

Reading Cicero's Final Years

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Volume 3

Reading Cicero's Final Years

Receptions of the Post-Caesarian Works
up to the Sixteenth Century

With two Epilogues

Edited by
Christoph Pieper and Bram van der Velden

DE GRUYTER

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Summary of the Chapters

This volume brings together papers dealing with the reception of the last 21 months of Cicero's life. When on 15 March 44 BCE Julius Caesar was murdered in Rome, Cicero, after a period of indetermination, finally returned to active politics. One last time, he cast himself in the role of defender of the Republican constitution and its corresponding virtues of liberty, freedom of expression and respect for the traditions of the forefathers. Famously, his fight was unsuccessful and led to his definitive fall from grace and to his death in the course of the proscriptions of the Second Triumvirate. These final months of his life seem to enlarge themes that had been relevant for Cicero during his career up to that point; in a certain sense they could be described as a distillation of it. It is no wonder that they have also shaped his later reception in a considerable way. The contributions gathered here analyse important steps of this reception.

Ancient sources and modern scholars alike seem to agree that Cicero was killed on Mark Antony's orders. The *Philippics*, it is alleged, were what caused Antony's intense hatred. In Chapter One of this volume, however, Thomas Keeline alleges that this long-standing and convenient story is unlikely to be true, or at least unlikely to be the whole truth. Whatever Antony knew of Cicero's *Philippics*, it was not the canonical corpus that we read today. Moreover, Keeline asserts, the rhetoric of the *Philippics* was insufficient to motivate Cicero's murder, and Antony and Cicero could have patched up any breach in *amicitia*—people often changed sides in the late Republic, not least Cicero. Finally and most importantly, the young Octavian must have played an important role in Cicero's proscription, a role which he was later at pains to cover up. The commonly accepted story of Cicero's death has more to do with early imperial propaganda and two millennia of reception than with historical reality.

In Chapter Two, Caroline Bishop examines the ancient reception of Cicero's *Philippics* alongside the reception of Demosthenes' 'Philippic' speeches. Cicero and Demosthenes alike were remembered as allegories for the failure of democratic free speech at the hands of autocracy, and each also represented both the pinnacle and the end of a classical period. Bishop argues that the published collection of Cicero's *Philippics* plants the seeds for this sort of reception by imitating one of the most salient features of Demosthenes' speeches: their valorization of failure as a necessary price to pay when a society's attempt to maintain its classical glory exceeded its ability. By invoking the potential for a similarly noble defeat against Antony, Cicero's collection of *Philippics* was meant to secure a Demosthenic reputation for himself should he also fail—a reputation with which his ancient readers obliged him.

Virgil was about 25 years old when the events of 44–43 BCE unfolded, and as Andrew Sillett argues in Chapter Three, they did not go unnoticed by him. With the help of a close reading of the description of characters from the underworld in *Aeneid* 6 and the depiction of Latium's orator Drances in *Aeneid* 11, Sillett shows that Cicero, while not mentioned explicitly, was very much on Virgil's mind whilst he composed the *Aeneid*. He argues that Virgil's allusions to Cicero's role in the final period of the Republic should be seen in the context of the early reception of Cicero as a whole, so heavily influenced by the Antonian camp. He avers that Virgil consciously alludes to this tradition of anti-Ciceronian invective in order to conjure up memories of the bloodbath of the preceding decades in the minds of his readers, and to make a point to them regarding the failings of the Roman Republic.

While Cicero is only implicitly present in Virgil, he appears as a character in ancient historiography and historical epic. This is the theme of Giuseppe La Bua's contribution in Chapter Four. He analyses speeches by Cicero from Lucan and Cassius Dio, which he treats as *pseudepigrapha*, in order to show that Cicero's life during the final years of the Roman Republic could lead to fierce discussions about his responsibility for the civil war and the collapse of the Republican system. La Bua argues that the dichotomy of Caesar and Cicero during the Civil War of 49–48 BCE is of similar importance as the depiction of Cicero's deeds after Caesar's death. While Lucan famously labels Cicero a warmonger and lets him speak in favour of war, we find a more nuanced picture in Cassius Dio. On the one hand, Cicero, when speaking himself, conveys the image of a man of peace, whereas the accusation of being a disturber of order is put in the mouth of a fellow senator, Calenus. La Bua concludes that such debates were meant to question Cicero's own attempts to draw a consistent image of himself, whereas later authors were interested in the inconsistencies of Cicero as a historical figure.

Lex Paulson in Chapter Five reviews Cicero's theory of free will in his late philosophical writings, especially in *De fato*. Having summarized the major position Cicero defends in the treatise and having clarified how innovative Cicero's concept was in comparison to his Greek predecessors, Paulson shows that the notion of free will, which depended on virtuous behaviour, was Cicero's answer to the political challenges of his time. If political virtue could no longer be put into action due to the rupture Caesar's dictatorship had caused, at least politicians like Cicero could retreat to a kind of inner exile: if philosophy cannot save the state, it can at least save Cicero's soul and reconcile him to his failures. In the second part of his contribution, Paulson shows that Augustine's notion of free will depends heavily on Cicero's concepts, but that he substitutes the political with a religious interpretation. If human societies prove to be imperfect by

nature, it is wiser to direct one's attention to God as the true source of man's free will.

Chapter Six is concerned with Late Antiquity as well. Bram van der Velden studies the pseudo-Ciceronian *Epistula ad Octavianum*, in which 'Cicero' vents his anger after Octavian's betrayal, as a reception document. He argues that its author alludes to multiple strands of Ciceronian reception at once, strands which are usually kept separate in other ancient re-workings of the Ciceronian legacy: Cicero is portrayed as a politician, rhetorician, philosopher, letter-writer and master of the Latin language all at once. The result is a 'hyper-Ciceronian' text which combines themes which we would not expect to be combined even in one single genuine Ciceronian document. Van der Velden argues that the mosaic-like form of intertextuality found in the letter is most characteristic of Late Antiquity. Besides, he submits that the depiction of Cicero as employing over-the-top rhetorical features and as a conduit of the thought of various philosophical schools has distinct late antique features to it.

Cicero continued to be read as an important source of *auctoritas* in the Middle Ages, but the extent of his influence on actual social or political debates remains debatable. As Carole Mabboux in Chapter Seven shows with the help of examples of late medieval debates about tyranny, Cicero's impact on political theory formation remained marginal. When discussing the role of Julius Caesar, medieval authors did refer to Cicero as his contemporary, but the notorious (and well-known) Ciceronian texts about Caesar's tyrannical behaviour, especially passages from *De officiis*, were hardly quoted, let alone used for their evaluation. And even if authors like Thomas Aquinas and Brunetto Latini referred to them, their main focus remained on Cicero the moral authority, while his role as political actor was only fully rediscovered and re-evaluated in the second half of the fourteenth century.

For such a new interpretation of the political Cicero, Leonardo Bruni's *Cicero nouus* is a fascinating specimen, as Leanne Jansen discusses in Chapter Eight. While Bruni's biography is initially presented as a translation of Plutarch's *Cicero*, it turns out to be an examination of the Roman roots of the political concept of *libertas*. By focusing the narrative on the (unequal) relationship between Caesar and Cicero, the humanist is able to rewrite the latter's life as essentially a struggle for freedom of speech and mind. On this level the *Cicero nouus* offers an analysis of the development of Cicero's mature political theory. Furthermore, Bruni is bent on affirming and reinstating the orator's historical value. By producing his major works during Caesar's dictatorship Bruni's *Cicero* is seen to surpass his mighty rival intellectually and politically. Bruni's reconstruction of Cicero's life is intended to demonstrate that he, indeed, is the timeless embodiment of true Republican values.

In Chapter Nine, Christoph Pieper analyses the intermediatedness of an early sixteenth-century commentary on Cicero's *Philippics* (thus one century after Brunni's influential re-interpretation of Cicero's life). The commentary was printed by Josse Bade, who inserts it via his preface into the ongoing *Ciceronianus*-debate to which Erasmus had made an extraordinarily influential contribution. At the same time, Bade reprints three authoritative commentaries of the fifteenth century. Pieper argues that on the one hand, the edition serves as a mediator for the intellectual heritage of Italian Quattrocento humanism in Northern Europe. On the other hand, the Italian commentators themselves read the *Philippics* as Cicero's legacy, and discuss his importance as an oratorical, political and moral authority. The reception of the *Philippics* in the commentaries is at the same time 'reception of Cicero' and 'reception of the Ciceronian tradition', as it relates closely to early imperial, late antique and early humanistic moments of transforming Cicero into a cultural icon.

A few decades later, Marc-Antoine Muret made heavy use of Cicero's *De officiis* while teaching at the University of Rome 'La Sapienza', as Barbara Del Giovane expounds in Chapter Ten. Del Giovane claims that Muret saw a cornerstone of Cicero's views as of great importance for his own times: the idea that moral philosophy is indispensable for eloquence to function as a political tool, and that every citizen should feel compelled to contribute to the community. In his reading of Cicero, Muret sees close similarities between the political upheaval in the last days of the Roman Republic and the turmoil in the times of the Counter-Reformation. For that reason, *De officiis*—together with selected works of Aristotle and Plato—is made into a didactic tool to form Muret's students into good Christians, *dicendi periti*.

The volume concludes with two epilogues, both of which cover the last 500 years of the reception of Cicero's final years. In the first epilogue, Gesine Manuwald surveys the (early) modern plays dramatizing events from 44 and 43 BCE in which 'Cicero' appears as a character. These cover a period from 1616 to 2017 and are written in Latin, English, Italian, French and German. All playwrights remain generally faithful to the historical record and also take advantage of the dramatic potential of these events, sometimes making minor alterations to increase the vividness of the dramas. Putting the events of 44–43 BCE on stage enables the dramatists to showcase the positive and negative characteristics of different political systems without committing explicitly to a particular view. At the same time how they are presented implicitly conveys a certain attitude. The switch from Republic to Principate is thus seen more or less favourably and Cicero is presented as a hero or given a share of the guilt depending on the perspective taken in the various dramatic versions.

In the second epilogue, Christoph Pieper and Bram van der Velden conclude this volume with a coverage of scholarly appraisals of Cicero's final years during the last half millennium. They show that Cicero's 'final stand' has continued to interest readers far beyond the early modern period, and that it has served many scholars in discussing Cicero's overall political, philosophical and moral heritage.

Even though the chapters of this volume cover a vast array of time periods and literary genres, they are linked by a common thread. It appears that Cicero's final years can serve as a magnifying lens through which the essence of his legacy can be brought into focus. Later authors are often fascinated by his fight for freedom and his Republican ideals: they read Cicero's works from this period as his philosophical testament and as a guide for moral behaviour during troublesome circumstances. At the same time, they also notice Cicero's shortcomings when applying his moral ideals to his own personal life. This volume hopes to show that as his 'swan song', the last year and a half of Cicero's life were at the centre of many of the most influential debates around Cicero's legacy.

Christoph Pieper and Bram van der Velden

Introduction

Caesar's death: a new beginning of history?

The Ides of March 44 BCE marked a definite break in Cicero's perception of contemporary history. After more than fifteen years in which Caesar had considerably dominated Roman politics and five years after the outbreak of the Civil War had brought the Republican constitution to its near collapse,¹ the chance of a fresh start of Republican politics and of his own career seemed within his grasp. It was time to reconsider his public role and to enter the stage of politics again. At least, this is the story² he wanted to convey in public already in spring 44, when he was finalizing his *De diuinatione*. The preface of Book 2 might be one of his first public utterances after Caesar's death, if for a moment we disregard his lost amnesty speech, which he held on 17 March.³ Cicero frames the preface as an end to his years of political inactivity, for which his frenzied philosophical output of the years 46–44 is defined as a substitution.⁴ First, Cicero gives a chronological and thematic overview of his works so far, thus trying to canonize their reception as a coherent philosophical corpus (*Diu.* 2.1–4). In a second step, he again defends his philosophical activities of the past and announces his return to active political life:

Ac mihi quidem explicandae philosophiae causam attulit *casus grauis ciuitatis*, cum in *armis ciuilibus* nec *tueri* meo more *rem* publicam nec nihil agere poteram, nec quid potius,

1 Cf. Cicero's first published text after the Civil War, the preface to his *Brutus*, esp. *Brut.* 4–6, where he famously stages a kind of funeral oration for the lost Republican constitution by referring to the mourning for the state (*lugere [...] rem publicam*, 4) and the forum which is deprived of its best public speakers, Hortensius and himself (*forum populi Romani [...] spoliatum atque orbatum*, 6). Cf. Dugan 2005, 218–219 and 234–237.

2 Cf. Steel 2005, 140 about how Cicero wanted his *Philippics* to be seen: “It is tempting to see these speeches as the glorious culmination of Cicero's public career [...]. This is an excellent story”. (emphasis ours).

3 On this speech in Cassius Dio's version, see La Bua in this volume and recently Burden-Strevens 2015, 150–156; on the reception of the speech in early modern commentaries of the *Philippics*, see Pieper in this volume. Cf. *Eph. Tull. s.v. De pace in senatu* for further secondary literature on this speech.

4 Butler 2002, 110–111 argues that Cicero might have worked on finalizing *De diuinatione* in the weeks immediately following Caesar's assassination. Cf. also the treatment of the preface by Baraz 2012, 188–194, and Steel 2005, 138: “it is possible that Cicero wanted to dramatise the breaking news of Caesar's death and his hopes that it would transform life at Rome”.

quod quidem me dignum esset, agerem reperiebam. Dabunt igitur mihi ueniam *mei ciues*, uel gratiam potius habebunt, quod, cum esset *in unius potestate res publica*, neque ego me abdididi neque deserui neque adflixī neque ita gessi quasi homini aut temporibus iratus, neque porro ita aut adlatus aut admiratus fortunam sum alterius, ut me meae paeniteret.

Id enim ipsum a Platone philosophiaque didiceram, naturales esse quasdam conuersiones rerum publicarum, ut eae tum a principibus tenerentur, tum a populis, aliquando a singulis. Quod cum accidisset nostrae rei publicae, tum pristinis orbi muneribus haec studia renouare coepimus, ut et animus molestiis hac potissimum re leuaretur et *prodessemus ciuibz nostris* qua re cumque possemus. In libris enim *sententiam dicebamus, contionabamur*, philosophiam nobis *pro rei publicae procuratione substitutam* putabamus. Nunc quoniam de re publica consuli coepti sumus, *tribuenda est opera rei publicae*, uel omnis potius in ea cogitatio et cura ponenda; tantum huic studio relinquendum, *quantum uacabit a publico officio et munere*.⁵

The cause of my becoming an expounder of philosophy sprang from the grave condition of the State during the period of the Civil War, when, being unable to protect the Republic, as had been my custom, and finding it impossible to remain inactive, I could find nothing else that I preferred to do that was worthy of me. Therefore my countrymen will pardon me—rather they will thank me—because, when the State was in the power of one man, I refused to hide myself, to quit my place, or to be cast down; I did not bear myself like one enraged at the man or at the times; and, further, I neither so fawned upon nor admired another's fortune as to repent me of my own.

For one thing in particular I had learned from Plato and from philosophy, that certain revolutions in government are to be expected; so that states are now under a monarchy, now under a democracy, and now under a tyranny. When the last-named fate had befallen my country, and I had been debarred from my former activities, I began to cultivate anew these present studies that by their means, rather than by any other, I might relieve my mind of its worries and at the same time serve my fellow-countrymen as best I could under the circumstances. Accordingly, it was in my books that I made my senatorial speeches and my forensic harangues; for I thought that I had permanently exchanged politics for philosophy. Now, however, since I have begun to be consulted again about public affairs, my time must be devoted to the State, or, rather, my undivided thought and care must be fixed upon it; and only so much time can be given to philosophy as will not be needed in the discharge of my duty to the commonwealth.

The passage clearly marks the historical break with the sharp 'then/now'-dichotomy (*attulit* as perfect tense vs. *nunc* with present tense *tribuenda est* towards the end of the quotation). The period of the Civil War (*in armis ciuilibus*), which according to this passage lasted until Caesar's death and thus until the end of his sole reign (*in unius potestate res publica*), has finally been replaced by a new phase of public engagement (*publicum officium et munus*) for Cicero. It is obvi-

5 Cic. *Diu.* 2.6–7. Transl. Falconer 1923.

ously of another quality than the time devoted to his previous philosophical studies.

These, however, Cicero frames by political connotations as well:⁶ his fellow citizens are presented as the judges of Cicero's philosophical engagement (*dabunt [...] ueniam mei ciues*), which they should condone because it has been useful for them (*prodessemus ciuibus nostris*). So even if he expresses a turning point in his biography as politician and philosopher in April 44, his former treatises are nonetheless described as an (albeit alternative) way of giving his political vote (*sententiam dicebamus*) and of speaking in front of the assembly of the people (*contionabamur*)—in short: he “considered philosophy as a substitute for administering the state” (*pro rei publicae procuratione substitutam*). The political change in Rome means no ontological change of character for Cicero, but one of gradation or better, of intensification: the new political circumstances give rise to a more immediate political engagement, which relegates philosophy to the realms of dignified *otium* again.⁷ In the words of Jonathan Zarecki, philosophical works after Caesar's death “provide insight into Cicero's decision to *cast off the guise* of retired elder statesman”.⁸

It is telling, however, that Cicero probably did not write this preface in Rome, the place where according to his own conviction Roman politics should be conducted,⁹ but in one of his villas where he had been living most of the time since mid-April 44. The situation in Rome was not as glorious as the preface to *De diuinatione* 2 suggests. Caesar was dead, but many Romans, instead of rejoicing and taking the chance to throw off the yoke of his *dominatus*, wanted him back and gladly welcomed Antony's attempts to continue Caesar's politics. Caesar was not only present in everyone's mind, but in a certain way still exercised his power.¹⁰

⁶ Cf. Butler 2002, 110–111 on the political language used in this passage.

⁷ Cf. Baraz 2012, 194: Cicero again is a political *persona* with philosophical interests, whereas before Caesar's death, he has been a philosophical *persona* with political interests (cf. *ibid.*, 191). On Cicero's manipulative use of *otium* in his rhetorical and philosophical works in the late 50s, see Steel 2005, 63–82. Fox 2007, 231–232 argues differently: according to him, the multiplicity of Ciceronian *personae*, which could be condensed in the philosophical works, is what really interested Cicero.

⁸ Zarecki 2014, 136 (emphasis ours).

⁹ Cf. Cicero's famous anecdote in *Planc.* 66 about the Romans not taking notice of his Sicilian quaestorship, which he concludes with the remark *feci ut postea cotidie praesentem me uiderent, habitauit in oculis, pressi forum* (“I saw to it that afterwards they saw me personally on a daily basis; I lived in front of their eyes, I was glued to the forum.”); cf. also Q. Cicero (?), *Comment. pet.* 2 (the invitation to repeat as a mantra: *nouus sum, consulatum peto, Roma est*).

¹⁰ The letters to Atticus from 7 and 8 April (*Att.* 14.1 and 2) show the fixation of parts of the Roman upper class on Caesar, who, although dead, still serves as a kind of political legitimation.

It seemed to Cicero that while the Romans had killed a dictator, the tyranny (exercised by Antony in tandem with the decrees of the deceased Caesar) was still powerfully present.¹¹ This led to a huge restlessness on Cicero's part, who not only seems to have changed his location almost daily (*Att.* 14.2.4), but also to have swung violently from excitement and hope to depression and resignation.¹² One example of this is his floating attitude towards Antony: until summer 44 he wished to maintain his *amicitia* with Antony (at least on the surface) in order to be able to negotiate with him (e.g., *Att.* 14.13B, *Fam.* 16.23), while at the same his disquiet because of Antony's tyrannical behaviour grew into fear even for his own life (*Fam.* 12.2; 12.3; 12.22).¹³

It would take another four months before he finally returned to Rome and intervened in the public debate in the senate, at first almost unwillingly and only because his presence was required at a meeting, during which he held his first *Philippic Oration*. According to Stephen Usher, this first, not the (fictitious) second *Philippic* was ultimately the point of no return for Cicero's enmity with Antony,¹⁴ and thus defined the role Cicero would play in public from this moment onwards: that of the arch-enemy of Mark Antony and fierce defender of the Republican case. Interestingly, exactly at the same time, in autumn 44, he was also working on his last philosophical work, *De officiis*. Here he set out his ideal of political virtues and distanced himself definitively from both Caesar and Pompey by accusing them both of political actions that were driven by egoistic power ambitions, thus including the work explicitly into his old/new activity as first-rank politician (see below pp. 9–10).¹⁵

The influence of Caesar's decrees on the political debate of the time is mentioned several times, e.g. *Att.* 14.6.2, 14.10.1 (*ut omnia facta, scripta, dicta, promissa, cogitata Caesaris plus ualerent quam si ipse uiueret*, "that all deeds, writings, sayings, promises and thoughts of Caesar have more influence now than if he was still living"), 14.13.6; see Bellincioni 1974, 123–128.

¹¹ Cf. *Att.* 14.14.2 (*sublato enim tyranno tyrannida manere uideo*) and also, e.g., *Att.* 14.4.1 (*equidem doleo [...] non una cum libertate rem publicam recuperatam* ("I myself lament [...] that the state has not been rescued together with freedom")).

¹² Cf. Van der Blom 2003, 290–295.

¹³ Cf. Usher 2010 and Van der Blom 2003, 295–299, who stresses the impossibility of any lasting appeasement between the two very different characters with completely opposing political interest. Another example are the Ides of March which are first defined as Cicero's only pleasure (*Att.* 14.6.1; 14.13.3), but soon have the flaw of not having had the result Cicero wanted (*Att.* 14.22.2); cf. Butler 2002, 108.

¹⁴ Cf. Usher 2010.

¹⁵ Cf. *Off.* 3.82–84; Dyck 1996, 602–603 *ad loc.* draws attention to the embeddedness of the passage in the political situation of late 44 and refers to Strasburger 1990, 90–91 for the "riskiness of the passage, which, once published, would remove any chance of compromise with the Caesar-

The first *Philippic* was met with approval by Cassius (*Fam.* 12.2), the second by Atticus (*Att.* 16.11), and in November 44 young Octavian unceasingly urged Cicero to return to active politics.¹⁶ Some months later, in February 43, he wrote to his close friend Lucius Papinius Paetus that he was continuously attempting to protect the safety and freedom of his fellow citizens (*sic tibi, mi Paete, persuade, me dies et noctes nihil aliud agere, nihil curare, nisi ut mei ciues salui liberique sint*, *Fam.* 9.24.4). This last quotation refers to Cicero's definitive fight against Mark Antony in what we now know as *Philippics* 3–14, speeches delivered between 20 December 44 and 21 April 43, a time during which Antony was declared a public enemy and was finally besieged and defeated at Mutina by the two consuls Hirtius and Pansa, who both lost their lives during the expedition. Cicero's *Philippics* represent the most powerful anti-Antonian propaganda of the time. But his fight had the failure—or at least the potential to fail—already written into it from its beginning. As Bishop in this volume argues, Cicero explicitly reflected on the concept of potential failure on a meta-textual level in these speeches in order to shape his own *persona* as a kind of *Demosthenes rediuiuus*. On the other hand, there was also unwanted and real failure resulting from his fatal tendencies to wrongly interpret the political climate in Rome. Especially dangerous was his over-estimating his own role and his under-estimating some of his fellow politicians, most of all young Octavian.¹⁷ In incredibly patronizing terms he guaranteed the senators that the “youngster”¹⁸ would always remain faithful to Cicero's senatorial faction—implying that it would always be possible for him to lead Octavian with his advice.¹⁹ Octavian, however, turned out not to be a naive *puer*, but a ruthless politician. Thus, at the end, Cicero's hope that his engagement in politics after the Ides of March could change the course of history turned out to be wrong. The price he had to pay for his error

ian party”; cf. also Van der Blom 2003, 304, who speaks of Cicero advocating a “surgical” solution with regard to Caesar's murder.

16 Cf. *Att.* 15.11.6: *deinde ab Octauiano cotidie litterae ut negotium susciperem, Capuam uenirem, ut iterum rem publicam saluarem* (“Furthermore, daily letters from Octavian: I should take up office again, I should come to Capua, I should again save the state.”).

17 Cf. e.g. Gelzer 1969, 409: “Sein Fehler war [...], daß er seinen wirklichen Einfluß auf den Gang der großen Politik überschätzte”. Cf. also below p. 7.

18 Cf. *Phil.* 3.3 (*paene potius puer*), *Ep. Brut.* 1.18.3. See Manuwald 2007, vol. 1, 94 with further literature in n. 243.

19 Cf. *Phil.* 5.51 (*promitto, recipio, spondeo, patres conscripti, C. Caesarem talem semper fore ciuem, qualis hodie sit, qualemque eum maxime uelle esse et optare debemus*) with Manuwald 2007, vol. 2, 723–724.

was enormous: the conciliation of Antony and Octavian and the ensuing proscription led to his death and silenced Cicero's voice forever.²⁰

Reading Cicero's last years

"The manner of his death brought Cicero praise and sympathy from the writers of Antiquity. His life and character have evoked more varied reactions".²¹ It is indeed a common strategy to begin a description of Cicero's life with the end—see for example the biographies by Kathryn Tempest and Emanuele Narducci.²² It was not very difficult to read his death as a moment that sealed a life in the service of the state, passionately engaged with liberty and Republican constitution and against tyranny and the undermining of the political *mos maiorum*.²³ If one interprets his last moments in such a way, one very much follows the paths of reception which Cicero himself had tried to set out in his final years—generally, it has been shown in recent years how important Cicero's project of self-fashioning has been for his later reception.²⁴

After Caesar's death, he was keen on stressing the consistency of his career, especially (as the quotation from *De diuinatione* has shown) on harmonizing his absence from politics with his renewed active role. He therefore re-invented his role as *homo consularis* and linked the events of 44 and 43 closely with his consular fight against Catiline in 63 and with his opposition to Clodius in the 50s.²⁵ The message was simple: Cicero was fighting for the good cause of the free Re-

²⁰ Butler 2002, 123 is a very suggestive reading of Plut. *Ant.* 20.3–4 arguing for Antony's major responsibility for Cicero's death; see Keeline in this volume for an important modification of this traditional view. Bellincioni 1974 is a very detailed treatment (closely following the Ciceronian sources) of the last two years of Cicero's life.

²¹ Mitchell 1991, 324.

²² Cf. Narducci 2009, Tempest 2011. "Cicero's death came at the end of the most intense period of personal and political activity of his life", as Zarecki 2014, 159 puts it, heavily leaning on the image Cicero wanted to convey of the last one and a half years of his life.

²³ For the almost exclusive focus on his death in early imperial literature, see Gowing 2013, 238.

²⁴ See Bishop 2019; La Bua 2019, 16–54; Keeline 2018, 2–3. Cf. also Zarecki 2014, 149: "Cicero was successful in assassinating Antony's character" (with the *Philippics*).

²⁵ Cf. esp. the famous beginning of the second *Philippic* (2.1): *Quonam meo fato, patres conscripti, fieri dicam, ut nemo his annis uiginti rei publicae fuerit hostis, qui non bellum eodem tempore mihi quoque indixerit? [...] Tu ne uerbo quidem uiolatus, ut audacior quam Catilina, furiosior quam Clodius uiderere, ultro me maledictis lacessisti.*

public and against the enemies of the state.²⁶ This is at least how Cicero wanted to frame his actions, and this is how especially his death was indeed perceived by many later readers: as a symbolic act, as the end of a political era, as the silencing of a voice that represented the Roman state under Republican constitution. The fascination with Cicero's death and the act of resistance which it represented elicited a variety of responses throughout history, all the way from early imperial declaimers who debated whether Cicero should have burnt the *Philippics* in exchange for Antony's pardon (as discussed by Keeline and Bishop in this volume), to (early) modern playwrights for whom Cicero's death served as a symbol of political steadfastness (as studied by Manuwald in this volume).

But it was not merely Cicero's death which captured the imagination of later authors. Many important themes in Cicero's life and work from this period, all neatly encapsulated in the quotation from *De diuinatione* at the start of this chapter, would have a wide-ranging reception in later periods.

1. One of these themes is that of Cicero's work from this period as his swan song, the crowning achievement of his life's literary work. As mentioned previously, Cicero's preface appears to suggest that his philosophical oeuvre would soon be coming to a close, and that *De diuinatione* will be the *Spätwerk* in that oeuvre.²⁷ The *Philippics* similarly have an air of finality to them, as Bishop shows in Chapter 2.²⁸ In these speeches the possibility is embedded that Cicero's resistance will *not* be successful, just as Demosthenes' *Philippics* were ultimately doomed to fail, and would eventually lead to his death. Consequently, even more than in other political speeches, Cicero appears to be actively involved in shaping his post-mortem reception, with his 'noble failure' of the *Philippics* as an important role in that reception. As Cédric Scheidegger Lämmle notes, Cicero takes

²⁶ As an example from literature almost chosen at random, cf. Manuwald 2007, vol. 1, 91–92: “Cicero's proclaimed aim was to defend the *res publica* and the liberty of the Roman people against those who strove for sole rulership and violated basic Republican principles”.

²⁷ Cf. Bringmann 1971, 191 (our emphasis): “Allein die Tatsache, daß er hier eine Übersicht über das bisher Geleistete gibt, spiegelt die Überzeugung des Verfassers wider, daß *sein philosophisches Werk zu einem gewissen Abschluß gekommen sei*” (namely through Caesar's death, not because the thematic range has been fully treated). On the concept of *Spätwerk*, see Scheidegger Lämmle 2016 (for Cicero, *ibid.*, 75–109).

²⁸ On Cicero's failure see also Steel 2005, 115–146, who shows that “Cicero used writing to impose a form of success upon a situation which was, actually or potentially, one of failure” (115); cf. also Steel 2002, 226–233 on the failure of Cicero's emphatic concept of oratory as such: Cicero's oratory was not the most important aspect of Rome's politics in the 60s, 50s and 40s, his speeches hardly ever were decisive for political decisions (Pompey's command, Caesar's command in Gaul etc.).

pains to portray himself as an old man who values his dignity higher than his life, and the *Philippics* as a testament to that conviction.²⁹

In his depiction of the work of this period as his *Spätwerk*, Cicero appears to have been successful. In an influential article Kaster has shown that the early imperial declaimers almost exclusively focused on Cicero's final years and the eventual failure of his political battle.³⁰ Declamation then shaped other imperial genres, as Keeline's recent book has argued convincingly.³¹ We might find a reflection of the declamatory tradition in Cassius Dio's version of the *Philippics*. Famously he condenses the 14 speeches into one long speech by Cicero (Dio Cass. 45.18–47) and has Q. Fufius Calenus react to them in one of the harshest anti-Ciceronian texts that have been preserved from Antiquity (Dio Cass. 46.1–28).³² Within Dio's narrative, the reason for Cicero to deliver his speech are several omens and portents that seem to predict the fall of the state. Among them

καὶ πνεῦμα μέγα ἐπιγενόμενον τὰς τε στήλας τὰς περὶ τὸ Κρόνιον καὶ περὶ τὸν τῆς Πίστεως νεῶν προσεπηγυίας ἀπέρρηξε καὶ διεσκέδασε, καὶ τὸ ἀγαλμα τὸ τῆς Ἀθηνᾶς τῆς Φυλακίδος, ὃ πρὸ τῆς φυγῆς ὁ Κικέρων ἐς τὸ Καπιτώλιον ἀνετεθείκει, κατέβαλε καὶ κατέθραυσε. Καὶ τοῦτο μὲν καὶ αὐτῷ τῷ Κικέρωνι τὸν ὄλεθρον προεδήλωσε.³³

also a mighty windstorm occurred which snapped off and scattered the tablets erected about the temple of Saturn and the shrine of Fides and also overturned and shattered the statue of Minerva the Protectress, which Cicero had set up on the Capitol before his exile. This, now, portended death to Cicero himself.

In Dio's version, then, Cicero seems to be aware that the speech he is going to deliver will lead more or less directly to his death. We find the idea all the way up to the early modern period. When Muret in 1573/1574 introduces *De officiis*—another work that is part of Cicero's philosophical *Spätwerk*—to his students, he highlights the fact that it was written by *Cicero iam senex* and thereby constitutes the *prope ultimus illius praestantis ingenii fetus* (see Del Giovane in this volume). In this, he was following a long tradition. Bruni, for instance, could call the first *Philippic* the *Ciceronis uelut optimi poete extremus actus* (see Jansen in this volume). Pieper in this volume generalizes this observation

²⁹ Cf. Scheidegger Lämmle 2016, 106–109.

³⁰ Cf. Kaster 1998, 262–263; He suggests that the declaimers felt similar as Cicero: as “brilliant, yet utterly impotent orators” they were “unable to work [their] will[s] upon a political world in which speech had been shoved to the margins” (262).

³¹ Keeline 2018.

³² In Zieliński 1929, 280–288 the speech is part of what he calls “Cicerokarikatur”; see also La Bua in this volume with further references.

³³ Dio Cass. 45.17.3–4, transl. Cary 1916.

by analysing the reception of the works of 44 and 43 as a form of condensed reception of Cicero's oeuvre as a whole.

2. From the very beginning of his oeuvre as we know it, we see Cicero taking great interest in defining the interaction between philosophical and rhetorical study on the one hand and the practical discipline of politics on the other. Already in the preface of *De inuentione* he writes: *Saepe et multum hoc mecum cogitavi, bonine an mali plus attulerit hominibus et ciuitatibus copia dicendi ac summum eloquentiae studium* ("I have often seriously debated with myself whether men and communities have received more good or evil from oratory and a consuming devotion to eloquence").³⁴ As Steel remarks, "[Cicero] made being an intellectual and a writer into part of what it meant to be a public figure".³⁵

Especially with *De officiis* and the second *Philippic*, the connection between intellectual and public figure appears close knit. Butler captures this concisely, with a nod to Cicero's self-fashioning in his *Spätwerk*:

The simultaneous composition of the Second Philippic and the *De officiis* left a profound mark on both, and the two works should be [...] read together. [...] It is scarcely coincidental that Cicero was writing a treatise on civic duty even as he set forth, in the Second Philippic, the terms of his own final struggle for the Republic. [...] It might instead be more accurate to say that, both in the treatise and in the speech, Cicero drafted a reflection of a man he had not yet quite become. So compelling was what he saw that soon there would be no turning point.³⁶

On the other hand, the preface of *De diuinatione* 2 draws out a tension between the roles of writer and active politician. Even though he is writing a philosophical treatise, Cicero states that philosophy should not be one's main occupation when the state calls one to duty (*Diu.* 2.7: *nunc quoniam de re publica consuli coepti sumus, tribuenda est opera rei publicae [...]; tantum huic studio relinquendum, quantum uacabit a publico officio et munere*). The oscillation between his presentation of philosophy and politics as either overlapping or distinct fields is mirrored in his reception, which has conceptualized the relationship between Cicero/philosopher and Cicero/politician in very different ways. According to Bishop, the scholarly reception of the two diverged rather quickly in Antiquity.³⁷ But this does not mean that this division could no longer be questioned or turned back. Indeed, through the ages we find radically varying responses to

³⁴ *Inu. rhet.* 1.1, transl. Hubbell 1949.

³⁵ Steel 2005, 146.

³⁶ Butler 2002, 116–117.

³⁷ Cf. Bishop 2015, and Altman 2015b, 4–5 on Zieliński 1929 and his treatment of Cicero's integrity.

the question of unity of Cicero's oeuvre. On one end of the spectrum we find Florentine humanists of the early fifteenth century, for whom, as Jansen in this volume concludes, Cicero the political theorist and Cicero the politician go hand in hand. On the other we encounter medieval authors who seem unaware that the senator Cicero and the philosopher Tullius were, in fact, the very same historical person.³⁸ As Van der Velden in this volume suggests, an even more complex picture emerges when we broaden our scope to include other Ciceros whom posterity has known: the universal stylistic model, the letter-writer, the poet. Under this lens, Ciceronian reception can be seen as a never-ending process of fragmentation and re-assembling of earlier versions of Cicero.

3. When in the preface to *De diuinatione* 2 Cicero speaks of a period “when the State was in the power of one man”, he refers to a figure who even after his death would continue to exercise his major influence—not only on politics, but also on Cicero's writings of this last period of his life. It is Caesar who gives Cicero's fight for Republican values and against a potential dictatorship of Antony an immediate poignancy. Even when not mentioned explicitly, Caesar is a continuous presence in the *Philippics*, in *De amicitia*, *De fato* and *De officiis*, and Cicero's correspondence from his final years to a large degree seems to be concerned with the question of negotiating one's role in a post-Caesarian world.

Already in April 44, Cicero hints at the parallel between his situation now and during the civil war of 49–48: *neque enim iam licebit quod Caesaris bello licuit* (“but I will no longer be allowed to do what was still allowed during Caesar's war”, *Att.* 14.13.2). This tendency to frame the situation after the Ides of March in comparison with or even analogy to one of the moments of biggest despair in his life and in Rome's recent history would gladly be picked up by later authors. As shown by Bishop in this volume, Cicero realized early on that his own opposition to Caesar took on an almost archetypal nature, known to him from a very familiar sphere: that of the stock-orator against the stock-tyrant in declamation. La Bua in this volume argues that in order to understand the ancient historians' evaluations of Cicero's final years, one must also consider how they portrayed him during the civil war. Also in late medieval and early humanistic texts, Cicero often seems to be linked to Caesar in that one cannot understand the one without taking into account the dichotomy with the other. Mabboux in this volume treats the (admittedly restricted) influence of Cicero opposing Caesar in late medieval discussions about how to deal with tyranny. Most clearly, this dichotomy becomes visible in the context of Florence, where Leonardo Bruni dates the be-

38 Cf. Mabboux 2016, 45, who shows that within the 13th and early 14th centuries there was no clear-cut take on the influence of Cicero's philosophical works on actual politics.

ginning of Rome's cultural and political decline to the rule of Caesar, Augustus and the other Julio-Claudian emperors. As Jansen in this volume notes, Bruni for one analyses the conflict between Caesar and Cicero not just as a clash between historical individuals, but as a strife between tyranny and the abuse of political rights and civic freedom and self-determination.

4. This automatically leads to another important focus of this volume. For Cicero, the opposite of “a State in the power of one man”, as mentioned in the preface of *Diu.* 2, would be a state whose citizens live in a condition of *libertas*. Zarecki has shown that Cicero adds to the weight of the already heavily laden term even further in his speeches against Mark Antony: “In the *Philippics*, Cicero uses *libertas* to designate the proper state of the constitution. He presents two possible alternative statuses for the State: freedom or tyranny. [...] In the ideological battle against Antony, *libertas* becomes the key to preserving all of the traditional Republican virtues, including *otium*, *pax*, and *concordia*”.³⁹ A passage which beautifully shows how Cicero wants to connect himself with terms of political stability and peace in the free state after Caesar's murder is the preface to *De fato*: the former Caesarian Hirtius, whom Cicero hopes to convince of the Republican case, visits Cicero; the two immediately begin a discussion, and the theme almost naturally are two of Cicero's political slogans of the past, peace and political stability (*otium*). In order to underline the close link between himself and these concepts, Cicero adds that in the months after the Ides of March, this is their “daily and regular topic” (*cum ad me ille uenisset, primo ea, quae erant cotidiana et quasi legitima nobis, de pace et de otio, Fat. 2*).⁴⁰

In his synthesis of philosophy and politics during this period, one cannot help noticing Cicero's emphasis on the core concept of his political life throughout the genres in which he is writing. *Libertas* takes pride of place: as mentioned by Sillett in this volume, the notion occurs in all of the *Philippics* but the ninth, and a staggering 102 times in the corpus of the *Philippics* as a whole. Paulson in this volume furthermore observes that the concept is also of great importance in *De fato*, where it takes on more philosophical connotations connected with individuals being the master of their own destiny.⁴¹ Consequently, reception sees the

³⁹ Zarecki 2014, 151. Cf. also Bellincioni 1974, 28–32 (*libertas*) and 32–45 (*concordia*).

⁴⁰ Hirtius is a rather exceptional interlocutor in the dialogue (since the *Academici libri*, Cicero had restricted living speakers to his most inner circle, Atticus, his brother and himself): cf. Bringmann 1971, 194–195; Steel 2005, 108.

⁴¹ In a similar vein, Arena has argued that Cicero's concept of *libertas* also in *De officiis* gets a new, Stoic interpretation which “alters” the traditional juridical Roman view of previous times. A truly free man is he “who acts according to virtue”: cf. Arena 2007, 51–53. She then shows how this new concept also feeds the *Philippics* (61–67), where Cicero goes so far to elevate everyone's

term laden with Ciceronian connotations. As Sillett in this volume suggests, Drances' insistence on *libertas fandi* in *Aeneid* 11.346 may well be a nod to Cicero's use of the term, especially since Drances is also painted in Ciceronian colours elsewhere in the *Aeneid*. Later on in the tradition, Augustine's use of *libertas* in conjunction with his views on free will may well be indebted to the aforementioned *De fato*, as suggested by Paulson in this volume. The apotheosis of a highly emphatic Ciceronian *libertas* can be detected in Florentine politics around 1400, when the city tried to shape her image as keeper of (ancient) Republican ideals against other non-Republican city states in Italy (especially Milan) with whom they were waging war (see Jansen in this volume).⁴²

5. In the passage from *De diuinatione*, we finally see Cicero pre-empting criticism of his behaviour of the past few years: why is he now re-entering politics after such a long period of inactivity? Ancient readers must have connected this criticism of Cicero's inadequate *constantia* with similar negative assessments of earlier moments in his political career. Why, for instance, did he make a U-turn in shifting his allegiances to the First Triumvirate in the mid-50s? Why did he waver so much after it became clear that Caesar was attempting a full-blown *coup* in early 49? Why the effusive praise in his three Caesarian speeches? In this preface to *Diu.* 2, we see Cicero offering a re-definition of what it means to be *constans*.⁴³ Since the best way of serving one's countrymen is highly dependent on the exigencies of the political situation, he submits, it should come as no surprise that he will now change his course after the recent political upheaval.⁴⁴ In other words: a person's *constantia* should not be judged in relation to every single action, but rather with regard to the general political programme he is following. In Cicero's own case, the general love for the Republic and the attempt to save it meant for him that he had to remain on speaking terms

inner feelings and judgments above the "objectivity of law" (67) — a dangerous path which at the end enables Octavian to claim supreme power: "by removing obedience to the laws from its central position, he himself created the ideological basis for such a defeat" [sc. his succumbing to the triumvirs] (72).

⁴² The theme of *libertas* connected to Cicero emerges in Florence e.g. from the epigrams that Coluccio Salutati composed for the frescoed cycle of *uiri illustres* in a chamber of the Palazzo Vecchio and in which Cicero is hailed as embodiment of freedom: *at ipsum / Antonii gladius libertatemque peremit* ("but Antony's sword killed him and liberty", cf. Hankey 1959).

⁴³ Cf. for the philosophical take on *constantia* in his oeuvre e.g. Fulkerson 2013 (esp. 248: "*Constantia* is assuredly a virtue, and an aristocratic one, associated with *fides*, *integritas*, *gravitas*") and Tracy 2012, 105, who marks the tension between the *constantia*-claim in his political career and his being a sceptic in the philosophical works.

⁴⁴ The vexed question whether or not one should "serve the time" is discussed, among others, in Jossa 1964, Manenti 2007 and Hall 2009b.

with all of the major players of his time, which automatically led to some utterances that could be criticized as inconsistent.⁴⁵

This can also be seen in the year 44, when he tried to keep the outward appearance of *amicitia* between himself and Mark Antony until autumn, even though in his letters to Atticus Antony is criticized for tyrannical behaviour as early as April 44. A fascinating case are the letters exchanged between the two that have been preserved in the fourteenth book of the Atticus letters. In *Att.* 14.13A, Mark Antony writes to Cicero with hardly hidden menace. Hall has analysed the letter and Cicero's answer (*Att.* 14.13B) and recognizes the threat, but remarks that it is embedded in "an outer façade of politeness", which is "scrupulously retained".⁴⁶ As Hall argues further, Cicero acknowledged Antony's attempt to write politely, but also read the letter as malevolent (*dissolute, turpiter, perniciose*, *Att.* 14.13.6) and hypocritical.⁴⁷ In his answer to Antony, however, he kept his tone so polite that Antony in his turn, when he was no longer interested in publicly stressing their bonds of friendship, read parts of the letter in the senate in September 44 to prove Cicero's fickleness. Hall's comment is to the point: "Polite fictions do not survive well when removed from the social pressures that produce them".⁴⁸

The rapid political decontextualization after Cicero's death might be the most important reason why Cicero was not successful in moulding this part of his legacy.⁴⁹ As Sillett and La Bua elucidate in this volume, there was a very early tradition of invective against Ciceronian fickleness, traces of which may be found in Virgil, Asinius Pollio, Lucan, the pseudo-Sallustian *Invective against Cicero* and in the imperial Greek historians. Having subsided for a long time, this criticism pops up again in the nineteenth century, as this book's second epilogue will show.

In studying the afterlife of these various themes, one notices that Cicero himself was actively trying to influence his own reception. He was not always successful in doing so, perhaps because others were also actively involved in directing Ciceronian reception towards a particular course, or in claiming it for their own purposes. One such actor may have been Octavian. As expounded by Keeline and Sillett in this volume, it may well be that the later Augustus consciously

45 Cf. Malaspina 2013 for an engaged defence of Cicero against the charge of inconsistency through a comparison of his public discourses and philosophical treatises during Caesar's dictatorship.

46 Hall 2009a, 93–98; cf. also Bellincioni 1974, 170–171.

47 Hall 2009a, 94–95.

48 *Ibid.*, 98.

49 Cf. Kaster 1998.

attempted to re-write the history of the end of the Republic, not only by down-playing his own role in Cicero's death, but also by restraining overtly positive depictions of Cicero, or indeed any kind of tribute to his legacy. The famous absence of Cicero's name from most parts of Augustan literature is probably the result of this. It is possible that later in his life, once he was sure that Cicero's name no longer served as a watchword of the 'Republicans'⁵⁰ and thus no longer constituted a danger to his regime, Augustus tried to rehabilitate Cicero (in so doing also blackmailing the memory of Mark Antony). At least this is what the famous anecdote towards the end of Plutarch's *Life of Cicero* wants to convey:

Πυνθάνομαι δὲ Καίσαρα χρόνοις πολλοῖς ὕστερον εἰσελθεῖν πρὸς ἓνα τῶν θυγατριδῶν· τὸν δὲ βιβλίον ἔχοντα Κικέρωνος ἐν ταῖς χερσὶν ἐκπλαγέντα τῷ ἱματίῳ περικαλύπτειν· ἰδόντα δὲ Καίσαρα λαβεῖν καὶ διελθεῖν ἐστῶτα μέρος πολὺ τοῦ βιβλίου, πάλιν δ' ἀποδιδόντα τῷ μειρακίῳ φάναι· “Λόγιος ἀνὴρ, ὦ παῖ, λόγιος καὶ φιλόπατρις”.⁵¹

I learn that Caesar, a long time after this, paid a visit to one of his daughter's sons; and the boy, since he had in his hands a book of Cicero's, was terrified and sought to hide it in his gown; but Caesar saw it, and took the book, and read a great part of it as he stood, and then gave it back to the youth, saying: “A learned man, my child, a learned man and a lover of his country”.

According to Plutarch, Augustus re-discovered the patriot behind the proscribed Cicero;⁵² if it was not him, Tiberian culture most surely did, as testify the *Histories* of Velleius Paterculus or the *exempla* by Valerius Maximus, in which Cicero plays a rather positive part.⁵³ But this did not wipe out the previous negative image. Both—the hyperbolically heroic and the caricaturally negative—continued to exist. Every new generation had to come to terms with Cicero's legacy, and the final years of his life were always a crucial part of these negotiations, as this volume hopes to show.⁵⁴

⁵⁰ As it had been after Caesar's assassination, when (according to Cicero's own testimony in *Phil.* 2.28) Brutus triumphantly showed the bystanders the bloody dagger that had killed Caesar and cried out the name Cicero.

⁵¹ Plut. *Cic.* 49.3; transl. Perrin 1919.

