortem:

² Tac. *Ann.* 4.34.1-2. Cf. Dio 57.24.2-4; Sen. *Dial.* 6.1.3, 22.4-7, 26.1-3.

quibus visis laetus Antonius, cum peractam proscriptionem suam dixisset esse (quippe non satiatus modo caedendis civibus, sed differtus quoque), super rostra exponit. itaque, quo saepius ille ingenti circumfusus turba processerat, quae paulo ante coluerat piis contionibus, quibus multorum capita servaverat, tum per artus sublatus aliter ac solitus erat a civibus suis conspectus est, praependenti capillo orique eius inspersa sanie, brevi ante princeps senatus Romanique nominis titulus, tum pretium interfectoris sui. praecipue tamen solvit pectora omnium in lacrimas gemitusque visa ad caput eius deligata manus dextera, divinae eloquentiae ministra. ceterorumque caedes privatos luctus excitaverunt, illa una communem.³

The second passage is taken from Cremutius' *laudatio* of Cicero, which is presumably part of his obituary:

propriam enim simultatem deponendam interdum putabat, publicas numquam avide exercendas: civis non solum magnitudine virtutum sed multitudine quoque conspiciendus.⁴

Seneca has little admiration for these lines, but describes them as more or less the most tolerable item in Cordus' history.⁵ In general this judgment has been uniformly agreed with by modern scholars.⁶

³ FrRH 71, F1 = Sen. *Suas.* 6.19.

⁴ FrRH 71, F2 = Sen. *Suas.* 6.23.

⁵ *Cordi Cremuti non est operae pretium referre redditam Ciceroni laudationem; nihil enim in ea Cicerone dignum est, ac ne hoc quidem, quod paene maxime tolerabile est.*

⁶ Columba (1901), pg. 362; Bonner (1949), pg. 158-9; Levick (2013a), III.592.

Much of this material is a replay of familiar tropes. Most obvious is the setting of the scene: Cordus, like Livy and Cornelius Severus before him, finds the key to this scene in the image of the Roman people looking upon Cicero's remains on the Rostra and remembering his former activities in that same place.⁷ The similarities between Cordus' text and those of Livy and Severus can also be traced on a more specific level: the description of Cicero's right hand as the *divinae eloquentiae ministra* seems to pick up Livy's reference to Cicero's eloquence surpassing every *humana vox* and, more strikingly, Severus' description of his hands as *ministrae operum*.⁸ We might also align Cordus' account with that of Pollio, as well, in so far as he avoids the reading of Cicero's life that treats him as a purely literary figure while side-lining his political activity. Cordus' statement that Cicero had saved the lives of the citizens who were now looking upon his butchered remains must reflect Cicero's role in the suppression of the Catilinarian conspiracy.

Rather than focusing on similarities, however, the differences between this historical account of Cicero and those that preceded it should be noted. The most noticeable difference is how clearly this death notice fits the trend of exclusive praise noted in the works of Cornelius Severus and suggested in those of Nepos. We find none of the criticism that characterizes the accounts written by Pollio and Livy. In place of that, we have in the first fragment references to the *piae contiones* with which

⁷ This is a Ciceronian trope: *de Orat.* 3.10. Cf. Degl'Innocenti Pierini (2003), pg. 26.

⁸ Note the *variatio* on the number of amputated hands.

Cicero saved the lives of citizens and the rather crass and hyperbolic antithesis of: *brevi ante princeps senatus Romanique nominis titulus, tum pretium interfectoris sui*.

However, it is the second fragment of Cordus' treatment that shows just how radically and consciously he is departing from the critical model of writing about Cicero that was pioneered by Livy and Pollio. His statement that Cicero knew the limits to personal feuds and never carried out public ones *avide* explicitly repudiates the views taken by Pollio and Livy. Pollio uses the same noun, *simultates*, in his obituary, but was of the opinion that Cicero "courted feuds with greater courage than he pursued them".⁹ Cordus seems to be turning this statement on its head: where Pollio implies that Cicero started fights but did not have the energy to win them, Cordus gives the impression that Cicero preferred to put them aside in a display of magnanimity. The statement that Cicero's public quarrels were temperately handled is also an upending of Livy's assessment of Cicero's final fight with Antony, a fight which is configured as one between two *inimici* who were every bit as bloodthirsty as each other.¹⁰

Crementius Cordus' decision to write an obituary for Cicero that goes out of its way to modify the critical stance taken by earlier historians is only one part of a growing trend of adulation for Cicero. As mentioned above, and as I will discuss at greater length in the next chapter, this trend can be most clearly seen in the

⁹ *Maiore enim simultates appetebat animo quam gerebat.*

¹⁰ *A victore inimico <nihil> crudelius passus erat quam quod eiusdem fortunae conpos ipse fecisset.*

declamatory schools.¹¹ A major element in those panegyrics of Cicero is an emphasis on his opposition to Mark Antony: praise of the former rises to meet the ever more demonic form taken on by the latter. See, for example, Pompeius Silo's description of the villainous Antony:

credamus Antonio, Cicero, si bene illi pecunias crediderunt faeneratores, si bene pacem Brutus et Cassius. hominem et vitio naturae et licentia temporum insanientem, inter scaenicos amores sanguine civili luxuriantem, hominem qui creditoribus suis oppigneravit rem publicam, cuius gulae duorum principum bona, Caesaris ac Pompei, non potuerunt satisfacere!¹²

An element of this barbarism of character is on display in the first part of Cordus' description of Cicero's death.¹³

We should not, of course, be surprised by the fact that Antony is picked out as being chiefly responsible for Cicero's death. In itself, this is no different from the aforementioned reference in Livy's death notice to the fact that Cicero's suffering at Antony's hands was indeed cruel, albeit no crueller than Cicero's treatment of him would have been if their roles had been reversed. Livy's presentation of the exposure of Cicero's remains on the Rostra also bears a striking resemblance to Cordus' description of the same event: both note that this took place on Antony's orders and both note the communal grieving this caused among the citizens.

¹¹ Pg. 237-260.

¹² Sen. *Suas.* 7.5.

¹³ See especially the presence in both of Antony revelling in the blood of citizens.

The difference between the two treatments of Mark Antony comes down to Livy's interest in remarking critically upon the interaction between the Triumvir and Cicero (essentially viewing them as on a par with each other). Cordus shows far less willingness to engage in such an analysis. His is a simple polarity of a virtuous Cicero and a vicious Antony.¹⁴ While Cordus does not depart from Livy's example in dwelling on the cruelty of the mutilation of Cicero's body, he shows a willingness to forge his own narrative of the circumstances surrounding the death. Gone is the explicit parallel between Cicero's enmity with Antony and that of Brutus and Cassius with Octavian; in its place, Cordus treats us to a villainous Antony physically glutting himself on the blood of Roman citizens:

Indeed, he had not just had enough of slaughtering fellow citizens; he was actually fed full of it.¹⁵

This is a radical departure from previous historiographical depictions of Cicero's death and a move towards the popular vilification of Antony seen in the declamatory tradition of Cicero's death. As we can see from some of the obituaries written by Cordus' contemporary historians, this was far from an isolated incident.

Brutteditus Niger

The next historian I would like to treat is in many ways the opposite of Cremutius Cordus. Where Cordus perished at the hands of Tiberian informers as a

¹⁴ The idea that this is an infection from the declamatory genre will be explored in further detail below, but note Roller's view that this opening reflects the deliberative nature of declamation: Roller (1997), pg. 123.

¹⁵ *quippe non satiatus modo caedendis civibus, sed differtus quoque.*

result of having incurred the enmity of Sejanus, Brutteditus Niger flourished as an accuser in this same period before meeting his end among Sejanus' friends, family and supporters in the bloodletting that followed his downfall.¹⁶ Seneca the Elder preserves two sections of Niger's historiographical account of Cicero's death: one narrating his murder, the other narrating the treatment of his body. The first fragment begins with Cicero's apprehension by his killers:

elapsus interim altera parte villae Cicero lectica per agros ferebatur; sed, ut vidit appropinquare notum sibi militem, Popillium nomine, memor defensum a se laetiore vultu aspexit. at ille victoribus id ipsum imputaturus occupat facinus, caputque decisum nihil in ultimo fine vitae facientis quod alterutram in partem posset notari Antonio portat, oblitus se paulo ante defensum ab illo.¹⁷

Although we have looked through several treatments of Cicero's death, the only direct *comparandum* for this passage is Livy's narrative (although Plutarch's later account provides some interesting similarities). The differences between the two presentations of how Cicero met his death are striking.

Livy shows relatively little interest in exactly how Cicero was apprehended and killed: that part of the story occupies a mere two sentences in a much larger narrative, while the bulk of his text is concerned with presenting how Cicero came to accept his fate (which is later shown to be a key part of the obituary that follows). Brutteditus

¹⁶ Tac. *Ann.* 3.66.1-4; Juv. *Sat.* 10.81-5. Cf. Levick (2013b), I.502.

¹⁷ *FrRH* 72, F1 = Sen. *Suas.* 6.20.

contradicts this picture and shows a Cicero who, far from accepting his death, is killed in an attempt to flee his pursuers. Where Livy's concern is to show how Cicero interacts with *Fortuna* at the end of his life, Brutteditius' focus is on the treachery that led to Cicero's death.

This concern should seem familiar to us from Plutarch's treatment of the same event. As we saw there, Plutarch focuses on the role of the ironically-named slave Philologus in betraying Cicero's position to his assassins.¹⁸ Brutteditius provides a variation on this theme, introducing the character of Popillius: an erstwhile client who uses his familiarity with Cicero and his household to gain access to him. The character of Popillius does not appear only in Brutteditius' account. As well as appearing in Valerius Maximus and the much later accounts of Appian and Dio, the story of Popillius' treachery forms a mainstay of the declamatory tradition on Cicero's death.¹⁹ Indeed, the declamatory tradition pushes Popillius' treachery even further, suggesting that Cicero had not merely once defended his future assassin, but had indeed had him acquitted on a charge of parricide.

Popillius is, in fact, so central to the declamatory tradition, that Seneca the Elder feels the need to comment upon his recurring presence in the seventh book of his *Controversiae*:

¹⁸ Plut. *Cic.* 49.4.

¹⁹ Val. Max. 5.3-4; App. *B.C.* 4.19.73-20.83; Dio 47.11.1-2. For Popillius' role in the declamatory tradition, see: Sen. *Contr.* 7.2; pg. 253-260.

Popillium pauci ex historicis tradiderunt interfectorem Ciceronis et hi quoque non parricidi reum a Cicerone defensum, sed in privato iudicio: declamatoribus placuit parricidi reum fuisse.²⁰

Bruttedius must number among these *pauci*, and indeed his is the only extant early historiographical account to mention Popillius at all.²¹ This has the potential to tell us a great deal about the historical value of Bruttedius' account and about the development of the Ciceronian obituary in the later years of the early imperial period.

Among modern scholars, Matthew Roller and Andrew Wright follow Seneca the Elder's scepticism about Popillius' presence in the narratives of Cicero's death. Roller's study focuses on showing that the entire story of Popillius' treachery is far too suited to the needs of the declamatory exercise for it to be a genuine account of how Cicero met his death.²² Wright builds on this argument and demonstrates that the sources that make Popillius complicit in the murder cannot agree on his name or rank and seem to give him two contradictory lineages: in some cases he is a member of the elite, and sometimes he is from a lower station.²³

These two arguments suggest that the various presentations of Popillius as one of Cicero's former clients who betrayed and murdered him are deeply suspicious and can be best explained as an invention of the declamatory exercises that grew up

²⁰ Sen. *Contr.* 7.2.8.

²¹ Although the *Periochae* mention Popillius, he is strikingly absent from Livy's account of Cicero's death as preserved by Seneca the Elder.

²² Roller (1997), pg. 124-9.

²³ Wright (2001), pg. 439-49.

around the death of Cicero. If we take as read the argument that the declamatory schools were free to do as they wished when it came to creating a tradition about Cicero's death, we should still ask why an offshoot of this tradition has ended up in a history. This was, after all, a genre which had its own distinct conventions when dealing with this subject; conventions that stretch back to Asinius Pollio and had been authoritatively treated in more recent years by Livy.

Matthew Roller argues that there is a simple explanation for how the fictional Popillius came to reside in the historiographic tradition. He argues that we are mistaken in imagining that the ancients equated the events found in a historiographical text with events that actually took place:

The fault line between the ancient and modern modes of historical understanding is exposed by these differing ancient and modern contextualizations of Cicero's defense of Popillius. In crossing the gap from the former to the latter mode of understanding, this trial is transformed from a rhetorical fabrication, created entirely in the service of another event, into an actual event in its own right.²⁴

The contention that it doesn't really matter whether or not Popillius was real rests on the idea that the goal of ancient historiography was to give the reader a *moral* understanding of events. In this case, Brutedius wished to demonstrate that the moral issue at heart of the proscriptions was the collapse of social ties and he found that this

²⁴ Roller (1997), pg. 129.

could be best illustrated by following the declamatory tradition of Cicero's death which presented it as a direct result of being betrayed and murdered by Popilius, one of his own clients.

In and of itself, this is a convincing explanation. We can, however, take it a step further when we consider the implication of how conscious a break this is from the Livian tradition. Rather than being just a piece of artful *variatio* on Bruttedius' part, this account explicitly refutes the story of Cicero's cool acceptance of his death (as found in Livy and Pollio), portraying instead a version in which Cicero might have lived had he not been betrayed by those he trusted.

It is not as if Bruttedius was unaware of the historiographical account surrounding Cicero's death. The narrative of the murder is followed by this description of the exposure of Cicero's remains in the Forum:

ut vero iussu Antoni inter duas manus positum in rostris caput conspectum est, quo totiens auditum erat loco, datae gemitu et fletu maximo viro inferiae, nec, ut solet, vitam depositi in rostris corporis contio audivit sed ipsa narravit. nulla non pars fori aliquo actionis inclutae signata vestigio erat; nemo non aliquod eius in se meritum fatebatur: hoc certe publicum beneficium palam erat, illam miserrimi temporis servitatem a Catilina dilatam in Antonium.²⁵

²⁵ *FrRH* 72, F1 = Sen. *Suas.* 6.21.

Although he adds his own touch to the story (presenting the exposure as a perverted funeral ritual), Brutedius' account of the Roman people's encounter with Cicero's remains follows Livy's narrative down to the last groan.²⁶

Brutedius' treatment of Cicero's death marks a development in the historiographical reception of Cicero's death that should be seen in the context of the growing popularity and respectability of declamation. The encroachment of this genre upon the territory of historiography is part of the same trend that we can see in Cremutius Cordus' obituary of Cicero. The reluctance to engage in a tradition of realistic criticism of Cicero is as present in these fragments as it is in those written by Cordus: both seem happy to rest on the assumption of Antony's villainy and Cicero's essential heroism. The enmeshing of the historiographical and declamatory traditions of Cicero's death creates a romantic and simplified persona for Cicero, one that is very clearly absent from his earlier portrayals.²⁷

Aufidius Bassus

The final account of Cicero's death preserved in Seneca the Elder's declamatory text was written by the invalid Epicurean, Aufidius Bassus.²⁸ The exact nature of Aufidius' history is unknown, but it seems to have encompassed his own times and

²⁶ Brutedius' *gemitus* and *fletus* match the *lacrimae* in Livy's account, as does the comparison of Antony with Catiline. Note also the shared-irony of Cicero being nailed to the place from which he spoke, as well as the remarkable similarity between Livy's formulation *ita relatum caput ad Antonium iussuque eius inter duas manus in rostris positum* and Brutedius' version above.

²⁷ The extent of this enmeshing in Brutedius has led to the dubious hypothesis that he was not a historian at all. For a bibliography on this debate, see: Wright (2001), pg. 439 n. 8-9.

²⁸ For an assessment of his life, see: Sen. *Epist.* 30.1-3, 14.

stretched back at least as far as the civil wars.²⁹ The Ciceronian death notice, however, makes up the vast majority of the surviving material and it is difficult to draw too many conclusions about the work's overall form.³⁰ The death notice comes in two parts, the first concerns Cicero's interaction with his killer:

Cicero paulum remoto velo postquam armatos vidit, 'ego vero consisto,' ait;
'accede, veterane, et, si hoc saltem potes recte facere, incide cervicem.'
trementi deinde dubitantique 'quid si ad me' inquit 'primum venissetis?'³¹

While the first fragment narrates Cicero's death, the second is more concerned to give a general overview of his life:

sic M. Cicero decessit, vir natus ad rei publicae salutem, quae diu defensa
et administrata in senectute demum e manibus eius abit, uno ipsius vitio
laesa, quod nihil in salutem eius aliud illi quam si caruisset Antonio placuit.
vixit sexaginta et tres annos ita ut semper aut peteret alterum aut invicem
peteretur, nullamque rem rarius quam diem illum, quo nullius interesset
ipsum mori, vidit.³²

What seems most immediately striking about these two fragments is how different they are from each other. The state of Aufidius' preservation seems to show him with

²⁹ Levick (2013c), I.519-20.

³⁰ For Cicero's death in the broader chronology of this work, see: Syme (1958), pg. 275, 698; Bardon (1952-6), II.165; Matthieu (1999), pg. 249 n. 35.

³¹ *FrRH* 78, F1 = Sen. *Suas.* 6.18.

³² *FrRH* 78, F2 = Sen. *Suas.* 6.23.

a toe in the door of both traditions on writing about Cicero's death: alternately adulatory and critical.

Looking at the first fragment on Cicero's interaction with his killer, the reader encounters a narrative style similar to the death notice written by Brutteditius. Just as the earlier historian draws heavily on the declamatory tradition (both in the details of the story and in his exaggerated antithetical rhetoric), Aufidius too when crafting Cicero's last words draws on the sort of *sententiae* that pervade the declamatory treatments of his death.³³ Although Aufidius does not follow his predecessor in drawing on any of the invented circumstances of the assassination, the passage is nonetheless a reflection of the fact that the declamatory treatments of Cicero's proscription were so pervasive that it seems to have been difficult to write on the topic without picking up certain tropes central to that style of writing.

The second fragment, however, could scarcely be more different. The summary of Cicero's life hearkens back to the critical tradition of Pollio and Livy. After the complimentary opening line, Aufidius steers well clear of the extravagant panegyric of Brutteditius' obituary or the simplicities of Cordus' account. His Cicero is a political bruiser: a man who got into fights and made enemies; who was always attacking someone or being attacked; a man who would have been surprised to wake up in the morning and be unable to think of anyone who would not profit from his death. This rugged political figure sits in stark opposition to the mellow Cicero of Cordus' account

³³ For Brutteditius' declamatory style, see: Martha (1903-4), pg. 685; Levick (2013b), III.594. See contra: Bardon (1952-6), II.162.

and acts as a return to the Asinian view of Cicero as a man who courted enmity throughout his political career.

Even more refreshing than this return to an existing tradition on Cicero's morals is the fact that Aufidius presents his own contribution to a critical assessment of Cicero's life, a contribution that helps to erase one of the more simplistic developments in the tradition of writing obituaries for Cicero. As described above, one key factor in the simplification of Cicero's character in these obituaries is the vilification of Mark Antony. Although Livy and Pollio may have been keen to stress that there could be some sensible equivocation when comparing the behaviour Cicero and Antony, this view seems to have fallen out of favour and been replaced with the simplistic antithesis of good and evil that we can see in the accounts of Cordus or Bruttedius.³⁴

Against this background, Aufidius' statement that Cicero's determination to rid the *res publica* of Mark Antony was a *vitium* that left the state wounded is a surprising one. Such a remark distances Aufidius' obituary from those of his contemporaries.³⁵ The fact that Aufidius' narrative of Cicero's death seems to wear its debt to the declamatory tradition on its sleeve has led to his history being treated alongside those of Cremutius Cordus and Bruttedius Niger, and among the

³⁴ Cf. Cornelius Severus: pg. 163-171.

³⁵ It has been suggested that the lack of criticism of Mark Antony is a result of Bassus having written his history under Caligula. This is, however, part of a circular argument, since the lack of criticism of Mark Antony is one of the key pieces of evidence for Bassus having written under Caligula. See: Lobur (2008), pg. 148.

declaimers' tales of the same event.³⁶ This, however, does a disservice to what we can reconstruct of Aufidius' history from the second fragment. On the basis of the obituary, we can clearly see the influence of the tradition of assessing Cicero's death critically, a tradition that bypasses the simplicities of the declamation schools.³⁷

If Brutteditus Niger's unreflective and unimaginative reportage of Cicero's death represents the nadir of surviving historical treatments of this event, then Aufidius Bassus' account might be seen as a surprising historiographical return to the tradition of critical Ciceronian assessments that stretches back to the works of Livy, Pollio and even Sallust.

Velleius Paterculus

A possible objection to the study I have carried out above and in the previous chapter is that the selection of obituaries and death notices is not my own. They were collated by Seneca the Elder in order to illustrate a text on declamation. As such, one might argue, it should come as no surprise that the declamatory tradition looms large in these histories. The parry to that blow is twofold. First, these are not utterly obscure historians cherry-picked by Seneca to support his case: some, like Livy and Pollio, are well-known today as masters of the genre; others, like Cremutius Cordus and Aufidius Bassus, were lauded as such in antiquity. There remains, however, a problem with the fact that the above study provides no contemporary treatment of Cicero's

³⁶ E.g. Bonner (1949), pg.158-9; Roller (1997), pg. 121; Wright (2001), pg. 449.

³⁷ Aufidius Bassus' impartiality has been attributed to his Epicureanism. For his argument, see: Dihle (1971), pg. 27-43; *contra* Noè (1984), pg. 78 n.1.

death that has come down to us in a tradition independent of Seneca the Elder.³⁸ Our options are unfortunately limited in this respect, but we are fortunate enough to possess a surviving independent account of Cicero's death written by a historian who was roughly contemporaneous with most of the authors quoted by Seneca.

In the second book of his universal history, Velleius Paterculus dedicates an important chapter to Cicero's death in the proscriptions, a chapter that falls significantly at the halfway point of the second book.³⁹ Although this passage tends to be read as one continuous 200 word text, it falls quite obviously into two halves that I will treat separately for ease of analysis. The first part narrates the circumstances of Cicero's proscription:

furente deinde Antonio simulque Lepido, quorum uterque, ut praediximus, hostes iudicati erant, cum ambo mallent sibi nuntiari quid passi essent quam quid meruissent, repugnante Caesare, sed frustra aduersus duos, instauratum Sullani exempli malum, proscriptio. nihil tam indignum illo tempore fuit quam quod aut Caesar aliquem proscribere coactus est aut ab ullo Cicero proscriptus est. abscisaque scelere Antonii uox publica est, cum eius salutem nemo defendisset qui per tot annos et publicam ciuitatis et priuatam ciuium defenderat.⁴⁰

³⁸ The brief comparison with Plutarch cannot stand because we cannot identify the date of its sources.

³⁹ Potter (1999), pg. 82; Lobur (2008), pg. 126.

⁴⁰ Vell. 2.66.1-2.

Although this death notice has not been preselected for survival by Seneca the Elder, we can see that it shares several traits with those that were.

Some of these traits can be seen more clearly in light of the obituary's concluding paragraph, but a few can be commented upon straightaway. The reference to the death of Cicero as *vox publica abscisa*, for example, slots very neatly into the tradition outlined above that focuses on Cicero's oratorical prowess and sees his murder primarily as a loss to the rhetorical arts.⁴¹ Velleius is not as single-minded and zealous as the declaimers in pursuit of this idea. He is, however, engaging with the theme laid out by Cornelius Nepos and takes the silencing of Cicero's oratorical abilities as an indispensable part of understanding what it means for him to have been killed. In this sense at least, he is tacking closer to the late-Augustan/early-Tiberian historians than he is to the critical tradition begun by Pollio and refined by Livy.

We should also look at Velleius' construction of Cicero as a man who distinguished himself in protecting both the interests of the state and of private individuals. Cremutius Cordus' careful distinction between Cicero's conduct in public and private affairs (distinct, but both exemplary) is part of this same tradition, as is his formulation of Cicero's death as a matter for public rather than private grief. Bruttidius Niger can be seen to play into the same idea in his claim that each and every member of the *populus* who saw Cicero's remains in the Forum was reminded of how he had personally helped them and internally took on the deeply private role

⁴¹ Cf. Cordus' account: pg. 175-180.

of reciting a *laudatio funebris* themselves rather than hearing one delivered by a member of Cicero's family.

What originality there is in this part of the obituary lies in the addition of the idea that Cicero was in some way betrayed by the people he had saved. Nobody offered him protection when he needed it, in spite of the protection he had given to all. Without question, however, this is a simple *variatio* on a popular theme of describing the death of Cicero rather than a genuinely novel presentation of the event.

Where Velleius' obituary comes into its own is the next section – his apostrophe to Antony:

nihil tamen egisti, M. Antoni – cogit enim excedere propositi formam operis erumpens animo ac pectore indignatio – nihil, inquam, egisti mercedem caelestissimi oris et clarissimi capitis abscisi numerando auctoramentoque funebri ad conseruatoris quondam rei publicae tantique consulis irritando necem. rapuisti tum Ciceroni lucem sollicitam et aetatem senilem et uitam miseriolem te principe quam sub te triumuiro mortem, famam uero gloriamque factorum atque dictorum adeo non abstulisti, ut auxeris. uiuit uiuetque per omnem saeculorum memoriam, dumque hoc uel forte uel prouidentia uel utcumque constitutum rerum naturae corpus, quod ille paene solus Romanorum animo uidit, ingenio complexus est, eloquentia illuminauit, manebit incolome, comitem aeuu sui laudem Ciceronis trahet omnisque posteritas illius in te scripta mirabitur, tuum in eum factum execrabitur citiusque e mundo genus hominum quam <huius nomen>

cedet. huius totius temporis fortunam ne deflere quidem quisquam satis
digne potuit, adeo nemo exprimere uerbis potest.⁴²

Although this extended apostrophe (or, in Gowing's terminology, outburst⁴³) is the most original part of Velleius' treatment of Cicero's death, it is also in many ways highly derivative of the tradition.

One aspect of this text that neatly resembles the versions written by other authors is its use of Ciceronian language. Velleius Paterculus makes a conscious effort when providing an obituary of Cicero to raise his rhetorical game and attempt (as Seneca the Elder says of Pollio) not so much to praise Cicero as to rival him.⁴⁴ In his commentary on the Caesarian and Augustan narrative, Woodman notes that in this section Velleius:

[P]ays tribute to Cicero by raising the stylistic level and producing sentences which are even more balanced than usual, and by subtle allusions to Cicero's own political, rhetorical and philosophical works in turn.⁴⁵

This balance can be seen in the pointed doublets and tricola at 66.4 and 66.5, while allusions to the second Philippic, the Tusculan Disputations and the *pro Marcello* can be seen at 66.3, 66.4 and 66.5.⁴⁶

⁴² Vell. 2.66.3-67.1.

⁴³ Gowing (2005), pg. 45.

⁴⁴ Sen. *Suas.* 6.25.

⁴⁵ Woodman (1983), pg. 145.

⁴⁶ The title *conservator rei publicae* can be seen at *Phil.* 2.51; the phrase *vita miserior* occurs at *Tusc.* 1.83-4; and the *memoria omnium saeculorum* appears at *Marc.* 28.

As well as sharing a wealth of stylistic similarities with Cicero's own works, Velleius' account can also be seen echoing phrases and formulations found in the accounts of Cicero's death composed by other writers. With no wish to be exhaustive, I note the following three. First, Livy's view that Cicero's death need not be held to be too tragic in light of his old age finds a twin in Velleius' argument that Antony paid too great a price in infamy for the paltry reward to taking away a few senile years from the end of Cicero's life.⁴⁷ Secondly, Velleius' decision to focus on the reward paid for Cicero's death (at the expense of commenting on the fate of his corpse), finds a parallel in Cremutius Cordus' concern with the fee paid to Popillius.⁴⁸ Finally, Velleius' concluding remark that no writer has been capable of matching in words the atrocities of the proscriptions is echoed in the conclusion of Livy's obituary in which he remarks that nobody beside the man himself was sufficiently eloquent to write Cicero's obituary.⁴⁹

There is, however, an aspect of this text that is even more noticeable than these shared *topoi* or the tone of Ciceronian imitation that creeps through Velleius' obituary and that is the ferocity of Velleius' focus on Mark Antony. In many ways it is this uniquely personal address that really makes Velleius' account stand out from the other treatments of Cicero's death. The tone of Velleius' furious denunciation of

⁴⁷ Livy: *vixit tres et sexaginta annos, ut, si vis afuisset, ne immatura quidem mors videri possit.*

⁴⁸ Cremutius: *brevi ante princeps senatus Romanique nominis titulus, tum pretium interfectoris sui.*

⁴⁹ Livy: *vir magnus ac memorabilis fuit et in cuius laudes exequendas Cicerone laudatore opus fuerit.*

Antony has not been universally well-received. Leeman, as part of his study of Latin prose literature, commented on this text:

I know no better example of the abominable Asianistic deviations of the New Style in its most corrupt form.⁵⁰

Although it has been argued that we are in no position to judge this passage as unusual because we lack a sufficient amount of comparable Latin historiography, we should not dismiss Velleius' own claim that this outburst exceeds the bounds of his narrative.⁵¹

In some sense, then, we have a truly original contribution to the tradition of writing about the death of Cicero. While writers such as Cremutius Cordus, Brutteditus Niger or Cornelius Severus did include varying degrees of anti-Antonian rhetoric, no other writer studied in this chapter dedicates so much space to a violent condemnation of Mark Antony.⁵² However, in spite of this semblance of creativity, Velleius' approach could be seen as the most imitative of them all.

This death notice can be considered original only to the extent that there is a certain amount of imagination to be found in Velleius' decision to borrow as heavily as he does from the declamation schools.⁵³ As has been suggested in the above analysis of other historical treatments of Cicero's death from the Tiberian era, the influence of the declamatory tradition is never far from view. However, while Brutteditus and

⁵⁰ Leeman (1963), pg. 250.

⁵¹ Woodman (1983), pg. 144-5.

⁵² This condemnation cannot easily be separated from an absolution of Octavian: Lobur (2008), pg. 126.

⁵³ Lobur (2008), pg. 151-2.

Cremutius, for example, can be seen drawing on plot traditions created by the declaimers or flirting with some of the broader narratological structures of the *Suasoria* on the subject of Cicero's death, Velleius Paterculus goes one step further and inserts an entire declamatory speech into his history.

It should not, perhaps, surprise us that an obituary of Cicero from the Tiberian period should lack the critical stance taken by Pollio and Livy. The fact, however, that it also fails to follow the more unchanging centrepieces of the historical tradition (that is to say, an actual narrative of Cicero's death and/or a focus on the exposure of his remains on the Rostra) is more unexpected. Although the tense of the verbs has been converted into one more fitting to a historical narrative, this violent attack on Antony resembles nothing so much as the sort of *indignatio* recorded by Seneca the Elder in his *Suasoriae*.

Although these rhetorical attacks will be discussed in their own right in a later chapter, I will reproduce a couple here to show just how closely the Antonian apostrophe in Velleius Paterculus' text resembles this genre.⁵⁴ In a *Suasoria* on the subject of whether Cicero should burn his works in exchange for amnesty from Mark Antony, Arellius Fuscus offers the following treatment:

quoad humanum genus incolume manserit, quamdiu suus litteris honor,
suum eloquentiae pretium erit, quamdiu rei publicae nostrae aut fortuna
steterit aut memoria durauerit, admirabile posteris uigebit ingenium

⁵⁴ Cf. pg. 242-252.

<tuum>, et uno proscriptus saeculo proscribes Antonium omnibus. crede mihi, uilissima pars tui est quae tibi uel eripi uel donari potest; ille uerus est Cicero, quem proscribi Antonius non putat nisi a Cicerone posse.⁵⁵

The twin themes of the endurance of Cicero's good reputation and the eternal damnation that will follow Antony in retribution for his crime can be seen as clearly in this *color* as in Velleius' text.⁵⁶

Another declaimer, a rhetorician from Smyrna named Cestius Pius, follows a similar line:

numquid opinio me fefellit? intellexit Antonius salvis eloquentiae monumentis non posse Ciceronem mori. ad pactionem vocaris, qua pactione melior ante <te> pars tui petitur.⁵⁷

This comes very close to Velleius' formulation: "All posterity will admire the speeches that he wrote against you, while your deed to him will call forth their execrations, and the race of man shall sooner pass from the world than the name of Cicero be forgotten."⁵⁸

The vilification of Mark Antony is of course nothing new in a historical text describing the death of Cicero. However, the manner in which Velleius accomplishes

⁵⁵ Sen. *Suas.* 7.8.

⁵⁶ Fuscus elaborates further on these themes in an earlier declamation on whether Cicero should beg Antony for mercy: Sen. *Suas.* 6.5-6.

⁵⁷ Sen. *Suas.* 7.2.

⁵⁸ *omnisque posteritas illius in te scripta mirabitur, tuum in eum factum execrabitur citiusque e mundo genus hominum quam <huius nomen> cedit.*

this quite demonstrably comes closer to the declamatory tradition and its concerns than it does to any of our surviving evidence for the historiographical genre.

For the purposes of this study, it is particularly interesting to note that our boldest confirmation of the influence of the declamatory tradition upon historiographical representations of the death of Cicero should come from Velleius Paterculus. We would be wise to be suspicious if our only evidence for this trend came from the obituaries preserved by Seneca the Elder: his overriding concern is to show that declamation is a respectable genre, and eliding the historiographical and declamatory treatments of Cicero's death was a fine way to show this.⁵⁹

Thanks, however, to the independent preservation of Velleius Paterculus' death notice, we can see that this elision is not entirely the fabrication of Seneca the Elder's selection of texts. The traditions and themes of the declamation hall exert a great deal of pressure on historians attempting to write an account of the death of Cicero. In some cases this pressure might be read as a relatively passive one (as seen in the tendency of certain declamatory *topoi* to wheedle their way into the historian's narrative), but in the case of Velleius Paterculus, we have a historian very consciously crossing the border that separates the two genres and making a declamatory situation the fundamental basis of his obituary.⁶⁰

⁵⁹ Bloomer (1998), pg. 211.

⁶⁰ For Velleius' sincere adulation being a result of genuine affection for Cicero, see: Lobur (2008), pg. 127.

Conclusion

With the exception of Aufidius Bassus' fragmentary description of Cicero as a rough-and-tumble politician, the obituaries and death notices written in the reign of the emperor Tiberius have little in common with the tradition of sharp criticism that we saw in the earlier works of Pollio and Livy. However influential the poetry of Cornelius Severus and Sextilius Ena might have been, they cannot alone account for the new direction taken by the Tiberian historians. The centrality of declamation, and that institution's own peculiar relationship with Marcus Tullius Cicero, served to invert the historiographical genre's narration of the fall of the Roman Republic.

The declamation school's rise to prominence under Rome's first two emperors had a startling and profound effect on the literature and culture of the early Roman Empire, and this can be nowhere better seen than in the encomiastic volte-face made by historians narrating Cicero's death. The fact that two writers of the stature of Livy and Pollio should have had their own tradition so completely subsumed in a few short decades is powerful testament to the force the declamation hall exerted on the minds and tastes of Rome's literary audiences.

Conclusion

What conclusions can we draw from this study? The chief point would be that a self-conscious tradition of writing about Cicero's death existed in the early imperial period: a tradition that began hot on the heels of the proscriptions and was still flourishing towards the end of the reign of the emperor Tiberius. It is impressive in itself that this tradition continued to attract the attention of Rome's foremost historians over seven decades. That the death of Cicero should continue throughout all these years to be a theme that writers would come back to time and again demonstrates the gravitational pull this event had on the imaginations of the Romans who lived through this tumultuous time.

This also appears to have been a tradition of writing that not only spanned many years, but also many genres. Although the lion's share of obituaries and death notices are found in the historiographical genre, it is clear that biographers, declaimers and even poets found material in this event that suited their literary projects. Moreover, these genres did not develop in isolation from each other. We can detect the specialization of individual *topoi* within different genres and cross-fertilizations taking place between different accounts over time. This eventually culminated in a gradual homogenization of the way in which Cicero's death was described.

The surviving literature of the early imperial period has no comparable tradition surrounding the death of any other figure. The fact that the death of Cicero should have come to have so much importance placed upon it should not surprise us.

Almost immediately after Cicero's death, we can see that Sallust considered the raw material of his life to be the very stuff of history. Although in his treatment of the Catilinarian conspiracy Sallust goes out of its way to minimize Cicero's role in events, the very fact that he is so self-conscious in the way he does this betrays a certain anxiety about Cicero's status as an author and cultural figure in this period. Not only were the deeds accomplished by Cicero fit to be presented in a historical monograph, his own telling of those deeds was so prominent as to make any engagement with them a matter of literary competition. Sallust's marginalization of Cicero in his monograph, far from suggesting a decline in Cicero's prestige in the culture of post-Republican Rome, should be taken as evidence for the extraordinary importance he continued to hold as a maker of history (in both senses of the word).

If Sallust's response to the overwhelming cultural hegemony of Cicero's literary output was to write a history of Cicero's signature accomplishment that ostentatiously avoided mentioning his contribution, then Livy can be seen taking the opposite approach. As a study of his narrative of the Hannibalic war has shown, Livy continuously returns to the works of Cicero in order to deepen and enrich the fabric of his text. It is unfortunate that we cannot gauge how Livy might have written Cicero's role in the development and dissolution of the Roman Republic. Nonetheless, we can see from the profound intertextual relationship that existed between Cicero's oeuvre and an important surviving section of the *ab Urbe Condita* that his was a notable and important presence in this history.

Perhaps rather surprisingly, the obituary preserved by Seneca the Elder suggests that Livy did not give Cicero an easy ride. Following in the footsteps of his great predecessor, the scrupulously critical Asinius Pollio, Livy was far from stinting in his denunciation of Cicero's failings when it came to giving notice of his death. The fact that Cicero was granted a death notice at all is suggestive of the important role he played in the later books of the *ab Urbe Condita*. Livy, however, like Sallust and Pollio before him, is keen not to allow Cicero's contribution to the *res publica* to be narrated on his own terms. In marked contrast to the declamation hall's burgeoning culture of variations-on-a-theme-by-Cicero, Livy refuses to let his historical judgement be shaped by Cicero's self-presentation in his later works.

Perhaps inevitably, Livy's *diadochoi* could not long resist the encomiastic attitude towards Cicero that flourished in this rhetorical institution. The Ciceronian obituaries and death notices preserved by Seneca the Elder (and the independent test case provided by Velleius Paterculus) show a general trend towards valorizing Cicero and sanding off the rough and critical edges that so characterize the treatments of their predecessors. The texts written by the Tiberian historians bear the unmistakable mark of the declamation hall, and consequentially their portrait of Cicero becomes a cruder caricature, lacking any of the realistic faults and shortcomings that studded the depictions of his career in the earlier historiographical accounts.¹

¹ Lobur (2008), pg. 144-52.

Alain Gowing has suggested that the Tiberian historians at least retain some critical distance from Cicero, maintaining that while they may laud him to the skies, not even Velleius Paterculus goes so far as to suggest that his is a life to be emulated.² While this is true on its own terms, the terminology he uses makes his statement rather anodyne. If Velleius, whose admiration for Cicero is beyond question, is not interested in viewing him as a figure worthy of emulation, then perhaps we should not see that as a form of criticism. Rather, this is a reflection of the fact that Velleius' *res publica* is not the same as Cicero's, and that transformation makes the idea of emulating his career meaningless. Pollio and Livy have demonstrated that the historiographical genre was a place where it was possible to criticize Cicero's life and career, and indeed (as we shall see in a later chapter) even a figure as prominent as Virgil was interested in highlighting the potential destructiveness of emulating Cicero.³ When placed in comparison with these authors, it should become clear that Velleius and the other Tiberian historians are not criticizing Cicero when they fail to suggest that he could provide a model for political life in their own day. They are instead reflecting the consequences of the political and cultural revolution that had occurred between their lifetimes. When it comes to writing about the life and times of Marcus Tullius Cicero, these historians repudiate a critical tradition and succumb to the guileless idolization of the declamation hall.

² Gowing (2013a), pg. 237.

³ For Cicero's presence in the debate between Turnus and Drances, see: pg. 321-336.

