

AMERICAN PHILOLOGICAL ASSOCIATION

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CICERO'S  
*DE PROVINCIIIS  
CONSULARIBUS*  
ORATIO

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*Introduction and Commentary by*  
**LUCA GRILLO**



Cicero's *De Provinciis Consularibus Oratio*

AMERICAN PHILOLOGICAL ASSOCIATION

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Consularibus Oratio*

Introduction and Commentary by  
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*Ai miei genitori, Carlo e Silvana*



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## Preface

Cicero delivered his speech on the allocation of the consular provinces (*De Provinciis Consularibus*) at the age of fifty, in the summer of 56 BCE. The year is remembered as the time when the so-called first triumvirate was renewed. In the spring, Caesar left Gaul to meet with Pompey and Crassus, and the deal was struck: Pompey and Crassus would support Caesar's confirmation as proconsul in Gaul, and his veterans would in turn support their election as the consuls for 55. But all the ambition, money and power of the three dynasts were not enough. To realize their plans, they needed the aid of the most prominent orator of the time, Cicero. Between May and July, Cicero responded to pressure from Pompey and delivered a speech to the senate *De Provinciis Consularibus* (henceforth *Prov.*). His eloquence persuaded the senators, with the result that Gaul was again assigned to Caesar, a fact that dramatically changed the course of Roman and European history. Transalpine Gaul was "pacified" (to use Cicero's term), and Caesar managed to realize his ambitions, thanks to the powerful weapon that Cicero had put in his hands. In less than six years, and much to Cicero's distress, Caesar would break with the senate, and the civil war he then fought against Pompey marked the end of the Roman Republic and the eventual beginning of the Principate.

Aside from its historical importance, *Prov.* is a prime example of Roman political oratory. Cicero used his talents to attack Piso and Gabinius and to praise Caesar; to justify Roman imperialism and provincial administration; to hide the intricacies of his relationship with Caesar and the senate; and to convince his fellow senators to take a decision that Caesar, Pompey and Crassus had in fact already taken. *Prov.* thus provides a powerful window into the high politics of the 50s, the relations between Rome and the provinces, the senators' view on governors, publicans and foreigners, the complicated personality of Cicero, and the role of oratory in ancient Rome.



## Acknowledgments

Cicero's *De Provinciis Consularibus* has fascinated me for some years, and I conceived the idea of writing a commentary in 2005, when as a graduate student I took Bob Kaster's seminar on *Pro Sestio*. In 2008 the Georgetown Commentary Writers' Workshop gave me a chance to present an initial sample, and looking back I can see how much I benefited from the suggestions and corrections of Professors Olson and McNelis and of all the participants. For a few years I made only a little progress, but this oration continued to attract me, and I kept profiting from the feedback on papers that this speech inspired: on Cicero's use of irony (Stanford), on his depiction of Caesar as ideal general (Emory), on the problem of mercy and imperialism (Münster), on Cicero's *post reditum* metaphors (University College London) and on self-fashioning (Exeter).

The bulk of this commentary was written during a sabbatical I spent in Göttingen in the 2011–12 academic year: I am indebted to the Seminar für Klassische Philologie, and in particular Professor Heinz-Günther Nesselrath, for their hospitality.

I am indebted also to other scholars for their gracious help: I thank Yelena Baraz, Tony Corbeill, Jane Crawford, Bob Kaster, Christopher Krebs, Simon Malloch, Sara Phang, Bill Race, John Ramsey, Tobias Reinhardt, Catherine Steel, Chris van den Berg, Henriette van der Blom and Jim Zetzel for reading portions from drafts of the commentary, or for kindly answering specific queries, or for doing both. Special thanks must go to my wife, Jennie Grillo, for polishing my English throughout the manuscript, to Dominic Berry and to Frank Ryan for catching so many mistakes, and to Sander Goldberg for his relentless support and wise advice.

\* \* \*

The text follows the 1911 OCT edition by W. Peterson, with a few changes that are discussed in the commentary.



# Timeline

**123** (or 122) *lex Sempronia de provinciis consularibus*

**106** January 3 M. Tullius Cicero is born in Arpinum, some 75 miles southeast of Rome (*see* map 1)

~**103** (most likely between 105 and 101) both L. Calpurnius Piso Caesoninus and A. Gabinius are born

**100** C. Iulius Caesar is born

**95** (or 93) P. Clodius Pulcher is born

**70** Cicero successfully prosecutes Verres, becoming master of the courts

**63** Cicero and G. Antonius (Hybrida) are consuls; Caesar becomes *pontifex maximus*

November 8: Cicero unmasks the conspiracy (*First Catilinarian*, to the senate)

November 9 and December. 3: *Second* and *Third Catilinarian* (to the people)

December 5: *Fourth Catilinarian* (to the senate); Catilinarians sentenced to death

**62** Clodius causes the scandal of the Bona Dea

**61** Cicero attacks Clodius for the scandal, beginning eternal enmity

**60–59** Caesar, Pompey and Crassus form the so-called first triumvirate

**59** Caesar and Bibulus are consuls

March: Clodius' *transitio ad plebem*; he is elected tribune for 58 (July/Aug.)

April: *lex Vatinia*, Cisalpine Gaul and Illyricum to Caesar for 5 years (59–55)

April: on Pompey's proposal the senate allots Transalpine Gaul to Caesar

June: Cicero refuses a *legatio libera* offered him by Caesar  
 July: Cicero refuses to be a commissioner for implementing Caesar's agrarian laws

**58** Piso and Gabinius are consuls

February/March: *lex Clodia de capite civis* and *lex Clodia de provinciis consularibus*

March: Caesar leaves for Gaul; war against the Helvetians and Ariovistus

March: Cicero leaves Rome before the *lex Clodia de exsilio Ciceronis*

April 29: Cicero leaves Italy for Thessalonica (May–Nov.)

November: before Piso's arrival in Thessalonica Cicero moves to Dyrrachium

**57** P. Cornelius Lentulus Spinther and Q. Caecilius Metellus Nepos are consuls

Caesar campaigns against the Belgians and Nervians

July: the senate supports the law restoring Cicero from exile

August 4: the people approve the law restoring Cicero

September 4: Cicero returns to Rome

September 5: *Post Reditum ad Senatam*

September 7: *Post Reditum ad Populum*

September 29: Cicero gives a speech to regain his house (*De Domo Sua*)

**56** Cn. Cornelius Lentulus Marcellinus and L. Marcius Philippus are consuls

March: *De Haruspicum Responsis* rebuking Clodius' accusations

March: Cicero defends Sestius (*Pro Sestio*)

April: Cicero defends Caelius (*Pro Caelio*) poking fun at Clodius and his sister Clodia

April 5: Cicero speaks against Caesar's *lex agraria* in the senate

April: Caesar, Pompey and Crassus renew their deal of mutual support

April (end): Pompey and Q. Cicero (Cicero's brother) urge Cicero to stop opposing Caesar

May: Cicero supports payment from the treasury for Caesar's legions

June (end): Cicero delivers *De Provinciis Consularibus*

**55** Pompey and Crassus are consuls

Cicero delivers *In Pisonem* in response to Piso's attack in the senate

Cicero withdraws from public life and writes *De Oratore*

**54** In a long letter to Lentulus Spinther (*Fam.* 1.9) Cicero justifies his post-exile conduct

**52** Clodius is killed by Milo, Cicero defends T. Annius Milo (*pro Milone*), but he is exiled

**49** January 10: Caesar crosses the Rubicon; civil war against Pompey (49–6)

**44** March 15: Caesar is killed

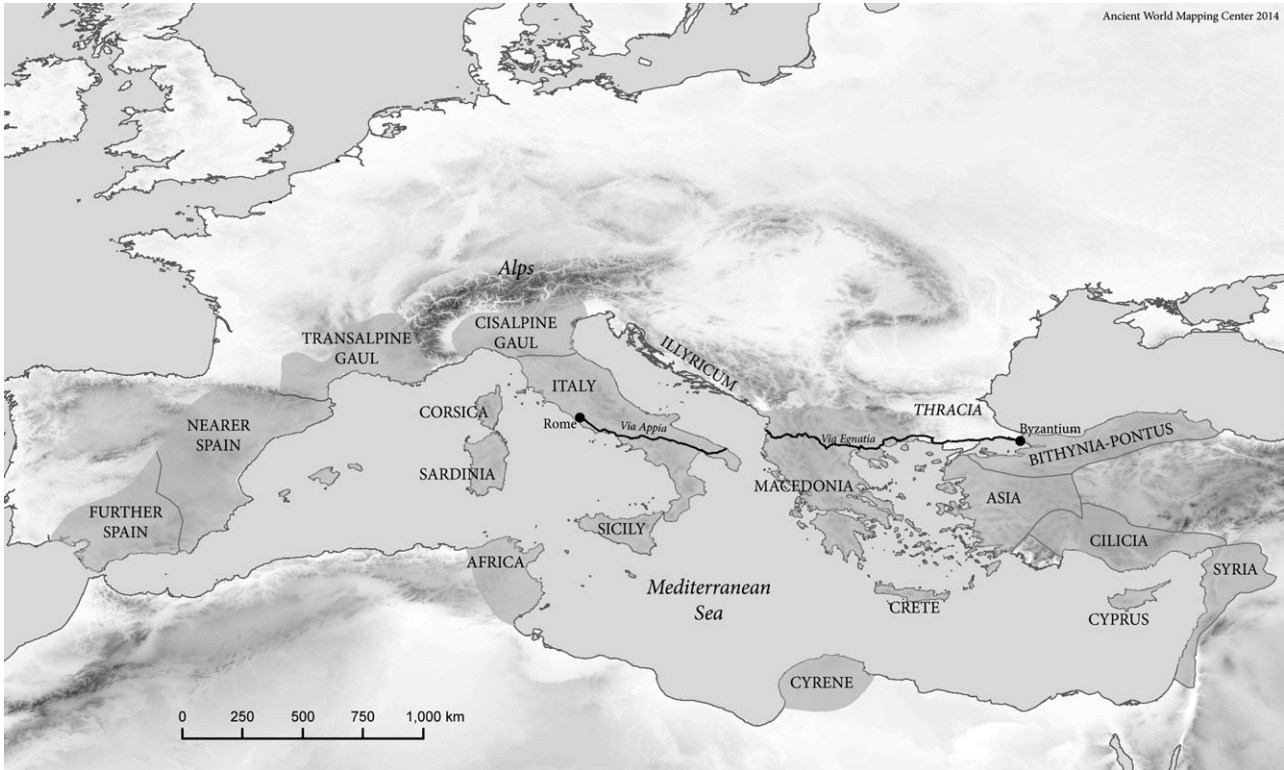
**43** December 7: Cicero is killed



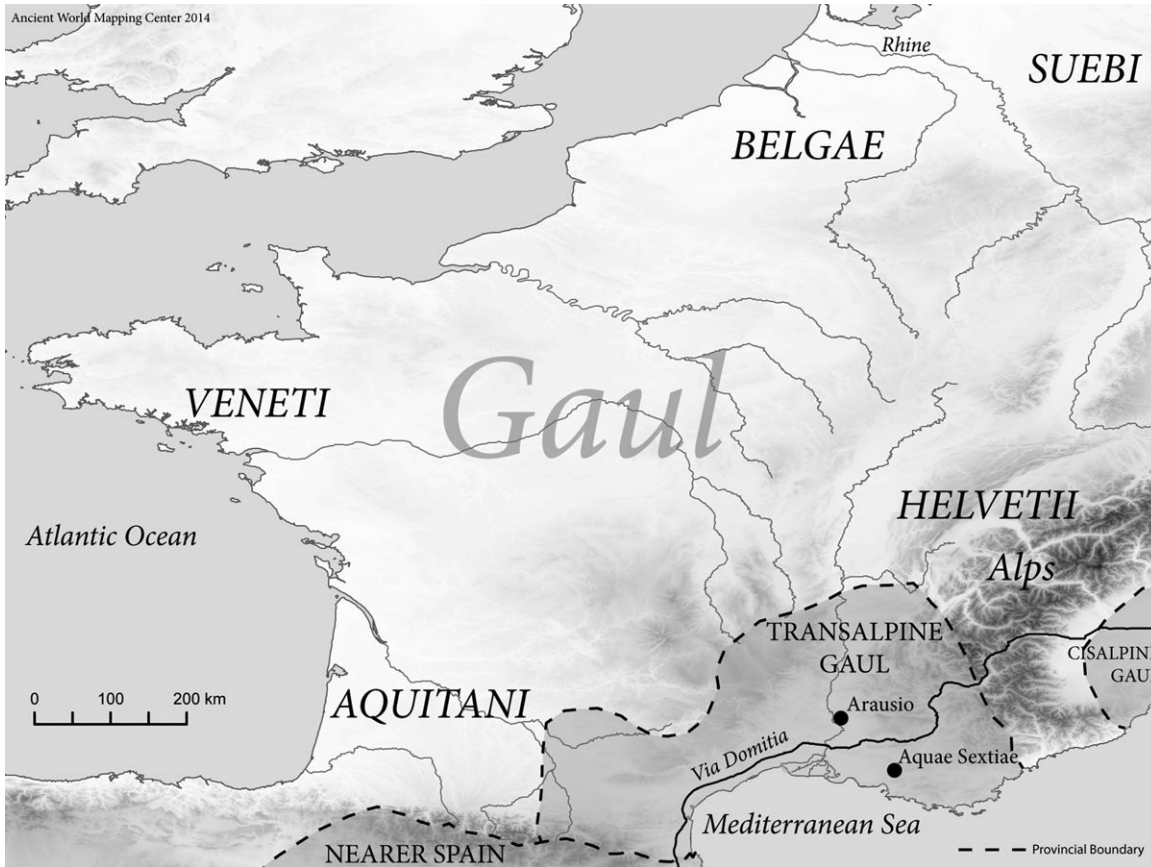




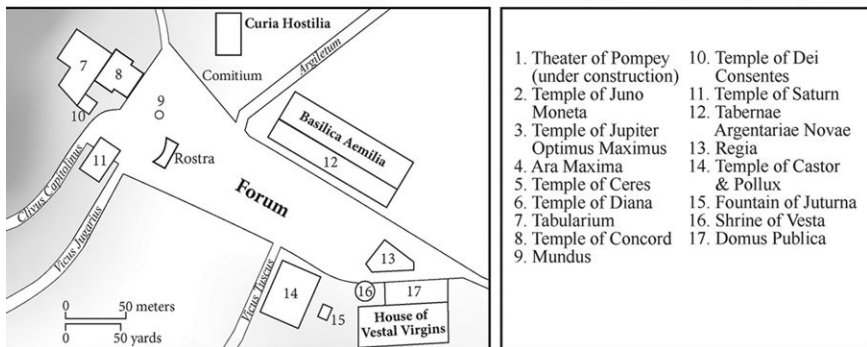
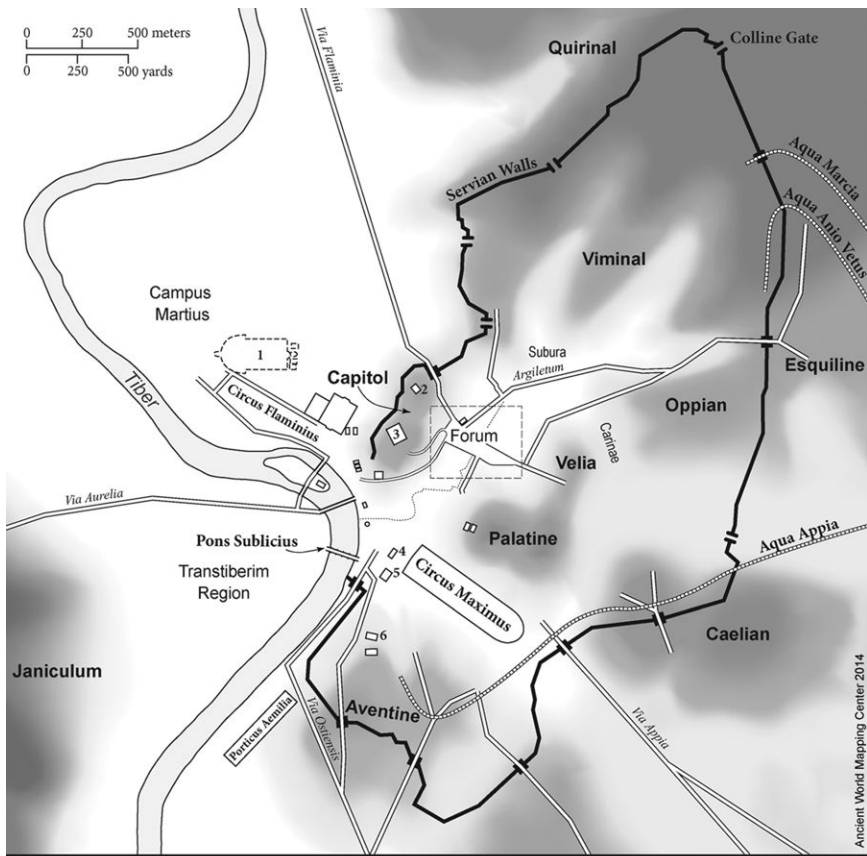
Map 1 Italy at the time of Cicero.



Map 2 Roman Provinces at the time of Cicero.



Map 3 Gaul at the time of Cicero.



Map 4 Rome and the Roman Forum at the time of Cicero.

Cicero's *De Provinciis Consularibus Oratio*



# Introduction

## I. HISTORICAL BACKGROUND: CICERO'S LIFE UNTIL 56

Cicero was born in Arpinum, some 75 miles southeast of Rome, in 106 BCE. We know little about his mother, Helvia, but his father was a rich equestrian, who provided the best education for his ambitious sons. Since Cicero was a *homo novus*, he relied on his own talents to succeed in public life, and his achievements as politician and as orator are intertwined. In the late 80s he started his career as a lawyer, gaining some fame, and elected quaestor in 75 he served in Sicily. He developed a good relation with the Sicilians, and in 70 he defended them against Verres, making a splash on the public scene and enhancing his career: he held the most important magistracies, *suo anno*, as soon as it was possible, being elected aedile for 69, praetor for 66 and consul for 63. The consulate was a turning point in his life, and from this point our story must begin.

### *The conspiracy of Catiline and the origins of Cicero's exile*

In 63 some senators and *equites*, supported by part of the plebs in Rome and by various Italian towns, plotted to overthrow the state. Their plan (called the "conspiracy of Catiline," from the name of its leader) was to take possession of the main magistracies in Rome, to cancel debts and to start new proscriptions; it matured toward the end of the year, but met the energetic counteraction of Cicero, who was then consul. After Cicero unmasked the plot (November 63) and identified the main conspirators, the senate debated their fate (December 5) and followed the advice of Cato and Cicero, sentencing five conspirators to death. Cicero presided over their execution, which took place without a trial before the people, although usually



it was the people who decided on capital cases. Such a procedure, being arguably unconstitutional, exposed Cicero to attack, and soon Clodius would take advantage of his vulnerability.

Up to the end of 62 there was no animosity between Clodius and Cicero, but the scandal of the Bona Dea provided the spark for their enmity. Twice per year (in December and on May 1) Romans celebrated the mysteries of the Bona Dea, and in December 62 Pompeia, being the wife of the *pontifex maximus* (Caesar), hosted the celebration of the secret rituals, from which men were barred. During the celebration, however, Clodius disguised himself as a woman and sneaked into Caesar's house, which amounted to a profanation of the rituals. Caesar did not prosecute Clodius, but once the issue became a public scandal it was brought to the senate, which proposed to form a special court to try Clodius; a struggle between the senate and the assembly of the people ensued, not without episodes of violence and illegal votes, until May 61, when Clodius was tried, and Cicero testified against him. In vain: the jury, which had been bribed, absolved Clodius, who would never forget Cicero's stance. Nor did anyone else, as Cicero did not miss a chance to accuse Clodius of being a follower of Catiline and a deadly pest. Moreover, Cicero's consulship and the execution of the Catilinarians had come to symbolize the senatorial usurpation of the rights of the assembly of the people. By the middle of 60, Cicero and Clodius were sworn enemies.

Meanwhile Clodius, who was a patrician, tried to be transferred to the plebs in order to become tribune, a strictly plebeian office. His attempts failed in 61 and in 60, but in April 59, Caesar (who was then consul and *pontifex maximus*) and Pompey (who acted as augur) provided the formal setting, and a plebeian named Publius Fonteius adopted Clodius, who thus became plebeian himself. Now that nothing prevented him from standing for the office, Clodius advanced his candidacy and in the summer he was elected tribune of the plebs for 58.

### *Clodius' tribunate and Cicero's exile*

As tribune Clodius pursued an agenda that was markedly *popularis*, both because of his methods (he carried many laws through

the support of the people and without consultation with the senate) and because of its content, especially appealing to the urban plebs. His first four bills, which Cicero calls *nefariae leges* (*Prov.* 46), included a law reestablishing the legitimacy of the *collegia* (*lex Clodia de collegiis*), private clubs, often composed of men of the same trade, helping each other under the wing of one or more *patroni*; a law for distributing grain to the people in Rome, for the first time completely free (*lex Clodia frumentaria*); a law limiting the scope of bans on the formal gathering of popular assemblies (*lex Clodia de agendo cum populo*); and a law limiting the censors' power to examine the character of citizens (*lex Clodia de censoria notione*).

Toward the end of March Clodius proceeded to attack Cicero. A first bill, the *lex Clodia de capite civis Romani*, declared out-laws those who executed a Roman citizen without granting them the right to appeal to the people (the *ius provocationis*). This law, which of course targeted Cicero for the execution of the Catilinarians, was carried on the same day as another one, the *lex Clodia de provinciis consularibus*, which allotted desirable provinces (Macedonia and Cilicia, later exchanged with Syria) to the consuls of 58, Piso and Gabinius. Cicero would later lament that these provinces were the price of his exile; but for the time being, he had to make an urgent decision—should he remain in Rome and oppose Clodius' law or withdraw and wait for better times?<sup>9</sup> On the same day that Clodius' law was passed, Cicero left Rome, and before long he was reached by the news that Clodius had carried a second bill (the *lex Clodia de exsilio Ciceronis*), referring specifically to him and spelling out the terms of his banishment: Cicero had to be at least 400 miles away from Italy or anyone could kill him with impunity, and his property would be confiscated and destroyed.

The sixteen months Cicero spent in exile (April 58 to August 57) were arguably the most difficult of his life. Toward the end of April 58 Cicero left Italy, without having been tried in court, and in May he reached Thessalonica, where his friend Plancius (who was then quaestor of Macedonia) hosted him for seven months, until in mid-November he went to Dyrrachium. In these months he tried to study some philosophy, but nothing absorbed him more than

the news coming from Rome, and his letters document how the fluctuating prospects of being recalled caused dramatic changes in his mood, ranging from high hopes (e.g. *Att.* 3.11, June 58; *Att.* 3.18, September 58; *Att.* 3.22, November 58; *Att.* 3.26, January 57) to deep despair (e.g. *Att.* 3.12, July 58; *Fam.* 14.2, October 58; *Att.* 3.25, December 58; *Att.* 3.27, February 57). In fact Cicero's destiny was entangled with Roman politics, and his supporters could achieve little before the end of 58, after which the new consuls of 57 (Lentulus Spinther and Caecilius Metellus Nepos, both favorable to Cicero) entered office.

On 1 January 57, the consuls summoned the senate, where motions in favor of Cicero's recall were put forward. Clodius, however, did not withdraw his at times violent opposition, and as a result the senate issued no actual decree until the end of May, and Cicero re-entered Rome only on September 4. The day after, he delivered a speech of thanks to the senate (the *Post Reditum ad Senatum*), and on the September 7 a similar speech to the people (*Post Reditum ad Populum*). The recall and the welcome of the people generated high euphoria in Cicero, but his conviction that he had regained his prestige (*Att.* 4.1.3) later proved to be an illusion (*QF* 3.5.4).

Clodius retained much power, and in November his gangs even attacked Cicero in the center of Rome, so that he had to take shelter in a friend's house. Personal friends, especially Sestius and Milo, provided the manpower to withstand Clodius' attacks, but on the political scene Cicero was unable to remain as independent as he wished. Some influential senators, styled *boni* or *optimates*, continued to display the snobbish distrust that Cicero had experienced before his exile, even supporting Clodius to break the power of Caesar, Pompey and Crassus. In January 56 Clodius was elected curule aedile for 56, and sometime in April Caesar, Pompey and Crassus renewed their private alliance for mutual support (the "first triumvirate"), hoping to gain the support of Cicero also. Cicero was caught between a rock and a hard place. Being politically conservative, he stood for the rights and prestige of the senate, but many other conservative senators despised him, and in Roman politics connections counted for more than

ideals. Practically, Cicero had a personal link with Pompey and with Caesar, who courted him seeking his support. Partly because he was left without a choice and partly because he was bitterly disillusioned, around April 56 Cicero surrendered to the pressure of Pompey and joined the cause of the three dynasts (for a more detailed account of the months between January and July 56, see pages 9–10 about the historical context of the speech).

The speech *On the Consular Provinces* is a prime example of Cicero's struggle between the desire to maintain an independent stance according to his ideal and the necessity to submit to the will of the dynasts. Before looking at the specific occasion of our speech, however, we must consider some effects of the events of Cicero's exile and return.

### *Rhetorical implications*

Toward the end of September 57 (some three weeks after re-entering Rome), Cicero violently rebuked Clodius for calling him “an exile” (*Dom.* 72). *Exsul*, of course, carried a negative connotation, indicating one whose actions were so outrageous that he deserved to be isolated from the community. This was a particularly insulting label for Cicero, who had devoted his talents and career to becoming a part of the Roman elite. Unsurprisingly, then, in the *post reditum* speeches Cicero makes an effort to address this problem, responding in particular to two charges that must have been in his audience's mind: that exile humiliated him beyond recovery and that his departure from Rome signaled misbehavior and cowardice.

The most obvious device is the avoidance of the words *exsul* and *exsilium*: Cicero regularly calls his banishment a departure (*digressus*, *discessus* or *profectio*), opts for generic expressions indicating his painful absence (*dolor*, *me absente* or *absens*) and employs verbs expressing lawless aggression (*pello* and its compounds) and his nonviolent response (*caedo* and its compounds, Robinson 1994). His exile, then, is presented as a peaceful response to utter injustice, and in many passages Cicero even specifies that he could have resisted, but chose not to in order to safeguard the

state and prevent more shedding of blood (*Red. Sen.* 33; Nicholson 1992: 37–9). In this reconstruction (which is at odds with the uncertainty and insecurity manifested by Cicero’s letters), his departure, far from signaling cowardice, rather signifies Cicero’s courageous sacrifice, which in his words “saved the state for the second time” (e.g. *Red. Sen.* 34)—the conspiracy of Catiline being the first occasion. To this first occasion Cicero often returns in his *post reditum* speeches, and not only to salve his own ego.

As seen above, Cicero executed some Catilinarians without granting them the right to appeal to the people, hence making himself vulnerable to attacks. Therefore, to repel the charge of being an exile, Cicero had also to justify his conduct in 63. For one thing, he explains that he acted under special powers (granted to him by the senate) to face a national threat. But Cicero knew that often the best defense is an attack and, accordingly, portrays Clodius as a follower of Catiline, presenting their deeds as two acts in the same story and casting himself as their common target and the main obstacle in their attempt to destroy the state. Cicero’s fortunes, then, symbolize the fortune of the state itself and, consistent with his account, Cicero goes as far as stating that he was not exiled, because the state was exiled with him (*Red. Sen.* 34). As one more means of attacking Clodius, Cicero impugns the validity of his tribunate, arguing that in 59 the adoption of Clodius by a plebeian was not carried out regularly. If Clodius was not a plebeian, the laws he carried as tribune of the plebs in 58 (including those that caused Cicero’s exile) must be invalid (cf. *Dom.* 38).

The *post reditum* speeches share these concerns, and overall Cicero’s language and arguments, while being tailored to specific audiences and occasions, form a coherent narrative that constitutes the rhetorical background of *Prov.* In this respect, since *Prov.* can be placed productively against the backdrop of other *post reditum* speeches, and since many references in the commentary highlight their links, their similarities and their differences, it is useful to gain a preliminary understanding of these *post reditum* orations.

### *The post reditum speeches*

In a strict sense, the *post reditum* speeches are identified with the four orations that are directly entwined with Cicero's return (*Post Reditum ad Senatum*, *Post Reditum ad Populum*, *De Domo Sua* and *De Haruspicum Responsis*); more broadly, however, the term *post reditum* refers to all the fourteen speeches that Cicero composed between 57 and 52, and throughout this commentary the expression is taken in this broader sense. Cicero's exile and return loom large over these orations, which, to different degrees, share recurrent themes and language. Chronologically:

- *Post Reditum ad Senatum* (*Red. Sen.*), delivered on 5 September 57 (the day after Cicero re-entered Rome) to the senate, to thank the senators for his recall.
- *Post Reditum ad Populum* (*Red. Pop.*), delivered on 7 September 57 (three days after Cicero re-entered Rome) to the people, to thank the people for his recall.
- *De Domo Sua* (*Dom.*), delivered on 29 September 57 to the college of the pontiffs, to argue that Cicero's house on the Palatine, which had been destroyed by Clodius during Cicero's exile, should be rebuilt at public expense. The house was rebuilt.
- *In Vatinius* (*Vat.*), delivered in the first half of March 56 to a panel of judges in the course of the trials of Sestius. Vatinius (a staunch Caesarian who, as tribune of the plebs in 59, carried the law assigning Cisalpine Gaul and Illyricum to Caesar) testified against Sestius, and Cicero, who was defending Sestius, launched a fierce attack against Vatinius while interrogating him. *Vat.* is thus an example of Ciceronian invective.
- *Pro Sestio* (*Sest.*), delivered in the first half of March 56 to a panel of judges, to defend Sestius (who was tribune in 57 and had supported Cicero's recall) from the charge of political violence (*de vi*) in riots against Clodius. Sestius was acquitted.
- *Pro Caelio* (*Cael.*), delivered on 4 April 56 to a panel of judges. Cicero remarkably transforms his defense of Caelius (accused of violence, *de vi*) to attack Caelius' lover Clodia and Clodius, who was her brother. Caelius was acquitted.

- *De Haruspicum Responsis* (*Har. Resp.*), delivered in the first half of May 56 to the senate, to rebuke Clodius' charge that divine omens signaled the gods' disfavor toward Cicero for the reconstruction of his house.
- *De Provinciis Consularibus* (*Prov.*), delivered in June 56 to the senate, to argue that Piso and Gabinius should be recalled from Macedonia and Syria and that Caesar should be confirmed in Gaul.
- *Pro Balbo* (*Balb.*), delivered in early summer 56 to a panel of judges, to defend Balbus from the charge of illegal grant of citizenship. Balbus was acquitted.
- *In Pisonem* (*Pis.*), delivered in July 55 to the senate, to attack Piso (the consul of 58 and Cicero's target also in *Prov.*). This is another prime example of Ciceronian invective, responding to the speech Piso gave to the senate after being recalled from Macedonia, attacking Cicero.
- *Pro Plancio* (*Planc.*), delivered toward the end of August 54 to a panel of judges, to defend Plancius against the charge of misconduct in his campaign for an aedileship of 54. Cicero reminds the judges that Plancius had hosted him in Thessalonica in 58, during his exile, and that in 57 he supported his recall, and Plancius was acquitted.
- *Pro Aemilio Scauro* (*Scaur.*), delivered in September 54 to a panel of judges, to defend Scaurus against the charge of misconduct as governor of Sardinia (*de repetundis*). Scaurus was acquitted.
- *Pro Rabirio Postumo* (*Rab. Post.*), delivered between December 54 and January 53 to a panel of judges, to defend Rabirius from the charge of misconduct as governor of Syria (as assistant of Gabinius in 57–4). The outcome of the trial is uncertain.
- *Pro Milone* (*Mil.*), planned for defending Milo in April 52 but never delivered. Milo was accused and convicted of the murder of Clodius and went into exile.

Between 57 and 52 Cicero delivered many more speeches (at least thirty, given in court, plus his interventions in the senate and to the people, Marinone 2004: 112–13, 117–20, 127, 131–4, 143–4),

but he did not publish all of them, and only a portion of those he published have survived for us.

## II. CONTEXT AND DATE OF DELIVERY AND PUBLICATION

### *Historical context of 56*

The beginning of the year saw Cicero active both in senatorial meetings and in court, where he successfully defended some friends (Calpurnius Bestia in February, Sestius in February and March, and Asicius and Caelius in April). His archenemy, Clodius, was no less active and continued to use popular assemblies, interventions in the senate, judicial trials and street riots to carry on his program. The fluid equilibrium of alliances brought Clodius close to some conservative senators, who saw him as a convenient check on the power of Pompey, until the events of April caused a turning point not only in Cicero's life but also in the history of the Roman republic.

On April 5, the senate followed Cicero's proposal and fixed a meeting for May 15 to discuss the hot issue of the Campanian land. This proposal certainly displeased Caesar. As consul in 59 Caesar had carried a law for allotting some land in Campania (the fertile region around Naples, south of Rome) to needy citizens with families, and after the people passed the law, commissions were formed to buy, divide and distribute the lots of land (*MRR* 2.187–8; *Att.* 2.6.2 and 2.7.3–4). In December 57, however, while the distributions were still taking place, the dire straits of state finances led a tribune of the plebs, Lupus, to suggest that the state resume possession of the land and that distributions be blocked. Nothing became of Lupus' proposal, and Caesar must have been relieved to see that the issue was put on the back burner, but only until the financial situation worsened due to the skyrocketing prices of grain in Rome and the senate's grant of 40,000,000 sesterces to Pompey for taking care of grain supplies. In this context Cicero brought up the issue of the Campanian land again. This amounted



to nothing less than an aggressive move against Caesar: most probably, Cicero, who at first disapproved of the private alliance joining Caesar, Pompey and Crassus, saw that in 56 the senate was more supportive of Pompey than of Caesar and hence seized the occasion to try to drive a wedge between them (*Fam.* 1.9.6–9). Meanwhile, in February 56 Cicero also attacked Vatinius, the protégé of Caesar who had proposed the law granting him command in Gaul, and L. Domitius Ahenobarbus declared he that would stand for consulship for 55, voicing his intention to recall Caesar from Gaul.

These threats elicited Caesar's prompt and energetic reaction. In April 56 he managed to meet with Pompey and with Crassus, and they re-formed their private alliance. The details of the meeting are much debated but its effects are clear: Caesar offered the votes of his veterans to support Pompey and Crassus in the consular elections for 55, and they promised their help in having Caesar confirmed in Gaul. It is uncertain how much Cicero knew of this deal, but soon he felt the pressure, since Caesar had also asked Pompey to use his influence with Cicero and induce him to withdraw his opposition. Cicero was cornered. Although concerned and disgusted at Clodius' rapprochement with the so-called *optimates*, he could not risk losing Pompey's support: on May 15 the senate debated the issue of Campanian land, but Cicero, who had proposed this addition to the agenda, skipped the meeting.

Soon the demands of Caesar, Pompey and Crassus became even more pressing, and Cicero was chosen to champion their cause. When the senate met to decide on the provinces to allot to the consuls of 55, Cicero (who may or may not have known that Pompey and Crassus intended to stand for the consulship) attacked his enemies, Piso and Gabinius, arguing that they should be recalled from Macedonia and Syria, and withdrew his opposition to Caesar, arguing that he should be confirmed in Gaul. *Prov.* is the transcription of this speech.

### *The outcome of the senatorial debate*

What happened next? It is hard to overstate the historical importance of the dynasts' machinations and of this speech in their support.

Leaving aside speculations on what would have happened if Cicero had not yielded to their will, we can observe at least two spectacular consequences. Crassus, having served as consul in 55, replaced Gabinius in Syria, where he died in 53; and more important, Gaul was reassigned to Caesar, a fact that dramatically changed the course of Roman and European history. Gaul became part of the Roman Empire, and Caesar managed to realize his ambitions, thanks to the powerful weapon that Cicero had put into his hands. In less than six years, much to Cicero's distress, Caesar broke with the senate, and the civil war he fought against Pompey marked the end of the Roman Republic and the beginning of the Principate. And yet, what was the direct outcome of Cicero's intervention in the senate?

As seen, Cicero made a twofold recommendation—to have Caesar's mandate in Gaul confirmed, and to recall his personal enemies, Piso from Macedonia and Gabinius from Syria. To achieve these goals, Cicero proposed to extend Caesar's command in Gaul and to make Macedonia and Syria both consular and praetorian provinces (cf. 17.8n.): making them consular meant assigning them to the two not-yet-elected consuls of 55, who, being busy in Rome, would not reach them until the end of their consulship. But since Cicero wanted to see Piso and Gabinius replaced as soon as possible, he recommended making Macedonia and Syria also praetorian, so that two praetors would replace them at the beginning of 55, until the consuls' arrival. According to Asconius, Piso and Gabinius were recalled from their provinces “because of Cicero's recommendation”: *cum revocati essent de provinciis Piso et Gabinius sententia Ciceronis* (ad *Pis.* 2.2–3). Other evidence, however, demonstrates that Cicero was not so successful.

Piso returned from Macedonia in summer 55 and upon his return he attacked Cicero in the senate (Ascon. ad *Pis.* 2): the fact that Piso returned in 55 and that he recognized Cicero's agency behind his recall suggest that Cicero had succeeded in making Macedonia a consular and praetorian province (*Prov.* 17). This is confirmed by another passage from *Pis.*, where Cicero alleges that Piso turned white and dropped half-dead at the news that he had been replaced because Macedonia was made praetorian but that

Gabinus, by contrast, had *not* been replaced in Syria (*debilitatio atque abiectio animi tui Macedonia praetoria nuntiata, cum tu non solum quod tibi succederetur sed quod Gabinio non succederetur exsanguis et mortuus concidisti, Pis. 88*).

This last statement from *Pis.* also demonstrates that Asconius must be wrong about Syria. In fact, unlike Piso who was recalled from Macedonia in 55, Gabinus remained as governor of Syria until 54, and this implies that Cicero had failed in persuading the senate to make Syria a praetorian province. Moreover, in 55 Trebonius, a protégé of the consuls Pompey and Crassus, pushed through a law, the *lex Trebonia*, in order to make Spain *and Syria* consular provinces, thus allotting Spain to Pompey and Syria to Crassus. This seems to imply that Cicero's recommendation was not enough to make Syria a consular province and thereby recall Gabinus (cf. Marshall 1985: 84–5 and Lewis 2006: 194). Perhaps Asconius oversimplified the outcome of *Prov.* to magnify Cicero's success.

Similarly, Caesar's reappointment in Gaul cannot be completely ascribed to *Prov.*: another law, the *lex Licinia*, passed by the people in 55, was needed to reassign Gaul to Caesar for five more years. Hence, Cicero's actual contribution with *Prov.* was to prevent the senate from replacing Caesar by assigning the two Gauls to the consuls of 55 according to the *lex Sempronia* (cf. *Balb.* 61) and to have Piso recalled from Macedonia and replaced by one of the praetors of 55.

### *Date*

Since we lack external evidence to date *Prov.*, we can rely only on Cicero's references to contemporary events. Cicero states that the senate refused a thanksgiving to Gabinus (*Prov.* 14), and we know from one of his letters that this happened on May 15 (*QF* 2.7.1, in the same meeting where the distribution of the Campanian land was discussed). May 15 therefore is the *terminus post quem*, and since the allocation of consular provinces had to take place before the consular elections (cf. below on the assignment of consular provinces), which were normally held toward the middle of July, *Prov.* was given between May 15 and mid-July. But we can be more specific.

The end of May (suggested by Mommsen, 1894: 5.130 n.1) can be excluded, for at 15 Cicero says that “if the couriers do not slow down, *within a few days* Gabinius will repent for having requested a thanksgiving,” implying that the news of the senate’s refusal was to reach Gabinius soon, *paucis diebus*. A courier would take between five and eight weeks to reach Syria from Rome, so that a calculation based on the senate’s decision on 15 May, plus 5–8 weeks to allow time for the courier to reach Gabinius, minus a few days since Cicero assumes that the news had not reached him yet, locates *Prov.* between mid-June and mid-July.

Scholars’ attempts to narrow this window have given different results. Gelzer (1983: 168–9) and Habicht (1990: 69–70) believe that it was pronounced in June (cf. Marinone 2004: 119 B13). Kaster (2006: 393–408), however, having conducted a thorough and clear analysis of the Roman calendar, suggests 1–9 July, observing that June had 29 days and that 16–29 June were comitial days, when popular assemblies could be summoned and the senate would not typically meet. This hypothesis is appealing but does not rule out June, since Romans were especially keen to avoid meetings of the senate and of popular assemblies on the same day, but on comitial days, if no popular assembly was held, the senate could be summoned even if the agenda was not particularly pressing (Bonnefond-Coudry 1989: 241–3). Moreover, the presiding consul who interrupts Cicero in the course of *Prov.* is almost certainly Philippus (see 18.20n.), and since consuls alternated monthly in presiding over the senate and since the other consul, Lentulus Marcellinus, seems to have presided in January and March (*Fam.* 1.2.1; *QF* 2.5.2, with Saunders 1919), it follows that *Prov.* probably fell under Philippus’ presidency, being pronounced in (the second half of) June.

The months from April to June 56, when Caesar, via Pompey, put pressure on Cicero, coincide with a visible change in Cicero’s attitude toward the dynasts; and, as a result, scholars have ransacked Cicero’s correspondence and speeches looking for evidence for what Cicero thought, said and did, and to reconstruct this momentous time in Roman history. In particular, much scholarship has focused on Cicero’s reference to his public and humiliating *palinodia*, “recantation.”

*Palinodia?*

As seen above, early in 56 Cicero supported various bills against Caesar, but after the conference at Luca, and especially after Pompey pressured him to withhold his opposition to Caesar, his attitude dramatically changed. Cicero was well aware of his change of attitude and of the reaction it elicited from some of his contemporaries, especially from some leading senators who opposed the new alliance between Caesar, Pompey and Crassus.

Sometime between April and June 56 Cicero responded to his friend Atticus, who complained about not being the first to receive something he had written:

Ain tu? an me existimas ab ullo malle mea legi probarique quam <a> te? cur igitur cuiquam misi prius? urgebar ab eo ad quem misi et non habebam exempla duo. quin etiam (<iam> dudum enim circumrodo quod devorandum est) subturpicala mihi videbatur esse παλινωδία. *Att.* 4.5.1

What do you mean? Do you believe that I prefer that what I write be read and approved by anyone more than by you? Why have I sent it to someone else before you, then? He put pressure on me and I did not have a second copy. And besides—I keep nibbling around that which I must just swallow—, it seemed to me a bit of a dishonorable recantation.

The identification of both this recantation and of the individual who urged Cicero has become a sort of cause célèbre. Butler and Cary (1924: 106–8), following Saunders (1919) and Rice Holmes (1920), argue that, since Cicero had no reason to be ashamed of *Prov.*, the recantation is something else. Mommsen (1894: 5.130), Shackleton Bailey (1965: 233–4 and 1971 84) and Gelzer (1968a: 124), however, believe that Cicero refers to *Prov.*, which they see as a betrayal of his previous position toward Caesar. This has become the standard view among scholars.

The identification of *Prov.* with the palinode, however, poses some serious problems and must be rejected. For one thing, Cicero

publicly displayed his changed attitude toward Caesar *before* he pronounced *Prov.*, and therefore *Prov.* cannot be taken as the turning point. As seen above, on April 5 Cicero attacked Caesar in the senate, and in March 56 Cicero had been so horrified by proposals for granting money and ten legates to Caesar that in a letter to his brother Quintus he called them *monstra* (*QF* 2.5.3). In *Prov.*, however, Cicero reminds the senators that he has supported and even led the senate toward these very decisions (26–8nn.; cf. Balsdon 1962: 137–9), which looked like *monstra* just a few months before. One must conclude that the change in Cicero’s public stance toward Caesar occurred after April but before *Prov.*

Equally, the conciliatory tone of *Prov.*, where Cicero acts as a mediator between Caesar and the senate, is at odds with his statement in the same letter to Atticus that he wanted to join himself to Caesar, Pompey and Crassus and “never be able to slip back to those senators who, even when they should be sympathetic, continued to be jealous” of him (*ego mehercule mihi necessitatem volui imponere huius novae coniunctionis ne qua mihi liceret relabi ad illos qui etiam tum cum misereri mei debent non desinunt invidere*, *Att.* 4.5.2). As Carey and Butler rightly point out, with *Prov.* Cicero does not burn ships, but “is studiously respectful to the leaders of the optimates” (1924: 107).

The fact that no attempt to identify “the palinode” has proved conclusive must not lead to its identification with *Prov.*<sup>1</sup> On the contrary, there are three more reasons to doubt that *Prov.* is the palinode. The dating of the above-cited letter to Atticus is far from certain, and Cicero may have written it before pronouncing *Prov.* (Kaster 2006: 404–5); moreover, while in *Prov.* Cicero certainly praises Caesar and supports the cause of Pompey and Crassus as well, probably Cicero had praised Caesar in the senate before

<sup>1</sup> Saunders 1919: 213–14 believes it was a letter Cicero had written either to Pompey or to Caesar, Rice Holmes 1920: 44 that it was a letter Cicero wrote to Pompey, and Balsdon 1962: 149 that it was the speech Cicero pronounced to the senate to support the money and the ten legates to Caesar. This last proposal is the most convincing, since as Shackleton Bailey has noticed (1965: 233), the hypothesis of a private letter does not take into account that Cicero “had wanted to tie himself down irrevocably to the new alliance with the dynasts; a private letter would hardly involve such *necessitas*.”

(Crawford 1984: 158–60), so that *Prov.* is better seen as Cicero’s “post-recantation” attempt at reconciling his ideal of cooperation between different classes (the *concordia ordinum*) with his admittedly shocking support of Caesar. Cicero praises the senators as much as he praises Caesar, hoping to give both some education: Caesar should continue to seek the senate’s approval, and in turn the senate should appreciate what Caesar has done for the state and welcome him back into its bosom (38–9). Lastly, Cicero writes to Atticus that he was under pressure (*urgebar*), implying that he had to turn in his writings quickly. But the refined style and balanced arguments of *Prov.* make one believe that Cicero carefully processed and polished this speech.

This mistaken but slow-to-die identification has colored our reading of *Prov.*, leading to extreme and inaccurate misjudgments about its content and style. Other than triggering a fundamental turning point in Roman history, *Prov.* is a great piece of oratory, and only bias can make one see it as “tortuous in its structure and full of indirections that are frequently painful, not to say embarrassing.”<sup>2</sup> Cicero’s defense of Caesar may have sounded surprising to some senators, who interrupted him three times in the course of his speech: by reporting such interruptions, however, Cicero advertises his response to their objections. It is equally misleading to label *Prov.* “pro-Caesarian” and *Vat.* “anti-Caesarian” and to compare the two in order to track Cicero’s changed attitude between early March and late June 56. In fact, without denying that Cicero’s attitude *did* change (and we all know why), we must take into account that in *Vat.* Cicero carefully distinguishes between Caesar and his protégé Vatinius (13–15). He even acknowledges Caesar’s great achievements in Gaul, going so far as to state that if desire for glory led Caesar too far, “it should be forgotten because of the great deeds he later achieved” (*Vat.* 15, cf. *Prov.* 38). We must equally take into account that also in *Prov.* Cicero admits that Caesar has treated him unjustly (43).

<sup>2</sup> Rose 1995: 393.

### Publication

Both Asconius (ad *Pis.* 2.3), writing in the 50s CE, and Aulus Gellius (*NA* 3.16.19 and 15.5.5), writing in the second century CE, mention that Cicero delivered a speech *De Provinciis Consularibus*. This could have been its original title, but it is possible that a convenient way of indicating the subject of the oration became its title (Horsfall 1981): the boring phrasing *De Provinciis Consularibus*, which appears also in the most important manuscripts, may account for the fact that this speech is not read as much as it deserves.

No evidence allows us to assert for certain when the speech was published and how close what we read is to what Cicero actually said in the senate. It is reasonable to believe that he published it shortly after delivering it, and one can imagine him sending a copy to Caesar in Gaul. As for the relation between delivered and written speeches, sparse evidence has produced discordant views: for instance, Cornelius Nepos remarked that Cicero's *Pro Cornelio* (now fragmentary) reproduced faithfully what he had heard from him in court (*Vitae*, Fr. 38 Marshall = Crawford 1984: 72, T10), but according to Pliny this same speech was a reduced version of what Cicero pronounced in the course of a four-day trial (*Ep.* 1.20.8); similarly, sections from *Pro Murena* seem not to have been included in the published version (cf. *Mur.* 57), and Pliny admits that people debated whether Cicero expanded or trimmed his orations for publication (*Ep.* 1.20.6–7). As a result, modern scholars mainly have two views: some believe that the published speeches were faithful transcriptions of the delivered ones (Stroh 1975: 31–54), with a few changes to improve the style (Riggsby 1999: 178–84); while others believe that Cicero also altered arguments and structure (Classen 1985: 2–13). In the case of *Prov.*, defining what Cicero actually said and how much he changed for publication remains speculative. Given the challenging task, it is reasonable to believe that Cicero prepared both his oral and written version judiciously; the polished style of *Prov.* betrays care, while the report of the interruptions at 18, 29 and 40 conveys a sense of faithful transcription of the debate.



*Rhetorical context*

## The Senate

In the 50s the Roman senate was a body of 600 men (a quorum of 200 was required for decisions on a limited number of matters; Ryan 1998b: 27–36) whose main function was to advise magistrates and propose bills to the assembly of the people. Senators were former magistrates (quaestors, praetors, consuls, aediles and tribunes of the plebs) and magistrates, who became full members only upon being properly enrolled in the senatorial list compiled by the censors. Consuls, praetors and tribunes of the plebs had the power to summon the senate and present an issue for debate, but in Cicero's time it was especially the consuls who summoned and dominated senatorial meetings (Lintott 1999: 72–85).

As a rule, whoever summoned a meeting also presided over it: he opened the discussion with a short introduction or with a full speech (*verba facere*) and then enjoyed the exclusive right to intervene in the middle of a debate or of someone else's speech (*interpellare*). Accordingly, in *Prov.* Cicero registers interruptions by a consul (probably Philippus, see 18.20n.) and mentions the introductory speech, most likely by the other consul, Lentulus Marcellinus (see 39.9n.). After his introduction, the presiding magistrate asked other senators for their advice (*sententiam rogare*), following an order which was fixed on the first meeting of the year (traditionally held on 1 January in the temple of Jupiter on the Capitol). A few consulars could be called on first, by virtue of their prestige, and then the other senators could speak in turn according to rank and seniority. For instance, in 59 Caesar, being consul, took the liberty of calling first on either Crassus or Pompey; on 1 January 58 Cicero was honored with a third place (after Pompey and, probably, Crassus), even if other senators were more senior. In 56, however, Servilius (who having been consul in 79 was senior to Cicero, Pompey and Crassus) regularly spoke before Cicero, and Bibulus, in spite of being junior to Cicero, most likely was called to speak before him as well (cf. 36.28n.), as *Prov.* leaves no doubt that before Cicero several senators expressed their *sententiae* (see 17.1n. and 36.28n.).

Meetings started early in the morning and could go on for hours, until dusk. Given that it must have taken an orator approximately 45–50 minutes to deliver a speech like *Prov.* and that this was but one of the various recommendations, which were usually followed by debate, it could happen that a full-day sitting was insufficient to reach a decision, so that the meeting had to be adjourned to the next available day. We do not know whether the debate on the allocation of the consular provinces in 56 required one sitting or more, but certainly Cicero's speech, which must not be taken in isolation, gives clear hints of a hot debate, manifesting Cicero's concern to respond to different recommendations, to address challenges and to prevent further objections.

### Senatorial oratory

Ancient oratory was divided into subgenres, depending on the purpose and audience of a speech. Speeches given to judges to prove one's innocence or guilt fell under the *genus iudiciale* or *forense* (forensic, from *forum*, which is where the Roman courts were held); speeches given to the people or to the senate to elicit a certain course of action fell under the *genus deliberativum*; and speeches given to a variety of audiences to praise or blame someone fell under the *genus demonstrativum*, which in turn included encomium and invective. As seen above, Cicero delivered *Prov.* to convince other senators to reappoint Caesar in Gaul and to recall Piso and Gabinius from Macedonia and Syria: *Prov.* thus belongs to the *genus deliberativum*. But the manuals' categorizations must not be taken rigidly, and in fact there was considerable overlap between subgenres: the complex structure of *Prov.* resembles forensic speeches, and Cicero freely employs strategies typical of the *genus demonstrativum* both to praise Caesar and to attack Piso and Gabinius.

Manuals of rhetoric also advised speakers to be fully aware of their audience. The skilled orator had to adapt to the judges, senators or people he addressed in order to strike the right chord. For instance, senatorial orations tend to be shorter than forensic, since senators had to allow room for an undefined number of interventions, but speeches

to the senate are often longer than speeches to the people, who unlike senators listened standing. Similarly, as can be seen by comparing Cicero's *Red. Sen.* and *Red. Pop.*, senatorial speeches often display a more complex structure, while speeches to the people are generally more linear. Lastly, an orator had tactfully to select topics according to his audience: thus Cicero praises the *popularis* Marius in *Red. Pop.* but not in *Red. Sen.*, while in *Prov.* he has more laudatory words for the conservative Tiberius Gracchus than for the two popular reformers, the Gracchi, who were his sons (see 18.28n.). As one would expect, the language and sophisticated structure of *Prov.* (which are further analyzed below) display emblematic traits of senatorial oratory. For now suffice it to say that, among Cicero's senatorial speeches, *Prov.* is characterized by a vigorous style and by a rare mixture of praise and invective and that *Prov.* is for us the first real example of a senator's *sententia* in Latin literature.<sup>3</sup>

### III. THE ASSIGNMENT OF CONSULAR PROVINCES

#### *The lex Sempronia*

Consular and praetorian provinces

*Provincia* broadly indicates a magistrate's sphere of power, often, as in our case, corresponding to a portion of land entrusted to him for a fixed period of time. Normally it was up to the senate to decide on the allocation of such provinces, and originally it distributed them between consuls and praetors after they were elected; but in the third century, when Rome's imperial expansion required more governors, the senate also started to appoint a substitute for a magistrate acting on behalf of a consul, a *pro consule*, or on behalf of a praetor, a *pro praetore*.

The senate's decision depended upon contingent considerations: a situation of unrest requiring military intervention called for

<sup>3</sup> Loutsch 1974: 352n.19 rightly notes that other senatorial speeches before *Prov.* all differ from a regular *sententia*: the senatorial speeches of 63 were pronounced by Cicero as magistrate presiding in the senate; and the speeches *Red. Sen.* and *Har. Resp.* were both given in exceptional circumstances. *Prov.* instead seems to be the *sententia* Cicero gave when the presiding consul called upon him.

the appointment of a consul (who was the leader of the army), while praetors regularly received provinces considered more stable; equally, in order to ensure continuity for prolonged campaigns, the senate could confirm a consul in a province beyond his regular year-long mandate simply by making him proconsul in that same province. By themselves, then, provinces were neither consular nor praetorian: they became consular if the senate assigned them to a consul; and the same province could be consular one year and praetorian (or proconsular) the following.

Once the Romans began to taste the fruit of imperialism, it became clear that provincial administration could be incredibly lucrative, and that some provinces were more desirable than others. By the middle of the second century, the decisions over their allocation stirred such political competition and machinations that a law was passed to limit abuse and fix some boundaries.

#### The *lex Sempronia de provinciis consularibus*

As had been often the case in Roman history, checks on the domination of a few aristocratic individuals (known collectively as the *nobilitas*) came about through the action of a tribune of the plebs. In 123 BCE Gaius Sempronius Gracchus, himself a member of the *nobilitas* and a tribune, proposed some reforms, including a bill fixing the procedure for the assignment of consular provinces. This bill, which was voted by the Roman people gathered in one of their traditional assemblies (the *concilium plebis*), had the force of a law; and, since Romans named a law after its proposer's *nomen* and after its subject, it became known as *lex Sempronia de provinciis consularibus*.

We have only four ancient sources on this bill: three from Cicero (*Dom.* 24; *Prov.* 3 and 17; *Balb.* 61) and one from Sallust (*Iug.* 27); Appian, Cassius Dio and Plutarch never mention this *lex Sempronia*, and Livy's section on the Gracchi has been lost. Cicero and Sallust, however, allow us to appreciate that the senate retained the right to assign the provinces, but with two important provisos: first, provinces would now be determined for the future consuls *before* their election. This implied that the senate lost "the ability to deny a consul a *provincia* worthy of his rank if it did not think he agreed with

senatorial policies” (Woodall 1972: 8); but it also meant that consuls with enough influence in the senate lost their ability to choose the province they wanted. In other words, Gracchus prevented the allocation of consular provinces to predetermined individuals (*nominatim*), while possibly allowing for exceptions in cases of emergency (examples in Vervaeke 2006: 632–42, with Ferrary 2010).

The second proviso was that no tribune could veto the senate’s decision on consular provinces (cf. 17.9n. *decernam easdem praetorias*). It is not clear whether tribunes had previously vetoed such decisions; but it is clear that this law, far from being democratic, left the senate in charge, perhaps making the process a little more fair by limiting the power of single individuals.

The *lex Sempronia de provinciis consularibus* remained valid until the end of the republic, as a thorn in the side of dynasts like Pompey, Caesar and of people like Clodius. Its limitations and their (not always legitimate) attempts to overcome them constitute the main legal framework of Cicero’s speech.

#### *Laws and practices: the lex Vatinia and the lex Clodia*

In 60 Caesar and Bibulus were elected consuls for 59, and the senate had designated provinces of no importance to them, “woods and pastures,” according to Suetonius’ famous formulation (*DJ* 19.2). Ancient sources do not specify whether the senate legally assigned these provinces before (or illegally after) the consuls’ election; but for Suetonius it remains that this maneuver was directed against Caesar. Equally, Caesar did not give up his ambitions.

Given the opposition of the senate, Caesar tried to obtain a better assignment through popular support. Sometime between March and June 59, Aulus Vatinius, a tribune of the plebs, carried a bill through the assembly of the plebs assigning Cisalpine Gaul and Illyricum to Caesar, which he would hold as proconsular provinces for five years (Plut. *Caes.* 14.10 with Pelling). Allotting a province *nominatim* and skipping the senate amounted to nothing less than a violation of the spirit and of the letter of the *lex Sempronia*. Although the end of the Republic witnessed more and more such breaches of the *lex Sempronia* (according to Balsdon 1939 it

happened in 77, 74, 67, 60, 59, 58 and 55), no instance proved to be more consequential (and more debated by modern scholars) than this *lex Vatinia de imperio Caesaris*.

In a few months the *lex Sempronia* would be breached again. Toward the end of February 58, while Piso and Gabinius were consuls, Clodius, a tribune of the plebs (and Cicero's enemy), carried two bills on the same day, both through the plebs: one caused Cicero's exile (the *lex Clodia de capite civis*), and the other one, the *lex Clodia de provinciis consularibus*, assigned Macedonia and Cilicia (later exchanged with Syria; cf. *Sest.* 55.15) to Piso and Gabinius, *nominatim*.

This background of contradictory laws and practices symbolizes the deep crisis that would rapidly lead to the end of the Republic, and is filled with implications for our oration. Of course, when Cicero addressed the present speech to the senate, Caesar was holding command in Transalpine and Cisalpine Gaul, Piso in Macedonia and Gabinius in Syria, and these provinces had been assigned somewhat irregularly. No wonder, then, that the senators speaking before Cicero also focused on these provinces. And in turn, our oration is filled with implications for Roman history. In advocating Caesar's continuation in Gaul, Cicero tried to "educate" him about the goals and limit of personal power. Caesar took Cicero's help but refused his advice; in just six years, with the army, wealth and power accumulated in Gaul, he would march on Rome, much to Cicero's distress.

#### IV. DRAMATIS PERSONAE

In the course of the speech Cicero mentions various individuals, whose specifics are found in the commentary. But three people require a few preliminary observations.

##### *Piso*

Lucius Calpurnius Piso Caesoninus (*RE* 90) was born between 105 and 101 (thus being slightly younger than Cicero, who was born in

106). He was noble on his father's side (with eight previous consulships), but his mother, as Cicero does not fail to point out, had a humbler origin (7.9n. *Caesonine Calventi*). After contracting a convenient marriage between his daughter Calpurnia and Caesar, in 59, Piso was elected consul for 58, the year of Cicero's exile, and what he did and failed to do as consul accounts for Cicero's hatred and invective against him.

It must be pointed out that up to 58 Cicero and Piso were on good terms, and Cicero's daughter Tullia was married to Gn. Piso Frugi (*RE* 93), who belonged to Piso's family but died in 57. Unsurprisingly, then, in 59 Piso honored Cicero by asking him to act as *custos* and supervise the votes of the *centuria praerogativa*, the century chosen by lot to vote first in the centuriate assembly, which elected the consuls (*Red. Sen.* 17).<sup>4</sup> Cicero was satisfied with Piso's election, and in December 59 he wrote to his brother Quintus that the new consuls looked very well disposed toward him, implying that they would be on his side against Clodius (*QF* 1.2.16). According to Cicero's expectation, Piso's consulate opened on a positive note: in the first senatorial meeting of the year, on 1 January 58, Piso called on Cicero third (*Red. Sen.* 17 and *Pis.* 11), showing one more sign of trust and respect. But then things fell apart.

It was almost certainly Caesar, since he had married Piso's daughter Calpurnia, who pressed him to leave free rein to Clodius. As seen above, toward the end of March Clodius, on the same day, carried the *lex Clodia de capite civis*, condemning Cicero to exile, and the *lex Clodia de provinciis consularibus*, by which Piso received Macedonia, a province he loved, being a philhellene and having spent some time there in his youth. Then the consuls continued to side with Clodius and to fail to give Cicero the help he expected: in particular, they issued a consular edict rebuking senators and other people for wearing mourning and showing support for Cicero (*Sest.* 32; Dio 38.16.3–4; Plut. *Cic.* 31.1); they appeared

<sup>4</sup> Since the vote of the first century was thought to affect the other centuries and hence have a particularly important weight in the final outcome of elections (cf. *Mur.* 38 and *Div.* 1.103), candidates asked good friends to oversee and register the votes of the *centuria praerogativa*. It is ironic that Cicero supervised the election of the consuls who would sanction his exile.

(together with Caesar) at a popular assembly summoned by Clodius, allegedly expressing approval of his exile (*Sest.* 33; *Pis.* 14); and lastly, they rejected Cicero's plea for mercy (*Pis.* 12–13). Cicero's description of his visit to Piso is certainly a rhetorical exaggeration: “do you recall, sludge, that the day I came to visit you around 11 A.M. with G. Piso you were coming out from I do not know which tavern, with your head covered up, wearing your sandals, and, breathing the most deadly smell of a bar from your fetid mouth, and that you brought up the excuse of having a condition, which you allegedly cured with medicines made out of wine? We took your excuse—what else could we do?—and we stopped for a moment in those nauseating exhalations from your guts, from which you chased us with your most insolent answers and with most disgusting burps” (*Pis.* 13).

In fact, behind Cicero's invective, we can distinguish signs of Piso's discomfort at Clodius' actions, so that, in fairness, Piso can be blamed only for lacking the courage to clash with him. For instance, it was especially Gabinius who scorned the senators dressed in mourning, while Piso “intentionally remained at home” (*Sest.* 26), which signaled passive disapproval toward the other consul, just as Bibulus did with Caesar in 59; equally, when Clodius in front of the famous assembly asked Piso what he thought about Cicero's execution of the Catilinarians, he diplomatically replied that, being merciful (*Red. Sen.* 17), he disapproved of cruelty (*Pis.* 14). Lastly, Piso, having realized that Cicero could not safely remain in Rome, gently advised him to leave (*Plut. Cic.* 31.4), but Cicero took offense at the suggestion (*Dio* 38.16.5), until he was forced to take the same advice from other friends.

Toward the end of 58 Piso left Rome for Greece, but his conduct as governor was nothing like what Cicero describes, and his invective owes more to rhetorical expediency than to historical accuracy (see 4–8nn.). Piso, nevertheless, was recalled and in 55 upon re-entering Rome he complained in the senate against Cicero, who replied with *Pis.*, (creatively) expanding on many accusations already employed in *Prov.* Piso's recall, however, was not the end of his career, and in 50 he was elected censor (*MRR* 2.247–8); acting with his usual moderation, he condemned Caesar (*Fam.* 14.14.2)



but also sought to mediate with him and to avoid the civil war (Caes. *BC* 1.3.6). Piso died sometime soon after Caesar, trying to prevent another civil war between Antony and the conspirators.

Aside from his public career, Piso was Epicurean (cf. 6.25n. and 8.28n. *libidines*) and since he was patron of the Greek philosopher Philodemus (Gigante 1995: 79–90), he was identified with the owner of the “Villa of the Papyri,” discovered in 1750 at Herculaneum (and later used as a model for the Getty Villa between Los Angeles and Malibu).<sup>5</sup> This identification, if correct, reveals a very different Piso from the one Cicero lampoons: the villa belonged to an engaged intellectual, who collected a remarkable number of papyri and ordered them in an exceptionally well-organized library. Long shelves running the length of the wall were vertically divided for grouping and storing an average of ten rolls per section; the thin inscribed metal plates found by archaeologists were probably used for identifying the various shelves;<sup>6</sup> and next to the library a reading room, with tables and chairs, looked out to a nice colonnade.<sup>7</sup> Being Epicurean, however, Piso was also exposed to easy criticisms and elicited sarcastic remarks from Catullus, who calls him a *vappa*, “good for nothing” (lit. “wine that has gone flat,” Catullus 28.5, cf. 47).

For the rest, Piso’s upbringing, education and well-known countenance made him no easy target. Cicero had to appeal to his proven rhetorical skills, portraying him as a hypocrite and hiding the lack of incriminating evidence behind stock accusations (e.g. corruption and enslavement to pleasure, cf. 5–6nn.; remarkably, later Cicero himself would be very complimentary about him, in *Phil.* 1). This lack of evidence was probably less tantalizing to Cicero’s audience than it is to modern readers, but it remains that one may apply to Cicero the same criticism that he, just two or three months

<sup>5</sup> The papyri reveal that the villa was connected with the Epicurean philosopher Philodemus; since Philodemus could not afford such a villa, most scholars believe that the villa belonged to his patron, Piso (Gigante 1995 1–13; D. Sider 1997: 5–8), although no evidence confirms this identification. For a comprehensive introduction to the Villa of the Papyri (with updated bibliography), see Houston 2014: 87–129 and [www.herculaneum.ox.ac.uk](http://www.herculaneum.ox.ac.uk).

<sup>6</sup> S. Sider 1990.

<sup>7</sup> Gallavotti 1941: 137–42.

before delivering *Prov.*, applied to the prosecutors of his client, Caelius: “it is one thing to abuse (*male dicere*), and one thing to move an accusation (*accusare*). To accuse, one needs a crime and must specify a deed, indicate the perpetrator, prove it with arguments and confirm it with witnesses. Abuse has no purpose other than insult” (*Cael.* 6). In *Prov.*, however, Cicero has no problem with being insulting; rather, as a further means of abusing Piso, Cicero lumps him together with Gabinius (3–4, 13, 15), who offered an easier target.

### *Gabinius*

Aulus Gabinius (*RE* 11, Suppl. 3) was probably the same age as Piso, but had an opposite background, education, career and countenance (Badian 1959: 87–93). After serving as lieutenant under Sulla in 81 (*MRR* 2.78), he became tribune of the plebs for 67, and as tribune he carried the law that granted an extraordinary command to Pompey for the war against the pirates. Until he was exiled, Gabinius remained a staunch Pompeian: with Pompey’s help he became praetor, probably in 61, and consul in 58; as a proconsul in Syria he continued Pompey’s organization of Judaea; and once he returned to Rome in 54, having been accused of extortion (*de repetundis*), he was defended in vain by Pompey in a public meeting (and, surprisingly enough, by Cicero in court, *TLRR* 148.303) and exiled. During the civil war, Caesar recalled Gabinius, who fought for him until he died in 47.

Cicero’s portrayal of Gabinius’ consulship in 58 is not less devastating than that of Piso’s. But Gabinius, at least until the middle of 58, seems to have felt no regret at supporting Clodius against Cicero: it was especially Gabinius who disavowed the public demonstrations of mourning for Cicero, and, according to his *popularis* stance, he even declared in a popular assembly that the senate had lost its power (*Sest.* 28) and criticized the *equites* for patrolling the senate’s meeting in December 63 (*Dio* 38.16.6); when Clodius asked him about Cicero’s conduct with the Catilinarians, he “most strongly disapproved” of it (*Red. Sen.* 13). Equally, Gabinius proved harsher with entreaties for Cicero: when one of Cicero’s friends,

L. Lamia, asked for mercy on his behalf, Gabinius condemned him to relegation (a milder form of exile) in front of a public meeting (*Sest.* 29; *Fam.* 11.16.2; Dio 38.16.5–6), and then he contemptuously dismissed a delegation of senators and *equites* supporting Cicero (*Red. Sen.* 12 and *Red. Pop.* 13).

Just as in the case of Piso in Macedonia, one should not take Cicero's invective against Gabinius' proconsulate in Syria at face value (Sanford 1939: 79–84). Gabinius conducted a difficult military campaign well and, according to Flavius Josephus, he “showed his worth in many respects, especially in pursuing Alexander” (*BJ* 1.160; cf. *AJ* 14.104). As for his domestic administration of the province, Cicero specifically targets Gabinius' mistreatment of the *publicani* (10), depicted as victims who unjustly lost their investment (11) and even their lives (*Pis.* 41). Cicero, however, knew better, and in a letter to his brother Quintus he speaks of the *publicani* as an unavoidable evil, with which a governor had to learn to compromise (*QF* 1.1.32, with Badian 1983: 12). Gabinius did not compromise. Most likely, being heavily indebted, he had a personal interest in collecting revenues directly and without the help of the publicans, but Cicero's invective is certainly hyperbolic. For instance he affirms that “after Gabinius wasted the huge fortune taken from the *publicani* and from the fields and the cities of our allies, and after he had been swallowed partly by the deep pleasures of that booty, partly by his own extraordinary and unprecedented extravagance... he sold to the king of Egypt his own self, the fasces, the army of the Roman people... the responses of the priests, the authority of the senate and the reputation of our empire” (*Pis.* 48).

Gabinius' countenance was nothing like Piso's: the latter displayed a grim and serious expression, which Cicero transforms into exaggerated severity marking hypocrisy (8), while the former was an exceptional dancer, who enjoyed showing off his curly and perfumed hair (*Sest.* 18; *Red. Sen.* 12). Cicero's caricature turns him into an effeminate dandy, going so far as to call him Catiline's woman (*Red. Sen.* 12) or lover (*Dom.* 62) and accusing him of having spent his boyhood performing oral sex on men (*Red. Sen.* 11). Across the *post reditum* speeches, Cicero creates an effective caricature, filled with disgust at a consul “dripping with fragrant oils, with his curled

head, looking down on his companions in rapes and on old abusers of his tender boyhood" (*Sest.* 18).

### Caesar

Until he became consul in 59, Gaius Julius Caesar (*RE* 131) had a less impressive career than some of his contemporaries. He was noble on his father's side, even if no close relative had reached the consulship in a long time; his mother was related to the great general Gaius Marius, who, in spite of being himself a *homo novus*, became consul seven times, gloriously defeated some German tribes (cf. 32), and then stained his name with the civil war he fought against Sulla. The link with Marius, who like Cicero was born in Arpinum, most likely provided the first occasion for Caesar and Cicero to meet in Rome (cf. 40), but it also gave Caesar his first chance of displaying the courage, ambition and *popularis* tendencies that would characterize the rest of his career. In 69 Julia, who was Caesar's aunt and Marius' wife, died, and Caesar, who was then 31 and quaestor, was chosen to pronounce the funeral oration. In his oration Caesar boldly praised Marius, who had shared his *popularis* tendencies, and disregarded the role Marius had played in the civil war (Suet. *DJ* 6.1; Plut. *Caes.* 5.2).

Caesar paraded the same *popularis* position on the occasion of the conspiracy of Catiline; in the debate following the discovery of the conspiracy Cato, followed by Cicero, made a case for executing the five conspirators, while Caesar, who was then praetor-designate, proposed exile as a milder punishment. Then, with the help of Pompey and Crassus, Caesar became consul in 59. According to Dio, he first attempted to carry his bills with the support of the senate, but soon, disillusioned, he turned to the assembly of the people, relying on its power, as was typical of *populares* (Dio 38.4.1–4, cf. Plut. *Caes.* 14.2). The other consul, Calpurnius Bibulus (*RE* 28), represented the more conservative faction of the senate, the *optimates*, but he could do little against Caesar's popularity. He shut himself in his house and attempted to invalidate Caesar's laws by announcing unfavorable omens and thus hoping to prevent the regular meeting of popular assemblies. Cicero disliked Caesar's

methods and measures, and privately complained about the dictatorship imposed by Caesar, Pompey and Crassus (*Att.* 2.12.1); in particular, his concerns grew when Caesar and Pompey unleashed Clodius by allowing his passage to the plebs (April 59, cf. *Prov.* 43).

Through his consulship Caesar gained popularity and the provinces he wanted, but departing for Gaul around March 58 he also left behind huge debts and the fierce enmity of many *optimates*. The war booty would allow him to pay off his debts (and generously lend money to candidates to bribe people in Rome, Plut. *Caes.* 21.4), while his connections, especially with Pompey, Crassus, Clodius and Piso, would help him to withstand the counterattack of his enemies. Caesar spent most of 58 and 57 in Gaul: in 58 he successfully campaigned against the Helvetians and against some German tribes led by Ariovistus, and in 57 his victories over the Belgians and the Veneti (*see* map 3) gained him a thanksgiving (cf. 26).

While in Gaul, to be sure, Caesar kept one eye on Rome, remaining an important player on the political scene. Without a doubt, in spite of his personal acquaintance with Cicero, Caesar was at least as responsible for his exile as Piso and Gabinius, and certainly more responsible than Pompey, who was also quicker in favoring Cicero's recall. In this respect, then, the senator who at *Prov.* 18 interrupted Cicero reminding him that he "should be no less an enemy to Caesar than to Piso and Gabinius" was stating the simple truth. The fact is that in 58 Caesar needed Clodius against the *optimates* just as Cicero needed Caesar in 56, after he felt abandoned by these same *optimates* (cf. *Att.* 4.2.5): when Caesar, Pompey and Crassus renewed their alliance of mutual help in April 56, Cicero, left without a choice, bound himself to their cause, and passing over their role in Clodius' success was a logical, if an unpleasant, part of this move.

We have reason to believe that Cicero's praise of Caesar was mostly insincere. Even if *Prov.* should not be identified with the *palinodia* of *Att.* 4.5, letters from the same period leave no doubt that Cicero felt cornered and privately complained about supporting Caesar (*QF* 2.7.2). Such support caused a sensation, but part of Cicero's purpose in praising Caesar is to educate him and give him advice, as was typical of epideictic oratory. In two years a similar

situation would elicit similarly insincere praise, which can be compared with *Prov.* In October 54 Cicero was forced to take the defense of his former archenemy, Gabinius, and privately give way to his bitterness: “I am distressed (*angor*) that we no longer have a commonwealth, nor justice in the courts. . . . I have refrained from attacking some of my enemies, some others I have even defended, and I am not free to have my own opinions and hatreds” (*meum non modo animum sed ne odium quidem esse liberum*, *QF* 3.5.4, dating to November 54); but in public he tried to justify the rapprochement, stating that “I must not injure Gabinius while he is cast down; I defended him with greatest zeal after we had reconciled from such enmity (*quem enim ex tantis inimicitiiis receptum in gratiam summo studio defenderim*); and if Pompey’s influence had not reconciled us before (*quocum me si ante Cn. Pompei auctoritas in gratiam non reduxisset*), now his own success would reconcile us” (*nunc iam ipsius fortuna reduceret*, *Rab. Post.* 19). These words sound strikingly similar to those we find at *Prov.* 24–5 to justify Cicero’s rapprochement with Caesar. In 55 and 54, however, their relation improved, Quintus Cicero served as lieutenant in Gaul, and Cicero himself was charmed by Caesar’s flattering wit.

Their personal relationship was mended, but history took a very different course from the one Cicero prophesied in *Prov.* Allotting Gaul to Caesar for five more years placed a powerful weapon in his hands: he completed the conquest of Gaul but then failed to reconcile with the senate. Civil war ensued (49–5): Caesar defeated his former son-in-law and friend, Pompey, and Cicero deeply regretted his part in destroying the republic he was trying to save; Pompey was killed in 48, and, less than two years after he was made dictator for ten years (Dio 43.14.5), Caesar was assassinated on his way to the senate, on 15 March 44.

## V. LANGUAGE, STYLE, STRATEGIES AND STRUCTURE OF THE SPEECH

The Greeks and Romans taught that there are five canons for preparing an oration, perhaps not very different from what we still

think today. First comes *inventio*\*, the process of “finding” topics, arguments and ideas supporting one’s thesis; then *dispositio*\*, that is, the art of “arranging” such arguments; and third, *elocutio*\*, consisting of determining “the style” appropriate for each section, choosing word plays and figures of speech. But a speaker had to worry also about performance and delivery: since the audience appreciated spontaneity, orators were not expected to read out their piece, but relied on their “memorization,” *memoria*\*, adding “tones of voice, expressions and gestures,” *actio*\*, to increase the impact of their words.

Following this (somewhat schematic) pattern has the advantage of respecting the precepts of ancient manuals of rhetoric and can therefore lead us into Cicero’s laboratory. By proceeding backwards and dismantling the final, published product we can appreciate Cicero’s choices, and these choices can be considered productively in light of the historical and rhetorical context.

### *Inventio*

Cicero sets out to convince the senate that Piso and Gabinius must be recalled from Macedonia and Syria and that Caesar must be reappointed in Gaul. In the context of the senatorial debate, this amounts to proposing that Syria and Macedonia become both consular and praetorian provinces (see 17nn.). His main argument for achieving his goal is that Piso and Gabinius have governed poorly, but Caesar’s campaign brilliantly serves the common good. This goal and the chosen line of argument set the criterion for the *inventio*, establishing what to include and what to leave out of the speech. For instance, in *Dom.*, which was delivered in 57, Cicero argues that since Clodius’ tribunate was illegal, none of his bills has legal force (*Dom.* 36–8). Theoretically, Cicero could have made the same case, impugning the fact that Macedonia and Syria were assigned to Piso and Gabinius irregularly (as seen on pages 22–23), but this argument would have backfired, since Caesar had received Gaul in the same irregular way (see above at “Laws and practices”). And Cicero conveniently glides over the whole issue of these allocations, simply pointing to inconsistency on some senators’ part (45).

The nature and strength of Cicero's various arguments will be scrutinized case by case in the commentary, with a few preliminary remarks. Manuals of rhetoric taught that orators could persuade an audience by appealing to people's reason (*logos*), emotions (*pathos*) and character (*ethos*). Accordingly, Cicero mixes rational arguments with *pathos* and *ethos*: he elicits pity for legionaries (5), publicans (10–11) and provincials (7 and 12) and anger at Piso and Gabinius (3 and 13), whose negative and vivid characterization supports his cause no less than the positive portrayal of Caesar (e.g. 35 and 38) and of himself (e.g. 1–2 and 44). *Prov.*, however, is unique in juxtaposing a prime example of invective and a prime example of praise: these were two subgenres of oratory, each governed by its own rules and both already practiced by Cicero. *Prov.* shares many standard words, phrases and motifs of invective used by Cicero against Piso, Gabinius (and Clodius) in other *post reditum* speeches: they are pests, squanderers, devastators of the state, hypocrites, cruel and effeminate tyrants and, of course, incompetent. There are, however, also telling differences. For one thing, *Prov.* looks restrained when compared with *Pis.*

Cicero's line of argument targeting their mismanagement of Macedonia and Syria brings *Prov.* close to the *Verrines*, where Verres, another Roman governor, was under attack. Piso and Gabinius, just like Verres, indulged in robbery, mistreated citizens, allies and provincials, raped virgins and abused their positions of power, rendering Roman rule odious to everyone. In *Prov.* Cicero does not provide much circumstantial evidence for these charges, and the comparison with the *Verrines* can lead one to suspect that, after all, he was unable to produce compelling factual evidence. Romans considered one's character as a basis for judgment, as recent scholarship has shown (Riggsby 1999): a good orator could win a case by arguing that the accused was a bad or good person, almost regardless of "what actually happened." And yet, when Cicero was able to produce evidence he did so, and his trip to Sicily in order to interview people and visit sites on the eve of his first *actio in Verrem* was meant precisely to enrich his *inventio*. If Cicero, who spent part of his exile in Macedonia during Piso's government, remains so vague, the chances are that his *inventio* was short of facts. This



invites the modern reader to exercise caution in taking Cicero's characterization at face value, and even more so in treating his invective as historically accurate, but it also invites us to appreciate how much he achieves with what he got.

Cicero does not hide the real reason for his animosity against Piso and Gabinius, that is, his resentment at the role they played in his exile. His *inventio*, then, includes hints at their conduct as consuls in 58: according to his new post-exile persona, he portrays clients (and enemies) "not merely on the strength of their own characters but also by their association with the great consular orator" (May 1988: 89).

Arguing for Caesar's reappointment was Cicero's most difficult task, and here he displays his skill. First he showcases his previous support for Caesar to avoid the accusation of being inconsistent, as indeed he nevertheless was; then he brings six historical examples (one cunningly taken from his opponents' ancestors) extolling reconciliation among rivals for the sake of the state. Von Albrecht noticed (2003: 105) that the wealth and variety of these examples may result from Cicero's reading, in these very months, a very learned work of history by his friend Atticus, the *Annalis Liber*. Lastly, he sets out to dispel doubts about Caesar's good intentions and standing both with the senate and with himself.

Compared with other Ciceronian works, *Prov.* displays some common features and some peculiarities. It shares some themes with other *post reditum* speeches, like the defense of the *equites*, the refashioning of the *concordia ordinum* into the new ideal of the *consensus omnium bonorum* (cf. *Pro Sesto* with Kaster 2006: 31–7 and ad 96, 319), and the invective against Clodius, Piso and Gabinius (cf. esp. *Dom.*; *Pis.*; *Sest.*). Equally, as in other *post reditum* speeches, Cicero's feelings are a mixture of anger toward those responsible for his exile and gratitude toward those who supported his return (e.g. *Prov.* 1–2; *Dom.* 68–70; *Red. Sen.* 1). Cicero's praise of Caesar, however, is peculiar, to say the least, and can be usefully set against his praise of Pompey's generalship in *Pro Lege Manilia* and against other less favorable judgments pronounced in these same months about Caesar (cf. *Prov.* 41 and *Dom.* 40; *Pis.* 81 and *Sest.* 135).

*Dispositio*

*Dispositio* is the art of ordering what was found through *inventio*. Broadly speaking, an ancient oration is divided into *exordium*, main body (which manuals divide further and differently) and *peroratio*. But in practice the line separating different sections, especially within the main body of an oration, is not always clear-cut, hence different divisions can be proposed for a speech. The division used in this commentary can be summarized as follows:

1–2, *EXORDIUM*. In the opening of the oration, Cicero assumes a humble persona, promising to speak for the interests of the state and launching his invective against Piso and Gabinius.

3–4a, *PROPOSITIO*. Cicero lays out the core of his argument for recalling Piso and Gabinius by making Macedonia and Syria consular provinces.

4b–16, *NARRATIO*. Having magnified the misdeeds of Piso in Macedonia (4–8) and of Gabinius in Syria (9–12), Cicero compares them (13–16).

17, *TRANSITIO*. Cicero summarizes previous recommendations, inviting the senators to recall Piso and Gabinius and moving to dealing with Caesar.

18–28, *CONFIRMATIO* I. Cicero structures his *confirmatio* around two interruptions. To address the objection that he should equally oppose Gabinius *and* Caesar, he defends his rapprochement with Caesar, bringing historical examples of reconciliation (18–23) and stressing the previous instances of cooperation between himself, Caesar and the senate (24–8).

29–35, *CONFIRMATIO* II. To confront a second objection about his supporting Caesar, Cicero presents him as a loyal servant of the state (29–30), striving to complete the conquest of Gaul to everyone's interest (31–5).

36–9, *CONFUTATIO* I. Cicero rebukes the proposals of those who recommend recalling Caesar from Gaul and delay recalling Piso and Gabinius from Macedonia and Syria.

40–3, *DIGRESSIO*. To prevent further interruptions, Cicero decides to tell the story of his personal relation with Caesar.

44–6, *CONFUTATIO* II. Cicero rebukes those who deny validity to the laws carried by Caesar in 59, while accepting those carried by Clodius in 58.

47, *PERORATIO*. Cicero concludes his speech by recapitulating his main argument and by stirring emotions to justify his reconciliation with Caesar.

### *Elocutio*

#### Ciceronian style

In a famous passage from the *Orator*, Cicero appeals to the traditional tripartite categorization of “low, middle and high style” to clarify that a good orator must choose a style fitting the subject matter: “I call eloquent one who is able to express things of small account humbly, things of medium account moderately and grave matters solemnly” (*Orat.* 101).

*Prov.* well exemplifies the variety of Cicero’s style. Invective and praise call for different linguistic registers, and syntactically the *post reditum* speeches “exhibit an astounding abundance of resources” (von Albrecht 2003: 103), thanks also to cross-fertilization with the works of poetry and philosophical treatises at which Cicero was laboring in these years. To appreciate the peculiarities of *Prov.*, we must briefly consider the general features of Cicero’s *elocutio*\* and then compare *Prov.* both with other orations delivered to the senate and with other *post reditum* speeches.

Perhaps the first challenge that strikes readers in approaching Cicero’s orations is the length of his periods: subjects are often far from their verb and various subordinates are repeatedly embedded into the main clause, forcing the reader to identify smaller syntactic units, and to break up and then reconstruct the entire period. Such periods represent the fruit of stylistic choices, which Cicero matured and polished over the years, and which resulted in what is commonly called the “Ciceronian” or “periodic” style (cf. Powell 2013: 62–5). This expression, while catching one of the main features of his syntax, can be misleading and fail to acknowledge its variety. For instance, *Prov.*’s chapter 18 ends with a period of 62 words followed by a period of just 6, and throughout the

speech one can observe a fairly consistent alternation of longer and shorter sentences.

To help unpack (and to appreciate) Cicero's rounded periodic style one must be aware of three general characteristics: balance, correlatives and anaphora. As a rule, his periods are well-balanced, especially through binary oppositions (often introduced by *non solum... sed etiam; alter... alter*, etc.) and through sequences of three members. For example, in arguing for Caesar's reappointment in Gaul Cicero says: *domitae sunt a Caesare maximae nationes, sed nondum legibus, nondum iure certo, nondum satis firma pace devinctae* (19.8). The binary opposition between *domitae* and *sed nondum... devinctae* develops into a tripartite unit, with *nondum* introducing three cola of increasing length. While being balanced, then, this sentence is not symmetrical, as if Cicero enjoyed creating and disappointing the expectation of symmetry.