⁵² Cf. Moles 1988, 200 *ad loc.*: “[T]here is finally a kind of posthumous reconciliation between Republicanism and Caesarism”; Lintott 2013, 210 *ad loc.* only comments that “[t]he anecdote shows that republican values might be a source of suspicion in the period when the boys were growing up (c.10 BC onwards)”. Cf. also Pelling 2002, 368–369 on the passage as a summarizing and at the same time “modifying vignette”.

⁵³ Cf. Wiegand 2013, 130–131 on “Cicero als Symbol” of the *res publica* in Velleius, 166–167 on Cicero and other late-Republican heroes as positive figures in Valerius.

⁵⁴ Many thanks to Thomas Keeline and Ermanno Malaspina for helpful comments on this introduction.

Thomas J. Keeline

Were Cicero's *Philippics* the Cause of his Death?

“The survival of the *Philippics* imperils historical judgement and wrecks historical perspective”.¹ So the eminently quotable Sir Ronald Syme, and he is clearly right—but only partly. Our perspective on the 632 days between the assassination of Caesar and the assassination of Cicero is warped by forces even more powerful than the *Philippics*: aside from Cicero's writings, what survives to document this period is mostly history written by the winners, and they were not disposed to an impartial presentation of the facts. The notion that Cicero was killed on Antony's orders, and that he was killed in particular because of the *Philippics*, has a pedigree stretching back to our earliest sources. Modern historians have a tendency to accept this version of events uncritically; after all, it is vouched for by a variety of ancient witnesses, and it just makes sense. Cicero did oppose Antony in the *Philippics*, and passionately and memorably. Indeed, in the Call for Papers for the conference panel that lies behind this very volume, the organizers referred to “Cicero's [...] death at the hands of Marc Antony”.² But this long-standing and convenient story will not withstand scrutiny. I hope to show that the idea that Cicero died because of Mark Antony is, if not wrong, at least oversimplified.

It is true that the ancient sources are unanimous in ascribing Cicero's death to Antony's malign influence and his hatred of Cicero and the *Philippics*, and I will briefly present this evidence. But I will then argue that our reading of the *Philippics* as a canonical corpus is unhistorical for the year 43 BCE, the only year that matters for Cicero's death: Antony is not likely to have been reacting to the *Philippics* as we know them today. Furthermore, I will point out that the rift between Cicero and Antony could have been patched up, as were many such conflicts in the late Republic, and that the rhetoric of the *Philippics* was in any case insufficient to motivate Cicero's murder. Finally, and most importantly, I will interrogate the role of the young Octavian in Cicero's proscription. Octavian probably played an active part in Cicero's demise, a part which he was later at pains to cover up. Perhaps we cannot recover the story of Cicero's

¹ Syme 1939, 146.

² And they were simply nodding *en passant* to a consensus view; a legion of scholars with similar opinions could be summoned to testify to the same tale. Cf. e.g. Rawson 1994, 486 (= *CAH*²): “Antony made sure that he [= Cicero], with his brother and nephew—and his son, but he was with M. Brutus and survived—were on the fatal list”.

death ‘wie es eigentlich gewesen’, but we can at least get closer to ‘wie es wahrscheinlich gewesen’, and in the process we will see some of the deliberate distortions that underlie Cicero’s later legacy.³

The ancient sources on Cicero’s death

The ancient sources all point to Antony as the architect of Cicero’s death, and many also refer to the *Philippics*. So, for example, in our earliest surviving account of Cicero’s final moments, Livy as preserved in the pages of Seneca’s *Sua-soriae*, we read:

M. Cicero sub aduentum triumuirorum urbe cesserat pro certo habens, id quod erat, *non magis Antonio eripi se quam Caesari Cassium et Brutum posse*. Primo in Tusculanum fugerat, inde transuersis itineribus in Formianum ut ab Caieta nauem conscensurus proficiscitur. Vnde aliquotiens in altum prouectum cum modo uenti aduersi rettulissent, modo ipse iactationem naus caeco uolente fluctu pati non posset, taedium tandem eum et fugae et uitae cepit regressusque ad superiorem uillam, quae paulo plus mille passibus a mari abest, “Moriar” inquit “in patria saepe seruata”. Satis constat seruos fortiter fideliterque paratos fuisse ad dimicandum; ipsum deponi lecticam et quietos pati quod fors iniqua coereret iussisse. Prominenti ex lectica praebentique immotam ceruicem caput praecisum est. Nec satis stolidae crudelitati militum fuit: *manus quoque scripsisse aliquid in Antonium exprobrantes praeciderunt. Ita relatum caput ad Antonium iussuque eius inter duas manus in rostris positum*, ubi ille consul, ubi saepe consularis, ubi *eo ipso anno aduersus Antonium* quanta nulla umquam humana uox cum admiratione eloquentiae auditus fuerat. Vix attolentes lacrimis oculos humentes intueri truncata membra ciues poterant.⁴

Cicero had left the city at the arrival of the triumvirs, since he was certain—and in the event he was right—that *he could no more be saved from Antony* than Brutus and Cassius could be saved from Octavian. First he had fled to his Tusculan villa, then he set out cross-country to his estate at Formiae, where he intended to board a ship from Caieta. There he tried to set sail several times, but he was first brought back by unfavorable winds, then he himself couldn’t stand the tossing of the ship in the blindly swirling swell, and at last he grew tired of both flight and life. Then he returned to the villa where he had been staying, which was a little more than a mile inland, and said, “I shall die in the fatherland that I have often saved”. It’s generally agreed that his slaves had been bravely and faithfully pre-

3 Cf. von Ranke 1885 (1st ed. 1824), vii: “Man hat der Historie das Amt, die Vergangenheit zu richten, die Mitwelt zum Nutzen zukünftiger Jahre zu belehren, beigemessen. So hoher Ämter unterwindet sich gegenwärtiger Versuch nicht; er will bloß zeigen, wie es eigentlich gewesen”.

4 Sen. *Suas.* 6.17 = Livy fr. 60 Weissenborn/Müller. Translations my own unless otherwise noted. Citations of Latin texts follow the editions in the Packard Humanities Institute corpus, citations of Greek those in the *Thesaurus Linguae Graecae*. Occasional orthographical changes have been made for consistency.

pared to fight, but that he himself ordered the litter to be put down and his slaves to suffer in silence what cruel fate forced him to endure. He leaned out of the litter and offered up his neck unflinchingly and was beheaded. And that wasn't enough for the stupid cruelty of the soldiers: *they cut off his hands as well, reproaching them for having written something against Antony. Thus Cicero's head was brought to Antony and at his command was placed between the two hands on the rostra*, where once as consul, and often as an ex-consul, and indeed in that very year speaking against Antony, he had been heard with admiration such as has never been felt for any other human voice. The citizens of Rome could scarcely lift their eyes overflowing with tears to look upon his butchered limbs.

Antony is the sole cause of Cicero's death—not a word about the other two triumvirs—and the *Philippics* get a look-in with the reference to Cicero's hands being cut off and the mention of Cicero's speeches that very year against Antony.

Other authors are even more emphatic, like Velleius Paterculus:

Furente deinde Antonio simulque Lepido [...], *repugnante Caesare, sed frustra aduersus duos*, instauratum Sullani exempli malum, proscriptio. Nihil tam indignum illo tempore fuit, quam quod aut Caesar aliquem proscribere coactus est aut ab ullo Cicero proscriptus est. Abscisaque *scelere Antonii* uox publica est, cum eius salutem nemo defendisset, qui per tot annos et publicam ciuitatis et priuatam ciuium defenderat.⁵

Then as Antony and Lepidus raged madly [...] proscriptions, the wicked custom sanctioned by Sulla's precedent, were renewed, *even though Octavian fought against it—but he fought in vain, being but one against two*. Nothing was so unworthy at that time as the fact that Octavian was forced to proscribe anyone or that Cicero was proscribed by anyone. The voice of the people was cut off *by Antony's wicked crime*, when no one defended the safety of the man who for so many years had defended both the public safety of the state and the private safety of its citizens.

Not only is it Antony's fault, Velleius says, but it is *all* Antony's fault.⁶ Unlike in Livy, where Octavian and Lepidus simply go unmentioned, here Octavian is expressly absolved of responsibility, a theme we will soon return to. After this introduction to the proscriptions, Velleius' rhetoric will swell to a crescendo in the following sections as he apostrophizes Antony and condemns him in scathing language for this foul deed.

These sources can be multiplied: Plutarch, for instance, claims that Cicero's head and hands, with which he had written the *Philippics*, were chopped off at Antony's command (τὴν δὲ κεφαλὴν ἀπέκοψαν αὐτοῦ καὶ τὰς χεῖρας, Ἀντωνίου κελεύσαντος, αἷς τοὺς Φιλίππικους ἔγραψεν, *Cic.* 48.6). So too Appian and

⁵ Vell. Pat. 2.66.1–2.

⁶ While Lepidus is mentioned as partly responsible for the proscriptions, it is Antony alone who is said to be responsible for Cicero's death.

Cassius Dio and many others, like Martial and Juvenal.⁷ Indeed, the very premise of two of Seneca's *Suasoriae*—very popular topics—simply presupposes that Antony was Cicero's murderer and that the *Philippics* caused him to seek Cicero's death: "should Cicero beg Antony's forgiveness?" went one (*deliberat Cicero an Antonium deprecetur*, *Suas.* 6 pr.), and "should Cicero burn his writings if Antony agrees to spare his life?" went the other (*deliberat Cicero an scripta sua comburat, promittente Antonio incolumitatem si fecisset*, *Suas.* 7 pr.).⁸

So the ancient sources appear unanimous in agreeing that Antony was responsible, and indeed solely responsible, for Cicero's death. It might seem arrogant or even methodologically indefensible to argue that they have all got it wrong. But remember that we do not have the full picture, and remember further that most of our sources are not independent witnesses to the events they narrate: Livy and Pollio may be, and Tiro and Nepos and Augustus' own autobiography too, but those sources are either lost entirely or too fragmentary to be of much use.⁹ And even Livy was writing about Cicero's death long after Cicero died, perhaps as late as 13 CE, and Pollio too was looking back at a distance of at least a couple decades.¹⁰ Certainly the main extant sources—those from Velleius Paterculus and Valerius Maximus onwards—do not have much independent value. It is not unreasonable to wonder whether their story is a fair and unbiased account of Cicero's last days.

7 Other sources for Cicero's death include: Val. Max. 5.3.4; Sen. *Controu.* 7.2, *Suas.* 6, 7; Mart. 3.66, 5.69; Tac. *Dial.* 17; Juv. 10.114–132; Flor. 2.16; Plut. *Cic.* 46–49, *Ant.* 19.3, 20.2–4; App. *B Ciu.* 4.6, 19–20; Dio Cass. 47.8.3–4, 11.1–2; Livy *Per.* 120; Oros. 6.18.10–12; [Aur. Vict.] *De uir. ill.* 80.1. Cf. further Homeyer 1977; Roller 1997; Wright 2001; Keeline 2018, 102–146.

8 The theme of Cicero's death was wildly popular in declamation: the topic was declaimed in schools (Sen. *Suas.* 6.14, 7.12) and was equally well-known in Quintilian's day (*Inst.* 3.8.46).

9 For Tiro's biography of Cicero see McDermott 1972a, 282–284; *FRHist* 46. Nepos' biography is preserved only in fr. 37–38 Marshall; cf. *FRHist* 45. On Augustus' lost memoirs, see Smith and Powell 2009; *FRHist* 60.

10 For the date of Livy's writing on Cicero's death, cf. Lamacchia 1975, 434, who claims that Livy probably wrote book 120 (containing the death of Cicero) around 13 CE. The *Periochae* do note that book 121 was published after the death of Augustus (*editus post excessum Augusti dicitur*), although what this means for the composition and circulation of 120 is hard to say. Pollio had begun working on his history by the 20s BCE, as we can tell from Horace's *Odes*, but when he finished is unknown: *FRHist* 56 = I 436–438.

In 43 BCE the '*Philippics*' were not yet the *Philippics*

We read the *Philippics* today as a unified corpus, which creates a certain sustained effect. So too were Romans reading a collection of *Philippics* at some point after Cicero's death. Already in Antiquity such a corpus was circulating,¹¹ influencing the early perception and reception of the events of 44 and 43, and some part of this collection just may go back to Cicero himself. Gesine Manuwald, after a comprehensive review of the evidence, suggests that Cicero himself may have had the idea to publish *Phil.* 3–14 as a unified and coherent body, but she acknowledges that we cannot know how the corpus was structured when it was actually published, nor can we know when it was published or who published it.¹² I think there are reasons to doubt that Cicero did publish any such collected edition,¹³ although certainty is admittedly impossible, and we do

11 Juvenal refers (circuitously) to Cicero's second *Philippic*, implying a numbered corpus (*ridenda poemata malo | quam te, conspicuae diuina Philippica famae, | uolueris a prima quae proxima*, 10.124–126). So too does Aulus Gellius cite the *Philippics* with 'our' numbering: 1.16.5, 1.22.17, 6.11.3, 13.1.1, 13.22.6. See Manuwald 2008, 40.

12 Manuwald 2008, 61. Bishop in this volume believes that Cicero "had a hand" in the publication of the *Philippics* and shaped *Phil.* 3–14 into a unified corpus (see p. 48).

13 Cicero delivered the fourteenth *Philippic* on 21 April (*Phil.* 14.14), and we know of a sixteenth and seventeenth still to come (from Arusianus Messius, late fourth century: *GL VII* 467.15–18; Manuwald 2007, 67–68, cf. also *Eph. Tull. ad loc.*). He was still delivering speeches against Antony in July (cf. *Ad Brut.* 1.15.10–11). So when would he have published his corpus? Given the speeches' exuberant praise of Octavian, it seems unlikely that they would have been issued in their present form after the break with Octavian, i.e. mid-August at the latest. If he included '15–17' in the published corpus, it is hard to see why he did not wait until Antony had been decisively defeated to publish a definitive edition. If he really only published 3–14, then why just those? (He delivered many other speeches around this time: Manuwald 2007, 70–72.) The justifications for these twelve often seem Procrustean: so perhaps the speeches held on 8, 9, and 14 April, on honors for L. Munatius Plancus, were not included as of "little relevance for the basic conflict with Antony" (Manuwald 2008, 47), but then why include the ninth *Philippic*, on honors for Servius Sulpicius Rufus (cf. Manuwald 2008, 55)? And it goes without saying that Cicero could not have been thinking about a fourteenth *Philippic* when he was delivering the third (so rightly Manuwald 2008, 45): these were real speeches designed to persuade real audiences of real ends, not elaborate exercises in *imitatio* and *aemulatio*. Last but perhaps not least, if Cicero only published 3–14, then we have to hypothesize a later editor who added 1–2 and 15–17, and another later redactor who removed 15–17 (or an accident of transmission or an error on the part of Arusianus Messius): not impossible, but it would certainly be simpler to have one editor publish all the *Philippics* that could be found. An obvious guess would be Atticus (cf. n. 16 below).

know that he circulated at least some of his speeches against Antony after their delivery.¹⁴

What we can be confident about is that, whatever Antony was reading, his experience must have been far different from ours today. Why? In the first place, the preserved *Philippics* stretch from September 44 to April 43. Antony was only in Rome for the first *Philippic*, as he left for Gaul on November 28, 44, and did not return for a year.¹⁵ The second *Philippic*, which looms so large for reception ancient and modern alike, was circulated only among Cicero's closest friends, and may only have found a wide audience after his death¹⁶—even those who think that Cicero published a corpus of *Philippics* in his own lifetime usually restrict it to *Phil.* 3–14. While individual '*Philippics*' circulated shortly after Cicero had delivered them, it seems hard to believe that Antony was receiving and reacting to accurate transcripts in real time when he had his hands full with military matters in Gaul. This is not to say that Antony was unaware of Cicero's opposition, of course, but merely to point out that he is unlikely to have reacted to perhaps patchy reports of speeches delivered in Rome over the course of many months the way we react to reading the unified corpus over a few days today. And even if Antony did read 3–14 as a body, they had not yet assumed their canonical importance. They would be one partisan salvo in a pamphlet war, nothing more;¹⁷ indeed, their limited circulation in written form would have been secondary in importance to their public delivery.¹⁸ Cicero was hardly the only person

14 *Phil.* 5, 10, and 11: *Ad Brut.* 2.3.4, 2.4.2. There is no sure evidence for early circulation of the other speeches, although of course such circulation is possible. See Manuwald 2007, 60; 2008, 60.

15 Antony's departure: *Cic. Phil.* 3.1–2, 11, 24, 31; 5.24; 13.20; *App. B Ciu.* 3.46; Dio Cass. 45.13.5, 20.4. His return, just before the passage of the Lex Titia (Nov. 27, 43): *App. B Ciu.* 4.7, Dio Cass. 47.1–2.

16 The publication of the second *Philippic* is entrusted to Atticus (*Att.* 15.13.1), with the explicit proviso that the speech is not to see the light of day until the Republic has been restored (*quae non sit foras proditura nisi re publica recuperata*, *Att.* 15.13 A.3); cf. 16.11.1–2 for Cicero's revision of the speech in light of Atticus' suggestions. See Manuwald 2007, 59 for full details and scholarly bibliography.

17 A war whose pro-Antony partisans have disappeared into historical oblivion: see Sillett in this volume; further Borgies 2016.

18 Cf. the fragment of Pollio's *Pro Lamia*, a speech perhaps given in December of 42 (Treggiari 1973, 250), quoted by Seneca the Elder (*Suas.* 6.15 = *ORF*⁴ II 519, translated in-text below): *itaque numquam per Ciceronem mora fuit quin eiuraret suas [esse] quas cupidissime effuderat orationes in Antonium; multiplicesque numero et accuratius scriptas illis contrarias edere ac uel ipse palam pro contione recitare pollicebatur*. Whatever the status of the 'written' speeches (perhaps referring to individual speeches circulated singly; there is certainly no reference to a 'collection' or '*Phil-*

giving speeches and taking stands, even if he looms so large for us because of accidents of survival. The political situation at Rome was fluid and ever-shifting, and Antony's calculus, based on whatever intelligence he could get, must have been complex. In fact, by the time Antony could have read any hypothetical collected edition of the *Philippics*, it may have been clear that Cicero's cause was lost.¹⁹

And yet already in Antiquity later authors seem to assume that Antony would have been reading and reacting to the *Philippics* the same way that they were.²⁰ These later authors would have studied the *Philippics* in the rhetorical school, and such intensive reading at a tender age doubtless made a lasting impression.²¹ But this impression should not be projected back onto Antony. In 43 BCE, the *Philippics* had not yet been canonized, and, whatever their written form, their distribution must have been relatively limited; we might reasonably doubt which of them Antony had even read. We should note further that this limited distribution would have made it all the easier for Cicero to change his position later, if he had wanted or needed to. While it may seem impossible to us, reading the canonized fourteen *Philippics* today, that Cicero could have changed his mind, at a time before these texts were known to every schoolboy a volte-face was much more plausible.

The rift between Cicero and Antony could have been repaired

We can go further: even if Antony was reading the *Philippics* with the ink still wet on the papyrus, the rift between him and Cicero still could have been repaired. They had a history of cordial relations that they could have drawn on: after the Ides of March, Cicero can write to Tiro mentioning that he of course would like to

ippics' here: cf. n. 14 above), public recitation in a *contio* is considered the more potent form of dissemination.

¹⁹ Bishop in this volume (p. 38) well notes that "it is manifestly odd that these speeches have been taken as evidence for Cicero's persuasive power, since any historical accounting of the period would underscore their distinct failure to persuade a number of figures: Octavian, Lepidus, frequently even the Senate itself. The primary group these speeches have persuaded, in fact, has been later readers, and by making the *Philippics* the epitome of Cicero's divine eloquence, they have situated a paradox at the center of his reception: immortal success that is predicated on an evident failure".

²⁰ Cf. the references collected in n. 7 above.

²¹ Cf. Keeline 2018, 102–146.

retain his “longstanding friendship with Antony, in which there has never been a hint of a quarrel” (*ego tamen Antoni inueteratam sine ulla offensione amicitiam retinere sane uolo*, *Fam.* 16.23.2, end of May [?] 44). He makes a similar comment to D. Brutus in early December of 44: “I was always his friend until I learned that he was waging war on the Republic” (*cui quidem ego semper amicus fui ante quam illum intellexi [...] cum re publica bellum gerere*, *Fam.* 11.5.2).²² Indeed, we learn from *Phil.* 12 that even in March 43, after some ten *Philippics* had already been delivered, Cicero was under serious consideration to be a member of an embassy to Antony: the senators at least must have thought his presence could serve the cause of peace. With a decade or more of *amicitia* behind them, a reconciliation between Antony and Cicero was surely not just possible but plausible.

Switching sides, moreover, would not have been a new thing for Cicero. This was the man who could pen a savage invective against Piso in 55 and try to ally himself with the senior consular eleven years later. He could attack Vatinius in scathing terms and oppose him for years, only to turn around and defend him when it seemed more expedient. He could hate Aulus Gabinius for helping to engineer his exile, and defend him when Pompey persuaded him to do so. He could go to war with Caesar and seek his forgiveness; praise his clemency and praise his death. Now times change, and people change with them. It is perhaps unfair to criticize Cicero on this score, and yet already in Antiquity he was notorious for his supposed inconstancy, and his apparent flip-flopping is one of the most common points of censure in the later tradition. So, for example, in the pseudo-Sallustian *Invective*, Cicero is called “a most fickle man, a suppliant to his enemies, reproachful to his friends, now on this side and now on that, loyal to no one, a most capricious senator, an advocate for hire” (*homo leuissimus, supplex inimicis, amicis contumeliosus, modo harum, modo illarum partium, fidus nemini, leuissimus senator, mercennarius patronus*, *Inu. in Cic.* 5). The author of the invective continues in this vein for two more paragraphs, summing up by calling Cicero a “faithless deserter, loyal neither to this side nor that” (*leuissime transfuga, neque in hac neque in illa parte fidem habens*, *Inu. in Cic.* 7).²³ Cicero, of all people, knew how to accommodate himself to changed political realities.

²² Antony did serve as a prosecutor during Milo’s trial (*Asc.* 41C, *Mil.* 40), but Cicero claims that Antony had sought out his friendship before that time (*sum cultus a te*, *Phil.* 2.49), and any breach of *amicitia* in 52 had been repaired by 49: *Att.* 10.8A.1.

²³ Val. Max. 4.2.4 takes lemons and makes lemonade, praising Cicero’s *humanitas* in laying aside old hatreds: *Sed huiusce generis humanitas etiam in M. Cicerone praecipua apparuit: Aulum namque Gabinium repetundarum reum summo studio defendit, qui eum in consulatu suo urbe expulerat, idemque P. Vatinius dignitati suae semper infestum duobus publicis iudiciis tuta-*

But Cicero was hardly alone in being willing to switch alliances. Indeed, in the dying days of the Republic this behavior was standard. For example, until 58 Clodius and Pompey seem to have been on good terms. Then, seemingly out of the blue, Clodius turns on him viciously, perhaps even trying to have him assassinated.²⁴ The hostility reaches a palpable peak when a mob led by Clodius tries to drown out Pompey with their shouts as Pompey spoke in defense of Milo at a trial in February of 56.²⁵ Two months later came the conference at Luca, after which Pompey and Clodius are suddenly the best of friends.²⁶ It is almost superfluous to pile up examples of this kind of behavior, but consider just Messalla Corvinus: he was proscribed by the triumvirs in 43, but escaped and made his way to Brutus. After Philippi he went over to Antony, but he ultimately switched sides again and allied himself with Octavian. In 27 his career culminated in an imperially sanctioned triumph.²⁷ And such a man felt able to call Quintus Delilius, who went from Dolabella to Cassius to Antony to Octavian, the “horse jumper of the civil wars” (*desultorem bellorum ciuiliūm*, Sen. *Suas.* 1.7)!²⁸

If the issue had just been a beef between Cicero and Antony, the conflict could have been patched up. Romans had heard a lot of scathing political invective in the 50s and 40s, including from Cicero himself: think again of Piso. And as in the case of Piso and so many others, Cicero could have changed his position, and perhaps he could even have sung a public palinode. Indeed, Asinius Pollio claimed that Cicero would have taken back his *Philippics* and published pro-Antony tracts if Antony had spared his life:

tus est, ut sine ullo crimine leuitatis, ita cum aliqua laude, quia speciosius aliquanto iniuriae beneficiis uincuntur quam mutui odii pertinacia pensantur. Such praise is the exception; cf. e.g. Sen. *Controu.* 2.4.4 (Julius Bassus): *nemo sine uitio est: [...] in Cicerone, constantia.*

24 Good terms: Plut. *Pomp.* 46.4, *Cat. Min.* 31.2. The abrupt breach: see the evidence and discussion in Tatum 1999, 166–168, Seager 2002, 103–104, 179–180.

25 Cic. *Q.fr.* 2.3.2, Plut. *Pomp.* 48.7.

26 Cf. e.g. Cic. *Har. resp.* 51, from May of 56. On the conference at Luca see e.g. Luibheid 1970.

27 Messalla made a virtue of necessity: “I was always on the better and more just side” (ἐγὼ τοι [...] ἀεὶ τῆς βελτίονος καὶ δικαιότερας [τμῆς καὶ] μερίδος ἐγενόμην, Plut. *Brut.* 53.2). For discussion of Messalla’s life, see Welch 2009, 200–205.

28 This list can be extended quite a bit; one more well-documented example is L. Munatius Plancus, who served with Caesar but favored amnesty for his assassins; he then successively sided with the Senate against Antony, with the triumvirs (even giving up his brother in the proscriptions), with Antony, and finally (before Actium) with Octavian. It was he who in 27 moved in the Senate that Octavian be called Augustus. For references and bibliography, see Toher 2017, 317–318.

Itaque numquam per Ciceronem mora fuit quin eiuraret suas [esse] quas cupidissime effuderat orationes in Antonium; multiplicesque numero et accuratius scriptas illis contrarias edere ac uel ipse palam pro contione recitare pollicebatur.²⁹

Therefore Cicero never hesitated an instant to reject under oath the speeches which he had eagerly poured out against Antony; he kept promising that he would issue more and better written speeches to the opposite effect, and that he would even recite these himself at a *contio*.

Was this true? Seneca doubts it, but it at least shows that the idea was plausible. Indeed, elsewhere Seneca himself says quite plainly that it is plausible, allowing that Cicero would have at least countenanced the idea of burning his books in return for forgiveness if the chance had been presented to him:

Huius suasoriae alteram partem neminem scio declamasse; omnes pro libris Ciceronis solliciti fuerunt, nemo pro ipso, *cum adeo illa pars non sit mala ut Cicero, si haec condicio lata ei fuisset, deliberaturus non fuerit*.³⁰

I know of no one who took the other side in this *Suasoria*; everyone was concerned for Cicero's books, no one for Cicero himself, *although the other side wasn't so bad that Cicero, if this condition had been offered to him, wouldn't have considered it*.

Thus Cicero's contemporaries and near-contemporaries believed that Cicero could have recanted, and Cicero's history of changing his mind when circumstances changed was well known, and indeed hardly unique to him. To put claims of inconstancy aside, this was—and is—just good politics.

We should remember that Antony was willing to make common cause with Octavian after Octavian had been dispatched by the Senate with an army to track Antony down and kill him, and this would be only one instance in a long series of fallings out and forgivenesses between the two before the fatal final conflict.³¹ So too could he reconcile with Lepidus under similar circumstances.³² If we think that Antony arranged Cicero's murder in a fit of pique, because he was emotional, irrational, and blinded by hatred, we sell short his ability to make judgments about what was in his own best interests—and we acquiesce in the facile estima-

²⁹ Pollio ap. Sen. *Suas.* 6.15 (= *ORF*⁴ II 519).

³⁰ *Suas.* 7.10.

³¹ Cf. e.g. the assassination plot in late 44 described below, or Antony's and Octavian's reconciliation at Brundisium ca. September of 40, when Antony agrees to marry Octavia (App. *B Ciu.* 5.59–65).

³² The case of Lepidus is slightly more complex, as Lepidus may have been playing both sides all along: evidence and discussion in Weigel 1992, 53–66.

tion of Antony and his motives that the eventual Augustus was only too eager to promote.

Octavian's not that innocent

Of course you may object that everything I have mentioned so far is a bit circumstantial: maybe Antony really was just mad at Cicero and wanted his head. It is certainly true that Antony cannot have been happy with Cicero in late October of 43, but remember again how easily he made his peace with Octavian. It is time for us to look more closely at the proscriptions, and at Octavian's role in them.

We have already seen that Antony is universally blamed for Cicero's death in our ancient sources. The corollary of this universal condemnation is that Octavian is always acquitted of responsibility. Consider, for example, Plutarch:

Καὶ κατεγράψαν ἄνδρες οὓς ἔδει θνήσκειν, ὑπὲρ διακοσίους. Πλείστην δὲ τῶν ἀμφισβητημάτων αὐτοῖς ἔριν ἡ Κικέρωνος προγραφὴ παρέσχεν, Ἀντωνίου μὲν ἀσυμβάτως ἔχοντος εἰ μὴ πρῶτος ἐκεῖνος ἀποθνήσκει, Λεπίδου δ' Ἀντωνίῳ προστιθεμένου, Καίσαρος δὲ πρὸς ἀμφοτέρους ἀντέχοντος. [...] Λέγεται δὲ τὰς πρώτας ἡμέρας διαγωνισάμενος ὑπὲρ τοῦ Κικέρωνος ὁ Καῖσαρ ἐνδοῦναι τῇ τρίτῃ καὶ προέσθαι τὸν ἄνδρα.³³

They made out a list of men who must be put to death, more than two hundred in number. The proscription of Cicero, however, caused the most strife in their debates, Antony consenting to no terms unless Cicero should be the first man to be put to death, Lepidus siding with Antony, and Octavian holding out against them both. [...] It is said that for the first two days Octavian kept up his struggle to save Cicero, but yielded on the third day and gave him up.

Some writers go further: Cassius Dio, for example, excuses Octavian from almost any role in the proscriptions (47.7.1) and even claims that he “saved as many as he could” from the death lists (πολλούς, ὅσους γε καὶ ἡδυνήθη, διεσώσατο, 47.8.1).³⁴ In his own *Res Gestae*, Augustus draws a veil of silence over the proscriptions.³⁵ He would gladly have them consigned to oblivion.

But other opinions can be uncovered. Tacitus, for example, in successive paragraphs famously reports judgments exonerating and excoriating Octavian's

³³ Cic. 46.2–5; cf. Flor. 2.16.1.

³⁴ For the propaganda of these accounts, see Scott 1933, 19–20 and Borgies 2016, 147–158; on Appian and Dio, Gowing 1992a, 255–258.

³⁵ In the *Res Gestae* Augustus in fact emphasizes his clemency to the defeated in the civil wars (*Mon. Anc.* 3): *bella terra et mari ciuilia externaque toto in orbe terrarum suscepi uictorque omnibus ueniam petentibus ciuibus peperi*.

part in the proscriptions (*Ann.* 1.9.3–4, 1.10.2).³⁶ Seneca the Younger contrasts the gentleness of the mature Augustus with his cruelty as an eighteen-year-old, when he murdered his friends, made an attempt on Antony's life,³⁷ and was a partner in the proscriptions (*duodeuicesimum egressus annum, iam pugiones in sinum amicorum absconderat, iam insidiis M. Antonii consulis latus petierat, iam fuerat collega proscriptionis*, *Clem.* 1.9.1; cf. 1.11.1).³⁸ Rumors swirled that it was Octavian who had killed the consuls Hirtius and Pansa,³⁹ and Suetonius knows several stories of Octavian's savagery during the proscriptions (*Aug.* 27.1–2):⁴⁰ although he held out against Antony and Lepidus at first, Suetonius reports, he was more cruel than either of them once the proscriptions had begun. He even proscribed his own former tutor, C. Toranius.⁴¹ And when the proscriptions were done, while Lepidus promised clemency in the future, Octavian said that he had only agreed to end the proscriptions on the condition that he could institute them again. Suetonius knows other tales from this time too:

Et Quintum Gallium praetorem, in officio salutationis tabellas duplices ueste tectas tenentem, suspicatus gladium occulere, nec quicquam statim, ne aliud inueniretur, ausus inquirere, paulo post per centuriones et milites raptum e tribunali seruilem in modum torsit ac fatentem nihil iussit occidi, prius oculis eius sua manu effossis; quem tamen scribit colloquio petito insidiatum sibi coniectumque a se in custodiam, deinde urbe interdicta dimissum naufragio uel latronum insidiis perisse.⁴²

When Quintus Gallius, a praetor, held some folded tablets under his robe as he was paying his respects, Octavian, suspecting that he had a sword concealed there, did not dare to make a search on the spot for fear it should turn out to be something else; but a little later he had Gallius hustled from the tribunal by some centurions and soldiers, tortured

³⁶ For ambivalent attitudes toward Augustus from Antiquity to the present, see Goodman 2018b.

³⁷ Cf. Plut. *Ant.* 16.7; further Scott 1933, 8–10; Borgies 2016, 111–122.

³⁸ On the passages from Seneca see Malaspina 2004, 292–316 *ad loc.*; 2009, 188–208 *ad loc.*; Berno 2013, 182–186; Green 2018, 51–56.

³⁹ Tac. *Ann.* 1.10.2, Suet. *Aug.* 11, Dio Cass. 46.39.1. A countervailing pro-Augustan tradition was also in circulation (cf. App. *B Ciu.* 3.75–76); see further Wardle 2014, 126–127; Borgies 2016, 132–139.

⁴⁰ On the striking absence of Cicero from Suetonius' account of the proscriptions, see McDermott 1972b.

⁴¹ Nicolaus of Damascus (*Ex.* 2.3) reports that Octavian's guardians squandered his money; this account may derive from an attempt of Octavian's to justify his proscription (cf. e.g. Borgies 2016, 155–156). But as Toher 2017, 174–175 notes, “there is no evidence that Octavian was ever in difficult financial straits”, and so if this is self-justification, it is likely a fabrication along conventional lines (appointed guardians are notoriously unreliable stewards).

⁴² *Aug.* 27.4 = *FRHist* 60 fr. 14, from 43 or 42 BCE; cf. App. *B Ciu.* 3.95. Translation Rolfe 1914 with modifications.

him as if he were a slave, and though he made no confession, ordered his execution, first tearing out the man's eyes with his own hand. He himself writes, however, that Gallius made a treacherous attack on him after asking for an audience and was haled off to prison; and that after he was dismissed under sentence of banishment, he either lost his life by shipwreck or was waylaid by brigands.

Here note that Octavian is not only craven and cruel, but moreover concerned to conceal the evidence of his misdeeds. Now of course an accusation need not necessarily imply guilt, and perhaps Octavian is simply defending himself from slander, but the real point is that such a charge is believable. This is the kind of thing that the young Octavian might have done.⁴³ As Karl Galinsky writes, “the literature about [Octavian's] conspicuous cruelty at the time is ample and would not have taken off, even to the point of extensive exaggeration, if there had not been some truth at its core”.⁴⁴

So we have plenty of evidence, if we needed it, that Octavian was intimately involved with the proscriptions, and moreover that he was at pains later to cover up these early displays of suspicious and self-interested Realpolitik. We also know, of course, that this was a man obsessively concerned with image management. In his early years he gladly remitted tax and tribute payments to curry favor with the people and shunt blame onto Antony and Lepidus (Dio Cass. 49.15.4). Later he did not scruple to stop the publication of the *acta senatus* (Suet. *Aug.* 36.1) and to destroy 2000 books of prophetic oracles (Suet. *Aug.* 31.1). Indeed, in 36 BCE he is said to have arranged the burning of all documents relating to the “civil strife” from earlier in the triumvirate (καὶ γραμματεῖα, ὅσα τῆς στάσεως σύμβολα, ἔκαιε, App. *B Ciu.* 5.132); and from others we hear of further book burnings years later (Sen. *Controu.* 10 pr. 5, Dio Cass. 56.27.1).⁴⁵ And this is to say nothing of the use of images and monuments and literature.⁴⁶ Octavian was an extremely canny manipulator of his own legacy.

⁴³ Consider too Octavian's notorious cruelty after the siege of Perusia: see most graphically Suet. *Aug.* 15, Dio Cass. 48.14.4–5, and the implications of Sen. *Clem.* 1.11.1 (*Perusinas aras*); cf. App. *B Ciu.* 5.49. Augustus may have been reacting to these reports in his *Autobiography* (*FRHist* 60 fr. 8): see Powell 2009, 180–181; the apologetic tenor of the *Autobiography* more generally is clear (e.g. Powell 2009, 174). On the Gallius incident see further Wardle 2014, 210–212.

⁴⁴ Galinsky 2012, 35.

⁴⁵ On book burnings see Howley 2017.

⁴⁶ Cf. e.g. Zanker 1988; Galinsky 1996; Beacham 2005; Levick 2010, 115–163; Petersen 2015, 57–66. Augustan influence might extend even into funeral orations: for the *Laudatio Turiae* as a piece of Augustan propaganda, see Gowing 1992b. On the propaganda of the conflict between Antony and Octavian, see Scott 1933 and esp. Borgies 2016. For a defense of the term

You might think that Cicero would not fit in very well with that legacy. After all, Octavian prided himself on “avenging his father’s murderers” (*qui parentem meum necauerunt, eos in exilium expuli iudiciis legitimis ultus eorum facinus et postea bellum inferentes rei publicae uici bis acie*, *Mon. Anc.* 2). This was the whole point of the *Lex Pedia*, which at a stroke enabled the trial and condemnation of the Caesaricides, enshrining this version of events in the official record.⁴⁷ Now Cicero did not stab Caesar, it is true, but only because he had not been invited to join the conspiracy. He wished that he had been (*quam uellem ad illas pulcherrimas epulas me Idibus Martiis inuitasses*, *Fam.* 10.28.1 [to Trebonius], *sim.* 12.4.1).⁴⁸ Once Caesar was dead, Cicero stood firmly on the side of the Liberators. Indeed, the Liberators knew this from the first: when Brutus drew his bloody dagger from Caesar’s corpse, he called out to Cicero by name and congratulated him on the restoration of *libertas* to the Republic (*Phil.* 2.28, 30). Cicero and Octavian thus stand on opposite sides of one of Octavian’s most important personal and political issues.

And what about Cicero’s political ideology more generally? The mature Cicero was a conservative, a man who believed in the Roman constitution. He was by this time deeply distrustful of extraordinary *imperium* and extra-constitutional arrangements.⁴⁹ His *Philippics* stand not just as an invective against Antony, but even more so as a monument against tyranny—of any sort.⁵⁰ He is fairly obsessed with restoring *libertas* to the Republic and decrying *seruitus* and *dominatio*. Here is an instance plucked almost at random from the corpus:

Quapropter, quoniam res in id discrimen adducta est, utrum ille poenas rei publicae luat, an nos seruiamus, aliquando, per deos immortales, patres conscripti, patrium animum uirtutemque capiamus, ut aut *libertatem propriam Romani et generis et nominis recipere*mus aut mortem *seruituti anteponamus*.⁵¹

‘propaganda’, see Levick 2010, 10–12; Galinsky 1996, 39–41 and Pandey 2018, 6–8 are more cautious about the word’s modern connotations.

⁴⁷ Cf. e.g. Vell. Pat. 2.69.5, Plut. *Brut.* 27.4–5, Suet. *Ner.* 3.1–2, App. *B Ciu.* 3.95, Dio Cass. 46.48.1–49.5.

⁴⁸ His joy at Caesar’s death, and various justifications for it, are often expressed. Cf. e.g. *Att.* 14.14.5: *si licuerit, libertatem esse recuperatam laetabor; si non licuerit, quid mihi attulerit ista domini mutatio praeter laetitiam quam oculis cepi iusto interitu tyranni?*

⁴⁹ Cf. e.g. *Phil.* 11.17: *extraordinarium imperium populare atque uentosum est, minimeque nostrae grauitatis, minime huius ordinis*. At other times and in other circumstances Cicero could admittedly make other accommodations; cf. e.g. *Leg. Man.* and *Prou. cons.*, but the deep-seated conservatism of the consular Cicero seems clear.

⁵⁰ Cf. Bishop in this volume.

⁵¹ *Phil.* 3.29.

Therefore, since matters have come to this critical moment to decide whether Antony will pay the penalty to the Republic or we will be slaves, at long last—by the immortal gods!—let us take up our ancestral courage and manhood, conscript fathers, so that we *either retake the rightful liberty of the Roman people and of the name of Rome, or else choose death before slavery*.

For Cicero, moreover, *libertas* meant freedom from the dominion of a tyrant, whether that tyrant was named Antony or Octavian or took the form of a new “three-headed monster”.⁵² This political philosophy would thus have been just as inconvenient to the ambitious Octavian as it was to Antony. Occasionally we can even glimpse a recognition of this in the ancient sources: Plutarch writes that Octavian stopped courting Cicero when he realized that Cicero was firmly attached to the idea of *libertas* (Καῖσαρ δὲ Κικέρωνι μὲν οὐκέτι προσεῖχε, τῆς ἐλευθερίας ὁρῶν περιεχόμενον, Plut. *Ant.* 19.1).⁵³

These philosophical disagreements had practical consequences in 43 BCE, leading ultimately to a falling out between Octavian and Cicero.⁵⁴ Cicero initially thought that he could control—or, to be more charitable, ‘mentor’—the young Octavian.⁵⁵ In the summer of 43, Cicero seems even to have floated the idea of a shared consulship, but the proposal foundered for lack of senatorial backing.⁵⁶ Octavian then marched on Rome, and in so doing he forfeited Cicero’s support. Cassius Dio reports how one of Octavian’s soldiers brandished his sword in the Senate House and said, “If you don’t give the consulship to Octavian, this (sword) will give it to him” (καὶ τὸ ξίφος λαβὼν [...] εἶπεν ὅτι, “ἂν ὑμεῖς τὴν ὑπατείαν μὴ δώτε τῷ Καίσαρι, τοῦτο δώσει”, 46.43.4). Cicero replied: “If this is how you ask, he’ll get it” (αὐτῷ ὁ Κικέρων ὑπολαβὼν “ἂν οὕτως” ἔφη “παρακαλῇτε, λήψεται αὐτήν”, 46.43.4). The rather flat Greek would make more sense, as Alain Gowing has pointed out, in a Latin version with ambiguity between sword (*gla-*

52 For extensive discussion of *libertas* in the late Republic, see Wirszubski 1950 and Arena 2012. “Three-headed monster” was Varro’s name for the so-called first triumvirate: App. *B Ciu.* 2.9: καὶ τις αὐτῶν τήνδε τὴν συμφροσύνην συγγραφεύς, Οὐάρρων, ἐνὶ βιβλίῳ περιλαβὼν ἐπέγραψε *Τρικράνον*.

53 Further discussion of the Plutarch passage in Pelling 1988, 164–165.

54 Cicero’s occasional snide remarks about Octavian cannot have helped matters either. So his infamous quip about how Octavian was “to be praised, honored—and given the push” (*ipsum Caesarem nihil sane de te questum nisi dictum, quod diceret te dixisse laudandum adulescentem, ornandum, tollendum; se non esse commissurum ut tolli possit*, Cic. *Fam.* 11.20.1 [from D. Brutus]; further Vell. Pat. 2.62.6, Suet. *Aug.* 12). Cf. too the depreciatory references to Octavian as *puer*, discussed in McCarthy 1931.

55 For evidence and discussion, see Achard 1981, 178–183 and Bellen 1985 with Gotter 1996, 275–276.

56 Plut. *Cic.* 45.5–6 with Moles 1988, 197; cf. App. *B Ciu.* 3.92, Dio Cass. 46.42.2, Plut. *Cic.* 44.1.

dus) and consulship (*consulatus*).⁵⁷ Dio concludes darkly that “this remark paved the way for Cicero’s destruction” (ἐκείνῳ μὲν καὶ τοῦτο τὸν ὄλεθρον παρεσκεύασεν, 46.43.5). Here we see the beginnings of the breach.

Cicero himself seems to have been nervous after the consular pact failed: Appian claims that he disappeared from Rome around this time, presumably out of fear (*B Ciu.* 3.89). But when Octavian marched on Rome to commandeer the consulship, Cicero returned, for there was a brief resurgence of resistance to the coming tyranny. Fresh legions had arrived from Africa, and the Senate resolved to fight and to choose, as Cicero had so often urged, death before slavery. They hoped it would not come to that; indeed, they hoped that in a fight for freedom Octavian’s soldiers would defect to their cause. But senatorial resistance crumbled as soon as Octavian himself appeared near the Quirinal Hill. The African legions went over to Octavian, and any hope of stopping him seemed stamped out (*App. B Ciu.* 3.90–92).

Cicero then sought an interview with Octavian through mutual friends, and in that interview tried to defend himself. Octavian cryptically and mockingly replied that Cicero “seemed to be the last of his friends to greet him” (ὁ δὲ τοσοῦτον ἀπεκρίνατο ἐπισκώπτων ὅτι τῶν φίλων αὐτῷ τελευταῖος ἐντυχῆται, *B Ciu.* 3.92). Cicero was not reassured. The next day rumors began to swirl that two of Octavian’s legions had gone over to the Republicans, and Cicero was again to be found among the assembled senators trying to organize forces to fight Octavian. The rumors were false, and Cicero fled Rome once more (*B Ciu.* 3.93).

Can the details of these stories in Appian and Dio be trusted? Perhaps not, although I do think Dio’s potential Latin pun sounds very much like Cicero.⁵⁸ But what is beyond doubt is this: when Octavian marched on Rome and demanded the consulship, he lost Cicero’s support, and he knew it. Cicero was actively resisting his designs. Octavian and Cicero had thus fallen out already in mid-August of 43, more than two months before the formation of the triumvirate.

When Octavian did obtain the consulship on August 19, Cicero knew full well that he had made a powerful enemy. He remained outside Rome and outside the political spotlight. His last preserved snippet of correspondence acknowledges the new superiority of that enemy, and seems to show a willingness to go along to get along:

⁵⁷ Gowing 1992a, 152 n. 30.

⁵⁸ The reliability of the stories hinges on two issues that cannot be discussed here: (1) What were Appian’s and Dio’s sources? and (2) What use did they make of these sources? For these questions see esp. Gowing 1992a, 39–50; on Appian’s sources and methods, see more recently Rich 2015 and Westall 2015; for Dio, see the essays in part II of Fromentin *et al.* 2016.

Quod mihi et Philippo uacationem das, bis gaudeo; nam et praeteritis ignoscis et concedis futura.⁵⁹

The fact that you grant me and Philippus (= L. Marcius Philippus, Octavian's step-father) a dispensation (sc. from attending Senate meetings) makes me doubly happy, for you show forgiveness for the past and mercy for the future.

After months of resistance, Cicero now meekly implies that he will accommodate himself to yet another change of political circumstances.⁶⁰ He is acutely conscious that he has made an enemy of Octavian and done things requiring forgiveness, and he hopes that Octavian's gesture of granting him a dispensation from attending the Senate is a sign of merciful treatment to come. It was not.

In late October or early November the triumvirs met on an island in the middle of a river near modern Bologna and drew up their proscription list. It featured some 2000 *equites* and 300 senators, Cicero among them.⁶¹ Our sources, as we have seen, insist that Octavian resisted the proscriptions and resisted Cicero's inclusion among the proscribed—it was, they say, Antony's fault. But when Antony, Lepidus, and Octavian convened on that island, they haggled and made their ghoulish bargain alone.⁶² Any report of their deliberations must go back to one of these three men, or else simply be invented out of whole cloth. We can be quite sure that it was not Antony who promulgated the memory of his own savagery. Which of the three triumvirs had a massive interest in defending Octavian and slandering Antony? Octavian himself, of course. Augustus may well have presented this bit of self-justification in his *Autobiography*, or perhaps he had let it be known earlier in other ways.

In late 43, Cicero was as much Octavian's enemy as he was Antony's. But as the years rolled on and Antony and Octavian had their own falling out, Octavian found in Cicero a convenient ally and a convenient story.⁶³ Cicero had indeed bitterly opposed Antony in the *Philippics*, and he had moreover piled panegyric upon Octavian in those same speeches. Thus it was not hard to re-fashion Cicero

⁵⁹ *Ad Caes. iun.* fr. 23B Watt; cf. also *Eph. Tull. ad loc.*

⁶⁰ Or so it appears, at any rate; the text is fragmentary and without more context no reconstruction can be absolutely certain.