It would be difficult to argue that the shift we see in the later historians from a critical perspective on Cicero to one of simple adulation is a social trend that should be dated specifically to the Tiberian period. Vilification of Antony, after all, ought most naturally to be dated to the earlier days of Augustus' reign, as we see, for example, in Cornelius Severus' poem. The fact that we have to wait until the early days of Tiberius' reign to find this trend bearing fruit in the historiographical genre must instead reflect the time it took for the public perception of Cicero to be so shaped by this heroic interpretation of his life (slaughtered while making a principled stand against Antony) that we begin to see it creeping into genres with their own (wholly opposite) traditions when it came to describing the death of Cicero. The fact that the medium through which this tradition entered the historiographical genre was the declamation school tells us a great deal about both Cicero's role in this institution and its importance to the culture of early imperial Rome. This is an important topic in its own right and is the subject of the next section.

Part II: Cicero and Declamation

Introduction: An Institutional Figure

The first section of this thesis analysed Cicero's presence in a genre that was forced to make room for him. As one of Rome's leading statesmen, Cicero could not readily be passed over in the historiographical texts of the early empire. These were works concerned on a fundamental level with Cicero's natural habitat – the high politics transacted in the city of Rome during the last years of the Republic. Although the relationship between Cicero and the historiographical genre was far from one of uncomplicated reportage, his influence (whether stylistic or political) can be detected throughout these works. This influence, however, was far from static. One of the major developments I explored in the last section was the drift away from the critical approach to assessing Cicero's life that was established in the Augustan age. The approach to Cicero taken by the historians writing under Tiberius was considerably more adulatory and reads very differently from the earlier assessments of Asinius Pollio and Livy. In line with previous studies of this transformation, I attributed the shift towards a more panegyric evaluation of Cicero's life to an institution that was central to the culture of the early empire: the declamation hall.¹ The purpose of this section is to investigate how Cicero came to be so central to this institution and how this centrality affected the stories that were told about him in the early imperial period.

Although the most explicit discussions of the centrality of declamation in Roman life are dated considerably after our period (in the late first/early second

¹ Roller (1997); Wright (2001).

century AD, in Quintilian and his imitators, in Tacitus and in Suetonius), there are two major works that bear witness to the importance of this practice during the early empire. These are Seneca the Elder's *Suasoriae* and *Controversiae* and Valerius Maximus' *Facta et Dicta Memorabilia*. These two Tiberian texts provide idiosyncratic perspectives on a tradition of declamation spanning back to the reign of Augustus. Part of the task of this section will be to establish precisely how these early-Tiberian digests can tell us anything about declamatory practice beyond the immediate context of their publication. Such groundwork is necessary for what will be the core of this section: an analysis of Cicero's role in these texts.

The prominence of Cicero's presence in the world of declamation (be it as a memory, a character or an influence) is not a phenomenon to be taken for granted; it has the potential to shed an important light on the literary, social and political life of the early empire.

This analysis is divided into three chapters. The first focuses on the appearance of Ciceronian material in Valerius Maximus' *Facta et Dicta Memorabilia*. As well as showing that this work is the right place to look for the raw material of declamation, this chapter argues that the ubiquitous presence of Cicero's works in this text is an indication of Cicero's centrality to imperial discussions of what it meant to be Roman.

The second and third chapters turn to the declamatory works written by Seneca the Elder and focus on the explicit references that are made to Cicero throughout this collection. Both chapters analyse why Cicero crops up so often, what the declaimers gained from referring to him, and why Seneca chose to foreground them in his

anthology. The first chapter looks at Cicero's appearances in Seneca's quotations of declamatory *colores*, while the second focuses on how Seneca involved Cicero in the various *testimonia* written about individual performers and the declamatory institution as a whole. These chapters make the argument that by dint of Cicero's reputation as the acme of *eloquentia* and his status as the last representative of the free *res publica*, he acted as a guarantor of the utility and respectability of declamation.

Chapter 5

The Memorable Deeds and Sayings of Marcus Tullius Cicero

Introduction

Once Cicero had sailed from Tarentum to Dyrrachium, and thence to Thessalonica to begin his uncertain exile, he had good reason to reflect upon the mutability of fortune. As he put it to Atticus:

ecquis umquam tam ex amplo statu, tam in bona causa, tantis facultatibus ingeni, consili, gratiae, tantis praesidiis bonorum omnium concidit?¹

Were Valerius Maximus able to survey his own *Nachleben*, he might be able to offer an answer to that rhetorical question. Although described by Georg Niebuhr as the Middle Age's "most important book next to the Bible" and one of only four prose texts prescribed for daily lectures to first-year students when Corpus Christi was founded in Oxford in 1517, the *Facta et Dicta Memorabilia* has suffered something of a diminution in its fortunes.² Valerius Maximus, in C. J. Carter's words, "had a very good run for his money, much better than he deserved."³

One aspect of his work which lends it to neglect is the difficulty of establishing exactly what it is. Reading like something between a Commonplace Book and a Dictionary of Quotations, it has long been something of a mystery for whom, precisely, Valerius Maximus thought he was writing. Considerations of authorial intention may

¹ *Att.* 3.10.2.

² Duff (1964), pg. 59 n.2; Clarke (1959), pg. 22; Carter (1975) pg. 26-56.

³ Carter (1975), pg. 51.

be the wrong way of looking at the issue. It would, perhaps, be more fruitful to consider who might have made use of this text.

The work's brief preface provides us with some clue as to who might have been the ideal beneficiaries of this project:

urbis Romae exterarumque gentium facta simul ac dicta memoratu digna apud alios latius diffusa sunt quam ut breuiter cognosci possint, ab inlustribus electa auctoribus digerere constitui, ut documenta sumere uolentibus longae inquisitionis labor absit. nec mihi cuncta complectendi cupido inessit: quis enim omnis aevi gesta modico uoluminum numero comprehenderit, aut quis compos mentis domesticae peregrinaeque historiae seriem felici superiorum stilo conditam uel adtentiore cura uel praestantiore facundia traditurum se sperauerit?⁴

Although this proem is somewhat familiar in its *recusatio* from writing history, and while it bears a passing similarity to the prefatory comments found in the early works of Cicero's great philosophical project, this is a unique statement of purpose in Latin literature.⁵ The closest parallel is the preface to Seneca the Elder's collection of declamatory *bons mots*.⁶ But whereas he was making such a collection in order to translate the perishable spoken word into a more lasting medium, Valerius Maximus is epitomizing texts without any similar goal of preservation.

⁴ Val. 1.Pr.

⁵ This *recusatio* from writing history is best understood in light of Livy's importance to the composition of the *Facta et Dicta Memorabilia*. For more on the preface of this text, see: Wardle (1998), pg. 12-5.

⁶ Sen. *Contr.* 1.1.

What is unique in Valerius Maximus' introduction is his claim to be playing the Mr. Muscle role: doing the hard work, so you don't have to. In this case, the hard work seems to be reading; or, to put it more specifically, reading like a Roman.⁷ We should immediately ask who might have needed such a compilation. We can certainly eliminate Rome's literary elite: anyone familiar enough with the primary texts would get little use from this collection.

It is, of course, possible that the work's primary audience was the critically lazy subset of the Roman nobility's progeny who (for one reason or another) required an education in the basics of Roman culture. The strongest argument against such a proposition would be how unnatural it would have been for a native Roman to have had recourse to a written source for information about his own society. This point is fundamental to Andrew Wallace-Hadrill's reading of the cultural revolution that Rome was undergoing in these years.⁸ Texts like the *Facta et Dicta Memorabilia* were essential components in the process by which the *domi nobiles* of Italy were able to begin incorporating themselves and their culture into the *mores* of the Roman ruling class.

Such an interpretation has a very direct bearing on this chapter. Wallace-Hadrill's understanding of how the *Facta et Dicta Memorabilia* fits into early imperial Italy supports the argument of Bloomer's 1992 book *Valerius Maximus and the Rhetoric of the New Nobility*. Bloomer locates Valerius Maximus' project in the context of the

⁷ For Valerius Maximus' Roman jingoism, see: Wallace-Hadrill (2008), pg. 59-63.

⁸ Wallace-Hadrill (2008), pg. 213-58.

declamation hall: an arena in which Rome's parvenus could bring themselves to prominence in imperial society and the emperor's court. Bloomer singles out "public speakers, lawyers, and declaimers" as the category of Romans who were most in need of an expansive catalogue of historical *exempla*.⁹ These three groups do not necessarily have to be divided up: the arena of the declamation hall united all those who sought to practice law as juriconsults, perform in court as advocates or even work as professional declaimers. As a general rule, a youth who wished to enter the Roman elite did so through public performance, and the way to hone that skill was to master the art of declamation.

Preserving the Past

It is important to establish the credentials of this text as something capable of telling us about more than just the Tiberian Principate under which it was published. Although the work's date of publication might seem to limit Valerius Maximus' potential contribution to a discussion of the Augustan part of imperial declamation, one aspect of his project gives him a rather more elevated position when it comes to understanding the earlier history of this institution. As Bloomer puts it:

His is a document from and for declamation, and specifically for those who wished to learn the proper illustration for public speech. This last consideration suggests two possibilities: Valerius' work codifies material that has grown too large for memory, and – or – codifies material for those

⁹ Bloomer (1992), pg. 16. For an argument against Bloomer's reading, see: Skidmore (1996), pg. 107. For a rebuttal of Skidmore's criticism, see: Wardle (1998), pg. 13, n.59.

not familiar either with the works of Roman history and oratory or with their traditional content.¹⁰

The two possibilities offered here by Bloomer are far from irreconcilable: they support each other and together illuminate the rationale behind the *Facta et Dicta Memorabilia*. Valerius Maximus resides at the end of a tradition of declamation that stretched in one continuous chain all the way back to the birth of the Augustan *res publica*. As such, these 967 tales provide us with a catalogue of the ingredients that had been used since the inception of this institution.

We should not make the mistake of believing that Valerius Maximus' text is a representation of the actual words of the declaimers (either Augustan or Tiberian), nor can we securely connect them to the dilemmas presented as exercises for the declaimers to debate. What we do have, however, is of equal value. The stories contained in the *Facta et Dicta Memorabilia* are those parts of Roman culture which Valerius Maximus thought could be most relied upon to strike a chord with a listener in the declamation halls of imperial Rome.

The declaimer's task was a delicate one. From the evidence provided by Seneca the Elder's excerpts from the declamations of the Augustan age, we can surmise that the skill of this exercise lay in an ability to combine deftly the novel and the familiar. Whether in a *Controversia* (where the declaimer's task was to argue both sides of a fictive legal case) or in a *Suasoria* (where the declaimer's task was to advise on either

¹⁰ Bloomer (1992), pg. 3-4.

side of a fictional dilemma), the speaker had to argue issues that were acutely familiar in such a way that their performance would stand out from the crowd.

Aside from dreaming up ingenious legal arguments, the most notorious avenue to novelty lay in the speaker's rhetoric.¹¹ The relentless striving after rhetorical novelty that one sees in Seneca's accounts goes hand-in-hand with a contrastingly over-familiar series of tropes: raped virgins, disobedient sons, stern fathers, wounded soldiers, etc. This combination should not surprise us. It hardly needs saying that the familiar and the novel are not mutually exclusive; they are categories which depend upon each other. Creating something novel from familiar material was the goal of every declamatory performance.

If we appreciate the familiarity of the tropes that were set as springboards for the declaimer's *ingenium*, we can begin to make sense of the idea that the *Facta et Dicta Memorabilia* was a declaimer's companion. If used correctly, Valerius Maximus' text could provide the speaker with apt and incisive illustrations to bolster the argument being put to these conventional dilemmas. The use of *exempla* to strengthen an argument is a familiar strategy in Roman rhetoric and one well-suited to declamation.¹² If we return to thinking about our enterprising *domi nobilis* seeking to make his name in the imperial capital via a reputation for declamatory excellence, then we can begin to appreciate the value of the *Facta et Dicta Memorabilia*. Rather than being

¹¹ For the declamatory style in historiography, see: pg. 174-200. Cf. Martha (1903-4), pg. 685; Roller (1997); Wright (2001); Lobur (2008), pg. 151-2; Levick (2013b), III.594.

¹² For historical *exempla* in Ciceronian oratory, see: van der Blom (2010), pg. 129-36.

forced to trawl the annals of Roman history and shelves of literature for anecdotes relating to (for example) ungrateful characters which would be best received by a Roman audience, the Italian declaimer could simply turn to the relevant section of Valerius Maximus.¹³ Armed with *exempla* such as these, the declaimer could begin to add his own twists, surprises and innovations. The *Facta et Dicta Memorabilia* could be relied upon to provide the recently-arrived declaimer with a collection of stories from Greek and Roman history that would be best received by a declamatory audience.

In light of Valerius Maximus' claim that he assembled this collection in order to save his readers the time of having to trawl through all of Roman literature in search of these anecdotes, we might be somewhat surprised by the provenance of his exemplary tales. As both Carter and Bloomer have noted, Valerius Maximus did not, in fact, range very far in his search for material.¹⁴ In his quest to provide his readers with the *exempla* likely to strike a chord with a Roman audience, by and large he follows only two major sources: the first is Livy's comprehensive history of Rome; the second is the Ciceronian oeuvre.¹⁵

Making an Example of Cicero

There are two main ways in which we can see how Cicero pervades the text of the *Facta et Dicta Memorabilia*. The first is to gauge the level of Ciceronian influence on this text by exploring precisely how Valerius Maximus made use of Cicero's works as

¹³ Val. 5.3.

¹⁴ Carter (1975), pg. 38; Bloomer (1992), pg. 6-7.

¹⁵ Varro and Pompeius Trogus are the next most-used sources: Wardle (1998), pg. 16.

source-material for the *Facta et Dicta Memorabilia*. Analysing this involves looking closely at some of Valerius Maximus' *exempla*, identifying the likelihood of their being based on a Ciceronian source, and seeing how closely the two match up. Such an analysis should provide a picture of just how important a source Valerius Maximus thought Cicero was for a proper understanding of Roman culture. The second way of exploring this issue is to make an examination of how often Cicero himself appears as an *exemplum* in this text: that is to say, how often Valerius Maximus thought that episodes from Cicero's life constituted appropriate material for a declaimer's speech and what particular themes he felt were best illustrated by examples drawn from Cicero's life.

Valerius Maximus makes 12 explicit references to Cicero in the *Facta et Dicta Memorabilia*.¹⁶ A few of these can be excluded from our analysis on the grounds that they do not make Cicero the central feature of the theme that the *exemplum* is designed to illustrate. Valerius' *exemplum* at 4.2.5, for example, merely uses Cicero's name as a link from one story explicitly about Cicero to another about Clodius doing something similar. I will also exclude 8.13.ext.1 on the grounds that it is a quotation from *de Senectute* and 2.2.3 as it is not really an *exemplum* at all but rather a disquisition on the Roman senate and magistrates.

This still leaves us with nine *exempla* specifically about Cicero. Apart from the notable number of appearances, what impresses most about this selection of

¹⁶ Val. 1.4.6; 1.7.5; 2.2.3; 4.2.4; 4.2.5; 5.3.4; 8.5.5; 8.10.3; 8.13.6; 8.13.ext.1; 9.11.3; 9.12.7.

Ciceronian tales is their variety. In light of the attention given to Cicero's death in the previous section, we might be surprised that only two of these nine appearances focus on the proscriptions. The first of these references is to be found under the category *de auspicio* and details an omen that presaged Cicero's death.¹⁷ The second reference appears under the heading of ingrates (*de ingratis*), and supplies the familiar narrative of Cicero's death at the hands of his erstwhile client Popillius.¹⁸

The other seven uses of moments from Cicero's life as *exempla* fail to conform to any predictable pattern. For example, given Cicero's efforts to promote the Catilinarian conspiracy as a moment of world-shaking importance, we might expect to find a trove of references to this crisis.¹⁹ Valerius Maximus, however, only provides one reference to Cicero's consulship, and even that is only a reference to one of his speeches being interrupted by Catiline's infamous boast that if his fortunes were set alight he would extinguish the blaze with demolition rather than water.²⁰ On top of the scanty treatment of these two major episodes in Cicero's life, there is also only one *exemplum* dedicated to what was surely the third biggest event of Cicero's life: his exile.²¹

¹⁷ Val. 1.4.6.

¹⁸ Val. 5.3.4. Valerius Maximus' narration of Cicero's death includes many of the tropes that were popular with the declaimers, not least the involvement of Popillius. For the influence of declamation on historical narratives of Cicero's death, see: pg. 174-200; Roller (1997); Wright (2001).

¹⁹ Cf. pg. 45-51.

²⁰ Val. 9.11.3 (*dicta improba aut facta scelerata*). Perhaps in keeping with a post-Sallustian view of 63 BC, Catiline receives a number of references that rivals that of his nemesis: Val. 2.8.7; 4.8.3; 5.8.5; 9.1.9; 9.11.3.

²¹ Val. 1.7.5 (*de somniis*) provides a narrative of Cicero's dream of Marius prophesying his return.

Five Ciceronian stories remain, all of which were deemed by Valerius Maximus to be in some way memorable, and none of which relates to the central achievements of his political career. One of the five relates to Cicero's private life: a bald statement from the section *de senectute* that Cicero could be numbered among prominent men who were outlived by their wives.²² There is, however, a common thread connecting the remaining four *exempla*: all detail events from what could be loosely termed Cicero's forensic career.

Three of these *exempla* are drawn from a tradition that holds Cicero to be the epitome of late Republican oratory. One story (taken from the section *quantum momentum sit in pronuntiatione et apto motu corporis*) is a demonstration of Cicero's ability to critique the lesser abilities of opposing orators: in this case, Calidius' inability to speak in a style congruent with the events he was describing.²³ The second story is both a testament to Cicero's rhetorical skill and his ability to act as an exemplary patron. Under the heading *qui ex inimicitis iuncti sunt amicitia aut necessitudine*, Valerius Maximus gives a rather hagiographic account of Cicero lending a hand in the defence of two of his enemies, Gabinius and Vatinius (attributing to *humanitas* what we might more readily concede to the influence of Pompey and Caesar).²⁴

The third *exemplum* from Cicero's forensic career is a slightly confusing story on the subject of Cicero's role in the prosecution of Clodius for invading the rites of

²² Val. 8.13.6.

²³ Val. 8.10.3.

²⁴ Val. 4.2.4.

the *Bona Dea*. As part of his section *de testibus*, Valerius Maximus notes that Clodius was acquitted in spite of Cicero taking to the witness stand to shatter his alibi.²⁵ The moral drawn from this story is not the same as Cicero's (that the jury had been bribed), nor is it the same as Andrew Lintott's (either Claudian intrigue or a feeling among the jurors that the punishment of exile was too harsh to merit conviction).²⁶ According to Valerius Maximus, the jury preferred to see Clodius walk free than believe that Cicero would have earlier perjured himself.²⁷

The final Ciceronian *exemplum* demonstrates Cicero's forensic abilities in yet another way. In the ninth book of the *Facta et Dicta Memorabilia*, under the heading *de mortibus non vulgaribus*, Valerius Maximus provides an anecdote from an otherwise under-illustrated period of Cicero's life: his praetorship. The anecdote concerns the suicide of the historian, statesman and father of the poet Calvus, Licinius Macer. Licinius had been put on trial for extortion in the court presided over by Cicero. While the vote was being taken, Licinius asphyxiated himself trusting that Cicero would rule that he had not died a convicted man and therefore that his property should not be put up to public auction. Valerius Maximus reports that Cicero duly delivered 'no verdict'.²⁸ Although the main focus of the *exemplum* is Licinius, Cicero's good sense while sitting in judgement is given high priority in the story's telling.

²⁵ Val. 8.5.5.

²⁶ *Att.* 2.1; Lintott (2008), pg. 159.

²⁷ Valerius Maximus seems to misunderstand Cicero's involvement with Clodius' alibi: *Att.* 2.1.5; *Dom.* 80; *Quint.* 4.2.88; *Schol. Bob.* 85.29.

²⁸ Val. 9.12.7. Valerius' account is directly contradicted by Cicero and later Plutarch, who both state that Licinius was convicted: *Att.* 1.4.2 and *Plut. Cic.* 9.

One conclusion to draw from this catalogue is that there can be little doubt that Valerius Maximus held Cicero to have been important as an *exemplum* in his own right. From declamations on ingratitude to divination, events from Cicero's life could be relied upon to provide concrete examples for the speaker's argument.²⁹ What is, perhaps, slightly more surprising is the variety of the Ciceronian *exempla* that are provided for us in the *Facta et Dicta Memorabilia*. These are far from being solely the most obvious and well-known episodes from Cicero's life.³⁰ Valerius Maximus seems keen to stress that if one were to declaim before a Roman audience, one needed far more than a superficial knowledge of Cicero's life.

Given what we have seen of Cicero's reception in the previous section on historiography, it should be no surprise that Cicero was a significant *exemplum*. If, however, we are to grasp just how fundamental Cicero was to the construction of Valerius Maximus' text, it is necessary to study his methods of composition.

Cicero as Source Material

As stated above, Valerius Maximus relied heavily on Ciceronian source material to craft his *exempla*. There is a four-step argument that can be made in order to show precisely how this influence can be felt, each step revealing a deeper level of entanglement. The first step is to find moments at which Valerius Maximus explicitly acknowledges an *exemplum* (or part of an *exemplum*) as being taken from a Ciceronian source. The second is to identify an *exemplum* that is also found in such a prominent

²⁹ For the universality of personal *exempla*, see: Langlands (2011).

³⁰ For an interpretation of this as an 'apolitical Cicero', see: Degl'Innocenti Pierini (2003), pg. 31-3.

place in the Ciceronian corpus that, even without explicit reference, it is impossible to believe that Cicero would not have been recognized as the source. The third is to make a close textual analysis of an *exemplum* that also appears somewhere in a Ciceronian text and see just how closely the two can be mapped onto each other. The fourth and final step is to make an estimate of just how frequently these moments of intertextuality between Cicero's works and the *Facta et Dicta Memorabilia* actually occur. With this information, we should be able to draw some conclusions about the nature of the relationship between these two authors.

For the first step, we turn to the first foreign example cited by Valerius Maximus under the heading *de senectute*.³¹ After describing how Hiero, the tyrant of Syracuse, reached his ninetieth year, Valerius Maximus moves onto another long-lived Mediterranean king:

Masinissa Numidiae rex hunc modum excessit, regni spatium sexaginta annis emensus, uel ante omnes homines robore senectae admirabilis. constat eum, quem ad modum Cicero refert libro, quem de senectute scripsit, nullo umquam imbri, nullo frigore ut caput suum ueste tegeret adduci potuisse.³²

A glance at Cicero's treatise *de Senectute* shows that this story does indeed have an analogue in that work:

³¹ A section which has already seen one reference to Cicero in the statement that he was comfortably outlived by his wife: Val. 8.13.6.

³² Val. 8.13.ext.1. For the life of Masinissa, see: Walsh (1965).

audire te arbitror, Scipio, hospes tuus avitus Masinissa quae faciat hodie nonaginta natus annos; cum ingressus iter pedibus sit, in equum omnino non ascendere, cum autem equo, ex equo non descendere, nullo imbri, nullo frigore adduci ut capite operto sit, summam esse in eo siccitatem corporis, itaque omnia exequi regis officia et munera.³³

Cicero is certainly not our only source for Masinissa's virility in old age, nor was he likely to have been Valerius Maximus' sole connection with this story.³⁴ Indeed, Valerius Maximus' *exemplum* goes on to give the unusual story of Masinissa's extraordinary ability to stand in one place for great stretches of time, a story which he seems to have lifted from Polybius. However he does not credit him, unlike Cicero.³⁵

Valerius Maximus' decision to be explicit in naming his source should not be taken for granted: it is something of a rarity in the *Facta et Dicta Memorabilia*.³⁶ Although Valerius Maximus is not clear why he chose to name his source here, we might suspect that his project was lent some respectability by the fact that Cicero had previously put pen to paper under the same heading, *de Senectute*.

It must be granted, however, that (as far as our text shows) Cicero was not explicitly cited as a source more than once. This does not mean that Valerius Maximus did not expect his readers to pick up on the Ciceronian heritage of other *exempla*. There

³³ *Sen.* 34. Cf. Powell (1988), *ad loc.*

³⁴ Sources available to Valerius Maximus: *Liv. Per.* 50; *Strab.* 17.833. Other sources for the virility of Masinissa: *Luc. Macr.* 17; *Plin. N.H.* 7.61, 156; *Front. Strat.* 4.3.11.

³⁵ *Polyb.* 36.16; cf. *Diod.* 32.16.

³⁶ Wardle (1998), pg. 15. Even Livy is only namechecked once: *Val.* 1.8.ext.19; cf. *Liv. Per.* 18.

are strong and weak versions of this style of non-citation. In the strong version, the hint that this material is drawn from Cicero comes from the fact that the story so obviously concerns him that it would be difficult to know where else the story might have come from. Take the example mentioned above of his oratorical performance against Calidius:

nam M. Cicero quantum in utraque re, de qua loquimur, momenti sit oratione, quam pro Gallio habuit, significauit M. Calidio accusatori exprobrando, quod praeparatum sibi a reo uenenum testibus, chirographis, quaestionibus probaturum adfirmans remisso uultu et languida uoce et soluto genere orationis usus esset, pariterque et oratoris uitium detexit et causae periclitantis argumentum adiecit totum hunc locum ita claudendo:

'tu istud, M. Calidi, nisi fingeres, sic ageres?'³⁷

It is seems unlikely that Marcus Calidius would have been keen to publicize this story. It hardly stretches the imagination to consider that the reader of this *exemplum* would be likely to attribute the story to Cicero's own reportage. And they would not be wrong:

quin etiam memini, cum in accusatione sua Q. Gallio crimini dedisset sibi eum venenum parauisse idque a se esse deprensum seseque chirographa testificationes indicia quaestiones manifestam rem deferre diceret deque eo crimine accurate et exquisite disputauisset, me in respondendo, cum essem

³⁷ Val. 8.10.3.

argumentatus quantum res ferebat, hoc ipsum etiam posuisse pro argumento, quod ille, cum pestem capitis sui, cum indicia mortis se comperisse manifesto et manu tenere diceret, tam solute egisset, tam leniter, tam oscitanter. 'tu istuc, M. Calidi, nisi fingeres, sic ageres?...'³⁸

Valerius Maximus has taken a tale from one of Cicero's texts and reduced it to its essentials, all the while not revealing that the *Brutus* was his specific source. The Ciceronian heritage of the *exemplum*, however, is worn so brazenly that even a reader who had never come across the *Brutus* would be likely to presume that the story had been lifted from a Ciceronian work, while most would be able to make an educated guess as to its specific provenance.

However, there is also a weaker version of this form of pseudo-citation, a subtler one that requires rather more work on the part of the reader. A good example of this can be found in the section *dicta improba aut facta scelerata*:

non tam atrox C. Fimbriae est factum et dictum, sed si per se aestimetur, utrumque audacissimum. id egerat, ut Scaeuola in funere C. Marii iugularetur. quem postquam ex uulnere recreatum conperit, accusare apud populum instituit. interrogatus deinde quid de eo secus dicturus esset, cui pro sanctitate morum satis digna laudatio reddi non posset, respondit obiecturum se illi quod parcius corpore telum recepisset. licentiam furoris aegrae rei publicae gemitu prosequendam!³⁹

³⁸ *Brut.* 277-8. Cicero's quotation continues for several more sentences.

³⁹ Val. 9.11.2.

Although Valerius Maximus again makes no explicit connection between this story and Cicero, we find a very similar account of Fimbria's attempted assassination of Scaevola in Cicero's speech *pro Roscio Amerino*:

hominem longe audacissimum nuper habuimus in civitate C. Fimbriam et, quod inter omnis constat, nisi inter eos qui ipsi quoque insaniunt insanissimum. is cum curasset in funere C. Mari ut Q. Scaevola vulneraretur, vir sanctissimus atque ornatissimus nostrae civitatis, de cuius laude neque hic locus est ut multa dicantur neque plura tamen dici possunt quam populus Romanus memoria retinet, diem Scaevolae dixit, postea quam comperit eum posse vivere. cum ab eo quaereretur quid tandem accusaturus esset eum quem pro dignitate ne laudare quidem quisquam satis commode posset, aiunt hominem, ut erat furiosus, respondisse: 'quod non totum telum corpore recepisset.'⁴⁰

The similarities between these two accounts are far too close to be attributed solely to the fact that they are both narrating the same event. Note, for example: the repetition of the superlative *audacissimus*; the appearance of the verb *comperio* in both accounts to describe Fimbria discovering the fact that Scaevola had not been killed; and the fact that both add the aside that it would be impossible to deliver sufficient praise to Scaevola.⁴¹

⁴⁰ *Rosc. Am.* 33.

⁴¹ For Cicero's use of Fimbria as an *exemplum*, see: Dyck (2010), *ad loc.*

Although there is nothing in the way of a plain statement from Valerius Maximus that this *exemplum* is a retelling of a story that he has lifted out of Cicero's first successful defence speech, it should nonetheless be classified as one that could be readily identified as such. The popularity of the *pro Roscio Amerino* among the declaimers makes it highly unlikely that Valerius Maximus could have quoted a well-known section from that speech without the expectation that his readers would have recognized it as such.⁴²

The two *exempla* explored above (one an obviously Ciceronian story taken from the *Brutus*, the other a tale taken from one of Cicero's better-known works) can be placed on the same spectrum as the story about Masinissa taken from *de Senectute*. Although only one of these stories names the precise source of its information, the other two make certain implicit nods in Cicero's direction. By contrast, the third form of Ciceronian borrowing employed by Valerius Maximus does not even go that far. The *Facta et Dicta Memorabilia* contains a large number of Ciceronian excerpts that have been reworked in much the same way as the Fimbria story. But where that *exemplum* was recognizably Ciceronian thanks to the fame of the earlier text, other tales are taken from far more recherché corners of the Ciceronian corpus.

An example from the section of the *Facta et Dicta Memorabilia* entitled '*de amicitia*' can illustrate precisely how Valerius Maximus makes use of Cicero's works in this way.⁴³ Having furnished the reader with seven *exempla* of friendship drawn from

⁴² For the popularity of the *Pro Roscio Amerino*, see: Sen. *Contr.* 7.2.3; *Suas.* 7.2

⁴³ Val. 4.7.

Roman history, Valerius Maximus moves on to provide a couple of tales from the wider Mediterranean world.⁴⁴ The first of these *exempla* runs as follows:

Damon et Phintias, Pythagoricae prudentiae sacris initiati, tam fidelem inter se amicitiam iunxerunt ut cum alterum ex iis Dionysius Syracusanus interficere uellet, atque is tempus ab eo, quo primus quam periret domum profectus res suas ordinaret, impetrauisset, alter uadem se pro reditu eius tyranno dare non dubitaret. solutus erat periculo mortis qui modo gladio ceruices subiectas habuerat: eidem caput suum subiecerat cui securo uiuere licebat. igitur omnes et in primis Dionysius nouae atque ancipitis rei exitum speculabantur. appropinquante deinde finita die nec illo redeunte, unusquisque stultitiae tam temerarium sponsorem damnabat. at is nihil se de amici constantia metuere praedicebat. eodem autem momento et hora a Dionysio constituto et qui eam acceperat superuenit. admiratus amborum animimum tyrannus supplicium fidei remisit, insuperque eos rogauit ut se in societatem amicitiae tertium sodalicium gradum intima cultorum beniuolentia reciperent.⁴⁵

This was without doubt a well-known story in antiquity, handed down through two traditions by Aristoxenus and Diodorus.⁴⁶

⁴⁴ For a treatment of the first of these examples (the tale of Gaius Gracchus' loyal friend Blossius of Cumae) in light of its similarities to Cicero's version of the tale in *de Amicitia* 37, see: Bloomer (1992), pg 44-8.

⁴⁵ Val. 4.7.ext.1. For Diodorus Siculus' take on this anecdote, see: See Bloomer (1992), pg. 79-89.

⁴⁶ Fr. 31 Wehrli; Diod. 10.4.3.

The *exemplum* was also popular with Cicero, making three separate appearances in his works.⁴⁷ Although two of these descriptions are only small additions to a broader point, the *de Officiis* gives the story in full:

Damonem et Phintiam Pythagoreos ferunt hoc animo inter se fuisse, ut, cum eorum alteri Dionysius tyrannus diem necis destinavit et is, qui morti addictus esset, paucos sibi dies commendandorum suorum causa postulavisset, uas factus sit alter eius sistendi ut, si ille non revertisset, moriendum esset ipsi. qui cum ad diem se recepisset, admiratus eorum fidem tyrannus petiit, ut se ad amicitiam tertium ascriberent.⁴⁸

Even though a great many narratives of this story existed, the fact that the *de Officiis* was Valerius Maximus' source is strikingly obvious. Not only does the structure of the anecdote follow Cicero's version very closely indeed, but precise verbal echoes are also manifold.⁴⁹

Most telling of all, however, is the fact that both of these sources omit the same key details, details which can be easily found in other tellings. Neither Cicero nor Valerius Maximus can say whether it was Damon or Phintias who had been sentenced to death, nor can either offer an explanation as to why Dionysius had passed such a

⁴⁷ *Fin.* 2.79; *Tusc.* 5.63; *Off.* 3.45.

⁴⁸ *Cic. Off.* 3.45.

⁴⁹ "hoc animo inter se fuisse" = "tam fidelem inter se amicitiam iunxerunt"; "eorum alteri" = "alterum ex iis"; "commendandorum suorum" = "res suas ordinaret"; "uas factus sit" = "uadem se...tyranno dare"; "admiratus eorum" = "admiratus amborum"; "ad amicitiam tertium ascriberent" = "in societatem amicitiae tertium sodalicii gradum...reciperent". Maire (1899), pg. 12-13. attempts to link Valerius directly to Diodorus; see *contra*: Bloomer (1992), pg. 96.

sentence in the first place.⁵⁰ It is impossible to tell whether this reliance upon Cicero's version ought to be attributed to Valerius Maximus' own unfamiliarity with the story, or whether his method of composition simply suited the heavy use of a single source.⁵¹ Whatever the reason, his dependence on Cicero is clear. The story of Damon and Phintias won its place in a collection of anecdotes suitable for use in the declamation hall on the grounds that Valerius Maximus had found the tale in a work written by Cicero.

The final step in an analysis of how Valerius Maximus made use of Ciceronian source material in his text is to attempt to gauge how often borrowings such as those set out above actually appear in the *Facta et Dicta Memorabilia*. Since the completion of Kempf's edition of a full text of Valerius Maximus in 1854, a great deal of work has been done on the *Quellenforschung* of the *Facta et Dicta Memorabilia*.⁵² As David Wardle has pointed out in his 1998 commentary, *Quellenforschung* rarely permits many certainties.⁵³ One thing we can say with some confidence, however, is that alongside Livy, Varro and Pompeius Trogus, Cicero was Valerius Maximus' favourite source.⁵⁴

⁵⁰ Other sources reveal that it was Phintias who was to be executed upon suspicion of conspiring against the tyrant's life.

⁵¹ For ancient methods of composition, see: Pelling (2002), esp. pg. 23-4, 52-3, 65-8. For Valerius Maximus' mode of composition, see: Bloomer (1992) pg. 11-146; Wardle (1998), pg. 15-8.

⁵² Kempf (1854); Elschner (1864); Zschech (1865); Dirksen (1871); Kranz (1876); Krieger (1888); Maire (1899); Thormeyer (1902); Klotz (1909); Bosch (1929); Ramelli (1936); Helm (1939); Helm (1940); Klotz (1942); Bliss (1951); Fleck (1974); Maslakov (1984); Bloomer (1992), pg. 59-146; Wardle (1998); pg. 15-8.

⁵³ Wardle (1998), pg. 15.

⁵⁴ Carter (1975), pg. 38; Wardle (1998), pg. 16.

The exercise above on Damon and Phintias could be repeated for a great many of the *Facta et Dicta Memorabilia*.

Although there is no particularly elegant way of setting out the data from an investigation of Cicero's influence on this text, we can see from an analysis of just the first book that the borrowings detailed above were part of a much more widespread pattern of usage on the part of Valerius Maximus:

Val. 1.1.3 = *Nat. Deo.* 2.10; Val. 1.1.ext.3 = *Nat. Deo.* 3.83; Val. 1.1.ext.9 = *Div.* 1.81; Val. 1.4.1 = *Div.* 1.32; Val. 1.4.3 = *Nat. Deo.* 2.7; Val. 1.4.4 = *Div.* 2.71; Val. 1.4.ext.2 = *Div.* 1.26, 2.20; Val. 1.5.3 = *Div.* 1.103; Val. 1.5.4 = *Div.* 1.104, 2.83; Val. 1.6.3 = *Div.* 1.100; Val. 1.6.4 = *Div.* 1.72, 2.65; Val. 1.6.13 = *Div.* 1.119; Val. 1.6.ext.2-3 = *Div.* 1.78, 2.66; Val. 1.7.4 = *Div.* 1.55; Val. 1.7.5 = *Div.* 1.59, 2.136-7; Val. 1.7.6 = *Div.* 1.56; Val. 1.7.ext.1 = *Div.* 1.49; Val. 1.7.ext.3 = *Div.* 1.56, 2.135; Val. 1.7.ext.7 = *Div.* 1.39; Val. 1.7.ext.8 = *Div.* 1.50; Val. 1.7.ext.9 = *Div.* 2.143; Val. 1.7.ext.10 = *Div.* 1.57; Val. 1.8.1 = *Nat. Deo.* 2.6, 3.11; Val. 1.8.12 = *Div.* 1.30; Val. 1.8.ext.1 = *Rep.* 6.3; Val. 1.8.ext.7 = *de Orat.* 2.352-3; Val. 1.8.ext.8 = *Fat.* 5; Val. 1.8.ext.9 = *Fat.* 5; Val. 1.8.ext.10 = *Div.* 1.47; Val. 1.8.ext.16 = *Fat.* 5; Val. 1.8.ext.18 = *Nat. Deo.* 2.126.

Although a fuller investigation of the interactions between Livian and Ciceronian material in Valerius Maximus' *exempla* would lead to a more nuanced picture of his reliance on Cicero, the above dataset effectively reveals the intimacy of the relationship that existed between the two authors.

By following this four-step analysis of Cicero's influence on the *Facta et Dicta Memorabilia*, we can be confident in stating that Valerius Maximus' project rested on a truly fundamental level on the life and works of Cicero. Moreover, it would appear that as far as Valerius Maximus was concerned, a story gained its canonical status, and so was rendered suitable to imperial declamation, by its very appearance in a Ciceronian text.⁵⁵

Putting Exempla into Practice

At this point it would be worth giving a brief analysis of precisely how Valerius Maximus moulded his Ciceronian source material into the *exempla* that are preserved in his text. This should both give us an insight into how he conceived his project, and moreover allow us to hypothesize why Cicero mattered so much to him as a source for his *Facta et Dicta Memorabilia*. In order to make such an analysis, I will return to the two texts looked at above on the friendship of Damon and Phintias.

In spite of the obvious similarities between these two texts, it is clear that substantial adaption has taken place. The most obvious difference between the two is their respective size: the *exemplum* as told by Valerius Maximus is almost twice as long as Cicero's version. The lack of context given in the *de Officiis* is one explanation for this. Where Cicero used this anecdote as part of a broader narrative on the duties that exist between friends, Valerius Maximus is telling a free-standing tale: passing details

⁵⁵ Bloomer (1992), pg. 6-7.

cannot be brushed over without explanation, and as such the overall account is fleshed it out.

However, this is not the only example. The middle sentences of the account are in fact the part that really bulk up Valerius Maximus' story: they alone are almost the size of Cicero's version:

solutus erat periculo mortis qui modo gladio ceruices subiectas habuerat: eidem caput suum subiecerat cui securo uiuere licebat. igitur omnes et in primis Dionysius nouae atque ancipitis rei exitum speculabantur. appropinquante deinde finita die nec illo redeunte, unusquisque stultitiae tam temerarium sponsores damnabat. at is nihil se de amici constantia metuere praedicebat.⁵⁶

This section does not appear in any recognizable form in other surviving accounts of the story and seems to be an entirely original composition. While the narrative of the tale as a whole owes a great deal to the moralizing historical tone of the *de Officiis*, this specific passage is first and foremost a rhetorical creation. Rather than adding information vital to the action, background or ethics of the story, this passage throws around rhetorically neat and balanced phrases summarizing what has been said. It weighs up the lots of the two friends, highlights the reversal of their situations, and contrasts the reactions of the court and the friend.

⁵⁶ Val. 4.7.ext.1.