The sentence above also exemplifies Cicero's extended use of anaphora (*nondum*) and his habit of juxtaposing three members of increasing length (*legibus, iure certo* and *satis firma pace*), a device particularly appreciated by Romans, and used both for listing cola within a clause (as in the given example) and for listing clauses within a period. Note, for example, the three clauses of increasing length introduced by *primum, deinde* and *postremo*:

Hoc statuit senatus, cum frequens supplicationem Gabinio denegavit: primum homini sceleribus flagitiis contaminatissimo nihil esse credendum, deinde a proditore, atque eo quem praesentem hostem rei publicae cognosset, bene rem publicam geri non potuisse, postremo ne deos quidem immortalis velle aperiri sua templa et sibi supplicari hominis impurissimi et sceleratissimi nomine (14).

Being highly inflected, Latin allows for much flexibility in word order, and Cicero masterfully deploys such flexibility. He can achieve emphasis by separating syntactically agreeing words, a device called emphatic hyperbaton\*. For example, to convince the senators of Piso's disastrous effects on Macedonia, he mentions the presence of barbarians on the *via Egnatia*, which he solemnly introduces

as follows: *via illa nostra quae per Macedoniam est usque ad Hellespontum militaris* (4). Hyperbaton, redundant *illa* and pathetic *nostra* highlight *militaris*, which in turn highlights the gap between the function of the Roman road and its state under Piso. The clause concludes by stating that “that famous road of ours . . . the one built for our army, now not only is troubled by barbarians’ incursions but also is spotted and stained with camps of Thracians” (*via illa nostra quae per Macedoniam est usque ad Hellespontum militaris non solum excursionibus barbarorum sit infesta, sed etiam castris Thraeciis distincta ac notata*, 4).

Another characteristic of Ciceronian style is the careful selection of words, the *fundamentum eloquentiae*, according to Caesar. Cicero’s orations follow the *sermo cotidianus*, viz. the vocabulary is broadly derived from everyday language spoken by educated people in Rome, with limited archaic, foreign or colloquial words. But there are significant exceptions. For instance, to belittle Gabinius, Cicero compares him to Albius, a virtually unknown praetor of Sardinia who reported an ambiguous victory over insignificant enemies, “against bandits covered in sheepskin.” The Latin expression *cum mastrucatis latrunculis* (15) concentrates two foreign words and a colloquial diminutive: *mastruca* was a Sardinian term indicating a heavy cloak of skin; and *later* comes from Greek. Quintilian rightly praised Cicero’s purposeful breaking of his “*sermo cotidianus* rule” to achieve irony (1.5.8). Equally purposeful is the allocation of different words referring to the same action: Caesar “was allotted” his provinces (*decernere*, 36–7), while Piso and Gabinius “seized” theirs (*occupare*, 3.11); and accordingly, Cicero recommends the senate “to tear away” Piso and Gabinius (*deripere*, 13.18), but other senators phrase it “be replaced” (*succedere*, 17.5). Thus Cicero’s vocabulary and elegant style simultaneously contribute to his case and transform speeches crafted for particular occasions into works of art, worth reading even more than 2,000 years later.

### *Prov.* and the style of the speeches *post reditum*

As noted above, *Prov.* shares the tendency of other *post reditum* speeches to display a great variety of syntactic constructions, alternating longer and well-rounded periods with short and incisive

remarks. Chapters 5 and 10 exemplify such variety: the first three periods of chapter 5 take six lines altogether, while the fourth takes eleven lines by itself; brackets (*magno hoc dico cum dolore* and *quod est indignissimum*) and coordination in asyndeton\* (*capti necati deserti dissipati* and *incuria fame morbo vastitate*; cf. 43.5) express overwhelming emotions; and the long period culminates with a rhetorical question. In chapter 10, a series of five short accusations against Gabinius (again coordinated in asyndeton) precedes the question *quid multa?*<sup>9</sup> (10.21), which effectively anticipates Cicero's remark about Gabinius' cruelty.

Other stylistic features typical of *post reditum* speeches and found also in *Prov.* are the use of *ut . . . ne*, "lest," which has a slightly archaic ring (44); the abundant occurrence of negative antithesis, "not A, but B" (a device called *correctio*\* e.g. *non turribus sed tropaeis*, 4.22; *non temeritate . . . sed avaritia*, 11.25; *non inimicitias solum sed etiam bellum*, 24.22); and the cunning use of litotes\* (a double negative, like "not bad," meaning good; i.e. *non maxime diligebatis*, 25.13; *non exigua*, 26.24 and *non nego*, 43.8), which often matches Cicero's need to present his difficult case smoothly. In the given example he admits that the senate used to be opposed to Caesar, but the litotes *non maxime diligebatis* euphemistically reduces the impact of this admission. The negative *haud*, however, which Cicero typically uses in the 50s, never occurs in *Prov.*

The influence on the work of the poetry that Cicero had been writing is visible in the high number of alliterations (that is, a sequence of words beginning with the same sound). For instance, when he wants to talk about how those pests (the consuls Piso and Gabinius) have traded his own exile for their provinces, Cicero says *pestiferi illi consules pro perversae rei publicae praemiis* (3.10): here the alliteration *pe- pro per- pub- prae-* joins the consuls' evil with the reward they gained for the destruction of the state. And similarly, with another alliteration Cicero nicely extols Caesar's campaign in Gaul: *decertavit, ceteras conterruit, compulit* (33.16).

### *Prov.* and the style of Cicero's senatorial speeches

As a rule, Cicero's speeches to the senate display a polished style, with a balanced periodic structure and a careful choice and disposition of

words; but on average they also show greater freedom and less purity of language than the orations addressing the people (von Albrecht 2003: 25). This should come as no surprise, as Cicero felt more free among peers than in addressing popular assemblies, where purity of language somehow conspired to set him above the common people.

Like other senatorial speeches *Prov.* has a fair number of colloquialisms. For instance, *nullus* is often emphatically used for *non*, highlighting the unprecedented nature both of Piso's shortcomings (7, 14) and of Caesar's achievements (31, 33). As a means to achieve irony, Cicero can state one thing and mean exactly the opposite, a device called *ironia ex contrario* which is typical of early and senatorial speeches, and which in *Prov.* finds more examples than has ever been noted: for instance, he sarcastically calls Piso "that brilliant general of ours" (*praeclarus noster imperator*, 4), comparing him and Gabinius to see who is worse (8); with equal sarcasm he invites the senators to confirm both in their provinces (12); and he ironically mocks the language of Gabinius' letter to the senate (15).

Another sign of Cicero's greater freedom in addressing fellow senators is the high number of diminutives, colloquialisms and foreign vocabulary. At 12 Cicero calls Gabinius "a spendthrift," employing colloquial *helluo* (12), which he uses only nine times, six of which are in his consular speeches, as noted by Ramsey (2007b: 133); and later he uses also the verb *helluor* (14), which is even rarer (four occurrences in Cicero). Equally *Prov.* displays an unusual number of Greek words, which, as has never been noticed, are concentrated in Cicero's invective against Piso (4–8), as a means of lampooning his philhellenic foe. Lastly, there are some diminutives (i.e. *latrunculi*, 15.19), and emphatic prefixes (esp. *sub-*, *de-*, *per-*), both marks of colloquial language: *deperdidērunt*, 11.2; *perfecisse*, 12.15; *persequitur*, 19.12; *permotus*, 22.6; *pertimesco*, 18.21, 34.7, 39.16; *peragrarunt*, 33.22; *persapientis*, 44.22; *perhonorificum*, 45.8.

*Prov.* also makes use of an unusually frequent recurrence of word plays and figures of speech. For example, at 17 Cicero summarizes the recommendations of the senators who spoke before him, and says, "and surely, he who allots the two Gauls to the future

consuls keeps those ones both (Piso and Gabinius) in place . . .” *atqui duas Gallias qui decernit consulibus duobus, hos retinet ambo* (17.1) displays double chiasmus\* (*duas Gallias* and *consulibus duobus*; *decernit consulibus* and *hos retinet*), which nicely encloses the proposal, another emphatic hyperbaton\* (*hos . . . ambo*, “these ones, both of them”), which belittles Piso and Gabinius, and a word play (called polyptoton\*) on *duas . . . duobus . . . ambo*. Cicero’s (no doubt biased) summary continues as follows: “and instead he who allots one of the two Gauls [to a future consul], still keeps one of these two in office, thus giving a different treatment to the same crime.” The Latin is highly rhetorically fashioned: *qui autem alteram Galliam et aut Syriam aut Macedoniam, tamen alterum retinet et in utriusque pari scelere disparem condicionem facit* (17.2). *Atqui . . . qui . . . qui* effectively links these two proposals to Cicero’s and to each other; and equally effectively the word plays *alteram . . . alterum . . . utrius* and *pari scelere disparem condicionem* underline the unjust effects of the recommendation Cicero sets out to debunk.

### *Clausulae* and prose rhythm

“And among many abilities nothing sets an orator apart from an unskilled and inexperienced speaker more than the following (*magis oratorem ab imperito dicendi ignaroque distinguat*): one who is uneducated utters as many words as he can without order, basing what to say on the capacity of his breath, rather than according to art (*ille rudis incondite fundit quantum potest et id quod dicit spiritu, non arte, determinat*); the orator instead so joins his thoughts with his words, that they are completely wrapped into a rhythm which is tight and spontaneous at once” (*orator autem sic inligat sententiam verbis ut eam numero quodam complectatur et astricto et soluto, de Or. 3.175*).

An orator artistically groups words in *cola*, units of thought, generally 5 to 16 syllables long (Nisbet 1990); and *cola*, being followed by a natural pause, affect the prose rhythm; but most important for achieving a pleasant effect is the metrical pattern of a *clausula*\*, or *colon* closure. In other words, what matters most is the sequence of long and short syllables ending a *colon*. Romans so appreciated



rhythmic *clausulae* that people would shout in approval for the pleasure of hearing closures “artistically ordered” (*de Or.* 1.152). It is therefore advisable to gain some understanding of *cola* and *clausulae*. A random passage (*Prov.* 43) provides an example of how periods can be broken into shorter *cola*:

Ecce illa tempestas, / caligo bonorum et subita atque improvisa  
formido, / tenebrae rei publicae, / ruina atque incendium civitatis, /  
terror iniectus Caesari de eius actis, / metus caedis bonis omnibus, /  
consulum scelus, cupiditas, egestas, audacia! / Si non sum adiutus,  
non debui; / si desertus, sibi fortasse providit; / si etiam oppugnatus, /  
ut quidam aut putant aut volunt, / violata amicitia est, accepi iniu-  
riam, / inimicus esse debui, non nego.

The first period, consisting of 32 words, can be broken into seven *cola*, and the patterns of long and short syllables concluding many of these *cola* give *clausulae* that Cicero favored (as one would expect given that in this delicate and highly emotional part of the speech Cicero deals with his relationship with Caesar during the “Clodian regime”). *Clausulae* are formed according to the same rules determining elisions and syllable length in Latin poetry, so that the starting point in identifying them is to mark long and short syllables:

Ecce illā tēmpēstas, / caligo bonorū et subita atque improvīsā  
fōrmīdo, / tenebrāe rēi pūblicae, / ruina atque incēndiūm cīvītātis, /  
terror iniectus Cāesārī de ēiūs āctis, / metus caēdis bōnīs ōmnībus, /  
consulum scelus, cupiditas, egēstās, āūdācia! / Si non sum adiūtūs,  
nōn dēbūī; / si desertus, sibi fōrtāssē prōvīdit; / si ētiam ōppūgnātus, /  
ut quidam aut pūtānt aut vōlūnt, / violatā amicitia est, āccēpi  
īniūrīam, / inimicus esse dēbūī, nōn nēgo.

The quantity of the last syllable of each colon does not matter, just as at the end of a hexameter. The main difference between the hexameter and prose rhythm, however, lies in foot choices, and the typical ending of a hexameter (– ∪ ∪ – X) was avoided as one avoids rhymes in a speech today. There are four main feet that function like bricks, constituting the basis of Cicero’s favored *clausulae*: cretic (– ∪ –), molossus (– – –), trochee (– ∪) and spondee (– –). But an orator could take two liberties that created multiple variations: just as in the hexameter, a long can be “resolved” into two

shorts (a phenomenon called resolution), since they took the same pronunciation length; and cretic could be substituted by choriambic ( $-\cup->-\cup\cup-$ ) or molossus by epitriton ( $--->-\cup--$ ). In short:

Cretic  $-\cup-=$

$\cup\cup\cup-$ , or  $-\cup\cup\cup$ , with resolution;

$-\cup\cup-$  with substitution.

Molossus  $---=$

$-\cup\cup-$ , or  $\cup\cup--$ , or  $--\cup\cup$ , with resolution;

$-\cup--$  with substitution.

Trochee  $-\cup$

Spondee  $--$

These feet combine in three main types of *clausulae* favored by Cicero:

**1.**  $-\cup-+-X =$  cretic + spondee or trochee: *illā tēm-pēstas* (43.1); *impro-vīsā fōrmīdo* (43.2).

$-\cup\cup\cup+-X =$  resolved cretic + spondee or trochee: *ēssē vīdē-ātur* (5.9).

$\cup\cup\cup-+-X =$  resolved cretic + spondee or trochee.

$-\cup\cup-+-X =$  choriambic + spondee or trochee (rare in Cicero).

$-\cup-+\cup\cup X =$  cretic + resolved trochee.

**2.**  $-\cup-+-\cup X / ---+-\cup X =$  cretic or molossus + cretic:

*eg-ēstās aūdācīa* (43.5); *dēbūī nōn něgo* (43.8) (double cretic);

*adiūtūs nōn dēbūī* (43.5) (molossus + cretic).

$-\cup\cup-+-\cup X =$  resolved molossus + cretic: *caēdīs bōnīs ōmnībus* (43.4).

$\cup\cup--+-\cup X =$  resolved molossus + cretic: *hōmīnēs ē-xīstīmēt* (24.19).

$-\cup-+-\cup\cup X$ : (rare in Cicero)

$---+-\cup\cup X$ : (rare in Cicero)

**3.**  $-\cup-+-\cup-X / ---+-\cup-X =$  cretic or molossus + double trochee:

*Caēsārī de ēiūs āctis* (43.4) (cretic + double trochee).

**3.a** – ∪ ∪ – + – ∪ – X = resolved molossus + double trochee: *īncēndiūm cīvītātis* (43.3).

**3.b** – ∪ – X = double trochee: *Byzāntiōrum* (5.19).

**4.** – – – + – – X = double molossus: *īn cīvīs Rōmānos* (10.22).

**4.a** – ∪ ∪ – + – ∪ ∪ – = resolved molossus: *equitat-ūs hābūit īntērītum* (9.7).

**4.b** – – – + – X = molossus + spondee: *legati-ōnēm quām vēllem* (41.10).

**4.c** – ∪ – + – – X = cretic + molossus: *cōpīās rēprēssit* (32.5).

– ∪ – + – ∪ ∪ X = resolved molossus: *reprehen-dānt mēiūm cōnsīliūm* (26.19).

As one can see, the sample quoted above displays ten cola out of thirteen ending with favored *clausulae*. This high percentage is not exceptional: it has been calculated that these three patterns (including resolved forms) make up 86.9 percent of all the *clausulae* attested in Cicero's speeches: type 1 amounts to 32.4 percent (23 percent in the pure form plus 9.4 percent in the forms with resolution), type 2 amounts to 30.1 percent (11.1 percent with double cretic, 8 percent with molossus and cretic and 11 percent in the forms with resolution) and type 3 to 24.4 percent (Zielinski 1904).

Oratory was a living art and a form of public entertainment. By marking long and short syllables and looking at the *clausulae*, we can begin to observe the prose rhythm that Cicero and his audience naturally heard. Even if, says Cicero, only a few experts would understand the theory of rhythms, the crowds not only recognized good *clausulae*, but also booed at mistakes in pronouncing short syllables long or vice versa (*de Or.* 3.196); similarly, today one may enjoy a good musical passage or a good play in a game without knowing much theory, let alone being able to reproduce it.

### Memoria

Reading an oration was so exceptional that when Cicero pronounced his *Red. Sen.* “reading from a manuscript” (*dicta de scripto est, Planc.* 74, with Vössing 2008) he felt compelled to justify his choice, adducing the extraordinary occasion as an excuse. As a rule, orators delivered their speeches without a script and

relying on *memoria*, which was defined as “keeping a good grasp on words and ideas” (*Inv.* 1.9). *Memoria*, then, does not mean verbatim memorization: normally orators wrote out and memorized the *exordium* and the essentials of a speech (Quint. 10.7.30–2), while covering the rest mentally in order to move fluently from one section to the next. Much like today, improvisation was appreciated, and a witty response to something unexpected could win great favor. When a witness, who wanted to be a lawyer in spite of his ignorance, confessed to Cicero that he knew nothing, Cicero replied, “Well, you are not being questioned on legal matters.” Similarly, in a public dispute Metellus Nepos repeatedly asked Cicero, “Who’s your father?” spitefully hinting at his humble origin, but Cicero replied, “Your mother made that question harder for you than for me to answer” (Plut. *Cic.* 26.6). Cicero was quick on his feet, as *Prov.* also demonstrates.

*Prov.* exemplifies how improvisation belongs in a well-structured and polished speech, which must have been thought through carefully. Even in the *exordium*, the only part of a speech orators generally learned by heart, Cicero incorporates other senators’ unpredictable recommendations (1–2); he rejects their proposals (17, 36 and 45–6); and his ability to organize the *confutatio*\* around unforeseeable interruptions (18 and 29; cf. 40) provides students of rhetoric with a paradigm of the flexibility made possible by one’s “good grasp” on a subject.

### *Actio*

Having crafted and learned a speech, an orator had to worry about its *actio*\*, delivery. The art of delivery consisted of choosing the appropriate tones of voice and gestures to accompany words: voice and gesture played an important role in eliciting emotions, and in turn emotions played an important role in persuading the audience. To master the art of *actio* orators spent years training with actors, and Roman manuals of rhetoric allot some space to it (Hall 2004: 144–7). According to Plutarch, “good delivery gave no little weight to Cicero’s ability to persuade” (*Cic.* 5.4), and Cicero reports that when Demosthenes was asked about the three most

important elements of rhetoric he famously replied “*actio* is first, second and third” (*de Or.* 3.213; cf. *Orat.* 56 and *Brut.* 142).

Today few doubt that good or bad delivery deeply affects the reception of a speech, but perhaps the difference between classical and contemporary rhetoric is nowhere else more evident than in *actio*. As noted by the eighteenth-century philosopher David Hume, an admirer of classical rhetoric,

Suitable to this vehemence of thought and expression, was the vehemence of action, observed in the ancient orators. The *supplosio pedis*, or stamping with the foot, was one of the most usual and moderate gestures which they made use of; though that is now esteemed too violent, either for the senate, bar, or pulpit, and is only admitted into the theatre, to accompany the most violent passions, which are there represented. *Of Eloquence*, [1.13.]<sup>7</sup>

An ancient orator’s concern with his voice comes closer to that of an actor or of a singer (cf. *Orat.* 57) than to that of a modern politician or lawyer; for instance, Cicero had to work at improving his harsh and unmodulated voice (Plut. *Cic.* 3.5), and he confesses that, after straining his cords by speaking at full pitch, “[I traveled to Greece] to relax and restrain my vocal efforts and to change my way of speaking” (*Brut.* 314). Similarly, young Demosthenes practiced strenuously, once he realized that without improving his *actio* he would never be able to persuade the Athenians (Plut. *Dem.* 6.3–7.3).

A properly educated orator was equipped with a wide array of tones: invective calls for a high voice, but one should lower it for calmer sections, while a deep voice sounds grave, and modulated tones signal pathos (*Orat.* 56–7; cf. *de Or.* 3.217–19). Abuses elicited criticism: Cicero accused some contemporary orators of barking rather than speaking (*Brut.* 58), and Quintilian warns both against monotone performances and against excessively high or low pitches (11.3.51–2).

Nonetheless, *actio* dealt especially with gesture. Quintilian recommends a gesture for every short section of a sentence (roughly

corresponding to units of three to eight words), specifying that gestures had to be well-timed, and orators had to avoid anticipating or outpacing their words (11.3.106 with Aldrete 1999: 17 and 39).

Like different tones of voice, gestures served to express and to elicit emotions: for example, moving one's right fist toward the mouth signified indignation (Quint. 11.3.103), and we can imagine Cicero thus accompanying his remarks about Piso despoiling Byzantium (6) or Gabinius dealing with tyrants (9); slapping one's thigh with the right hand communicated even higher indignation and anger, and perhaps this gesture, of which Cicero was particularly fond (Quint. 11.3.123; cf. *Brut.* 278), supplemented Cicero's statements that Piso had traded Macedonia for his own exile (7), and that Gabinius had abused his office (10). Touching one's heart with flat hand, instead, expressed deep commiseration, and one can picture Cicero in this pose to mourn the lives of the poor Roman soldiers wasted by Piso (5) or Gabinius (9), or "the wretched publicans" victimized by Gabinius (10), or himself, victimized by both (1 and 10). Lastly, Quintilian says that in the *exordium* of *Pro Archia*, Cicero aptly moved his flat right hand inward toward his lips to express modesty, while saying, "If I have any skill, I realize how small it is" (Quint. 11.3.97 and *Arch.* 1); one can suppose that he used the same gesture in the *exordium* of *Prov.* when, displaying similar modesty, he states, "If I am isolated in making my recommendation, you will no doubt forgive me" (1.6).

Gestures, however, also had other functions. By stretching out their arm and index finger, just as we do today, orators pointed at people and objects, with the difference that Romans did not perceive this as rude; we can thus picture Cicero pointing at various senators in the course of his speech, while addressing their recommendations or remarks (e.g. 17 and 36). Cicero warns against beating time with a finger (*Orat.* 59), but the visual accompaniment of *actio* also helped the audience to follow the rhythm and the division of cola within a period (Alldrete 1999: 34). Manuals of rhetoric equally warn an orator against miming what he says: a speaker should not blur the thin line separating actors and orators (Dugan 2005: 135–8), since *actio* is not the same as *demonstratio* (*de Or.* 3.220; *Her.* 3.26; Quint. 11.3.88–91), but bold use of *actio*

could meet with approval (as when Cicero brought an infant to court to elicit pity, *Orat.* 131). As a rule, however, Roman orators both employed gestures taken from their rich everyday cultural system (Graf 1992; Corbeill 2004: 1–11) and also took classes with actors. *Artis est tegere artem*, and to learn to convey spontaneity an orator had to practice *actio* assiduously (*Her.* 3.27).

Perhaps, among Cicero's contemporaries those who enjoyed his performances "live" outnumbered those who read his speeches; ancient oratory was a performative art, and reading an ancient oration comes close to reading a play. Throughout this commentary, then, the notes on *actio*, far from attempting to prove that a specific gesture must have accompanied Cicero's delivery of a specific passage, are meant both to offer reasonable guesses (based on literary and figurative evidence) and especially to keep *actio* on the readers' horizon.

## VI. WRITING AND TRANSMISSION OF THE TEXT

Roman literary works were written on papyrus with a reed pen, *calamus*, and black ink, *atramentum*, which scribes had to prepare every day. Papyrus was mostly imported from Egypt and sold in scrolls, *volumina*: a standard *volumen* included twenty sheets, each 15–20 wide and 20–30 cm in height (compare a US 8.5 × 11 sheet, which measures 22.5 × 27.5 cm), with the whole scroll typically reaching a length of roughly 340 cm (11 ft., though some reached up to 60 ft.). Normally *volumina* were written on the inside and in parallel columns, *paginae*, running from top to bottom of a scroll oriented sideways. A *pagina* averaging 20–25 cm in height (8–10 inches) contained anywhere between 25 and 45 lines, but was narrower than the sheets that made up the scroll (as a rule, five *paginae* would fit in four sheets). Sections from Plato's *Symposium* (77 OCT pages) have allowed scholars to calculate that the whole work took a scroll twenty-two feet long, twice as long as the average; *Prov.* (21 OCT pages) would then take approximately six feet, that is, a little more than half of a standard *volumen*. The form of the scroll was not very reader-friendly, and even worse was the method of

writing: words were not separated by intervals (*scriptio continua*), and there was neither punctuation nor capital letters (Clarysse and Vandorpe 2008: 719–25 and Bülow-Jacobsen 2009: 3–23).

Cicero must have written his speech, or more likely dictated it to one of his trained slaves, relying on the notes he took before the senatorial meeting and on his recollection of it (cf. above on publication). Before publishing a text, however, Cicero regularly consulted his friend Atticus, who “would carefully revise the work for him, criticize points of style or content, discuss the advisability of publication or the suitability of a title, hold private readings of the new book, send out complimentary copies, [and] organize its distribution” (Reynolds and Wilson 1968: 22; Kleberg 1975: 40–3; Phillips 1986). As seen above (on *palinodia*), consultation was so normal that, in 56, Atticus complained at Cicero’s having published something without waiting for his approval, and Cicero hastened to explain his behavior. This is one more reason against the identification of *Prov.* with the *palinodia* mentioned in Cicero’s response; it is highly unlikely that Cicero circulated a text as delicate as *Prov.* without Atticus’ imprimatur. Cicero could rely on Atticus’ assistance also for producing volumes and organizing his library, and in 56 he asked him for two library slaves (*librarioli*, *Att.* 4.4a.1; Houston 2002: 147–8), who added labels to volumes and painted bookshelves (*Att.* 4.5.4; Turner 1983). Once a book was circulated commercial reproduction ensued, with bookshops attending to the copying of the original and putting these copies on the market. Of course, we do not have the original; references in Asconius, Quintilian and Gellius prove that *Prov.* was read in the first and second century CE, but its fortune afterwards is much harder to assess. Perhaps, given its length, it was copied and sold in scrolls with one or more other Ciceronian speeches, and it has been supposed that already in the empire it was part of a corpus including ten *post reditum* speeches, all delivered in 57–6 (*Red. Sen.*; *Red. Pop.*; *Dom.*; *Sest.*; *Vat.*; *Prov.*; *Har. Resp.*; *Balb.*; *Cael.* plus the spurious *Pridie quam in exilium iret*; Rouse and Reeve 1983: 58).

As is often the case with Greek and Latin classics, it is thanks to the work of mostly anonymous medieval monks that we can still read *Prov.* today; and the text we read is reconstructed from various



manuscripts, copied at least ten centuries after Cicero's time in various monasteries around Europe. These manuscripts have been grouped in three main families (Rouse and Reeve 1983: 57–61). The ten above-mentioned speeches are found together in the oldest manuscript, called P (for Parisinus 7794), which was copied in Tours in the ninth century. Around the twelfth century a second hand, P<sup>2</sup>, made some corrections to P (no doubt based on another manuscript) and added some helpful punctuation (Peterson 1910: 167–9). Three manuscripts represent a second family: G, E and V. The earliest of these, G (for Gemblacensis, now Bruxellensis 5345), was probably copied by Olbert, Abbot of Gembloux, in the eleventh century, and contains all the same orations as P plus the Caesarian speeches (*Lig.*, *Marc.* and *Deiot.*); E (for Erfurtensis, now Berlinensis Lat. 252), dating to the twelfth century, contains the same speeches as P (though *Dom.* and *Sest.* are now missing) plus other works by Cicero; and V (for Vaticanus Palatinus Lat. 1525), most likely written in Heidelberg in the fifteenth century, is especially useful for the beginning of *Prov.*, which is missing from E. H (Harleianus 4927) represents a third family: it was written in the twelfth century in France and presents a pruned version of some *post reditum* speeches, including *Prov.* In short, the main manuscripts for reconstructing our text are:

- P (Parisinus 7794), ninth century, Tours;
- G (Bruxellensis 5345 < Gemblacensis), eleventh century, Gembloux;
- E (Berlinensis Lat. 252 < Erfurtensis), twelfth century, Corvey;
- V (Vaticanus Palatinus Lat. 1525), fifteenth century, Heidelberg;
- H (Harleianus 4927), twelfth century, France (Loire area).

DE PROVINCIIS CONSULARIBVS  
IN SENATV ORATIO

## SIGLA

- P* = cod. Paris. 7794, saec. ix  
    *B* = cod. Bern. 136, saec. xii–xiii e cod. *P* descriptus  
    *Σ* = cod. Paris. 14749 ineunte saec. xv e cod. *B* descriptus  
    *w* = cod. Guelferbytanus 205, e cod. *Σ* descriptus  
*H* = cod. Harleianus 4927, saec. xii  
*E* = cod. Erfurtensis, saec. xii  
*G* = cod. Gemblacensis, nunc Bruxellensis 5345, saec. xi  
*V* = cod. Vaticanus Palatinus 1525, anno 1467 scriptus  
*b* = cod. S. Marci 255 (Lag. 6), saec. xv  
*k* = cod. Paris. 7779, anno 1459 scriptus  
*c* = cod. Oxon. Canonici 226, saec. xv  
*ς* = codd. *kc*  
*t* = cod. Bern. 254, saec. xv  
*Schol.* = lemmata Scholiastae Bobiensis

M. TVLLI CICERONIS  
DE PROVINCIIS CONSVLARIBVS  
IN SENATV ORATIO

Si quis vestrum, patres conscripti, exspectat quas sim pro-<sup>1</sup>  
vincias decreturus, consideret ipse secum qui mihi homines  
ex provinciis potissimum detrahendi sint : non dubitabit  
quid sentire me conveniat, cum quid mihi sentire necesse  
5 sit cogitarit. Ac si princeps eam sententiam dicerem, lauda-  
retis profecto ; si solus, certe ignosceretis ; etiam si paulo  
minus utilis vobis sententia videretur, veniam tamen aliquam  
dolori meo tribueretis. Nunc vero, patres conscripti, non  
parva adficior voluptate, vel quod hoc maxime rei publicae  
10 conducit, Syriam Macedoniamque decerni, ut dolor meus  
nihil a communi utilitate dissentiat, vel quod habeo auctorem  
P. Servilium, qui ante me sententiam dixit, virum clarissi-  
mum et cum in universam rem publicam tum etiam erga  
meam salutem fide ac benivolentia singulari. Quod si ille,<sup>2</sup>  
15 et paulo ante et quotienscumque ei locus dicendi ac potestas  
fuit, Gabinium et Pisonem, duo rei publicae portenta ac  
paene funera, cum propter alias causas tum maxime propter  
illud insigne scelus eorum et importunam in me crudelitatem,  
non solum sententia sua sed etiam verborum gravitate esse  
20 notandos putavit, quoniam me animo in eos esse oportet,  
cuius illi salutem pro pignore tradiderunt ad explendas suas

13 in *ut Angelius ita mg. H, bk Harl. 2681 (cum abl. c), om. PGEH t*  
(ad) 21 *explendas bk Harl. 2681 et cod. Car. Steph. : expiendas P<sup>1</sup>w:*  
*expiandas P<sup>2</sup> rell. (Phil. 14.10)*

cupiditates ? Sed ego in hac sententia dicenda non parebo dolori meo, non iracundiae serviam. Quo animo unus quisque vestrum debet esse in illos, hoc ero : praecipuum illum et proprium sensum doloris mei, quem tamen vos communem semper vobis mecum esse duxistis, a sententia dicenda 5 amovebo, ad ulciscendi tempora reservabo.

<sup>2</sup> Quattuor sunt provinciae, patres conscripti, de quibus <sup>3</sup> adhuc intellego sententias esse dictas, Galliae duae, quas hoc tempore uno imperio videmus esse coniunctas, et Syria et Macedonia, quas vobis invitis et oppressis pestiferi 10 illi consules pro perversae rei publicae praemiis occupaverunt. Decernendae nobis sunt lege Sempronia duae. Quid est quod possimus de Syria Macedoniaque dubitare ? Mitto quod eas ita partas habent ii qui nunc obtinent ut non ante attigerint quam hunc ordinem condemnarint, quam auctoritatem vestram e civitate exterminarint, quam fidem publicam, 15 quam perpetuam populi Romani salutem, quam me ac meos <sup>4</sup> omnis foedissime crudelissimeque vexarint. Omnia domestica atque urbana mitto, quae tanta sunt ut numquam Hannibal huic urbi tantum mali optarit quantum illi effecerint. Ad ipsas venio provincias ; quarum Macedonia, quae erat antea munita plurimorum imperatorum non turribus sed tropaeis, quae multis victoriis erat iam diu triumphisque pacata, sic a barbaris, quibus est propter avaritiam pax erepta, vexatur ut Thessalonicenses positi in gremio imperi nostri relinquere oppidum et arcem munire cogantur, 25 ut via illa nostra quae per Macedoniam est usque ad Hellespontum militaris non solum excursionibus barbarorum sit infesta, sed etiam castris Thraeciis distincta ac notata. Ita gentes eae quae, ut pace uterentur, vim argenti 30

3 illos *Naugerius* (1) : illo *PHt* ego ero *Kraffert* 11 perversae *codd. praeter HGE* (eversae) : cf. § 7, *Vat.* 19, 23 12 nobis sunt *BΣHkt all.* : sunt nobis *P* (sed *sign. transp. add. m.* 1) *uc* 18 omnia illa *HGEb* 20 effecerunt ut *Tischeri auct. Kayser ita k* 30 magnam (ante vim) *suppl. van der Vliet*

dederant praeclaro nostro imperatori, ut exhaustas domos replere possent, pro empta pace bellum nobis prope iustum intulerunt.

Iam vero exercitus noster ille superbissimo dilectu et 5  
 5 durissima conquisitione conlectus omnis interiit. Magno 3  
 hoc dico cum dolore : miserandum in modum milites populi  
 Romani capti necati deserti dissipati sunt, incuria fame  
 morbo vastitate consumpti, ut, quod est indignissimum,  
 scelus imperatoris in patriam exercitumque expiatum esse  
 10 videatur. Atque hanc Macedoniam, domitis iam gentibus  
 finitimis barbarique compressa, pacatam ipsam per se et  
 quietam, tenui praesidio atque exigua manu etiam sine im-  
 perio per legatos nomine ipso populi Romani tuebamur ;  
 quae nunc consulari imperio atque exercitu ita vexata est  
 15 vix ut se possit diuturna pace recreare ; cum interea quis  
 vestrum hoc non audivit, quis ignorat, Achaeos ingentem  
 pecuniam pendere L. Pisoni quotannis, vectigal ac portorium  
 Dyrrachinorum totum in huius unius quaestum esse conver-  
 20 sum, urbem Byzantium vobis atque huic imperio fidelissi-  
 mam hostilem in modum esse vexatam ? quo ille, postea  
 quam nihil exprimere ab egentibus, nihil ulla vi a miseris ex-  
 torquere potuit, cohortis in hiberna misit ; iis praeposuit  
 quos putavit fore diligentissimos satellites scelerum, ministros  
 cupiditatum suarum. Omitto iuris dictionem in libera civi- 6  
 25 tate contra leges senatusque consulta, caedis relinquo, libi-  
 dines praetereo, quarum acerbissimum exstat indicium et ad  
 insignem memoriam turpitudinis et paene ad iustum odium  
 imperi nostri, quod constat nobilissimas virgines se in puteos  
 abiecisse et morte voluntaria necessariam turpitudinem de-  
 30 pulisse ; nec haec idcirco omitto quod non gravissima sint,

1 imp. nostr. *Hbk*      5 interit *PGE*      9 is imperator *bk*      in  
 patriam exercitumque expiatum *Peterson* 1910: 175 : in poenam  
 exercitus expetitum *codd. praeter HGEc* (expetitum), *w* (-am) : ex-  
 petisse *Gulielm.* : expiatum (*sed* in exercitum) *Kappayne van de*  
*Coppelle* (*Pis.* 85) : poena exercitus expiatum *Reid*      14 cons.  
 imperio *ed. R.* : consulario *PBΣ*

4 sed quia nunc sine teste dico. Ipsam vero urbem Byzantiorum fuisse refertissimam atque ornatissimam signis quis ignorat ? quae illi exhausti sumptibus bellisque maximis, cum omnis Mithridaticos impetus totumque Pontum armatum, effervescentem in Asiam atque erumpentem ore, repulsum et cervicibus interclusum suis sustinerent, tum, inquam, Byzantii et postea signa illa et reliqua urbis ornamenta san- 5 ctissime custodita tenuerunt : te imperatore infelicissimo et taeterrimo, Caesonine Calventi, civitas libera, et pro eximiis suis beneficiis a senatu et a populo Romano liberata, sic 10 spoliata atque nudata est ut, nisi C. Vergilius legatus, vir fortis et innocens, intervenisset, unum signum Byzantii ex maximo numero nullum haberent. Quod fanum in Achaia, qui locus natus lucus in Graecia tota tam sanctus fuit in quo ullum simulacrum, ullum ornamentum reliquum sit ? Emisti 15 a foedissimo tribuno plebis tum in illo naufragio huius urbis, quam tu idem qui gubernare debueras everteras, tum, inquam, emisti grandi pecunia ut tibi de pecuniis creditis ius in liberos populos contra senatus consulta et contra legem generi tui dicere liceret : id emptum ita vendidisti ut aut ius 20 non dices aut bonis civis Romanos everteres. Quorum ego nihil dico, patres conscripti, nunc in hominem ipsum : de provincia disputo. Itaque omnia illa quae et saepe audistis et tenetis animis, etiam si non audiatis, praetermitto. Nihil de hac eius urbana, quam ille praesens in mentibus 25 vestris oculisque defixit, audacia loquor ; nihil de superbia, nihil de contumacia, nihil de crudelitate disputo ; lateant libidines eius illae tenebricosae, quas fronte et supercilio, non pudore et temperantia contegebat : de provincia quod agitur, id disputo. Huic vos non submittetis ? hunc diutius 30 manere patiemini ? cuius, ut provinciam tetigit, sic fortuna

4 cum omnis *Halm* : cumnis *P*<sup>1</sup> : cum *P*<sup>2</sup> *rell.* 9 pro eximiis  
*Madv.* : proximis *codd.* 11 *C. s. l. add. P*<sup>1</sup> : *om. E* 27 lateant  
*Naugerius* (1) : latent *codd.*

cum improbitate certavit ut nemo posset utrum protervior an infelicioꝛ esset iudicare.

An vero in Syria diutius est Semiramis ilia retinenda ?<sup>9</sup>  
 cuius iter in provinciam fuit eius modi ut rex Ariobarzanes  
 5 consulem vestrum ad caedem faciendam tamquam aliquem  
 Thraecem conduceret ; deinde adventus in Syriam primus  
 equitatus habuit interitum, post concisae sunt optimae  
 cohortes. Igitur in Syria imperatore illo nihil aliud *um-*  
*quam* actum est nisi pactiones pecuniarum cum tyrannis,  
 10 decisiones, direptiones, latrocinia, caedes, cum palam populi  
 Romani imperator, instructo exercitu, dexteram tendens, non  
 ad laudem milites hortaretur, sed omnia sibi et empta et  
 emenda esse clamaret.

Iam vero publicanos miseros—me etiam miserum illorum<sup>5</sup>  
 15 ita de me meritorum miseris ac dolore !—tradidit in servitu-  
 tem Iudaeis et Syris, nationibus natis servituti. Statuit ab  
 initio, et in eo perseveravit, ius publicano non dicere ; pa-  
 ctiones sine ulla iniuria factas rescidit ; custodias sustulit ;  
 vectigalis multos ac stipendiarios liberavit ; quo in oppido  
 20 ipse esset aut quo veniret, ibi publicanum aut publicani ser-  
 vum esse vetuit. Quid multa ? crudelis haberetur si in  
 hostis animo fuisset eo quo fuit in civis Romanos, eius  
 ordinis praesertim qui est semper *pro* dignitate sua benigni-  
 tate magistratuum sustentatus. Itaque, patres conscripti,<sup>10</sup>  
 25 videtis non temeritate redemptionis aut negoti gerendi in-  
 scitia, sed avaritia, superbia, crudelitate Gabini paene adffictos  
 iam atque eversos publicanos : quibus quidem vos in his  
 angustiis aerari tamen subveniatis necesse est, etsi iam multis  
 non potestis, qui propter illum hostem senatus, inimicissimum

1 protervior *Lamb.* : posterior *codd.* (*Pis.* 66) : deterior  $\zeta$  *Angelius* :  
 pestilentior *b*<sup>2</sup>. Num probrosior ? 8 umquam *scripsi* : neque *codd.* :  
 gestum neque *Orell. auct. suppl. Klotz* (*Pis.* 40) : cogitatum neque  
*Madv.* 12 hortaretur *ed. V.* : hortetur *codd.* 13 clamet *codd.*  
*praeter G* (conclamaret, *om.* esse) 20 aut quo *b* $\zeta$  *t* : aut qui *rell.*  
 23 pro *add. Pluygers* 24 magistratuum *coni. Kays., prob.*  
*Zielinski* : magistratus *codd.*



ordinis equestris bonorumque omnium, non solum bona sed etiam honestatem miseri deperdiderunt, quos non parsimonia, non continentia, non virtus, non labor, non splendor tueri  
 12 potuit contra illius helluonis et praedonis audaciam. Quid ?  
 qui se etiam nunc subsidiis patrimoni aut amicorum liberali- 5  
 tate sustentant, hos perire patiemur ? An si qui frui publico  
 non potuit per hostem, hic tegitur ipsa lege censoria : quem  
 is frui non sinit qui est, etiam si non appellatur, hostis, huic  
 ferri auxilium non oportet ? Retinete igitur in provincia  
 diutius eum qui de sociis cum hostibus, de civibus cum 10  
 sociis faciat pactiones, qui hoc etiam se pluris esse quam  
 conlegam putet, quod ille vos tristitia vultuque deceperit,  
 ipse numquam se minus quam erat nequam esse simularit.  
 Piso autem alio quodam modo gloriatur se brevi tempore  
 perfecisse ne C. Gabinius unus omnium nequissimus existi- 15  
 maretur.

6 Hos vos de provinciis, si non aliquando deducendi essent,  
 13 deripiendos non putaretis ? et has duplicis pestis sociorum,  
 militum cladis, publicanorum ruinas, provinciarum vastitates,  
 imperi maculas teneretis ? At idem vos anno superiore hos 20  
 eosdem revocabatis, cum in provincias pervenissent : quo  
 tempore si liberum vestrum iudicium fuisset nec totiens  
 dilata res nec ad extremum e manibus erepta, restituissetis,  
 id quod cupiebatis, vestram auctoritatem, iis per quos erat  
 amissa revocatis, et iis ipsis praemiis extortis quae erant pro 25  
 14 scelere atque eversione patriae consecuti. Qua e poena si  
 tum aliorum opibus, non suis, invitissimis vobis evolarunt,  
 at aliam multo maiorem graviolemque subierunt. Quae  
 enim homini in quo aliqui, si non famae pudor, at supplici  
 timor est gravior poena accidere potuit quam non credi 30  
 litteris iis quae rem publicam bene gestam in bello nuntiarent ?

15 C. extra versum add. P<sup>1</sup>BΣt : om. Hk all. 21 cum codd.  
 praeter G (cum vi) : rasura quae est in P prorsus nullius est momenti :  
 cum vix coni. Bait. : cum in prov. iam Hbζ 26 qua e] qua P rell.  
 praeter HGE (quae) 29 aliqui P<sup>1</sup> : aliquis rell. (Har. Resp. 62)

Hoc statuit senatus, cum frequens supplicationem Gabinio denegavit : primum homini sceleribus flagitiis contaminatissimo nihil esse credendum, deinde a proditore, atque eo quem praesentem hostem rei publicae cognosset, bene rem  
 5 publicam geri non potuisse, postremo ne deos quidem immortalis velle aperiri sua templa et sibi supplicari hominis impurissimi et sceleratissimi nomine. Itaque ille alter aut ipse est homo doctus et a suis Graecis subtilius eruditus, quibuscum iam in exoetra helluatur, antea post siparium  
 10 solebat, aut amicos habet prudentiores quam Gabinius, cuius nullae litterae proferuntur.

Hosce igitur imperatores habebimus ? quorum alter non <sup>7</sup><sub>15</sub> audet nos certiores facere *quare* imperator appelletur, alterum, si tabellarii non cessarint, necesse est paucis diebus paeniteat  
 15 audere : cuius amici si qui sunt, aut si beluae tam immani tamque taetrae possunt ulli esse amici, hac consolatione utuntur, etiam T. Albucio supplicationem hunc ordinem denegasse. Quod est primum dissimile, res in Sardinia cum mastrucatis latrunculis a propraetore una cohorte auxiliaria  
 20 gesta, et bellum cum maximis Syriae gentibus *et* tyrannis consulari exercitu imperioque confectum. Deinde Albucius, quod a senatu petebat, ipse sibi in Sardinia ante decreverat ; constabat enim Graecum hominem ac levem in ipsa provincia  
 25 supplicatione denegata notavit. Sed fruatur sane hoc solacio <sup>16</sup> atque hanc insignem ignominiam (quoniam uni praeter se inusta sit), putet esse leviozem, dum modo, cuius exemplo se consolatur, eius exitum exspectet, praesertim cum in Albucio nec Pisonis libidines nec audacia Gabini fuerit ac  
 30 tamen hac una plaga conciderit, ignominia senatus.

2 flagitiis PHGE : flagitiisque edd. 3 omnino nihil t sol. 13 qua re scripsi : om. P<sup>1</sup>E : ne P<sup>2</sup> rell. : cur Ant. Aug. 18 Quod est HGς : quid est P rell. : Quid ? Est Kays. : Quid est ? Est Weber : At est Sorof 19 <ab eo> pro praetore Reid (Peterson 1910: 175) 20 et suppl. Bait. : ac Lamb. 27 est codd. : sit Halm (Balb. 44) dum ed. R. : non PBΣ

- 17 Atqui duas Gallias qui decernit consulibus duobus, hos retinet ambo ; qui autem alteram Galliam et aut Syriam aut Macedoniam, tamen alterum retinet *et* in utriusque pari scelere disparem condicionem facit. 'Faciam,' inquit, 'illas praetorias, ut Pisoni et Gabinio succedatur statim.' Si hic sinat ! tum enim tribunus intercedere poterit, nunc non potest. Itaque ego idem, qui nunc consulibus iis qui designati erunt Syriam Macedoniamque decerno, decernam easdem praetorias, ut et praetores annuas provincias habeant et eos quam primum videamus quos animo 10
- 8 aequo videre non possumus. Sed, mihi credite, numquam succedetur illis, nisi cum ea lege referetur qua intercedi de provinciis non licebit. Itaque hoc tempore amisso annus est integer vobis exspectandus ; quo interiecto civium calamitas, sociorum aerumna, sceleratissimorum 15 hominum impunitas propagatur.
- 18 Quod si essent illi optimi viri, tamen ego mea sententia C. Caesari succedendum nondum putarem. Qua de re dicam, patres conscripti, quae sentio, atque illam interpellationem mei familiarissimi, qua paulo ante interrupta est oratio mea, non pertimescam. Negat me vir optimus inimiciorem Gabinio debere esse quam Caesari : omnem illam tempestatem cui cesserim Caesare impulsore atque adiutore esse excitatam. Cui si primum sic respondeam, me communis utilitatis habere rationem, non doloris mei, possimne 25 probare, cum id me facere dicam quod exemplo fortissimorum et clarissimorum civium facere possim ? An Ti. Gracchus—patrem dico, cuius utinam filii ne degenerassent a gravitate patria!—tantam laudem est adeptus, quod tribunus plebis solus ex toto illo conlegio L. Scipioni auxilio fuit, inimicissimus et ipsius et fratris eius Africani, iuravitque in 30

3 et *ed. R.* : *om. codd.* 9 praetores in suas provincias abeant (statim in suas *Mueller*) *coni. Mommsen (Röm. Staats. ii. 1. 192)* 27 *An codd.* (§ 20) : *An non Lamb.* : *At ed. Gryph.* : non *ante tantam supplet Ernst Müller* (§ 20). *Fort. Nonne ?*

contione se in gratiam non redisse, sed alienum sibi videri dignitate imperi quo duces essent hostium Scipione triumphante ducti, eodem ipsum duci qui triumphasset ? Quis plenior inimicorum fuit C. Mario ? L. Crassus, M. Scaurus  
 5 5 alieni, inimici omnes Metelli : at ii non modo ilium inimicum ex Gallia sententiis suis non detrahebant, sed ei propter rationem Gallici belli provinciam extra ordinem decernebant. Bellum in Gallia maximum gestum est ; domitae sunt a Caesare maximae nationes, sed nondum legibus, nondum  
 10 10 iure certo, nondum satis firma pace devinctae. Bellum adfectum videmus et, vere ut dicam, paene confectum, sed ita ut, si idem extrema persequitur qui inchoavit, iam omnia perfecta videamus, si succeditur, periculum sit ne instauratas maximi belli reliquias ac renovatas audiamus. Ergo ego  
 15 15 senator—inimicus, si ita vultis, homini—amicus esse, sicut semper fui, rei publicae debeo. Quid ? si ipsas inimicitias depono rei publicae causa, quis me tandem iure reprehendet ? praesertim cum ego omnium meorum consiliorum atque factorum exempla semper ex summorum hominum factis  
 20 20 mihi censuerim petenda. An vero M. ille Lepidus, qui bis consul et pontifex maximus fuit, non solum memoriae testimonio, sed etiam annalium litteris et summi poetae voce laudatus est quod cum M. Fulvio conlega, quo die censor est factus, homine inimicissimo, in campo statim rediit in  
 25 25 gratiam, ut commune officium censurae communi animo ac voluntate defenderent ? Atque ut vetera, quae sunt innumerabilia, mittam, tuus pater, Philippe, nonne uno tempore cum suis inimicissimis in gratiam rediit ? quibus eum omnibus eadem res publica reconciliavit quae alienarat. Multa  
 30 30 praetereo, quod intueor coram haec lumina atque ornamenta rei publicae, P. Servilium et M. Lucullum. Vtinam etiam

5 alieni *Madv.* : alini *aut* aliine *codd.* (§ 37) 6 ei *Halm* : et *codd.* 11 confectum *PH* : confectatum *P<sup>e</sup> rell.* 20 An] An non *Lamb.* 28 omnibus *ante* suis inimicissimis *transp. Gneisse* 29 alienaverat *Zielinski*

L. Lucullus illic adsideret ! Quae fuerunt inimicitiae in civitate graviores quam Lucullorum atque Servili ? quas in viris fortissimis non solum exstinxit rei publicae *utilitas* dignitasque ipsorum, sed etiam ad amicitiam consuetudinemque traduxit. Quid ? Q. Metellus Nepos nonne consul in templo Iovis 5 Optimi Maximi, permotus cum auctoritate vestra tum illius P. Servili incredibili gravitate dicendi, absens mecum summo suo beneficio rediit in gratiam ? An ego possum huic esse inimicus cuius litteris fama nuntiis celebrantur aures cotidie 23 meae novis nominibus gentium nationum locorum ? Ardeo, 10 mihi credite, patres conscripti,—id quod vosmet de me existimatis et facitis ipsi,—incredibili quodam amore patriae, qui me amor et subvenire olim impendentibus periculis maximis cum dimicatione capitis et rursum, cum omnia tela undique esse intenta in patriam viderem, subire coegit atque excipere 15 unum pro universis. Hic me meus in rem publicam animus pristinus ac perennis cum C. Caesare reducit, reconciliat, restituit in gratiam.

24 Quod volent denique homines existiment : nemini ego 10 possum esse bene merenti de re publica non amicus. Etenim 20 si iis qui haec omnia flamma ac ferro delere voluerunt non inimicitias solum sed etiam bellum indixi atque intuli, non partim mihi illorum familiares, partim etiam me defendente capitis iudiciis essent liberati, cur eadem res publica quae me in amicos inflammare potuit inimicis placare non possit ? 25 Quod mihi odium cum P. Clodio fuit, nisi quod perniciosum patriae civem fore putabam qui turpissima libidine incensus duas res sanctissimas, religionem et pudicitiam, uno scelere violasset ? Num est igitur dubium ex iis rebus quas is egit agitque cotidie quin ego in illo oppugnando rei publicae 30 plus quam otio meo, non nulli in eodem defendendo suo

1 illic adsideret *Madv.* : ille desiderat (-et  $G^2$ ) *codd. pler.* : ille viveret *c. Angelius* : ille desineret *Hbk*      3 rei pub. utilitas *coni. Baiter* : res publica *E* : rei pub. *P. rell.*      6 illa *Pluygers*      23 familiares essent *coni. Halm*      27 reputabam *Kraffert*

plus otio quam communi prospexerint ? Ego me a C. Caesare in re publica dissensisse fateor et sensisse vobiscum ; sed nunc isdem vobis adsentior cum quibus antea sentiebam. Vos enim, ad quos litteras L. Piso de suis rebus non audeo 5 mittere, qui Gabini litteras insigni quadam nota atque ignominia nova condemnastis, C. Caesari supplicationes decrevistis numero ut nemini uno ex bello, honore ut omnino nemini. Cur igitur exspectem hominem aliquem qui me cum illo in gratiam reducat ? Reduxit ordo amplissimus, 10 et ordo is qui est et publici consili et meorum omnium consiliorum auctor et princeps. Vos sequor, patres conscripti, vobis obtempero, vobis adsentior, qui, quam diu C. Caesaris consilia in re publica non maxime diligebatis, me quoque cum illo minus coniunctum videbatis : postea quam rebus 15 gestis mentis vestras voluntatesque mutastis, me non solum comitem esse sententiae vestrae sed etiam laudatorem vidistis.

Sed quid est quod in hac causa maxime homines admirentur et reprehendant meum consilium, cum ego idem antea 20 multa decreverim quae magis ad hominis dignitatem quam ad rei publicae necessitatem pertinerent ? Supplicationem quindecim dierum decrevi sententia mea. Rei publicae satis erat tot dierum quot C. Mario ; dis immortalibus non erat exigua eadem gratulatio quae ex maximis bellis ; ergo ille 25 cumulus dierum hominis est dignitati tributus. In quo ego, quo consule referente primum decem dierum est supplicatio decreta Cn. Pompeio Mithridate interfecto et confecto Mithridatico bello, et cuius sententia primum duplicata est supplicatio consularis,—mihi enim estis adsensi cum, eiusdem 30 Pompei litteris recitatis, confectis omnibus maritimis terrestribusque bellis, supplicationem dierum decem decrevistis,—

10 est et *HGEbc* : est *P* *rell.* 14 rebus eius gestis *coni. Halm.*  
*Num* rebus bene gestis ? 20 decreverim *BΣt* : decreverim *P* : decreverim *HGEζ* 31 deorum *PBΣt* decem *Manutius* : duodecim *P et codd. pler.*

sum Cn. Pompei virtutem et animi magnitudinem admiratus, quod, cum ipse ceteris omnibus esset omni honore antelatus, amplio- rem honorem alteri tribuebat quam ipse erat consecutus. Ergo in illa supplicatione quam ego decrevi, res ipsa tributa est dis immortalibus et maiorum institutis et utilitati rei publicae, sed dignitas verborum, honos et novitas et numerus dierum Caesaris ipsius laudi gloriaeque concessus est. 5

28 Relatum est ad nos nuper de stipendio exercitus: non decrevi solum sed etiam ut vos decerneretis laboravi, multa dissentientibus respondi, scribendo adfui. Tum quoque 10 homini plus tribui quam nescio cui necessitati. Illum enim arbitrabar etiam sine hoc subsidio pecuniae retinere exercitum praeda ante parta et bellum conficere posse; sed decus illud et ornamentum triumphi minuendum nostra parsimonia non putavi. Actum est de decem legatis, quos alii omnino non 15 dabant, alii exempla quaerebant, alii tempus differebant, alii sume ullis verborum ornamentis dabant: in ea quoque re sic sum locutus ut omnes intellegerent me id quod rei publicae causa sentirem facere uberius propter ipsius Caesaris dignitatem. 20

12 At ego idem nunc in provinciis decernendis, qui illas 29 omnis res egi silentio, interpellor, cum in superioribus causis hominis ornamenta [*adiumento*] fuerint, in hac me nihil aliud nisi ratio belli, nisi summa utilitas rei publicae moveat. Nam ipse Caesar quid est cur in provincia commorari velit, nisi 25 ut ea quae per eum adfecta sunt perfecta rei publicae tradat? Amoenitas eum, credo, locorum, urbium pulchritudo, hominum nationumque illarum humanitas et lepos, victoriae cupiditas, finium imperi propagatio retinet. Quid illis terris asperius, quid incultius oppidis, quid nationibus immanius, quid porro tot victoriis praestabilius, quid Oceano 30

22 (non 21) in *k*, *suppl. Lamb.* 23 *adiumento fuerint scripsi* (cf. *Balb.* 19) : fuerint *codd.* : iuverim *K. Busche* : apud me valuerint *coni. Mueller* 25 in ea provincia *Gell. et Non.*

longius inveniri potest ? An reditus in patriam habet aliquam offensionem ? utrum apud populum a quo missus, an apud senatum a quo ornatus est ? An dies auget eius desiderium, an magis oblivionem, ac laurea illa magnis periculis parta amittit longo intervallo viriditatem ? Qua re, si qui hominem non diligunt, nihil est quod eum de provincia devocent : ad gloriam devocant, ad triumphum, ad gratulationem, ad summum honorem senatus, equestris ordinis gratiam, populi caritatem. Sed si ille hac tam eximia fortuna propter utilitatem rei publicae frui non properat, ut omnia illa conficiat, quid ego senator facere debeo, quem, etiam si ille aliud vellet, rei publicae consulere oporteret ?

Ego vero sic intellego, patres conscripti, nos hoc tempore in provinciis decernendis perpetuae pacis habere oportere rationem. Nam quis hoc non sentit, omnia alia esse nobis vacua ab omni periculo atque etiam suspicione belli ? Iam diu mare videmus illud immensum, cuius fervore non solum maritimi cursus sed urbes etiam et viae militares iam tenebantur, virtute Cn. Pompei sic a populo Romano ab Oceano usque ad ultimum Pontum tamquam unum aliquem portum tutum et clausum teneri ; nationes eas, quae numero hominum ac multitudine ipsa poterant in provincias nostras redundare, ita ab eodem esse partim recisas, partim repressas, ut Asia, quae imperium antea nostrum terminabat, nunc tribus novis provinciis ipsa cingatur. Possum de omni regione, de omni genere hostium dicere : nulla gens est quae non aut ita sublata sit ut vix exstet, aut ita domita ut quiescat, aut ita pacata ut victoria nostra imperioque laetetur. Bellum Gallicum, patres conscripti, C. Caesare imperatore gestum est, antea tantum modo repulsum. Semper illas

1 longius] longinquius *Tischer*    2 missus est *Hb Harl.* 2681  
 4 an magis] ac non magis *Sorof*    19 terrebantur *Weidner*  
 27 regione de omni s. l. *suppl. P<sup>2</sup>*



nationes nostri imperatores refutandas potius bello quam  
laccessendas putaverunt. Ipse ille C. Marius, cuius divina  
atque eximia virtus magnis populi Romani luctibus funeri-  
busque subvenit, influentis in Italiam Gallorum maximas  
copias repressit, non ipse ad eorum urbis sedisque penetra- 5  
vit. Modo ille meorum laborum periculorum consiliorum  
socius, C. Pomptinus, fortissimus vir, ortum repente bellum  
Allobrogum atque hac scelerata coniuratione excitatum  
proeliis fregit eosque domuit qui laccessierant, et ea victoria  
contentus re publica metu liberata quievit. C. Caesaris 10  
longe aliam video fuisse rationem ; non enim sibi solum cum  
iis quos iam armatos contra populum Romanum videbat  
bellandum esse duxit, sed totam Galliam in nostram dicionem  
33 esse redigendam. Itaque cum acerrimis nationibus et maxi-  
mis Germanorum et Helvetiorum proeliis felicissime decer- 15  
tavit, ceteras conterruit, compulit, domuit, imperio populi  
Romani parere adsuefecit, et quas regiones quasque gentis  
nullae nobis antea litterae, nulla vox, nulla fama notas fecerat,  
has noster imperator nosterque exercitus et populi Romani  
arma peragrarunt. Semitam tantum Galliae tenebamus 20  
antea, patres conscripti ; ceterae partes a gentibus aut inimi-  
cis huic imperio aut infidis aut incognitis aut certe immanibus  
et barbaris et bellicosis tenebantur ; quas nationes nemo  
umquam fuit quin frangi domarique cuperet. Nemo sapien-  
ter de re publica nostra cogitavit, iam inde a principio huius 25  
imperi, quin Galliam maxime timendam huic imperio putaret;  
sed propter vim ac multitudinem gentium illarum nunquam  
est antea cum omnibus dimicatum. Restitimus semper  
laccessiti : nunc denique est perfectum ut imperi nostri terra-

1 quam lasputaverunt P<sup>1</sup> 10 C. ante Caesaris om. P<sup>BΣ</sup> 14  
cum nationibus G. et H. acerrimis et maximis proeliis *van der Vliet*  
(*Balb.* 5) : cum acerrimis nat. G. et H. et maximis proeliis *Land-*  
*graf* (*Leg. Man.* 28) 15 plurimis proeliis *Weidner* 19 eas *coni.*  
*Baiter* 22 at certe *Pluygers* : ac certe *Madv.* 26 putaret *PHbk*  
: deputaret P<sup>2</sup> *rell.* : esse putaret *Klotz*, *improb.* *Zielinski* Num repu-  
taret ? (§ 24)

rumque illarum idem esset extremum. Alpibus Italiam <sup>14</sup>  
munierat antea natura non sine aliquo divino numine ; nam <sup>34</sup>  
si ille aditus Gallorum immanitati multitudinique patuisset,  
numquam haec urbs summo imperio domicilium ac sedem  
5 praebuisset. Quae iam licet considant ! nihil est enim ultra  
illam altitudinem montium usque ad Oceanum quod sit  
Italiae pertimescendum. Sed tamen una atque altera aestas  
vel metu vel spe vel poena vel praemiis vel armis vel legibus  
potest totam Galliam sempiternis vinculis adstringere : im-  
10 politae vero res et acerbae si erunt relictae, quamquam sunt  
accisae, tamen efferent se aliquando et ad renovandum bellum  
revirescent. Qua re sit in eius tutela Gallia cuius fidei vir- <sup>35</sup>  
tuti felicitati commendata est. Qui si Fortunae muneribus  
amplissimis ornatus saepius eius deae periculum facere nollet,  
15 si in patriam, si ad deos penatis, si ad eam dignitatem quam  
in civitate sibi propositam videt, si ad iucundissimos liberos,  
si ad clarissimum generum redire properaret, si in Capito-  
lium invehit victor cum illa insigni laude gestiret, si denique  
timeret casum aliquem, qui illi tantum addere iam non potest  
20 quantum auferre, nos tamen oporteret ab eodem illa omnia  
a quo profligata sunt confici velle : cum vero ille suae gloriae  
iam pridem rei publicae nondum satis fecerit, et malit tamen  
tardius ad suorum laborum fructus pervenire quam non ex-  
plere susceptum rei publicae munus, nec imperatorem incen-  
25 sum ad rem publicam bene gerendam revocare nec totam  
Gallici belli rationem prope iam explicatam perturbare atque  
impedire debemus.

Nam illae sententiae virorum clarissimorum minime pro- <sup>15</sup>  
bandae sunt, quorum alter ulteriorem Galliam decernit cum <sup>36</sup>  
30 Syria, alter citeriorem. Qui ulteriorem, omnia illa de quibus

6 ullam *P*, corr. *BH*    10 acerbae *codd.* : asperae *coni. Nipperd.*,  
crudae *Halm*    13 Qui *P* *rell. praeter GE* (quia), *Hbς* (et)  
18 laurea *Naugerius* (1) : laude *codd.* (laude lauream gestaret *b*)  
22–24 rei pub. . . . susceptum *suppl. P<sup>s</sup>*

disserui paulo ante perturbat ; simul ostendit eam se tenere legem quam esse legem neget, et, quae pars provinciae sit cui non possit intercedi, hanc se avellere, quae defensorem habeat, non tangere ; simul et illud facit, ut, quod illi a populo datum sit, id non violet, quod senatus dederit, id senator properet auferre. Alter belli Gallici rationem habet, fungitur officio boni senatoris, legem quam non putat, eam quoque servat ; praefinit enim successori diem. *Quamquam* mihi nihil videtur alienius a dignitate disciplinae maiorum quam ut, qui consul Kalendis Ianuariis habere provinciam debet, is ut eam desponsam non decretam habere videatur.

37 Fuerit toto in consulatu sine provincia cui fuerit, ante quam designatus est, decreta provincia. Sortietur an non ? Nam et non sortiri absurdum est, et quod sortitus sis non habere. Proficiscetur paludatus ? Quo ? quo pervenire ante certam diem non licebit. Ianuario, Februario provinciam non habebit : Kalendis ei denique Martiis nascetur repente provincia. Ac tamen his sententiis Piso in provincia permanebit. Quae cum gravia sunt *tum* nihil gravius illo, quod multari imperatorem deminutione provinciae contumeliosum est, neque solum summo in viro sed etiam mediocri in homine ne accidat providendum.

16 Ego vos intellego, patres conscripti, multos decrevisse eximios honores C. Caesari et prope singularis. *Si* quod ita meritus erat grati, sin etiam ut quam coniunctissimus huic ordini esset, sapientes ac divini fuistis. Neminem umquam est hic ordo complexus honoribus et beneficiis suis qui ullam dignitatem praestabiliorem ea quam per vos esset adeptus putarit. Nemo umquam hic potuit esse prin-

1 se tenere *Madv.* : sentire *P rell. praeter HGEbζ* (se scire) : se tueri *Kays.* : se sancire *Halm* : se sciscere *Harl. 2681* : se servare *Weber*  
 2 quam *om. P<sup>1</sup>* 3 hanc *HGEbζ* : an *P rell.* : eam *Baiter* 6 habet  
 et *Pluygers* 8 *Quamquam scripsi* : quae *P<sup>2</sup> rell.* (*om. P<sup>1</sup> nulla indic. lacunae*) : Quo ut *Manut. ita bk* : Atqui *Lamb.* 9 alienius *Madv.*  
 : minus *codd.* (§ 19) (minus . . . dissidere quam *Hbk*) 19 *tum*  
*suppl. Angelius* (quae cum gravia sint nihil *ed. V.*) 22 ne *Hk* (*post*  
*homine*) *om. P* : id ne *Muell.* 24 honor. exim. *Hbk* Si *suppl. Gruter*

ceptus qui maluerit esse popularis. Sed homines aut propter indignitatem suam diffusi ipsi sibi, aut propter reliquorum obtreptionem ab huius ordinis coniunctione depulsi, saepe ex hoc portu se in illos fluctus prope necessario contulerunt ;  
 5 qui si ex illa iactatione cursuque populari bene gesta re publica referunt aspectum in curiam atque huic amplissimae dignitati esse commendati volunt, non modo non repellendi sunt verum etiam expetendi. Monemur a fortissimo viro 39 atque optimo post hominum memoriam consule ut provideamus ne citerior Gallia nobis invitis alicui decernatur post eos consules qui nunc erunt designati, perpetuoque posthac ab iis qui hunc ordinem oppugnent populari ac turbulenta ratione teneatur. Quam ego plagam etsi non contemno, patres  
 10 diligentissimo custode pacis atque otii, tamen vehementius arbitrator pertimescendum si hominum clarissimorum ac potentissimorum aut honorem minuero aut studium erga hunc ordinem repudiario. Nam ut C. Iulius omnibus a senatu eximiis aut novis rebus ornatus per manus hanc provinciam tradat ei cui minime vos velitis, per quem ordinem ipse amplissimam sit gloriam consecutus, ei ne libertatem quidem relinquat, adduci ad suspicandum nullo modo possum. Postremo quo quisque animo futurus sit, nescio :  
 25 quid sperem, video. Praestare hoc senator debeo, quantum possum, ne quis vir clarus aut potens huic ordini iure irasci posse videatur. Atque haec, si inimicissimus essem C. 40  
 Caesari, sentirem tamen rei publicae causa.

Sed non alienum esse arbitror, quo minus saepe aut inter- 17  
 peller a non nullis aut tacitorum existimatione reprehendar,  
 30 explicare breviter quae mihi sit ratio et causa cum Caesare.

2 indignitatem ut *Schuetz ita b²ζ* : dignitatem *P rell.* 10 decernatur *Hζ, om. rell.* : detur *Madv.* : alii detur nescio cui *coni. Momms.* 19 aut *P rell. praeter w* (atque) : ac *Hbζ ed. R.* 20 et per *Pluygers* 29 reprehendar *P rell.* : reprehendar *Hbζ ed. R.* (§§ 42, 45)

Ac primum illud tempus familiaritatis et consuetudinis quae mihi cum illo, quae fratri meo, quae C. Varroni, consobrino nostro, ab omnium nostrum adolescentia fuit, praetermitto. Postea quam sum penitus in rem publicam ingressus, ita dissensi ab illo ut in disiunctione sententiae coniuncti tamen 5  
 41 amicitia maneremus. Consul ille egit eas res quarum me participem esse voluit ; quibus ego si minus adsentiebar, tamen illius mihi iudicium gratum esse debebat. Me ille ut quinqueviratum acciperem rogavit ; me in tribus sibi coniunctissimis consularibus esse voluit ; mihi legationem 10  
 quam vellem, quanto cum honore vellem, detulit. Quae ego omnia non ingrato animo, sed obstinatione quadam sententiae repudiavi. Quam sapienter, non disputo ; multis enim non probabo ; constanter quidem et fortiter certe, qui cum me firmissimis opibus contra scelus inimicorum munire 15  
 et popularis impetus populari praesidio propulsare possem, quamvis excipere fortunam, subire vim atque iniuriam malui quam aut a vestris sanctissimis mentibus dissidere aut de meo statu declinare. Sed non is solum gratus debet esse qui accepit beneficium, verum etiam is cui potestas accipiendi 20  
 fuit. Ego illa ornamenta quibus ille me ornabat decere me et convenire iis rebus quas gesseram non putabam ; illum quidem amico animo me habere eodem loco quo principem 42  
 civium, suum generum, sentiebam. Traduxit ad plebem inimicum meum sive iratus mihi, quod me secum ne in 25  
 beneficiis quidem videbat posse coniungi, sive exoratus. Ne haec quidem fuit iniuria. Nam postea me ut sibi essem legatus non solum suasit, verum etiam rogavit. Ne id quidem accepi ; non quo alienum mea dignitate arbitrarer, sed quod tantum rei publicae sceleris impendere a consulibus proximis 30  
 18 non suspicabar. Ergo adhuc magis est mihi verendum ne mea superbia in illius liberalitate quam ne illius iniuria in

20 accipiendi *Klotz*    24 civem *Naugerius*    25 in *secl. Orelli, del. Pluygers*

nostra amicitia reprendatur. Ecce illa tempestas, caligo 43  
 bonorum et subita atque improvisa formido, tenebrae rei  
 publicae, ruina atque incendium civitatis, terror iniectus  
 Caesari de eius actis, metus caedis bonis omnibus, consulum  
 5 scelus, cupiditas, egestas, audacia ! Si non sum adiutus,  
 non debui ; si desertus, sibi fortasse providit ; si etiam op-  
 pugnatus, ut quidam aut putant aut volunt, violata amicitia  
 est, accepi iniuriam, inimicus esse debui, non nego : sed si  
 idem ille tum me salvum esse voluit cum vos me ut carissi-  
 10 mum filium desiderabatis, et si vos idem pertinere ad causam  
 illam putabatis voluntatem Caesaris a salute mea non ab-  
 horrere, et si illius voluntatis generum eius habeo testem,  
 qui idem Italiam in municipiis, populum Romanum in con-  
 15 salutem incitavit, si denique Cn. Pompeius idem mihi testis  
 de voluntate Caesaris et sponsor est illi de mea, nonne  
 vobis videor et ultimi temporis recordatione et proximi memoria  
 medium illud tristissimum tempus debere, si ex rerum natura  
 non possim evellere, ex animo quidem certe excidere ?  
 20 Ego vero, si mihi non licet per aliquos ita gloriari, me 44  
 dolorem atque inimicitias meas rei publicae concessisse, si  
 hoc magni cuiusdam hominis et persipientis videtur, utar  
 hoc, quod non tam ad laudem adipiscendam quam ad vitan-  
 dam vituperationem valet, hominem me esse gratum, et non  
 25 modo tantis beneficiis, sed etiam mediocri hominum beni-  
 volentia commoveri. A viris fortissimis et de me optime 19  
 meritis quibusdam peto ut, si ego illos meorum laborum  
 atque incommodorum participes esse nolui, ne illi me  
 30 mihi idem illi concesserint ut etiam acta illa Caesaris, quae  
 neque oppugnavi antea neque defendi, meo iam iure possim  
 defendere. Nam summi civitatis viri, quorum ego consilio 45

6 debui *P<sup>2</sup> rell.* (debuisti si *P<sup>1</sup>*) *praeter GE* (debuisti) 13 Romanum  
*secl. Baiter : r s. l. P* 19 possum *bct*

rem publicam conservavi, et quorum auctoritate illam conjunctionem Caesaris defugi, Iulias leges et ceteras illo consule rogatas iure latas negant : idem illam proscriptionem capitis mei contra salutem rei publicae, sed salvis auspiciis rogatam esse dicebant. Itaque vir summa auctoritate, summa 5 eloquentia, dixit graviter casum illum meum funus esse rei publicae, sed funus iustum et indictum. Mihi ipsi omnino perhonorificum *est* discessum meum funus dici rei publicae : reliqua non reprendo, sed mihi ad id quod sentio adsumo. Nam si illud iure rogatum dicere ausi sunt quod nullo exemplo fieri potuit, nulla lege licuit, quia nemo de caelo servarat, oblitine erant tum cum ille qui id egerat plebeius est lege curiata factus dici de caelo esse servatum ? Qui si plebeius omnino esse non potuit, qui tribunus plebis potuit esse ? et cuius tribunatus si ratus est, nihil est quod inritum ex 15 actis Caesaris possit esse, eius non solum tribunatus *ratus* sed etiam perniciosissimae res, auspicioꝝ religione conservata, 46 iure latae videbuntur ? Qua re aut vobis statuendum est legem Aeliam manere, legem Fufiam non esse abrogatam, non omnibus fastis legem ferri licere ; cum lex feratur, de caelo servari, obnuntiari, intercedi licere ; censorium iudicium ac notionem et illud morum severissimum magisterium non esse nefariis legibus de civitate sublatum ; si patricius tribunus plebis fuerit, contra leges sacratas, si plebeius, contra auspicia fuisse ; aut mihi concedant homines oportet in 25 rebus bonis non exquirere ea iura quae ipsi in perditis non exquirant, praesertim cum ab illis aliquotiens condicio C. Caesari lata sit ut easdem res alio modo ferret, qua condicione auspicia requirebant, leges comprobabant, in Clodio auspicioꝝ ratio sit eadem, leges omnes sint eversae ac 30 perditae civitatis.

7 omnino *k all.* : homini *PBΣ* : *om. c*      8 est *om. codd.*      14 omnino  
*Hbct* : omnium *rell.*      16 ratus *suppl. Ernesti*      17 res] leges  
*Lamb.*      conservatae *Hk*

Extremum illud est. Ego, si essent [inimicitiae] mihi **20**  
 cum C. Caesare, tamen hoc tempore rei publicae consulere,  
 inimicitias in aliud tempus reservare deberem ; possem etiam  
 summorum virorum exemplo inimicitias rei publicae causa  
 5 deponere. Sed cum inimicitiae fuerint numquam, opinio  
 iniuriae beneficio sit exstincta, sententia mea, patres con-  
 scripti, si dignitas agitur Caesaris, homini tribuam ; si honos  
 quidam, senatus concordiae consulam ; si auctoritas decre-  
 torum vestrorum, constantiam ordinis in eodem orando  
 10 imperatore servabo ; si perpetua ratio Gallici belli, rei pu-  
 blicae providebo ; si aliquod meum privatum officium, me  
 non ingratum esse praestabo. Atque hoc velim probare  
 omnibus, patres conscripti ; sed levissime feram si forte aut  
 15 auctoritate texerunt, aut iis, si qui meum cum inimico suo  
 reditum in gratiam vituperabunt, cum ipsi et cum meo et  
 cum suo inimico in gratiam non dubitarint redire.

1 est cum ego *codd.* Num est quod ego ? inimicitiae *H all.: om.*  
*PBΣt : ego seclusi*      5 Sed *Angelius* : et *codd.*      6 sententiam  
 meam *GE*      15 si *om. GEb, Sorof*



# Commentary

## EXORDIUM 1–2

Typically, Greek and Latin orations open with an *exordium*<sup>\*</sup>, the beginning of the speech, which serves to prepare the audience to listen (*Her.* 1.4; Lausberg §263). Given the importance of the opening, manuals of rhetoric recommended various devices, which depended especially on the type of the speech and on the attitude of the audience. As seen in the Introduction (19–20), *Prov.* belongs to the *genus deliberativum*, a type of oration delivered in order to elicit a certain course of action, in this case, to confirm Caesar's mandate in Gaul and to recall Piso and Gabinius, reassigning Macedonia and Syria to the future consuls of 55. As for the audience, the senate to whom Cicero addresses *Prov.* was split in two. The senators who met with Caesar at Luca to offer and receive political help (there were about 200 of them according to Plutarch, *Caes.* 21.5; *Pomp.* 51.4) must have been ready to support Cicero's proposal. But to other conservative senators, led by Bibulus and Domitius Ahenobarbus (Loutsch 1974: 349–50 and Introduction 9–10), Cicero's defense of Caesar must have looked like a *volte-face*, and these were the ones who had to be convinced. Hence the task before Cicero falls into the classification styled *genus admirabile*, whereby a special effort is required to achieve the specific goals of the *exordium* (Quint. 4.1.41): to make the audience well-disposed (*benivolus*), attentive (*attentus*) and interested (*docilis*, *Cic. Inv.* 1.20; *Her.* 1.6).

Cicero's real challenge was to render his audience well-disposed. To achieve this goal Cicero follows the manuals of rhetoric, which recommended four chief means of obtaining *benivolentia* (*Inv.* 1.22; *Her.* 1.8; *Ar. Rhet.* 3.14.1415a): through the orator's presentation

of himself (cf. 1.8n. *dolori*), of his opponents (cf. 2.18n. *crudelitatem*), of his audience (cf. 1.12n. *clarissimum*) and of his theme (cf. 2.16n. *rei publicae*). Cicero's effort to render his audience well-disposed is analyzed in the commentary; for now it is worth noting that Cicero does not rigidly follow the manuals' precepts. For instance, the *exordium* is not completely taken "from the very guts of the oration," as one such manual prescribed (*ex ipsis visceribus causae, de Or.* 2.318). On the one hand, Cicero aligns his personal interest with the state's, insisting on the identity between himself and the republic and launching his invective against Piso and Gabinius. On the other, he is silent concerning Caesar and the problem of the allocation of the two Gauls (cf. Introduction 32–4), even though these themes later take up two-thirds of his speech. Similarly, manuals of rhetoric recommended "minimal adornment" for the *exordium* (*splendoris et festivitatis et concinnitudinis minimum, Inv.* 1.25; Quint. 4.1.54–60) to create an impression of spontaneity ("faulty is an *exordium* written in excessively artificial style," *vitiosum est quod nimium apparatis verbis compositum est, Her.* 1.11). This *exordium*, however, is filled with figures of speech, displaying a good degree of brilliance (*splendor*), liveliness (*festivitas*) and elegance (*concinnitudo*), like the *exordia* of other *post reditum* speeches (e.g. *Red. Pop.*; *Sest.*). Perhaps the circumstance that Servilius had already advocated the removal of Piso and Gabinius (something that Cicero could not foresee, hence by itself a guarantee of spontaneity) left him free to indulge in a more adorned style.

Given the contentiousness of the case and the importance of the *exordium* for setting the right tone, it is highly probable that Cicero had drafted this portion of the speech in advance (as it was common practice for *exordia*, cf. Quint 10.7.30–2) and so must have modified it to include the praise of Servilius on the spot. Greek orators were already in the habit of writing and collecting their *exordia*. According to the *Suda*, Kephalos was the first (Alpha 1458.8). Some *exordia* circulating under Demosthenes' name appear with slight variations in his orations, as if he tailored a prewritten sample to a specific context.

## [1.]

1 **Si quis vestrum . . . cogitarit**: a most typical Ciceronian incipit, since out of 53 extant *exordia* 11 open with *si* and 3 with *etsi* (cf. *si quis vestrum, iudices, Div. Caec.*; *si, patres conscripti, Red. Sen.*). Cicero humbly invites his audience's curiosity; he identifies his view with the senators', and the issue of the provinces with that of their governors (Steel 2001: 73). Four verbs climactically move from doubt to certainty (*si quis expectat . . . consideret . . . non dubitabit . . . cogitarit*); each governs an indirect question and creates a parallel (*expectat quas provincias . . . consideret qui homines . . . non dubitabit quid sentire me conveniat . . . sentire necesse sit cogitarit*) and chiasmic constructions (*si quis expectat . . . consideret ipse secum; sim decreturus . . . detrahendi sint; non dubitabit quid . . . quid cogitarit; sentire me . . . mihi sentire*). Demosthenes opens *Phil.* 1 with εἰ to express a similar concern lest he be the first to express his view (cf. *Lysias* 2; 5; 16; 32; *Isocr. Against the Sophists; Antidosis*), and the Elder Cato uses a similar expression (*milites, si quis vestrum, ORF* 8.208.1).

1 **patres conscripti**: the standard form of address to the senate which, according to Livy, originally indicated "the fathers and the enrolled," the leaders of the major *gentes* (*patres*) and prominent members "conscripted" from the larger community (2.1.11 with Ogilvie 236–7; *Paul. Fest. P.* 7; *Plut. Rom.* 13.3–4). In *Prov.* it has an unusually high frequency (15 times, almost once every three chapters on average, the same as *Phil.* 5, and second only to the average of *Phil.* 7 and 9), often marking the beginning of new sections with an official and respectful tone (3.7; 38.23; *TLL* 4.374.54; Dickey 2002: 250 states that the orator uses this form of address "not to indicate that he is speaking to the audience, but for emphasis and as a mark of courtesy towards that audience").

1 **expectat** "wants to know," *TLL* 5.2.1898.5. Isocrates opens *Areop.* with similar words: "Many of you are wondering, I believe, what my opinion is . . ." (cf. *Dem.* 19 and 61).

2 **decreturus** in *Prov.* indicates the making of a recommendation for awarding the consular provinces (cf. 36–7; Nägelsbach 1905: 425). *Cernere* is one of the many Latin words coming from

agricultural language and originally meant “to sift” (Marouzeau 1949: 7–25); for this use of *decerno*, meaning “propose, recommend,” see *OLD* 6 and *TLL* 5.1.148.22–9. The *lex Sempronia* (cf. Introduction 20–2) prescribed that two provinces be assigned to the consuls-to-be before their election (cf. 17); given that the agenda and the terms of the discussion were clear to the senators, Cicero does not need to explain them, but he pretends to ignore the rumors about Pompey’s and Crassus’ plan to be elected consuls for 55 (Cicero probably came to know about their rapprochement and plans in late April 56, Ruebel 1975). Consular elections, however, would be delayed into 55.

**2 consideret ipse secum:** the emphatic switch of verb is followed by *ipse* reinforcing *secum* and invites everyone to think for himself (and to agree with Cicero, cf. *Off.* 1.153).

**3 detrahendi sint:** Cicero’s choice of *detraho* (*TLL* 6.1.832.84–5; lit. “drag from,” cf. 19.6) expresses his well-known animosity toward Piso and Gabinius (cf. Introduction 36–8; *Red. Pop.* 21; Nicholson 1992: 44). *Succedere* is the standard way to say “replace” and is applied by other senators to Piso and Gabinius (17.5) and by Cicero to Caesar (18.18).

**3 non dubitabit quid sentire...cum quid mihi sentire... cogitarit:** the periphrasis\* and the redundant and legal vocabulary (*si + non dubitabitur quin* is typical of Roman laws, e.g. *si metu quis mortis furem occiderit, non dubitabitur quin lege Aquilia non teneatur*, *Digest* 9.2.5.3; cf. 35.2.1.15.2 and 23.3.40) delay Cicero’s *sententia* and, by asserting that it is exactly what it should be, prevent a possible objection (a device called *anticipatio*\*, cf. 15.18n.). As Loutsch notes, “this most typical type of argument from authority, whereby the audience itself represents the invoked authority, serves to stress the identity of the orator’s and the audience’s views from the start” (1974: 353).

**5 ac si...tribueretis a captatio benevolentiae\*:** the string of conditionals in anaphora\* (*ac si...si...etiam si*) and imperfect subjunctives convey a humble *persona*, as a means to render the audience well-disposed. In fact the contrary-to-fact subjunctive makes it clear that Cicero is neither “the first” nor “the only one” to express a recommendation (*sententia*) and that his recommendation is actually *utilis*.

5 **princeps** (< *primus* + *caput*) “the first (to put that proposal on the table).” Line 10 indicates that Cicero spoke after Servilius, who had already advocated the position he was going to endorse, and who, being senior to Cicero, regularly spoke before him (cf. Introduction 18–19; on the meaning of *princeps sententiae*, see Ryan 1994: 329; cf. *Ver.* 2.1.73; *Har. Resp.* 14; *Phil.* 10.6; *Fam.* 8.4.4). In the *exordium* of *Phil.* 1, Demosthenes similarly asks indulgence for speaking first.

5 **eam sententiam dicerem** is formulaic language: the consul asked a senator his view (*sententiam rogare*) which the senator then expressed (*sententiam dicere*). The consul in charge (either Marcellinus or Philippus; cf. Introduction 9–10 and 18–19) called on Cicero after Servilius and someone else had spoken (cf. 17.1n.). Cicero’s *sententia* remains unspecified until line 10, after he has referred to it four times (*sentire*, 1.4 twice and *sententia* 1.5 and 1.7); this delaying strategy gives some solemnity to the *exordium*, but especially it piques curiosity by foreshadowing his recommendation before revealing what it is. To elicit curiosity helps to render the audience interested, which is one of the goals of the *exordium*, “for the one who wants to listen carefully is malleable” (*nam docilis est qui attente vult audire*, *Her.* 1.7).

5 **laudaretis profecto . . . certe ignosceretis**: we find the same strategy of seeking pardon without admitting fault in the *exordia* of other difficult cases (e.g. *Sex. Rosc.* 3). The chiasitic\* inversion verb-adverb creates two Type 3 favored *clausulae* (molossus and trochaic).

6 **etiam si . . . tamen** “and even if . . . nevertheless” *OLD* 4a.

6 **si paulo minus utilis**: with a litotes\*, Cicero keeps projecting a humble façade and delaying his recommendation, which soon will turn out to be the most convenient for everyone (cf. 1.10n. *conducit*).

7 **veniam . . . tribueretis**: *Rab. Perd.* (5) has a similar *captatio*. In other *post reditum* speeches (*Har. Resp.* 17; *Sest.* 4) Cicero presents his *dolor* as something meriting *venia*, i.e. he can be “forgiven” for having resentment against those who unjustly wronged him.