⁶¹ Numbers as reported in App. *B Ciu.* 4.5. Hinard 1985, 264–269 suspects a lower total, perhaps around 300; see his monograph for details on the proscriptions more generally, including a prosopography of known victims. In less detail cf. Biava 2004 (who agrees with Hinard about the number of victims on p. 331).

⁶² For their solitude, see App. *B Ciu.* 4.2; cf. Dio Cass. 46.55.2.

⁶³ A story that Lepidus fades out of as the conflict between Antony and Octavian becomes all-important.

into a martyr in the struggle against Antony, and in so doing to co-opt Cicero's powerful voice and cultural authority to Octavian's anti-Antony cause. Such a reworking of history also could help excuse Octavian's role in the proscriptions: those were all Antony's fault.⁶⁴ In a quirk of history, then, Cicero's legacy was suddenly useful to Octavian—and so he retroactively changed sides, claiming that he had supported Cicero all along. Cicero thus became a proto-Augustan.

The Revised Authorized Version did not catch on right away: people doubtless remembered the reality of the proscriptions, and it took time for those people to die out or for their memories to fade.⁶⁵ Augustan poets nowhere mention Cicero explicitly—perhaps it was 'too soon' or too dangerous to take a side on Cicero's legacy in those early years.⁶⁶ And even long after Cicero's death, one of Augustus' grandsons was terrified when Augustus found him reading some book of Cicero's. But Augustus sought to reassure him: "An eloquent man, my boy," Augustus remarked, "an eloquent man and a lover of his country" (λόγιος ἀνὴρ, ὃ παῖ, λόγιος καὶ φιλόπατρις, Plut. *Cic.* 49.3). We see here both that someone might fear being found out as a Ciceronian, and that Augustus was concerned to have Cicero on his side as a good Roman patriot. Moreover, after Antony had been defeated once and for all at Alexandria, Octavian made M. Tullius Cicero *filis* his co-consul in 30, where he had the honor of announcing Antony's death from the rostra (Plut. *Cic.* 49.6, App. *B Ciu.* 4.51).⁶⁷ Octavian had earlier made him a pontifex; in Appian's words, "to apologize for his betrayal of Cicero" (ἐς ἀπολογία τῆς Κικέρωνος ἐκδόσεως, *B Ciu.* 4.51). Perhaps it was an apology—or perhaps it was another savvy bit of Realpolitik to get Cicero's own son to agree with the Gospel according to Octavian.⁶⁸

These were certainly not the only attempts to appropriate Cicero's legacy for the Augustan regime. Augustus would, for example, use the coincidence of his birth in the consulship of Cicero as a powerful piece of propaganda. Indeed, Octavian was supposedly born in the midst of a Senate discussion of the very Cat-

⁶⁴ Early imperial declamation picked up on this Augustan line for a complex set of reasons: see Keeline 2018, 110.

⁶⁵ And, to change the metaphor, for the wounds on the body politic to heal.

⁶⁶ Cf. Sillett in this volume on possible allusions to Cicero in the *Aeneid*.

⁶⁷ I think this event more likely an instance of Octavian's supremely self-conscious image management rather than a piece of later myth-making, but the latter cannot be ruled out.

⁶⁸ On other consuls from 'the opposition', see Welch 2009, 195 n. 2. Welch persuasively argues that "the new Princes had every reason to desire reconciled Republicans to join him in recounting the past, just as he encouraged them to participate in the re-formed government". Thus Augustus was able to persuade a variety of former enemies to subscribe to his version of events.

linarian conspiracy that Cicero so famously suppressed (Suet. *Aug.* 94.5)!⁶⁹ Other authors pick up on this happy coincidence too (e.g. Vell. *Pat.* 2.36.1, Plut. *Cic.* 44.7). But perhaps the most notable example of Augustus' co-opting Cicero's memory is found in his *Autobiography*, where he recounts a supposed dream of Cicero's:

Reformatorem imperii, puerulum adhuc et priuatum loci, et Iulium Octauium tantum et sibi ignotum Marcus Tullius iam et Augustum et ciuiliū turbinum sepulchrum de somnio norat. In uitae illius⁷⁰ commentariis conditum est.⁷¹

In a dream Cicero recognized the reformer of the Empire, still a boy with no part in public life, just Julius Octavius and unknown to Cicero, already as Augustus and the burier of civil strife. This story's found in his (sc. Augustus') *autobiography*.

Cicero is here made into a prophet of Augustus' future greatness, a fully paid-up supporter of the Augustan regime from its glorious leader's earliest years: this is propaganda plain and simple. Finally, one might well wonder why we have none of the letters between Octavian and Cicero, and indeed no letters at all from the last five months of Cicero's life, the time when he must have fallen out with Octavian—the coincidence is at least very suspicious.⁷²

Augustus wanted Cicero on his side, and any inconvenient truths about his proscription had to be hushed up. Perhaps Augustus first began telling this tale in his self-justifying *Autobiography*, or perhaps he let it be known in other ways. Whatever its original source, the congenial fiction that Antony alone was responsible for Cicero's proscription quickly engulfs the entire tradition surrounding Cicero's death, probably propagated especially through declamation, which endlessly repeated the story of Cicero's last days and hours. And so the Augustan version of events, downplaying Octavian's role in Cicero's demise and reclaiming Cicero's memory in the service of Augustus' own regime, took hold and has never let go.

⁶⁹ This is almost certainly impossible; Augustus was born September 23, and the Senate is not known to have discussed the conspiracy until October 21: see Wardle 2014, 517–519, and *Eph. Tull. ad loc.*

⁷⁰ *uitae illius Vossius* : *uitelliis MSS.* Vossius' emendation is almost universally accepted; for full justification, see Wiseman 2009, 111–112.

⁷¹ *FRHist* 60 fr. 4 = Tert. *Anim.* 46.7, cf. Plut. *Cic.* 44.3–7, Suet. *Aug.* 94.9, Dio Cass. 54.2.2–4.

⁷² Perhaps it is merely an accident of transmission, of course, and Nonius does preserve fragments of the letters to Octavian, but Weysenhoff 1966, 78–79 argues that these letters were never published and that Nonius' knowledge is second-hand, deriving perhaps from a Ciceronian word list compiled by Tiro; see too Nicholson 1998, 85–86.

Conclusion

Cicero was, simply put, a potential problem for the whole triumvirate. They may well have been able to bring him around—Cicero had shown a willingness to accommodate himself before, and he could have done so again; indeed, he seemed perhaps already to be doing so. Changing sides was not particularly problematic, and in any case, he and Antony had been friends for years before this recent falling out, and the *Philippics* themselves would not have proved an insuperable obstacle in the year 43. Antony perhaps would not have liked him, but if Antony had been the only one against him, he probably could have gotten over his hurt feelings on the right terms—perhaps a public palinode from Cicero and a promise of future support. Remember, Antony got over Octavian and his army, a threat to his life and plans rather more concrete than the *Philippics*.

Octavian's motives to want Cicero out of the way were just as strong as Antony's: Cicero's political ideology, his attitude toward Caesar's death and the 'Liberators', his power and influence, his inconvenient status as a mentor whom Octavian had 'outgrown' and thrown over. By August of 43, after Octavian had seized the consulship by force, he and Cicero were no longer on the same side; indeed, Cicero was openly resisting him (and alternately begging forgiveness). When our sources tell us that Octavian held out against Cicero's proscription for days, we must be hearing Octavian's own self-justifying voice, and it seems plain that that voice doth protest too much.

There were further factors underlying Cicero's proscription that all the triumvirs could agree on. For example, they were united in using proscription as a sort of perverse fund-raising scheme, and many names were added to the list solely so that their lands could be confiscated.⁷³ Cicero may not have had a lot of liquidity, to use modern terminology, but he owned a variety of country villas and a house in Rome that he had bought for three and a half million sesterces: liquidation of Cicero immediately made his property assets liquid as well.⁷⁴ Most importantly, the triumvirs all would have felt that Cicero's resolute backing of the free Republic against extra-constitutional arrangements would have been inconvenient, to say the least, if they were not able to get him on side.

Cicero's death thus solved a lot of problems for a lot of people all at once. Antony did not like him, to be sure, but Octavian was just as involved, and all three of the triumvirs signed the death warrant. In a strange twist, however,

⁷³ A point well made by Syme 1939, 195. Cf. App. *B Ciu.* 4.5, Dio Cass. 47.6.5, and Gowing 1992a, 249–250.

⁷⁴ Cicero's house went to a partisan of Antony's, L. Marcius Censorinus (Vell. Pat. 2.14.3).

when Antony and Octavian finally and decisively clashed, the living Octavian found an unlikely ally in the dead Cicero. A decade after Cicero was killed, Octavian began exploiting this serendipitous coincidence for all he could to blacken Antony's memory and whitewash his own role in Cicero's death, reclaiming Cicero and his legacy for the Augustan regime. It was an amazingly successful rebranding campaign, and two millennia of reception have made it seem not only the way it was, but indeed the only way it could have been. It is not, and we should look more closely. Cicero was not proscribed by Antony; he was proscribed by the triumvirate.⁷⁵

⁷⁵ I would like to thank Leanne Jansen, Christoph Pieper, and Bram van der Velden for organizing the conference panel where the original version of this paper was presented. Christoph and Bram have subsequently shepherded the conference papers through to publication with exemplary editorial care. I would also like to thank all the panel attendees for thought-provoking discussion and good fellowship. Finally, thanks to the general editor of this series, Ermanno Malaspina, who read through a near-final version of this paper with his expert eye and made a number of acute suggestions.

Caroline Bishop

The Thrill of Defeat

Classicism and the Ancient Reception of Cicero's and Demosthenes' *Philippics*

The final year of Cicero's life—and especially his conflict with Antony, the topic of the *Philippics*—has played a constitutive role in his reception. This was especially true in Antiquity, when Roman students honed their rhetorical skills by advising Cicero on the conflict or fictitiously prosecuting the man Antony sent to kill him. In fact, the *Philippics* were so dominant in Cicero's early reception that aspects of his career at odds with their portrait quickly fell by the wayside: his poetry, whose mockery by Antony is recalled at *Philippic* 2.20, was a notable casualty of this process.¹ Furthermore, the imperial view of Cicero as an icon of eloquence silenced by tyranny—and in this sense an allegory of sorts for the end of the Republic—relied almost entirely on his self-presentation in the *Philippics*, which were thought to be the cause of his proscription.² As the definitive end to Cicero's corpus, and the apparent reason for Cicero's own end, the *Philippics* offer a perspective on Cicero's life and especially on his death that readers have found hard to resist.

In fact, to tie Cicero's death to the *Philippics*, as both ancient and modern readers have done, is to make their persuasive power self-proving: Cicero must have accurately depicted Antony's tyrannical behavior in them or he would not have been killed. Juvenal expresses this idea well when he claims that “that hand and neck were cut off because of talent—the rostra never dripped with the blood of a petty pleader”³ (*ingenio manus est et ceruix caesa, nec umquam | sanguine causidici maduerunt rostra pusilli*, Juv. 10.120–121).⁴ If Cicero had been less eloquent, a mere *causidicus*, Antony would have had no reason to add him to the proscription list. His death, then, must have been a direct result of the nearly divine talent on display in his *Philippics*.

This interpretation of the end of Cicero's life has long been considered plausible, but an examination of the facts of 44 and 43 BCE exposes it for the ideological construction that it is. Even setting aside the valid questions that can be

¹ As discussed in Bishop 2018.

² For Cicero's allegorical role, see Gowing 2005; Keeline 2018 discusses the key role of his death in this tradition.

³ All translations are mine.

⁴ The text is that of Clausen 1959.

raised about the role of the *Philippics* in Cicero's death,⁵ it is manifestly odd that these speeches have been taken as evidence for Cicero's persuasive power, since any historical accounting of the period would underscore their distinct failure to persuade a number of figures: Octavian, Lepidus, frequently even the Senate itself. The primary group these speeches have persuaded, in fact, has been later readers, and by describing the *Philippics* as the final, fateful instantiation of Cicero's godlike eloquence,⁶ they have situated a paradox at the center of his reception: immortal success directly linked to fatal failure.

In this chapter, I will argue that Cicero's *Philippics* have been so central to his reception not in spite of this paradox but because of it, in much the same way that Cicero's model for this collection of speeches, Demosthenes, was lionized for his eloquence despite (and likely also because of) his political failure, which also proved fatal. I do not think this is a coincidence. In fact, I believe that Cicero was fully aware of the role Demosthenes' failure had played in his reception, and that it led him to draw attention in his own collection of Demosthenic speeches to the possibilities for failure inherent in his dispute with Antony—a theme that later readers happily took up.

But before I consider the centrality of the theme of failure to the reception of both men's *Philippics*, it will be worth considering why this paradox—which makes transitory failure in some sense the price of permanent success—has proven so seductive to later readers. The answer, I will contend, is that this idea is a cornerstone of a specific strain of classicism, an ideology that exerted a powerful influence in Antiquity, and is still very much alive today.

Classicism, failure, and success

The reading and study of the 'classics' entails the acceptance of many preconceived notions, but one of the most notable is a sense of decline from a glorious past, whose distance can only be bridged by continued engagement with the literary artifacts of that past. As Mary Beard puts it,

one of the most important aspects of the symbolic register of the classics [is] that sense of imminent loss, the terrifying fragility of our connections with distant antiquity (always in danger of rupture), the fear of the barbarians at the gates [...] tracts on the decline of the

⁵ On which see Keeline in this volume.

⁶ For the *Philippics* as Cicero's 'Spätwerk' and the implications of it, see the introduction to this volume and Pieper in this volume. The term and its significance for Roman literature is discussed by Scheidegger Lämmle 2016.

classics are not commentaries upon it, they are debates within it: they are in part the expressions of the loss and longing and the nostalgia that have always tinged classical studies.⁷

Beard, though describing modern classical studies, could just as easily be describing classical Antiquity itself. Greeks and Romans alike subscribed to the idea of a golden age followed by decline, a concept that already suffuses the earliest Greek literature, which presents itself as a memorial to and connection with that lost era: we might note, for example, the narrator's asides on the weakness of modern men in the *Iliad*, or the myth of the Ages of Man in the *Works and Days*.⁸ Later Greeks (and Romans) located this golden age not in the mythic past but in an historical time and place: classical Athens, and eventually, for the Romans, the late Republican and Augustan periods. The desire to reenact this vanished classical age was strong, and in periods like the Second Sophistic profoundly shaped intellectual life.

For the effect of this sort of thinking on Cicero and Demosthenes' reception, we need only look to an elegiac passage in Plutarch:

Δημοσθένην γὰρ Κικέρωνα τὸν αὐτὸν ἔοικε πλάττων ἀπ' ἀρχῆς ὁ δαίμων πολλὰς μὲν ἐμβαλεῖν εἰς τὴν φύσιν αὐτῶν τῶν ὁμοιοτήτων, ὥσπερ τὸ φιλότιμον καὶ φιλελεύθερον ἐν τῇ πολιτείᾳ, πρὸς δὲ κινδύνους καὶ πολέμους ἄτολμον, πολλὰ δ' ἀναμειῖξαι καὶ τῶν τυχερῶν. Δύο γὰρ ἑτέρους οὐκ ἂν εὖρεθῆναι δοκῶ [...] προσκρούσαντας δὲ βασιλεῦσι καὶ τυράννοις [...] ἀποδράντας δ' αὖθις καὶ ληφθέντας ὑπὸ τῶν πολεμίων, ἅμα δὲ παυσασμένη τῇ τῶν πολιτῶν ἐλευθερίᾳ τὸν βίον συγκαταστρέψαντας.⁹

As for Demosthenes and Cicero, divine will would seem to have shaped them in the same way from the beginning, inserting many similarities in their natures (such as ambition, love of freedom in political affairs, and cowardice for dangers and wars) and also combining many similarities of fortune. In fact, I do not think two other orators could be found [...] who collided with kings and tyrants [...] and who, after fleeing again and being captured by their enemies, brought their lives to an end together with the end of political freedom.

This passage suggests how central the theme of failure was to both orators' reception; for Plutarch, in fact, their failures are what link them. But even more importantly, it demonstrates the way in which these two men had become classics, because it is shot through with the sense of an irrecoverable past, when men who loved political freedom and free speech could thrive.¹⁰ For Plutarch, that time is gone: it ended for Greeks with Demosthenes' death and for Romans

⁷ Beard 2012.

⁸ Porter 2006, 54–57 discusses classicism in early Greek literature.

⁹ Dem. 3.3. The text of Plutarch is Perrin 1919.

¹⁰ On Plutarch and the classical past, see Gabba 1982, 62–64 and Porter 2006, 30–31.

with Cicero's. Cicero and Demosthenes' failure was thus in part a failure to preserve classical glory for later Greeks and Romans; to think of them is to be reminded of a space and time now unattainable.

If, as Plutarch suggests, Demosthenes and Cicero put later readers in mind of Greece and Rome's respective 'golden ages', then a large part of their appeal may have actually stemmed from their inability to preserve those golden ages, an idea with which some epigonal Greeks and Romans would have strongly identified. Crucially, both Cicero and Demosthenes admit to this possibility in some of their best known works. Such admissions are particularly noticeable in Demosthenes, whose political speeches (and *On the Crown*) alternate between chastising and comforting his fellow citizens for their failure to imitate their most glorious ancestors: the men who had won the Persian Wars and founded an Empire that was already the subject of a proto-classicizing veneration.¹¹ In the case of Cicero (who had at one point in his life been quite optimistic about Rome's ability to achieve lasting classical glory), it is primarily in his final collection of speeches, the *Philippics*, that an elegiac—if still defiant—tone is struck.¹² In these speeches Cicero, while urging his fellow citizens to resist Antony's tyrannical machinations, nonetheless foregrounds the possibility of failure and lays out in detail what it would look like.¹³ It is a quintessentially Demosthenic move, and I contend that Cicero made it because he understood the success that Demosthenes had had with his failure.

Demosthenes: classicizing failure, classical success

The possibility of failing to maintain Athens' classical reputation first appears in Demosthenes' collection of speeches on Philip, where he presents the Macedonian king as a threat that should be dealt with using the same stratagems that had made Athens dominant a century earlier. In the *Third Olynthiac*, for example, Demosthenes advises the Athenians to resist Philip so as not to "retire from that glorious post your ancestors acquired through many noble trials and bequeathed

¹¹ For the relevant passages, see the section "Demosthenes: classicizing failure, classical success" below p. 40–42.

¹² Cicero's optimism that he, and Romans in general, could enact a sort of Golden Age worthy of later classical veneration is explored at length in Bishop 2019.

¹³ Relevant passages are cited below (p. 49–52) in the section "Cicero: classical success in failure".

to you” (μὴ παραχωρεῖν [...] τῆς τάξεως, ἣν ὑμῖν οἱ πρόγονοι τῆς ἀρετῆς μετὰ πολλῶν καὶ καλῶν κινδύνων κτησάμενοι κατέλιπον, 3.36).¹⁴ In the *Second Philippic* he claims that Philip himself is familiar with this aspect of the city’s identity: he knows that Athens “would not betray the common rights of the Greeks at any price” (μηδενὸς ἂν κέρδους τὰ κοινὰ δίκαια τῶν Ἑλλήνων προέσθαι, 6.10), because “he not only looks to present circumstances, but also takes into account the past” (οὐ μόνον εἰς τὰ παρόνθ’ ὁρῶν, ἀλλὰ καὶ τὰ πρὸ τούτων λογιζόμενος, *ibid.*); namely, Athens’ actions in the Persian Wars (6.11). And in the *Third Philippic*, in language almost identical to the *Third Olynthiac* from at least seven years earlier, Demosthenes avers that fortifying the Chersonese against Philip “falls to you because of the reputation this city has” (ταῦτ’ ἐστὶν πόλεως ἀξίωμ’ ἐχούσης ἡλίκον ὑμῖν ὑπάρχει, 9.73), which “your ancestors acquired and bequeathed to you through many great trials” (ὑμῖν οἱ πρόγονοι τοῦτο τὸ γέρας ἐκτήσαντο καὶ κατέλιπον μετὰ πολλῶν καὶ μεγάλων κινδύνων, 9.74).¹⁵ This near repetition is a sign of just how persuasive Demosthenes considered the invocation of Athens’ glorious past to be.¹⁶

Unfortunately, Demosthenes’ success in persuading the Athenians to resist Philip did not translate into military success, and his close association with a policy of aggression towards Macedonia opened him up to liability for the disastrous outcome of the battle of Chaeronea in 338 BCE; it was his role in this defeat that led in part to Aeschines’ prosecution of Demosthenes’ ally Ctesiphon, the case for which *On the Crown* serves as the defense.

One of this speech’s more fascinating aspects is that instead of abandoning the strategy of his Philippic speeches, Demosthenes doubles down on it, arguing that the glory of the early fifth century demanded modern emulation, and that failure was an acceptable price to pay for ideological purity. As he puts it,

Οὐκ ἔστιν ὅπως ἡμάρτετ’, ἄνδρες Ἀθηναῖοι, τὸν ὑπὲρ τῆς ἀπάντων ἐλευθερίας καὶ σωτηρίας κίνδυνον ἀράμενοι, μὰ τοὺς Μαραθῶνι προκινδυνεύσαντας τῶν προγόνων, καὶ τοὺς ἐν Πλαταιαῖς παραταξαμένους, καὶ τοὺς ἐν Σαλαμῖνι ναυμαχήσαντας καὶ τοὺς ἐπ’ Ἀρτεμισίῳ.¹⁷

¹⁴ Text of Demosthenes’ speeches is Butcher 1903.

¹⁵ Cf. Dem. 2.12, 24; 3.21–31, 36; 4.3; 6.8–11; 8.41–42, 60, 66–67; 9.24–25, 36–41, 73–74; 10.13–14, 46–47, 62; 11.16, 21–22.

¹⁶ As Grethlein 2014 notes, Athenian orators were selective in mining the past for exempla, only choosing past events their audience considered relevant as standards for present-day behavior. Demosthenes’ frequent invocation of the period long considered the ‘Golden Age’ of Athens thus suggests that emulation of this period exerted a powerful pull in his day.

¹⁷ Dem. 18.208.

It cannot be that you were mistaken to take a risk for the liberty and safety of all [Greece]—I swear it by our ancestors in the front lines at Marathon, and by those who stood side by side at Plataea, and by those who fought by sea at Salamis and Artemisium.

The city's obligation to emulate its classical ancestors was so strong, Demosthenes insists, that modern Athenians would not have acted any differently even if they had foreseen the battle's outcome (18.199–208).¹⁸ As he puts it in a memorable passage:

Εἰ γὰρ ἦν ἅπασι πρόδηλα τὰ μέλλοντα γενήσεσθαι καὶ προήδεσαν πάντες [...] οὐδ' οὕτως ἀποστατέον τῇ πόλει τούτων ἦν, εἴπερ ἢ δόξης ἢ προγόνων ἢ τοῦ μέλλοντος αἰῶνος εἶχε λόγον. Νῦν μὲν γ' ἀποτυχεῖν δοκεῖ τῶν πραγμάτων, ὃ πᾶσι κοινόν ἐστιν ἀνθρώποις ὅταν τῷ θεῷ ταῦτα δοκῇ: τότε δ' ἀξιοῦσα προεστάναι τῶν ἄλλων, εἴτ' ἀποστάσα τούτου Φιλίππῳ, προδεδωκέναι πάντας ἂν ἔσχεν αἰτίαν. Εἰ γὰρ ταῦτα προεῖτ' ἀκονιτεῖ, περὶ ὧν οὐδένα κίνδυνον ὄντιν' οὐχ ὑπέμειναν οἱ πρόγονοι, τίς οὐχὶ κατέπτυσεν ἂν σοῦ;¹⁹

If the future had been clear to everyone and everyone had had advance knowledge of the outcome [...] even so the city could not have abandoned its approach, if it thought of its reputation or its ancestors or the ages to come. Now all that is said is that we have failed in our aims, and failure is a common human occurrence whenever God wills it. But if then our city, having claimed to be set above the others, had withdrawn, it would have been held guilty of betraying all the rest to Philip. If we had abandoned without a fight those things for which our ancestors endured every danger, who is there who would not have spat in your face?

Demosthenes' seemingly counterintuitive embrace of Athens' failure at Chaeronea undoubtedly represents a sort of protoclassicism. Modern Athenians had been expected to maintain the classical reputation of their city—it was not their fault that divine will had not been on their side. Any shame they felt about their failure should be offset by the pride inherent in the attempt: classical emulation was worth celebrating in and of itself, regardless of the outcome.

The resounding victory Demosthenes achieved with *On the Crown* suggests that this strategy was as successful after Chaeronea as it had been before. Furthermore, this aspect of the speech clearly contributed to Demosthenes' canonical success, in large part because many readers of later generations saw their own attitudes towards the classical past reflected in his reverence for the glorious fifth century.²⁰ In other words, Demosthenes become so beloved in part because as a classicizer, he was a *failure*, and because in *On the Crown* he both acknowledged that failure and valorized the compulsion to try.

¹⁸ Cf. also Dem. 18.66–72, 95–101, 238, and 293.

¹⁹ Dem. 18.199–200.

²⁰ Thus too Bowie 1970, 28 and Porter 2006 *passim*.

In fact, the failure it evokes played a large role in establishing *On the Crown* as Demosthenes' masterpiece. The resonance of this aspect of the speech with certain classically-minded readers is expressed nicely by Jebb:

Two thousand years have challenged a tradition which lives, and will always live, wherever there is left a sense for the grandest music which an exquisite language could yield to a sublime enthusiasm—that, when Demosthenes ceased, those who had come from all parts of Greece to hear, that day, the epitaph of the freedom which they had lost, and a defence of the honour which they could still leave to their children, had listened to the masterpiece of the old world's oratory, perhaps to the supreme achievement of human eloquence.²¹

Jebb's language here is suffused with the vocabulary of classicism, and it is the paradox of classicism that explains how works that position themselves as failures of classicism can themselves become classics: because they model the same attitudes towards an irrecoverable classical past that many of their readers possess.²²

Ancient readers, at least, agreed with Jebb about *On the Crown*; of Demosthenes' speeches, it was by far the most praised, most cited, and most copied (judging by papyrus evidence).²³ Likewise, among Greek declamations on historical subjects, it was absolutely dominant: Demosthenes plays a role in 125 of the 350 historical themes collected by Kohl, and more than three quarters of these are concerned with the battle of Chaeronea and its aftermath, the topic vividly recalled in *On the Crown*.

Since declamation was a stage of rhetorical education through which all elite young men passed and one that instilled traditional social and political values in them, declamatory topics can tell us a great deal about what exercised the culture that set them, and what particularly exercised Greek declaimers about Demosthenes is the failure evoked in *On the Crown*.²⁴ In several declamations (e.g., 291b, 291d, 292 Kohl), Demosthenes is prosecuted because he advised the battle at Chaeronea; in one theme, Aeschines is the prosecutor (294), while in another, Demosthenes actually turns himself in (293). These themes clearly recapitulate the case that inspired *On the Crown*, and would have allowed for similar arguments. The centrality of failure is also on display in another set of

²¹ Jebb 1876, 416.

²² On this, see Porter 2006, 57–60.

²³ For the speech's ancient popularity, see Weische 1972, 125–127. Jebb's reference to sublimity also has ancient analogues: Demosthenes' failure played a large role in Longinus' attribution of sublimity to him, as De Jonge/Nijk 2019, 787–788 show.

²⁴ On this aspect of declamation, see Kaster 2001 and Corbeill 2007.

themes, in which Philip demands Demosthenes as a spoil of victory (297–300). Sometimes Philip offers a choice: the Athenians can ransom the men captured at Chaeronea in exchange for Demosthenes (296), or they can surrender either Demosthenes or their triremes (301–303). In several themes, the Athenians actually hand Demosthenes over: he is ripped away from the Altar of Eleos (305) and later, after his release by Philip, stripped of his citizenship (307–308). In a particularly vivid theme, found in Sopater (8.129 = 306 Kohl), “Philip sends a letter demanding Demosthenes. Hyperides advises that he not be handed over; but Aeschines persuades [the Athenians] to hand him over. Philip carries him off, cutting out his tongue, and Aeschines is prosecuted”.²⁵ Less violent, but equally potent, is a theme from Apsines: “Philip gives the Athenians a choice: they must decide whether they prefer weapons or words. Demosthenes advises words, and in so saying he is defeated and prosecuted”.²⁶

Themes such as these, which portray Demosthenes’ absolute defeat at the hands of Philip, even to the point of mutilation, suggest that he and Philip became popular declamatory fodder because they could symbolize the interplay between oratorical free speech on the one hand and tyranny on the other. In a certain sense, then, they offered a specific take on one of the most popular declamatory topics: the tyrant and the (would be) tyrannicide.²⁷ It is notable, though, that declamations concerned with the generalized tyrant always considered him in his absence, as a figure who had been overthrown or whose rise could be prevented by the passage of the right laws; the city-state of these declamations was one where free speech and fair courts either still reigned or had been restored.²⁸ Demosthenes played a different symbolic role, representing not democratic triumph, but defeat. Yet his very longevity as a rhetorical model would also have reassured later Greeks that there was a way to obviate the failure to preserve a classical age: namely, through the continued reading and emulation of its classical models.

Demosthenes’ embodiment of this aspect of classicism was already in play a generation after his death. In 281/280 BCE, the Athenians erected a statue to him

²⁵ Sopater 8.129 = 306 Kohl: “Ἐπεμπε Φίλιππος ἐξαιτῶν τὸν Δημοσθένην· συνεβούλευσεν Ὑπερίδης μὴ ἐκδοῦναι· ἔπεισεν Αἰσχίνης ἐκδοῦναι· λαβὼν Φίλιππος ἀπέτεμε τῆς γλώττης αὐτόν· καὶ κρίνεται Αἰσχίνης δημοσίᾳ. Text of all Greek historical declamations is Kohl 1915.

²⁶ Apsines 340 = 310 Kohl: “Ὁ Φίλιππος ἔδωκεν αἶρεσιν τοῖς Ἀθηναίοις, πότερον βούλονται ὄπλοις ἢ λόγοις δικάζεσθαι· ὁ Δημοσθένης συνεβούλευσε λόγοις· καὶ εἰπὼν αὐτὸς ἡττήθη καὶ κρίνεται.

²⁷ For the popularity of the tyrant in declamation, see Russell 1983 *passim* and Tommasi 2015.

²⁸ Tommasi 2015, 250 notes that the declamatory tyrant is more often discussed in his absence than as a present figure.

whose inscription testified to his crystallization as a democratic martyr and figure of classical nostalgia: “if only you had had strength equal to your purpose, Demosthenes, Macedonian Ares would never have ruled the Greeks” (εἴπερ ἴσῃν ῥώμην γνώμη, Δημόσθενης, εἶχες, | οὐποτ’ ἂν Ἑλλήνων ἥρξεν Ἄρης Μακεδών, Plut. *Dem.* 30.5).²⁹ He also quickly became a popular rhetorical model; he appears frequently in Demetrius’ *On Style* (likely datable to the mid second century BCE),³⁰ and had also begun to feature in declamation: P.Berl. 9781 (third century BCE) preserves a *controversia* cast as a response by Leptines to Demosthenes’ canonical speech against him; it is steeped in Demosthenic language (largely drawn from *On the Crown*) and suggests his close study in rhetorical schools.³¹ Another papyrus of roughly the same date, P.Hibeh 15, a *suasoria* urging action against Macedonia after the death of Alexander, suggests keen interest in the final period of Athenian democracy from Demosthenes’ perspective.³² Thus while most extant Greek declamation postdates Cicero, a declamatory tradition on Demosthenes clearly predated him, and there was much continuity in this tradition: it is worth noting, for example, that Aelius Aristides also composed paired speeches on the Leptines case (*Or.* 53 and 54) four hundred years after the author of P.Berl. 9781.

The Demosthenes Cicero encountered in his early rhetorical studies, then, was a figure freighted with classical significance in two ways. He was, of course, a classic in the traditional sense, having been enshrined in the canon of Attic orators. But the specific strain of classicism he embodied was as a classicizing failure, with his own nostalgia for and inability to reenact Athens’ classical past emphatically part of his reception.³³ Whenever Cicero sharpened his oratorical skills by declaiming in Greek—an exercise he practiced throughout his life (*Brut.* 310)—he would have composed speeches on themes not unlike those declaimed by imperial Greek sophists: on the dread specter of tyranny and the civic virtue of the tyrannicide (as at *Inu. rhet.* 2.144), on Demosthenes as Athens’ paradigmatic would-be defender of freedom, and on his failure to maintain that freedom that was the focus of *On the Crown*, a topic that became particularly pungent for Cicero during and after the civil war between Caesar and Pompey.³⁴

²⁹ On Demosthenes’ meaning in the century after his death, see Shear 2017.

³⁰ For the date, see Innes 1995, 310–319.

³¹ Kremmydas 2007 discusses this speech.

³² On P.Hibeh as a rhetorical exercise, see Edwards 1929.

³³ For Cicero’s early reception of Demosthenes, see Bishop 2019, 176–194.

³⁴ Declamations on tyranny and tyrannicides were popular at Rome; see Tabacco 1985 and Corbeill 2001, 73–77. For the theme in *De inuentione*, see Bonner 1949, 27–28. Seneca also includes several declamations on tyrants (*Controu.* 1.6, 1.7, 2.5, 3.6, 4.7, 5.8, 6.6, 9.4), which are discussed by

Cicero: classical success in failure

In the period of civil strife that roiled Rome in the 40s BCE, Cicero began to see his Greek rhetorical training—and Demosthenes, one of its principal figures—as directly applicable to his present situation. An unusual letter to Atticus written in March 49 draws directly on the Greek rhetorical tradition, and the figure of the tyrant within it, for inspiration in the growing crisis.³⁵ Cicero begins the letter by informing Atticus that “I have taken up certain propositions (*theses*) [...] so that I can relieve my mind from its complaints and exercise it in the very thing about which it is agitated” (*sumpsi mihi quasdam tamquam θέσεις [...] ut et abducam animum a querelis et in eo ipso de quo agitur exercere*, *Att.* 9.4.1).³⁶ The propositions that Cicero has taken up are declamatory themes, and the goal, about which he is quite explicit, is to determine what actions he should take in the coming war. Intriguingly, these propositions are posed in Greek, and concern the figure of the tyrant. “Should one remain in one’s homeland under a tyrant?” is the first question; the next two are, “should one work to put down the tyranny in every possible way, even if the city is likely to be endangered by this? Or should one instead beware the one putting [the tyranny] down in case he rise too high himself?” (Εἰ μενετέον ἐν τῇ πατρίδι τυραννουμένης αὐτῆς. Εἰ παντὶ τρόπῳ τυραννίδος κατάλυσιν πραγματευτέον, κἂν μέλλῃ διὰ τοῦτο περὶ τῶν ὄλων ἢ πόλις κινδυνεύσειν. Εἰ εὐλαβητέον τὸν καταλύοντα μὴ αὐτὸς αἰρήται, *Att.* 9.4.2). It is clear that the tyrant Cicero has in mind is Caesar, and that his years spent declaiming on the nefarious deeds of the Greek tyrant are now meant to shed practical light on his present conundrum.³⁷

But it was not just Greek declamations on the generalized tyrant that Cicero saw as an analogue to his situation; Demosthenes’ denunciation of a very specific tyrant—and his failure to put down that tyrant—was also on his mind. In his two oratorical treatises of 46, *Brutus* and *Orator*, Demosthenes is explicitly presented as a parallel for Cicero, still smarting from his failures in the civil war: a great orator who had also failed politically, but whose position in the Greek oratorical canon had brought him enduring success.³⁸ This Demosthenes,

Yoshida 2017. Several of the minor declamations ascribed to Quintilian also focus on tyrants (253, 261, 267, 269, 274, 282, 288, 293, 322, 329, 345, 351, 352, 374, 382).

³⁵ For this letter as a piece of declamation, see Tabacco 1985, 81 n. 215 and Gunderson 2003, 104–110; Gildenhard 2006 discusses Cicero’s interest in the Greek tyrant in this period.

³⁶ Text of Cicero’s letters is Shackleton Bailey 1968.

³⁷ Cicero had already referred to Caesar as a *tyrannus* in February of this year at *Att.* 7.20.2.

³⁸ For Demosthenes’ appearance in these treatises, see Bishop 2016.

very much an image of the paradox of classicism mentioned above (p. 38–40), was now the sort of model Cicero wished to imitate.

After Caesar's death, Cicero's thoughts turned even more to Greek analogues. Rome now fully resembled the imaginary city of Greek declamations, populated with tyrants and tyrannicides, or indeed the real classical Greek city on which it was based: Athens, where Demosthenes had inveighed against Philip.³⁹ Indeed, after Rome's tyrant met the end prescribed for him in declamation, his tyrannicide, Brutus, sent Cicero a copy of his speech delivered in the wake of the assassination, asking for comments. Cicero found the speech too passionless, he tells Atticus (*Att.* 15.1A), adding that Brutus had neglected the proper model for persuasive denunciations of tyranny: Demosthenes, whose "thunderbolts" (*fulmina*) would have more effectively celebrated a tyrant's demise.

Once matters came to a head with Antony in autumn 44, Cicero must have realized that he could now fully embody the figures of resistance to tyranny familiar to him from his rhetorical training—both the anonymous tyrannicide and his most famous real-life counterpart. His speeches against Antony, the *Philippics*, are steeped in the sense that he has become the Roman counterpart to both: while Demosthenes' influence on the *Philippics* is more noticeable, the cruel tyrant of declamation also makes several appearances.⁴⁰ Cicero calls Caesar a *tyrannus* twice (*Phil.* 2.90, 13.17) and, when speaking of Deiotarus' actions after Caesar's death, poses what is essentially a declamatory *controversia* on the legal ramifications of tyrannicide: "as a wise man, [Deiotarus] knew that this has always been the law—that whatever property tyrants have seized, those from whom they were taken can recover them when the tyrant has been killed" (*sciebat homo sapiens ius semper hoc fuisse ut, quae tyranni eripuissent, ea tyrannis interfectis ei quibus erepta essent recuperarent*, 2.96).⁴¹ Furthermore, Caesar's death, Cicero adds, gave Romans a chance to see in real life the glory that accrues to the tyrannicide—a prospect that should worry Antony (2.117). In *Philippic* 13 he elaborates on this idea, calling Antony himself a *tyrannus*, and contending that he is now worse than Caesar in this regard, worse even than any historical tyrant: "in what barbarian city was there ever so foul, so cruel a tyrant as Antony acts in this city, surrounded by armed barbarians?"

³⁹ For Cicero's viewing of Rome in Greek terms in this period, see Wooten 1983.

⁴⁰ For Demosthenes in the *Philippics*, see Taddeo 1971; Weische 1972; Stroh 1982, 1983, and 2000; Wooten 1983; and Manuwald 2007.

⁴¹ Text for the *Philippics* is Clark 1918.

(*qua enim in barbaria quisquam tam taeter, tam crudelis tyrannus quam in hac urbe armis barbarorum stipatus Antonius?*, *Phil.* 13.18).⁴²

If Antony is equivalent to the cruel tyrant of declamation, then he will be subjected to the justice of tyrannicide, like Caesar was. But if he is Philip, the cruel tyrant of Cicero's historical model, no such just fate awaits him; despite its memorable 'thunderbolts', after all, Demosthenes' opposition of Philip ultimately failed. Yet it is clear that Cicero considered Demosthenes a useful model in large part because he had achieved canonical success in the face of failure. I do not, of course, think that Cicero intended his *Philippics* to fail; presumably he hoped that their combination of Demosthenes' fiery (but failed) denunciations of tyranny with the imaginary (but successful) expulsion of the tyrant of Greek declamation would prove persuasive. But when the *Philippics* were subsequently published as a collection, it is my contention that one criterion for inclusion in that collection was whether the speech in question had raised the possibility of failure. Perhaps this was because Cicero's cause had already failed, or perhaps it was because embedding the potential for failure would ensure the collection survived if circumstances forced him to imitate Demosthenes' results as well as his aims.

Opinions are divided on whether Cicero had a hand in the *Philippics*' publication, but I agree with scholars who contend he did.⁴³ Chief among these is Stroh, who has argued that Cicero published twelve of the extant fourteen speeches (*Phil.* 3–14) on the model of the twelve items that circulated in Demosthenes' 'Philippic' collection.⁴⁴ If Stroh is correct, then *Philippics* 1 and 2 would have been added by a later editor: while Cicero did intend to circulate *Philippic* 2 as a pamphlet, in two letters from October/November 44, he suggests that its publication must wait until things are more settled (*Att.* 15.13.1, 16.11.1), and it is of course of a different nature than the other speeches, since it was never delivered.

There are numerous pieces of evidence that point towards Cicero's involvement with the collection. One is a letter exchange with Brutus from April 43, where the speeches against Antony are referred to as *Philippici* by Brutus (*Ad*

⁴² Cf. *Phil.* 2.112. Dunkle 1971, 13–14 discusses declamatory influence on this passage. Tommasi 2015, 252 notes the close association of armed bodyguards with the rhetorical tyrant.

⁴³ It should be noted that in his contribution to this volume Keeline takes a more skeptical view on Cicero's role in publishing the *Philippics*. We are in agreement, however, on the fact that Cicero's contemporaries, including Antony, would not have been familiar with the collection as it stands today. I tend to suspect that although planned at the end of Cicero's life, the collection was first circulated posthumously by a close associate like Tiro or Atticus.

⁴⁴ Stroh 1982, 1983, and 2000.

Brut. 2.3.4) and *Philippicae* (*orationes*) by Cicero (*Ad Brut.* 2.4.2): both men's use of the plural suggests that Cicero was already thinking of a unified collection along the lines of Demosthenes' Philippic collection. In fact, Cicero had already produced such a collection twenty years earlier, when he published twelve speeches given during his consular year in imitation of the twelve items in Demosthenes' Philippic collection (*Att.* 2.1).⁴⁵ It is also significant that we know of several speeches against Antony that were delivered but never published, implying that extant speeches were carefully chosen for unity and coherence.⁴⁶ Furthermore, suppression of some speeches and publication of others suggests a project primarily directed at future readers, in a bid to make Cicero's account of the conflict canonical.⁴⁷

This fact can help us interpret Cicero's evocations of failure in these speeches, a theme that responds not so much to Demosthenes' *Philippics* as to *On the Crown*, his most canonical speech.⁴⁸ Demosthenes' *Philippics* largely remind the Athenians of their glorious past so that they will emulate it; there is little room for the possibility of failure. But Cicero's *Philippics* frequently envision the consequences should he and the Senate fail to stop Antony—much as Demosthenes reckons in *On the Crown* with his and his city's failure to halt Philip.

Furthermore, it is notable that neither *Philippic* 1 nor *Philippic* 2 raise the possibility of failure, but that it is very much foregrounded in *Philippic* 3, which Strohm considers the first of Cicero's properly 'Philippic' speeches. The peroration of this speech includes an impassioned plea to act decisively against Antony no matter the cost:

Hanc igitur occasionem oblatam tenete [...] quod si iam—quod di omen auertant!—fatum extremum rei publicae uenit, quod gladiatores nobiles faciunt ut honeste decumbant, faciamus nos [...] ut cum dignitate potius cadamus quam cum ignominia seruiamus. Nihil est detestabilius dedecore, nihil foedius seruitute. Ad decus et ad libertatem nati sumus: aut haec teneamus aut cum dignitate moriamur.⁴⁹

Seize, therefore, this proffered opportunity [...] and if now, god forbid, the last day of the Republic has arrived, let us at least act like noble gladiators, who fall honorably. [...] Let us meet our end with dignity rather than suffer slavery in disgrace. Nothing is more detest-

⁴⁵ For the publication of the consular speeches, see Manuwald 2007, 75–77, and Kelly 2008, 24–25. Cf. also *Eph. Tull. ad loc.*

⁴⁶ Manuwald 2007, 69–75 discusses the unpublished *Philippics*; see too Crawford 1984.

⁴⁷ Selective publication and suppression was standard practice for Cicero with his speeches: see Steel 2005, 21–28.

⁴⁸ For the importance of *On the Crown* to the *Philippics*, see Taddeo 1971, 32–66; Wooten 1977, 41 and 1983, 53–57; Strohm 1982, 4–5 and 1983, 35–36; Dugan 2005, 338–339; Manuwald 2007, 135.

⁴⁹ *Phil.* 3.34–36.

able than dishonor, nothing fouler than slavery. We were born to honor and to liberty: let us either hold onto them or die with dignity.⁵⁰

Cicero's language here is not entirely without parallel in Demosthenes' *Philippics*. Demosthenes claims that resisting Philip is preferable to being his slave, for example (Dem. 4.10, 6.25, 8.51, 8.59–60, 9.70, 10.62), and twice mentions death as an alternative: in *On the Chersonesus* he says he would rather die than advocate slavery for the Athenians (8.51), while in *Philippic* 3 he proclaims that it is “better to die ten thousand times than do anything out of flattery for Philip” (τεθνάναι δὲ μυριάκις κρείττον ἢ κολακεῖα τι ποιῆσαι Φιλίππου, 9.65).⁵¹ But these are both passing comments, and Demosthenes does not reckon specifically with the potential failure of his recommendations. Nor, for that matter, does Cicero in *Philippic* 2, whose peroration mentions death as the possible end of his feud with Antony, but with a very different valence:

Mihi uero, patres conscripti, iam etiam optanda mors est, perfuncto rebus eis quas adeptus sum quasque gessi. Duo modo haec opto, unum ut moriens populum Romanum liberum relinquam [...] alterum ut ita cuique eueniat ut de re publica quisque mereatur.⁵²

Now, in fact, death ought even to be desired by me after all the honors I have obtained and all the deeds I have done. I only hope for these two things: one, that in dying I might leave the Roman people free [...] and two, that each man will get exactly what he deserves based on his actions towards the Republic.

Here, Cicero's potential death is portrayed not as a failure, but an individual sacrifice necessary for freeing the Republic. In the peroration to *Philippic* 3, however, it is the entire Roman state that may have to make a sacrifice, and it will not result in freedom—its aim is merely the avoidance of impending slavery. Similar language recurs throughout *Philippics* 3–14, where the consequences of the Senate's failure to act against Antony are often drawn in stark terms: the result will be tyranny, and the death or slavery that will follow it.

For example, in *Philippic* 6 Cicero contends that “we have come to the ultimate crisis, and the decision is about freedom. Either you must win victory [...] or—anything other than slavery” (*res in extremum est adducta discrimen; de libertate decernitur. Aut uincatis oportet [...] aut quiduis potius quam seruiatis*, 6.19). In *Philippic* 7: “if we cannot [wrest away Antony's weapons], then—I will say what is worthy of a senator and a Roman citizen—let us die” (*quod si non possumus fa-*

⁵⁰ The *contio* speech of the same day includes similar language (4.12–13).

⁵¹ Cf. 1.11, 15; 3.16; 4.49–50; 5.11–12; 6.5–6, 16–18, 27, 33; 8.3, 13, 40–41, 51, 54, 59–61; 9.19.

⁵² *Phil.* 2.119.

cere—dicam quod dignum est et senatore et Romano homine—moriatur, 7.14),⁵³ In *Philippic* 10, he proclaims that no Roman should wish for immortality if it means a life without liberty (10.20). In *Philippic* 12, he insists that peace with Antony would be a pact of slavery (12.14) and that if it should be made, “we must depart and pursue a wretched and aimless life or give our necks over to these mercenaries and fall in our homeland” (*abeamus, uitam inopem et uagam persequamur, aut ceruices latronibus dandae atque in patria cadendum est*, 12.15)—making it clear that he prefers the latter. If his death is to come, he adds, let it at least come honorably, in a fight for his country’s freedom (12.30). Here the contrast with the peroration of *Philippic* 2 is especially clear: Cicero makes no claims that his death would free the state, only that it would be a glorious contribution to the ongoing struggle. He returns to this idea in *Philippic* 13, where he says that should the Senate choose to fight, “we will either enjoy a victorious Republic, or we will be defeated—though not in spirit—and live on in the fame of our bravery” (*fruemur uictrix re publica aut oppressi [...] si non spiritu, at uirtutis laude uiuemus*, 13.7). He adds in the peroration that

optatissimum est uincere; secundum est nullum casum pro dignitate et libertate patriae non ferendum putare. Quod reliquum est, non est tertium, sed postremum omnium, maximam turpitudinem suscipere uitae cupiditate.⁵⁴

victory is most desirable. Second best is to think no misfortune unbearable on behalf of the dignity and freedom of the Republic. There is no third best, but there is a worst, and that is to incur the greatest dishonor out of a desire for life.