The natural home for such material is the declamation hall. As described above, the task of the declaimer was to take familiar tales like this one as *exempla* and use them to demonstrate rhetorical prowess. We can see a glimpse of this here. A declaimer confronted with an exercise centred on friendship could use the *exemplum* of Damon and Phintias that he had picked up from the *Facta et Dicta Memorabilia* (secure in the knowledge that its Ciceronian heritage would guarantee that it would not alienate the audience) and apply some of the suggested rhetorical moves found in this middle section.

Recognizing the process by which the source material is converted into a usable declamatory *exemplum* is central to understanding what the *Facta et Dicta Memorabilia* does with Cicero. The conversion of tales drawn from a Ciceronian source into a serviceable *exemplum* replete with neat moral and rhetorical possibilities is the process Bloomer refers to when he discusses the “technique of abstraction” found in this text.⁵⁷

Conclusion

Valerius Maximus’ veneration of Cicero’s texts as repositories of *res Romanae* has important consequences for our understanding of the influence Cicero exerted over the entire early imperial period. Valerius may have lived and worked under the Principate of Tiberius, but the declamatory world in which he resided had been given its shape and form under Augustus. Taking on board Migliario’s recent work on the importance of interpreting Cicero’s appearance in declamation as a specifically

⁵⁷ Bloomer (1992), pg. 40-58.

Augustan phenomenon, we should discard any notion that Cicero's importance to Valerius might have been a sudden Tiberian innovation.⁵⁸

There are two reasons why we should take declamation seriously when assessing the culture of imperial Rome. The first is a consideration of the fact that this was an elite activity. In spite of an oft-noted tendency towards the subversive, those involved in declamation (both in terms of participants and audience) were firmly ensconced among the elite.⁵⁹ Moreover, the issues discussed in these admittedly outlandish declamations were, in fact, deeply Roman. In Mary Beard's words, these rhetorical exercises:

Construct[ed] a fictional world of 'traditional tales' for negotiating and re-negotiating the fundamental rules of Roman society... [and] offer an arena for learning, practising and recollecting what it is to be and think Roman.⁶⁰

The declamation hall, then, was important as an arena for the collective discussion of the cultural values and identity of Rome's elite.

The second reason for taking declamation seriously is possibly even more important. As noted above, the declamation hall was a crucial part of the education of the ascendant youth of the empire's *domi nobiles*, a group rapidly becoming the most important demographic in Augustan Rome.⁶¹ These young men found their footing in

⁵⁸ Migliario (2008) notes this phenomenon in his discussion of Cicero's rehabilitation in post-Triumviral Rome.

⁵⁹ For a subversive view of declamation, see: Connolly (2007), pg. 237-61. For Cicero's subversive potential, see: Sen. *Contr.* 7.2; pg. 259-260.

⁶⁰ Beard (1993), pg. 56.

⁶¹ Beard (1993), pg. 53-6.

Rome and discovered the city's culture through the lens of declamation. Valerius Maximus' insistence that Cicero had to be at the heart of this exercise is a matter of great significance.

In one sense it is significant because it means that the men who would grow up to hold sway in the Mediterranean had constructed their ideas about empire from Cicero. However, even before these youths came of age and were still performing these rhetorical exercises, the declamation hall was spreading the influence of the Ciceronian oeuvre as a force shaping the definition of Rome. The extraordinary prominence of declamation in this period creates a feedback loop. The concept of Rome that the young elite constructed (directly and indirectly) from Cicero was broadcasted via Rome's declamation halls into society at large where it could be interrogated and re-interrogated in a collective act of Roman self-definition.⁶²

By this process, Cicero became the constitutive material of the culture of Augustus' *res publica restituta*; the same *res publica restituta* whose creation had arguably necessitated his death in 43 BC. Valerius Maximus' miscellany of Romano-Ciceronian tales is both crucial testimony to that phenomenon and a means by which it was accomplished. To complete this analysis, we must now turn to what the declaimers produced from this material and consider how they used the historical figure of Cicero in their declamatory definition of the world.

⁶² This formulation is similar to the circulatory model of 'Romanization' and 'Hellenization': Wallace-Hadrill (2008), pg. 370.

Chapter 6

(De)Claiming Cicero

Introduction

The above analysis of the *Facta et Dicta Memorabilia* shows us in no uncertain terms that Cicero was a significant figure for the declaimers. His works were widely read, his historical anecdotes were canonical, his biography was common knowledge, and he himself figured prominently as an *exemplum*. I would now like to focus upon Cicero's exemplary status as a historical figure. Seneca the Elder's works on declamation (the *Suasoriae* and the *Controversiae*) provide us with unique evidence of the actual words of the early imperial declaimers. By using these texts we can advance beyond the conclusions drawn from Valerius Maximus and progress from an appreciation of the Ciceronian ingredients of imperial declamation to a consideration of how these ingredients manifested themselves in the finished product.

As with the previous chapter, we encounter the issue of relying on a Tiberian source for information on the entirety of early imperial declamation.¹ Where Valerius Maximus' link to the Augustan age was largely bound up with the Augustan nature of the declamatory tradition he worked from, Seneca's is based upon personal

¹ The division between the Augustan and the Tiberian age is rather artificial. In its extremes, however, it cannot be denied that it is problematic to rely on sources from the 30s A.D. to inform us about events in the 30s BC.

experience.² *Memoria* holds centre stage in Seneca the Elder's declamatory works; it is to be the time capsule for the declamatory culture of his youth:

ex parte enim bene spero: nam quaecumque apud illam aut puer aut iuuenis deposui, quasi recentia aut modo audita sine cunctatione profert; at si qua illi intra proximos annos commisi, sic perdidit et amisit, ut, etiamsi saepius ingerantur, totiens tamen tamquam noua audiam. ita ex memoria mea quantum uobis satis sit superest; neque enim de his me interrogatis quos ipsi audistis, sed de his qui ad uos usque non peruenerunt.³

The Augustan nature of this work, then, is the key to understanding it: this is a text written in the Tiberian age specifically about Augustan declamation.⁴ Seneca sets himself up as the living embodiment of the world of Augustan declamation. His purpose in writing was to preserve these cultural artefacts in a medium less perishable than human memory.

Memory Museum

It is not difficult to imagine why Seneca the Elder felt that preserving the world of declamation was a worthwhile activity. The level of social prominence accorded to the declamation hall in the Augustan age has been stated in the previous chapter. A section on Seneca, however, is the obvious place to discuss the truest sign of its social importance as an institution, since it is this text that reveals the degree of imperial

² Valerius Maximus, should he be at the older end of his spectrum of possible dates, is perfectly likely to have relied on personal experience of Augustan declamation too. This, however, cannot be proved.

³ Sen. *Contr.* 1.Pref.3-4.

⁴ Kaster (1998), pg. 251.

patronage that it received. The *locus classicus* for this phenomenon is found at *Controversiae* 2.4.12, a declamation on the subject of adopting a grandchild born from a prostitute.⁵ In this section, Seneca describes the declaimer Latro making a risqué remark about social-climbing not only in the presence of Augustus, but also (unfortunately for the poor declaimer) in the presence of his right-hand man, the imperial arriviste Agrippa.

The anecdote is popular for two reasons. First, it offers very clear proof of the emperor's attendance at these events and patronage of them. Secondly, it offers an example of the emperor's presence acting as a brake on free speech – the declamation is swiftly shut down in light of Latro's remark. This is not the only place in which the emperor's presence at a declamation is made explicit, but its relevance to the issue of imperial free speech makes it the most frequently cited example.⁶

Interesting example of imperial participation in declamation though this may be, there is a second tier of Senecan anecdotes relating to the emperor's relationship with declamation that bears witness to a more intimate connection. The first concerns Augustus' ability to turn a witty phrase on a skilled improviser:

hic est L. Vinicius quo nemo civis Romanus in agendis causis praesentius
habuit ingenium: quidquid longa cogitatio alii praestatura erat, prima
intentio animi dabat; ex tempore causas agebat, sed non desiderabat hanc

⁵ Cf. Fairweather (1981), pg. 6.

⁶ For the emperor's presence elsewhere in the text, see: Sen. *Controv.* 6.8.

commendationem, ut ex tempore agere videretur. de hoc eleganter dixit diuus Augustus: 'L. Vinicius ingenium in numerato habet.'⁷

The second preserves an Augustan criticism of a speaker's rhetorical style:

declamabat autem Haterius admisso populo ex tempore: solus omnium Romanorum, quos modo ipse cognoui, in Latinam linguam transtulit Graecam facultatem. tanta erat illi uelocitas orationis ut uitium fieret. itaque diuus Augustus optime dixit: 'Haterius noster sufflaminandus est.'⁸

The third remark relates Augustus' praise of a declaimer he had often heard speak in Spain:

bene declamauit Gaius Silo, cui Caesar Augustus, cum frequenter causas agentem in Tarraconensi colonia audisset, plenum testimonium reddidit; dixit enim: "numquam audiui patrem familiae disertioem." erat qui patrem familiae praeferret, oratorem subduceret: partem esse eloquentiae putabat eloquentiam abscondere.⁹

Finally, the fourth anecdote gives a more extended account of the relationship between a Greek declaimer and the emperor:

hic est Craton, uenustissimus homo et professus Asianus, qui bellum cum omnibus Atticis gerebat. cum donaret illi Caesar talentum, in quo uiginti quattuor sestertia sunt Atheniensium more: ἡ πρόσθετος, φησίν, ἡ ἄφελ', ἵνα

⁷ Sen. *Contr.* 2.5.20.

⁸ Sen. *Contr.* 4.Pr.7.

⁹ Sen. *Contr.* 10.Pr.14.

μὴ Ἀττικὸν ἦ. Hic <et> Caesari, quod illum numquam nisi mense Decembri
audiret, dixit: ὡς βάλυνω μοι χοῦ; et cum commendaretur a Caesare
Passieno nec curaret, interroganti quare non conplecteretur tanti uiri
gratiam: ἡλίου καίοντος λύχνον οὐχ ἄπτω.¹⁰

While the first set of examples need demonstrate no greater connection between Augustus and the declamation hall than the indifference Julius Caesar famously showed to the arena, this second set shows him acting more like himself.¹¹ He does not just watch the spectacle, he engages with it.¹²

Although we need not imagine that Augustus was frequently seen attending all of Rome's main declamatory schools, we can see from the quotations above that even the emperor had immersed himself deeply in the world of declamation, to the extent that he had his own opinions on the style of individual declaimers, and appeared to have a regular annual schedule for listening to certain declaimers.

Seneca's text also abounds with other noble figures noted for their patronage of declamation.¹³ This work provides us with crucial and direct evidence of how members of the Augustan elite defined themselves and their world. In what follows, I will examine a particularly prominent declamatory theme, a story that we have

¹⁰ Sen. *Contr.* 10.5.21f.

¹¹ For the contrast between the inattentive Julius Caesar and the enthusiastic Augustus, see: Suet. *Div. Aug.* 45.

¹² This textual evidence is not without its attendant complications: Seneca had his own specific reasons for pushing the social worth of declamation. Cf. pg. 288-291.

¹³ Most prominently Asinius Pollio. The fact that a man with such a studied noble *persona* as Pollio felt able to engage so deeply with declamation is in itself evidence of its prominence in the life of the elite: Morgan (2000). Pollio will be studied in greater depth in the next chapter: pg. 281-287.

already seen to have been particularly popular with the imperial elite: the story of how Cicero met his death.¹⁴

Cicero Must Die

Seneca preserves three declamations about Cicero: one is a *Controversia* (7.2), while the other two are *Suasoriae* (6 and 7). For a work that ranges so widely in search of historical *exempla* and in a genre otherwise so concerned with fictional characters in unlikely situations, Cicero's position is a unique and remarkable one. What is even more surprising is the fact that the declamations' topics are not spread evenly through Cicero's life: all three focus on his death. Here are the introductions given to each. First the *Controversia*:

Popillium parricidii reum Cicero defendit; absolutus est. proscriptum Ciceronem ab Antonio missus occidit Popillius et caput eius ad Antonium rettulit. accusatur de moribus.¹⁵

Then the first of the two *Suasoriae*:

deliberat Cicero an Antonium deprecetur.¹⁶

And then the second:

deliberat Cicero an scripta sua comburat, promittente Antonio incolumitatem si fecisset.¹⁷

¹⁴ For the prominence of Cicero's death in the historiography of the early empire, see: pg. 136-200.

¹⁵ Sen. *Contr.* 7.2.

¹⁶ Sen. *Suas.* 6.

¹⁷ Sen. *Suas.* 7.

None of these three declamation topics could be said to be anchored too firmly in the historical reality of Cicero. All would work equally well with an invented or unnamed character confronting his death at the hands of one tyrant or another.

A study of these declamations needs to question why it was specifically the death of Cicero that was repeatedly invoked by the declaimers, and precisely what broader tropes are raised in discussions of this semi-mythical scenario. In order to examine the broad themes that are being raised in each Ciceronian declamation, the rest of this chapter will give each exercise a separate treatment. A combination of all three should provide us with crucial information about what Cicero meant to the declaimers of the early imperial period.

Monumentum Aere Perennius

I would like to begin with what is probably the most widely-known declamatory exercise in Seneca the Elder's corpus, the seventh *Suasoria*:

Antony promises to spare Cicero's life if he burns his writings: Cicero deliberates whether to do so.

It hardly needs saying that the situation under discussion is entirely fictional. Not only is this obvious to us, but it is hard to believe that it was not also apparent to the declaimers. But if this story about Cicero is not real, why did someone feel the need to invent it? To answer that question, we should look at what the declaimers did with this rhetorical springboard. Take, for example, Cestius Pius' *color*:

intellexit Antonius saluis eloquentiae monumentis non posse Ciceronem
mori.¹⁸

This *sententia* could be applied to any orator. Moreover, if *ingenii* were substituted for *eloquentiae*, it could be used of artists of any genre. Why was it that Cicero and Antony were specifically called upon to moor this theme to reality? One fairly obvious reason can be found in the most familiar piece of word-association connected with Cicero. In Pliny the Elder's words, Cicero was the *facundiae Latiarumque litterarum parens*.¹⁹

This conception of Cicero does not lack support in the seventh *Suasoria*. Below is Arellius Fuscus the Elder's *color*:

quoad humanum genus incolume manserit, quamdiu suus litteris honor,
suum eloquentiae pretium erit, quamdiu rei publicae nostrae aut fortuna
steterit aut memoria durauerit, admirabile posteris uigebit ingenium
<tuum>, et uno proscriptus saeculo proscribes Antonium omnibus. crede
mihi, uilissima pars tui est quae tibi uel eripi uel donari potest; ille uerus est
Cicero, quem proscribi Antonius non putat nisi a Cicerone posse.²⁰

This could (with good reason) be seen as the obvious argument to take on this declamatory theme: a variously Horatian or Theognidean musing upon the immortal nature of art in contrast to the brevity of life.²¹ Cicero, as can be seen from the preface to the first book of the *Controversiae*, was revered in this period as the personification

¹⁸ Sen. *Suas.* 7.2.

¹⁹ Plin. *Nat. Hist.* 7.117.

²⁰ Sen. *Suas.* 7.8.

²¹ Hor. *Carm.* 3.30; Theog. 1.19-26.

of artful eloquence.²² It should be entirely natural that a declaimer in the Augustan age searching for a great artist who might have been in a position to make a choice between mortal life and immortal art would have thought of the proscribed Marcus Tullius Cicero.²³

However, what is most interesting in this *Suasoria* is the fact that this seemingly obvious *color* is not the most common one. Most of the declaimers preserved here follow a different line of argument, one which even the declaimer quoted above uses to conclude the snippet preserved for us by Seneca. The most common *color* concerns the last generation of the Roman Republic. Consider (in contrast to Fuscus' *color*) this argument from Cestius Pius' declamation:

si occidetur Cicero, iacebit inter Pompeium patrem filiumque et Afranium, Petreium, Q. Catulum, M. Antonium illum indignum hoc successore generis; si seruabitur, uiuet inter Ventidios et Canidios et Saxas: ita dubium est utrum satius sit cum illis iacere an cum his uiuere?²⁴

One thing that this *color* presupposes is some qualitative difference between the characters who populated the Republic and those of the Empire. This terminology of Republic versus Empire is certainly our own, but Cestius Pius seems at the very least to be working with a similar notion that the civil war of the 40s and 30s BC marked a

²² Sen. *Controv.* 1.Pr.6-13.

²³ For other declamatory uses of this trope, see: Sen. *Suas.* 7.4, 7, 10. Cf. Kaster (1998).

²⁴ Sen. *Suas.* 7.3.

significant watershed in Roman history.²⁵ It would appear to be this context that rendered Cicero such an appropriate figure for the declaimers when it came to discussing the moral issue contained in this *Suasoria*.

This *color* was certainly not offered by Cestius Pius alone. Quintus Haterius, the declaimer with whom Seneca introduces this *Suasoria*, makes the same point:

pendet nefariae proscriptionis tabula: tot praetorii, tot consulares, tot equestris ordinis uiri periere; nemo relinquitur, nisi qui seruire possit.

nescio an hoc tempore uiuere uelis, Cicero; nemo est, cum quo uelis.²⁶

This declamation, through its connection with Cicero, is granted an extra layer of meaning beyond any other rumination upon the *ars longa, uita breuis* trope. Regardless of how individuals viewed the more narrowly 'political' element of the Roman Revolution, the extraordinarily high death toll among the Republican elite during the civil wars and proscriptions gave these years an important place in the communal Roman psyche.

It is this national trauma that we find reflected in Haterius' declamation, and it is Cicero's unique role in it that makes him so powerful a mode of expression. In many ways, Cicero is seen in modern scholarship as playing the part of the last vestige of the old Republic to be swept away by the civil wars, and there are many reasons for thinking that he was similarly viewed in the Augustan age.²⁷

²⁵ For an imperial identification of 'the Roman Republic' as something lost with the civil wars, see: Gowing (2005); Wilkinson (2012).

²⁶ Sen. *Suas.* 7.1. Other declamations making use of this theme are found at: Sen. *Suas.* 7.4, 5, 6, 8, 9.

²⁷ For this last generation, see: Gruen (1974), pg. 1-5.

One reason for this is that it matches Cicero's self-presentation in his final years. His frequent assertions of his old age in the second Philippic, for example, cannot but convey the impression that his generation was passing.²⁸ Coupled with a foreknowledge of the end result of Cicero's struggle with Antony, it is difficult from any perspective not to think of Cicero as the last gasp of the Republican old guard.

In this sense, Cicero stands as synecdoche for more than just artful eloquence. He personifies that bloody juncture between the Republic and the Empire. This was one of the reasons why Cicero's life (or, more accurately, his death) proved to be such fertile ground for the declaimers. *Suasoria 7* is a perfect example of this practice. The exercise does not *require* the presence of Cicero; it is, after all, only an implausible fiction about him that is being debated. Cicero's presence in the declamation is contrived, but contrived in such a way that we can see something of what Cicero meant to the declaimers and to their audiences.

In analysing these rhetorical showcases we need to question *why* Cicero has been introduced. In this case we can point to his exemplary status as The Last of the Republicans. Through this theme, the declaimers were able to explore not just the eternal questions of the value of life and the immortality of art, but they could also address the much more pressing contemporary issue of what it means to live (and die) as a member of the Roman elite. Through Cicero, the declaimers were debating the death of a figure whose passing called to mind the recent social, political and cultural

²⁸ *Phil.* 2.1, 118-9.

revolution, a revolution whose fallout the declaimers and their audiences were still living with and negotiating.

Woe to the hand that shed this costly blood!

The very fact that *Suasoria* 6 has a place in Seneca's text at all says a lot for the power Cicero held over the declamatory imagination. The difference between this declamation (*Cicero debates whether or not to beg Antony's pardon*) and *Suasoria* 7 is minimal – it looks like an underdeveloped version of its successor. This should draw our attention: the inclusion of two lengthy *Suasoriae* on essentially the same topic is indicative of both how much the declaimers had to say about Cicero and how important Seneca the Elder thought this topic was to the institution as a whole.²⁹

In light of this similarity, it is surprising how little repetition there is between the two exercises. Interestingly, what repetition there is comes from the same sources. Arellius Fuscus, for example, who used the *color* “*admirabile posteris uigebit ingenium tuum*” in the seventh *Suasoria*, has this to say in the sixth:

immortalis humanorum operum custos memoria, qua magnis uiris uita
perpetua est, in omnia saecula sacratum dabit.³⁰

While Quintus Haterius (“*nemo relinquitur, nisi qui seruire possit*”) uses this familiar *color*:

intrare autem tu senatum uoles in quo non Cn. Pompeium uisurus <es>,
non M. Catonem, non Lucullos, non Hortensium, non Lentulum atque

²⁹ For this prominence as more than just a Senecan phenomenon, see: Kohl (1915).

³⁰ Sen. *Suas.* 6.5-6; cf. 7.8.

Marcellum, non <tuos>, tuos, inquam, consules Hirtium ac Pansam? Cicero,
quid in alieno saeculo tibi? iam nostra peracta sunt.³¹

Notable though these similarities are, they are isolated examples within a much larger set of *colores*. By and large the declaimers display a different set of concerns when debating this *Suasoria*.

Although Cicero is very certainly the main figure in this declamation (the declaimers are, after all, offering advice to him), the emphasis seems to lie rather more heavily on the villainy of Mark Antony. Porcius Latro captures the tone nicely:

uidebis ardentis crudelitatis simul ac superbia oculos; uidebis illum non hominis sed belli civilis uultum; uidebis illas fauces per quas bona Cn. Pompei transierunt, illa latera, illam totius corporis gladiatoriam firmitatem; uidebis illum pro tribunali locum, quem modo magister equitum, cui ructare turpe erat, uomitu foedauerat: supplex accidens genibus deprecaberis? eo ore cui se debet salus publica humilia in adulationem uerba summittes?³²

Latro does not forget that Cicero is his addressee in this *Suasoria*, but the quoted portion of the speech has far more to say about his adversary.

Although the object of the *Suasoria* was to learn how to debate both sides of a case, none of the examples given in Seneca's text seek to persuade Cicero to beg for mercy, as Seneca himself notes.³³ The tone is one that universally condemns Antony

³¹ Sen. *Suas.* 6.1; cf. 7.1

³² Sen. *Suas.* 6.3.

³³ *alteram partem pauci declamauerunt*: Sen. *Suas.* 6.12.

as a monstrous tyrant. The *uariatio* lies largely in the selection of ways in which it could be argued that Antony was the vilest human being ever to walk the earth. This *Suasoria* runs the gamut from enumerating his past wickedness (as above) to speculating that Antony wanted Cicero to come and beg for mercy so that he might capture and torture him.³⁴

In part, Cicero could be seen as rather irrelevant to this exercise: if the aim was simply to blacken Antony's reputation, then it might be argued that Cicero is only invoked because he was Antony's most prominent victim.³⁵ There is, however, more to Cicero's appearance than that, more even than the 'rehabilitation' described by Migliario.³⁶ In an important sense, Cicero was never fully Antony's victim. These declamations are proof of just how far Cicero could (after his death) turn the tables on Antony. In conjunction with Latro's words above, consider Triarius' *color*:

'quae Charybdis est tam uorax? Charybdim dixi, quae, si fuit, animal unum fuit. uix me dius fidius Oceanus tot res tamque diuersas uno tempore absorbere potuisset.' huic tu saeuienti putas Ciceronem posse subduci?³⁷

This declamation gives us not just a condemnation of Antony, but Cicero's condemnation of Antony from the second Philippic.³⁸ The use of quotation marks in the version above makes the allusion very clear. In its original form, however, (both in

³⁴ Sen. *Suas.* 6.10.

³⁵ Fairweather (1991), pg. 84-5.

³⁶ Migliario (2008).

³⁷ Sen. *Suas.* 6.5.

³⁸ *Phil.* 2.67.

oral delivery and written without punctuation) this would not have been so obvious. Without any markers of reported speech, the effect is far closer to a blending of the personalities of the declaimer and Cicero.³⁹ Triarius is not alone in this rhetorical move: Pompeius Silo, Cestius Pius, Argentarius and Porcius Latro (rather living up to his name) all purloin parts of the Philippics and work them into their *colores*.⁴⁰

The melding of the declaimer's voice with that of Cicero has several effects on Seneca's text. Not least among these is the air of respectability and quality that it confers upon the declaimers and upon declamation more broadly. A connection with the oratory of the political elite (and, indeed, with that of its most famous practitioner) adds to the impression that the declamatory institution held a central place in Roman life in the early imperial era. This is an impression that the Tiberian Seneca was especially keen to promote, and there is no reason to suppose that this concern was alien to the Augustan declaimers.⁴¹ We might push this further and suggest that this melding indicates a kinship between Cicero and the exercise of declamation.⁴² The very act of speaking, it would seem, could be enough to bring Cicero to mind. Indeed, as long as public speech was connected to *libertas*, as it is overtly in this *Suasoria*, Cicero (who had closely connected with himself with this concept in the Philippics) could not be far away.

³⁹ For the artistic effects of Roman reported speech, see: Feeney (2011).

⁴⁰ Sen. *Suas.* 6.3 = Cic. *Phil.* 2.63f.; Sen. *Suas.* 6.3 = Cic. *Phil.* 2.63f.; Sen. *Suas.* 6.3 = Cic. *Phil.* 1.38, 2.64; Sen. *Suas.* 6.7 = Cic. *Phil.* 2.69, 77. Cf. Kaster (1998), pg. 253-4.

⁴¹ Bloomer (1998).

⁴² For an analysis of Seneca's prefatory attempt to link Cicero with the origins of declamation (*Contr.* 1.Pr.12), see: Feddern (2013), pg. 7-35.

This *Suasoria* is a great success in these terms. The theme being debated was absolutely central to both Roman history and the contemporary world of Augustus' Principate. Beyond even that, the issues at stake were some of the most live political topics there were: civil war, tyranny and *libertas*. That these topics were being debated in the open suggests a special position for declamation in Augustan culture. That the debate should be constructed from Cicero's own words only adds to the impression of its gravitas and importance. It is through this elision of the words of Cicero and the declaimer that the institution can be presented as being in some sense a continuation of Republican political oratory.

We should, however, shy away from claiming that these Ciceronian moments in the declamation hall represented some sort of outbreak of anti-establishment Republicanism.⁴³ A very major aspect of this *Suasoria* could only be described as quintessentially Augustan: at the core of this declamation is a rhetorical exercise based on dragging Antony's name through the dirt. Albucius may have caused some disquiet by his reference to the fact that Cicero could have expected no support from the other Triumvirs, but the combined effect of the *colores* that Seneca has gathered together is to lay the blame for Cicero's death squarely at Antony's door, leaping nimbly over Augustus' own complicity in the act.

⁴³ For anti-establishment declamation, see: Connolly (2007), pg. 237-61.

The Sins of Popillius

A consideration of who should be held responsible for Cicero's death leads us neatly onto the third declamation on Cicero's death. This one, however, is not a *Suasoria*. Rather than advising on a given situation, Seneca presents the reader with a mock trial: the prosecution and defence of the man accused of murdering Cicero. This is not, however, a murder trial. It is instead an *actio de moribus*; something the declaimers treated as rather unusual. As Porcius Latro put it:

pro di boni! occisum Ciceronem malos mores uoco!⁴⁴

Popillius, as we have seen in the previous section on the historiography of Cicero's death, was popularly reckoned to be the man who had been sent by Antony to execute the proscribed Cicero. He was believed to have carried out his orders, in spite of the debt he owed Cicero for acquitting him from a charge of parricide years earlier.⁴⁵

We should be sceptical about the possibility of recovering any information of much historical worth from these declamations.⁴⁶ Seneca himself attempts to debunk the Popillius-element of the declamation as a myth:

Popillium pauci ex historicis tradiderunt interfectorem Ciceronis et hi quoque non parricidi reum a Cicerone defensum, sed in privato iudicio: declamatoribus placuit parricidi reum fuisse.⁴⁷

⁴⁴ Sen. *Controv.* 7.2.1.

⁴⁵ For Popillius' appearances in historiography, see: pg. 180-186.

⁴⁶ Roller (1997); Wright (2001). See also, Bonner (1949), pg. 124.

⁴⁷ Sen. *Controv.* 7.2.8.

The arguments made by Roller, Wright, Seneca *et al.* on what Popillius can tell us about the history of Cicero's death have been covered already and do not need to be rehashed. I would like to focus on the implications that the Popillius-fiction has for understanding what the declaimers were doing with Cicero in this *Controversia*.

Attention is shifted from the murder itself to the manner in which it was committed. It would be a misunderstanding of this declamatory exercise to imagine that it is Cicero's murder alone that is at stake, although revulsion at Cicero's murder was far from alien to the declaimers' concerns. Quintus Haterius' *color* exemplifies this well:

qui modo Italiae umeris relatus est, nunc sic a Popillio refertur? proposito
in rostris capite Ciceronis, quamuis omnia metu tenerentur, gemitus tamen
populi liber fuit.⁴⁸

The evocation of horror at the event is unmistakable, an effect partially achieved by a verbal echo of Cicero's description of the auction of Pompey's property in the second Philippic.⁴⁹ But whereas in the *Suasoriae* the terrible prospect of Cicero's death was used as a club with which to beat Antony or as a metaphor for the passing of the Republic, here such concerns are generally treated as side-issues. What concerns the declaimers here is the relationship between Cicero and his fictional killer, a fiction that gave the declaimers a free hand to do what they wished with his character. There is a

⁴⁸ Sen. *Controv.* 7.2.5.

⁴⁹ *Phil.* 2.64.

twofold focus to the mythology that the declaimers created around Cicero's death: the themes of betrayal and parricide.

Context is crucial to understanding this choice of direction. The fact that Cicero had been proscribed rather closes off the avenues for discussing the criminality of the murder. As Porcius Latro explains:

statim illo ueniendum est ad quod properat auditor; nam in reliquis adeo bonam causam habet Popillius ut, detracto eo quod patronum occidit, nihil negoti habiturus sit; patrociniū eius est ciuiliū belli necessitas. itaque nolo per illos reū gradus ducere, quos potest totus euadere. licuit enim in bello et ciuem et senatorem et consularem occidere, ne in hoc quidem crimen est, quod Ciceronem, sed quod patronum.⁵⁰

The general legality of the proscriptions is not the story the declaimers are particularly interested in telling. There is some similarity between the declaimers' response to this exercise and the *Laudatio Turiae*: both use the proscriptions as a medium through which ideas about love, duty and loyalty can be proved and shown to the world. The difference, of course, is that while the grateful husband praises Turia's conduct, the declaimers choose to heap opprobrium upon Popillius' manifest failure as a client.

Argentarius gives a fairly representative view of what the declaimers have to say on the subject of Popillius' execution of his patron:

⁵⁰ Sen. *Controv.* 7.2.8. Julius Bassus makes a joke out of this at 7.2.5.

impius est, ingratus est, audeo dicere: parricida; sensit qui defenderat. respice forum: hic sub Cicerone sedisti; respice rostra: hic supra Ciceronem stetisti. quantum eloquentia tua, Cicero, potuit! Popillius de moribus reus est. abscidit ceruices loquentis: haec est absoluti clientis post longum tempus salutatio. parce iam, quaeso, Popilli: nihil tibi nisi occidendum Ciceronem mandavit Antonius. duo fecit parricidia, quorum alterum audistis, alterum vidistis.⁵¹

The rhetorical device employed here is one of contrast: setting Popillius' nefarious murder in the present against Cicero's good deeds to him in the past.

This tactic can be seen in many of the *colores* in this section of the text, and it forms the basis of how the declaimers dealt with this theme. Seneca even preserves a quip from Murreddius who took the trope to the point of idiocy:

descripsit enim ferentem caput et manum Ciceronis Popillum et Publilianum dedit: Popilli, quanto aliter reus Ciceronis <tangebatur caput> et tenebas manum eius!⁵²

The predominant theme of this declamatory treatment is one of patrons and clients, and the strains placed on that most Roman of relationships by the civil wars and proscriptions. It was designed to confront the twin themes of treachery and society's disintegration. This is why Cicero's killer is configured as his client, as this shows a

⁵¹ Sen. *Controv.* 7.2.2.

⁵² Sen. *Controv.* 7.2.14. Seneca calls this a *stuporis sui nota*.

violation of the bonds of *officia* that held Roman society together, and why his previous crime was parricide, the most treacherous of crimes.

Conclusion

We should question why it was specifically the story of Cicero's death that was chosen as a means of negotiating this theme. Even if one takes into account the *in Pisonem* and some of the more paranoid of his letters, one would struggle to think of Cicero as a man whose life had been characterized by treachery. However much Cicero may have complained about knives in his back in the run-up to his exile, this was far from his quotidian experience. Beyond this, Cicero's death seems to be a particularly unusual place to introduce the idea of treachery. Cicero could not have been more open on the subject of his opposition to Antony, and no lesser authority than Livy tells us that the victorious Antony's proscription of Cicero was entirely predictable.⁵³

Be that as it may, there is one other early imperial document that places an emphasis on the element of treachery in Cicero's death. This is the pseudo-Ciceronian *Epistula ad Octavianum*, a rhetorical exercise in which it is imagined that Cicero wrote a letter to Octavian after the latter has forged an alliance with Mark Antony. Treachery hangs heavy in the air. In this section, 'Cicero' bitterly recalls how he had placed the hopes of the Republic in Octavian, before admonishing both himself and the *Princeps-to-be*:

⁵³ Sen. *Suas.* 6.22. The theme of betrayal is absent from the obituaries offered at *Suasoria* 6. However, they appear in the death notices, a development we attributed to the growing influence of declamation on the genre. Cf. pg. 174-200.

exstitisti tu uindex nostrae libertatis ut tunc quidem optimus: quod utinam
neque nostra nos opinio neque tua fides fefellisset!⁵⁴

We should be wary of pushing this link too zealously. However, it is disquieting to find so heavy an emphasis on betrayal in this approach to discussing Cicero's death. Who, after all, could really be seen to have betrayed Cicero besides Octavian?

Although it would be difficult to argue that the main function of this declamatory exercise was to implicate the emperor in Cicero's death, it is difficult not to call to mind the perfidious part played in it by the young Octavian. Declamation, however, was nothing if not polyphonic, and we should not expect to be able to tie down anything that was produced by that institution with any degree of certainty.

What we can say is that through this declamation we can mine a uniquely interesting seam of information on Augustan responses to Cicero's death. At one end of the spectrum the stories told by the declaimers about Cicero and Popillius reflect nothing more subversive than the fears of treachery which followed the hundreds of proscribed Romans as they took shelter from bounty hunters and the Triumvirs' soldiers.⁵⁵ At the other end, however, these stories reflect the uneasy position held by the emperor who was simultaneously the Augustus who had brought peace to the world and the Octavian who had helped create Rome's most recent and bloody civil war.

⁵⁴ [Cic.], *Oct.* 4; Lamacchia (1967).

⁵⁵ Appian collects the fullest narrative of the Triumviral proscriptions in the fourth book of his *Civil Wars* (1-56).

Stories about Octavian's attempts to save Cicero from the proscriptions suggest a level of unease with this aspect of recent Roman history.⁵⁶ *Controversia* 7.2 bears witness to the process by which the story of Cicero's murder was incorporated into Rome's collective mythology; an incorporation that was fully achieved when it entered the historiographical tradition under the Principate of Augustus' successor. This process, however, could not have started anywhere other than in the declamation hall. This tradition's refusal to settle upon a final draft made it particularly suited to the process of myth-making. What was produced there could never go stale or become irrelevant because it was perpetually undergoing change, always being challenged and refreshed each time a particular theme was debated. So long as Cicero's death was being studied in the declamation hall its meaning could not be fixed. Another response was not only always possible, it was expected.

One would be asking the wrong question if one were going to the declamation hall to ask for Augustan Rome's opinion of the death of Cicero. What one gets instead in Seneca's textual record of the institution is a range of possible responses, all existing in response to one another. Whatever answer is given, one has to imagine its polar opposite coming back in reply.

While we can look elsewhere in early imperial culture for more self-consciously concrete interpretations of Cicero's death, we can take away from these declamations some idea of the various ways in which it might be approached. The fact that Cicero's

⁵⁶ Plut. *Cic.* 46.5.

death was used in the early empire as a tool for approaching such timeless cultural, political and philosophical concepts as freedom, treachery, immortality and civil war can tell us a great deal about the power this event carried as a moment in Rome's history.⁵⁷

⁵⁷ For the timeless quality of Cicero's writings on these subjects, see: Gildenhard (2007a).

Chapter 7

Maximum Exemplum

Introduction

Cicero is lent a certain prominence by the frequency of his appearances in the declamatory snippets that make up Seneca's text. There is, however, another aspect of the *Controversiae* and *Suasoriae* that pushes him to the fore. We have seen in the previous chapter that Cicero serves as the centrepiece of two *Suasoriae* and one *Controversia* in his capacity as a statesman. It is in his capacity as an orator, however, that he dominates another part of these texts. In this final chapter on Cicero's role in the declamation halls, I would like to focus on precisely how this prominence manifests itself in the prologues Seneca wrote for each book of the *Controversiae*. These sections provide us with evidence for the variety of means by which Cicero was incorporated into the world of declamation, all the time reaffirming his centrality to that institution. These prologues are home to a variety of positive and negative readings of Cicero's reception in the early imperial period which can complicate and enrich the picture sketched out in the previous chapter.

Cicero's centrality should not be studied in isolation. This chapter will also look at how Seneca depicts Cicero's Republican contemporaries who struggle to gain a similar level of attention. With the sole exception of Cicero, the last generation of the Roman Republic (Julius Caesar, Crassus, Pompey, Clodius, Cato, Lucullus, etc.) remains almost invisible in the *Controversiae* and the *Suasoriae*. Before moving onto a

consideration of Cicero's supremacy in Seneca's text as a whole, this chapter will analyse what led his contemporaries to fall by the wayside.

It is beyond belief that Seneca the Elder, one of the many lost historians who wrote about the fall of the Roman Republic, was insufficiently versed in the lives and deeds of these figures to consider them worthy of inclusion in his rhetorical works.¹ Nor does it seem likely that declamations concerning these people simply did not exist. Persius in his third Satire, for example, holds up Cato's suicide as the ultimate hackneyed topic for declamation, while the *Facta et Dicta Memorabilia* is not exactly lacking in references to these figures.² It does not even seem possible to blame this absence on the fragmentary nature of Seneca's text. Not only does enough of this text survive intact for us to be very confident about the content of the work as a whole, but, more importantly, it is clear that the chunks missing from the text do not create broad swathes of empty space; they simply lead to certain declamations lacking the level of detail we find in others. If Seneca had dedicated equal amounts of space to Cicero and his contemporaries, we would know about it.

Cicero was the ultimate beneficiary of Seneca's decision to suppress any significant portraits of the figures who dominated the last years of the Republic. In order to understand the full implications of Cicero's elevation in this text to the role of spokesman for a generation, I will examine Seneca's treatment of two figures we might otherwise have expected to hold such a position: Cato and Pompey. An

¹ *FrRH* 74, F2. Seneca the Elder termed this period the *senectus* of the state.

² Pers. 3.44-7; Julius Caesar alone makes over 30 appearances in Valerius Maximus' text.

understanding of their absence should help to explain why Cicero was given such a position of prominence. This analysis should put us in a better position to understand the extended Ciceronian disquisitions in Seneca's prologues.

'The most brilliant victim of the storm of the civil war'

When making a comparison between Cato and Cicero in the course of his study of the abiding memory of the Republic in the early Empire, Alain Gowing pulls very few punches:

Cicero never did achieve precisely the same status as a moral and ethical *exemplum* on the order of, say, Cato the Younger.³

Ramsay MacMullen's *Enemies of the Roman Order* concurs and argues that Cato was presented in the imperial period as:

(T)he very type of virtue and the last defender of the Republic.⁴

Finally, Chaim Wirszubski deftly summarizes these positions in his study of *libertas* as a political idea:

Perhaps if republicanism mattered most, Cicero would have found an honourable place beside Cato and the liberators.⁵

³ Gowing (2005), pg. 111.

⁴ MacMullen (1967), pg. 5, 18-19. For a selection of his ancient evidence, see: Sen. *Ep.* 11.10; 95.70-1.; *de Const. Sap.* 2.2; Virg. *Aen.* 8.670; Tac. *Hist.* 4.8; Marc. Aur. *Medit.* 1.14; Luc. *Phars.* *passim*; Mart. 1.8.1f.; 9.27; Hor. *Carm.* 1.12.35; 2.1.21-2.

⁵ Wirszubski (1950), pg. 129.

Wirszubski's conclusion, of course, is that republicanism was not the chief concern of the imperial era, and so Cicero was never to be found in such illustrious company. Cato, it would seem, reigned supreme.