8 **dolori meo** referring (4 times in the *exordium*) to his exile (cf. *dolorem profectionis meae*, *Red. Sen.* 23). In his *post reditum*

speeches Cicero shuns *exsilium* and calls his exile *dolor*, *scelus* (2.18), *tempestas* and *calamitas* (Robinson 1994: 475–80; Riggsby 2002: 167–72). The insistence on *dolor* plays an important role in the *exordium* and aims at gaining sympathy toward Cicero's sufferings. Cicero meets the challenge of rendering his audience well-disposed by following manuals of rhetoric, recommending the orator's presentation of himself as a chief means of obtaining *benevolentia*: we will render the audience well-disposed “by talking humbly about our deeds and services and by mentioning our misfortunes” (*si de nostris factis et officiis sine adrogantia dicemus... si quae incommoda acciderint... proferemus*, *Inv.* 1.22, cf. *Her.* 1.8; *Ar. Rhet.* 3.14.1415a). Accordingly, Cicero opens on a modest note concerning himself (*si princeps... si solus... si minus utilis*) and keeps referring to his sufferings. The repetition of *dolor* gains sympathy for Cicero (*Her.* 3.34; Quint. 4.1.7 and introduction to the *exordium*, pp. 74–5), although a few lines later Cicero promises to put such *dolor* aside.

**8 nunc vero... singulari:** the long sentence responds to the indirect question posed in the first line (*quas sim provincias decreturus... Syriam Macedoniamque decerni*) and aligns Cicero's personal feelings with the common interest and with Servilius' proposal. *Nunc vero* “but in truth,” a typically Ciceronian incipit, interrupts the series of conditionals and reveals Cicero's proposal.

**8 non parva adficio voluptate:** litotes\* and hyperbaton\* (typical with adjectives expressing quantity, Adams 1971: 2) emphasize *non parva* and *voluptate* (cf. *Fin.* 3.37 and *Fam.* 7.17.2 *non enim mediocri adficiebar vel voluptate...*). *Adificio* indicates the stirring of one's emotions, and *adficio* “to be strongly moved” (*OLD* 6b) expresses the effect that emotions have on someone.

**9 rei publicae conducit:** *conduco* is constructed with dative of advantage (expressing what is convenient for, *TLL* 4.161.55; Lebreton 1965: 173) and proleptic *hoc* (anticipating the acc. and inf. *Syriam Macedoniamque decerni*). Cicero insists on public utility (using *conduco* as a synonym for *utile est*, cf. *Off.* 3.101 *etiamne, si rei publicae conducebat?* *Potest autem, quod inutile rei publicae sit, id cuiquam civi utile esse?*), as is typical of deliberative oratory, and he links his personal distress, both before and after the exile, to the common good (cf. *Off.* 3.52 with Dyck; *Sest.* 91 with Kaster;

Achard 1981: 447–8). One reason why Cicero stresses the theme of “what is best” (*utilitas*) is that it is one of the chief goals of the *genus deliberativum* to show the benefit of a proposed course of action. Thus, the *exordium* contains three direct references to the public advantage: with the first Cicero humbly asks the senators’ forgiveness if his proposal seems to be individual and not to address the common interest (*si paulo minus utilis vobis sententia videretur, veniam tamen aliquam dolori meo tribueretis*); here he modifies this statement by assuring his audience that his proposal is most advantageous for the state. With the third, he bridges the gap, tying his personal feelings to the *communis utilitas* (*ut dolor meus nihil a communi utilitate dissentiat*; Loutsch 1974: 354).

10 **Syriam Macedoniamque decerni** finally reveals Cicero’s long-delayed proposal, bracketed within *non parva adficio voluptate . . . ut*: to assign Syria and Macedonia to the future consuls. Cicero first argues the case for Piso’s removal from Macedonia (4–8) and then the case for Gabinius’ removal from Syria (9–16). By joining these provinces with *-que* Cicero begins to treat them as a pair, which is part of his strategy.

10 **ut dolor meus . . . dissentiat** makes the same point as before, *maxime rei publicae conducit* (*maxime/nihil; rei publicae/a communi utilitate; conducit/dissentiat*).

11 **nihil** is adverbial and emphatic\*, “in no way.”

11 **dissentiat** (< *dis* + *sentire*, “to have a different view, to be discrepant with” [OLD.2; Hellegouarc’h 1963: 131–2]). Cicero insists on recurrent vocabulary, *sententia* (6 occurrences in the *exordium*, with different meanings: “judgment,” at 1.5 and 1.7, and “speech,” at 1.12; 2.19; 2.1; 2.5; Crawford 1984: 16–19), *sentire* (1.4, twice), *dissentire* (1.11) and *sensum* (2.4). Cicero gradually abandons his initial humble tone: in a few lines he moves from wondering if anyone wants to hear his judgment (*si quis vestrum . . .*) and apologizing in advance in case nobody agrees with it (*si solus*) to identifying his views and feelings (*sententia* and *animus*) with the common good.

11 **habeo auctorem**: *auctor* indicates a model, someone whose lead can be followed (TLL 2.1200.82). Following someone’s *auctoritas* was a rhetorical device advised by manuals (Lausberg §426)

and a practice typical of senatorial meetings. Especially, as Cicero states in *Inv.*, “if the scandalous nature of a case causes offense one must place a person who is liked by all between himself and the audience” (*Inv.* 1.24). Cicero’s choice of Servilius serves this purpose, but in the case of *Prov.* the political situation is not quite as straightforward as he implies, because Servilius consistently opposed the dynasts, and his reconciliation with Lucullus, which Cicero praises at 22.1, was probably motivated by a common desire to oppose the dominion of Caesar, Pompey and Crassus (Gruen 1974: 94, 290). Cicero, however, claims to follow the lead of Servilius and concentrates his attention on Piso and Gabinius, while postponing the discussion of his recommendation to assign the two Gauls to Caesar again. This was the most difficult part of his task and, tellingly, it is not dealt with until chapter 17. According to the instruction of *Inv.* (1.24) Cicero conceals a difficult point until his audience is more malleable.

**12 P. Servilium:** Publius Servilius Vatia Isauricus (*RE* 93, *MRR* 215, cos. 79; cens. 55) was politically conservative (“he engaged in public at the side of Cato, of Bibulus, and of Favonius,” Gruen 1974: 57), he was related to Cato (whose niece he married) and he belonged to the group of those often called by modern scholars *optimates*, or “senatorial party.” A highly respected senator, he was also one of the *pontifices* to whom Cicero addressed *Dom.* on 29 September 57. By the time the oration was delivered he had not yet been elected censor, since the elections scheduled for 56 (*Att.* 4.2.6) were delayed until 55 (*Att.* 4.9.1).

**12 qui... dixit** responds to *si princeps eam sententiam dicerem*; the language (*sententia* 1.5 and 1.12; *nihil dissentiat* 1.11) aligns Cicero with Servilius and with the common interest.

**12 ante me:** at least four people spoke before Cicero (cf. 3.8n. *adhuc*); Servilius was one but we cannot identify the others. According to Roman practice, which typically gave priority to seniority, Servilius, who had been consul in 79, spoke before Cicero, who had been consul in 63. Other consulars were senior to Cicero (e.g. M. Lucullus, cos. 73, Lepidus and Volcarius, coss. 66 and Glabrio, cos. 67, *QF* 2.1), but we do not know if they attended the meeting, and seniority was not the sole criterion for establishing



the order of the consular speakers (for instance, Cicero was third in order in 58, *Red. Sen.* 17).

12 **virum clarissimum**: Servilius is praised, especially in the *post reditum* speeches, for his prestige and his support of Cicero (*vir omnibus rebus clarissimus atque amplissimus*, *Dom.* 43; *Dom.* 132; *Red. Sen.* 25; *Red. Pop.* 17; *Sest.* 130; Nicholson 1992: 62–3; cf. also *P. Servilius, vir clarissimus, maximis rebus gestis, adest de te sententiam laturus*, *Ver.* 2.1.56) and for opposing Clodius, in spite of the fact that his father, A. Claudius Pulcher, was his colleague as consul in 79 (*Har. Resp.* 2). This praise furthers one of the goals of the *exordium*, viz. to gain the senators' good disposition, *benevolentia*, as manuals recommended for forensic oratory: "we will manage to get the judge on our side if we join his praise to the convenience of our case" (*iudicem conciliabimus nobis... si laudem eius ad utilitatem causae nostrae coniunxerimus*, *Quint.* 4.1.16, cf. *Inv.* 1.22; *Her.* 1.8; *Ar. Rhet.* 3.14.1415a). At the end of the *exordium* Cicero does the same to gain the goodwill of the other senators, praising them for their care toward the state and toward himself (*communem semper vobis mecum esse duxistis*, 2.4).

14 **meam salutem**: code for "recall" (as in *Red. Sen.* 29), the opposite of *dolor*.

14 **fide ac benevolentia**: *fides* expresses both trustworthiness (Lind 1989: 5) and loyalty to the state (Freyburger 1986: 125), and *benevolentia* indicates a concrete expression of *amicitia* (Hellegouarc'h 1963: 24, 149–50). They are two typical qualities attributed to the friends who advocated Cicero's return from exile, e.g. to Milo, whose *fides et benevolentia* are contrasted to others' treachery (*infidelitates*, *Mil.* 69), and to Sestius, who proved his goodwill and loyalty (*qui suam erga me benevolentiam et fidem... ostendit*, *Red. Sen.* 30).

[2.]

14 **Quod si... cupiditates**: the linking of Servilius' and Cicero's disapproval toward Piso and Gabinius (*locus a comparatione\**) provides a basis for the argument for Cicero's (even greater) right

to be angry (*comparatio a minore ad maius*; Quint. 5.10.87; Lausberg §397) and culminates in a dilemmatic\* rhetorical question\*, *quonam me animo in eos esse oportet?*<sup>9</sup> (Milazzo 1990: 233). Cicero characterizes Piso and Gabinius as odious (*duo rei publicae portenta ac paene funera* 2.16) and their deeds as shameful (*salutem pro pignore tradiderunt ad explendas suas cupiditates* 2.21), as *Inv.* suggests: we will obtain the good will of the audience “if we will render our opponents odious, unpopular and despised” (*si eos aut in odium aut in invidiam aut in contemptum adducemus* . . . 1.22). *Quod* has lost its original meaning of nom./acc. of the neuter relative pron. and simply means “now/but” (H-S 2.571), as often in Cicero (cf. 18.17).

15 **paulo ante** indicates closer vicinity than *nuper* (cf. *quid dico “nuper?” immo vero modo ac plane paulo ante*, *Ver.* 2.4.6).

15 **et...locus dicendi...fuit**: the statement that he did not miss a chance to support Cicero is hyperbolic but not false. In the senatorial meeting of 1 January 57 Servilius convinced the consul Metellus to set aside his animosity toward Cicero and to support his recall (cf. 22.31; *Sest.* 130 with Kaster; *Red. Sen.* 25; *Fam.* 5.4.2); later Servilius harshly attacked Clodius (*Har. Resp.* 2), and in July he supported Cicero again (*Red. Pop.* 17). With exaggeration (*amplificatio\**, cf. *Orat.* 127), which unfolds in parallel constructions (*et/et; cum propter/tum propter; non solum/sed etiam*), Cicero juxtaposes *locus dicendi* and *potestas*, perhaps hinting at the reduced freedom of speech under Clodius, who managed to silence even Cato (*Dom.* 22; *Sest.* 60).

16 **Gabinium et Pisonem** whose *scelus*, as consuls in 58, was to allow Clodius to have Cicero exiled (cf. Introduction 1–5); unlike P. Servilius, they are introduced contemptuously without *praenomina*, as Cicero does with Catilina (Adams 1978: 146; Shackleton Bailey 1998: 3).

16 **duo rei publicae portenta ac paene funera**: alliteration\* binds Gabinius and Piso with the destruction of the state (*Gabinium et Pisonem, duo rei publicae portenta ac paene funera*), linking such destruction to their crime against Cicero (*propter illud insigne scelus eorum et importunam in me crudelitatem*, 2.17) and presenting it as sacrilegious (*portentum* and *scelus* originate from religious

language, Ernout Meillet; Fantham 1972: 133); the equation of their *scelus* against Cicero with an act against the state is restated at 45.6 and finds parallels in other *post reditum* speeches (e.g. *Red. Sen.* 27; *Red. Pop.* 21; Nicholson 1992: 35–7). Piso is called *portentum* also in the *exordium* of *Pis.*, fr. 1 (other *portenta rei publicae* are Clodius, *Pis.* 9, and the Antonii, *Phil.* 13.49; cf. also *Dom.* 2, 72). Cicero thus launches his invective by reminding everyone of the gravity of the topic for the state, which is another means to catch the attention of the audience and achieve one of the goals of the *exordium*: “we will make them attentive by promising to speak about important, exceptional and uncommon facts or about matters of state” (*attentos habebimus si pollicebimur nos de rebus magnis, novis, inusitatis verba facturos aut de iis quae ad rem publicam pertineant . . .*, *Her.* 1.7).

17 **propter alias causas**: this unspecified allusion is another device; in certain cases “implicit suspicion is more powerful than an eloquent explanation” (*Her.* 4.41). Rhetorically, Cicero’s vague statement invites the senators to supply their own interpretation, making the charge more vivid: as Iser has noted, “what is concealed spurs the reader into action, but this action is also controlled by what is revealed” (1989: 33).

18 **scelus** in *post reditum* speeches often indicates some action leading to Cicero’s exile, like Vatinius’ (*Vat.* 1) or Piso’s and Gabinius’ support for Clodius (*Pis.* 75). *Scelus*, whose etymology is uncertain (for its derivatives, see Reichenbecher 1913: 29), seems to derive from religious language (Ernout Meillet s.v.) and indicates a divine curse caused by a wicked act. In this case, Piso’s and Gabinius’ “spectacular crime” is the deal that they, as consuls, struck with Clodius, exchanging Cicero’s exile for two provinces (cf. *Prov.* 2.21, 13.25; *Sest.* 24).

18 **importunam in me crudelitatem**: this phrase referring to his exile may contain a pun on an etymology (< *portus*, “(away from) the port”) which later becomes explicit (*ex hoc portu se in illos fluctus prope necessario contulerunt*, 38.4) and which Romans would have sensed (Ernout Meillet; *TLL* 7.1.664.42); Piso and Gabinius are *duo importuna prodigia* (*Sest.* 38). In *Inv.* Cicero recommends the use in the *exordium* of arguments taken from the

characterization of the adversaries (*ab adversariorum persona*), in order to alienate the audience from the speaker's opponents: "they will be hated if something they did with filth, arrogance, cruelty or wickedness is brought up" (*in odium ducentur, si quod eorum spurce, superbe, crudeliter, malitiose factum proferetur*, 1.22).

19 **verborum gravitate**: Servilius supports Cicero with his proverbial *gravitas* (cf. Val Max. 8.5.6) also in *Sest.* 130; *gravitas*, "weightiness," indicates authority which carries conviction (Hellegouarc'h 1963: 279–81) and typically describes the *optimates* (Achard 1981: 393–4). Servilius' outstanding honesty as governor (*Att.* 6.1.16) may add weight to his remarks against other governors.

19 **esse notandos putavit**: "judged that they must be marked with disgrace." Cicero plays with the notion of *nota censoria* (a degrading decision diminishing the recipient's standing and even excluding him or her from the list of the Roman citizens because of misbehavior), since Servilius (*cens.* in 55) must have already started his campaign for election when *Prov.* was delivered. The same language returns at the end of Cicero's invective against Piso and Gabinius (15.25n.).

20 **quonam me animo...esse**: the rhetorical question counterbalances the previous remark about Piso's and Gabinius' cruelty (*importunam in me crudelitatem*). For the expression meaning "how should I feel toward," cf. *Att.* 2.17.3 *quonam in me animo sit...*

21 **salutem**: the repetition (1.14) reinforces the opposition between Piso and Gabinius, *illi*, whose *scelus* and *crudelitas* destroyed Cicero's well-being, and Servilius, whose *fides* and *benivolentia* restored it. For this accusation against Piso and Gabinius cf. *Red. Pop.* 13; *Pis.* 56.

21 **pro pignore**: legal language, originally indicating the pledge provided by a debtor to a creditor (Ernout Meillet), here "in exchange" *TLL* 10.1.2124.45. On the same day (late January or early February 58; cf. Introduction 2–5) Clodius passed two bills: the first caused Cicero's exile, and the second assigned Macedonia to Piso and Cilicia (later changed to Syria) to Gabinius. Hence Cicero had some grounds for calling the sacrifice of his safety (i.e. their lack of opposition to his exile) the pledge Piso and Gabinius

were willing to offer to gain their coveted provincial assignments. In other *post reditum* speeches Cicero moves the same accusation, that “you [Clodius] allotted Syria to Gabinius personally for a bigger price” (*Gabinio pretio amplificato Syriam nominatim dedisti, Dom. 23*) and that “Macedonia was allotted to Piso and to him and Gabinius infinite power and a huge sum of money was given...so that they would return to you [Clodius] money and slaves” (*dabatur Macedonia Pisoni, utrique infinitum imperium, ingens pecunia, ut...tibi pecuniam, tibi familias compararent, Dom. 55*).

**21 ad explendas suas cupiditates:** see the same accusation in *Pis.*, “you governed a consular province, whose borders were set by the rule of your immoderate desire” (*obtinuisti provinciam consularem finibus eis quos lex cupiditatis tuae...pepigerat, 37; cf. 56, 76*), where Cicero plays up Piso’s Epicureanism (Nisbet 1961: 195), as he typically did in addressing the senate (Benferhat 2002: 57). The switch with *tradiderunt*, positioned between Cicero’s well-being and Piso’s and Gabinius’ base passions, produces emphasis and a favored Type 1 *clausula*, with an elegant string of short syllables (resolved cretic and trochee, on the model of *esse videatur*).

**I sed...reservabo:** having gained license for anger through a dilemma\* (Craig 1993: 178–9 E.5), Cicero concludes the *exordium* with a sort of *amplificatio*\*, a means of exaggerating a wrong in order to elicit sympathy for oneself and/or anger toward one’s opponents (*amplificatio est oratio, quae aut in iracundiam inducit aut ad misericordiam trahit auditoris animum, Her. 3.23*), but then he promises to put his fury aside (for the moment) and to have the same (hostile) feelings toward Piso and Gabinius as everyone else.

**I non parebo dolori meo:** thus Cicero stirs the audience’s emotions, pledging to resist his own and launching his invective. A similar strategy sets up his attack on Clodius, Piso and Gabinius in *Sest.*, “but I will proceed with moderation, being more concerned with the situation of Sestius than with my own resentment” (*sed agam moderate et huius potius tempori serviam quam dolori meo, 14*). Similarly, in *Pro Caelio* Cicero opens the *argumentatio* prom-

ising Clodia to put aside his personal suffering caused by the exile (*obliviscor iam iniurias tuas, Clodia, depono memoriam doloris mei, Cael.* 50).

**2 non iracundiae serviam** with dat.: “I will not give in to [lit. be at the service of] my resentment”; Cicero admits to feeling *dolor* and *iracundia* (a stronger word than *ira*, *Tusc.* 4.27), but here he claims to set them aside. This is another “corrective” (*remedium*) specifically recommended for the *exordium* of speeches given to an audience which is at least partly hostile to the speaker (*genus admirabile*). Cicero’s approach aims at gaining the audience’s sympathy through putting the best face on the circumstances, by hiding the motifs which could alienate the audience and by using concealing circumlocutions, a device called *insinuatō*\* (*insinuatō est oratio quadam dissimulatione et circumitione obscure subiens auditoris animum, Inv.* 1.20; Milazzo 1990: 232 and Loutsch 1974: 355 n.33). A similar admission of feeling anger (*iracundia*) is found also in the *exordium* of *Sest.*: “I ask from you that you grant as much allowance to my words as much you believe it is proper to grant to devout suffering and justified anger” (*peto a vobis ut tantum orationi meae concedatis quantum et pio dolori et iustae iracundiae concedendum putetis*, 4).

**3 in illos**: Piso and Gabinius go repeatedly and contemptuously unnamed (Adams 1978: 164; Steel 2007: 108–15). In *Prov.*’s 47 chapters, Cicero names Piso only seven times and Gabinius nine times.

**3 praecipuum illum et proprium sensum doloris mei**: alliteration\* and homoioteleuton\* anticipate the *correctio*\* (Lausberg § 785.2). *Praecipuus*, “belonging to one person to the exclusion of all others” (*OLD* 1a), is “corrected” by its antonym\*, *communis*, which follows with another alliteration, *vos communem semper vobis mecum*.

**4 tamen** introduces the *correctio*\* (Karsten 1890: 307).

**6 ad ulciscendi tempora reservabo**: this need not be a reference to *Pis.*, which was delivered more than one year after *Prov.* (between July and September 55, Nisbet 1961: 199–202) and came as a specific response to an attack by Piso after his return from Macedonia (cf. *Red. Pop.* 23). The following 15 chapters are a prime example of invective, showing how insincere was this promise, but this conclusion of the *exordium* serves a specific purpose: “it casts

the foundation for rejecting the accusation of inconsistency . . . justifying his commitment precisely with his care for the *communis utilitas*” (Loutsch 1974: 355).

### **PROPOSITIO 3–4.21**

A brisk preview of the speech, called *propositio*\* (*Her.* 2.28; *Quint.* 3.9.5), precedes the *narratio*\*, laying out the main logic of Cicero’s argument. Narrowing the focus on four provinces out of the 13 that theoretically could have been considered, Cicero mentions the two Gauls and launches his invective against Piso and Gabinius, promising to concentrate on their misconduct in Macedonia and Syria rather than in Rome. The logic can be summarized as follows:

- i. Out of four provinces we must assign either the two Gauls (which implies recalling Caesar) or Syria and Macedonia (which implies recalling Piso and Gabinius) to the future consuls.
- ii. Syria and Macedonia were assigned irregularly and governed poorly (whereas, in Cicero’s logic, there have been no problems of any kind with the two Gauls).
- iii. How can one then not reassign Syria and Macedonia (and leave the two Gauls to Caesar)?

Cicero calls this an “argument from consequents” (*de Or.* 2.170; *Top.* 20 and 53–4 with Reinhardt), because the conclusion follows the premises necessarily. The first premise is a disjunction, a statement that presents an alternative between two propositions (either A or B), in this case, reassigning *either* the two Gauls *or* Syria and Macedonia. In fact there were other provinces available for reassignment (Steel 2001: 181–3), so that recalling Piso and Gabinius did not necessarily imply leaving the two Gauls to Caesar and vice versa. Cicero’s strategy, then, consists of presenting a false alternative as a necessary alternative (for his treatment of this logic and argument, see Reinhardt 2003: 309).

## [3.]

**7 quattuor sunt provinciae:** after the intricate *exordium*, Cicero strategically focuses on four provinces (see introduction to the *propositio*, p. 88), presenting his case concisely and in the simplest terms. According to *Her.*, this is another means of catching the attention of the audience: “one will manage to have the attention of the audience by giving a brief summary of the case and by eliciting interest” (*dociles auditores habere poterimus, si summam causae breviter exponemus et si attentos eos faciemus, Her. 1.7*). Summaries of this sort were also typical of senatorial oratory.

**7 patres conscripti:** this standard form of address, which is widely used by Cicero and Sallust (*TLL* 4.374.54–5), often marks the beginning of new sections (cf. 18.19, 30.14, 38.23). For its respectful tone and its origin, see 1.1n.

**8 intellego:** regularly a relative with subjunctive follows the construction with numeral + *sunt*; the function of this indicative, however, is explicative (cf. *quinque omnino fuerunt qui . . . absolverunt, Clu. 76*; Lebreton 1901: 321).

**8 adhuc . . . sententias esse dictas:** at least four senators (including Servilius, 1.12n.) spoke before Cicero and recommended assigning different provinces to the consuls-to-be (see 17.1n. *duas Gallias*; 17.2n. *qui autem*; 36.28n. *virorum*). As in the *exordium*, Cicero pursues his logic by grafting it onto other senators’ interventions: this tactic reflects senatorial practice, since often, after the presiding magistrate had asked a senator for his recommendation, “the orator summarized the suggestions of those who spoke before him” (Loutsch 1974: 352–3; cf. *Phil. 5.1, 7.1, 10.1, and video duas adhuc esse sententias, Cat. 4.7; Her. 1.10*). The hyperbaton\* of *adhuc* modifying *dictas* achieves emphasis and a favored Type 3 *clausula* (cretic and double trochee).

**8 Galliae duae:** Cisalpine and Transalpine Gaul. Cicero does not mention Caesar and delays the treatment of Gaul until chapter 17. Cisalpine Gaul, roughly corresponding to the territory of the Po valley between the Alps and the Rubicon (see map 2), became a province in the 80s, after the Social War (Foraboschi 1992). Transalpine Gaul (also called Narbonensis, since the foun-



dition of the colony of Narbo in 118, or simply *provincia*, from which “Provence”) was the territory across the Alps roughly corresponding to southern France (*see* map 2); it became a province around the time when the Romans defeated the Arverni (121) and had more fluid borders. Planned to allow safe connection between Italy and Spain, it originally included a strip of land south of the Rhône; but by 56 Caesar had already extended Roman dominion by defeating the Helvetians and the German Ariovistus (in 58), and the Belgians and Veneti (in 57); by the end of Caesar’s mandate it stretched north and east, including part of Britannia and the Rhine.

**9 uno imperio:** Cicero lays the foundations for considering the two Gauls together according to the strategy he develops at 17, while juxtaposing Caesar’s legitimate command (with *imperium*) to that of Piso and Gabinius, who have seized (*occupaverunt*) their provinces. *Imperium* was originally the power that the curiate assembly (through a *lex curiata*; Bleicken 1981: 269–78) granted to an individual (especially magistrates and promagistrates; Richardson 2008: 66–7) to exercise military and judicial command (Lintott 1993: 43–59). Cicero’s language conceals the fact that the assignment of Gaul to Caesar had been as “irregular” as that of Macedonia and Syria to Piso and Gabinius. In 59 the tribune Vatinius carried a law, the *lex Vatinia*, granting Caesar command over Cisalpine Gaul and Illyricum for five years (Gelzer 1928), and the senate then added Transalpine Gaul (36–7; *Vat.* 36); equally, in 58 Clodius passed a law, the *lex Clodia*, assigning Macedonia and Syria *nominatim* to Piso and Gabinius. Both Vatinius’ and Clodius’ laws breached the *lex Sempronia* (on which see Introduction 20–3 and 3.12n.) which regulated the allocation of consular provinces.

**10 Syria et Macedonia:** in 58 Clodius carried a law through the plebs (*lex Clodia de Provinciis Consularibus*, cf. Introduction 22–3), assigning Macedonia to Piso and Cilicia (later exchanged for Syria) to Gabinius; hence in 56 Piso was the proconsular governor of Macedonia (*MRR* 2.210), and Gabinius the proconsular governor of Syria (*MRR* 2.210–11). *Et* (rather than *-que*) interrupts the long series of short syllables, stressing that these are two separate provinces, as opposed to *Galliae duae*, which Cicero wants to

keep under the same command. When paired, Syria always precedes Macedonia, but Cicero nevertheless deals with Macedonia first, and in every case except this one they are joined by *-que* (1.10; 3.13; 17.8).

10 **vobis invitis et oppressis**: by juxtaposing words with the same ending (a figure called homoioteleuton\*) Cicero alienates Piso and Gabinius from the rest of the senate; this strategy, typical of *post reditum* speeches (e.g. *Red. Sen.* 3 and *Sest.* 32), is developed in the *narratio*, where Cicero affirms that, had the senators been free (*si liberum vestrum iudicium fuisset*, 13.22), they would have already recalled Piso and Gabinius. Thus he also appeals to the senators who had supported Clodius in 58 but opposed him in 56, inviting them to side with Cicero and the rest of the senate.

10 **pestiferi illi consules pro perversae rei publicae praemiis**: the alliteration\* joins the evils of Piso and the evils of Gabinius (who go unnamed throughout, cf. 2.3n. and Steel 2007) with the reward they gained from ruining the state, pitting their conduct against their title; *pestiferi* (< *pestis* + *fero*, lit. “those who spread plague/death”). The *post reditum* speeches present a consistent narrative of “the plague,” which starts from Clodius (*Sest.* 78), portrayed as a *felix Catilina* (*Dom.* 72; for Catiline as *pestis*, see *Cat.* 1.2, 1.11 and 1.30 with Dyck); it then extends through the year 58, when Clodius was tribune (*Red. Sen.* 3), to Piso and Gabinius, who were then consuls (*Dom.* 24); it reaches the provinces with their proconsulate (*Prov.* 13.18n.). Their misconduct in Macedonia and Syria, then, follows on coherently with Cicero’s attempt to control the interpretation both of Clodius’ controversial tribunate and of his own exile (see Introduction 7–9; Riggsby 2002: 166; on the medical metaphor see Fantham 1972: 119–25 and Berry 1996: ad 76). Equally, the theme of the *rei publicae perversio* pervades the *post reditum* speeches: Clodius’ overthrow of religious rituals and laws (*Har. Resp.* 28 and 48), the Roman senate (*Har. Resp.* 58), the city (*Vat.* 19) and the whole state (*Vat.* 23) extends to Gabinius, who overthrows the citizens’ rights and freedom (*Sest.* 30). The expression *pro praemiis*, “as rewards” exchanged with Clodius for the destruction of the state, symbolized by Cicero’s exile (cf. *Har. Resp.* 58; *Vat.* 19, 23),

underlines the fact that the deal struck before the transaction (see 2.21n. *pro pignore*) has materialized in the promised reward. Other *praemia* are listed at 4–5 and 10.

11 **occupaverunt** “seized,” as opposed to the province *decreta*, “allotted,” to Caesar (36.11; 37.13). *Occupo* is used of enemies taking a foreign land (*OLD* 2b), of diseases (as *pestis OLD* 4a), of Mithridates seizing Asia (*Ver.* 2.2.51; *TLL* 9.2.384.3) and of Clodius seizing Rome with Piso and Gabinius (*Dom.* 102; *TLL* 9.2.384.4); it also anticipates *deducere*, which is used to imply that Piso and Gabinius must be formally ejected as rival claimants from a foreign land (13.17n.). The word choice ends the period with a favored Type 1 *clausula* (cretic and trochee, same as *esse coniunctas* and *invitis et oppressis*), before the comparisons with Hannibal (4) and Mithridates (6–7) and the description of Piso’s and Gabinius’ rule as foreign domination (Piso: *Macedonia . . . a barbaris, quibus est propter avaritiam pax erepta, vexatur*, 4.21; Gabinius: *crudelis haberetur si in hostis animo fuisset eo quo fuit in civis Romanos*, 10.21) and as a spreading pestilence (*pestis sociorum*, 13.18).

12 **decernendae nobis sunt lege Sempronia duae**: the language signals a return to a state of legality in contrast with the past (*vobis invitis et oppressis; pro perversae rei publicae praemiis*). According to the *lex Sempronia*, carried by C. Sempronius Gracchus in 123, the senate selected two provinces for the consuls-to-be *before* their election (see Introduction 20–2; 17.8n.; Woodall 1972: 1–12). In fact, toward the end of the Republic, under the pressure of conflicting interests, the allocation of provinces under this law was often revoked (in 77, 74, 67, 60, 59, 58 and 55; cf. *Sest.* 24 with Kaster; Balsdon 1939: 180–3).

12 **quid est quod possimus de Syria Macedoniaque dubitare?**: *quid est quod* + subj. signifies that there is no reason (K-S 3.278b) and caps the “argument from consequents” (cf. introduction to the *propositio*, p. 88); the rhetorical question\* (one that implies rather than expecting a response, Quint. 9.2.7; cf. *hosce igitur imperatores habebimus?* 15.12; see Uría 2007: 58–9) culminates in a favored Type 1 *clausula* (resolved cretic + trochee, cf. 5.9n. *esse videatur*) and joins *propositio*\* and *narratio*\* (3–17), where Cicero helps the senators to respond.

13 **Mitto...mitto**: this is the first of three prominent “omissions” (cf. 6.24n. and 8.24n.). The repetition of *mitto* at the beginning and at the end of this section, an epanalepsis\*, brackets a double *praeteritio*\*, a means of highlighting a topic by claiming to omit it (*Her.* 4.37; Lausberg §882–6; Reischmann 1986) and of presenting material that, if scrutinized, would be easily refuted (*facile potest reprehendi*, *Her.* 4.37 with Usher 1965). This *praeteritio*\* conveys a sense of brevity despite being long (cf. Quint. 4.2.49 on *Caec.* 11), as if Cicero had put much aside and hurried to discuss the provinces. Both *propositio*\* and *narratio*\* had to be short, and brevity demands beginning from the right point, rather than *ab ovo* (*Inv.* 1.28); Cicero’s invective against Piso similarly opens and closes with a multiple *praeteritio*\* on Piso’s consulate (*nihil de hac eius urbana...audacia loquor*, 8.25). These “omissions,” which Cicero uses especially when he does not have a strong case (Usher 1965), play an important role in *Prov.*: they set up Cicero’s attack *ad personam*, isolating Piso from the rest of the senate; they identify Cicero’s exile with the destruction of the state (Nicholson 1992: 35–9; Robinson 1994; Dyck 2004); and they help Cicero to fill the gap between the specific senatorial debate on the provinces and his broader post-exile narrative tracing all evils back to Clodius (cf. *Dom.* 17; Riggsby 2002).

14 **ita partas habent**: “hold them, having obtained them in such way that...” The construction *habeo* + past part. originated from popular Latin but is not uncommon in Cicero and Caesar: it denotes a lasting condition resulting from a completed action (K-S 2.763b), here stressing the notion of possession (*TLL* 6.3.2426.31; and 10.1.400.18 for this meaning of *pario*).

14 **ii qui nunc obtinent**: *obtineo* here indicates perseverance (*TLL* 9.2.289.5) but more often refers to military occupation (cf. 3.11n. *occupaverunt*); the periphrasis\* contemptuously insists on the ongoing effects of the bargain (cf. 5.17n. and 12.6n.) and forms a favored Type 2 *clausula* (molossus + cretic).

14 **non ante attigerint quam...condemnarint...exterminarint...vexarint**: anaphoras\*, homoioteleuton\* and *disiunctio*\* enclose three cola\* of increasing length, all referring to the circumstances of Cicero’s exile, which symbolizes the *perversio rei*

*publicae*, as in other *post reditum* speeches (e.g. *Red. Sen.* 34; *Sest.* 32). In the third and last colon a zeugma\* joins together the state, the Roman people, Cicero and his family, all victimized by Piso and Gabinius, and ends with a favored Type 1 *clausula* (cretic + trochee); the perfect (being a principal tense) is regularly used for temporal subordinates in the subjunctive (Lebreton 1901: 268).

15 **hunc ordinem condemnarint**: by having Cicero exiled for executing the Catilinarians, although he was acting on the senate's decree; thus Cicero strategically aligns himself with the senate (cf. 2.15n.), as in other *post reditum* speeches (e.g. "and you, scoundrel, in a public meeting as consul blame the senate for cruelty?" *crudelitatis tu, furcifer, senatum consul in contione condemnas?* *Pis.* 14). For this meaning of *condemno*, "to blame," see *OLD* 4.

15 **auctoritatem vestram**: the senate's *auctoritas* was "an indefinite word, escaping strict definition" (*Fam.* 1.7.4; Mommsen 1963: 3.1033n.2), expressing a moral authority (Magdelain 1982), which in Cicero often balances the power of the people (Balsdon 1960: 43–4). He returns to this concept later, mentioning the senators' failed attempts to restore their lost authority (13.23n.).

16 **e civitate exterminarint**: the language of exile, with a pun on the etymology (< *extra* + *termina*), corroborates the connection between Cicero and the senate, casting both as victims of Piso and Gabinius (cf. "and the state, although it had been exiled with me," *res vero publica, quamquam erat exterminata mecum*, *Dom.* 141; *TLL* 5.2.2015.9–13). Specifically, Cicero refers to the events of early March 58, when senators wore mourning to protest against his forthcoming exile, and a consular edict by Piso and Gabinius rebuked them (*Plut. Cic.* 31; *Dio* 38.16.3; *Red. Sen.* 12; *Sest.* 32 with Kaster; *Pis.* 18 with Cavarzere 1994: 172–3; *Planc.* 87). On the Roman custom of wearing mourning (*toga pulla*, "a darkish toga") as a public protest against unjust misfortune, see Heskell 1994: 133–45; Kaster 2006: 111; on Piso's and Gabinius' (exceptional) decree forbidding senators to mourn, see Introduction 23–9.

16 **fidem publicam** "the state's promise (of immunity)," referring again to the circumstances of Cicero's exile, as narrated in *Sest.* 38: Cicero acted for the public interest with the proviso that

the people would defend him; but Piso and Gabinius allowed his exile, thus breaking the state's promise, which was restored only by his return ("and now, with my return, an example of public trust comes back to life," *nunc me restituto vivit mecum simul exemplum fidei publicae*, *Sest.* 50; *Sull.* 27). The *fides publica* was a typically Roman (Val. Max. 6.6; Lind 1989: 7) pledge of immunity for an illegal act (Mommsen 1899: 456–8; *TLL* 6.1.669.50), granted by the people or by the senate (Freyburger 1986: 125–8). In the *Catilinarians* Cicero, as consul, is the dispenser of *fides publica* (to Volturcius, 3.8; cf. *Sall. Cat.* 47–8), not explicitly the recipient; still, he had some ground for his claim, since the power granted him by the senate for protecting the state included supreme military and judicial authority (according to Sallust, the senate deliberated that Cicero "have supreme military and legal power in Rome and in the field; regularly, without the will of the people, a consul has none of these rights," *domi militiaeque imperium atque iudicium summum habere; aliter sine populi iussu nullius earum rerum consuli ius est*, *Sall. Cat.* 29 with Ramsey; and for updated bibliography on the tedious question of Cicero's powers and the *senatus consultum ultimum* of 63, see Dyck 2008: 71–2). Originally *fides publica* was exchanged orally, but toward the end of the Republic the importance of *notarii* increased, and in the Empire *fides publica* was officially recorded with documents signed by witnesses and public functionaries (Fernández de Buján 2001: 189–91).

17 **perpetuam populi Romani salutem**: the consuls' first duty is to preserve the *salus populi* ("the well-being of the people will be the supreme principle for their conduct," *ollis salus populi suprema lex esto*, *Leg.* 3.8 with Dyck; Winkler 1995: 30–5), as Cicero did as consul (*Red. Sen.* 6). In *Prov.*, *populus* has always a positive meaning, indicating the unity of the Roman citizens, and is often modified by *Romanus* (cf. 5.13, 7.10 and 31.20), as in other *post reditum* speeches (e.g. *Red. Sen.* 7; *Red. Pop.* 6; *Sest.* 118). After 52, however, Cicero more often uses *populus* with a negative slant, indicating those who supported Caesar and made his dictatorship possible (Grilli 2005).

18 **foedissime crudelissimeque vexarint**: Cicero insists on the cruelty of Piso (8.27n.) and Gabinius (10.21n.; 11.26) toward

himself (2.18) and his family (cf. *Pis.* 11; *Dom.* 59), which resembles Clodius'. In *Sest.* Cicero makes a similar statement in a similar context of a *praeteritio*\* (*Sest.* 54 with Kaster; cf. also *Dom.* 59–60, and, on this motif, *Cael.* 50 and *Mil.* 87).

[4.]

18 **omnia domestica atque urbana mitto**: Cicero sets up his promise to deal with the provinces by alluding to the damage suffered by everyone, and by reiterating chiasmatically the statement above (*me atque meos/domestica* and *populi Romani salutem/urbana*); this promise is repeated at 8.30, thus enclosing Cicero's invective against Piso in a ring composition (8.27n.). For the juxtaposition of *domesticus* with *urbanus*, here indicating "all they have done in Rome and outside," cf. *innumerabilia tua sunt in officia, domestica, forensia, urbana, provincialia*... *Fam.* 16.4.3; for the *praeteritio* see 3.13n.

19 **numquam**: a typical device of Ciceronian invective is the hyperbolic\* statement that a person's conduct is unprecedented (Seager 2007: 26–30). Committing an unprecedented deed was a *topos* recommended by manuals of rhetoric to elicit indignation: "the eighth *locus* consists of showing that the crime under discussion is not a common or ordinary one, but is unheard of even among cruel people, barbarians and wild beasts" (*Inv.* 1.103, cf. *Her.* 2.49).

20 **Hannibal**: Piso and Gabinius cause no less damage to Rome than Hannibal (or Mithridates, 6–7; cf. 3.11n.; *Att.* 7.11.1; Steel 2001: 48), and in 43 Cicero would say the same of Antony (*Phil.* 5.25). This hyperbole\* through comparison introduces the invective against Piso, whom Cicero enjoys connecting to Hannibal: in *Dom.* 60 and *Pis.* 24 he calls Piso *Campanus consul*, with a pun on Piso's office of *duovir* at Capua in 58 (cf. *Sest.* 19) and an allusion to the events of 216. Because the Romans rejected the Capuans' request that one consul come from Capua, they defected to Hannibal after Cannae; when Piso became consul—says Cicero—they rejected him, hence Piso was rejected by Hannibal's rejected friends (Nisbet ad *Pis.* 24.5; on Capua as *altera Roma*, see

Vasaly 1993: 231–4; on Cicero’s use of Hannibal as *exemplum*, van der Blom 2010: 109–14; Bücher 2006: 218–20). Hannibal’s cruelty (*Am.* 28; Achard 1981: 342), incomparable damage he did to Rome and desire to destroy it completely were legendary (*Pol.* 3.11; *Nep. Hann.* 2; *Livy* 21.1, 35.19).

### NARRATIO 4.21–16.30

In the next 13 chapters Cicero presents an account of Piso’s misconduct in Macedonia (4.21–8.2) and of Gabinius’ in Syria (9–12), concluding with a sort of *synkrisis*\*, a comparison, between them (13–16). Cicero selects or invents information to advocate their removal, according to the goal of the *narratio*\*—“to present real or alleged facts” (*rerum gestarum aut ut gestarum expositio*, *Inv.* 1.27), which help to persuade (cf. *Quint.* 4.2.31; Lausberg §289). As in the *exordium*, Cicero freely uses the precepts of rhetoric: manuals deemed the *narratio* unnecessary for the *genus deliberativum*, since this *genus* is primarily concerned with decisions regarding the future; but already Aristotle (and Homer) acknowledged that a good exposition of previous events could help deliberation on the future (*Rhet.* 3.16.1417b), and in *De Oratore* Cicero leaves the decision up to the orator (*de Or.* 2.330). In fact the great majority of *Prov.* is concerned with narrative of the past, which Cicero shapes according to the broader storyline of other *post reditum* speeches (Riggsby 2002: 160–72): with the help of Piso and Gabinius Clodius destroyed the state; its destruction is symbolized by Cicero’s exile and countered by his return, which ensures the restoration of legality in Rome and in the provinces, where Piso and Gabinius have spread the same devastation.

A *narratio* has to be short, straightforward and plausible (*Inv.* 1.28; *Quint.* 4.2.31), and such is Cicero’s: his recourse to stock motifs of invective often produces vague charges that seem plausible without necessarily being real, but the insistence on conventional *loci* (listed by Süß 1910: 247–54; Nisbet 1961: 192–7; Koster 1980: 16–21; Craig 2004: 189–92), which support the argument (*Inv.* 1.34; Leff 1996: 445–52; Mortensen 2008) and which Cicero



uses also in other *post reditum* speeches (esp. *Pis.* and *Sest.*), gains credibility by virtue of repetition (Riggsby 2002: 166), while contributing to shaping a coherent narrative.

In the first part of the *narratio*, Cicero launches his invective against Piso (4.21–8.2) using many of the same *loci communes* he further develops especially in *Pis.* and *Sest.* and relying on his rhetorical skills to achieve emphasis and pathos without providing much circumstantial evidence.

21 **Ad ipsas venio provincias**: by placing the verb in the middle, Cicero sacrifices a favored Type 1 *clausula* (cretic + resolved spondee), but the hyperbaton\* achieves emphasis of *provincias* (Adams 1971: 3–4).

21 **quarum Macedonia**: an uncommon link of gen. partitive and proper name (H-S 2.57) introduces Cicero's treatment of Macedonia.

22 **munita...non turribus sed tropaeis**: “protected not by towers but by triumphal monuments;” *correctio*\* *non...sed* (typical of invective, Uría 2007: 59; Lausberg §910) and two Greek words (*turribus* and *tropaeis*) in alliteration\* create a sort of oxymoron\* (*munita...tropaeis*), introducing the opposition peace/war. Chapters 4–8 display the highest concentration of Greek words in *Prov.* (Oksala counts 31 words in total, 8 of which occur in these 5 chapters, 1953: 65–6), with five occurrences in this sentence alone (*turribus*, *tropaeis*, *triumphis* and *barbaris* twice, without counting *Macedonia* and *Thraeciis*); this can be seen as another means of lampooning the philhellene Piso (cf. Introduction 23–7; Ramsey 2007b: 132–3), according to a strategy that Cicero develops in *Pis.*, which has the highest percentage of Greek words in Cicero's speeches (Oksala 1953: 80–1). Cicero's rhetorical statement appeals to two truisms: Greece was filled with triumphal monuments (erected especially by Hellenistic monarchs; Picard 1957: 64–100) and the border of Macedonia was unfortified (*Pis.* 38). Curiously, Piso also patronized some monuments: in Delos the Hermaistai dedicated a temple and some statues (exceptionally) dated by his proconsulate (*Inscriptions de Delos* iv, 1737); the people of Samothracia dedicated a statue with an inscription saluting Piso as *imperator* and patron (*IG* 12.8.242a; Bloch 1940),

the same title that he received from the people of Borea (Cormack 1944). Cicero, who spent part of his exile in Dyrrachium (November 58–February 57; cf. *Att.* 3.22–7) closely observing Piso’s activity (*Pis.* 83), labels all witnesses of his proconsulate *sui generis et nominis funesta indicia* (*Pis.* 92).

23 **multis...triumphisque**: by this time Romans had celebrated at least 10 triumphs over Macedonia (e.g. T. Quinctius Flaminus in 194, L. Aemilius Paulus in 167, Q. Caecilius Metellus Macedonicus in 145 and M. Terentius Varro Lucullus in 70). Cicero employs these past triumphs to belittle Piso’s military performances (cf. *ex qua... nemo rediit, qui incolumis fuerit, quin triumpharit*, *Pis.* 38; 44 and 61 where he even lists some *triumphatores*; Nisbet 1961: 177–8); and conversely, he mentions past Roman defeats in Gaul in order to extol Caesar’s command (32.2–10nn.).

23 **iam diu...pacata**: “now long since peaceful.” *Pacata*, modified by *iam diu* in hyperbaton\*, is used as an adjective both here and at 5.6: *TLL* 10.1.1.23.65–70. The parallel (*erat antea...erat iam diu*) and chiasmic\* construction (*munita...non turribus sed tropaeis* and *multis victoriis...triumphisque pacata*) condenses Cicero’s misleading picture of the prosperity and peace enjoyed by Macedonia before Piso (cf. *pax erepta*, 4.24; *pacatam ipsam per se et quietam*, 5.11). In fact, after the first and third Mithridatic wars had devastated the province, the Romans kept struggling: in 61 C. Antonius Hybrida was defeated by Dardani and Bastarni and in 59 he was tried (defended in vain by Cicero) and exiled for extortion (Dio 38.10; C. *Fam.* 5.5; *Att.* 1.12.1; *TLRR* 241; Rosenstein 1990: 259; Walbank 1985: 195–7; Gruen 1974: 287–93). The good administration of C. Octavius (*QF* 1.2.7), proconsul in 59 (and father of Augustus), was short-lived because of his sudden death (Suet. *Aug.* 3–4).

24 **a barbaris**: especially Thracians (4.29). Cicero deploys a typical Roman distinction between good and bad Greeks (Vasaly 1993: 202–5; Henrichs 1995): Thessalonians and Byzantines (4.25 and 5.19) represent civilized Greece, close to and protected by the Romans, as opposed to the rebellious Thracians, against whom the Romans had difficult campaigns (Harris 1985: 245 and 272).

24 **propter avaritiam**: greed was a *locus*\* of invective (cf. *Inv.* 1.42) and one of the most common and credible charges against governors (Gozzoli 2007: 768–74), which Cicero makes the source of Piso’s evils (cf. *Pis.* 86–8): greed induces him to buy Macedonia from Clodius (2.21 and 3.11), to destroy peace in the province and to devastate the Roman army (5); it causes excessive taxation, pillaging and all sorts of injustice (5–7). Cicero repeats this charge, which needs little evidence to make the *narratio* plausible (*Inv.* 29), in *Pis.* (86) and against Gabinius (cf. 11.26n.), while he praises Caesar’s lack of personal interest (29.27n.). The high concentration of rhetorical figures in this sentence corresponds to the precepts of *Inv.*, where Cicero advises embellishing a *locus communis* (like a governor’s greed) with “all ornaments of style, which carry sweetness and dignity” (*Inv.* 2.49).

25 **vexatur**: the close repetition of *vexare* (3.18) presents Piso’s misconduct in Macedonia as an extension of his misconduct in Rome.

25 **Thessalonicenses**: Thessalonica, the capital and main port of Macedonia, enjoyed prosperity at the time of Cicero thanks to its status of free city (Plin. *NH* 4.36) and to its position on the *via Egnatia*. Cicero knew Thessalonica because he spent part of his exile there, hosted by Plancius (from May to November 58; cf. *Att.* 3.8–22 and *QF* 1.3–4), leaving just before Piso’s arrival.

25 **positi in gremio imperi nostri**: *gremium*, “bosom” (*TLL* 6.2.2323.62; *Pis.* 91), carries a connotation of safe protection within the geographical extension of Roman power, *imperium* (Richardson 2008: 77). Switch of word order (instead of *nostri imperi*) creates emphasis and a favored Type 1 *clausula* (cretic + spondee).

26 **arcem munire cogantur**: cf. *Thessalonicensis, cum oppido desperassent, munire arcem coegerunt*, *Pis.* 84. In Cicero’s time Thessalonica was defended by Hellenistic fortifications, and a further line of protection separated the acropolis, *arx*, from the rest of the walled town, *oppidum* (Vickers 1972: 166–8; Schoenebeck 1940: 478–82). Cicero’s statement, which is not supported by archaeological evidence, ends with a favored Type 1 *clausula* (cretic + trochee).

27 **via illa nostra...militaris**: the *via Egnatia* (see map 2), stretching for 7,500 stadia from Dyrrachium to Byzantium (some

870 miles) was built on a Hellenistic road (Strabo 7.7.4–8), which the Romans enlarged for military purposes (Hammond 1974: 185–94); it became Rome’s main access to the East, providing a continuation of the *via Appia* (connecting Rome and Brundisium) on the Italian side of the Adriatic; two branches, departing from Dyrrachium and Apollonia, joined across the river Shkumbini (about 7 miles before Scampa), continuing through Edessa, Pella, Thessaloniki and Amphipolis as far as Byzantium. It was built around 143 and named after the governor of Macedonia Cn. Egnatius (*MRR* 3.84–5), as confirmed by two milestones (Romiopoulou 1974: 813–16; Collart 1976: 181–3; Walbank 1985: 193–209; Vanderspoel 2010: 264–7; J. P. Adams 1982: 269–302; *RE* suppl. 13.1666). Emphatic *illa*, redundant *nostra* and the hyperbaton\* of *militaris* achieve solemnity and a favoured Type 3 *clausula* (molossus + double trochee).

28 **excursionibus barbarorum...infesta**: the final position emphasizes *infesta*, “troubled by,” and the homoioteleuton\* with preceding *pacata* and following *distincta ac notata* (all at the end of cola\*) highlights the consequences of Piso’s rule. In particular, Cicero belittles Piso in two ways: he blames him for the incursions of the Bessi and Densetiae (*Pis.* 40, 84), who cut off the *via Egnatia*, and those of the Dardani (*Sest.* 94), although Dardanian attacks predated the Roman presence in Macedonia (Pol. 9.44, 10.41; Livy 26.25, 27.33) and continued throughout the Late Republic. But while playing up the threat, Cicero denies the glory of a real war to Piso (cf. 7.1n.): *excursiones* (as opposed to Caesar’s *bellum... maximum*, 19.8) against *barbari* (instead of *hostes*) would hardly lead to triumph, since *excursio*, just like *latrocinium* (cf. 15.19n.), implies that opponents are not deemed serious enough to be called enemies (cf. *Inv.* 2.111).

29 **castris Thraeciis**: Cicero’s contemporaries saw the Thracians as threatening barbarians (cf. 9.6n.; *Cat.* 4.8; *Caes. BC* 3.95.3). Thracian was also a type of gladiator, fighting with the *sica*, a curved and, of course, pointed dagger, cf. Dyck ad *Cat.* 1.16.1–5.

29 **distincta ac notata**: “spotted and stained,” indicating something that stands out in contrast (*TLL* 5.1.1529.80) with the rest of both Roman territory and Roman history, symbolized by the

solemn *via illa nostra... militaris; notata*, whose first meaning is “marked, stained” (*OLD* 1), continues the metaphor of a plague spreading with Piso.

30 **gentes eae...dederant**: Cicero accuses Piso of trading Macedonia’s peace for money also in *Sest.* and *Pis.*, but with slight differences. According to *Sest.*, “first he sold peace to Thracians and Dardans for a huge amount of money, and then, to be sure that they would be able to disburse that money, he handed out Macedonia to be harassed and pillaged by them” (*Thracibus ac Dardanis primum pacem maxima pecunia vendidisse, deinde, ut illi pecuniam conficere possent, vexandam iis Macedoniam et spoliandam tradidisse, Sest.* 94). According to *Pis.*, Cotto, king of the Astae (a Thracian tribe), bought Piso’s alliance against competing tribes who always supported Rome (the Bessi and the Densetiae) and as a result they turned into enemies and pillaged Macedonia (*Pis.* 84 with Nisbet on these tribes).

30 **vim**: “a large amount” *OLD* 8b.

1 **praeclaro nostro imperatori**: a case of irony, consisting of stating one thing and meaning its opposite, a device called *ironia\** *ex contrario* (*Her.* 4.46; *Quint.* 8.6.54; for a similar example, cf. *Ver.* 2.4.95 and *Clu.* 14). Piso was saluted as *imperator* by his troops (*QF* 3.1.24; *Har. Resp.* 35; *Pis.* 38, 91–7), probably after one of his lieutenants, Q. Marcius, reported a decisive victory against some barbarians (*Pis.* 54). Cicero, however, uses this title with irony (cf. 15.13n.), contempt (7.8n. *te imperatore infelicissimo et taeterrimo*; cf. *appellatus est hic volturius illius provinciae, si dis placet, imperator, Pis.* 38) and disbelief (15.12n. *hosce igitur imperatores habebimus?*; cf. *esse duos duces in provinciis populi Romani, habere exercitus, appellari imperatores, Pis.* 44). The word order emphasizes both *praeclaro* and *imperator*, closing the period with a favored Type 1 *clausula* (cretic + spondee). On the conditions for the attribution of the title of *imperator* in the Late Republic, see Combes 1966: 74–82.

1 **ut exhaustas domos**: Cicero equally accuses Piso of misusing the Roman army to pillage provincials’ houses in *Pis.* (41 and 96; *TLL* 5.2.1408.39).

2 **pro empta pace**: the chiasmus\* nicely juxtaposes peace and war. For the accusation, see 4.30n. *gentes eae*.

2 **bellum nobis prope iustum**: stolen property was a cause for just war (*Off.* 1.36; Brunt 1978: 174–7), and although “as a Roman C. cannot quite say that the barbarians are fully justified” (Kaster 2006: 313), through alliteration\* and chiasmus\* he juxtaposes *pax* and *bellum* and *empta* and *prope iustum*, blaming it all on Piso’s bargain. According to *De Officiis*, “unjust are wars undertaken without cause” (3.23); this war, then, was not unjust, but it was not just either, since “no war is just other than one which is conducted after demands for reparation have been made” (1.36). *Prope* indicates close proximity and is used to modify the hyperbole\* (*OLD* 8a), which is a typical strategy of invective (Opelt 1965: 261); Piso’s misconduct also causes “an almost just hatred toward our empire” (cf. 6.27n. *paene ad iustum odium imperi nostri* and the expression denoting Marius’ raising arms against Sulla: *vim prope iustorum armorum*, *Sest.* 50).

## [5.]

4 **Iam vero** calls attention to a new point, presented as salient information climactically\* connected to the previous point (Kroon 1995: 319–30): Cicero keeps exaggerating the effects of Piso’s rule, moving from his devastation of the province to that of the army (cf. 9.7n.) and displaying emotions through rhetorical figures.

4 **exercitus noster ille . . . omnis interiit**: despite this emphatic wording (cf. *via illa nostra . . . militaris*, 4.27), Piso’s difficult campaign of winter 57–6 (on which see Nisbet 1961: 178–80) did not entail the loss of the whole army (a fact that Cicero would have certainly exploited more in *Pis.*), which cannot have exceeded three legions (Brunt 1971a: 410). Hyperbole\* (*omnis*) and *amplificatio*\* (*interiit*, implying premature and violent death, *TLL* 7.1.2186.82), typical of praise and invective, elicit anger (“for amplification is a particularly heavy declaration which gains trust by stirring people’s minds,” *Est igitur amplificatio gravior quaedam affirmatio quae motu animorum conciliet in dicendo fidem*, *Part.* 53; *Her.* 3.23). This hyperbole finds parallels in other *post reditum* speeches (*Pis.* 38–40, 47, 53, 96; *Sest.* 71; *Planc.* 86) and gains credibility by the very repetition (a device called “resonance,” Riggsby 2002: 166).

In *Prov.* military performance establishes a common ground for invective and praise (“since the epideictic genre is divided into praise and blame, blame will be produced from the very same sources out of which we draw praise, turned upside down,” *Quoniam haec causa dividitur in laudem et vituperationem, quibus ex rebus laudem constituerimus, ex contrariis rebus erit vituperatio comparata*, *Her.* 3.10; *Inv.* 1.100), setting Piso and Gabinius (9) against Caesar (35).

**4 superbissimo dilectu et durissima conquisitione conlectus:** both *dilectus* and *conquisitio* can indicate a regular levy, but *dilectus* has “a nuance strongly suggestive of compulsion” (Brunt 1971a: 408; 636; *TLL* 4.357.1), and *conquisitio* was employed for emergencies (*Mil.* 67 with *Ascon.* ad loc.; *Att.* 7.21.1; *Livy* 21.21), when *conquisitores* (“recruiting officers,” *cum* + *quaerere*) were sent out (Brunt 1971a: 633). On Piso’s *superbia* see 11.26n. Superlatives, alliterations\*, redundant synonyms\* and the etymological play on the same root (*di-*, *con-lego*) create emphasis, highlighting Piso’s forceful action and casting the soldiers as victims. In the Late Republic the senate or the people authorized levies (Brunt 1974b: 162–73), but Cicero pits Piso’s recruiting according to the *lex Clodia* against the senate and the people’s will (cf. “you led an army not of the size that the senate and the Roman people had allotted to you, but just as your whim had recruited,” *habebas exercitum tantum quantum tibi non senatus aut populus Romanus dederat, sed quantum tua libido conscripserat*, *Pis.* 37).

**5 magno hoc dico cum dolore:** emphatic hyperbaton\*, typically used with adjectives of quantity (cf. *magno loquor cum dolore Phil.* 1.31; Adams 1971: 2), begins a climax\*, whose apex is marked by another bracket, *quod est indignissimum*.

**6 miserandum in modum milites populi Romani:** another emphatic alliteration\* with pathetic\* redundancy\* (cf. *milites populi Romani contra rem publicam instigasti*, *B Afr.* 54.4).

**7 capti necati deserti dissipati sunt:** Cicero’s portrayal of Piso’s difficult campaign of winter 57–6 (Nisbet 1961: 178–80) is highly rhetorical: words of increasing length form homoioteleuton\*, alliteration\*, *amplificatio*\* and asyndeton\*, a typical sign of emotions (von Albrecht *RE Suppl.* 13.1245.59–61; Lausberg §709; cf.

*Prov.* 9.10n.), expressing Cicero's *dolor* and closing with his favored *clausula* (cretic + spondee, Type 1). The language blames the soldiers' death on Piso: *neco* "execute/murder" commonly refers to executions of slaves, criminals or animals (Adams 1973), indicating "the putting to death of someone by a person in a position of authority" (Adams 1990: 232), while *caedo/occido* describe soldiers falling in battle (*TLL* 3.60.70). *Deserti* picks up another possible meaning of *neco*, "to execute by deprivation" (Adams 1991: 105–7), anticipating *fame . . . consumpti*, and accusing Piso of abandoning his army. *Dissipati* "wastefully scattered," as opposed to *dimissi* "regularly dismissed" (cf. "if from such a great army any soldiers, having been not dismissed but dispersed by you, are left, then they hate you," *si qui ex tanto exercitu reliqui milites exstant, non dimissi abs te sed dissipati, te oderunt, Pis.* 96); in fact Piso dismissed his army in 55 (after *Prov.* was delivered), but Cicero would question his power to do so without the senate's approval (*Pis.* 47, 92; Brunt 1971a: 219–20).

**7 incuria fame morbo vastitate consumpti** continues the emotional asyndeton\*. *Vastitate* is an abstract term for "wandering in deserts" (Nägelsbach 1905: 193). Catullus' poem to two friends serving under Piso seems to allude to these same hardships in similar terms (*satisne cum isto / vappa frigoraque et famem tulistis?* *Cat.* 28.4–5; Nisbet 1961 180–2; cf. 47; Syme 1957: 123–5; *contra* Wiseman 1985: 2). Cicero expands on these accusations in *Pis.* (*exercitus nostri interitus ferro fame frigore pestilentia*, 40; *reliqui milites qui ferrum, qui famem, qui morbum effugerunt*, 98).

**8 quod est indignissimum**: unlike *magno hoc dico cum dolore*, this bracket is proleptic\* and introduces the peak of the climax\* with a favored Type 2 *clausula* (molossus + cretic; cf. *Agr.* 2.15).

**9 scelus imperatoris in patriam exercitumque expiatum** presents a textual problem. The manuscripts read *in poenam exercitus expetitum* (P), *expetitum* (E, H) or *expetitum* (G); van de Coppello's restoration of *expiatum*, on the similarity of *Pis.* 85 *tua scelera di immortales in nostros milites expiaverunt* (*TLL* 5.2.1707.14), is accepted by Peterson and Maslowski, who both then suspect *in poenam*. Peterson proposes *in patriam exercitumque expiatum* (1910: 175), and his edition is here reproduced;



while Maslowski safely prints [*in*] *poena[m] exercitus expiatum* (cf. *TLL* 10.1.2502.75). Maslowski's alternatives are preferable: either *poena*, since Cicero uses *expiari* with abl. of means (*ut id nulla re possit nisi ipsius supplicio expiari*, *Har. Resp.* 35), or *in poenam*, which is found in the manuscripts but unattested, must be right. *Scelus* "is used for exceptionally vile crimes, such as malicious murder, sacrilege and high treason" (Thome 1992: 77); the idea of murder and high treason recalls *necati* and *deserti* at 5.7, while the idea of sacrilege anticipates religious term *expiatum*, which matches the portrayal of Piso both as a *pestis* (cf. 3.10n.) and as a *portentum* (2.16n.), according to the rhetoric of other *post reditum* speeches (cf. *cum his furiis et facibus, cum his, inquam, exitiosis prodigiis ac paene huius imperi pestibus bellum mihi inexpiable dico esse susceptum*, *Har. Resp.* 4; *Sest.* 38 with Kaster). This accusation is one more way to symbolize the perversion of the state (cf. 3.11n.), as Cicero describes a reversed *devotio*: instead of a general's expiatory self-sacrifice, the whole army is killed to pay for Piso who survives. With a similar metaphor\* Cicero casts Clodius (*Pis.* 9; *In Clod.* fr. 21 Crawford 1994: 242; *Dom.* 72), Piso (*Pis.* fr.1) and Gabinius (cf. *Prov.* 2.16n.) as *prodigia* or *monstra*, or breakers of divine order, and himself as a sacrificial victim (Dyck 2004); in turn his restoration and their punishment are reprisals for divine anger, which demands "ritualized responses" (MacBain 1982: 41).

**9 esse videatur:** this is the only occurrence in *Prov.* of the *clausula* that came to symbolize Ciceronian oratory ("Some people I met thought that they had beautifully imitated the style of that divine speaker, whenever they managed to stick an 'esse videatur' in a *clausula*," *noveram quosdam qui se pulchre expressisse genus illud caelestis huius in dicendo viri sibi viderentur, si in clausula posuissent "esse videatur,"* Quint. 10.2.18); in Zielinski's count (1904: 632–4 and final synoptic table 845) *Prov.* has 18 Type 1 *clausulae* with resolved cretic + spondee (— ∪ ∪ ∪ + — X), a high percentage in comparison with other speeches of Cicero. Tacitus may suggest that Cicero overuses it (*Dial.* 23 with Mayer ad loc.), although, as remarked by Laurand 1965: 187–8, the statement must be taken in context.

10 **hanc Macedoniam, domitis iam gentibus finitimis barbariaque compressa, pacatam ipsam per se et quietam**: Cicero conveniently portrays Macedonia as a foil to the rest of the empire and especially Gaul: Piso brings war to peaceful Macedonia (cf. 4.23n. *multis victoriis . . . pacata*), while Caesar brings peace to troubled Gaul (*nulla gens est quae non . . . sit . . . aut ita domita ut quiescat, aut ita pacata ut victoria nostra imperioque laetetur*, 31.27). Neighboring barbarian tribes, however, such as the Bessi, Densetae and Dardani, were not peaceful (cf. 4.24n.). Falsifications of this sort were not uncommon in ancient oratory, being even recommended by manuals of rhetoric: *narratio* was meant to lay out true or alleged facts in support of one's argument (cf. introduction to the *narratio*, pp. 97–8). *Domitis iam gentibus + barbariaque compressa*: another chiasmus\*. Throughout *Prov.* barbarians constitute a potentially overflowing danger that must be subdued (cf. *totumque Pontum armatum, effervescentem in Asiam* 6.4; *Marius . . . influentis in Italiam Gallorum maximas copias repressit*, 32.2). Cicero grafts his invective into the topical dichotomy separating barbarians (and Piso) from civilized Greek cities (cf. *QF* 1.1.27; *Flac.* 62; Henrichs 1995). *Pacatam ipsam per se*: redundancy\*, “itself peaceful of its own accord,” homoioteleuton\* and alliteration\* stress Cicero's misleading point. Cicero similarly represents Macedonia as a peaceful ally of the Romans against the barbarians in *Font.*: “first, to the attacks of those is opposed Macedonia (*obicitur contra istorum impetus Macedonia*), a loyal province and allied to the Roman people; and Macedonia having admitted that the province and its cities had been saved by Fonteius' judgment and help, so that she had been defended by him against a Thracian invasion and devastation, thus now diverts from him the attack and threats from the Gauls” (*ab huius nunc capite Gallorum impetus terroresque depellit*, 44 with Dyck 2012: 77).

12 **tenui praesidio atque exigua manu**: as opposed to Piso's harsh levy (5.4); in fact, in the eight years preceding Piso's assignment, the Romans conducted three uneasy campaigns in Macedonia: in 64–63 L. Manlius Torquatus reported some victories but did not triumph; in 62–60 C. Antonius was defeated by the Dardani; and C. Octavius' success over the Bessi (60–59) was not definitive.

“The province needed a strong governor; Cicero’s suggestion that it was peaceful (*prov. cons.* 4–5) is nonsense,” Nisbet 1961: 178.

12 **etiam sine imperio per legatos**: according to Cicero, Piso’s lieutenants, regularly appointed without *imperium* (cf. 28.15n.), were split between the “ministers of his crimes” (*satellites scelerum* 5.23; *Pis.* 86) and a few good individuals, who sided with the provincials and with Cicero (cf. 7.11n. *Vergilius*), and who, in spite of being opposed by Piso (*Pis.* 88), reported the victories for which he took the credit (*Pis.* 54).

13 **nomine ipso populi Romani**: “with the sole prestige of the Roman people.” The notion of *nomen populi Romani*, probably deriving from *nomen gentis*, was often associated by Cicero with that of *imperium* and “reflected the merging of clan and family with the *res publica*, emphasizing the personal and ethical relationship of the state with its citizens,” Lind 1986: 56–9.

13 **tuebamur**: the imperfect, contrasting with the following *nunc*, expresses the continuity that Piso allegedly disrupts (cf. 4.23n. *erat... pacata*). Protecting provincials and allies was a governor’s duty (cf. *Fam.* 15.4.1) and often justified Roman imperialism (cf. 31nn.; Harris 1985: 172–5 and 269; Brunt 1978: 169–72); similarly, Caesar presents the beginning of his campaign in Gaul as the defence of Rome’s allies (*Caes. BG* 1.10).

14 **quae nunc**: “but, as we talk, it...” the relative introduces a restriction (*quae = ea autem*, K-S 3.319b); for *nunc* cf. *ii qui nunc obtinent* 3.14 and *cum interea* 5.15.

14 **consulari imperio atque exercitu ita vexata est**: the insistence on *vexo/vexatus* (cf. 3.18n.) traces Piso’s devastation of the province to his consulate, aligning it with Clodius’ destruction of the state (3.11) and with the barbarians’ damage to Macedonia (4.25).

15 **vix ut**: *lectio difficilior* (found in PG1E contra *ut vix* of G2H), less frequent in Cicero than *ut vix* (31.28), but supported by some parallels (e.g. *Brut.* 173; *Orat.* 30.9). This inversion places the unstressed conjunction *ut* in second position, which was common in old and colloquial Latin (L-H 2.399; Rowland 1918), and here emphasizes *vix* (Walker 1918: 652–5).

15 **diuturna pace**: cf. 4.23n. *iam diu... pacata*.

15 **se recreare**: another medical term, indicating recovery from illness (cf. *Sest.* 43).

15 **quis vestrum hoc non audivit, quis ignorat...**: anaphoric\* amplification\*, *expolitio*\* (cf. Cato: *egoque iam pridem cognovi atque intellexi atque arbitror*, *ORF* 8.21.20) and rhetorical questions\* (cf. *Quis enim hoc non videt, iudices, aut quis ignorat...*? *Cacl.* 57) substitute for Cicero's lack of proofs (cf. 6.24n.).

16 **Achaeos ingentem pecuniam pendere... quotannis**: same accusation as in *Sest.*, "he has drawn the greatest amount of money from the people of Dyrrachium (*cogere pecunias maximas a Dyrrachinis*)... and has requested a fixed amount each year from the Achaeans" (*certam Achaeis in annos singulos pecuniam imperavisse*, 94), and in *Pis.* (*tu acceptam iam et devoratum pecuniam, ut in Achaeorum centum talentis...* 90, probably referring to the money paid by the Apollonians). In the *Verrines* Cicero's charges are far more concrete and specific (Miles 2008: 129–34). Since Achaia would not become a separate province until 27, *Achaei* here designates "the people of mainland Greece" who lived in the south of the *provincia Macedonia* (cf. *omnis erat tibi Achaia, Thessalia, Athenae, cuncta Graecia addicta*, *Pis.* 37). *Pendere*: from *pendo*, trans. "weigh" (cf. *pondus*) and by extension "weigh silver, pay out" (< stipend, compensate, etc.); from the same root \**pend-* we get *pendeo* intrans. "be weighted, hang from" (< *pendulum*; Ernout Meillet s.v.). By placing *quotannis* at the end, Cicero achieves emphasis and renounces a favored Type 2 *clausula* (*Pisoni pendere* would give a molossus + cretic).

17 **L. Pisoni**: "to Mr. Piso." Noticeably, this is the only instance where Cicero names Piso (see 2.3n.) in six chapters of invective against him (3–8); and the use of the *praenomen*, Lucius, is rare (25.4 being the only other occasion) and ironic (cf. *L. Pisonem quis nescit his temporibus ipsis maximum et sanctissimum Dianae sacellum in Caeliculo sustulisse?* *Har. Resp.* 32; *Red. Sen.* 16 and *Dom.* 23).

17 **vectigal ac portorium Dyrrachinorum totum**: this was a considerable sum (cf. *pecuniae maximae*, *Sest.* 94) because Dyrrachium's position at the beginning of the *via Egnatia* made it the gateway to the East. The Dyrrachini, being citizens of a *civitas libera* (*Fam.* 14.1.7), had the right to collect *portoria* (Bernhardt

1980: 198), which would otherwise go directly into the public *aerarium* (Accame 1944–5: 61; and Badian 1983: 99 on Piso’s interference). By using the name of the people rather than the city (cf. *urbem Byzantium*) Cicero elicits pity and anger from the senators while expressing sympathy for these provincials who showed favor toward him (*mei studiosos habeo Dyrrachinos*, *Att.* 3.22.4) at the time of his exile (Cicero was in Dyrrachium November 58–February 57; cf. *Att.* 3.22–7). *Vectigal* was a “tax,” especially on sales, land, mines and rental of state property.

**18 in huius unius quaestum esse conversum:** “has been wasted” (*TLL* 4.863.28), implying the notion of “diverting to a destination other than that intended” (*OLD* 7b) and referring to Piso’s collecting taxes privately using his own slaves (*Pis.* 87), “thereby (no doubt) seriously undermining the profits of the company that had purchased those particular taxes,” Badian 1983: 109.

**19 urbem Byzantium:** Cicero mentions also Piso’s pillaging of the city (7.11); the periphrasis\* stresses the harassment of the people and gives a Type 3.b (trochaic) *clausula*.

**19 vobis atque huic imperio fidelissimam:** Byzantium sided with Rome during both the Macedonian and the Mythridatic wars and enjoyed the status of *civitas libera et foederata* (cf. 7.9n.).

**20 hostilem in modum esse vexatam?:** another vague accusation, explained by what follows: Piso’s harassment consists of treating friends as enemies and of overthrowing the state (*evertere* 7.17 and 7.21), a process that starts in Rome (3.15) and extends as far as the empire itself (Byzantium was the arrival point of the *via Egnatia*).

**20 postea quam nihil exprimere ab egentibus, nihil ulla vi a miseris extorquere potuit:** anaphora\*, chiasmus\* and pathetic\* and redundant\* (*ulla vi*) *expolitio*\* emphasize the charge of extortion, while hiding the lack of circumstantial details: when Piso returned from Macedonia in late summer 55 he defended his conduct in Macedonia, challenging Cicero to prosecute him (*Pis.* 82 and 94: Griffin 2001: 90–2), but he was never tried. *Exprimere*, “to squeeze out” (*TLL* 5.2.1783.23), *extorquere* (*TLL* 5.2.2041.82) and *ulla vi* underline Piso’s forceful action. Another means of invective is repetition: in chapters 4–8 Cicero repeatedly accuses Piso of extortion (cf. 4.30, 5.17, 5.21, 7.11, 7.15 and 8.1); this charge was a *locus* to

elicit “indignation, by saying that some repulsive, fierce, impious and tyrannical deed has been committed, with violence, force and power” (*locus est per quem indignamur quod taetrum, crudele, nefarium, tyrannicum factum esse dicamus, per vim, manum, opulentiam*, *Inv.* 1.102; cf. *Inv.* 2.49). By this time there was a long tradition of senators attacking each other by taking the provincials’ side (e.g. Cato versus Galba or Nobilior, *ORF* 8.196–9.79 and 8.148.57; Metellus Numidicus *ORF* 58.8.213) and denouncing the continuous corruption of governors regardless of the increasing severity of laws (*Off.* 2.75; Nicolet 1972; Richardson 1987).

22 **cohortis in hiberna misit**: winter camps, with idle and hard-to-control soldiers (*Leg. Man.* 39), were a curse for neighboring cities (“who do you think has suffered more destruction throughout these years: the towns of our enemies by the weapons of your soldiers or the towns of our allies by our winter camps?” *utrum pluris arbitramini per hosce annos militum vestrorum armis hostium urbis an hibernis sociorum civitates esse deletas?* *Leg. Man.* 38), who paid money to escape this danger (“wealthy townfolk used to pay much money to avoid hosting soldiers in winter camps,” *civitates locupletes ne in hiberna milites reciperent magnas pecunias dabant*, *Att.* 5.21.7) or filed complaints to the senate (Roth 1999: 177–82).

23 **diligentissimos satellites scelerum, ministros cupiditatum suarum**: with similar language Cicero accuses both Verres of pillaging Sicily through *ministros ac satellites cupiditatum suarum* (*Ver.* 2.3.21) and the Epicureans of enslaving morals to passions (*adiunctis virtutibus, quas ratio rerum omnium dominas, tu voluptatum satellites et ministras esse voluisti*, *Fin.* 2.37). *Satellites*: “accomplices,” the term, probably coming from Etruscan, first indicated the “bodyguards” of Tarquinius the Proud (Livy 2.12.8; Ernout 1946: 1.46) and never lost its negative connotation.

[6.]

24 **omitto**: for the epanalepsis\* and these *praeteritiones*\* positioned at the beginning (3.13–4.19), in the middle and at the end (8.24) of the tirade against Piso, see 3.13n.

24 **iuris dictionem in libera civitate**: another unqualified accusation, referring either to an alleged involvement by Piso in the jurisdiction of Byzantium or to his intervention against Fufidius, a money lender (and friend of Cicero's), who summoned to court the *civitas libera* of Apollonia for debt (*Pis.* 86 with Nisbet; Nicolet 1980: 133–4); in fact, Piso intervened to reduce the Apollonians' debt, but in Cicero's twisted account Piso intrudes on their autonomy or even takes a share for supporting them against the publicans (*Sest.* 94). A *civitas libera* enjoyed a special status, implying autonomy in the administration of justice and lying outside a governor's jurisdiction (Lintott 1993: 36–40, 145–8); the Digest (5.1 *De iudiciis et ubi quisque agere vel conveniri debeat* with Jacota 1984: 1689–1703) collects the rules defining the competence of and restrictions on tribunals and governors in the provinces. Here Cicero seems to list Piso's misdeeds in a chronological order: usually governors, having left the troops in winter camps, spent the winter months traveling through the province to settle disputes, as Cicero had done in Cilicia (cf. "I planned to go straight to the army, allot the rest of the summer to military activities and then spend the winter administering justice," *erat mihi in animo recta proficisci ad exercitum, aestivos mensis reliquos rei militari dare, hibernos iuris dictioni*, *Att.* 5.14.2).

25 **contra leges senatusque consulta**: the *lex Clodia*, granting Piso *imperium infinitum* (*Dom.* 23, 55), may have included jurisdiction over free cities, but this was a violation of the *lex Caecilia et Didia*; and for Cicero all legislation passed by Clodius lacked legal force since his plebeian adoption and hence his whole tribunate were unlawful (e.g. *Dom.* 36, 43).

25 **caedis relinquo, libidines praetero**: the first *praeteritio*\* concentrates on Piso's cruelty in Rome and the second in the province; by insisting on *vis* and *libido*, which were common topics of invective, Cicero portrays Piso as a non-Roman tyrant (Dunkle 1967; Steel 2001: 48–9).

26 **quarum acerbissimum exstat indicium**: emphatic hyperbaton\* (cf. 4.21n. *ad ipsas venio provincias* and 5.6n. *magno hoc dico cum dolore*) highlighting *indicium*, "stain," used in a strict sense to indicate the mark of an infamous deed (*TLL* 7.1.1146.1).

26 **et ad insignem memoriam turpitudinis**: similar language conveys Cicero's disgust at Clodius' placing a statue of a prostitute representing freedom on the site of Cicero's house, "to remain as a testament of the oppressed senate to commemorate your everlasting infamy" (*ut esset indicium oppressi senatus ad memoriam sempiternae turpitudinis?* *Dom.* 112). *Ad* emphasizes the expression of venomous accusation (Nägelsbach 1905: 520.122) and *turpitudō* expresses the base character of conduct debasing one's social image (Thomas 2007: 121–7).

27 **et paene ad iustum odium**: cf. *bellum nobis prope iustum intulerunt* 4.2n. Cicero uses *paene*, which (like *prope*) tempers the hyperbole\*, with both an informative and an argumentative force: "semantically, i.e. in terms of truth condition, 'paene x' implies 'not x' (its informative value). At the same time 'paene x' may give an identical argumentative orientation as 'x,' i.e. it may lead to the same conclusion as 'x.'" (Bertocchi 1996: 457).

28 **imperii nostri**: *imperium* alternatively denotes the power deriving from the prestige of Rome (*sine imperio per legatos nomine ipso populi Romani tuebamur*, 5.13) and the power abuse of its unworthy magistrates: the clash of these two meanings symbolizes the destruction of the state, which culminates with the provincials' hatred toward Rome.

28 **constat**: this weak verb well suits a passing remark within a *praeteritio* implying lack of proof, as Cicero admits (*nunc sine teste dico*, 6.1), and it echoes his previous boast *exstat indicium*.

28 **nobilissimas virgines se in puteos abiecisse**: *se iacere* expresses "a hasty or careless casting of oneself down" (Adams 1974: 149; *TLL* 1.86.34), and can be used with prefix *de-/ab-* to indicate the gesture of throwing oneself in a well out of extreme desperation (*nonnulli enim hunc in puteum se deiecisse dixerunt*, Hyginus *Astr.* 2.4.4). Cicero conflates two *loci*, that of violence against women and that of inducing virgins to commit suicide. Violence against women was considered extraordinary ("when we show that some extraordinary crime has been committed . . . , such as against children, the elderly or women," *Inv.* 1.103), a mark of tyranny (Paul 1982) and an adequate cause of war. Through this *locus*, "we show that a deed is repulsive, ferocious, heinous and worthy of a



tyrant (*taetrum facinus, crudele, nefarium, tyrannicum esse*), such as harming women or that sort of offenses which cause wars” (*Her.* 2.49). Cicero uses it against Catiline and Antony (*Cat.* 2.9; *Phil.* 3.31; cf. *Ver.* 2.4.116, also with a *praeteritio*). Women committing suicide as an act of heroism in the wake of rape was another *locus* (Phang 2004: 213–17; Hill 2004: 31–72; van Hooff 1990: 21–6).

29 **morte voluntaria necessariam turpitudinem depulisse**: chiasmus\* (cf. *pro empti pace bellum nobis prope iustum*, 4.2) nicely juxtaposes *voluntaria* and *necessariam*, setting *mors* as the only alternative to *turpitudō*. The Roman sense of shame is often the cause of voluntary death (van Hooff 1990: 94–6), and in particular the suicide of noble virgins to avoid rape is a *topos* going back to Lucretia (*mulierque pudens et nobilis ob illam iniuriam sese ipsa morte multavisset*, *Rep.* 2.46; *Leg.* 2.10; Livy 1.57–60; Stevenson 2011: 175–89; Beard 1999: 1–10; Joshel 1991: 112–30). The allegation of *stuprum*, here amounting to mere invective, was a serious one: the perpetrator was punished by seizure of half of his property (Berger 1953 s.v.), and the *paterfamilias* could exercise his *ius vitae necisque* over a culprit daughter (Fantham 1991: 267–91). In *Pis.* Cicero presents similar accusations, “didn’t you completely overturn poor communities (*evertisti miseris funditus civitates*) which endured heinous blows and the disgrace of your lust?” (*quae... nefarias libidinum contumelias turpitudinesque subierunt?* *Pis.* 86). *Necessariam*: “forced upon” OLD 5a (cf. *id, quod imperatur, necessarium, illud, quod permittitur, voluntarium est*, *Inv.* 2.145; Nāgelsbach 1905: 319.77), since, under certain circumstances, Cicero recommended suicide (*Fin.* 1.49, 3.60–1, with Hill 2004: 31–72). *Depulisse*: “drove off,” is also used of diseases (*si morbum depulero...*, *Fam.* 7.26.2; *Apollinem morbos depellere*, Caes. *BG* 6.17; Cels. *Med.* 3.20.4), and parallels *abiecisse* through rhyme\*.

30 **quod... non... sint, sed quia... dico**: *correctio*\*, *variatio*\* (*quod/quia*, cf. *Tusc.* 2.56) and switch from subjunctive to indicative stress the transition from an assumed and negated reason to a fact really taking place (K-S 3.385.4; Ghiselli 1953: 232–3). The *praeteritio*\* ends by repeating the same word, *omitto*, that opened it (*epanalepsis*\*; cf. *mitto... mitto* 3.13n.).

1 **sed quia nunc sine teste dico**: *testis* (from *tres*) originally indicating “a third party” (Ernout Meillet s.v.). By calling attention to the fact that he has no witness *at the moment*, Cicero implies that he actually has one.

6.1–7.15. Cicero uses a *conquestio*\*, a lamentation meant to arouse the audience’s pity (*Inv.* 1.106); the first *locus* suggested by manuals for *conquestio* was “to show in what prosperity they used to be and in what evils they now find themselves” (*primus locus est misericordiae, per quem, quibus in bonis fuerint et nunc quibus in malis sint, ostenditur, Inv.* 1.107).

1 **Ipsam vero urbem Byzantium**: the repetition of the same periphrasis\* (5.19) signals Cicero’s return to where he left off before the *praeteritio*\*.

2 **refertissimam atque ornatissimam signis quis ignorat?**: superlatives in homoioteleuton\* and vocabulary (*refertus*, “crammed,” often used with hyperbole, *OLD* 1a) create an hyperbole\* that Cicero smoothly imposes on the senators through an epistemic rhetorical question\* (a question that rather than asking for information extends/imposes the speaker’s knowledge on the audience; Schmidt-Radefeldt 1977: 375–92; Venzi 1980: 93–5). Cicero, then, is not arguing from hearsay, *a rumoribus* (*Her.* 2.12), but simply projecting assumptions on his audience (cf. *quis vestrum hoc non audivit, quis ignorat...?* 5.15 and *constat* 6.28). Byzantium had many statues, altars and temples dedicated especially to Artemis, Dionysus, Poseidon, Pluto, Zeus, Aphrodite (and Venus), Apollo and Tyche (Kubitschek 1899: 1145–7); it was considered wealthy (cf. *Plin. Ep.* 10.43) thanks to agriculture (*Sall. Jug.* 17), gold mines, money from tributes and its jealously kept independence.

3 **quae** means *et ea* “and these statues” (K-S 3.319a; cf. 5.14n. *quae*): after the long bracket *illi...sustinerent*, Cicero returns to this accusative, repeating *signa illa* as dir. obj. of *tenuerunt*.

3 **illi...sustinerent**: this short digression plays up the role of Byzantium in opposing Mithridates through metaphors\* and through a climactic use of exaggeration (*amplificatio*\*) resulting in lies.

3 **exhausti sumptibus bellisque maximis**: the participle has a concessive force. The first meaning of *exhaurio* is related to liquids,

“to drink up, drain dry,” (*hauriendo liquida* TLL 5.2.1406.29) and it often applies to extortion (cf. *illo imperante exhaustam esse sump-tibus et iacturis provinciam* Att. 6.1.2). Cf. *exprimere ab egentibus . . . a miseris extorquere* 5.21n.; *Har. Resp.* 59 and *Pis.* 86.