I contend that Cicero’s use of this theme in the *Philippics* has two intended audiences. It was, of course, meant to resonate with his contemporaries: his evocations of the intolerability of life in an unfree state were designed to persuade an audience who had recently been freed of Caesar and were aware of the honor that had accrued to those who died resisting him, like Cato. But it is not just Cicero’s contemporaries that such passages appear intended to persuade: it is also the posterity at which he aimed when he considered publishing the speeches as a group.

In fact, already within the *Philippics* Cicero seems so confident of a future readership that several times he suggests the conflict will be remembered primarily through his own portrayal (*Phil.* 5.17, 12.11–12). In *Philippic* 13, for example, while reading out an abusive letter from Antony, Cicero retorts: “he goes on flinging insults against me [...] but I will hand him down to the everlasting

⁵³ Cf. *Phil.* 7.27.

⁵⁴ *Phil.* 13.49.

memory of men branded with the most accurate marks of abuse” (*pergit in maledicta <dicere> [...] quem ego inustum uerissimis maledictorum notis tradam hominum memoriae sempiternae*, 13.40). Thus, Cicero’s detailed portrayal of the consequences of senatorial failure in the *Philippics*—loss of freedom and death, but a death linked to eternal praise for its valor—was probably intended not just to motivate his contemporaries, but also to guide his commemoration among posterity to the very praise he claims is his due for his brave resistance.⁵⁵ This would be very much of a piece with Cicero’s authorial strategy in his final years, when he broadcast his contributions to the Roman state through the publication of a staggering number of works that presented him in the best possible light.⁵⁶

Cicero, classicism, and failure among the Roman declaimers

The fact that Cicero was remembered after his death along the exact lines he lays out in the *Philippics* shows how vital these speeches were to his reception, and it is notable that, as Keeline remarks in his contribution to this volume, later readers imagined Antony reacting to the *Philippics* as a written collection—though obviously ahistorical, this fiction shows how important the collection was to their own understanding of the conflict.⁵⁷ The centrality of the *Philippics* to Cicero’s early reception is particularly clear in the snippets of declamation preserved by Seneca the Elder, where we see a close engagement with the theme of failure in the *Philippics* that neatly parallels the Greek declamatory tradition on Demosthenes. Demosthenes’ and Cicero’s key role in declamation, in other words, was not to represent the successful exercise of free speech, but rather its failure to protect a free state from tyranny.⁵⁸

Yet even as the declaimers linger over Demosthenes’ and Cicero’s failure, both men are also presented as the most successful speakers of all time, icons of divine eloquence. This is indeed what we would expect if the two were being transformed into classics, given that a prominent strain of classicism in

⁵⁵ On this see the suggestive comments of Butler 2002, 116–122.

⁵⁶ On Cicero’s use of writing as a tool to memorialize his own achievements, see, e.g., Steel 2005, Dugan 2005, and Baraz 2012.

⁵⁷ Cf. Keeline in this volume, pp. 16–18.

⁵⁸ Kaster 1998, 262–263 argues that declamations on Cicero’s defeat by Antony reflected perceived elite powerlessness under the imperial regime.

Antiquity was, as I have discussed, predicated not just on a failure to reenact the classical past, but also on the idea that literature is able to transcend that failure and bridge the gap between the vanished past and the present.

The declamations preserved by Seneca the Elder perfectly embody this paradox, since all three topics that concern Cicero focus not on his successes, but rather on his failure to stop Antony and subsequent death: *Controu.* 7.2 treats prosecutions of Cicero's supposed killer, Popillius, while *Suas.* 6 and 7 are persuasive speeches addressed to Cicero as he considers whether to beg Antony's pardon (*Suas.* 6) and whether to burn his writings for a reprieve (*Suas.* 7). All three topics are thus inspired by the *Philippics*, and the declaimers have frequent recourse to imagery from those speeches.⁵⁹

In other words, the declaimers were predisposed to draw on Cicero's preemptive depictions of failure in the *Philippics*, and this is indeed what they do. Much as Cicero portrays the consequences of failure as either slavery or a noble death, so too do the declaimers. And since their object is usually to persuade Cicero to die, they must remind him of his failure to save the Republic, and of what he had pledged to do if he failed. Quintus Haterius urges, "let posterity know that if the state was capable of being Antony's slave, Cicero was not" (*sciant posteri potuisse Antonio seruire rem publicam, non potuisse Ciceronem*, Sen. *Suas.* 6.1).⁶⁰ Cestius Pius advises Cicero to observe the "insults of fortune and the present plight of the Republic", which show that "you have lived too long" (*si [sc. respicis] ad iniurias Fortunae et praesentem rei publicae statum, nimium diu uixisti*, *Suas.* 6.4).⁶¹ According to Arellius Fuscus, Cicero should accept death because he is "a survivor of the Republic" (*rei publicae superstes*, *Suas.* 6.6); he also begs Cicero to die "by the Republic—which, in case you should think you are leaving [Antony] anything you hold dear, has perished before you" (*per rem publicam, quae, ne quid te putes carum illi relinquere, ante te perit*, *Suas.* 7.9). Several declaimers remind Cicero of his comments in the peroration to *Philippic* 2, where he insists that death fighting Antony would not be untimely (*Controu.* 7.2.10, *Suas.* 6.12). But in that passage Cicero also names two things he hoped his death would effect: a free state and Antony's punishment. In urging Cicero to die by reusing this passage, then, the declaimers remind him even more starkly of his utter defeat.

Yet despite the declaimers' emphasis on Cicero's failure, they also consistently portray him as a figure of unparalleled success whose speeches will im-

⁵⁹ For the declaimers' engagement with the *Philippics*, see Roller 1997, Wilson 2008, and Keeline 2018 *passim*.

⁶⁰ Cf. *Suas.* 7.1, 7.3. I have used Winterbottom 1974 for the text of Seneca.

⁶¹ Cf. *Suas.* 6.3, 7.6.

mortalize him. In fact, this paradoxical view of Cicero serves as the underlying premise for *Suasoria* 7, whose remit is to advise him on whether he should burn his writings for a pardon. As a theme, it clearly does not occur on the plane of reality, as one of the declaimers even notes: many of Cicero's works had long since been published, so Antony could not have erased them from the record (*Suas.* 7.11). The reason for this theme's enduring popularity—both Quintilian (*Inst.* 3.8.46–47) and Martial (5.69) mention it still being declaimed almost a century later—is that it allowed declaimers to explore the paradox they demanded of Cicero as a classic: failure as a politician, success as a writer. Its outcome was thus predetermined, a fact that Seneca makes clear when noting that no one ever argued the opposite side: “everyone worried about Cicero's books, no one about Cicero himself” (*omnes pro libris Ciceronis solliciti fuerunt, nemo pro ipso, Suas.* 7.10). To have denied staying power to Cicero's books would have been to deny the impulse that made him a topic for declamation in the first place.

Indeed, the ability of literary immortality to overcome Cicero's failure is a constant refrain in the declamations. The declaimers frequently assure Cicero of victory in defeat, since his speeches cataloguing Antony's crimes will survive. Cestius Pius tells him that “Antony has realized that so long as the products of Cicero's eloquence survive, Cicero cannot die” (*intellexit Antonius saluis eloquentiae monumentis non posse Ciceronem mori, Suas.* 7.2), and Publius Asprenas adds, “if you burn your writings, Antony promises you a year or two, but if you do not burn them, the Roman people promises you eternity” (*<si> scripta combusseris, Antonius paucos annos tibi promittit; at, si non combusseris, [quam] populus Romanus omnes, Suas.* 7.4). Argentarius, in a clear reference to Cicero's claim in *Phil.* 13 that he will eternally brand Antony, advises him to “let your genius survive you, to proscribe Antony forever” (*sine durare post te ingenium tuum, perpetuam Antonii proscriptionem, Suas.* 7.8). In a similar vein, Arellius Fuscus grandly proclaims:

Quoad humanum genus incolume manserit, quamdiu suus litteris honor, suum eloquentiae pretium erit, quamdiu rei publicae nostrae aut fortuna steterit aut memoria durauerit, admirabile posteris uigebit ingenium <tuum>, et uno proscriptus saeculo proscribes Antonium omnibus.⁶²

As long as the human race remains, as long as there is honor for literature and value for eloquence, as long as either the fortune of our Republic stands or memory endures, your genius will thrive as a source of admiration for posterity, and though you will be proscribed for one generation, you will proscribe Antony for all time.

62 *Suas.* 7.8.

Conclusion

The declaimers' confident claims of Cicero's eternal value rest on the unquestioned assumption that literature will continue to bridge the gap between past and present: in other words, they assume the continued existence of classicism. The publication of the *Philippics* rested on the same calculus: circulating a carefully calibrated cross section of Cicero's speeches against Antony meant that win or lose, his reception could be shaped in a way that Antony could not control, just as Philip had been unable to prevent Demosthenes from eternally sullyng his image. But this would be true only if Cicero, like Demosthenes, attracted readers who would continue to be persuaded by the portrait of noble failure these speeches depict: in other words, readers who read with the tenets of classicism in mind. To say that Cicero succeeded is an understatement; I doubt even he could have predicted such longevity. Whether classicism can survive another two thousand years is anyone's guess, but there can be no doubt that Cicero used his failure to achieve a nearly unrivaled success.

Andrew James Sillett

Ille regit dictis animos

Virgil's Perspective on Cicero's Final Years

Introduction

According to Donatus' *Vita*, Virgil was born on the Ides of October during the first year in which Pompey and Crassus shared the Consulship, that is to say, 70 BCE.¹ Although the more fantastical elements of that biography leave us uncertain as to precisely what the poet was up to in the cataclysmic year of 44 BCE, it is certain that these events could not have easily slipped past the 25-year-old Roman citizen.

There is no doubt that Julius Caesar's assassination and subsequent castration left a mark on the *Eclogues*, and there has been no shortage of scholarship on what that has to tell us about Virgil's hopes and concerns for Rome's future as the extended cold war between Octavian and Antony threatened to grow hot.² The Ides of March, however, is not the only important date in 44 BCE, and in this chapter I will explore how the eruption of conflict between Mark Antony and Cicero in November and December of that year, culminating in Cicero's proscription and death a year later, impacted upon Virgil. Specifically, I will look at how he translated these events into his *Aeneid* some two and a half decades later.

To do this, I shall undertake a close-reading of two well-studied moments of Ciceronian reception in Virgil's epic narrative, both of which draw upon the reputation the orator garnered in the final year of his life. I will first analyse the surprisingly numerous appearances of Cicero's ghostly shadow in the Underworld of Book 6, demonstrating how crucial he was for Virgil's ability to conjure up memories of the Civil War. After this, I will turn to the Ciceronian underpinnings of Latium's foremost orator Drances in Book 11, arguing that the dynamics of his contest with Turnus draw heavily upon Cicero's struggle against Mark Antony.

A close study of Virgil's meditation upon Cicero's final year and the role he played in lighting the touch paper on Rome's most recent Civil War is of critical

1 Donat. *Vit. Verg.* 2. For help on aspects of this chapter, I am grateful to Llewelyn Morgan, Talitha Kearey, Ingo Gildenhard, Stephen Heyworth, Stephen Harrison, Richard Rutherford, Maria Czepiel, Tom Keeline, Caroline Bishop, Anton Powell, and, of course, the editors of this volume.

2 For recent work on this topic, see Gurval 1997; Meban 2009; Pandey 2013.

importance for understanding the historical resonances that permeate the internecine conflict dominating the second half of the *Aeneid*. However, it is also crucial for a full appreciation of how Cicero's final conflict, defeat and death was understood and memorialized in Antiquity. In the next chapter of this volume, Giuseppe La Bua argues that the early stages of Cicero's canonization as an historical character placed a heavy emphasis on his role in bringing about the wars that swept away the Republic and brought Augustus' Principate into being. This chapter builds on those findings, demonstrating that when Virgil wanted his readers to confront the violent dysfunction of their recent past, he reached for Cicero to make his point. Beyond this volume, the findings of this chapter will also bolster the longstanding and diligent hunt for traces of Cicero in the Virgilian corpus.

Reception of the Ciceronian corpus

The hunt for the traces of Marcus Tullius Cicero in the Virgilian corpus is both as longstanding and as intrepid as befits a figure of Cicero's stature.³ Yet, however influential a figure he may have been in the young Virgil's education, he is not accorded the honour meted out to his younger contemporary Cato and his famed nemesis Catiline, that of a named cameo in the *Aeneid*.⁴ Rather, like Pompey the Great, his presence must be excavated from this densely allusive text.⁵ His best-known presence in the *Aeneid* comes in Book 6, where his *Somnium Scipionis* can be seen peeking out behind the phantom Anchises as the latter delivers a cosmology of Roman imperialism to his son.⁶ This disquieting lecture is not, however, Cicero's only appearance in Virgil's underworld. In the course of his katabasis, Aeneas has already come face-to-face with Cicero, in a form that calls to mind his final fight against Antony.

Not long after the Sibyl has led Aeneas past Cerberus and the segregated all-female zone of the *campi lugentes*, he is presented with a selection of familiar figures from his past. After first putting to flight an approaching phalanx of

3 The development of a theory positing a marked Ciceronian presence in Virgil goes back to La Cerda in the 17th century. For a detailed bibliography of this debate, see Grilli/Crawford 1984.

4 For the centrality of Cicero to the education of young Romans of Virgil's age, see Keeline 2018 and La Bua 2019. For Cato and Catiline's named cameos in the *Aeneid*, see Verg. *Aen.* 8.666–670.

5 For Pompey's appearance in Virgil's description of the death of Priam, see Serv. *Aen.* 2.554–558.

6 Norden 1916, 309–316; Fletcher 1941 *ad* 733f.; Lamacchia 1964; Feeney 1986; West 1987; Horsfall 2013, xxiii.

ghostly Greeks, the souls of his deceased Trojan comrades approach Aeneas, chief among whom is Priam's son (Aeneas' own brother-in-law) Deiphobus:

Atque hic Priamiden laniatum corpore toto
Deiphobum uidet et lacerum crudeliter ora,
ora manusque ambas, populataque tempora raptis
auribus et truncas inhoneste uulnere naris.⁷

And here he sees Deiphobus too, Priam's son
mutilated, his whole body, his face hacked to pieces—
Ah, so cruel—his face and both his hands, and his ears
ripped from his ravaged head, his nostrils slashed,
disgraceful wound.

The overwhelming impression one gets from this description is one of horror. Virgil dwells on the injuries sustained by Deiphobus. However, although he draws attention to the wounds borne by his whole body, the extended ecphrasis with which we are furnished is one limited almost entirely to the mutilation of Deiphobus' head.

Two aspects of this scene are crucial to its interpretation. The first is the unusual adjective applied to Deiphobus' temples: *populata*. As Austin notes, the use of this word to describe an injury done to the body is an innovation of Virgil's own.⁸ This word, with its connotations of looting, should properly be applied to *places* being ransacked. One does not, however, have to stretch very far to make sense of this. What else, after all, does Deiphobus' body represent in this context than the sack of Troy? This section of Aeneas' journey is a return to his past, a return to the fateful day that saw the destruction of his *patria*. Virgil's use of the unusual phrase *populata tempora* forces his reader to see Deiphobus' lacerated corpse through the lens of Aeneas's memories of the looting of his home.⁹

The second effect is the pointed repetition of *ora*. As well as adding to the emotional intensity of what is being described, this repetition forces the second appearance of the word to function separately from the rest of the sentence.¹⁰ Treated as such, the almost parenthetical phrase *ora manusque ambas* is lent a force beyond its immediate context. In light of the popular tradition that surrounded his death, it is difficult indeed not to detect an echo here of the particular punishment meted out to Cicero's corpse after his proscription and execu-

⁷ Verg. *Aen.* 6.494–497. All *Aeneid* translations: Fagles 2006.

⁸ Austin 1977 *ad loc.*

⁹ Which was itself adjacent to Deiphobus': Verg. *Aen.* 2.310.

¹⁰ Cf. Verg. *Aen.* 2.405–406.

tion in 43 BCE—having his hands and head amputated and nailed to the Speakers' Platform in the centre of Rome.¹¹ The cultural significance taken on by Antony's decision to treat Cicero's body in such a fashion was best captured by the students of the early imperial declamation halls. Take, for example, this *Philippic*-inflected *color* by Quintus Haterius:

Proposito in rostris capite Ciceronis, quamuis omnia metu tenerentur, gemitus tamen populi liber fuit.¹²

When Cicero's head was displayed on the rostra, though fear gripped all, yet the groans of the people were free.¹³

In light of the cultural prominence given to Cicero's death in this period, it is difficult indeed to imagine that the unusual prominence Virgil gives to Deiphobus' head and hands is not meant to put the reader in mind of the proscriptions' most notoriously gruesome trophy.

Linking together the dual significance of Deiphobus—a simultaneous reminder of the fall of Troy and of the death of Cicero—we can begin to appreciate just how significant Cicero's final years were to Virgil. The vicious sack of Troy that occupies the second book of the *Aeneid* has been profitably read as an allegory for Rome's descent into Civil War.¹⁴ The reappearance in the underworld of a character killed in that slaughter allows Virgil to revisit that analogy in a book which offers a deep meditation on the interaction between Rome's history and its present.¹⁵ In the form of Deiphobus' disfigured body, Cicero's resonance as a symbol of that conflict is given its due prominence.

Nor is this the only time that Cicero's butchered remains appear in connection with the allegorized Civil War in this poem. Book 8 of the *Aeneid*, describing Aeneas' sojourn to Evander's kingdom on the site of what will be Rome, contains the fable of the battle between Hercules and Cacus. The links between this tale and the contemporary history of Virgil's Rome are well-documented.¹⁶ The shared imagery of belched fire both here and on the depiction of Augustus at Ac-

11 This aspect of Cicero's death is described by Cornelius Severus, *FRP* 219; Livy, *Sen. Suas.* 6.17; Cremutius Cordus, *FRHist* 71, F1; Brutteditius Niger, *FRHist* 72, F1; and Plut. *Cic.* 48.6. Appian attests to a separate tradition in which only Cicero's right hand was cut off: *B Ciu.* 4.77.

12 Sen. *Controu.* 7.2.5; Cic. *Phil.* 2.64.

13 Translation Winterbottom 1974.

14 Abbot 2000; Morgan 2000. For Juno's demand that the new Roman people be built on the ashes of Troy, and the resonance of that after the Civil War, see Feeney 1984.

15 Feeney 1986.

16 On the Hercules and Cacus episode, see Galinsky 1972, 131–149; Gransden 1976, 1–20; Hardie 1986, 110–119; Morgan 1998.

tium on Aeneas' shield joins the two struggles together and forces the reader to consider each in light of the other.

With this in mind, it should come as no surprise to find the following in Evander's description of the monstrous Cacus' lair:

Hic spelunca fuit uasto summota recessu,
semihominis Caci facies quam dira tenebat
solis inaccessam radiis; semperque recenti
caede tepebat humus, foribusque adfixa superbis
ora uirum tristi pendebant pallida tabo.¹⁷

There once was a cavern here,
a vast unplumbed recess untouched by the sun's rays,
where a hideous, part-human monster made his home—
Cacus. The ground was always steaming with fresh blood
and nailed to his high and mighty doors, men's faces
dangled, sickening, rotting, and bled white.

This picture is not as specifically Ciceronian as that found in book 6, lacking as it does reference to the victims' hands.¹⁸ Even with this caveat, however, we can still see Virgil once again preparing the ground for a Civil War allegory by presenting his reader with the gruesome spectacle of the proscriptions, and specifically an aspect of them which was most prominently associated with Cicero.¹⁹

The aftermath of Cicero's final struggle, then, can be seen to have been intimately bound up with Virgil's poetic visualization of the horrors of Rome's most recent Civil War. These gruesome glimpses of his remains, however, are only one of the ways in which Cicero's final fight was memorialized in the epic landscape of the *Aeneid*, and the sympathy the reader may feel at these confrontations does not translate easily to the others.

Friends Reunited

Once Aeneas has glutted himself on the sight of his old friends and enemies, the Sibyl leads him further into the world of the departed where each group of spirits

¹⁷ Verg. *Aen.* 8.193–197.

¹⁸ For this passage as specifically reminiscent of Cicero, see Bacon 1986, 313 n. 17; Narducci 2009, 9.

¹⁹ Alongside his personal experience of being proscribed, Cicero was also responsible for one of the most famous descriptions of the same disposal of an enemy's remains in the Civil War between Marius and Sulla: Cic. *De or.* 3.10.

is separated into different areas depending on the manner of their demise or the conduct of their lives. As he passes the gates of Tartarus, where souls are being punished for their sins in life, the Sibyl describes the following pair of miscreants:

Vendidit hic auro patriam dominumque potentem
imposuit, fixit leges pretio atque refixit;
hic thalamum inuasit natae uetitosque hymenaeos:
ausi omnes immane nefas ausoque potiti.²⁰

Here's one who bartered his native land for gold,
he saddled her with a tyrant, set up laws for a bribe,
for a bribe he struck them down. This one forced himself
on his daughter's bed and sealed a forbidden marriage.
All dared an outrageous crime and what they dared, they did.

In his commentary, Servius says the following about the third line of this quotation:

HIC THALAMVM INVASIT NATAE: Thyestes, unde Aegisthus natus est, item Cinyras: nam quod Donatus dicit nefas est credi, dictum esse de Tullio.²¹

“This one invaded his daughter's room”: This concerns Thyestes, as a result of which Aegisthus was born, the same goes for Cinyras. For it is abominable to believe what Donatus says, that this was in reference to Tullius [Cicero].

The Servian commentaries are notoriously full of little curiosities such as this one. The critical judgement that seems to lie behind many is, by almost universal acclamation, rarely worthy of much credence.²² There are, however, a few reasons to believe that this Ciceronian trinket might contain a kernel of truth.

On the 2000th anniversary of Virgil's birth, Frank Olivier delivered a paper on the subject of ‘Virgile et Cicéron’. He began by discussing the idea that the character of Drances stood in for Cicero (“mais Cicéron en caricature”²³), but the meat of the argument was this Servian note. Olivier suggested that a negative view of Cicero must have prevailed under the Augustan Principate as a result of Cicero's support of the tyrannicides. Olivier blames Pollio for the exact form of Virgil's attack on Cicero, concluding: “c'est que Virgile détestait Cicéron”.²⁴

²⁰ Verg. *Aen.* 6.621–624.

²¹ Serv. *Aen.* 6.623. Translation my own.

²² For an overview of the reliability of the Servian commentaries, see Goold 1970.

²³ Olivier 1963, 204–205.

²⁴ Olivier 1963, 209, 211. For responses, see McDermott 1980, 37–38.

Hightet gives a typical reaction to the paper's endorsement of Servius' response to Donatus' identification of Cicero with the man being punished in the Underworld for his incestuous relationship with his daughter: "It is not easy to accept this repulsive suggestion".²⁵ There are, however, several features of the Servian text that demand it be taken seriously. The authority of Donatus is the first reason why we might lend credence to this note. Servius' commentary preserves, in idiosyncratic fashion, Virgilian criticism by other scholars, and while Servius may have lacked the necessary judgement to privilege good scholarship over bad, traces of quality remain, and by and large these traces lead back to Donatus.²⁶ Since the most reliable scholar is said to be behind the idea that Virgil was referring to Cicero in this passage, we should be wary of dismissing it out of hand as just another example of the wild fancy one so often finds in this commentary.

The widely-accepted identity of the other figure keeping 'Cicero' company in this scene also supports Donatus' identification: "He [who] sold his country for gold, [and] set upon it a powerful tyrant".²⁷ Cicero's second *Philippic* against Mark Antony, which we know to have been very popular in Virgil's day, does not stint on the allegation that Mark Antony's role as the Helen of the Roman civil war came about as a result of his "purchased tribunate".²⁸ We can add this to the echo of the same speech that we find in *fixit leges*.²⁹

It is also impossible to miss the similarity of this line to one written by Varius specifically about Antony:

Vendidit hic Latium populis agrosque Quiritum
eripuit; fixit leges pretio atque refixit.³⁰

This man sold Latin rights to the nations and estates belonging to Roman citizens he seized; he made and unmade laws for profit.

Since one of these two anonymous figures matches a character from recent Roman history, it stands to reason that the other should as well.³¹ We are, though, left with the mystery of Virgil's decision to make incest Cicero's defining

²⁵ Hightet 1972, 143.

²⁶ Goold 1970, 116, 135. Cf. Thomas 1880, 182.

²⁷ Verg. *Aen.* 6.621–622.

²⁸ Antony as Helen: Cic. *Phil.* 2.55; Antony's tribunate and veto being purchased: Cic. *Phil.* 2.50, 52; for the popularity of the second *Philippic*, see Keeline 2018, 80; La Bua 2019, 47–50.

²⁹ Cic. *Phil.* 2.98; Macr. *Sat.* 6.1.39.

³⁰ Varius, *De morte* (FRP 147), translation Hollis.

³¹ Cf. Berry 1992.

crime. This puzzling aspect seems most of all responsible for Donatus' identification receiving so little in the way of credence.

Although Cicero's family life is characterized for us by his close relationship with his daughter Tullia, scholars tend not to give too much time to the idea that this was anything more than paternal affection.³² Such even-handedness, however, does not seem to have characterized the interpretations of Cicero's contemporaries. Both invectives against Cicero that have come down to us make reference to this charge of incest.

The speech Cassius Dio put in the mouth of Mark Antony's partisan Fufius Calenus runs as follows:

Καὶ προσέτι καὶ τὸ στόμα αὐτοῦ διαβάλλειν ἐπεχείρησε, τοσαύτη ἀσελγεία καὶ ἀκαθαρσία παρὰ πάντα τὸν βίον χρώμενος ὥστε μηδὲ τῶν συγγενεστάτων ἀπέχεσθαι, ἀλλὰ τὴν τε γυναῖκα προαγωγέειν καὶ τὴν θυγατέρα μοιχεύειν.³³

Furthermore, he undertook to make derogatory remarks about Antony's mouth—this man who has shown so great licentiousness and impurity throughout his entire life that he would not spare even his closest kin, but let out his wife for hire and was his daughter's lover.³⁴

Our other example of anti-Ciceronian rhetoric, the pseudo-Sallustian *Inuectiua in Ciceronem*, displays the same charge:

Verum, ut opinor, splendor domesticus tibi animos tollit, uxor sacrilega ac periuriis delibuta, filia matris paelex, tibi iucundior atque obsequentior quam parenti par est.³⁵

But I imagine the distinction of your domestic scenario makes you proud! A wife smeared with sacrilege and perjuries, a daughter, her mother's rival, more pleasing and submissive to you than a daughter should be to a parent.³⁶

The recurrence of this motif in the two attacks on Cicero is often dismissed as nothing more than part of the rough and tumble of Roman political invective. However, even if we accept the idea that these rumours were completely groundless, this does not mean that the charge of incest with his daughter was not spe-

³² Treggiari 2007, 159.

³³ Dio Cass. 46.18.5–6. For the contemporary source for Calenus' speech in Dio, see Millar 1961, 21 n. 91.

³⁴ Translation Cary 1916.

³⁵ [Sall.] *Inu. in Cic.* 2. For the early imperial credentials of this text, see Goodyear 1982, 269; Novokhatko 2009, 111–114.

³⁶ Translation Shackleton Bailey 2002.

cifically designed to fit Cicero.³⁷ Although little of the anti-Ciceronian tradition survives from the early imperial period, Donatus' conjecture and these quotations from the invectives suggest that one did exist, and that it was a well-known aspect of the popular perception of his last year.³⁸

One final aspect of Virgil's treatment of Cicero and Antony which deserves explication is his decision to render Cicero and Antony anonymous, identifiable only by their charge sheet. One might immediately note that the anonymity of this pair foreshadows the anonymous introduction accorded to that other pair of rivals who dragged Rome into the previous Civil War.³⁹ The anonymized pairing also draws attention to the mutually-assured destruction that characterized Antony and Cicero's role in bringing the fall of the Republic.

It seems ultimately fitting, in light of the viciousness of their quarrel, and how utterly their war of words dominates the evidence for the years 44–43, that Mark Antony and Cicero should find themselves occupying the same patch of soil in Virgil's underworld, identifiable only by the polemics that they had hurled at each other. As Livy insightfully noted in his obituary for Cicero, he suffered nothing worse at the hands of Antony than he would have inflicted had fortune granted him the victory.⁴⁰

Fighting Talk

So far, then, I have argued for a deeper appreciation of the ways in which Virgil incorporated the years 44–43 BCE into his *Aeneid*, and for a better understanding of what this can tell us about how Cicero's role in those events was processed in its aftermath. I have argued that Virgil was no conscientious objector when it came to exploiting the powerful imagery of Cicero's mutilated body, and I have suggested that Cicero's final duel with Mark Antony was understood as one characterized chiefly by vicious rancour on both sides. To conclude this argument, I

37 Just as allegations of incest were specifically tailored to Clodius and his sisters: Günther 2000.

38 For the existence of an anti-Ciceronian tradition in historiography and in the declamation halls, see Sillett 2015, 78–91; 272–287; 321–336; 344–352.

39 Pompey and Caesar: Verg. *Aen.* 6.826–835. For a reading of this episode in the context of Augustan propaganda, see Farron 1980.

40 Sen. *Suas.* 6.22: *Omnium aduersorum nihil ut uiro dignum erat tulit [sc. Cicero] praeter mortem, quae uere aestimanti minus indigna uideri potuit, quod a uictore inimico <nihil> crudelius passus erat quam quod eiusdem fortunae conpos ipse fecisset.*

shall now consider the character most often associated with Cicero at his most bellicose—the Latin orator Drances.

The identification of Cicero with Drances is neither a new one nor one lacking in contention: the length of the bibliography on the subject is itself a fine index of its controversy.⁴¹ As a result of this, it is worth taking time to lay out the textual evidence that lies behind this scholarship.

Aeneid 11 opens with the Trojans and the Latins achieving a truce in order to bury their dead.⁴² In the course of this armistice, Latinus calls a council, during which the envoys sent to seek the assistance of Diomedes return. Diomedes' choice not to involve himself in the war leads Drances to speak. Although in this instance Drances is a man speaking eloquently in the right cause, the sordidness of his motives is immediately revealed:⁴³

Tum senior semperque odiis et crimine Drances
infensus iuueni Turno sic ore uicissim
orsa refert.⁴⁴

Then aged Drances—always quick to attack
the young captain, Turnus—full of hatred
and accusations, breaks forth to have his say.

After this introduction, Drances delivers a speech attempting to hammer out the terms for a peace between Aeneas and Latinus that explicitly excludes Turnus. He is next encountered using the peace guaranteed by his truce to stir up Latin feeling against Turnus, accusing him of being the only obstacle to a lasting settlement. This proves unsuccessful.⁴⁵

These moments, however, are just a warm-up to Drances' main scene. His character has already been fixed as a powerful speaker committed to the destruction of Turnus, yet Virgil still reiterates this when Drances reappears in the council of war:

Tum Drances idem infensus, quem gloria Turni
obliqua inuidia stimulisque agitabat amaris.⁴⁶

⁴¹ For this bibliography, see McDermott 1980.

⁴² Verg. *Aen.* 11.100–224.

⁴³ For Drances speaking in the right cause, see Verg. *Aen.* 11.132; for Drances speaking well, see 124–126.

⁴⁴ Verg. *Aen.* 11.122–124.

⁴⁵ Verg. *Aen.* 11.220–224.

⁴⁶ Verg. *Aen.* 11.336–337.

Drances rises,
aggressive as always, stung by Turnus' glory,
spurred by smarting, barely hidden envy.

Drances goes on to deliver one of the *Aeneid*'s few formal speeches, supporting Latinus' call for an end to the conflict with the Trojans. He supplements it, however, with a call to achieve this at Turnus' expense.⁴⁷

The very bellicosity of this rhetoric has given rise to the suspicion that Cicero was a model for Drances. The key passage for this idea is the character-sketch Virgil provides before his speech:

Largus opum et lingua melior, sed frigida bello
dextera, consiliis habitus non futilis auctor,
seditione potens (genus huic materna superbum
nobilitas dabat, incertum de patre ferebat),
surgit et his onerat dictis atque aggerat iras.⁴⁸

A lavish spender, his rhetoric even looser,
but a frozen hand in battle. No small voice
in the public councils, always a shrewd adviser,
a power in party strife. On his mother's side,
well born, but his father's side remains a blank.

Olivier, Highet, Kennedy and Gransden all argue that this description of Drances' origins recalls Cicero's *nouus homo* status.⁴⁹ They do so with reason—this passage is very similar to the material found in the first lines of Plutarch's biography of Cicero:

Κικέρωνος δὲ τὴν μὲν μητέρα λέγουσιν Ἑλβίαν καὶ γεγονέναι καλῶς καὶ βεβιωκέναι, περὶ δὲ τοῦ πατρὸς οὐδὲν ἦν πυθέσθαι μέτριον. Οἱ μὲν γὰρ ἐν κναφείῳ τινὶ καὶ γενέσθαι καὶ τραφῆναι τὸν ἄνδρα λέγουσιν, οἱ δ' εἰς Τύλλον Ἀττίον ἀνάγουσι τὴν ἀρχὴν τοῦ γένους, βασιλεύσαντα λαμπρῶς ἐν Οὐολούσκοις καὶ πολεμήσαντα Ῥωμαίοις οὐκ ἄδυνάτως.⁵⁰

Cicero's mother Helvia, so they say, was of honourable birth and lived an honourable life, but there was no unbiased story to be discovered about his father. For some say the man was born and bred in a clothes-cleaner's shop, while others trace the origin of his family to Tullus Attius, who had a brilliant reign among the Volsci and fought the Romans to some effect.

⁴⁷ Verg. *Aen.* 11.343–375; cf. Gransden 1991 *ad loc.* and Highet 1972, 278.

⁴⁸ Verg. *Aen.* 11.338–342.

⁴⁹ Olivier 1963, 204–205; Highet 1972, 142–144; Kennedy 1972, 395; Gransden 1991, 14.

⁵⁰ Plut. *Cic.* 1.1–2. Translations from Plutarch: Lintott 2013.

Moles and Lintott's commentaries on this passage acknowledge that ignoble birth was a common enough insult in this period, but recognize that these charges appear elsewhere in connection with Cicero.⁵¹ The link with fullery appears in Calenus' invective in Dio's history.⁵² Moreover, Lintott connects the charge to Cicero's own day via contemporary texts, while Moles does so via epigraphy.⁵³ Going beyond Plutarch, there is independent testimony indicating that while Cicero's paternal family had no great standing in Rome, his mother's *gens* can be linked to several important magistracies around 200 BCE and at the end of the Republic.⁵⁴ Although these origins would no doubt fit the bill for many figures, not many of them also share Drances and Cicero's status as famed orators.

The other part of Virgil's text that is usually connected with Cicero is taken from Turnus' speech in reply to Drances' invective:

Imus in aduersos—quid cessas? an tibi Mauors
uentosa in lingua pedibusque fugacibus istis
semper erit?⁵⁵

Come, shall we march against them? You hang back—why?
Will your warlust always lie in your windy words
and your craven, racing feet?

The phrasing of this attack is unmistakably reminiscent of the pseudo-Sallustian *Inuectiua in Ciceronem*:

Immo uero homo leuissimus, supplex inimicis, amicis contumeliosus, modo harum, modo illarum partium, fidus nemini, leuissimus senator, mercenarius patronus, cuius nulla pars corporis a turpitudine uacat, lingua uana, manus rapacissimae, gula immensa, pedes fugaces.⁵⁶

On the contrary, he is the most irresponsible of mankind, suppliant to his enemies, insolent to his friends, in one party one day, in another the next, loyal to none, an irresponsible Senator, a mercenary patron, with no part of his body clear of turpitude: false tongue, grasping hands, immense gullet, runaway feet, most indecent the parts that cannot decently be named.⁵⁷

⁵¹ Moles 1988 *ad loc.*; Lintott 2013 *ad loc.*

⁵² Dio Cass. 46.4.2–5.1.

⁵³ Cic. *Att.* 12.32.3, 15.17.1, 15.20.4, 16.1.5; *CIL* 10.5678.

⁵⁴ *MRR* 2.572.

⁵⁵ Verg. *Aen.* 11.389–391.

⁵⁶ [Sall.] *Inu. in Cic.* 3.5.

⁵⁷ Translation Shackleton Bailey 2002.

Both Gransden and McDermott are keen to identify the link between these two passages.⁵⁸ In terms of both specific vocabulary and general theme, there is a remarkable similarity here. The invective is consonant with the idea that Drances' bark is worse than his bite, and it also supplies a basic outline of Cicero's life and career that neatly matches Drances' (largely avoiding a career in the military, instead making his name as an orator).⁵⁹ Even Cicero did not shy away from such an interpretation of his life:

Cedant arma togae, concedat laurea laudi.⁶⁰

Let arms yield to the toga, and let the triumphal laurel give way to panegyric.

Virgil's portrait of Drances, then, is the negative exposure of Cicero's laudatory assessment of the orator-statesman.

The overtly Ciceronian resonances in Virgil's depiction of Drances are not an aspect of this part of the poem that sit in isolation. Virgil's decision to use the specialist vocabulary of contemporary Roman politics makes it even more tempting to situate the stand-off between Drances and Turnus in the world of the late Roman Republic. This section contains a remarkable concentration of such political language, words like: *libertas*, *penates*, *auspicium*, *ciues*, *imperium*, *oratores*, *patres* (viz. senators) and *legati*.⁶¹ Most extraordinary, however, is the opening phrase Turnus hurls against Drances:

Larga quidem semper, Drance, tibi copia fandi
tum cum bella manus poscunt, patribusque uocatis
primus ades. Sed non replenda est curia uerbis,
quae tuto tibi magna uolant, dum distinet hostem
agger murorum nec inundant sanguine fossae.⁶²

Always a mighty flood of words from you, Drances,
when battle demands our fighting hands! Whenever
the senate's called, you're first to show your face.
But there is no earthly need to fill these halls
with the talk that flies so bravely from your mouth,
safe as you are while the ramparts keep the enemy out
and the trenches still don't overflow with blood.

⁵⁸ McDermott 1980, 36; Gransden 1991, 15.

⁵⁹ For Drances being readier with words than a sword, see Verg. *Aen.* 11.338–339.

⁶⁰ This line from *De consulatu suo* is quoted at Cic. *Off.* 1.77 and expanded upon as an admirable way of life for a statesman.

⁶¹ Verg. *Aen.* 11.346; 264; 33, 347; 119, 243, 305, 360, 459; 58, 193; 100, 331; 379; 227, 239, 296.

⁶² Verg. *Aen.* 11.378–382.

The references to the senatorial *patres* and to Drances' *copia fandi* both push us towards reading Turnus' speech as a reply to a specifically Ciceronian piece of oratory.⁶³ But it is the reference to the *Curia*, the building in which the Roman senate convened, that immediately transports Drances and Turnus' conflict away from Latinus' primitive kingdom and into the world of contemporary Roman politics.

Not, however, precisely contemporary politics. Suetonius' summary of the senate in the reign of Augustus shows how very different it was from the one Virgil depicts in Latium.⁶⁴ With the increased formalization of the prominent role played by Augustus' *Consilium*, the imperial *Curia* became one in which extended debate was kept to a minimum: meetings were few, members were hand-picked by the emperor himself, attendance was kept low and matters of controversy were dealt with in advance. A scene in the *Curia* as described here by Virgil was still redolent of the Roman senate, but only of the one which sat in the years preceding the Civil War—the *Curia* in which Cicero's *Philippics* were heard and debated.⁶⁵ The use of the senate as a forum for grandstanding political speeches on matters pertaining to the safety of the *patria* arguably reached its zenith at this moment. The hints of Cicero in the rhetoric and character of the orator/statesman Drances, then, are made all the more explicit by the Republican backdrop Virgil created for them.

The popularity of the *Philippics* in this period demonstrates how attached Virgil's audience was to the idea of viewing Augustus' eventual rise to power as the endpoint of a conflict between the swords of Mark Antony and the words of Cicero.⁶⁶ The years 44–43 BCE, and specifically Cicero's role in them, could not be separated from the teleology of Augustus' Principate.

***Philippics* and Freedom**

One aspect of the debate between Drances and Turnus in particular points the reader towards seeing it as an allegorical representation of the *Philippics*. This is the use of the word *libertas* (cf. Paulson and Jansen in this volume). This word appears only three times in the *Aeneid*, at each point signifying an impor-

⁶³ For Cicero's *copia*, see Cic. *Brut.* 253.

⁶⁴ Suet. *Aug.* 35. For the imperial senate, see Brunt 1984 and Talbert 1984.

⁶⁵ For this peculiar position accorded to the *Philippics*, see Kennedy 1972, 303; Bellardi 1978, 40–41; Pina Polo 1989, 137; Pina Polo 1996, 159 n. 37; Manuwald 2007, vol. 1, 141 n. 394.

⁶⁶ For the popularity of the *Philippics* in this period, see Manuwald 2007, vol. 1, 140–143; Keel-ine 2018, 80; La Bua 2019, 47–50.

tant moment in Roman history. Its first two appearances deal with the expulsion of the kings and the foundation of the Republic. In the underworld, Anchises uses the concept of *libertas* to explain Brutus' decision to execute his own sons for their participation in an attempt to restore monarchy at Rome (*pulchra pro libertate*).⁶⁷ Later, on the shield of Aeneas, the cause of *libertas* is raised again to explain what Aeneas' descendants were fighting for when they beat back the forces of Tarquinius Superbus' ally, Lars Porsenna.⁶⁸

It is a matter of great significance that the debate between Turnus and Drances is the only part of the *Aeneid* where the word *libertas* is used outside of a historical context. This powerful word is raised at the very beginning of Drances' speech, as he responds to Latinus' suggestion that a peace treaty be made with the Trojans:

Rem nulli obscuram nostrae nec uocis egentem
 consulis, o bone rex: cuncti se scire fatentur
 quid fortuna ferat populi, sed dicere mussant.
 Det libertatem fandi flatusque remittat,
 cuius ob auspicium infaustum moresque sinistros
 (dicam equidem, licet arma mihi mortemque minetur)
 lumina tot cecidisse ducum totamque uidemus
 consedissee urbem luctu, dum Troia temptat
 castra fugae fidens et caelum territat armis.⁶⁹

Our situation is clear for all to see,
 and it needs no voice of ours in council now,
 my noble king. The people know, they admit they know
 what destiny has in store, but they flinch from speaking out.
 Let him allow us to speak and quit his puffed-up pride,
 that man whose unholy leadership and twisted ways—
 Oh, I'll let loose, he can threaten me with death!—
 so many leading lights among us he's snuffed out
 that we see our entire city plunged in grief while he,
 trusting that he can break and run, attacks the Trojans,
 terrorizing the heavens with his spears!

As we have seen from the first two appearances of *libertas* in the *Aeneid*, Virgil has no interest in presenting anything other than a complicated case for this concept. *Libertas* in the early Republic is shown as capable of provoking both extraordinary martial bravery and hard-hearted filicide. Here it is similarly dubious,

⁶⁷ Verg. *Aen.* 6.819–823.

⁶⁸ Verg. *Aen.* 8.646–648.

⁶⁹ Verg. *Aen.* 11.343–351.

appearing in the mouth of a deeply compromised character, and furthermore presented in the narrowed terms of *libertas fandi*.⁷⁰ This form of *libertas* was a troubling virtue, and it was well-known that it had the power to corrupt other forms of *libertas*.⁷¹ Its potential for corruption was far from an academic concern for Virgil's readers: it played its part in the *res publica's* descent into civil war and the rise of the Principate under which they lived.⁷²

Virgil's decision to flag up the peculiarly Republican concept of *libertas* in a scene so redolent of the characters and events that dominated the last years of the Republic forces the reader to consider what bearing this council and the character of Drances might have on the concept. When viewed through this lens, it becomes increasingly difficult to ignore the presence of Cicero. More specifically, it becomes difficult not to read Drances' speech as an echo of the rhetoric found in the *Philippics*.

These speeches, also delivered by a man of words against a man of arms, place an overwhelming emphasis on *libertas*. Of the 14 *Philippics* that have come down to us, all but one (the ninth) refer to this concept, and altogether the word is used 102 times. Manuwald's commentary has the following to say:

This single term refers to essential values of the Republican order, which have to be defended against the threat posed by Antonius; they are specific to the Roman people and constitute the ideal for which Cicero fights against Antonius. Freedom is presented as a precondition for true peace, while other kinds of (apparent) peace are described as equivalent to slavery.⁷³

Drances' call for *libertas fandi* may seem at first slightly narrower than this, but it is not so different. His demand for the freedom to speak out against Turnus is a statement that the Latins should not be placed into an unquestioning servitude of a warrior prince.

As we have seen from Cicero's presentation in the underworld, however, Virgil is not one to allow this character so principled a stand. It is immediately undercut by Virgil's implication that Drances' motive is not that of preserving the state, but rather that of undermining his rival.⁷⁴ In a similar manner, it does not require an overly cynical attitude to note that Cicero's assumption of a high-spirited defence of the *libertas populi Romani* in 44–43 BCE entailed a

⁷⁰ For *libertas* and free speech, see Brunt 1988, 281–350.

⁷¹ For the ability of *libertas fandi* to overturn other forms of *libertas*, see Kapust 2011, 4–21.

⁷² La Penna 1979.

⁷³ Manuwald 2007, vol. 2, 306.

⁷⁴ For Virgil undercutting Drances' stand against Turnus by reference to his character and motives, see Burke 1978.

great increase in his own personal power and *gloria*. It also allowed him to defend the narrow interests he had long stood for and provided him with a platform for his oratory and that he could use to put down his opponents. As the early imperial writers of critical obituaries for Cicero attest, there were plenty of authorities who argued that this last fight against Antony was motivated more by personal enmity than principle.⁷⁵

Hidden polemic

Although I have so far treated these incidents in isolation, their cumulative effect must also be considered, the better to understand this early document of the reception of Cicero's final fight. The most striking aspect of Virgil's presentation from a modern perspective is the even-handed approach the poet takes to Cicero and Antony. In spite of the largely positive early stages of Cicero's reception in the imperial period and Mark Antony's universal demonization (strong hints of which we find in Deiphobus' mutilated visage), Virgil takes every opportunity thereafter to equivocate between the two—placing them in each other's company in the underworld of *Aeneid* 6 and insisting on the villainy of his most prominent orator.

Virgil's ability to suggest that Cicero and Mark Antony were, on a political level at least, only as bad as each other suggests that a far greater degree of anti-Ciceronian polemic was in circulation than is often suggested.⁷⁶ Ammianus Marcellinus provides some unexpected corroboration for the idea that immediately after Cicero's death the invectives from his final years were incorporated into his biography. Here is Ammianus' digression on the province of Egypt:

Vnde Aristarchus grammaticae rei doctrinis excellens, et Herodianus artium minutissimus sciscitator, et Saccas Ammonius Plotini magister, alique plurimi scriptores multorum in literis nobilium studiorum, inter quos Chalcenterus eminuit Didymus, multiplices scientiae copia memorabilis, qui in illis sex libris ubi non numquam imperfecte Tullium reprehendit sillographos imitatus scriptores maledicos, iudicio doctarum aurium incusatur, ut inmania frementem leonem putredulis uocibus canis catulus longius circumlatrans.⁷⁷

From there came Aristarchus, eminent in thorny problems of grammatical lore, and Herodian, a most accurate investigator in science and Saccas Ammonius, the teacher of Plotinus, and numerous other writers in many famous branches of literature. Among these Di-

⁷⁵ See Sillett 2015, 155–159; 178–180.

⁷⁶ For Augustus' willingness to embrace the memory of Cicero to blacken Antony's reputation, see Keeline in this volume (pp. 32–33).