These views on Cicero's place in imperial memory fly rather in the face of the claims I have made above. The prominence accorded to Cato in the texts adduced by these three analysts certainly finds an echo in Seneca, but he nonetheless remains a figure distinctly subordinate to Cicero. I would not like to argue that Gowing, MacMullen and Wirszubski have misinterpreted the evidence – they seem quite on the mark when it comes to reading the imperial picture of Cato. It is rather Seneca the Elder who is out of key: his plain reversal of what the consensus on the respective roles played by Cicero and Cato requires explanation.⁶

Cato appears sufficiently often in this text to constitute a noticeable presence: he appears in six *Controversiae* and two *Suasoriae*. He does not figure in any of the surviving prologues nor are any of the declamations actually *about* him. As perhaps suits Cato's numerous appearances in the *Facta et Dicta Memorabilia*, these declamatory appearances are those of a well-known *exemplum*. He is far closer to the historical caricatures of early Roman historical figures than to the more fully fleshed-out character that Seneca gives to his contemporary Cicero.

For reasons which will become apparent, I would like to treat the *Controversiae* and the *Suasoriae* separately. Of Cato's six appearances in the *Controversiae*, only one

⁶ For Cato's appearance on the shield of Aeneas (Vir. *Aen.* 8.670), see: pg. 42-44, 315.

directly confronts issues related to the civil war and the fall of the Republic. The other five declamations focus upon the almost mythic level of Cato's *virtus*: a poisoner is defended on the grounds that Cato sold poison when asset-stripping in Cyprus; a Vestal Virgin's desire for marriage is defended on the grounds that anyone with sense would desire marriage as it might end in one giving birth to a child as virtuous as Cato; a man accused by a slave under torture is defended on the grounds that even Cato was once accused by a slave under duress; again on the theme of unjust accusations, Clodius' accusation of Cato on the grounds of theft is used to show that anyone can be accused of a crime; and Cato's death is used as proof that suicide is the province of the *miser* and not the *sceleratus*.⁷ All of these appearances remove Cato from the issue of his status as a staunch Republican. The last example is particularly deft in its neutralization of even so political a topic as Cato's suicide – its circumstances, motives and consequences are completely removed.⁸

A *Controversia* dedicated to a family torn apart by civil war provides an exception to prove this rule. A daughter sides with her husband against her father and brother. After her husband's death and the defeat of his cause, the daughter returns to her family home. The father refuses her admission. Upon her asking what she could do to return to his favour, he replies that she should kill herself. This she duly does. Labienus attacks the father thus:

⁷ Sen. *Controv.* 6.4; 6.8; 9.6.7; 10.1.8; 8.4.

⁸ For Cato's suicide as political dynamite, see: App. *BC.* 2.101.

hoc obsequio consequatur denique ut intra domum moriatur. M. Cato, quo uiro nihil speciosius ciuilis tempestas abstulit, potuit beneficio Caesaris uiuere, si tamen ullius uoluisset.⁹

This is certainly political and conforms neatly to the traditional impression of Cato's reputation. It is, however, an anomaly. The perfect storm of suicide and civil war brewed in this declamation makes it difficult to imagine how one could avoid mentioning Cato here.¹⁰ Indeed, what is perhaps most surprising is the fact that only one *color* that mentions Cato is included in Seneca's discussion of this particular declamation. The rule of a down-played Cato holds even here.

The *Suasoriae*, however, are different. These declamatory exercises feature Cato with a far greater political edge than the *Controversiae*. It is impossible to deny that Seneca was aware of the enormous Republican potential of Cato's famous suicide when one considers his inclusion of Haterius' *color*:

M. Cato, solus maximum uiuendi moriendique exemplum, mori maluit quam rogare... et illas usque ad ultimum diem puras a ciuili sanguine manus in pectus sacerrimum armauit.¹¹

This is not the only example of such Republican hagiography to be found in the *Suasoriae*. Alongside Haterius's treatment of the issue in the sixth *Suasoria*, Seneca

⁹ Sen. *Controv.* 10.3.5

¹⁰ The fact that the daughter's position would have been that of Julia had she lived and the fact that the declaimer is Labienus (the Pompeian of the 10th prologue) should not be ignored as contributing factors.

¹¹ Sen. *Suas.* 6.2.

records similarly admiring portraits of Cato's death being delivered by Aeserninus and Cestius Pius.¹²

This is not, however, an uncomplicated example of Cato's greater credentials as the Republican poster boy at last pushing the otherwise dominant Cicero out of the picture. Cicero is, in fact, utterly central to these three political deployments of Cato's *exemplum*. The fact that these *colores* appear under the same declamatory rubric is no coincidence. All three are responses to the exercise of advising Cicero whether or not to beg Antony for mercy. Not only does this scenario heavily suggest Cato as a *comparandum* (to the extent that other *exempla* seem forced or irrelevant), but, more importantly, we can see that it is only via Cicero that Seneca is prepared to introduce Cato as a political figure. Haterius, Aeserninus and Cestius Pius may have seen things differently, but in Seneca's framing of the world, Cato's role is that of an exemplary buttress to Cicero's Republicanism.

Cruel men of Rome, knew you not Pompey?

In his description of Aulus Cremutius Cordus' trial in 25 A.D., Tacitus has the defendant deliver an eloquent speech praising the freedom of the Roman historian to write whatever he sees fit *sine ira et studio*. In the most famous part of this speech, Cordus argues that it was not even a bar to the friendship between Augustus and Livy that the historian had praised Pompey in such terms as to be labelled *Pompeianus* by the emperor.¹³ Regardless of how seriously we choose to take Augustus' remark, this

¹² Sen. *Suas.* 6.4, 10.

¹³ Tac. *Ann.* 4.34. For Livy's political sympathies, see: Ridley (2010).

speech preserves the potent connection that existed between the name of Pompey the Great and the cause of the Roman Republic.¹⁴

This connection was alive and well while Seneca was writing his declamatory work, as can be seen most clearly in his comment on Titus Labienus:

libertas tanta ut libertatis nomen excederet, et quia passim ordines hominesque laniabat Rabienus uocaretur. animus inter uitia ingens et ad similitudinem ingeni sui uiolentus et qui Pompeianos spiritus nondum in tanta pace posuisset.¹⁵

For Seneca, then, the term Pompeian seems to have referred to opponents of the *pax* that Augustus had brought to the Roman Empire. The two were, in his eyes at least, incompatible. In our terms, a Pompeian spirit was a Republican spirit.¹⁶

Pompey is a major presence in Seneca's declamatory works: he appears in more *Controversiae* and *Suasoriae* than Cato, and he even makes an appearance in the last of Seneca's prologues. Much as we saw with Cato, however, Pompey does not share the honour accorded to Cicero of having a declamatory topic dedicated to him personally (let alone three). The topic of the first *Suasoria*, dedicated to Alexander the Great and the limits of conquest, suggests that such a thing would not have been unthinkable.¹⁷

¹⁴ See Woodman and Martin (1989) *ad loc.*; cf. Morgan (2000) on the connection between Pompey and Virgil's depiction of the death of Priam (*Aen.* 2.554-8). The elision of the Fall of Troy with the civil war is accomplished through the identification of Pompey with the Republican cause. For Ovid's use of Pompey's name, see: pg. 386-389; cf. Hor. *Carm.* 2.7.

¹⁵ Sen. *Controv.* 10.Pr.5.

¹⁶ Grenade (1950) pg. 36.

¹⁷ For Pompey and Alexander, see: Sall. *Hist.* 3.88; Plut. *Pomp.*2; Richard (1974).

Some of the same rules sketched out above for Cato apply to Pompey. Most notably we see a concentration of political material in the *Suasoriae*. It is again no coincidence that Pompey's appearances as a political figure occur in declamations about Cicero. The Philippic-style excoriation of Antony in *Suasoria* 6 for purchasing Pompey's estate after his defeat at the battle of Pharsalus has already been covered in the previous chapter, but this is not the only place where Pompey rears his head. What is interesting, however, is the tendency in these *Suasoriae* to focus upon Pompey not as an emblem of the *libera res publica*, but of the civil war. See, for example, Fuscus' *color*:

uidimus furentia toto orbe ciuilia arma, et post Italicas Pharsaliasque acies
Romanum sanguinem hausit Aegyptus. quid indignamur in Ciceronem
Antonio licere quod in Pompeium Alexandrino licuit spadoni? sic
occiduntur qui ad indignos confugiunt.¹⁸

Although a mournful tone is being called for to confront Pompey's death, there is none of the glorification of Pompey as the leader of the good fight in the civil war that we might expect.¹⁹ In place of glorification, Seneca makes room for the opposite. Geminus, for example, employs a *color* that criticizes both Caesar and Pompey for enslaving Cicero in pursuit of power.²⁰ We might also note the presence of the idea that Pompey

¹⁸ Sen. *Suas.* 6.6.

¹⁹ For Pompey as Republican hero, see: Grenade (1950).

²⁰ Sen. *Suas.* 6.12.

should not be free from blame for starting the civil war in Cestius Pius' treatment of the seventh *Suasoria*.²¹

Pompey's political appearances in Seneca's declamations, then, may be more numerous than Cato's, but they are also more complicated and less universally flattering. It is crucial for our purposes, however, to note that both figures are afflicted by the same fate of being perpetually subordinated to Cicero. Their appearances as political figures in Seneca's text depend upon Cicero being the subject of the declamation.

As a general rule Pompey's appearances in these works are not overtly political. Of the nine declamatory exercises Pompey appears in, only four contain material that might be considered to be politically-charged and only one of these (at a push) uses Pompey's *exemplum* in a way that could be interpreted as being in some way Republican.²² In the majority of cases the selection provided by Seneca suggests that the declaimers were rather more interested in treating Pompey as the archetypal world conqueror.²³ He is either listed alongside great Roman military victors or his prowess as a great general is shown to be no defence against, for example, personal insults.²⁴ This view of Pompey, as Grenade has shown, was not an unusual one in early

²¹ Sen. *Suas.* 7.2. For further negative assessments of Pompey's legacy, see: Gowing (2005), pg. 6, 17, 39, 55-6.

²² Sen. *Contr.* 5.1. Pompey's defeat at Pharsalus is used here as an example of supreme misery, tempered by the fact that the declaimer only refers to Pompey's personal misery. Two of the other 'political' declamations feature Caesar weeping at Pompey's death without elaboration (*Contr.* 10.3.1 and 10.3.5). The final declamation is about Cicero and his relationship with Pompey and Caesar (*Contr.* 7.3.9).

²³ For a similar tendency in Valerius Maximus, see: Freyburger (1998), pg. 112.

²⁴ Sen. *Controv.* 1.6.4; 1.8.12; 7.2.6-7; 7.4.7; 10.1.8.

imperial Rome.²⁵ It is nonetheless noteworthy that in spite of such tempting material, the balance in Seneca is decidedly tipped away from Pompey the Republican, and towards Pompey the *terra marique victor*. The latter role could not, of course, be occupied by Cicero, but the former most certainly could. As such, Cicero pushes Pompey, Cato and his other Republican contemporaries onto the side-lines of Seneca's declamatory project.

No More Heroes

The role played by the great figures of the Republic in Seneca's text is neatly captured by the declaimer Publius Asprenas in the seventh *Suasoria*. Here he advises Cicero against burning his works in exchange for his life in the following terms:

ut Antonius Ciceroni parcat, Cicero in eloquentiam suam ipse animaduertet? quid autem tibi sub ista pactione promittitur? ut Cn. Pompeius et M. Cato et ille antiquos restituatur rei publicae senatus, dignissimus apud quem Cicero loqueretur?²⁶

This would appear to be the crux of the matter. Pompey and Cato do indeed figure in Seneca's conception of the Republic, but their place is in the audience, not on the stage. The Republic that Seneca is interested in discussing and presenting is a one-man show.²⁷

²⁵ Grenade (1950), pg. 57-8. See also: *Phil.* 2.22, 54; 5.14, 39; *Sen. Ad Marc.* 20.4; *Plin Nat. Hist.* 7.26, 95; *Man. Astr.* 1.793-4; *Ov. Pont.* 4.3, 43; *Vell.* 2.40.4, 53.3. For this image of Pompey as an official Augustan phenomenon, see his appearance at Augustus' funeral: *Dio* 56.3.4

²⁶ *Sen. Suas.* 7.4.

²⁷ For the popularity of this trope, see: pg. 245-248.

There is some logic to Seneca largely boiling down the Roman Republic to Cicero and his oratory. While it might seem to be something of a simplification, we should not lose sight of Seneca's subject. He is not writing a history. Whatever efforts Seneca might make to elide his project with the historiographical genre, we should be wary of following him in this effort.²⁸ This is fundamentally a work about speech. It should come as no surprise that in such a project Cicero should be the brightest light of the Republic. Cato and Pompey may have had a greater connection to the cause, but Seneca's prime interest is the man who refused command of the Republic's forces after Pharsalus.²⁹

For Seneca's purposes, it is oratory that counts, and specifically the oratory of *libertas* that flourished in the dying days of the Republic and which found its acme in Cicero.³⁰ Pompey and Cato were not renowned speakers, Cicero was. As such, in Seneca's text he is able to claim the lion's share of attention where the *res publica* is concerned.

The Anti-Ciceronian Backlash

We can now step back from an examination of what we can learn about Cicero from Seneca's quotations of declamatory exercises. The discursive treatments of the declaimers' personal responses to Cicero's legacy are just as important as the selective quotations of their rhetorical uses of him as an *exemplum*. We cannot ignore this vital

²⁸ Seneca's inclusion of the collection of Ciceronian death notices and obituaries at the end of the sixth *Suasoria* is a prime example of this: Sen. *Suas.* 6.14-27.

²⁹ Plut. *Cic.* 39.

³⁰ Sen. *Contr.* 1.Pr.6-12.

area of the text if we are to understand the full extent of what declamation can tell us about Cicero's reputation in imperial Rome, not least because they can show us a rather more balanced picture of Cicero's reception in the declamation hall than we have so far seen.

If one looks only at the declaimers' reactions to the exercises discussed above, it is difficult to glean anything but a positive response to Cicero. Acknowledging that the absence of other Republican figures from Seneca's declamatory works is best attributed to Seneca's selective editing is a starting point for correcting the Tulliocentric nature of these texts. That is, however, far from evidence of the existence of any negative feeling towards Cicero. To provide a counterweight to this picture, the rest of this chapter will be dedicated to the concrete negative reactions to Cicero that we can find in this text alongside the more pervasive praise.

Fairweather's book on Seneca the Elder provides a good starting point for this discussion. In a chapter studying the influence that Republican oratory held over the declaimers, Fairweather makes the following observation about the prevalence of the praise that was lavished upon Cicero:

[I]t was not just fear of a stoning that kept the scholastics from expressing open contempt for Cicero. The need to praise him uncritically in declamations perpetuated an unnaturally high regard for him through a

period when in reality all his ideals in oratory and politics were being rejected.³¹

It is essential that we account for this “need” to praise Cicero uncritically. To begin to complicate this idea, we should acknowledge that the source of our evidence for this idea is far from simple: Seneca the Elder may go out of his way to place a hagiographic portrait of Cicero at the heart of his text, but it is not quite true to suggest that his works provide no expressions of open contempt for Cicero.

As mentioned above, declamation as a genre thrived on *variatio*. The logical consequence of a trope of Ciceronian hero-worship in the declamation hall should be swift repudiation – a savaging that turned the previous speaker’s *exemplum* on its head. A trope could only last so long before it became a tired cliché. If a declamatory text does not show at least a hint of a *color*’s opposite, we should be suspicious of its bias.³²

The invisible guiding hand of the author is the main issue when it comes to judging the extent to which there might have been a concealed backlash against Cicero in the declamation halls.³³ An important part of Seneca’s project lies in emphasizing Cicero’s centrality to declamation and suppressing as much negativity as possible. Slivers of antipathy to Cicero do nonetheless rear their heads, largely in the form of two characters who self-consciously configured themselves as anti-Ciceros.

³¹ Fairweather (1981), pg. 85.

³² For a rare glimpse of a declaimer taking sides against Cicero, see: Sen. *Controv.* 7.2.13. For Seneca’s statement on the rarity of such a *color*, see: Sen. *Suas.* 7.10.

³³ For Seneca the Elder’s Ciceronian bias, see: Morgan (2000), pg. 61-2.

Cestius Rescripsit

As with most of the declaimers, we would know little of Lucius Cestius Pius without Seneca's testimony. What other evidence we have for his life comes in two parts: a fragment of Suetonius' *de Grammaticis et Rhetoribus* tells us his first name, that he hailed from Smyrna and that he taught Latin declamation at Rome; and Quintilian leaves us the tantalizing trace of a speech he wrote in response to Cicero's *Pro Milone*.³⁴ Seneca's account is far more comprehensive. Aside from a wealth of quotations from his declamatory performances, we have a relatively large number of internally consistent biographical snippets that shine a fascinating light on the other side of Ciceronian reception in the declamation halls of Augustan Rome.

One of the first references to Cestius takes the form of a disparaging comment from Cassius Severus, a man who (by his own admission) was a skilled orator, but no declaimer. Severus, making excuses for his own poor declamatory skills, argued that one could hardly be upset by an inability to declaim, since Cestius Pius was said to do so better than Asinius Pollio. He continued:

utrum ergo putas hoc dicentium uitium esse an audientium? non illi peius dicunt, sed hi corruptius iudicant: pueri fere aut iuuenes scholas frequentant; hi non tantum disertissimis uiris, quos paulo ante rettuli, Cestium suum praeferunt sed etiam Ciceroni praeferrent, nisi lapides timerent.³⁵

³⁴ Suet. *Gram.* fr. 31; Quint. *Inst.* 10.5.20.6.

³⁵ Sen. *Controv.* 3.pr.15.

Our main figures of interest here are the *pueri* and the *iuuenes* who took pleasure in thumbing their noses at society and its *lapides* and ranking Cicero below Cestius.³⁶

On the basis of this information alone, one would have trouble intuiting much information about Cestius Pius. He need not have been anything more than the unwilling object of veneration among a group of youths who, *sua sponte*, scorned all things Ciceronian. We can infer the fact that such a crowd existed from another one of Seneca's prefaces. In the fourth book, Seneca notes that the register used by Haterius' declamations employed:

quaedam antiqua et a Cicerone dicta, a ceteris deinde deserta.³⁷

Seneca goes on to explain that this part of his style was the only thing that rendered him unsuitable to the *Scholastici*.³⁸ The existence of certain Ciceronian fatigue seems a distinct possibility.

We can go further than this. This phenomenon was much bigger than just a low-level of aesthetic grumbling among a youth fed-up with fusty old language from Cicero's day. Far from being an innocent beneficiary of such a trend, Cestius seems to have been an active participant in this process. Following directly on from the quotation above about the *possibility* of the youths preferring Cestius to Cicero, Cassius claims that:

³⁶ For stoning as the Roman punishment for a scapegoat (i.e. someone who stands outside society's fundamental values), see: Cantarella (1991), pg. 326-9.

³⁷ Sen. *Contr.* 4.pr.9.

³⁸ Sen. *Contr.* 4.pr.10.

quo tamen uno modo possunt, praeferunt; huius enim declamationes ediscunt, illius orationes non legunt nisi eas quibus Cestius rescripsit.³⁹

According to this testimony, Cestius constructed his declamatory *persona* around the figure of Cicero, defining himself in opposition to the great Republican orator. One cannot be certain of Cestius' intentions in doing so, but we can point to the effect this tactic had both on Cestius' persona, and on Cicero's.

By using his reputation as the anti-Ciceronian declaimer, Cestius was able to garner attention. Although Cestius figures in Seneca's text as a celebrity declaimer (in that he was a reliable source of innovative rhetorical *colores*), he was primarily a teacher. This is the reason why his reply to the *Pro Milone* is mentioned: it was a teaching tool for his students. Cestius made a living from the rhetorical education of a youth that hoped one day to make up the Roman elite.⁴⁰ Since public speaking was so important to the life of the elite, a rhetorician from Smyrna could hardly hope to corner that particular market. It would be a reasonable assumption that Cestius used the notoriety he gained as Rome's foremost anti-Ciceronian teacher of rhetoric as part of a strategy for making himself known to potential patrons.

It might not be prudent to push any further conjectures about Cestius' work from this evidence, lacking as we do any direct evidence of what he wrote in his replies to Cicero's speeches. We are, however, on firmer ground when it comes to analysing the reaction elicited by Cestius' anti-Ciceronian stance. As popular as this posture

³⁹ Sen. *Contr.* 3.pr.15.

⁴⁰ For imperial education, see: Bloomer (2011).

made Cestius among certain sections of the Roman youth, there was an opposite reaction among other members of society.

Cassius Severus' story reaches its climax with a description of his own brawling with Cestius. The story he tells is one of going into Cestius' school to listen to a recitation of the speech composed in reply to the *Pro Milone*. According to Cassius, Cestius followed up his recital by beginning to boast of his own abilities:

'si Thraex essem, Fusius essem; si pantomimus essem, Bathyllus essem; si equus, Melissio.' non continui bilem et exclamaui: 'si cloaca esses, maxima esses!' risus omnium ingens; scholastici intueri me, quis essem qui tam crassas cervices haberem. Cestius Ciceroni responsurus mihi quod responderet non inuenit, sed negauit se executurum, nisi exissem de domo. ego negaui me de balneo publico exiturum nisi lotus essem.⁴¹

There is no reason why we should imagine that Cassius' account as reported by Seneca the Elder would be particularly fair to Cestius, and so we might want to take the telling of the tale with a pinch of salt. For example, we might question whether what Cassius represented as boasting did not also have a didactic edge to it. It is, after all, a demonstration of the sort of rhetorical *uariatio* that parents sent their youth to learn at these schools.

Cassius' framing of this interaction, though presumably skewed, nonetheless provides valuable information about how anti-Ciceronianism was received in

⁴¹ Sen. *Contr.* 3.pr.16.

Augustan Rome. Obvious an interpretation though it may be, it is worth pointing out that Cassius does not treat Cestius as a lone aberration. Indeed, this is part of the problem: the *Scholastici* join the *iuuenes* as figures who idolize Cestius and his take on rhetoric, and treat those who disagree as boorish.⁴² The prominence of the *Scholastici* is central to understanding why this story appears in the *Controversiae*. Seneca is telling this story in the first place in order to explain why it was that Cassius Severus, an eloquent pleader and a fine advocate, was lost at sea when it came to declamation.⁴³ The rejection of Cicero by the *Scholastici* serves as proof that the legacy of Republican oratory lies not with Greek schoolmasters, but rather with men of older Roman stock like Cassius Severus.

The fact that this is not the end of Cassius' story suggests that there might be more to the matter than just an advocate protecting his rhetorical reputation:

deinde libuit Ciceroni de Cestio in foro satis facere. subinde nactus eum in ius ad praetorem uoco et, cum quantum uolebam iocorum conuiciorumque effudissem, postulauit ut praetor nomen eius reciperet lege inscripti maleficii. tanta illius perturbatio fuit ut aduocationem peteret. deinde ad alterum praetorem eduxi et ingrati postulauit. iam apud praetorem urbanum curatorem ei petebam; interuenientibus amicis, qui ad hoc spectaculum concurrerant, et rogantibus dixi 'molestum me amplius

⁴² This is, as I have said, Cassius' formulation. One might point out that there could well be other reasons why heckling during a recitation and calling the speaker a sewer (grand or otherwise) might be interpreted as loutish.

⁴³ Sen. *Contr.* 3.pr.1.

non futurum si iurasset disertiozem esse Ciceronem quam se. nec hoc ut
faceret uel ioco uel serio effici potuit.⁴⁴

This exercise goes beyond what would have been required had Cassius' goal simply been to put Cestius and the *Scholastici* in their place. The charade does not really show Cassius to be a masterful speaker in the courts and so the true heir to Cicero.⁴⁵ This is about humiliation.

Cassius very publicly drags Cestius through Rome, mocks and terrorizes him, trying to force him to admit to his inferiority to Cicero. This anecdote is a revelation of just how important men like Cassius Severus and Seneca the Elder thought it was to protect Cicero's reputation. His position as the acme of eloquence, Mark Antony's greatest foe and the personification of the Republic's death seems to have given him a near-sacred status.⁴⁶ The experience of this unfortunate Greek is a forceful testimony to what a sensitive subject he was dealing with.

This verbal lashing at the hands of Cassius Severus did not even prove to be the worst consequence of Cestius' famed antipathy towards Cicero. As part of Seneca's concluding remarks to the seventh *Suasoria*, we meet Cestius Pius again:

nam cum M. Tullius, filius Ciceronis, Asiam obtineret, homo qui nihil ex
paterno ingenio habuit praeter urbanitatem, cenabat apud eum Cestius. M.

Tullio et natura memoriam ademerat, et ebrietas si quid ex ea supererat

⁴⁴ Sen. *Contr.* 3.pr.17.

⁴⁵ These are not, after all, real trials.

⁴⁶ Kaster (1998), pg. 255-6. For Seneca's belief that Cicero represented the acme of all eloquence, not just Roman, see: Sen. *Contr.* 1.pr.6-7.

subducebat; subinde interrogabat, quid ille vocaretur qui in imo recumberet, et cum saepe subiectum illi nomen Cestii excidisset, nouissime seruus, ut aliqua nota memoriam eius faceret certiolem, interroganti domino quis ille esset qui in imo recumberet ait: "hic est Cestius, qui patrem tuum negabat litteras scisse"; adferri ocus flagra iussit, et Ciceroni, ut oportuit, de corio Cestii satisfacit.⁴⁷

This anecdote forms a neat companion-piece to that related by Cassius Severus. The pattern of events is the same in both tales.⁴⁸ The only real difference lies in the physical violence of Marcus junior's way of dealing with Cestius. It is interesting to note, given the date of Marcus junior's Proconsulship in Asia, that the episode of Cestius' whipping most likely precedes the tale of his judicial torment at the hands of Cassius Severus. In light of this scourging, Cestius' decision to stand by his anti-Ciceronian views when setting up a school in Rome must be either a sign of extraordinarily deeply-held convictions, or a sign that the profits one could make from teaching rhetoric from an anti-Ciceronian perspective far outweighed the opprobrium one received from certain sections of society for doing so.

Infestissimus Famae Ciceronis

Although he fulfils the role of scapegoat for a much larger movement, Cestius Pius is not the most prominent declaimer in Seneca's work to have vaunted his anti-

⁴⁷ Sen. *Suas.* 7.13.

⁴⁸ Some of the same language appears in both stories. See, for example, the repetition of the need to *satisfacere Ciceroni*.

Ciceronian credentials. That prize must surely go to Asinius Pollio.⁴⁹ We have already encountered Pollio via his (remarkably positive) account of Cicero's death in the previous section.⁵⁰ Although the following anecdote has already been mentioned in passing, it deserves reconsideration in a declamatory context since it demonstrates his famed antipathy for Cicero rather well:

Sextilius Ena fuit homo ingeniosus magis quam eruditus, inaequalis poeta et plane quibusdam locis talis quales esse Cicero Cordubenses poetas ait, <pingue> quiddam sonantis atque peregrinum. is hanc ipsam proscriptionem recitaturus in domo Messallae Corvini Pollionem Asinium aduocauerat et in principio hunc uersum non sine assensu recitauit:

deflendus Cicero est Latiaeque silentia linguae.

Pollio Asinius non aequo animo tulit et ait: 'Messalla, tu quid tibi liberum sit in domo tua uideris; ego istum auditurus non sum, cui mutus uideor,' atque ita consurrexit.⁵¹

If we restrict ourselves to reading this anecdote in conjunction with Cestius' stance on Cicero, we can see one similarity quite clearly. Like Cestius, Pollio is not exactly showing a visceral hatred towards Cicero, but rather an attempt to stand up against the *communis opinio*. Cestius felt Cicero's speeches were not such sacred texts that

⁴⁹ Degl'Innocenti Pierini (2003), pg. 7-11.

⁵⁰ Pg. 146-159.

⁵¹ Sen. *Suas.* 6.27.

replies could not be composed to them, and Pollio felt that Cicero was not so great an orator that the current crop had to be utterly disregarded.

It is no surprise that Pollio, who felt he could remain his own man even in civil war, should have struck out on such an iconoclastic note (especially when at the house of Messalla Corvinus, the other semi-independent figure of the Augustan age).⁵² It should also not surprise that the reaction to the anti-Ciceronian stance of a *consularis* should differ from that encountered by Cestius Pius. Where the latter was whipped and humiliated, Pollio seems to have remained at the forefront of Augustan society. Seneca is certainly no exception to this rule and shows two very different reactions to their very similar behaviour.⁵³ Seneca may think it nothing but fitting that Cestius was scourged by Cicero's son for his disrespectful attitude towards the great orator, but he describes Asinius Pollio's obituary as a piece not so much praising Cicero as rivalling him.⁵⁴

It needs to be established why it was acceptable for Pollio to set himself up as a rival to Cicero, and not Cestius. Judged on what has been said so far, one might answer that Pollio gets an easier ride than Cestius because he does not go so far: all he has done is walk out of a recitation – potentially more an attack on the poet than Cicero.

⁵² For Pollio's neutrality in the later stages of the civil war, see: Vell. 2.86.3; Morgan (2000). For Corvinus' independence of Augustus, see Jerome's account of his resignation as *Praefectus Urbi*: Jer. *Chron.* pg. 164 (Helm).

⁵³ The contrast is central to Cassius Severus' complaints about the *Scholastici* who prefer Cestius Pius to Asinius Pollio – Cestius' anti-Ciceronian stance was clearly not the whole story.

⁵⁴ For the righteousness of scourging Cestius: Sen. *Suas.* 7.13. For Pollio's obituary: Sen. *Suas.* 6. 25.

To counter that objection, one could point to another part of Seneca's text in which Asinius Pollio's attacks on Cicero are at their most virulent. After the discussion of the sixth *Suasoria*, but before the catalogue of historical treatments of Cicero's death, Seneca provides the reader with a story of one of Asinius Pollio's oratorical encounters with the theme of Cicero's death:

nam, quin Cicero nec tam timidus fuerit ut rogaret Antonium nec tam stultus ut exorari posse speraret nemo dubitat, excepto Asinio Pollione, qui infestissimus famae Ciceronis permansit. et is etiam occasionem scholasticis alterius suasoriae dedit; solent enim scholastici declamitare: deliberat Cicero an salutem promittente Antonio orationes suas comburat. haec inepte ficta cuilibet uideri potest. Pollio uult illam ueram uideri; ita enim dixit in ea oratione quam pro Lamia edidit. itaque numquam per Ciceronem mora fuit quin eiuraret suas [esse] quas cupidissime effuderat orationes in Antonium; multiplicesque numero et accuratius scriptas illis contrarias edere ac uel ipse palam pro contione recitare pollicebatur; adieceratque his alia sordidiora multo, ut [tibi] facile liqueret hoc totum adeo falsum esse ut ne ipse quidem Pollio in historiis suis ponere ausus sit. huic certe actioni eius pro Lamia qui interfuerunt, negant eum haec dixisse – nec enim mentiri sub triumuirorum conscientia sustinebat – sed postea composuisse.⁵⁵

⁵⁵ Sen. *Suas.* 6.14-5. For an identification of this Lamia with Cicero's friend L. Aelius Lamia, see: Treggiari (1979), pg. 249-51.

It would be perverse to suggest that Cestius' derision of Cicero as a second-rate orator could be considered more outrageous than this defamation of Cicero. Seneca is alleging in no uncertain terms that Asinius Pollio invented an unsubstantiated story claiming that Cicero's principled stand against Antony (which ended in his own death) was in fact undercut by a cowardly lack of resolve and a deal to save his life with an oratorical servitude.

Pollio's apparent vengeance towards the memory of Cicero is clear in Seneca's text. His reasons for it, however, are far from explained. This is perhaps not exceptional, there is, after all, no elaboration upon Cestius Pius' disdain.⁵⁶ To begin to explain this phenomenon, we might note that the stance towards Cicero that Pollio takes up in this exercise matches the autoptic posturing identified by Morgan as central to his *Histories*.⁵⁷

As we saw in the previous section analysing his obituary for Cicero, Pollio prized himself on being the man who was there; the man who was in the unique position of being able to cast doubt on the simple polarities that had been constructed to understand the Republic and the civil wars; a man who had an especially good knowledge of the personalities that dominated the period. This idiosyncratic viewpoint was the basis of his *auctoritas* as a public figure. Where others followed the myth of good Cicero and bad Antony, Pollio suggests a deeper knowledge of the

⁵⁶ This could, of course, be a result of the incomplete nature of Seneca's text.

⁵⁷ Morgan (2000); see also: pg. 146-159.

heroes and villains of the piece. His denigration of Cicero is a crucial part of his image as the man-on-the-spot who knew the real story of the civil war.

This is not to suggest that Asinius Pollio could get away with criticism of Cicero simply because his motives were more explicable than those of Cestius. It seems far more coherent to point to the chasm of social class that existed between the two. What was permitted to a Greek teacher of rhetoric was not the same as what was permitted to a leading member of the Roman elite. Pollio's aversion to Cicero may have stood out in the Augustan age as noteworthy, but it does seem to have been accepted as an exercise of Pollio's *libertas* – an idea for society to negotiate and incorporate into its collective notion of what 'Cicero' meant. This generosity does not seem to have been accorded to Cestius Pius. Such insolent iconoclasm coming from an outsider (both in nationality and class) had the potential to be dangerous and destabilizing, and hence it had to be controlled.

One last aspect of the contrast between Cestius and Pollio's anti-Ciceronian stances deserves consideration. We would do well to probe the extent to which they both fit into the genre of declamation. There can be little doubt about Cestius: everything we know about him points to a life dedicated to the declamation hall, both as a teacher and as a performer. Asinius Pollio's case is trickier. There can be little doubt (unless we are to seriously undermine the reliability of Seneca's text) that he did declaim.⁵⁸ What is far from certain, however, is how Pollio conceptualized the role

⁵⁸ Pollio's declamations: Sen. *Controv.* 1.6.11; 2.3.19; 2.5.10; 4.2; 4.3; 4.5; 4.6; 7.1.4; 7.1.22; 7.4.3; 7.6.12; 9.2.25.

declamation played in his public life. Seneca presents us with a wealth of evidence attesting to Pollio's disdain for this institution. He frequently belittles declamatory exercises and their practitioners and does not seem to shy away from proclaiming his superiority to the whole sordid business.⁵⁹

It is tempting to suggest that declamation, important and innovative though it might have been in Augustan culture, was not the place to implement any lasting new interpretations on such critical issues as Cicero's reputation. If Asinius Pollio's opinion of how he fitted into this genre is anything to go by, such matters were to be left to more exalted individuals than those that met in the declamation hall.

However, this leaves us with a problem. It seems unusual to read a text about declamation and conclude that the most interesting material concerning a figure as important as Cicero comes, in fact, from a non-declamatory perspective, especially as we have already seen how the influence of the declamatory picture of Cicero eventually became so powerful as to overturn the historiographical genre's way of discussing him. Why would Seneca the Elder, if he is the champion of declamation that he claims to be, not bring this forward as evidence of the force of the declamation hall? Why would he not point out Asinius Pollio's snobbery was not sufficient to stop his writings on Cicero's death being surpassed and replaced by those conceived by the declaimers?

⁵⁹ Sen. *Contr.* 2.3.13; 4.pr.2ff; 7.6.24; *Suas.* 2.10.

Conclusion

To explain this I would like to explore the argument that Seneca the Elder actually had relatively little interest in these declaimers. This may seem counterintuitive given Seneca's professed aim in this text to preserve the declaimers of the Augustan age. We might note, however, that he gives remarkably little space to those speakers traditionally described as declaimers: the professional rhetors who filled the declamation halls. The extreme contrast between Seneca's attitude to Cestius Pius and his attitude to Asinius Pollio is instructive: the balance is tipped towards Pollio the Roman *consularis*, and away from Cestius the Greek teacher.

Although we lack several of the prologues to the books of *Controversiae* (each of which gives a character sketch of one of the 'declaimers' who features in the book), there is a very clear trend regarding what sort of people Seneca wishes to characterize as the sort of person who declaims.⁶⁰ None of these figures quite reaches the societal peak of Asinius Pollio, but their world is emphatically not the schoolroom. The impression Seneca gives via these prologues is that the declaimers were, by and large, a group of amateurs of independent means, fully-integrated members of society and perfectly Roman.

It is no coincidence that this narrowly sub-elite position was occupied by Seneca the Elder himself. He was the first generation of his elite provincial family to make the move from Corduba and attempt to set down roots for himself and his

⁶⁰ Bloomer (1998), pg. 200.

children among the Roman nobility.⁶¹ His account of declamation in the Augustan age cannot be separated from his attempt to graft his family onto the Roman elite. It might be hard to fathom why Seneca felt that a history of declamation might be the optimum strategy for achieving this, but the way he went about implementing that strategy is evident, as is his success.⁶²

Seneca's subtle ploy deserves elaboration. The opening of the work sets up the project. The prologue of book one addresses Seneca's children:

exigitis rem magis iucundam mihi quam facilem: iubetis enim quid de his declamatoribus sentiam qui in aetatem meam inciderunt indicare, et si qua memoriae meae nondum elapsa sunt ab illis dicta colligere, ut, quamuis notitiae vestrae subducti sint, tamen non credatis tantum de illis sed et iudicetis. est, fateor, iucundum mihi redire in antiqua studia melioresque ad annos respicere, et uobis querentibus quod tantae opinionis uiros audire non potueritis detrahare temporum iniuriam.⁶³

The most obvious effect here is the insinuation that Seneca's sons, to whom this book is addressed, are the future of declamation. This manoeuvre is familiar from Cicero's works on rhetoric where Brutus is similarly configured as the young man who must shoulder the burden of the tradition of Roman oratory.⁶⁴

⁶¹ Griffin (1972).

⁶² Seneca the Younger's prominence in the Neronian court is the clearest example of the success of his father's social climbing, but his grandson Lucan was a similarly bright light, albeit one who shone more briefly.

⁶³ Sen. *Contr.* 1pr.1.

⁶⁴ Cic. *Brut.* 332.

Seneca's tactic of infusing the world of declamation with the Roman nobility plays down the possibility that there might be something unsavoury in standing at the head of a tradition associated with the *Scholastici*. When one reads Seneca's text, one is receiving a carefully arranged display of declamation which highlights as often as possible how very Roman the institution is and how elite its practitioners are. It is at the end of such a tradition that Seneca wishes his children to be seen. In short, they are set up as the inheritors of the Republican oratory that Cicero entrusted to Brutus.

This accusation of distortion on Seneca's part complements the analysis of Cicero's centrality to the declamatory institution as set out above. Seneca might be playing up the aspects of declamation that were most suited to the Roman elite, but it is hard to see how this could have been effective if he had entirely fabricated this element.⁶⁵ Seneca almost certainly places a disproportionate emphasis upon the Ciceronian declamations, but this is not a reason to doubt the validity of what those stories about Cicero's death can tell us about the culture in which they were told. Rather, it should cause us to ask why Seneca the Elder felt that the Ciceronian element of declamation deserved so great an emphasis.

The answer must be that Cicero was important for Seneca as a guarantor of the respectability of his undertaking. In a text about public speaking in Rome, Cicero is a key figure to be incorporated into the narrative. This could have proved problematic

⁶⁵ Quintilian and Suetonius' accounts of declamation have so much in common with Seneca's (in style, practitioners and subject matter) that the burden of proof lies with those arguing for Seneca's fabrication.

to Seneca: as much as he tries to suggest the opposite, Cicero was not a declaimer.⁶⁶ Part of Seneca's tactic for incorporating Cicero has already been mentioned: simply filling the text with references to him. Nowhere is this clearer than in his digression on the historians.⁶⁷ Seneca might claim that this section is relevant to the subject of declamation, but it is hard to find any but the most tenuous connections between the historians' treatments of Cicero's death and a *Suasoria* on whether or not Cicero should beg Antony for his life. What Seneca actually gives us is an artificial attempt to increase the textual trace of Cicero in his history of declamation. The introduction of the rarefied genre of history at this point serves to elevate the reputation of Seneca's chosen subject.⁶⁸ It is no coincidence that Seneca chose the death of Cicero to be the cue for introducing a selection of historiographical snippets. Seneca's ability to naturalize Cicero's presence in a history of declamation is key to his broader strategy of making the institution with which he had associated himself seem respectable and Roman.