**4 omnis Mithridaticos impetus:** first *amplificatio*\* magnifying Byzantium’s opposition to Mithridates either in the first or in the third Mithridatic war. In the first Mithridatic war the Romans stationed at Byzantium failed to prevent Mithridates from crossing over to Greece, but Appian uses similar language of Minucius Rufus and C. Popilius, who were stationed at Byzantium “guarding the mouth of Euxine” (*Mithr.* 17, see next note). According to Eutropius, during the third Mithridatic war the siege of Cyzicus delayed Mithridates (cf. *Leg. Man.* 20), whom in 73–2 L. Lucullus attacked and defeated in various engagements; then Lucullus found refuge in Byzantium where he also reported a naval victory (6.6; cf. *Sest.* 58; *Oros.* 6.2.24). Cicero uses a similar hyperbole of the Rhodians, “who practically alone (*prope soli*) conducted that first war against Mithridates, sustaining the fiercest attack of all his troops on their walls, coastland and fleet (*omnisque eius copias acerrimumque impetum moenibus litoribus classibusque suis exceperint*, *Ver.* 2.2.159).

**4 totumque Pontum armatum:** this second metaphor\* (with *amplificatio*\*, homoioteleuton\* and personification\* of Pontus) expresses the legendary size of Mithridates’ army in 88 (cf. *Leg. Man.* 9): Appian speaks of 250,000 infantry, 40,000 knights (plus 10,000 auxiliaries) and 400 ships overcoming Roman forces at Byzantium (*Mithr.* 17–18).

**5 effervescentem in Asiam:** *effervesco* “erupting out” (*ex + ferveo + sco*) originally meant “to bring a liquid to boiling temperature” (*ND* 2.27; *TLL* 5.2.152.59): the hyperbolic metaphor of liquids (cf. 6.3n. *exhausti*) is very vivid (Nägelsbach 1905: 558–9.129) and wrongly suggests that Byzantium successfully resisted Mithridates but not Piso.

**5 atque erumpentem ore:** “bursting out from its mouth;” for the metaphor\* cf. *os Bospori* (Plin. *NH* 4.87); and “the mouth of Pontus” (referring to Byzantium, τὸ στόμα τοῦ Πόντου, App. *Mithr.* 17; Apollonius *Arg.* 1.2); *quaeque tenent Ponti Byzantia*

*litora fauces* (Ov. *Tr.* 1.10.31); and for the expression cf. *Byzantium fertili solo, fecundo mari, quia vis piscium immensa Pontum erumpens* (Tac. *Ann.* 12.63), echoing Sallust (*Hist.* 3.66; Syme 1958: 730).

**5 repulsum et cervicibus interclusum suis:** third *amplificatio*\* and new metaphor\* referring to Byzantium's double isthmus (OLD 4c; TLL 3.951.37); *interclusum* is nicely "hemmed in" between *cervicibus* and *suis*.

**6 inquam** emphasizes what follows (*Byzantii* and *signa illa*), presenting it as explanation of what precedes (the initial *quae* and *illi*, K-S 2.809; cf. 7.17n.); metaphors\*, syntax and word order suggest that Cicero is overwhelmed with emotions (hyperbaton\* *tum... et postea*; chiasmus\* *quae illi...* and *Byzantii... illa signa*), and we can imagine him touching his heart with a flat hand to express commiseration for Byzantium and moving the right fist toward his mouth to signify indignation (cf. Introduction 45–8).

**8 tenuerunt:** the solemn *adnominatio*\* of compound and simple verb (*sustinerent* and *tenuerunt*), coming from Old Latin (possibly even from Indo-European; Adams 1992; Holst 1925: 70–6), closes the period with Cicero's favored *clausula* (Type 1).

[7.]

**8 te:** Cicero switches to the second person as if Piso were present (cf. *Phil.* 2.1): the apostrophe\* elicits emotions (*mire movet*, Quint. 9.2.38; *Her.* 4.22), particularly, as here, vehemence, and the sudden insertion of an imaginary addressee transforms the spatial setting vividly, bringing Piso on stage (Hutchinson 2010); this is quite apropos as Cicero concludes his invective against Piso by recalling the vices he impressed on the senators' minds when he was present (*ille praesens in mentibus vestris oculisque defixit*, 8.25).

**8 imperatore infelicissimo et taeterrimo:** this characterization conforms to the manuals of rhetoric (*Inv.* 1.35) and anticipates *protervior an infelicio*r at 8.1–2; cf. 4.2–3n.

**9 Caesonine Calventi:** creative naming debases Piso's origins, probably leading present senators to laugh (cf. 9.3n. Semiramis). Calventius was Piso's maternal grandfather and, according to Cicero,

an unknown Gaul (*Insiber quidam*, *Pis.* fr. 9), who went to Rome from Placentia, just south of the Po (cf. *Caesoninus Semiplacentinus Calventius*, *Pis.* 14). Once in Rome, in spite of his disreputable stock and job (auctioneer and merchant, *Pis.* fr. 9), he managed to secure a good marriage for his daughter with L. Calpurnius Piso Caesoninus (*Pis.* fr. 13), and from this marriage was born Piso, “Caesoninus, the descendant of Calventius.” Cicero applies canonical *loci* of invective, belittling Piso for his ancestor’s humble origin and occupation (*Inv.* 1.35; *Her.* 3.10–1; Corbeill 1996: 171; David 1983: 318–22; Wiseman 1971: 77–89): auctioneers were banned from magistracies (*Fam.* 6.18.1; Brunt 1971a: 519–20; Marshall 1985: 91) and merchants from the senate. Like Calventius, Caesoninus (whose origin is debated: Griffin 2001: 86–7; Hofmann-Löbl 1996: 43–6; Badian 1990: 400) “is used only in mockery” (Shackleton Bailey 1998: 30; Dickey 2002: 68) and, given its snobbish slant, only in speeches to the senate (cf. *Pis.* 14, fr. 9; *Red. Sen.* 13).

**9 *civitas libera, et pro eximiis suis beneficiis a senatu et a populo Romano liberata*:** the repetition of *libera*, “free,” and *liberata*, “exempted from tax-payment” (*TLL* 7.2.1308.20) forms a sort of epanalepsis\* (cf. Holst 1925: 60–1 and 77–8) highlighting the freedom of Byzantium; the *conquestio*\* (cf. 6.1–7.15nn.) continues with another *locus*, showing that a person’s sufferings are unworthy of his previous status (*fortuna pristina, honore, beneficiis*, *Inv.* 1.107). For the status of *civitas libera*, see 6.24n. and 5.12n. *Beneficiis*: “good deeds” (*TLL* 2.1878.79). Byzantium enjoyed the status of *civitas libera* from 148, thanks to its opposition to Rome’s enemies (Antiochus III around 190, Perseus before 168 and later Aristonicus in 133–29), and despite welcoming the pretender Andiscus in 149 against Rome (Diod. 32.15.6).

**11 *spoliata atque nudata est*:** the personification of Byzantium, represented as a raped woman, expands on Piso’s *cupiditates* (5.24n.) and *libidines* (6.25n.), aligning the city with its *nobilissimae virgines* (6.28) and exploiting a typical representation of war as sexual conquest (Phang 2004: 211–17). The homoioteleuton\* with *liberata* marks the opposition between Piso’s and Rome’s treatment of Byzantium. For this stock motif of invective against provincial governors, see 5.14–21nn.

11 **C. Vergilius** is probably the same C. Vergilius Balbus who was praetor in 62 (with Quintus Cicero), propraetor in Sicily 61–58 (*MRR* 2.205) and good friend of Cicero's (*Planc.* 95; *Fam.* 2.19.2; *QF* 1.2.7; *Att.* 12.51.2; Ryan 1998a: 52–62). On Cicero's treatment of Piso's *legati* see 5.13n.

11 **vir fortis et innocens**: as opposed to *te imperatore infelicissimo et taeterrimo*; in *Planc.* (96) Cicero calls Vergilius *talis civis et vir*.

12 **intervenisset** confers solemnity on Vergilius' setting his *auctoritas* between Piso and the provincials (*TLL* 7.1.2298.81); we have no other evidence for Vergilius' "taking a hand" in Macedonia, but his former position as praetor and propraetor makes it possible, and testimony by provincial *legati* was taken seriously in cases of extortion (cf. *Ver.* 2.1.41).

12 **unum signum... nullum**: "not a single statue" (K-S 2.637). The hyperbaton\* with switch of word order and wordplay (*unum nullum*) achieves strong emphasis (L-H 205α), creating another hyperbolic\* *amplificatio*\* (cf. 5.21n. *nihil ulla vi... extorquere potuit*) and keeping the *conquestio*\* (6.1–7.15nn.) short, as the manuals recommended ("once emotions have been stirred, it will be inconvenient to protract a *conquestio* further," *commotis autem animis diutius in conquestione morari non oportebit*, *Inv.* 1.109). The language resembles the *Verrines*, "you have left not a single statue in Aspendum (*nullum te Aspendi signum, Verres, reliquisse*), everything has been snatched and removed from temples and public places," *omnia ex fanis, ex locis publicis... evecta exportataque esse*, *Ver.* 2.1.53, cf. 2.4.119).

13 **quod fanum in Achaia, qui locus aut lucus in Graecia tota**: rhetorical question\*, double pun (*quod... qui* and *locus aut lucus*) and *amplificatio*\* with two cola\* of increasing length create another vague and standard allegation (cf. 5.18n.), for which Cicero brings no evidence here and little evidence in *Pis.*, where he mentions Piso's plundering the temple of Zeus Ourios in Macedonia (*Pis.* 85 with Nisbet; cf. *Ver.* 2.4.129). This amounted to a charge of impiety (cf. *Ver.* 2.1.7; Dunkle 1967: 162–7; Miles 2008: 82–94). *Fanum* originally indicated a consecrated place, probably because priests declared (*fari*) sacred its borders (*hinc [a fando] fana nominata*,

*quod pontifices in sacrando fati sint finem*, Varr. *LL* 6.54; *TLL* 6.271.59–65), but in current use it could stand for *templum*, *delubrum* and *aedes* (Ernout Meillet s.v.). Cicero asks the same to Verres with a similar wordplay: *quod fanum denique, quod non eversum atque extersum reliqueris?*<sup>9</sup> *Ver.* 2.2.52. *Locus aut lucus*: same *adnominatio*<sup>\*</sup>, a pun produced by two close words of similar sound but different meaning and etymology (Holst 1925: 79.266), as at *Rab. Perd.* 7 (cf. *tanto animorum ardore et armorum*, *Marc.* 24 and *nec paratum solum sed peritum*, *Phil.* 11.35; Holst 1925: 78–80).

14 **tam... in quo**: relative of result, with the subjunctive stressing the link of consequentiality (K-S 3.298.7–7b).

15 **ullum simulacrum, ullum ornamentum reliquum sit?**: anaphora<sup>\*</sup> and homoioteleuton<sup>\*</sup> produce the same hyperbolic accusation as in *Sest.*, *neque tamen ullo in publico aut religioso loco signum aut tabulam aut ornamentum reliquisse* (*Sest.* 94; cf. *Pis.* 85).

15 **emisti**: word order and anaphoric<sup>\*</sup> repetition (*emisti... emisti... id emptum*) give emphasis; for the switch to the second person, see 7.15n.

16 **a foedissimo tribuno plebis**: Cicero avoids naming Clodius (named only twice in *Prov.* 24.26 and 46.29), using a periphrasis<sup>\*</sup> as if hiding an obscenity (*pluribus autem uerbis cum id quod uno aut paucioribus certe dici potest explicatur, periphrasin uocant, circumitum quendam eloquendi, qui nonnumquam necessitatem habet, quotiens dictu deformia operit*, Quint. 8.6.59).

16 **in illo naufragio huius urbis**: another periphrasis<sup>\*</sup> using the traditional metaphoric<sup>\*</sup> language (*naufragium, gubernare*) of the ship of state, as in manuals of rhetoric (*Inv.* 1.4; *Her.* 4.57; Quint. 8.6.44; Fantham 1972: 126–7; Innes 1988: 322–3) and in other *post reditum* speeches (*Dom.* 137; *Sest.* 15.2 with May 1980; *Pis.* 9 and 20–1).

17 **qui gubernare debueras**: Cicero famously identifies the preservation of public peace and prosperity as the goal of the *gubernatores rei publicae* “who have the task to keep this in view” (*Sest.* 98 with Kaster).

17 **everteras**: *everto* can be used in a strict sense of a ship in a shipwreck (*TLL* 5.2.1028.29) and is used antithetically\* to *gubernare* also in *De Republica*. Tarquinius, the prototypical tyrant, abused his power and subverted the state (*Tarquinius, . . . totum genus hoc regiae civitatis everterit*, 2.51), but a good *rector et gubernator civitatis* protects it (2.51 with Zetzl).

17 **tum, inquam**: cf. 6.6n.

18 **emisti . . . ut**: the object of *emere* is introduced by *ut* + a clause of result (L-H-S 2.644; *TLL* 5.2.516.35–50), expressing “an act or state seen as the undesirable result of another act” (Fowler 1920: 49).

18 **grandi pecunia ut tibi de pecuniis creditis**: the repetition of *pecunia . . . pecuniis*, a *tractio*\* (cf. Holst 1925: 61–2), is effective but unsound. In other *post reditum* speeches Cicero accuses Piso of receiving money from the *aerarium* (through Clodius: *cum Gabinio Syria datur, Macedonia Pisoni, utrique infinitum imperium, ingens pecunia, ut tibi omnia permetterent*, *Dom.* 55, cf. 129; *Sest.* 24; *Pis.* 86, 28) and from the provincials (*Prov.* 5.17n.; *Sest.* 94; *Pis.* 83, 90), but Piso is nowhere else said to have paid money to Clodius. Manuals of rhetoric recommend this *locus a causa*\*, a type of argument considering a person’s motive for action, based on the assumption that good deeds arise from good motives and vice versa (cf. *Sed has causas habent recta, prava contra ex falsis opinionibus veniunt. Nam est his initium ex iis quae credunt bona aut mala, inde errores existunt et pessimi adfectus, in quibus sunt ira odium invidia cupiditas spes ambitus audacia metus, cetera generis eiusdem*, *Quint.* 5.10.34).

18 **ius in liberos populos**: same vague charge as at 6.24, see n.

19 **contra senatus consulta et contra legem generi tui**: Caesar was Piso’s son-in-law, having married his daughter Calpurnia. Cicero aligns Caesar with the senate and against Piso by referring to the *lex Iulia de repetundis*, which was passed by Caesar in 59 (Berger 1925), restating a *senatus consultum* of 60. This most strict law (*acerrima*, *Vat.* 29) broadly covered any act of bribery (Berger 1953 s.v.; *Iust. Codex* 9.27), also forbidding a magistrate from “exercising jurisdiction in disputes arising from loans made to a citizen of a free city” (Lintott 1993: 39). In fact, Cicero had



reservations about this *senatus consultum* (*Att.* 1.19.9, 1.20.4) and about Caesar's law, which can be identified with what he calls a *lex recens ac nova* (*Flac.* 13; Oost 1956: 20–1); but he puts these reservations aside to set Piso's conduct against his son-in-law, as in other *post reditum* speeches (*Dom.* 23; *Sest.* 135; *Pis.* 90). Curiously, Caesar's laws could have been used also to defend Piso: a clause in the *lex Iulia de repetundis* allowed magistrates to leave their province *rei publicae causa* without the senate's permission (Lintott 1993: 23).

20 **liceret**: the oxymoron\* *contra legem...liceret* is one more way of showing the overturning of the state: a clause from the *lex Clodia de provinciis consularibus* exempted Piso from the restrictions of the *senatus consultum* and of Caesar's law (*Dom.* 23; Nisbet 1961: 174). Cicero uses a similar expression of Gabinius and Antony in *Phil.* 2.48: "then came his travels to Alexandria, against the authority of the senate, against the state and the Sybilline restrictions (*contra senatus auctoritatem, contra rem publicam et religiones*), but he used to have Gabinius as general..." (*sed habebat duces Gabinium*; cf. also *de Or.* 2.132).

20 **id emptum ita vendidisti**: the antithetic\* juxtaposition restates the accusation of greed and taking bribes, cf. 4 (esp. 4.24n. *propter avaritiam* and 4.30n. *vim argenti dederant*). Piso sells in the province what he bought in Rome from Clodius (cf. *tu senatus auctoritatem, salutem civitatis, totam rem publicam provinciae praemio vendidisti*, *Pis.* 15). For the *locus a causa* cf. 7.18n.

20 **ius non diceres**: governors were expected to administer justice over their province (Lintott 1993: 54–69), but, according to Cicero, Piso gets it all wrong by intruding into the independent jurisdiction of free cities (cf. 6.1–2n.); by failing properly to exercise his jurisdiction over the rest of the province; and by expelling Roman citizens from their property. Cicero similarly accuses Gabinius (*ius publicano non diceres* 10.17).

21 **bonis civis Romanos everteres**: "you deprived Roman citizens of their goods" (for *everto* with ablative "expel from," see *TLL* 5.2.1028.59–68; *OLD* 6; cf. *Ver.* 2.3.204). Cicero seems to refer to Piso's intervention against Fufidius (6.24n.). These vague charges, centered on the motif of *avaritia*, allow Cicero to move incompatible accusations against Piso: he harassed the poor provincials (6), and if

he took their defense against individuals like Fufidius he then committed an offense against the rights of Roman citizens.

[8.]

21 **quorum**: “but of all these things,” cf. 5.14n. *quae nunc*.

22 **nihil dico...praetermitto...nihil...loquor...nihil...disputo**: the attack on Piso opens and closes with a series of *praeteritiones*\* (see 3.13n. and 6.26n.). Here Cicero invites the senators to keep in mind all of Piso’s misdeeds, listing a few but evoking many more (*omnia illa*), with *enumeratio*\*. *Enumeratio* was typical of the *peroratio*\*, as a means of laying out the whole case in front of the audience’s eyes before the end (*enumeratio est, per quam res disperse et diffuse dictae unum in locum coguntur et reminiscendi causa unum sub aspectum subiciuntur*, *Inv.* 1.98), and Cicero uses this to wrap up his section about Piso before moving to dealing with Syria and Gabinius.

22 **nunc in hominem ipsum: de provincia disputo**: from the start Cicero aims to identify the problem of the provinces with that of their governors (cf. 1.1n.). *Praeteritiones*\* and repetition of language and motifs at the beginning and at the end of Cicero’s attack against Piso form a ring composition\*: Cicero repeats his intention to deal with the province three times, at the end of the first *praeteritio*\* and both at the beginning and at the end of this third one (*ad ipsas venio provincias* 4.21; *de provincia disputo* 8.23; *de provincia quod agitur, id disputo* 8.29); this device, called *commoratio*\*, suggests that he remembers and keeps his promise. Repetition of *disputo* (three occurrences in this chapter, a unique concentration in Cicero) hide his diversions by identifying his attack *in hominem* with the discussion about the provinces (cf. 1.1–2n.).

24 **audistis**: Cicero restates his other line of attack. With a *locus a causa* (cf. 7.18n.) he presents Piso’s misconduct in Macedonia as a natural sequitur to his misconduct in Rome; he thus implies that all he said about Macedonia matches both what the senators have often heard (*saepe*) and what they have seen in Rome.

24 **tenetis animis, etiam si non audiat**: “have in mind even without hearing more.” *Etiam si* is stronger than *etsi* and rare in

the speeches (L-H-S 2.672b); subj. pres. gives a flavor of potentiality to the concessive (L-H-S 2.671). Cicero reaps the fruit of the apostrophe\* at 7.8, see n.

25 **nihil de hac eius urbana...audacia loquor**: *urbana*, “displayed in Rome” (Nägelsbach 1905: 103.20), and *audacia* are emphasized by hyperbaton\*, recurring language stresses the ring composition\* (cf. 4.18n. *omnia domestica atque urbana mitto*) and the anaphoric\* repetition of *nihil de* scans the *cumulus*\* of invective. The two *praeteritiones* enclosing the section on Piso function chiasmatically: Cicero begins by moving from Piso’s misconduct in Rome (3.15–4.20) to that in Macedonia and closes by moving from Macedonia back to Rome.

26 **defixit**: “impressed” (*TLL* 5.1.341.55); cf. “I came ready to impress all his thefts and crimes (*sua furta atque flagitia defixurus sim*) not only on your ears but also on your eyes,” *Ver.* 1.7. The expression gives a favored Type 1 *clausula*.

26 **audacia**: the following list exemplifies the manuals’ advice to stain the adversary with as many vices as possible (*si quo modo poterit denique aliquo aut quam plurimis vitiis contaminare personam*, *Her.* 2.5). In particular, *audacia*, “recklessness,” indicates constant lack of balance (Achard 1981: 247–8) and in political invective it refers to those who oppose the *boni* with disregard for the law (*Inv.* 1.4–5; Wirszubski 1961: 14; Weische 1966: 28–33). In *Inv.* Cicero justifies the pursuit of eloquence as the citizens’ best means of checking the foul audacity of those who destroy the state (*nam quo indignius rem honestissimam et rectissimam violabat stultorum et improborum temeritas et audacia summo cum rei publicae detrimento, eo studiosius et illis resistendum fuit et rei publicae consulendum*, *Inv.* 1.5). Cicero condemns Piso’s *audacia*, *crudelitas* and conceited *libidines* also in *Sest.* 22; and Appian reports that Caesar promoted “the most daring of his supporters,” referring to Piso, Gabinius, Clodius and Vatinius (*BC* 2.14).

26 **superbia** expresses a sense and attitude of superiority typical of optimates and tyrants (Hellegouarc’h 1963: 439–41), especially when paired with *crudelitas* and *libido* (Dunkle 1967); Cicero similarly accuses Gabinius (cf. 11.26n.); cf. *an vero ex hoc illa tua singularis significatur insolentia, superbia, contumacia?* *Ver.* 2.4.89.

27 **contumacia** was originally a rural term indicating a recalcitrant animal (Ernout Meillet s.v.); Cicero often uses it with *superbia*, expressing the attitude of the proud looking down on inferiors (*TLL superbia in inferiores* 4.796.53–63; cf. Catullus 28 denouncing Piso’s abuse of power over Veranius and Fabullus; Kaster 2002: 141–2). This is particularly odious as an attitude towards peers, but it also designates a charge of insubordination or of nonobedience to an order (Berger 1953 s.v.), possibly referring to Piso’s destruction of senatorial authority (3.15).

27 **crudelitate**: another *locus* of invective and a typical mark of tyranny, attributed to Piso (cf. *Pis.* 83–5), Gabinius (*Prov.* 10.21 and 11.26) and to both together (*Prov.* 2.18 and 3.18), and another typical accusation meant to amplify Piso’s misdeeds (“accusing an opponent of having acted cruelly in full awareness rather than out of ignorance, *nihil imprudenter, sed omnia ex crudelitate et malitia facta*, will increase his misdeeds” *malefacta augebit*, *Inv.* 2.108). The accusation of cruelty directly responds to Piso’s successful self-fashioning as clement (Griffin 2001: 88–92; Benferhat 2002: 61–3), which Cicero impugns also in *Pis.*: *tu es ille cui crudelitas displicet? . . . o noster misericors, quid facis? Quod nulla in barbaria quisquam tyrannus*, 17 (cf. *Pis.* 14; *Red. Sen.* 17; Cassius Dio 38.15–6).

27 **lateant libidines eius illae tenebricosae**: alliteration\* and switch of word order give emphasis and form a Type 4 (spondaic) *clausula*. Cicero piles up some of these same accusations contrasting Piso’s haughty appearance and his hidden lusts also in *Pis.* 66 (*nihil libidinosius*; cf. *Sest.* 22). This amounts to an accusation of hypocrisy (cf. *Red. Sen.* 15; Corbeill 1996: 169–73), according to another *locus* of invective (*Inv.* 2.34 and *Her.* 2.5). *Libidines*: Piso was Epicurean, and Cicero expands on Piso’s hedonist lifestyle in *Pis.* 67–72, insisting on common misunderstandings of Epicureanism, as if he did not know better (Griffin 2001: 95–7; Benferhat 2002: 57–63). *Tenebricosae*: “concealed in darkness,” as something shameful (*OLD* 2), rather than checked by *pudor*.

28 **fronte et supercilio**: characteristically for Roman invective, Cicero dwells on Piso’s physical appearance, making his austere forehead and eyebrows account for his successful deception and career and, as typical of *post reditum* speeches, he targets Piso’s

eyebrows: e.g. “his eyes, eyebrows, forehead and in short his whole face, which is a sort of silent language of the mind—all this led people astray” *oculi, supercilia, frons, voltus denique totus, qui sermo quidam tacitus mentis est, hic in fraudem homines impulit*, *Pis.* 1 (cf. also *Red. Sen.* 15–6; *Sest.* 19 with Kaster; Meister 2009). For Quintilian, eyebrows typify different characters in comedy (11.3.74), and for Elder Pliny they express one’s emotions (*NH* 11.138; *Quint.* 11.3.78–9; *Cic. Off.* 1.146; Corbeill 1996: 170). For Grimal (1966: 160n.3) and Hughes (1992), Cicero’s mentioning Piso’s eyebrows alludes to the mask of the *senex iratus* or of the *pater durus* for Klodt (2003: 49–50), while for Griffin he alludes to statues representing Epicurus (2001: 97–9).

29 **pudore et temperantia**: *pudor* should function as *moderator cupiditatis* (*Fin.* 2.113), but Piso hides (rather than checking) his *libidines* by a hypocritical display of austerity (Meister 2009); as often in the context of *audacia* (or *superbia*), lack of *pudor* is an interpersonal indicator of one’s “discreditable ‘extension’ of the self” (Kaster 2005: 42–5). *Temperantia*, “self-restraint,” is the intrapersonal control exercised by reason over passions (*temperantia est rationis in libidinem atque in alios non rectos impetus animi firma et moderata dominatio*, *Inv.* 2.164). In dealing with provincials, *pudor* and *temperantia* include restraint in pillaging cities and temples and in extorting money (*Leg. Man.* 64–7).

29 **de provincia quod agitur, id disputo**: “it’s about the province—the topic under dispute—that I am talking,” cf. 4.21n. The long *praeteritio* closes with Cicero returning to the issue under discussion, *quod agitur*.

30 **Huic vos non submittetis?**: “will you not send [a replacement] for that one?” with dat. and elliptical obj. *OLD* 12a; to contemplate the possibility of recalling Caesar, Cicero uses instead “succeed” (*succedo* 18.18). *Huic* is emphatic, opposed to *vos* and linked with anaphora\* to *hunc*.

30 **hunc diutius manere patiemini?**: the repetition of the same concept, a figure called *commoratio*\*, emphasizes the rhetorical question\*, which recalls the question Cicero asked the senators at the beginning of his invective against Piso: *quid est quod possumus de Syria Macedoniaque dubitare?* (3.12). Cicero, who avoids

naming Piso until the end (cf. 2.3n. and 5.17n.), asks a similar question to Catilina (*Cat.* 1.1 and 1.10), suggesting that, like Piso, he crosses the line of the senators' proper exercise of *patientia* (Kaster 2002: 144).

**31 cuius... fortuna cum improbitate certavit:** Cicero recapitulates Piso's military (*fortuna*) and civic shortcomings (*improbitas*). *Fortuna* was a *virtus imperatoria* indicating the divine touch assuring great accomplishments to great men, and in *Leg. Man.* Cicero extolled Pompey's (*fuit enim profecto quibusdam summis viris quaedam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adiuncta fortuna*, *Leg. Man.* 47; Wistrand 1987: 35–43; Champeaux 1987: 2.236–44). Cicero exaggerates Piso's military defeats (cf. 4.22n. and 5.5n.; cf. *Pis.* 38, where he ironically impugns Piso's *florens fortuna imperatoris*), opposing them to Caesar's *fortuna* and *felicitas* (35). *Probitas* was a mark of the *boni* (Achard 1981: 421–4) especially indicating “honesty” in political matters and relationships (Hellegouarc'h 1963: 286); *improbitas* summarizes Piso's bad administration (cf. *Pis.* 27).

**1 protervior an infelicior:** the manuscripts' *posterior* must be preferred to the modern correction *protervior* both because *posterior* matches chiasmatically\* *improbitas* and because of the similarity, noticed by Nisbet, with *Pis.* 66 where Cicero lists some of the same vices, calling Piso *crudelis, contumax, superbus, libidinosus, audax* and *posterior* (Nisbet ad loc.), meaning “morally inferior.” Cicero thus closes his invective against Piso by summing up the main points of his attack in a dilemma\* comparing moral baseness and military failures. *Infelicior* recalls the loss of Piso's soldiers, for *felicitas imperatoria* designated the excellence of a general who conducted a victorious campaign with no (or limited) shedding of Roman blood (Martina 1985: 691–5). A similar dilemma compares Piso and Gabinius, weighing who is worse (cf. 12.15n., 15.12n. and 16.29).

**9–12** Cicero launches his attack against Gabinius, insisting especially on his effeminacy, incompetence, greed and cruelty; stock motifs of invective and of Cicero's *post reditum* mischaracterization of Gabinius (e.g. *Red. Sen.*; *Dom.*; *Sest.*; *Pis.*; cf. Introduction 27–9) are reinvented to fit *Prov.*'s specific goals.

## [9.]

3 **An vero...retinenda?**: through similar rhetorical questions Cicero smoothly links his attacks on Piso and Gabinius (*hunc diutius manere patiemini?*<sup>p</sup> 8.30) and encloses the invective against them in a ring composition\* (cf. *retinete igitur in provincia diutius eum, qui...* 12.9 and *et has duplicis pestis...imperii maculas teneretis?*<sup>p</sup> 13.18). Cicero's invective labors to dispel any doubt that Piso and Gabinius must be recalled, and repetitions return the discussion to the rhetorical question of the *propositio*: *quid est quod possimus de Syria Macedoniaque dubitare?*<sup>p</sup> (3.13n., cf. 15.12). *Vero* reinforces the hint of irony and amazement expressed by *an* (K-S 3.519). The question ends with an elegant Type 1 *clausula* (resolved cretic + trochee, cf. 5.9n. *esse videatur*).

3 **Semiramis illa**: Sammu-ramat was the queen of Assyria (Frahm 2008; Röllig 1975; Pettinato 1985; and Capomacchia 1986), founder of Babylon and wife of Šamši-Adad V (824–810 BCE); she symbolized barbarian luxury (cf. *Ov. Am.* 1.5.11; *Met.* 4.58 and Pliny *N.H.* 33.51 and 35.78, with *LIMC* 7.1.726–7 and Questa 1989), cruelty and female lust for power (Prop. 3.11.21–6, with Grimal 1981 21–3). Cicero may have derived this representation from Diodorus (2.4–20, cf. Ctesias *FGrH* 688 F 1b), Hyginus (*Fab.* 223.6 and 243.8) or Pomponius Mela (*Chor.* 1.63.3), all active in Rome in the 50s, and we can assume that Roman senators knew of her. According to Suetonius, in 59 Caesar replied to a senator who was belittling his effeminacy and desire for conquest by saying that “Semiramis too had been the queen of Syria” (*DJ* 22; Corbeill 1996: 196–7); Cicero's mention of Semiramis, then, may allude also to Caesar's effeminacy. By *pronominatio*\* (*Her.* 4.42 and Lausberg §580) Cicero, who makes little distinction between Assyria and Syria (Frye 1992: 30–5), sarcastically lays out the main strands of his invective against Gabinius as effeminate, cruel, ambitious and incompetent (10–12; cf. *Phil.* 4.15 and 13.22, where Cicero calls Antonius Spartacus). The accusation of effeminacy is a stock motif both in Roman invective (e.g. *Cael.* 6–7; *Mur.* 13; *de Or.* 2.277; Ps.-Sall. *Inv in Cic.* 2; Corbeill 1996: 128–73) and in Cicero's *post reditum* attacks against Gabinius. Gabinius is called Catiline's

*amator*, “(female) lover” (*Red. Sen.* 10, 12, or *deliciae*, “sweetheart,” *Dom.* 62), and a *saltator*, “dancer” (*Red. Sen.* 13; *Dom.* 60; *Planc.* 87; or *saltatrix*, “female dancer,” *Pis.* 18), he is accused of performing oral sex (*Red. Sen.* 11) and targeted for his effeminate walk (Corbeill 2004: 118–23) and appearance (*Sest.* 18 with Kaster). On cruelty, ambition and incompetence as motifs of invective, see Craig 2004: 189–99 and Corbeill 2002: 199–211. *Illa*: in 9–12 Cicero names Gabinius only twice (11.26, 12.15), consistently and disparagingly using substitutes as he did with Piso (cf. 2.3n. and 5.17n.): initial irony (*Semiramis illa*, 9.3 *imperatore illo*, 9.8), hinting at Gabinius’ effeminacy (cf. 12.13; and Introduction 27–9) turns into open invective (*illum hostem senatus, inimicissimum*, 11.29; *illius helluonis et praedonis*, 11.4; cf. *ipse*, 10.20 and 12.13). For the reasons behind this animosity see Introduction 2–5.

4 **iter in provinciam**: “entry/journey into the province” (*TLL* 7.2.540.11).

4 **rex...conduceret**: the lack of circumstantial details makes it hard to understand what Cicero has in mind, but this charge leaves Cicero the possibility of denial (“but I never said *that!*”), which he would lose if he spelled it out; in this way, without being explicit, Cicero provides one more “proof” of Piso’s and Gabinius’ perversion of the state (cf. 3.10n.). Lack of detail also invites each senator to supply his own interpretation of Cicero’s allegation, making the charge more vivid (“what is concealed spurs the reader into action, but this action is also controlled by what is revealed,” Iser 1989: 33), according to both the instructions of ancient manuals of rhetoric (e.g. “an unspoken suspicion is worse than an eloquent exposition,” *atrocior tacita suspicio quam diserta explanatio*, *Her.* 4.41) and the mechanics of *praeteritio* (Lausberg §887).

4 **rex Ariobarzanes**: II Philopator (*RE* 6; Sullivan 1980: 1136–9) was king of Cappadocia from 62, when he inherited the kingdom from his father, Ariobarzanes Philorhomaïos (*RE* 5; *Leg. Man.* 5), to 52, when he was assassinated and succeeded by his son, Ariobarzanes III (whose recognition by the senate was formally requested by Cicero; *Fam.* 2.17.7; Braund 1982: 37–9; *contra* Shackleton Bailey



ad loc; Rowland 1972: 457). His difficult rule tried to reconcile being both a Roman ally and the husband to one of Mithridates' daughters, Athenais Philostorgos II (App. *Mithr.* 66), who probably took part in the conspiracy leading to his murder (Sullivan 1990: 175–7).

**5 ad caedem faciendam:** cf. *Mil.* 28.

**5 tamquam aliquem Thraecem:** “as a Thracian gladiator” (*OLD* 2, carrying a Thracian sword, *sica*, and small shield, *parma*; *RE VI A 1* 389–92); the identification of a consul with a Thracian gladiator is reminiscent of the accusation that Cicero would move against L. Antonius, “a gladiator turned general” (*ille autem ex myrmillone dux, ex gladiatore imperator*, *Phil.* 3.31, cf. 6.13.4). Barbarization was a commonplace of invective (Achard 1981: 201–13; Vasaly 1993: 191–243; Corbeill 2002: 205–7; Craig 2004: 188–99), and Thracians were perceived as violent and unrestrained (cf. 4.29n.). Nepos calls them “drunk and devoted to sexual pleasures,” *homines vinolentos rebusque veneriis deditos* (*Alc.* 11.4; cf. Athen. fr.109), and Catullus says *horrida Thracia* (4.8; cf. Horace *Carm.* 1.27.1–4 with Nisbet Hubbard ad loc.); they had an ongoing struggle against Rome (Doi 1992).

**6 conduceret** has here the technical meaning of “hire,” *TLL* 4.160.3 (cf. *Phil.* 14.15), but the verb has a negative slant, being used of prostitutes, beasts and, in military matters, of mercenaries (*TLL* 4.159.48–85). Hence in Cicero’s invective, “Piso was a tyrant: Gabinius is the servant of tyrants” (Steel 2001: 51). Caesar expresses the same indignation at Roman senators and the general Varus following king Juba as servants (*BC* 2.44), since a Roman general was expected to give, not receive, orders (Richardson 1991). Of course, a proconsul was not a mercenary and should not be working for pay, so Cicero’s words amount to an accusation of bribery, but no other source mentions Ariobarzanes bribing Gabinius (Sullivan 1990: 176–7).

**6 deinde adventus in Syriam primus equitatus habuit interitum:** lit. “then his first arrival in Syria caused the slaughter of the cavalry.” A proconsul’s arrival in his province was a solemn moment (*Leg. Man.* 13; *Fam.* 3.6.1), at times greeted by the people (*Att.* 5.15.1), and it often provided the occasion for a first report back to the senate or to friends (*Att.* 5.14.2). *Deinde* orders

the chronological sequence (K-S 3.69.2b), and the language denoting the solemn moment of Gabinius' entry into the province sets up the disappointment of his loss of cavalry and legions. For *habeo* meaning "cause," see *TLL* 6.3.2416.66. *Amplificatio*\* and language exaggerate the extent of Gabinius' losses in Syria (cf. *Sest.* 71 with Kaster; *Pis.* 41 with Nisbet 188–92; Fantham 1975: 429–32; Williams 1978: 201–4; and Siani-Davies 2001: 132–4), but Cicero's statements must be placed against other sources (for instance, Josephus praises Gabinius' proconsulship, *AJ* 14.103–9; *BJ* 1.178; cf. Introduction 27–9). Cicero's exaggeration about Gabinius' losses recalls his previous statement about Piso (*iam vero exercitus noster ille... omnis interiit*, 5.4n.).

7 **post concisae sunt optimae cohortes**: *concisae* "slaughtered" (*TLL* 4.35.33; cf. 5.7n.). In *Sest.* Cicero laments the same loss, blaming it all on Gabinius, "we would not have lost our cavalry and the best troops in Syria," *neque equitatum in Syria et cohortis optimas perdidissemus*, *Sest.* 71. The switch in word order produces emphasis and a chiasmus\* (*equitatus habuit interitum* and *concisae sunt optimae cohortes*) linking the two cola\* and giving two favored *clausulae* (Type 4 with resolutions and Type 3.b).

8 **igitur** continues the temporal sequence (*deinde... primus... post*), presenting what follows as a result of what precedes (K-S 2.132.1 and 2.135.3–4).

8 **imperatore illo**: Cicero sarcastically juxtaposes Gabinius' title of *imperator* and his poor military performance, as he did with Piso (*praeclaro nostro imperatori*, 4.1n.), whose campaigns are compared to other generals' triumphs (*Macedonia... munita plurimorum imperatorum non turribus sed tropaeis*, 4.21n.). Cicero returns to Gabinius' and Piso's campaigns at 14, where a comparison between them sets up the rhetorical question: *hosce igitur imperatores habebimus?* 15.12. Conversely, Cicero shows that the Roman people can be proud rather than ashamed of Caesar (*noster imperator, nosterque exercitus et populi Romani arma*, 33.19n. and 47.10n.). For the device of leaving Gabinius unnamed cf. 9.3n. *illa* (cf. also 2.3n. and 5.17n. for the same treatment of Piso).

8 **nihil aliud... nisi**: Cicero uses *nihil aliud* with *nisi* more regularly than with *quam* (L-H 595; cf. *Quinct.* 90; *Caec.* 9; *Sest.* 124), meaning “nothing else... other than” (cf. “only this or nothing,” K-S 3.414).

8 **nihil aliud umquam actum est**: the general sense is clear, but the text is problematic, since the manuscripts’ *neque* presupposes an antecedent that is not in the text. Peterson’s *umquam* (accepted by Cousin) must be rejected because the expression *nihil aliud umquam... nisi* is unparalleled in classical Latin; Madvig (followed by Maslowski) prints <*neque cogitatum*> *neque actum*; but Reinhardt Klotz <*neque gestum*> *neque actum* is preferable for its similarity with *Pis.* 40, *quid tandem erat actum aut gestum in tua provincia...?*

9 **pactiones pecuniarum cum tyrannis, decisiones, direptiones, latrocinia, caedes**: “agreements to exchange money with tyrants, settlements, pillaging, selling of troops, massacres”; the climactic\* asyndeton\* achieves vigor and brevity (*Her.* 4.41; cf. *Prov.* 5.7n.), presenting single charges as if they were more numerous (*Quint.* 9.3.50). *Pactiones pecuniarum cum tyrannis*: *pactio* with obj. gen., meaning “agreement (to pay something in consideration of expected advantages)” (*OLD* 1b), is opposed to the legal agreement made by the *publicani* and revoked by Gabinius (*pactiones sine ulla iniuria factas rescidit*, 10.17n.; *TLL* 10.1.26.18). Cicero uses a similar alliteration\* for the bargain allotting the provinces to Piso and Gabinius, “two consuls bought by the agreed bargain of the provinces,” *duo consules empti pactione provinciarum* (*Red. Pop.* 13; cf. *Pis.* 28) and similar language for Clodius’ attempt to invalidate Pompey’s settlement of the East (*cautiones fiebant pecuniarum, foedera feriebantur provinciarum, regum appellationes venales erant*, *Dom.* 129; cf. *Prov.* 43.4n.). The vague accusation of making deals with tyrants may refer to Gabinius’ creation of five districts in Judea, each under the government of a sanhedrin (Josephus *AJ* 14.91 and *BJ* 1.170), or, less likely, to the restoration of Hyrcanus (*AJ* 14.82; *BJ* 1.169, with Sherwin-White 1994: 271–3 and 260–2), or it may refer back to Gabinius’ dealings with Ariobarzanes (cf. Introduction 27–9). On Judean taxation, see Dio 39.56.6 and Josephus *AJ* 14.203. *Decisiones, direptiones*: *decisio* (< *de* + *caedo* = “to cut off < mark out < bring to a conclusion”)

simply indicates a transaction (*TLL* 5.1.179.52), but alliteration\*, homoioteleuton\* and an equal metrical pattern and number of syllables stress the association with *direptiones*, “brigandage, pillaging” (commonly found in the singular, *TLL* 5.1.1231.37), giving it a sinister flavor. *Latrocinia* is a Greek word (Oksala 1953: 66; cf. 15.19n. *latrunculis* and *Inv.* 2.111) anticipating the accusation of greed (11.26n.), and typically used of un-Roman and unassimilated barbarians (Burian 1984). *Caedes* is similarly used to accuse Piso at 6.25.

10 **populi Romani imperator**: Gabinius proves again unworthy of his title (cf. 9.8n. *imperatore illo*).

10 **cum... dexteram tendens** forms a favored Type 1 *clausula* (cretic + spondee). One must imagine a pause and a gesture accompanying these words; perhaps Cicero stretched out his right hand before the unexpected turn of the sentence.

11 **non ad laudem milites hortaretur**: generals stretched out their right hands to address the soldiers (a gesture called *adlocutio*), especially before battle. For examples and discussion of the visual evidence showing generals and politicians in the solemn act of *adlocutio*, see Cichorius 1894, Brilliant 1963: 39–40 (for evidence from the Late Republic) and 165–70 (for evidence from the Empire), Aldrete 1999: 45–50 and Winkler 2009: 17–41. The favored Type 2 *clausula* (resolved molossus + cretic) was followed by a pause, and the pause (possibly accompanied by Cicero’s gesture of *adlocutio*, see Introduction 45–8) precedes the unexpected turn of the sentence, skewering Gabinius.

12 **sed omnia sibi et empta et emenda esse clamaret**: the *correctio*\* *non... sed* transforms general Gabinius into an auctioneer, lit. “but he declared that everything had been bought and had to be bought by him.” With an image, Cicero sarcastically plays on the somewhat similar gestures of generals exhorting troops and wholesalers proclaiming auctions (cf. Haury 1955: 93–5), in particular in an auctioneer’s function at auctions of people wrongly dispossessed. Relief sculptures of salespersons offering their wares show men extending their right arms (Kampen 1993, esp. figs. 43, 46), and Festus explains the etymology of *manceps*, auctioneer, from *manus*, hand, as follows: “auctioneer is called one who buys

or collects from a crowd, because with his raised hand he signifies that he is the buyer,” *manceps dicitur qui quid a populo emit conducitve, quia manu sublata significat se auctorem emptionis esse* (139.12 p. 151). One can imagine Cicero accompanying the polypoton\* (*et empta et emenda*), the unexpected turn of the sentence (a device called *aprosdoketon\**) and the resulting vivid scene (an example of *evidentia\**) with a gesture, mimicking an auctioneer and making the audience laugh. In the Late Republic, auctioneers could not run for political office and were a target of invective (*TLL* 10.2.497.15ff. s.v. *praeco*), because of their social status (Rauh 1989), because of their public and extreme use of their mouth (*vox*) and because of their agitated and excessive movement of their arms; Apuleius contrasts the gesticulation of a *praeco* (here meaning a herald attending a magistrate, but it is “impossible . . . to distinguish between these two roles of the profession,” Rauh 1989: 453) with the calm demeanor of a praetor (*Flor.* 9.30–1; Corbeill 2004: 124–5). While suggesting moderation (*Orat.* 59) and criticizing other orators’ abuses of *actio* (e.g. Curio’s, *Brut.* 216–7; and Sextius Titus’, *Brut.* 225), Cicero recommended that speeches be accompanied by gestures and disapproved of orators’ reluctance to do so (*Brut.* 278 and *de Or.* 1.230). Although both Cicero and Quintilian distinguish between *imitatio* and *actio* (11.3.88–9 and 11.3.182) and advise that the orator avoid mimetic gestures (e.g., 11.3.117), Cicero praises Antonius’ *actio*, because “his gesture did not imitate single words, but agreed with the sense of phrases,” *gestus erat non verba exprimens, sed cum sententiis congruens*, *Brut.* 141. *Actio* was part of the orator’s education (*de Or.* 3.220; *Orat.* 59; Quint. 11.3.65–184; Graf 1992: 36–58; and Hall 2004: 143–60, on the evolution of *actio* from Cicero to Quintilian) and could attain to high pathos\* (Aldrete 1999: 6–17), as when Cicero moved a jury by bringing an infant to court (*Orat.* 131; cf. *de Or.* 2.124) or indignation, as with a bloody knife (cf. Introduction 45–8). Another favored Type 1 *clausula* invites us to pause again.

**10–12** A *conquestio\** (10.14–11.27) aims to arouse pity for the publicans (*Her.* 2.50; *Inv.* 1.106–7 and 2.36), presented as victims of Gabinius, and sets up Cicero’s requests to support them with

the *aerarium* (11.27–12.9) and to remove Gabinius from the province (12.9–12.16).

[10.]

14 **iam vero** gives emphasis to the new point within the list of Gabinius' misdeeds; cf. 5.4n.

14 **publicanos miseros**: in the Republic the state could entrust the collection of revenues to private companies of publicans (Ürögdi 1968; Badian 1983: 11–25; Nicolet 2000; Ehrhardt 2002: 135–53), as had been the case in Syria since Pompey annexed it in 63. These companies were highly organized: a chief, *manceps*, made the bid, offering a guarantee (*praedium*) to the treasury in assurance of his ability to pay, and signed the contract (*obligatio praedatoria*) with a magistrate, establishing the amount due, the date of completion (*dies operis*) and the date of payment (*dies pecuniae*). Some registered partners, *socii*, made up the company, either pledging some property and acting as *praedes*, or simply acting as shareholders, without having to pledge their property; *magistri*, probably elected by the *socii*, had executive power and kept the books, collecting documents and recording transactions (Badian 1983: 67–75; de Laet 1949: 102–8 and Rostovtzeff 1957: 368–72). Some companies were so big that it has been suggested that the *socii* organized themselves in *decuriae*, each electing a *decumanus* as their representative and acting as practical voting units for electing the *magistri* (Nicolet 1966: 331–3). Cicero's depiction of publicans' dealings in Syria is highly idealized (cf. *Leg. Man.* 17): often provincials complained against their abuses, which the state struggled to check (Maganzani 2002: esp. 29–45 and 77–93), and Cicero himself saw them as ruthless and powerful exploiters (*QF* 1.1.32, with Badian 1983: 12). Cicero, however, often supported “the poor publicans” (Strasburger 1956: 46–9), presenting them as victims of Gabinius (cf. *Pis.* 41 with Nisbet 188–92; Braund 1983; Badian 1983: 99). The publicans never forgave Gabinius: they complained to the senate about his interference with their activities (Dio 39.59.2; Gruen 1974: 326–7; Lintott 2008: 204–5) and in 54, upon his return to Rome, flooded the senate again to depose

against him and even physically threatened him when he called Cicero an exile (*QF* 3.2.2).

**14 me etiam miserum:** this *exclamatio*\* (regularly in acc. *TLL* 8.1106.1–8), with alliteration\* and polyptoton\* (*miseros... miserum... miseriis*), achieves compassion and indignation (*Her.* 4.22) while linking Cicero and the publicans, according to the strategy of the *exordium* (*ut dolor meus nihil a communi utilitate dissentiat*, 1.10n.). In *Inv.* Cicero lists lament for the misfortunes of loved ones as a locus for *conquestio*\* (“through this *locus* we demonstrate that we do not lament our own misfortunes, but those of our dear ones,” [locus] *per quem non nostras, sed eorum qui cari nobis debent esse, fortunas conqueri nos demonstramus*, *Inv.* 1.109).

**14 illorum ita de me meritorum miseriis ac dolore:** “for the painful suffering of those who have deserved my gratitude.” For this middle-passive use of the perfect participle *meritorum* cf. *Phil.* 5.28 and *TLL* 8.809.60; here it means “to acquire a claim to a person’s gratitude (i.e. by one’s services)” *OLD* 6b, and refers to the role played by the *equites*, whom Cicero often identifies with the publicans (Bleicken 1995: 14–26), in his recall from exile (cf. *Red. Sen.* 12; *Har. Resp.* 1; *Sest.* 26). Cicero constantly supported the *equites* (cf. *Sest.* 28 with Kaster) and worked at keeping their favor (Berry 2003: 222–34).

**15 tradidit in servitatem:** Gabinius preferred to use local aristocracies rather than publicans for collecting revenues (Wiseman 1992: 395), as the following lines make clear. In 58, as newly elected consul, he repressed the *equites* and intimidated the publicans (*Fam.* 11.16.2 and 12.29.1, with Rawson 1975: 114), and in May 56 the senate debated his interference with the publicans of Syria (Courtney 1963): Cicero was present, and Clodius defended Gabinius and a certain P. Tullio against the publicans (*Har. Resp.* 1–2; Lintott 2008: 204–5).

**16 Iudaeis et Syris, nationibus natis servituti:** the Romans’ chauvinistic attitude toward foreigners (Harris 1979; Lintott 1993; Isaac 2006), was shared by Cicero (Braund 1999, with regard to the administration of provinces, and Brunt 1978: 170–79), and assumed in his audience (Isaac 2004: 316–17). Also typically Roman is Cicero’s attitude toward Syrians (Isaac 2004: 335–50) and Jews

(Isaac 2004: 440–84), who were often elided (cf. Ov. *Ars* 1.76): in *Flac.* Cicero expresses satisfaction that the Jews, contemptuously labeled *illa gens*, have finally been conquered, forced to pay taxes to Rome and enslaved (*illa gens quid de nostro imperio sentiret ostendit armis; quam cara dis immortalibus esset docuit, quod est victa, quod elocata, quod serva facta*, *Flac.* 69; Yavetz 1998: 80–1; Schäfer 1997: 180–3). Cicero voices his disgust with chiasmic\* polyptoton\* (*servitutum Iudaeis et Syris, nationibus natis servituti*), alliteration\* and homoioteleuton\* and ends with a favored Type 3 *clausula* (molossus + trochaic).

16 **Statuit ab initio, et in eo perseveravit:** after Cicero the use of *statuo* supplemented by infinitive becomes common (K-S 668b). Cicero accuses Gabinius of intention, which was an aggravating factor in Roman law (Berger 1953 s.v. *animus* and *impetus*), and similarly accuses Piso (7.15–11).

17 **ius publicano non dicere:** *ius dicere* (or *ius/iura reddere*) generally means “to interpret the law,” indicating “the binding decision or judicial pronouncement of a magistrate” (*OLD* 4b), and here Cicero accuses Gabinius of not hearing suits brought by publicans. Gabinius profited from this treatment of the publicans, for whom he had little sympathy, since they opposed him when as consul he had Cicero exiled (Badian 1983: 109).

17 **pactiones** were contracts of agreement, in this case those between local cities in Syria and the particular company of publicans that had won the bid (cf. 10.14n.). *Pactiones* established the amount agreed by both parties, leaving the task of collecting money to the cities: “it was the *pactio* that gave the governor his main chance if he was unscrupulous, his main worry if he was scrupulous” (Badian 1983: 79–80), as the governor could exercise pressure on cities, forcing them to accept the deal offered by his friends. Cicero’s defense of publican companies (cf. 10.14n.), which were mainly run by *equites*, would also please many senators, who often held shares. Tacitus’ statement that in the Republic consuls and tribunes established companies of publicans (*plerasque vectigalium societates a consulibus et tribunis plebei constitutas acri etiam tum populi Romani libertate*, *Ann.* 13.50, with Badian 1983: 69–70) is confirmed by Cicero, who asks Vatinius if as a tribune



he had shares from the publicans (“did you not snatch the most expensive shares at that time partly from Caesar and partly from the publicans?,” *eripuerisne partis illo tempore carissimas partim a Caesare, partim a publicanis?* *Vat.* 29 with Pocock 1926: 178–9; Badian 1983: 101–3).

18 **sine ulla iniuria factas rescidit**: with pleonasm\* and litotes\* Cicero plays up the publicans’ innocence (cf. 10.14n.); he elicits pity (cf. *Tusc.* 4.18) by using another *locus* for *conquestio*\* (through this *locus* “an unnecessary deed is brought forth,” *aliquid dicitur esse factum, quod non oportuerit, Inv.* 1.108); and he underscores Gabinius’ injustice with a favored Type 1 *clausula* (cretic + spondee) setting the publicans’ legal *pactiones* against Gabinius’ unlawful ones (12.11).

18 **custodias sustulit**: among the slaves (*portitores*) populating the publicans’ societies (*familiae publicanorum*, which Cicero calls *familiae maximae*, *Leg. Man.* 16) were private guards, *custodiae* (cf. *Leg. Man.* 16; de Laet 1949: 87 and 102–8), and messengers (*tabellarii*), who formed a private postal system so well organized that at times even governors had recourse to them (*Att.* 5.15.3 and 5.21.4). Cicero similarly accuses Piso of having dismissed “the guards protecting the province” *custodiam provinciae*, in *Pis.* 48.

19 **vectigalis multos ac stipendiarios liberavit**: “exempted many from payment of tributes and taxes.” The repetition, a device called *iteratio*\*, achieves vehemence: originally *vectigales* paid in kind and *stipendiarii* in money (cf. *Div. Caec.* 7; *Balb.* 24), but by Cicero’s time these two terms were synonyms (cf. *Ver.* 2.4.134). *Vectigal* was the main revenue that towns and cities received from people renting state properties (de Laet 1949: 49–53; for epigraphic evidence, esp. from Italy, see Nonnis and Ricci 1999: 54–59); it included also *portoria*, harbor taxes, amounting to 2.5 percent of the product value (France 1999: 95–102; de Laet 1949: 86–8), and the *vicesima libertatis*, a 5 percent tax on the value of manumitted slaves, which went into a special fund, the *aerarius sanctius* (Bradley 1984: 175–82; Corbier 683). *Stipendiarium* was a fixed sum paid in cash for taxes (*Ver.* 2.3.12) or the soldiers’ pay. *Liberavit* means “exempted from payment” (*TLL* 7.2.1308.84), and certainly refers to Gabinius’ transforming the regular payment of

taxes to the publicans into what Cicero calls “private deals with tyrants” (9.9n.); Cicero means that Gabinius was stealing money from those many senators who were involved in publicans’ companies. Thus, in Cicero’s invective, Gabinius and Piso differently exploit the same greed: Piso strips bare Byzantium, a *civitas libera et liberata* (7.10), and Gabinius gives exemptions, making private deals.

19 **quo in oppido ipse esset aut quo veniret, ibi publicanum aut publicani servum esse vetuit**: this amounts to an accusation of systematic interference with the publicans (Badian 1983: 109), who had a conspicuous staff of employees and slaves (see 10.18n. *custodias sustulit*). The short period is rhetorically fashioned, with pleonasm\* and polyptoton\* and with two isosyllabic and parallel couples of cola (joined by *aut* and linked by *quo . . . ibi*) setting apart *esse vetuit*, which ends the period with a favored Type 2 *clausula* (molossus + resolved cretic).

21 **quid multa?**: cf. *de Or.* 2.306 and K-S 2.599.2.

21 **crudelis . . . Romanos**: for this construction cf. 2.20n. *Quonam . . . animo*: Cicero exaggerates Gabinius’ cruelty with hyperbole\* as he did with Piso (cf. 4.20n. and 8.27n.); the chiasmus\* (*in hostis animo fuisset eo quo fuit in civis Romanos*) adds emphasis, and six long syllables end with another favored Type 4 *clausula* (double molossus).

22 **eius ordinis praesertim . . . sustentatus**: Cicero constantly praises the *dignitas* of the *equites* (cf. 10.15n.; *Sul.* 64; *Dom.* 74; Achard 1981: 384–8; Nicolet 1966: 196–8), whom he presents in harmony with the senators, according to the ideal of the *concordia ordinum*. On this ideal, see Boren (1964: 51–62), who stresses the connection between Cicero’s ideal and the *mos maiorum*; Strasburger (1956: 49–55 and 71–4), who stresses the connection with the Greek concept of *homonoia*; Nicholson (1992: 39–43), who considers how this ideal plays out in Cicero’s *post reditum* speeches; and Lind (1986: 67–73), who follows the development of this political slogan through the Late Republic. Given that Cicero was addressing senators, his ideal of *concordia* between orders is properly framed hierarchically, by placing the publicans under the protection of the senate.

## [11.]

24 **Itaque...videtis...**: in truth, Cicero did not (and will not) show what he says (cf. Konstan 1993 for the device of assuming what should be proved).

25 **non temeritate redemptionis...** “not by unconsidered purchase of a contract” *OLD* 2a. Upon winning the bid for collecting revenues, a society of publicans signed a contract establishing the amount due to the state and the day of payment (cf. 10.14n.): if the bid was too high, the company would risk losing money. With *correctio*\* (*non...sed*) and chiasmus\* (*temeritate redemptionis...negoti gerendi inscitia*) Cicero dispels responsibility from the publicans, and with a high concentration of abstract vocabulary he presents them as virtuous victims of the monster Gabinius.

26 **avaritia, superbia, crudelitate**: *avaritia* is “unlawful desire for what belongs to someone else,” *avaritia iniuriosa adpetitio alienorum* (*Her.* 4.35), especially money (*est autem avaritia opinatio vehemens de pecunia, quasi valde expetenda sit, Tusc.* 4.26; cf. *pecuniae cupiditas, Inv.* 1.95 and *Her.* 2.37); in *Pis.* Gabinius’ greed is directly related to his interference with the publicans: “having wasted the immense patrimony which he took from publicans’ property, and from allies’ fields and cities,” *effusa iam maxima praeda quam ex fortunis publicanorum, quam ex agris urbibusque sociorum exhauserat* (*Pis.* 48; cf. 9.9n.; *Sest.* 93). *Superbia* “is intimately connected to transgression, both in self-presentation and action” (Baraz 2008: 380) and expresses a sense of superiority that undermines the quasi-egalitarian republican elite and is typical of optimates and tyrants (Hellegouarc’h 1963: 439–41; Arena 2012: 244–8), especially when paired with *crudelitas* (and *libido*, Dunkle 1967). Cicero similarly accuses Piso (cf. 8.26n.). *Crudelitas* is another mark of tyranny, attributed to Piso (cf. *Pis.* 83–5), to Gabinius (cf. 10.21n.) and to both together (2.18n. and 3.18n.), and another typical accusation meant to amplify his misdeeds (“for stating that an opponent did not act out of ignorance, but out of calculated cruelty will magnify his misdeeds,” *adversarius autem malefacta augebit: nihil imprudenter, sed omnia ex crudelitate et malitia facta dicet, Inv.* 2.108) and to elicit pity for his victims,

namely the Roman soldiers (cf. 9.7n.) and publicans (cf. 10.14n.). The accusation of cruelty recalls Cicero's depiction of Gabinius as a Semiramis (9.3n.) and the same charge against Piso (cf. 8.27n. and *Pis.* 17). Cicero lists in asyndeton\* (cf. 5.7n. and 9.9n.) stock motifs of invective, commonly used against governors (cf. his charges against Piso at 4.24n. and 8.26–7n.), regardless of their accuracy: in oratory, as Cicero himself teaches, the manipulation of emotions achieves more than the law or adherence to truth (“for men often form judgments because of hatred or love on many more issues... than because of truth or a legal norm or rule, or law and regulation,” *plura enim multo homines iudicant odio aut amore... quam veritate aut praescripto aut iuris norma aliqua aut iudici formula aut legibus*, *de Or.* 2.178). On Ciceronian invective, see Nisbet (1961: 192–7), Corbeill (2002: 197–217), Craig (2004: 187–213), who lists sixteen *loci*, and Koster (1980: esp. 120–9).

26 **paene adflictos iam atque eversos publicanos**: *adfligo* indicates the act of totally casting down (*OLD* 1, *TLL* 1.1233.5ff.), while *evertere* here means “ruin” (*OLD* 5a). Recurring language aligns the *eversores* Piso and Gabinius and their victims, namely the city of Rome, the Roman citizens (cf. 7.17n.) and the publicans, while the repetition of two consecutive *clausulae* (molossus + trochaic, Type 3) concludes the *conquestio*\* (cf. introduction to 10–12, p. 134) highlighting the opposition.

27 **quibus**: *et iis*, cf. 4.21n. *quibus... qui... quos* (an example of anaphoric\* polyptoton, Lausberg §643–4) stand for the publicans.

27 **quidem... in his angustiis aerari**: disbursement of money supporting the Gallic war (*QF* 2.5.1; *Fam.* 1.7.10), the armies of Piso and Gabinius (*Dom.* 23; *Pis.* 37, 57 with Nisbet 172), the *lex Clodia frumentaria* (cf. *Sest.* 55 with Kaster; Tatum 1999: 119–25) and the *curatio annonae* entrusted to Pompey (*QF* 2.5.1; *Dom.* 16) caused a shortage in the *aerarium* (cf. *QF* 2.5.1; *Balb.* 61; Wiseman 1992: 393), until Cato returned to Rome in late 56 with King Ptolemy's treasure from Cyprus. Regularly a sum was given to proconsuls for provincial administration before their departure and exceptionally a supplement was granted during their government; in this same year extra money was granted to Caesar for his campaign in Gaul (cf. 28.8n. and *Balb.* 61; similarly, in 51 money was

disbursed to Pompey for paying a legion in Spain; cf. *Fam.* 8.4.4, with Jones 1960: 101–4; Millar 1964: 37).

28 **tamen subveniatis**: once the contract was signed, the risk of collecting taxes was borne by the publicans, so technically they had no right to receive state support, but could be relieved *ex gratia*. The senate had no interest in letting publicans go bankrupt, both because some senators were directly involved in their companies and because the central treasury (*aerarium Saturni*), provincial *fisci* and publicans often acted in concert (for *supercilia* in the Republic see Jones 1960: 101–4; Brunt 1966: 75–7; Alpers 1995: 248–59). For instance, in order to allocate money to a provincial governor (*ornare provinciam*, *Att.* 3.24.1; *QF* 2.3.1; *Pis.* 5; *Suet. DJ* 18), the senate could either draw from the *aerarium* or authorize drafts on a provincial office of a company (Badian 1983: 77), as happened in 67, when the *lex Gabinia* authorized Pompey to draw money (up to a fixed amount) from local *fisci* and publicans (*Plut. Pomp.* 25, with Steffensen 1967; cf. *App. Mith.* 94).

28 **etsi iam multis non potestis, qui...miseri**: there is an ellipsis\* of *subvenire*, governed by *potestis* and regularly taking the dative (*multis*), like many verbs expressing help (e.g. *prosum*, *auxilior*, *opitulor* and *suffragor*, K-S 2.311–12). Allegedly, Gabinius killed some publicans (*Pis.* 41). *Iam* emphasizing *etsi* (*TLL* 7.1.12816), an elegant Type 3 *clausula* (molossus + trochaic; cf. *miseri deperdiderunt*) giving solemnity to *multis non potestis*, and hyperbaton\* *qui...miseri* encapsulating the reason for the publicans' wretchedness add pathos\* to Cicero's statement.

29 **propter illum hostem senatus**: Cicero refers either to Piso's and Gabinius' rebuking the senators for wearing mourning to protest against Cicero's exile (cf. 3.16n. *e civitate exterminarint*) or to their betrayal of the *fides publica* (cf. 3.16n.). The pleonasm\* aligns senate, *equites* and publicans (cf. 10.14n. and 10.23n.).

29 **inimicissimum ordinis equestris**: *inimicus* can take the gen. when used as superlative (*TLL* 7.1.1632.14; cf. 18.30) or as substantive (K-S 2.316) or the dat. of the hated person/thing (*TLL* 7.1.1632.23); the substantivized adjective occurs close to the cognate noun, as regularly (Nägelsbach 1905: 133). For the enmity of Gabinius and the *equites*, cf. 10.15n. Strictly, *inimicus* is a personal

or political enemy (*TLL* 7.1.1624.9), and *hostis*, a public enemy (cf. *Cat.* 1.33 and *Sul.* 41).

1 **bonorumque omnium**: the term *boni* carries a moral nuance (Hellegouarc'h 1963: 484–93; Achard 1981: 363–5), which is made explicit by the list of virtues that follows and is juxtaposed by polypoton to the fortunes, *bona*, lost by the publicans. After the exile, Cicero often uses *boni* to refer to those who rule by the law (as opposed to the rule of *vis*, force; Lacey 1970), refashioning the concept of *concordia ordinum* into an “agreement among all the good citizens,” the *consensus omnium bonorum* (Temelini 2002: 95–104).

1 **non solum bona sed etiam honestatem...deperdiderunt**: the *equites* are often praised for their social prestige (Achard 1981: 384–8; Nicolet 1966: 195–7), which Gabinius destroys, as Cicero also says in *Pis.*, “that infinite squanderer, after he had deprived the Roman knights in the province and all the publicans of their fortunes, and many even of their good name and life....” *ille gurges atque helluo...cum equites Romanos in provincia, cum publicanos...omnis fortunis, multos fama vitaeque privasset*, *Pis.* 41. *Deperdo* “lose,” like *πολλύω* *TLL* 5.1.570.49, implies permanent deprivation.

2 **non parsimonia, non continentia, non virtus, non labor, non splendor**: the anaphora\* stresses the (idealized) consideration, patience and dignity of the publicans, contrasting it with Gabinius and advocating for the senate’s intervention in their support. *Parsimonia*, “frugality” (or “the best source of income in private and public matters,” *Rep.* fr. 4.12 Powell), and *continentia*, “restraint” (esp. in magistrates showing disinterest in extortion, Hellegouarc'h 1963: 260), were certainly not the first qualities a Roman would ascribe to publicans, but they conveniently counterbalance Gabinius’ *avaritia* (11.26). Similarly, *virtus* and *labor*, here meaning “patience” in facing Gabinius’ intrusions (*TLL* 7.2.793.83; cf. *Balb.* 6), are presented as the proper response to Gabinius’ *superbia*. *Splendor* is the term that most typically marks the equestrians’ dignity (Achard 1981: 385–8), expressing their admirable prominence (Hellegouarc'h 1963: 458–61).

4 **contra illius helluonis et praedonis audaciam**: cf. 14.9. *Contra* regularly expresses “resistance against” with a verb of protection (cf. *contra scelus inimicorum munire*, 41.15; K-S 2.540).

Cicero uses *helluo*, “squanderer,” a contemptuous (*Fin.* 3.7; Achard 1981: 330–1; Opelt 1965: 157) and colloquial word (from *eluo*, “to wipe out, lose one’s property”; Paul. Fest. p. 99; Ernout Meillet s.v.; *contra* Knobloch 1973), especially of Gabinius (*Sest.* 26, 55; *Pis.* 41) and Antony (*Phil.* 2.65, 13.11), and often in senatorial speeches, where “he permits himself more freedom . . . than in his addresses to the people” (Ramsey 2007b: 133; Adams 1992: 222; Achard 1981: 258; von Albrecht 1973: 1251; Laurant 1965: 310). In Cicero’s invective *praedo*, “brigand,” specifically indicates intentional theft of property for enrichment and often refers to governors (Opelt 1965: 133–4), like Gabinius (*Red. Sen.* 11), Piso (*Pis.* 57), or both (*qui latrones igitur, si quidem vos consules, qui praedones, qui hostes, qui proditores, qui tyranni nominabuntur?* *Pis.* 24), and Clodius (*Sest.* 27; *Dom.* 140). *Audacia* (cf. 8.26) indicates a permanent inclination toward immoderate daring and “carries a distinctly political connotation” (Wirszubski 1961: 12), leading to ignominious crimes (Achard 1981: 247–8), and being often used of Catiline (e.g. *Cat.* 1.1.2–3 with Dyck). The chapter ends with a favored Type 2 *clausula* (double cretic).

[12.]

4 **quid?** is a transitional form to the following rhetorical question (K-S 3.498.1).

5 **qui . . . hos:** the proleptic relative is emphatic, and the rhetorical question following *quid?* regularly begins with the main concept under inquiry (K-S 3.498).

5 **subsidiis** (< *sub* + *sedeo* + *-ium*) indicates a means of support or aid for a specified need (*OLD* 4b).

5 **se . . . sustentant:** with instrumental ablative (cf. 10.24) as typical of verbs of nourishing and life, like *vivo*, *pascor* and *alo* (K-S 2.382.4). Word repetition conceals Cicero’s logic: equestrians are now supporting themselves, but have always been supported by the magistrates’ good disposition toward them (*est semper . . . benignitate magistratum sustentatus*, 10.23).

5 **patrimoni** originally meant “property of the *paterfamilias*” (*pater* + *monium*, which is an expansion of a neuter suffix *-ium*),

and by extension it indicates the private funds belonging to a publican society (*TLL* 10.1.751.53). Societies had funds for supporting themselves while collecting revenues and for avoiding bankruptcy if an investment went wrong; these funds could be considerable, allowing a society to act as public bank and make a profit on interest (Badian 1983: 71–7).

5 **liberalitate**: lending money to friends in moments of need was a mark of *liberalitas*, the disposition of someone happy to give a *beneficium* without self-interest, considering only the worthiness of the recipient, his ties to the donor (Manning 1985: 73–4) and matters of justice (*Off.* 1.42–3, 2.61–4 with Dyck; *Prov.* 42.32n.). Cicero’s narrative underlining the publicans’ lack of *temeritas* and *inscitia* (11.25) makes them perfect recipients of their friends’ *liberalitas*. Toward the end of the Republic the costs of political life put many senators and equestrians in temporary situations of debt, making friends’ *liberalitas* an appreciated virtue (Frederiksen 1966).

6 **frui publico**: “exercise their right to collect taxes”; *publicum* is “the carrying out under contract of tax-collection” (*OLD* 4; *TLL* 10.2 2451.32).

7 **per hostem**: contracts between publicans and the state had a proviso of indemnity for the contractor in case of enemy action (Badian 1983: 71), so technically the publicans had no right to receive state support (cf. 11.28n.), hence Cicero’s plea and treatment of Gabinius as a *hostis*.

7 **ipsa lege censoria**: the censor assigned the lease spelling out the conditions of the agreement between the state and the publicans and following a standardized formula, the *lex censoria* (Badian 1983: 70), hence Cicero’s expression means “by the very contract with the censor.” Contracts, which the *manceps* signed for the publicans, normally lasted for five years, until the new censor released a new one.

7 **quem** standing for *si quem* is pre-classical (K-S 3.282.2).

8 **is**: Gabinius.

8 **qui est, etiam si non appellatur, hostis**: word repetition underlines Cicero’s logic, *qui frui publico non potuit* anticipates *quem is frui non sinit*, and *per hostem* anticipates *hostis*. Cicero



reaps the fruit of his characterization of Gabinius as a foreign tyrant (9.3n. *Semiramis*) hired by a foreign king (9.4n.). By the same distinction Cicero would defame Antony: “for Antony has not yet been called an enemy of the senate in words, but in practice he is already deemed such,” *nam est hostis a senatu nondum verbo appellatus, sed re iam iudicatus Antonius*, *Phil.* 4.1 with Manuwald.

9 **auxilium**: “relief” *OLD* 6. Medical language (*auxilium ferre* means to give a remedy or an antidote) continues the metaphor of the publicans as a sick body (cf. *se sutentare* and *perire*, 12.5) and as victims of the pest Gabinius (cf. 3.10n.).

9 **retinete . . . diutius**: the ironic command (Haury 1954: 83; cf. 9.3n.) may allude to the recommendation made previously by another senator (cf. 17nn.). On the allusive power of irony, see Miller and Sperber 1984 and on Cicero’s use of irony in *Prov.*, see Grillo, forthcoming.

10 **de sociis cum hostibus, de civibus cum sociis**: cf. *crudelis haberetur si in hostis animo fuisset eo quo fuit in civis Romanos*, 10.21 and *Pis.* 84. Enemies, allies and citizens had different rights defining the proper way they had to be treated; invective targeted improper treatment both of allies as enemies (cf. “allies lament that you treated them as enemies,” *at socii in hostium numero sese abs te habitos queruntur*, *Ver.* 2.2.166, 2.3.25; *Leg. Man.* 66; *Her.* 4.13) and of citizens as allies (cf. *Ver.* 2.2.166).

11 **faciat**: subjunctive for the relative clause of result, as typically with *is . . . qui* (K-S 2.297.8a).

11 **pactiones**: cf. 9.9n. By switching the word order Cicero achieves a favored Type 3 *clausula* (resolved molossus + trochaic) and emphasis.

11 **pluris esse**: “to be worth more,” with gen. of price (K-S 457.3). The comparative introduces a comparison (synkrisis\*) between Piso and Gabinius, whereby Cicero sarcastically wonders which governor is worse, asking the senators if they want to keep them in charge (13.17 and 15.12). Cicero has Piso and Gabinius engage in the same contest of vices in *Pis.*, “with that companion of his, whom he nevertheless wanted to surpass in all vices,” *cum illo suo pari, quem tamen omnibus vitiis superare cupiebat*, 18.

11 **quam conlegam putet**: after the nice Type 2 *clausula* (double cretic) one must imagine a pause, building the expectation for Cicero's slandering remark.

12 **vos tristitia vultuque deceperit**: "has deceived you with his stern face." With a hendiadys\* (*hen dia duoin*, "one concept in two words," especially two nouns coordinated by "and" replacing an adjective agreeing with a noun), Cicero sketches a short portrayal, *effictio*\*, of Piso's severe expression, recalling the previous accusation of hypocrisy (cf. 8.27n.). *Effictio* is an elegant and effective device for characterization ("this figure is not only useful to describe someone, but is also elegant, when kept short and clear," *habet haec exornatio cum utilitatem, si quem velis demonstrare, tum venustatem, si breviter et dilucide facta est*, *Her.* 4.63). *Tristitia* means sternness (*OLD* 3; Wacke 1979), which Stoics appreciated as a sign of *severitas* (cf. Bernardo 2000: 13–14, 111–12), but Epicureans considered an ambiguous sign, indicating a severe attitude that does not necessarily correspond to a rightful mind (Ramelli 2001: 189–92). Piso is thus accused of simulating *tristitia* for hiding lack of good qualities, according to the canons of his own philosophy (cf. "Caesoninus Calventius has been mingling in the forum since his youth, even if nothing other than fake and cunning sternness recommends him," *Caesoninus Calventius ab adulescentia versatus est in foro, cum eum praeter simulatam versutamque tristitiam nulla res commendaret*, *Red. Sen.* 13; *Pis.* 70). *Vultus* indicates one's facial expression, or countenance (*OLD* 1) or the "inner" face expressing one's character ("the face, which cannot be found in any living creature other than man, signals one's customs," *vultus, qui nullo in animante esse praeter hominem potest, indicat mores*, *Leg.* 1.27 with Dyck; *Sull.* 15 with Berry; *Plut. Alex.* 1), as opposed to *facies* and *figura* indicating one's natural face (Betini 2000: 9–13). As in other *post reditum* speeches, Piso's face is revealing to Cicero but deceiving to others: "it is his eyes, eyebrows, forehead, face, his whole aspect, which is like a silent language of one's mind, that has led people astray," *oculi, supercilia, frons, vultus denique totus, qui sermo quidam tacitus mentis est, hic in fraudem homines impulit*, *Pis.* 1 (cf. *Prov.* 8.27n.; *Sest.* 21). Cicero is halfway through his mockery, and a nice Type 2 *clausula*

(double cretic, again) produces another pause before he concludes his invective.

13 **ipse numquam se minus quam erat nequam**: in *Prov.* Cicero does not expand on Gabinius' caricature, but this remark fits his portrayal as antithetical to Piso and as the shameless and effeminate libertine known from other *post reditum* speeches: "the other one, dripping with fragrant oils, with his curled head, looking down on his companions in rapes and on old abusers of his tender boyhood" (*alter unguentis affluens, calamistrata coma, despiciens conscios stuprorum ac veteres vexatores aetatulae suae*, *Sest.* 18 with Kaster; cf. *Pis.* 25; *Red. Sen.* 16). *Nequam*: "good for nothing," like a rascal slave in Roman comedy (cf. *Sest.* 22 with Kaster; *Cael.* 10).

13 **esse simularit**: the joke closes with a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*).

14 **gloriatur** is constructed with accusative and infinite as typical of *verba affectuum* (e.g. *gaudeo, laetor, invideo, (con)queror* and *miror*, K-S 2.691b; *TLL* 6.2.2093.50).

15 **unus omnium nequissimus**: the comparison culminates in a sarcastic remark (Haury 1954: 103), with a superlative strengthened by *unus*, "the king of all depraved" (cf. *id genus aegritudinis, quod unum est omnium maximum, Tusc.* 3.81; K-S 3.477.22).

**13–17** Cicero concludes his invective by inviting the senators to recall Piso and Gabinius (13), and using Gabinius' denied request for a thanksgiving to prove that the senate never trusted him (14) and to compare him with Albucius (15–16).

[13.]

17 **hos vos**: *adnominatio*\* nicely juxtaposes the senators to Piso and Gabinius, forming a chiasmus\* with the following *idem vos...hos*, 13.20.

17 **si non aliquando deducendi essent**: "rather than having to call them back finally." The normal term for recalling someone from a province is *succedo* (used of Caesar at 18.18; cf. 8.30n.), while *deduco* carries a sinister tone, meaning both "to summon someone to court" (*TLL* 5.1.273.19) and "formally to eject a rival

claimant to land” (*OLD* 1c); this second meaning directly recalls Cicero’s insinuation that Piso and Gabinius “seized” the provinces (*occupaverunt*, 3.11n.).

18 **deripiendos**: *deripio* (< *de* + *rapio*) implies forceful and quick removal (*TLL* 5.1.632.69), as opposed to the plan of recalling them later on (*aliquando*).

18 **duplicis pestis sociorum, militum cladis . . . maculas**: five parallel cola, with colloquial objective genitive of the person (Nägelsbach 1905: 83–4) and linked in asyndeton\*, briefly summarize the main points of Cicero’s invective (a device called *recapitulatio*\*, Lausberg §§434–5) and embrace the whole republic, according to a strategy typical of senatorial speeches (Nicholson 1992: 103). The *recapitulatio* follows the order of the *narratio*: consistent with being *pestiferi illi consules* (3.10n.), Piso and Gabinius bring the same plague they started in Rome to the provinces, and the Roman army is both Piso’s and Gabinius’ first victim (5nn. and 9.7n.). Manuals of rhetoric recommended brevity, weightiness and variety of figures for *recapitulatio* (Quint. 6.1.2), and accordingly, Cicero achieves brevity through the asyndeton\*, variety through chiasmus\* (*pestis sociorum, militum cladis*) and rhetorical question\*, and weightiness through favored *clausulae* (Type 2 *pestis sociorum*; Type 1 *militum cladis* and *maculas teneretis*; and Type 3.b *publicanorum ruinas* and *provinciarum vastitates*).

19 **publicanorum ruinas, provinciarum vastitates**: alliteration\* joins the main charge against Gabinius (10nn.) to that against Piso (4 and 6–7); for the metonymy\* of *ruina*, indicating the person by the effect it causes, cf. 43.3 and *Sest.* 109 with Kaster.

20 **imperi maculas** is chiasmically\* and semantically linked to *pestis sociorum* (cf. *imperi pestibus*, *Sest.* 65), thus closing the list with a ring composition\* and expanding on the metaphor of a disease spreading through the body of the Roman empire (cf. 3.10n.; Fantham 1972: 119–25).

20 **teneretis**: the same question opens Cicero’s tirade against Gabinius, *an vero in Syria diutius est Semiramis illa retinenda?* 9.3 (see n.). Cicero keeps repeating his point with tendentious vocabulary (*hunc diutius manere patiemini?*<sup>9</sup> 8.30 and *retinete igitur in provincia . . .* 12.9n.), as if the senate had to decide to keep them

there, while the default was that Piso and Gabinius remain in charge until the end of their mandate.

20 **at** introduces an *anticipatio*\* (K-S 3.85.8a; Quint. 4.1.49; Lausberg §855), a means to prevent a possible objection from an adversary (i.e. why did the senate not recall them before?). By responding to his rhetorical question Cicero exculpates the senate from any responsibility for Piso's and Gabinius' proconsulate.

20 **idem vos** is emphatic, "you are the same people who," and connected chiasmatically\* both to the preceding *hos vos* and to the following *hos eosdem*.

21 **revocabatis**: the imperfect implies repeated attempts (cf. *totiens*), but the evidence for the senate's effort to recall Piso and Gabinius is sparse, as our sources concentrate on the debate over Cicero's recall. In 57, when Cicero's friend Cornelius Lentulus Spinther was consul (*RE* 238; *MRR* 2,199–200), some senators tried to invalidate Clodius' legislation (Tatum 1999: 176–85), and it is possible that they also thought about recalling Piso and Gabinius, since the *lex Clodia de provinciis consularibus*, which was passed as a plebiscite in 58 allotting Cilicia (later exchanged for Syria) *nominatim* to Gabinius and Macedonia to Piso, violated the *lex Sempronia de provinciis consularibus* (cf. Introduction 20–3; 3.11n.; *Sest.* 24 with Kaster). If some senators did try to recall Piso and Gabinius, one can imagine that opposition to their effort came from Clodius, supporting his law, from Caesar, supporting his father-in-law Piso, and from Pompey, supporting his protégé Gabinius. The involvement of Caesar and Pompey may account also for Cicero's vague reference to the senators' failed attempt(s) of 57 in the changed context of 56 (see Introduction 9–10).

21 **quo tempore** means *sed eo tempore* (cf. K-S 3.319.1b).

22 **liberum vestrum iudicium**: for Cicero, lack of senatorial freedom characterizes the *imperium Clodianum*, the regime established by Clodius (*Dom.* 24, also called *crudelissimus dominatus*, *Dom.* 110; cf. *Pis.* 15; Hellegouarc'h 1963: 563–5), signaling the destruction of the state (cf. 3.16n.). In *Dom.* Cicero equally rebukes Clodius' allotment of Syria and Macedonia, complaining that if he had had total freedom, "which place on earth would have remained without extraordinary commands and outside the Clodian regime?,"

*ecqui locus orbi terrarum vacuus extraordinariis fascibus atque imperio Clodiano fuisset?* *Dom.* 24 with Nisbet.; Achard 1981: 321–3 and Allen 1944. Cicero often extols the *libertas* of the Roman people (e.g. *Cat.* 4.16 with Dyck; *Phil.* 6.19 with Manuwald; Dermience 1957; Hellegouarc’h 1963: 542; Brunt 1988: 323–34), presenting consuls and senate as its bulwark (e.g. *Agr.* 2.16 and 2.22). On *libertas*, the *iudicium* of individual men and Cicero’s reformulation of a traditional Roman value in Stoic terms, see Arena 2007.

22 **totiens dilata res**: “the decision had not been put off so many times” (*OLD* 4a, cf. *TLL* 5.1.1072.22). In the Late Republic procrastination was a typical way of avoiding undesired discussions and decisions; the easiest way to block or delay a decision by the senate was a veto, *intercessio*, by a tribune of the plebs, as happened when Aelius Ligus vetoed Ninnius’ motion for Cicero’s recall in 58 (*Red. Sen.* 3; *Dom.* 49; *Har. Resp.* 5; *Sest.* 94; Nicholson 1992: 105). The fact that at least two tribunes of 57 supported Clodius against Cicero (Q. Numerius Rufus and S. Atilius Serranus, *MRR* 2.201–2) makes his narrative highly credible.

23 **nec ad extremum e manibus erepta**: in *Sest.* Cicero similarly refers to the senate’s vain attempts at gathering to deliberate on his return, until the case was taken up by the assembly of the people, but Clodius prevented the gathering planned for January 23 by seizing the forum, *comitium* and senate house, and a bloody brawl followed (*Sest.* 75–6 with Kaster). It is possible that the agenda for the senate (and for the assembly of the people) included discussion about recalling both Cicero from exile and Piso and Gabinius from the provinces, thus making void the two decrees passed by Clodius on the same day (cf. 2.21n. and 3.11n.). Passive forms allow Cicero smoothly to leave aside the question of agency, thus avoiding mentioning Caesar’s and Pompey’s support for Clodius against the senate (cf. 18.21n.).

23 **restituissetis . . . vestram auctoritatem**: cf. the beginning of the *narratio* where Piso and Gabinius are said to have obtained the provinces after they had destroyed the senate’s authority (3.16n.), which Cicero sets out to restore (Lintott 2008: 194–211). The destruction of the senatorial prestige by Clodius, Piso and Gabinius is a motif in the *post reditum* speeches (cf. *Red. Pop.* 16;

*Red. Sen.* 16; *Sest.* 32), and it helps Cicero to identify his exile with the annihilation of the institutions (*Dom.* 4, 17; *Har. Resp.* 42; Nicholson 1992: 35–9; Dyck 2004).

24 **id quod cupiebatis**: the parenthetical remark (K-S 3.290.12) separating *restituissetis* from its direct object builds expectation (cf. *Ver.* 2.1.36; *Vat.* 20; *de Or.* 3.64).

24 **iis per quos erat amissa revocatis**: according to the rhetoric of *post reditum* speeches, Cicero presents Piso's and Gabinius' recall as a means of restoring the senate's (and his own) prestige (Nicholson 1992: 23–9; Riggsby 2002: 167–72). The ablative absolute with embedded relative and emphatic hyperbaton\* is followed by another ablative absolute modified, but not split, by another relative: this *variatio*\* within parallel cola is typical of Cicero's style.

25 **praemiis extortis**: on the same day Clodius issued two decrees, one sanctioning Cicero's exile and one allotting the provinces to Piso and Gabinius, as “rewards” for their cooperation (cf. Introduction 22–9; cf. 2.21n., 3.11n. and 7.16n.; Tatum 1999: 151–8). Cicero had grounds for his disappointment, and his view of the provinces as the prize for his exile is a motif in *post reditum* speeches: “that province was your reward for overthrowing and destroying the state,” *provincia tibi ista manu pretium fuerit eversae per te et perditae civitatis*, *Pis.* 57 (cf. *Dom.* 114; *Har. Resp.* 58; *Sest.* 67). *Extortis* implies the senate's forceful action, presented as the proper response to Piso's and Gabinius' illegal occupation of the provinces (cf. 3.11n. and 13.17n.).