⁷⁷ Amm. Marc. 22.16.16.

Didymus Chalcenterus was conspicuous for the abundance of his diversified knowledge, although in those six books in which he sometimes unsuccessfully criticises Cicero, imitating the scurrilous writers of Silli, he makes the same impression on learned ears as a puppy-dog barking from a distance with quavering voice around a lion roaring awfully.⁷⁸

The *Suda* can be used to fill in this picture. It tells us that Didymus was a Greek scholar who lived, studied and wrote in Egypt while Mark Antony held sway in the east.⁷⁹ Furthermore, it tells us that his attack focused on Cicero's *De re publica*.⁸⁰ The existence of a six volume treatise lacerating Cicero's venture into the field of political theory is an invaluable glimpse of what must have been a far larger world of anti-Ciceronian literature than we might imagine when surveying the literary scene of the Augustan era.

Didymus' Egyptian background and the fact that the *Suda* specifically dates his life with reference to Mark Antony suggest that his anti-Ciceronian writings should be connected with the propaganda war that followed in the wake of the power struggle that erupted between Octavian and Mark Antony in the aftermath of the Battle of Philippi.⁸¹ The posthumous popularity of Cicero's *Philippics* cannot be divorced from this context. The fame these speeches achieved ensured that the damage they did to Mark Antony's reputation was not limited to the moment of their delivery or initial publication. We should not be surprised if writers like Didymus saw an opportunity to gain Mark Antony's patronage by composing attacks against Cicero's intellectual credentials in order to undermine some of the cultural prestige that the *Philippics* had garnered.⁸²

According to Ammianus' note, Didymus Chalcenterus, scholar though he may have been, did not trouble himself too much with preventing Sillographic scurrility from entering into his attacks on the *De re publica*.⁸³ Whatever form this strange work took, it seems to have combined the academic with the person-

⁷⁸ Translation Rolfe 1940.

⁷⁹ *Suda ad* Didymus.

⁸⁰ For the interaction between Didymus, Demosthenes and Cicero, see Bishop 2015, for this work in particular, 291.

⁸¹ See, for example: Suet. *Aug.* 2, 7, 10, 16, 63, 68, 69, 70, 86. For modern treatments of this propaganda war, see Scott 1929; Charlesworth 1933; Geiger 1980; Gosling 1985; Biffi 1994; Hekster 2004.

⁸² For Didymus' genre, see Dickey 2007, 11–14. For an overview of Didymus' works, see Gibson 2002, 51–69. For the overwhelmingly historical and contextual, rather than stylistic, nature of Didymus' critical approach, see Bishop 2015, 284–294.

⁸³ Murky though our picture of the Sillographoi may be, the overwhelming picture we receive of the major practitioners (Xenophanes of Colophon and Timon of Phlius) is one of parodic mockery of the personal character of select philosophers, and of their philosophies. For Timon and the Sillographoi, see Clayman 2010, 117–144.

al. Given the immense powers of patronage that Mark Antony enjoyed in these years, it would be very surprising indeed if Didymus had been the only writer to have turned his pen on Cicero in order to win the Triumvir's gratitude.

By the time the battle of Actium and Antony's suicide had concluded Rome's latest civil war, the reputation of Marcus Tullius Cicero could have borne little resemblance to its standing today. The volume of anti-Ciceronian invective created by Mark Antony's supporters cannot be known, but it would be naïve to suppose that the influence of this tradition would have been anything other than considerable and forceful.

Conclusion

As the title of this chapter hints, I would like to seek a broader context for these moments in that most paradigmatic of places, the poem's opening simile.⁸⁴ In his description of Neptune's calming of the storm sent by Juno to sink the Trojan fleet, Virgil compares his arrival to a magistrate appearing before a rioting mob:

Ac ueluti magno in populo cum saepe coorta est
seditio, saeuitque animis ignobile uolgus,
iamque faces et saxa uolant—furor arma ministrat;
tum, pietate grauem ac meritis si forte uirum quem
conspexere, silent, arrectisque auribus adstant;
ille regit dictis animos, et pectora mulcet.⁸⁵

Just as, all too often,
some huge crowd is seized by a vast uprising,
the rabble runs amok, all slaves to passion,
rocks, firebrands flying. Rage finds them arms
but then, if they chance to see a man among them,
one whose devotion and public service lend him weight,
they stand there, stock-still with their ears alert as
he rules their furor with his words and calms their passion.

Whatever the specific historical resonances of this scene may be, it goes without saying that it is one highly consonant with Cicero's ideal of the orator statesman, and their elevated position above a respectful and deferential populace.

⁸⁴ For the paradigmatic force of opening similes, see Feeney 2014; Beck forthcoming. For the first simile of the *Aeneid* more generally, see Beck 2014; Feeney 2014, 208–221.

⁸⁵ Verg. *Aen.* 1.148–153.

One of the most striking aspects of this simile, however, is how thoroughly it fails to be realized in the course of the poem. Nowhere is this failure clearer than in the striking breakdown of communication in Latium during Drances' confrontation with Turnus: neither orator attempts, still less succeeds, in using their words to cool ardours or soothe passions. Virgil's decision to lace this crucial episode with references to Cicero's final fight against Mark Antony is vital for understanding its power to explain both the poem's reflection on the power of words in a world wracked by civil turmoil, and Virgil's contemporaries' understanding of Cicero's personal role in Rome's collapse into civil war in 43 BCE.⁸⁶

Philip Hardie's article on the Council of the Latins can be used to draw these threads together:

Drances is no simple allegory of Cicero or Catiline, but we will probably not err in hearing in the debate in the Council of Latins echoes of the contests of oratory of the late Republic, which issued in no solution to the political problems of the time. This endless squabbling *dubiis de rebus* could be resolved only by the intervention of the man who claimed to be the descendant of Aeneas.⁸⁷

Of course Drances is no *simple* allegory of Cicero. It is difficult, however, to shake the impression that Cicero is crucial to understanding what this character represents.

The effect of the Ciceronian element in Drances is partly summed up in Hardie's argument that the oratorical contests of the late Republic "issued in no solution to the political problems of the time". This notion comes to the fore in Virgil's decision to repeatedly expose Drances' base motives before allowing him to make his speciously principled speech. In doing so, the poet undermines the rhetoric of *libertas* that Drances employs against Turnus—rhetoric that had been employed by his real-life counterpart in the *Philippics*.

These two statesmen are united by their oratorical efforts. But regardless of considerations either of motive or of the underlying good sense of what they are arguing, they simply end up perpetuating conflict. Drances is right that the best course for the Latins is to lay down their arms and make peace with the Trojans, and an Augustan audience should have felt that Cicero was probably onto something in his argument that the world would be better off without Mark Antony. It is clear, however, that neither of these facts could be accomplished by speech alone. Peace will only be made between the Trojans and the Latins after Turnus

⁸⁶ For the dependence of the *Philippics*' posthumous fame upon Cicero's proleptic ownership of his 'failure' in this final fight, see Bishop in this volume.

⁸⁷ Hardie 1998, 262.

has been slaughtered by Aeneas. Similarly, Mark Antony's alleged tyrannical designs will only be checked by Octavian's swords and ships. It is bloodshed and a divine hero that resolves these crises, not words, however well or ill-intentioned.⁸⁸

In both the worlds of Rome's foundation and of the fall of the Republic, however, the orators' words are of crucial importance when it comes to fomenting the armed conflict. Even if the ultimate defeats of Mark Antony and Turnus should be read as positive events within Virgil's epic, it remains difficult indeed to celebrate the contributions of the orators who drove forward the conflicts that brought about their mutual destruction.

It is not simply the case that the parallels between Cicero and the vile Drances serve to damn Arpinum's favourite son by association, the study essayed above of Cicero's ghostly appearances in the underworld show that Drances' character is as much compromised by association with Cicero as vice versa. The Cicero we find in the *Aeneid* is one whose reputation has been deeply scarred by the bellicosity of his final fight against Mark Antony.⁸⁹ However principled and brave some may have considered this fight, Virgil provides an eloquent testimony to just how blemished this final year left Cicero's reputation.

⁸⁸ Hardie 1998; Feeney 2014, 221.

⁸⁹ Although Cicero's appearance alongside Antony in the underworld is left anonymous, the effect (as laid out above) is one of heightening the association between them and their destructive invective, not one of sparing embarrassment.

Giuseppe La Bua
Man of Peace?

Cicero's Last Fight for the Republic in Greek and Roman
Historical 'Fictions'

To the dear memory of Harry Gotoff

Posterity unanimously recognized Cicero as the master of the Latin language and a model of rhetorical and linguistic excellence worthy of being imitated by would-be orators. Reduced and simplified to a cultural icon and embodiment of verbal *ingenium*, a result of a long process started in the declamation schools,¹ Cicero was held up as the incarnation of *Latinitas*, the ideal of linguistic sublimity and perfectness pursued by the members of the dominating élite. Different was the story of the reception of Cicero as a historical and political figure in the early Empire. His life and career, his equivocal role in the last years of the Roman aristocratic Republic in particular, affected his reputation and “undermined any claim to ethical authority”.² Most importantly, Cicero's final years, his struggle for liberty and his ‘heroic’ death, occasioned later reflections on the role played by the politician in the moral and political decline of the Roman *res publica*. As Emma Dench notes, “the figure of Cicero suggested to later authors multiple different personae and ways to think about his connection with Rome past and present”.³ Alternatively characterized as “a binding-link to the present as much as an epitome of the vanished past”,⁴ Cicero—and his construction of a distinctively Roman political image—stimulated nostalgic reflections about Roman past history and values, within a more general meditation about the transition from Republican liberty to the *princeps*' authoritarian regime.⁵

Cicero's thoughts and actions after the Ides of March were at the very heart of this process of historical renegotiation of the final years of the free Republic. By re-visiting the story of the rift between Cicero and Antony and encouraging a critical reading of the *Philippics* later poets, historians and declaimers questioned the role of Cicero in the downfall of Republican Rome and strove to provide a

¹ Kaster 1998. See also Keeline 2018, 102–140 and La Bua 2019, 106–125.

² Gowing 2013, 243.

³ Dench 2013, 126.

⁴ *Ibid.*, 122.

⁵ See now La Bua 2019, 100–112.

reconstruction of the events that marked the rise of Roman imperialistic power.⁶ Yet, they also questioned the role played by Cicero in the outbreak of the civil war of 49–45 BCE, that is the fatal conflict between Caesar and Pompey, which was merely the prelude to the collapse of the Roman *res publica*. Therefore this paper firstly interrogates Cicero's responsibility and engagement in the civil war as narrated in early imperial literature. It starts from Lucan's fictional depiction of Cicero in the theatre of war (7.62–85) and argues that the image of Cicero as warmonger, created notably by a speech he himself delivers, deliberately reverses his self-advertising portrait as saviour of the Fatherland and man of peace in the corpus of Cicero's own works. I will then move on to investigate the re-use and manipulation of Ciceronian and anti-Ciceronian motifs in Cassius Dio's speeches, with special emphasis on Calenus' diatribe (45.18–47) and Cicero's so-called amnesty speech (44.23–33), which reworks themes already touched upon in the *First Philippic* and presents Cicero as a fair-minded politician, engaged in preserving liberty and peace for the survival of the Republic.

As we shall see, Cicero's participation in the events before and after Pharsalus was treated in ambivalent terms. The contradictions inherent in Cicero's relationship with Pompey and the politics of imperial power impacted on later perceptions and receptions of his political figure. In portraying himself as both the spokesman of the Roman ruling class, embodied in Pompey, and the defender of peace Cicero himself fell in a sort of contradiction. While trying to come to terms with the emergence of new political forces, his attempt at preserving the *status quo*—and his political prestige accordingly—was blatantly anachronistic. Later poets and historians exploited these contradictions of Cicero's political practice to depict a man wavering between ambition and desire for peace and stability. It might be tempting to say that the oscillation of the ancient sources in defining Cicero's role in the civil war between Caesar and Pompey reflects the same oscillation that occurred in Cicero's mind, when the changed political conditions forced him to respond to Caesar's—and later Mark Antony's—imperialistic politics.⁷

⁶ On Cicero's political ideology in the *Philippics* and the role played by the young Octavian in Cicero's failure, see Keeline in this volume. Cf. also Bishop in this volume (for the *Philippics* as monuments to Cicero's failure and as allegory of the end of free democratic speech).

⁷ On Cicero's relationship with Roman imperialism, see Rose 1995, 397: "Cicero, far from being the perspicacious and heroic defender of Republican freedom, was from one end of his career to the other fully complicitous in the contradictions that destroyed the Republic".

master of Roman eloquence, Tullius—under his civilian authority fierce Catiline had trembled at the peace-making Axes. He was enraged at warfare, because he longed for Rostrum and for Forum, after enduring silence so long as a soldier. His eloquence gave strength to their feeble cause: “This alone Fortune asks of you, Magnus, in return for all her many favors—that you be willing to make full use of her; we leaders of your camp and your kings together with the suppliant world prostrate ourselves and beg you to allow the conquest of your father-in-law. Shall Caesar mean war for humankind for so long a time? Rightly do the nations who were tamed by Pompey racing past resent that he is slow to conquer. Where has your enthusiasm gone? Or where your confidence in Fate? Ungrateful man, are you alarmed about the gods? Do you hesitate to trust to them the Senate’s cause? Of their own accord, the ranks will tear your standards up and spring forward; you should feel shame to have won under compulsion. If you are our bidden leader, if the war is waged for us, give the men the right to fight on whichever field they wish. Why do you keep from Caesar’s blood the swords of all the world? Hands brandish weapons: hardly anyone can wait for the signal slow to sound; hurry, or your trumpets may leave you behind. The Senate longs to know; does it follow you, Magnus, as soldier or as retinue?” The leader groaned and felt that this was trickery of the gods and that the Fates were hostile to his own intention.⁸

Eulogized as the *auctor Romani eloquii*, the “master of the Roman language” (a traditional homage to Cicero’s undisputed authority as a prose writer and orator), Cicero is presented as a disgruntled soldier, annoyed at seeing Pompey’s hesitance.⁹ Recalling the triumph over the Catilinarian conspirators, Lucan credits Cicero with forcing Pompey into acting swiftly and beginning hostilities. According to the poet, Cicero’s fondness for advocacy and his natural inclination for forensic activity played a decisive part in the war: it was Cicero’s eloquence, the majesty of his words, that gave strength to Pompey’s weak position.¹⁰

Within Lucan’s gloomy meditation of the causes of civil war, it is Cicero, fictitiously placed at the battlefield at Pharsalus, not Pompey, who is invested with responsibility for leading Rome to ruin. As Gowing notes, Lucan’s fiction “does not put Cicero in an entirely positive light”.¹¹ Portrayed as a bellicose descendant of the Virgilian Drances,¹² Cicero is implicitly accused of fomenting war.¹³ Cice-

⁸ English translation: Braund 1992.

⁹ On the passage see the recent commentary by Lanzarone 2016, 148–166.

¹⁰ On Cicero’s speech and its tragic (ironic) effect, see De Nadaï 2000, 238–241. For the parallelism between Cicero’s discourse and Curio’s speech to Caesar in the first book of the poem, see Radicke 2004, 379–380. See also Fucecchi 1999 (on the dialogue between Terentius Varro and Aemilius Paulus in Silius Italicus 9.1–65 as modelled on Lucan’s text).

¹¹ Gowing 2013, 244.

¹² Fucecchi 2011, 247. See also Galli 2015 (on Lucan’s Ciceronian sources). On the portrayal of Drances in Book 11 of the *Aeneid* and the impact of the struggle between Antony and Cicero on Virgil’s epic, see Sillett in this volume.

ro's self-presentation as a man of peace is thus overturned by Lucan, who manipulates historical reality in order to present the orator as a belligerent politician, overwhelmed by his desire to defend Republican freedom.¹⁴ Parodying the pair *arma/toga*, a clichéd image in Cicero's self-promotion as a *dux togatus* and a consolidated target of criticism,¹⁵ mocked as well by the anonymous compiler of the pseudo-Sallustian *Invective against Cicero*,¹⁶ Lucan engages his readers in questioning Cicero's relation with Pompey and his role in determining the final destiny of the city of Rome, not as "saviour and preserver of the fatherland",¹⁷ as he himself would have loved to be remembered, but as one of the persons who precipitated its downfall.¹⁸ To put it differently, the man who prided himself for saving the city and preserving Roman aristocratic constitution is blamed for the death of Pompey and the beginning of Caesar's dictatorial regime.

Thus, within a larger context, the speech gives a glimpse into the debate over Cicero's political position in the last decades of the Roman Republic and his attitude to the politics of an imperial political system. As Roche puts it, Lucan's choice "to undertake a poem on the civil war of 49–45, to position it openly in relation to the *Aeneid*, and to foreground the same aetiological concerns

13 Narducci 2003, 82–84. For Cicero's self-portrait as "encomiast and advocate of peace" (*laudator et auctor pacis*), cf. *Phil.* 7.7–8.

14 Ahl 1976, 162: "The historical truth of Pompey's dilemma at the historical Pharsalia is driven home by a historical lie. Surely this is the genius of the poet which transcends the mere narration of events. For Lucan provides us with the essence of historical truth in defiance of historical fact".

15 On parody of Cicero's self-fashioning, see Lanzarone 2016, 148.

16 [Sall.] *Inu.* in *Cic.* 6: *Atque parum quod impune fecisti, uerum etiam commemorando exprobras neque licet obliuisci his seruitutis suae. Egeris, oro te, Cicero, perfeceris quidlibet; satis est perperosos esse; etiamne aures nostras odio tuo onerabis, etiamne molestissimis uerbis insectabere? 'Cedant arma togae, concedat laurea linguae'. Quasi uero togatus et non armatus ea, quae gloriaris, confeceris, atque inter te Sullamque dictatorem praeter nomen imperii quicquam interfuerit.* ("It is not enough that you got away with this unpunished. You even affront the people reminding them of your actions, and they are not permitted to forget their slavery. I implore you, Cicero, having acted and having achieved what you wanted: it is enough that the people have suffered. Will you burden our ears with your hatred: will you harass us with revolting words. 'Let arms give way to the toga, and the military laurel-wreath to the power of speech'? As if you were a man of the toga and not a bearer of arms when you did all that you take pride in! As if there were some other difference, apart from your official title, between you and the dictator Sulla", translation Novokhatko 2009).

17 Vell. Pat. 2.66, *conseruator rei publicae*; Plin. *HN* 7.117; Sen. *Suas.* 6.19 and 6.26; Juv. 8.240–243; Plut. *Cic.* 22.3; App. *B Ciu.* 2.7.

18 Paying attention to the definition of Pompey as *rector* and his reluctance to enter into combat with Caesar's armies, Ahl 1976, 162 notes that in Lucan "Cicero becomes symbolic of the Senate, the whole theory of the Republic, and its helplessness in the moment of crisis".

with the origin of its own contemporary ideology, is itself a potentially critical response to the Principate”.¹⁹ At the same time Lucan’s portrayal of Cicero as both an instrument of Fate and an active participant in the process of war is a response to the imperial dispute over Cicero’s engagement in politics and his contribution to the end of the Republic. It focuses on one of the most relevant themes of anti-Ciceronian propaganda, that is, Cicero’s responsibility for stirring Pompey to action and thereby leading Rome to its collapse.²⁰

Cicero’s speech in Lucan: literary fake and reception text

Cicero’s invented appearance in Pompey’s camp on the eve of the battle of Pharsalus, a deviation from historical facts, which tends to minimize the heroic qualities of Pompey (portrayed as hesitant and insecure), owes largely to rhetorical practice and declamatory style.²¹ Lucan’s speech not only elaborates on rhetorical and historical commonplaces and slogans traditionally associated to the figure of Cicero. Adopting the tones of a *suasoria*, it also testifies to the rhetorical practice of inventing fictional speeches and inserting them in historical epic as a form of ‘dramatization’. But we go a step further. In line with Peirano’s theoretical reflections about the term ‘pseudepigraphic’ and the category of pseudonymous literary texts,²² Cicero’s speech in Lucan may be labelled as an intentional forgery, a discourse mistakenly, yet voluntarily, attributed to a speaker who was known not to be present at Pharsalus on that occasion. Furthermore, as a literary fake, Cicero’s speech is a reception text. It does not only illustrate its author’s creativity in imitating the style and manner of the model. It also represents a significant moment in the history of the reception of the figure of Cicero in the first century CE.

Lucan’s fake is thus integral to the process of creative reworking and refashioning of the personage of Cicero in early imperial literature. It responds to the rhetorical practice of ‘creative supplementation’, the construction of fictional situations in which students and/or writers reworked the source-text and exer-

¹⁹ Roche 2009, 3.

²⁰ On Lucan’s criticism of Cicero’s role in the civil war see also Esposito 2018, 43–50.

²¹ Quintilian comments positively on Lucan’s rhetorical qualities, cf. *Inst.* 10.1.90: *Lucanus ardens et concitatus et sententiis clarissimus et, ut dicam quod sentio, magis oratoribus quam poetis imitandus* (“Lucan is ardent, passionate, particularly distinguished for his *sententiae*, and, if I may say what I think, more to be imitated by orators than by poets”, translation Russell 2001).

²² Peirano 2012b, 1–8.

cised their inventiveness in reconfiguring the biography of the model. In the case of Cicero, his position in the political crisis of the late Republic and his dominant role in rhetorical training stimulated the production of *pseudepigrapha* and literary fakes, designed as addendum or appendix to Cicero's biography.²³ As Peirano puts it, Cicero's texts—and his life—functioned as backdrop for new fictions, which in turn “filled up the blank spaces in the model”.²⁴ Seneca the Elder's *Controuersia* 7.2 (on Cicero and Popillius) and the *Suasoriae* 6 and 7 (on Cicero's deliberation whether to beg Antony's pardon) offer good evidence of how Cicero's final years and his opposition to Antony's imperialistic aspiration captured the declaimers' imagination.²⁵ Students supplemented the political biography of the orator by creating a new, imaginative picture of the author of the *Philippics* and providing a paradoxical (almost scandalous) version of the last acts of the master-author.

To Lucan's eye, Cicero's role in the conflict between Pompey and Caesar was evidently a biographical gap, an untouched moment ready to be developed and exploited. Cicero's ambiguous relationship with Pompey acted as a further stimulus to the creation of a fictional scenario in which the epic poet reinvented the figure and personality of one of the most representative politicians of the Roman Republic. In a sense, Lucan's text parallels 'pseudepigraphic' and literary fakes such as the later *Fifth Catilinarian*, the *Responsio Catilinae*, the *Declamatio in L. Sergium Catilinam* (all additions to the overused theme of the Catilinarian conspiracy), the *Epistula ad Octavianum*²⁶ or the *Pridie quam in exilium iret*.²⁷ And

23 We have knowledge of a number of mock-Ciceronian speeches or invectives in response to Cicero's orations. Asconius Pedianus mentions two speeches, composed in reply to Cicero's *In toga candida*, one ascribed to Catiline, the other to Gaius Antonius, and touches also on the circulation of forged orations falsely attributed to Cicero's competitors (Asc. 93–94C: *Huic orationi Ciceronis et Catilinae et Antonius contumeliose responderunt, quod solum poterant, inuerti in nouitatem eius. Feruntur quoque orationes nomine illorum editae, non ab ipsis scriptae sed ab Ciceronis obtrectatoribus: quas nescio an satius sit ignorare*, “Catiline and Antonius replied to this speech of Cicero in an insulting manner; they attacked his ‘newness’, as this was the only instrument of criticism they had. There are in circulation also speeches published in their names, not composed by them but by detractors of Cicero, which I presume it would be better to ignore”, translation Lewis 2006).

24 Peirano 2012b, 10.

25 For a discussion of these texts, see Keeline and Bishop in this volume.

26 For the letter as a ‘hyper-Ciceronian’ text, a mosaic of various aspects of Ciceronian language and motifs, to be dated presumably to Late Antiquity, see Van der Velden in this volume.

27 On the importance of these pseudepigraphic sources to the reception of Cicero, see Keeline 2018, 147–151.

last but not least, the *Inuectiua in Ciceronem* ascribed to Sallust and Cicero's purported reply, the *Inuectiua in Sallustium*, both of them spurious scholastic exercises in the form of *prosopopoeiae*, originated in the Augustan declamation rooms, conventional invectives exploiting Sallust's perceived hostility to Cicero.²⁸ But Lucan did something more. He inserted his own recreation of Cicero's historical legacy into a larger, more complex consideration of the causes of Rome's collapse. He re-interpreted the role of Cicero in the decline of the Roman aristocratic Republic within his desolate vision of Roman history. In answering a crucial question left open in the biography of the orator, Lucan reconfigured a new Cicero, probably an unhistorical Cicero but a Cicero who certainly played not a secondary role in the downfall of Roman free Republic.

Cicero after Pharsalus: warmonger or man of peace?

As mentioned above, Lucan's judgment about Cicero is not isolated in early imperial literature. It points to a feature of 'Cicerokarikatur' (to use Zieliński's words) that pervaded the earlier reception of Cicero.²⁹ Not a few blamed Cicero for mishandling the political crisis of the 40s. Turning to the theme proper of the volume, the years 44/43 BCE, Cicero's self-construction as a man of peace and defender of Republican freedom against Mark Antony's tyrannical power was received with much scepticism by political enemies and *obtretractores*, who depicted Cicero instead as an unscrupulous politician led by ambition and his extreme passion for glory, intent only on self-aggrandizement and incapable of pondering the risks of civil conflict. As is well known, Asinius Pollio, a strenuous partisan of Caesar and sympathetic to Antony, deemed the "most hostile to Cicero's glory" (*infestissimus famae Ciceronis*) by Seneca the Elder (*Suas.* 6.14), defamed Cicero by pointing to his cowardice and political negligence. Pollio's defence of the candidate for praetorship in 42 BCE, L. Aelius Lamia, contained pungent comments on Cicero's flawed political strategy. It was filled with "much more ignoble accusations" (*alia sordidiora multo*), so false that Pollio himself never had the effrontery to insert them into his *Histories* (*Suas.* 6.15). A good part of this anti-Ciceronian material was later used and manipulated by the Greek historian Cassius

²⁸ In general, on the pseudo-Sallustian invectives see Novokhatko 2009 (cf. also Santangelo 2012). For the recreation of Cicero's figure in the declamation schools, see now Keeline 2018, 102–140 (cf. also La Bua 2019, 103–108).

²⁹ Zieliński 1929, esp. 11–18.

Dio,³⁰ who built on the *Philippics* to compose Fufius Calenus' reply to Cicero (46.1–28) and capitalized on the rift between Cicero and Antony to convey his personal views on the downfall of the Roman Republic.³¹

Let us dwell on Calenus' speech for a moment, which brings us to one of the most famous events of Cicero's political career after the Ides of March. The senatorial debate on January 1st–3rd, 43 BCE, chaired by the new consuls A. Hirtius and C. Vibius Pansa in the temple of Jupiter Capitolinus, was a significant moment in the catastrophic confrontation between the orator and Antony. Replying to the consular Q. Fufius Calenus' proposal for an embassy to be sent to Mark Antony, who was at the moment besieging Decimus Brutus at Mutina in Cisalpine Gaul, Cicero called (in what is for us the fifth *Philippic*) for an immediate declaration of war against the *hostis publicus* Antony. In Cassius Dio the meeting of the Senate is opened by Cicero's speech (which occupies the chapters 18–47 of Book 45), an articulated discourse that draws directly from the *Philippics* (in addition to exploiting Thucydidean-Demosthenic material).³² In his endeavour to convince the senators to wage war against the new tyrant and support Octavian's politics, Cicero recalls his speech in favour of amnesty in the Senate's meeting after the death of Caesar (see below p. 92) and depicts himself as a man of peace and concord, a supporter of the *concordia ordinum*, portraying Antony, by contrast, as fomenter of disorder and destroyer of Caesar's *acta*:

Σκοπεῖτε δέ· ἐψηφίσασθε τὴν τε εἰρήνην καὶ τὴν ὁμόνοιαν τὴν πρὸς ἀλλήλους, ἐμοὶ πεισθέντες. Ταύτην οὗτος πρυτανεῦσαι κελευσθεῖς οὕτω διῆχε πρόφασιν τὴν τοῦ Καίσαρος ταφὴν ποιησάμενος, ὥστε πᾶσαν μὲν τὴν πόλιν ὀλίγου καταπρησθῆναι, παμπόλλους δὲ αὐθις φονευθῆναι. Ἐβειβαίωσατε πάντα τὰ δοθέντα τισὶ καὶ νομοθετηθέντα πρὸς τοῦ Καίσαρος, οὐχ ὡς καλῶς πάντ' ἔχοντα (πολλοῦ γε καὶ δεῖ), ἀλλ' ὅτι μηδὲν αὐτῶν μετακινήθῃναι συνέφερεν, ὅπως ἀνυπόπτως χωρὶς ὑποούλου τινὸς ἀλλήλοις συνῶμεν. Τούτων ἐξεταστὴς οὗτος γενόμενος πολλὰ μὲν τῶν πραχθέντων ὑπ' αὐτοῦ καταλέλυκε, πολλὰ δὲ ἕτερα ἀντεγγέγραφε.³³

Consider a moment. Through my influence you voted that there should be peace and harmony amongst you. This man, when he was ordered to manage the business, performed it in such a way, taking Caesar's funeral as a pretext, that almost the whole city was burned

30 Gabba 1957; on Dio's speeches see Millar 1961 and 1964. For Calenus' speech in Dio Cass. 36.31–36 (and the Greek historian's treatment of Cicero's *De lege Manilia*), see Rodgers 2008.

31 Burden-Strevens 2015; Fomin 2016 (on the connection between Dio's speeches and the *progymnasmata*). On Dio's speeches as a means of persuasion and the historian's use of rhetoric to reflect on the causes of the collapse of the Republic, see Burden-Strevens 2016.

32 The speech (and Dio's use of the Ciceronian sources) is well examined by Burden-Strevens 2018. See also Burden-Strevens 2015, 58–70. On the speech as a “patchwork” that “breathes the spirit” of Cicero's invectives, see Keeline 2018, 178. See also Montecalvo 2014, 339–406.

33 Dio Cass. 45.23.4–5. Translation Cary 1916.

down and once more great numbers were slaughtered. You ratified all the grants made to various persons and all the laws laid down by Caesar, not because they were all excellent—far from it!—but because it was inadvisable to make any change in them, if we were to live together free from suspicion and without malice. This man, appointed to examine into Caesar's acts, has abolished many of them and has substituted many others in the documents.

Calenus purports to respond to Cicero by formulating an attack *ad hominem* that takes into account both his public and private life.³⁴ Notably, at the outset of his reply Calenus insists on Cicero's responsibility in creating a climate of hostility and preventing any form of reconciliation between Caesar and Pompey:

Οὐδὲ γὰρ ἄλλο γε οὐδὲν διαπραῖξαι βούλεται ἢ ἵνα ἡμεῖς, τὸ τὰ ἀσφαλέστατα τῷ κοινῷ προῖδεῖν ἀφέντες, στασιάζωμεν αὐθις. Τοῦτο γὰρ οὐ νῦν πρῶτον ποιεῖ, ἀλλὰ ἀπ' ἀρχῆς, ἀφ' οὗπερ πρὸς τὴν πολιτείαν προσήλθεν, ἄνω καὶ κάτω ταραττων διατετέλεκεν. Ἡ γὰρ οὐχ οὗτός ἐστιν ὁ τὸν τε Καίσαρα τῷ Πομπηίῳ συγκρούσας καὶ τὸν Πομπήιον τῷ Καίσαρι καταλλαγῆναι κωλύσας; Ὁ πείσας μὲν ὑμᾶς ἐκεῖνα κατὰ Ἀντωνίου ψηφίσασθαι δι' ὧν παρῶνυε τὸν Καίσαρα, πείσας δὲ τὸν Πομπήιον τὴν τε Ἰταλίαν ἐκλιπεῖν καὶ ἐς τὴν Μακεδονίαν μετοικῆσαι; Ὅπερ που αἰτιώτατον πάντων τῶν μετὰ ταῦτα συμβάντων ἡμῖν κακῶν ἐγένετο. Οὐχ οὗτός ἐστιν ὁ τὸν τε Κλώδιον διὰ Μίλωνος ἀποκτείνας καὶ τὸν Καίσαρα διὰ Βρούτου φονεύσας; Ὁ τὸν τε Κατιλίναν ἐκπολεμώσας ἡμῖν καὶ τὸν Λέντουλον ἄκριτον ἀπολέσας;³⁵

For the purpose he wishes to accomplish is nothing else than that we should give up providing for the greatest safety of the commonwealth and fall into discord once more. Indeed, it is not the first time he has done this, but from the outset, ever since he entered politics, he has been continually turning things topsy-turvy. Is he not the one who embroiled Caesar with Pompey and prevented Pompey from becoming reconciled with Caesar? Or the one, again, who persuaded you to pass that vote against Antony by which he angered Caesar, and persuaded Pompey to leave Italy and transfer his quarters to Macedonia, a course which proved the chief cause of all the evils that subsequently befell us? Is he not the one who killed Clodius by the hand of Milo and slew Caesar by the hand of Brutus? The one who made Catiline hostile to us and put Lentulus to death without a trial?

Once again, similarly to what happens in Lucan, the anti-Ciceronian propaganda reverses Cicero's political slogans related to the importance of the *consensus omnium bonorum* and harmony in the state, a principle strictly connected to the *cum dignitate otium* slogan. Dio's Calenus exploits—and in a certain sense mocks—Cicero's alleged attitude to peace, manipulating (like Lucan) the traditional image of Cicero as an advocate of concord and political union between the most repre-

³⁴ In Appian's *Civil War* it is Piso who pronounces his invective response against Cicero (*B Ciu.* 3.203–248).

³⁵ Dio Cass. 46.2.1–3.

sentative figures of the *res publica*. Yet, it should be noted that while in Lucan it is Cicero himself who gives voice to his own inconsistency, in Cassius Dio the orator is lampooned by a political opponent, as demanded by historical truth.³⁶ By contrast, Lucan's poetic fake breaks with the rules of historical narrative and creates a personage who displays his internal contradictions by his own voice.

Lucan and imperial historiography: historical and ethical assessment of Cicero's political role

From Lucan to Cassius Dio, it appears then that at least some Roman and Greek historians, philosophers and poets challenged Cicero's self-fashioning as a peaceful, conservation-minded politician. In order to reconstruct key moments of the Roman Republic they revisited the part played by Cicero in the decline of Republican freedom and the subsequent ratification of the imperial regime. This point may be further clarified if we turn to Cicero himself and his self-advertising policy for a moment. Inner conflicts and turmoil in the years preceding the outbreak of the civil war compelled Cicero to take a conciliatory approach to opposing parties, while at the same time he propagated an image of himself as a principled and trustworthy politician. Peace and political harmony were central to this self-promotion campaign. Evidence of this comes from a passage of the second *Philippic*. On the charge of causing the rupture of the political alliance between Pompey and Caesar and so determining the outbreak of the Civil War, Cicero protests that he has always favoured reconciliation and concord and tried to negotiate a durable peace:

Quod uero dicere ausus es, idque multis uerbis, opera mea Pompeium a Caesaris amicitia esse diiunctum ob eamque causam culpa mea bellum ciuile esse natum, in eo non tu quidem tota re, sed, quod maximum est, temporibus errasti. Ego M. Bibulo, praestantissimo ciue, consule, nihil praetermisi, quantum facere enitique potui, quin Pompeium a Caesaris coniunctione auocarem. In quo Caesar felicius fuit. Ipse enim Pompeium a mea familiaritate diiunxit. Postea uero quam se totum Pompeius Caesari tradidit, quid ego illum ab eo distrahere conarer? Stulti erat sperare, suadere impudentis. Duo tamen tempora inciderunt, quibus aliquid contra Caesarem Pompeio suaserim. Ea uelim reprehendas, si potes, unum, ne quinquenni imperium Caesari prorogaret, alterum, ne pateretur ferri, ut absentis eius ratio haberetur. Quorum si utrumuis persuasissem, in has miseras numquam incidissemus. Atque idem ego, cum iam opes omnis et suas et populi Romani Pompeius ad Caesarem detulisset seroque ea sentire coepisset, quae multo ante prouideram, inferrique patriae bellum uiderem nefarium, pacis, concordiae, compositionis auctor esse non destiti, meaque

36 I owe this suggestion to Bram van der Velden.

illa uox est nota multis: “Vtinam, Pompei, cum Caesare societatem aut numquam coisses aut numquam diremisses! Fuit alterum grauitatis, alterum prudentiae tuae”. Haec mea, M. Antoni, semper et de Pompeio et de re publica consilia fuerunt. Quae si ualuissent, res publica staret, tu tuis flagitiis, egestate, infamia concidisses.³⁷

You further dared to say, and at great length, that detaching Pompeius from Caesar’s friendship was my work and that therefore it was my fault that the Civil War broke out. In this you were not entirely wrong, but you were wrong about the timing, which is all-important. In the consulship of that outstanding citizen Marcus Bibulus I did everything I could, no effort spared, to wean Pompeius from his alliance with Caesar. But Caesar had the better luck: he detached Pompeius from his intimacy with me. But after Pompeius had put himself entirely in Caesar’s hands, why should I try to draw him away? I would have been folly to hope for that, impertinence to advise it. However, there were two occasions when I advised Pompeius against Caesar’s interests, and you may blame me if you can: one when I advised him not to extend Caesar’s five-year command, the other when I cautioned him against letting through the proposal that Caesar should be permitted to stand for office in absentia. If he had listened to me on either point, we would never have fallen on these evil times. But after Pompeius had already put all his own resources and those of the Roman people at Caesar’s disposal and begun too late to feel the truth of what I had long before foreseen, when I saw that a wicked war was threatening our native land, I never ceased advocating peace, concord, composition. There is a widely known saying of mine: “Gnaeus Pompeius, if only you had either never gone into partnership with Gaius Caesar or never dissolved it! The first course would have befitted you as a man of principle, the second as a man of prudence”. Such, Marcus Antonius, was the advice I gave over the years concerning Pompeius and concerning the Republic. Had it prevailed, the Republic would still stand, and you would have been brought low by your scandalous behaviour, your poverty and infamy.

The passage points to a central motif of Antony’s propaganda, that is, the portrait of Cicero as a power-hungry politician, never ceasing to long for political violence and fragmentation in order to gain visibility and reinforce his status as preserver of the Republican ideals. Cicero’s concern over self-esteem forced him to respond to charges of violence, reinforcing his consolidated image as the ideal magistrate, favourably disposed towards peace proposals and political harmony. Ramsey opportunely reminds us of Cicero’s several attempts at portraying himself as responsible and cooperative in his private correspondence.³⁸ In *Fam.* 6.6.5–6, a letter written to A. Caecina in the latter half of 46, Cicero laments Pompey’s refusal to heed his advice and warnings, based (as always) on a tactful consideration of current political conditions, a point reiterated in the mentioned passage of the invective against Antony.³⁹ In *Att.* 8.2.1 the orator requests his

³⁷ *Phil.* 2.23–24. Translation Shackleton Bailey 2009.

³⁸ Ramsey 2003, 195–198.

³⁹ Cf. also Cic. *Att.* 7.3.5; 11.11A.2; *Fam.* 4.1.1; 4.14.2; 6.21.1; 7.3.2; 8.17.1; 16.11.2; *Marcell.* 15.

friend to read (and approve of) his appeal for the return of concord between the two political competitors.

Cicero's effort to preserve his image of peaceful magistrate left its traces, of course, in later sources. Plutarch, in his *Life of Cicero* 37, calls attention to Cicero's willingness to force Pompey and Caesar to agree to a lasting peace. The argument is reiterated in his *Life of Caesar* 31.2 and *Life of Pompey* 59.5–6. Velleius Paterculus blames Curio for breaking the truce, praising at the same time the spirit of cooperation showed by Cicero and the two political enemies.⁴⁰ Yet, as we have seen, Cicero's self-construction as man of peace was also a target of criticism in epics and historiography. Within a large-scale meditation on the events following the assassination of Caesar, later authors interrogated the role played by the Republican orator and statesman in the confrontation between political conservatism, embodied in Pompey's virtues and actions, and change of rule, the constitutional reform promoted by Caesar and seen as the beginning of a tyrannical regime. Needless to say, the judgment about Cicero's politics depended on the evaluation of the factors that impacted on the downfall of the Roman *res publica*.

But not only Cicero as a politician during the civil strife was scrutinized and revisited in relation with the advent of the Augustan power and the failure of the free Republic. His whole career, his absence of wisdom, his excess of self-confidence and vanity, and, above all, his very limited contribution to Roman political culture due to his ambition—all this was at the very centre of the debate over Cicero's political legacy in the early Empire. Roman and Greek historians such as Velleius Paterculus, Valerius Maximus, Plutarch, Appian and Cassius Dio all paid homage to Cicero's excellence in rhetoric, yet no one offered Cicero as *exemplum* of political sensibility and moral virtues.⁴¹ Instead, his political and forensic activity, as a model of deceptive Republican oratory, was evaluated critically in ethical and moral terms. Not all of Cicero was to be reproached, of course. His handling of the Catilinarian conspiracy constituted a positive moment in the political career of the *homo novus* from Arpinum, as emerges for instance in Cassius Dio,

⁴⁰ Vell. Pat. 2.48.5: *Ad ultimum saluberrimas coalescentis condiciones pacis, quas et Caesar iustissimo animo postulabat et Pompeius aequo recipiebat, [sc. Curio] discussit et rupit, unice cauente Cicerone concordiae publicae* ("Finally, when a truce was on the point of being concluded in terms of the most salutary character, terms which were demanded in a spirit of the utmost fair-mindedness by Caesar and accepted by Pompey without protest, it was in the end broken and shattered by Curio in spite of Cicero's extraordinary efforts to preserve harmony in the state", translation Shipley 1924). Cf. also App. *B Ciu.* 2.145. On Velleius Paterculus' portrait of Cicero, see Schmitzer 2000, 184–189.

⁴¹ Gowing 2013.

especially in the Philiscus-consolation (38.18–29; cf. also 37.34.1).⁴² Yet, moral appraisals intertwined with political considerations. As recently reasserted, in Cicero's biography Plutarch tends to link the precipitous fall of the Republican statesman to his innate ambition and love for power, reaching its peak in the unwise attachment to the young Octavian—a choice dictated by his desire for glory and thereby destined to end in a political suicide.⁴³ For Plutarch, Cicero's political failure symbolizes the absence of self-control and self-knowledge, virtues reputed as essential to political stability and success.

Similarly, in Cassius Dio's presentation of Cicero's political career before the Ides of March Cicero is depicted as impetuous, lacking in restraint, and affected by excess of φιλονεικία. Like Plutarch and other historians, Cassius Dio adopted different approaches to Cicero's politics, too (see for a positive evaluation below). But one point seems quite clear. To Dio's eyes, Cicero symbolized the gradual decline of the *res publica*. As has been observed, by composing and placing orations at points of major political crisis Dio elaborated on ethical problems and saw individuals' desire for absolute power (*imperii consuetudo*) and φθόνος, envy and hostility, within the competitive senatorial aristocracy as key factors in the collapse of the Roman Republic. In this perspective, Cicero was central to Dio's moralistic-historical discourse.⁴⁴

Cicero's amnesty speech

So far, we have concentrated mostly on Cassius Dio's critical evaluation (and, in Calenus' speech, even blatant criticism) of Cicero. However, with Cicero's speech against Calenus we have already seen that this was not the only image available to the Greek historian. As stated above, Dio was interested in contrasting positive and negative images of the same figure in order to trigger the moral questions that informed his narrative. In the last part of this chapter, I will turn to another

⁴² Gowing 1998.

⁴³ Plut. *Cic.* 46.1: Ἐνταῦθα μέντοι μάλιστα Κικέρων ἐπαρθείς ὑπὸ νέου γέρον καὶ φενακισθείς καὶ συναρχαϊφρεσίας καὶ παρασχών αὐτῷ τὴν σύγκλητον εὐθὺς μὲν ὑπὸ τῶν φίλων αἰτίαν εἶχεν, ὀλίγῳ δ' ὕστερον αὐτὸν ἀπολωλεκῶς ᾔσθετο καὶ τοῦ δήμου προέμενος τὴν ἐλευθερίαν. ("Here, indeed, more than at any other time, Cicero was led on and cheated, an old man by a young man. He assisted Caesar in his canvass and induced the senate to favour him. For this he was blamed by his friends at the time, and shortly afterwards he perceived that he had ruined himself and betrayed the liberty of the people", transl. Perrin 1919). Cf. Benecker 2016.

⁴⁴ Gowing 1992a, 244 notes correctly that "Dio inserted speeches into his *History* only when there was a political or ethical issue that interested him and that he believed would instruct his reader".

instance where Dio reflects a more positive image of Cicero, and will therefore briefly re-examine Cicero's speech on amnesty (44.23–33). It is a “pro-democracy” text,⁴⁵ which sheds further light on the debate about Cicero's position in the aftermath of Caesar's death and the part he played in the permanence of Caesar's legacy and the process of temporal political reunification.

Preliminarily, it should be observed that the amnesty speech conveys an image of Cicero as a dedicated politician, who refuses violence as a means of achieving political superiority. The speech, like the other speeches of Dio, has attracted considerable interest from modern scholars in the last decades.⁴⁶ Much scholarship has been devoted to investigating Dio's intents, his use of Ciceronian sources as well as his manipulation of rhetorical commonplaces, and the relevance of the speech to the interpretation of the causes of the civil war. Here my aim is rather to observe the speech from a different perspective, that is, as a piece of Ciceronian propaganda, a text that, however it might have been composed, assembles true Ciceronian passages and, in Thucydidean and Demosthenic forms, presents the orator in a favourable light, as a politician dedicated to the common interest, albeit lacking in political wisdom.

Cicero himself provides us with the historical and political background of his speech on peace and amnesty (*De pace ad senatum*), delivered to the Senate, which had been convened in the temple of Tellus by Antony two days after the death of Caesar (i.e. on March 17th).⁴⁷ In the beginning of the first *Philippic* he reminds the senators of his willingness to settle the enmities by means of a general amnesty:

Ego cum sperarem aliquando ad uestrum consilium auctoritatemque rem publicam esse reuocatam, manendum mihi statuebam quasi in uigilia quadam consulari ac senatoria. Nec uero usquam discedebam nec a re publica deieciebam oculos ex eo die quo in aedem Telluris conuocati sumus, in quo templo, quantum in me fuit, ieci fundamenta pacis Atheniensiumque renouaui uetus exemplum; Graecum etiam uerbum usurpauī quo tum in sedandis discordiis usa erat ciuitas illa, atque omnem memoriam discordiarum obliuione sempiterna delendam censui.⁴⁸

Hoping, as I did, that the Republic had at last been restored to your guidance and authority, I took the view that I ought to stay on a vigil, so to speak, of the sort that befits a consular and a senator. In fact, from that day on which we were summoned to the Temple of Tellus, neither did I withdraw anywhere from, nor did I take my eyes off public affairs. In that tem-

⁴⁵ Burden-Strevens 2015, 138. On the speech, see Montecalvo 2014, 305–337.

⁴⁶ Millar 1961, 1964; Gowing 1992a, 225–244.

⁴⁷ Crawford 1984, 244–247. On the amnesty debate in 15th-century commentaries on the *Philippics*, see Pieper in this volume.

⁴⁸ *Phil.* 1.1; cf. also 1.16 and 2.90–91.

ple, so far as was in my power, I laid the foundations of peace and revived the ancient Athenian precedent, even adopting the Greek term that was used by that community in laying their quarrels to rest at that time; that is, I proposed that all recollection of disputes should be obliterated and forgotten for all time.

Cicero's speech stands out for the manipulative use of the famous Athenian exemplum of amnesty of 403 BCE, a historical precedent that the orator could easily rely on (by analogy) to persuade the Senate of the absolute necessity of peace and political stability.⁴⁹ Cassius Dio's speech has its origin in Cicero's statement and enlarges upon the vision of Rome as plagued by civil discord, pointing to the deleterious effects of political instability. Divided into an exordial description of the current status of civil strife and an ample *narratio*—in line with rhetorical theory essentially based on the enumeration of *exempla* drawn from Roman history (both positive and negative)—the speech includes a sort of history of civil wars. Dio's Cicero, consistent with Cicero's self-presentation (as we know him from the *Philippics* and other orations), reminds the senators of the importance of *exempla* to the analysis of the present circumstances and advocates political compromise.