⁶⁶ For Seneca playing up Cicero's participation in declamation see: Sen. *Contr.* 1.7. Cf. Feddern (2013), pg. 7-35.

⁶⁷ Sen. *Suas.* 6.14-27; cf. pg. 288-291.

⁶⁸ Bloomer (1998), pg. 211.

Conclusion

A final word needs to be said on the connection between the declamatory genre and Cicero's role in the historiography of the early imperial period. It was stated in the conclusion to the previous section that the later years of Augustus' reign witnessed a rise in the influence wielded over the historiographical genre by the declamation hall.¹

As Kaster has noted, what we see in the Ciceronian declamations is part of a process, a process by which Cicero became 'CICERO' – a bigger, bolder, brasher character than would have been recognizable to anyone who knew the man himself.² Kaster argues that this was the process by which Cicero was, in Kaster's words, "simplified" so as to become a classic, a totemic figure of importance:

[A]n icon more important as an abstract representation than the historical reality of the man and the sensible reality of his words.³

This process of "simplification" seems to have been one that by the reign of Tiberius had completely swamped the more nuanced picture of Cicero that we saw in the works of the earlier Augustan historians.

This manner of talking about Cicero was not, however, a new development of the Tiberian age. Even while Livy and Pollio were writing their histories, the declaimers were producing the essentialized Ciceros that eventually found their way

¹ For a similar trend in poetry, see: Bonner (1949), pg. 149 n.3; Büchner (1956); Arnaldi (1958); Higham (1958); Naumann (1968).

² Kaster (1998).

³ Kaster (1998), pg. 254.

into the works of Velleius Paterculus and Bruttidius Niger.⁴ Nor should it be considered only a matter of time before the declamatory Cicero began to enter other genres: as we have seen, Augustan texts written in different genres succumbed far earlier than the historians to this “simplified” picture.⁵

Some caution is needed in making a critical response to the apparent rise of a simplified ‘Cicero’. One response to this process is to look down on it, judging it either kitsch or unsophisticated.⁶ We should not, however, lose sight of the fact that this process (whatever one thinks of it) was a by-product of a much larger phenomenon. Cicero was only essentialized in the declamation hall because he was deemed to be important, someone whose life and works helped people discuss the big, abstract concepts at the heart of their society.

The written material that we have about Cicero may seem overwhelmingly brash, but this should not be reason to despair for his standing in the early empire. The picture of decline from Sallust’s sophisticated engagement to Seneca’s kitsch vignettes is, more than anything else, a reflection of the nature of our source material. We have a tiny and no doubt unrepresentative snapshot of what people wrote about Cicero in the early empire. In an attempt to extrapolate grand conclusions about the precise nature of Ciceronian reception in the early empire, we should not lose sight of the basic fact that Cicero was a very important figure in this period.

⁴ One of the declaimers quoted by Seneca, Porcius Latro, died in 4 BC: Kaster (1995), pg. 329-30.

⁵ Pg. 163-173.

⁶ Kaster (1998); Degl’Innocenti Pierini (2003).

If the texts we have convey an unsophisticated picture of Cicero, we should assume that an unsophisticated reading of Cicero suited that particular text; the texts that survived from the imperial period that talk explicitly about Cicero do not seem to have been overly-concerned with nuance when it came to discussing Cicero. Acknowledging this fact is a far better strategy than simply assuming that the denizens of the early empire had, by and large, unsophisticated thoughts about him.

To prove this idea, the final section will look at texts where nuance and sophistication are generally thought to abound – the poetry of Rome’s golden age. Although Cicero may not have been the poets’ explicit subject, he was an important enough figure to be a pervasive influence on these texts. Unsurprisingly, the Cicero that the Augustan poets thought and wrote about was a very different and far more nuanced figure than the simplistic character that was formed in the declamation hall.

Part III: Cicero and Poetry

Introduction: Tear Him for His Bad Verses

It is not easy to conceive of a day when it will be unfashionable to consider what the Augustan poets made of their past. From the engravings on Aeneas' shield to Horace's memories of Plancus' consulship, analyses of what these writers made of their culture and society inevitably return to the issue of how they remembered its history.¹ A central tenet of Farrell and Nelis' recent volume on *Augustan Poetry and the Roman Republic* is the idea that a poetic understanding of the Roman Republic was central to the Augustan age:

[T]hese poets were outstandingly successful contributors to the process of historical evaluation by means of which the Augustan age, however defined or understood, was made to seem inevitable—the necessary successor to the Republican past, and the indispensable precursor to an Imperial future.²

The fifteen articles contained within this volume mark an important step forward in our understanding of how the Augustan poets treated memories of the Republican past and provide a sure foundation for further studies in this area.

One aspect of the process by which the poets incorporated the Roman Republic into their imperial present, however, is relatively under-represented in this volume, and that is any focus on poetic allusions to prose texts from the Republic. This omission is difficult to criticize too harshly, both from a personal perspective of self-

¹ For studies of cultural memory, see: Nora (1984); Assman (1992); Halbwachs (1992); Oexle (1995). For specifically Roman conceptions of cultural memory, see: Gowing (2005); Lyasse (2008).

² Farrell & Nelis (2013), pg. 18.

interest, and (more importantly) because it is acknowledged in Alain Gowing's afterword.³

The main loser in all this is Cicero. As the previous two sections have shown, Cicero was a central presence in early imperial culture; he dominated important areas of both historiography and public speaking. More than this, the centrality of his presence in these genres depended upon his association with the Roman Republic. The purpose of this final section is to determine how far Cicero's influence on the literary culture of the early imperial period can be discerned in its celebrated poetry.

I would like to introduce a caveat before beginning this investigation: this is not a comprehensive treatment. An analysis of Cicero's presence in the poetry of the early imperial era that attempted to take into account every allusion to Cicero's life and works is far beyond the scope of the following three chapters and would require a book of its own.

To provide some limits to this analysis, these chapters will focus on authors whose connection with Cicero is not immediately apparent – poets whose works already have scholarly traditions independent of their views on the Republic's greatest orator. This is not to claim that attempts have not previously been made to prove connections between these authors and Cicero. It is rather to argue that those connections may run deeper than previously thought, and may be best considered in

³ Gowing (2013b), pg. 323. The gap is somewhat filled by Levene & Nelis (2002).

the context of a broader study of Cicero's posthumous presence in the culture of the early imperial world.

This section consists of three chapters studying two authors. As such, I have created two unevenly-weighted case studies. The poet at the centre of the first two chapters is Virgil. The first of these takes a holistic approach to the author's corpus and demonstrates just how often Virgil created moments of intertextuality with Cicero's works and other accounts of his life. The second continues this analysis and attempts to elucidate why one particular section of Virgil's poetry contains an unusually large collection of Ciceronian material. The section in question is the sixth book of the *Aeneid*.

The second case study concentrates on just one part of an author's oeuvre. By narrowing the focus in this way, it is possible to highlight both how deep Cicero's influence on a text could be and how many different ways his works could be employed for poetic effect in similar circumstances. The text I have chosen for this analysis is Ovid's exilic poetry. Cicero's own experience of exile makes this an immediately promising series of poems to investigate. On top of this, the novelty of Ovid's poetic undertaking gave him an opportunity to cast a wide net in search of intertextual models, among whom Cicero seems to have ranked highly.⁴

To a certain extent, it is only natural to have found a wealth of Ciceronian material in the previous two sections of this thesis: Cicero was a major historical figure

⁴ For the novelty of Ovid's exile poetry, see: Nagle (1980). Cf. Citroni Marchetti (2000).

and an exceptionally gifted orator. We might be surprised by the volume of *Ciceroniana* in early imperial historiography and declamation, and we might be surprised by the precise nature of some of his appearances in these texts, but it is no shock to find Cicero lurking there. The same cannot be said for poetry. There is no similarly intrinsic reason of genre to explain Cicero's presence in these texts. His ubiquity in the poetry of the early imperial period can only be attributed to the fact that he remained an absolutely central figure to the culture of early imperial Rome.

Chapter 8

In medio mihi Cicero erit: Virgil's Cicero

Prologue

As Nisus and Euryalus continue their journey to find Aeneas after their raid on the camp of the unsuspecting Rutulians, their sortie quickly begins its descent into chaos. As the affairs of the two young warriors begin a transition from bad to worse, Virgil provides the reader with an extraordinary geographical aside. As the Latin commander Volcens approaches, the two young warriors flee for their lives:

Euryalum tenebrae ramorum onerosaque praeda

impediunt, fallitque timor regione uiarum.

Nisus abit; iamque imprudens euaserat hostis

atque locos qui post Albae de nomine dicti

Albani (tum rex stabula alta Latinus habebat),

ut stetit et frustra absentem respexit amicum.¹

What makes this geographical section extraordinary is the fact that any reader even roughly familiar with the topography of Roman Italy would be taken aback by the description of the Alban territory at lines 387-8.

At no point in the *Aeneid* does Virgil go out of his way to help the reader locate the Trojan and Latin camps with any great level of precision. He does, however, offer enough hints to allow their positions to be fairly secure. We know, for example, from

¹ Vir. *Aen.* 9.384-9.

Aeneas' river-borne voyage to seek reinforcements from Evander and from Turnus' escape from the Phrygian host that the Trojan camp is located somewhere on a bend in the river Tiber.² We also know from the preamble to Nisus and Euryalus' raid that the Latin camp cannot be pitched far from that of the Trojans as they are within sight of each other.³

The bibliography pertaining to the topography of the camps in *Aeneid* IX is not negligible.⁴ As a general rule, however, attention has been focused upon using the section quoted above and the proximity of the Trojan camp to the Tiber to locate Nisus and Euryalus' route between the two encampments. The lines describing the *locos qui post Albae de nomine dicti Albani* are given relatively short shrift. It is difficult to imagine that this topographical couplet could refer to any other place than the Colli Albani. However, rather problematically, the Alban hills are located some ten to twenty miles from the Tiber – further away than Nisus ought to find himself after a brief flight.⁵ Only Bleisch's 2001 article gives full attention to Virgil's explicit reference to the Alban region.⁶

As well as arguing that it is foolish to look for some unknown place in Latium named after *Alba* when such a place is already known to us, this article shows that one

² For Aeneas' journey see: *Vir. Aen.* 8 *passim*, but see esp. 79-101; for his return, 10.260-75; for Turnus' escape, 10.789-90, 815-8.

³ *Vir. Aen.* 9.188-90. Virgil does not specify how long it takes Nisus and Euryalus to reach the Trojan camp, but there is no indication that a journey of any great length has been undertaken: 9.314-9.

⁴ Rehm (1932), pg. 54; Tilly (1956), pg. 164-72; Carcopino, (1968), pg. 471-2, 286-7; Della Corte (1971), pg. 151-4; Della Corte (1972), pg. 190, 194; Della Corte (1981), pg. 69-70; Castagnoli (1984), pg. 80.

⁵ Hardie (1994b), pg. 142-3.

⁶ Bleisch (2001).

can pinpoint the location of Nisus' turning-point to a very specific location in the Alban territory. Bleisch finds the key to the topography in the aside *tum rex stabula alta Latinus habebat*:

The word *stabula* explains the exact location of Nisus' turning-point; *stabula* is an etymological pun on the toponym Bovillae. The word *bovilla*, formed from the noun *bovile, bovilis*, n., plural *bovilia* (-illa trad.), is glossed in ancient glossaries as *boustasia* (TLL 2.2151.22-38); in other words: *stabula*. Virgil's etymological pun locates Nisus' turning-point at Bovillae.⁷

The argument continues that we should not be alarmed by the fact that this is far too far for Nisus to have run (and in the wrong direction) because Virgil does not purport to provide a truly accurate Italian geography. The article concludes that the reference to Bovillae at this point in the narrative is a meaningful one: it is designed to bring to mind the fact that the *gens Iulia* claimed descent from that area, thus obliquely reminding the reader that Augustus' ancestors would eventually be the victors of this poem, even though at this point in the narrative they are at their lowest ebb.

We should not attempt to ignore the surprise the reader feels at being suddenly in Bovillae. Virgil knew the geography of Italy and if he decided to transport his reader a sudden 20 miles, it should be understood that he did so deliberately.⁸ The surprise

⁷ Bleisch (2001), pg. 183. She also argues that *habebat* acts as a marker for an etymology.

⁸ Horsfall (1985). Virgil is described by Servius Danielis (*ad Aen.* 1.44) as: *totius Italiae curiosissimus*.

the reader feels at this sudden movement should alert them to the fact that Bovillae is in some way key to interpreting this passage.⁹

A positive connection with the *Gens Iulia*, however, was not the only association that was likely to have leapt into the minds of Virgil's readers when they thought of Bovillae. If one takes seriously the idea that Augustan readers knew their Cicero, it becomes possible to give a darker colouring to this geographical allusion.

Cicero's connection with Bovillae can be traced back to Cicero's unsuccessful defence of Milo. Although Cicero lost his case, the *Pro Milone* is still well-known for its power as a piece of oratory; it was also celebrated in antiquity.¹⁰ The speech is a member of that canon of Ciceronian orations to be explicitly mentioned by the declaimers of the early empire.¹¹ The connection between the *Pro Milone* and the Nisus and Euryalus episode should come as no surprise: both of these bloody brawls took place at Bovillae.¹²

It is not easy to imagine that a mention of Bovillae would not have led the Augustan reader to the fight that took place there between Clodius and Milo in 52 BC. This identification was a direct result of Cicero's prominence as a cultural figure in this period and the popularity of the *Pro Milone* as a rhetorical text. This has a crucial effect upon how we interpret Virgil's depiction of the deaths of Nisus and Euryalus.

⁹ Compare the reader's surprise here with the famous move of Priam's body at Vir. *Aen.* 2.554-8 briefly evoking Pompey's death: Servius, *ad loc.*; Moles (1982-3), pg. 287-8; Bowie (1990), pg. 472; Morgan (2000).

¹⁰ Clark (1895), pg. 1.

¹¹ Sen. *Suas.* 6.2, *Contr.* 3.pr.16. Cf. Suet. *Gram.* fr. 31; Quint. *Inst.* 10.5.20.6. See also: pg. 275-278.

¹² Asc. *Mil.* 27; Att. 5.13.1; Liv. *Per.* 107; Vell. 2.47.4.

Bleisch's optimistic reading of Bovillae's association with the *gens Iulia* can be complicated by the addition of the famous Battle of Bovillae. Virgil was hardly averse to raising the spectre of Rome's recent civil conflict in his treatment of the war between the Trojans and the Italians, and Virgil's topographical excursus in these lines cannot but evoke the infamous murder of one Roman by another on the outskirts of Bovillae.¹³

Nisus' accidental encounter with king Latinus' stables during his flight from Volcens has the potential to offer the reader some hope of a future Roman peace under the *gens Iulia* which will arise from that very place. Bovillae's more contemporary role in Roman history, however, subtly configures this otherwise Homeric skirmish into one far more redolent of the recent clash between Milo and Clodius. Virgil exploits Bovillae's ambiguity in order to remind his reader that the battle for the hand of Lavinia will not be the last episode of internecine strife to interpose itself between the events he is narrating and the age in which he composed them. The poet could only accomplish this because his readers could be relied upon to know their Cicero.

Introduction

The connection between Cicero and Virgil that I have posited above is something of an oblique one. It relies upon a broad conception of Cicero as an important figure in early imperial consciousness, but it does not in itself show much in the way of an engagement on Virgil's part with the actual writings of Cicero. Does anything, after all, in Virgil's description of Nisus and Euryalus' raid actually suggest

¹³ For the conflict between Trojans and Italians as civil war, see: Johnson (1976), pg. 137-8.

that the sublime poet Virgil did anything so vulgar as actually sitting down to read Cicero's prose? As far as my interpretation of this episode goes, the answer must be that no such hint exists.¹⁴ The story of Nisus and Euryalus is not the place to look for such a close engagement with a Ciceronian text. Rather, it is to be classed among that fleet of potent Virgilian allusions that hinges upon one subtle hint and puts the alert reader to work interpreting its meaning.¹⁵

This chapter will show that this is not the limit of Virgil's interactions with Cicero. Virgil was, in fact, just as able to forge deep intertextual connections between his poetry and Cicero's works as he was able to make reference to famous episodes from Cicero's life. First of all, this chapter will demonstrate the influence Cicero's youthful translation of the *Phaenomena* had on the astrological sections of the *Georgics*, proving that Virgil's own translations of Aratus in this text make several deliberate stylistic nods in the direction of his hexametrical predecessor. Secondly, it will show that Cicero was a programmatic figure in the *Eclogues*, marked out as a key figure in the development of Roman literary culture.

The second half of this chapter will move onto a consideration of the textual footprint Cicero left on Virgil's national epic. Beginning with the fifth book of the *Aeneid*, I will show that Virgil combines allusions to both Cicero's poetry and his oratory to mark an important step on the road to the foundation of Rome. Finally, I

¹⁴ We cannot discount an intertextual relationship between this episode and a non-extant Ciceronian text.

¹⁵ For another example of such allusive subtlety, see the reference to Nicopolis in the dedication of Abas' shield at Vir. *Aen.* 3.286-8. Cf. Stahl (1998b), pg. 67-74.

will examine a *locus classicus* of the Augustan reception of Cicero: the figure of Drances. By interpreting Drances as a figure created from references to specific Ciceronian texts, rather than just a broad caricature of him, I will show that Virgil used the Philippics, among other speeches, to highlight the role played by oratory in creating the civil wars and, ultimately, the Augustan Principate.

Stormy Weather

One of the clearest points of contact between the Virgilian corpus and a Ciceronian text is to be found in Virgil's treatment of Aratus' *Phaenomena*. There are a number of places in both the *Eclogues* and the *Georgics* where Virgil seems to be at least as interested in Cicero's translation of these verses as he is in Aratus' original composition.¹⁶ The fragmentary nature of Cicero's version of this text makes it difficult to assess the exact extent of Virgil's debt, but even the few surviving Ciceronian verses alert us to some Virgilian interactions.

In January of 1951, not many years after returning from the horrendous conditions of a Japanese prison of war camp in Singapore (in which he wrote the first draft of *The Singing Farmer*), L. A. S. Jermyn put his familiarity with the *Georgics* and the *Phaenomena* together with his knowledge of Cicero, some Exmouth fishermen and His Majesty's Meteorological Office, and produced an article on Virgil's propensity to follow Cicero's *Aratea* (rather than the *Phaenomena* itself) in the section of the *Georgics*

¹⁶ For Cicero's translation of the *Phaenomena*, see: Nairn (1932); Morford (1967); Gee (2001); Taub (2010).

describing unusual weather patterns.¹⁷ At the heart of this article was an idea later termed 'window allusion'.¹⁸

The first of Virgil's weather signs concerns how the land and sea can be used to predict a gale:

continuo uentis surgentibus aut freta ponti
incipiunt agitata tumescere et aridus altis
montibus audiri fragor, aut resonantia longe
litora misceri et nemorum increbrescere murmur.¹⁹

This is a careful adaption of the following section of the *Phaenomena*:

σημα δέ τοι ἀνέμοιο καὶ οἰδαίνουσα θάλασσα
γινέσθω καὶ μακρὸν ἐπ' αἰγιαλοὶ βοόωντες,
ἀκταὶ τ' εἰνάλιοι ὅπότε' εὐδίοι ἠχῆσσαι
γίνονται, κορυφαί τε βοώμεναι οὐρεὸς ἄκραι.²⁰

Thanks to his habit of quoting his own poetry, Cicero's translation of these lines preserved in the first book of the *de Divinatione*:

atque etiam ventos praemonstrat saepe futuros
inflatum mare, cum subito penitusque tumescit,
saxaque cana salis niveo spumata liquore

¹⁷ Jermyn (1951); cf. Jermyn (1949).

¹⁸ Thomas (1986), pg. 188-9. Barchiesi (1981) has since noted another Ciceronian allusion at Vir. *Geo.* 2.473-4.

¹⁹ Vir. *Geo.* 1.356-9.

²⁰ Arat. *Phaen.* 909-12; cf. Thomas (1988a), *ad* Vir. *Geo.* 1.356-9.

tristificas certant Neptuno reddere voces,
aut densus stridor cum celso e vertice montis
ortus adaugescit scopulorum saepe repulsus.²¹

Virgil here adopts the alliteration that Cicero employed to mimic the crashing of the sea, a feature entirely absent from the *Phaenomena*.²²

The next passage cited by Jermyn is the run of lines concerning the reactions of birds to a coming storm:

iam sibi tum a curuis male temperat unda carinis,
cum medio celeres reuolant ex aequore mergi
clamoremque ferunt ad litora, cumque marinae
in sicco ludunt fulicae, notasque paludes
deserit atque altam supra uolat ardea nubem.²³

The section of Aratus' poem that Virgil renders into Latin here runs on from the section quoted above:

καὶ δ' ἄν ἐπὶ ξηρὴν ὅτ' ἐρωδιὸς οὐ κατὰ κόσμον
ἐξ ἁλὸς ἔρχηται φωνῇ περιπολλὰ λεληκῶς,
κινυμένου κε θάλασσαν ὑπερφορέοιτ' ἀνέμοιο.
καί ποτε καὶ κέπφοι, ὅπότε εὐδίοι ποτέονται,
ἀντία μελλόντων ἀνέμων εἰληδὰ φέρονται.

²¹ *Prog.* 3.1-6. = *Div.* 1.13.

²² Both contain eleven t-sounds in the first two lines: Jermyn (1951), pg. 29-31.

²³ *Vir. Geo.* 1.360-4.

πολλάκι δ' ἀγριάδες νῆσσαι ἢ εἰναλίδιναι
αἴθυιαι χερσαῖα τινάσσονται πτερόγεσσιν:
ἢ νεφέλη ὄρεος μηκύνεται ἐν κορυφῆσιν.²⁴

Although we have only three lines of Cicero's rendering, they are significant when it comes to interpreting the differences between the *Phaenomena* passage and its counterpart in the *Georgics*:

cana fulix itidem, fugiens e gurgite ponti,
nuntiat horribilis clamans instare procellas,
haud modicos tremulo fundens e gutture cantus.²⁵

Leaving aside both Wilkinson and Wardle's doubts about the specific identification of the bird in question, this is a clear sign that Virgil made use of Cicero's *Aratea* when translating a section of the *Phaenomena*: Aratus' gaggle of gulls and wild ducks have been replaced in the *Georgics* by a lone bird, Cicero's *fulix*.²⁶

Jermyn takes this one step further and notes the connection between line 361 of the *Georgics* and the first verse of the Cicero fragment quoted above:

[Virgil's] ear has told him that the youthful Cicero, in his '*cana fulix itidem fugiens e gurgite ponti*', found the right quantitative rhythm to express the rapid landward flight of birds, the spondee in the fourth foot marking the check before the final swoop to shore. Therefore, though he gives you a new

²⁴ Arat. *Phaen.* 913-20.

²⁵ *Prog.* 3.7-9 = *Div.* 1.14.

²⁶ Jermyn (1951), pg. 32.

line, '*cum medio celeres revolant ex aequore mergi*', it is in the same rhythm, dactyl for dactyl and spondee for spondee.²⁷

This metrical borrowing suggests an extraordinarily sophisticated appreciation of one of Cicero's earliest poetic texts.

Jermyn produces one further section of the *Georgics* for analysis:

tum cornix plena pluuiam uocat improba uoce
et sola in sicca secum spatiat harena.²⁸

Virgil's couplet here is based upon a similar set of verses in the *Phaenomena*:

ἢ που καὶ λακέουζα παρ' ἠϊόνι προὔχουση
χείματος ἐρχομένου χέρσῳ ὑπέτυψε κορώνη,
ἢ που καὶ ποταμοῖο ἐβάψατο μέχρι παρ' ἄκρους
ῶμους ἐκ κεφαλῆς, ἢ καὶ μάλα πᾶσα κολυμβᾶ,
ἢ πολλὴ στρέφεται παρ' ὕδωρ παχέα κρώζουσα.²⁹

And here is Cicero's translation of them:

fuscaque non numquam cursans per litora cornix
demersit caput et fluctum cervice recepit.³⁰

The effect Cicero strives after in this couplet is imitation of the rasping caw of the *cornix*. To achieve this, Cicero incorporates ten 'c' sounds in two lines. As well as inheriting Cicero's brevity, Virgil also takes up the idea of making alliteration the

²⁷ Jermyn (1951), pg. 32-3.

²⁸ *Vir. Geo.* 1.388-9.

²⁹ *Arat. Phaen.* 949-53.

³⁰ *Prog.* 4.8-9 = *Div.* 1.14.

poetic mainstay of these lines, but rather than draw attention to the noise of the bird, the line's sibilance focuses on the sound of the bird's feet splashing on the beach: *et sola in sicca secum spatiatur harena.*

Cicero among the Shepherds

Looking further back in Virgil's oeuvre, we find another place where he treats Cicero's *Aratea* as something of a programmatic text. Virgil's third *Eclogue* plays an important role in the structure of that collection of poems. It is the first poem to feature that most bucolic of scenarios, the amoebaeian contest, which begins as follows:

{D.} ab Ioue principium Musae: Iouis omnia plena;

ille colit terras, illi mea carmina curae.

{M.} et me Phoebus amat; Phoebos sua semper apud me

munera sunt, lauri et suaue rubens hyacinthus.³¹

Virgil begins the programmatically crucial first amoebaeian contest of his bucolic collection with pair of couplets dense in allusivity.³² Two passages spring to mind immediately. It should not be surprising that the second passage alludes closely to the first bucolic poet Theocritus.³³ The first passage also has a passing resemblance to the opening line of Aratus' *Phaenomena*, the work of another Hellenistic poet.³⁴ It looks, however, even more remarkably similar to the first line of Cicero's translation of this

³¹ Vir. *Ecl.* 3.60-3.

³² For the amoebaeian contest in pastoral poetry, see: Karakasis (2011).

³³ Lacon's response to Comatas in the amoebaeian contest of the fifth *Idyll*: Theoc. *Id.* 5.82.

³⁴ Arat. *Phaen.* 1.

work: *a Ioue Musarum primordia*.³⁵ Although this pair of allusions has been noted before, they could stand to be pushed a little further.³⁶

The agonal nature of the amoebaeian contest allows Virgil to experiment with contrasts, to set out some of the polarities involved in his poetic project. His choice to begin this contest by, in a sense, aligning Damoetas with Cicero/Aratus and Menalcas with Theocritus indicates Cicero's importance as a literary figure in this period. In writing this collection of pastoral poetry, Virgil is deeply concerned with demonstrating his position in a nexus of Greek, Italian and Roman influences. Virgil's decision to pair Menalcas' reference to Theocritus with Damoetas' echo of Cicero-via-Aratus perfectly exemplifies Segal's view of the poet's broader strategy in the third *Eclogue*:

[E]ven in this most "pastoral" of the *Eclogues* Vergil attempts to indicate his awareness of the limits of the pastoral form, that he is consciously seeking, through the poem, to establish his peculiar relation with the pastoral tradition.³⁷

Virgil's peculiar relationship with the pastoral tradition is in part a reflection of his status as a Roman poet. His influences are not restricted to the Hellenistic, but encompass the Roman literary sphere as well. Virgil signals this heritage with an allusion to Cicero: a figure who was not just a major Roman man of letters, but

³⁵ *Arat.* 1.1 = *Leg.* 2.7.13.

³⁶ Coleman (1977), *ad loc.*; Clausen (1994), *ad loc.*; Hubbard (1995), pg. 63-4.

³⁷ Segal (1967), pg. 280.

specifically an author who made his name translating Greek into Latin. Cicero assumes an important mantle here. Virgil's decision to treat one of his lines of poetry as, arguably, a metonym for the whole of Latin poetry and the Roman literary tradition suggests a far more positive appreciation on Virgil's part.³⁸

The idea that Virgil might be seen as Cicero's successor in the field of Latin literature is not present in this passage alone. This concept makes some sense of an otherwise baffling note from Servius' commentary on the sixth *Eclogue*:

dicitur autem [sc. haec ecloga] ingenti fauore a Vergilio esse recitata, adeo ut, cum eam postea Cytheris cantasset in theatro, quam in fine Lycoridem uocat, stupefactus Cicero, cuius esset, requireret. et cum eum tandem aliquando uidisset, dixisse dicitur et ad suam et ad illius laudem 'magnae spes altera Romae': quod iste postea ad Ascanium transtulit, sicut commentatores loquuntur.³⁹

We are unlikely ever to know where Servius found this story, and Zetzel is certainly correct to call it an aberration.⁴⁰ However, it is remarkably similar to a story found in Suetonius' *Life of Augustus*:

M. Cicero C. Caesarem in Capitolium prosecutus, somnium pristinae noctis familiaribus forte narrabat: puerum facie liberali, demissum e caelo catena

³⁸ For negative assessments of Cicero's poetry, see: Ewbank (1933), pg. 10-13, 123-4; Soubiran (1972), pg. 69-72; Steel (2005), pg. 28-33. For a more balanced approach to Cicero's poetry, see: Knox (2011). Many more links between the Virgilian corpus and Cicero's *Aratea* are likely to be concealed by the fragmentary nature of Cicero's poem.

³⁹ Serv. *ad Ecl.* 6.11.

⁴⁰ Zetzel (1984), pg. 141.

aurea, ad fores Capitoli constitisse eique Iovem flagellum tradidisse; deinde repente Augusto viso, quem ignotum plerisque adhuc avunculus Caesar ad sacrificandum acciverat, affirmavit ipsum esse, cuius imago secundum quietem sibi obversata sit.⁴¹

Suetonius' story is not difficult to parse: Cicero's meeting with the young Augustus functions as a divinely-inspired moment in which a statesman representing the old guard encounters the one who will go on to be his successor.⁴²

Ridiculous though Servius' scenario might be, it follows the same idea: Cicero, this time in his guise as the *spes* of Latin literature, encounters the man who will eventually surpass him in that field. Given the date of Cicero's death and most usual estimates for the composition of the *Eclogues*, we would be wise not to search for much in the way of historical veracity in Servius' story. However, when we consider the role played by Cicero in the third *Eclogue* and combine it with our knowledge of Virgil's later use of his *Aratea*, we might yet make allowances for the idea that Servius was picking up on something real in the relationship between Virgil and Cicero – the idea that Cicero could be construed as something of a literary father to Virgil.⁴³

Nautes' Ars

The appearance of Cicero's translation of a popular Hellenistic text in the *Eclogues* and the *Georgics* may look on the surface more like a flurry of metapoetic

⁴¹ Suet. *Div. Aug.* 94.8. Cf. Wardle (2014), *ad loc.*

⁴² On Cicero's dream, see: Plut. *Cic.* 44.2-4; Gascou (1984), pg.356, 777-8; Moles (1988), pg. 195; Lorsch Wildfang (2000), pg. 48-51; Wardle (2005); Santangelo (2013), pg. 258-9.

⁴³ For Cicero as a father figure in the *Aeneid*, see: pg. 365-370.

fancy than the Republic rearing its head amidst the formation of imperial Rome's literary culture. The *Aeneid*, however, is generally held to be a more serious matter. Cicero's appearance or non-appearance in the Augustan age's great national epic has concerned scholars, and a far from insubstantial amount of ink has trickled forth on the subject.

As discussed above, Cicero's absence from Aeneas' shield is a conspicuous one.⁴⁴ I have argued that Virgil's decision to make Cato the virtuous statesman to stand in contrast with Catiline ought to be read as a symptom of a trend of gradually wresting free the events of 63 BC from the choking grasp of Cicero's own self-aggrandizing narrative so its spoils might be divided up among a broader parade of heroes and villains. However, as we saw in the above analysis of the Nisus and Euryalus episode, Virgil's pointed decision not to give Cicero centre stage on the shield does not translate into a broader tactic of side-lining him as a political and literary figure in the *Aeneid*. What follows will be a study of the intertextual relationship that exists between *Aeneid V* and Cicero's *de Consulatu Suo*.

Although this poem is usually derided for its apparent pomposity as an undertaking, or damned for the perceived flaws in the scattered fragments that have come down to us, Virgil at least was happy to make use of it when crafting his own epic.⁴⁵ Although the *de Consulatu Suo* survives in the largest existing quotation of Latin

⁴⁴ Pg. 42-44, 315; Gowing (2013a), pg. 235. For a speculative account of Cicero's role in forging this picture of Catiline in the underworld in his *de Consulatu Suo*, see: Wiseman (1994), pg. 57-8.

⁴⁵ For an assessment of the *de Consulatu Suo*, see: Steel (2005), pg. 28-33.

poetry (albeit a self-quotation⁴⁶), only a tiny amount of the whole has come down to us. This has two consequences. First, it is impossible to make any far-reaching statements about the extent to which Virgil made use of this text. We must be careful to regard these moments of Ciceronian intertextuality as potentially only the visible tip of a much larger iceberg. Secondly, we need to engage with the scholarship on recreating the *de Consulatu Suo* from hints in other texts.

One such hint has been found in Cicero's *de Domo Sua*, a speech arguing against Clodius' demolition of Cicero's house and subsequent dedication of a shrine to *Libertas* on the site. Cicero makes relatively frequent references to Clodius' speech, and near the end of a section dedicated to self-laudation, Cicero says the following on the subject of his promotion of the Catilinarian conspiracy's suppression:

hic tu me etiam gloriari vetas; negas esse ferenda quae soleam de me
praedicare, et homo facetus inducis etiam sermonem urbanum ac
venustum, me dicere solere esse me Iovem, eundemque dictitare Minervam
esse sororem meam.⁴⁷

Nisbet has argued that this professed interaction with Minerva and Jupiter constitutes a reference to the *de Consulatu Suo*, which had no qualms with mixing the divine and the human.⁴⁸

⁴⁶ *Div.* 1.17.

⁴⁷ *Dom.* 92.

⁴⁸ Nisbet (1939), *ad loc.*

We can combine this reference to Cicero's relationship with Jupiter and Minerva with a couple of supporting passages. The first comes from Quintilian:

in carminibus utinam pepercisset, quae non desierunt carpere maligni:
'cedant arma togae, concedat laurea linguae' et 'o fortunatam natam me
consule Romam!' et Iouem illum a quo in concilium deorum aduocatur, et
Mineruam quae artes eum edocuit: quae sibi ille secutus quaedam
Graecorum exempla permiserat.⁴⁹

The second comes from the pseudo-Sallustian *Inuectiva in Ciceronem*:

sed quid ego plura de tua insolentia commemorem? quem Minerva
omnis artis edocuit, Iuppiter Optimus Maximus in concilio deorum
admisit, Italia exulem humeris suis reportavit.⁵⁰

Comparing this pair of passages with the above section of *de Domo Sua*, Nisbet concluded:

In his poem *de Consulatu Suo*...there seem to have been expressions like
Iouem illum a quo in concilium deorum aduocatur, and *Minervam quae artes eum
edocuit*.⁵¹

The second of these lines is important for the purposes of drawing a connection between Cicero's epic and Virgil's.

⁴⁹ Quint. *Inst.* 11.1.24.

⁵⁰ Ps. Sall, *Inv. in Cic.*, 7.

⁵¹ Nisbet (1939), *ad* §92.

Virgil's allusion to this phrase has not been noticed other than in a brief footnote in Walter Allen Jnr's 1956 article on Cicero's poetic output.⁵² The allusion occurs as a despairing Aeneas considers his options in the wake of the Trojan women burning the ships. As he ponders whether to give up and settle in Sicily, one of his companions approaches with advice:

tum senior Nautes, unum Tritonia Pallas
quem docuit multaque insignem reddidit arte –
haec responsa dabat, uel quae portenderet ira
magna deum uel quae fatorum posceret ordo.⁵³

The similarity between this section and Nisbet's suggested Ciceronian expression is striking on both a linguistic and thematic level.

The reference to Nautes having been taught his art by Minerva herself should immediately alert the reader to this character's resemblance to Rome's most celebrated orator. Nautes' prophetic *ars* may be different from Cicero's divinely-instructed eloquence, but the fact that Minerva is being made responsible for a skill normally associated with Apollo makes the allusion stand out all the more clearly.⁵⁴

This neat reference to Cicero's poetry is central to Virgil's explanation of why Aeneas chose to continue with his mission. The allusion, however, has more layers than that. Although the speech that Nautes goes on to give is more slow and

⁵² Allen (1956), pg. 135, n.20.

⁵³ Vir. *Aen.* 5.704-7.

⁵⁴ For prophecy as the province of Apollo, see: Vir. *Aen.* 3.359-73. For Apollo's association with prophecy in the *Aeneid*, see: Miller (2009), pg. 100-55.

emotionless than we would expect from a Ciceronian oration (its style is that of an oracular prophecy⁵⁵), its content at least suggests that Nautes' training from Minerva did not pass over the mainstay of imperial oratorical training – reading Cicero.⁵⁶ His speech urging Aeneas not to panic ends with these lines:

longaeuosque senes ac fessas aequore matres
et quidquid tecum inualidum metuensque pericli est
delige, et his habeant terris sine moenia fessi;
urbem appellabunt permissio nomine Acestam.⁵⁷

A reader familiar with the *Verrines* would have had no problem recognizing this story:

Segesta est oppidum pervetus in Sicilia, iudices, quod ab Aenea fugiente a Troia atque in haec loca veniente conditum esse demonstrant. itaque Segestani non solum perpetua societate atque amicitia, verum etiam cognatione se cum populo Romano coniunctos esse arbitrantur.⁵⁸

Not only is Nautes introduced in Ciceronian terms, he delivers a speech that shares material with one of Cicero's most famous orations.⁵⁹

⁵⁵ Williams (1960), *ad* 709-10.

⁵⁶ For the centrality of Ciceronian oratory to rhetorical instruction in the early imperial period, see: pg. 210-236; cf. Bloomer (2011), pg. 104-10.

⁵⁷ *Vir. Aen.* 5.715-8. Acesta was Egesta in Greek and became known as Segesta to the Romans. For more on this, see: Williams (1960), *ad loc.*

⁵⁸ *Verr.* 2.4.72.

⁵⁹ For the proverbial popularity of the *Verrines*, see: *Sen. Suas.* 2.19; McGill (2005).

It should also be noted that Cicero rears his head at a crucial juncture in Virgil's narrative. The foundation of Segesta is a key step on the road leading to the foundation of Rome. This settlement on Sicily is of twofold importance in this regard. First, it acts as a corrective to Aristotle's narrative of the foundation of Rome; it refutes the claim that Rome's great ktistic moment was an *ad hoc* response to the burning of the ships.⁶⁰ Its second layer of importance lies in the key role played by Segesta in Rome's development as a Mediterranean power. Segesta's alliance with Rome in the first Punic War and its later function as a major base of operations on Sicily proved crucial to Rome's success in that watershed conflict, and was the cause of the good relations between the two cities that are detailed above by Cicero.⁶¹

Much like Aeneas' decision to heed Mercury's warning to leave Carthage for Italy, Nautes' speech marks a point at which an obstacle to Aeneas' mission is overcome, and Rome's acquisition of Jupiter's promised *imperium sine fine* is put back on track. These circumstances form an interesting parallel with what we can piece together of the narrative of Cicero's *de Consulatu Suo*. The role Cicero attributes to himself is that of the divinely aided statesman whose oratory saves Rome from destruction.

The reader might be comforted by this allusion. We can take the appearance of two men personally schooled in their *ars* by Minerva from either end of Rome's history as a sign that the gods will forever keep guard over Rome's greatness, always ensuring

⁶⁰ Dio. Hal. *Ant. Rom.* 1.72.3-5. See also: Galinsky (1968), pg. 169-70.

⁶¹ Cf. Polyb. 1.17.6, 1.24.2; Walbank (1957-79), *ad loc.*

that when a crisis emerges, a saviour will be proffered.⁶² This reassuring reading tallies neatly with the first simile of the poem.⁶³

Such an interpretation does not, however, sit comfortably with a reader who knows their Sallust. Sallust saw the Catilinarian conspiracy as a symptom of a broader degeneracy that would eventually culminate in almost two decades of Roman civil war, and, at the end, a far more complicated saviour than we find in *de Consulatu Suo*.⁶⁴ A reader who saw Cicero's expulsion of Catiline as little more than a sticking plaster for Rome's greater sickness might see in Nautes' speech a reminder that the as yet unfounded city of Rome had a great many horrors lying in wait for it.