25 **pro scelere**: “in exchange for their crime,” referring to Cicero's exile (cf. 2.18n.), which from the start symbolizes the turning upside down of the state (1.10n. *dolor meus*).

26 **eversione patriae**: cf. 7.17n.

#### [14.]

26 **si...at**: the subordinate introduced by *si* has a concessive force, while *at* introduces the main clause in opposition to it (K-S 1.83.4).

27 **aliorum opibus**: with a vague remark Cicero invites senators to provide their own explanations (cf. 9.6n. *conduceret*). One

naturally thinks about Clodius vetoing the decision by the senate and his armed gang preventing the voting of the assembly (cf. *Sest.* 75); but the vagueness may also contain a veiled and polemical allusion to the support that Caesar and Pompey granted to Clodius in 58 and early 57 (Tatum 1999: 214–22).

27 **non suis**: this statement playing up the governors' weakness is inconsistent with the previous narrative depicting them as powerful and active cooperators with Clodius. Rightly, some senators will suggest that Cicero does not direct it against the real culprit (cf. 18.22n.).

27 **invitissimis vobis**: by insisting on the senators' enmity towards Clodius, Cicero aligns his and their will, while offering an easy way out to those who, having supported Clodius in 57, opposed him in 56 (cf. *Syria et Macedonia, quas vobis invitis et oppressis pestiferi illi consules pro perversae rei publicae praemiis occupaverunt*, 3.10n.).

27 **evolarunt** means "fled" (*OLD* 4), implying escaping a just punishment (*TLL* 5.2.1065.41; cf. *evolet ex vestra severitate*, *Ver.* 2.1.13).

28 **subierunt**: the figurative language pictures the governors' free fall, from *evolare* "fly away" to *subire* "sink under" (*OLD* 1b), here meaning "incur."

29 **aliqui** is rightly reported by P<sup>1</sup> (instead of *aliquis*) and is often used instead of *aliquis* by Cicero, especially as an adjective (*TLL* 1.1607.5ff.) and with *si* (*Sest.* 131).

29 **si non...at**: cf. 14.26n.

29 **famae pudor**: for Romans, a sense of shame and a concern for one's good name expressed a person's ability to function in a civilized society (Kaster 2005: 28–9 and 48); Gabinius' lack of *pudor* is evident both in his lowering of himself and his lack of interest in his good name (Kaster 2005: 47–8 and 56–61). Cicero similarly comments on Piso's lack of *pudor* (8.29n.) and describes the social stigma attached to Piso and Gabinius as a form of punishment (*Pis.* 41–2 with Gildenhard 2007: 156–8).

29 **supplici timor est**: a sense of shame is typical of men operating in civilized society, while fear as the only deterrent is typical of beasts (Kaster 2005: 47–61).



30 **gravior poena**: Cicero elaborates on the concept of punishment for Piso and Gabinius in *Pis.* (*quae est igitur poena, quod supplicium?*<sup>9</sup> 43) arguing that, regardless of the verdict, being burdened by one's evil and hated by the best citizens is by itself a punishment (*Pis.* 43). This understanding is further developed and more systematically exposed in his treatise on Laws, written around the same time (*Leg.* 1.40 and 2.43 with Dyck; Gildenhard 2007: 160).

30 **accidere** regularly takes the dative (K-S 2.326–7).

30 **non credi litteris iis, quae rem publicam bene gestam in bello nuntiarent**<sup>9</sup>: Gabinius dispatched a letter, which must have reached Rome in spring 56, requesting a thanksgiving from the senate for his defeat of either Alexander (Joseph. *AJ* 14.82–9; *BJ* 1.160–9) or his father Aristobulus, who was fighting against Hircanus (Joseph. *AJ* 14.92–7; *BJ* 1.171–4; Williams 1978: 201–3 and 1985 27–31). Gabinius' request for a *supplicatio* was neither unusual nor unjustified, and the senate, which almost always granted these (Freyburger 1978: 1420), rejected it for political reasons (Halkin 1953: 93–4). In the Late Republic, victorious generals sent *litterae laureatae* (adorned with laurel, symbolizing victory) to Rome, describing their military achievements and formally asking the senate for a celebration of thanksgiving (*ut diis honos haberetur*; Halkin 1953: 80–7).

1 **hoc statuit senatus**: the senate gathered on 15 May 56 to discuss both Gabinius' request for a *supplicatio*, which was probably the first item on the agenda (Balsdon 1957: 20), and Caesar's proposal for the distribution of the Campanian land. Cicero, having been forced to support Caesar's proposal after he had spoken against it, did not attend the senate meeting, but the senate's "divinely inspired" resolution against Gabinius filled him with joy ("the senate, having obtained a quorum, behaved divinely in denying a thanksgiving to Gabinius," *senatus frequens divinus fuit in supplicatione Gabinio deneganda*, *QF* 2.7.1; Stockton 1962: 475–7).

1 **cum frequens supplicationem Gabinio denegavit**: *supplicatio* consisted of one or more days of special prayer (Freyburger 1988: 515–25), especially of thanksgiving. In the days of

the *supplicatio* the temples remained open, the highest magistrate in Rome presided over the immolation of victims and pronounced a *gratulatio*, while the people were invited to wear their best clothes and sacrifice wine and incense in public *ad omnia pulvinaria* (Freyburger 1978: 1419–23; Halkin 1953: 99–105); given its impact and visibility (Beard, North and Price 1998: 260–2), *supplicatio* was also a political means for extolling a general's achievements. Cicero cunningly uses the senate's decision to prove his point about Gabinius' poor military achievements (as he later does to extol Caesar's, 25.6n.), while in fact, as Cicero certainly knew, the senate's refusal had little to do with Gabinius' campaign, being rather a political maneuver against Pompey (Gruen 1974: 106, 1969: 98). *Frequens* indicates a meeting attended by at least 200 senators (Hawthorn 1962; Bonnefond-Coudry 1989: 425–35; Ryan 1998b: 36–41), an important detail: since a quorum was required for deliberating on *supplicationes* (Balsdon 1957: 20), Cicero's official language insists on the unquestionable regularity of the decision (cf. *Pis.* 41).

2 **primum...deinde...postremo**: the coordination gives a chronological list (K-S 3.69.2); thereby Cicero tendentiously explains the reasons for the refusal, speaking for the senate and even for the gods, according to his characterization of Gabinius as a polluted criminal (cf. 13.18), a public enemy (cf. 11.29 *inimicissimus* and 12.8 *hostis*) and a sacrilege (cf. 13.20 *maculas*).

2 **homini sceleribus flagitiis contaminatissimo**: *scelus* (cf. 5.9n.), coordinated with *flagitium* in asyndeton\* (cf. *Ver.* 2.1.21, 2.1.34, 2.5.160), carries the idea of a curse linked to a religious taboo (*OLD* 1) and anticipates the gods rebuffing Gabinius. *Flagitium* "is different from *scelus* because *flagitium* is always linked to the notion of infamy and often to that of damage, and often it indicates infamy itself" (Rheichenbacher 1913: 35–6). The term is especially apt for a military and social context (*OLD* 4; *TLL* 6.1.841.2; Volterra 1934: 42) and probably derives from *flagrum*, the whip used for public punishment (Usener 1901: 5–15). *Contaminatissimo* is used of people (on the model of Greek *memiasmenos*, *TLL* 4.631,22) first by Cicero, meaning "most polluted with criminal or impure stains" (*OLD* 5; cf. *Dom.* 23); since *contaminare* means

“to bring together elements which should remain separate, and whose contact causes a corruption of their nature and identity” (Guastella 1998: 43; Mondin 2003: 189–98), *contaminatus* implies the necessity for removal of the contagious body from the community (as in funerals, when dead bodies are carried outside of city walls; Bodel 2000: 128–51; Retief Cilliers 2005: 128–41). Hyperbaton\* and chiasmus\* (*homini sceleribus flagitiis contaminatissimo*) nicely enclose Gabinius’ religious and public offences.

3 **proditore**: cf. 3.13–4.21nn. Cf. also *Sest.*, “since the senate was left without leaders, and with betrayers in their place, or actually with open enemies,” *cum senatus duces nullos ac pro ducibus proditores aut potius apertos hostis haberet*, *Sest.* 35; *Red. Pop.* 13; *Sest.* 17; *Pis.* 24.

4 **hostem**: cf. 11.29n. and 12.8n.

4 **cognosset** implies an act of recognition based on personal experience, *OLD* 8.

4 **bene rem publicam geri**: the repetition of official and formulaic language (cf. *Fam.* 15.4.11; Livy 39.4, 45.39) is filled with irony mocking Gabinius’ letter (cf. 14.31 *quae rem publicam bene gestam in bello nuntiarent*) and stressing the senate’s distrust of him. Cicero insists on the senators’ ability to grasp what happened in the province based on what (he says) they witnessed in Rome (cf. 8.24n.).

5 **ne deos quidem immortalis velle aperiri sua templa et sibi supplicari**: cf. 14.1n. *supplicationem*.

6 **hominis impurissimi et sceleratissimi nomine**: Cicero’s focalization through the gods denigrates Gabinius. As Freyburger has noted (1978: 1422), by observing Livy’s language of *supplicationes*, starting from the second century the beneficiary of thanksgivings become less and less the gods worshiped “in the name of a victorious general” (*nomine* plus genitive) and more and more the victorious general himself, whose name is more often reported in the dat. (as symbolized by Cicero’s expression *supplicatio . . . M. Lepidi*, *Phil.* 3.23). Tellingly, in a few chapters Cicero refers to the thanksgivings proclaimed for Caesar as *C. Caesari supplicationes*, 25.6. *Impurissimi et sceleratissimi* is chiasmically\* connected with *homini sceleribus flagitiis contaminatissimo* to recapitulate Gabinius’ criminal and

religious pollution, but it also alludes to Gabinius' sexual immorality, according to his characterization as the effeminate dandy of other *post reditum* speeches (cf. 9.3n.; *Red. Sen.* 11; *Sest.* 18 and 26 with Kaster; *Pis.* 25).

7 **itaque ille alter** switches from Gabinius to Piso in a quick and ironic comparison, *synkrisis*, wondering which is worse (cf. 12.12n. and 16.29n.).

8 **doctus et a suis Graecis subtilius eruditus**: on Cicero's use of Piso's Epicurean doctrine cf. 5.24n.; *Red. Sen.* 14 and Griffin 2001: 95–7.

9 **in exostra helluatur**: “he luxuriously squanders his fortunes in the middle of the stage.” ἔξώστρα, “reveal,” is a stage-machine used for displaying an interior scene both in Greek and in Roman drama, especially in comedy (Trapido 1949: 21; for an overview of the layout of the stage and of the architecture of Roman theatres in the Late Republic, see also Frézouls 1982: 356–69). For *helluo* referring to Gabinius, see 11.4n.; the verb *helluor* is even more rare and more colloquial than the noun *helluo* (*TLL* 5.3.2597.57, Nägelsbach 1905: 34; see also Introduction 39–41).

9 **post siparium**: *siparia* “were simply drapes which could be set up anywhere on the stage so that mimes could hide behind them until it was their turn to appear” (Sear 2006: 8, cf. Beacham 1991: 170–6); *siparium* (< Greek σίφαρος; Oksala 1953: 66; cf. 4.23n.) originally indicated the upper part of a woman's garment (Ernout Meillet s.v. *supparus*), hence “veil” and “curtain”; in Rome it was used especially in mimes and it differed from the *aulaeum*, a drop curtain that was lowered at the beginning of a theater performance and raised at the end (*Cael.* 65; Frézouls 1982: 343).

11 **nullae litterae proferuntur**: in *Pis.* Cicero uses the same emphatic language (*nullae* instead of *non*, K-S 1.236b) for accusing Piso of not sending letters to the senate (*qui nullas ad senatum litteras miserit?*, 38) following his friends' advice (39).

[15.]

12 **hosce igitur imperatores habebimus?**: cf. 13.17n., where a similar comparison between Piso and Gabinius raises the same

rhetorical question. In *Ver.*, Cicero similarly asks Hortensius if he thinks that Verres was worthy of being called a victorious general (*hunc tu igitur imperatorem esse defendis?* 2.5.32; cf. also 9.3n.). As often in Cicero, *igitur* takes the second position and introduces a summary of previous considerations (K-S 3.136.6).

12 **alter**: Piso, who, as stated above, did not keep the senate informed with the expected letters and whom Cicero is fond of not naming (cf. *pestiferi illi consules*, 3.10n. and 2.3n.).

13 **qua re** is not found in the manuscripts, but the context indicates that something is missing. Ant. Aug. suggests *cur*, but Peterson's *qua re* is preferable: although neither one is ever attested in classical Latin, *certiorem facere* is often constructed with interrogative pronoun/adjective and indirect question (e.g. *Ver.* 2.3.122; *Fam.* 13.73.2; *TLL* 3.921.82ff.).

13 **imperator** was the honorific title that a general received from his soldiers or from the senate after a victorious engagement. Piso was saluted *imperator* by his troops (cf. *Pis.* 38; Nisbet 1961: 178–80) after a victory that Cicero attributes to his lieutenants (*tu legatorum opera in proelio imperator appellatus eras*, *Pis.* 54). Cicero similarly questions Piso's military performance by sarcastically calling him *praeclarus noster imperator* (4.1n.). As in the case of the senate's refusal of *supplicatio* to Gabinius, Cicero attaches tendentious explanations to Piso's conduct, according to the grand scheme of his invective (cf. Introduction 23–7).

14 **si tabellarii non cessarint**: “if the letter couriers should not delay” (perfect subjunctive can regularly substitute for a present subjunctive granting a potential flavor to an action that refers to present or future time, K-S 3.393.1). In the Late Republic there was no public postal service, but prominent men and governors maintained a highly organized network of *tabellarii* (cf. Smadja 1976: 73–108 for Cicero's staff), privately carrying personal and official letters (White 2010: 11–15). Probably, the senate's letter refusing a *supplicatio* was sent to Gabinius through the same slave or freedman courier he had dispatched with his request.

14  **necesse est**: the indicative following a protasis with perfect subjunctive signifies that “the writer wishes to assess the result of an action more positively,” Bennett §303. Both *necesse est* and

*oportet* can be constructed with accusative and infinitive or, often, with subjunctive without *ut* (K-S 3.237).

15 **amici si qui sunt**: ancient manuals of rhetoric recommended analyzing a person's choice of friends and his behavior toward them (cf. 14.8n.), since friendships were thought to express character (cf. *Her.* 3.14; *Inv.* 2.167; Lausberg §279); the charge of *misophilia*, bad behavior toward friends, was taken seriously. On friendship as a *locus* for praise or invective, see Craig 2004: 189–97 with bibliography.

15 **beluae tam immani tamque taetrae**: Cicero uses *belua*, a stock term of invective (Opelt 1965: 143–4; *Sull.* 76 with Berry), “to indicate a broad and deep debasement of humanity, considered in its political and social effects” (Cossarini 1981: 129–30), as he does with Piso (*Red. Sen.* 14; *Pis.* 1, 8) and Clodius (*hanc taetram immanemque beluam*, *Sest.* 16; *Har. Resp.* 5). Compared with *bestia*, indicating a nonhuman animal, *belua* “stresses the visual connotations of monstrous deformity” (Traina 1984: 118).

16 **ulli esse amici**: by denying friendship to Gabinius and making it a mark of human beings as opposed to beasts (cf. *Off.* 1.50–7 with Dyck ad 1.55–6), Cicero reinvents a *locus* of invective to fit its context (May 1996: esp. 145).

16 **hac consolatione utuntur**: another sarcastic remark (cf. 4.1n.; *Her.* 4.34; Lausberg §582) grants relief to Gabinius only to hurt him more, a device called *concessio*\* (cf. *Cat.* 1.4 with Dyck; Lausberg §856); in fact Cicero is setting up a turn in the argument (cf. *sed fruatur sane hoc solacio*, 16.25), and the favored Type 1 *clausula*, *consolatione utuntur*, which was followed by a pause, builds curiosity.

17 **etiam T. Albucio supplicationem hunc ordinem denegasse**: Titus Albucius (*RE* 2; *MRR* 1.560) was propraetor in Sardinia in 104; he celebrated a triumph on his own initiative, but the senate refused him a *supplicatio* (cf. *Pis.* 92; Halkin 1953: 93). When he returned to Rome he was prosecuted for extortion (*Div. Caec.* 63; *Off.* 2.50) by C. Julius Caesar Strabo (one of the characters of the *De Oratore*) and exiled (*Tusc.* 5.108; *TLRR* 67; Rowland 1968: 213–14), possibly as a political maneuver against the Metelli (Gruen 1964: 99–110; *contra* Thompson 1969: 1036–9).

This is *Prov.*'s first historical example (*exemplum*\*, cf. 18.26n.), which Cicero uses with irony and as a means of persuasion, according to the advice of manuals of rhetoric (Quint. 5.11.6; Lausberg §§410–26); he ends the period with another favored Type 3 *clausula* (cretic + double trochee).

18 **quod est primum dissimile**: the case of Albius introduces a parallel by which Cicero ironically plays with the notion of *exemplum simile*\* and *exemplum dissimile*\* (Lausberg §420). Cicero pretends to concede that his example does not completely function, sarcastically extolling Gabinius' achievements against Albius' almost as a conversation (*sermocinatio*\*), as if Gabinius himself protested the parallel (cf. 16.27n.); with irony Cicero defends himself against his adversary's plausible counterattack, a device called *anticipatio*\*.

18 **cum mastrucatis latrunculis**: *mastruca* was a Sardinian term indicating a heavy cloak of skin (Isid. *Etym.* 19.23.5), and *mastrucatus* hence means "covered in fur or in sheepskin" (*OLD*). Cicero often uses dress to characterize someone as inferior and un-Roman (Dyck 2001), and Quintilian praises Cicero's use of this barbarism: "Cicero purposefully said *mastruca* meaning Sardinian with irony" (*nam "mastrucam," quod est Sardum, inridens Cicero ex industria dixit*, 1.5.8; cf. *Scaur.* 45d; Nägelsbach 1905: 35). *Latrunculus* is a Greek word (Oksala 1953: 66) with the diminutive stressing Albius' unserious enemy (Hanssen 1951: 201) and ironically extolling Gabinius' by contrast. Livy uses similar language to express the lieutenants' opposition to Manlius' request for a triumph: "after we had fallen in among some sort of Thracian bandits on our way back," *cum redeuntes in latrunculos Thracas incidissemus*, 38.46.6. On brigands, see Shaw 1984 and Burian 1984.

20 **bellum cum maximis Syriae gentibus et tyrannis consulari exercitu imperioque confectum**: this high and official language, perhaps alluding in mockery to Gabinius' request for *supplicatio*, ironically and systematically juxtaposes Gabinius and Albius. A similar hyperbaton\* (*bellum...confectum* and *res...gesta*) embeds the parallel terms of the comparison (*cum maximis Syriae gentibus et tyrannis* corresponds to *cum mastrucatis latrunculis*; *consulari exercitu imperioque* to *a propraetore una cohorte auxiliaria*; and

*confectum* to *gesta*). In fact, Cicero has just denied any real engagement or completed campaign in Syria, labeling Gabinius' deeds as *pactiones pecuniarum cum tyrannis* 9.9 (cf. also 12.11).

21 **deinde Albucius, quod a senatu petebat, ipse sibi in Sardinia ante decreverat**: cf. “although he had triumphed in Sardinia, Albucius was condemned in Rome,” *Albucius, cum in Sardinia triumphasset, Romae damnatus est*, Pis. 92 with Nisbet.

23 **constabat** is regularly constructed with accusative and infinitive (K-S 2.695).

23 **Graecum hominem ac levem**: after being convicted in 103 Albucius retired, “philosophizing as an exile in Athens” (*T. Albucius nonne animo aequissimo Athenis exul philosophabatur?*, *Tusc.* 5.108), but his philosophical attitude, implies Cicero, did not make him innocent (*Tusc.* 5.107), in spite of his philhellenism, which Scaevola and Lucilius also ridiculed (*Fin.* 1.9; cf. *Brut.* 131). Cicero also remarks that Albucius would not have been exiled “if he had abstained from politics, following Epicurus' precepts,” *si in re publica quiescens Epicuri legibus paruisset* (*Tusc.* 5.108; *contra Brut.* 131, where Cicero calls him a *perfectus Epicureus*, “a quintessential epicurean”). Although Cicero had many Greek friends (Rowland 1972), he often displays a chauvinistic attitude, which he assumes in his audience (Gruen 1984: 244–9). *Levis* is often paired with *temeritas* and indicates “an ill-founded and rushed adhesion to a philosophy” that was not really assimilated (Achard 1981: 132). By using similar vocabulary to refer to Albucius and Piso (called *nequam... hominem et levem*, *Sest.* 22), Cicero implicitly compares them (cf. *in Albucio nec Pisonis libidines*, 16.29).

23 **in ipsa provincia quasi triumphasse**: to triumph in a province is a sort of oxymoron\* (sarcastically marked by *quasi*, Haury 1954: 81–2), as triumphs took place in Rome (Beard 2007: 42–53), but Albucius was neither the first nor the last to enact a fake triumph outside of Rome. In 120 Cn. Domitius Ahenobarbus paraded in Gaul (*per provinciam uectus est turba militum quasi inter sollemnia triumphi prosequente*, Suet. *Ner.* 2; Florus 1.37; *MRR* 1.524) and in 34 Antony in Alexandria (Beard 2007: 267–9).

25 **notavit**: the *nota* from the senate “registered formal disapproval (of a person or his actions)” *OLD* 3b. The invective against



Piso and Gabinius closes with the same motif that started it, forming a ring composition: in the *exordium* Cicero reminds the senators of Servilius' recommendation that Piso et Gabinius should be marked with disgrace (*esse notandos putavit*, 2.19n.); here he reminds them that this happened to Albucius, and in the concluding lines that follow he remarks that Piso and Gabinius are worse than Albucius and that Gabinius suffered the same humiliation. A favored Type 3 *clausula*, *denegata notavit* (cretic + double trochee), adds to the solemnity of the condemnation.

[16.]

25 **Sed fruatur sane hoc solacio**: this second ironic *concessio*\* to Gabinius (cf. *hac consolatione utuntur*, 15.16) is emphasized by *sane* in alliteration\* and by switch in word order.

26 **insignem ignominiam**: *ignominia* is closely related to *notare*, used just above (15.25n.), and seems to derive from the note that censors marked next to one's name (*in + nomen*; Forssman 1967; *TLL* s.v.), and by extension the humiliation coming from a refused honor (*TLL* 7.1.303.20). This concept returns at the end of this chapter (16.30n.), closing the invective against Piso and Gabinius with a ring composition recalling the *exordium*\* (2.20n. and 15.25n.). As in the above *concessio* (*consolatione utuntur*) favored *clausulae* (Type 2 *sane hoc solacio*; and Type 4 *insignem ignominiam*) create strategic pauses, which build expectation for what follows.

26 **uni praeter se inusta sit**: this *amplificatio*\*, exaggeration, is effective but inaccurate. In 193 L. Cornelius Merula requested a supplication for a victory over a Gallic tribe (the Boi), but rumors attributed the success to good luck and to the valor of the soldiers, and when two tribunes threatened vetoing the senate's decision he withdrew his request (Livy 35.8, *MRR* 1.346). Similarly, according to Livy (42.9), in 173 the senate denied a *supplicatio* to Popillius Laenas (*MRR* 1.407–8), who as consul dealt cruelly with the Ligurians and arrogantly with the senate (Halkin 1953: 94–7). Cicero, however, relied on a senatorial antiquary, Procilius, as he writes to his brother just after the senate refused Gabinius' request,

“Procilius swears that this never happened before to anyone” (*QF* 2.7.1 with Shackleton Bailey). Cicero repeats the same exaggeration that Gabinius was the only one in *Phil.*: “a thanksgiving must be refused...which happened to no one other than Gabinius,” *supplicatio...deneganda est, quod praeter A. Gabinium contigit nemini*, 14.24. *inusta sit* expresses a permanent stigma of infamy, as if impressed by fire (*TLL* 7.2.270.21; cf. *Sull.* 88 with Berry and *Cat.* 1.13), as happened with slaves, criminals and prisoners of war (Jones 1987: 147–55). The manuscripts have *est*, but Halm’s correction in *sit* is certainly right.

27 **leviorem**: as *proterior an infelicio*r at 8.1, the comparative is filled with irony (Haury 1954: 73–4).

27 **cuius...eius**: the assonance\* (cf. Holst 1925: 81–3) effectively wraps up the comparison between Gabinius and Albius.

27 **exemplo**: cf. 15.16n.

28 **consolatur**: the word play with *solacio* (Holst 1925: 77–8) echoes *hac consolatione utuntur* (15.16), which opens the example of Albius. Cicero, having ironically conceded that there are some dissimilarities between Gabinius and Albius, ironically concludes that they must expect the same outcome.

28 **exitum**: Albius was tried *de repetundis*, for extortion (*TLRR* 67) and, having been convicted, he was exiled and retired to Athens (cf. 15.17n.). Cicero ironically plays on the ambiguity of *exitum*, which just like *exemplum*, can have a positive or a negative meaning.

29 **nec Pisonis libidines nec audacia Gabini**: the chiasmus\* nicely summarizes Cicero’s invective (cf. 8.25–7n. and 11.3n.), both exploiting the Epicurean beliefs shared by Piso and Albius (cf. 15.23), according to his previous mischaracterization (cf. esp. 8.25), and comparing Gabinius’ and Albius’ recklessness. In Cicero’s logic, Gabinius wins the contest of *audacia* because he dared to ask the senate for a *supplicatio*, while Albius, having enacted a fake triumph without the senate’s permission, was punished for his bold impetuosity, *temeritas* (15.24). Cicero often uses both *temeritas* and *audacia* to refer to the *improbi* as opposed to the *temperantia* and *modestia* of the *boni* (Achard 1981: 131–3 and 247–8; Wirszubski 1961: 13). In particular, *audacia* is a permanent

inclination toward committing crimes (cf. 8.26n.) and by Cicero's time it had become a term of political abuse (Badian 1975), while *temeritas* is what leads one to take an unexpected and unlawful course of action.

30 **plaga** (< πληγή, “blow,” Fantham 1972: 129) indicates a wound caused by striking, and by extension the deed by which one is damaged (*TLL* 10.1.2293.18).

30 **concederit** followed by ablative means “to lose authority, to be overthrown” (*OLD* 1b). After Cicero's favored *clausula* (molossus + cretic), one should imagine a pause, which builds expectation and gives solemnity to the concluding *ignominia senatus*, also giving a favored Type 3 *clausula* (resolved molossus + double trochee).

30 **ignominia senatus**: *ignominia* can be modified by objective genitive (e.g. “wonderful ships, lost with great dishonor for the Roman people,” *classes optimae . . . cum magna ignominia populi romani amissae*, *Ver.* 1.13) or, as in this case, subjective genitive (cf. *misera est ignominia iudiciorum publicorum*, *Rab. Perd.* 16), here indicating that the senate is the dispenser rather than the victim of humiliation. In *Pis.* Cicero equally insists on Gabinius' unprecedented humiliation, “would I have desired that my personal enemy be marked by infamy as no one before, that the senate . . . would not trust the letters of him alone and refuse his requests?” *idne ego optarem ut inimicus meus ea qua nemo umquam ignominia notaretur, ut senatus . . . huius unius litteris nuntiantibus non crederet, postulantibus denegaret?* *Pis.* 45. *Ignominia* opens (16.26n.) and closes the chapter, ending with a solemn Type 3 *clausula* (resolved molossus + trochaic).

## TRANSITIO 17

According to the *Rhetorica ad Herennium*, a *transitio*\* “briefly recapitulates what has been said and concisely lays out what is to follow” (4.35; Lausberg §849–50). Through a short summary of recommendations by other senators (cf. 1.11n. *auctorem*), a *transitio* connects the *narratio*, where Cicero dealt with Piso and

Gabinius (4–16), with the next part of the speech, where he deals with Caesar (18–39).

[17.]

1 **Atqui** is often used both “in continuous discourse, introducing an answer to an imagined question” (*OLD* 1b) and in syllogisms, introducing the *propositio minor*, or second premise (K-S 3.90.5; here it means “and surely” and introduces a sentence that strengthens the speaker’s point (*TLL* 2.1088.24), smoothly joining the problem of Macedonia and Syria to that of the two Gauls.

1 **duas Gallias qui decernit consulibus duobus**: this anti-Caesarian recommendation may have come from Curio pater (cos. 76, *RE* 10), who, being senior to Cicero (cos. 63), regularly spoke before him (cf. 3.8n. *adhuc*), and whose hatred of Caesar in the middle 50s is well documented (Suet. *DJ.* 9, 49, 50 and 52; *ORF* 86.7.302). Far from being absurd, this recommendation would have implied leaving Caesar in Gaul until the arrival of the consuls of 55 and Piso and Gabinius in Macedonia and Syria for three and a half years more: Piso’s and Gabinius’ mandate (probably of five years, cf. Introduction 22–3) would have regularly ended at the end of December 53. Cicero did not consider this the most challenging objection to his plan (cf. Introduction 32–4; *Fam.* 1.7.10; *Balb.* 61; Giovannini 1983: 113–14), but he must have expected it, since some adversaries of Caesar did not recognize the validity of the *lex Vatinia*, which (somewhat irregularly) had assigned Gaul to Caesar (cf. Introduction 20–3), and even Pompey, before the rapprochement of Luca, was resolved to recall Caesar before the end of his term (Dio 39.25.2). Chiasmus\* and epanalepsis\* of *duas...duobus* effectively summarize the proposal, and the switch of order emphasizes *consulibus duobus* in final position, ending with a favored Type 3 *clausula* (resolved molossus + double trochee).

1 **hos retinet ambo**: this is precisely what Cicero’s invective was meant to avoid (cf. 9.3n. and 12.9n.). The emphatic hyperbaton\* stresses both *hos* and *ambo*, contemptuously leaving Piso and Gabinius unnamed one more time (cf. 2.3n.).

2 **qui autem alteram**: with elliptic\* *decernit*, refers to a senator's previous recommendation to make consular "one of the two Gauls" (for this meaning of *alter*, see *OLD* 4a). This would imply taking one Gaul away from Caesar at the beginning of 55 and assigning it to one of the two consuls and also, in Cicero's logic, making either Macedonia or Syria the second consular province (cf. 36.29n.). This proposal was dangerous since, while respecting the terms of the *lex Vatinia* (which assigned Cisalpine Gaul to Caesar, while he received Transalpine from the senate; cf. Introduction 22–3), it would prevent Caesar's confirmation in both Gauls beyond his mandate.

3 **alterum** has the same meaning as *alteram* above, but "one of the two" here refers to either Piso or Gabinius. Cicero's logic, aiming to tie the decision about the two Gauls with that about Macedonia and Syria, according to the strategy set up in the *propositio* (see introduction, p. 88), elegantly develops through *adnominatio*\*, the repetition of a word (*alteram...alterum*) with a slight change. Cicero returns to this proposal at 36–7.

3 **pari scelere disparem condicionem**: the polyptoton *pari...disparem* (cf. *Mur.* 43 and *Planc.* 60 with Holst 1925: 70–6) and a favored Type 2 *clausula*, *condicionem facit* (resolved molossus + cretic), remind the senators of what Cicero has just argued, viz. the comparison between Piso and Gabinius (12.15n. and 14.10n.) proves that they are equally guilty. For *scelus* cf. 5.9n. and 17.4n.

4 **facit. faciam**: with a repetition of the word that ended the previous sentence, a device called *reduplicatio*\*, but in a different form (*traductio*\*, cf. 25.9n. *reducatur? Reduxit*), a figure more common in poetry than in prose (Quint. 9.3.44), Cicero switches from the third to the first person, "quoting" the senator's recommendation. This strategy is typical of both senatorial and deliberative rhetoric: in addressing the senate, speakers often used to summarize previous recommendations to introduce their own, as Cicero does in the *exordium* (cf. 1.11n. *habeo auctorem*), and in deliberative oratory, speakers often rejected previously proposed courses of action, according to a technique of persuasion consisting of *refutatio*\*, refusal, and *deliberatio*\*, advice (Lausberg §§430, 229 and

61.2). As seen in the Introduction (20–1), “provinces by themselves were neither consular nor praetorian: they became consular if the senate decided to allot them to a consul, and praetorian if it decided to send a praetor; and were neither consular nor praetorian if it decided to leave the governor in charge” (Giovannini 1983: 66).

**5 praetorias, ut Pisoni et Gabinio succedatur statim:** a senator who spoke before Cicero must have also recommended assigning Macedonia and Syria to two praetors. Theoretically, this recommendation was in line with Cicero’s proposal: Piso and Gabinius would have been replaced at the end of 56, without waiting for the consuls of 55 to be available and take office in these provinces. Practically, however, there were some technical drawbacks, which Cicero mentions in the following lines, and some undesirable implications, which Cicero hides: this solution would imply finding two other provinces for the consuls of 55, a dangerous step toward taking the two Gauls away from Caesar. *Succedo* was the expected term indicating replacement, but Cicero refers to the substitution of Piso and Gabinius with *detrahere* (1.3n.) and *submittere* (8.30n.).

**5 si hic sinat!:** Cicero must have pointed toward a present tribune of the plebs, scornfully using *hic* (rather than *qui*, reserved for the two other senators) and emphasizing “the object as present in front of the speaker’s eyes” (K-S 1.621.4). Cicero smoothly moves from treating “what is best” (*utilitas*) to the second goal of deliberative oratory, viz. showing whether and how a proposal is *possibile*, tenable (Quint. 3.8.25).

**6 tum enim tribunus intercedere poterit, nunc non potest:** according to the *lex Sempronia* (cf. 3.12n. and 17.12n. *cum ea lege referetur*), tribunes had the right to veto the assignment of praetorian, but not of consular, provinces (Vervaeke 2006: 634–7). Cicero thus skillfully deploys a legal caveat for advancing his recommendation, and another polyptoton (*poterit . . . potest*) juxtaposes someone else’s proposal (expressed with a future indicative) and Cicero’s (expressed with a present indicative) and sets the stage for confirming Caesar in the two Gauls, as Cicero is about to suggest. According to the precepts of ancient manuals of rhetoric, Cicero argues against making Macedonia and Syria praetorian provinces

by showing that it would be theoretically convenient, but practically difficult and dangerous (Quint. 3.8.26–7); *tum* and future indicative *poterit* underscore the factual nature of the threat, giving a favored Type 2 *clausula*, *poterit, nunc non potest* (resolved molossus + cretic).

7 **ego idem** is emphatic (cf. 26.19 and 29.21) and forms another chiasmus\* (*idem... decerno, decernam easdem*).

7 **consulibus iis qui designati erunt**: regularly, consular elections were held in July (Nicolet 1980: 238), but Pompey and Crassus delayed them until January 55 (*MRR* 2.214). Probably by July 56, when Cicero addressed *Prov.*, Pompey and Crassus had not yet officially advanced their candidature, which was not accepted as late as November 56 (*Att.* 4.8a.2, with Introduction 9–10 and Gruen 1974: 146–7). Cicero, however, who may have known that they intended to do so, pretends to ignore the rumors about the deal struck by Caesar, Pompey and Crassus at Luca, stipulating that Caesar would support the election of Pompey and Crassus for consuls of 55 and that they would support his reappointment in Gaul (cf. Introduction 9–10).

8 **decernam easdem praetorias**: Cicero completes his recommendation to make Macedonia and Syria both praetorian, in order to recall Piso and Gabinius at the end of 56, *and* consular, in order to avoid a possible veto from a tribune (and to prevent the consuls of 55 from taking the two Gauls away from Caesar). According to this proposal, which was not unprecedented (cf. Aemilius Paulus in Spain, *Plut. Aem.* 4.1), a province was to be governed by a governor who was an ex-praetor, that is, a governor until the arrival of a proconsul who was an ex-consul (Giovannini 1983 65–8). Giovannini has proved that, contrary to what has been believed for a long time (cf. Butler and Cary 1924: ad *decernam*, 17.8), Cicero is not suggesting making Syria and Macedonia praetorian for 55 and consular for 54; rather, he proposes that “a praetor [of 56] be sent there first, at the beginning of the year [55], to carry out military and administrative duties until the arrival of the consul, kept in Rome by his obligations” (1983: 109–10; Vervaeke 2006: 636; cf. Balsdon 1939: 70). The *traductio*\* with *reduplicatio*\* (cf. 17.4n. *facit. Faciam*) *decerno, decernam* is embedded in a chiasmus\*

(*consulibus/praetorias* and *Syriam Macedoniamque/easdem*), giving a favored Type 2 *clausula* (molossus + cretic).

9 **annuas**: praetorian provinces were regularly allotted for one year, and the mandate could be renewed year after year (Giovannini 1983: 110n.11).

10 **videamus...videre**: another polyptoton underscores Cicero's irony.

11 **sed, mihi credite, numquam**: in the next sentence Cicero presents his belief as a fact; as in the *Philippics*, "by the use of *numquam* instead of simple *non*... and the addition of an emphatic and emotional *mihi credite* the statement acquires great force and conveys the impression of undisputed certainty" (Manuwald ad *Phil.* 6.6.12; cf. *Prov.* 23.11).

12 **nisi cum ea lege referetur**: "except when the referral is made according to that law..." a reference to the *lex Sempronia* (cf. 3.12n.), which established that if the senate regularly chose the consular provinces before the election of the consuls, its allocation could not be vetoed by tribunes (Vervaeke 2006: esp. 642–3; cf. *Sest.* 24 with Kaster). For this meaning of *refero*, see *OLD* 7b (cf. *Prov.* 27.26).

13 **hoc tempore amisso**: *tempus* corresponds both to Greek *chronos*, indicating the linear flowing of time (*OLD* 7), and *chairo*, indicating, as in this case, a specific point in time and a good occasion (*OLD* 9a; cf. *quo tempore* 13.21); the expression ends the period with a favored Type 1 *clausula* (cretic + spondee).

14 **annus est integer vobis expectandus**: the indicative confers indisputable force on Cicero's un-hoped for prediction.

14 **quo interiecto**: according to his strategy, Cicero continues to present the continuation of Piso's and Gabinius' proconsulship as an addition to their mandate, passing over the fact that it would normally have lasted for at least two more years (see Introduction 20–3). For *intericio*, meaning "to introduce, insert in time," see *OLD* 2 and *TLL* 7.1.2200.3, and for the expression, cf. *brevi tempore doloris interiecto*, *Sest.* 52.

15 **civium calamitas, sociorum aerumna, sceleratissimorum hominum impunitas propagatur**: before moving to dealing with the two Gauls, Cicero recapitulates the main heads of



his invective, collecting them in one line, a device called *enumeratio*\* (cf. also the introduction to the *peroratio*, p. 300). *Calamitas* originally indicated a disaster befalling crops, i.e. the worst misfortune for farmers like the Romans, and by extension it came to mean “public disaster” (*TLL* 3.120.1); Cicero thus recalls his accusations against Piso, who allegedly lost his entire army (5.6n.), and against Gabinius, who allegedly lost and sold his troops (9) and persecuted the publicans (10). Cicero often uses *calamitas* in opposition to *salus communis* (Classen 1979: 278–302). *Aerumna* originally indicated a burden and then took on a moral meaning (Ernout Meillet, s.v., for its closeness in meaning to *poena*, see Lamacchia 1970: 135–54) and is defined by Cicero as “a toilsome distress,” *aerumna aegritudo laboriosa*, *Tusc.* 4.18; here it is a synonym of *calamitas* (*TLL* 1.1066.71) and recalls Cicero’s accusation that Piso and Gabinius treated allies as enemies (12.10 and 13.18). Oxymoron\* *sceleratissimorum... impunitas* highlights the absurd outcome of Piso’s and Gabinius’ proconsulate, while a zeugma\* joins multiple subjects to *propagatur*, which indicates an extension beyond proper limits (*OLD* 4) and ends the chapter with a favored Type 1 *clausula* (cretic + spondee).

### CONFIRMATIO I 18–28

*Confirmatio*\* is the core of a speech and that part “by which, through arguments, our oration gains credibility, approval and support” (*confirmatio est per quam argumentando nostrae causae fidem et auctoritatem et firmamentum adiungit oratio*, *Inv.* 1.34). *Narratio* and *confirmatio* have similar goals and strategies (Quint. 4.2.79), so that they are often hard to separate: the main difference is that *narratio* relies more on “facts,” and *confirmatio* relies more on arguments.

In *Prov.* the *confirmatio* can be divided into two halves (18–28 and 29–35). Cicero begins to defend his rapprochement with Caesar by responding to the objection that he should “not be more an enemy to Gabinius than to Caesar” with three main arguments. First, six historical examples show that personal enmities should

yield to considerations of what is best for the state (18–23). Then he declares that he has always sided with the senate for the good of the state, both by opposing its enemies and by supporting its benefactors (24–5). And lastly, he contends that he and the senate have already recognized that Caesar is one such benefactor (26–8). These three arguments conform to the advice of manuals of rhetoric: Cicero writes that the three ways to refute a proposition are “by rebutting an assumption; by granting an assumption but denying that a conclusion follows; and by showing that the adversary’s argument is ill founded” (*Inv.* 1.79).

For the second half of the *confirmatio*, where Cicero argues in favor of Caesar’s reappointment in Gaul, see introduction to 29–35, p. 217.

**18–23** Cicero responds to criticism of his rapprochement with Caesar with six historical examples of senators who put aside personal feelings and were reconciled with opponents for the common good.

[18.]

17 **si essent illi**: this contrary-to-fact conditional restates one more time Piso’s and Gabinius’ wickedness and introduces Cicero’s defense of Caesar. In the previous chapter Cicero argued that recalling Caesar (by making the two Gauls consular provinces) would imply leaving Piso and Gabinius in office (17.1), and now he adds that Caesar deserves to be confirmed, regardless of the need to recall them.

17 **tamen**: the construction with *si* retains the original comparative meaning of *tamen* (from *tam*, Karsten 1890: 339, = *tam quam si boni non essent*).

17 **ego mea sententia**: the redundant and emphatic expression delays Cicero’s recommendation, conferring a humbler tone on it, according to a similar strategy used in the *exordium* (cf. 1.3n. *non dubitabit*).

18 **C. Caesari**: this is the first time that Caesar is mentioned in *Prov.*, even if other senators had already discussed his reappointment in Gaul (cf. 3.7–8n. and 17.1n.; on Caesar, see Introduction

29–31). Cicero, who delays dealing with Caesar and the most difficult part of his recommendation (cf. 1.11n. *auctorem* for the delaying strategy), formally calls him by *praenomen* and *cognomen* the first time and then simply by *cognomen*, as was the custom (Adams 1978: 147; Shackleton Bailey 1998: 4–5; Dickey 2002: 50–3); both Piso and Gabinius are introduced without *praenomina* (cf. 2.16n.).

18 **succedendum nondum**: *litotes\**, *homoioteleuton\** and choice of vocabulary conceal Cicero’s strategy. *Succedere nondum*, “not yet replace” (cf. 17.5n.), instead of *confirmit*, “reappoint,” hides the fact that Caesar’s mandate would end at the end of 55; hence Cicero disguises his recommendation for lengthening Caesar’s command in Gaul as simply not revoking it. This was the most difficult part of Cicero’s speech, and Cicero decides to delay it, following the precepts of *Inv.*: if your case has a scandalous nature “you must conceal your plan to defend it, until the audience is more malleable,” 1.24.

19 **dicam, patres conscripti, quae sentio**: this statement aims at gaining the goodwill of the audience before plunging in and functions as a sort of *captatio benevolentiae\**, projecting a humble and straightforward rather than adorned façade (*Inv.* 1.22). In *Pis.* very similar words (“I will speak straightforwardly, senators, and say what I think,” *equidem dicam ex animo, patres conscripti, quod sentio*, 81) introduce the same justification for supporting Caesar. *Patres conscripti* respectfully marks the beginning of a new section (cf. 1.1n. and 3.7n.).

19 **illam interpellationem mei familiarissimi**: Cicero exceptionally reports three interruptions in *Prov.* (cf. 29.22 and 40.28), and his decision to register them has multiple effects. It vividly represents the heat of the debate (cf. Ramsey 2007b: 128); it sends a message to Caesar (cf. Introduction 29–31); and it provides students of rhetoric with a good example of turning something unexpected to one’s advantage, since in a few lines Cicero responds with an historical example concerning Philippus (21), the father of the presiding consul. An orator’s prompt response to something unplanned was highly appreciated: “if something unexpected occurs or someone intervenes, interrupting you . . . giving you a cue for a reply fitting that context, do not fail to take advantage of it” (*Part.* 30;

*de Or.* 2.262). Accordingly, in the *Verrines* Cicero skillfully deploys an interjection by Hortensius during testimony (*Ver.* 2.1.71), and in other speeches he provocatively invites his adversaries to interrupt him as they wish (*Sex. Rosc.* 73 with Dyck), but interruptions of this sort in senatorial speeches are quite exceptional. The superlative *mei familiarissimi* aims at regaining rather than alienating the favor of the fellow senator, whose name remains unspecified (see next note), and forms a favored Type 2 *clausula*.

20 **paulo ante**: presiding magistrates were the only ones permitted to intervene in the middle of a speech (*Att.* 12.21.1; *Phil.* 5.1; Bonnefond-Coudry 1989: 518–19; Lintott 1999: 77). If the interruption came from the consul Philippus (*MRR* 2.207), *paulo ante* means “just a moment ago,” but if it came from another senator, the phrase may suggest that Cicero chose to ignore it for a while.

21 **negat . . . inimiciorem Gabinio debere esse quam Caesari**: both this and the next are reasonable objections, which Cicero must have expected. If he attacks Piso and Gabinius for not stopping Clodius in 58, why does he not attack Caesar, who supported him? In fact, just two months before giving this speech to the senate Cicero said that Pompey disapproved of Clodius’ passage to the plebs, but the plan “was carried through with the help of that consul [Caesar] who should have been the greatest enemy to Clodius [for the scandal of the Bona Dea, which took place in his house]” (*Har. Resp.* 45). As seen in the Introduction (23–9), in *Prov.* Cicero more or less explicitly tries to exculpate Caesar by blaming his exile solely on Clodius, Piso and Gabinius (cf. *Sest.* 16 with Kaster 2006: 151–2), as Pompey had urged him to do shortly before he delivered the speech. Equally, in a famous letter written to Lentulus in Dec. 54, Cicero looks back at these days and uses similar words to respond to some senators’ dissatisfaction at his rapprochement with Caesar and Pompey (*Fam.* 1.9.9) and to resist the accusation of making peace with Caesar only because of his success (*Fam.* 1.9.7).

22 **omnem illam tempestatem cui cesserim**: as previously, Cicero refers to the circumstances of his exile as “that shipwreck of our city,” 7.16 (for the metaphor\*, see n.), and *tempestatem* returns at 43.1 (cf. *Sest.* 7 with Kaster; Fantham 1972: 127–8; May 1980).

23 **Caesare impulsore atque adiutore esse excitatam:** there is a lot of truth in this remark too, and Cicero, who must have expected it as well, takes the next 11 chapters to respond to it (18–28; see introduction, pp. 170–1). As he states later in the speech, in 59 “Caesar transferred my enemy (Clodius) to the plebs either because he was angry at me . . . or because he was won over” (42.24). Moreover, in March 58, right after Clodius promulgated the laws leading to Cicero’s exile (the *lex Clodia de capite civis*), Caesar appeared at an assembly summoned by Clodius and expressed disapproval of the Catilinarian conspirators’ execution, for which Cicero would be exiled (cf. Introduction 1–5).

24 **si primum sic respondeam:** the conditional introduces Cicero’s line of argument smoothly, with the same language and strategy as the *exordium* (cf. 1.1–3nn.).

24 **me communis utilitatis habere rationem:** Cicero lays out the first argument to address the anonymous objection by returning to the main themes of his *exordium*. Recurring language suggests that the same concern for “what is best” (cf. 1.11n. *communi utilitate* and 1.9n. *maxime rei publicae conducit*) impels him to recommend both recalling Piso and Gabinius and confirming Caesar. The difference is that in dealing with his enemies Cicero states from the start that his feelings and “what is best” coincide (*ut dolor meus nihil a communi utilitate dissentiat*, 1.10), while in dealing with Caesar first he concedes that there may be some animosity, which he is willing to put aside following the example of illustrious Romans. He then explains his connection with Caesar (40–6), concluding that once again, the best course for the state does not conflict with his personal inclinations (47). *Habere rationem* forms a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*).

25 **non doloris mei:** Cicero uses the same language (forming a chiasmus\* with *communis utilitatis*) and argument as in the *exordium* (cf. 2.1n. *sed ego in hac sententia dicenda non parebo dolori meo* and n. above).

25 **possimne probare:** “should I not be able to win approval for my case;” for this use of *probo* cf. *OLD* 6a. The subjunctive of the “should/would” conditional is joined to the interrogative introduced

by *-ne*, which expects an affirmative response (K-S 3.505b) and smoothly introduces Cicero's examples (cf. *Balb.* 46). The rhetorical question\* is bracketed with epanalepsis\* of *possim*.

26 **exemplo fortissimorum et clarissimorum civium:** in *Inv.* Cicero defines *exemplum* as “something that strengthens or weakens one's argument through the authority or through the fortune of a person or of an event,” *exemplum est, quod rem auctoritate aut casu alicuius hominis aut negotii confirmat aut infirmitat* (*Inv.* 1.49, with van der Blom 2010: 65–72). Accordingly, Cicero chooses six positive examples, based on the indubitable authority of past senators, both to justify his own conduct and to counterbalance the example of Albucius belittling Gabinius (15.17n.). *Fortis* is the quality of those who possess *virtus* (Hellegouarc'h 1963: 248); it indicates courage in pursuing what is good and is often used as a superlative next to *clarissimus* (Achard 1981: 407). *Clarus*, illustrious, is “the one who, regardless of noble or plebeian origin, manages to become famous” (Hellegouarc'h 1963: 227–9) and often applies to senators.

27 **facere possim?:** a chiasmus\* (*possimne probare...facere possim*) returns the rhetorical question to the same word that opened it (cf. 18.25n. *possimne*) and gives the same favored *clausula* as above (Type 1 *habere rationem* and *facere possim*; cf. 5.9n. *esse videatur*).

27 **an...triumphasset?:** Romans typically indulged in listing historical examples (Treggiari 2003: 157–9), and Cicero opens his series with a classic, known to us also from other authors who wrote after Cicero and often used similar wording (Livy 38.52–3; Val. Max. 4.1.8; Gell, 6.19; Pliny *NH praef.* 10). The senators must have been familiar with this story, hence Cicero tells it briefly, framing it in a question and using *an* to introduce not a doubt, but “a rhetorical question with the meaning of a declarative sentence” K-S 3.519.3. There is therefore no need to correct the manuscripts' *an* to *nonne* (suggested by Peterson), or *an non* (Lambinus and Aldus) or *at* (Shackleton Bailey 1979: 275), or to insert *non* before *tantam* (Müller). Bennett (1918: §162.4a) explains that “*an* was not originally confined to double questions, but introduced single questions having the force of *-ne*, *nonne* or *num*” (cf. *Sen.* 15).

**27 Ti. Gracchus:** Tiberius Sempronius Gracchus (*RE* 53, consul in 177 and 163; *MRR* 1.397, 1.440 and 3.188–9) married Cornelia, the daughter of Scipio Africanus, and she bore him two children, the Gracchi (see next n.). As in this passage, Cicero often praises him (he is a *clarissimus pater*, *Cat.* 1.4 and has great authority, *Har. Resp.* 43), and often contrasts him with his sons (cf. *Ver.* 2.1.151; *Off.* 2.43 with Dyck), according to anti-*popularis* propaganda (Münzer 1921: 1409), which appealed to Cicero’s senatorial audience. While showing the importance of reconciliation for the good of the state, this example achieves multiple effects. It implicitly identifies Cicero with Tiberius Gracchus and Caesar with Scipio: Cicero portrays both Tiberius and himself as wise senators, rooted in the way of the ancestors, but open-minded enough to put the common interest before personal feelings and to support opponents whose views and methods they do not share. And equally, both Caesar and the Scipios, who relied on the people’s more than on the senate’s support, are reminded of the importance of maintaining good standing with the senate and of the dangerous effects of *popularis* politics (cf. *Sest.* 107 with Kaster; Seager 1972; Tatum 1999: 1–11 and Lapyrionok 2005: 147–9). In *Off.* Cicero discusses the use and effects of historical *exempla*, explaining that “the choice of *exempla* will not only determine the following actions but also the way in which these actions are understood by other people” (van der Blom 2010: 84; cf. Roller 2004: 1–10).

**28 filii:** Tiberius (*RE* 54) and Gaius Gracchus (*RE* 47) were famous popular reformers who challenged the power of the nobles and were murdered for their revolutionary methods in 133 and 121 (*MRR* 1.493–4, 1.513–14 and 1.517–18; cf. Meier 1965: 573; Lintott 1994: 62–86 and Introduction 20–2). Cicero’s attitude toward them is often determined by the audience and context: negative in speeches to the senate (e.g. *Cat.* 4.4 and 4.13; *Har. Resp.* 41), but, for obvious reasons, more positive in speeches to the people or in court (e.g. *Agr.* 2.10 and 2.81; *Font.* 39 with Dyck 2012 72; *Clu.* 151). For Cicero’s different treatment of the Gracchi depending on the audience, see van der Blom 2010: 103–7; and for conflicting traditions about and reception of the Gracchi, see Dench 2005: 326–9; Flower 2006: 76–81 and Wiseman 2009: 177–89.

28 **utinam...ne degenerassent a gravitate patria!**: the *exclamatio*\* has a triple pun on the etymologies. *Degenero* (< *de* + *genus*) originally indicated “departure from the (good old ways of one’s) father” (cf. *Ver.* 3.159; *TLL* 5.1.282.2-3). *Gravitas* (lit. “weightiness”) expressed “the virtue of being heavy, not easily moved away from where one is,” which in the conservative Roman society implies dignity, authority and influence (Hellegouarc’h 1963: 279–82; *TLL* 6.2.2306.75), and is typical of good citizens (Achard 1981: 392–9) who abide by the practices of their ancestors. Cicero often opposes the *gravitas* of T. Gracchus to the *intemperantia* of his two sons (Bücher 2006: 287–8). *Patrius* means “of one’s father,” as in this case, and by extension “of the fathers” and “of the country.” This exclamation may be directed towards Caesar, whom Cicero praises and educates at once (cf. Introduction 30–1): Caesar, just like the Gracchi, was a *popularis* (i.e. he relied on popular support for carrying out his political agenda; Meier 1965: 582); his unorthodox methods (e.g. the *lex Vatinia* granting him Gaul through a popular assembly rather than through the senate) concerned the most conservative faction of the senate, with whom Cicero tries to facilitate reconciliation. Cicero simultaneously warns Caesar not to depart from the way of the fathers (not without reminding him of the tragic death of the Gracchi; cf. 38.6), and he encourages the senators to “welcome” Caesar back, by showing support (39). The word play *patrem...patria* (a polypoton\*) encloses the remark, ending it with another favored Type 2 *clausula*.

29 **tantam laudem est adeptus**: *laus* typically expresses other people’s acknowledgment of one’s personal merit, *gloria* (cf. Mazzoli 2004: 65–7 and Sullivan 1941: 382–91 on *gloria*). *Adipiscor* often governs abstract nouns (e.g. 38.28n. *dignitas*; *honor*, *Ver.* 2.112; *gloria*, *Marc.* 7; *laus*, *de Or.* 1.146; cf. *TLL* 1.690.83ff). Livy, Valerius Maximus and Gellius, all writing after Cicero, report the same episode. According to Livy, when everyone expected that Tiberius would oppose the Scipios for their previous enmity (38.52 with Briscoe), he spoke in their support: first he worked at delaying the fixing of a day for Africanus’ trials, and was praised by senators and consuls (38.53), and then he prevented the imprisonment of



Lucius Scipio (38.56.10–13 and 38.60.4). Valerius Maximus and Gellius have a similar story: Tiberius vetoed the trial of Africanus, gaining the people's praise (Val. Max. 4.1.8) and making clear that his support was motivated by desire to safeguard the prestige of the Roman people, not by personal reconciliation (Gell. 6.19). Gellius' account is the closest to Cicero's, being probably based on the same sources: Gellius quotes from the records of the Annals, and Atticus' *liber Annalis*, which Cicero was reading in these years but is lost to us, most likely reported or summarized the same words (Lind 1979: 11–13).

**29 tribunus plebis:** Tiberius Gracchus was tribune of the plebs in 187 (*MRR* 3.188–9). Tribunes of the plebs were elected by the assembly of the plebs for one year (gathered in the *concilium plebis*) and chosen from individuals of plebeian family; they presided in the plebeian assembly and had much power. They had the right to summon the assembly of the plebs (*ius agendi*), whose bills had the force of laws; the right to defend plebeians (*ius auxilii*); and the right to veto other magistrates' decisions (*ius intercessionis*). In 187, in his capacity as tribune of the plebs, Tiberius exercised his *ius intercessionis* and vetoed other tribunes' attempt to bring Scipio to trial.

**30 solus ex toto illo conlegio:** when the tribune Minucius Augurinus ordered L. Scipio Asiagenus arrested, his brother P. Scipio Africanus appealed on his behalf to the other tribunes, but eight of them supported Augurinus; Tiberius Gracchus, however, the last tribune left, unexpectedly took the side of the Scipios and vetoed his colleague's order (Gell. 6.19). The college included ten tribunes (cf. Mommsen 1894: 1.362; Cornell 1995: 259–60).

**30 L. Scipioni:** Lucius Cornelius Scipio (*RE* 337) as consul in 190 (*MRR* 1.356) defeated Antiochus III “the Great” at Magnesia (near Sipylos, in Asia Minor) and took the name of Asiagenus (aka “Asiaticus”). After his triumph, he and his brother Publius (aka “Africanus,” see next n.) faced the harsh opposition of some more conservative senators, who were led by Cato and supported also by Tiberius Gracchus, after he had broken with the Scipios (Briscoe 1974: 125–7). Lucius and Publius were accused of having taken public money and bribes from Antiochus (Livy 38.54; Polybius

23.14; Gellius 4.18 and 6.19), and Lucius was tried in 187; in 184 Publius retired into voluntary exile to avoid prosecution, and Cato, as censor, deprived Lucius of his public horse (for the trials of the Scipios, cf. Scullard 1973: 290–303; Gruen 1995; Chaplin 2000: 90–2; and for a *status quaestionis* with updated bibliography, see Briscoe 2008: 170–9).

30 **inimicissimus et ipsius et fratris eius Africani**: Livy (38.52), Valerius Maximus (4.1.8) and Gellius (6.19) agree that Tiberius and the Scipios were personal enemies (cf. also next n.); but when and why this enmity began is less clear. During the campaign against Antiochus, Lucius Scipio entrusted to Tiberius Gracchus the important mission of testing the reliability of Philip V (Livy 37.7.8–14); some time later Tiberius married Cornelia (*RE* “Cornelius” 407), the younger daughter of Scipio Africanus (*RE* 336). It has been supposed that this enmity is an invented anecdote (Adam 1982 ad Livy 38.52, p. 194n.7); more likely, Gracchus supported Cato against the Scipios (Briscoe 1982: 1101–3) but “did not want to see the conqueror of Antiochus actually being hauled off to prison” (Briscoe ad Livy 38.52.9). For Cicero’s use of P. Scipio Africanus as an historical *exemplum* in his speeches, see Bücher 2006: 215–18, and for the meaning of *inimicus*, “personal enemy,” and its construction with gen. or dat., cf. 11.29n.

31 **iuravitque in contione se in gratiam non redisse**: this is an important detail for Cicero’s line of argument, viz. considerations for what is best, rather than personal feelings, encourage him to support Caesar’s reappointment. Other sources report this detail with almost the same words: Valerius Maximus specifies that “Tiberius first swore that he had not been reconciled with the Scipios,” *at is primum iuravit se cum Scipionibus in gratiam non redisse*, 4.1.8, and Gellius writes that “he publicly swore that he had not been reconciled nor become friends with Africanus,” *iuravit palam in amicitiam inque gratiam se cum P. Africano non redisse*, 6.19.6. The expression *in gratiam redere*, “to reconcile” (*OLD* 2a), occurs five times in six chapters (18.1, 20.24, 21.29, 22.8, 23.17), as a refrain providing the moral of Cicero’s six historical *exempla*. Remarkably, with this moral and with these same words Cicero concludes the speech, cf. 47.17n.

1 **alienum**: “not in keeping with, unsuitable to” with abl. (*OLD* 8a), like many adjectives coming from verbs (L-H-S 107; cf. *alienum mea dignitate*, 42.29).

2 **dignitate imperi**: this wording is significantly unique of Cicero (cf. *Red. Pop.* 21; *Sest.* 1), although other sources use similar expressions: Valerius Maximus says *indignum et alienum maiestate reipublicae videri* (4.1.8) and Gellius, who claims to quote Tiberius’ decree, writes *alienum videtur esse dignitate reipublicae* (6.19.7). Cicero’s substitution of *respublica*, which he probably found in his source, with *imperium* breaks some ground in the praise of the empire (esp. 31–5), validating Caesar’s reappointment. Cicero’s expression also summarizes a famous *sententia* by Scipio Aemilianus Africanus (who was the adoptive grandson of Scipio Africanus, *RE* 335): *ex innocentia nascitur dignitas, ex dignitate honor, ex honore imperium, ex imperio libertas* (*ORF* 21.32.134; *Isid. Orig.* 2.21.4.32), and achieves a favored Type 2 *clausula*.

2 **quo...eodem**: triumphant generals paraded through the forum (cf. Beard 2007: 92–105, with bibliography), where the prison also was, and where Tib. Gracchus pronounced his defense of Scipio. The prison, probably built by Ancus Martius and Servius Tullius, was located northwest of the *comitium* where orators addressed the public meetings and next to the temple of Concord (map 4, Coarelli 1993a: 236–7). Other sources also insist on Tiberius’ effective use of topography to express disgust at Scipio being imprisoned in the same place where he had triumphed (esp. *Gell.* 6.19.7; *Val. Max.* 4.1.8; cf. *Livy* 38.53; on orators’ use of topography, see Vasaly 1993: 15–39).

2 **duces essent hostium Scipione triumphante ducti, eodem ipsum duci qui triumphasset?**: L. Scipio Asiagenus triumphed in 189 after his victory at Magnesia over Antiochus (cf. 18.30n. *L. Scipioni*), and, according to Livy, he paraded before his chariot “royal generals, prefects and high dignitaries in the number of thirty-two” (37.59.5). As noted by Beard, “it was something of a cliché of Roman word play that triumphs involved the enemy *duces* (“leaders”) themselves being *ducti* (“led” as prisoners) in the victory parade” (2007: 121; cf. *Livy* 3.29). Cicero, however, reinvents this cliché, presenting it in a highly rhetorical fashion. A triple polyptoton\*

*duces... ducti... duci* effectively expresses the double paradox (the leader led would actually be Roman), emphasized both by the double hyperbaton\* (*duces... hostium* and *essent... ducti*), and by the parallel constructions (*quo... eodem*; *duces... ipsum*; *ducti... duci*; and *triumphante... triumphasset*), which give two favored Type 1 *clausulae* (*triumphante ducti* and *qui triumphasset*).

## [19.]

The second historical example focuses on Marius, both restating the point of the first—matters of state come before personal feelings—and introducing the theme of the *ratio Gallici belli*.

3 **Quis plenior inimicorum fuit C. Mario?**: C. Marius (*RE* 14) was a capable and ambitious *homo novus* (like Cicero, and like Cicero he was born in Arpinium). Consul in 107, 104, 103, 102, 101, 100 and 86, he triumphed in 104 over Jugurtha (*MRR* 1.558) and in 101 over two Germanic tribes (the Cimbri and the Teutoni *MRR* 1.570–1), and fought a bloody civil war against Cinna and then against Sulla (Lintott 1994: 86–92; Carney 1970; Badian 1958: 192–225). Marius, just like Scipio Africanus (and just like Caesar), often relied on popular support and resisted the will of powerful senators (cf. *Planc.* 88; Carney 1960: 121); as a result, both Marius and Scipio, having obtained glory and popularity through multiple victories, died somewhat in disgrace. Marius married Julia, the aunt of Caesar: Cicero's rhetorical question and examples, then, while supporting Caesar, also obliquely warn him by reminding him of the dangerous effects of losing the senate's favor. Equally, both examples remind the senators of the tragic effects of past clashes between the so-called *populares* and the more conservative members of the senate. For Cicero's use of *exempla* from Marius, see Carney 1960: 105–21 and Bücher 2006: 273–7.

4 **L. Crassus**: Lucius Licinius Crassus (*RE* 55), consul in 95 and censor in 92, was an exponent of the aristocracy and the most prominent orator of his generation (and the main character in Cicero's *de Or.*). It is not hard to believe that Marius' exceptional powers and methods of appealing to the people displeased an aristocrat like Crassus, but in fact sometime in the 90s Marius' son married

Licina, who was Crassus' daughter (*Balb.* 49; Gruen 1990: 181–3). We do not know of a specific quarrel: Manfredini (1976, esp. 114–24) has successfully disproved the view that Marius disliked Crassus' decision, as censor in 92, to disallow the teaching of rhetoric in Rome (*de Or.* 3.93 with Leeman et al.; Suet. *Gramm.* 25; Tac. *Dial.* 35 with Mayer ad loc.; Gell. 15.11.2), because it limited access to oratory, which was becoming an increasingly powerful weapon for gaining the masses' support (this view was put forth by Marx 1894 ad *Her.* pp. 147–8 and was held, after Manfredini, by David 1979, esp. 162–72; for balanced discussions on the edict, see Gruen 1990: 180–91 and Kaster 1995 273–4).

4 **M. Scaurus:** Marcus Aemilius Scaurus (*RE* 140), consul in 115 (when he also triumphed over the Ligurians, *MRR* 1.531) and censor in 109, married Caecilia Metella, becoming the leader of the powerful Metelli family (cf. *Font.* 24, where “C. hyperbolically assimilates him to the traditional picture of Jupiter,” Dyck 2012: 58) and the *princeps senatus* (i.e. the first to be enrolled in the list of senators drafted by censors and the first to be called on in senatorial meetings; cf. *Sest.* 39 with Kaster; Bonnefond-Coudry 1989: 687–96; Bates 1986). As in the case of Crassus (n. above), it is easy to see how different political goals and methods divided Scaurus and Marius, but less easy is to identify specific episodes. Scaurus was praetor in 119 when Marius introduced a law ensuring secrecy for people voting in popular assemblies (on this law and on the enmity between the Metelli and Marius see next n.); in 100 he urged Marius to take action against Saturninus; and in the following year he supported Marius' mission to Asia. Bates captures the nature of the aversion thus: Scaurus “in many ways is the last of the old senatorial leaders. . . . by the time of his death the new age had begun, the age of Marius and Sulla and military despotism” (1986: 276).

5 **inimici omnes Metelli:** the Metelli both sustained and opposed Marius. In 119 they supported his tribunate, but his *lex Maria* for a more secret ballot struck a blow to powerful families' control over popular votes (Lintott 1999: 46; Flower 2010: 72–5), causing a clash with Caecilius Metellus Dalmaticus (*RE* 91; Plut. *Mar.* 4; Ooteghem 1964), who was then consul (*MRR* 1.525).

In 109 his brother, Caecilius Metellus Numidicus (*RE* 97), took Marius as lieutenant in the war against Jugurtha; Metellus refused his request to leave and stand for consulship, but Marius left and was elected for 107 nevertheless, and even replaced Metellus in conducting the war against Jugurtha (*Off.* 3.79; *Sall. Iug.* 73; *Plut. Mar.* 8; Carney 1970: 25–8). In 103 Marius supported the populist reformer Saturninus, so Metellus, who opposed both, was exiled (Gruen 1965), and Marius broke with Saturninus but still delayed Metellus' return (Badian 1984; for an overview on Marius, the Metelli and the history of these years, see Lintott 1994: 86–92). The chiasmus\* (*L. Crassus, M. Scaurus alieni, inimici omnes Metelli*) emphasizes Marius' isolation and gives a favored Type 3 *clausula*.

5 **illum inimicum** has a concessive force, “him, even if he was a personal enemy.”

6 **ex Gallia sententiis suis non detrahebant**: in 102 Marius defeated two Germanic tribes (the Teutoni and the Ambrones) in Transalpine Gaul, at Aquae Sextiae (cf. 32.4; *Livy Per.* 68; *Plut. Mar.* 15–22), but at the same time Q. Lutatius Catulus (*RE* 7), the other consul, was twice defeated by the Cimbri (another Germanic tribe) in Cisalpine Gaul, on the upper Adige (map 1; *MRR* 1.567). The people reelected Marius consul for 101, and the senate (which had no choice) dispatched him to Cisalpine Gaul to support Catulus. Cicero's reworked chronology (see 19.7n. *provinciam extra ordinem decernebant*) and favored Type 3 *clausula* strategically play up the role of the senate in appointing Marius; according to the instructions of manuals of rhetoric, an example “recalls a past action, real or presented as such, which helps to convince the audience of what you want to prove” (Quint. 5.11.6).

6 **propter rationem Gallici belli**: this important detail matches Cicero's logic and skillfully prepares for the discussion on the Gallic war, but is only partly true. Sending Marius to Cisalpine Gaul was certainly the right decision, and his army, joined with Catulus', reported a decisive victory which stopped the advance of the Cimbri (at Vercellae, map 1). The senate, however, did not act out of mere concern for the common good, as Cicero implies. The distribution of commands followed from conflicting interests within the senate and from Marius' (for once) tactful diplomacy:

in 102, after his victory at Aquae Sextiae and after the defeat of Catulus, who was an exponent of the senatorial *nobilitas*, Marius declined the triumph offered by the senate, signaling confidence in the senate and in his final victory (Plut. *Mar.* 24.1–2; Badian 1957: 322–4; Carney 1970: 37–9). He also glossed over Catulus' defeat (Plut. *Mar.* 27.5–6), and released more than half of his troops, which were needed elsewhere. Aquillius, a supporter of Marius, was dispatched to Sicily where slaves were revolting; T. Didius, a member of the Metelli family, to Thrace; M. Antonius to Cilicia; and Q. Metellus Nepos was elected praetor for 101. Later in the speech very similar words align Caesar and Marius (*totam Gallici belli rationem*, 35.25n.).

7 **provinciam extra ordinem decernebant**: the rhyme\* (*de-trahebant...decernebant*; Holst 1925: 86.313) and the switch of chronological order (Cicero mentions events of 102 before those of 105, a device called *hysteron proteron*\*) produce another statement undergirding Cicero's logic but somewhat misleading. Cicero refers to the senate's decision to allot Gaul to Marius directly (*extra ordinem*, means *nominatim*, Vervaeet 2006: 630–8), especially in 104 and 103; in fact this decision was not due to the senators' wish to put personal feelings aside, as Cicero implies, but to the fact that people in Rome and pressing German tribes forced them to do so. In 105 the Cimbri disastrously defeated the Romans at Arausio (map 3; Livy *Per.* 67; Flor. 1.38.4) and the people, "feeling the need for a great general, set every consideration aside to find the man who could lead them and put an end to that disastrous war. No one allowed any individual from great and noble families to advance their candidature in the consular comitia; but they elected Marius, even though he was absent" (Plut. *Mar.* 11.1). Cicero tries to appease the senators and advance his case through favored Type 4.b *clausula*.

8 **bellum in Gallia maximum gestum est**: emphatic hyperbaton\*, a favored Type 1 *clausula*, passive verb and chiasmus\* (with *maximae nationes*) secure a smooth transition. An ancient reader, without signs of punctuation, would think that this statement applies to what Cicero has said about Marius before realizing that Cicero is moving to deal with Caesar (cf. Feeney 2011).

**8 domitae... devinctae:** the switch in word order emphasizes both *maximae nationes* and *domitae*, which is opposed to *devinctae* and anticipates a theme that Cicero develops at 32, where he compares Caesar and Marius again; the language also contrasts Caesar and Piso (cf. 5.10n. *domitis iam gentibus finitimis barbarisque compressa*), suggesting that Caesar spreads law and order, while Piso brings chaos.

**9 maximae nationes:** in 58 Caesar had defeated the Helvetians (who lived in a territory roughly corresponding to modern Switzerland, *see* map 3) and the German king Ariovistus, in 57 the Belgians (*see* map 3) and in 56 the Veneti (who lived in northwestern France in a territory corresponding to modern Brittany, *see* map 3). Caesar uses the same expression only once in the *Bellum Gallicum*, at the end of Book Three, where he narrates the campaign of summer 56. The similarities between Cicero's and Caesar's description of the campaign in Gaul (esp. the end of Book Three) make the hypothesis of Cicero's alluding to Caesar's reports very attractive. Cicero also uses the same expression for Pompey's conquests at *Sest.* 67.

**9 sed nondum legibus, nondum iure certo, nondum satis firma pace devinctae:** zeugma\* (of *devinctio* modified by three instrumental ablatives), chiasmus\* (*iure certo... firma pace*) and anaphora\* join three cola of increasing length (a typical feature of Cicero's style, *see* Introduction 36–8), each ending with a favored *clausula* (Type 2, molossus + cretic; and twice Type 4, double molossus). Cicero uses the same language and image of “binding laws” at 34.8 (*legibus... totam Galliam sempiternis vinculis adstringere*) to provide a justification of Roman imperialism: according to the teachings of Panaetius, just as masters should treat slaves justly so should conquerors treat the conquered (cf. Brunt 1978: 185–91). By presenting Caesar's conquest of Gaul as the means of establishing justice and peace, Cicero both hides some contradictions of Roman imperialism (Rose 1995: 374–6) and “makes extraordinary commands seem acceptable and desirable to his audience” (Steel 2001: 114 and 156–60).

**10 adfectum... confectum:** the polyptoton\* (with two words from the same root but different prefixes, Holst 1925: 69.133;



one of the most common in Cicero, cf. *adfecta...perfecta*, 29.26) forms a climax\* with three verbs composed of *facio*: *adfacio* means “to cause to approach completion, to make substantial progress” (OLD 7); *confacio*, “to bring to completion” (OLD 9a), is modified by *paene*; and *perfacio*, “to bring to the highest point of development” (OLD 3a). For Gellius this passage exemplifies the correct use of *adfectus*: used properly “not of things which reached their very end, but of those which had come close to it” (15.5.6; cf. 3.16.19).

11 **paene confectum**: in the *Bellum Gallicum* Caesar consistently uses the same strategy and terminology, extolling his own achievements and presenting the conquest of Gaul as the result of many successful campaigns. Having defeated the Helvetians at the beginning of his campaign (and of the *Bellum Gallicum*) he states: “after he completed the war against the Helvetians (*bello Helvetiorum confecto*), ambassadors of peoples from almost the whole of Gaul visited to congratulate Caesar,” BG 1.30; cf. 1.54, 4.16.

12 **idem...qui** “(precisely) the same...who” (K-S 3.451).

13 **si succeditur...audiamus**: double homoioteleuton\* effectively juxtaposes the two options (*si...persequitur* and *si succeditur*) and their effects (*perfecta videamus* and *renovatas audiamus*), and give two favored *clausulae* (Type 1 *perfecta videamus*, cf. 5.9n. *esse videatur*; Type 3 *renovatas audiamus*, resolved molossus + double trochee).

13 **periculum sit** is constructed with *ne* as typical of verbs of fear and concern (K-S 3.253.2).

13 **instauratas**: (< *in* + \**stauro*) the verb originally had a religious meaning, indicating the act of offering in compensation, especially for a defective religious ceremony (Ernout Meillet s.v.), and hence it “renew,” or, as in this case, “resume” (OLD 2).

[20.]

14 **ego senator**: Cicero reaps the fruit of his *exempla*, aligning himself with conservative senators of the past (like L. Crassus, M. Scaurus and the Metelli, cf. 19.5) and with his present colleagues. The same expression returns at 30.11, where Cicero restates the same point.

15 **inimicus . . . amicus**: this type of polyptoton\*, with simple and compound words from the same root, is common in Cicero (Holst 1925: 70–7), who often juxtaposes antonyms (e.g. *amicam . . . inimicam*, *Cael.* 32; *improbi . . . probi*, *Caec.* 3; *inimicitias . . . amicitias*, *Rab. Post.* 32). *Amicus* and *inimicus* regularly take the dative when used as adjectives (cf. 22.9, 40.26) and the genitive when used as nouns (K-S 2.316.4; cf. 11.29).

15 **si ita vultis**: Cicero proceeds in order, first considering what is best for the state, and later explaining his relationship with Caesar (40–6). With a *concessio*\*, Cicero admits that he could have reason for enmity toward Caesar (43.6–8; cf. also *Marc.* 25), but argues that in fact he does not. *Si ita vultis* introduces a false concession also in Caesar, *BG* 5.30.

16 **si ipsas inimicitias depono rei publicae causa**: Cicero repeats very similar words in the peroration, at the end of the speech (*possem etiam summorum virorum exemplo inimicitias rei publicae causa deponere*, 47.3). *Depono*: according to the republican ideals of *consensus* and *concordia*, laying aside feelings of personal enmity was a virtuous act (Hellegouarc’h 1963: 124–7 and 358–60; Achard 1981: 72–4; Burckhardt 1988: 70–85). *Inimicitia* is very often used in the plural, indicating “exterior manifestations of hostility” (Hellegouarc’h 1963: 186), and Caesar went so far as to declare that the plural was the proper form (*Gell.* 19.8.4). In a letter to Atticus Cicero equally claims that he has made enemies for the sake of the country (*inimicitias rei publicae causa suscepimus*, *Att.* 1.15.1); the expression *rei publicae causa* had a strong appeal, in spite of being vague. Gabinius would use it to justify his conduct as governor (*Rab. Post.* 20), and during the civil war Caesar and Pompey each gave it a propagandistic ring (e.g. *Caes. BC* 1.8–9).

18 **praesertim** is commonly used with *cum* L-H-S 2.625.

18 **omnium meorum consiliorum atque factorum exempla**: homoioteleuton\* in *-um/-orum* highlights the exaggeration (*amplificatio*\*), and the repetition of *facta* (*ex summorum hominum factis*) marks Cicero’s close imitation of the best men, ending the colon with a favored Type 4.b *clausula*. On Cicero’s choice of examples from the best men of the past, see van der Blom 2010:

82–7. *Consilium* indicates a judgment leading to a decision, and *factum* is the realization of that decision.

20 **an vero** introduces another classical example of reconciliation in the form of another rhetorical question (for this use of *an*, see 18.27n. *an... triumphasset*); in particular, *an vero* coordinates this question with the previous one (*si ipsas inimicitias depono rei publicae causa, quis me tandem iure reprehendet?* 20.16), creating an *argumentum ex contrario* (*Her.* 4.25); “a double question is set up in which the answer expected by the second question conflicts with that expected by the first, leaving an inference to be drawn” (Berry 1996: 201 = ad *Sull.* 32.9). The senators must have been familiar with this *exemplum*, narrated by Ennius (*Ann.* 16.8, see n. below) before Cicero and by Livy (40.45.6–46), Gellius (12.8.5–6) and Valerius Maximus (4.2.1) after Cicero.

20 **M. ille Lepidus**: Marcus Aemilius Lepidus (*RE* 68) was a prominent member of the senatorial class at the beginning of the second century. In 200 he led an important diplomatic mission to Phillip V; around 187 he built the *via Aemilia* (Livy 39.2.10 with Briscoe; *MRR* 1.367–8; Brizzi 1979) connecting Ariminum to Placentia (Rimini and Piacenza); and since he also founded two colonies in the same area (Mutina = Modena, and Parma, see map 1), the whole region of Emilia Romagna is still named after him. For the respectful form of address, cf. *L. ille Torquatus*, *Sull.* 34.

20 **bis consul**: in 187 and 175 (*MRR* 1.367–8 and 1.401–2). To be elected consul twice was fairly unusual: it happened to only ten individuals in the second century, and to three between 100 and 56.

21 **pontifex maximus** (< *pons* + *facio* = “maker of the bridge” connecting gods and humans) was the head of the council of *pontifices*, which was in charge of religious laws and of organizing rituals, games and festivals (Beard 1990: 34–48 and Beard, North and Price 1998: 1.55–8). Lepidus became *pontifex* in 199 and *pontifex maximus* in 180 (cf. *Dom.* 136). In 56 the *pontifex maximus* was Caesar (since 63).

22 **annalium litteris et summi poetae voce laudatus est**: with two favored Type 2 *clausulae* (double cretic), Cicero alludes to Ennius (called *summus poeta* also at *Balb.* 51) praising the reconciliation between Aemilius Lepidus and Fulvius Nobilior (see n.

below), who was his patron and whom he accompanied in Greece (cf. *Tusc.* 1.3). Ennius' passage describing the reconciliation is lost to us, but must have been prominent in the *Annales* (cf. Skutsch ad 16.8), whose grand structure probably implied a ring composition. The narrative opened with the destruction of Troy by the Greeks and, in the original plan, closed with Nobilior dedicating the statues taken from his campaign at Ambracia, that is, with the Romans defeating the Greeks and taking revenge for their Trojan ancestors (Gratwick 1982: 65; Feeney 2007: 142–3; Skutsch 1984: 144 and 553; A. Hardie 2007: 138–9; Gruen 1990: 11–5).

23 **M. Fulvio**: Marcus Fulvius Nobilior (*RE* 91), consul in 189 and conqueror of Ambracia, triumphed over the Aetolians in 187 (*MRR* 1.369) and was elected censor in 179 together with Lepidus (*MRR* 1.392). Ennius celebrated his deeds both in the *Annales* and in the play *Ambracia* (with Roman subject, *fabula praetexta*), and Fulvius built a temple to Hercules Musarum dedicating the statues of the Muses he had taken from Ambracia (Viscogliosi 1996; Rüpke 2006; Fabrizi 2008).

23 **conlega**: every five years the people, gathered in the centuriate assembly, elected two censors, who held office for eighteen months and were in charge of choosing the senate (*lectio senatus*), updating the list of Roman citizens (*census*) and overseeing their moral conduct (Drummond 1990: 197–8). As a rule, former consuls were elected censors, and censorship came to be the peak of the *cursus honorum*, a politician's career (Suolahti 1963: 15–19; Lintott 1999: 104–20).

23 **quo die censor est factus**: Gellius reports the same detail: “as soon as the voice of the herald announced that they had been elected censors, in the Campus Martius itself and before the assembly was dismissed, they immediately rejoined and embraced each other, spontaneously and displaying the same good will” (12.8.5–6); on *censor* see n. above.

24 **homine inimicissimo**: both the enmity and the reconciliation of Fulvius Nobilior and Marcus Lepidus were legendary. In 189 Fulvius defeated Lepidus in consular elections (Livy 37.47), and as consul he prevented Lepidus' candidature for 188 (Livy 38.35); in 187 Lepidus, who was finally consul, had Nobilior recalled from

Greece (Livy 38.42.9–10) and attacked his conduct at Ambracia in the senate, arguing against granting him a triumph (Livy 38.43–4 with Briscoe).

**24 in campo:** in the Campus Martius. The field of Mars (*see* map 4) was originally located outside of Rome's city border (the *pomerium*), and since technically no one was allowed to carry weapons inside the *pomerium*, it remained the place for military exercises and for gathering one of the assemblies of the people, the *comitia centuriata* (Nicolet 1980: 264–7; Wiseman 1993; Coarelli 2007: 261–304). This was the assembly that elected the censors and that originally represented the army, with its archaic division into *centuriae*. According to Livy, who reports the same episode, Fulvius and Lepidus, having just been elected censors in the Campus Martius, shook hands in reconciliation and promised to put aside their mutual hatred (40.45.8 and 40.46.15).

**24 statim rediit in gratiam:** Valerius Maximus, deriving from Cicero, reports the same episode with similar details but he mistakes Fulvius Nobilior for Fulvius Flaccus (4.2.1); Gellius uses very similar words, *ibidem in campo statim...coniuncti complexique sunt* (12.8.6), but Cicero's formulation achieves a favored Type 2 *clausula*.

**25 commune officium censurae communi animo ac voluntate defenderent:** alliteration\* (*co-*, *ce-*, *co-*) and polyptoton\* (*commune communi*) highlight the accord brought about by the reconciliation, apparently resulting in Fulvius being put in charge of the lustration and Lepidus becoming the *princeps senatus* (Ryan 1998b: 243), and a favored Type 2 *clausula* (resolved molossus + cretic) ends the example.

[21.]

**26 ut vetera, quae sunt innumerabilia, mittam:** cf. *Font.* 12.

**27 tuus pater:** Lucius Marcius Philippus (*RE* 75), father of one of the consuls of 56 (also named Lucius Marcius Philippus, *see* next n.), consul in 91 and censor in 86, lived in turbulent years, fighting many political battles. As tribune (probably in 104, *MRR* 1.560) he proposed an agrarian bill, which was voted down (cf.

*Off.* 2.73 and *MRR* 2.20); as consul in 91 he opposed Drusus' proposals for enlarging the senate and enfranchising the Italians and, according to Appian (*BC* 1.36), he even invited some Etruscans and Umbrians to manifest their opposition in popular assemblies (Gabba 1994: 112–13); as a censor in 86 he became famous for excluding from the senate his own uncle, Appius Claudius (*Dom.* 83–4), who was Clodius' father (*MRR* 2.54); he supported Cinna in 86 and Sulla in 82. Cicero admired him both as a statesman (cf. *Dom.* 84; *Sest.* 110) and as a witty orator (*de Or.* 2.316; *Brut.* 173; and *de Or.* 2.245 on his wit). Orators often used an opponent's ancestor to support their argument (Treggiari 2003: 157–9; Kaster 2006: 358); and recalling one's good family was a typical means of praise: "if one comes from a good family, we can say that he is as good or better" (cf. *Her.* 3.13). Cicero's double-edged praise, then, strives to overcome Philippus' opposition by inviting him to be "as good" as his father.

27 **Philippe**: with an apostrophe\* Cicero addresses directly one of the presiding consuls (*MRR* 2.207; Introduction 44–5), Lucius Marcius Philippus (*RE* 76), who was governor of Syria before Gabinius (61–59) and who in 58 married Atia, sister of Caesar and former wife of Octavius (father of Octavian). Despite his connection with Caesar he opposed both his reappointment in Gaul and Crassus' and Pompey's candidature for the consulate for 55 (Gruen 1974: 146–7). This friendly but respectful form of address by *cognomen* ("*cognomina* were both ancestral and personal," Adams 1978: 151; cf. Dickey 2002: 50–3) may reflect Cicero's attitude toward Philippus: publicly he calls him "a most wonderful man and excellent consul" (*Sest.* 110); but in a letter dating to March 56, Cicero wrote to his brother Quintus that "Lentulus (Marcellinus) makes an excellent consul, in fact I have never seen a better one, and Philippus does not get in his way" (*QF* 2.4.4).