A further point deserves consideration here. In *Phil.* 1.2 Cicero pronounces a eulogy of Antony's speech on peace, a "fine discourse" (*praeclara oratio*), in which Antony showed "outstanding goodwill" (*egregia uoluntas*). So, Cicero's speech on the amnesty might be regarded as a reply to what Antony had already said about peace and civic settlement. This leads us to reconsider the vexed issue of the composition of Dio's text. Although there is no doubt that Cicero delivered a speech about amnesty, we have no evidence about its structure and form, with the only exception of the use of the Greek exemplum of amnesty. Whether voluntarily suppressed by its author (and not published) or lost by textual accidents, the text as we read it in Dio's *History* appears as a free composition by the Greek historian, who made use of different Ciceronian sources to provide his readers with a 'true' Ciceronian oration.⁵⁰ Yet nothing prevents us from suggesting an alternative, namely that the speech was composed as a pseudepigraphon by a declaimer or an anonymous compiler as a response to Antony's oration or rather as a rebuttal of anti-Ciceronian material circulating in the rhetorical schools. Dio might have had knowledge of Cicero's speech (believed to be authentic) and inserted it into his history (not refusing to make substantial changes or revisions). The issue remains open to debate. What emerges from the text is a positive portrait of Cicero. The speech represents a not negligible piece of Ciceronian pro-

⁴⁹ Cf. also Vell. Pat. 2.58.4; App. *B Ciu.* 2.142; HA *Aurel.* 39.4; Oros. 7.6.5.

⁵⁰ Millar 1964, 51–52.

paganda. It adds an invaluable perspective to the controversy over the part played by Cicero in the violent transition from the Republic to the absolute power of the *princeps*.

Conclusion

To conclude, Lucan's historical epic poem about the civil war of 49–45 BCE and Cassius Dio's speeches, in particular the oratorical confrontation between Cicero and Calenus and Cicero's speech on amnesty, are different faces of a two-sided debate on Cicero's political activity in the last years of the Republic. As Gowing notes, "Lucan creates a scene in which the man most closely identified as the voice, if not the soul, of the Republic is made to confront the man whose defeat at the hands of Caesar ensure the Republic's demise".⁵¹ In similar tones yet with different intents, Cassius Dio recreates—and fictionalizes—the fierce debate about the figure of Cicero and Antony in Calenus' speech; in contrast, in the oration about amnesty he reconfigures 'another', a peaceful Cicero. The twofold representation of the famous orator and statesman serves Dio as a symbol of the precarious state of the Republican regime.

Cicero's claim to moral authority and his self-portrait as man of peace were at the very heart of the historical revisitation and interpretation of the end of the Roman Republic. By restaging the voice of the master of the Roman language and engaging it in often hateful debates with contrasting voices, later historians questioned the relevance of the ideals of peace and political concord to the downfall of republicanism and the emergence of the Roman Principate.

⁵¹ Gowing 2013, 244.

Lex Paulson

Libera uoluntas

The Political Origins of the Free Will Argument in Cicero's *De fato* and Augustine's *Confessions*

Augustine of Hippo is often credited with inventing the Western notion of free will.¹ Despite its deep roots in Christian and secular scholarship, this premise has begun to be reexamined. In his painstaking recent study, Michael Frede argues that all the key elements of Augustine's *uoluntas* are present in the works of Epictetus, three centuries before the conversion at Milan.² Frede marshals impressive evidence for his thesis, drawing from a wide range of Peripatetic, Stoic, and Neoplatonic texts. We are shown how Epictetus' *prohairesis* implies the same continuity as a power of mind, is shared by men and the divine, varies widely among individuals, and is generally abused.³ The textual evidence suggests a strong, perhaps decisive, influence of Stoic ideas on Augustine's notion of the will. But did he get them from Epictetus?

The Stoa was defunct by the fourth century, and few of its seminal texts had been translated into Latin.⁴ As Augustine himself admits in the *Confessions*, he did not enjoy Greek and never mastered it.⁵ Frede concedes that it is not "fully clear through what channels the Stoicism reached Augustine", but offers the following idea: "in large part, of course, it came through Cicero, who, though he was an Academic skeptic, had espoused the kind of Philonean skepticism which allowed for the qualified adoption of philosophical views; these, for the most part, turned out to be Stoic, or inspired by Stoicism".⁶ Indeed, Augustine

1 See, e.g., Arendt 1978, vol. 2, 84 (calling Augustine "the first philosopher of the Will"); Dihle 1982, 144 ("St. Augustine was, in fact, the inventor of our modern notion of will"); Kahn 1988, 255–259; King 2010, xxxi; Brann 2014, 23–37 (calling Augustine "discoverer of the will").

2 Frede 2011.

3 See especially Frede 2011, 31–48 and 66–88.

4 Cf. Gill 2003. Gill notes the 'Latin' Stoicism of Seneca and even a Stoic influence on Roman poetry, but Greek appears to have remained the school's predominant language in the period following Cicero (49–50, 57–58).

5 See, e.g., August. *Conf.* 1.13.20: "As for the reason why I hated the Greek literature in which I was steeped as a boy—for that I have still found no satisfactory explanation. I had fallen in love with Latin literature" (*Quid autem erat causae, cur graecas litteras oderam, quibus puerulus imbuebar, ne nunc quidem mihi satis exploratum est. Adamaueram enim latinas*); cf. also 1.14.23. Translations of the *Confessiones* are by Hammond 2014, partly adapted.

6 Frede 2011, 154. He continues: "[I]n Augustine's time the study of Cicero was perhaps the most crucial part of any higher education for Westerners, especially for a professional rhetorician, as

is hardly bashful about his debts to Cicero. He credits the *Hortensius*, now lost, not only with inspiring in him a deep love of philosophy, but in “chang[ing] my prayers and turn[ing] them to you, O Lord” (*ille uero liber mutauit affectum meum, et ad te ipsum, domine, mutauit preces meas*, *Conf.* 3.4.7). In Cicero’s philosophy, Augustine continues, there was one thing that he loved especially, namely “that his words aroused me and set me on fire not to be a lover of this or that sect, but of wisdom itself, whatever it may be” (*quod non illam aut illam sectam, sed ipsam quaecumque esset sapientiam ut diligerem*, 3.4.8). Though Augustine regrets that Cicero was not—indeed, could not have been—a follower of Christ,⁷ he does not hesitate to cite him favorably in the course of his spiritual journey. Now bishop, he quotes lines from the *Tusculanae disputationes*,⁸ *Academica*,⁹ and *De natura deorum*.¹⁰ He even refers to a gentlemanly debate *de finibus bonorum et malorum* with his friends Alypius and Nebridius at Milan (6.16.26). Indeed, Augustine’s very first treatises, dialogues set at a countryside villa in summer 386, bear striking resemblance to those Cicero imagined at Tusculum four centuries before.¹¹ Regarding the great minds of Augustine’s era in the Latin-speaking West, his recent biographer James O’Donnell observes:

Greek was now Greek to them, so to speak, and Cicero their best philosopher. His philosophical writings had very little success or imitation between his death and the fourth century, but he came into his own as a philosopher—not just an orator—when the elites could

Augustine was in his early career. But we also have to remember in this context that by his time Platonism had absorbed large doses of Stoicism”. Cf. *Conf.* 5.6.11 on Faustus’ shoddy knowledge of Cicero. See generally MacCormack 2013.

⁷ Augustine continues *ibid.*: “And there was one thing that damped my ardor, namely that the name of Christ was not in that book” (*Et hoc solum me in tanta flagrantia refrangebat, quod nomen Christi non erat ibi*). Cf. also 8.7.17.

⁸ See *Conf.* 1.16.25 (quoting Cic. *Tusc.* 1.65): regarding Jove the adulterous “Thunderer”, Augustine observes: “These things are all Homer’s invention. He conferred upon the Gods attributes that are properly human; I would rather he had ascribed divine qualities to us men’. But it would be truer to say that Homer did indeed make up the stories he tells, but ascribed divine attributes to depraved humans” (*‘Fingeat haec Homerus et humana ad deos transferebat; diuina mallem ad nos’. Sed uerius dicitur, quod fingeat haec quidem ille, sed hominibus flagitiosis diuina tribuendo*). We note not only the favorable treatment of Cicero’s text, but the context is one of the nature of kinship between the human and divine.

⁹ See 6.10.18 (quoting Cic. *Luc.* 18, 31).

¹⁰ See 6.5.7 (quoting Cic. *Nat. D.* 2.3).

¹¹ See O’Donnell 2015, 218. Cf. *Conf.* 5.14.25: “The views of the philosophers seemed to me much more plausible [...] (therefore) I followed what is believed to be the Academic practice; reserving judgment on all questions and wavering between all points of view” (*Multo probabiliora plerisque sensisse philosophos [sc. iudicabam] [...] itaque Academicorum more, sicut existamantur, dubitans de omnibus atque inter omnia fluctuans*).

no longer read Greek, and the philosophical treasures of the Greeks were opaque to them. Arnobius, Lactantius, Ambrose, Augustine—these writers of the fourth century are the most sophisticated, interested, and interesting disciples of Cicero from all Antiquity.¹²

Next to Paul, whose impact on Augustine's works has been long and justly appreciated, Cicero was probably the greatest influence in his intellectual life. What role might he have played in Augustine's 'invention' of free will?

This chapter proposes that Augustine's notion of the will and its freedom owes an unrecognized debt to Cicero's writings in 44 BCE. While the Hellenistic schools had debated determinism and fate long before Cicero, the key term in their dispute had been ἐφ' ἡμῖν (what is "up to us"), not ἐλευθερία or freedom.¹³ It is Cicero and Lucretius, not their Greek predecessors, who first introduce the notion of man's freedom from fate. In the fragmentary *De fato*, written shortly after the Ides of March 44,¹⁴ Cicero makes a *libera uoluntas* the locus of public virtue, the justification of civic praise and honors (*Fat.* 40), and the power to extirpate natural vice. I propose that the notion of free will Cicero develops in 44 BCE is intended both to refute rival Epicurean ideas and to affirm civic responsibility at this turbulent moment for Rome. Further, Cicero's letters underscore the metapolitical stakes of his treatise on fate. The notion of *libera uoluntas* helps him advance three positions: that the Republic was not fated to fall; that his enemies bear full moral responsibility; and that a "righteous will" (*recta uoluntas*, *Fam.* 6.4.2) absolves his own failures.

Placed in dialogue with passages from the *Confessions*, I propose that Cicero's *uoluntas* decisively shapes Augustine's more famous notion of the will: a divine gift to mankind and the animating force—or hindering flaw—of moral progress. But whereas free will for Cicero is an instrument of civic glory, for Augustine it is only the reflection of God's grace. Augustine's theory of the will, undoubtedly richer and more systematic than Cicero's, is drained of the very purpose for which his intellectual hero had argued for it: a better politics, here and now.

¹² O'Donnell 2015, 235.

¹³ See Bobzien 1998a, 280; Lévy 2007, 26–27.

¹⁴ For the date, see *Eph. Tull. ad loc.*

De fato: freedom meets the will

A rare, if little-noticed, point of agreement in the debate over free will is that its most-cited classical antecedents say little of freedom.¹⁵ The key terms in Aristotle's account of human agency are ἐκόν, whether an act is performed “of our own accord”, and then whether a προαίρεσις or choice led to it.¹⁶ The Hellenistic schools seem to have sparred over human autonomy, but evidence from later texts suggest their key term was ἐφ' ἡμῖν, what is “up to us”.¹⁷ Why not freedom? Michael Frede and Malcolm Schofield, among others, have observed that the Greek ἐλευθερία, like the Latin *libertas*, is unshakably political at its root. It connotes a civic status of non-domination: a free city makes laws for itself, and a free man is not enslaved to another.¹⁸ With the death of the classical *polis* and the rise of Hellenistic empires, a demand may well have arisen for a notion of autonomy that did not depend on these categories. With regard to why freedom may not have figured in these debates, Frede observes:

The lack of clarity about the relation between the political notion and this personal notion of freedom in part is due to a lack of clarity about the relation between the good life one is able to have when one is politically free and the good life one can live if one has personal freedom. The tendency among ancient philosophers, needless to say, is to claim that one can live a good life even under a tyrant or as a slave.¹⁹

In the Greek texts Cicero most likely read on this question, it was thus man's moral self-sufficiency, but not his ‘freedom’, that mattered.

15 The sections on Cicero's *De fato* are partly based on Paulson 2017, esp. part 2, “La philosophie de la *voluntas*” (154–269, with an appendix on Augustine, as well).

16 For ἐκόν, see Arist. *Eth. Nic.* 3.1.2–27 (1110b18–1111a21); for προαίρεσις, see *Eth. Nic.* 3.2.2–6 (1148a9). Frede 2011, 19–30 argues convincingly that Aristotle's προαίρεσις and ἐκόν do not amount to a notion of “willing”, and thus Aristotle has no notion of a will. On προαίρεσις, see generally Merker 2016.

17 See, e.g., Arist. *Eth. Nic.* 3.3.6–7 (1113a15–114b25); *Int.* 9; Epicurus, *Ep. Men.* (= Diog. Laert. 10.133): ἃ δὲ παρ' ἡμῶς; Diogenianus in Euseb. *Praep. evang.* 6.8.25–29 (SVF 2.998); cf. Graver 2007, 81. The term ἐφ' ἡμῖν has itself been mistranslated as “free will”; cf. Bobzien 1998b, 135, and Kahn 1988, 241–242 (each noting this problem). For instances of this mistranslation, see, e.g., Huby 1967.

18 See generally Schofield 2014. As Schofield observes, the Greek and Latin terms for freedom do not map neatly onto one another; ἐλευθερία had specific historical connotations—including of παρρησία and ἰσηγορία, freedoms of the citizen to speak in public—that *libertas* did not necessarily have for Cicero.

19 Frede 2011, 9–10.

Cicero seems to have written the *De fato* in 44 BCE, in the months following the Ides of March and a little more than a year before his death. Ostensibly a dialogue between Cicero and Hirtius, consul designate for 43, the extant passages take the form of a continuous exposition by the author. In the skeptical manner, Cicero compares the views of Epicurus, Chrysippus, and Carneades to see which school best reconciles physical causality with moral responsibility. Reflecting the terms of his Greek predecessors, the Latin expressions *in nostra potestate* or *in nobis* feature nineteen times. But Cicero also uses *uoluntas* or *uoluntarius* eleven times, and *libertas* or its cognates seven times, beginning with the observation that the discussion took place on a day “freer than usual” (*liberiores quam solebat*, *Fat.* 2). The phrase is suggestive, not only of the seriousness of the burden on Cicero’s shoulders after Caesar’s death, but also of the implied kinship between his freedom to inquire and his duty to find political solutions.²⁰ In what remains of the dialogue, Cicero rejects the Epicureans, both vaunts and chides the Stoics, and tries to improve their view with help from Platonic doctrine and an orator’s common sense. Throughout all this, the lodestar of *De fato* is *libertas*. Freedom is never dearer to Cicero than at the precipice of political ruin. As he wrote in *De re publica*, *uoluntas* and *libertas* once defined the *populus Romanus*;²¹ amid tyranny and chaos, free will must now constitute the individual. In this technical treatise on fate, the political stakes of 44 BCE ring loudly.

Cicero is the first author we know definitively to have juxtaposed ‘freedom’ and ‘will’. Its first extant occurrence comes in Cicero’s second speech against Verres in 70 BCE. Arguing that he has not brought this case rashly, he gives the example of Lucius Crassus, great orator of the previous generation, who after a similar star-making turn “*had willings less free in all things*, knowing that his life was being watched by more eyes than he would wish” (*minus enim liberis omnium rerum uoluntates habebat, et uitam suam pluribus quam uellet obseruari oculis arbitrabatur*, *Verr.* 2.3.3). In Cicero’s phrase, free will is not yet a constituent of the human subject. Earning fame, Crassus must suffer from

²⁰ It is significant as well that whereas Pansa, the other consul-designate for 43, had declared for the ‘liberators’, Hirtius’ allegiances remained, for Cicero, worryingly uncertain; see *Att.* 15.5.1. On the philosophical significance of Cicero’s *prooemia* to the main arguments of his treatises, see generally Lévy 1992, 140–180 and *passim*; Baraz 2012, 151–186.

²¹ Cf. *Cic. Rep.* 1.51, 1.69, 2.39–40, 2.55–57. Cicero provides the first extant occurrences of the phrase *uoluntas populi*, the “will of the people”; the phrase or its variants appear 53 times in his corpus. For its importance to his conception of Roman politics, see, e.g., *Verr.* 1.1.2, 2.1.10–11, 2.3.7 (70 BCE); *Leg. Man.* 70 (66 BCE); *Cat.* 4.14 (63 BCE); *Flac.* 96 (59 BCE); *Att.* 2.21.5 (59 BCE); *Sest.* 38, 106, 124 (56 BCE); *Rep.* 1.63, 1.69 (53 BCE); *Leg.* 3.28, 3.39–40 (51 BCE); *Phil.* 1.36, 6.5 (44/43 BCE).

“willings less free”—specific episodes of volition, not an ongoing capacity to will. Further, this constraint on freedom is part of a citizen’s *uoluntas uirtutis atque officii* (2.3.2), his “will for a life of duty and virtue”. His negotiation of freedom and necessity happens in public, for a public cause, and is submitted to public judgment. Though admitting the force of *necessitas* in his life (2.3.2), Cicero enacts his autonomy by circumscribing it, limiting his future *libertas* for the Republic’s sake.

Written two and a half eventful decades later, the extant passages of *De fato* return to this debate while bringing new intellectual resources to bear. Cicero’s goal is to weigh in turn the accounts of fate and responsibility offered by the Hellenistic schools.²² To the Epicureans, he offers less a critique than a direct frontal attack:

Hanc Epicurus rationem induxit ob eam rem, quod ueritus est ne, si semper atomus grauitate ferretur naturali ac necessaria, nihil liberum nobis esset, cum ita moueretur animus, ut atomorum motu cogeretur.²³

The reason why Epicurus introduces the *clinamen* [sc. the ‘swerve’ of atoms by which indeterminacy enters the universe] was his fear lest, if the atom were always carried along by the natural and necessary force of gravity, we should have no freedom whatever, since the movement of the mind was controlled by the movement of the atom.

Importantly, Cicero does not question the premise he ascribes to Epicurus—that total causal necessity would deprive humans of *libertas*. In fact, this part of his account is a nearly word-for-word paraphrase of the key passage from Lucretius, whose oeuvre Cicero had praised for its literary skill.²⁴ Nevertheless, he finds the

22 Cicero, applying the methods of the Academic skeptic, passes back and forth among the arguments proposed by the Epicureans, the Stoics, and the “view of Carneades”. In what follows, I group these arguments together and examine them in the order which best illuminates Cicero’s position on free will.

23 Cic. *Fat.* 23. Translations from *De fato* are by Rackham 1942 throughout, partly adapted. Sedley 1983, 40–41 calls Cicero’s reading of the doctrine, and its estimation of the mechanistic view Epicurus was trying to refute, “a thoroughly plausible explanation of the swerve”.

24 Lucr. 2.251–260: *Denique si semper motus conectitur omnis / et uetere exoritur motu nouus ordine certo / nec declinando faciunt primordia motus / principium quoddam quod fati foedera rumpat, / ex infinito ne causam causa sequatur, / libera per terras unde haec animantibus exstat, / unde est haec, inquam, fatis auolsa uoluntas, / per quam progredimur quo ducit quemque uoluptas, / declinamus item motus nec tempore certo / nec regione loci certa, sed ubi ipsa tulit mens?* (“Again, if all motion is always one long chain, and new motion arises out of the old in order invariable, and if the first-beginnings do not make by swerving a beginning of motion such as to break the decrees of fate, that cause may not follow cause from infinity, whence comes this free will in living creatures all over the earth, whence I say is this will wrested from the

clinamen ridiculous on its face. Epicurus and his Roman followers entertain simultaneously “two utterly inexplicable propositions, one that something takes place without a cause [...] the other that when two atoms are travelling through empty space, one moves in a straight line and the other swerves” (*res duas inenodabiles, unam, ut sine causa fiat aliquid [...], alteram, ut, cum duo indiuidua per inanitatem ferantur, alterum e regione moueatur, alterum declinet*, *Fat.* 18).²⁵ The Epicureans are oriented toward the correct goal—the protection of *libertas*—but their idea fails the basic tenets of physics. When he returns to Epicurus at the end of the text we have, it is to reaffirm that “one should not seek assistance from atoms that roam and swerve out of their path” (*non ab atomis errantibus et de uia declinantibus petere praesidium*, *Fat.* 46).

Cicero’s notion of free will emerges from the counterpoint of two Hellenistic innovators. The majority of the extant text concerns the Stoics, and more precisely the pioneering theories of Chrysippus regarding causality and assent. At several points where Chrysippus’ ideas seem to fall short, they are contrasted with—or perhaps completed by—those of Carneades, leader of the skeptical New Academy. In particular, it is Carneades’ notion of the self-moving human soul that Cicero finds most useful in establishing a robust foundation for free will.²⁶ The common adversary of Chrysippus and Carneades are those thinkers who argue that the universe operates through “an everlasting series of causes” (*causarum series sempiternam*, *Fat.* 20), i.e. the strict determinists.²⁷ One alleged proponent of this view is the logician Diodorus Cronus, who held that since any proposition is either true or false, a true statement that an event will happen is the same as saying it *must* happen. The consequence of this logical position, Cicero thinks, would be a chain that man is powerless to break (*Fat.* 12–13). He then explains why such a view would be unacceptable:

fates by which we proceed whither pleasure leads each, swerving also our motions not at fixed times and fixed places, but just where our mind has taken us?”, transl. Rouse 1924). Cicero, writing to Quintus in 54 BCE, declares that “Lucretius’ poetry is as you say—sparkling with natural genius, but plenty of technical skill as well (*multis luminibus ingeni, multae tamen artis*)” (*QFr.* 2.10.3). See generally Rouse 1924, x–xi; Sedley/Long 1987, 110–112; Graver 2002, 112–113, 196–197.

²⁵ Cf. also *Fin.* 1.19–20.

²⁶ Attributed to the leader of the skeptical New Academy, the “view of Carneades” is understood not to represent a positive doctrine, but rather an argument developed in dialectical opposition to another position—here, as often, the Stoic view. Though Carneades would have been ready to accept the view ascribed to him as the most probable one, he would thus be equally free to trade it for another. Cf. Frede 2011, 91–92.

²⁷ Among these “old philosophers” he includes Democritus, Heraclitus, Empedocles, and—oddly—Aristotle (*Fat.* 39), see below on *Fat.* 40 (p. 105).

Nec ei qui dicunt inmutabilia esse quae futura sint nec posse uerum futurum conuertere in falsum, fati necessitatem confirmant, sed uerborum uim interpretantur. At qui introducunt causarum seriem sempiternam, ii *mentem hominis uoluntate libera spoliata* necessitate fati deuinciunt.²⁸

Those who say that a true future event cannot be changed into a false one, are not asserting the necessity of fate but explaining the meaning of terms; whereas those who bring in an everlasting series of causes *rob the human mind of free will* and fetter it in the chains of a fated necessity.

Freedom arrives center-stage. In contrast to Cicero's earlier use of the phrase in the *Verrines*, *libera uoluntas* no longer signifies a "free willing", one desire among many, but a singular faculty of "the mind of man" (*mens hominis*). Suggestively, his antithesis to human freedom, "an everlasting series of causes", again corresponds to Lucretius' choice of words.²⁹ But where the Epicurean speaks equably of abridging fate's "decrees" (*fati foedera rumpat*, 2.254) and "plucking" will from it (*fatis auolsa uoluntas*, 2.257), Cicero reprises his role as legal advocate, charging theft and wrongful enslavement. As if to sharpen the importance of freedom, in this lengthy section on logic *libertas* is literally Cicero's final word: "reason itself will insist both that certain things are true from all eternity and that they are not involved in a nexus of eternal causes but are free from the necessity of fate" (*ratio ipsa coget et ex aeternitate quaedam esse uera, et ea non esse nexa causis aeternis et a fati necessitate esse libera*, *Fat.* 38).

Why does Cicero insist upon the will's freedom? He agrees with Lucretius that a fully determined world deprives man of *libertas*—an argument no Greek appears to have made. But Cicero's *libertas* is decidedly un-Epicurean. His own notion emerges in the demolition of *ignaua ratio*, the so-called 'Lazy Argument'. This apparently well-known critique of determinism held that there would be no need, for instance, to call a doctor when sick, because our living or dying becomes a matter of fate alone (*Fat.* 28–29). Chrysippus, according to Cicero, attempts a solution via the idea of "condestination" or "co-fatedness" (*confatalia*).³⁰ Cicero agrees with Chrysippus that the 'Lazy Argument' is no mere thought

²⁸ *Fat.* 20.

²⁹ Cf. *Lucr.* 2.255: *infinito ne causam causa sequatur*; *Fat.* 20: *qui introducunt causarum seriem sempiternam*.

³⁰ The idea, which Cicero struggles to elucidate, is that certain events are "complex" (*copulata*), such that an act can be both fated *and* chosen by the actor (*Fat.* 11). Thus, the statement "you will recover whether you call in a doctor or do not," is captious, "for calling in a doctor is just as much fated as recovering. These connected events, as I said, are termed by Chrysippus 'condestinate'" (*Siue tu adhibueris medicum siue non adhibueris, conualesces' captiosum; tam enim est fatale medicum adhibere quam conualescere. Haec, ut dixi, confatalia ille appellat*, *Fat.* 30).

experiment, but a question upon which turns “the entire abolition of action from life” (*quod eadem ratione omnis e uita tolletur actio*, *Fat.* 29). The Stoa’s founders, “those old philosophers”, had held that “assent is given perforce as the result of necessity” (*[adsensiones] ui effici et necessitate dicebant*, *Fat.* 40).³¹ Under this framework, Cicero observes, neither assent nor action can truly be considered in our power. Why does this matter? The *ignaua ratio* would “abolish action” because if man is not the true cause of his actions, “there is no justice in either praise or blame, either honors or punishments” (*nec laudationes iustae sint nec uituperationes nec honores nec supplicia*, *Fat.* 40).³² Praise and blame, honors and punishments: the same civic order from which the Epicureans want to secede,³³ Cicero wants desperately to preserve.

To defeat the ‘Lazy Argument’, Chrysippus reframed the Stoic position: there are not one but two kinds of causality. He suggested the image of a cylinder rolling across a room: the “auxiliary and proximate” cause of the cylinder’s motion is the push given to it from outside, but the “perfect and principal” cause is its own round shape (*Fat.* 43). Accordingly, while the Stoic *phantasiai* are the auxiliary and proximate causes of action, human nature—our “shape”, wise or foolish—is the perfect and primary cause (*Fat.* 41–42). For Chrysippus, our actions are thus *in nostra potestate* because, like the roller, we move by our own *uis et natura* (*Fat.* 43). In distinguishing these two types of causation, Chrysippus ingeniously managed “to escape necessity and to retain fate” (*ut et necessitatem effugiat et retineat fatum*, *Fat.* 41).³⁴ But why does Cicero, defender of *libertas*, care about “retaining fate”? By preserving the logic of causality, Chrysippus assists Cicero in dispatching the Epicureans while leaving room for prophecies and divination—institutions precious to Rome and to Cicero’s career.³⁵

Yet Cicero is not quite content with the Stoic account. There is both a surface objection, I believe, and a deeper one. As he did in *De finibus* and the *Tuscu-*

31 Cf. Chrysippus’ departure from his teacher Cleanthes on an issue of formal logic, *Fat.* 14.

32 Cf. *Luc.* 38–39: *Vbi igitur uirtus, si nihil situm est in ipsis nobis?* (“Where is virtue, if nothing is up to us?”); cf. *Off.* 1.28: an action is just only on condition that it is voluntary (*uoluntarius*).

33 Cf., e.g., *Lucr.* 2.37–61, 3.59–93, 5.1105–1160. This is not to say that the Epicureans thought no acts were worthy of praise or blame, but rather that from their point of view most societies, Rome included, praise and blame the wrong things. Tellingly, Lucretius does not invoke this argument with regard to Rome, giving Cicero his opening. I am grateful to David Sedley for this observation.

34 Cf. Sedley/Long 1987, 61–62.

35 Cf. *Diu.* 1.7–9. *De diuinatione*, structured as a dialogue, spares Cicero—himself a member of the college of augurs—the unpleasant task of having to side with skepticism over tradition or vice versa. His aim is clearly to retain the institution in some form, see *Leg.* 2. Cf. Lévy 2020.

lans,³⁶ Cicero reproaches the Stoics for their second-rate style. Using “formulae peculiar to himself”, Chrysippus has undermined the will “against his will” (*inuitus*), handing ammunition to his intellectual opponents (*Fat.* 39–40).³⁷ Graver still, according to the Stoic doctrine of assent all human action must be preceded by an external force (*ui extrinsecus*, *Fat.* 42). We are, they insist, co-authors of our actions—though these are triggered from outside us and, following Chrysippus, determined by our “shape”. In contrast, Plato’s doctrine of the self-moving soul allows that the operations of our will are not only “up to us” (*in nostra potestate*), but ascribable *only* to us.³⁸ We remember that for Plato, “every act of your soul is an act of yours”.³⁹ This apparently stronger view of autonomy offers an attractive remedy to the Stoics’ dependence on past conditioning and external stimuli. Carneades lets Cicero develop a notion of will based instead on independent choice and present effort: free will manifesting a self-moving soul.

A trained Stoic would undoubtedly object that Cicero has done violence to their position, and that their account of fate is similarly robust and more coherent.⁴⁰ But Cicero’s objection to the Stoics has never been a lack of coherence. Rather, they have failed to align their theories with the lived experience of their listeners. In an early passage, he takes aim at Chrysippus’ view that the dif-

36 Cf. *Fin.* 3.3, 3.19, 4.5–7, 4.22–23, 4.52; *Tusc.* 2.29, 2.42.

37 He also teases Chrysippus for trying to correct the syntax of Chaldean diviners (*Fat.* 15–16). After his analysis of the Stoic’s doctrine of “condestination”, he adds that Carneades achieves the same result “but did not employ any trickery” (*nec ullam adhibebat calumniam*, *Fat.* 31).

38 In allowing “the possibility of some voluntary movement of the mind” (*quendam animi motum uoluntarium*), the Academics “could easily have withstood Chrysippus, for in admitting that no motion is uncaused they would not have been admitting that all events are due to antecedent causes, as they would have said that there are *no external and antecedent causes of our will*” (*facile Chrysippo possent resistere, cum enim concessissent motum nullum esse sine causa, non concederent omnia, quae fierent, fieri causis antecedentibus; uoluntatis enim nostrae non esse causas externas et antecedentes*, *Fat.* 23). Cicero makes an analogy from physics: the laws of nature allow atoms to move through the void by their own gravity and weight, with no additional external force required (*Fat.* 24). “Voluntary motion possesses the intrinsic property of being in our power and of obeying us, and its obedience is not uncaused, for its nature is itself the cause of this” (*Motus enim uoluntarius eam naturam in se ipse continet, ut sit in nostra potestate nobisque pareat, nec id sine causa; eius rei enim causa ipsa natura est*, *Fat.* 25). Cf. Frede 2011, 16, arguing that in earlier Antiquity explanations from “natural causes” still left room for the world to “remain in our sense causally undetermined, leaving enough space for us to live our life as we see fit”.

39 Cf. *Tusc.* 1.52: *ab animo tuo quidquid agitur, id agitur a te*.

40 See, e.g., Frede 2011, 91, who argues that the notions of freedom introduced by opponents of the Stoics are “much weaker than the corresponding, incredibly strong, Stoic notions”. On p. 93, Frede dismisses Cicero’s use of the phrase *motus uoluntarii* as irrelevant to later notions of free will, but does not once mention his phrase *libera uoluntas*.

ferences between men are explained by varieties of climate or the positions of heavenly bodies (*Fat.* 7).⁴¹ “All the same,” Cicero ripostes, “the rarefied air of Athens will not enable a student to choose among the lectures of Zeno, Arcesilas and Theophrastus” ([sc. *Athenis*] *tamen neque illud tenue caelum efficiet, ut aut Zenonem quis aut Arcesilam aut Theophrastum audiat*, *Fat.* 7). Differences of climate, however keenly observed, do not determine where we choose to walk on a certain day, or in which friend’s company (*Fat.* 9). For Cicero, the simplest daily choices—strolling here, sitting there—are common-sense, irreducible evidence of human freedom. As Woolf observes, “the upholding of common sense is, I think, one reason why he emphasizes his role as orator [in *De fato*, LP], and the connection of oratory with the scepticism of the New Academy. The orator needs to take seriously ordinary ways of thinking; and the Academic sceptic is primed to look critically at philosophical doctrine”.⁴² Cicero encourages his readers to adopt a common-sense understanding, instead of a strict construction, of “willing something without cause”: we mean not that our volition is uncaused but that we ourselves are causing it.⁴³ As compared to the Stoics, the Academic “will” seems intuitively more free.⁴⁴

Here we can surmise why Chrysippus’ “two causes” may be insufficient for Cicero. The “perfect and primary” cause of the cylinder’s motion is its *natura*, not its *uoluntas*. A cylinder does not strive to roll through a room. Chrysippus’ position, his answer to the ‘Lazy Argument’, is that simply moving by *uis et natura*

⁴¹ Cicero is equally critical of divine omens as he is of ‘climatic’ determinism: Posidonius’ arguments for destiny of omens over simple natural explanations, or even mere chance, are *absurda* (*Fat.* 7–8).

⁴² Woolf 2015, 87; cf. *Fat.* 3: “There is a close alliance between the orator and the philosophical system of which I am a follower” (*Nam cum hoc genere philosophiae, quod nos sequimur, magnam habet orator societatem*), where the latter’s subtlety adds to, and is made more persuasive by, the former’s style.

⁴³ The Carnadean position appears to have some resonance in contemporary physics. See Rovelli 2015, 73: “When we say that we are free, and it’s true that we can be, this means that how we behave is determined by what happens within us, within the brain, and not by external factors. To be free doesn’t mean that our behavior is not determined by the laws of nature. It means that it is determined by the laws of nature acting in our brains”.

⁴⁴ Cicero finds Carneades’ position “rigidly conclusive” that “if everything takes place with antecedent causes [...] all things are caused by necessity; if this is true, nothing is in our power. But something is in our power” (*Si omnia antecedentibus causis fiunt [...], omnia necessitas efficit; id si uerum est, nihil est in nostra potestate; est autem aliquid in nostra potestate*, *Fat.* 31). In other words, our lived experience, the self-evident sensation shared by philosopher and layman alike, is evidence too convincing to be disregarded. Strolling the agora, attending lectures, resisting temptations—these are *uoluntatis*, matters of will. If we feel free, then in some very important sense, we are.

(*Fat.* 43) puts these movements *in nostra potestate*. For Cicero, by contrast, our *uoluntas* is manifest—is in a sense “at its most free”—where it does not merely reflect our *natura* but overcomes it. Though born with a predilection for liquor and women, Stilpo the Megarian strives fiercely to “master and suppress his vicious nature by study” (*uitiosam [...] naturam ab eo sic edomitam et compressam esse doctrina*, *Fat.* 10). Though nature gave him certain traits, he is not doomed by these defects. Freedom is not the sole province of the Stoic sage, but lies in the “will, effort, and training” (*uoluntate studio disciplina*, *Fat.* 11) practicable by all. This is Cicero’s way of knowing: not in pristine logic but in present action, friction, the contest of forces. Only by overcoming our inborn flaws, as Stilpo did, do we repay the gift of a *libera uoluntas*; only in struggle does freedom become real.

Free will and the forum

As pioneers of Latin philosophy, Lucretius and Cicero each deserve mention as the godfathers of free will. It must be added that sharing this accolade with the Epicurean would be, for Cicero, a nasty shock. Whatever warmth he may have felt for Lucretius personally, *De fato*, like the entire philosophical production of Cicero, reveals a vehement dislike of his school. The partisans of the *clinamen* “stand in terror of fate and seek protection against it from the atoms” (*Epicurus fatum extimescat et ab atomis petat praesidium*, *Fat.* 18). Their theories are motivated by fear (*ueretur*, *Fat.* 21 and 23) and wishful thinking (*optare*, *Fat.* 47); their incapacity for logic is “shameful” (*impudens*, *Fat.* 37). In the treatise’s closing lines he concludes, “no one did more to abolish the voluntary movements of soul, than has the philosopher who confesses that he has been unable to withstand fate in any other way than by taking refuge in these fictitious swerves” (*nec uero quisquam magis confirmasse mihi uidetur [...] sustulisseque motus animi uoluntarios, quam hic, qui aliter obsistere fato fatetur se non potuisse, nisi ad has commenticias declinationes confugisset*, *Fat.* 48). In other words, the Epicurean position is not merely wrong, it is dishonorable. Strictly speaking, isn’t this beside the point?

Not at all. The manliness of the Epicurean position matters because in 44 BCE, the Republic’s integrity is at stake. Whereas the Garden preaches quiet extrication from politics, the ‘Lazy Argument’ must be opposed because it leads “to the entire abolition of action from life” (*Fat.* 29). If we are not the true authors of our actions, “there is no justice in either praise or blame, either honors or punishments” (*ut nec laudationes iustae sint nec uituperationes nec honores nec supplicia*, *Fat.* 40). For the Epicureans, *uoluntas* is the force by which all creatures,

human or beast, seek *uoluptas*, including the fulfillment of sexual desire.⁴⁵ For Cicero, *uoluntas* is embodied instead in the specifically human self-mastery of Stilpo and in the heroism of Regulus, who suffers for the Republic *sua uoluntate*.⁴⁶ The apparently esoteric debate of *De fato* thus has urgent and present consequence for its author, the augur and ex-consul. A cosmology with no room for honor is a grave threat to society: strip these from Roman life and nothing remains.⁴⁷

In this sense, one can see why Cicero might have wanted to bring freedom into the heart of this debate. He perceives in Epicureanism a grave threat to Roman values. Lucretius' *libertas* is a freedom expressed in detachment, a 'freedom from' social convention and public duties. The *libertas* of *De fato* and the *Verrines*, on the other hand, is a freedom of adhesion, a 'freedom to' correct one's faults, win the praise of fellow citizens, and show patriotism in sacrifice.⁴⁸ Against the tyrants, Cicero wields the skeptical Academy to redeem the *populus Romanus*. "Let everyone defend his views", he declares in the *Tusculans*, "for judgment is free" (*Sed defendat, quod quisque sentit; sunt enim iudicia libera, Tusc. 4.7*).⁴⁹ This venerable debate can no longer be simply about "antecedent causes" or what is "up to us"; the citizen must regain in his soul what he has lost in the Republic. Freedom from fate makes virtue possible; free will is the force to realize it. Though civil war rages and tyrants may rule, in this inner battlefield we can still prevail.

His notion of free will helps Cicero advance three claims critical to the action of 44 BCE. First, against the necessity of fate he stresses the contingency of politics. The setting of *De fato* is a conversation with the consul-designate Hirtius

⁴⁵ Lucr. 2.258, 4.1045–1046.

⁴⁶ See *Fat.* 10; *Sest.* 127, *Fin.* 2.65, *Off.* 3.105. Cf. Leach 2014 for a recent treatment of Regulus' exemplarity.

⁴⁷ Cf. *Fin.* 1.23–25, 2.73 (the example of Roman heroes refutes Epicurean ethics); 2.67–68 (no mention of Greek heroes in the school of Epicurus); 2.74 (a Roman orator could not endorse Epicurus in public), 2.76 (Roman values that Torquatus should respect). On the linkage of virtue to civic duty, cf. *Nat. D.* 1.110, *Off.* 1.19; see also Powell 2012, 18.

⁴⁸ This is not to say that Lucretius lacks a notion of moral self-improvement. See, e.g., 3.320–322: *Vsque adeo naturarum uestigia linqui / paruola quae nequeat ratio depellere, / ut nil impediatur dignam dis degere uitam* ("so trivial are the traces of different natures that remain, beyond reason's power to expel, that nothing hinders our living a life worthy of gods", transl. Rouse 1924). Whether or not Cicero is responding directly (or fairly) to Lucretius, the anti-political views of the Garden are in evidence throughout his poem; cf. Lucr. 2.37–61, 3.59–93, 5.1105–1160.

⁴⁹ Cf. *ibid.* 5.33: "I live from day to day, I say anything that strikes me as probable, and so I alone am free" (*nos in diem uiuimus; quodcumque nostros animos probabilitate percussit, id dicimus, itaque soli sumus liberi*). Transl. King 1927. On skeptical *libertas*, cf. *Luc.* 8–9, 105; *Tusc.* 5.83.

just after the Ides, when “it had seemed as if a search was being made for every possible means of causing fresh upheavals, and we thought that resistance must be offered to these tendencies” (*cum enim omnes post interitum Caesaris novarum perturbationum causae quaeri uiderentur eisque esse occurrendum putaremus*, *Fat.* 2). Political urgency thus launches their examination of fate—and as Cicero frets to Atticus, Hirtius’ will is hesitating between Caesarians and liberators.⁵⁰ The course of history, as he writes to Varro in 46, depends not on fate but on the characters of those in power:

Non enim est idem ferre si quid ferendum est et probare si quid non probandum est. Etsi <ne> quid non probem quidem iam scio, *praeter initia rerum; nam haec in uoluntate fuerunt*. Vidi enim (nam tu aberas) nostros amicos cupere bellum, hunc autem non tam cupere quam non timere. Ergo haec consili fuerunt, reliqua necessaria. Vincere autem aut hos aut illos necesse erat.⁵¹

It is one thing to put up with what has to be put up with, another to approve what ought to be disapproved—though for my part I don’t any longer know what to disapprove of, except *the beginnings of it all, which were a matter of will*. I saw (you were away) that our friends were desirous of war, whereas the person we are expecting [sc. Caesar] was not so much desirous as unafraid of it. That then came within the scope of design, all else followed inevitably. And victory had to fall to one side or the other.

The laws of causality were clearly operative in the clash of Caesar and Pompey, but behind the apparent necessity of events lay an incipient *uoluntas* for war. Though allied to reason, Cicero’s *uoluntas* is morally bivalent, potentially *honesta* or *inhonesta*.⁵² What will determine the course of the Republic, he insists, is not climate or prophecy⁵³ but the integrity of Rome’s leaders.⁵⁴ If they ally their wills to reason, the Republic can last forever.⁵⁵ Conversely, if the Republic fails, no external force is to blame. Already in 63 BCE, he had asserted:

⁵⁰ *Att.* 14.20.4; see Lévy 2007, 20–21.

⁵¹ *Fam.* 9.6.2, transl. Shackleton Bailey 2001.

⁵² See *Tusc.* 4.34.

⁵³ Cf. *Fam.* 6.1.5 (46 BCE) to Torquatus regarding the civil war: “When I foretold what has come about, I had no prophetic vision: perceiving what *could* happen, and would be disastrous if it did, I feared it” (*Neque ego, ea, quae facta sunt, fore cum dicebam, diuinabam futura, sed, quod et fieri posse et exitiosum fore, si euenisset, uidebam, id ne accideret timebam*).

⁵⁴ See Ferrary 1995, 56: “for Cicero the death of a city is never due to natural causes”; Powell 2012, 25: “even though Rome has had and still has a constitution of the best possible kind, it is at risk precisely because of great faults in the rulers”; cf. also Powell 1994, 27.

⁵⁵ *Rep.* 3.34. Cf. Cicero’s assurance to Marcellus: “I believe there is nothing except lack of will to hinder you from the enjoyment of all that is yours” (*Nihil tibi deesse arbitrer ad tuas fortunas omnis obtinendas praeter uoluntatem*, *Fam.* 4.7.3).

Nullus est reliquus rex, nulla gens, nulla natio quam pertimescatis; nullum aduentitium, nullum extraneum malum est quod insinuare in hanc rem publicam possit. Si immortalis hanc ciuitatem esse uultis [...] nobis a nostris cupiditatibus, a turbulentis hominibus atque nouarum rerum cupidis, ab intestinis malis, a domesticis consiliis est cauendum.⁵⁶

No king is left, no nation, no tribe to cause you fear; there is no evil from outside, of others causing, that can make its way into our country; if you desire that country to be immortal [...] it is against *our own* passions that we must be on our guard, against men of violence and revolutionaries, against evils from within, against plots devised at home.

No “everlasting chain” precipitated Rome’s disaster; the Romans did.⁵⁷

Secondly, free will sharpens the moral responsibility of Cicero’s enemies. Throughout his career, he uses *uoluntas* to describe how wicked men put themselves above the law: the corrupt Verres had foregone the lawful exercise of power by his *uoluntas* and *auaritia*;⁵⁸ the agrarian decemvirs betray the state by selling land *ex sua uoluntate*;⁵⁹ and though nature made Catiline prone to madness, his *uoluntas exercuit*.⁶⁰ And yet by the force of his invective, the orator risks dehumanizing his opponents. Are such monsters truly free to act otherwise?⁶¹ Employing the Stoic doctrine of “willing disturbance”, Cicero emphasizes in the *Tusculans* that no matter how unhinged a man like Antony may seem, he is still responsible for his acts.⁶² All crimes against the state are willing, and thus fully deserving of blame. In arguing that their wills are free—that they abuse a faculty common to all men—Cicero intensifies their guilt.

Finally, a free will lets Cicero retain his own honor. In *De finibus*, he presents the Stoic view that actions should be judged not by results alone but also by the *uoluntas* behind them.⁶³ Despite his exclusion from the conspiracy against Caesar, he partakes of its glory: “All decent men killed Caesar so far as it was in them to do so: some lacked design, some courage, some opportunity; none lacked the will” (*Etenim omnes boni, quantum in ipsis fuit, Caesarem occiderunt; aliis consilium, aliis animus, aliis occasio defuit; uoluntas nemini, Phil. 2.29, transl.*

⁵⁶ *Rab. perd.* 33–34, transl. Grose Hodge 1927.

⁵⁷ Cf. *Rep.* 1.47: “Every State is such as its ruler’s character and will make it” (*Et talis est quaeque res publica, qualis eius aut natura aut uoluntas qui illam regit*), transl. Keyes 1928.

⁵⁸ *Verr.* 2.3.220.

⁵⁹ *Leg. agr.* 2.64.

⁶⁰ *Cat.* 1.25.

⁶¹ See generally Lévy 1998.

⁶² See *Tusc.* 4.60, 4.65, 4.83.

⁶³ *Fin.* 3.22, 3.32.

Shackleton Bailey/Ramsey/Manuwald 2010).⁶⁴ And despite his failure to prevent the Republic's destruction, in the one matter truly "up to him", the statesman can hold his head high. In the same year as *De fato*, Cicero writes to Torquatus, a fellow Republican lamenting Caesar's rise to power:

Fateor me communium malorum consolationem nullam inuenire praeter illam, quae tamen, si possis eam suscipere, maxima est quaque ego cottidie magis utor, *conscientiam rectae uoluntatis maximam consolationem esse rerum incommodarum* nec esse ullum magnum malum praeter culpam. A qua quoniam tantum absumus ut etiam optime senserimus euentusque magis nostri consili quam consilium reprehendatur.⁶⁵

I must admit that I find no consolation for our common calamities, save one; but that one, if we can make it ours, is sovereign, and I myself have recourse to it more and more every day. I mean that *the consciousness of a righteous will is the greatest consolation in adversity*, and that there is no great calamity apart from guilt. We are free of that. On the contrary our hearts have always been in the right place, and the outcome of our course of action is deplored rather than the course itself.

If philosophy cannot save the *res publica*, it can help reconcile Cicero to his failures. *De fato* helps him demonstrate that Romans are not prisoners of necessity, nor will their careers be measured solely by their defeats. "I shall never regret my will", he writes to Atticus, "merely the course I adopted" (*uoluntatis me meae numquam paenitebit, consili paenitet*, *Att.* 11.6.2, 48 BCE). In the ashes of the Republic, a *recta uoluntas* is all Cicero is left with, and philosophy shows him it is enough.

Augustine: a Ciceronian free will?