Oratory and the Fall of Latium

I would now like to make a transition from this almost unremarked-upon Ciceronian allusion to one of the better-known examples of Cicero's presence in the Augustan age. The identification of Cicero with Drances was important enough to set two of the greatest figures of French literary criticism at odds. Michel de Montaigne's estimation of the man who first made this identification could not have been higher (*comme j'ay veu Adrianus Turnebus, qui, n'ayant fait autre profession que des lettres, en laquelle c'estoit, à mon opinion, le plus grand homme qui fut il y a mil'ans*⁶⁵), while Charles Augustin Sainte-Beuve's reaction to this idea runs: *l'orateur Drancès (oh! ici je me révolte)*

⁶² For Minerva's special role in Cicero's religious life, see: Bodel (2008)

⁶³ *Vir. Aen.* 1.148-53; cf. Harrison (1988); Feeney (2014), pg. 209-21.

⁶⁴ For Virgil's familiarity with this Sallustian interpretation, see: Harrison (1997), pg. 74.

⁶⁵ Montaigne, *Essais* 1.25 = Villey and Saulnier (1992), pg. 139. Macrobius also has a claim to first making this identification: *Sat.* 6.2.33.

*serait Cicéron... Non, non, encore une fois non, me crie de toutes ses forces ma conscience poétique.*⁶⁶ The length of the bibliography on the subject of this identification is a fine index of its controversy.⁶⁷ In what follows I will attempt to show which parts of the text gave Turnebus the sense that Cicero lay behind the character of Drances.

Aeneid XI opens with a truce to allow the Trojans and the Latins to bury their dead.⁶⁸ During this armistice, Latinus calls a council, in the course of which the envoys that had been sent to win the support of Diomedes are received. Upon hearing of Diomedes' decision not to get involved in this war, Drances rises to speak.

Drances has appeared before this, described earlier as the most prominent of the *oratores* to plead with Aeneas for the truce.⁶⁹ The impression given in this first meeting is not a flattering one. Although Drances is certainly a man speaking eloquently in the right cause, his ignoble motives are immediately revealed:⁷⁰

tum senior semperque odiis et crimine Drances
infensus iuueni Turno sic ore uicissim
orsa refert...⁷¹

After this introduction, Drances delivers a speech attempting to create a peace between Aeneas and Latinus that excludes Turnus. He is next encountered using the

⁶⁶ Sainte-Beuve (1870), pg. 63.

⁶⁷ For this bibliography, see: McDermott (1980).

⁶⁸ *Vir. Aen.* 11.100-224.

⁶⁹ *Vir. Aen.* 11.122.

⁷⁰ For Drances speaking in the right cause, see: *Vir. Aen.* 11.132; for Drances speaking well, see: 124-6.

⁷¹ *Vir. Aen.* 11.122-4.

peace guaranteed by his truce to stir up Latin feeling against Turnus, accusing him of being the only obstacle to a lasting settlement. This proves unsuccessful.⁷²

These moments, however, are a warm-up to Drances' main scene. Although his character has already been fixed as a powerful speaker committed to the destruction of Turnus, Virgil still reiterates this when Drances reappears in the council of war:

tum Drances idem infensus, quem gloria Turni
obliqua invidia stimulisque agitabat amaris.⁷³

Drances goes on to deliver one of the *Aeneid's* few formal speeches, supporting Latinus' call for a peaceful resolution to the conflict with the Trojans, but supplementing it with an attempt to make sure it is achieved at Turnus' expense.⁷⁴

Throughout these appearances, there are several specific moments that have given rise to the suspicion that Cicero was a model for Drances. The key passage for this idea is the character-sketch provided before Drances' speech:

largus opum et lingua melior, sed frigida bello
dextera, consiliis habitus non futilis auctor,
seditione potens (genus huic materna superbum
nobilitas dabat, incertum de patre ferebat),
surgit et his onerat dictis atque aggerat iras.⁷⁵

⁷² Vir. *Aen.* 11.220-4.

⁷³ Vir. *Aen.* 11.336-7.

⁷⁴ Vir. *Aen.* 11.343-75; Gransden (1991), *ad loc.* Highet (1972), pg. 278.

⁷⁵ Vir. *Aen.* 11.338-42.

Olivier, Highet, Kennedy and Gransden all argue that this description of Drances origins should recall Cicero's *novus homo* status.⁷⁶ They do so with reason – this passage is very similar to the material found in the first lines of Plutarch's biography of Cicero:

*It is said of Helvia, the mother of Cicero, that she was well-born and lived an honourable life; but of his father nothing can be learned that does not go to an extreme. For some say that he was born and reared in a fuller's shop, while others trace the origin of his family to Tullus Attius.*⁷⁷

Moles and Lintott's commentaries on this passage acknowledge that ignoble birth was a common enough insult in this period, but recognize that these charges appear elsewhere in connection with Cicero.⁷⁸ The link with fullery appears in Calenus' invective in Dio's history.⁷⁹ Moreover, Lintott connects the charge to Cicero's own day via contemporary texts, while Moles does so via epigraphy.⁸⁰

Even disregarding Plutarch's testimony, we have independent confirmation that Cicero's paternal family had no great standing in Rome, while the *gens Helvia* can be linked to several important magistracies around 200 BC and at the end of the Republic.⁸¹ Although these origins would no doubt fit the bill for many figures, not many of them also share Drances and Cicero's status as famed orators.

⁷⁶ Olivier (1963), pg. 204-5; Highet (1972), pg. 142-4; Kennedy (1972), pg. 395; Gransden (1991), pg. 14.

⁷⁷ Plut. *Cic.* 1.1-2.

⁷⁸ Moles (1988), *ad loc.*; Lintott (2013), *ad loc.*

⁷⁹ Dio 46.4.2-5.1.

⁸⁰ *Att.* 12.32.3, 15.17.1, 15.20.4, 16.1.5; *CIL* 10.5678.

⁸¹ *MRR* 2.572.

The other part of Virgil's text that is usually connected with Cicero is taken from Turnus' speech in reply to Drances' invective. The Rutulian prince gives as good as he gets:

imus in aduersos – quid cessas? an tibi Mauors
uentosa in lingua pedibusque fugacibus istis
semper erit?⁸²

This phrasing is remarkably similar to a section of the pseudo-Sallustian *Invectiva in Ciceronem*:

immo vero homo levissimus, supplex inimicis, amicis contumeliosus, modo harum, modo illarum partium, fidus nemini, levissimus senator, mercenarius patronus, cuius nulla pars corporis a turpitudine vacat, lingua vana, manus rapacissimae, gula immensa, pedes fugaces.⁸³

Both Gransden and McDermott are keen to identify the link between these two passages.⁸⁴ In terms of both specific vocabulary and general theme, there is a remarkable similarity here. The invective chimes neatly with the line quoted above on the subject of Drances' bark being worse than his bite, and also supplies a basic outline of Cicero's life and career that neatly matches Drances' (largely avoiding a career in

⁸² Vir. *Aen.* 11.389-91.

⁸³ Ps-Sall. *Inv.* 3.5; for the early imperial credentials of this text, see: Goodyear (1982), pg. 269; Novokhatko (2009), pg. 111-4.

⁸⁴ McDermott (1980), pg. 36; Gransden (1991), pg. 15. For the early imperial credentials of this text, see: Goodyear (1982), pg. 269; Novokhatko (2009), pg. 111-4.

the military, instead making his name as an orator).⁸⁵ Even Cicero did not shy away from such an interpretation of his life:

cedant arma togae, concedat laurea laudi.⁸⁶

Virgil's portrait of Drances is the negative exposure of Cicero's laudatory assessment of the orator-statesman.

Cicero was not, of course, the only figure who might be called to mind by the description of a hot-air merchant from the ancient world. Although it is beyond dispute that Drances represents the all-talk orator whose province is stirring up trouble for the story's warriors and undermining his rivals for his own ends, critics differ in how far they take the fact that of all the figures known to us from the ancient world, this caricature most neatly fits Cicero – a figure whose enormous footprint on our evidence is perhaps the most unrepresentative of all.

A sceptic might object that Drances does not most resemble Cicero because of some innate Tullian qualities in Virgil's portrayal, but because the state of our evidence makes Cicero stand as the sole representative of a character type that would have been common in the ancient world.⁸⁷ This objection need not be applied too zealously to Drances. We can see some very specifically Ciceronian elements in

⁸⁵ For Drances being readier with words than a sword, see: Vir. *Aen.* 11.338-9.

⁸⁶ This line from *de Consulatu Suo* is quoted at *Off.* 1.77 and expanded upon as an admirable way of life for a statesman.

⁸⁷ Cf. Hardie (1998), pg. 263. For this story, see: Cic. *Fin.* 4.22.

Drances' character if we focus on the similarity between Drances' objectives and language in this scene and those Cicero employed against Catiline.⁸⁸

In light of La Penna's contention that Drances is a better analogue for Catiline than for Cicero, this might seem counter-intuitive.⁸⁹ However, when one considers what it is that Drances is specifically arguing that Turnus should do, we can see why such a connection ought to be made. In general terms, Drances argues that Turnus should forfeit his claim to marry Lavinia so peace might be made with the Trojans. Drances' speech to Turnus makes clear precisely how he thinks this should be accomplished:

miserere tuorum,
pone animos et pulsus abi.⁹⁰

Cicero's verbal assault on Catiline follows the same line of argument: this is a man too dangerous to have within the walls of the city, and he must leave for the sake of all of Rome's denizens:

egredere aliquando ex urbe; patent portae; proficiscere.⁹¹

Turnus, in fact, picks up on the theme of being a Catiline-like danger within the walls when he makes his reply to Drances. When he contests the idea that he might have been in any way defeated in his engagement with Aeneas (*pulsus ego?*), Turnus recalls his success in wreaking havoc when he was within the walls of the Trojan

⁸⁸ McDermott (1980).

⁸⁹ La Penna (1979), pg. 153-65.

⁹⁰ *Vir. Aen.* 11.365-6.

⁹¹ *Cat.* 1.10.

encampment.⁹² We have already seen Turnus threatening the Trojan encampment as if it were Rome when he impersonates Hannibal hurling a spear at its walls.⁹³ Here he gloats that his activities made him a danger inside those walls. It was, of course, Catiline's status as a menace within the walls of Rome that led Cicero to argue that he should be driven beyond them.

It is possible to interpret Drances along non-Ciceronian lines. Another strand of thought prefers to connect him with Thersites and other such vituperative speakers from epic.⁹⁴ Certain though it may be that Drances cannot be dissociated from his epic cousins, there is no reason why this should be the only model for his character.⁹⁵ The Ciceronian resonances in Drances' character are not precluded by the fact that he also acts as an analogue for characters like Thersites, Polydamas and Antenor.⁹⁶ The two work in tandem, strengthening and deepening a character that might otherwise have been a rather thin plot device.⁹⁷

Moreover, Virgil's decision to use the specialist vocabulary of contemporary Roman politics makes it even more tempting to look beyond the world of Homer for more recent models for Drances. This section contains a remarkable concentration of such political language, words like: *libertas*, *penates*, *auspicium*, *cives*, *imperium*, *oratores*,

⁹² Vir. *Aen.* 11.392-8.

⁹³ For Turnus' Hannibalic behaviour outside the city walls, see: Hardie (1994b), *ad Vir. Aen.* 9.52-3; cf. Horsfall (1974).

⁹⁴ Mueller (1969), pg. 286; Burke (1978), pg. 16.

⁹⁵ Burke (1978), for example, has little time for interpretations of Drances that go beyond Homeric models.

⁹⁶ Scholz (1999), pg. 455.

⁹⁷ Mueller (1969), pg. 287.

patres (in the sense of senators) and *legati*.⁹⁸ Most extraordinary, however, is the opening phrase Turnus hurls against Drances:

larga quidem semper, Drance, tibi copia fandi
tum cum bella manus poscunt, patribusque uocatis
primus ades. sed non replenda est curia uerbis,
quae tuto tibi magna uolant, dum distinet hostem
agger murorum nec inundant sanguine fossae.⁹⁹

Cicero's oratory is called to mind by the reference to the senatorial *patres* and to Drances' *copia fandi*.¹⁰⁰ But it is the reference to the Curia, the building in which the Roman senate convened, that immediately transports Drances and Turnus' conflict away from Latinus' primitive kingdom and into the world of contemporary Roman politics.

Suetonius' well-known summary of the senate in the reign of Augustus shows how very different it was from that sketched above.¹⁰¹ The imperial Curia was one in which extended debate was kept to a minimum: meetings were few, members were handpicked by the emperor himself, attendance was kept low and matters of controversy were dealt with in advance. A scene in Curia as described by Virgil is far more redolent of the Republican senate.

⁹⁸ Vir. *Aen.* 11.346; 264; 33, 347; 119, 243, 305, 360, 459; 58, 193; 100, 331; 379; 227, 239, 296.

⁹⁹ Vir. *Aen.* 11.378-82.

¹⁰⁰ For Cicero's and *copia*, see: *Brut.* 253.

¹⁰¹ Suet. *Aug.* 35. For the imperial senate, see: Brunt (1984); Talbert (1984).

The last time debate comparable to that found in the council of the Latins had been witnessed in Rome was in the aftermath of Caesar's assassination and Octavian's ascendancy, and it left behind a textual footprint in the form of the Philippics.¹⁰² The use of the senate as a forum for grandstanding political speeches on matters pertaining to the safety of the *patria* arguably reached its zenith at this moment. The popularity of the second Philippic in this period demonstrates how attached Virgil's audience was to the idea of viewing Augustus' eventual rise to power as the endpoint of a conflict between the swords of Mark Antony and the words of Cicero.¹⁰³ The hints of Cicero in the rhetoric and character of the orator/statesman Drances are made all the more explicit by the Republican backdrop Virgil created for them.

Philippics and Freedom

One final aspect of the debate between Drances and Turnus suggests that it makes an important point about Republican Rome. This is the use of a word that appears only rarely in the *Aeneid*: *libertas*, a word which (unless Ovid was mistaken) is uniquely suited to the Roman people.¹⁰⁴ *Libertas* appears only three times in the *Aeneid*, at each point signifying an important moment in Roman history. Its first two appearances deal with the expulsion of the kings and the foundation of the Republic. In the underworld, Anchises uses the concept of *libertas* to explain Brutus' decision to execute his own sons for their participation in an attempt to restore monarchy at Rome

¹⁰² For this peculiar position accorded to the Philippics, see: Kennedy (1972), pg. 303; Bellardi (1978), pg. 40-1; Pina Polo (1989), pg. 137, (1996), pg. 159 n. 37; Manuwald (2007), pg. 142 n. 394.

¹⁰³ For the popularity of the Philippics in this period, see: Manuwald (2007), pg. 140-3; pg. 250-252.

¹⁰⁴ Ov. *Fast.* 4.621-4; cf. *Phil.* 6.19: *aliae nationes servitutum pati possunt, populi Romani est propria libertas.*

(*pulchra pro libertate*).¹⁰⁵ Later, on the shield of Aeneas, the cause of *libertas* is raised again to explain what Aeneas' descendants were fighting for when they beat back the forces of Tarquinius Superbus' ally, Lars Porsenna.¹⁰⁶

It is a matter of great significance that the debate between Turnus and Drances is the only part of the *Aeneid* where the word *libertas* is used outside of a historical context. This powerful word is raised at the very beginning of Drances' speech, as he responds to Latinus' suggestion that a peace treaty be made with the Trojans:

rem nulli obscuram nostrae nec uocis egentem
consulis, o bone rex: cuncti se scire fatentur
quid fortuna ferat populi, sed dicere mussant.
det libertatem fandi flatusque remittat,
cuius ob auspicium infaustum moresque sinistros
(dicam equidem, licet arma mihi mortemque minetur)
lumina tot cecidisse ducum totamque uidemus
consedissee urbem luctu, dum Troia temptat
castra fugae fidens et caelum territat armis.¹⁰⁷

As we have seen from the first two appearances of *libertas* in the *Aeneid*, Virgil has no interest in presenting anything other than a complicated case for this concept. *Libertas* in the early Republic is shown as capable of provoking both extraordinary martial

¹⁰⁵ Vir. *Aen.* 6.819-23.

¹⁰⁶ Vir. *Aen.* 8.646-8.

¹⁰⁷ Vir. *Aen.* 11.343-51.

bravery and hard-hearted filicide. Here it is similarly dubious, appearing in the mouth of a deeply compromised character, and furthermore presented in the narrowed terms of *libertas fandi*.¹⁰⁸ This form of *libertas* was a troubling virtue, and it was well-known that it had the power to corrupt other forms of *libertas*.¹⁰⁹ Its potential for corruption was far from an academic concern for Virgil's readers: it played its part in the *res publica's* descent into civil war and the rise of the Principate under which they lived.¹¹⁰

The fact that Virgil chose to flag up the peculiarly Republican concept of *libertas* in a scene so redolent of the characters and events that dominated the last years of the Republic forces the reader to consider what bearing this council and the character of Drances might have on this concept. When viewed through this lens, it becomes more and more difficult to ignore the presence of Cicero. More specifically, it becomes difficult not to read Drances' speech as an echo of the rhetoric found in the Philippics.

These speeches, also delivered by a man of words against a man of arms, place an overwhelming emphasis on *libertas*. Of the 14 Philippics that have come down to us, all but one (the ninth) refer to this concept, and altogether the word is used 102 times. Manuwald's commentary has the following to say:

This single term refers to essential values of the Republican order, which have to be defended against the threat posed by Antonius; they are specific to the Roman people and constitute the ideal for which Cicero fights against

¹⁰⁸ For *libertas* and free speech, see: Brunt (1988), pg. 281-350.

¹⁰⁹ For the ability of *libertas fandi* to overturn other forms of *libertas*, see: Kapust (2011), pg. 4-21.

¹¹⁰ La Penna (1979).

Antonius. Freedom is presented as a precondition for true peace, while other kinds of (apparent) peace are described as equivalent to slavery.¹¹¹

Drances' call for *libertas fandi* may seem at first slightly narrower than this, but it is not so different. What else is his demand for the freedom to speak out against Turnus if not a statement that the Latins should not be placed into an unquestioning servitude of a warrior prince? This principled stand, however, is immediately undercut by Virgil's implication that Drances' motive is that of undermining his rival.¹¹²

It does not require an overly cynical attitude to note that Cicero's assumption of a high-spirited defence of the *libertas populi Romani* in 44-43 BC entailed a great increase in his own personal power and *gloria*. It also allowed him to defend the narrow interests he had long stood for and provided him with a platform for his oratory and that he could use to put down his opponents. As we have seen in the more critical obituaries written for Cicero in the early imperial period, there were plenty of authorities who argued that his fight against Antony was motivated more by personal enmity than principle.¹¹³

Hardie's article on the council of the Latins can be used to tie these thoughts on Cicero's relationship with Drances together. Although the opening sentence of the following quotation may be somewhat antithetical to what I have been arguing, it should be clear how it fits into the bigger picture:

¹¹¹ Manuwald (2007), pg. 306.

¹¹² For Virgil undercutting Drances' stand against Turnus by reference to his character and motives, see: Burke (1978).

¹¹³ Pg. 157.

Drances is no simple allegory of Cicero or Catiline, but we will probably not err in hearing in the debate in the Council of Latins echoes of the contests of oratory of the Late Republic, which issued in no solution to the political problems of the time. This endless squabbling *dubiis de rebus* could be resolved only by the intervention of the man who claimed to be the descendant of Aeneas.¹¹⁴

Of course Drances is no *simple* allegory of Cicero. It is difficult, however, to shake the impression that Cicero is an important component in understanding what this character might represent. Drances becomes a far richer character if the reader pays attention to the specifically Ciceronian echoes that Virgil has woven into this portrait.

Conclusion

The effect of the Ciceronian element in Drances is partly summed up in Hardie's argument that the oratorical contests of the late Republic "issued in no solution to the political problems of the time." This notion comes to the fore in Virgil's decision to repeatedly expose Drances' base motives before allowing him to make his speciously principled speech. In doing so, the poet undermines the rhetoric of *libertas* that Drances employs against Turnus – rhetoric that had been employed by his real-life counterpart in the Philippics.

These two statesmen are united by their oratorical efforts. But regardless of considerations either of motive or of the underlying good sense of what they are

¹¹⁴ Hardie (1998), pg. 262.

arguing, they simply end up perpetuating conflict. Drances is right that the best course for the Latins is to lay down their arms and make peace with the Trojans, and an Augustan audience should have felt that Cicero was probably onto something in his argument that the world would be better off without Mark Antony. It is clear, however, that neither of these facts could be accomplished by speech alone. Peace will only be made between the Trojans and the Latins after Turnus has been slaughtered by Aeneas. Similarly, Mark Antony's alleged tyrannical designs will only be checked by Octavian's swords and ships. It is bloodshed and a divine hero that resolves these crises, not words, however well or ill-intentioned.¹¹⁵

The reason why Cicero was specifically called upon to make this point can, at least in part, be found in the literary canon of the Augustan age. For all his controversies and complications, Cicero was a very widely read author; we have seen Virgil acknowledging this in both the *Eclogues* and the *Georgics*. Cicero's translations of Hellenistic poetry and his broader contribution to Rome's culture of letters marked him out as an important literary figure to whom Virgil repeatedly acknowledged his debt.

But it was in the field of oratory that Cicero's contribution to Rome's literary canon was most noticeable. Virgil's nod towards that genre's greatest practitioner can be seen in the introduction of the wise counsellor Nautes; Cicero there acts as synecdoche for the proud oratorical tradition he had helped cement in Rome. As such,

¹¹⁵ Hardie (1998), pg. 262; Feeney (2014), pg. 221.

it can be no coincidence that Drances, the *Aeneid's* greatest oratorical creation, resembles Cicero both in broad outline and in terms of specific allusions to Cicero's oratory. These connections are deliberate, a result of Cicero's centrality to Rome's literary canon.

Nor can we ignore chronology when asking why Virgil made Drances interact with Cicero's oratorical works. The proximity of Virgil's world to that of the Philippics must have been a major factor in his decision to model one of his characters on the author of those speeches. One of Virgil's overriding concerns in the *Aeneid* is to provide a suggestion of the cosmological significance of recent Roman history, most of all the new world order Augustus had fashioned from the turmoil that had engulfed the Mediterranean in the previous generation.¹¹⁶ It would be a misunderstanding of Virgil's sense of history to imagine that he was not aware of the major role Cicero played in that story.

The conflict between Mark Antony and Octavian that gave rise to the Augustan settlement was founded upon a set of circumstances that had Cicero at their centre. His oratory, his role as the senate's senior consular and his Philippics all needed to be interpreted if the penultimate act of the great drama of Rome's civil war was to be comprehended. Upon that understanding, we can begin to appreciate why Cicero needed an analogous character in Drances just as much as Cleopatra needed one in Dido.

¹¹⁶ Hardie (1994a).

Chapter 9

There and Back Again: Cicero in *Aeneid* VI

Introduction

In contrast to Virgil's diffuse Ciceronian-interactions analysed previously, this chapter examines the relationship between the two authors on a deeper level. It focuses on *Aeneid* VI and argues that Cicero is essential to understanding Virgil's narrative. The big Ciceronian set-piece of *Aeneid* VI is well-known. Even the relatively weighty literature related to the Drances/Cicero connection is eclipsed by the bibliography spawned from the interplay between Anchises' speech to Aeneas in the underworld and Cicero's *Somnium Scipionis*.¹

One aspect of this scene, however, that has not been broadly examined is the fact that Anchises' eschatology is situated amidst a great deal more Ciceronian material. That the book in question is the one most associated with Virgil's probing of what it means to be a Roman in the Augustan age makes Cicero's pervasive presence all the more interesting, and makes it all the more necessary to analyse the book as a whole.²

Exile's End

Cicero's influence on *Aeneid* VI begins almost immediately. After making landfall at Cumae and instructing his men to set up camp, Aeneas proceeds to the nearby temple of Apollo – the home of the Sibyl. With five books of wandering at last

¹ For this bibliography, see: Lamacchia (1964).

² For Aeneas' *katabasis* as a history of Rome, see: Feeney (1986).

at an end, Virgil begins the story of Aeneas' adventures in Italy by describing this temple's origins:

Daedalus, ut fama est, fugiens Minoia regna
praepetibus pennis ausus se credere caelo
insuetum per iter gelidas enavit ad Arctos,
Chalcidicaque leuis tandem super astitit arce.
redditus his primum terris tibi, Phoebе, sacrauit
remigium alarum posuitque immania templa.³

We can make a link between the unusual phrase used to describe Daedalus' flight, *praepetibus pennis*, and a fragment of Cicero's epic poem *Marius*.⁴

This section of Cicero's poem describes the exiled Marius receiving an omen that encouraged him to reassert himself in Italy:

hanc ubi praepetibus pinnis lapsuque volentem
conspexit Marius, divini numinis augur,
faustaue signa suae laudis reditusque notavit,
partibus intonuit caeli pater ipse sinistris.
sic aquilae clarum firmavit Iuppiter omen.⁵

Praepes is an originally Ennian formulation, but its twinning with *penna/pinna* is only otherwise found in Cicero.⁶ Part of the force of this allusion has been noted by Emma

³ Vir. *Aen.* 6.14-9.

⁴ Courtney (2003), pg. 175-6. Cf. Wigodsky (1972), pg. 112; Gee (2013), pg. 98-9.

⁵ *Div.* 1.106.

⁶ *Enn. Ann.* 86, 89, 397, 457 (Skutsch).

Gee, who argues that Virgil aligns the wings that brought such misery to Daedalus with the wings that brought such joy to Marius in order to express the mutability of fate and the fallibility of knowledge.⁷

We can, however, take this allusion further. Until this opening vignette in book six, Aeneas' men have been wandering in exile throughout the Mediterranean, most recently leaving Dido's Africa for Italy, stopping briefly in Sicily on the way. The point at which Aeneas makes landfall on the Italian peninsula marks the end of a significant section of the Trojans' exile story, and the beginning of the legend of Rome's foundation. Daedalus' appearance at this point calls to mind the fact that both he and Aeneas were fugitives and exiles.⁸ By recalling Marius' exile while describing that of Daedalus, Virgil can configure Aeneas' exilic experience as straddling the earlier world of myth and the later world of Roman history.

The geography of this scene is crucial to appreciating why Virgil specifically put Marius at the centre of this moment of intertextuality. On the basis of Kelly's recent prosopography of Roman Republican exiles, we can see that the evidence for their destinations firmly points east: that is to say, away from the Bay of Naples.⁹ Marius is an exception to this. At the time of his exile the Greek east (the destination

⁷ Gee (2013), pg. 99.

⁸ Poeschl (1962), pg. 150; Rutledge (1971–1972), pg. 111; Fitzgerald (1984), pg. 52; Doob (1990), pg. 234; Erdmann (1998), pg. 488–489; Vella (2010), pg. 80-1.

⁹ Kelly (2006), pg. 161-219. A trio of exiles are noted in Nuceria (Q. Philippus, Q. Fabius Maximus Eburnus, C. Popillius Laenas), but this is far inland.

of so many Roman exiles) was under the sway of Sulla – the very man whom he was fleeing.

Marius' exilic route took him south. His journey progressed down the west coast of Italy, past Terracina, Circeii and Minturnae.¹⁰ His last stop in Italy was Aenaria, an island (crucially for the purposes of this argument) located at the northern extreme of the Bay of Naples, offshore from Aeneas' landing-point at Cumae.¹¹ Marius' next stop was also connected with Aeneas. In order to take on fresh water, Marius' entourage put in at Sicily, landing specifically at Eryx, a city whose foundation could be traced back to Aeneas' Sicilian sojourn.¹² From there, they stopped on the island of Meninx (located in the *Syrtis*, where Aeneas' fleet is almost sunk in *Aeneid* I) before eventually reaching Marius' place of exile in the *urbs antiqua* of Africa, where he famously sat among the ruins of Carthage and rued his fate.¹³

Marius' exilic journey from Rome to Carthage via the Bay of Naples and Sicily is an exact reversal of the itinerary mapped out in the first half of the *Aeneid*. Such ironies lend themselves to memory and may have helped plant the connection between the Bay of Naples and Marius' exile firmly in Virgil's mind, and in the minds of his readers who remembered Cicero's poem on the subject of the first Arpinate consul of Rome.

¹⁰ Plut. *Mar.* 36-7. All three of these places are referred to as part of Aeneas' itinerary: Vir. *Aen.* 7.1050, 10, 47.

¹¹ Plut. *Mar.* 40.1.

¹² Plut. *Mar.* 40.2; Vir. *Aen.* 5.746-61.

¹³ Plut. *Mar.* 40.2-3; Vir. *Aen.* 1.110-12, 12-3; Sen. *Contr.* 1.1.3.

Geography, then, is one reason why Marius should be singled out at this point in the *Aeneid* to stand in for Rome's great parade of historical exiles. We might further this investigation by looking at the author of the poem at the centre of Virgil's allusion. Cicero's composition of the *Marius* is rather shrouded in mystery. References to it are not negligible, but they do not give us a particularly clear idea of the poem's overall form.¹⁴ On top of which, we can only guess at the date of composition, the end of 57 seems most likely.¹⁵ This lines up neatly with Cicero's own return from exile, and it does not take much imagination to see why the subject matter of the *Marius* might have appealed to him at this time.¹⁶ Cicero seems to have been keen that people should connect the two Arpinate consulars, both of whom had served and saved their *patria* only to be forced into temporary exile by their enemies.

The knowledge that the seven-time consul served as an analogue for the author of the poem is important for our understanding of what Virgil achieves with his reference to Marius/*Marius* at the beginning of *Aeneid* VI. By quoting Cicero's poem about Marius, Virgil creates a window allusion to two exiles at once. The poem was so intricately bound up with Cicero's own exile that any reference to the former brings to mind the latter.

This allusion is a sophisticated literary device. Virgil's choice of exilic subject matter and textual vehicle allows him to link simultaneously Daedalus' mythic Greek

¹⁴ Main references to the *Marius*: *Leg.* 1.1-2; *Div.* 1.106 (quoted above); *Att.* 12.49.1.

¹⁵ Courtney (2003), pg. 177-8.

¹⁶ Cicero's references to Marius as an exemplum increase in the period after his return from exile: van der Blom (2010), pg. 203-8.

past, Aeneas' early Roman legend, Marius' Roman history and Cicero's more contemporary sufferings. With this double-glazed window allusion, the poet is able to gesture towards what will become a recurrent element of Rome's growth from its troubled beginnings to the great Augustan climax recently forged in the fires of civil conflict.

There remains, however, a yet more potent link between Daedalus, Aeneas, Marius and Cicero: a connection more important than their shared geography and the fact that they all suffered a form of exile. The most powerful element of the connection Virgil draws between these four characters is the relatively unique fact that the end of exile was not the end of their troubles. Virgil makes this explicit in the case of Daedalus and the idea shapes the conclusion of the ecphrasis that follows his introduction. Daedalus may have escaped Crete and at last found a place to land, but before putting an end to his wandering, he lost his son, a death he mourned so deeply that he was unable to commemorate it on the doors of the temple he dedicated to Apollo.¹⁷

Daedalus' story as presented through the temple of Apollo that Aeneas encounters when he lands at Cumae prepares the reader for what will go on to be a major theme of book six of the *Aeneid*. The end of the Trojans' exilic wanderings is no end for their struggles. The Sibyl's rivers-of-blood speech serves as the high point of this motif, and the lament for Marcellus is arguably its dénouement.

¹⁷ Vir. *Aen.* 6.30-3.

Virgil's allusion to the omen in Cicero's *Marius* reaches its fullest expression when seen through this lens. Marius interprets the omen to mean that the gods will smile upon his return to Rome. While we cannot know how Cicero handled Marius' return to Italy, we know that his decision to do so led to one of the most brutal chapters in Rome's history as he massacred scores of Sulla's supporters, including Cicero's own mentor, the orator Marcus Antonius. Marius' return, like that of Aeneas, may have been the end of one particular set of troubles, but it also proved to be the cause of some of the most horrifying chapters of Roman history, chapters filled with bloodshed and internecine conflict.

Cicero's own return from exile may not have been as cataclysmic as that of Marius or Aeneas, but it was certainly not an unqualified success, however much he might have liked to dress it up as a great triumph.¹⁸ Cicero returned to Rome to find that the balance of power had decisively shifted so as to leave him out of the loop. This new position led to a period of powerlessness and depression which only really ended amidst the turmoil and chaos of the civil wars. This was not a fact that passed unnoticed in the early imperial assessments of his life.¹⁹

One can only conjecture, but perhaps the depressed Cicero of the 50s BC would have felt a rare moment of pride had he known that he would one day appear in

¹⁸ *Att.* 4.1.4-5; *Sest.* 131; cf. pg. 378-383. For the reality of Cicero's return from exile, see: Lintott (2008), pg. 183-211.

¹⁹ For Cicero's post-exilic powerlessness, see: *Suas.* 6.12 (a declamatory *color*), 22 (Livy's obituary).

Rome's great national epic illustrating the ambivalence of the Trojans' Italian landfall by showing that the end of one's exile was not necessarily the end of one's woes.

Life in Hell

Even in Ciceronian circles, the *Marius* is a little-commented upon work. The above analysis wrings a lot out of two words, but they are not the only part of the nugatory remains of this minor piece of *Ciceroniana* to be alluded to by Virgil. At least five allusions to the surviving sliver of the *Marius* have been detected in the *Aeneid*.²⁰ If this pattern is at all representative of Cicero's poetic works, then we may have drastically underestimated Cicero's importance as an allusive model in Virgil's poetry. I sound this note of caution because I will move onto another area of Cicero's legacy that reached the Augustan age in full flow but has barely trickled down to the present day. The tradition that built up around a small episode in Aeneas' journey into the underworld provides a glimpse at an aspect of the Ciceronian heritage that prevailed during Virgil's lifetime but has now almost completely disappeared.

Once in the realm of the dead, the Sibyl leads Aeneas past the spirits of the departed, each separated into different areas depending on the manner of their demise or the conduct of their lives. As he passes the gates of Tartarus, where souls are being punished for their sins in life, the Sibyl describes the following scene:

uendidit hic auro patriam dominumque potentem

imposuit, fixit leges pretio atque refixit;

²⁰ There are references to the *Marius* at: *Vir. Aen.* 2.691-3; 9.630; 11.751-6; 12.247-56. Gee (2013), pg. 100.

hic thalamum inuasit natae uetitosque hymenaeos:

ausi omnes immane nefas ausoque potiti.²¹

Servius says the following about the third line of this quotation:

HIC THALAMVM INVASIT NATAE: Thyestes, unde Aegisthus natus est, item Cinyras: nam quod Donatus dicit nefas est credi, dictum esse de Tullio.²²

The Servian commentaries are notoriously full of little curiosities such as this one. Plenty are, by almost universal acclamation, not worthy of much credence.²³ There are, however, a few reasons why this little trinket might be thought to contain a kernel of truth.

On the 2000th anniversary of Virgil's birth, Frank Olivier delivered a paper on the subject of 'Virgile et Cicéron'. He began by discussing the idea that the character of Drances stood in for Cicero ("Mais Cicéron en caricature"²⁴), but the meat of the argument was this Servian note. Olivier suggested that a negative view of Cicero must have prevailed under the Augustan Principate as a result of Cicero's support of the tyrannicides. Olivier blames Pollio for the exact form of Virgil's attack on Cicero, concluding: "*c'est que Virgile détestait Cicéron.*"²⁵

²¹ Vir. *Aen.* 6.621-4.

²² Serv. *ad Aen.* 6.623.

²³ For an overview of the reliability of the Servian commentaries, see: Goold (1970); Fowler (1997).

²⁴ Olivier (1963), pg. 204-5.

²⁵ Olivier (1963), pg. 209, 211. For responses, see: McDermott (1980), pg. 37-8.

Hightet gives a typical reaction to the paper's endorsement of Servius' identification of Cicero with the man being punished in the Underworld for his incestuous relationship with his daughter:

It is not easy to accept this repulsive suggestion.²⁶

There are, however, several features of the Servian text that demand it be taken seriously.

The authority of Donatus is the first reason why we might believe this note. Servius' commentary is a collection of several previous works of Virgilian criticism. The compiler may not have had the necessary judgement to privilege the good scholarship over the bad, but traces of quality remain, and by and large these traces lead back to Donatus.²⁷ Since the most reliable scholar is said to be behind the idea that Virgil was referring to Cicero in this passage, we should be wary of dismissing it out of hand as just another example of the wild fancy one so often finds in this commentary.

The identity of the other figure keeping 'Cicero' company in this scene should also give us reason not to be too dismissive of Donatus' identification: "the man who sold his country to a tyrant and made laws for a price."²⁸ Servius identifies this anonymous figure (rather less controversially) with Caesar's lieutenants: Curio and Mark Antony.²⁹ This identification can, in fact, be streamlined. While the charge of

²⁶ Hightet (1972), pg. 143.

²⁷ Goold (1970), pg. 116, 135. Cf. Thomas (1880), pg. 182

²⁸ *Vir. Aen.* 6.621-2.

²⁹ *Ser. ad Aen.* 6.621-2.

selling the *patria* for gold applies very clearly to Curio, it is not at all absent from Cicero's portrayal of Mark Antony in the second Philippic.

The invective against Antony in this speech, which we know to have been very popular in Virgil's day, does not stint on the allegation that Mark Antony's role as the Helen of the Roman civil war came about as a result of his "purchased tribunate".³⁰ We can add this to the echo of the same speech that we find in *fixit leges*, not to mention a similar line by Varius specifically about Antony.³¹ Since one of these two anonymous figures matches a character from recent Roman history, the other should too.³²

As we saw with Turnus and Drances, the pairing of Antony and Cicero neatly symbolizes the mutually-assured destruction that characterized the last years of the Republic.³³ Virgil's propensity to use the Underworld as a means of putting Roman history into the spotlight suggests that it would be odd for this famous pair to make no appearance. Nor should the reader be surprised by the anonymity accorded to them, foreshadowing as it does the anonymous introduction accorded to the other pair of rivals who dragged Rome into civil war.³⁴

Virgil's decision to make incest Cicero's defining crime is, perhaps, rather more puzzling. Although Cicero's family life is characterized for us by his close relationship

³⁰ Antony as Helen: *Phil.* 2.55; Antony's Tribune and veto being purchased: *Phil.* 2.50, 52; for the popularity of the second Philippic, see: pg. 250-252, 330-334.

³¹ *Phil.* 2.98; *Macr. Sat.* 6.1.39.

³² Cf. Berry (1992).

³³ Pg. 321-336.

³⁴ Pompey and Caesar: *Vir. Aen.* 6.826-35. For a reading of this episode in the context of Augustan propaganda, see: Farron (1980).

with his daughter Tullia, serious scholars tend not to give too much time to the idea that this was anything more than paternal affection.³⁵ Such even-handedness, however, does not seem to have characterized the interpretations of Cicero's contemporaries. Both invectives against Cicero that have come down to us make reference to this charge of incest.

The speech Cassius Dio put in the mouth of Mark Antony's partisan Fufius Calenus runs as follows:

*Furthermore, he undertook to make derogatory remarks about Antony's mouth — this man who has shown so great licentiousness and impurity throughout his entire life that he would not spare even his closest kin, but let out his wife for hire and was his daughter's lover.*³⁶

Our other example of anti-Ciceronian rhetoric, the pseudo-Sallustian *Invectiva in Ciceronem*, displays the same charge:

verum, ut opinor, splendor domesticus tibi animos tollit, uxor sacrilega ac periuriis delibuta, filia matris paelex, tibi iucundior atque obsequentior quam parenti par est.³⁷

The recurrence of this motif in the two attacks on Cicero is often dismissed as nothing more than part of the rough and tumble of Roman political invective. However, even

³⁵ Treggiari (2007), pg. 159.

³⁶ Dio 46.18.5-6. For the contemporary source for Calenus' speech in Dio, see: Millar (1961), pg. 21, n. 91.

³⁷ Ps-Sall. *Inv. in Cic.* 2. For the early imperial credentials of this text, see: Goodyear (1982), pg. 269; Novokhatko (2009), pg. 111-4.

if we accept the idea that these rumours were completely groundless, this does not mean that the charge of incest with his daughter was not specifically designed to fit Cicero.³⁸ Although little of the anti-Ciceronian tradition survives from the early imperial period, Donatus' conjecture and the above invectives suggest that one did exist.³⁹

Some unexpected evidence for the existence of a groundswell of opinion against Cicero in the years that followed his death can be found in Ammianus Marcellinus' much later digression on the province of Egypt:

unde Aristarchus grammaticae rei doctrinis excellens, et Herodianus artium minutissimus sciscitator, et Saccas Ammonius Plotini magister, aliique plurimi scriptores multorum in litteris nobilium studiorum, inter quos Chalcenterus eminuit Didymus, multiplicis scientiae copia memorabilis, qui in illis sex libris ubi non numquam imperfecte Tullium reprehendit sillographos imitatus scriptores maledicos, iudicio doctarum aurium incusatur, ut inmania frementem leonem putredulis vocibus canis catulus longius circumlatrans.⁴⁰

The *Suda* can be used to fill in this picture. It tells us that Didymus was a Greek scholar who lived, studied and wrote in Egypt while Mark Antony held sway in the east.⁴¹

³⁸ Just as allegations of incest were specifically tailored to Clodius and his sisters: Günther (2000).