27 **uno tempore cum suis inimicissimis** must refer to Philippus' opposition to senators like L. Licinius Crassus (*RE* 55), Q. Mucius Scaevola (*RE* 22) and M. Aemilius Scaurus (*RE* 140), who supported M. Livius Drusus (*RE* 18) and his legislation in 92 and 91. When Philippus was consul in 91, debates in the senate reached such heat that Drusus gave Philippus a bloody nose. Before the

end of the year, however, Crassus died (cf. *de Or.* 3.1–8); Drusus, having lost his most formidable supporter, was mysteriously assassinated (Gabba 1994: 111–14); and Philippus, having been reconciled with the rest of the senate, managed to invalidate Drusus' legislation (Ascon. *Corn.* 69.4 with Marshall 1985: 242–4; *MRR* 2.21–1 and 3.126). Drusus' program included a *lex frumentaria*, about grain distribution; a *lex agraria*, about land distribution; a *lex iudiciaria*, about the composition of the juries (Gruen 1966; Weinrib 1970); and a proposal to enfranchise the Italians (Gabba 1994: 104–28).

28 **in gratiam rediit**: the chiasmic\* repetition (*rediit in gratiam*, 21.28) respectfully aligns Philippus' father with Roman ancestors' (and with Cicero's) reconciliations, giving a favored Type 1 *clausula*.

29 **eadem res publica**: "the same care for the welfare of the state" (cf. *OLD* 2a).

[22.]

30 **lumina atque ornamenta rei publicae**: these laudatory words conceal a vicious maneuver, as it seems that Servili and Luculli "reconciled" only to oppose Caesar and Pompey (Gruen 1974: 94–5); Cicero, however, uses their reconciliation (against Caesar and Pompey) to justify his own rapprochement with the dynasts. For the expression, cf. *haec ornamenta ac lumina rei publicae*, *Sull.* 5 with Berry and *Phil.* 2.37.

31 **P. Servilium**: cf. 1.12n.

31 **M. Lucullum**: Marcus Terentius Varro Lucullus (*RE* "Licinius" 109), consul in 73 (*MRR* 2.109) and then proconsul in Macedonia (whence he reported a triumph in 71), supported Cicero's consulship in 63, his defense of Archias in 62 (cf. *Arch.* 5–9; *TLRR* 235) and his return from exile in 57.

1 **L. Lucullus**: Lucius Licinius Lucullus (*RE* 104), "the haughtiest of Roman aristocrats" (Gruen 1974: 39), brother of M. Lucullus (n. above) and consul in 74 (*MRR* 2.100–1), was a supporter of Sulla and conducted an important campaign against king Tigranes for which he triumphed in 63. In 59 he opposed Clodius, Caesar and Pompey and then retired to private life until his death (57–6).

His luxurious lifestyle became legendary, making “Lucullian” a synonym for “luxurious, refined and extravagant.”

1 **inimicitiae... Lucullorum atque Servili:** prosecutions attest the longstanding enmity between these two noble families (e.g. *TLRR* 69, 71 with Gruen 1974: 61). In particular, around 91, before L. Licinius Lucullus began his public career (*RE* 104) he and his brother M. Terentius Lucullus (*RE* 109) brought to court C. Servilius (*RE* 12; *TLRR* 71), because he had prosecuted their father. According to Plutarch, “this trial stirred such agitation that people were wounded and killed, and Servilius was absolved” (*Luc.* 1.2 with Lintott 1968: 186 and 211; cf. *Off.* 2.50 with Dyck); the animosity continued throughout the 60s, and in 66 Servilius Isauricus supported Pompey to eclipse L. Lucullus (Gruen 1974: 94). The chiasmus\* (cf. above *P. Servilium et M. Lucullum*) produces two favored *clausulae* (Type 4.b *M(arcum) Lucullum*; and Type 1 *atque Servili*).

3 **exstinxit:** the first meaning of *extinguo* is “to extinguish a source of fire or light” (*TLL* 5.2.1914.22–26) and by extension “to put an end to” (*TLL* 5.2.1919.78); the verb therefore continues the above metaphor of the two *lumina rei publicae*.

3 **rei publicae utilitas dignitasque ipsorum:** with another chiasmus\* and with homoioteleuton\* in *-tas* Cicero conceals the real reason for the reconciliation, which most likely was dictated by the common desire to oppose the agreement between Caesar and Pompey (Gruen 1974: 94). Baiter added *utilitas* to fill an evident lacuna in the manuscripts.

4 **amicitiam consuetudinemque:** *amicitia* was an important notion in Roman politics and was based on contingent circumstances and needs (such as “the best for the state”), while *consuetudo* indicates “a relation particularly close... it expresses a relation of superior quality, which, even without necessarily implying affective involvement, applies to intimate friends, like Cicero and Atticus” (Hellegouarc’h 1963: 78).

5 **Q. Metellus Nepos:** Quintus Caecilius Metellus Nepos (*RE* 96) was not present at the discussion, being proconsul in Spain, where he was dealing with a rising of the Vaccaei (cf. *Fam.* 5.3 and *MRR* 2.210). “Volatile, opportunistic, and unpredictable” (Gruen



1974: 145), praetor in 60 and consul in 57, Nepos was an old enemy of Cicero's and a cousin of Clodius; in 62, as tribune of the plebs, he attacked Cicero's conduct with the Catilinarians, but in 57, when he was consul, he agreed not to hinder Cicero's return from exile. Cicero, promptly informed by his brother Quintus and by his friend Atticus, wrote a congratulatory letter to Nepos: "in putting aside your personal feelings [*inimicitiae*] for the sake of the state you have reported a victory over yourself... and if you give me your help I promise that I will be at your service in all matters" (*Fam.* 5.4.2).

**5 in templo Iovis Optimi Maximi:** in the meeting of 1 January 57. This massive construction, located on the Capitoline hill, and looming over the Roman forum, was the most important temple in Rome and remained the center of its religious and political life. Mentioning this temple had a strong ideological and emotional appeal to Romans: this was the arrival point of triumphal processions, the place where the *triumphator* offered his *toga picta* to Jupiter, and the repository of precious votive gifts; as such it also housed the votive statue of Minerva *custos urbis* that Cicero offered to Jupiter before leaving for exile (*Leg.* 2.42; cf. *Dom.* 144). The senate met in this temple on special occasions and on 1 January 1, when the Romans celebrated the beginning of the new political year and the new consuls took office, offering a public sacrifice to Jupiter (De Angeli 1996: 152, *see* map 4).

**6 permotus:** the prefix *per-* often functions as an intensifier, "deeply moved." According to *Sest.* (130; cf. n. below) Servilius' words moved Metellus to tears.

**6 cum auctoritate vestra, tum illius P. Servili incredibili gravitate dicendi:** Cicero reports the same episode in *Sest.*, with more details. Metellus was initially opposed to supporting Cicero's recall, but Servilius extolled the Metelli's past deeds and invited Metellus Nepos to abandon his support for Clodius with such gravity that Metellus broke down in tears and "declared himself reconciled" with Cicero (*Sest.* 129–30 with Kaster; cf. *Red. Sen.* 25). Perhaps Pluygers' emendation of the manuscript's *illius* in *illa* (printed by Maslowski) should be accepted. On the authority of the senate, cf. 3.15n. and 13.24n.; and on Servilius' gravity of

speech, cf. *verborum gravitate* 2.19n. The chiasmus\* (*auctoritate vestra* and *Servili gravitate*) achieves a favored Type 1 *clausula* (cretic + spondee); thereby Cicero compliments Servilius and the other senators, a means of gaining favor called *comprobatio*\*.

7 **absens** has a concessive force and agrees with Metellus Nepos (not with *mecum*). On 1 January 57, Metellus was in Rome and reconciled with Cicero, “though from afar” (cf. *et mecum absens . . . rediit in gratiam*, *Sest.* 130); Cicero, of course, was still in exile, anxiously following the course of events (cf. *Att.* 3.25–7).

7 **summo suo beneficio**: “with his best free gift for me.” Cf. *Sest.* 130 with Kaster: “Since each party to a feud commonly thought himself the one wronged, each would expect to receive some form of ‘satisfaction’ before a reconciliation could occur. . . . These conflicting expectations naturally tended to raise an obstacle, in this case swept aside by Nepos’ gesture, ‘a gift freely given’ (*beneficium*) to (it is implied) a deserving recipient.”

8 **huic esse inimicus**: to Caesar; cf. 20.16n.

9 **litteris fama nuntiis**: Caesar, who could only gain by keeping Romans informed of his deeds, promoted an intense traffic of letters to friends (fragments in Klotz 1927: 192–8), of official reports to the senate (Suet. *DJ* 56.6; Gell. 17.9.1–5) and of news traveling by word of mouth. Some letters and fragments survive from Caesar’s correspondence with Cicero (Weysenhoff 1970: fragments 19–22 and 50–57; White 2003). It is also possible that Caesar published the *Bellum Gallicum* year by year to broadcast his deeds in Rome (Wiseman 1998). The relative clause is nicely embedded into two tricola in asyndeton\* (*litteris fama nuntiis* and *gentium nationum locorum*).

9 **celebrantur aures cotidie meae**: hyperbaton\* effectively gives emphasis to *cotidie* and *meae*, meaning that Cicero’s ears are daily thronged (*OLD* 1a; Nägelsbach 1905: 449–50). “To fill” is the first meaning of *celebro*, which came to mean “celebrate” because often it was specifically used of days busy with religious festivals (Ernout Meillet, s.v. *celeber*).

10 **novis nominibus gentium nationum locorum**: alliteration\* in *no-*, homoioteleuton\* in *-um* and a second tricolon\* in asyndeton\* increase the speed of this passage, as if Cicero quickly

piled up reasons to support Caesar, continuing without pause with *ardeo*. In fact, counting the elision of the last syllable of *locorum* before *ardeo* (= *locor- ardeo*) the list ends on a favored Type 2 *clausula* (double cretic).

## [23.]

10 **ardeo** with abl. metaphorically\* signifying “burning passion for” is commonly used in prose “of a general non-erotic application” (Fantham 1972: 87). The same metaphor expresses Cicero’s desire that Lucceius take up the task of writing about his consulate (“I burn with incredible desire . . . that my good reputation be recounted and celebrated in your writings,” *ardeo cupiditate incredibili . . . nomen ut nostrum scriptis illustretur et celebretur tuis*, *Fam.* 5.12.1). The verb in initial position (a figure called *adiunctio*\*) achieves pathos\*.

11 **mihi credite** anticipates *incredibili*. As often, Cicero asks to be trusted before stating what is going to happen (cf. 17.11; *Cat.* 2.15) or before showing that he deserves trust.

11 **id quod** introduces a parenthetical aside consisting of an entire sentence (K-S 3.290.12).

11 **vosmet de me existimatis et facitis ipsi**: with a chiasmus\* and redundant *vosmet* and *ipsi* Cicero achieves emphasis, aligning himself with the senators, according to the strategy laid out in the *exordium* (cf. 1.11n.).

12 **incredibili quodam amore patriae**: cf. “my country, much more dear to me than my own life,” *patria, quae mihi vita mea multo est carior*, *Cat.* 1.27.

12 **qui . . . amor . . . coegit** = *et is amor* (K-S 3.319); the redundant repetition (of *amor*) is typical both of old Latin and of everyday language (von Albrecht 2003: 100).

13 **subvenire** is regularly constructed with the dative as typical of verbs of aid, like *adsum*, *auxilior* and *opitulor* (K-S 2.311a). Here it expresses the notion of providing help against a danger, *OLD* 2a.

13 **impudentibus periculis maximis cum dimicatione capitis**: a reference to the Catiline conspiracy, when Cicero, as he never stopped reminding everyone, risked his life (cf. *Cat.* 2.28;

and for the expression, cf. *Har. Resp.* 10). In the *post reditum* speeches, Cicero often returns to (his successful neutralization of) the conspiracy (e.g. *Red. Sen.* 29; *Red. Pop.* 5 and 17; *Dom.* 73), for more than one reason. His dealings with the conspirators allowed Clodius to have him exiled, so by retelling the story Cicero both bolsters his self-representation as the *pater patriae* saving the state and counters Clodius' narrative of him as an overpowerful tyrant who put to death Roman citizens without regular trials (Nicholson 1992: 24–35; Narducci 1997: 66–9; Riggsby 2002: 160–7 and Introduction 32–4). Secondly, Cicero consistently presents his defeat of the Catilinarians and his exile as two acts in the same drama: in the first he saved the state by being courageous, and in the second by accepting his exile as a martyrdom for the common good (e.g. *Red. Sen.* 33 and 36; *Red. Pop.* 13, with Nicholson 1992: 37–9 and Dyck 2004). *Impendeo* is often used of dangers “hanging over” (*OLD* 3). *Dimicatio* (< *dis* + *mico*, same root as *inimicus*) takes an objective genitive of that over which it is being fought, here meaning “a struggle for life” (cf. *Mur.* 8; *Rab. Perd.* 5).

14 **et rursus**: in 58.

14 **cum omnia tela undique esse intenta in patriam viderem**: metaphor\*, redundancy\* and exaggeration (*amplificatio\**) magnify the danger of Clodius' tribunate and the circumstances of Cicero's exile. *Undique* implies that Clodius did not act alone, but in concert with the consuls (Piso and Gabinius) and perhaps with the three dynasts (Caesar, Pompey and Crassus). *Intendo* with *in* and acc. means “directed against” (*TLL* 7.1.2115.46), while the repetition of *patria* carries an affectionate tone (cf. *Cat.* 1.27 quoted above, ad 23.12).

15 **subire...atque excipere**: provide the implied object *ea* (*tela*). In the *post reditum* speeches Cicero often links the dangers of 63 and 58 (Nicholson 1992: 24–9). Here, with a chiasmic\* opposition (*subvenire olim* and *rursus...subire*), he highlights the different outcomes of his equally courageous deeds.

16 **unum pro universis**: this is another motif of the *post reditum* speeches. Cicero consistently presents his exile as a voluntary decision, freely taken in order to save the country (cf. *Red. Sen.* 33–4; *Dom.* 30; *Sest.* 46; Nicholson 1992: 37–9; Kaster 2006:

364–5 and Dyck 2004), tying his “decision” to go into exile with his claim to have saved the country alone: why should I remind you that Pompey “reading a prepared speech declared that the state had been saved by me alone (*mihi uni*)?” *Sest.* 129.

16 **hic me meus in rem publicam animus pristinus ac perennis**: hyperbaton\* (*hic...meus...animus*), alliteration\* (*publicam...pristinus ac perennis*) and polyptoton\* (*me meus*) give solemnity and pathos to the statement that concludes the series of Cicero’s examples.

17 **reducit, reconciliat, restituit**: Cicero recapitulates the main point of his six historical examples by restating their moral, one more time, with three quasi-synonymous verbs in asyndeton\* and joined by alliteration\* and homoioteleuton\*. The *commoratio*\* (cf. 18.1n., 20.16, 21.28, 22.8) allows him to recall and to dwell on the crucial point (*Her.* 4.58; Lausberg §§830, 835). Variations on the formulaic *in gratiam redire* occur always at the end of Cicero’s examples (at 18.1 after Gracchus and Scipio; at 20.16 after Lepidus and Fulvius; at 21.28 after Philippus; and at 22.8 after Metellus Nepos), forming an epiphora\*. The epiphoric\* repetition of these same words anticipates the conclusion of the speech (*cum ipsi et cum meo et cum suo inimico in gratiam non dubitarint redire*, 47.17n.).

**24–5** Cicero rejects the charge of being inconsistent in showing favor to Caesar and asserts that he always and consistently acted in the interests of the common good.

[24.]

19 **Quod volent denique homines existiment**: Cicero switches the focus from what the senators believe (cf. *id quod vosmet de me existimatis*, 23.11 and *inimicus, si ita vultis, homini*, 19.15) to what “people” think. *Existimo* seems to come from *ex + aes + temno*, indicating the action of cutting (*temno* means “to cut” in Greek) bronze (*aes*, cf. Ernout Meillet s.v. *aestimo*). Since the Romans originally used bronze for transactions, the more valuable an object the more bronze had to be cut, thus the verb came to signify “to evaluate, consider worth, believe.” The favored Type 2 *clausula*

is followed by a pause, preceding Cicero's striking epigrammatic statement (a device called epiphonema\*).

19 **nemini** is emphasized by its position and by the hyperbaton\* with *bene merenti*.

19 **ego** is emphatic and opposed to *homines*.

20 **bene merenti** is regularly constructed with *de* (*TLL* 8.809.62), indicating deserving behavior toward someone.

20 **non amicus**: Cicero uses the same expression of Caesar in *Pis: ei . . . non amicus esse non possem* (*Pis.* 81; cf. *Fam.* 9.24.1). By denying the contrary (a figure called litotes\*) he manages to say less than he means (viz. I must be friends with Caesar), achieving emphasis and another favored Type 3 *clausula* (molossus + double trochee) by switching the word order.

21 **iis**: the Catilinarians. On Cicero's insistence on returning on his defeat of the Catilinarians in the *post reditum* speeches, see 23.13n. *impendentibus periculis maximis*.

21 **flamma ac ferro**: Cicero typically uses this alliterative\* pair of Catiline's plan to destroy Rome, as in the *Catilinarians* (2.1 and 3.1; cf. *Att.* 1.14.3) and in the poem about his consulship (*et clades patriae flamma ferroque parata*, 6.64 = *Div.* 1.21). The metonymy\* of *ferrum* for armed violence is not uncommon (cf. *Har. Resp.* 58 with Lenaghan; *Caes. BG* 5.30.3).

21 **delere voluerunt** gives a favored Type 1 *clausula*, cf. 5.9n. *esse videatur*.

21 **non inimicitias solum sed etiam bellum indixi atque intuli**: with another alliterative\* pair (*indixi atque intuli*; cf. *Ver.* 1.79) Cicero juxtaposes personal and state enemies. Cicero's use of *bellum* corresponds to his strategy of calling the conspirators *hostes* in the *Catilinarians* (cf. *Cat.* 1.3 and 4.10 with Dyck; *Jal* 1963: 53–69).

22 **cum partim . . . illorum**: construct *cum* (which has a concessive force) *partim illorum mihi familiares essent*. *Essent* is either elliptic\* (must be provided) or it was dropped by the manuscript tradition after Cicero included it (as Halm has suggested). *Partim* can take the genitive, meaning *pars*, as Gellius explains: “often we say *partim hominum venerunt* meaning *pars hominum venit*, that is, ‘some men came’” (10.13; cf. *L-H-S* 2.46–7).

23 **mihi... familiares**: there is no evidence of Cicero having friends or clients among the conspirators; until the conspiracy, however, Cicero maintained a positive attitude toward Catiline, to whom noble birth granted high respectability (Dyck 2008: 1–4), and in 65 Cicero even considered speaking in his defense (*Att.* 1.2.1 and Berry ad *Sull.* 70.3; Ascon. 85 with Marshall; *TLRR* 212). Putting aside personal feelings for the sake of the state was a Roman *locus communis*, as shown by the story of L. Manlius Torquatus: as consul he had his son executed for fighting (even though winning) a single combat against his orders (cf. *Sull.* 32 with Berry; *Sall. Cat.* 52.30–1 and Livy 8.7.1–22 with Oakley). Equally, Cicero consistently presents personal ties as a bad excuse for acting against the common good (e.g. *Amic.* 33–43; *Fam.* 11.27; *Off.* 3.43; Spielvogel 1993: 111–28; Long 1995: 222 and 229; Narducci 1989: 97–110; Grillo 2012: 143–9).

23 **partim etiam me defendente capitis iudiciis essent liberati**: pluperfect and Cicero's logic imply that he must have defended some individuals before 63 and that, once they became part of Catiline's conspiracy, he did not exculpate them, holding the common interest above his personal ties of obligation.

24 **eadem... quae**: “the very same... that” K-S 3.451.

25 **in amicos inflammare potuit**: the metaphor of fire expresses the clash between the Catilinarians and Clodius, who attempt to destroy the city (cf. *flamma ac ferro*, 24.21 and *turpissima libidine incensus*, 24.27), and Cicero, who sets out to stop them (*inflammare* and *placare*). The same metaphor describes Cicero's reaction to the Catilinarians in *Dom.: in quos... inflammatae mentes nostrae fuerunt*, 61.

25 **inimicis placare non possit?**: *placo* with dat. “reconcile” (*OLD* 2). The parallelism of sounds between the two antithetical cola, a figure called paromoiosis\*, and two favored *clausulae* (Type 2 in *amicos inflammare potuit*; and Type 1 *inimicis placare non possit*) summarize Cicero's logic.

26 **mihi odium... fuit**: *odium* expresses a feeling of personal aversion and hostility, often carrying a political nuance (Hellegouarc'h 1963: 191–4); Cicero uses the same words of Antony (*Phil.* 12.19; *TLL* 9.2.462.64).

26 **cum P. Clodio**: Publius Claudius Pulcher (*RE* 48), better known as Clodius, an ambitious and unscrupulous patrician, was born in 93 or 95 (Ryan 2000: 165–9) of one of the most noble families in Rome. He was on friendly terms with Cicero (Plut. *Cic.* 29) until 61, when Cicero provided evidence of his participation in the scandal of the Bona Dea (Tatum 1999: 62–86 and Introduction 1–2). Clodius bribed the jury and was acquitted (*TLRR* 236), but he never forgave Cicero: in 59 he became plebeian (cf. 42.24n.), and in 58, when he was tribune of the plebs, he had Cicero exiled (see Introduction 2–5). This is the first time in *Prov.* that Cicero names Clodius (the second and last is at 46.29); previously he called him *foedissimus tribunus plebis* (7.16n.). The respectful address with *praenomen* and *nomen* fits Cicero’s logic: he had no reason to dislike Clodius until he became dangerous for the state. The change of name from Claudius to Clodius “perhaps reflected the pronunciation of non-elite speakers whose political support he courted... but it certainly reflected no formal change of name and had no connection with his transfer to the plebs” (Kaster 2006: 146).

26 **perniciosum patriae civem fore putabam**: *perniciosus* regularly takes the dat. (K-S 2.314). Cicero justifies both his personal resentment and his prosecution against Clodius, arguing that the scandal of the Bona Dea signaled him as a dangerous individual. The alliteration\* (*Publio...perniciosum patriae...putabam*) encapsulates Cicero’s thought: in typically Roman terms, he sees his function as statesman and orator as protecting the community from individuals like Clodius (cf. Riggsby 1999, esp. 112–19).

27 **turpissima libidine incensus**: Clodius allegedly had an affair with Pompeia, who was Caesar’s wife (since 67), and who, as wife of the *pontifex maximus*, hosted in her house the celebration of the Bona Dea, which Clodius profaned (cf. Introduction 1–2 and Tatum 1999: 62–86). On *incensus* see 24.25n.

28 **duas res sanctissimas, religionem et pudicitiam, uno scelere violasset**: Clodius, disguised as a woman, visited Pompeia during the celebration of the festivities for the Bona Dea, which were secret and banned to men; he thus violated religious rituals and someone else’s wife at once. *Pudicitia* as sexual fidelity



was a stereotyped virtue of Roman matrons (Kaster 2005: 35–7; Treggiari 1991: 105–7). A chiasmus\* and two superlatives highlight Clodius' impiety (*turpissima libidine* and *res sanctissimas*); cf. *Dom.* where Cicero ironically defines Clodius *tam castus, tam religiosus, tam sanctus, tam pius* (105). The word order creates some suspense, as at *Sex. Rosc.*: “therefore this is the reason why this crime is shameful, because it violates two most sacred things, friendship and trust,” *ergo idcirco turpis haec culpa est, quod duas res sanctissimas violat, amicitiam et fidem*, 112.

29 **num est igitur dubium...quin**: the series of rhetorical questions ends climactically, implying that there can be no doubt (cf. *Sex. Rosc.* 107). *Num* retains some of its original meaning (from *nunc*; *OLD* and K-S 3.511) “is there any doubt left that...” *Num est dubium* is regularly constructed with *quin* K-S 3.265.

29 **ex iis rebus quas is egit agitque cotidie**: the *adnominatione*\* *egit agitque* effectively claims that the scandal of the Bona Dea was only the beginning of Clodius' immoral sexual conduct, and Cicero is fond of accusing Clodius of incest with his sister(s) (e.g. *Cael.* 32 and 36–8; *Dom.* 92; *Har. Resp.* 38–9; *Att.* 2.1.5 and 2.9.1; cf. also *Plut. Cic.* 29; for bibliography and a clear overview, see Kaster 2006: 409–11). Equally, the scandal of the Bona Dea is just the beginning of the feud between Clodius and Cicero: in 59 Clodius (with Caesar's help) became plebeian and in 58 as tribune of the plebs he caused Cicero's exile and destroyed his house on the Palatine; in 57 he opposed the senate's motion for his recall and in 56 as aedile he continued to oppose Cicero (Tatum 1999: 176–85; cf. Introduction 2–5).

30 **ego in illo oppugnando rei publicae plus quam otio meo**: provide *prospicio* (which Cicero puts at the end of the period) and construct *ego in illo oppugnando [prospexerim otio] rei publicae plus quam otio meo*. The notion of personal versus collective (or domestic) “tranquility,” *otium*, is central to other *post reditum* speeches, where Cicero argues that he has sacrificed his *otium* to that of the state, as he reminds the people in the opening of *Red. Pop.*: “I offered myself and my fortunes in exchange for your safety, tranquility and peace,” *me fortunasque meas pro vestra incolumitate otio concordiaque devovi*, 1; cf. *Sest.* 139 and Kaster 2006: 31–7.

31 **non nulli**: with a litotes\* vaguely targeting “some other individuals,” Cicero avoids alienating any senator, especially those who had supported Clodius in 58 and no longer supported him in 56 (e.g. Caesar, Pompey and Crassus, see Introduction 2–12); but this vagueness makes one think not only of Piso and Gabinius and of Caesar, Pompey and Crassus, but also of Cato, who opposed the annulment of Clodius’ acts to secure his arrangements for Cyprus (as noted by Manutius; Introduction 9–10).

31 **in eodem defendendo suo plus otio quam communi prospexerint**: *prospicio* (< *pro* + *specto*) with dat. means “to provide for, to take measures in the interest of” (*OLD* 6). The insistent antithesis\* (*ego* and *non nulli*; *in illo oppugnando* and *in eodem defendendo*; *plus quam otio meo* and *suo plus otio quam*) creates another example of paromoiosis (the repetition of the same sounds in two cola of equal length; cf. 24.22), by which Cicero illustrates the conflict of interests and his and other people’s choice within this conflict. Cicero breaks the monotony of symmetrical parallelism by using chiasmus\* (*otio meo* and *suo otio*, and *rei publicae... otio* and *otio... communi [otio]*), thus obtaining balance and asymmetry which is typical of his style. On the notion of “domestic tranquility” see n. above, 24.30, and *TLL* 9.2.1179–78.

[25.]

1 **a C. Caesare in re publica dissensisse fateor et sensisse vobiscum**: Cicero figuratively begins the sentence by departing from Caesar and ends it by siding with the senate. With the chiasmic\* word play (*a C. Caesare... dissensisse* and *sensisse vobiscum*, Holst 1925: 75.208) and two favored *clausulae* (Type 2 *dissensisse fateor*; and Type 1 *sen-sisse vobiscum*), Cicero admits distance, but limits it in scope (*in re publica*) and time (note the switch from perfect in this sentence to *sed nunc* and present in the following). *In re publica*, “in matters of politics,” specifies that Cicero never had personal resentment toward Caesar (as opposed to his *odium* toward Clodius), a theme he develops at 40–6. *Dissentio* (= *diversa sentio*, with *a* and ablative) typically indicates political disagreement, often referring to senatorial discussions (Hellegouarc’h

1963: 131–4; *TLL* 5.1.1456.67), as Cicero explains later: “I disagreed with Caesar in such a way that, although we had different political views, we stayed friends,” *ita dissensi ab illo ut in disiunctione sententiae coniuncti tamen amicitia maneremus*, 40.4.

**3 isdem vobis adsentior cum quibus antea sentiebam:** another highly rhetorically fashioned clause, with another chiasmus\* (*sentisse vobiscum* and *cum quibus antea sentiebam*), a similar polypoton\* (*adsentior...sentiebam*) and two more favored *clausulae* (Type 4 *bis-dem vobis adsentior*; and Type 3 *antea sentiebam*), summarizes the core of Cicero’s argument—that his alleged change of attitude toward Caesar does not imply inconsistency. *Isdem...cum quibus*: cf. 24.24. *Adsentior* with dat. means “to admit the truth of, to (come to) agree in opinion” (*OLD* 2) and in a senatorial context it specifically means “to express adherence to another senator’s *sententia*” (Hellegouarc’h 1963: 122), while *sentio cum* means “to agree,” and Cicero often uses it of political opinions.

**4 ad quos litteras L. Piso de suis rebus non audet mittere:** cf. 14.10n. and 15.12n.; cf. also 33.18n. and Introduction 32–5 for Cicero’s use of the same *loci*, such as sending letters to the senate, for invective against Piso and Gabinius and for praise of Caesar.

**5 qui Gabini litteras insigni quadam nota atque ignominia nova condemnastis:** cf. 15.30n. *hac una plaga conciderit, ignominia senatus* (cf. also 14.30 and 15.17, where Cicero insists on the exceptionality of the senate’s refusal). Note the *adnominatio*\* (*nota...nova*) and the double chiasmus\* (*litteras L. Piso* and *Gabini litteras; insigni nota* and *ignominia nova*), which bring variety into the parallel statements introduced by anaphoric\* polypoton\* (*ad quos* and *qui*) and each ends with a favored *clausula* (Type 2 *non audet mittere*; and Type 1 *no-va condemnatis*).

**6 C. Caesari supplicationes decrevistis numero ut nemini uno ex bello, honore ut omnino nemini:** in Fall 57 the senate declared 15 days of *supplicationes*, or thanksgiving, for Caesar, an honor that, as Cicero explains in the next chapter, was unprecedented (cf. Plut. *Caes.* 21.1 with Pelling; Halkin 1953: 42–4). This exceptionality resulted both from Caesar’s military achievements and from his political maneuvers: the previous governor of Gaul, Pomptinus (cf. 32.7n.), having reported some victories in Narbonensis, requested a

triumph, but had to wait for five years (until 54), because Caesar wanted to reserve the entire glory of conquering Gaul for himself (cf. *Att.* 4.18.4 with Shackleton Bailey). The supplication for Caesar was celebrated in December, two or three months after his dispatch reached the senate. Cicero cunningly juxtaposes the exceptional honor of Caesar and the exceptional humiliation of Gabinius, according to the general strategy of *Prov.* (cf. Introduction 27–31) and according to the precepts of epideictic oratory: in *de Or.* Cicero specifies that “honors and official acknowledgment of one’s virtue mark an individual’s distinction” (*de Or.* 2.347). Caesar acclaims this recognition and concludes Book Two of the *Bellum Gallicum* (the one narrating his campaign of 57) stating that “for these achievements (communicated) in a letter from Caesar a supplication of fifteen days was declared, something that before that time happened to no one” (*ob easque res ex litteris Caesaris dies quindecim supplicatio decreta est, quod ante id tempus accidit nulli*, *BG* 2.35 with Lee 1969). The epanalepsis\* of *nemini*, its opposition to *unus*, and redundant *omnino* highlight the exceptionality and give two favored *clausulae* (Type 4.b *uno ex bello*; and Type 2 *omnino nemini*).

**8 cur igitur expectem hominem aliquem qui me cum illo in gratiam reducat?**: a double-edged question. Through indefinite language (*hominem aliquem*) Cicero justifies his defense of Caesar in the eyes of both those who knew about the renewed pact of Luca and those who were unaware of it (on Cicero’s awareness of Luca, see Ruebel 1975 and Ward 1980). To those who knew, Cicero says that he does not need someone like Pompey, who in fact “reconciled” him and Caesar, forcing Cicero to advocate his reappointment in Gaul (cf. Introduction 9–10). To those who were unaware of it, he issues a reminder that, unlike Metellus Nepos, who needed Servilius to be reconciled with the senate (cf. 22.5n.), he was already reconciled, as he stated in the *exordium* (1.10).

**9 reducat? reduxit**: repetition of the word which ended the previous sentence, a device called *reduplicatio*\*, but in a different form (*traductio*\*, cf. 17.4n. *facit. faciam*); the emphatic initial position of the verb and chiasmus\* (*qui... reducat* and *reduxit ordo*) connect the rhetorical question and Cicero’s answer.

9 **ordo amplissimus**: *amplitudo* (lit. “extensiveness”) has a definite political connotation indicating one’s distinction and eminence in public life; the *ordo amplissimus* is hence the senate (cf. *Dom.* 55; *Sest.* 25). A favored Type 2 *clausula* caps Cicero’s *comprobatio*<sup>\*</sup>, a way to compliment his audience.

9 **ordo...et ordo...consili...consiliorum**: repetition of *ordo*, a favored *clausula* (Type 1 *auctor et princeps*) and homoioteleuton<sup>\*</sup> in *-orum/-um -orum* continue the rhetorical fireworks. On this use of *princeps* meaning “leader” cf. *Sest.* 97 with Kaster and *TLL* 10.2.1282.52.

11 **vos sequor, patres conscripti, vobis obtempero, vobis ad-sentior**: anaphora<sup>\*</sup> of *vos* and repetition of the same concept with different verbs (a *commoratio*<sup>\*</sup>) produces an emphatic *permissio*<sup>\*</sup>, a rhetorical device consisting of surrendering to the audience (*Her.* 4.39). The *permissio* effectively restates Cicero’s point in response to the objection of 18.20: that he should hate Caesar as much as he hates Gabinius. According to his general strategy, Cicero continues to insist that he followed the senate, while in fact there were very different factions within it, and he did change his loyalties (cf. Introduction 9–10). In a letter written around July 56, at the same time as *Prov.* was delivered, Cicero declares that he decided to side with “the new alliance” (of Caesar, Pompey and Crassus) and make it impossible for himself to rejoin with some senators, with whom he was politically aligned before (*cum iis in re publica consentirem*), because after his return from exile they proved to be more jealous of his regained status than sympathetic and supportive toward his sufferings (*Att.* 4.5.1–2). As Rawson states, after his return “Cicero was balanced precariously between Pompey and the optimates, pleasing neither completely” (1975: 124), but he tried his best to present his rapprochement with Caesar in continuity with the senate’s recognition of his merits; cf. “should I not extol Caesar, whose merits have been celebrated with highest recognition first by the people and then also by the senate, which I have always approved?” (*Planc.* 93; cf. also *Balb.* 61).

13 **non maxime diligebatis...minus coniunctum**: two euphemistic<sup>\*</sup> litotes<sup>\*</sup> (cf. 24.20 and 29.6) downplay the past tension between Caesar and the senate and between Caesar and Cicero. In

fact, in 59 Caesar, as consul, supported Clodius' election to tribune and even used Clodius to remove Cicero's opposition to his legislation, and Cicero was exiled (cf. Introduction 2–5). Caesar did not break with Clodius until early 57 (Tatum 1999: 172–4; Gruen 1974: 294), and in the summer, urged by Pompey, he agreed to favor Cicero's recall (Rawson 1975: 120–1).

14 **videbatis**: the switch of focalization from Cicero to the senators (*sequor... diligebatis*), rhyme (*diligebatis... videbatis*) and favored Type 1 *clausulae* (*diligebatis* and *coniunctum videbatis*) uphold Cicero's claim.

14 **rebus gestis mentis vestras voluntatesque mutastis**: in fact, many senators who opposed Caesar in 59 and 58 still opposed him, and his reconvened alliance with Pompey and Crassus in 56 catalyzed their hostility. In *Har. Resp.* Cicero pursues the same strategy of advocating unity between the three dynasts and the senators; and looking back at these months Cicero would justify his conduct, stating that times had changed and his line had changed with them (*Fam.* 1.9.4–5 and 1.9.12–13). The vague *rebus gestis* prepares Cicero's praise of Caesar's deeds (cf. 29–35).

16 **laudatorem vidistis** gives a favored Type 4 *clausula*.

**26–8** Cicero's support of Caesar is not inconsistent, both because Cicero supported him earlier and because it fits with Cicero's constant care for what is best for the state, which benefits from his conquest.

[26.]

18 **quid est quod** implies that there is no reason for marveling. It is followed by subjunctive *admirentur et reprehendant*, which carry a potential force, “presenting the content of the subordinate as something which is not factual” (K-S 3.278b).

18 **homines admirentur et reprehendant meum consilium**: two verbs governing the same object (a form of *zeugma*\*) and a switch in word order placing them in the middle of the sentence (a device called *adiunctio*\*) create emphasis and achieve a favored Type 4.c *clausula*.

19 **ego idem**: cf. 17.7.

19 **antea multa decrerim** introduces three “proofs” of Cicero’s long-standing good will toward Caesar, as he explains in the following three chapters: Cicero voted in favor of a thanksgiving for Caesar (26–7), of disbursing money for his army (28) and of granting him ten legates (28). Cicero labors to bring facts to rebuke the accusation of inconsistency, while in fact until the middle of May 56, when Pompey urged him to stop opposing him, he spoke against Caesar (cf. Introduction 9–10). To achieve his goal, Cicero magnifies the role he played in declaring a thanksgiving for Caesar (in December 57; cf. Plut. *Caes.* 21.1; Dio 39.5.1; *Pis.* 45 and 59) and lumps together diverse episodes, giving a somewhat tendentious chronology. For instance, the senate (with Cicero’s support) decided to give Caesar the money and the legates he requested toward the end of May or the beginning of June, that is, *after* Pompey met Caesar at Luca (cf. Introduction xiii and 9–10).

20 **ad hominis dignitatem**: *dignitas* is almost always used of people, indicating “the honorable reputation of an individual worthy of reverence, respect and deference,” *dignitas est alicuius honesta et cultu et honore et verecundia digna auctoritas*, *Inv.* 2.166, and carrying both moral and political connotations. Cicero later restates his homage to Caesar’s *dignitas* (26.25, 27.6 and 28.19), a quality that Caesar held particularly dear, as he states in the *Bellum Civile*, “for him *dignitas* had always taken the first place, being more precious than life itself,” *sibi semper primam fuisse dignitatem vitaeque potioem*, *BC* 1.9.2 (cf. *BG* 1.43.8 and *BC* 1.8.3 and 3.91.2 with Raaflaub 1974: 149–52; and Sall. *Cat.* 51 with Garelli 2003: 69–81). Morally, “it was a permanent quality, more permanent than *laus* or *honor*” (Lind 1979: 25) and indicated also a sense of responsibility (Piscitelli 1979: 261); “in politics a man’s *dignitas* was his good name” (Balsdon 1960: 45; cf. Hellegouarc’h 1963: 397–405). The use of *homo* for *is* is emphatic (K-S 2.618.1; cf. 29.6n.).

21 **supplicationem quindecim dierum decrevi sententia mea**: this phrasing suggests that Cicero not only voted in favor of the thanksgiving, but that he was the proponent (cf. *OLD* 6). The middle position of the verb gives emphasis to *sententia mea*, giving a favored Type 2 *clausula*. Similarly, Cicero states that he was

*princeps et auctor* of these extraordinary honors to Caesar, in spite of their previous disagreement: “I was the proposer and supporter of these decisions, thinking it preferable to adhere to the present political situation and to the new spirit of cooperation than to persist in my old opposition” (*harum ego sententiarum et princeps et auctor fui, neque me dissensionis meae pristinae putavi potius adsentiri quam praesentibus rei publicae temporibus et concordiae convenire*, *Balb.* 61, with Ryan 1994: 335–6). On this *supplicatio* cf. 25.6n. and *Plut. Caes.* 21.1. Reporting a victory in conformity with the Roman prescriptions for just war was a requirement for obtaining a *supplicatio*; the senate’s decision therefore implicitly accepted the legality of Caesar’s proconsulate and conquest of Gaul (Halkin 1953: 91).

22 **rei publicae satis erat tot dierum quot C. Mario**: “also comparison with other exceptional men is excellent in epideictic oratory” (*de Or.* 2.348). The threat of Germanic tribes induced the senate to declare a *supplicatio* of five days (which at the time was exceptionally long) to celebrate Marius’ (and Catulus’) victory over the Cimbri and Teutoni in 101 (cf. 19.4n.). According to Valerius Maximus, “there was no one who did not make a libation to Marius and to the gods” (8.15.7; Halkin 1953: 38). Before Marius, the senate had granted a *supplicatio* of five days only three times and for special victories, to Scipio Africanus in 203, to T. Quinctius Flaminius in 197 and to L. Aemilius Paulus in 168 (Halkin 1953: 21, 24 and 33).

23 **non erat exigua**: (cf. *satis erat*) another euphemistic *litotes*\*; in fact a *supplicatio* of five days had a different meaning in 101 and in 56. In 101 it conferred high honor upon Marius by virtue of being exceptional (equaling the five days *supplicatio* declared for Aemilius Paulus after Pydna), but after two *supplicationes* of ten days had been declared for Pompey in 63 and in 62 (see 27.26n.), the senate had to increase the number of days to bestow the same honor on Caesar. Thus the number of days continued to rise: twenty days were declared for Caesar in 55 and in 52 (cf. *BG* 4.38 and 7.90), and fifty in 45 after Munda; equally Cicero proposed a fifty days’ *supplicatio* for Octavian’s, Hirtius’ and Pansa’s defeat of Antony at Mutina (Modena, see map 1) in 43 (*Phil.* 14.29).



24 **ex maximis bellis**: while arguing for consistency in supporting Caesar, *supplicatio* and language align Caesar with Marius (cf. *bellum in Gallia maximum gestum est*, 19.8, which gives the same favored Type 1 *clausula* as *maximis bellis*) and with Pompey, contrasting them all to Gabinius (cf. 14.29n. and 27.27n.).

[27.]

25 **in quo ego**: the main clause is in the middle of this long period, *ego...sum...admiratus*, and is preceded by two relatives (*quo consule...est supplicatio decreta* and *cuius sententia...duplicata est*) and followed by a causal clause, *quod...tribuebat*. *Ego* is antecedent both of *quo consule referente* and of *cuius sententia*; often in Cicero one antecedent precedes two relatives, coordinated by a copulative conjunction (cf. 45.32, with Lebreton 1901: 103).

26 **quo consule referente**: in 63, as consul, Cicero put to vote a *supplicatio* of ten days for Pompey, as yet an unprecedented length, to celebrate the death of Mithridates (*Fam.* 5.7; Halkin 1953: 38–9). *Refero* means “to open a debate” in the senate or in a similar body (*OLD* 7b), hence Cicero specifies that he acted as presiding consul (normally, the consuls alternated, each presiding for a month). The presiding magistrate raised a matter for debate, often giving his own opinion before inviting other senators to express their recommendations (Lintott 1999: 75–82). According to Laughton, the combination of present (*quo consule referente*) and the subsequent past ablatives absolute produces “a certain incongruity...and probably constitutes part of the official language of the decree” (1964: 116).

27 **Mithridate interfecto et confecto Mithridatico bello**: this phrasing would lead one to think that Mithridates’ death and the end of the war were of Pompey’s making. In fact, in 63 Mithridates committed suicide with the help of a Celtic bodyguard upon learning that his son Pharnaces had betrayed him (Appian *Mithr.* 110–12; *contra* Dio 37.12–13; *MRR* 2.169–70). Pompey defeated him at Dasteria in 66, and they never met on a battlefield again, but the messengers announcing the king’s death reached Pompey around Petra carrying laurel on their spears in sign of victory (Plut.

*Pomp.* 41.3). Mithridates' death put an end to the wars that started in 88 and that Pompey had been leading since 66. Ablative absolute, chiasmus\*, polyptoton\* and rhyme\* (*interfecto et confecto*, Holst 1925: 69.134) give a favored Type 1 *clausula* presenting Pompey's achievement as definitive.

28 **et cuius sententia primum duplicata est supplicatio consularis**: in 62 the senate granted a second ten-day *supplicatio* to Pompey (Halkin 1953: 38–9 number 39 and 40; Sternkopf 1892), after his dispatch announcing the end of his campaign in the East and his imminent return reached the senate toward the end of March 62 (cf. *Fam.* 5.7.1; App. *Mithr.* 113). Another chiasmus\* (*supplicatio decreta* and *duplicata supplicatio*) and a favored Type 3 *clausula* stress Cicero's role in leading the senate and the unprecedented (*primum... primum*) length of the thanksgiving, which doubled the five days previously granted to Marius and to Aemilius Paulus (cf. 26.23n.) and then repeated these. On the expression *duplicata supplicatio* see also Hickson-Hahn 2000: 244–54 (who, however, misunderstands *consularis* at p. 247).

29 **mihi enim estis adsensi**: we have no other evidence for Cicero's leading role in this decision, but "it was appropriate that the Thanksgiving should be moved by Cicero, who as Consul in the previous summer had proposed a ten-day Thanksgiving on receipt of Pompey's earlier dispatch announcing the death of Mithridates," Shackleton Bailey 1977: 1.279. Cf. 25.3n. *nunc isdem vobis adsentior*.

29 **eiusdem Pompei litteris recitatis**: this and the subsequent two ablatives absolute give reason for the *supplicatio*, and their juxtaposition without parallel structures (Laughton 1964: 116) recalls the official tone of generals' dispatches to the senate (cf. *Mithridate interfecto et confecto Mithridatico bello*; Rambaud 1966: 32–5).

30 **confectis omnibus maritimis terrestribusque bellis**: the war against the pirates, that against Mithridates and the settlement of the East (which also won Pompey a triple triumph in 61; Beard 2007: 7–41).

31 **supplicationem dierum decem decrevistis**: the manuscripts read *duodecim*, but there is no parallel for a twelve-day

*supplicatio*, and Manutius' commonly accepted emendation to *decem* must be right (Halkin 1953: 38–9; *contra* Hickson-Hahn 2000).

**1 *sum Cn. Pompei virtutem et animi magnitudinem admiratus***: according to Cicero's logic, Pompey's *virtus* is manifested through his noble and generous readiness to put aside the competition for personal glory for the good of the state (cf. *Sest.* 139). In 57, however, when the *supplicatio* was decreed, Pompey was married to Julia, Caesar's daughter, and Caesar did not yet represent a threat to his preeminence. *Magnitudo animi* is a calque of Greek *magalopsychia*, the virtue of noble individuals ready to sacrifice their lives for a higher ideal (Knoche 1935; Dyck 1998: 228). Specifically, *magnitudo animi* "is an ideal demonstrated in action . . . a trait belonging to those who protect both their personal *dignitas* as well as the Roman people. . . . If the welfare of the state seemed to demand it, a man's greatness of spirit could be demonstrated in his yielding place to another, as Pompey did to Julius Caesar in 56" (Lind 1979: 20). Cf. *Red. Sen.* 5 and 31.20n., where Cicero celebrates Pompey's military *virtus*; on Pompey's *magnitudo animi*, cf. *Mil.* 69.

**3 *amplio rem honorem alteri tribuebat quam ipse erat consecutus***: this may be an attempt to "educate" Caesar, who possibly displayed annoyance and jealousy when the senate granted a *supplicatio* to Pompey in 62. In a letter written to Pompey in April 62, Cicero says: "but you must know that your old enemies, now friends, lie down, powerfully struck by your dispatch and with broken hopes" (*Fam.* 5.7.1). Caesar makes a good candidate for the "old enemy and new friend" to whom Cicero may be alluding (Shackleton Bailey ad loc.; Ward 1972: 244–58; *contra* Gruen 1974: 81 n.149).

**4 *quam ego decrevi***: cf. *multa decrerim* 26.20 and *supplicationem quindecim dierum decrevi* 26.21. The repetition (a figure called *commoratio*\*) allows Cicero to dwell on and to return to his point.

**4 *res ipsa tributa est dis immortalibus et maiorum institutis et utilitati rei publicae***: for the rituals of prayers to the gods, see 14.2n. According to the strategy laid out in the *exordium*,

Cicero insists on what is best for the state (cf. 1.11n. *utilitas*), and with a chiasmus\* and a favored Type 2 *clausula* he conveniently places the example of the thanksgiving within the framework of historical institutions, banking on the authority of the *maiores* (Bücher 2006: 162–7).

6 **honos** indicates public recognition generating *gloria*; *gloria* is a permanent possession (cf. 18.29n.), while *honos* refers “to some concrete precedent and to a person or persons who confer it” (Lind 1979: 39) and is conferred as a recompense for *virtus* (Hellegouarc’h 1963: 386).

6 **et novitas et numerus dierum**: hendiadys\* for “exceptional number of days”; a *supplicatio* of fifteen days was unprecedented, cf. 26.21n.

7 **laudi**: *laus* originally indicated the action of naming, calling (Ernout Meillet s.v.) and came to signify a noble reward granted especially for political and military achievements (cf. 18.29n.; *Marc.* 6 and Hellegouarc’h 1963: 365–9).

7 **concessus est** is singular, giving a favored Type 2 *clausula* (double cretic) and agreeing with the closest subject, *numerus*, as is often the case in Cicero (cf. *iudicium ac notionem et . . . magistrarium non esse . . . sublatum*, 46.21 with Lebreton 1901: 4).

[28.]

8 **relatum est**: *refero* indicates the raising of a matter for debate, especially in the senate (cf. 27.26n.; *OLD* 7a).

8 **nuper**: in the senatorial meeting of late May (Gelzer 1968a: 123–4) or the first half of June.

8 **de stipendio exercitus**: Caesar had asked for money to pay some soldiers he levied in Gaul beyond the four legions he received in 58 (one for Transalpine and three for Cisalpine Gaul; *Caes. BG* 1.10.3; *Dio* 38.8.5). In the same year Caesar levied two more on his own initiative (the 11th and 12th) and did the same in 57 (*BG* 2.2.1) and in 56–5 (*Suet. DJ* 24.2); although he levied these legions at his own expense, he needed money to retain them, and the senate could have refused to help. As Gelzer notes, granting money and legates to Caesar implied recognizing the full force

of the *lex Vatinia* (which somewhat irregularly had allotted him Gaul), but it also implicitly validated all that Caesar had done in Gaul since 58 (Gelzer 1968a: 124). *Stipendium* comes from *stips*, a small coin, originally a marked piece of bronze, used as a token for paying soldiers (Fest. 379.3; Ernout Meillet s.v. *stips*).

**8 non decrevi solum:** Cicero emphasizes his support for Caesar without specifying what he did, but *decrevi* suggests that he gave a full speech to endorse the proposal, when asked his *sententia*. This statement then corroborates the hypothesis that the “recantation,” *palinodia*, of *Att.* 4.5.1 is not *Prov.* but probably one such recommendation favoring Caesar (cf. Introduction 14–16).

**9 ut vos decerneretis laboravi; multa dissentientibus respondi:** Cicero voted in favor of the deliberation and actively supported it (cf. Ryan 1994: 335–6). *Laboravi* and *respondi* suggest cajoling, private conversations and maybe writing letters; but Cicero acted only because Pompey had forced him to do so. In a letter written to Quintus in March 56 he praises Lentulus for opposing Caesar’s “monstrous proposals” (*monstra*, *QF* 2.5.3), and in another letter written in June/July 56 to Lentulus Spinther he uses the passive to hide the role he played in the senatorial debate, simply registering that “both the money and the legates have been granted to Caesar,” *et stipendium Caesari decretum est et decem legati*, *Fam.* 1.7.10, cf. Introduction 9–10. Cicero illustrates his previous statement (*multa decreverim*, 26.20n.) and magnifies his support by going beyond what he said earlier (26–7) and with two favored *clausulae* (Type 1 and 2). *Laboro* governs a final clause as do many verbs indicating effort, gain and achievement (K-S 2.214).

**10 scribendo adfui** is a formula indicating that Cicero took part in the senatorial commission drafting and signing the decree (cf. *Fam.* 8.8.5, with Lintott 1999: 85 and *Att.* 1.19.9 with Shackleton Bailey); being in such a commission often signaled a good disposition toward the honorand (cf. *Fam.* 15.6.2). *Adsum* meaning “to be present as a witness” takes the dative (cf. *Fam.* 15.6.2 and K-S 1.747b), ending the sentence with another favored Type 2 *clausula* (molossus + cretic).

**12 etiam sine hoc subsidio pecuniae:** Caesar received public money in acknowledgment of his achievements, even if it was not

strictly necessary and even if in June and July 56 the treasury was in dire financial straits (cf. 11.28n. and “despite the financial constraints, the senate supported the victorious army [of Caesar]” *Balb.* 61).

**13 praeda ante parta:** Caesar amassed an incredible amount of wealth from his campaign in Gaul, hence his soldiers were not dissatisfied with the distribution of booty, and a subsidy from public money was not really necessary. In 56, having paid his soldiers, Caesar lent money to candidates for bribing the voters in Rome (Plut. *Caes.* 21.4; *Pomp.* 51.1–5), thus keeping future magistrates under obligation (Suet. *DJ* 23.2).

**15 actum est de decem legatis:** Caesar requested ten legates (instead of the normal three), and his proposal was debated in the same senatorial meeting of May/June 56 (*Fam.* 1.7.10; Gelzer 1968a: 123–4). *Legati* were mostly senators or ambitious politicians serving on the staff of governors or generals and reporting to them, and probably many of them attended the conference at Luca (Ward 1980). Traditionally the senate appointed legates (Schleussner 1978: 34), but Pompey and Caesar chose their own (Gelzer 1968a: 86), and Caesar recruited his from an unusually broad pool including many equestrians and provincials. Caesar thus enhanced his patronage, as he “was not unaware of the future political benefits in a following that encompassed the leading aristocrats of rural Italy” (Gruen 1974: 118; Brunt 1988: 476–81). Among those who served as legates of Caesar were Q. Cicero (*RE* 31), the brother of the orator; P. Crassus (*RE* 63), the son of the dynast; intellectuals, like A. Hirtius (*RE* 2), who completed Caesar’s *Bellum Gallicum*; provincials, like L. Cornelius Balbus (*RE* 69), a financier from Gades; politicians, like P. Vatinius (*RE* 2), who as tribune in 59 proposed the bill assigning Gaul to Caesar; and military men, like T. Labienus (*RE* 6), one of the few who went over to Pompey’s side at the time of the civil war (Gruen 1974: 112–19; and called *perfuga* in Caesar’s *BC* 3.71.4).

**15 quos alii omnino non dabant:** Caesar’s request met the opposition of some senators, probably including Servilius, whose advice Cicero claims to follow (cf. 1.11n.), and Lentulus Marcellinus (consul in 56), who were both present when Cicero delivered

*Prov.* (cf. *QF* 2.5.3 with Shackleton Bailey). According to what Cicero says in a letter written in July 56 (and just after pronouncing *Prov.*), “with the opposition of very few they [Caesar, Pompey and Crassus] obtained through the senate all that they could not hope to achieve through a popular assembly without a riot” (*Fam.* 1.7.10, with Balsdon 1939: 169–72).

16 **alii exempla quaerebant**: normally the senate appointed three legates per province, and Caesar, who was governing the two Gauls, could make a case for six. These ten legates should not be mistaken for the commission of *decem legati* that the senate traditionally delegated at the end of a campaign, to help organize the administration of the newly conquered land (cf. Gelzer 1968a: 124, n.1; Briscoe 1980: 195 and Shackleton Bailey ad *Fam.* 1.7.10; *contra* Balsdon 1939: 171 citing Dio 39.25.1). Looking for a precedent, *exemplum* (a typically Roman approach), may have helped Caesar’s cause: in 67 the *lex Gabinia* allotted fifteen legates to Pompey for the war against the pirates (among whom was Lentulus Marcellinus, the consul of 56; cf. Florus 1.41.9–10 and *MRR* 2.148–9), and in 59 the *lex Vatinia* left Caesar free to appoint his *legati* (Gelzer 1968a:86).

16 **alii tempus differebant**: buying time was a common strategy to avoid taking unpleasant decisions, especially because the senate could not be summoned on feast days. For instance, in February and March 56 the consul Lentulus blocked some bills from a tribune by a time-wasting discussion in the senate (*QF* 2.5.2); and Cato did the same in 59 to prevent the election of Piso.

16 **alii sine ullis verborum ornamentis dabant**: Cicero exaggerates the senators’ resistance to Caesar’s request, for in the above-cited letter to Lentulus, he states that the bill was passed with very little opposition (*perpaucis adversantibus*, *Fam.* 1.7.10). Epiphora\* (*non dabant... dabant*) underscores a climactic\* movement, from definite refusal to acceptance of Caesar’s request, which culminates in Cicero’s proposal to add words of congratulation.

17 **quoque** creates an emphatic\* hyperbaton\* of *ea... re*, which is just one more instance of Cicero’s master plan to make the most of what he has and showcase his support for Caesar (cf. Introduction 12–16).

18 **quod rei publicae causa sentirem**: this statement matches the logic of *Prov.* (cf. 20.17n.) but is insincere, as Cicero was forced to defend the interests of Caesar and Pompey (cf. Introduction 29–31). The expression *rei publicae causa* recurs four times in *Prov.* (cf. 20.17, 40.27 and 47.4).

19 **uberius** can be another hint that what Cicero calls *palinodia* in a famous letter to Atticus (*Att.* 4.5.1) is not *Prov.*, but his intervention in the senatorial meeting of May/June, when he “over-generously” supported Caesar’s request for public money and legates (cf. 28.8n. and Introduction 9–10). In that letter Cicero speaks of his support of Caesar and uses a similar expression, *erimus uberiores*, promising to be even more generous in praising Caesar (*Att.* 4.5.2).

19 **propter ipsius Caesaris dignitatem**: cf. 26.20n.

### CONFIRMATIO II 29–35

(CF. INTRODUCTION TO 18–28, PP. 170–1)

To respond to a second interruption, Cicero moves to defuse a second objection about backing Caesar and argues that considerations about the Gallic war and about what is best for the state justify his support. In particular, Cicero claims that Caesar should be confirmed in Gaul because he is solely impelled by desire to serve the state (29–30); that Romans have pacified the whole known world but Gaul (31–3); and that Caesar is about to complete the Roman conquests and finally subdue the Gauls (34–5).

[29.]

21 **ego idem...qui**: cf. 26.19 *ego idem antea multa decrerim* and 17.8, where Cicero uses the same construction to display his past and present support for Caesar (*nunc* is opposed to *egi*, *silentio* is opposed to *interpellor* and *in superioribus causis* is opposed to *in hac*).

21 **illas omnis res**: referring to his above-mentioned motion for the thanksgiving (26.21n.), the money for Caesar’s legions (28.8n.)



and the ten legates (28.15n.; cf. Balsdon 1939: 172). Cf. also *non decrevi solum sed etiam ut vos decerneretis laboravi* (28.8; and 28.19 *uberius*); probably Cicero is exaggerating his role in the senatorial meeting of May/June and/or the lack of other senators' opposition to Caesar's requests (cf. 28.14n.).

22 **egi silentio, interpellor**: this is the second of three recorded interruptions (cf. 18.19n. and 40.28), and, given that his recommendation strongly supported Caesar, "no doubt Cicero understood as well as anybody the reason for the interruption" (Balsdon 1939: 172).

22 **in superioribus causis**: *in* is not found in the manuscripts, but was added by Lambinus and is accepted by modern editors (Peterson 1910: 175–6).

23 **ornamenta fuerint**: there is no need to change the reading of the manuscripts providing *valuerint* (meaning "carried weight, constituted the main reason for deciding," OLD 8a) for *fuerint* (Cousin 1962), or adding *adiumento* and printing *adiumento fuerint* (Peterson 1910: 176). As Klotz notes (1919: ad loc.), Cicero is saying that in previous causes the debate was about honoring Caesar.

23 **nihil aliud nisi**: for the use of these two negatives, "nothing else than, only this or nothing," cf. 9.8 and K-S 3.414.

24 **ratio belli**: military considerations, which led senators to reconcile with Marius in the past (19.7n.), introduce the theme of the next section (cf. 47.10).

24 **summa utilitas rei publicae**: Cicero consistently returns to the motif of "what is best for the state" (cf. 1.9n.), according to the goal of deliberative oratory.

25 **quid est cur in provincia commorari velit**: the rhetorical question is followed by five ironical answers. In 56 Caesar was still less powerful than Pompey, Crassus or some other senators, but the command he received was somewhat exceptional: two provinces with eight legions, plenty of money (both from the booty and from the treasury) and a supplication of unprecedented length. His victories both justified recognition and caused other senators' concern and jealousy (cf. Introduction 29–31).

26 **adfecta sunt perfecta**: cf. *bellum adfectum videmus et, vere ut dicam, paene confectum... iam omnia perfecta videamus* 19.10n.

The word play with polyptoton\* and rhyme\* is one of the most common in Cicero (Holst 1925: 68.135).

27 **amoenitas eum, credo, locorum, urbium pulchritudo**: *credo* introduces a series of absurd statements, whereby Cicero ironically tries to dispel invented objections (Haury 1955: 76). Varro, writing twenty years after Cicero, similarly expresses the Romans' sense of Italy's superiority over other lands (Varr. *R.R.* 1.2.3–7), and Varro even writes about barren lands in Transalpine Gaul (*R.R.* 1.7.8). With a chiasmus\* (*amoenitas...locorum* and *urbium pulchritudo*) giving two favored Type 3 *clausulae* (molossus + trochaic *amoeni-tas eum, credo, locorum*; cretic + trochaic *urbium pulchritudo*), Cicero deploys a typically Roman image of "barbaric Gaul," on which see Vasaly 1993: 191–2 and Woolf 2011: 19–24 with bibliography.

27 **hominum nationumque illarum humanitas et lepos**: *humanitas* broadly indicates a condition that has advanced beyond the state of barbarity (*TLL* 5.3.3077.53) and that, according to Gellius, results from training in the liberal arts (13.17). Cicero opposes *humanitas* to *immanitas*, which is a typical trait of barbarians. For a survey of the literature on *humanitas*, see Lind 1994: 55–68 and Hellegouarc'h 1963: 267–71; and for the pair with *lepos* cf. *de Or.* 3.29, where Cicero praises Catulus' proper use of Latin.

28 **victoriae cupiditas**: in Roman terms, this was a much more plausible reason, and one that certainly applied to Caesar. As Harris has it, "the consulship entailed not only political power and responsibility, but also warfare, and it was there that almost all consuls met their heaviest responsibilities and brightest opportunities.... Military success was not only highly advantageous to the Roman state, it was of vital importance to the personal aims and interests of many, probably most, Roman aristocrats" (1985: 15–17). In this context, however, rhetorical questions, ironic statements and the homoioteleuton\*, placing Caesar's desire for victory on the same level as *amoenitas* and *humanitas* and within the series of impossible answers (adynata\*), help Cicero to present Caesar's *victoriae cupiditas* as an absurd motivation. Simultaneously, Cicero invites Caesar to take a fresh look at his motivations for campaigning in Gaul, reaching beyond social assumptions and expectations through irony.

29 **finium imperi propagatio**: “the extension of Roman power over new territory.” *Imperium* here indicates both the abstract concept of Roman power and the idea of a territorial extension (Richardson 2008: 75–6). Cicero uses similar language of Pompey’s conquests: cf. *Sest.* 67 and *Cat.* 3.26.

29 **quid...inveniri potest?**: anaphoric\* *quid* introduces a rhetorical question responding to Cicero’s irony with pairs of opposites: *terris asperius* vs. *amoenitas locorum*; *incultius oppidis* vs. *urbium pulchritudo*; *nationibus immanius* vs. *nationum illarum humanitas*; *victoriis praestabilius* vs. *victoriae cupiditas*; and *imperi propagatio* vs. *Oceano longius*.

30 **incultius oppidis**: by switching from *urbs* to *oppidum*, Cicero implies that in fact Gauls do not have cities at all. Caesar in the *Bellum Gallicum* does not use *urbs* of any Gallic settlement until Book Seven. The switch of word order produces a chiasmus (*illis terris asperius...incultius oppidis*) and two favored *clausulae* (Type 4 *il-lis terris asperius*; and Type 2 *incultius oppidis*).

30 **immanius**: *immanis*, “savage, brutal” is a mark of beasts and barbarians, often signaling unrestrained violence (Achard 1981: 338).

31 **tot victoriis**: Caesar defeated Helvetians and Suebi in 58 (cf. *BG* 1.27–9 and 1.52–4), Belgians in 57 (cf. *BG* 2.33) and Veneti and Aquitani in 56 (cf. *BG* 3.16 and 3.26–7; see Introduction 29–31 and map 3).

31 **praestabilius**: cf. 38.28n. and, for the expression, cf. *Quid enim eloquentia praestabilius*, *Off.* 2.66.3.

31 **Oceano longius**: Catullus similarly sees the Atlantic Ocean as the northern limit of the world (115.6; cf. *QF* 2.16.4), and Cicero praises Pompey by upholding a similar claim that the Roman empire stretches as far as the known world: “the unbelievable and divine might of a single man, in such a short time, was able to bring such glory to our state, that you until recently were used to see enemy fleets at the mouth of the Tiber, but now you do not even hear of a single pirate ship within the borders of the Ocean,” *tantamne unius hominis incredibilis ac divina virtus tam brevi tempore lucem adferre rei publicae potuit ut vos, qui modo ante ostium Tiberinum classem hostium videbatis, ei nunc nullam intra Oceani ostium praedonum navem esse audiatis?* *Leg. Man.* 33 (with Steel 2001: 190–202; Brunt 1978: 167–70).

2 **offensionem** is used with passive force, meaning “setback, unpopularity” (*TLL* 9.2.496.49). It comes from *ob* and *fendo*, which originally meant “to hit, hurt,” and is attested only in composite forms, like *defendo*, *infensus* (hostile) and *offendo* (Ernout Meillet s.v. *fendo*).

2 **utrum apud populum a quo missus**: the *lex Vatinia* assigning Cisalpine Gaul and Illyricum to Caesar was carried through the people by Vatinius, who in 59 was tribune of the plebs (cf. Introduction 20–3).

2 **an apud senatum, a quo ornatus est**: the senate bestowed honors upon Caesar in at least two ways. After the people passed the bill carried by Vatinius, the senate allotted also Transalpine Gaul to Caesar (probably realizing that if they refused, the people would have done it anyway; cf. Introduction 22–3); and then they granted him money, legates and *supplicationes* (cf. 26.21, 27.4). Cf. 39.19.

3 **dies**: common metonymy\* for “time” (*TLL* 5.1.1032.50).

3 **desiderium**: (< *de* + *sidus*, “star”). *Desidero* originally meant “to stop seeing [something that appears and disappears], to register or regret the absence of something” (Ernout Meillet s.v. *sidus*). Here the noun takes the objective genitive, “nostalgia for him.”

4 **oblivionem**: *oblivio* is the opposite of *fama* and *gloria* (cf. *laurea illa* 29.4 and *ad gloriam* 29.7). Caesar worked hard at keeping his memory alive in Rome: “the flow of patronage, propaganda, largesse, and emissaries from Gaul to Rome during these years was notorious,” White 2003: 68. He dispatched official and private letters (some of which are found in Cicero’s epistolarity), he left Gaul to meet prominent politicians (like Pompey and Crassus in 56, see Introduction 29–31) and he probably even sent to Rome his year-by-year account of his campaign, the *Bellum Gallicum* (Wiseman 1998: 1–9).

4 **laurea**: laurel branches symbolized military victory (*OLD* 2a) and were a mark of triumphs, when generals carried laurel and offered it to Jupiter (Beard 2007: 62–3). Cicero uses the same word for military victory in his most famous hexameter *cedant arma togae, concedat laurea laudi* (*Cons.* 12 with Courtney 1993: 172).

5 **amittit...viriditatem**: the switch of word order, metaphor\* and a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*) give emphasis.

5 **si qui** stands for *quicumque*, but has a more indefinite meaning (K-S 3.430.15), which matches Cicero's euphemistic tone.

6 **hominem** stands for *eum* (cf. *Ver.* 2.4.66 and *Rosc. Am.* 33), as a "richer expression referring to a previously named person" K-S 2.618.1 (cf. *ad hominis dignitatem*, 26.20).

6 **non diligunt**: another euphemistic litotes\*, cf. 25.13.

6 **nihil est quod** "there is no reason why" regularly takes the subjunctive (cf. 45.15; K-S 3.278b).

6 **de provincia devocent**: for this use of *devoco* with repeated *de*, see *TLL* 5.1.868.71. Cicero instead uses *deripio* of Piso and Gabinius, cf. *hos vos de provinciis...deripiendos non putaretis?* 13.17.

7 **ad gloriam** is the opposite of *oblivio* (29.4): "*gloria* means someone's great and praiseworthy name," *gloria est frequens de aliquo fama cum laude*, *Inv.* 2.166. Competitive politicians' drive for glory, which was the engine of Roman politics, concerned Cicero, who wrote a treaty *de Gloria* (lost to us) and who in the *De Officiis* dedicates a long section to glory (2.31-51) distinguishing good *gloria*, which comes from *virtus* and justice (*Off.* 2.36-43), from bad *gloria*, which is selfish desire for preeminence (*Off.* 2.31 with Dyck; Mazzoli 2004: 60-4; Long 1995: 228-33). Cf. 18.29n.

7 **ad triumphum**: "a victorious general having attained a *supplicatio* had more chances to obtain a triumph" (Halkin 1953: 110); Caesar had grounds for his claim, but the senate had refused requests for triumphs (Beard 2007: 199-214), and neither Caesar nor Cicero could be sure, in spite of Cicero's reassuring words (cf. 35.17). Caesar would not triumph until 46, when he celebrated his campaigns in Gaul, Egypt, Pontus and Africa (Numidia; Appian 2.101-2; Suet. *DJ* 37 and 49.4; Plut. *Caes.* 55.2; *MRR* 2.293).

8 **ad summum honorem senatus, equestris ordinis gratiam**: the switch of order produces a chiasmus\* and two favored *clausulae* (Type 3 ~~*summum honorem senatus*~~; and Type 2 *ordinis gratiam*).

9 **caritatem**: the first meaning of *caritas* (< *carus*, "pricy, dear" Ernout Meillet s.v. *carus*) is "high price" (*OLD* 1); the meaning

of “love, affection” is first attested in Cicero (*TLL* 3.460.38) and differs from *amor*, because *caritas* “expresses an exclusively noble and high sentiment, far from impurity and springing from natural inclination and from noble thoughts,” Bolelli 1950: 128; cf. *Fin.* 2.45; *de Or.* 2.206.

## [30.]

9 **hac tam eximia fortuna...frui**: Romans took a general's *fortuna* as a sign of divine favor, which good generals put to good use (cf. *Leg. Man.* 47; *BG* 1.40.12 and 4.26.5). Hence, Cicero contrasts Caesar's and Piso's luck (cf. 8.31n.), especially praising Caesar's good use of *fortuna*, according to the precept of *de Or.*, where Cicero states that if the person who is being praised enjoys good fortune, the orator “must say that he had used it well” (2.45–6 with Leeman et al.); and *BC* 3.95.1, where Caesar hints at the Pompeians' inexperience for failing to take advantage of good luck. Throughout the *Commentarii* Caesar advertises his *fortuna* (e.g. *BG* 5.58; *BC* 3.27 and 3.68, with Grillo 2011: 247–9; Bickel 1960: 65–75; Bömer 1966: 63–85; Mantovanelli 1999–2000: 211–30). For the difference between *fortuna* and *felicitas*, see Champeaux 1982: 205–6; Steel 2001: 150–51; Welch 2008: 181–213.

10 **propter utilitatem rei publicae**: cf. 1.9n., 27.5 and 29.24.

11 **conficiat**: cf. 19.11n.

11 **ego senator facere debeo**: cf. *ego senator...amicus esse, sicut semper fui, rei publicae debeo*, 19.14n. In both cases *debeo* with infinitive indicates that Cicero is under a moral obligation to act in the best interest of the state (cf. *OLD* 6a); and here it gives a favored Type 2 *clausula* (resolved molossus + cretic).

12 **rei publicae consulere oporteret?**: *consulo* with dative means “to look after, to take thought for” (*OLD* 6a). Cicero uses the pun on *consul*, as an orator called Carbo famously did before him (cf. *si consul est qui consulit patriae*, Carbo *ORF* 35.10.155, cited by Cicero in *de Or.* 2.165), and reminds everyone that as a senator he continues to carry out the same duties as when he was consul (cf. *Cat.* 4.2). Cicero responds to this rhetorical question at 35.20 (see n.) arguing that even if Caesar wanted to come back to

Rome, the senate should ask him to stay in Gaul, phrasing this untenable possibility (an adynaton\*) with a favored Type 1 *clausula*.

**30.14–33** While still responding to the second interruption (29.22), Cicero locates Caesar’s campaign in Gaul in the context of Roman conquests around the Mediterranean and of previous engagements against the Gauls. Considerations of peace should lead the senate to confirm Caesar’s command, even if he did not want it.

14 **ego vero sic intellego** is redundant and serves to introduce a new point with emphasis (cf. 3.8n. and *Div. Caec.* 10). *Vero* marks a “high degree of personal commitment on the part of the speaker/author to the truth or appropriateness of the message being communicated” (Kroon 1995: 281).

14 **nos...oportere**: rhetorical question (*ego senator...quem oporteret?*<sup>2</sup>) allows Cicero to remind everyone what all the senators must do.

15 **perpetuae pacis...rationem**: this broadly phrased statement calls to mind both the situation of unrest in some Roman provinces and the typically Roman fear of civil war. As for the provinces, according to Cicero’s theory of just war, considerations of security and peace justify military action and compel him to support Caesar’s command. “The debate over the consular provinces is concerned with no lesser reason than long-lasting peace. This concern must guide the orator, and Caesar must remain in Gaul precisely to accomplish this task,” Botermann 2002: 280. As Cicero states, since debate is proper to men and force to beasts, one should resort to violence only as a last resort, “and wars must be undertaken for this reason, to be able to live in peace without injustice,” *Off.* 1.35 with Dyck. Theory and practice, however, do not always go hand in hand: according to Suetonius, some members of the senate wanted to send a commission to inquire into Caesar’s conduct in Gaul, and Caesar “did not refrain from any occasion for war, however unjust and dangerous” (Suet. *DJ* 24.3; Botermann 2002: 284–93). However, Cicero is also obliquely inviting the senators to consider the dangerous consequences of recalling Caesar (who after all held eight legions, had plenty of money and had been honored with a *supplicatio* of unprecedented length). Cicero’s insistent association

between Marius and Caesar and the recent memory of Marius' war against Sulla were enough to raise the specter of civil war. Thus, not provoking Caesar becomes an implicit but compelling extra argument for confirming him in Gaul. Cicero returns more explicitly to this argument at 38–9, where he says that “there is very good reason to be concerned if I diminish the prestige of the most eminent and powerful men” (39.15n.). Alliteration\* (*perpetuae pacis*) and switch in word order create emphasis and a favored *clausula* (Type 1 *opor-tere rationem*, cf. 5.9n. *esse videatur*).

17 **vacua ab**: *vacuus* takes the ablative, like most adjectives from verbs of deprivation (L-H-S 105–7), with or without *a/ab* with no difference in meaning (K-S 2.374).

17 **suspicione belli**: “inkling of war” (*OLD* 2) cf. *Lig.* 2. The international situation in 56 was quieter than in the 60s, but still far from the ideal that Cicero depicts: in 63 Pompey left two legions in Syria under M. Aemilius Scaurus (Joseph. *AJ* 14.79; Schürer 1973: 1.244–5; *MRR* 2.168), and in 57 two more were dispatched to Cilicia, which the senate made a consular province in response to a situation of unrest (Sherwin-White 1994: 264–6); in 57 the Maccabean ruler Alexander stirred revolt in Judaea (Joseph. *BJ* 1.160 and *AJ* 14.82–91; Freyne 1980: 59–61), though, as seen above (9), Cicero downplays the nature of these conflicts and blames them on Gabinius' bad government; in 57 C. Memmius conducted a campaign in Pontus and Bithynia (cf. Catullus 10 and 28; *MRR* 2.203); similarly, in Egypt internal strife, Ptolemy Auletes' expulsion in August 58 and the senate's decision not to support his restoration in March 56 created a situation of instability (Siani-Davies 2001: 1–29); and in 56 Q. Caecilius Metellus Nepos (cf. 22.5n.; *MRR* 2.210) had to face the rebellion of the Vaccaei in Spain. By switching the word order Cicero achieves emphasis and a favored Type 3.b *clausula*, with trochaic rhythm.

[31.]

17 **iam diu**: cf. 4.23n.

18 **mare videmus illud immensum**: the Mediterranean sea. Verbal hyperbaton\* achieves pathos and emphasis (Adams 1971:



2–6), exaggerating the state of peace in the Mediterranean (cf. 30.17n.). *Videmus* governs both *teneri* (31.22) and *esse partim recisas, partim repressas* (31.24).

18 **cuius fervore non solum maritimi cursus sed urbes etiam et viae militares iam tenebantur**: a reference to the pirates, defeated by Pompey in 67. In that year Gabinus, the consul of 58 who was then a tribune of the plebs, carried the *lex Gabinia*, granting extraordinary powers to Pompey against the pirates (Plut. *Pomp.* 26–8; Diod. 40.4; *MRR* 2.144–5). This law, which was proposed through the people and debated amid violent disorder (Dio 36.30), gave unlimited power (*imperium*) to Pompey over the Mediterranean and for 50 miles inland, that is, over all the cities and roads on the coast (Plut. *Pomp.* 25.3–4). Cicero seems to have supported Gabinus' law (cf. Plut. *Cic.* 8.4 with Davison 1930; Ward 1969 and Watkins 1987), and in a speech pronounced in 66 Cicero alludes to the same unsafe situation of seas and ports before Pompey's intervention (*Leg. Man.* esp. 55). *Fervore* (from *ferveo*, whose original meaning is “boiling,” Ernout Meillet s.v.) recalls the similar metaphor\* referring to the raging waters of Pontus under Mithridates (*pontum... effervescentem*, 6.4n.), and word order highlights the protection with *urbes* nicely embedded in a chiasmus\* between *maritimi cursus* (in Cicero and in Caesar *maritim-* is more common than the spelling *marutim-*, cf. *Planc.* 96; Mousel ad *maritimus* and *TLL* 8.399.83) and *viae militares* (on which see 4.27n.); two favored Type 1 *clausulae* (*maritimi cursus* and *iam tenebantur*) cap the image.

20 **virtute Cn. Pompei**: Cicero celebrates Pompey's accomplishment the same way in *Leg. Man.* (esp. 29–35; cf. “for in truth who can find a speech equaling Pompey's *virtus*?” *iam vero virtuti Cn. Pompei quae potest oratio par inveniri*? 29; cf. *Cat.* 2.11, *unius* [sc. *Cn. Pompei*] *virtute*). Pompey's achievement was in fact extraordinary, and, despite having received command for three years, in only three months he brought the war against the pirates to a successful end and was acclaimed *imperator* (Plut. *Pomp.* 27; *MRR* 2.146). Pliny and Plutarch similarly highlight the importance of Pompey's conquests for the making of the empire: “as for the glory of the empire one has to mention all the records and victories

of Pompey the Great, which equal Alexander's brilliance" (Pliny *NH* 7.95), and "Pompey, thanks to his triumph over first Libya, then Europe and lastly Asia seems to have subjugated the whole world in three triumphs" (Plut. *Pomp.* 45 with Steel 2001: 210–25).

**20 sic a populo Romano:** in *Prov.* Cicero mentions the Roman people 11 times (see *perpetuam populi Romani salutem*, 3.17n.), not an unusual frequency in senatorial oratory (cf. 1 *Agr.* which has 15 occurrences, and *Red. Sen.* which has 17). Cicero's reminder of the power of the people in this context may imply a warning to the senators against making an unpopular decision, but probably it also nods to Pompey, whose popularity in 56 was in such decline that to be elected consul for 55 he had to delay the elections (Dio 39.27–8), which took place only in January 55 and amid violence; while L. Domitius, who was also standing for consulate, was going to the assembly that had been summoned for elections, his personal slave was killed (Dio 39.31; cf. Plut. *Pomp.* 51; *MRR* 2.214; Gruen 1974: 146–7).

**20 ab Oceano usque ad ultimum Pontum:** from West to East, from the Straits of Gibraltar to the Black Sea. Eratosthenes and Strabo upheld the Homeric view that a circumambient Ocean embraced the land of the known world (Romm 1992: 41–4), and Gibraltar was the point where the *mare nostrum* met the Ocean. Cicero uses similar language expressing the idea that, thanks to Pompey's fulminous campaign against the pirates, the Roman peace extended as far as the Ocean and the limits of the (known) world: "the incredible and divine might of that man (*incredibilis ac divina virtus*) in such a short time was able to bring so much light to our state that . . . now you hear of no pirate ship within the mouth of the Ocean (*intra Oceani ostium*)," *Leg. Man.* 33 with Steel 2001: 130–5.

**21 tamquam unum aliquem portum tutum et clausum teneri:** emphatic *unum* and *tutum*, alliteration (*tamquam . . . tutum . . . teneri*) and sustained homoioteleuton\* in *-um* create a sense of enclosed unity, which strengthens Cicero's depiction of the Roman achievements over the entire Mediterranean. Cicero gives a similar (and similarly misleading) picture of external peace in *Sest.* 51, but at the end of the Republic he was not alone in holding

this view: the expression *mare nostrum* is first attested in the 50s, occurring for the first time in Caesar at *BG* 5.1 (*TLL* 8.388.22; Vanhaegendoren 2004; cf. Sall. *Iug.* 17), where it indicates the Mediterranean sea as opposed to the Ocean separating Gaul from Britain (Traina 1963). Originally *portus* indicated the house entrance (*TLL* 10.2.59.72) and it kept the idea of safety applied to the sea (for this common metaphor\*, cf. *TLL* 10.2 62.40–60). *Teneo* here means “to be in military control of, to hold against attack” (*OLD* 9a), while above (*iam tenebantur*) it refers to the pirates holding fast or occupying the sea: the antistasis\* of *tenebantur... teneri* (a repetition from the same word with different meanings) focuses on the Romans gaining control and gives a favored Type 3 *clausula*.

22 **numero hominum ac multitudine ipsa**: *commoratio*\* and redundant *ipsa* produce emphasis.

23 **poterant in provincias nostras redundare** refers to Mithridates, whom Cicero also portrays as a potentially overflowing force earlier: *omnis Mithridaticos impetus totumque Pontum armatum, effervescentem in Asiam atque erumpentem ore* (6.4, cf. 31.20n.). Alliteration\* (*poterant in provincias*) and a favored Type 1 *clausula* cap the metaphor\* of *redundare* (< *re* + *undo*), which plays with the image of the not-yet-safe port with waves spilling over it (cf. *Pis.* 81).

24 **partim recisas, partim repressas**: Cicero uses *recido* (*re* + *caedo*), “to cut back” or “to cut off,” figuratively, meaning “to curtail, prune” (*OLD* 3a). In 66 Pompey defeated Mithridates (killing more than 10,000 enemy soldiers) and expelled him from Pontus (Plut. *Pomp.* 32; App. *Mithr.* 99–102); in 65 he campaigned against two Caucasian tribes, the Iberians and the Albanians, organizing Pontus and Bithynia into a Roman province (Plut. *Pomp.* 34–8; Cic. *Mur.* 34); in 64 he marched into Syria, making this too a Roman province with little fighting (Plut. *Pomp.* 39–41; Dio 37.6.4–7.4); and in 63 he fought against the Jews, killing 12,000 people (Joseph. *AJ* 14.71; App. *Mithr.* 108–14). For an overview of Pompey’s campaign and settlement in the East, see Seager 2002: 53–62 and Sherwin-White 1994: 248–70.

25 **Asia... ipsa cingatur**: in 88 Mithridates stirred revolt in Asia, causing the death of 80,000 Italians and starting the Mithridatic

wars. Stressing that Pompey encircled Asia with three Roman provinces contributes to a sense of stability (cf. 31.21n. *portum tutum et clausum*). Asia had been a Roman province since 133, when Attalus died leaving his reign to the Romans; for the territory it included, *see* map 2. Emphatic hyperbaton\* and redundant *ipsa* give a favored Type 1 *clausula* (cretic + spondee).

25 **nunc tribus novis provinciis**: it remains unclear which three provinces are meant. In 65 Pompey organized Pontus and Bithynia into a province and in 64 he did the same with Syria (cf. note above). Cicero would hardly count Pontus and Bithynia as two separate provinces; more likely the third province is Cilicia (*see* map 2). Cilicia had been under Roman influence since M. Antonius' expedition against the pirates in 102 (*MRR* 1.568), but Pompey reorganized it after his war against the pirates (Magie 1950 351–78; Seager 2002: 53–62), annexing the new territory of Cilicia Pedias (Pulci Doria Breglia 1972: 382–7), which included some coastline (cf. also Liebmann-Frankfort 1969: 447–57; Murphy 1993: 139–40). The senate did not recognize Pompey's settlement of the East until 59 (when Caesar, who was then consul, carried a single law for them all, Plut. *Pomp.* 48.4; *MRR* 2.188), but Pompey lavishly celebrated his achievements and the victory over so many people in his triumph of Sept. 61 (Beard 2007: 14–18).

26 **possum de omni regione, de omni genere hostium dicere**: in fact, Cicero does not list any of these regions and peoples, but he can assume familiarity in the audience of senators especially after Pompey's triumph, and the theater that Pompey was building reminded everyone of his conquests (Gros 1999: 35–8; Beacham 1999: 60–9; Beard 2007: 22–6).

27 **nulla gens est quae non**: the emphatic phrasing (L-H-S 679.2) stresses the hyperbole\*, followed by the expected subjunctive (K-S 3.306f).

28 **aut ita... ut... aut ita... ut... aut ita... ut**: the anaphora\* joins three cola of increasing length, as typical of Cicero (cf. Introduction 36–8), climactically moving from harsh repression to (what Cicero calls) the joy of peace.

28 **ita sublata sit ut vix exstet**: for *sublata* (from *tollo*, meaning “to get rid of, eliminate,” *OLD* 13a), cf. Caesar, who states that he hoped

“that the race and the very name of that tribe [the Eburones] would be annihilated,” *ut... stirps ac nomen civitatis tollatur*, BG 6.34.

**28 aut ita domita ut quiescat:** Cicero employs metaphorical\* language of taming beasts. *Quiesco* means “to fall asleep, to grow quiet,” and *domo* literally means “to tame,” hence “to gain control over, subdue by war” (cf. 32.9 and OLD 2a). *Domo* also marks a step toward peace, and Cicero has stated that Caesar has tamed Gaul but not yet reduced it to peace (*domitae sunt a Caesare maximae nationes, sed nondum legibus, nondum iure certo, nondum satis firma pace devinctae*, 19.8n.). Cicero uses the same vocabulary—*domita*, *quiescat* and *pacata*—of the situation of Macedonia before Piso’s arrival: *domitis iam gentibus finitimis barbariaque compressa, pacatam ipsam per se et quietam*, 5.10n.

**29 aut ita pacata ut victoria nostra imperioque laetetur:** for this optimistic and triumphalistic statement of Roman imperialism, see Brunt 1978: 185–90 and Introduction 32–4. Cicero uses a similar expression of the Sicilians “enjoying the Romans’ victory,” *victoria populi Romani maxime laetari arbitrabatur*, Ver. 2.2.3.

[32.]