Like Cicero, Augustine's battle is a struggle for insight, a quest for truths safe from political tumult. The *Confessions* can be read as an extended inquiry into free will, sparked not by a tyrant's murder but by an adolescent lapse of self-control.⁶⁶ The young Augustine could not follow the commands of his own mind:

⁶⁴ Cf. *Vat.* 26, the whole world had repudiated Cicero's opponents "not merely in thought but in open reproaches" (*non uoluntate sed conuicio*).

⁶⁵ *Fam.* 6.4.2, transl. Shackleton Bailey 2001. See also *Fam.* 5.21.2 (46 BCE), Cicero takes refuge in *conscientia etiam consiliorum meorum*.

⁶⁶ Without pretending to give a comprehensive overview of the literature on Augustine's *Confessions*, the following references are central for this section: Brown 1967; O'Donnell 1992; Wetzel 1992, esp. 197–206 and 219–235 (with summary of the previous debate); Clark 1993 and 1995; Rist 1994; Burton 2001; Stump 2006; Matthews 2009; Catapano 2018; Toom 2020.

Vnde hoc monstrum? Et quare istuc? Imperat animus corpori, et paretur statim: imperat animus sibi, et resistitur. Imperat animus, ut moueatur manus, et tanta est facilitas, ut uix a seruitio discernatur imperium: et animus animus est, manus autem corpus est. *Imperat animus, ut uelit animus, nec alter est nec facit tamen.* Vnde hoc monstrum? Et quare istuc?⁶⁷

Whence is this strange situation? And why is it so? The mind orders the body, and the body obeys; the mind orders itself, and it resists. The mind orders a hand to be moved, and this is accomplished with such ease that its authority can scarcely be discerned from that of a master over his slave. And the mind is of the mind, but the hands are of the body. *The mind orders the mind to will; it is only one mind, but it does not do as ordered.* Whence is this strange situation? And why is it so?

Augustine's dramatic conversion at Milan is sparked by a passage from Saint Paul, his decisive spiritual influence. In the Apostle he finds a kindred struggle for godliness against the temptations of the flesh. But whereas Paul pits a divine spirit against a corrupted body,⁶⁸ Augustine's battleground is within the soul itself:

Itaque aciem mentis de profundo educere conatus, mergebar iterum, et saepe conatus mergebar iterum atque iterum. Subleuabat enim me in lucem tuam, quod *tam sciebam me habere uoluntatem quam me uiuere.* Itaque cum aliquid uellem aut nollem, non alium quam me uelle ac nolle certissimus eram, et ibi esse causam peccati mei iam iamque aduertebam.⁶⁹

[A]s I endeavoured to raise my mental sight from the depths, I was drawn down again; and often as I tried, I was drawn down again and again. What raised me up towards your light was the fact that *I knew that I had a will just as much as I knew I was alive.* Thus, when I willed or did not will something, I was wholly certain that it was I and no one else who was willing it or not willing it; and I was now on the point of perceiving that therein lay the reason for my own sin.

What is the *uoluntas* of which Augustine is so sure?

In his own retelling, Cicero played a fundamental role in Augustine's intellectual life.⁷⁰ Less well recognized is the debt he owes Cicero in his theory of

⁶⁷ August. *Conf.* 8.9.21.

⁶⁸ See, e.g., Rm. 7:25: "I thank God through Jesus Christ our Lord. So then with the mind I myself serve the law of God; but with the flesh the law of sin". Cf. 8:9–10: "But yet are not in the flesh, but in the Spirit, if so be that the Spirit of God dwell in you. Now if any man have not the Spirit of Christ, he is none of his. And if Christ be in you, the body is dead because of sin; but the Spirit is life because of righteousness".

⁶⁹ *Conf.* 7.3.4.

⁷⁰ See pp. 97–99 above.

the will and its freedom. The qualities of *uoluntas* proposed by Augustine are striking in their similarities to Cicero and illuminating in their departures.

First, the similarities. As for Cicero, Augustine's *uoluntas* is not merely an "instance of willing" but a continuous capacity or power of mind.⁷¹ As for Cicero, *uoluntas* is a capacity or quality that man shares with the gods: in *De natura deorum*, Cotta asserts that if the Stoics are correct, the gods could create a just world as effortlessly as humans move their limbs, "by their own mind and will" (*mente ipsa ac uoluntate*, *Nat. D.* 3.92, transl. Rackham 1933).⁷² As for Cicero, *uoluntas* for Augustine is the critical locus of human responsibility. The *persona* which "sets forth from our will" (*a nostra uoluntate proficiscitur*) is the one by which we choose our value system and path through life.⁷³ Nature has "placed" the cardinal virtues in our will,⁷⁴ justifying both our legal liability and freedom from fate.⁷⁵ For both Cicero and Augustine, one person's capacity of will does not necessarily resemble another's, and it may be directed to better or worse ends.⁷⁶ What is most striking is how emphatically Augustine describes his *uoluntas*, like Cicero's, as a dynamic and measurable force. Like the consul-designate Hirtius, Augustine's will can *inclinare* to one side or another, an image Cicero develops in his oratory.⁷⁷ It can shift from one type to another, as when Ponticianus'

71 See, e.g., *Conf.* 7.3.4, 7.16.22, 7.21.27, 8.5.10, 8.8.19–20, 8.9.21, 8.10.23–24.

72 Cotta, as skeptic, is not endorsing the Stoic view. Nevertheless, the evocation of will on the human and divine plane is present in both sets of arguments; cf.: "he believed that the motion of all living bodies is due to one of three causes, nature, force, or will" (*omnia quae mouentur aut natura moueri censuit aut ui aut uoluntate*, 2.44). See also *Rosc. Am.* 136: "I am aware that all these results are due to the will of the gods, the zeal of the Roman people, and the wisdom, power, and good fortune of Sulla" (*eaque omnia deorum uoluntate, studio populi Romani, consilio et imperio et felicitate L. Sullae gesta esse intellego*, transl. Frese 1930); *Leg.* 1.24: "hence we are justified in saying that there is a blood relationship between ourselves and the celestial beings; or we may call it a common ancestry or origin" (*ex quo uere uel agnatio nobis cum caelestibus uel genus uel stirps appellari potest*, transl. Keyes 1928); *Tusc.* 5.38: "the soul of man, derived as it is from the divine mind, can be compared with nothing else, if it is right to say so, save God alone" (*humanus autem animus decerptus ex mente diuina cum alio nullo nisi cum ipso deo, si hoc fas est dictu, comparari potest*, transl. King 1927).

73 *Off.* 1.115.

74 *Fin.* 5.36.

75 See, e.g., *Top.* 64: while "throwing a weapon is an act of the will, hitting someone unintentionally is an act of fortune" (*nam iacere telum uoluntatis est, ferire quem nolueris fortunae*, transl. Hubbell 1949); *Fat.* 20.

76 See, e.g., *Conf.* 7.3.4, 7.16.22, 7.21.27, 9.2.4; cf. *Tusc.* 4.11, 4.34; *Part. or.* 49.

77 See *Conf.* 2.3.6, like his father's joy at noticing Augustine's pubescence, so too is mankind "drunk on the invisible wine of its own will, perverse as it is and bent on lower things" (*de uino inuisibili peruersae atque inclinatae in ima uoluntatis suae*); cf. 2.5.10. For "inclination" of the will in Cicero, see *Cat.* 4.6, *Mur.* 53, and *De or.* 2.129.

friends, fresh converts to a monastic life, “told them of their resolve and purpose, and how such a will as this had arisen and been confirmed in them” (*at illi narrato placito et proposito suo quoque modo in eis talis uoluntas orta esset atque firmata*, *Conf.* 8.6.15). And of course, the will can be perverse, literally “turned around” from good to evil, to which Augustine adds the imagery of “casting forth its innermost part” (*proicientis intima sua*) and “swelling outwards” (*tumescens foras*).⁷⁸ If it was Paul whose words healed Augustine’s will, the will he healed was remarkably Ciceronian.

Yet Augustine carries the semantics of will beyond anything in Cicero’s corpus. Where Cicero centered the struggle of *uoluntas* upon civic virtues—the freedom to excel in patriotic service, unshackled from an eternal causal chain—Augustine takes the struggle inward to the civil war in his soul. Twelve years after Cicero’s *Hortensius* kindled his search for wisdom, at thirty-one Augustine is certain of Christian truth. But this apparently does not suffice: “My soul resisted. She refused, and did not excuse herself; all her arguments were used up and shown to be false” (*Et renitebatur, recusabat et non se excusabat. Consumpta erant et conuicta argumenta omnia*, *Conf.* 8.7.18). This, the ancient *akrasia* problem of Socrates—knowing the good and failing to do it—Augustine frames anew. His is a will divided against itself, its salvation dependent on God’s grace alone. Cicero’s semantics of struggle lead Augustine to a new argument in Western thought: the will to follow Christ is not the only will within him. His agony is the experience of a combat between one “iron will” (*ferrea uoluntas*, *Conf.* 8.5.10), “weighed down by its habit” toward worldly appetites; and another “will to progress,” not yet “strong and whole throughout” (*uelle fortiter et integre*, *Conf.* 8.8.19). Thus divided, his *uoluntas* is “twisted and tossed around, wounded in part, caught in a struggle between rising and falling factions” (*semisauciam hac atque hac uersare et iactare uoluntatem, parte adsurgente cum alia parte cadente luctantem*, *ibid.*). A vivid combat of wills, painted in Ciceronian colors by the onetime professor of rhetoric at Milan.

Like Cicero with the Epicureans, Augustine seeks to re-appropriate terms that could be misused by his opponents. Anticipating the criticism of Manicheans, Augustine clarifies that these “two wills” do not represent “two Principles”, one subject to God, the other outside his power.⁷⁹ Though Augustine is caught between an “upward” and “downward” will, it is possible for multiple evil and good wills to compete (*Conf.* 8.10.23). In the latter case, such as when

⁷⁸ *Conf.* 7.16.22; 7.3.4. Cf. 10.22.32: “their will is not averse at least to some image of joy” (*ab aliqua tamen imagine gaudii uoluntas eorum non auertitur*).

⁷⁹ *Conf.* 8.10.22; cf. 3.6.10–11.20.

a Christian hesitates between reading the Apostle, singing a psalm, or proclaiming the Gospel,

et omnes bonae sunt et certant secum, *donec eligatur unum, quo feriaturs tota uoluntas una, quae in plures diuidebatur*. Ita etiam, cum aeternitas delectat superius et temporalis boni uoluptas retentat inferius, eadem anima est non tota uoluntate illud aut hoc uolens; et ideo discerpitur graui molestia, dum illud ueritate praepōnit, hoc familiaritate non ponit.⁸⁰

all these wills are good, and yet they strive against each other, *until one course of action is chosen, and the whole will, which had been divided into several wills, is channeled into it*. So too, although eternity has a delight that draws us upwards, and pleasure in temporal good draws us back downwards, there is no one soul that wills with all its will either one or the other. It is torn in two by the weight of its troubles, as long as it prefers the former for truth's sake, but for familiarity's sake does not put aside the latter.

In a choice between rites of faith, a struggle of wills can conduce to virtue; conversely, only a strong will can overcome temptation, as exemplified by Socrates and Stilpo.⁸¹ To this new dimension of complexity—multiple wills within a single soul—Augustine adds another, the passage of time. In numberless daily choices, our acts of volition accrue and harden, ultimately moving us with the force of necessity.⁸² Though such an “iron will” does not excuse us from responsibility, it does not spare us from feeling powerless to do what we ‘really’ want.⁸³ This thoroughly Stoic view of responsibility is the one Cicero had followed in the *Tusculan Disputations*, applying these strictures to a Platonic divided soul and advancing a fully Roman notion of ‘willpower’.⁸⁴ Augustine’s innovation appears to be a will that can mature, divide and reintegrate. His quest is to live a Chris-

⁸⁰ *Conf.* 8.10.24.

⁸¹ *Fat.* 10–11.

⁸² See *Conf.* 8.7.17. Cf. 4.7.12, 8.5.10–11, 8.7.17, 8.9.21.

⁸³ See *Conf.* 8.5.11: “From my own experience I realized that what I had read was true in myself: the flesh lusted against the spirit, and the spirit against the flesh. I was in both the flesh and the spirit, but I was more myself in that which I approved in myself, than in that which I disapproved in myself. By now it was rather not I who was in the flesh, since for the most part I was an unwilling sufferer rather than a willing doer. But it was my own doing that habit gripped me so fiercely, since I had arrived willingly at a place to which I had no wish to come” (*Sic intellegebam me ipso experimento id quod legeram, quomodo caro concupisceret aduersus spiritum et spiritus aduersus carnem. Ego quidem in utroque, sed magis ego in eo, quod in me approbavam, quam in eo, quod in me improbabam. Ibi enim magis iam non ego, quia ex magna parte id patiebar inuitus quam faciebam uolens. Sed tamen consuetudo aduersus me pugnacior ex me facta erat, quoniam uolens quo nollem perueneram*).

⁸⁴ See *Tusc.* 2.28–29, 2.39–41, 2.47, 2.54–55, 2.62, 3.25, 4.31, 4.62; cf. Galen, *PHP* 4.6.43–45; Stobaeus, *Ecl.* 2.79 (86W) (on ὁππαί); Gell. *NA* 7.2.6–7. See generally Graver 2007, 24–34, 61–63; Frede 2011, 32–33; on Augustine’s notion of responsibility, cf. Stump 2006, 167–168.

tian life with a “full will” (*plena uoluntas*, *Conf.* 8.9.21, 9.2.4), “strong and whole throughout” (*fortiter et integre*, *Conf.* 8.8.19).⁸⁵

Using Cicero’s semantics of struggle and competition, the bishop of Hippo arrives at a most un-Ciceronian conclusion. Though despairing of Rome’s moral decline, Cicero clearly believed man capable of improvement without divine intervention. “We will be healed if we will it” (*Sanabimur si uolemus*, *Tusc.* 2.62), Cicero writes in the *Tusculans*. Not so for Augustine’s notion of the will. What separates him most sharply from Cicero is his rejection of worldly affairs and pessimism for mankind. The *Confessions* poignantly trace the path to this conclusion: Augustine acknowledged the truths of God; he willed to follow them; and with all his gifts, time and again, he failed.

His conclusion is that no *uoluntas* becomes “strong and whole” on its own. Though the model for human will, God’s will is different in two critical respects. First, its power is eternal and limitless. Borrowing from Plotinus, Augustine places God’s will on a higher plane of causality: “The Word, that is God, was born not of the blood nor of the will of man nor of the will of the flesh, but of God” (*Verbum, deus, non ex carne, non ex sanguine, neque ex uoluntate uiri, neque ex uoluntate carnis, sed ex deo natus est*, *Conf.* 7.9.14).⁸⁶ In comparison to man’s *uoluntas*, *uoluntas dei* is untouched by time, “incorruptible and unchangeable, sufficient in itself for itself” (*incorruptibilis et incommutabilis uoluntas tua, ipsa in se sibi sufficiens*).⁸⁷ Why then does God not allow our wills to achieve their ends? Since His nature is just, our weak and corrupted wills must be a deserved punishment for earlier abuse of His gifts. This leads Augustine to the doctrine of original sin—that Adam’s initial misuse of a free will effectively enslaved his descendants.⁸⁸ As Frede points out, many Christians—including Augustine’s archrival, Pelagius—disagreed with this view of man’s helplessness. But against these fellow Christians, and against Cicero, Augustine is adamant: no man can perfect himself by reason. Human will can be freed and made whole only by the greater force of God’s will, and his grace to apply it in our favor.⁸⁹ And it

⁸⁵ Cf. *Conf.* 10.21.31: “Everyone wishes to be blessed; and if we did not know it with such sure knowledge, we would not will it with such sure will” (*Beati prorsus omnes esse uolumus; quod nisi certa notitia nossemus, non tam certa uoluntate uellemus*).

⁸⁶ He quotes Plotinus favorably here, though adds, “but as for the fact that the Word was made flesh and dwelt among us, that I did not read” (*sed quia uerbum caro factus est et habitauit in nobis, non ibi legi*, *Conf.* 7.9.14).

⁸⁷ *Conf.* 13.4.5; cf. 11.10.12; 12.15.18; 12.28.38.

⁸⁸ Cf. Stump 2006, 170–171.

⁸⁹ Cf. Stump 2006, 167; Fox (intr. in Burton 2001), xxvii. Even for the “saved”, divine grace is necessary to guard our wills against corruption. *Conf.* 10.37.60: “I am tested by these temptations every day, O Lord; I am tempted incessantly [...] You bid us be continent in respect of this sort of

is Augustine's idea of divine grace, ultimately, which becomes orthodox in Latin Christendom.

Augustine's break from Cicero is most emphatic, finally, in his politics. Cicero's core commitment was the care of the Republic. He adapted Plato to argue that Rome had been led to perfection by its extraordinary *maiores*, men who strove and sacrificed for their fellow citizens.⁹⁰ By Augustine's time, however, republicanism was a distant memory. In its place was the organizing principle of an emperor's absolute, if all-too-human, will. "Can we have any greater hope at Court," he asks, "than that of becoming Friends of the Emperor? And if we do, what will we then have that is not frail and beset with perils? How many perils must we endure to arrive at a greater peril?" (*Maiore esse poterit spes nostra in palatio, quam ut amici imperatoris simus? Et ibi quid non fragile plenumque periculis? Et per quot pericula peruenitur ad grandius periculum?*, 8.6.15). To the perpetual insecurity of imperial politics—already familiar to Seneca, and an immutable fact by the fourth century—there could be only one release: "If I will to become a friend of God, behold, I can become one now!" (*Amicus autem dei, si uoluerō, ecce nunc fio, ibid.*)

In his dialogue *De re publica*, Cicero had made clear his view that a Republic without *libertas* was no Republic at all.⁹¹ In the *City of God*, Augustine uses the strictness of Cicero's reasoning to argue against his hero:

Quocirca ubi non est uera iustitia, iuris consensu sociatus coetus hominum non potest esse et ideo nec populus iuxta illam Scipionis uel Ciceronis definitionem; et si non populus, nec res populi, sed qualiscumque multitudinis, quae populi nomine digna non est. Ac per hoc, si res publica res est populi [...], procul dubio colligitur, ubi iustitia non est, non esse rem publicam.⁹²

Thus, where there is no true justice there can be no human gathering brought together by a common sense of right and wrong, and therefore *there can be no people, as defined by Scipio or Cicero*; and if there is no people, then there is no common business of a people but only of some promiscuous multitude unworthy of the name of people. Consequently, if the Republic is the people's common business [...] then most certainly it follows that there is no Republic where there is no justice.

temptation also; give what you command and command what you will" (*Temptamur his temptationibus cotidie, domine, sine cessatione temptamur. [...] Imperas nobis et in hoc genere continentiam; da quod iubes et iube quod uis*).

⁹⁰ See *Rep.* 3.41, the Republic "might live on forever if the principles and customs of our ancestors were maintained" (*quae poterat esse perpetua, si patriis uiueretur institutis et moribus*); cf. 2.55–56, 3.7, 3.33–34.

⁹¹ *Rep.* 3.43.

⁹² *De ciu. D.* 19.21, transl. McCracken 1957. Here Augustine rejoins the question he poses at *De ciu. D.* 2.21–24; on the critique of Cicero's politics, cf. O'Donnell 2015, 231.

In other words, the disastrous failure of man to achieve justice is proof that the only city worthy of our adherence is God's. In the twilight of Antiquity, divine will is ascendant; the will of the people, defunct.

Bram van der Velden

Ciceronian Reception in the *Epistula ad Octavianum*

Introduction

In stark contrast to Cicero's activity between March 44 and the early summer of 43, we know comparatively little about the last four months of Cicero's life, as we do not have his correspondence from this period. A document which purports to fill this gap is the so-called *Epistula ad Octavianum* attributed to Cicero. For reasons that will be outlined later, scholars are almost unanimous in doubting its authenticity. Due to its status as a 'pseudo-work', scholarly attention has been rare and often negative in tone.¹ In this article, having first introduced the contents of the letter, I argue that this scholarly neglect is unjustified. The letter merits careful consideration, I contend, not as an authentic Ciceronian document but as a sophisticated form of ancient Ciceronian reception which attempts to recreate in writing a portrait of the 'complete Cicero'.²

The text

The letter comes in at a modest five pages in Watt's *OCT*. 'Cicero' in this letter feels threatened by Octavian (who is referred to as having been elected consul), but he has not yet fled Rome, which points to a dramatic date between August

1 Lamacchia's work on the letter and Grattarola's 1988 commentary constitute the most substantial scholarly engagement with the text. For the disparaging rhetoric often used in the context of the letter, cf. Berns 1874, 177: "uereor ne quibusdam a uanis profectus esse initiis uideatur, qui ad eandem [sc. the *Epistula*] manus adiecerit, ut qui in perdita re perdidit operam"; Shackleton Bailey 1970, 198: "so slight, unmeritable a composition as the 'Epistle to Octavian'—a poor specimen of a deplorable, though not negligible, type"; Shackleton Bailey 2002, 339: "[this work] is in this sorry genre [of pseudo-letters]". The connection between the authenticity of an ancient text and its perceived aesthetic value is studied by Peirano 2012a.

2 My approach is similar to—though perhaps not as radical as—that of Novokhatko 2009, 111, who argues that the invectives by Pseudo-Sallust and Pseudo-Cicero may be regarded as *more* interesting if they are spurious—and thereby provide an insight into Roman rhetorical education—than if they are genuine.

and the end of November.³ In the text, we find Cicero inveighing against Octavian by making use of a basic rhetorical *dispositio*:⁴

1–2 *exordium*: Cicero describes how he needs to voice his complaints in a letter rather than in person, since Octavian's legions have made it impossible for him to enter the senate. Cicero adds that he will soon leave Rome and die.

3–4 *narratio*: Cicero recounts the events following Caesar's death in 44 BCE, Antony's dictatorship, the initial hope that Octavian would bring an end to it, and the honours bestowed upon Octavian by the Republic.

5–6 *conquestio*: in a flurry of rhetorical questions, Cicero implies that too much trust was put in Octavian. He also implies that he is to blame for this.

7 *narratio/conquestio*: as part of his emotional outpouring, Cicero continues his retelling of the history, Octavian's march on Antony which ended in the pact between them.

8–10 *peroratio*: Cicero concludes that he should have chosen Antony as his master instead of Octavian. In a comparison of the two, the former is said to be better than the latter in many regards. Cicero then describes how virtuous Roman ancestors will hear about the crimes committed by Octavian, and implies that they will be outraged by them.

Transmission, authorship, dating

We find our text in most of the manuscripts containing the *Ad Atticum* letters (called the Ω tradition) and in some of the manuscripts containing the letters *Ad familiares* (labelled the X tradition).⁵ The first scholar on record to claim its spuriousness is Victorius in his 1536 edition, but his assertion that *non pauci docti et ingeniosi uiri minime Ciceronis esse arbitrantur* suggests that more scholars shared his view at that time.⁶ Erasmus was not one of them: as will be shown later, he entertained no doubts regarding the authenticity of the text. From the seventeenth century onwards, no scholar seems to have considered the text a

3 A definite *terminus post quem* is 19th August 43, the day on which the senate elected Octavian consul (alluded to with [senatus] decreuit [...] *summum honorem ante tempus* in *Ad Oct.* 4; cf. also *Eph. Tull. ad loc.* The overall tenor of the letter and the phrase *perniciēs optimorum* (8) points to a dramatic date after the *Lex Pedia de interfecto-ribus Caesaris*, the exact date of which, however, is unknown (cf. Romano 1965, 598–599 and Lamacchia 1968, 3–4).

4 This schematic summary is based on Lamacchia 1968, 9–10.

5 The respective value of these two strands for establishing the text have been debated: Sjögren 1913 and Sjögren's 1914 Teubner edition generally assign more value to the former, but Watt 1958a and Lamacchia 1963 argue against this view. See also Rouse 1983a and 1983b.

6 Cf. Lamacchia 1967, 54–55.

genuine document,⁷ although Vallese expressed some hesitation. For him, Erasmus' testimony alone is reason not to consider the discussion regarding its authorship closed.⁸ By those claiming the spuriousness of this letter, the following arguments are adduced:

- Nonius Marcellus, a late antique Roman grammarian,⁹ mentions the existence of at least three books of letters from Cicero to Octavian (which he calls *M. Tullius ad Caesarem iuniorem*). It seems unlikely that only this letter was taken from that collection and ended up as part of the *Ad Atticum* and *Ad familiares* collection.¹⁰
- Some of the sentiments expressed in the letter cannot have been shared by the historical Cicero. It is unlikely, for example, that he would have called Antony a *uir animi maximi* (3) at any point during the final months of his life.¹¹
- The description of Cicero's death in *Ad Oct.* 2 is remarkably accurate: it suggests that it was written after it and on the basis of later descriptions, such as those given by the historians quoted in Seneca the Elder's *Suasoriae* 6.¹²
- The style of the letter, with its many rhetorical questions, exclamations, repetitions and parallelisms, is indicative of rhetorical declamation rather than of Cicero's letters.¹³ The 'schematic' nature of the letter also points to a declamatory origin: the representation of Octavian, for example, seems to be indebted to the 'generic' portrayal of tyrants in declamation, and the *exitus illustrium uirorum* in itself constitutes a well-known trope.¹⁴
- The language and *clausulae* of the letter, with obvious exception of the phrases which are taken over directly from Cicero's own works, indicate a certain 'lateness', perhaps even pointing to Late Antiquity as the moment of composition. This is the case especially towards the end of the letter, which would indicate that its author did not manage to maintain the veneer of Ciceronian Latin throughout the letter. Remarkable, for example, is the use of *popule Romane* in *Ad Oct.* 6, where Cicero would have used *Quirites*; the use of *praedicare* with the meaning of *praedicere* in the same paragraph;

7 Lamacchia 1967, 56–57.

8 Vallese 1970, 9.

9 Nonius is usually dated to the fourth century CE; cf. Zetzel 2018, 98.

10 Clift 1945, 115–116. Cf. Keeline in this volume on one of the letters in this collection (p. 31).

11 For this point, see Romano 1965, 594 n. 2.

12 See e.g. Casaceli 1971, 68.

13 E.g. Casaceli 1971, 66.

14 Lamacchia 1968, 6–7 and 1979, 426.

and finally the use of the pluperfect subjunctive where ‘classical’ Latin would prefer a perfect subjunctive (e.g. *dedisset* and *compulisset*, 9).¹⁵

If the letter is, in fact, a *pseudepigraphon*, why was it written? Recently, Peirano has reminded scholars of the ambiguity of that term, which is used to denote both a text that deliberately attempts to deceive the audience regarding its authorship *and* a text that is attributed to the wrong person by later readers.¹⁶ Both scenarios have been argued for in the case of our work.

In her scholarly work on the letter, Lamacchia takes the latter route.¹⁷ According to her, the work is the result of a late antique rhetorical exercise, in which a declaimer takes on the role of Cicero to showcase his talent. The closest parallels would be the texts of the declaimers quoted in Seneca the Elder’s *Suasoriae* 6 and 7,¹⁸ who also ‘act out’ a Cicero who resolves to die. In this scenario, the author of this text is not all trying to ‘forge’ a historical document: the text is only attributed to the ‘real’ Cicero by mistake much later in the tradition. Shackleton Bailey follows this approach in his succinct introduction to the text in his 2002 Loeb, dating the text to the third or fourth century CE.¹⁹

A second group of scholars has interpreted the letter as a piece of propaganda, written shortly after the events depicted with the aim to defame Octavian. Romano argues that the letter was written by the anti-Octavian faction in the senate when Cicero was still alive, or shortly after his death. In any case, he adds, the *terminus ante quem* must be the battle of Philippi in 42 BCE given that opposition to Octavian would not have served any purpose after it.²⁰ Casaceli, by contrast, sees it as a product of senatorial anti-Octavian opposition shortly after the siege of Perugia in 41–40 BCE.²¹ Grattarola dates the text to the first century BCE or the beginning of the first century CE,²² rejecting Lamacchia’s claims with the contention that the polemic in the letter exhibits a realism that one would not find in a work written several centuries after the events depicted.²³

15 For this point, see Lamacchia 1963, 238–241 and 1968, 20–22.

16 Peirano 2012b, 1–7; cf. also La Bua on *pseudepigrapha* in this volume.

17 Following Berns 1874, 178.

18 On which see Keeline and Bishop in this volume.

19 Shackleton Bailey 2002, 339.

20 Romano 1965, esp. 598–600.

21 Casaceli 1971, esp. 68–70.

22 Grattarola 1988, 27–33 for its dating.

23 Grattarola 1988, 7; a similar argument is made in Casaceli 1971, 69. Grattarola offers no counter to Lamacchia’s linguistic arguments for a later dating.

For the purposes of this chapter, the question of its authenticity is most relevant: one needs to agree that the work is spurious (and thereby constitutes Ciceronian reception rather than an authentic Ciceronian document) in order to accept my main argument. In my analysis I will, however, make the additional case that the kind of reception found in this letter seems to point towards a late antique date.

‘Total reception’

Later generations are often interested in particular aspects of the Ciceronian legacy at the expense of others, and it has even become a trope to say that history has known ‘many Ciceros’.²⁴ This process of selection and fragmentation starts in Antiquity itself. The aforementioned declaimers and historians quoted in Seneca the Elder, for instance, are interested in Cicero as a historical figure and a hallmark of rhetorical skill, but not necessarily in his philosophical output. Late antique Christian writers use Cicero’s philosophical works for their own purposes, but are less interested in his epistolary writings.²⁵

This letter, however, seems to be indebted to almost all aspects of Ciceronian reception, with the exception of his poetry. The language of the text is Ciceronian to the utmost: it features many tags from his works. Its speaker is the ‘historical’ Cicero, who is involved in what is considered one of the most memorable moments of his life, the events leading up to his death. ‘Cicero’ refers to earlier moments of his political career as well, e.g. when he refers to Rome as *per me conservatam ut esset libera* (2), undoubtedly a reference to Cicero’s role in the Catilinarian conspiracy. Its being a letter reminds us of Cicero’s epistolary works. Its structure, rhetorical figures, and invective nature link it to Cicero’s speeches and rhetorical treatises, and the philosophical bent to the speaker’s arguments appear to be nods to Cicero’s philosophical works.

I will elaborate on each of these individual points of contact with Ciceronian models, but it is their cumulative effect which is most remarkable. Because the letter combines the different strands of the Ciceronian legacy, I will argue, we find in it juxtapositions of language and ideas which we would not even expect to find in one single Ciceronian work.

²⁴ For discussion of this ‘trope’ see e.g. Altman 2015b, 4–5; Springer 2018, XV–XVI; Ward 2018, 44. See also Bishop 2015.

²⁵ MacCormack 2013, esp. 256–261.

Ciceronian language

The phraseology found in the letter is the most obvious kind of reception.²⁶ From the very start of the letter proper (*si per tuas legiones mihi licitum fuisset*), we realize that ‘Cicero’ is speaking; many of his speeches start with a similar conditional clause introduced by *si*.²⁷ It seems likely that ancient readers of Cicero were as struck by this as later readers were: in his *Ciceronianus* (LB I 986D = 627 ASD I–2) Erasmus lampoons imitators of Cicero who start their works with such a *si* clause. The phrase itself seems inspired by *Phil.* 5.19 (*si per amicos mihi cupienti in senatum uenire licuisset*)²⁸—expressions from the *Philippics* are used often, which should not surprise us given their popularity in the rhetorical schools.²⁹ Soon, however, the intertextual references verge outside the orbit of Cicero’s rhetorical works: often, the text appears indebted to phrases from Cicero’s letters or philosophical works.³⁰ From this it appears that the author has clearly engaged with the Ciceronian oeuvre as a whole.

Moreover, there appear to be allusions to previous ‘reception moments’ of this theme, those quoted by Seneca the Elder. ‘Cicero’, for instance, announces his plans to leave Rome with *post etiam paulo temporibus ita postulantibus cedam urbe, quam per me conseruatam ut esset libera in seruitute uidere non poterō* (“a little later on I shall leave Rome as well if conditions call for it; saved by me to be free, I shall not have the heart to see her in bondage”, 2).³¹ We might see this as a reflection of two phrases used by Livy, both of which are quoted in Sen.

²⁶ Cf. also Keeline 2018, 190–191 for this point.

²⁷ Examples are provided in the Erasmus passage adduced below and by Gamberale 1998, 56–57.

²⁸ As mentioned by Lamacchia 1968, 53.

²⁹ Lamacchia *et al.* 1979, 429–430; cf. also Bishop in this volume.

³⁰ A random selection of examples, all taken from Lamacchia (cf. her comments *ad locc.*): the construction *nihil aliud nisi* with *nisi* meaning *sed tantum* (as in 1) appears only to be used in Cicero’s letters; the phrase *quis huius urbis ac sedibus usque eo est inimicus* (2) is clearly taken over from *Fin.* 1.4; the phrase *in duobus autem malis cum fugiendum maius sit, leuius est eligendum* (8) appears to be indebted to *Off.* 3.3 (or to Jerome, cf. discussion of the intertextual references to the Church Fathers below, p. 130); *si non una cum corpore sensus omnis uno atque eodem consumptus est igni* (9) appears to be indebted to passages from *Tusculanae disputationes*. and *De senectute* (see analysis below). Cf. also Tandoi 1971, 205 for the author’s indebtedness to Cicero’s *De re publica*.

³¹ The English translation of the *Ad Oct.* quoted in this chapter is that of Shackleton Bailey 2002.

Suas. 6.17: *M. Cicero urbe cesserat* and the phrase *moriar in patria saepe servata*, put into Cicero's mouth.³²

Because of its many Ciceronian tags, Lamacchia labels the text a “mosaico” and speaks of the “tecnica per così dire centonaria del compositore”.³³ Technically, of course, our text is not a cento proper: it is not in poetry and is not *entirely* composed of material from earlier texts. The dense form of intertextuality found in this text, however, does make one think of a particular late antique fascination with the fragmentation of texts and the re-assembling of new material with the help of these fragments.³⁴

Cicero, philosopher

This ‘amalgamation’ of the different genres in which Cicero wrote, however, happens on more levels than the purely linguistic. Consider, for example, the following passage, in which ‘Cicero’ imagines the Roman ancestors hearing about Octavian's crimes:

*Itaque si quid illae maiorum nostrorum sepultae reliquiae sapiunt, si non una cum corpore sensus omnis uno atque eodem consumptus est igni, quid illis interrogantibus quid agat nunc populus Romanus respondebit aliquis nostrum qui proximus illam aeternam domum discesserit?*³⁵

And so, if the buried remains of our ancestors have consciousness, if all sensation has not been consumed along with their bodies by one and the same fire, and they ask how the Roman People is faring at this time, what answer will one of us make, the latest to depart for that eternal dwelling?

This ‘philosophical aside’ marked in italics, mentioning an ‘Epicurean’ account of what happens to the soul after death, is not strictly necessary for ‘Cicero’s’ immediate rhetorical purposes. It could even be seen as weakening the argument: ‘Cicero’ leaves open the possibility that the ancestors do not in fact have consciousness, and that they are not at all affected by the matters of the living. Cicero handles things very differently when introducing Appius Claudius Caecus’ *protopopoeia* against Clodia in the *Pro Caelio*, the closest parallel in the Cicero-

³² Lamacchia 1968, 61.

³³ Lamacchia 1963, 229 and 232 n. 1: the link with Late Antiquity is made in Lamacchia 1979, 433 n. 8. Cf. Gamberale 1998 for a similar argument regarding the spurious *Pridie quam in exilium iret*.

³⁴ Cf. Roberts 1989, 57–58; McGill 2005, xv–xxv.

³⁵ *Ad Oct.* 9.

nian corpus. He asks whether Clodia would prefer Cicero to deal with her “in an old-fashioned manner” or “in a modern way” and continues:

Si illo austero more ac modo, aliquis mihi ab inferis excitandus est ex barbatis illis non hac barbula, qua ista delectatur, sed illa horrida, quam in statuīs antiquis atque imaginibus uidemus, qui obiurget mulierem et pro me loquatur, ne mihi ista forte suscenseat.³⁶

If in the old grim mode and method, then I must call up from the dead one of those full-bearded men of old—not with a trim modern beardlet that she delights in, but a rough one, like those we see on old statues and busts—to rebuke the woman and speak instead of me, so that she may not perhaps be angered with me.³⁷

Cicero then simply continues by relating Appius’ words: the philosophical question of whether or not he is still able to follow the events on earth after his death is not given any attention. Pseudo-Cicero, by contrast, makes a point of implying that there exist multiple explanations of what happens to the soul after death, and of not choosing one of these explanations as the right one. He partly takes on the identity of ‘philosophical Cicero’, who in his dialogues sometimes presents the viewpoints of multiple philosophical schools without making an explicit decision about the ‘correctness’ of these schools. He does so for the question of the immortality of the soul, at hand here, in the first book of the *Tusculanae disputationes*. After adducing arguments for its immortality (*Tusc.* 1.26–74), Cicero adds that others, and not merely Epicureans, have argued against it (1.77). Cicero then proceeds with his argumentation in a different way: *even if* the soul is mortal, death is not to be feared (1.82–116). This entertaining of two philosophical possibilities, I submit, is reflected in the letter.

Linguistic references help the reader in making the connection to Cicero’s *philosophica*. As mentioned by Lamacchia, the specific phraseology of Pseudo-Cicero’s words, *si non una cum corpore sensus omnis uno atque eodem consumptus est igni*, appears to be derived from two specific Ciceronian philosophical passages. In *Tusculanae disputationes* 1.98, Cicero translates Plato’s *Apology* 40c, in which Socrates presents two options in his address to the jury: *aut sensus omnino omnes mors auferat, aut in alium quendam locum ex his locis morte migratur* (“either [that] death takes away all sensation altogether, or that by death a passage is secured from these regions to another place”³⁸). Socrates then characteristically does not choose one of these options as the ‘right’ one, but instead claims that either scenario would be good for him. The second Ciceronian inter-

³⁶ Cic. *Cael.* 33.

³⁷ Translation Gardner 1958.

³⁸ Translation King 1927.

text presents a similar case: in *De senectute* 79–81, Cicero discusses the immortality of the soul with a translation of Xenophon's *Cyropaedia* 8.6.17–22, in which the 'wise' king Cyrus is dying and speaking to his sons. He presents the same two scenarios as Socrates does: either his soul is immortal, in which case his sons should cherish him "as they would a god". Alternatively, he continues, *sin una est interiturus animus cum corpore* ("if my soul is going to perish along with my body"³⁹), his sons should preserve his memory. Whether or not we wish to see these two intertexts as a direct 'allusions', they again make clear that indecisiveness regarding such matters is considered characteristic of philosophers.

We should compare a passage from paragraph 2 of our letter. Following the Ciceronian exclamation *per deum immortalium fidem* ("by the faith of the immortal gods")⁴⁰ we again find the qualification which appears to put in doubt Cicero's own words: *nisi forte frustra eos appello quorum aures atque animus a nobis abhorret* ("unless perchance I call upon them in vain and their ears and mind are averse from us"). This *nisi* clause can either be interpreted as a nod to the Epicurean doctrine that the gods have no interest in human affairs at all, or taken to mean that Pseudo-Cicero believes that the gods have averted their gaze in view of the recent events in Roman politics. Either way, we would again not expect a 'theological' statement such as this in 'regular' Ciceronian invective.

We should especially expect such reception of the 'philosophical Cicero' in Late Antiquity, when his works were mined for information regarding the views of the various pre-Christian philosophical schools.⁴¹ The late antique Vergilian commentator Servius often comments on Cicero's role in passing on this knowledge in comments such as the following on *quietos | sollicitat* (*Aen.* 4.379–380):

Cicero in libris de deorum natura triplicem de diis dicit esse opinionem: deos non esse; [...] esse et nihil curare, ut Epicurei; esse et curare, ut Stoici.⁴²

In his books on the nature of the gods, Cicero says that there are three different opinions regarding the gods: that they do not exist; [...] that they do exist but do not care about this

³⁹ Translation Falconer 1923.

⁴⁰ The expression does not appear in Cicero's oeuvre in this exact way of phrasing, but cf. *pro deorum atque hominum fidem!* in *Tusc.* 5.48; *pro deum hominumque fidem!* in e.g. *QRosc.* 23 and 50; and *di immortales!* in e.g. *Rosc. Am.* 37 and *QRosc.* 4.

⁴¹ MacCormack 2013, 256–258.

⁴² Serv. *Aen.* 4.379–380; translation is my own. For further examples of Servius' mentioning Cicero as a conduit for earlier philosophical reasoning in his commentary on the *Aeneid*, cf. e.g. his comments on *et Maia genitum* in 1.297; *quo sub caelo* in 1.331; *bis senos [...]* *cynos* in 1.393 (only in D-Servius); *mens agitat molem* in 6.727; and *sunt geminae somni portae* in 6.893.

world, as the Epicureans say; and that they exist and do care about this world, as the Stoics believe.

Note again how Cicero is portrayed as someone who does not pin himself down on one of these possibilities, just as Pseudo-Cicero leaves open multiple possibilities in the passage discussed previously.

For the philosophical and late antique bent to our letter, we can also adduce two coincidences with texts from the Latin Church Fathers. In the letter's first sentence we find *nulla remedia quae uulneribus adhibentur tam faciunt dolorem quam quae sint salutaria* ("no treatments applied to wounds are so painful as those that heal"). Cicero uses medical metaphors such as these in his speeches, but the closest parallel appears to be a passage from Augustine's *Homilies on the First Epistle of John* 9.4: *Plus dolet [uulnus] cum curatur, quam si non curaretur: sed ideo plus dolet accedente medicina, ut numquam doleat succedente salute*. The *sententia* from *Ad Oct.* 8, *in duobus autem malis cum fugiendum maius sit, leuius est eligendum*, might be a reflection of a phrase from *Off.* 3.3, *ex malis eligere minima* (which would again 'import' philosophical Cicero into the letter), but we may also note the similarity to a phrase from Jerome's *In Rufinum* 1.11: *Dura utraque condicio est, sed e duobus eligam quod leuius est*.⁴³ If we elect to see the passages from Augustine and Jerome as intertexts, it would mean that the text's 'Cicero' takes on an additional level of philosophical or theological sagacity.

In the light of 'philosophical Cicero' we should also interpret one of the main tenets of the letter: Cicero's claim that it is better to die than to suffer ignominy under Octavian's rule. These are found in sentences such as the following:

Quis tam expers humanitatis, quis huius urbis nomini ac sedibus usque eo est inimicus ut ista aut dissimulare possit aut non dolere aut, si nulla ratione publicis incommodis mederi queat, non morte proprium malum uitet?⁴⁴

Who is so devoid of human feeling and so inimical to the name and dwellings of our city that he can either pretend unawareness of what goes on or be indifferent to it or, if he cannot by any means bring healing to the public ills, would not avoid personal suffering by death?

Cicero's choice of death instead of ignominy may of course simply be seen as a variation of the standard trope, very popular in the rhetorical tradition, of the

⁴³ These intertexts are mentioned by Lamacchia 1968, 115–116.

⁴⁴ *Ad Oct.* 2.

brave man's lack of fear for death.⁴⁵ It is, however, also the topic of the entire first book of the aforementioned *Tusculanae disputationes*. There, for example, the reader learns that both Socrates (1.71) and Cato (1.74) preferred death over the life they would have to live otherwise (just as 'Cicero' does in this letter), and that many wise men awaited their death calmly (1.109–111).

At least one reader interpreted 'Cicero's' resolve to die in this letter in the light of the *Tusculanae disputationes*: Erasmus. In the prefatory letter to Vlatte-nius preceding his Basel edition of that work (1523, reprinted in 1536),⁴⁶ he writes that Christians should not shrink from learning from Cicero's works. Even though he was a pagan, he continues,

nulli dubium esse potest quin crediderit aliquod esse numen, quo nihil esse posset neque maius neque melius. Porro quid senserit de animorum immortalitate, quid de diuersa sorte praemiisque uitae futurae, tum quanta fuerit syncerae conscientiae fiducia, si non satis declarant tot eius libri, certe uel una illa epistola satis arguit, quam ad Octauium scribit, iam, ut apparet, destinata morte.⁴⁷

no one can doubt that he believed in the existence of some supreme power, the greatest and the best thing that can be. And as for his opinions on the immortality of the soul, on the different lots and different rewards in a future life and the great confidence inspired by a clear conscience—if these are not clear enough from all the books he wrote, that one letter at least quite proves the point, which he wrote to Octavius, apparently when his death had already been decided on.⁴⁸

Erasmus was not a naïve reader: he was one of the first scholars to impugn some of the letters written by Brutus in the *Ad Brutum* collection as *declamatiunculae*.⁴⁹ He did not issue the same verdict on this letter, I contend, because its author provided credibility to 'Cicero' by portraying him in line with his philosophical works, and especially one which he finished only a few years before the dramatic date of this letter.

45 Cf. Lamacchia 1968, 6–7; cf. Bishop in this volume on this theme in the *Philippics*.

46 Vallese 1972 studies this letter in the context of Erasmus' engagement with Cicero as a whole; cf. also the discussion in Del Giovane in this volume.

47 Erasmus, *Ep.* 1390 Allen, 339, 58–65.

48 Translation Mynors/Dalzell 1992.

49 Cf. Lamacchia 1967, 55. It is unclear which letters of Brutus Erasmus meant exactly, but we can surmise that they at least included 1.16 and 1.17 (on which see below, pp. 133–134).

Cicero, rhetorician

The reader of this letter is reminded of Cicero's rhetorical credentials by the aforementioned intertextual references to his speeches, the *Philippics* in particular. Moreover, they will be struck by 'Cicero's' use of rhetorical figures, which are so obviously present to the reader so as not to need detailed treatment here.⁵⁰ These are employed, however, to an extent that is not found in Cicero's genuine works, as witnessed by the ten successive rhetorical questions in *Ad Oct.* 6 and the four successive exclamations in *Ad Oct.* 7. We could see this 'over-the-top' kind of rhetorical flourish characteristic of declamation in general, but nothing similar can be found in the declaimers speaking-as-Cicero in Seneca the Elder's aforementioned *Suasoriae* 6 and 7.

By his frequent use of rhetorical figures the author appears to be responding particularly to a late antique reception of Cicero. It has been noted that Cicero's mature rhetorical treatises, such as *De oratore*, *Orator*, and *Brutus*, were not often read in Late Antiquity. *De inuentione* and *Ad Herennium* (which was already considered a work written by Cicero in Late Antiquity),⁵¹ however, were both very popular.⁵² These two books can be said to have a slightly 'mechanical' approach towards rhetoric: book four of *Ad Herennium*, for instance, contains little more than an enumeration and short explanation of all the different figures which the orator has at his disposal. Someone reading this book without comparing, for example, Crassus' remark in *De oratore* that one should be careful in applying these figures, may easily arrive at a view of Cicero as a 'linguistic trickster' *par excellence*.⁵³ This view would be confirmed by texts such as Aquila Romanus' (third-century) and Julius Rufinianus' (fourth-century) *De figuris*: these are also little more than lists of rhetorical figures, many of which are supported by examples from Cicero's speeches. When put in this context, the excessive use of figures in this letter can be understood as a particularly late antique version of the 'rhetorical Cicero'.

⁵⁰ Cf. the overview by Casaceli 1971, 66.

⁵¹ In our extant sources, Jerome is the first to mention Cicero as its author, but there is no way of knowing for how long that view had been around (cf. Hilder 2015, 14).

⁵² Cf. MacCormack 2013, 262–263.

⁵³ Cf. Winterbottom 1982, 261 for Cicero's figures of speech and punning in later reception, often connected to his alleged lack of Atticism.