³⁹ For the existence of an anti-Ciceronian tradition in historiography and in the declamation halls, see: pg. 275-287.

⁴⁰ Amm. Marc. 22.16.16.

⁴¹ *Suda ad* Didymus.

Furthermore, it tells us that his attack focused on Cicero's *de Re Publica*.⁴² The existence of a six volume treatise lacerating Cicero's expertise in the field of politics is an invaluable glimpse of what must have been a far larger world of anti-Ciceronian literature than we might imagine when surveying the literary scene of the Augustan era.

Didymus' Egyptian background and the fact that the *Suda* specifically dates his life with reference to Mark Antony suggest that his anti-Ciceronian writings should be connected with the propaganda war that followed in the wake of the power struggle that erupted between Octavian and Mark Antony in the aftermath of the Battle of Philippi.⁴³ The posthumous popularity of Cicero's Philippics cannot be divorced from this context. The fame these speeches achieved ensured that the damage they did to Mark Antony's reputation was not limited to the moment of their delivery or initial publication. We should not be surprised if writers like Didymus saw an opportunity to gain Mark Antony's patronage by composing attacks against Cicero's intellectual credentials in order to undermine some of the cultural prestige that the Philippics had garnered.⁴⁴

According to Ammianus' note, Didymus Chalcenterus, scholar though he may have been, did not trouble himself too much with preventing scurrility from entering into his attacks on the *de Re Publica*. Whatever form this strange work took, it seems to

⁴² *Suda ad* Tranquillus.

⁴³ See, for example: Suet. *Aug.* 2, 7, 10, 16, 63, 68, 69, 70, 86. For modern treatments of this propaganda war, see: Scott (1929); Charlesworth (1933); Geiger (1980); Gosling (1985); Biffi (1994); Hekster (2004).

⁴⁴ For the popularity of the Philippics, see: Manuwald (2007), pg. 140-3; pg. 250-252, 330-334.

have combined the academic with the personal. Given the immense powers of patronage that Mark Antony enjoyed in these years, it would be very surprising indeed if Didymus had been the only writer to have turned his pen on Cicero in order to win the Triumvir's gratitude.

By the time the battle of Actium and Antony's suicide had concluded Rome's latest civil war, the reputation of Marcus Tullius Cicero could have borne little resemblance to its standing today. The volume of anti-Ciceronian invective that must have been created by Mark Antony's supporters cannot be known, but it would be naïve to suppose that the influence of this tradition would have been anything other than considerable and forceful.

A key question for this argument on the nature of Virgil's underworld is whether this Antonian abuse was likely to have focused on Cicero's relationship with his daughter. The presence of this motif in both of our surviving examples of the invective-tradition certainly suggests that it was a common form of attack. A bigger question would be whether this charge was sufficiently well-known to Virgil's audience that Cicero could have been identified by reference to this crime alone. We can never know the answer to that for sure, but Donatus certainly thought so.

Looking back at the pair of criminals occupying the same part of the Underworld, we might wonder why the two should have been placed together: the crimes of treason and incest do not have a great deal in common. The overwhelming likelihood that the first person in this pair is Mark Antony forces us to accept that the Augustan reputation of Cicero still bore the scars from the invective that had been

hurled about after his death, a tradition of abuse that has almost entirely vanished from our sources.

Disiecta Membra

This is not, in fact, Cicero's only appearance in the underworld. Not long after Aeneas has been led past the souls being punished in Tartarus, he encounters more familiar figures from his past. After first putting the ghostly Greek host to flight, the souls of the deceased Trojans approach Aeneas, among them Priam's son Deiphobus:

atque hic Priamiden laniatum corpore toto

Deiphobum videt et lacerum crudeliter ora,

ora manusque ambas, populataque tempora raptis

auribus et truncas inhonesto vulnere naris.⁴⁵

The overwhelming impression one gets from this description is one of horror. Virgil dwells on the injuries sustained by Deiphobus, providing an extended ecphrasis on his mutilated body.

Two aspects of this scene are crucial to its interpretation. The first is the unusual adjective applied to Deiphobus' temples: *populata*. As Austin notes, the use of this word to describe an injury done to the body is an innovation of Virgil's own.⁴⁶ This word, with its connotations of looting, should properly be applied to places being ransacked. This is, however, appropriate. What else, after all, does Deiphobus represent here if not the sack of Troy? Aeneas' meeting with these figures (both Greek

⁴⁵ Vir. *Aen.* 6.494-7.

⁴⁶ Austin (1977), *ad loc.*

and Trojan) is a return to his past, a return to the fateful day that saw the destruction of his city. The unusual phrase *populata tempora* is a piece of deviant focalization.⁴⁷ The reader is forced to see Deiphobus' lacerated corpse through the lens of Aeneas's memories of the looting of his home.

The second effect we might note is found in the repetition of *ora*. As well as adding to the emotional intensity of what is being described, this repetition forces the second appearance of the word to function separately from the rest of the sentence.⁴⁸ Treated as such, the phrase *ora manusque ambas* gains a force beyond its immediate context. In light of the cultural prominence given to Cicero's death in this period, it is difficult to believe that this phrase would not put the reader in mind of his gruesome proscription.⁴⁹

If we put these two ideas together, we can get an idea of what Virgil is doing with this passage. As well as using semantic slippage to show that Aeneas is reliving the fall of Troy when he encounters his fallen comrades in the underworld, Virgil calls to mind the civil war. What image better summarized the horrors of Rome's recent history than Cicero's head and hands nailed to the Rostra?⁵⁰

Per Ardua ad Astra

The above hints of a Ciceronian presence in *Aeneid* VI are building to a climax in the form of the shades of Cicero that have been detected in Anchises. The idea that

⁴⁷ For focalization in the *Aeneid*, see: Fowler (1990).

⁴⁸ Cf. Vir. *Aen.* 2.405-6.

⁴⁹ Pg. 237-260.

⁵⁰ Cicero's remains can also be glimpsed in Cacus' cave at: Vir. *Aen.* 8.195-96. Bacon (1986), pg. 313 n.17.

the *Somnium Scipionis* served as a model for Anchises' cosmological explanation of Roman imperialism is as important to our understanding of Cicero's reputation in the Augustan age as it sounds. The *de Re Publica* is not, however, the only piece of *Ciceroniana* that can be detected in Anchises' speech.

As Anchises begins his discourse on the soul, he directs his son's attention to the heavens:

'dicam equidem nec te suspensum, nate, tenebo'

suscipit Anchises atque ordine singula pandit:

'principio caelum ac terras camposque liquentis

lucentemque globum lunae Titaniaque astra

spiritus intus alit, totamque infusa per artus

mens agitat molem et magno se corpore miscet.

inde hominum pecudumque genus uitaeque uolantum

et quae marmoreo fert monstra sub aequore pontus.

igneus est ollis uigor et caelestis origo

seminibus, quantum non noxia corpora tardant

terrenique hebetant artus moribundaque membra.⁵¹

There is an extensive bibliography attached to the philosophical background of these verses.⁵² This analysis, however, is limited to their Ciceronian heritage.

⁵¹ Vir. *Aen.* 6.722-32.

⁵² Norden (1916); Austin (1977); Feeney (1986); Habinek (1989); Braund (1997).

Setaioli and Courtney have identified the Ciceronian passage that informs this part of Virgil's text.⁵³ Anchises' description of the cosmological ordering of the universe is presented in terms that would be strikingly familiar to the reader of *de Consulatu Suo* – a work that we have already encountered Virgil alluding to elsewhere in his poetry:

principio aetherio flammatus Iuppiter igni
vertitur et totum conlustrat lumine mundum
menteque divina caelum terrasque petessit,
quae penitus sensus hominum vitasque retentat
aetheris aeterni saepta atque inclusa cavernis.
et, si stellarum motus cursusque vagantis
nosse velis, quae sint signorum in sede locatae,
quae verbo et falsis Graiorum vocibus errant,
re vera certo lapsu spatioque feruntur,
omnia iam cernes divina mente notata.⁵⁴

The opening word, the didactic *principio*, immediately helps the reader to locate the allusion, and there is plenty more shared phraseology of the *divina mens* and the *spiritus* to help the reader along.⁵⁵

⁵³ Setaioli (1975), pg. 5-12; Courtney (2003), pg. 163.

⁵⁴ Courtney (2003), M. Tullius Cicero, fr. 10. 1-10 = *Div.* 1.17. For other Virgilian references to this poem, see: pg. 314-318.

⁵⁵ The focus on celestial matters and the connection drawn between the cosmos and the human soul in Anchises' speech make the most sense when they are read in tandem with Cicero's text: Gee (2013), pg. 97.

Gee draws the following conclusion on why Virgil decided to yoke Anchises' unfolding of the cosmos with Cicero's earlier attempt to do so:

What is more natural than that Virgil, seeking to integrate Roman philosophy into his imperial myth, should draw on Ciceronian ideas, and, in particular, on these ideas in their poetic form? Cicero's poetry, therefore, was influential in the conception as well as the construction of Virgil's Roman myth.⁵⁶

For the moment I will let this conclusion stand as sufficient comment for this piece of intertextuality, but I shall return to it after a fuller investigation of Cicero's influence on Anchises' speech.

As well as being reminiscent of *de Consulatu Suo*, Anchises' speech bears a far more famous resemblance to the end of *de Re Publica* VI.⁵⁷ Cicero's text purports to represent a scene dreamt by Scipio Aemilianus in which his grandfather revealed to him the nature of the universe and the metaphysical foundations of Roman conquest. The number of points of contact that exist between Anchises' address to Aeneas and Cicero's short vignette on the *Somnium Scipionis* is remarkable.⁵⁸

The first such connection is found in the shared scenes of a weeping son meeting his deceased father. Aeneas greets his father with a tearful and futile embrace:

sic memorans largo fletu simul ora rigabat.

⁵⁶ Gee (2013), pg. 98.

⁵⁷ Norden (1916); Fletcher (1955); Feeney (1986); West (1987).

⁵⁸ For the dreamlike quality of Virgil's underworld, see: Vir. Aen. 6.701-2, 893-9.

ter conatus ibi colo dare braccia circum;
ter frustra compressa manus effugit imago,
par leuibus uentis uolucrique simillima somno.⁵⁹

This tearful (and failed) embrace finds its Ciceronian equivalent in Scipio Africanus introducing his adopted grandson to his natural father Aemilius Paulus:

quem ut vidi, equidem vim lacrimarum profudi, ille autem me complexus
atque osculans flere prohibebat.⁶⁰

Scipio's tears are not the only point of intertextuality that Virgil is working with in his presentation of this scene. According to Lucretius, Ennius also wept copiously upon dreaming that he had encountered Homer in the underworld.⁶¹ This is a key reference point for any interpretation of either the *Somnium Scipionis* or *Aeneid VI*, and suggests that Virgil is once again using Cicero as part of a sophisticated window allusion.⁶²

However, Virgil's presentation of his scene alludes to more than just the tears that young Scipio shed upon meeting his father. His reaction to meeting his grandfather is also referred to in Aeneas' encounter with Anchises. Cicero presents the meeting between Africanus Maior and Africanus Minor as follows:

Africanus se ostendit ea forma, quae mihi ex imagine eius quam ex ipso erat
notior; quem ubi agnovi, equidem cohorrui...⁶³

⁵⁹ Vir. *Aen.* 6.699-702.

⁶⁰ *Rep.* 6.14; cf. *Rep.* 6.9.

⁶¹ Lucr. 1.125; cf. Skutsch (1985), pg. 155.

⁶² For other Ciceronian window allusions in Virgil, see: pg. 306-311, 337-344.

⁶³ *Rep.* 6.10.

This shudder is picked up by Virgil in Aeneas' own reaction to seeing the multitude of spirits floating about the grove:

horrescit uisu subito causasque requirit
inscius Aeneas, quae sint ea flumina porro,
quiue uiri tanto complerint agmine ripas.⁶⁴

The fragmentary state of the dream in the *Annales* does not permit us to be certain that this shudder does not also appear in Ennius' text. But whether used alone or as part of another window allusion, this is yet more evidence that Virgil employed Cicero's description of Scipio Aemilianus encountering his dead father and grandfather as a model for Aeneas' reunion with Anchises.

Such similarities between the two narratives are not only found in the introduction to the two dialogues. We have seen already that Anchises gives a dominant role to cosmology when answering his son's questions about the nature of the soul and that Cicero's *de Consulatu Suo* served as an important model for this section. However, this is not Virgil's only Ciceronian model. Cosmology is also a dominant theme in the *Somnium Scipionis*.

A major part of Scipio Aemilianus' dream is a lengthy and detailed astronomical discourse delivered by Scipio Africanus.⁶⁵ The preamble to that discourse is of relevance to the *Aeneid*. This introductory section is very close to what we find in

⁶⁴ Vir. *Aen.* 6.710-2.

⁶⁵ *Rep.* 6.16-19; cf. *Rep.* 6.9.

Anchises' speech.⁶⁶ Not only does this opening mirror the *Aeneid's* claim that the soul is made of fire, but it also argues that the soul pervades the entire universe and links man to the cosmos:

homines enim sunt hac lege generati, qui tuerentur illum globum, quem in hoc templo medium vides, quae terra dicitur, iisque animus datus est ex illis sempiternis ignibus, quae sidera et stellas vocatis, quae globosae et rotundae, divinis animatae mentibus, circulos suos orbesque conficiunt celeritate mirabili.⁶⁷

Just as the previous connection between Cicero and Virgil could be seen to be filtered through Ennius, there is a common ancestor here too – Plato.

The specific point of contact is the *Timaeus*, which argues for a connection between the soul and the stars.⁶⁸ The Platonic heritage to the astrological element in both speeches is crucial to understanding the philosophical tone that pervades both texts. However, it remains significant that Virgil chose to employ Cicero's terminology when putting Plato's thought into Latin verse, a fact that may be rendered less surprising when one considers that Cicero wrote a translation of the *Timaeus*.⁶⁹ Cicero may not be the sole model for Virgil's eschatology, but the reader cannot help but note that his texts are a recurring feature of Anchises' discourse.

⁶⁶ Vir. *Aen.* 6.722-34.

⁶⁷ *Rep.* 6.15.

⁶⁸ Plat. *Tim.* 41d-42e. For the influence of the *Timaeus* on the *Aeneid*, see: Brown (1960). For the Homeric and Platonic influences on Anchises' speech to Aeneas, see: Gee (forthcoming).

⁶⁹ For Cicero's translation, see: Sedley (2013).

An Eschatology of Imperialism

The most important element of Virgil's Ciceronian borrowing, however, is not his decision to set up a dialogue with a series of Ciceronian texts in order to give an appropriately cosmic backdrop to Anchises' eschatology. Cicero's importance to Virgil can only be properly measured if we progress from Anchises' cosmology and recognize the amount of Ciceronian material in his model of how death and imperialism interact. Once again the *Somnium Scipionis* is the point of intertextuality in question.

Virgil's decision to follow the Platonic theory that lies behind Cicero's account of the interaction between the body and the soul is immediately obvious.⁷⁰ The imagery of the sluggish pestilence of the body being cleaned away to reveal the pure soul matches up neatly with Cicero's depiction of the soul being separate from "that physical figure that can be pointed at with the finger".⁷¹ However, the decision to adopt the Platonic heritage of Cicero's account in Anchises' speech is most clearly seen in the shared metaphor of the body as a prison for the soul.

This piece of imagery occupies an important place in the account of Socrates' disquisition on the afterlife as preserved by Plato in the *Phaedo*.⁷² Cicero has Scipio Africanus employ this metaphor to describe how only those who are free from mortal life's vicissitudes can truly be considered alive:

⁷⁰ For Plato's view of the body as a dull companion to the soul, see: Plat. *Phaed.* 66b, 78b4-84b8.

⁷¹ Vir. Aen. 6.739-47; *Rep.* 6.26. For Plato's imagery of the body as an encrustation of the soul, see: Plat. *Rep.* 611c8-d9; cf. Gee (forthcoming).

⁷² Plat. *Phaed.* 62b, 82d-e.

immo vero, inquit, hi vivunt, qui e corporum vinculis tamquam e carcere
evolaverunt, vestra vero, quae dicitur, vita mors est.⁷³

Virgil echoes this in *Aeneid* VI, where Anchises compares corporeal existence to the experience of being trapped in a dark prison:

hinc metuunt cupiuntque, dolent gaudentque, neque auras
dispiciunt clausae tenebris et carcere caeco.⁷⁴

Virgil was far from incapable of making direct allusions to Platonic material on his own.⁷⁵ However, there is no escaping the fact that in the context of a ghostly father-figure discussing the nature of imperialism with a Roman hero-to-be this particular piece of Platonic imagery would call to mind the *Somnium Scipionis*.

In the case of both Scipio Aemilianus and Aeneas, the decision to combine the Platonic theory of the body as a prison for the soul with a glorifying treatment of the souls of Rome's great heroes prompts disquiet.⁷⁶ Scipio Aemilianus is so horrified by his grandfather's description of the brutishness of corporeal life that he asks:

quid moror in terris? quin huc ad vos venire propero?⁷⁷

Anchises' explanation that Rome's supermen were required to return to earth for further service in another prison of a body similarly causes Aeneas to wonder:

o pater, anne aliquas ad caelum hinc ire putandum est

⁷³ *Rep.* 6.14.

⁷⁴ *Vir. Aen.* 6.733-4.

⁷⁵ For Virgil's philosophical sophistication, see: Zetzel (1996).

⁷⁶ Feeney (1986), pg. 3-4.

⁷⁷ *Rep.* 6.15.

sublimis animas iterumque ad tarda reuerti
corpora? quae lucis miseris tam dira cupido?⁷⁸

These are two slightly different questions, and this marks a departure from Virgil's Ciceronian source and a return to a dilemma at the heart of their common source: Plato's Myth of Er.⁷⁹

This shift of emphasis in these questions can be attributed to a very important difference between the *Aeneid's* conception of the afterlife and that described in the *Somnium Scipionis*. Cicero's eschatology is one that at heart provides optimistic succour to the Roman statesman; it guarantees recompense for a life in service of the right cause. The promise of a reward for the soul is what prompts Scipio Aemilianus to ask how soon he could take leave of his body. Virgil eschews such a reading: the afterlife *may* be a blissful existence in the form of pure aether for some souls, but it is emphatically not a reward for a life's service of the Roman nation.⁸⁰

The disappearance at this point of the episode's Ciceronian source material is far from a sign that Virgil temporarily lost interest in the picture of the afterlife that Cicero depicted in the *Somnium Scipionis*. On the contrary, this sudden disappearance highlights the fact that a central tenet of Anchises' panegyric of the afterlife is radically at odds with the positivity of Cicero's philosophy.

⁷⁸ Vir. *Aen.* 6.719-21.

⁷⁹ Plat. *Rep.* 614a-621d. For recent scholarship on the role played by the Myth of Er in the *Republic*, see: Schils (1993); Johnson (1999); Katsimitsis (2004); Lear (2004).

⁸⁰ Feeney (1986), pg. 3-4. This argues against other readings of this episode which suggest that Ciceronian intertextuality can smooth over doubts we may have about Virgil's underworld: Lamacchia (1964), pg. 261-78; Klingner (1967), pg. 485-92. Cf. Leigh (2012), pg. 289.

No matter how much Aeneas might like to hear it, the afterlife provides emphatically no reward for a statesman's life of toil and suffering. By working with the reader's knowledge of the *Somnium Scipionis* and trusting them to notice when that model is being adhered to and when it is being abandoned, Virgil is able to highlight just how bleak the afterlife can be in the *Aeneid*.⁸¹

Farewell

There is one last Ciceronian allusion in *Aeneid* VI to be studied. After Aeneas had bidden farewell to his father and returned to the surface with the Sibyl, he and the Trojans set sail from Cumae:

ille viam secat ad navis sociosque revisit.

tum se ad Caietae recto fert limite portum.⁸²

The motif with which Virgil closed book six might not receive much attention were it not for its reappearance at the beginning of book seven:

tu quoque litoribus nostris, Aeneia nutrix,

aeternam moriens famam, Caieta, dedisti;

et nunc servat honos sedem tuus, ossaque nomen

Hesperia in magna, si qua est ea gloria, signat.

at pius exsequiis Aeneas rite solutis,

aggere composito tumuli, postquam alta quierunt

⁸¹ For a pessimistic Virgilian underworld, see: Feeney (1986).

⁸² Vir. *Aen.* 6.899-900.

aequora, tendit iter velis portumque relinquit.⁸³

Why this focus on Caieta? It does not, after all, seem to have particularly captured the ancient imagination, apart from its moderate reputation for seafood.⁸⁴ There is also evidence to suggest that Virgil's claim that Caieta was named after Aeneas' nurse superseded an independent etymology, suggesting that the poet could have chosen any place on Italy's western seaboard for this episode⁸⁵.

Caieta did, however, have one moment of fame: it was the place where Cicero was at last apprehended and murdered.⁸⁶ We might take this further. Our only near-contemporary evidence for what happened to Cicero's mutilated body is Brutteditius' claim that no funeral was held at Rome.⁸⁷ However, it has been conjectured on the basis of some fifth-century epitaphs for Cicero that he was likely to have been given a simple burial near the place of his execution.⁸⁸ Aeneas' building of a *tumulus* in Caieta is, therefore, another potential link with the story of Cicero's death. It can be no coincidence that Virgil decided to conclude Aeneas' *katabasis* by having him perform a burial in the place where Cicero would later meet his death.

⁸³ Vir. *Aen.* 7.1-7.

⁸⁴ For surprise at Virgil's inclusion of Caieta in his poem, see: Fraenkel (1945), pg. 1-2; Quinn (1968), pg. 176 n.1. For treatments of its role in Virgil's narrative, see: McKay (1967); Paratore (1978); Skempis (2010). For Caieta and seafood, see: *de Orat.* 2.22.

⁸⁵ Serv. *ad Aen.* 7.1. O'Hara (1996a), pg. 183, (1996b), pg. 268; Paschalis (1997), pg. 244; Hinds (1998), pg. 108-9; Kyriakidis (1998), pg. 86-7; Erasmo (2008), pg. 99; Panoussi (2010), pg. 58; Skempis (2014).

⁸⁶ Sen. *Suas.* 6.17. Cf. Liv. *Per.* 120; Val. 5.3.4; pg. 136-145.

⁸⁷ *FrRH* 72, F1 = Sen. *Suas.* 6.21.

⁸⁸ Davis (1958); Riese (1870), *Anth. Lat.* 72-76. The epitaph refers to a *tumulus* erected over Cicero's remains by his friend Lamia, whose family came from that region. For Cicero's non-funeral at Rome, see: *FrRH* 72, F1 = Sen. *Suas.* 6.21; cf. pg. 180-186.

A central theme of *Aeneid* VI is Rome's historical development. As we have seen, Virgil repeatedly turned to Cicero to illustrate this. A death at Caieta, then, is lent a certain closural force by its connection with the death of a man who has appeared in one guise or another at several crucial points in Virgil's underworld-narrative. The story of Aeneas' quest of foundation has been effectively on hold for the duration of his *katabasis* and some important event is needed to demarcate this mysterious world of ghosts and prophets from the bloody war that will dominate the second half of the poem.⁸⁹

Caieta's burial allows Virgil to draw a line under the proleptic survey of Roman history that Anchises has just delivered. A geographical nod in the direction of Cicero's death serves as a powerful coda to *Aeneid* VI. The intersection between the death of Aeneas' nurse and the events of the 7th December 43 BC neatly encapsulates a key message of Anchises' speech to his son: the narrative of Rome's historical development cannot be separated from that of the Trojans' quest to find a new home.

Conclusion

There was a conscious rationale behind separating this analysis of Cicero's presence in *Aeneid* VI from the previous chapter's investigation of his appearances elsewhere in the Virgilian corpus. The density of the Ciceronian allusions in this book marks it out as worthy of a separate treatment, and we should consider the

⁸⁹ Zetzel (1989).

implications of Cicero making such numerous appearances in one of the key books of Rome's national epic.

The numerous allusions to Cicero's works in Anchises' speech, the great linchpin of the book's narrative, are the centrepiece of his influence on *Aeneid* VI. The accumulation of Ciceronian material that precedes this episode, however, gives the reader adequate preparation for this sustained piece of intertextuality. As soon as Aeneas sets foot on Italian soil the reader is presented with an allusion to Cicero's *Marius* in the temple of Apollo, while the Sibyl's grand tour of Tartarus includes two nods in the direction of Cicero's posthumous reputation. These episodes serve as signposts for the Ciceronian material that lies at the heart of the book.

We are long past the days when the similarities between the speech of Anchises and the various aspects of the Ciceronian corpus could be passed off as either inconsequential or a result of some shared source.⁹⁰ Scholars are now far keener to treat them as deliberate and powerful allusions.⁹¹ The weight of allusive material must suggest that Cicero is important for our understanding of what Virgil is trying to convey in this book.

⁹⁰ Norden (1916) and Boyancé (1936) are the key figures who argue against any identification between Cicero and Virgil. Norden believed that a common source is to be found in Posidonius, while Boyancé found no similarity at all. He later explicitly denied Norden's connection: Boyancé (1960). This refutation is put even more forcefully by Ronconi (1961), pg. 25-6.

⁹¹ The following articles by no means constitute a complete bibliography: Otis (1959); Lamacchia (1964); Klingner (1967); Camps (1969); Solmsen, (1972); Feeney (1986); Zetzel (1989); Habinek (1989); Zetzel (1996).

The reader might conclude from Virgil's decision to align Cicero and Anchises so closely that Cicero is taking on the mantle of the father figure. This is no minor role to inhabit and Virgil does not attempt to downplay the authority that naturally resides in the figure of *pater* Anchises.⁹² Not only does Anchises assume the traditional role played by the Roman *paterfamilias* at a funeral, but he is also revealed to be a fount of wisdom, capable of explaining not only the workings of the cosmos, but also the nature of the soul.⁹³

The figure of the *pater* in the *Aeneid* is synonymous with power and authority, a figure whose characteristics are shared with Jupiter and the poet himself. Anchises' role in *Aeneid* VI is not just to be a father to the son who travelled to the underworld in order to seek out his advice. As Zetzel has argued, Virgil uses this book to place:

[T]he history of Aeneas and of Rome in a moral, religious, and eschatological framework that invites the reader not merely to recall Rome's history and present, but to reflect on its values.⁹⁴

Aeneas is not the only person who can take something from this speech; Anchises assumes the role of *pater* to all future generations of Romans.⁹⁵

⁹² For the centrality of the *pater* in Roman literature, see: Fowler (1996).

⁹³ For the notion that a *paterfamilias* should be a central part of his children's education, see: Plut. *Cat. Maj.* 20; Suet. *Aug.* 64. For an analysis of this as more ideal than reality, see: Bloomer (2011). For the relationship between *Aeneid* VI and Roman funerary practice, see: Burke (1979). For Anchises as philosophical teacher and traditional *paterfamilias*, see: Habinek (1989), esp. pg. 246-7.

⁹⁴ Zetzel (1989), pg. 264.

⁹⁵ Cf. Habinek (1989).

Virgil employs several techniques to make Anchises authoritative in this role. Not least among these techniques are the numerous allusions to the commanding figures that appear in various guises throughout this section. To name only the most obvious figures, hints of Homer, Ennius, Plato and Scipio Africanus can all be detected in the speech put in the mouth of Anchises.⁹⁶ The fact that Cicero is to be found in this exalted company, burnishing Anchises' credentials as the *paterfamilias par excellence*, is a confirmation of his centrality to the culture of Augustan Rome.

It is also, however, deeply disquieting. Although this is an aspect of Cicero's early imperial reception that has so far only been encountered on the fringes of texts, the troubled relationship that existed between the *princeps* and Cicero should not be forgotten when it comes to assessing the latter's suitability as a model for *pater* Anchises.⁹⁷

The combination of the fact that Cicero's grisly murder took place with the connivance of the man who once called him father and the repudiation of some of his most cherished political ideals might make Cicero a perfect representative of the difficult relationship the Romans of Virgil's day had with the previous generation, but it makes him a deeply troubling *pater*.⁹⁸ Cicero may have had the cultural authority to earn a place alongside Ennius as an influence on Anchises' speech, but his raw

⁹⁶ Gee (forthcoming). For Ennius as a *pater* figure for Virgil, see: Gildenhard (2007b).

⁹⁷ For subversive treatments of Cicero's relationship with Augustus, see: pg. 257-260.

⁹⁸ For Octavian calling Cicero "father", see: *ad Brut.* 1.17.5; Plut. *Cic.* 45. For the increasing irrelevance of Cicero's brand of politics, see Gowing (2013a), pg. 233-9. For Augustan Rome's difficult relationship with its recent past, see: Hor. *Carm.* 2.1.

relationship with the *princeps* makes him a dramatically unsettling figure to find in this programmatic speech.

However, even if Cicero's appearance in the underworld has the ability to unsettle an optimistic reading of Augustus' golden age, it would be difficult to deny that there is some logic to his pervasive presence in *Aeneid* VI. As the previous chapters have shown, Cicero had a special resonance in the early imperial age as a bridging figure. In the historiographical genre, narratives of his death were used to mark the ending of one era and the beginning of another. All of our information for the declamation hall similarly suggests that Cicero's centrality to this institution focused on his role as oratory's last connection with the Republic.⁹⁹

The *Aeneid* is deeply concerned with bridging. Virgil situates his narrative on a variety of hinges, connecting east and west, past and present, myth and history. Bridging is an especial concern of *Aeneid* VI, located as it is in the middle of a text that is very aware of itself as a physical entity.¹⁰⁰ This book not only represents the end of the Trojans' wanderings and the beginning of their foundation quest, but it also serves as the meeting point of the living and the dead and as a nexus of the past, present and future.

When *Aeneid* VI is considered in this light, it seems natural that Cicero should be a ubiquitous figure. More than anyone else, his very presence calls to mind one of

⁹⁹ Pg. 245-248.

¹⁰⁰ For the role of *Aeneid* VI in the structure of the *Aeneid*, see: Camps (1954); Barchiesi (1979); Thomas (1985); Conte (1992); Kyriakidis (1998).

the central themes of Aeneas' trip to the underworld: a sense that one thing has come to an end and that something new is beginning. More than this, the cultural weight attached to Cicero's death invokes the violence and melancholy that must be endured before the mission to create a new golden age for Rome can be accomplished. Cicero's appearances in *Aeneid* VI may disquiet, but that is hardly out of keeping with the rest of this book.

Chapter 10

Exules Ambo: Cicero and Ovid

Introduction

The previous two chapters endeavoured to show that Virgil was consistently capable of making sophisticated use of Cicero. To advance the analysis beyond one author, this second case study investigates how a different poet from the early imperial period interacted with Cicero's life and works. This will allow us to assess whether Virgil was uniquely interested in Cicero, or whether this was a more widespread phenomenon.

The idea of linking Ovid and Cicero is not *per se* a novelty.¹ The point of this case study, however, is not to repeat for Ovid what the previous two chapters did for Virgil. This chapter's goal is to take a specific section of the Ovidian corpus and show precisely how its overarching theme encouraged the repeated use of Ciceronian material. The part of Ovid's poetry under consideration is his exile poetry. Although this has been explored before, English scholarship still lacks a sustained analysis of the connection between these two bodies of work.²

¹ For Cicero in the *Metamorphoses*, see: Barchiesi (2005), *ad Ov. Met.* 1.190-1; Barchiesi (2008). For the influence of the *de Officiis* on the *Ars Amatoria*, see: Atzert (1949), pg. xxxii-xxxiii; Kenney (1958), pg. 207 n.2; D'Elia (1961); Labate (1984), pg. 121-74; Gibson (2003), pg. 22-3 n.57.

² For English treatments of the Ciceronian element in Ovid's exile poetry, see: Melville and Kenney (1992); Oliensis (1997); Claassen (1999); Hinds (2007); Morgan (forthcoming). For German and Italian scholarship on the subject, see: Froesch (1976); Degl'Innocenti Pierini (1998); Citroni Marchetti (2000); Ingleheart (2010), pg. 13-5.

An obvious reason for looking for such a connection can be found in the fact that both suffered exile and wrote about their experiences.³ Besides this clear biographical similarity, however, there is a subtler one to be found in the explanation *why* these writers composed such works while in exile. The issue of Ovid's purpose for writing exile poetry is a recurring concern to scholarship of these works.⁴ The most prominent explanation is the potential these poems had to secure Ovid's restoration, or at least some mitigation in his sentence.

This theory comes in several subtly different but complementary guises. One of the earliest versions of this view was advanced in 1965 by E. J. Kenney, at a time when the idea of the exile poetry having any artistic merit at all was not to be taken for granted.⁵ Kenney's reading of *Tristia* 1.6 argued against critics who saw nothing in this poem beyond a strained personal plangency.⁶ Kenney argued that the poem was rather a public declaration of the poet's greatness and a demonstration of Augustus' error in exiling him (all the while making it clear how to correct this error).⁷

Nagle extended this idea beyond the poems that function as open appeals to the reading public. By focusing on the diminished quality of the verse that was standing in for Ovid at Rome, Nagle noted that claims of a lack of sparkle in the exilic

³ Pace Davisson, who can find no "striking parallels" between the two works and doubts whether Ovid had ever read Cicero's letters: Davisson (1983), pg. 172.

⁴ An existential explanation for Ovid's poetic creation (*cano ergo sum*) is enough for some critics: Fantham (1996), pg. 121. For a psychological explanation, see: Williams (1996), pg. 112-3; Di Iorio (1981) review of Carrer (1976); Piegaud (1981 and 1984); Rosenmeyer (1997).

⁵ Kenney (1965).

⁶ Rand (1963), pg. 94; Sorley (1964), pg. 41.

⁷ Kenney (1965), pg. 41.

verse originate with Ovid himself, and should be interpreted not as carelessness, but as a deliberate attempt to convince the reader that the poetry would improve in line with the author's personal circumstances.⁸

The last word on this view of Ovid's exile poetry goes to Stephen Hinds. He focused his attention upon Ovid's rewriting of the *Metamorphoses* in the first book of the *Tristia*. His specific focus is the poet's creation of a new preface, transforming the mostly positive and upbeat tone to the epic into a more pessimistic one. He concludes:

Tristia 1.7... is not a poem about the *Metamorphoses per se*: it is a poem about how the *Metamorphoses* can be redeployed, how it can be rewritten, to reflect the circumstances of Ovid's exile and thus, ultimately, to help him book his trip home.⁹

The recurring theme of these three arguments is that of maintaining a presence at Rome. The poetry of exile is designed both to negate a key aspect of the punishment (that of utterly removing the exile from the city) and to push for a reversal of the sentence. Ovid argues that he should be brought home because he is Rome's greatest poet, because his readers want him to maintain the quality of his poetry, and because Rome's greatest literary masterpieces should remain those of a Roman, and not those of a pseudo-Getic resident of Tomis.

A similar concern lies behind Cicero's exilic correspondence. There is abundant evidence of Cicero sending letters from exile to micromanage his campaign for

⁸ Nagle (1980), pg. 171

⁹ Hinds (1985), pg. 26.

restoration. These letters reveal the extraordinary amount of control Cicero attempted to keep over his fate while in exile.¹⁰ On top of these letters to and from Atticus, we have Cicero's letters to other allies and those he wrote to his wife instructing her how to act and manage the family and their property.¹¹

The contents of these letters are both too specific and too (for want of a better word) prosaic for us to expect to find parallels in Ovid's poetry. Alongside these very unabashedly jussive letters, however, Cicero's exile correspondence also shows forth a more understated means of salvation, one that can be fruitfully compared with Ovid's exile poetry. Alongside the letters of instruction Cicero sent out from his places of exile, we also have his more personal correspondence.

Rawson felt that these letters showed Cicero near a nervous breakdown, while Stockton called them reminiscent of a "petulant and emotionally self-indulgent child".¹² One should, however, be cautious about taking Cicero at his word. Such a psychological reading of these letters may not be irrelevant for their interpretation, but it should at the very least sit alongside a rhetorical analysis. Cicero had a very practical reason for loudly bewailing his lot as an exile.

As is often noted in Ovid's case, such plangent literature allows the exile to maintain a presence in the city from which he has been banished. Claassen, who has

¹⁰ E.g. *Att.* 3.23. Cf. White (2010), pg. 127.

¹¹ For Cicero thanking his new ally Metellus Nepos for his support, see: *Fam.* 5.4. For instructions to Terentia on looking after the family and on who should be thanked for help and discussion of money matters, see: *Fam.* 14.1.3-5.

¹² Rawson (1975), pg. 118; Stockton (1971), pg. 190.

written one of the most substantial comparisons of Ovid and Cicero's responses to exile, downplays this strategic similarity because she considers Cicero's private letters to be only for the eyes of their addressees.¹³ So although she notes the resemblance between Cicero and Ovid's autobiographical descriptions of their exilic misery, and even allows that Ovid may have based his complaints on Cicero's letters, she does not see this as part of a shared stratagem.¹⁴

However, the decision to consider Cicero's outbursts as nothing more than candid displays of emotion rests on some unwarranted assumptions about epistolary practice. This approach gives insufficient credence to the idea that Cicero might make up or exaggerate such emotions, and it does not allow for the letter being shared with interested parties.¹⁵

All of Cicero's letters from exile, however private they may look, were part of his strategy to secure his return to Rome. It is naïve to imagine that his decision to employ the *persona* of a miserable, suicidal exile for consumption at home did not aid his allies in Rome who were attempting to garner public support for his restitution.¹⁶ Thanks to his literary output, Cicero's friends and partisans could rely on him being a very present absence.

The hypothesis at the centre of this chapter is that Cicero's exile and the correspondence related to it were so well-known in the Augustan age that it would

¹³ Claassen (1999), pg.22-3.

¹⁴ Claassen (1999), pg. 130.

¹⁵ For the practice of sharing letters with interested parties, see: White (2010), pg. 43-6.

¹⁶ For the artistry of Cicero's letters from exile, see: Hutchinson (1998), pg. 25-48.

have been natural for Ovid to have thought of him when composing his works in exile.¹⁷ Such an approach to the exile poetry enriches our appreciation of these deeply allusive works while simultaneously contributing to the idea that Cicero was absolutely central to the intellectual and artistic life of the early empire.

Sanguineum Caput

Publications on specific moments of intertextuality between Cicero and Ovid's exilic works are rather thin on the ground. An exception to that rule is *Tristia* 3.9, a poem in which Ovid provides the etymology of his strange new home 'Tomis', and finds it in the familiar world of Greek mythology: in this case, the flight of Medea from Colchis. It is hardly surprising that the legend of Medea should have presented itself to Ovid. Even apart from his longstanding obsession with this character, the Black Sea was Medea's home.¹⁸ Ovid's specific concern is Medea's murder of her brother.

There are some major variations between different tellings of this myth: Sophocles and Callimachus have the boy being murdered in his father's palace before the chase, while Apollonius Rhodius has Jason kill Absyrtus.¹⁹ Ovid's interest is the older version of the myth, in which Medea takes Absyrtus aboard Jason's ship, kills

¹⁷ The declamations preserved by Seneca the Elder make Cicero's exile central to his story: Sen. *Contr.* 7.2.5, *Suas.* 6.22. Cornelius Nepos' famous comment in his *Life of Atticus* highlights the fame of his correspondence: Nep. *Att.* 16.3-4. For modern scholarship on the publication of Cicero's letters, see: Boissier (1863); Gurlitt (1879), (1901), pg. 532-58; Peter (1901), pg. 38-96; Meyer (1919), pg. 588-606; Büchner (1939), pg. 1211-23); Carcopino (1947), I. 9-65, II. 217-458; Taylor (1964); Setaioli (1976); Cugusi (1983), pg. 168-73; Hutchinson (1998), pg. 4.n.4; White (2010), pg. 174-5.

¹⁸ Apoll. Rhod. 3.1136. For Ovid's treatments of Medea, see: Newlands (1997).