**30 Bellum Gallicum, patres conscripti, C. Caesare imperatore gestum est:** Cicero dwells on this point by repeating it (cf. *bellum in Gallia maximum gestum est*, 19.8n.), a device called *commoratio*\*. By calling Caesar *imperator*, an honorific title granted to victorious generals (cf. 4.1n.), Cicero aligns Caesar with Marius (see n. below), opposes him to Piso and Gabinius (e.g. 7.8, 9.11 and 15.12) and achieves a favored Type 1 *clausula*.

**31 antea tantum modo repulsum:** two favored *clausulae* (Type 3 *imperatore gestum est*; and Type 1 *tantum modo repulsum*, cf. 5.9n. *esse videatur*) and *antea* set the contrast between previous attempts merely to repel enemies and Caesar’s campaign. This contrast lays out the rationale for preemptive and offensive rather than simply defensive war.

**I nostri imperatores:** the repetition after *Caesare imperatore* aligns Caesar with great generals of the past, especially Marius,

who also defeated the Gauls (cf. 26.23n.) and who was Caesar's uncle (Caesar's aunt Julia was Marius' wife). For Caesar's use of Marius as model, see Carney 1960: 122 and Zecchini 2001: 117–20.

1 **refutandas**: (< *re* + *futo*, “to argue,” according to Paulus Festus 79.5, although the form *futo* is not attested, cf. *confuto* Ernout Meillet s.v. *futo*) meaning “to check the activities of, to put down” (*OLD* 1a).

2 **ille C. Marius**: mentioned here for the third time in *Prov.* (see 19.4n. and 26.23n.). Remarkably, in the first book of the *BG* (narrating Caesar's campaign of 58) Caesar is fond of presenting and justifying his campaign in Gaul as a continuation of Marius': as he reminds his soldiers terrorized by the Germans (and his readers), “this enemy represented a danger within our memory, when Marius defeated the Cimbri and the Teutoni, obtaining equal glory for his army and for himself,” *factum eius hostis periculum patrum nostrorum memoria, cum Cimbris et Teutonis a C. Mario pulsus non minorem laudem exercitus quam ipse imperator meritus videbatur*, 1.40.5 (Timpe 2006: 84–8; Grillo 2012: 154).

2 **cuius divina atque eximia virtus**: Cicero's sympathetic portrayal of Marius, who is reconciled with the senate (19.4), obtains a supplication of unprecedented length (26.23) and saves Rome from the Gauls, obliquely extols Caesar, who was Marius' nephew. In particular, *divinus* assimilates Marius' victories both to the special favor he enjoyed from the gods and to the providential defense that he, like the Alps, granted to the Romans (cf. 34.1, where Cicero states that the Alps protect Italy, “not without some divine providence,” *non sine aliquo divino numine*). On Marius' victories over the Cimbri and the Teutoni, see 19.4n., and on the Roman fear of Gauls cf. *Font.* 32 and 46 with Dyck 2012: 66–7 and 78; *Phil.* 8.3 with Manuwald.

3 **magnis populi Romani luctibus funeribusque subvenit**: the Romans suffered serious setbacks from the Gauls, especially in 105 at Arausio, where the consul Gnaeus Mallius lost two sons and about 80,000 Roman soldiers (*Livy Per.* 67; *Eutrop.* 5.1.1; *MRR* 1.555); similarly, in 113 the consul Cn. Papirius Carbo barely survived the terrible defeat by the Cimbri (*Strabo* 5.1.8; *Plut. Mar.* 16.5; *Vell.* 2.12; *MRR* 1.535); Gallic tribes crushed consular armies

also in 109 (led by M. Iunius Silanus; Livy *Per.* 65; Diod. 34; *MRR* 1.545) and in 107 (led by Cassius Longinus, who died on the field; Caes. *BG* 1.7; Tac. *Germ.* 37; *MRR* 1.550). With *luctibus funeribusque* Cicero inverts the effect and the cause (a device called hysteron proteron\*); *subvenit* regularly takes the dat. and gives a favored Type 1 *clausula*.

**4 influentis in Italiam Gallorum maximas copias repressit:** in 102–1 Marius defeated the Cimbri and Teutoni (cf. 19.4n. and 26.23n.). Both *influentis* (< *in* + *fluo*, lit. “to flow in”) and *repressit* (“to stop the flow of natural forces,” *OLD* 1a, and in a military context “to check the advance of,” *OLD* 4b) expand on the metaphor of the safe and enclosed port (31.22; cf. also 6.5n.) and anticipate the theme of the natural protection provided by the Alps (34.1). The repetition of *repressit* (cf. *antea tantum modo repulsum*, 32.31) implies that Caesar is greater than Marius (cf. 26.23, where Cicero juxtaposes the fifteen days of thanksgiving for Caesar to the five for Marius). Hyperbaton\* emphasizes both *influentis* and *maximas copias*, giving a favored Type 4.c *clausula*.

**5 non ipse ad eorum urbis sedisque penetravit:** Marius did not pursue the Gauls into their territory. In 102, having defeated the Teutoni at Aquae Sextiae (modern Aix-en-Provence, see map 3), he returned to Italy, and after he had defeated also the Cimbri (at Verceilae in 101, *MRR* 1.570–1) he returned to Rome to triumph. Until Caesar’s expedition Romans considered both Cimbri and Teutoni as Gallic rather than Germanic tribes (Welser 1956: 37).

**6 modo ille... C. Pomptinus... ortum repente bellum Allobrogum atque hac scelerata coniuratione excitatum proeliis fregit:** Cicero conflates two episodes, according to his tendency to trace everything back to his consulate (Riggsby 2002: 165–7). In 63, when Cicero as consul repressed Catiline’s conspiracy, C. Pomptinus (*RE* 1), who was then praetor (*MRR* 2.167), arrested the envoys of the Allobroges (cf. *Cat.* 3.5 with Dyck; Sall. *Cat.* 45), a Gallic tribe, whose cavalry Catiline tried in vain to recruit (cf. *Cat.* 3.9 with Dyck; Sall. *Cat.* 40). In 62 Pomptinus became governor of Transalpine Gaul and in 61 he crushed an attempt at revolt in Narbonensis (cf. 25.6n. *Caesari supplicationes*), for which he later (54) celebrated a triumph that was hotly contested (Dio 39.65: *Att.* 4.18.4) since

he had not taken part in the battle, which was won by his lieutenants (Dio 37.47.1; *MRR* 2.176). Cicero embeds Pomptinus' repression of the Allobroges, which occurred in 62–1, within the events of 63 (*socius Pomptinus* and *scelerata coniuratione*), distorting the chronology (another example of hysteron proteron\*) and indirectly claiming a role also in the repression of 61. Both the example of Pomptinus and that of Marius present Roman action as a response to an attack: as Riggsby rightly notes, "Cicero's two explicit examples are chosen to put the Gauls at fault. In the first, Roman territory was in fact invaded. The story of the second is vague, but Cicero hints at a connection with the Catilinarian conspiracy" 2006: 173. *Modo*: Caesar similarly says that the Allobroges had been *nuper pacati* (Caes. *BG* 1.6; Rivet 1988: 305–9). *Hac scelerata coniuratione: hac*, instead of the expected *illa* (cf. Carey and Butler ad loc.), brings the events of 63 closer, as *hic* mainly indicates an object found in the vicinity or in the presence of the speaker (K-S 2.619).

**6 meorum laborum periculorum consiliorum socius**: as praetor in 63 Pomptinus helped Cicero to deal with the conspiracy of Catiline (*MRR* 2.167). Cicero calls him a dear friend in *Pis.* (*necessarius*, 58), and in 51, going as governor to Cilicia, Cicero would take him as legate on his staff (*Att.* 5.10.1 and *Fam.* 3.3.2). The sustained homoioteleuton\* highlights the cooperation.

**7 fortissimus vir**: the same words of commendation as in *Flac.* 102 and *Cat.* 3.5.

**9 proeliis fregit eosque domuit**: this language establishes an implicit comparison between Pomptinus, who was satisfied with crushing the revolt, and Caesar's different policy (*alia ratio*). In the next chapter Cicero writes that Caesar subjugated tribes that "no one ever lived who did not wish to be crushed and subjugated," *nemo umquam fuit quin frangi domarique cuperet*, 33.23.

**9 ea victoria contentus . . . quievit**: Pomptinus may have been satisfied with his victory, but certainly not with the treatment he received. He waited outside the *pomerium* for five years, until in 54 he was granted the right to triumph, amid fierce controversy (cf. *Att.* 4.18.4 and 32.6n. *modo ille . . . Pomptinus*).

**11 longe aliam video fuisse rationem**: adverb and verbal hyperbaton\* emphasize *aliam* and *rationem* (Adams 1971: 2–6),



giving a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*), and the following sentence explains it.

11 **non enim... redigendam**: this statement, while being compatible with Cicero's theory of just war (cf. 30.15n. *perpetuae pacis... rationem*), is at odds with the *BG*, where Caesar consistently presents his interventions as unplanned and nonsystematic responses to a provocation (to the Romans or to their allies), especially those against the Helvetii and the Suebi, which Cicero mentions in the next line. "Caesar took pains to justify his first two campaigns" (Rice Holmes 1914: xxiii). Modern scholars continue to debate Caesar's initial intentions: Rice Holmes tends to agree with Cicero and believe that Caesar planned to conquer the entirety of Gaul from the start. Fuller instead accepts Caesar's account, arguing that the fact that at the start Caesar did not take all his legions to Gaul demonstrates that he had no premeditated plan to conquer it all (1965: 102); more recently, however, Thorne has revised the chronology and shown that Caesar "acted positively, early, and with full force" (Thorne 2007: 36).

[33.]

14 **cum acerrimis nationibus et maximis Germanorum et Helvetiorum**: in 58 Caesar successfully campaigned against the Helvetii (*MRR* 2.197–8; Jimenez 1996: 45–57) and against Ariovistus (Schmittlein 1956; Miltner 1941: 181–95; Pelling 1981), king of the Suebi, a Germanic tribe. Cicero's phrasing calls to mind the end of Book One of the *BG*, where Caesar narrates these events (Helvetii *BG* 1.1–30 and Ariovistus 1.31–54) and concludes by stating that he stationed his troops in winter camps, "having conducted two most challenging wars," *duobus maximis bellis confectis* (*BG* 1.54.2). Superlatives and word order (both *acerrimis* and *maximis* modify *nationibus*) magnify the enemies' valor and number, and the switch (Caesar defeated the Helvetians first) gives a favored Type 3 *clausula*.

15 **felicissime decertavit**: Cicero calls Piso *imperator infelicissimus* (7.8n.), contrasting his (and Gabinius') setbacks with Caesar's

success. For Cicero's device of praising someone's good use of luck, cf. 30.10n. and *de Or.* 2.46.

16 **ceteras conterruit, compulit, domuit**: Cicero may be thinking of the campaigns that Caesar conducted against different tribes of Belgians and against the Veneti in 57 and that he narrated in Book Two of the *BG* (Jimenez 1996: 67–76). *Conterreo* (as opposed to *terreo* and indicating “to fill with terror”) forms a nice alliteration\*, and the three verbs, joined with homoioteleuton\* and asyndeton\*, emphasize the point (a *commoratio*\*) and contribute to creating a sense of Caesar's rapid and effective action. Caesar never uses *conterreo*, but the *BG* pays much attention to fear and to its psychological impact on soldiers (Lendon 1999: 295–304). There is no need to change the manuscripts' *compulit* into *contudit*, as Watt 1987: 34 suggested (cf. *Mil.* 73; *Har. Resp.* 58).

16 **imperio populi Romani parere adsuefecit**: cf. 31.27n. Cicero insists on the public utility of Caesar's campaigns, according to his line of argument (cf. Introduction 32–4) and according to the precepts of *de Or.*, where he explains that “the highest praise is when power and money do not lead to arrogance . . . but to virtue” (2.342), and “virtue is beneficial to other people” (2.346). *Commoratio*\* (*domuit* and *parere adsuefecit*) emphasizes the climax, moving from fear and repression to acceptance of Roman rule and ending with a favored Type 1 *clausula*. This is the first of five occurrences of *imperium* in this chapter: the word takes different meanings, indicating “the power of the Roman state and people” (Richardson 2008: 66–79) in its extension in time (*a principio huius imperi*, 33.25; *TLL* 7.1.579.60) and space (*ut imperi nostri terrarumque illarum idem esset extremum*, 33.29).

18 **nullae nobis antea litterae, nulla vox, nulla fama notas fecerat**: anaphoric\* polyptoton\* (opposing *nullae . . . nulla . . . nulla* to *quas . . . quasque . . . has*), the choice of *nullus* (instead of *non*, L-H-S 2.205), asyndeton\*, alliteration\* and the repetition of the same point with different words (another *commoratio*\*) achieve strong emphasis, thus magnifying Caesar's unprecedented achievements (cf. *incognitis* 33.22). This emphasis exemplifies what Cicero recommends for epideictic oratory: to praise someone, “the accomplishments we list must be exceptional in importance or

unparalleled in novelty” (*de Or.* 2.347); cf. *C. Caesari supplicationes decrevistis numero ut nemini uno ex bello*, 25.6n.

19 **noster imperator nosterque exercitus et populi Romani arma peragrarunt**: another anaphora\* and *commoratio*\* (*exercitus* and *arma*) continue the emphasis and end with a favored Type 2 *clausula* (resolved molossus + trochee). In the *BG*, Caesar similarly plays up the novelty of a Roman army marching outside the previously known world (Krebs 2006).

20 **semitam tantum Galliae tenebamus antea**: before Caesar’s campaign, the Roman province of Gallia Narbonensis (often called simply *provincia*, from which comes “Provence”) consisted of a strip of land along the south coast of France (*see* map 2), and was meant mainly to protect the *via Domitia* to Spain. Roman power in Gaul was established around 120, following the victories of Q. Fabius Maximus, who defeated the Allobroges (taking the name of Allobrogicus; Plin. *NH* 7.166; Orosius 5.13.2), and of Cn. Domitius Ahenobarbus (Oros. 5.14), who crushed the Averni in 121 (*MRR* 1.520–1; Rivet 1988: 39–48).

22 **infidis**: the Romans typically portrayed Gauls (and barbarians) as treacherous (Freyburger 1986: 223 and for the *BG* Grillo 2012: 63–5), and Cicero goes so far as to ask, “and do we believe that these people [Gauls] are bound by sacred oaths or by fear of the gods in giving testimony?” (*Font.* 30 with Dyck 2012: 65–6; Vasaly 1993: 191–8; Corbeill 2002: 205–6; Riggsby 2006: 178); in fact, the history of Roman engagement with Gauls also displays spectacular cases of Roman treachery. For instance, in 121, having defeated the Averni, Cn. Domitius Ahenobarbus lured their leader Bituitus into a parley, but treacherously had him captured and sent him to Rome (Val. Max. 9.6.3); the senate disapproved, but Bituitus was not sent back to Gaul (Livy *Per.* 61).

22 **immanibus et barbaris et bellicosus**: *immanis* indicates strength and lack of restraint typical of beasts and barbarians (cf. 29.30n., cf. 34.3 and *Pis.* 81); the alliteration associates barbarians and war, playing up the danger, according to Roman stereotypes. Caesar uses similar language and motifs to justify his action against the Helvetians, who—he says—would make dangerous neighbors because of their valor and enmity toward the Romans (*BG* 1.10).

The geographer Strabo similarly speaks of the Gauls as war-mad and quick to fight (4.4.2), and according to Diodorus they get into mortal duels when they drink at parties (5.26; Gardner 1983: 181–9).

23 **quas nationes** stands for *et eas nationes* (K-S 3.319).

23 **nemo umquam fuit quin...cuperet**: the emphatic construction (L-H-S 2.678–9) produces a hyperbolic\* statement, linked through anaphora\* (*nemo...quin*) to the following statement. *quin* regularly introduces a clause of result after *nemo/nihil* (*tam, ita, sic, or tantus*)...*est* (functioning, in this case, as *ut non*), and in the subordinate the subject *is* is usually not expressed (K-S 3.267–8, cf. *de Or.* 1.10).

24 **nemo sapienter de re publica nostra cogitavit**: *cogito* with *de* and abl. indicates the act of pondering a decision, taking thought for someone or something (*TLL* 3.1462.9).

25 **iam inde a principio huius imperi**: the temporal indication (corresponding to *nemo umquam* above) recalls the sack of Rome by the Gauls in 390 (Livy 5.39–43; Diod. 14.115; Polybius 2.18; Gell. 5.17.2).

26 **quin Galliam maxime timendam huic imperio putaret**: Romans feared the Gauls (Bellen 1985: 9–19 and 36–46), whose valor and vicinity constituted such a threat of invasion that it even left a trace in the Roman laws (Riggsby 2006: 172–5). In cases of extreme danger, like a mass revolt taking place in Italy or in Gaul, the Romans lawfully recruited masses of soldiers without requiring them to take the military oath one by one (cf. *Phil.* 5.53 and 8.3 with Manuwald; Servius *ad Aen.* 7.614). Caesar similarly depicts Roman fear of the Gauls, magnifying both their valor (Riggsby 2006: 96–100) and their threat (e.g. *BG* 1.39, 2.1 and 3.2; Gardner 1983).

27 **propter vim ac multitudinem gentium illarum**: Caesar sees the numerous Gauls and Germans as equally threatening to the Romans (e.g. *BG* 1.31 and 1.33, with Brunt 1978: 178–83).

27 **numquam est antea cum omnibus dimicatum**: on Caesar's different approach (*ratio*) to Gaul, cf. 32.11n. *Numquam est antea* is opposed to *nunc denique* in the next line.

28 **restitimus semper lacessiti**: cf. 32.30n. *Bellum Gallicum...antea tantum modo repulsum*. The switch in word order achieves emphasis and a favored Type 1 *clausula*. According to

Cicero's just war theory, the offences the Romans suffered from the Gauls justified their intervention as punitive and preemptive: "although the Romans had defended themselves in previous encounters, they had not yet exacted the revenge to which they were entitled on the basis of those incidents. Nor were they yet in a secure state of 'peace'" (Riggsby 2006: 173).

**29 est perfectum ut:** the construction introduces a substantive clause expressing a desired effect or goal (K-S 3.212); for *perficio* cf. 19.13n. and 29.26n.

**29 imperi nostri terrarumque illarum idem esset extremum:** this hyperbolic statement (Caesar ended the Gallic war only in 50) fits the Roman conception of world empire (Brunt 1978: 167–72; Richardson 1991: 1–9); as previously, Cicero states that Caesar has already defeated the Gauls, but needs more time and powers to build peace and laws (cf. *domitiae sunt a Caesare maximae nationes, sed nondum legibus, nondum iure certo, nondum satis firma pace devinctae*, 19.8n.). This use of *imperium* indicates the concrete borders of Roman territory rather than more generic "Roman power" (cf. 33.16n. *imperio populi Romani*). *Extremum* is synonym for *finis* or *terminus* (TLL 5.2.2005.22), on the analogy of Greek *eschaton*. With a switch of word order Cicero elegantly leaves *extremum* at the end, and with alliteration\*, homoioteleuton\* and a favored Type 1 *clausula* he summarizes his exaggeration.

[34.]

**1 Alpibus Italiam munierat antea natura non sine aliquo divino numine:** before Cicero, Cato and Polybius extolled the natural defense provided to Italy by the Alps ("according to Cato and Livy, the Alps protect Italy as a wall," Serv. *ad Aen.* 10.13; cf. Pol. 3.54.2). This defense became a locus in panegyrics (Pliny *Pan.* 14.2; Herodian 2.11.8; cf. *Pis.* 81 with Nisbet). *Litotes\** (*non sine*) and two favored *clausulae* (Type 4.c *munie-rat antea natura*; and Type 2 *divino numine*) intensify the statement.

**3 Gallorum immanitati multitudiniquae patuisset:** cf. 33.22n and 33.27n. The protasis and apodosis of the contrary-to-fact

clause rhyme\* (*patuisset* and *praebuisset*) and give two favored *clausulae* (Type 1, cf. 5.9n. *esse videatur*; and Type 3).

4 **domicilium ac sedem**: the *commoratio*\* achieves emphasis, stressing the immovable centrality of Rome in time and space. In legal terms *domicilium* (here used metaphorically, *TLL* 5.1.1876.15) indicates the place where one “permanently (not temporarily) lives” (Berger 1953 s.v.): normally people with many houses had one *domicilium*, and sojourns of less than five years in Rome did not grant one a *domicilium*. *Sedes* indicates instead the seat or center of an activity (*OLD* 7), hence the geographical capital. Cicero often joins *domicilium* with *imperium* (e.g. *Agr.* 1.19; *Cat.* 3.1, with Dyck) and with *sedis* (e.g. *Cat.* 3.26; *Phil.* 8.8).

5 **quae iam licet considant!**: *munio* (34.2) creates an image of building up a defense, and *consido* of falling down (*TLL* 4.435.51). Cicero expands on this image in *Pis.*: “Caesar achieved that if the mountains had fallen flat...we would have Italy defended not by nature, but by his victory,” *perfectit ille ut, si montes resedisent... non naturae praesidio sed victoria sua rebusque gestis Italiam munitam haberemus*, 82.

5 **nihil est... quod sit**: the construction regularly takes the subjunctive and indicates that there is no reason at all for... Cf. 9.8n. and K-S 2.278b.

5 **ultra illam altitudinem montium usque ad Oceanum**: the new limits of the empire, then, coincide with the limits of the world; cf. 33.29n.

6 **sit Italiae pertimescendum**: Cicero continues to use verbs of fear, magnifying the (past) threat of the Gauls (cf. *nemo sapienter de re publica nostra cogitavit... quin Galliam maxime timendam huic imperio putaret*, 33.24n.). The switch in word order and the intensifying prefix *per-* achieve emphasis (cf. Introduction 36–41), ending with a favored Type 1 *clausula*.

7 **sed tamen** has a concessive force, limiting and circumscribing the meaning of the preceding sentence (K-S 2.75.4).

7 **una atque altera**: for Cicero’s encomiastic projection of the time needed to completely subdue Gaul cf. *nunc denique est perfectum ut imperi nostri terrarumque illarum idem esset extremum*, 33.29n.

7 **aestas**: military campaigns were conducted in the summer, a custom that has had lasting effects on our calendar. Until 153 the Roman year started with the war season (cf. Flower 2010: 67–9), on 15 March (March being the month of Mars, the god of war); this explains also why the Romans named September, October, November and December months number seven, eight, nine and ten. In the *BG* Caesar concludes the narrative of a year (and of a war season) remarking that he stationed the soldiers in winter quarters (*BG* 1.54, 2.35, 3.29, 4.38, 6.44 and 7.90), since he had to wait for the following summer to resume war. The device of naming the season for its activity is called *intellectio*\* (or synecdoche\*).

8 **vel metu vel spe vel poena vel praemiis vel armis vel legibus**: the list of opposites implicitly suggests that the method of subjugation depends on the defeated, according to the Roman ideology that reserved different treatments for different enemies, ranging between total annihilation and “mercy” (Grillo 2012: 95–103). The list ends with a favored Type 2 *clausula* (molossus + cretic).

9 **totam Galliam sempiternis vinculis**: as opposed to single tribes (cf. *totam Galliam in nostram dicionem esse redigendam*, 32.13n. and 33.28) and to temporary solutions (cf. *Bellum Gallicum, patres conscripti, C. Caesare imperatore gestum est, antea tantum modo repulsum*, 32.30). *Vinculum* (< *vincio*, “to tie up”) was the bond or fetter confining a prisoner’s limbs (cf. *OLD* 1a).

10 **acerbae** begins the metaphor\* of fruit and plants, perhaps recalling the summer season (*aestas*). *Acerbus* is used of unripe or green fruit (*OLD* 2a), *accido* (*ad* + *caedo*) is used of cutting back trees and plants (and hence of reducing military power, *OLD* 2a), *effero* and *reviresco* are used of plants putting forth shoots (*OLD* 5b) and becoming green again (< *re* + *vireo* [to be verdant; cf. 29.5] + *sco*, which is a typical inchoative suffix). After the metaphor\* comparing enemies to boiling and overspilling water (6.5n. and 31.18), Cicero develops this new image, suggesting that Romans, like good farmers, can exercise different degrees of control in the provinces and that time is needed for ripe fruit; the rhythm of the sentence effectively mirrors the laborious process. *A-cerbae si erunt relictiae* gives a favored Type 3a *clausula*, *quam-quam sunt accisae* gives a molossus and trochee, *effe- rent se aliquando* gives a

favored Type 4c *clausula*, and *bellum revirescent* gives a resolved molossus and trochee.

[35.]

12 **qua re...commendata est**: Cicero repeats his recommendation and recapitulates his thoughts with a balanced period. The switch in word order emphasizes both *sit* and *Gallia*, and chiasmus\* (*sit eius cuius est*) unifies the two unequal cola, both ending with favored *clausulae* (Type 2 *tutela Gallia*; and Type 3.b *commendata est*).

12 **tutela** introduces another metaphor\* (cf. *Sest.* 64). In legal language *tutela* was “a right and power over a free person granted and allowed under civil law to protect one who, because of his age, is not able to defend himself” (*Dig.* 26.1.1, quoted in Berger 1953 s.v.). Thus Cicero casts Caesar as a good father who even accepts the sacrifice of being away from his children (*iucundissimos liberos*, mentioned below, 35.16) and performs his duty (*munus*, 35.24n.), acting as guardian of baby Gaul. The power of a *tutor* almost equaled that of the *paterfamilias* and included administrative and moral care (cf. *Dig.* 26.7.12.3 with Biondi 1951: 52–73), but a *tutor* was not allowed to donate or alienate the pupil’s property, and a bad *tutor* could be sued and removed from his office. *Tutela* then encapsulates Cicero’s recommendation to give power to Caesar while reminding him that Gaul is not his property (cf. 38) and that he is accountable to the senate for his conduct (cf. 39). The metaphor also reconciles two potentially contradictory lines in Cicero’s argument: that Caesar has practically succeeded in pacifying Gaul, and that Gaul continues to constitute a real threat for Rome.

12 **fidei virtuti felicitati**: quoting this passage, Freyburger explains that “traditional Roman mentality thought that public offices were entrusted not only to the ‘fidelity’ of the elected, but also to their ‘protection’...as with *clientela* and *tutela*” (1986: 209). *Virtus* was the proper response to this trust, and the gods expressed their favor by granting military success, *felicitas*. Alliteration\* and homoioteleuton\* join a typically Ciceronian tricolon\* of increasing length.



13 **Fortunae** is here seen as a personified goddess (*TLL* 6.1.1191.48). Cicero specifies that in epideictic oratory “he who praises someone will realize that he must consider the favors of fortune” (*de Or.* 2.45), and accordingly, Caesar advertised his *fortuna* as a sign of divine favor in his *Commentarii* (cf. 30.10n.).

14 **saepius eius deae periculum facere nollet**: just like *Fortuna* this expression (*TLL* 10.1.1459.18) can have a positive (as here) or a negative connotation (cf. “who tries his fortune every day,” *qui periculum fortunae cotidie facit*, *Phil.* 5.14 with Manuwald). This first protasis ends with a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*).

15 **si in patriam...si ad clarissimum generum**: *commoratio*\* with anaphora\* and asyndeton\* (K-S 3.431a) emphasizes both the personal and public dimensions of Caesar’s return. In the *exordium* of his speech to the senate after his exile Cicero speaks of his return with a similar list and similar pathos (*qui...nobis liberos, qui dignitatem, qui ordinem, qui fortunas, qui amplissimam rem publicam, qui patriam, qua nihil potest esse iucundius, qui denique nosmet ipsos nobis reddidistis*, *Red. Sen.* 1).

15 **ad deos penatis**: the gods related to Vesta (*Cic. Nat.* 2.67–8) protected the intimate part of one’s house (Dubourdiou 1989: 93–8) and country and were worshiped in the temple of Vesta, which was the hearth of Rome. Members of a family prayed to their *penates*, and consuls, praetors and dictators sacrificed to Rome’s upon entering office (*Macr. Sat.* 3.4.11). The repetition of *patriam* and *deos penates* gives a favored Type 3 *clausula*.

16 **ad iucundissimos liberos**: in fact, Caesar had only one daughter, Julia, who was born around 73 of Cornelia, married Pompey in 59 and died in 54. This rhetorical amplification has an archaic touch: according to Gellius, “ancient orators, historians, and poets used to call even one son or one daughter *liberi*, using the plural” (2.13). The fine *clausulae* contribute to the pathos of this list (Type 2 *si-bi propositam videt* and *iucund-issimos liberos*; and Type 1 *red-ire properaret*, cf. 5.9n. *esse videatur*).

17 **ad clarissimum generum**: Pompey, who was married to Julia from 59 until her death in 54 (for *clarissimus*, cf. 1.12n.).

17 **in Capitolium invehī victor...gestiret**: the triumphal procession granted by the senate for outstanding victories culminated

at the temple of Jupiter on the Capitol (Beard 2007: 92–105; De Angeli 1996: 152; Martin 1983). Cicero insists on this bold but not absurd statement (cf. 29.7n.), given that often generals who had received a *supplicatio* had a stronger case for requesting a triumph (Halkin 1953: 109–11). This wish for the future, however, also implicitly reminds everyone that, as a result of Cato's opposition (Gruen 1974: 89), in 60 Caesar notoriously did not triumph after his praetorian campaign in Spain (*MRR* 2.184–5), and in fact he would not celebrate his triumph until 46 (Plut. *Caes.* 55.2; Suet. *DJ* 37; Dio 43.14.3). *Gestio* is regularly construed with the infinitive, as typical of verbs of desire and striving (K-S 2.667a).

18 **cum illa insigni laude**: there is no need to change the manuscripts, reading *laude* for *laurea*.

20 **nos tamen oporteret**: cf. *etiam si ille aliud vellet, rei publicae consulere oporteret*, 30.12n.

20 **ab eodem illa omnia a quo profligata sunt confici velle**: Cicero does not try to prove this statement, which goes somewhat against the Roman practice of granting power to magistrates for a limited time (cf. Lintott 1999: 94–109). In the Late Republic longer commands became more common: in 67 the *lex Gabinia* granted command to Pompey for three years; in 59 the *lex Vatinia* granted command to Caesar for five years; in 57 Pompey was put in charge of grain supply for five years; and two years later the *lex Trebonia* allotted provinces to Pompey and Crassus for five years. But no one before Caesar held command in a province for ten years (cf. Balsdon 1939: 68–9; *contra* Badian 1998: 45–60, but see Ryan 2006: 39–42). *Conficio* indicated carrying to fulfillment (cf. 19.11n. and 30.11), and with *velle* gives a favored Type 1 *clausula* (cretic + trochee).

21 **cum vero**: the previous contrary-to-fact clause introduced a theoretical possibility, and *cum vero* returns Cicero's thought to the actual state of affairs, according to the logic of the argument—Caesar's confirmation in Gaul is to be recommended for the sake of the state (cf. 30.12n.).

21 **suae gloriae iam pridem rei publicae nondum satis fecerit**: Cicero also considers *gloria* and empire valid reasons for waging war in his discussion on just war (*Off.* 1.34–41), but then, seeing no contradiction (Riggsby 2006: 159–61), he specifies that

the grounds for just war must be respected (cf. 30.15n. and see esp. *Off.* 1.38 with Dyck 1996: 146–8). *Iam pridem* and *nondum* highlight the opposition between personal interest and care for the state (cf. 29.30n.), anticipating the alliteration of *et malit tamen tardius* and ending with a favored Type 2 *clausula* (double cretic). On *gloria*, cf. 27.7n., and on Cicero's repetition of *res publica* see 1.9n.

23 **ad suorum laborum fructus pervenire**: Cicero has listed these *fructus* above at 35.15–18.

23 **explere** is used as synonym of *perficere* (cf. 19.11n. and *OLD* ad *expleo* 5a).

24 **munus** is used technically to indicate the duty that a citizen (and a magistrate) owes to the state (cf. *OLD* 2a), but it especially expands on Cicero's previous use of *tutela* (see 35.12 n.). Legally *tutela* was considered a *munus*, a charge for public service (Berger 1953 s.v. *tutela*), which, like other *munera personalia*, had to be performed by personal work (Pereira-Menaut 2004: 188–94). The hyperbaton\* enclosing *rei publicae* between *susceptum* and *munus* gives a favored Type 1 *clausula* (cretic + trochee).

24 **imperatorem incensum ad rem publicam bene gerendam**: the same metaphor aligns Cicero and Caesar in their passionate care for the state (cf. *ardeo, mihi credite, patres conscripti, ... incredibili quodam amore patriae*, 23.10n. cf. also 24.24n.), as opposed to Clodius, *turpissima libidine incensus*, 24.27n. *Incendo* with *ad* and acc. indicates a passion that moves someone (*TLL* 7.1.868.18).

25 **totam Gallici belli rationem**: this motif aligns Caesar and Marius, who received the same command for the same reason (cf. 19.7n.), and returns in important passages (i.e. 29.24 and 36.6) until the end, when Cicero restates in the peroration (47.10) his care for the *perpetua ratio Gallici Belli*. Cicero returns to this important point by repeating it with similar words in different passages, a *commoratio*\*, which here is phrased with chiasitic\* hyperbaton\*.

26 **prope iam explicatam**: the almost-finished status of the Gallic war is another motif of the speech (cf. *bellum adfectum videmus et, vere ut dicam, paene confectum*, 19.10n.), which Cicero labors to reconcile with the motif of the *metus Gallicus* (cf. introduction to 30–3, p. 224).

27 **impedire debemus**: *impedio* (< *in* + *pes*, “foot”) literally means to put barriers in someone’s way (cf. Ernout Meillet s.v. *pes*), and Donatus, an ancient grammarian, explains *impeditus* as “someone whose feet are so tied that he cannot walk” (ad Ter. *Andr.* 617 with Maltby 1991 s.v. *impeditus*). The exhortation gives a favored Type 1 *clausula* (*impe-dire debemus*).

### CONFUTATIO I (AKA REFUTATIO) 36–9

Having exposed his reasons for supporting Caesar (with a double *confirmatio*), Cicero proceeds to demolish the counterarguments. With a *confutatio* he rebuts the proposals of those senators who recommended leaving Caesar in command of one Gaul (either Transalpine or Cisalpine) and recalling him from the other: taking Transalpine away from Caesar would be unpatriotic, unlawful, incoherent and cowardly, while taking away Cisalpine would create an unprecedented and absurd situation. This is an important and delicate moment in the speech, both because Cicero has to refute two reasonable recommendations, and because “the whole hope of winning and being persuasive rests on proof (*confirmatio*) and refutation (*confutatio*): for once we have set forth our arguments and refuted those of our opponents, we surely have achieved the task of an orator” (*Her.* 1.18).

[36.]

28 **illae sententiae**: these two recommendations were particularly insidious for Cicero, who recurs to legal and constitutional arguments to refute them. For *sententia*, cf. 1.5n.

28 **virorum clarissimorum**: we can only speculate on the identity of these two senators (cf. 1.12n. *ante me* and 17.1n. *duas Gallias qui decernit*). Among the senior consulars (who regularly would have expressed their *sententiae* before Cicero), Hortensius (*RE* 13, cos. 69) and Caecilius Metellus (Creticus, *RE* 87, also cos. 69) may have voiced a recommendation to limit Caesar’s power. Most likely, however, one of these two recommendations came from Bibulus: in a few lines Cicero specifies that the recommender

denied legal force to the *lex Vatinia* (cf. 36.2n. *quam esse legem neget*), as Bibulus did; and in 56 Bibulus (*RE* 28, cos. 59), although junior to Cicero, spoke before him *extra ordinem* (cf. *Fam.* 1.2.1, 1.1.3). At any rate, Cicero properly shows equal respect toward those colleagues he agrees with (like Servilius, cf. 1.12n.) and toward those he does not, as he previously did in summarizing and rejecting their recommendations (cf. 17.2n.).

**28 minime probandae sunt:** emphatic *minime*, litotes\* and a favored Type 1 *clausula* intensify Cicero's disapproval. In senatorial discussions *probo* expressed formal approval (cf. Lintott 1999: 75–82). Cicero manages to demonstrate that it would be impractical and somewhat illegal to have Caesar substituted in either Transalpine or Cisalpine, even if this was a possible avenue, and in a letter written to Lentulus about two months after delivering *Prov.*, Cicero writes that “it was easily achieved that Caesar should not be succeeded in Gaul through the *lex Sempronia*” (*Fam.* 1.7.10, with Balsdon 1939: 169).

**29 alter ulteriorem Galliam decernit cum Syria:** proposing to assign Syria (thus recalling Gabinius) and Transalpine Gaul (thus leaving only Cisalpine Gaul to Caesar) to the to-be-elected consuls of 55 implied leaving Piso in Macedonia and taking away the legions and the Gallic war from Caesar (Cisalpine was pacified and did not require military action). This recommendation, coming no doubt from some conservative senator, was not as absurd as Cicero wants his hearers to believe, for at least three reasons. First, Piso was more respectable and irreproachable than Gabinius, and Cicero had to work hard at lumping them together (cf. Introduction 23–9); secondly, leaving Cisalpine Gaul to Caesar until the end of 55 respected the five-year terms of the *lex Vatinia* (cf. Introduction 22–3); and lastly, assigning Transalpine Gaul implied taking the war and the army away from Caesar, whose growing power and prestige concerned some senators, since in two years Caesar had completed the war against the Helvetii, against Ariovistus (in 58), and against the Belgiae (in 57). It is not necessary to suppose that Cicero added this summary of previous recommendations for the written version of *Prov.*, as brief summaries were common practice in senatorial debates (Lintott 1999: 75–82).

30 **alter citeriorem**: provide elliptic\* *decernit* and *cum Syria*. This second and milder recommendation would equally have Gabinius recalled from Syria (and Piso left in Macedonia) but it would leave Transalpine Gaul to Caesar (hence the war and the army) and assign Cisalpine Gaul to someone else.

30 **omnia illa de quibus disserui paulo ante perturbat**: taking away Transalpine Gaul, as the first recommender advises, implies substituting Caesar in the command of the Gallic war, going against what Cicero calls the *Gallici belli ratio* (cf. 19.7n., 29.24n. and 35.26n.). According to Cassius Dio, this was also Pompey's initial position: "he was so jealous that he set out to undo what he had helped Caesar to obtain, . . . because he was surpassing his own achievements" (39.25.2).

1 **simul ostendit eam se tenere legem quam esse legem neget**: the *lex Vatinia*, which had assigned Cisalpine Gaul and Illyricum to Caesar (cf. Introduction 22–3). Cicero counterattacks by pointing to his adversary's inconsistency, but is himself inconsistent; in February 56, he also had questioned the way the *lex Vatinia* was passed (*Vat.* 37). Cicero, however, rebukes the proposer's faulty logic and not his legal argument: how can one who had denied validity to the *lex Vatinia* recommend assigning Transalpine and leaving Cisalpine to Caesar, which is what the *lex Vatinia* did? These words imply that the senator who proposed assigning one new consul to Transalpine (hence revoking Caesar's command in Gaul) had impugned the dubious circumstances under which the law was passed. First, in 59, when the tribune Vatinius proposed his bill, three other tribunes of the plebs (Ancharius, *RE* 3; Domitius Calvinus, *RE* 43; Fannius, *RE* 9; cf. *MRR* 2.189–90) and Bibulus, who was then consul with Caesar, exercised their right of *obnuntiatio*, i.e. they impeded the discussion of the law on the basis of unfavorable omens (a common device for stalling unwelcome proposals in the Late Republic). Vatinius and Caesar, however, ignored this obstruction (cf. *Vat.* 17 and 21–3), thus transgressing the Aelian and Fufinian laws, which prescribed that no popular assembly could gather under unfavorable auspices and on unfavorable days (cf. *Vat.* 15–6; for a clear and updated review of the massive bibliography on the Aelian and Fufian laws, see Kaster 2006: 194–6). The very

discussion of the *lex Vatinia*, then, was arguably unconstitutional. Secondly, the determination of provinces was a prerogative of the senate, but the *lex Vatinia* was passed through the people; technically it had legal force, but the procedure remained exceptional and obviously displeased many senators (cf. Introduction 20–3). Verbal hyperbaton (*eam se tenere legem*), repetition, switch in word order, chiasmus\* (*tenere legem... legem neget*), attraction of relative and demonstrative (*eam... quam*, cf. Lebreton 1901: 29) and a favored Type 2 *clausula* emphasize *legem* and oppose it to *neget*.

**2 et quae pars provinciae sit cui non possit intercedi, hanc se avellere:** provide elliptic\* *ostendit*, which governs both *se avellere* and *non tangere*. Cicero argues that assigning Transalpine Gaul would be unlawful; since Caesar had received it through the *lex Sempronia*, and since the *lex Sempronia* cannot be vetoed, taking it away from Caesar is against an unopposable law.

**3 quae defensorem habeat, non tangere:** Cisalpine Gaul had been allotted to Caesar through the people, hence any tribune of the plebs could fight to uphold this allocation, acting as its *defensor*, and opposing a senatorial attempt to repeal it.

**4 quod illi a populo datum sit:** through the *lex Vatinia* (cf. Introduction 22–3).

**5 quod senatus dederit:** Transalpine Gaul, allotted to Caesar by the senate according to the *lex Sempronia* (cf. Introduction 20–3). The switch from passive *datum sit* to active *dederit* effectively opposes the decision of the senate to a senator's recommendation and implicitly accuses the proponent of being a bad senator. This implicit judgment becomes more explicit in the next line, when this recommendation is opposed to that of a *bonus senator*, who performs his duty.

**5 id non violet:** Cicero cunningly turns the scales, transforming the bolder proposal of assigning Transalpine Gaul into a cowardly recommendation, as if the proponent dreaded questioning the people's decision.

**6 senator properet auferre:** *senator* has a concessive force "in spite of being a senator." Cicero's seemingly simple logic is in fact twisted. He suggests that altering the senate's decision (by taking Transalpine Gaul away from Caesar) without challenging

the people's assignment of Cisalpine Gaul to Caesar is a mark of cowardice (see 36.5n.). The senator's proposal for assigning Transalpine Gaul, however, was not in fear of the people, as Cicero implies: in fact, the senate had assigned Transalpine Gaul to Caesar under the pressure of the people and was left without a choice in attempting to reestablish its authority over the allocation of provinces.

**6 alter belli Gallici rationem habet:** according to Cicero's logic, the senator proposing to allot Cisalpine Gaul and leave Transalpine and the war to Caesar takes into account the state of the war.

**7 fungitur officio boni senatoris:** by being patriotic and supporting the complete subjugation of Gaul, leaving to Caesar the province (Transalpine) that the senate had allotted to him and by respecting the terms of the *lex Vatinia*, even if he did not consider it lawful, and by avoiding controversy.

**7 legem quam non putat:** the *lex Vatinia*, cf. 36. In *eam se tenere legem*.

**8 praefinit enim successori diem:** 1 March 54, as Cicero makes clear at 37.16. By fixing the day for Caesar's successor in Cisalpine Gaul this recommendation deprived Caesar of the possibility of being reappointed, which is what he (and Cicero) wanted. The *lex Vatinia* was passed at the beginning of 59, granting command to Caesar for five years (cf. Introduction 20–3; Appian *BC* 2.13; Dio 38.8; Plut. *Caes.* 14.10 with Pelling), and must have fixed the expiration day for Caesar's command in Cisalpine on 28 February 54 (Balsdon 1962: 139–40; Giannelli 1966; Crook 1986: 287–8). Probably, “March 1st 54, the day which appeared in the *lex Vatinia*, was inserted by Vatinius to mark the first day in which Cisalpine Gaul could be allocated by the Senate in its annual allotment of consular provinces” (Cuff 1958: 457). There are two explanations for this specific date: according to Mommsen (1906: 4.138–45), traditionally 1 March was simply the beginning of the year of command; and according to Balsdon (1939: 65–8), 1 March was the earliest day when consular provinces could be allotted for the following year (see summary in Cuff 1958: 456–7).

**8 quamquam mihi nihil videtur alienius a dignitate disciplinae maiorum:** the general sense is clear, but the manuscript



tradition is corrupted. Some manuscripts read *quae* instead of *quo*, which was suggested by Manutius and is accepted by most modern editors (though Peterson suggests *quamquam*, 1910: 176). As for the lacuna mi\*\*nus, Madvig suggests *alienius*, and some manuscripts have *minus* and *maiorum dissidere* instead of *maiorum*.

**10 qui consul Kalendis Ianuariis habere provinciam debet:** upon entering office on 1 January it was decided which consul would take which of the two consular provinces, either by casting lots (*sortitio*) or by agreed arrangement (*comparatio*); the consuls could also exchange their provinces (*permutatio*) either by agreement or because of pressure from the senate (Vervaeet 2006: 627–9). For instance, in 63 the lot gave Macedonia to Cicero and Cisalpina to his colleague Antonius, but they switched (cf. *Pis.* 5 with Nisbet; Plut. *Cic.* 12.4; Sall. *Cat.* 26).

**11 is ut eam desponsam non decretam:** one consul of 55 would have a province allotted without the right to enter it until 1 March 54. The highly anomalous position consists in having a consul with proconsular power (*imperium*) “legally debarred from entering his province, where alone he can exercise *imperium*” (Balsdon 1939: 168). Cicero’s subsequent remarks and rhetorical questions play up the oddity, while concealing the fact that the unprecedented situation was inherent to the formulation of the *lex Vatinia*, which most likely fixed the expiration of Caesar’s command on 28 February.

**11 habere videatur** gives the same favored Type 1 *clausula*, cf. 5.9n. *esse videatur*.

[37.]

**12 toto in consulatu sine provincia:** consuls received a province upon entering into office on 1 January, although often, being busy in Rome, they were unable to reach it until the end of their consulate, when their proconsulate began (Giovannini 1983: 65–72). As Cicero points out, a consul without the right to enter his province for the first fourteen months of office was an absurdity.

**12 ante quam designatus est, decreta provincia:** according to the terms of the *lex Sempronia*, cf. 3.12n. and Introduction 20–2.

13 **sortietur an non?**: the rhetorical question magnifies the oddity of the situation, creating a dilemma\* (see next n.). If one of the consuls of 55 is not allowed to reach his province until March 54, would the consular provinces be allotted to the two consuls on 1 January 55, as was the practice, or not? (cf. 36.11n.). In fact the oddity was created by the *lex Vatinia*, not by the second senator's recommendation to assign Cisalpine Gaul and leave Transalpine to Caesar.

13 **nam et non sortiri absurdum est**: Cicero proposes a dilemma\*, a device by which the orator presents the opponent with two alternatives, both hurting him (*Inv.* 1.44–5; *Her.* 2.38 and 4.52; Quint. 5.10.69; Lausberg §633), and creating a sense that these two options enclose all possibilities. “Part of that apparent invincibility is the impression that a dilemma is exhaustive. The dilemma seems to cover every possibility” (Craig 1993: 101; see also 1–26 and 171–3). Delaying the *sortitio* for the consular provinces of 55 until March 54 would be absurd and impractical, because it would freeze the allocation of both consular provinces and go against common practice (cf. *alienius a dignitate disciplinaque maiorum*, 36.9n.).

14 **et quod sortitus sis non habere**: equally absurd, suggests Cicero, would be a consul not receiving what he was allotted (cf. *desponsam non decretam habere*, 36.11n.). As seen above, Cicero magnifies the absurdity created by the *lex Vatinia*, which was at odds with the regular process of allocation of provinces and which the proponent was trying to respect nevertheless.

15 **proficiscetur paludatus?**: *paludamentum* was the scarlet war-cloak that generals wore on the field and magistrates put on before setting off to their provinces (Sauer 1949). The *mutatio vestis*—when the magistrate took off his civic toga and assumed the *paludamentum*—was public and ritualized (Giovannini 1983: 16–19): after taking auspices and making vows for success on the Capitol, a procession escorted the magistrate to the city gate, where lictors took up the fasces symbolizing Roman power, and the magistrate changed his dress (Marshall 1984: 122–3). Romans displayed their pride in reenacting this ritual, neglect of which attracted criticism (cf. Caes. *BC* 1.6.6; Livy 41.10.5). As often

in Cicero, a magistrate wearing the wrong dress symbolized the breaking of important social conventions, and displayed bad moral character (Heskel 1994: 133–45).

15 **quo?**: *reduplicatio*\* highlights the absurd situation by which “the consul of 55 will have nowhere to go in his *paludamentum* in January and February because there is no way of getting around Caesar’s statutory entitlement to be still there till the end of February” (Crook 1986: 288).

15 **quo pervenire ante certam diem non licebit**: cf. *desponsam non decretam*, 36.11n.

16 **Ianuario, Februario provinciam non habebit**: cf. *prae-finit enim successori diem*, 36.8n.

17 **Kalendis ei denique Martiis nascetur repente provincia**: chiasmus\* (*provinciam non habebit . . . nascetur . . . provincia*), hyperbaton\* (*Kalendis . . . Martiis*), emphasis\* (*denique* and *repente*) and word choice and order (*nascetur repente provincia*) ironically highlight the absurdity of the situation and give a favored Type 2 *clausula*.

[38.]

18 **ac tamen his sententiis Piso in provincia permanebit**: both recommendations had Gabinius recalled from Syria but Piso left in Macedonia (cf. 36.30n.). According to the grand strategy of *Prov.*, which he lays out at 3, Cicero emphasizes that the decision about Piso and Gabinius is related to that of Caesar. *Permanebit* (instead of *manebit*), alliteration\* (*Piso in provincia permanebit*) and a favored Type 3 *clausula* emphatically present Piso’s regular term in Macedonia as a persistent stay, according to Cicero’s strategy (cf. 9.3n. and 17.1n.).

19 **cum gravia sunt tum**: *tum* is not found in the manuscripts, but it was added by Angelius to balance *cum*, and can be explained as an omission caused by the repetition of sounds *sunt tum*, a typical mistake called haplography.

19 **nihil gravius illo**: one should imagine a pause after the favored Type 1 *clausula* (5.9n. *esse videatur*), building up expectation for what follows.

19 **multari** carries a legal and moral connotation. *Multa* was a pecuniary fine imposed by magistrates on individuals as a measure of coercion, normally punishing acts of disobedience (Berger 1953 s.v. *multa*). Cicero thus depicts a paradoxical situation, whereby Caesar, in spite of being a victorious general, would be punished and, in spite of being a governor, would be fined with the deprivation of his province. Revoking proconsular *imperium* would have been a harsh but not unprecedented decision: in 67 Cicero supported Pompey's command against Mithridates, and Cilicia was taken away from Lucullus (cf. *Leg. Man.*).

20 **contumeliosum est**: *contumelia* is an insulting affront (*OLD* 1a), which degrades one's *dignitas* (cf. *Caes. BC* 1.9.2; *Cic. Lig.* 18 with Hellegouarc'h 1963: 405) and calls for revenge (*Cato ORF* 8.58.27; *Cic. Inv.* 2.66). It is often paired with *superbia* (e.g. *Agr.* 2.79; *Phil.* 5.24), coming close to Greek *hybris* (cf. Berger 1953 s.v.), and with *iniuria* (e.g. *Ver.* 2.3.64; *Balb.* 24; *Fam.* 12.25.2; Kaster 2002), but it is a somewhat stronger term, as a famous saying by Pacuvius goes: "I can easily take injustice as long as it comes without insult" (*patior facile iniuriam, si est vacua a contumelia*, *Trag.* 279–80). Similarly, in *Inv.* Cicero says that by showing that insult (*contumelia*) was added to injustice (*iniuria*) an orator can achieve hatred toward a person's arrogance (1.105). *Contumelia* applies both to personal and international relationships, and Caesar presents his campaign against the Helvetii as a proper response to the *contumelia* and *iniuria* they inflicted on the Romans (*BG* 1.14).

22 **providendum** is regularly constructed with *ut/ne* and subj., as are other verbs expressing care (K-S 3.213).

23 **multos decrevisse eximios honores**: verbal hyperbaton\* and modifiers give emphasis (Adams 1971); on these honors cf. *C. Caesari supplicationes decrevistis numero ut nemini uno ex bello, honore ut omnino nemini*, 25.6n.

24 **et prope singularis**: *prope* is used to modify the hyperbole (*OLD* 8a), and *singularis* constitutes the peak of the climax\* (*multos... eximios... singularis*).

24 **si... sin etiam**: Cicero presents the senators with a sort of second dilemma\* (cf. 37.13n.), excluding other motives for the

senate bestowing honors upon Caesar, but without giving these two options as alternatives. He also smoothly introduces a new section, where he favors reconciliation between Caesar and the senate. After *si*, provide elliptic *hoc fecistis*: *si* is not found in the manuscripts, which read *singulari*, without final *s* and without *si*; but this must be another case of haplography (cf. 38.19n. *cum gravia sunt*), and *si* can be safely provided on the basis of the following *sin*.

25 **grati**: provide elliptic *fuistis*. On the double meaning of *gratus*, active, as in this case, or passive, meaning “welcome,” cf. Wistrand 1941: 17–19, who analyzes it in the context of the semantic family of *gratia*.

25 **ut quam coniunctissimus huic ordini esset**: this uncommitted statement prepares the ground for what follows (cf. 38.3 and 39.18) and for Cicero’s making a case for rapprochement between Caesar and the senate.

26 **sapientes ac divini fuistis**: a not infrequent pairing in Cicero, who, in Stoic terms, sees wisdom as a divine quality (cf. *sapientiam esse rerum divinarum et humanarum scientiam cognitionemque*, *Tusc.* 4.57; cf. also *Marc.* 1, where Cicero attributes “almost divine wisdom” to Caesar). A favored Type 3 *clausula* caps his suggestion that the reconciliation he foresees is divinely inspired.

26 **neminem umquam est**: for the emphatic construction cf. *nemo umquam est de civitate accusatus*, *Balb.* 52.

27 **hic ordo**: the senate, which had rewarded Caesar with days of thanksgiving (cf. 25.6n.) and had granted him legates and money (cf. 28.8n. and 28.12n.).

27 **complexus** is used metaphorically\* (meaning *fovere*, *TLL* 3.2086.10), but the image of embracing and reconciliation also anticipates the metaphor of the safe port (38.4).

27 **honoribus et beneficiis suis**: for the abl. cf. *me ut Cn. Pompeius omnibus studiis suis, laboribus, vitae periculis complexus est*, *Pis.* 80 (cf. also *Marc.* 10).

28 **ullam dignitatem**: here *dignitas* indicates a reward bestowed by the authority of the senate (*TLL* 5.1.1137.63; cf. *Balb.* 10). On *dignitas* cf. 26.20n. and 18.2n.

28 **praestabiliorem**: cf. *quid porro tot victoriis praestabilius*, 29.31.

29 **nemo umquam**: anaphoric\* repetition (*neminem umquam est*) highlights the emphasis.

29 **hic** means “in the senate” (Watt 1987: 34) and not “in Rome.”

29 **princeps**: cf. 25.9n.

1 **popularis** is a politically charged term. According to a famous definition by Cicero, “some people want to be considered and in fact are *populares*, and some others *optimates*. Traditionally, those who wanted to be pleasing to the masses are considered *populares*, while those whose conduct and proposals seek approval by the best citizens are *optimates*” (*alteri se popularis, alteri optimates et haberi et esse voluerunt. Qui ea quae faciebant quaeque dicebant multitudini iucunda volebant esse, populares, qui autem ita se gerebant ut sua consilia optimo cuique probarent, optimates habebantur*, *Sest.* 96 with Seager 1972 and Kaster ad loc). The *populares* were not a political party and did not constitute a defined faction (Strasburger 1939: 783–4), even if Cicero’s explanation polarizes the opposition: every Roman involved in politics, with a few exceptions, wanted to be admired by the senate and by the masses alike; and Cicero liked to fashion himself as a *popularis consul* (*Agr.* 2.6–7; cf. *Cat.* 2.27 and 4.9), in spite of his bias against *populares*. One can better appreciate the difference by leaving aside ideological programs and political parties intended in a modern sense, and look instead at different methods: *populares* mainly carried their decisions through the assembly of the people, while *optimates* operated through the senate (for a convenient summary of modern views on *populares* and *optimates*, see Robb 2010: 15–35). For instance, the *lex Vatinia* granted Gaul to Caesar, who was noble and a senator, but since it was carried through the people it exemplifies his *popularis* stance. Parallel constructions (*potuit/maluerit* and *esse princeps/esse popularis*) and alliteration\* (*potuit esse princeps... esse popularis*) emphasize Cicero’s opposition between popular demagogues and the senate (cf. *Sest.* 77 and 104 with Kaster; Achard 1981: 194–7; Tatum 1999: 1–11), concluding the statement with a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*). For Cicero on Caesar as *popularis*, cf. *Cat.* 4.9 and *Att.* 16.16a.3, with Ferenczy 1991 and Wiseman 2002.

1 **propter indignitatem suam diffisi ipsi sibi**: Cicero may be thinking of extreme *populares*, like Catiline and Clodius, whom

he deemed unworthy of their birth and status. *Indignitas* can also express unworthiness by birth, as Cicero says of Vatinius (cf. *Vat.* 1 and 11). *Indignitatem* was restored by Ernesti (the manuscripts read *dignitatem*, which makes little sense).

**2 propter reliquorum obtreccionem:** *obtrecco* expresses one more way to diminish one's *dignitas*, through envious belittling (cf. Hellegouarc'h 1963: 199). Cicero's vague phrasing does not deny Caesar's popular stance, but excuses him for disagreeing with the senate. Chiasmus\* (*propter indignitatem suam* and *propter reliquorum obtreccionem*) opposes *suam* and *reliquorum*, putting the blame on "some other people." There is no reason to doubt *reliquorum* (Watt 1987: 34): while refusing to name past and present senators, thus refusing to be held accountable, Cicero deploys a common understanding that senators alienated prominent men seeking prestige and recognition, like Scipio Africanus (*RE* 336; cf. 18.31), the Gracchi (cf. 18.28n.) and C. Marius (cf. 19.4n.).

**3 ab huius ordinis coniunctione depulsi:** passive participle and oxymoron\* (*coniunctione depulsi*), giving a favored Type 1 *clausula*, deprive the *populares* of agency, transforming them into victims of haughty unnamed individuals (cf. *socerum... fluctibus rei publicae expulsum*, *Sest.* 7). "Cicero asserts here that no one is a *popularis* from principle," Rose 1995: 394.

**4 ex hoc portu:** the same metaphor\* as at 31.21n. (Fantham 1972: 126–7) compares the empire and the senate to a safe port, implying that external and internal forces (like Mithridates and *populares*) work at the destruction of the state, and placing the senate at the heart of the empire (cf. Grillo forthcoming).

**4 in illos fluctus:** cf. 18.23n. where Cicero addresses a senator's remark that Caesar stirred the tempest that overwhelmed Cicero (cf. also *Sest.* 73).

**4 prope necessario:** cf. 4.2n. *bellum nobis prope iustum*.

**5 ex illa iactatione... populari:** *iactatio* can have an active meaning, indicating the action of "stirring up the people," as Cicero says of Clodius (*aditus ad popularem iactationem*, *Har. Resp.* 43) or, as in this case (*OLD* 1c), a passive meaning, indicating that one is tossed by popular trends as by a sea (cf. *Mur.* 4).

**6 referunt aspectum in curiam:** (*aspectum* < *ad* + *spicio*, “to look at”) the expression (*OLD* 3a) vividly continues the metaphor, as if repentant *populares* were castaways looking back at the safe port, which is the senate house. The *curia Hostilia*, which Romans ascribed to king Tullus Hostilius, was the senate house (and technically an inaugurated temple, Coarelli 1993c: 331–2), situated in the Roman *forum* (see map 4), next to the tribunes of the orators (*rostra*) and to the area where popular assemblies met (the *comitium*, cf. Coarelli 1993b: 309–14; Morstein-Marx 2004: 42–60). Most likely, *Prov.* was pronounced in this building, which had been enlarged by Sulla around 81 (cf. *Fin.* 5.2, probably to host the new senate of 600 instead of 300 members), and which would be destroyed in 52, when the angry mob would set it on fire and use it as a funeral pyre for Clodius’ funeral (Tatum 1999: 241–2).

**6 huic amplissimae dignitati:** the repetition of the keyword *dignitas* (cf. *ullam dignitatem praestabiliorem*, 38.28n.) marks the end of the troubled journey in the safe port and the superlative underscores its highest degree, while suggesting that the highest *dignitas*, a quality that Caesar held dear (cf. 26.20n.), dwells in the senate.

**7 esse commendati volunt:** the switch of word order gives a favored Type 2 *clausula*.

**7 non modo non repellendi sunt verum etiam expetendi:** alliteration\* and rhyme\* (cf. Holst 1925: 320) nicely summarize Cicero’s thought. In a letter Cicero justifies his conduct, stating that he hoped that Caesar, having received unprecedented honors, would reconcile with the senate, “and even Caesar, with his highest achievements acknowledged by the senate with outstanding honors and recognition, was leaning toward the authority of the senate” (*Fam.* 1.9.14 written in 54).

[39.]

**8 a fortissimo viro atque optimo post hominum memoriam consule:** this hyperbolic praise most probably refers to Gn. Cornelius Lentulus Marcellinus, who was consul in 56 (with L. Marcius Philippus) and whom Cicero calls “the best I had ever



seen” (*sic, inquam, bonus ut meliorem non viderim*, *QF* 2.4.4). This short praise (*laus*) frames Cicero’s recommendation within the consul’s, most likely recalling his introductory speech (Lintott 1999: 77), but it also marks a transition (*transitus*, cf. Lausberg §§343–5) from general considerations about the senate and *populares* to the case of Caesar and Gaul. The switch of word order emphasizes both *monemur* and *consule*, giving a favored Type 2 *clausula* (resolved cretic + cretic).

10 **citerior Gallia nobis invitis alicui decernatur**: as happened in 59, when Cisalpine Gaul was allotted (to Caesar) through the people according to the *lex Vatinia*, rather than through the senate as demanded by the *lex Sempronia* (cf. Introduction 20–3). Cicero’s logic is somewhat faltering: to prevent an allocation against the senate’s will, he suggests having the senate confirm Caesar, who had received Gaul against the senate’s will in the first place. But Cicero presents Caesar as a changed man, willing to leave his *popularis* course and be embraced by the senate.

10 **post eos consules qui nunc erunt designati**: cf. 17.7n. and Introduction 21–2.

12 **qui hunc ordinem oppugnent**: subjunctive, as expected after *provideamus ne...teneatur*. On Cicero’s construction of *populares* against the senate, cf. 38.1n.

12 **populaci ac turbulenta ratione teneatur**: a common pair in Cicero, who calls Iunius, a plebeian tribune, *popularis homo ac turbulentus* (*Clu.* 94) and praises Caelius for remaining steady “against the demagogical [*popularis*] and troublesome craziness of lost citizens” (*contra civium perditorum popularem turbulentaque dementiam*, *Brut.* 273). A favored Type 1 *clausula* (cf. 5.9n. *esse videatur*) ends the statement.

13 **plagam**: cf. 16.30n. Fantham 1972: 128–9: “the imagery of wounding was more rewarding than sickness.”

14 **monitus a sapientissimo consule et diligentissimo custode pacis atque oti**: cf. 39.8n.

15 **vehementius arbitror pertimescendum**: comparative, a favored Type 1 *clausula* and prefix *per-* (cf. Introduction 39–41) add emphasis.

16 **hominum clarissimorum ac potentissimorum**: Cicero is thinking of Caesar (called below *vir clarus aut potens*, 39.25) and possibly alluding also to Pompey and Crassus. “Clari are those who have gained outstanding influence through their deeds” Hellegouarc’h 1963: 228; *potens* here indicates the influence of distinguished men, but often it has a negative nuance, expressing the exercise of excessive (and often unofficial and oppressive) power (Hellegouarc’h 1963: 442–3; cf. *Phil.* 1.29 with Ramsey). The choice of these adjectives, expressing the influence of men of good deeds regardless of their social status, conforms to Cicero’s ideal of the *consensus omnium bonorum* (cf. 11.1n.). The expression aligns Caesar with Servilius (cf. 1.12n.) and with other past and present senators (18.28n. and 36.28n.).

17 **aut honorem minuero**: cf. 27.7n.

17 **studium erga hunc ordinem repudiatio**: as seen above (38), Cicero presupposes Caesar’s good disposition toward the senate, concentrating on the senate’s response. *Repudio* (< *re* + *pudor*; Ernout Meillet s.v.), the first meaning of which is “formally to divorce a wife” (*OLD* 1), provides one more way of extolling “the marriage” between Caesar and the senate.

18 **C. Iulius**: the switch to *praenomen* and *nomen* (instead of *cognomen*, as above cf. 18.18n.) is hard to explain. Adams finds this exceptional and lists one parallel (in *Har. Resp.* Cicero calls Caesar Strabo *Gaius Iulius* 1978: 152), and Shackleton Bailey (1998: 57 s.v.) sees “no obvious reason” for it. Perhaps, this formulation recalls the language of the decrees where Caesar was thus named (as kindly suggested to me by F. X. Ryan *per litteras*). Both *Caius Caesar* and *Caius Iulius* give favored *clausulae* (cretic + trochee and double cretic).

18 **ut...tradat** is governed by *ad suspicandum* (which governs also *relinquat*), although *suspicio* regularly takes acc. and inf. (*OLD* 1b and K-S 2.691a). This unfitting construction (a device named anacoluthon\*) is fairly rare in Cicero, and, being typical of spoken language, creates a sense of spontaneity.

18 **omnibus a senatu eximiis ac novis rebus ornatus**: cf. 27.7n. and 29.3n.

19 **per manus**: *OLD* 18b.

20 **per quem ordinem...ei...relinquat**: *relinquat* governs the relative. Construct (*ad suspicandum ut...*) *relinquat ei ordini per quem...* For the demonstrative and the attraction of the relative, cf. *Phil.* 2.107 with Lebreton 1901: 101.

21 **ipse amplissimam sit gloriam consecutus**: redundant *ipse*, superlative, double hyperbaton\* and a favored Type 1 *clausula* achieve emphasis. For *gloria* cf. 27.7n. and 29.3n.

21 **ei ne libertatem quidem relinquat**: *relinquat* and *tradat* are coordinated in asyndeton\* and subordinated to *ad suspicandum ut*. In Cicero's twisted logic, reassigning Cisalpine Gaul to Caesar, who is reconciled with the senate, would prevent some *popularis* assigning it to someone else against the senate's will; Caesar thus becomes the champion of its *libertas*. *Libertas* was a catchword particularly dear to Caesar (e.g. *BC* 1.22 and 3.91 with Raaflaub 2003: 35–67) and to *populares* (Achard 1981: 455–6; Brunt 1988: 320–1; Arena 2012: 116–68).

22 **adduci ad suspicandum nullo modo possum**: emphatic periphrasis\* highlights Cicero's conviction, and *nullo modo* culminates the series of insistent negatives (*minime* and *ne...quidem*), ending with a favored Type 1 *clausula* (cretic + spondee).

23 **postremo** introduces the conclusion of the *refutatio*.

23 **quo quisque animo futurus sit, nescio**: parallel and paratactic\* construction opposes *nescio* and *video*, which are separated by a pause produced by a favored Type 2 *clausula*. The opposition highlights Cicero's candid confession of ignorance, gaining a humble tone (cf. *quantum possum* below) and credibility for the following statement. For Cicero's *ars nesciendi*, cf. *Ver.* 2.1.105 and *Cat.* 1.31.

24 **quid sperem, video**: *video* with indirect interrogative is opposed to *nescio*, and expresses sure knowledge (*OLD* 16b).

24 **praestare hoc...ne**: *OLD* 10 “to provide that,” K-S 3.212a.

24 **quantum possum**: this expression of modesty (cf. *Sex. Rosc.* 35 and *Red. Pop.* 18) balances Cicero's implicit claim to be doing what he just said the whole senate should do (cf. 38.8n.) and gives a favored Type 1 *clausula*.

25 **quis vir clarus aut potens**: cf. the statement above *pertimescendum si hominum clarissimorum ac potentissimorum aut honorem minuero aut studium erga hunc ordinem repudiario*, 39.16n.

25 **iure irasci posse videatur**: alliteration\* gives emphasis, but *videatur* tempers the threat (cf. 38.4), producing a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*).

[40.]

26 **si inimicissimus essem C. Caesari, sentirem tamen rei publicae causa**: the contrary-to-fact restates Cicero's rapprochement with Caesar, introducing the excursus on their relation (40–6) and concluding the *refutatio*\*. With two favored *clausulae* (Type 2 *Gaio Caesari*; and Type 1 *publicae causa*), Cicero elegantly summarizes his two main points—he and Caesar are not enemies (cf. 26.20n.), and his advice is concerned with what is best for the state (cf. 18.25n., 20.17n. and 28.18n).

### DIGRESSIO 40–3

A digression splits the refutation: to prevent further interruptions from senators who disagree with him, Cicero sets out to justify his rapprochement with Caesar and discloses the history of their relationship, from their youth down to the present. A *digressio*\* must be pleasant, useful and related to the issue under debate (*Inv.* 1.27; cf. *de Or.* 3.203). Accordingly, with a beautiful *excursus*, Cicero magnifies the good moments of his relationship with Caesar and blames Clodius for its temporary deterioration. In this way Cicero vouches for Caesar's good disposition toward (himself and) the senate while also rejecting the charge of inconsistency for supporting his reappointment in Gaul.

28 **non alienum**: litotes\* introduces the *excursus* as most fitting.

28 **minus saepe aut interpeller**: cf. 18.19n. and 29.22n.

29 **reprehendar** gives a favored Type 1 *clausula* (cf. 5.9n. *esse videatur*), and must be preferred to *reprender* which gives instead a heroic *clausula* (typical of epic poetry), which Cicero abhors.

30 **explicare**: (< *ex* + *plecto*, “plait, interlace”). *Plecto* is ancient, technical and rare in Latin (never attested in Caesar and Cicero), but it lies at the origin of many Latin and English words, such

as “explicate, complicate, duplicate, multiplication and perplex” (Ernout Meillet s.v.).

30 **ratio et causa cum Caesare**: *ratio*, indicating “affair, business” (*OLD* 9), and *causa*, indicating a type of relationship (cf. *Quinct.* 48 and *TLL* 3.688.11), can be translated with a hendiadys\*, “type of dealing.” Alliteration joins *causa* and *cum Caesare*, giving a favored Type 2 *clausula* (double cretic).

1 **familiaritatis et consuetudinis**: *familiaritas* expresses a strong relation of friendship, which takes into account the “interests and needs of political life” (Hellegouarc’h 1963: 70); while *consuetudo*, within the realm of *amicitia* and its political connotations, indicates “a relation of superior quality and, without always implying a strong affective component, it applies to most intimate friends” (Hellegouarc’h 1963: 78).

2 **mihī cum illo**: little is known about Cicero’s youth with Caesar, but they may have met around the circle of the orator L. Licinius Crassus (*RE* 55) who, through C. Marius, was connected both to Cicero and to Caesar: Marius was from Arpinum (like Cicero), Cicero knew him personally (*Red. Pop.* 19; Carney 1960: 84) and he married Julia, who was Caesar’s aunt (cf. Introduction 29–31). In the 90s, Cicero’s father, seeking to give the best education to his two sons, moved to Rome, and through his acquaintance with Marius, he gained access to Crassus (Rawson 1975: 6–11), who was then “the most eminent...statesman, orator,...and man of culture” (Shackleton Bailey 1971: 7); Crassus became Cicero’s teacher of rhetoric (cf. *de Or.* 2.2 and *Brut.* 211) until he died in 91 (cf. *de Or.* 3.7–8).

2 **fratri meo**: Quintus Tullius Cicero (*RE* 31), born in 102 (four years after his brother), praetor (with Caesar, who was born in 100) in 62 (*MRR* 2.173) and legate in Sardinia under Pompey in the first half of 56 (cf. *QF* 2.2.1, *MRR* 2.213), had the same education and circle of friends as Cicero, whose ambition and talents he lacked (Shackleton Bailey 1980: 3–6, with Wiseman 1966). In spite of Quintus’ choleric character (cf. Shackleton Bailey 1971: 179–85), Cicero loved him dearly (cf. *QF* 1.3.1 and 2.7) and relied on his help during his exile (cf. *Red. Sen.* 1; *Red. Pop.* 3). Little is known about Quintus’ friendship with Caesar in their youth, but Quintus

would serve Caesar in Gaul as lieutenant (54–51; cf. *BG* 5.52–3, 6.32 and 7.90). He died in 43 under Antony’s proscriptions.

**2 C. Varroni, consobrinus nostro:** Gaius Visellius Varro, son of C. Varrus Aculeo and of Cicero’s aunt Helvia, and quaestor around 75 (*MRR* 2.115). Cicero, who recalls with affection their training in rhetoric (“when we were boys . . . together with our cousins, the sons of Aculeo, we learned what Crassus chose,” *de Or.* 2.2), calls him “a very learned man” (*vir doctus in primis*, *Brut.* 264) and strong orator (cf. *ORF* 142.438–9), but nothing is known about his friendship with Caesar.

**3 adulescentia** is a vague term, roughly covering the age from 16 to about 30.

**3 praetermitto:** *praeteritio*\* (cf. 6.24n.) achieves its goal, creating a sense of longstanding friendship.

**4 sum penitus in rem publicam ingressus:** when Cicero was 30 years old, having returned from his studies of rhetoric in Athens and Rhodes (between 79 and 77), he pursued a public career, serving as quaestor in 75 (cf. Introduction xiii and 1; *MRR* 2.98) and praetor in 66 (*MRR* 2.152).

**4 ita dissensi ab illo:** *dissentio* indicates having different political views (< *dis* + *sentio*, cf. Hellegouarc’h 1963: 132), as Cicero and Caesar certainly did. Cicero saw Caesar as an ambitious *popularis* (e.g. *Cat.* 4.9; Robb 2010: 35), and disapproved of his methods of gaining support from the masses. Technically, *dissentire* does not imply breaking *amicitia* (cf. 20), although Caesar and Cicero had different understandings of the political implications of their friendship (cf. Grillo 2012: 143–9; Citroni Marchetti 2000: 57–60), and Cicero consistently tried to resist Caesar’s attempts to deploy their *amicitia* and broadcast Cicero’s support to his political cause (White 2003: 68–95). In *Pis.* Cicero expresses the same concept with similar words, “I am aware that in political matters Caesar and I did not share the same views” (*ego C. Caesarem non eadem de re publica sensisse quae me scio*, 79 with Nisbet), and in a letter to Atticus Cicero confesses that, even if he disagreed with Pompey, he resolved neither to oppose him on account of their friendship nor to support him (*ego autem neque pugno cum illa causa propter illam amicitiam neque adprobo*, *Att.* 2.19.2).

**5 in disiunctione...coniuncti:** the polyptoton\* (Holst 1925: 303) produces an oxymoron\*, which separates diverging political views (*disiunctio sententiae*) from a personal relationship (*coniuncti amicitia*). In a letter written in 54 to his friend Lentulus, Cicero would look back at his relationship with Caesar and admit that, after 56, he actually blurred the line between personal friendship and political support: in siding with Pompey, “I had to embrace Caesar...in this case, the old friendship (*amicitia*), which as you know has bound me and my brother with Caesar, was crucial, and also his generous affability, which soon we observed and experienced through his letters and favors (*officia*)” (*Fam.* 1.9.12).

**6 amicitia maneremus:** in fact Cicero did not thank Caesar after returning from exile, and in a veiled reference to him stated that “someone was just outside of the city with an army and prolonged command over it; I do not say that he was my enemy (*inimicus*), even if he did not utter a word when people said he was” (*Red. Sen.* 32; cf. *Sest.* 39–40 with Kaster; Nicholson 1992: 48–9; cf. Introduction 29–31). Cicero and Caesar use similar phrases with a different meaning, exemplifying their opposite understandings of *amicitia*: to Cicero, *amicitia manere* means not to burn bridges and to maintain good terms in a relationship; but Caesar uses the same expression of military and political alliances (e.g. *BC* 1.61.3; Grillo 2012: 148–9).

[41.]

**6 consul ille:** Caesar was consul in 59 (*MRR* 2.187–8), together with M. Calpurnius Bibulus (*RE* 28).

**6 eas res quarum me participem esse voluit:** the following lines specify that by *eas res* Cicero refers to Caesar’s attempt to involve him in the *lex Iulia agraria* for the redistribution of the Campanian land, in the political alliance with Pompey and Crassus (aka “first triumvirate”) and in diplomatic missions.

**7 si minus adsentiebar:** conditional, litotes\* (*minus adsentiebar*, rather than *dissentiebar*, cf. 40.5n.) and euphemistic *minus* (used as a mild negative, cf. *OLD* 4) reduce the impact of Cicero’s (strong) disagreement with Caesar.

8 **judicium**: “favorable opinion, esteem” (*OLD* 10a; cf. *Leg. Man.* 43; *Fam.* 10.1.4; *Att.* 11.7.3).

8 **gratum esse debebat** does not quite mean that Cicero was grateful, but only that appreciation was the proper and expected response to a favor that, in the Roman social and political system of duties (*officia*, cf. *Off.* 1.42–60, esp. 1.49 with Dyck, and Lind 1989: 13–16) and favors (*beneficia*, cf. Lentano 2005: 125–42), obligated the recipient. (For an introduction to the Roman understanding of *amicitia*, see Brunt 1965; Powell 1995; Citroni Marchetti 1999; Feuvrier-Prévotat 1985). In fact, later Cicero implies that he was not as grateful as Caesar had expected in the face of his generosity (42.32), while affirming that he was generally sensitive to his obligations (*hominem me esse gratum*, 44.24n.) and presenting his rapprochement with Caesar as his proper response to his *beneficia* and *benevolentia* (44.24–5n.). Cicero’s careful formulation gives a favored Type 1 *clausula* (cretic + spondee).

8 **me...me...mihi**: anaphora\* emphasizes all the benefits Caesar offered to Cicero.

9 **quinqueviratum**: Caesar carried his agrarian law (*lex Iulia agraria*) in January 59 (*Att.* 2.3.3; *Fam.* 13.4.2; Suet. *DJ* 20; Plut. *Caes.* 14.2 with Pelling; Gelzer 1968b: 71–4), and a law for the distribution of the Campanian land (*lex Iulia de agro Campano*) in May (*Att.* 2.16.1; *Fam.* 1.9.7; Plut. *Caes.* 14.2; App. *BC* 2.10, with Gelzer 1968b: 80–1). To enact these laws he formed a board of twenty people (*vigintiviratus*, of which also Pompey and Atius Balbus were a part, cf. *Att.* 2.12.1 with Shackleton Bailey and Dio 38.1.4) and a board of five (*quinqueviratus*, of which Crassus was probably a part; Dio 38.1.7 and *MRR* 2.192), probably as a judicial committee overseeing the operations of the board of twenty (*MRR* 2.192). Cicero was invited to be a part of both commissions (cf. *Att.* 2.7.4 for the *quinqueviratus*; *Att.* 2.6.2 and 9.2.a.1 for the *vigintiviratus*), but he refused (cf. 41.13n.).

9 **rogavit** takes the *ut* and subjunctive of verbs of prayer or request (*OLD* 6a and K-S 3.217–8). According to Cicero, “Caesar has no doubt he would receive my help [with the agrarian law],” *Att.* 2.3.3; Cicero, however, tergiversated, pondering Caesar’s offer of being a part of the commission, admitting that it was “an issue



worthy of careful consideration” (*est res sane magni consilii*, *Att.* 2.3.3), and at the end he refused, in spite of its political advantages (cf. Rawson 1975: 106–8). In *Pis.* Cicero expresses the same concept with similar wording, even reminding the audience that he had often said that Caesar “wanted me as companion of his whole consulate and of those honors he shared with his most intimate friends; he offered, invited and begged” (*me ille sui totius consulatus eorumque honorum quos cum proximis communicavit socium esse voluit, detulit, invitavit, rogavit*, 79).

**9 me in tribus sibi coniunctissimis consularibus esse voluit:** this is one of Cicero’s few direct references to Caesar’s alliance with Pompey and Crassus (cf. Riggsby 2002: 172–9). As for Caesar’s intention to include Cicero in the alliance with Pompey and Crassus, the pieces of evidence we have are two passages from two letters. In December 60 Cicero wrote to Atticus that L. Cornelius Balbus (*RE* 69), one of Caesar’s protégés, approached him assuring him that “Caesar was ready to take my [Cicero’s] and Pompey’s advice in everything and to try his best to rejoin Pompey and Crassus” (*Att.* 2.3.3). And in April 59 he wrote, “it does not even cross my mind to have envy for Crassus and regret for not departing from myself” (*Att.* 2.4.2), implying that he could have taken Crassus’ place. In 60–59 Cicero was close to Pompey (cf. *Att.* 2.1.6 with Mitchell 1973) but not to Crassus, and hoped to be able to have a good influence on Caesar (cf. “what if I manage to make Caesar better?” *Att.* 2.1.6, written in June 60).

**10 mihi legationem quam vellem, quanto cum honore vellem, detulit:** Caesar offered two types of *legatio* to Cicero, 1. a *legatio libera* and 2. a position of lieutenant (*legatus*) among his staff for Gaul. 1. The *legatio libera* granted the title of “ambassador of the senate” to a senator traveling on private business. This implied traveling at the state’s (and the provincials’) expense and enjoying ambassadors’ privileges (Olshausen 1979: 321–408). Cicero, who as consul in 63 had tried to abolish or limit this custom (with a *lex Tullia de liberis legationibus*, cf. *Leg.* 3.18 with Dyck and Rotondi 1962: 379–80), was tempted by Caesar’s offer, but did not accept it (*Att.* 2.4.2 with Shackleton Bailey). 2. Around June 59, Caesar asked Cicero to be one of his lieutenants

for his proconsulate in Gaul. Cf. *Att.* 2.18.3: “with great generosity I am invited by Caesar to be part of his staff, as one of his lieutenants [in Gaul],” but Cicero refused, in spite of Caesar’s insistence (cf. “Caesar wants me to be one his lieutenants,” 2.19.5, written in July 59). Plutarch’s suggestion that Cicero asked Caesar to be made a lieutenant in the Gallic war is certainly wrong (*Cic.* 30.3; cf. *Vell. Pat.* 2.45.2; *Dio* 38.15.2). Being a lieutenant did not imply spending the whole year in Gaul, and Cicero could have joined a governor’s staff between September and January, when he was less busy after the courts closed (cf. *Att.* 1.1.2 and 2.18.3). Anastrophic\* *vellem* highlights Caesar’s generous offer (just like anaphoric *me . . . me . . . mihi* underscores Cicero as the recipient of such generosity), giving two favored *clausulae* (Type 4.b molossus + spondee; and Type 3.b double trochee). For this meaning of *defero*, indicating the conferral of a benefit or the granting of an award, cf. *Fam.* 10.10.1 and *OLD* 11a–b.

**12 non ingrato animo:** Cicero insists on the political, not personal, nature of his disagreement with Caesar (cf. *in disiunctione sententiae coniuncti tamen amicitia*, 40.5n.). *Ingratus* has an active meaning of “not being grateful” (Frisk 1940), and in the Roman social and political system of duties and favors, ingratitude was a serious offence, being an improper response to a *beneficium*, on which friendship was based. For instance, in a letter to a friend, Lentulus Spinther, Cicero thanks him for appreciating favors, which “cannot be omitted without serious offense” (*ut etiam grata sint ea quae praetermitti sine nefario scelere non possunt*, *Fam.* 1.9.1; cf. *Plaut. Pers.* 718–20; Hellegouarc’h 1963: 202–3).

**12 obstinatione quadam sententiae:** Cicero’s refusals—to be a part of Caesar’s staff or of the commission for land distribution or of the private alliance with Pompey and Crassus—lay at the origin of his exile. Cicero even attacked Caesar’s agrarian legislation, and Caesar, having realized that he was unable to get him on his side, gave free rein to Clodius, who in 59 was adopted to the plebs and elected tribune for 58 (cf. Tatum 1999: 90–113; Rawson 1975: 106–16; Nicholson 1992: 48–9). In *Pis.* Cicero would describe his refusal with similar motives and words: “I was not led to Caesar’s cause because of a perhaps excessive desire to be self-consistent”

(*non sum propter nimiam fortasse constantiae cupiditatem adductus ad causam*, *Pis.* 79). Similarly, in December 60, when Cicero was first faced with the alternative of accepting or refusing Caesar's *beneficia*, he resolved to be consistent and "fight for the country" (*Att.* 2.3.4).

13 **quam sapienter, non disputo**: for this device of calling attention to something that is "beside the point," engaging the audience and inviting them to pronounce their own judgment, cf. *Caec.* 34 and *Sest.* 65. This admission serves to corroborate what follows and gives credibility to Cicero's claim of having acted with consistency and courage.

13 **multis enim non probabo**: for this use of *probo* with *dat.*, cf. *Phil.* 7.14 and *OLD* 6b.

14 **constanter quidem et fortiter certe**: *constantia* (< *cum* + *stare*) indicates one's ability to "stay with oneself" and act according to conscience in the face of external adversities (cf. Lind 1989: 20–3; Kaster 2002: 142–4; Hellegouarc'h 1963: 284; Achard 1981: 396–7). It was a typical Roman and Stoic virtue (cf. Wisstrand 1979) and often it was paired with *fortitudo*, which indicates "desire for great things and disregard for small ones, and endurance of toil for a useful purpose" (*fortitudo est rerum magnarum adpetitio et rerum humilium contemptio et laboris cum utilitatis ratione perpressio*, *Her.* 3.3; cf. 4.35; *Inv.* 2.163; Lind 1992: 21–4; Scheer 1986: 777–83). In a letter to Atticus Cicero confesses that, in spite of seeing the advantages of joining Caesar, he was compelled to refuse Caesar's offerings and "seek good repute and the respect of the best people" (*Att.* 2.3.4).

15 **firmissimis opibus contra scelus inimicorum munire**: according to the rhetoric of the *post reditum* speeches, Cicero presents his exile as a free decision taken in the interests of the state to avoid civil riots. Cf. "I could, I could, senators, defend myself with the help of many valiant men, and with the support of arms (*multis auctoribus fortissimis viris me vi armisque defendere*), and I did not lack that courage that you know well. But I saw that, if I defeated the present enemy [Clodius], I would have had to defeat also many others; and if I lost, many good men with me and for me (and even after me) would have had to fall" (*Red.*

*Sen.* 33; cf. also *Sest.* 49 and *Dom.* 95; Dyck 2004; Riggsby 2002: 167–72; Nicholson 1992: 47–51).

16 **popularis impetus populari praesidio propulsare possem**: sustained alliteration\* and polyptoton\* of *popularis* modifying two antonyms (*impetus*, referring to Clodius, and *praesidium*, referring to Caesar) produce a favored Type 3 *clausula* (molossus + trochaic). Cicero stated his refusal to accept Caesar's protection already in the *Catilinarians*: “if you, senators, follow Caesar's recommendation, since in politics he has followed that path called *popularis*, perhaps thanks to the recommendation that he made and supported, I will not have to fear popular attacks (*populares impetus*),” 4.9 with Dyck. In Cicero *popularis* often takes on a pejorative meaning (e.g. *Att.* 2.19.2, with Robb 2010: 89–93; Achard 1981: 193–200), which left little trace in medieval Latin and in modern languages derived from it (Bautier 1975: 286–91).

17 **quamvis excipere fortunam**: *excipere* depends on *possem* and is coordinated to *propulsare* in asyndeton\*, forming a chiasmus\* (*impetus propulsare* and *excipere fortunam*). To achieve emphasis through verbal hyperbaton\* (cf. Adams 1971), Cicero renounces a favored *clausula* (*quamvis fortunam excipere* would give a double molossus with resolution).

17 **subire vim atque iniuriam malui**: with a favored Type 2 *clausula* (double cretic), Cicero rephrases a motif in *post reditum* speeches. Cf. “this violence (*vis*), this crime and this fury I kept away from the neck of all good citizens by interposing my body (*meo corpore opposito*), and the whole attack (*impetus*) of factions . . . I took in my body;” *Dom.* 63; *Red. Pop.* 19.

18 **quam aut a vestris sanctissimis mentibus dissidere**: for this meaning of *dissideo* with *a* + abl. as a synonym of *dissentio*, cf. *Sest.* 104 with *OLD* 3a and *TLL* 5.1.1466.78. Cicero declares that he sided with the senate and not with Caesar also before, cf. *ego me a C. Caesare in re publica dissensisse fateor et sensisse vobiscum*, 25.1n.

18 **aut de meo statu declinare**: *declino* presents Cicero's deviation from his position as something that diminishes him (cf. *Clu.* 106 and *TLL* 5.1.193.16) and runs counter to the Roman ideal of *constantia* (cf. 41.14n. *constanter*). In December 60, Cicero knew

that resisting Caesar implied taking a tough but laudable stance: “I can either put up strong resistance to the agrarian law—and this is quite a fight, but a laudable one—or I remain quiet” (*aut fortiter resistendum est legi agrariae, in quo est quaedam dimicatio sed plena laudis, aut quiescendum, Att. 2.3.3*); Cicero decided to maintain his high standard in public life without compromising (cf. *Att. 2.3.4*) and counting on the support of the senators who opposed Caesar.

19 **sed non is solum...verum etiam...fuit**: cf. 41.7n. This sentence presents a typically Ciceronian construction with favored *clausulae* (Type 4.b *accepit beneficium*, with an impressive sequence of resolutions and short syllables; and Type 2 *accipiendi fuit*), parallels (*non solum...verum etiam; is...is*) and variation: *non is solum...verum etiam is* produces a chiasmus\*, *qui* corresponds to *cui*, and *accepit* to *potestas accipiendi*.

21 **ornamenta...ornabat**: polyptoton\*.

23 **amico animo**: cf. 40.1n.

23 **eodem loco quo principem civium, suum generum**: in 60 and 59 Pompey, who married Caesar’s daughter Julia, tried to bring Cicero over to his and Caesar’s side. Later Cicero would justify his conduct admitting that, in deciding to side with Pompey, “I had to embrace Caesar, as you see, whose cause and prestige were joined [with Pompey’s]” *Fam. 1.9.12* (cf. 40.6n.).

[42.]

24 **traduxit ad plebem**: in March 59 Caesar, in his capacity as *pontifex maximus*, summoned an assembly (*comitia curiata*, by now attended solely by *lictors*), which approved the adoption of Cicero’s worst enemy, Clodius, by Fonteius (Tatum 1999: 104–8 and Introduction 2–5). In this way, Clodius, born to a noble and patrician family, passed under the *patria potestas* of Fonteius, who was a plebeian, hence becoming himself a plebeian, a *sine qua non* for being elected tribune of the plebs. As an augur, Caesar also ensured (*Att. 8.3.3*), or refused to invalidate (*Att. 2.12.1* with Shackleton Bailey), the legal procedure of the adoption. From the start, Clodius’ adoption deeply concerned Cicero, who followed

the events closely (“report to me definitely what is going on with Clodius,” *Att.* 2.5.3, written in April 59; cf. also 2.4.2, 2.7.2–3 and 1.12.1), knowing that Clodius had been aiming at the tribunate for at least two years (“that one [Clodius] is not just pretending, but he clearly wants to become tribune of the plebs,” *Att.* 2.1.5, written in June 60; cf. *In Clod. et Cur.* with Crawford 1994: 241.14 and Tatum 1999: 90–6), and knowing that Clodius never forgave him for the part he had played in denouncing the scandal of the Bona Dea. Cicero protested against his adoption, saluting it as “the coming of dictatorship to Rome, and something that cannot be tolerated” (*hoc vero regnum est et ferri nullo pacto potest*, *Att.* 2.12.1), and knowing that it would lead to his election as tribune. Clodius’ passage to the plebs was carried through *adrogatio*, a form of adoption that transferred an individual *sui iuris* (under his own *patria potestas*) to someone else’s *patria potestas*; *adrogatio* (a term that Cicero never uses, Salvatore 1992: 289) had the same legal effects as adoption, but with *adrogatio* “there is a fusion of two families, since the *adrogatus* [Clodius] enters into another family together with all other persons subject to his paternal power,” Berger 1953 s.v. *adoptio* (cf. Watson 1967: 82–8; Kaster 2006: 150–1 and Salvatore 1992: 285–313, on the legal difference between *adrogatio* and *adoptio* and on the problems concerning Clodius being adopted by a younger plebeian).

**25 inimicum meum:** Although Clodius looms on the horizon of many *post reditum* speeches (Riggsby 2002: 160–7 and Kaster 2006: 145–6), Cicero almost never names him (cf. 24.26n.), contemptuously using pronouns (cf. *ille qui*, 45.12–13, referring to Clodius) or periphrases (cf. *foedissimo tribuno plebis*, 7.16n.). Accordingly, he is named only twice in *Prov.* (24.26n. and 46.29n.). *Inimicus* indicates personal enmity (cf. 11.29n.), and Cicero and Clodius had been enemies since 61, when Cicero unmasked Clodius’ part in the scandal of the Bona Dea (cf. 24.27n. and Introduction 1–2).

**25 sive iratus mihi, quod me secum ne in beneficiis quidem videbat posse coniungi:** Cicero reconstructs the events of 59 according to the rhetoric of *Prov.*, in the attempt to exculpate Caesar. The possibility that Caesar was angry (for which Cicero does not

vouch) is presented as a response to Cicero's refusal of his *beneficia* (cf. 41nn.). This explanation is far from the truth, but perfectly acceptable in Roman terms, because *ira* could be the proper response to *iniuria* (Cicero defines *ira* as "the desire to take revenge on one who seems to have caused harm unjustly," *libido poeniendi eius qui videatur laesisse iniuria*, *Tusc.* 4.21) and *iniuria* was caused, among other things, by failure to reciprocate a *beneficium* (cf. 41.17n.). In fact, Caesar did try to get Cicero on his side (cf. 41.12n. *obstinatione*), but he had better reasons to be angry than his rebuff; at least until March 59 Cicero so opposed his agrarian law that, according to Cassius Dio, in defending C. Antonius (who had been his colleague as consul in 63), "Cicero heaped accusations against Caesar . . . and even abused him" (Dio 38.10.4; cf. *Dom.* 41; Suet. *DJ* 20.4; App. *BC* 2.14). In *Sest.* Cicero uses similar words but calls Caesar's conduct careless: "the consul [Caesar] unleashed that wild and horrible beast [Clodius] . . . either, as I believe, because he was won over by entreaty (*vel, ut ego arbitror, exoratus*), or, as some think, because he was angry at me (*vel mihi iratus*); at any rate, he was certainly ignorant and careless (*ignarus quidem certe et imprudens*) of the huge, disastrous evils hanging over our heads" (16 with Kaster; cf. Gelzer 1968a: 124–5; Gruen 1974: 289; Rawson 1975: 107; Wiseman 1994: 372). Whatever Caesar's reason, Cicero rightly saw his part in the adoption of Clodius as a maneuver against himself, and Plutarch writes that "[Clodius] was elected to smash Cicero, and Caesar departed for his campaign only after he had helped Clodius to exile Cicero," *Caes.* 14.17 with Pelling (cf. Dio 38.12.1 "he made him a tribune to counterbalance Cicero;" App. *BC* 2.14).

26 **sive exoratus**: Caesar and Clodius had a mutual interest in supporting each other. Caesar helped Clodius in the scandal of the Bona Dea and favored his passage to the plebs (cf. 42.24n.), and in 59 Clodius provided the needed amount of street violence, which silenced the opposition of Bibulus (Caesar's consular colleague in 59) and of Cicero (Dio 38.12.3). For *exoratus*, cf. *Sest.* 16 quoted in the n. above. Rhyme\* and *sive . . . sive* present two alternatives as equally plausible (K-S 3.434.2 and 3.435.4), manifesting Cicero's unwillingness to commit himself to either and ending both cola with a favored *clausula* (Type 2 *sive iratus mihi*; and Type 4.b *sive exoratus*).

26 **ne haec quidem fuit iniuria**: in the logic of *Prov.* (cf. 42.25n. *sive iratus mihi*), Caesar could have felt resentment at Cicero's rebuttal (labeled *superbia* 42.32). This statement is one more sign of Cicero's changed tone after the injunction he received through his brother Quintus and through Pompey (cf. Introduction 9–10). Although in the *post reditum* speeches Cicero never overtly accused Caesar of committing *iniuria*, his attitude visibly changed over time. In September 57, Cicero thanked the senators for his recall, but remarked that Caesar "said nothing when it was said that he was my enemy" (*tacuisse, cum diceretur esse inimicus, Red. Sen. 32*); and in March 56, Cicero expanded on his statement, noting that "Caesar, to whom I gave no reason for being hostile to me (*qui a me nullo meo merito alienus esse debebat*), in daily assemblies continued to be said by that one [Clodius] to be most opposed to my personal safety (*inimicissimus esse meae salutis*)" (*Sest. 39* with Kaster).

27 **nam postea me ut sibi essem legatus non solum suasit, verum etiam rogavit**: Caesar offered the *legatio libera* (cf. 41.10n.) to Cicero between the end of March and the beginning of April 59 (cf. *Att. 2.4.2* with Shackleton Bailey), *after* he favored Clodius' transfer to the plebs, and then he asked again in June ("with great generosity I am invited by Caesar to become a *legatus* in his staff, and I am also offered a *legatio libera*," *Att. 2.18.3*; cf. 2.19.5). In fact, in April 59 Caesar began to grow concerned at Clodius and tried to check his power: much to Cicero's pleasure (*Att. 2.7.3*) he denied him a position on the board of twenty for distributing land according to his agrarian law (cf. 41.9n.). *Me* depends both on *suasit* and on *rogavit* (for the brachylogy\* of two verbs governing the same object, see K-S 3.565), which can both take the *ut* + subj. (cf. *OLD rogo* 6a, and *suadeo* 3d).

28 **ne id quidem accepi**: cf. 41.13n. Reiteration of *ne... quidem* betrays Cicero's anxiety to address all possible objections (*ne haec quidem fuit iniuria*), while underscoring both Caesar's repeated attempts to win him over to his side and his repeated refusals (*me secum ne in beneficiis quidem videbat posse coniungi*, 42.25n.).

29 **non quo alienum mea dignitate arbitrarer**: *legatio libera* was a high honor (cf. *mihi legationem, quam vellem, quanto cum honore vellem, detulit*, 41.10n.), and Cicero thought about accepting it (*Att. 2.4.2*). On *alienus* and *dignitas*, cf. 18.1n.



29 **sed quod tantum rei publicae sceleris impendere a consulibus proximis non suspicabar**: Cicero finds another way to attack Piso and Gabinius, the consuls of 58 (cf. 4–8 for the invective against Piso, and 9–12 for that against Gabinius, with nn. and Introduction 23–9), implying that had he known how bad they proved to be he would have accepted the legation and left Rome. Cicero's letters confirm both that in 59 he was uncertain about who would be elected consul (in April 59 he asked Atticus, "make sure you let me know who you think will be the next consuls," *Att.* 2.4.4, and "which consuls are in the making? Pompey and Crassus? . . . or Gabinius and Sulpicius?" *Att.* 2.5.2) and that in 58 he was disappointed by Piso and Gabinius. On Piso's and Gabinius' *scelera*, cf. 5nn. and 17.15n., and on *impendere*, cf. 23.13n.

32 **mea superbia**: cf. 11.26n.

32 **in illius liberalitate**: *liberalitas* (cf. 12.5n.) indicates an attitude typical of good men (*boni viri*, cf. *Amic.* 19) toward giving material gifts (*munera* or *beneficia*), without thought of personal gain (*Amic.* 30) and in consideration of matters of justice (cf. *Off.* 1.20 and 1.42 with Dyck and Lind 1994: 8–10). Cicero condemned as *prodigi* the magistrates who offered glamorous feasts and spectacles for the sake of popularity, since not all generosity is *liberalitas*, which "in its practice should be the subject of much careful thought rather than a spontaneous reaction" (Manning 1985: 73, cf. Salvatore 1990: 55–100). Caesar made *liberalitas* one of his catchwords (Caes. *BG* 1.43, *Att.* 9.7c.1 and *BC* 3.6; cf. Sall. *Cat.* 49.3 and 54.3 with Ramsey), and Cicero was mostly appreciative (e.g. *Fam.* 1.9.12, 9.13.4; *Att.* 9.11a.3).

32 **illius iniuria in nostra amicitia**: Cicero returns to this thought at the end of the speech (47.6); cf. also 42.27n. In the following chapter Cicero contemplates the possibility that in fact Caesar committed *iniuria*, violating their friendship, but ascribes it to the general turmoil caused by Clodius (43.1–5nn.).

[43.]

1 **ecce** vividly calls attention to *tempestas*, presenting it as a surprising event (*OLD* 4), and in classical Latin it regularly takes the nom. (K-S 2.273–4).

1 **illa tempestas**: cf. 18.23n., where it is objected to Cicero that Caesar was responsible for this tempest as much as Gabinius. After the favored Type 1 *clausula*, we can imagine a pause, preceding the pressing stream of appositions, which also give favored *clausulae* (Type 1 *improvisa formido*; Type 2, double cretic *tenebrae rei publicae* and *caed-is bonis omnibus*; and Type 2, molossus + cretic *eg-estas, audacia*).

1 **caligo bonorum**: the same metaphor applies to Clodius' deeds and Cicero's exile in *Red. Sen.* 5, where the dispelling of darkness coincides with the senate's resolution to recall him, "when . . . on the first of January [year 57] after the thick darkness of the previous year (*ex superioris anni caligine et tenebris*), you began to distinguish some light in the state. . . ." (cf. also *Planc.* 96).

2 **subita atque improvisa formido**: choice of vocabulary and modifiers help Cicero to exculpate Caesar. *Formido* is stronger than *metus* or *timor* and indicates acute terror, often felt in the face of supernatural phenomena (*OLD* 1 and *TLL* 6.1.1096.65 and 1097.25). Insistence on the sudden and unexpected threat (cf. *Font.* 33) presents the events of 58 as out of anyone's (and of Caesar's) control and forecast. Just three months before, however, Cicero expressed a different view, blaming Caesar for being careless in giving free rein to Clodius (*Sest.* 16 cited above ad 42.25n. *sive iratus*).

2 **tenebrae rei publicae**: Cicero employs the same metaphor\* of the condition of the state under Clodius' reign of terror (*Dom.* 24; *Leg.* 3.21 with Dyck; Fantham 1972: 130) and during the civil war between Caesar and Pompey (*Fam.* 4.3.2, written around September 46 to Sulpicius Rufus). Different words express the same concept (a device called *commoratio*\*) and intensify the metaphorical language (*tempestas* and *caligo bonorum*).

3 **ruina atque incendium civitatis**: in *post reditum* speeches Cicero often uses this language for Clodius' regime, effectively conflating metaphorical\* (as in this case) and literal devastation (cf. *Red. Sen.* 18; *Vat.* 21; *Rab. Post.* 2; cf. also *Sest.* 109, where Clodius himself is called *illa ruina rei publicae*, "a metonymy\* denoting the person by the effect it produces," Kaster ad loc.). In November 57, Cicero describes Clodius' attack on the site where

his house was being rebuilt, using similar (but in this case not metaphorical) language: Clodius “after this devastation, fire and plunder (*post has ruinas, incendia, rapinas*) has been abandoned even by his own” (*Att.* 4.3.2). Similarly, Cicero often uses *incendium* of the damage caused by Catiline, both literally (e.g. *Cat.* 1.9 and 3.21) and metaphorically (e.g. *Cat.* 1.29 and 4.11), and in *Red. Sen.* he explicitly connects the fire of Catiline and that of Clodius: “all the troops of Catiline, pretty much with the same leaders, have been called back to devastation and fire” (*copias omnis Catilinae paene isdem ducibus ad spem caedis et incendiorum esse revocatas*, 33, cf. *Har. Resp.* 58; *Pis.* 15; Tatum 1999: 144–8).

**3 terror iniectus Caesari de eius actis:** seemingly, in the middle of 58 Clodius threatened Caesar by declaring his legislation void (Gelzer 1968a: 113). According to Cicero, Clodius invited Bibulus (who had been consul with Caesar in 59) to testify in front of popular assemblies (*contiones*), and Bibulus told the people that Caesar’s laws were invalid, because carried in disregard of his unfavorable auspices (*Dom.* 40 with Nisbet; *Har. Resp.* 48 with Lenaghan; Pocock 1926: 152–60; Tatum 1999: 172–4). Most scholars trust this account (Tatum 1999: 172–4; Nisbet ad *Dom.* 40; *contra* Pocock 1926: 155–60; Lenaghan ad *Har. Resp.* 48), even though other sources fail to mention it. Probably, once Clodius felt that the support of Caesar, Pompey and Crassus was faltering, he broke with them (and formed the most unlikely and short-lived alliance with Bibulus, an intransigent and traditionalist senator), seeking the support of conservative senators (the *boni*), who strongly opposed them. Pompey’s closeness to Cicero (Clodius’ archenemy) and to Caesar may also have accounted for Clodius’ attack against Caesar (Tatum 1999: 173) and against Pompey, who feared that Clodius would invalidate Caesar’s approval (cf. *Att.* 2.16.2) of his settlement of the East (*Har. Resp.* 28; Tatum 1999: 168–70). For this use of *inicio* with dat. indicating the injection of a feeling or of an idea (*OLD* 8a), cf. *erat enim metus iniectus eis nationibus quas . . .*, *Leg. Man.* 23 (cf. also *Mur.* 50 and *Att.* 5.20.3). For this use of *eius* referring to another word in the same sentence, cf. *qui nuntiaret ei filium eius . . . viveret* (*Clu.* 21 with Lebreton 1901: 142).

4 **metus caedis bonis omnibus**: tension escalated as a result of Clodius' attempt to abrogate Pompey's settlement of the East, and around May 58 (while Cicero was going into exile) they met with their followers on the Appian way, and in the bloody fight that ensued one of Pompey's men, M. Papirius, lost his life (*Mil.* 18 and 37 with Asconius 47.10–26; Marshall 1985: 199; Nicolet 1974: 971). As a response, the consul Gabinius, Pompey's protégé, attempted in vain to resist Clodius (cf. n. below), who shattered his *fasces* (Dio 38.30.2), the symbol of his consular power. In August, Clodius is alleged to have tried to assassinate Pompey (*Dom.* 129; *Pis.* 48; Plut. *Pomp.* 49.2), who, fearing for his life, shut himself in his house for the rest of that year (*Sest.* 69 with Kaster; *Har. Resp.* 49), while Clodius' gangs, who remained in control of Rome until December, besieged it (Tatum 1999: 174–5). Cicero does not miss a chance to dwell on these episodes and stir emotions to various purposes: to give a vivid sense of the state of confusion (and hence exculpate Caesar, as in this case); to arouse indignation against Clodius (e.g. *Red. Sen.* 4–5; *Dom.* 66; *Mil.* 37); to hide his own failure to resist Clodius beyond Pompey's (*Har. Resp.* 49); or to hint at Pompey's cowardice (*Dom.* 67; *Sest.* 89 with Kaster; Riggsby 2002: 176–7).

4 **consulum scelus, cupiditas, egestas, audacia!**: the pressing list in asyndeton\* achieves spontaneity, as if Cicero were overwhelmed by emotions. *Scelus* and *cupiditas* apply to both Piso and Gabinius, and must refer to the deal they struck with Clodius, who, on the same day, passed the law exiling Cicero and the law granting them the provinces they wanted (cf. *cuius* [Cicero's] *illi salutem pro pignore tradiderunt ad explendas suas cupiditates*, 2.21n.; on their *scelus* cf. 2.18n. and Introduction 2–5). *Egestas* applies better to Gabinius, who tried to support Pompey against Clodius (cf. *Dom.* 67 and *Pis.* 27, see n. above), but lacked the means to defeat him (cf. n. above and Tatum 1999: 170–2), and *audacia* applies both to Piso (cf. 8.26n.) and to Gabinius (11.4n. and 16.29n.). Cicero uses similar lists of vices in his invective against Capito (*Sex. Rosc.* 101), Verres (cf. *cupiditas hominis, scelus, improbitas, audacia*, *Ver.* 2.3.152), Catiline (*Cat.* 1.31) and Antony (*Phil.* 3.13).

5 **si...si...si**: conditionals linked by anaphoric\* *si*, euphemistic\* litotes\* (*non adiutus*) and climax\* (*non sum adiutus, desertus* and *oppugnatus*) of three cola of increasing length present different possibilities for which Cicero does not completely vouch (*fortasse* and *ut quidam aut putant aut volunt*), each ending with a favored *clausula* (Type 2 *adi-utus, non debui*; Type 4 *fortasse providit*; and Type 2, with resolution *vio-lata amicitia est*).

5 **si non sum adiutus, non debui**: according to the logic of *Prov.*, because of Cicero's rebuttals (cf. 41.13n.) Caesar was under no moral obligation to give him any more service or support (cf. *OLD* 3a and *TLL* 5.1.93.81). In the months preceding the exile, Cicero was certainly not helped by Caesar, who failed to gain his support through *beneficia* and allowed Clodius' transfer to the plebs as a last resort to keep Cicero at bay (cf. 41.15–18nn.).

6 **si desertus, sibi fortasse providit**: between April 59 and May 58 (when Cicero went into exile) Caesar struggled to check Clodius' actions (cf. 43.3n.).

6 **si etiam oppugnatus**: as seen above, Caesar's support in transferring Clodius to the plebs around March 59 was a maneuver against Cicero, but in April Caesar denied Clodius a position on the board of twenty (cf. 42.27n. *nam postea*), and their relationship deteriorated until the final rupture of May/June 58 (cf. 43.3n. *terror iniectus*).

7 **ut quidam aut putant aut volunt**: senators like Bibulus, Domitius Ahenobarbus, Marcellus, Philippus (the consul in 56) and Lentulus Spinther disliked Caesar and did not welcome his reconciliation with Cicero (cf. Introduction 9–10). Cicero seems to have the same people in mind in *Balb.*, where he similarly refutes the accusation of being inconsistent in his attitude toward Caesar: "other people see it differently; perhaps they are more coherent (*sunt fortasse in sententia firmiores*). I rebuke no one, but I do not agree with everyone, and I do not take it as a sign of inconsistency to adapt one's judgment to the tempest of the state, just like a ship does with its course" (*neque esse inconstantis puto sententiam tamquam aliquod navigium atque cursum ex rei publicae tempestate moderari*, 61).

7 **violata amicitia est, accepi iniuriam, inimicus esse debui, non nego**: on *amicitia* and *iniuria*, see 40.6n. Cicero tries

to deny that Caesar behaved unjustly in breaking the ties of obligation binding their friendship: according to his main strategy, Cicero brackets the events of 59–8 into a narrative of mutual friendship, ascribing Caesar's conduct in these months to his own ingratitude and to the general chaos caused by Clodius. A second *litotes*\* brings close the last two conditionals (*non sum adiutus, non debui* and *debui non nego*) and gives another favored Type 2 *clausula* (double cretic).

**8 sed si idem ille tum me salvum esse voluit:** with vague *tum...cum*, Cicero hastens to talk about the time immediately preceding his return, gliding over the first seven long months of his exile, when Caesar did nothing for his recall. In fact, Caesar did not withdraw his opposition to recalling Cicero until early summer 57 (Rawson 1975: 120; Shackleton Bailey 1971: 72). In March 58 he even participated in a popular meeting summoned by Clodius, and when Clodius asked him what he thought about the execution of the Catilinarians (and hence about Cicero's exile), Caesar diplomatically condemned the execution as illegal (thus pleasing Clodius and the people, and displeasing Cicero, who was held responsible for it), but he added that he disapproved of retroactive punishment of those responsible for it (thus somewhat sparing Cicero, who nevertheless hoped for a stronger and less diplomatic statement of support; cf. Dio 38.17.1 and *Sest.* 33 with Kaster). In August Cicero had hopes but not certainty about Caesar's goodwill (*Att.* 3.15.3), and, in November 58, Sestius took the trouble of going to Cisalpine Gaul canvassing for Caesar's support in recalling Cicero, and "how much he [Sestius] achieved is beside the point. In truth I think that if Caesar was well disposed toward me, as I believe he was (*si ille, ut arbitror, aequus nobis fuerit*), nothing came of it; if he was quite angry (*irator*), not much anyway" (*Sest.* 71 with Kaster). The movement for recalling Cicero started a little after he left Italy (cf. *Att.* 3.15.3, written in the middle of August 58 and *Sest.* 68–9 with Kaster), but the turning point was only in December 58, when the newly appointed tribunes of 57 took the initiative, and on 1 January 57, when the senate gave support to the motion of recall. This movement, however, continued to meet Clodius' violent opposition, and his supporters did not succeed in

the recall of Cicero until the senate proposed the bill (July 57), which was passed though the people on 4 August 57. In *post reditum* speeches, Cicero's *salus* coincides with his return (cf. *Sest.* 147; *Red. Sen.* 22; *Vat.* 10).

9 **cum vos me ut carissimum filium desiderabatis**: *tum...* *cum* must refer to the events of July 57 (cf. n. above), when 417 senators passed the decree recalling Cicero, and only Clodius opposed it. The senate's and the people's *desiderium* for Cicero is a motif in *post reditum* speeches, cf. *ut aliquando vos patresque conscriptos Italiamque universam memoria mei misericordia desideriumque teneret*, *Red. Pop.* 1 (cf. also *Dom.* 4–5; *Har. Resp.* 48; *Vat.* 7). Cicero uses the same simile\* of a father missing his son to describe Plancius missing him (*Red. Sen.* 35), while Pompey helped him like a father or a brother (*Red. Sen.* 29).

10 **si vos idem**: cf. *Red. Sen.* 27.

10 **pertinere ad causam illam**: for this use of *pertineo* with *ad* (or *in*) + acc., cf. *OLD* 4c.

11 **voluntatem Caesaris a salute mea non abhorrere** is the subject of *pertinere*.

12 **generum eius habeo testem**: Pompey (cf. 41.22–4n.) favored the reconciliation between Cicero and Caesar, assuring Cicero of Caesar's goodwill and support of his recall (*Fam.* 1.9.12).

13 **qui idem Italiam in municipiis... ad meam salutem incitavit**: Pompey took the initiative around different towns of Italy stirring up support for Cicero's recall (cf. *Pompeius... municipia pro me adiret*, *Pis.* 80). Sometime in 57, being a *duovir* of Capua, he proposed discussing Cicero's recall in the meeting of the decurions (*Pis.* 25 with Nisbet; *Mil.* 39), and he was "the first to realize that the help of all Italy (*Italiae totius praesidium*) had to be sought for my recall (*ad meam salutem*)," *Red. Sen.* 29. For *salus* indicating return from exile, cf. 43.8n.

13 **populum Romanum in contione**: in July 57 Lentulus convened a meeting of the people, and invited Pompey to speak (*Sest.* 107 with Kaster). Pompey affirmed that "the well-being of the Roman people had been preserved by me [Cicero] and with mine it was connected" (*Red. Sen.* 29; cf. *Red. Pop.* 16), offering himself "not only as a defender of my [Cicero's] recall (*non modo se defensorem salutis*

*meae*), but also as a suppliant on my behalf (*sed etiam supplicem pro me*),” *Pis.* 80 (cf. *Red. Sen.* 31 and *Har. Resp.* 46).

14 **vos mei semper cupidissimos in Capitolio**: in *Sest.* Cicero tells the same episode with more details. When the senate met in the temple of Jupiter Optimus Maximus on the Capitol (most likely on 8 July 57, according to the most reliable reconstruction by Kaster ad *Sest.* 129), Pompey read a written declaration, stating that Cicero alone had saved the country (*mihi uni testimonium patriae conservatae dedit*, *Sest.* 129 with Kaster). Then Lentulus summoned a meeting of the people (cf. n. above) and on the following day the senate gathered again to discuss Cicero’s recall. In mentioning Pompey’s efforts to convince the senate, Cicero carefully underlines that the senate was already on his side (*vos mei semper cupidissimos*), and did not need to be convinced: Pompey pleaded the cause before those “who all were holding the same view” (*qui omnes idem sentiebatis*, *Red. Sen.* 29). For senatorial meetings held in the temple of Jupiter, cf. 22.5n.

15 **Cn. Pompeius idem mihi testis de voluntate Caesaris et sponsor est**: Cicero was uncertain of Caesar’s support for his recall. In August 58 he said he had hopes (*Att.* 3.15.3), and Pompey attempted to gain his good will toward Cicero (*Pis.* 80) and to give assurance to Cicero (cf. *Att.* 3.18.1), even if rumors said that Caesar was angry at Cicero (cf. “Caesar, whom people totally ignorant of the truth [*maxime homines ignari veritatis*] thought to be angry with me,” *Caesar . . . mihi esse iratum putabant*, *Sest.* 41).

16 **illi de mea**: Pompey equally gave Caesar assurance of Cicero’s good disposition (or at least lack of opposition) toward him (cf. “Pompey gave my word [*fides*] to Caesar, *de me Caesari*,” *Fam.* 1.9.12).

17 **ultimi temporis recordatione et proximi memoria**: *ultimus* expresses distance (in time or in space), referring to Cicero’s and Caesar’s youth (cf. 40.3n.), while *proximus* expresses vicinity, hence referring to their relation in the last year (between summer 57 and the time of *Prov.*, cf. 43.6n.).

18 **medium illud tristissimum tempus**: in Cicero’s *excursus*, the time of his distance from Caesar is bracketed within the months of the Clodian regime (*tempestas*, 43.1), cf. 43.5–6n.



19 **evellere...excidere**: metaphoric\* language from agriculture. *Evellere* originally indicated the act of tearing up from the roots (< *ex* + *vello*, “to pull”); while *excidere* (< *ex* + *caedo*) indicates removing by cutting. Cicero uses a similar expression of Piso and Gabinius, “consuls whom every single man would want to cancel not only from our memory but also from the official calendar listing consuls” (*non modo ex memoria, sed etiam ex fastis evellendos putet*, *Sest.* 33). For the term referring to undoing something that has happened, cf. also *Dom.* 34. The rhetorical question\* culminates with a favored Type 2 *clausula* (molossus + cretic).

### CONFUTATIO II 44–6 (CF. 36–9, P. 245)

A second *confutatio*\* refutes another objection: some senators tried to have Caesar recalled, claiming that the *lex Vatinia* had no legal force in the first place, and Cicero responds with a double dilemma\*. The first aims to reveal the inconsistency of those who believe that *some* laws proposed by Caesar had no legal force (because Caesar’s colleague Bibulus was watching for omens), while some other laws did (like the one transferring Clodius to the plebs and causing his exile); and the second aims to unmask the absurdity of those who use fine-tuned legal arguments against beneficial laws and not against devastating ones.

[44.]

20 **ego vero**: by responding to the rhetorical question Cicero nicely ties the *digressio* with the second *confutatio*, creating a good return to the subject (*reditus ad rem*) as recommended in *de Or.* 3.203 (cf. Wisse et al.). For the expression, cf. 30.14n. *Vero* marks a “high degree of personal commitment on the part of the speaker/author to the truth or appropriateness of the message being communicated” (Kroon 1995: 281).

20 **non licet per aliquos**: for this use of *per*, indicating the one who does (or does not) allow something, cf. *si qui frui publico non potuit per hostem*, 12.6 and *neque licet...per leges*, *Phil.* 2.81

(*TLL* 10.1.1158.46–68). *Aliquos* must refer to the same people who disapproved of Cicero's rapprochement with Caesar (cf. *ut quidam aut putant aut volunt*, 43.7n.), but the vague reference invites each senator to provide his own list of names, according to a device already observed in *Prov.* (cf. 9.4n. *rex . . . conduceret*). This statement, then, functions as a *praeteritio*\*, whereby Cicero, with a tone of humility, reminds the audience of his sacrifice.

20 **ita gloriari**: for this use of *ita* preparing the following sentence (in acc. and inf.) cf. *TLL* 7.2.519.9. Cicero was not afraid of boasting that he had saved the state, and in the *post reditum* speeches he consistently presents his exile as a martyrdom he willingly accepted to rescue the republic (Nicholson 1992: 37–45; Dyck 2004). As he said in *Dom.* to those who accused him, “I am accustomed to answer that when I say that our homeland has been saved by my decisions, danger and suffering (*meis consiliis periculis laboribus patriam esse servatam*), people should not think that I am bragging about my deeds (*non tam sum existimandus de gestis rebus gloriari*), but that I am making a confession about the charges brought against me (*quam de obiectis confiteri*),” *Dom.* 93 with Nisbet.

21 **rei publicae concessisse**: with dat. indicating the act of sacrificing something for the sake of something else (*TLL* 4.14.47). On this motif cf. *Sest.* 49 and n. above.

22 **magni cuiusdam hominis et persapientis**: gen. of characteristic. Both the emphatic\* *quidam* between adjective and noun, functioning as an intensifier (K-S 2.643a), and the hapax\* *persapientis* with prefix *per-* (*TLL* 10.1.1669.73) give a colloquial tone to this expression (Laurand 1965: 275–7).

22 **utar hoc**: *hoc* is the antecedent of *hominem me esse gratum* and *commoveri*. For this use of *utor* indicating one's use of an argument, see *OLD* 7.

23 **ad vitandam vituperationem valet**: *vituperatio* is the opposite of *laus* (cf. *Inv.* 2.12 and 2.177 and *Her.* 3.10); the former achieves *infamia* and the latter *gloria* (cf. 18.29n. and 27.7n.). For Romans *vituperatio* was a perfectly accepted social, political and rhetorical practice (Achard 1981: 187–92), which was exercised as a means of maintaining order (Corbeill 2002: 197–201). Alliteration\*

and chiasmus\* (*ad laudem adipiscendam... ad vitandam vituperationem*) give a favored Type 2 *clausula* (double cretic), delaying Cicero's statement, which is anticipated by *hoc*.

24 **hominem me esse gratum**: in friendship gratitude was the proper (and expected) response to *beneficia* (cf. *gratum esse debebat*, 41.8n.). Throughout the *post reditum* speeches, Cicero fashions himself as filled with gratitude, especially toward those who assisted him in his exile; in *Red. Sen.* he confesses his fear of not properly expressing his gratitude (1–2 and *passim*), and in *Planc.* he says that “there is nothing I desire more than being and looking grateful” (*nihil est quod malim quam me et esse gratum et videri*, 80). Hyperbaton\* lays emphasis on *gratum* and ends with another favored Type 4 *clausula* (double molossus with resolution).

25 **tantis beneficiis**: for Caesar's *beneficia* to Cicero, see 42.26n., and for the importance of *beneficia* in the Roman understanding of friendship, see 41nn.

26 **a viris fortissimis et de me optime meritis quibusdam**: the *optimates* who in 56 were leading the opposition to Caesar (especially Bibulus, Domitius Ahenobarbus, Marcellus, L. Marcius Philippus and Lentulus Spinther, cf. 43.7n.) did not oppose Cicero's recall in 57; thus Cicero shows respect toward them (e.g. 22.30n.; cf. *Vat.* 25; *Mil.* 22), even if he named none of them among those he thanked either in *Red. Sen.* or in *Red. Pop.*

27 **peto ut...ne**: “Cicero employs *ut ne* as a stronger *ne*, meaning ‘that/thus certainly not’ and often in imitation of the solemn language of the law and of covenants” (L-H-S 2.643.3). Other rhetorical devices help Cicero to frame his request in solemn language: superlatives (*fortissimis* and *optime*) and double chiasmus\* (*ego illos... illi me* and *esse nolui* and *velint esse*), introducing *variatio*\* within the parallel cola and giving two favored *clausulae* (Type 3.b *participes esse nolui* preceded by three elegant shorts: and Type 1 *soci-um velint esse*), double homoioteleuton\* (*meorum laborum atque incommodorum* and *suarum inimicitiarum*) and a sort of oxymoron\* (*inimicitiarum socium*).

28 **participes esse nolui**: the same language connects Cicero's refusal to accept Caesar's *beneficia* (cf. *me participem esse voluit*, 41.6) with his refusal to share his misfortunes with those *optimates*.

30 **acta illa Caesaris**: the laws carried by Caesar in 59 (when he was consul) had been the object of much discussion, because the other consul, Bibulus (who married Cato's daughter and was strongly opposed to Caesar; cf. Dio 38.4.3, 38.6.1 and Plut. *Caes.* 14.9 with Pelling), declared that unfavorable omens prevented the gathering of the assemblies, and therefore all the bills passed through unlawful assemblies were invalid (cf. Introduction 1–5 and 43.2n. and 45.3n.).

30 **quae neque oppugnavi antea neque defendi**: this statement is only partially accurate. Until March 59 Cicero attacked Caesar (cf. 41.6n.; Dio 38.10.4; *Att.* 2.3.4), but then, disillusioned by the political situation in Rome (*Att.* 2.5.2), he retired to the countryside (he spent April and May 59 in his villas at Antium and Formiae, trying in vain not to think about politics), and once back in Rome (June–September) he was more circumspect and withdrew his public opposition. As a result, the letters written to Atticus in 59 witness his disappointment at the dictatorship promoted by Caesar, Pompey and Crassus (called *regnum* at *Att.* 2.12.1 and 2.13.2 and a *tyrannis* at 2.17.1); but after March he made no public statement against them (cf. Introduction 1–5; Shackleton Bailey 1971: 50–1; Rawson 1975: 107).

31 **meo iam iure possim defendere** is explained in the next chapter. *Defendere* implies that Cicero acknowledged the validity of these laws, without necessarily approving their content: hence Cicero thought that Caesar's laws should not be considered null and void because of the way they were passed.

[45.]

32 **summi civitatis viri** are the same *optimates* whom Cicero does not name and who opposed Caesar (cf. 43.7n. and 44.26n.). *Summi* are “those who have achieved a very high degree of public recognition” (Hellegouarc’h 1963: 231) and coincide with a restricted social group, which Cicero distinguishes from the common people, *infimi* (*Off.* 2.41), at the origin of Roman kingship, and from the *medi* and *infimi* of his own time (*Phil.* 1.37). As expected, Cicero displays respect for these *summi viri* in front of his senatorial audience, as he

did in his consular speeches, even if in other works he did not hide some resentment at feeling looked down upon by *optimates* like Hortensius for being a consul *novus* (*Brut.* 323; Achard 1981: 86).

**32 quorum . . . et quorum:** these two relatives remind the senators opposing Cicero that he had sided with them on the two occasions that got him into trouble. In 63, as consul, Cicero crushed the conspiracy of Catiline with the support of many *optimates*, and the execution of the Catilinarians later gave Clodius a pretext for having him exiled; and in 59 he refused to support Caesar, and as a result Caesar allowed Clodius' adoption to the plebs (cf. Introduction 1–5). Thus Cicero implies that they all agreed on these policies, but he alone had to pay with his exile for these decisions (cf. the above remark that *ego illos meorum laborum atque incommodorum participes esse nolui*, 44.27n.). As often in Cicero, the relative pronoun is repeated and coordinated through copulative conjunction (*quorum . . . et quorum*, Lebreton 1901: 103).

**32 quorum ego consilio rem publicam conservavi:** the same *optimates* opposing Cicero in *Prov.* had supported his proposal for executing the Catilinarians in 63. For Caesar, Roman citizens should not be put to death without the right to appeal (*provocatio*) to a popular assembly, but the recommendation of more conservative *optimates*, led by Cato, prevailed (*Cat.* 4.9 with Dyck; Sall. *Cat.* 49–51; *Att.* 12.21.1; cf. *MRR* 2.173), and the Catilinarians were executed without *provocatio*. In the aftermath of the conspiracy, these *optimates* gave more than advice to Cicero: Lentulus Spinther, who in 63 was aedilis (*MRR* 2.167), took P. Lentulus Sura into custody before he was executed (Sall. *Cat.* 47.4 with Ramsey; *Cat.* 3.15 with Dyck), and Bibulus, who was praetor in 62 (*MRR* 2.173), defeated some Catilinarian acolytes (Oros. 6.6).

**1 quorum auctoritate illam coniunctionem Caesaris defugi:** cf. 25.1n., 41.14n.

**2 Iulias leges:** in 59 (*illo consule*) Caesar carried at least six important laws. The *lex Julia agraria* and the *lex Julia de agro Campano* distributed some land in Italy and in Campania to private citizens (especially to people with families), and the *lex Julia repetundarum* regulated the control on corruption in provincial administration; Caesar pleased Pompey with a law confirming his

settlement of the East, and Crassus with a law remitting one-third of the contracts to publicans in Asia; he accepted a huge bribe and recognized Ptolemy Auletes as king of Egypt. For a convenient list of the sources on these laws, see *MRR* 2.187–8, and for an overview of Caesar's laws, see Gelzer 1968a: 71–101 and Gruen 1974: 91–2.

**2 et ceteras:** Caesar summoned the curiate assembly that voted Clodius' *transitio ad plebem*; through Vatinius he was granted Cisalpine Gaul, and through the senate (which followed Pompey's lead) he was granted also Transalpine Gaul. For other laws passed by Caesar in 59, see n. above.

**2 illo consule rogatas iure latas negant:** because (in their view) the unfavorable auspices observed by Bibulus (cf. 45.4n. *sed salvis auspiciis*) invalidated the popular assemblies by which Caesar's laws were put to the vote (*rogatae*) and passed (*latae*; cf. 43.2n.). A mighty political battle was being fought on legal grounds, but the legal nature of the arguments was discussed by Cicero's contemporaries not less than by modern scholars: were the laws carried by Caesar through the people in 59 technically valid or not? Two laws established the day on which a popular assembly could be summoned (*lex Fufia*, cf. 46.19n.) and granted a consul the right to impede the legal gathering of a popular assembly (*lex Aelia*, cf. 46.19n.) by *obnuntiatio*—by reporting, through his augural power, that unfavorable omens (revealing the gods' will) prevented an assembly from meeting on a given day. Consuls had thus the power to prevent an assembly with an undesirable agenda from gathering on a designated day. Bibulus quite exceptionally spent most of 59 shut in his house watching the sky (cf. 43.2n.) and declaring that bad omens forbade the assemblies summoned to discuss Caesar's bills (Linderski 1995: 73; Lintott 1968: 144). In fact, it is debated whether or not Bibulus' declaration technically counts as *obnuntiatio*, because it seems that he failed to announce the bad omens personally (a requirement for lawful *obnuntiatio*), but dispatched the lictors from his house to the forum with the news (Dio 38.6 and Suet. *DJ* 20.1; for other sources, see *MRR* 2.189, and for a full and clear discussion, see Tatum 1999: 129–30).

**3 idem:** Cicero aims to show the inconsistency of some who proclaim that Caesar's laws are void, but then (these same people,

*idem*) regard his exile as legal. In Cicero's logic, if everything Caesar passed is unlawful, then Clodius' *transitio* to the plebs is also unlawful (cf. "do you dare to deny that, on the day when the law about your adoption was proposed in the curiate assembly, a sign was observed from the sky?" *Dom.* 39), and, as a consequence, everything he did as tribune has no legal force. Cicero uses similar language and the same argument against Piso and Gabinius in *Pis.* 30.

**3 *illam proscriptionem capitis mei*:** Cicero likens his exile to Sullan proscriptions (cf. *Red. Sen.* 8; *Dom.* 43–5; and *Sest.* 46 with Kaster). This association, which had a potent emotional and ideological appeal to Roman minds, reminded everyone that Sulla and Clodius used the same formula, giving a citizen "interdiction from fire and water" (the legal formula to declare someone an outlaw, forcing him/her into exile). On the details of Clodius' law banning Cicero, see 45.10n. *illud iure rogatum*.

**4 *contra salutem rei publicae*:** "a third device which Cicero uses to repair his prestige is to identify himself and his personal well-being with the state as a whole and the health of the entire Republic" (Nicholson 1992: 35). The expression anticipates *casum illum meum funus esse rei publicae*, 45.6.

**4 *sed salvis auspiciis rogatam esse dicebant*:** since no one used *obnuntiatio* (cf. 45.2n. *illo consule*) to obstruct Clodius' law on Cicero's exile, some *optimates* saw no legal ground to impugn it.

**5 *itaque vir summa auctoritate, summa eloquentia*:** Cicero chooses not to name his opponent, inviting his audience to fill in the blank. The most obvious candidates are Bibulus, Cato and M. Claudius Marcellus. Bibulus was personally watching the sky on the day of Clodius' *transitio ad plebem*, as Cicero says in *Dom.*: "here is a man gifted with rare virtue, consistency and seriousness (*vir singulari virtute, constantia, gravitate praeditus*), M. Bibulus, and I say that he, as consul, on that very day was watching the sky" (*hunc consulem illo ipso die contendo servasse de caelo*, 39 with Nisbet 1939: 202–3; cf. also *Har. Resp.* 48). Cicero may be thus playing up Bibulus' inconsistency; in spite of the fact that he, more than anyone else, denied any validity to Caesar's laws (cf. 45.2–3n.), he is now willing to accept their effects, namely, the legality of Clodius' law exiling Cicero. The unnamed *vir*, however, could also be Cato, and

in *Dom.* Cicero makes a similar allegation with similar wording but speaking of “illustrious leading men” (42). Even if Cato was likely not present at the debate (being still in Cyprus), having returned, he “got angry and spoke against Cicero” (Plut. *Cic.* 34.2, *Cat. Min.* 40; Dio 39.22), because Cicero alleged that none of Clodius’ laws had any legal force since his adoption to the plebs had been illegal. In the next two chapters Cicero unfolds his logic, which leads to a double dilemma\*.

**6 dixit graviter casum illum meum funus esse rei publicae:** Cicero develops the metaphor\* of the “embodiment of the state” throughout many *post reditum* speeches (*Sest.* 54, 78, 109; *Dom.* 42 and 124; cf. also *una plaga conciderit*, *Prov.* 16.30n. and *Att.* 1.16.9 with Fantham 1972: 128–9).

**7 sed funus iustum et indictum:** legal language points to the law being passed according to the procedure. The first meaning of *iustus* (< *ius* + *tus*, a typical suffix that forms adjectives from nouns with stem in -s) is “according to the *ius*,” therefore “lawful, legitimate” (*OLD* 1a); similarly, the first meaning of *indico* is “to give formal notice” for an assembly, a festival or a funeral (*OLD* 1a). In the Late Republic “many elite funerals were announced by heralds inviting all citizens both on the day itself and on previous days... permission was required... to hold such a funeral” (Flower 1996: 95). In this case they spoke of *funus indictivum*, because it was proclaimed (*indictum*) by a herald (Varr. *LL* 7.42 and 5.160 with Toynbee 1971: 45). In *Dom.* Cicero similarly states that according to some most distinguished men (*virī clarissimi*) “that funeral, although it was deplorable and cruel (*miserum atque acerbum*), had been proclaimed legally” (*iure indictum*, *Dom.* 42).

**7 mihi ipsi omnino perhonorificum est:** highly emphatic and colloquial language, with redundant adjective (*ipsi*), adverb (*omnino*) and intensive prefix *per-*, highlights Cicero’s due appreciation at his exile being called a *funus rei publicae* and lays out the terms of his disagreement about it being *iustum*. On this use of *omnino* referring to something specific and creating opposition to something else, cf. *TLL* 9.2.597.40. *Perhonorificum* is colloquial and elsewhere attested only in Cicero’s letters (e.g. *Att.* 1.13.2 and 2.18.1; Laurand 1965: 275; *TLL* 10.1.1443.13–21).



8 **dici**: Cicero likes to put what he thinks into some honorable senators' mouths (e.g. Servilius calls Piso and Gabinius *duo rei publicae portenta ac paene funera*, 2.16n. and *Red. Pop.* 17).

9 **adsumo**: for the meaning of *adsumo* with dat. reflexive, cf. *OLD* 6 and *TLL* 2.930.3.

10 **illud iure rogatum** refers to Cicero's *funus*, that is, to his banishment. Clodius passed two laws concerning his exile. The first bill, the *lex Clodia de capite civis Romani*, declared outlaws those who executed a Roman citizen without granting them the right to appeal to the popular assembly (*provocatio*; cf. 45.32n. *quorum ego consilio*). Although this bill did not mention Cicero, it was clearly and specifically directed against him (for the execution of the Catilinarians), and Cicero went into voluntary exile before being sentenced (*Att.* 3.4; *Plut. Cic.* 31.5; Introduction 2–5). Clodius then passed a second law, the *lex Clodia de exilio Ciceronis*, the one with which this passage is concerned, naming Cicero and spelling out the terms of his exile. The text of this law is lost, but Cicero's writings allow us to reconstruct its main points:

- Exile. Cicero was mentioned by name and exiled for his execution of the Catilinarians and for forging a *senatus consultum*. The law specified that Cicero had to be at least 400 miles away from Italy and that people aiding him in violating this disposition would be put to death.
- Property confiscation. All his property was to be confiscated and auctioned, while his house on the Palatine was to be demolished.
- Clodius' supervision. It seems that the law entrusted Clodius with the supervision of the destruction.
- Monument construction. The law authorized the construction of a monument (an altar to *libertas*) where Cicero's house on the Palatine used to be.
- Recall prevention. The law had a clause forbidding senatorial discussion about Cicero's recall.

Such a law, per se, was anything but unconventional, as Romans had a respectable tradition of banishment, confiscation and destruction of property, and even of consecration of confiscated land to a deity

(Tatum 1999: 158). A Roman law also often contained a clause preventing people in the future from annulling it.

The formal procedure by which Clodius carried this second law, however, presents some oddities:

- Cicero was declared an outlaw without ever being formally summoned to court or accused of anything (*Dom.* 26), since no charge was ever brought against him, and therefore he was given no chance to appeal. This makes the proceedings leading to his exile similar to a proscription (cf. 45.3n.).
- Roman law prohibited the author of a law from *curatio*, personally taking charge of its administration.
- Cicero's condemnation was not passed through an assembly of the plebs (*concilium plebis*), and not through the centuriate assembly (*comitia centuriata*), which traditionally had judicial competence in capital cases (Kaster ad *Sest.* 65).

10 **quod nullo exemplo fieri potuit**: this vague statement does not specify what is unprecedented in Cicero's exile, but it takes its force from appealing to the typically Roman practice of seeking *exempla* (and following the *mos maiorum*) and from the fact that Cicero often repeats it (cf. *Dom.* 26, 43, 57–8, 110; *Sest.* 65 with Kaster; *Pis.* 30; *Att.* 3.15.5; *Rep.* 2.54; *Leg.* 3.11 and 3.44).

11 **nulla lege licuit**: *repetitio*\* of *nullus*, homoioteleuton\* (*potuit... licuit*), litotes\* and alliteration\* give emphasis (on emphatic *nullus* instead of *non*, see K-S 2.263b), transforming a highly debated point into a matter-of-fact statement, which Cicero inserts on the side (in a relative sentence) without discussing or proving.

11 **quia nemo de caelo servarat** modifies *si illud iure rogatum dicere ausi sunt*. Since no one was watching the sky and no one reported unfavorable omens (cf. 45.4n. *salvis auspiciis rogatum esse dicebant*), some people said that Cicero's exile was carried out regularly.

12 **oblitine erant tum...dici de caelo esse servatum?**: Bibulus was watching the sky and reported unfavorable omens on the day of Clodius' *transitio ad plebem* (cf. 45.2n. *illo consule*). The rhetorical question (cf. *Mil.* 62) sets up an initial dilemma\*, a

powerful device consisting of giving an opponent two alternatives, both implying the admission of some fault or inconsistency (Lausberg §393). This dilemma, whose terms are laid out in the next seven lines, can be summarized as follows:

- If the laws carried by Caesar in 59 are *not* valid (45.2–3), then no one can maintain that Cicero's exile was legal (45.13–15). Denying legal force to Caesar's laws implies denying legal force to Clodius' becoming plebeian and tribune of the plebs, which in turn implies denying legal force to all the laws he proposed as tribune, including the ones that caused Cicero's exile.
- If the laws carried by Caesar in 59 are valid (45.15–17), then Clodius' tribunate and all the laws he carried as a tribune are also valid (45.17–18). Moreover, if Caesar's laws are valid, Bibulus (and other senators with him) were wrong and failed in declaring them void on the basis of bad omens. In fact Bibulus, who was also consul in 59, tried to invalidate the laws carried by Caesar through *obnuntiatio* (see 45.2n. *illo consule*).

This dilemma serves to cap Cicero's line of argument with the appearance of rigor (Craig 1993: 173–4), creating resonances throughout *Prov.* and throughout other *post reditum* speeches (cf. nn. below and Introduction 32–4).

**12 plebeius est lege curiata factus:** Clodius' *transitio ad plebem* was passed through a curiate assembly (*comitia curiata*), which was traditionally in charge of ratifying the appointment of magistrates and priests, and the ruling on adoptions and wills. In 59 Caesar, as consul, summoned the assembly (which by the end of the Republic amounted to 30 lictors each representing a curia) and, as *pontifex maximus*, he presided over it, while Pompey, attending as augur, reported no unfavorable omen. The assembly passed the adoption (technically an *adrogatio*, cf. Introduction 1–5), which became law (Tatum 1999: 104–8).

**13 qui si plebeius omnino esse non potuit:** because Bibulus' *obnuntiatio* invalidated both the assembly (summoned by Caesar in 59) and the law it passed on Clodius' *transitio ad plebem* (for the same argument, cf. *Dom.* 40–1). *Qui* stands for *at is* (K-S 3.319b).

14 **qui tribunus plebis potuit esse?**: interrogative *qui* corresponds to *quomodo* (cf. *Vat.* 41; K-S 3.495.2). Repetition of *qui, esse* and *potuit* (chiastically\* arranged: *esse non potuit... potuit esse*) highlights the absurdity. Cf. “don’t you see... that I am not dealing with an issue which is self-evident—that you have done nothing according to the law (*te omnino nihil gessisse iure*), that you have never been tribune of the plebs (*non fuisse tribunum plebis*), and that to this day you are a patrician? (*hodie esse patricium?*)” *Dom.* 34 (cf. also *Dom.* 42; *Har. Resp.* 44).

15 **et cuius tribunatus si ratus est, nihil est quod inritum ex actis Caesaris possit esse**: in Cicero’s logic, since in 59 Bibulus tried to invalidate all Caesar’s laws, including the one allowing Clodius’ adoption to the plebs, one can think either that Bibulus succeeded, so that none of Caesar’s laws are valid, or that Bibulus failed, so that all Caesar’s laws are legal. And since Clodius could not have been tribune of the plebs without first becoming a plebeian, recognizing the validity of Clodius’ tribunate (the first meaning of *ratus*, from *reor*, is “having legal validity,” *OLD* 1) logically implies accepting as valid also all the other acts carried by Caesar in 59. Multiple rhetorical devices frame Cicero’s argument: two favored *clausulae* (Type 4 *tribunatus si ratus est*; and Type 3 *Caesaris possit esse*), a polyptoton\* with antonyms\* (*ratus... inritum*, Holst 1925: 88–9), *cuius* anticipating *eius* and the repetition of *tribunatus* all highlight the contradiction. Cicero uses similar arguments to develop a similar logic in *Dom.* 39–40. In this passage Cicero does not question the legal validity of Clodius’ *adrogatio*, as he did not in 59 (Tatum 1999: 105); rather, he tries to show the inconsistency of some senators.

17 **perniciosissimae res** must refer to the first four bills carried by Clodius through the assembly of the plebs on 4 January 58 and defined as *quattuor leges perniciosae* by Cicero’s famous commentator Asconius (ad *Pis.* 9 = 8.13). These included a law reestablishing the legitimacy of the *collegia* (*lex Clodia de collegiis*), which had been outlawed in 64 following some disturbances; a law for distributing, for the first time, free (rather than subsidized) grain to the people in Rome (*lex Clodia frumentaria*); a

law limiting the scope of bans on the formal gathering of popular assemblies (*lex Clodia de agendo cum populo*, cf. 46.19n.); and a law limiting the censors' power to issue notes declassing citizens (*lex Clodia de censoria notione*, cf. 46.21n.). For sources on Clodius' bills, see *MRR* 2.195–6, and Tatum 1999: 117–38 for a good summary and discussion. Cicero explicitly refers to these last two laws in the following chapter. Clodius' legislation, of course, also included the allocation of Macedonia and Syria to Piso and Gabinius and the two bills that caused Cicero's exile.

[46.]

18 **aut...aut**: a very long period, which takes the whole chapter (the second *aut* is at 46.25), gives two alternatives to set up a second dilemma\* arising from the first one (see 45.12n. *oblitine erant*) and whose terms can be summarized as follows:

- If one (e.g. Bibulus and some other senators) recognizes the validity of the Aelian and Fufian law (as they certainly would), then one must accept that Clodius' tribunate is illegal (because these laws invalidated Caesar's legislation that transferred him to the plebs), and so are his laws, which destroy the state.
- If one does *not* recognize the validity of the Aelian and Fufian law, then one cannot use those against Caesar's (good) laws and not use them against Clodius' (disastrous) laws.

With this second dilemma, "the senators are given the choice of putting themselves in an impossible situation or of agreeing with Cicero" (Craig 1993: 178). In particular, the first and the second dilemma share the same assumptions (Clodius' tribunate and laws are evil) and the same logic (if Caesar's laws are invalid so must Clodius' be) but they have a different focus. In the first dilemma (45) Cicero impugns the validity of the laws that caused his exile, and in this second one he concentrates on other laws carried by Clodius.

18 **statuendum est** is followed by a series of infinitives, which are its grammatical subject (*manere, esse abrogatam, non...licere, licere* and *esse...sublatum* and *fuisse*), coordinated in asyndeton\*.

19 **legem Aeliam**: the *lex Aelia*, passed sometime around 150 (*Pis.* 10; cf. *Vat.* 23), dealt with *obnuntiatio* (a magistrate's right to use unfavorable omens to prevent the legal gathering of a popular assembly, cf. 45.2n.), spelling out some rules for a practice that was "as old as the republic itself" (Mommsen 1963: 1.111). Although the details of this law and of Clodius' attempt to curb it are unclear, we can sketch the main outline of the Roman practice of summoning (or preventing lawful summoning of) popular assemblies: a magistrate who had the right to take omens (*spectio*) could announce that, on the night preceding an assembly, he planned to watch the sky for omens (*de caelo servare*); if the people gathered nevertheless, before the beginning of the assembly the magistrate could use *obnuntiatio*, by personally reporting the bad omens he had observed to the magistrate presiding at the assembly; such a report could not be ignored, and the assembly had to be rescheduled, lest its decisions be vitiated (for a good overview with updated bibliography, see Tatum 1999: 125–33 and Kaster 2006: 194–7). When and why the *lex Aelia* was passed and the specific content of Clodius' law on *obnuntiatio* (*lex Clodia de agendo cum populo*) remain unclear (cf. Sumner 1963: 338–44 and 251–8), but Cicero's claim that Clodius had abolished the magistrates' right to *obnuntiatio* is certainly a rhetorical and falsifying exaggeration, and Clodius' law most probably aimed to prevent the interference of a tribune of the plebs against another tribune carrying a bill (Weinrib 1970: 405–6).

19 **manere . . . non esse abrogatam**: Cicero suggests that the senators must decide if the *lex Aelia* still holds, implying that Clodius tried to annul it. Since these laws granted a magistrate the power to invalidate gatherings of popular assemblies, Cicero considered the *lex Aelia* and the *lex Fufia* as the bulwark of the republic, and in other *post reditum* speeches he explicitly accused Clodius of abrogating them (cf. "by your decision—to annul the *lex Aelia* and the *lex Fufia*—who does not see that the whole state has been destroyed?" *universam rem publicam esse deletam*, *Sest.* 33 with Kaster; cf. *Red. Sen.* 11 with Sumner 1963: 342–3).

19 **legem Fufiam**: the *lex Fufia*, also passed sometime around 150 (possibly in coordination with the *lex Aelia*, which was, however, a separate law), established the days when popular assemblies

could gather (*dies comitiales*). No public business (judicial and political activity, including popular assemblies and senatorial meetings) could be carried out on days marked in the official calendar as unfavorable (*dies nefasti*); litigation was permitted on all other days (*dies fasti*), while political gatherings were allowed only on those *dies fasti* which were also *comitiales* (apt for assemblies). According to the *lex Fufia*, the 17–24 days between the announcement and the holding of elections were not *comitiales*; Clodius' law revoked this limitation, thus extending the number of days available for summoning popular assemblies (Tatum 1999: 125–6), and possibly lifted the difference between *dies fasti* and *dies fasti et comitiales*, thus farther broadening the available slots for the gathering of popular assemblies. Scholars regard as an absurdity Cicero's claim that Clodius completely did away with the *lex Fufia* and the limitations on summoning assemblies (Sumner 1963: 339; Linderski 1995: 132–3; Kaster 2006: 195).

20 **non omnibus fastis legem ferri licere**: Cicero implies what he states in *Sest.*—that Clodius proposed that “it would be legal to carry a law on any day of public business,” *omnibus fastis diebus legem ferri liceret*, 33.

20 **cum lex feratur, de caelo servari, obnuntiari, intercedi licere**: Cicero refers again to Clodius' (alleged) abrogation of the *lex Aelia* (on which see n. above), even hinting at removal of the *ius intercessionis*, which granted a magistrate the right to veto another magistrate (Mommsen 1963: 1.258–61). The climactic\* arrangement of the infinitives governed by *licere* lines up more and more drastic ways of opposing a law: a magistrate declaring he was watching the sky for omens was enough to defer an assembly (at least until Caesar ignored Bibulus' *spectio* in 59); formal *obnuntiatio* made an assembly officially vitiated; and vetoing a law was seen as a strong and undesirable measure, exercised almost only by tribunes of the plebs, and often replaced by *obnuntiatio*. In *Sest.*, Cicero moves the same (rhetorical and absurd) accusation, that thanks to Clodius “a law was carried depriving the auspices of force, preventing anyone from announcing divine portents and vetoing a law,” *lata lex est ne auspicia valerent, ne quis obnuntiaret, ne quis legi intercederet*, *Sest.* 33 (cf. Kaster ad loc.; *Red. Sen.* 11).

21 **ensorium iudicium ac notionem et illud morum severissimum magisterium**: another absurd climax\*, referring to Clodius' law limiting the use of censorial notes, and going so far as to imply that Clodius eliminated the censorship as such. *Iudicium* indicates the power to pronounce a lawful judgment (cf. *OLD* 5); *notio* indicates the investigation of a case (Berger 1953 s.v.), here referring to the censors' examination of citizens (*OLD* 2) and possibly echoing the title of Clodius' law (*lex Clodia de censoria notione*); and *magisterium* indicates the expression of the *iudicium*, or censorial power to check citizens (*OLD* 2 and *TLL* 8.89.63). These words echo another similar and similarly absurd statement in *Sest.*, that because of Clodius' law, "censorial examination, and the most solemn judgment of the most revered office, was eliminated from our state," *censoria notio et gravissimum iudicium sanctissimi magistratus de re publica tolleretur* (*Sest.* 55 with Kaster). In fact, censors continued to enlist citizens in their different classes, to update the list of senators (*lectio senatus*), to sign contracts with publicans and to oversee the morals of the community, and in 55–4 Servilius (cf. 1.12n.) and Valerius Messalla would regularly be censors (*MRR* 2.215). Clodius' law had simply introduced two innovations: it required the *active* participation of both censors for expelling a senator from the senate (while previously one censor issued the *nota*, which was effective, unless the other censor vetoed it; Tatum 1990: 36); and it granted a chance of public defense to senators who had been excluded from the *lectio senatus* (Ascon. ad *Pis.* 9 = 8.24–6 with Marshall; Dio 38.13.2–3; Tatum 1990).

23 **nefariis legibus** anticipates *contra leges sacratas* and *contra auspicia* (cf. 45.17n. *perniciosissimae res*). *Nefarius* indicates a wicked deed offending divine and moral law.

23 **non esse...sublatum** depends on *vobis statuendum est* at 46.18; the singular form *servatum* agrees in gender and number with the closest subject (*magisterium*), as often in Cicero (Lebreton 1901: 4).

23 **si patricius...si plebeius** is another dilemma\*. Cicero impugns Clodius' tribunate as being either against the laws, which forbid patricians from being plebeian tribunes, or against Bibulus'



auspices, which invalidated all Caesar's laws, including the one sanctioning Clodius' *transitio ad plebem*. Rhetorical devices contribute to creating a sense of undefeatable logic: anaphora\* (*si... si*, coordinated in asyndeton\* and *contra... contra*), epiphoric\* polypoton\* (*fuertit... fuisse*) and two favored Type 4 *clausulae* (*tri-bunus plebis fuerit* and *con-tra auspicia fuisse*) juxtapose the two options.

23 **patricius tribunus plebis**: oxymoron\* and alliteration\* play up the absurdity of the situation, cf. 45.14n. *qui tribunus*.

24 **fuerit... fuisse**: *fuisse* is the last inf. subject of *vobis statuendum est* (46.18) and the apodosis of a conditional, with protasis regularly in a principal tense (*fuerit*, Lebreton 1901: 269).

24 **leges sacratas** were laws carrying a religious sanction that made an offender *sacer*, "accursed," so that "his person and property [and family] are forfeited to a god by reason of an offence against divine law," *OLD* 2a (cf. *Dom.* 43 with Nisbet and *Balb.* 33). In practice, *leges sacratae* were particularly concerned with preventing the return of the monarchy in Rome (Beard, North and Price 1998: 1.59) and with safeguarding the inviolability of plebeian tribunes (Livy 2.33 and 3.55; Liou-Gille 1997). The distinction between a *lex sacrata* and a normal law lay in a different sanction: having been forfeited to a god, the offender against a *lex sacrata* was not punished by magistrates, but any member of the community could kill him/her with impunity (*Tull.* 49; *Fest.* S 467 [= L p. 424]; Gioffredi 1945: 50 and 62–4; Altheim 1940: 19–29), and the offender's property was consecrated to the temple of Ceres, Liber and Libera, a cult with "strongly plebeian associations" (Ogilvie ad Livy 3.55.5).

24 **si plebeius, contra auspicia fuisse**: cf. *illo consule rogatas iure latas negant*, 45.2n.

25 **concedant** is constructed with dat. and inf., like *licet, necesse est* and *contigit* (K-S 2.679–80); Cicero more often uses *concedo* in impersonal passive forms (K-S 3.230–1).

25 **oportet** can be constructed with inf. or, as in this case, with subj. without *ut* (K-S 3.236–7). Passive periphrastic (*aut vobis statuendum est*) and *oportet* give a tone of inescapable logic to Cicero's dilemma\*. For this use of *oportet* expressing a logical consequence, cf. *OLD* 3b.

25 **in rebus bonis** is opposed to *in perditis*, juxtaposing Caesar's and Clodius' laws (cf. *perniciosissimae res*, 45.17). This generic expression, however, can also refer to Caesar's reconciliation with the senate and successful campaign in Gaul: in Cicero's logic, senators should not be fussy over technicalities, since Caesar is acting in the interests of the state (cf. 40.27n.).

26 **non exquirere ea iura** refers to the formal legal procedure, which Bibulus' *obnuntiatio* (see 45.2n. *illo consule*) rendered doubtful. Chiasmus\* (*non exquirere ea iura, quae...non exquirant*) highlights the opposition between *in rebus bonis* and *in perditis*, and *exquirere* implies careful and minute scrutiny (cf. "I am not fussy in examining augural law," *non sum in exquirendo iure augurum curiosus*, *Dom.* 39).

27 **praesertim cum** governs both *lata sit* and *sit*, which are coordinated in asyndeton\*.

27 **ab illis aliquotiens condicio C. Caesari lata sit ut eadem res alio modo ferret**: *condicionem alicui ferre ut* indicates the making of a proposal (cf. *Sex. Rosc.* 30 with Dyck and *Fam.* 8.14.2; *TLL* 4.136.14 and *OLD* 3), and nonspecific *ab aliis* leaves the proponents unnamed (and impossible for us to identify), according to Cicero's strategy of putting pressure on the senators without pointing fingers (cf. Introduction 45–8). There is no other evidence for senators recommending that Caesar's laws be passed in accordance with the auspices, and scholars have formulated different hypotheses to explain this statement. It seems that this proposal was a measure to give indubitable validity to all Caesar's laws with the exclusion of the one including Clodius among the plebs, hence it represented a direct attack on Clodius; but the proponents and the circumstances continue to be debated. Ward sees it as a response to Clodius' attack on Caesar (1977: 246–7), while Seager suggests that it was an attempt by some senators, backed by Pompey, to breach the alliance between Caesar and Clodius in 58 (2002: 104; cf. Tatum 1999: 172–3 with bibliography). Cassius Dio states that in 59 some senators proposed whatever Caesar wished and supported it not only through the people but also through the senate (38.8.4). In fact the goal of Bibulus' opposition was precisely to discredit Caesar's enactments, and his vetoes, although unable

to prevent Caesar's legislation, had a potent effect: "his [Bibulus'] edicts were read avidly and his boycotting tactics were regarded as the proper means to rescue the state's honor" (Gruen 1974: 92).

28 **qua condicione auspicia requirebant, leges comprobabant**: homoioteleuton\* in *-bant* highlights the equation.

29 **in Clodio auspicioꝝ ratio sit eadem** is coordinated in asyndeton\* to *condicio C. Caesari lata sit*, both depending on *praesertim cum*. *Ratio* with gen. indicates "relation, regard toward" (OLD 8b). Given that Bibulus obstructed Caesar's law for Clodius' adoption to the plebs, invalidating the laws passed by Caesar in 59 would automatically invalidate also all the laws that Clodius, as tribune of the plebs, passed in 58, as Cicero has already stated at 45.12.

30 **eversae ac perditae civitatis**: Cicero consistently presents Clodius' action as a perversion and destruction of the state; cf. 11.27n. and 13.26n.

### PERORATIO 47

As expected, Cicero closes his speech with a *peroratio*\*, or conclusion (*peroratio . . . quam . . . conclusionem alii vocant*, Quint. 6.1.1). Just as the *exordium* serves to introduce the speech and put the audience in a good frame of mind, the *peroratio* serves to conclude it (Lausberg §432). According to the ancient manuals of rhetoric, the *peroratio* had two main goals: to recapitulate briefly the main points of an oration through *enumeratio*\* and to stir the desired emotions in the audience. Specifically, "through *enumeratio* arguments scattered in different parts of the speech are gathered in one passage and presented at a glance to refresh the memory of the audience" (*enumeratio est per quam res disperse et diffuse dictae unum in locum coguntur et reminiscendi causa unum sub aspectum subiciuntur*, *Inv.* 1.98; cf. *Her.* 2.47 and Quint. 6.1.1). As for emotions, the orator must leave his audience ill-disposed toward his opponents and well-disposed toward himself and his client, and this was achieved through *indignatio*\* and *conquestio*\*: *indignatio* "achieves great hatred against an individual (*in aliquem hominem magnum odium*) or arouses deep resentment at some

deed (*in rem gravis offensio*),” *Inv.* 1.100; while *conquestio* “elicits the pity of the audience (*auditorum misericordiam*),” *Inv.* 1.106.

In *Prov.* there is a patent and exceptional disparity between the *exordium* and the *peroratio* (see Introduction 35–6): with the *exordium* Cicero launches the invective against Piso and Gabinius without mentioning Caesar, while with the *peroratio* he summarizes his arguments for reappointing Caesar without mentioning Piso and Gabinius (and this implies that *Prov.* has no *indignatio*). In spite of this disparity, however, Cicero’s reiterated claim to act solely in the interests of the state (cf. *rei publicae conducit*, 1.9n. and *rei publicae consulere*, 47.2) creates a deep coherence, which unifies the speech (cf. 1.11n. *utilitate*).

[47.]

1 **extremum illud est**: Cicero signals that he is coming to the end; he introduces the *peroratio* of *Vat.* with similar words (*extremum illud est quod mihi abs te responderi velim*, 41).

1 **si essent [inimicitiae] mihi cum C. Caesare**: Cicero recapitulates a theoretical possibility previously discussed (cf. *ego me a C. Caesare in re publica dissensisse fateor et sensisse vobiscum*, 25.1n. and *violata amicitia est*, 43.7n.). As often *inimicitiae* stands in the plural, and in Cicero abstract nouns in the plural indicate repetition or different types of a phenomenon or, as in this case, intensify it (Lebreton 1901: 33–7); the construction with emphatic dative of possession and *cum* + abl. is not uncommon (cf. *Sex. Rosc.* 17 with Dyck; *TLL* 7.1.1622.9).

2 **hoc tempore rei publicae consulere**: without admitting he has been an enemy of Caesar, Cicero repeats his willingness to reconcile for the sake of the state (cf. *si ipsas inimicitias depono rei publicae causa, quis me tandem iure reprehendet?* 20.16n. and 18.25).

3 **inimicitias in aliud tempus reservare deberem**: the statement that, if any enmity toward Caesar existed, Cicero would be obliged to put it aside recalls the end of the *exordium*, where Cicero admits having bitter feelings toward Piso and Gabinius, but promises to put them aside and act solely in the interests of the state (2.1n. and 23.17).

3 **possem etiam summorum virorum exemplo inimicitias rei publicae causa deponere**: similar words (18.26) introduce Cicero's *excursus* with six historical *exempla* of reconciliation; thus in one line Cicero summarizes the content of five chapters. Manuals of rhetoric recommended brevity for the *peroratio*, advising that "every argument be mentioned as briefly as possible, so that it is clear that memory is refreshed without rehearsing the whole speech" (*unum quidque quam brevissime transeatur, ut memoria, non oratio renovata videatur*, *Inv.* 1.100).

5 **sed** introduces a factual statement after the contrary-to-fact *si essem . . . deberem* (K-S 3.399).

5 **cum inimicitiae fuerint numquam**: cf. 42.27n. and 43.6n.

5 **opinio iniuriae**: in *Prov.* Cicero never quite admits that Caesar treated him unjustly, while conceding that Caesar's support for Clodius aroused suspicion of *iniuria* (43.8n.). *Opinio* indicates what people think (e.g. *Sest.* 79; *TLL* 9.2.720.71–721.43), and Cicero often opposes it to *veritas* (e.g. *Inv.* 2.21) or to secure and correct knowledge (*Dom.* 11).

6 **beneficio sit exstincta** refers more aptly to Caesar's support for Cicero's recall from exile in 57 (43.8–19) than to the *beneficia* he offered to Cicero in 59 (41). In fact, Cicero admits that in 59 he refused Caesar's favors (41.13), and even implies that these refusals may have accounted for Caesar's supporting Clodius (42.24).

6 **patres conscripti**: addressing the audience is another way to stir emotions, as Cicero often does in his speeches to the senate (e.g. *Agr.* 1.27; *Cat.* 1.32; *Red. Sen.* 39; *Har. Resp.* 61).

7 **si dignitas agitur Caesaris, homini tribuam**: cf. 26.20n. For the meaning of *tribuo* used absolutely, cf. *OLD* 6.

7 **si honos quidam, senatus concordiae consulam**: both by being reconciled with Caesar (18) and by favoring reconciliation between Caesar and the senate (38). On *honos* and Caesar cf. 27.6n. *concordia* (< *cum* + *cor*, "having one heart, mind") "belongs to the general vocabulary referring to friendship" (Hellegouarc'h 1963: 125), and Cicero seems to have been the first to use it with a political nuance (cf. 10.22n. *eius ordinis*; Achard 1981: 35–40). In *Sest.* 71, Cicero similarly hints at a possible reconciliation with Caesar as an advantageous course for public harmony.

**8 si auctoritas decretorum vestrorum, constantiam ordinis in eodem ornando imperatore servabo:** by praising the consistency of the senators who were supporting Caesar, Cicero reminds the audience that those who were opposing him were inconsistent, since the senate had bestowed exceptional honors on Caesar (cf. 25). Cicero equally stated that he had followed the senate's lead in honoring Caesar (25.11n. and 38.23n.). On the senate's *auctoritas*, see 3.15n.; *constantia* (< *cum* + *sto*) literally indicates a person's ability to remain firm in his resolution (*in sententia permanere*, *Fam.* 2.16.3), hence to be consistent.

**10 si perpetua ratio Gallici belli, rei publicae providebo:** Cicero recalls his claims of taking into account the status of the war in Gaul (cf. 29.24n. and 35.26n.) and of acting in the interests of the state (cf. 20.17n. and 27.5n.).

**11 si aliquod meum privatum officium, me non ingratum esse praestabo:** *officium* indicates one's duty to reciprocate a received *beneficium* (cf. 44.25n. *tantis beneficiis*). Cicero recalls his personal connection with Caesar (cf. 40–4) and in particular the statement that “I am a grateful person” (44.24; cf. 41.12n.).

**12 probare omnibus:** for *probo* with dat. meaning “to cause to be regarded favorably by” (*OLD* 6b); cf. *Phil.* 7.14.

**14 qui meum inimicum repugnante vestra auctoritate texerunt:** according to the rhetoric of *Prov.* (and of other *post reditum* speeches; e.g. *Red. Sen.* 27; *Red. Pop.* 14; Nicholson 1992: 35–7 and 90–7; Riggsby 2002: 182–4), Cicero established an identity between supporting Clodius (as usual unmentioned in *Prov.*; cf. 7.16n.) and being an enemy of Cicero, of the senate and of the state (cf. 2.5n. and 43.1n.).

**15 cum inimico suo** refers to Cicero's reconciliation with Caesar.

**16 et cum meo et cum suo inimico** refers to Clodius, opposed to Caesar by chiasmus\*.

**17 in gratiam non dubitarint redire** ends the speech with a favored Type 3 *clausula* and by repeating another motif of *Prov.* (cf. 18, 21–3 and 25).



## Glossary of Cited Rhetorical Terms

*ACTIO*: speech delivery, with fitting voice(s), posture and gesture; the fifth and last part of the “classical canon.”

*ADIUNCTIO*: is when a verb holding a sentence together is positioned at the beginning or at the end of the sentence. *Her.* 4.38; Lausberg §743.

*ADNOMINATIO*: 1. Juxtaposition of two words with different meaning but similar sound. Lausberg §637; or 2. Repetition of different words from the same root. Lausberg §648.6.

*ADYNATON*: an exaggeration so extreme as to be impossible.

*ALLITERATION*: repetition of initial sound in consecutive words.

*AMPLIFICATIO*: emotional enhancement of facts. Lausberg §259.

*ANACOLUTHON*: grammatical incongruence caused by the switch from one syntactical structure to another.

*ANAPHORA*: word repetition at the beginning of consecutive units. Lausberg §629.

*ANASTROPHE*: inversion of the expected order of consecutive words. Lausberg §713.

*ANTICIPATIO*: setting up defense to prevent an expected attack from the opponent. Lausberg §§854–5.

*ANTISTASIS*: repetition of the same word with different meaning. Lausberg §661.

*ANTITHESIS*: juxtaposition of opposites.

*ANTONYM*: opposite in meaning.

*APOSTROPHE*: turning away from the audience to address a second audience. Lausberg §762.

*APROSDOKETON*: unexpected end replacing an expected one.

*ASSONANCE*: repetition of similar sounds in consecutive words.

*ASYNDETON*: connecting words without conjunctions. Lausberg §709.

*BRACHYLOGY*: concise expression.

*CAPTATIO BENEVOLENTIAE*: catching the good will of the audience.

*CHIASMUS*: ordering words in AB BA pattern.

*CLAUSULA*: end of a colon.

*CLIMAX* (climactic, climactically): words following in ascending or descending order of strength.

*COLON* (plural, cola): unit of thought of at least two words and about 5–15 syllables.

*COMMORATIO*: emphatic repetition of a concept with different words. Lausberg §835.

*COMPROBATIO*: complimenting the audience to win support.

*CONCESSIO*: conceding a point to the opponent. Lausberg §856.



- CONFIRMATIO*: part of the speech where proofs are laid out. Lausberg §430.
- CONFUTATIO* (aka *refutatio*): part of the speech where the opponents' arguments are rebuked.
- CONQUESTIO*: words that win favor by eliciting pity. Lausberg §439.
- CORRECTIO*: rectifying your own word or sentence. Lausberg §784.
- CUMULUS*: disorderly heaping up of arguments. Lausberg §443.
- DELIBERATIO*: pondering advice, arguments and solutions.
- DIGRESSIO*: excursus that strengthens the point.
- DILEMMA*: offering to the opponent two or more choices that are all self-incriminating. Lausberg §393.
- DISPOSITIO*: arranging arguments found in the *inventio*; second part of the "classical canon." Lausberg §443.
- DISIUNCTIO*: consecutive cola emphatically expressing the same idea with different words. Lausberg §739.
- EFFICTIO*: description of physical appearance.
- ELLIPSIS*: word omission.
- ELOCUTIO*: choosing fitting words, figures and style for the arguments found in the *inventio* and arranged in the *dispositio*; the third part of the "classical canon."
- EMPHASIS*: stressing by implying more than is stated. Lausberg §578.
- ENUMERATIO*: anticipating or summarizing subheadings. Lausberg §§347, 434.
- EPANALEPSIS*: beginning and ending a unit with the same word(s). Lausberg §625.
- EPIPHORA*: word repetition at the end of consecutive units. Lausberg §631.
- EPIPHONEMA*: witty saying, *sententia*, recapitulating a thought. Lausberg §879.
- EUPHEMISM*: positive or neutral words expressing something unpleasant.
- EVIDENTIA*: vivid and visual description. Lausberg §810.
- EXCLAMATIO*: emotional and self-contained exclamation. Lausberg §809.
- EXEMPLUM*: example.
- EXORDIUM*: beginning of a speech. Lausberg §263.
- EXPOLITIO*: elaboration of a concept by repeating or developing it through different words. Lausberg §830.
- HAPAX*: a word occurring only once.
- HENDIADYS*: one concept in two words coordinated by "and."
- HOMOIOTELEUTON*: successive words or cola ending with the same sound. Lausberg §725.
- HYPERBATON*: separation of two words that agree. Lausberg §716. E.g. *hos retinet ambo*, 17.1.
- HYPERBOLE*: vivid exaggeration beyond belief. Lausberg §909.
- HYPOTAXIS*: construction with subordinates rather than coordinates.
- HYSTERON PROTERON*: chronological inversion, placing first what happened second and second what happened first.
- INDIGNATIO*: eliciting audience hatred toward an opponent. Lausberg §438.
- INSINUATIO*: means of captivating the audience by concealment (especially in the *exordium*). Lausberg §280.

*INTELLECTION* (aka synecdoche): mentioning a part for the whole or vice versa.

Lausberg §572.

*INVENTIO*: finding arguments; first part of the “classical canon.” Lausberg §260.

*IRONIA* (*EX CONTRARIO*): saying one thing meaning its opposite. Lausberg §582.

*ISOCOLON*: coordinated cola of similar length and structure. Lausberg §719.

*ITERATION*: repetition of the same word. Lausberg §616.

*LITOTES*: negating the opposite. E.g. “not bad” meaning good. Lausberg §586.

*LOCUS*: commonplace. Lausberg §§260, 373.

*LOCUS A CAUSA*: considering the motive for a deed. Lausberg §379.

*LOCUS A COMPARATIONE*: ranking by comparison. Lausberg §395.

*MEMORIA*: having a good grasp on the speech; the fourth part of the “classical canon.”

*METAPHOR*: short comparison by association of unrelated words. E.g. “he is a lion” for “he is as strong/courageous as a lion.” Lausberg §558.

*METONYMY*: substitution of associated words. E.g. “Venus” for “love.” Lausberg §565.

*NARRATIO*: exposition of real or alleged facts to support the thesis; part of the speech. Lausberg §289.

*OXYMORON*: association of contradictory words. E.g. loud silence. Lausberg §807.

*PAROMOIOSIS*: sequence of words ending with the same sound (homoiooteleuton) and in the same case. Lausberg §732.

*PARATAXIS*: construction with coordinates rather than subordinates.

*PATHOS* (pathetic) emotion.

*PERIPHRASIS*: paraphrasing one word with more words. E.g. “*foedissimus tribunus plebis*” for Clodius (7.16). Lausberg §589.

*PERMISSIO*: the gesture of surrendering to the audience, while in fact pressing one’s own point. Lausberg §857.

*PERORATIO*: conclusion of a speech. Lausberg §431.

*PERSONIFICATION*: allotting human traits to nonhuman entities.

*PLEONASM* (cf. redundancy): unnecessary and emphatic repetition. Lausberg §503.

*POLYPTOTON*: repetition of the same word in different grammatical forms. Lausberg §643.

*PRAETERITIO*: emphasizing something by stating to pass over it. E.g. I will not mention that you promised. Lausberg §882.

*PROLEPSIS* (proleptic): anticipation. Lausberg §855.

*PRONOMINATIO*: use of an appellative or periphrasis for a proper name. E.g. “the orator” for Cicero or “Caesoninus, descendant of Calventius” for Piso. Lausberg §580.

*PROPOSITIO*: anticipatory summary. Lausberg §289.

*RECAPITULATIO*: repetition for recapitulation. Lausberg §434.

*REDUNDANCY* (cf. pleonasm): unnecessary and emphatic repetition.

*REDUPLICATIO*: repetition of a word at the end and at the beginning of two subsequent units. Lausberg §619.

*REFUTATIO*: see *confutatio*.

*REPETITIO*: emotional repetition of words separated by a few words. Lausberg §618.

*RHETORICAL QUESTION*: question expecting an answer that is not given.

*RHYME*: sound repetition at the end of words.

*RING COMPOSITION*: beginning and ending with the same concept/words.

*SERMOCINATIO*: attributing words to animals or inanimate entities. Lausberg §820.

*SIMILE*: associating words through “like,” “as,” etc. Lausberg §422.

*SYNONYM*: different words with same meaning.

*SYNKRISIS*: comparison.

*TRADUCTIO*: repetition of different forms from the same word. Lausberg §647.

*TRANSITIO*: connection between different parts of a speech. Lausberg §849.

*TRICOLON*: sequence of three cola of similar structure or length. Lausberg §733.

*VARIATIO*: artistic variation.

*ZEUGMA*: one word governing various units without being repeated; e.g. Lausberg §692, 745.

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## Abbreviations

- ANRW = H. Temporini and W. Haase, eds., *Aufstieg und Niedergang der römischen Welt*. Berlin, 1972–.
- CAH<sup>2</sup> = *The Cambridge Ancient History* ed. 2, Cambridge, 1970–2001
- L-H-S = M. Leumann, J. B. Hofmann, and A. Szantyr, *Lateinische Syntax und Stilistik*. Munich, 1965.
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