¹⁹ Bremmer (1997). Soph. fr. 343 *TrGF* 4; Call. fr. 8; Apoll. Rhod. 4.404-80.

him and scatters his limbs over the sea, which her pursuing father must slow down to gather up, thus permitting her escape.²⁰

Although Ovid's telling of the story is largely faithful to this, he makes one major addition:

neu pater ignoret, scopulo proponit in alto
pallentesque manus sanguineumque caput,
ut genitor luctuque nouo tardetur et, artus
dum legit extinctos, triste moretur iter.
inde Tomis dictus locus hic, quia fertur in illo
membra soror fratris consecuisse sui.²¹

Medea's treatment of her dead brother's body is Ovid's own innovation. Absyrtus' limbs are no longer loosely scattered over the waves, they are set up for her father to see.

Kenney, Oliensis and Hinds have all commented upon the similarity between the deaths of Absyrtus and Cicero.²² Kenney was first to note that the hanging up of the head and hands was likely to be Ovid's own addition to the myth, which he attributes to the popularity of Cicero's proscription as a topic for declamation.²³ Oliensis adds that Cicero acts as a necessary hinge connecting Absyrtus and Ovid:

²⁰ Pherecyd. *FGrH* 3 fr. 32; Apollod. 1.132-3.

²¹ *Ov. Tr.* 3.9.29-34.

²² For Livy's treatment, see: *Sen. Suas.* 6.17; for treatments of Cicero's death in ancient historiography, see: Roller (1997); Wright (2001); pg. 237-260. For the enduring power of Cicero's death, see: Richlin (1999); Butler (2002), pg.1-3, 103-23.

²³ Melville and Kenney (1992), *ad loc.*

Absyrtus was dismembered; Cicero was dismembered and exiled; Ovid was exiled.²⁴ Finally, Hinds adds the idea that Cicero's death had particular resonance with Ovid as a result of their shared status as authors-as-victims.²⁵

Cicero serves a model in this scene because of his centrality to the culture of Augustan Rome. Ovid could rely on a Ciceronian reference striking manifold chords with his reader. Cicero was simultaneously a famous exile and figure of pathos, a skilled writer, and a victim of autocracy. The attentive reader might even supply to this their knowledge that Cicero died in Italy, in the midst of leading an active political life in Rome. It seems appropriate that Ovid, when mulling over his banishment, should think about the sufferings of another famous Roman exile. We should remember, however, that a discussion of Cicero's death entails remembering that he did not stay long in exile; he made the sort of triumphant return of which Ovid could only dream.

Home Again

Ovid was not the only author to have been preoccupied by Cicero's exile. His exile, and more importantly his *return* from exile, constituted one of the most celebrated aspects of his career.²⁶ We have seen this demonstrated in the declamation hall, a fairly reliable gauge of which episodes from Cicero's life were most popular in

²⁴ Oliensis (1997), pg. 189.

²⁵ Hinds (2007), pg. 203-8.

²⁶ For Virgil's interest in Cicero's exile, see: pg. 337-344.

the early imperial period.²⁷ The declamation given by Quintus Haterius on the subject of Cicero's murder does not disappoint on this score:

qui modo Italiae umeris relatus est, nunc sic a Popillio refertur.²⁸

Above all else, this declamation emphasizes the popularity of Cicero's restoration. The idea that the return from exile was a cause of widespread rejoicing is a clear reflection of Cicero's own accounts of his recall.²⁹ These accounts, however, are not limited to descriptions of Cicero's popularity with the people of Italy. They lay equal stress on his popularity with the *populus Romanus*.

Below are two of Cicero's accounts of this event, the first taken from a letter to Atticus:

inde a Brundisinis honestissime ornatus iter ita feci ut undique ad me cum gratulatione legati convenerint. ad urbem ita veni ut nemo ullius ordinis homo nomenclatori notus fuerit qui mihi obviam non venerit, praeter eos inimicos quibus id ipsum, se inimicos esse, non liceret aut dissimulare aut negare. cum venissem ad portam Capenam, gradus templorum ab infima plebe completi erant. a qua plausu maximo cum esset mihi gratulatio significata, similis et frequentia et plausus me usque ad Capitolium celebravit in foroque et in ipso Capitolio miranda multitudo fuit.³⁰

The second is from his speech *Pro Sestio*:

²⁷ Pg. 210-236, 237-260.

²⁸ Sen. *Contr.* 7.2.5; cf. Ps. Sall, *Inv. in Cic.*, 7.

²⁹ For a less triumphant account of Cicero's return from exile, see: Lintott (2008), pg. 183-5.

³⁰ *Att.* 4.1.4-5.

reditus vero meus qui fuerit quis ignorat? quem ad modum mihi adveniēti tamquam totius Italiae atque ipsius patriae dextram porrexerint Brundisini, cum ipsis Nonis Sextilibus idem dies adventus mei fuisset reditusque natalis, idem carissimae filiae, quam ex gravissimo tum primum desiderio luctuque conspexi, idem etiam ipsius coloniae Brundisinae, idem salutis, cumque me domus eadem optimorum et doctissimorum virorum, M. Laeni Flacci et patris et fratris eius, laetissima accepisset, quae proximo anno maerens receperat et suo praesidio periculoque defenderat. cunctae itinere toto urbes Italiae festos dies agere adventus mei videbantur, viae multitudine legatorum undique missorum celebrabantur, ad urbem accessus incredibili hominum multitudine et gratulatione florebat, iter a porta, in Capitolium adscensus, domum reditus erat eius modi ut summa in laetitia illud dolerem, civitatem tam gratam tam miseram atque oppressam fuisse.³¹

Both of these texts show Cicero very self-consciously configuring his return from exile as a pseudo-triumph.³² Although this is a heavily rose-tinted account of events, there is no mistaking the fact that this was a great political and personal coup. It is easy to understand why Cicero threw such great rhetorical weight behind this moment,

³¹ *Sest.* 131.

³² For another example of the trope of the pseudo-triumph, see Scipio's celebration of his victories in the Second Punic War at: Liv. 30.45. For the idea that Cicero's poem *de Temporibus Suis* would have made this even clearer, see: Harrison (1990).

equating it with the pageantry that formed the pinnacle of the Roman statesman's career.

It should be no surprise that Ovid would borrow this imagery in his own exile poetry when dreaming of his return. In the third letter of *Epistulae ex Ponto* III, Ovid relates a dream to his friend Fabius Maximus. In this dream, a rather ragged form of Cupid appears and informs Ovid that his pardon is imminent:

'quae nunc cur iterum post saecula longa reuisam

tu facis, o castris miles amice meis.

pone metus igitur: mitescet Caesaris ira

et ueniet uotis mollior aura tuis.

neue moram timeas, tempus quod quaerimus instat

cunctaque laetitia plena triumphus habet.

dum domus et nati, dum mater Liuia gaudet,

dum gaudes, patriae magne ducisque pater,

dum sibi gratatur populus totamque per urbem

omnis odoratis ignibus ara calet,

dum faciles aditus praebet uenerabile templum,

sperandum est nostras posse ualere preces.'

dixit et aut ille est tenues dilapsus in auras,

coeperunt sensus aut uigilare mei.³³

³³ Ov. *Pont.* 3.3.81-94. For Ovid and Cupid elsewhere, see: Gildenhard & Zissos (2000).

Ovid's skill in this poem lies in blending his own joy at the prospect of returning to Rome with the emotions of the *populus Romanus* celebrating Tiberius' triumph.³⁴ We can appreciate this artistry on a deeper level if we recognize how the poem interacts with the legend of Cicero's return from exile.

Although the appearance of Cupid bearing instructions for Ovid may seem at first glance to parody Hector's ghostly remonstrance with his brother-in-law in the *Aeneid*, one does not have to seek too hard for a Ciceronian parallel.³⁵ While the appearance of Hector is the inverse of Ovid's Cupid (encouraging Aeneas to leave home, not return to it), Cicero's exilic experience provides an exact parallel. In the first book of *de Divinatione*, Quintus (*qua* oneiroscopologist) attempts to prove the prophetic power of dreams to his sceptical brother by pointing to personal examples of this phenomenon. He points out that Cicero himself had not only often claimed that he had dreamt of Marius foretelling his coming recall from exile, but that this was a story that others told about him.³⁶ Recollections both of Cicero's famous dream of a return from exile and the triumphal imagery that surrounded the recall put a solid Ciceronian allusion at the heart of this poem. Ovid was keen to show that his own experience reflects that of the most famous and well-documented case of a Roman returning from exile.

³⁴ Cf. Kenney (1965); Claassen (1991).

³⁵ For Hector's ghostly apparition see: *Vir. Aen.* 2.268-97.

³⁶ *Div.* 1.59. Sallustius (unlikely to be the historian) is noted by Quintus as one who promoted this story: Wardle (2006), *ad loc.* For Cicero's literary uses of Marius' exile, see: Carney (1960), pg. 85-6; Rawson (1971), pg. 76-9; van der Blom (2010), pg. 203-8. Cf. pg. 337-344.

Taking the legend of Cicero's exile into account when reading this poem reveals a far more psychologically intricate piece of writing. In the dream, there is no easy way to distinguish Tiberius' triumph from Ovid's imagined return to Rome. Ovid is in effect dreaming of being Cicero – the meeting point of two imagined poles of experience: the triumphing general returned to Rome in a superior state of existence, and himself at his lowest ebb in Tomis, living in a form of non-existence.

Ad Atticum

An even clearer case of Ovid assimilating himself to the exiled Cicero is to be found in *Epistulae ex Ponto* 2.4. In this poem, Ovid addresses himself to a friend named Atticus.³⁷ Although he receives three mentions in Ovid's poetry, he cannot be identified with any certainty.³⁸ Although this Atticus is likely to have been known to contemporaries, it could not but have been noted that Ovid's friend shared a name with a man who had become synonymous with friendship itself. Cicero and Atticus' position as one of the most famous pairs of friends from the ancient world is not to be attributed solely to the vagaries of the evidence that has come down to us today. The voluminous correspondence that passed between the two (known and celebrated, if not widely available, in the Augustan age) speaks for itself.³⁹ One could also point to

³⁷ Likely to be the Atticus of *Amores* 1.9.

³⁸ Atticus' identity is often assumed to be an open-and-shut case: Curtius Atticus of Tac. *Ann.* 4.58.1, 6.10.2. This is taken as read by Koestermann (1963-8), *ad loc.*, and Seager (2005), pg. 171. There is, however, no firm evidence: Syme (1978b), pg. 72.

³⁹ For the availability of Cicero's correspondence in this period, see: pg. 21. For the purposes of this argument, however, one only need note that this correspondence was known to have existed: Nep. *Att.* 16.3-4.

Atticus' appearance as Cicero's friend in his philosophical dialogues, his status as dedicatee of Cicero's treatise *de Amicitia* and the prominence given to their relationship in Nepos' biography of Atticus.⁴⁰

It is interesting enough that Ovid chose one of his friends named Atticus to be the recipient of some of his exilic correspondence. However, what makes this poem even more interesting is the fact that it also employs the language of Cicero's exilic letters. The opening of the poem sets this up well:

accipe conloquium gelido Nasonis ab Histro,
Attice iudicio non dubitande meo.
ecquid adhuc remanes memor infelicis amici
deserit an partis languida cura suas?
non ita di mihi sint tristes ut credere possim
fasque putem iam te non meminisse mei.
ante oculos nostros posita est tua semper imago
et uideor uultus mente uidere tuos.⁴¹

The final couplet of this poem describes the poet imagining his friend before his very eyes. This same imagery dominates the language of the letters the exiled Cicero composed to his wife, as is seen in *ad Familiares* 14.2:

⁴⁰ For the fame of this correspondence see: Nep. *Att.* 16.3-4. Atticus appears in two dialogues as an interlocutor: *Brutus* and *de Legibus*. For dedication see: *Am.* 2. For Cicero's presence in Nepos see: Nep. *Att.* 4.4, 5.3-4, 9.3, 10.1, 15.3, 16.2-4.

⁴¹ Ov. *Pont.* 2.4.1-8.

nam mihi ante oculos dies noctesque versaris: omnes labores te excipere
video; timeo, ut sustineas. sed video in te esse omnia.⁴²

And again in the next letter:

nam mihi ante oculos dies noctesque versatur squalor vester et maeror et
infirmetas valetudinis tuae, spes autem salutis pertenuis ostenditur.⁴³

As well as writing an *epistula ad Atticum* that mirrors the language Cicero used in his most emotional exilic letters (albeit ones written to his wife), Ovid also employs a phrase from one of Cicero's exilic letters to Atticus when describing his fear of a *cura languida* on the part of his friend.⁴⁴

Should the above give the eagle-eyed reader a suspicion that Ovid is aligning himself with Cicero in his relationship with another Atticus, there is a further parallel provided later as Ovid describes one of the services his friend used to provide for him:

saepe tuas uenit factum modo carmen ad auris
et noua iudicio subdita Musa tuo est.
quod tu laudaras, populo placuisse putabam
—hoc pretium curae dulce recentis erat—
utque meus lima rarus liber esset amici,
non semel admonitu facta litura tuo est.⁴⁵

⁴² *Fam.* 14.2.3.

⁴³ *Fam.* 14.3.2; cf. *Ov. Tr.* 1.3.

⁴⁴ The phrase here describes Atticus' pessimism, rather than lack of attention: *Att.* 3.17.2: "cetera quae ad me eisdem litteris scribis de nostra spe, intellego esse languidiora quam alii ostendunt." For other appearances of Ciceronian epistolary formulae in Ovid's exilic letters, see: Nagle (1980), pg. 33-5.

⁴⁵ *Ov. Pont.* 2.4.13-8.

Cicero's Atticus also played the critical role of editor and publisher in order to assure his friend's success as a writer.⁴⁶

As noted above, there are many reasons why Ovid might have wished to identify himself with Cicero: it criticizes his punishment as too harsh; it sets him up as a victim of autocracy; it hints at his innocence; it implies his return. In this instance, however, we should focus on the stated intent of the collection in which it appears. The major stylistic feature that differentiates the *Epistulae ex Ponto* from its predecessor is the presence of named addressees. Given that these poems are designed to praise Ovid's friends, we might note the acclamation implied by this allusion. By eliding his own identity with that of Cicero, Ovid thereby raises *his* friend Atticus to the stature of his great namesake: high praise indeed.

Magni Nominis Umbra

A more oblique allusion to Cicero can be found in letter written to Sextus Pompeius to celebrate his elevation to the consulship.⁴⁷ Although only a distant relative of the famous Gnaeus Pompeius Magnus, Sextus is not a totally obscure character. He is mentioned in Seneca's *de Beneficiis*, where it is stated that Sextus (like the rest of his family) traded upon the *unius viri magnitudo* for distinction.⁴⁸ Given that

⁴⁶ Although not a publisher in a financial sense, Atticus famously had a team of copyists which he put at the disposal of his friends: *Nep. Att.* 13.3; Rawson (1985), pg. 43-4.; Kenney & Clausen (1982), pg. 20. For Atticus' role as a literary editor, see: *Att.* 15.13.1; 15.13.7; 16.11.1-2; Feger (1956), pg. 517-20; Phillips (1986).

⁴⁷ *Ov. Pont.* 4.5. For Sextus Pompeius' appearances in the *Epistulae ex Ponto*, see: Syme (1978b), pg. 156-68.

⁴⁸ *Sen. Ben.* 4.30.2. For Horace's similar usage of one of Pompey's relatives to call the recent past to mind, see: *Hor. Carm.* 2.7; Harrison (forthcoming), *ad loc.*

the nominal point of this poem is to praise its addressee, the absence of a fully-fledged comparison between Gnaeus and Sextus is surprising. Ovid's reference to the *domus Pompeia* certainly suggests the famous family, but this is scarcely developed before he passes onto praising the imperial family.⁴⁹

However, Ovid undercuts this panegyric tone with a sideways glance at the fate of Sextus' great ancestor, specifically referencing Cicero's treatment of it. Instructing his verse letter to seek out the new consul, Ovid gives the following warning:

copia nec uobis nullo prohibente uidendi
consulis, ut limen contigeritis, erit:
aut reget ille suos dicendo iura Quirites,
conspicuum signis cum premet altus ebur,
aut populi reditus positam componet ad hastam
et minui magnae non sinet urbis opes.⁵⁰

Compare this with the following quotation from Cicero's second Philippic, possibly the most famous section of the most famous work of Latin prose:

Caesar Alexandria se recepit felix, ut sibi quidem videbatur; mea autem sententia, qui rei publicae sit hostis, felix esse nemo potest. hasta posita pro aede Iovis Statoris bona Cn. Pompei (miserum me! consumptis enim lacrimis tamen infixus haeret animo dolor), bona, inquam, Cn. Pompei

⁴⁹ Ov. *Pont.* 4.5.9.

⁵⁰ Ov. 4.5.15-20.

Magni voci acerbissimae subiecta praeconis. una in illa re servitutis oblita
civitas ingemuit, servientibusque animis, cum omnia metu tenerentur,
gemitus tamen populi Romani liber fuit.⁵¹

Cicero's introduction to this scene provides a specific link between Ovid's letter to Sextus Pompey and Cicero's lament: the prominently placed ablative absolute, *hasta posita*.

Setting up a spear was a sign of a public sale. In Ovid's poem it is a reference to the consul selling the contracts of state; in Cicero's text it refers to the selling of proscribed property. Although the upturned spear must have been a relatively common sight in Rome, the phrase itself appears only rarely in our literature, and Ovid alone uses it as shorthand for the consul's activities.⁵² That this phrase should be used by Cicero in his well-known description of the sale of Pompey's goods and then reappear fifty years later in Ovid's poem celebrating the recent elevation of a descendant of Pompey the Great is striking.⁵³

This allusion to the second Philippic in Ovid's epistle raises the issue of the role played by the Republic in imperial Rome. This part of the poem, rather typically of

⁵¹ *Phil.* 2.64. For the popularity of the Philippics in the early empire, see: Sen. *Suas.* 6.3, 4, 5; 7.5; Juv. 10.114-32; Manuwald (2007), pg. 140-3. For further evidence of the popularity of the second Philippic (especially sections 63-4), see the *index locorum* of Quintilian's *Institutio Oratoria*: Winterbottom (1970), pg. 771.

⁵² There are seven appearances of *hasta posita* in the literature of this period: thrice used in the irrelevant sense of casting spears in a battle (*Vir. Aen.* 9.586; *Liv.* 33.8.13; *Ov. Met.* 8.366); thrice in Cicero describing the auctioning of ill-gotten goods (*Leg. Agr.* 2.53; *Phil.* 2.64; *Off.* 2.27); once by Ovid to describe selling public contracts (*Pont.* 4.5.19).

⁵³ There is another echo in Ovid's phrase *Magnae urbis opes*, recalling Cicero's *bona Cn Pompei Magni*.

the collection, can be read in two ways.⁵⁴ On the one hand, it suggests the resurgence of Pompey's family after the indignities it suffered at the hands of Mark Antony. On the other, it hints at the same family's notoriously antagonistic relationship with the Caesars. It is impossible to pin Ovid down to just one of these two readings. What is certain, however, is that Cicero's oratory was the means by which Ovid so enriched the texture of this poem.

Divination

Another perspective on how Ovid uses Cicero to configure his exilic correspondence comes from the letters Cicero sent to his friends who were themselves suffering exile. An example of this can be seen in *Tristia* 1.9, addressed to a faithful but anonymous friend. After running the gamut of pious pairs of friends from mythology, Ovid turns to celebrate his own friend's recent advancement:

hoc ego uenturum iam tum, carissime, uidi,
ferret adhuc istam cum minor aura ratem.
siue aliquod morum seu uitae labe carentis
est pretium, nemo pluris emendus erat:
siue per ingenuas aliquis caput extulit artes,
quaelibet eloquio fit bona causa tuo.
his ego commotus dixi tibi protinus ipsi
'scaena manet dotes grandis, amice, tuas.'

⁵⁴ Cf. Casali (1997).

haec mihi non ouium fibrae tonitrusue sinistri,

linguae seruatae pennaue dixit auis:

augurium ratio est et coniectura futuri:

hac diuinaui notitiamque tuli.⁵⁵

The most obvious Ciceronian comparison would be a relatively broad allusion to the second book of *de Divinatione* in which Cicero rejects the conventional methods of foretelling the future in favour of a system based on *ratio*. Although this connection rather lacks force, it at least gives the impression that Cicero is in the background.

Happily, a better Ciceronian parallel can be found. In late 46 BC, Cicero wrote to his friend Aulus Caecina who was at that point living in Sicily in a state of semi-exile awaiting Caesar's permission to return to Italy after the civil war. In this letter, Cicero discusses two main topics. First, the bearing his friend's adherence to the Republican cause might have on his chances of receiving Caesar's pardon, and secondly his connection with divination – a subject on which the Etruscan Caecina was something of an expert.⁵⁶ Cicero brings these themes together as follows:

qua re, quoniam, ut augures et astrologi solent, ego quoque augur publicus ex
meis superioribus praedictis constitui apud te auctoritatem augurii et
divinationis meae, debet habere fidem nostra praedictio. non igitur ex alitis

⁵⁵ Ov. *Tr.* 1.9.41-52.

⁵⁶ For the *disciplina Etrusca* and divination more broadly, see: Thulin (1906-9), esp. I. 1-12; Harris (1971), pg. 4-9, 194-5; Rawson (1975), pg. 241-5; Linderski (1982); Momigliano (1984); Rawson (1985), pg. 298-316; Denyer (1985); Beard (1986); Schofield (1986); Timpanaro (1988); Brunt (1989); Beard, North & Price (1998), I. 116-7, 149-51. For Caecina's expertise in this field, see: Sen. *NQ* 2.49.

volatu nec e cantu sinistro oscinis, ut in nostra disciplina est, nec ex tripudiis solistimis aut soniviis tibi auguror, sed habeo alia signa, quae observem; quae etsi non sunt certiora illis, minus tamen habent vel obscuritatis vel erroris. notantur autem mihi ad divinandum signa duplici quadam via, quarum alteram duco e Caesare ipso, alteram e temporum civilium natura atque ratione.⁵⁷

The similarity of vocabulary in these two texts makes this letter a far more satisfactory intertextual reference point for *Tristia* 1.9. By putting himself in Cicero's place as the one dispensing advice and predictions, Ovid neatly inverts his own status as an exile. Through this allusion he inhabits the role of Cicero the pardoned exile, one who can offer solace to others in their misfortune. Although of course, as is clear from the poem, Ovid is emphatically not back in Rome.

Ovid, in fact, presents us with an exact reversal of Cicero's letter: a man in exile predicting the coming good fortune of a great orator. Regardless of whether we attribute this to bitter irony or wistful thinking on Ovid's part, this is compelling evidence for his deep appreciation of a broad variety of texts written by Cicero, his most famous exilic predecessor.

Old Grey Eyes

I would like to conclude this chapter with one final example taken from the very beginnings of Ovid and Cicero's exiles. In March of 58 BC, just over four years

⁵⁷ *Fam.* 6.6.7-8.

after his extra-judicial execution of the alleged Catilinarian conspirators, Cicero, finally seeing that the writing was on the wall, followed the counsels of his advisers and fled Rome. Plutarch provides the following vignette of that fateful night:

He carried the statue of Athene, which he had standing in his house for a long time and which he especially honoured, to the Capitol and dedicated it with the inscription: 'To Athene, guardian of Rome'. Then, taking escorts from among his friends, he left the city secretly about midnight.⁵⁸

Cicero's behaviour here mirrors Ovid's description of the beginning of his voyage from Rome to Tomis at *Tristia* 1.10:

est mihi sitque, precor, flauae tutela Mineruae,
nauis et a picta casside nomen habet.
siue opus est uelis, minimam bene currit ad auram
siue opus est remo, remige carpit iter.
nec comites uolucris contenta est uincere cursu,
occupat egressas quamlibet ante rates,
et pariter fluctus ferit atque silentia longe
aequora, nec saeuis uicta madescit aquis.
illa, Corinthiacis primum mihi cognita Cenchreis,
fida manet trepidae duxque comesque fugae,
perque tot euentus et iniquis concita uentis

⁵⁸ Plut. *Cic.* 31.6. Translation: Moles (1988). Cicero's own account: *Leg.* 2.42; cf. *Att.* 7.3.3; *Fam.* 12.25.1. For the Demosthenic parallel, see: Plut. *Dem.* 26.6; Moles (1988), *ad loc.*; Lintott (2012), *ad loc.*

aequora Palladio numine tuta fuit.

nunc quoque tuta, precor, uasti secet ostia Ponti,

quasque petit, Getici litoris intret aquas.⁵⁹

The connection between these verses and the snippet from Cicero's biography elucidates Ovid's focus on Minerva in this poem.

This passage from Plutarch is not our only evidence of Cicero's personal attachment to Minerva.⁶⁰ As we have already seen in the earlier treatment of Nautes in *Aeneid* V, Cicero's special connection to this deity is thoroughly documented both in his own works and among those attributed to his contemporaries.⁶¹ It was noted there that this link with Minerva seems to hold a special resonance with the events surrounding Cicero's suppression of the Catilinarian conspiracy.⁶² In that chapter, reconstructions of Cicero's poetry were used as the main source for Cicero's claims to have been helped by Minerva in his attempt to save Rome from Catiline.⁶³ However, if we broaden the scope to include any example of Cicero's special devotion to Minerva, we can see that this was not a phenomenon limited to poetry; it was also a feature of his oratory. Take, for example, this section from *de Domo Sua*:

et te, custos urbis, Minerva, quae semper adiutrix consiliorum meorum,
testis laborum exstitisti, precor atque quaeso...⁶⁴

⁵⁹ Ov. *Tr.* 1.10.1-14.

⁶⁰ For Minerva's special role in Cicero's religious life, see: Bodel (2008).

⁶¹ Pg. 314-318; cf. Allen (1956), pg. 135, n.20.

⁶² Harrison (1990).

⁶³ *Dom.* 92; Quint. *Inst.* 11.1.24; Ps. Sall. *Inv. in Cic.* 7.

⁶⁴ *Dom.*144.

Although we are reduced to conjecture when discussing precisely how Cicero conceived of his relationship with Minerva, it was clearly associated with the divine help she gave him during his consulship.⁶⁵

We can be confident in following Harrison's argument that the help Cicero received came in the form of the *artes* Minerva taught him which aided his suppression of the Catilinarian conspiracy. These could only be the arts of oratory, his chief tool in convincing his countrymen to stamp out the threat Catiline posed to Rome.⁶⁶ It should come as no surprise that both Ovid and Cicero felt a strong connection to Minerva. They were both artists, and the goddess of wisdom was metonymic for *ingenium*, the creative impulse.⁶⁷

It is perhaps rather more interesting that both of these exiles should have turned to Minerva at their hour of crisis. Cicero's act of dedicating his statue of Minerva as *Custos Urbis* before leaving Rome is relatively easy to read: since Cicero would no longer be present to stand guard over the city and act as the channel by which the gods could protect Rome, he would leave that job to his patron-goddess Minerva and let the Romans rely on a more numinous version of his all-saving eloquent *ingenium*.

⁶⁵ For various attempts to place the Minerva episode in Cicero's works, see: Koch (1922), pg. 53; Traglia (1950-2), pg. 1.n.17; Soubiran (1972), pg. 40.

⁶⁶ Harrison (1990), pg. 460.

⁶⁷ Definition 3 in the *Oxford Latin Dictionary*. Ovid was well-known in antiquity for his *ingenium*: Sen. *NQ* 3.27.13-15, *Contr.* 2.2.9, 2.2.12; Quint. *Inst.* 10.1.89, 10.1.98.

Ovid upends this idea. When Cicero left Rome he dedicated his *Minerva* as a *custos* to the city. What use, after all, would it be to him beyond Rome's walls? He dedicated his statue as a statesman – as a man whose *ingenium* existed only to serve his *patria*. He had no need for it where he was going. Ovid highlights the incongruity of his being the victim of exile by doing precisely the opposite of Cicero's dedication. He was no statesman whose *Minerva* had no place but within the city walls; he was a poet who would take his *ingenium* with him wherever he went. *Minerva's* presence as the *tutela* on Ovid's boat acts as a proclamation of the poet's enduring *ingenium*. She travels with him to Pontus and she preserves him; she serves as his *custos*.⁶⁸ As long as he has *Minerva*, he can retain some sense of himself: *Caesar in hoc potuit iuris habere nihil*.⁶⁹

If we read this poem without reference to Cicero, it is still possible to extract something of its meaning as a celebration of the poet's immortal *ingenium*. However, if we appreciate the allusion to Cicero's famous act of dedicating a statue of *Minerva* to the city of Rome when going into exile, we can see that Ovid's poem has more to tell us. A central part of the strategy of the *Tristia* was to rouse the reader's sympathy for Ovid's plight by pleading how unfitting his fate was. In other parts of the first book he compares himself (un)favourably to Ulysses, who was able to bear such perils.⁷⁰ In

⁶⁸ For the semantic proximity of *custos* and *tutela*, see: Vir. *Geo.* 4.109-11.

⁶⁹ Ov. *Tr.* 3.7.48. Cf. Morgan (forthcoming).

⁷⁰ Ov. *Tr.* 1.5.57-84. For Ovid's comparison of himself with Odysseus, see: Rahm (1963), pg. 115-20; Stanford (1968), pg. 142; Frécaut (1972), pg. 320-3; Williams (1994), pg. 104-15; Holzberg (1997), pg. 186-8; Montiglio (2008).

this poem he shows that not only is he no epic hero, he is also no ordinary Roman exile.⁷¹ The quintessential Roman exile was a politician like Cicero, not a poet like Ovid. The contrast between their treatments of Minerva highlights the essential difference between the two exiles and shows just how much Rome has changed since the days of Cicero's Republic.

Conclusion

When writing his poetry from Pontus, Ovid aligned his exile with that experienced by Cicero more than a decade before his birth. Although the specific effects that are achieved by each individual Ciceronian allusion have been explained above, a conclusion has yet to be drawn on the subject of what is accomplished by the sheer volume of Ciceronian material that Ovid included in his exile poetry.

The overall impression created by the repeated attempts to link Ovid's exile to Cicero's is relatively simple: it allows the poet to configure himself as something of a quintessential Roman gentleman, the opposite of the dandy-like figure he cut in his earlier works.⁷² Although the exilic *persona* is a well-studied aspect of Ovid's poetry, his intermittent attempts to call the exiled Cicero to mind have not been deemed relevant.⁷³

⁷¹ While these comparisons occasionally suggest that Ovid caps Ulysses' experiences, he never suggests that this makes him a more epic hero.

⁷² For Ovid's presentation of his exiled self as a break from his earlier life with specific reference to Cicero, see: Nagle (1980), pg. 19-35, 69-70.

⁷³ For studies of the relationship between Ovid's exilic *persona* and reality, see: Wilkinson (1955); Frécaut (1973); Dickinson (1973); Claassen (1987), (1988), (1990), (1996), (2001), (2008); Helzle (1989).

Ovid's literary past posed a major threat to his attempt to use the exile poetry to secure his return to Rome: he claims, after all, that his poetry had been the cause of his exile.⁷⁴ Ovid does not hide from this. His exile poetry contains a wealth of references to his earlier work (especially the *Ars Amatoria*), with the entirety of *Tristia* 2 being dedicated to teaching Augustus the correct way to read literature (love poetry in particular).⁷⁵

Ovid's overarching concern in these poems is to persuade the reader that, whatever one might think of the morality of the *Ars Amatoria*, the author himself led an upstanding life.⁷⁶ As such, Ovid seeks to distance the authorial *persona* of the exile-poetry from the seductive, gallivanting narrator of the *Amores* and *Ars Amatoria*.⁷⁷ This is accomplished in a variety of ways, the most immediately obvious of which is his sudden emphasis on his family.⁷⁸

Ovid's attempt to produce exilic literature that at times resembles Cicero's own depictions of exile should be interpreted in this light. One aspect of Cicero's reception that should be clear by this point is just how quickly he became a historical character.

⁷⁴ For Ovid's attempt to use his poetry to return to Rome and the problems caused by his previous work, see: Hinds (1985). For the notorious *carmen et error*, see: Ov. Tr. 2.207-52. Cf. Ingleheart (2010), *ad loc.* For a reading of Ovid's punishment that focuses rather more on Ovid's *error* than his *carmen*, see: Green (1982); Goold (1983); White (1993), pg. 152-4.

⁷⁵ Williams (1994), pg.154-209; Ingleheart (2010), pg. 21-4.

⁷⁶ For Ovid's personal morality, see: Ov. Tr. 4.10.41-92.

⁷⁷ For Ovid's attempts to show himself to be a respectable figure in the exile poetry, see: Ingleheart (2012).

⁷⁸ For Ovid's last night in Rome as a sign of his collapsing *domus*, see: Ov. Tr. 1.3. For Ovid's poems to his wife, see: Ov. Tr. 1.6, 3.3, 4.3, 5.2, 5.5, 5.11, 5.14; *Pont.* 1.4, 3.1. Cf. Helzle (1989); Hinds (1999); Öhrman (2008), pg. 151-89.

We have repeatedly seen authors making use of Ciceronian material to depict an era that is divorced from the world of the early empire.⁷⁹ The Ciceronian *persona* that Ovid creates to voice his sufferings enables him to present himself as an old-fashioned figure from yesteryear – a tactic that allows him to put some exculpating distance between himself and the contemporary vices for which he claims to have been made a scapegoat.

Cicero was an ideal model for Ovid's *persona*. There were, after all, very few other figures from Roman history that could inhabit such a role. Cato may have suited the probity Ovid wanted, but his demise hardly suggests a happy ending; Marius may have returned from exile, but not in the trouble-free manner Ovid wanted. Metellus Numidicus was the only other figure who could realistically be described as an old-fashioned, moral man, who had been unjustly exiled and then restored.⁸⁰

Metellus' *exemplum*, in fact, can point us towards a more important factor that made Cicero such an ideal model for Ovid's exile poetry. How many of the effects detailed above could Ovid have achieved had he chosen Metellus Numidicus as his allusive point of contact rather than Cicero? No other figure from Rome's literary past offered Ovid's *ingenium* so much raw-material to work from when constructing his literary exile. For Ovid, as for every other author that has been studied so far, the

⁷⁹ Pg. 245-248.

⁸⁰ For Metellus Numidicus' exile, see: Gruen (1965). For Numidicus as exilic *exemplum*, see: van der Blom (2010), pg. 195-203.

volume and variety of Cicero's oeuvre made him a uniquely fertile figure for the literary imagination.

Conclusion

The above case studies make it quite clear that Virgil and Ovid relied upon evocations of the life and works of Cicero to give form to their poetry. The first chapter of this section showed the breadth of Virgil's commitment to using allusions to the Ciceronian corpus in his poetry. This breadth is partially demonstrated by the fact that such allusions can be found in the *Eclogues*, the *Georgics* and the *Aeneid*. But it can also be seen in the great array of Ciceronian material that Virgil employed: ranging from references to biographical details from Cicero's life, to intertextual engagements with Cicero's various literary enterprises.

The second chapter continued this analysis by focusing on the large number of Ciceronian allusions in *Aeneid* VI. Analysis of the entirety of this book with a view to teasing out all of its Ciceronian allusions shows that Virgil's interaction with Cicero in this book was not limited to the famous echo of the *Somnium Scipionis* in Anchises' great imperial eschatology. This book may rather be seen as a patchwork of allusions to Ciceronian material, ranging from biographical details of his death, to his poem *Marius*, via the now largely extinguished tradition of anti-Ciceronian invective that flourished in the wake of his proscription.

The third and final chapter demonstrated the depth of the interaction that Ovid created between his exilic poetry and those works created by Cicero on the same subject. In spite of the loss of *de Temporibus Suis*, a work which would have provided a wealth of poetic material on the subject of exile, we can still detect a great many

allusions to Cicero's exile in the *Tristia* and *Epistulae ex Ponto*.¹ That chapter argued that Ovid's pervasive concern with presenting his exile as a reiteration of Cicero's experience helped to legitimize his claim to be a decent and upstanding Roman on the receiving end of an unjust punishment.

This investigation into Cicero's influence on the world of early imperial poetry was designed to question the hypothesis that a lack of sophistication was a necessary consequence of Cicero's metamorphosis into a cultural icon.² The above analysis demonstrates that Virgil and Ovid were both capable of making sophisticated use of the life and works of Cicero when describing such themes as exile, citizenship, war, oratory and history.

The apparent simplicity of Cicero's appearances in the histories and declamations of the early empire should be attributed to the requirements and expectations of those texts. The works of the Augustan poets make it abundantly clear that the readers of the early empire could be relied upon to think about Cicero in a knowledgeable erudite and sophisticated way. These texts loudly refute the notion that the denizens of early imperial Rome were incapable of thinking about Cicero as anything more than an artless symbol of eloquence or a thin synecdoche for the Republic.

¹ For the *de Temporibus Suis* and Cicero's exile, see: Harrison (1990).

² Cf. Kaster (1998).

Conclusion

Intulit Artes

There has been one great omission from this thesis. Horace's affinity for Cicero is well-known and should not be underestimated.¹ The decision to exclude Horace from this investigation of Cicero's influence on the poets was taken on the basis that the subject was too large to be incorporated within a project that aimed to provide a survey of Cicero's early imperial reception in other genres beside poetry. Since this section was constructed to provide an impression of Cicero's influence on the poets rather than a comprehensive survey, this omission is no great cause for concern. I would, however, like to use this conclusion to make one Horatian observation that helps to explain why Virgil and Ovid found Cicero such a useful author to interact with.

Horace is today most popularly remembered for his pithy phrases. Even people otherwise unfamiliar with his poetry have learnt *dulce et decorum est* from Wilfred Owen and *carpe diem* from Robin Williams. Close behind these *bons mots* in terms of familiarity is Horace's enduring summary of Rome's literary culture:

Graecia capta ferum uictorem cepit et artes

intulit agresti Latio.²

¹ For Cicero and Horace, see: Grant & Fiske (1924), (1929); Barchiesi (1962), pg. 40-3; Griffin (1985), pg. 201, (1993), pg. 5; May (1990); Barchiesi (1993), pg. 155-8; Hinds (1998) pg. 63-74; Feeney (2002a), (2002b); Lowrie (2002); Moles (2002); Citroni (2005), (2013). For Ciceronian reception in another poet not discussed here, Propertius, see: Heyworth (2007b), *ad* 2.31-2.

² Hor. *Ep.* 2.1.156-7.

This snappy summary of the role played by Rome's Greek dominion in the development of a literature of its own rests on two major allusions. The description of Rome comes from Porcius Licinius:

Poenico bello secundo Musa pinnato gradu
intulit se bellicosam in Romuli gentem feram.³

The description of Greece, however, is taken not from poetry, but from prose. Specifically, it is taken from Cicero's survey of the development of Roman oratory, the *Brutus*:

tum Brutus: 'amice hercule,' inquit, 'et magnifice te laudatum puto, quem non solum principem atque inventorem copiae dixerit, quae erat magna laus, sed etiam bene meritum de populi Romani nomine et dignitate. quo enim uno vincebamus a victa Graecia, id aut ereptum illis est aut certe nobis cum illis communicatum.'⁴

The influence this Ciceronian literary history had on Horace's epistle has not passed unremarked, although this particular marker of that influence seems not to have been noticed.⁵

One reason for noting this piece of intertextuality is simply to show that even the most famous parts of early imperial poetry can be profitably read in the light of their Ciceronian heritage. A more important reason, though, can be discerned when

³ Courtney (2003), Porcius Licinius fr. 1; Brink (1982), *ad loc.*

⁴ *Brut.* 254.

⁵ For Horace's debt to Varro and Cicero in his account of Latin literature's development, see: Citroni (2013).

we appreciate why Horace was able to make an allusion to Cicero when he was making this point. The simple fact is that both Horace and Cicero were engaged in the same project; both authors were active and leading participants in the dynamic process of forging a new path in Greco-Roman culture.

Horace's decision to break new ground by transplanting the rhythms and themes of archaic Greek lyric poetry into an authentically Roman language was not so different from Cicero's earlier attempt to create a form of Latin oratory that could truly rival that of Demosthenes, Lysias or Isocrates. Nor was it so different from his attempt to fashion a new Latin vocabulary by which the discoveries of the Greek philosophers could be interpreted by the Romans in their native tongue.

As important as Cicero was as a marker of Rome's Republican past, he should equally be recognized as one of the key figures in the literary culture that was developing in Augustan Rome. Cicero's presence in the works of Horace, Virgil and Ovid can be attributed, at least in part, to the fact that he had been there before them, crafting something new and specifically Roman from Greece's cultural heritage. Cicero's success in this attempt made him a uniquely stimulating and fruitful figure for the Augustan poets to engage with.

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