Cicero, politician

The author of this epistle betrays a keen interest in and considerable knowledge of this particular moment of Cicero's life.⁵⁴ This appears inconsistent with a late antique dating; there seems to have been comparatively little interest in Cicero's political biography during that period.⁵⁵ As late as the beginning of the fifth century CE, however, Orosius could write that it would not be worth his while to discuss the history of the Catilinarian conspiracy in depth:

Romae conscii coniurationis occisi sunt. Sed hanc historiam agente Cicerone et describente Sallustio satis omnibus notam nunc a nobis breuiter fuisse perstrictam sat est.⁵⁶

The accomplices of the conspiracy were executed at Rome. It is enough for us to have sketched its history briefly as everyone knows about these things which were done by Cicero and described by Sallust.⁵⁷

Orosius, then, considers his readers not only very much aware of this part of late Republican history, but also of the pivotal role which the historical Cicero played in these events (*hanc historiam agente*).⁵⁸ There seems to be one other Ciceronian 'life event' which also stays firmly on the radar of late antique historians (and presumably their readers): his death of the hands of the Second Triumvirate.⁵⁹

It does not seem out of place, therefore, for a late antique declaimer to choose this part of Cicero's biography for a rhetorical exercise. Nevertheless, it remains noteworthy that the author of this work appears to be aware of a remarkable number of historical details.⁶⁰ One wonders, therefore, whether the genesis of this work could be similar to that sometimes posited for letters 1.16 and 1.17 (both written by 'Brutus') in the *Epistulae ad M. Brutum*. Scholars who consider

54 Cf. n. 2 for the writer's attempt to embed the letter within a specific historical framework.

55 As acknowledged by Lamacchia *et al.* 1979, 431.

56 Oros. 6.6.5–6.

57 Translation Fear 2010.

58 It seems unlikely that *hanc historiam agente Cicerone* means "because Cicero wrote an account" as translated by Pagán 2004, 136.

59 Both Oros. 6.6.5 and 6.18.11, and Eutr. 6.15 and 7.2 only mention his role in ending the Catilinarian conspiracy during his consulship (but not even his subsequent exile) and his death. [Aur. Vict.] *De uir. ill.* 81, however, has slightly more (see also MacCormack 2013, 262). Cf. further Gasti 2018, esp. 64–70, on Cicero in the late antique epitomators.

60 Scholars have pointed to inaccuracies in these details as well, cf. Lamacchia 1968 and Gratrola 1988 on *Antonium hostem iudicatum* (7) and *si qui dabat prouincias Cassio et Brutis* (8).

them spurious⁶¹ argue that they constitute ‘rhetorical blow-ups’⁶² of views expressed in the genuine letters. That is to say, the forger used the genuine material for a rhetorical re-working of his own. In likewise fashion, it seems possible that the *Epistula ad Octavianum* was written on the basis of content from the then still extant three books of *Epistulae ad Caesarem iuniorem*.

Of the contents of these letters, however, we know next to nothing, except for the fragments quoted by Nonius Marcellus, about thirty of which are unequivocally from the letters between the two.⁶³ In Cicero’s letters to others, we also find references to their correspondence. The latest datable one appears to be found in letter *Ad Brutum* 1.10 (written mid-July 43), in which Cicero complains that Octavian has been subjected to bad influences:

Sed Caesarem meis consiliis adhuc gubernatum, praeclara ipsum indole admirabilique constantia, improbissimis litteris quidam fallacibusque interpretibus ac nuntiis impulerunt in spem certissimam consulatus. Quod simul atque sensi, neque ego illum absentem litteris monere destiti nec accusare praesentis eius necessarios qui eius cupiditati suffragari uidebantur nec in senatu sceleratissimorum consiliorum fontis aperire dubitavi.⁶⁴

But Caesar, who has so far been guided by my counsels and is a fine young man in himself, remarkably steady, has been prodded by certain persons with rascally letters and shiftily go-betweens and messages into a very confident expectation of the Consulship. As soon as I had an inkling of that, I wrote him letter after letter of warning and accused to their faces those friends of his who seemed to be backing his ambition, and I did not scruple to expose the origins of these criminal designs in open Senate.⁶⁵

To one of these aforementioned letters written by Cicero to Octavian we could attribute a phrase quoted by Nonius Marcellus: *amici non nulli <a> te contemni ac despici et pro nihilo haberi senatum uolunt*.⁶⁶ With the benefit of hindsight, this trust in Octavian appears very naïve, and this is what may have prompted

61 Cf. Keeline 2018, 148–150 for a recent portrayal of the *status quaestionis* regarding the spuriousness of these letters.

62 A term used by Shackleton Bailey 1980, 10; cf. 10–14 for a succinct overview of all the arguments adduced for its spuriousness.

63 They can be found in Watt 1958b, 157–161, Lamacchia *et al.* 1979, 386–393 (edited by Agnès), and in Shackleton Bailey 2002, 318–327. There is disagreement regarding the exact number of fragments, since when Nonius cites from letters *ad Caesarem* it is not always clear whether the older of the younger Caesar is meant (see below for an example).

64 *Ad Brut.* 1.10.3.

65 Translation Shackleton Bailey 2002.

66 This fragment (*Ad Caes. iun.* fr. 10) is quoted by Nonius as being from Cicero’s letters to Caesar. Both Shackleton Bailey and Agnès (in Lamacchia *et al.* 1979) *ad loc.* agree with the suggestion, first made by Müller in 1888, that the younger Caesar must be meant.

the writer of the spurious *Ad Brutum* 1.16 to make ‘Brutus’ inveigh against Cicero for his credulity.

At some unknown point after writing *Ad Brutum* 1.10, the historical Cicero must have realized that he had been wrong in trusting Octavian. When that had happened, it is quite conceivable that he wrote one or more letters to Octavian with words to that effect. Writing such a letter may indeed have been the only way in which Cicero, with his position in Roman politics marginalized, may have been able to voice his complaints. Such a letter may easily have ended up in the correspondence later edited by Tiro (if he is indeed the editor), and ultimately be the source for our letter.⁶⁷

Alternatively, if no genuine letter from Cicero to Octavian dating from this period was available to the author of this Epistle, it is still conceivable that he may have been interested in this particular moment of history. Indeed, as Peirano mentions in her aforementioned *Rhetoric of the Roman Fake*, Roman pseudo-authors show a particular interest in ‘filling in the gaps’ of knowledge left open by genuine texts.⁶⁸ In this light it is conceivable that a declaimer in Late Antiquity, when there was still an interest in this part of Cicero’s biography, wanted to ‘fill in’ a question to which the answer was lost or even never known: what his feelings were when he found out that Octavian had betrayed his trust.

The minutiae of the period were still available to any declaimer who had a text of Appian or Cassius Dio at hand. The author may also have had access to Livy’s books on this period or of Sallust’s *Historiae*, which must also have preserved many of these particulars.⁶⁹ The level of historical detail found in the letter, though remarkable, cannot be used as an irrefutable argument against a late antique dating.

Conclusion

The letter can be said to be ‘hyper-Ciceronian’: it encapsulates aspects of almost every part of his *oeuvre* and thereby constitutes a mosaic not just of Cicero’s language, but also of the various strands of his legacy. In this chapter, I have argued

⁶⁷ Weysenhoff 1966, 78–79, however, argues that none of Cicero’s letters to Octavian were in fact ever published, and that Nonius did not have direct access to them. We might see this in the light of Octavian’s attempt at rewriting the history of this period, for which see Keeline in this volume and especially p. 33 with n. 72.

⁶⁸ Peirano 2012b, *passim* but esp. 9–35 and 205–241, on reconstructing specific historical moments in pseudepigrapha.

⁶⁹ Cf. De Franchis 2015, 3 for the lost books of Livy in Late Antiquity.

that this type of reception seems most characteristic of Late Antiquity, a period which is particularly interested in mosaic-like forms of intertextuality. The letter's interest in the 'philosophical Cicero' and its portrayal of an especial kind of 'rhetorical Cicero' also bears the traces of a markedly late antique reception of Cicero. Lamacchia's linguistic and intertextual arguments also point towards that period.

Its dating ultimately remains a question of the balance of probabilities, but the letter deserves attention for more than just that question. As an attempt to reconstruct a picture of the 'whole Cicero', I contend, it is a remarkably complex document, of which scholars of ancient Ciceronian reception should take note.⁷⁰

⁷⁰ Research for this chapter has been made possible by a VIDI grant of the Dutch Research Council (NWO), funding no. 276–30–013. I would like to thank my colleague Christoph Pieper for his advice and ideas.

Carole Mabboux

Can it Ever be Wise to Kill the Tyrant?

Insights from Cicero in the Debate on Rightful Government during the Middle Ages (Especially in the 13th–14th Centuries)

When creating the concept of ‘civic humanism’, Hans Baron regarded Cicero as a reference point of Republican ideals and ‘vita civile’ during the 15th century.¹ In Florence around 1400, Cicero’s symbolic value changed in dialogues livening up the conflict between Florence and Milan. A political Cicero emerged from this war context, inspiring both declamation and civic involvement. An enlarged corpus of Cicero’s works and a better knowledge of his biography supported this new interpretation. Prior to this, however, did medieval readers associate Cicero with a political regime? For two centuries the reflection on government had evolved significantly, influenced by Aristotelian ethics. The engagement with the moral virtues of the ruler extended to the role of the ruled people and the political regimes. Nevertheless, as I will demonstrate here, although Cicero was rediscovered as a political actor, his impact on political theory remained marginal until the end of the fourteenth century.

Among the debates that involved Cicero at the beginning of the fifteenth century, the controversy on tyranny is a particularly interesting example. The theme was continuously discussed throughout the Late Middle Ages and had a particular resonance with Cicero’s thinking and biography. The debate centred around the definition of rightful government, also with the help of historical arguments, and posed ethical questions: how to act when living under tyranny? Can it ever be wise to kill the tyrant?

In the thirteenth century, nearly two centuries before Coluccio Salutati wrote his *De tyranno*, authors only rarely depicted Cicero as a politician. Above all, they considered him a rhetorician and an ethical philosopher.² Nevertheless, he had

¹ The observations by Baron 1966 were qualified or corrected by some historians afterwards: firstly because of his overly generalizing approach to Florentine discourse; secondly, because of discursive opportunism which humanists used in political oppositions (by borrowing from different authorities, depending on the point they wanted to demonstrate); and lastly, because rhetoric played a decisive role in the convergence of ancient knowledge and political culture in Italian *comuni*, placing Cicero at the intersection of these two fields. Cf. Hankins 1995; Nederman 2000. Cf., however, the plea (by Jansen in this volume) for a Republican interpretation of Bruni’s *Cicero nouus*.

² Cf. Mabboux (forthcoming), where I treat the late medieval reception of Cicero on a broader scale.

already enjoyed some success through a civic reading by ‘communal authors’,³ an interpretation that was helped by the general empowerment of the orator within this civic context⁴ and by the frequent circulation of *De inuentione*, *De officiis*, and *De amicitia*. Cicero’s position regarding tyrannicide seemed ambivalent to a medieval reader: on the one hand, he was a Christianized moral author; on the other, he was also considered a (passive) actor in the murder of Caesar.⁵ Sometimes his auctorial authority and his historical persona coexisted only with difficulty. The comparison of Cicero’s reflections with those of other *auctoritates* and the gradual discovery of his correspondence influenced the late medieval interpretation of his political and moral positions. But the question remained: how could the medieval reader follow Cicero’s advice if his behaviour was in contradiction to it?

After synthesizing the literary and human attributes assigned to Cicero during the Late Middle Ages—particularly in Italy—this paper concentrates on the different definitions of tyranny constructed by communal authors and on the ways the past of the Roman Republic is used to support them. Finally, it will focus on the contributions and limits of Ciceronian influence on political thinking during the Late Middle Ages.

Defining a medieval Cicero

A limited corpus: standards of speech and behaviour

What did a medieval reader know about Cicero’s life and works? Cicero was the undisputed master of rhetoric during the Middle Ages: the *trivium* elected him *magister eloquentiae* in Late Antiquity.⁶ *De inuentione* and *Rhetorica ad Herenni-*

3 I use the term ‘communal’ with reference to authors and literature in the context of the society of the Italian *comune* of the Late Middle Ages.

4 Communal literature of the second part of the thirteenth century saw a strong link between rhetoric and politics. In a government with heavy emphasis on the discussion during assemblies, civic engagement implied speaking. The *libri de regimine* and the rhetorical treatises depicted the involved citizen as an eloquent and prudent orator, aware of the power that eloquence gives him. On this topic, see Artifoni 2006, 2012.

5 At the same time, Cicero’s death was itself attributed to tyrants, according to some verses from the *Anthologia Latina* (*Anth. Lat.* 608.5–6 Riese): *Hunc tamen (o pietas!) tres occidere tyranni; / at Lamia ille pio subposuit tumulo* (“However, three tyrants killed him, but Lamia placed him in a pious grave”). The *Anthologia Latina*, a collection of Latin poems, most of them composed during the Imperial Age, was a common reference for medieval authors, cf. Zurli 2017.

6 Murphy 1974, 106–107.

um (mistakenly attributed to him) were the most copied Ciceronian texts during the thirteenth and fourteenth centuries. However, Cicero was a master without students. Medieval teachers generally considered his advice as outdated; handbooks made only few references to him.⁷ His judicial rules were reframed to fit written rhetoric, primarily expressed as *ars dictaminis* (the art of letter writing).⁸ Despite these adjustments, Cicero was generally considered the embodiment of rhetoric.⁹

Cicero, after having been Christianized by the Church Fathers, was also a moral figure. Especially three texts of his final years were highly successful, which is partially reflected by the high number of copies: *De officiis*, *De amicitia*, and *De senectute*. They gained greater importance from the end of the twelfth century, even though the Italian *curricula* still excluded them during this period.¹⁰ Their quotations were, however, omnipresent in moral *florilegia*. Cicero's Christianized morals traditionally guided the *ecclesia*,¹¹ but during the thirteenth century, they were gradually applied to civic rules. In an Italian context, this development coincided with the increasing influence of a 'social' Aristotle (*Nicomachean Ethics*, *Politics*), whose works were quoted and progressively translated. From the 1240s, because of the increased diffusion of the eighth and ninth book of the *Nicomachean Ethics*, new categories began to be used in order to describe friendship.¹² According to Aristotle, citizenship is an expression of friendship, as it is based on a free choice of cohabitation and collective action. This

7 Boncompagno da Signa was certainly the most vehement critic of Cicero. He was a *magister* of grammar and rhetoric in Bologna during the first decades of the thirteenth century. Boncompagno thought he had to compose a new *Rhetorica* because his students were no longer interested in Cicero's texts; cf. Boncompagno da Signa, *Rhetorica nouissima*, prol.: *Rhetorica compilata per Tullium Ciceronem iudicio studentium est cassata, quia numquam ordinarie legitur, immo tamquam fabula uel ars mechanica latentius transcurritur et docetur* ("In the judgement of the students, the rhetoric put together by Cicero is inane, wherefore it is never ordinarily read in lecture, or rather it is very obscurely taught and glossed over like a fable or a mechanical art", transl. Carruthers/Ziolkowski 2002, 103).

8 Cox 2006; Grévin/Turcan-Verkerk 2015.

9 For the Franciscan Salimbene de Adam, for example, Cicero embodied the third art of the *triuuium*, cf. Salimbene de Adam, *Cronica* 552: *Sed nec gramatica, nec dialetica, nec flores Tullii quos erudierant a morte liberant huius exili* ("But neither grammar, nor dialectic, nor Cicero's flowers freed from the death of this exile those whom they educated").

10 From a Florentine corpus, Black 2001, 197, 211–212 concludes that Cicero's moral essays were not studied in classrooms during the thirteenth and fourteenth centuries. According to him, they began to be used for educational purposes in Italy in the fifteenth century.

11 For instance, *De amicitia* was read as encouraging the love of God's creatures and *caritas*. Cf. Fuchs 2013.

12 Sère 2007, 35–38, 76–83, 401–402.

new source incited some communal authors to express political rules in terms of friendship.¹³ The reception of *De officiis* developed in a similar way, since it progressively formed the underpinning of the reading of Aristotle's texts. In contrast to this, *De senectute* was rarely quoted, but it was nevertheless frequently copied as a complement of *De amicitia*.

In addition to these texts—to which we can add *Somnium Scipionis*, *Paradoxa Stoicorum*, and *Tusculanae disputationes*—Cicero was also known through intermediaries.¹⁴ However, his historical character had been overshadowed as his correspondence was only found in the mid-fourteenth century and his speeches were rarely copied. The most famous event in his life was the Catilinarian conspiracy, as recorded in the work of Sallust.¹⁵ Similarly, the *Catilinarian Orations* were Cicero's speeches that were copied most often; equally successful was the fake invective addressed to Sallust.¹⁶ By the thirteenth century, the Caesarian speeches (*Pro Marcello*, *Pro Ligario* and *Pro rege Deiotaro*) gradually rivalled the Sallustian texts.¹⁷

Through this reduced corpus, Cicero appeared as a wise rhetorician concerned with the common good, and in a minor way as a guardian of Republican interests. During the fourteenth century, this image of Cicero was gradually changed because of the discovery of his political opinions and behaviours.

The discovery of the senator behind the *auctoritas*

By the second part of the thirteenth century, Cicero's link with political action—and especially with Caesar's power—was uncovered by new sources, which led to an update of existing interpretations of his life. In Italian *comuni*, the *dictatores*, authors of rhetorical and official writings such as notaries, chancellors, and masters of rhetoric, paid more attention to the political influence of Cicero the orator (which went together with an enhanced emphasis on his oratory as such).

In the 1260s, several authors, including the notary Brunetto Latini, the judge Bono Giamboni, and the teacher of rhetoric Guidotto da Bologna, described the

¹³ Artifoni 2006, 2012.

¹⁴ Cf. Schanz 1927, 546: "Im Mittelalter wurde Cicero mehr gepriesen als gelesen".

¹⁵ Bolaffi 1949.

¹⁶ Novokhatko 2009, 3–26.

¹⁷ Parts of the *Catilinarian Orations* were translated into the Tuscan language before 1313. Similarly, the *Caesarian Speeches* were translated by Brunetto Latini during the second part of the thirteenth century. Cf. Guadagnini/Vaccaro.

rules of eloquence in the vernacular. At the same time several anonymous commentaries on Ciceronian works gave a civic dimension to rhetoric, based on *Inu. rhet.* 1.1, and warned of the dangers of an orator lacking wisdom.¹⁸ In these commentaries Cicero was referred to in order to establish a kind of citizenship that was based on oratory: for the well-being of a community it became crucial to define rules for oratory.¹⁹ Shortly afterwards the re-evaluation of Cicero's biography in terms of exemplarity enriched this new political view. The narration of his life gradually evolved from the 1320s with the 'discovery' and the new use of ancient texts; it was also influenced by a new conception biography as a genre.

In educational literature, for example, the norms of the *accessus* (a short introduction addressed to student readers, presenting the text and the author's intentions) evolved gradually. By the twelfth century, the *accessus* focused on the work, so that information about the author was only relevant as long as it served the explanation of the text. Even when Cicero's political life was known, it was set aside in order to focus on his portrayal as author.²⁰ The influence of Aristotle's theory of causation on the composition of *accessus*²¹ gave greater importance to the human faculties of the author. He became the efficient cause (*causa efficiens*) of the text, which transformed his role from being an authority

18 Prefaces of several commentaries asserted that political claims should be supposed by a perfect command of eloquence; see for example the Tuscan translation of *Rhetorica ad Herennium*, identified by its incipit *Nel sesto dì* (ms. Florence, Biblioteca Medicea Laurenziana, Plut. 43.6, fol. 1r) and the commentary of *Trattatello di colori rettorici*. Cf. Scolari 1984.

19 This public concern is also found in the introduction of the anonymous *Fiore di rettorica*, a vernacular version of the *Rhetorica ad Herennium*. The first version of this work presented Cicero as a protector of the city against a speech "dangerous as a sharpened knife in the hand of a madman" (*Fiore di rettorica* 1, in: Speroni 1994, 3–4: "E io, veggendo nella favella cotanta utilidade, sì mi venne in talento, a priego di certe persone, della Rettorica di Tulio e d'altri detti di savi cogliere certi fiori, per li quali del modo del favellare desse alcuna dottrina. [...] la sua favella così è in lui pericolosa come uno coltello aguto e tagliente in mano d'uno furioso").

20 For instance, in an introduction to *De officiis* (ms. Milan, Biblioteca Ambrosiana, F 42 sup, fol. 36r–36v): *Tullius uidens romanam rem publicam uiciis quorundam Romanorum [lacuna] postposuit curam rei publicae et adhesit studio philosophiae. Sciens igitur a uiciosis quibus resistere non ualebat non posse regi ciuitatem super quam maximam curam habebat. Maluit tractare de huius modi genere philosophiae per quod posset eos reuocare a uiciis quam de alio. Ad quod maxime ualebat tractatus de officiis.* ("Seeing that the Roman Republic was [flawed] by the vices of some Romans, Cicero set aside his care for the state and turned to the study of philosophy. He knew that the Republic, for which he had cared so much, could not be governed by vicious people against whom he was not strong enough to resist. Therefore he chose to deal with the kind of philosophy with which he could revoke them from their vices and the rest. This is the main aim of *De officiis*.").

21 Minnis 1984, 27–29.

into that of creating *agens*. At the same time, the encyclopaedias of the thirteenth century presented Cicero as a citizen in a specific historical setting. Among them, Brunetto Latini's *Tresor* was one of the more successful compendia in Italian *comuni*. Latini depicts Cicero as a brave senator, encouraged by Cato—a symbol of virtue—to discourage his opponents with words and with force.²² Latini's use of Cicero is symbolic: despite his admiration for him, he favours references to other characters, especially Caesar. This hints at a more general tendency: in medieval literature the senator 'Cicero' remained only a secondary character, while the rhetorician and philosopher 'Tullius' was an ever-present point of reference.²³

The first independent biographical text on Cicero is an introduction to a compilation of his works copied in Verona c. 1330.²⁴ The anonymous biographer elaborates at length on Cicero's humble origins and his involvement in the defeat of Catiline.²⁵ The emphasis on Cicero's supposed poverty in early life on the one hand helps to give prominence to his merits and on the other hand to depict Catiline as a wicked nobleman. Also in other communal sources the historical character Cicero was presented as the symbol of a *homo nouus* who supported measures against old families.²⁶ In this context, this first biography, in spite of representing a new literary format, gathered widely-known elements about Cicero. Until the mid-fourteenth century, any political portrait of Cicero was meant to provide details about his intentions rather than his actions: a medieval reader did not have explicit knowledge of Cicero's senatorial practices, but regarded him as a figure of high authority in establishing the norms of a stable civic life.

A watershed occurred in 1345 when Petrarch read the letters *Ad Atticum* for the first time. By entering the private life of Cicero, he discovered Cicero's opportunism and his thirst for acknowledgment. As the correspondence sometimes opposed the morals of the philosopher, it caused a passionate debate between some authors of the fourteenth century regarding Cicero's choices and, more generally, the role of philosophers in the city. Petrarch was especially vehement and addressed a famous letter to Cicero to express his distress.²⁷ Similarly, the

²² Brunetto Latini, *Tresor*, 1.36.5, 3.35.6.

²³ For example, in the *Speculum historiale* of Vincent of Beauvais, among the 129 sections devoted to the period from 48 BCE to 15 CE, 25 sections are dedicated to Tullius and only one to Cicero. Cf. Draelants 2004.

²⁴ *Ciceronis Vita Trecensis*, in: Tilliette 2003. The author used the Church Fathers, Sallust, Seneca and Valerius Maximus, the *Anthologia Latina* and some information extracted from Cicero's works.

²⁵ For example, Cicero was alleged to be the son of a blacksmith. Cf. *Ciceronis Vita Trecensis*, in: Tilliette 2003, 1064.

²⁶ Osmond 2000.

²⁷ Petrarch, *Fam.* 24.3.

letters of Cicero offered material for a new critical appraisal of the Roman Civil War. Through these letters, the role of several characters in these events were re-evaluated, and the debates echoed contemporary political debates, notably on the rightful ruler.²⁸

Identifying the tyrant

How to define tyranny?

The debate on how to define tyranny escalated in communal literature during the fourteenth century, in connection to a changing political geography. Debates focused on the legitimacy of despotic power and, especially, on the methods to remove it. Aristotle's work greatly contributed to this debate. As Claudio Fiocchi has highlighted, the 1260s were a pivotal moment for the change from a theological to a political definition of tyranny.²⁹

Previously the tyrant was defined as a ruler who disrespected God's laws, of which he was supposed to be the protector.³⁰ Thus, tyranny was the outcome of a moral weakness that raised theological questions. In contrast, Aristotle proposed that tyranny was not an individual deficiency but an unfavourable evolution of a specific type of government: the monarchy.³¹ Tyranny was not a moral problem; it demonstrated that the institution was perverted and that the wrong rulers had been elected.³² This new definition of tyranny also gave a new role to the ruled people. The Christian tradition had recommended submission. According to Paul, "there is no authority, except from God".³³ That is why, traditionally, medieval theologians established that a lawfully vested ruler should be respected, even if he became unworthy.

As a result of the sketched change, from the 1260s onwards several definitions of tyranny existed, which I describe here as civic (the ruler disrespects the common weal), pathos-laden (the ruler yields to *hybris*), and legal (the ruler disrespects sovereignty):

1. In *De regno*, Thomas Aquinas associated tyranny with the depreciation of the common weal: the ruler considered the interests of the community below his

²⁸ Cf. recent treatments of the theme by Hermand-Schebat 2011; Casale 2013b; Boldrer 2019.

²⁹ Fiocchi 2004, 66–68.

³⁰ Canning 1987, 17–21.

³¹ Bodéüs 1999.

³² Arist. *Pol.* 5.10.

³³ Rm. 13:1.

own.³⁴ Following the Aristotelian classification of governments, Thomas viewed tyranny as a perverted monarchy. According to him, the personality of a ruler did not make him a tyrant over time; it was the institutions and the nonchalance of the community that allowed this behaviour. Institutional protection for Italian communities became more important at the end of the thirteenth and the beginning of the fourteenth centuries, a time of political turbulence. On the one hand, the allegation of tyranny was a political strategy in the factional opposition between Guelphs and Ghibellines.³⁵ As showed by Rosa Maria Dessì, in Florence the Guelphic faction built its civic identity by opposing despotism after 1260: therefore, it described the actions of the Ghibellines as tyrannical operations.³⁶ On the other hand, some of the *comuni* evolved into urban lordships (*signorie*).

2. Misuse of power could rapidly contaminate the exercise of such personal or family authority. For example, Ezzelino da Romano, who ruled in Verona, embodied a pathos-laden concept of tyranny from the mid-thirteenth century.³⁷ With such characters, this political topic became the object of storytelling. In 1313, Albertino Mussato in his *Ecerinis* transformed Ezzelino into a tragic figure, tormented by his hunger for power and condemned to divine punishment. The *Ecerinis* departs from Aquinas' definition of tyranny, which becomes a psychological and temperamental feature and manifests itself in mindless acts and cruelty. With Mussato, tyranny was equalled to a constant fear of a massacre;³⁸ from the depreciation of the common weal it turned into an attack against the people. Mussato created an esthetical model of tyranny inspired by Seneca's tragedies. A similarly bloody depiction of despotic government appeared in Petrarch's *De remediis utriusque fortunae* in 1367. In a dialogue, Reason blames the happy ruler

³⁴ Thomas Aquinas, *De regno* 1.3 (in: Carron 2017, 110–111).

³⁵ From the end of the twelfth century, two *partes* emerged in the conflict between the Pope and the Holy Roman Emperor. The Guelphs supported the former, the Ghibellines the latter. Over time, independently of the conflict of universal powers, these *partes* were used for forming opposition or coalition between cities.

³⁶ See, for example, the statement of Matteo Villani in his *Cronica*, written after 1348: "The Guelphic part is indeed the base and the building block of the Italian freedom, opposed to all tyrannies. So that if a Guelph becomes a tyrant, he becomes Ghibelline, as experience has shown". Cf. Dessì 2005, 36–39; 2011, 29.

³⁷ Canning 1987, 35–36. Ezzelino became the medieval counterpart of Nero, who embodied Roman tyranny during the Middle Ages. Cf. Bjai/Menegaldo 2009.

³⁸ Cf. Albertino Mussato, *Ecerinis* 117–123: *Nescitis cupidi nimis / quo discrimine queritis / regni culmina lubrici: / diros expetitis metus, / mortis continuas minas. / Mors est mixta tyrannidi, / non est morte minor metus* ("In your excess of desire you know not the danger that besets your quest for the slippery heights of power. It is dreadful fears you chase after and unending threats of death. Death is inseparable from tyranny, nor is fear something less than death", transl. Grund 2011).

who asserts to exercise *tyrannis* by pointing out his immorality: “Your power is plundering and slaughter; you glut yourself on gold and blood, like a jackdaw, greedy for gold, clings to its loot, or like the leech, who does not relinquish the skin unless he is full with blood” ([*GAVDIUM*:] “*Tyrannidem in ciues exerceo*”. [*RATIO*:] “*Predam atque carnificiam, auro implendus et sanguine, auri sitiens monedula tenaxque, nec missura cutem nisi plena cruoris hirudo*”).³⁹

3. The controversy over the universal power of the Empire and the Church encouraged thinkers to define tyranny in legal terms. By the late thirteenth century, jurists reflected on the possibility to depose illegitimate power. In the middle of the fourteenth century, tyranny became the topic of specialised treatises that established tyranny as an usurpation of sovereignty. According to the professors of law Bartolo da Sassoferrato and Baldo degli Ubaldi, a tyrant is a ruler who imposes his authority at the expense of a legitimately existing power. Only this legitimate power could legally act against the tyrant.⁴⁰ According to Bartolo, usurpation of sovereignty was an attack on the *ciuitas*, while for Baldo it was one on providence (thus, Baldo combined a legal and a theological definition of tyranny).⁴¹

During the fourteenth century, these three different definitions coexisted and were sometimes merged. In *De tyranno*, for instance, Coluccio Salutati defined tyranny as a power obtained by one or several persons through usurpation, or a ruler who consciously commits injustices.⁴² More generally, as Aristotle had defined tyranny as the harmful part of monarchy, there was a risk of despotism when choosing this type of government. Does individual power facilitate tyrannical behaviour? Would it be safer to impose a collective form of power? Questions like these triggered a lively debate, as shown by the contradictory words of some works written by more than one author. For instance, in *De regno*, composed for the King of Cyprus, Thomas Aquinas explained that a monarchy, even a despotic one, was better than the risks of conflict caused by an oligarchy.⁴³ Nevertheless, the Dominican Bartholomew of Lucca, when completing Thomas’ *opera*, associated monarchy with tyranny when he divided types of government into two groups: *regimen despoticum* and *regimen politicum*. Bartholomew defined the ‘political’ regime (or *politia*) as a collective government.⁴⁴ In contrast, he combined individual governments within the category ‘despotic’ regime. By

³⁹ Petrarch, *Rem.* 1.95.7–8.

⁴⁰ Canning 1987, 225–226; Fiocchi 2004, 125–130.

⁴¹ Quaglionni 1980, 68–69.

⁴² Salutati, *Tyr.* 1.8 (in: Baldassarri 2014, 78). Cf. Turchetti 2001, 300–301.

⁴³ Thomas Aquinas, *De regno* 1.5 (in: Carron 2017, 124–125). Cf. Lamy 2013, 256–259.

⁴⁴ Black 2010, 51.

mentioning biblical authorities, Bartholomew affirmed that monarchy is legitimate but that a political regime would be preferable.⁴⁵ Accordingly, he proposed a geographical, historical, and hierarchical theory of governments, concluding that Italy was specifically intended to develop republicanism.⁴⁶ Unlike Aristotle and Plato—who are frequently quoted by Bartholomew—Cicero is rarely mentioned as a source for establishing such a constitutional hierarchy. His case is representative: generally Cicero's political life is rarely connected to the debates on tyranny, even though some medieval authors identified Julius Caesar as a despot.

Cicero, Caesar, and the Civil War

Authors in the Renaissance dedicated full pages to Julius Caesar's ambition and his dramatic death. In contrast, Caesar entered the narrative scene in medieval literature only at a late stage, at the beginning of the thirteenth century.⁴⁷ He was given the courteous image of a conqueror and virtuous knight, a model of a victorious military leader.⁴⁸ As conveyed by Augustine, Caesar also appeared as the creator of the Roman Empire.

Medieval texts that mention Cicero and Caesar together focused on their military feats in Gaul: they did not distinguish between Marcus Tullius and his brother Quintus.⁴⁹ At the same time, Cicero's actions during the Civil War received little attention, except in the literary overview of Brunetto Latini, who stressed several times the damage Caesar's ambitions caused to the Republic. Brunetto assessed Cicero's political position through his Caesarian speeches *Pro Marcello*, *Pro Ligario*, and *Pro rege Deiotaro*. Being inspired by these texts, Brunetto praised the merits of Pompey and emphasized the selfishness of his opponent. He thereby established a dualist vision of this confrontation, contrasting the sound stability of collectivity to the dangerous impulsiveness of individual

⁴⁵ Bartholomew of Lucca, *De regno* 6.1.

⁴⁶ Blythe 2005, 156–171.

⁴⁷ Croizy-Naquet 2006, 39.

⁴⁸ During the Middle Ages, Caesar was not considered as an author. Up to the second half of the fourteenth century, *De bello Gallico* was attributed to Suetonius or to an anonymous grammarian.

⁴⁹ This confusion was for instance transmitted by the successful *Faits des Romains*, a French compilation of Roman historians, and by the *Speculum historiale* of Vincent of Beauvais.

ambition.⁵⁰ In *Rettorica*, Brunetto insists that Caesar was harmful and asserts that Cicero's involvement with Pompey was for the sake of the Republic:

Nella guerra di Pompeo e di Julio Cesare si tenne con Pompeo [sc. Cicerone], sicome tutti 'savi ch'amavano lo stato di Roma; e forse l'appella nostro comune però che Roma è capo del mondo e comune d'ogne uomo.⁵¹

During the war between Pompey and Caesar, he supported Pompey, like every wise man who loved Rome did. He calls Rome 'our *comune*', maybe because Rome is the head of the world and *comune* of every man.

Because of his universalistic take on Roman history, Brunetto applied statements like these to the present. He encouraged the reader to interpret the Caesarian threat as a metaphoric menace facing each Italian *comune*. Such a historical argument supported Brunetto's Guelphic position.⁵² More than once he refers to the superiority of communal power over any individual power.⁵³ Brunetto condemned Caesar for seizing power against the advice of the Senate and for his legal practice, which he considered unfair. When he popularized the Caesarian speeches, Brunetto presented Cicero as a protector of just causes and guardian of the common good. According to him, as a spokesperson Cicero defended men of great political and moral qualities. Deiotarus, accused of instigating Caesar's assassination, is described as a "great and noble" man ("in difensione del grande e gentile uomo Deiotaro"), "friend of the *comune* and the Roman Senate" ("lo quale sempre era stato amico del commune e del sanato di Roma").⁵⁴ By defending these people, Cicero demonstrated his commitment to legitimate power. Through the case of Cicero, Brunetto judged political and communal behaviour and proposed the most updated interpretation of the confrontation between Cicero and Caesar of the thirteenth century. His viewpoint remained an exception for at least two more generations.

Outside the Italian *comuni*, a hostile description of Caesar existed from the twelfth century onwards. In the 1150s, for instance, John of Salisbury described him as a tyrant, who governed by violence and was murdered with the agree-

⁵⁰ Brunetto Latini, *Tresor* 1.36.6–38.1.

⁵¹ Brunetto Latini, *Rettorica* 1.

⁵² Brunetto Latini sustained the pro-papal Guelphic position against the imperial influence on Italian *comuni*, cause of his exile from Florence in 1260. In the *Tresor*, he describes Manfred, the pretender to the imperial crown, as a monster, an evil figure averse to God and reason. Cf. Carmody 1948, 79.

⁵³ Brunetto Latini, *Tresor* 2.44.1.

⁵⁴ Brunetto Latini, *Per lo re Deiotaro* (in: Lorenzi 2018, 229–230).

ment of the Senate.⁵⁵ In contrast, numerous works portray Caesar in a flattering light. During the 1260s, for example, the anonymous *Fiore di filosofi* described his government as a reign of clemency.⁵⁶ This positive notion of Caesar and his government was predominant in literature for several decades,⁵⁷ and Caesar's murder was not interpreted as tyrannicide. Dante wrote the most famous condemnation of his murderers: he compared Brutus and Cassius to Judas and placed them in the *Inferno*. He accused them of treason and irresponsibility because their action killed a man capable of providing weal to humankind.⁵⁸

In contrast to Caesar, the medieval Cicero seemed to be neutral during the Civil War.⁵⁹ In 1336, when Giovanni Colonna wrote a short biographic text about Cicero, he put Cicero in the Republican context through a series of jokes from Macrobius.⁶⁰ He thereby describes Cicero as a character who played a uniting role in Republican conflicts. According to Colonna, Cicero was a peace broker without any political strategy. Moreover, immediately after Caesar seized power, Cicero devoted himself to a philosophical life far removed from the public space.⁶¹

In short, during the Middle Ages the conflict between Cicero and Caesar provided little space for any political assertiveness of Cicero through actions or theory. Although the restricted corpus of his works gave some essential information about Cicero's opinions on the choices made by Caesar, the medieval political debates rarely used them.

⁵⁵ John of Salisbury, *Policraticus* 8.19.

⁵⁶ Cf. *Fiore di filosofi* p. 23 Cappelli: "[Julio Cesare] fue avventuroso in tutte battaglie ch'egli fece, e fue lo primo imperatore ch'ebbe solo la signoria del mondo, e fue sì benigno che quelli ch'egli non vincea con arme vincea con clemenza e con benignità" ("Julius Caesar was adventurous in the battles he led, and he was the first emperor who governed the whole world alone; and he was so kind that the persons he did not conquer by weapons were conquered by his clemency and his kindness").

⁵⁷ Ricci 1971; Russo 1987, 23–30.

⁵⁸ Dante, *Commedia*, *Inf.* 34.64–69. See Sol 2005, 37–41.

⁵⁹ See La Bua in this volume for a different conceptualization of his role in Antiquity.

⁶⁰ Colonna uses excerpts from the second book of the *Saturnalia*, from a chapter devoted to famous jokes of Cicero.

⁶¹ Giovanni Colonna, *De uiris illustribus* (in: Ross 1970, 562): *Demum cum Cesar coniurantibus Bruto et Cassio et aliis senatoribus esset occisus et bellis ciuilibus iterum renascentibus, Tullius iam etate confectus in Tusculano suo secessit et otio uacabat et lictis, ut in quadam in Atticum amicum suum epistula refert*. ("When Caesar was murdered by the conspirators Brutus and Cassius and by other senators, and when the civil war broke out again. Cicero, already old, withdrew to his villa in Tusculum and committed himself to *otium* and literature, as we can see in a letter addressed to Atticus").

Cicero's thoughts and actions: an ambiguous legacy in the debate on rightful government

How Cicero legitimized tyrannicide

The relative neglect of Cicero's political theory is surprising from a modern perspective; but it is also remarkable if one thinks of medieval reading canons. In *De officiis*, Cicero underlined the mistakes Caesar made in his strife for personal power.⁶² His most vigorous assertion against tyranny is found in book 3:

Nulla est enim societas nobis cum tyrannis et potius summa distractio est, neque est contra naturam spoliare eum, si possis, quem est honestum necare, atque hoc omne genus pestiferum atque impium ex hominum communitate exterminandum est.⁶³

We have no ties of fellowship with a tyrant, but rather the bitterest feud; and it is not opposed to Nature to rob, if one can, a man whom it is morally right to kill; nay, all that pestilent and abominable race should be exterminated from human society.

This text on the legitimization of tyrannicide was written a few months after Caesar's murder. According to Cicero, the necessary liberation of a community from despotic power justifies violence and murder. But even if *De officiis* was famous during the Middle Ages, authors rarely referred to this excerpt. Bartholomew of San Concordio quoted it in his *Documenta antiquorum* and translated it into the vernacular between 1302 and 1308 for the banker Geri degli Spini, the head of the Black Guelphs of Florence.⁶⁴ More generally, the Christian tradition supported a restricted reading of this excerpt. Aquinas, for example, alluded to it in his commentary *In quattuor libros Sententiarum* and partly contrasted it:

Nullus tenetur ei obedire quem licite, immo laudabiliter potest interficere. Sed Tullius in libro *De officiis* saluat eos qui Iulium Caesarem interfecerunt, quamvis amicum et familiarem, qui quasi tyrannus iura imperii usurpauerat. Ergo talibus nullus tenetur obedire. ...

⁶² Cf. Cic. *Off.* 1.26: *Nam quidquid eiusmodi est, in quo non possint plures excellere, in eo fit plerumque tanta contentio, ut difficillimum sit seruare sanctam societatem. Declarauit id modo temeritas C. Caesaris, qui omnia iura diuina et humana peruertit propter eum, quem sibi ipse opinionis errore finxerat principatum.* ("Whenever a situation is of such a nature that not more than one can hold preeminence in it, competition for it usually becomes so keen that it is an extremely difficult matter to maintain a 'fellowship inviolate'. We saw this proved but now in the effrontery of Gaius Caesar, who, to gain that sovereign power which by a depraved imagination he had conceived in his fancy, trod underfoot all laws of gods and men", transl. Miller 1913).

⁶³ Cic. *Off.* 3.32, transl. Miller 1913.

⁶⁴ Nannucci 1840, 343.

Tullius loquitur in casu illo quando aliquis dominium sibi per uiolentiam surripit, nolentibus subditis, uel etiam ad consensum coactis, et quando non est recursus ad superiorem, per quem iudicium de inuasore possit fieri: tunc enim qui ad liberationem patriae tyrannum occidit, laudatur, et praemium accipit.⁶⁵

If it is a legitimate and even a praiseworthy deed to kill a person, then no obligation of obedience exists toward that person. In *De officiis*, Cicero justifies Caesar's assassins. Although Caesar was a close friend of his, yet by usurping the Empire he proved himself to be a tyrant. Therefore, toward such powers there is no obligation of obedience. Cicero speaks of domination obtained by violence and ruse, the subjects being unwilling or even forced to accept it and there being no recourse open to a superior who might pronounce judgement upon the usurper. In this case he that kills the tyrant for the liberation of the country, is praised and rewarded.

Following Pauline precepts, each Christian has to obey secular powers, including despots.⁶⁶ According to Aquinas Cicero was correct, but only for the specific case of a tyrant (for Thomas, this means a ruler who negates the common weal) who has usurped the power by violence. Thomas moderated his interpretation a few years later in *De regno* by suggesting that a community can eliminate its ruler by dismissal and not by murder if he has betrayed collective happiness. As a corroboration of his argument Thomas insisted on the non-apostolic nature of tyrannicide.⁶⁷

Only a few authors continued, opposed or even quoted Cicero's arguments on tyrannicide, although numerous theologians and jurists used Thomas' corpus. Even Lucas de Penna, a supporter of tyrannicide, when commenting on

⁶⁵ Thomas Aquinas, *Scriptum super Sententiis* II. Dist.44, q.2, a.3 (transl. Dominican House of Studies). For tyranny in Thomas Aquinas see Morgain 2005.

⁶⁶ *Ibid.*, q.2 a.2. Cf. Turchetti 2001, 252–273.

⁶⁷ Thomas Aquinas, *De regno* 1.7 (in: Carron 2017, 134–139): *Et si sit intolerabilis excessus tyrannidis, quibusdam uisum fuit ut ad fortium uirorum uirtutem pertineat tyrannum interimere, seque pro liberatione multitudinis exponere periculis mortis. [...] Sed hoc apostolicae doctrinae non congruit. [...] Videtur autem magis contra tyrannorum saeuitiam non priuata praesumptione aliquorum, sed auctoritate publica procedendum. Primo quidem, si ad ius multitudinis alicuius pertineat sibi prouidere de rege, non iniuste ab eadem rex institutus potest destitui uel refrenari eius potestas, si potestate regia tyrannice abutatur.* ("If the excess of tyranny is unbearable, some have been of the opinion that it would be an act of virtue for strong men to slay the tyrant and to expose themselves to the danger of death in order to set the multitude free. [...] But this opinion is not in accordance with apostolic teaching. [...] Furthermore, it seems that against the cruelty of tyrants an action must rather not be undertaken through the private presumption of few people, but with public authority. First, if to provide oneself with a king belongs to the right of any multitude, it is not unjust that an installed king be deposed or have his power restricted by that same multitude if he abuses the royal power in a tyrannical way."). Cf. Fiocchi 2004, 68–87.

the *Corpus iuris civilis* in the 1350s, only quoted *De amicitia* about the despot. He restrained from using Ciceronian propositions in favour of moral considerations:

“In uita quippe tyrannorum nulla fides, nulla pietas, nulla spes, nulla charitas, nullus beniuolentie locus, omnia semper suspecta atque sollicita sunt. Quis enim eum diligat quem metuit: aut eum a quo se metui putat?” (Cic. *Sen.* 52–53) Tyrannus uir est deceptionis illudens, detractationis artifex, figulus falsitatis, qui dolum dirumque nephas semper sub pectore uersat, dixit Tullii liber *De amicitia*.⁶⁸

“In the life of tyrants, there can be no faith, no hope, no affection, no place for goodwill; every act arouses suspicion and anxiety. For can anyone love either the man whom he fears, or the man by whom he believes himself to be feared?” The tyrant plays with deceit. He is a master of slander, a shaper of lie, who turns over in his mind trickery and dire sacrilege, as Cicero said in *De amicitia*.

This excerpt from *De amicitia* was common, in contrast to Cicero's quotes on tyranny in *De officiis*. For instance, it was chosen by the jurist Alberico da Rosciate in his commentary of the *Corpus iuris civilis* in order to complement Seneca's ethical considerations about tyranny.⁶⁹

The discovery of a large part of Cicero's biography during the fourteenth century usually associated him with tyrannicide, but it did not automatically lend his political thoughts more credibility. The first humanists temporarily blackened Caesar's reputation. On the basis of Cicero's and Suetonius' works, Petrarch at first took a dim view of Caesar's personality.⁷⁰ He celebrated his victories, but condemned him for creating the absolute power of imperial times.⁷¹ However, the reading of Cicero's letters excluded any enthusiasm for his political activities and queried his judgment on politics. As a result of this discovery, Petrarch also reconsidered Caesar's attitude: after writing the *Africa* he even admired him.⁷² Boccaccio adopted this interpretation and considered the conflict between Cicero and Caesar to be an exaltation of Caesar's magnanimity. Because Caesar had for-

⁶⁸ Lucas de Penna, *Super tribus libris Codicis* (Lucas da Penna 1529, fol. 333v). For the (almost verbatim) quotation from Cicero I have used the translation of Falconer 1923 (slightly adapted). Lucas states that it is illegal to kill a tyrant, but that it is fair. He uses biblical examples to argue this point. Cf. D'Addio 1987, 519.

⁶⁹ Quaglioni 1979, 93–95.

⁷⁰ Petrarch, *Africa* 2.228–237. Cf. Martellotti 1947.

⁷¹ Cavagna 2007, 73.

⁷² *Ibid.*, 74. As Hermand-Schebat has shown, Petrarch's judgment on Caesar gradually evolved. In the 1340s, when he was supporting Cola di Rienzo in Rome, Petrarch was opposed to individual power. In contrast, during the 1360s, after Galeazzo II Visconti had sponsored him, he expressed his disappointment with Republican institutions and was more lenient with Caesar. Cf. Hermand-Schebat 2013.

given Cicero and accepted his return to Rome after Pompey's defeat, Boccaccio saw in Caesar a pagan forerunner of Christian forgiveness.⁷³ In contrast, Cicero had been ungrateful by participating in Caesar's murder, although Caesar had been merciful to him. That is why, according to Boccaccio, Mark Antony assassinated Cicero: it was a result of his shameful decision.⁷⁴

The writings and actions of Cicero gained a new scope in late medieval Italy when the first humanists used the example of the Roman Republic to describe the struggles between several communal and seigneurial expanding powers.

Late medieval echoes of the denunciations of Cicero

The judgment of Cicero in comparison to Caesar fuelled several debates at the end of the fourteenth century, in the context of the conflicts between Florentine Republican ideals and seigneurial powers. In 1394, Pier Paolo Vergerio condemned Caesar "for forsaking the public good to satisfy his own desires".⁷⁵ His answer to Petrarch's attacks on Cicero was inspired by an earlier (undated) response to Petrarch, written by the canonist Francesco Zabarella in order to prove that Cicero had acted rationally.⁷⁶ According to him, a philosopher could never lose interest in civic life.⁷⁷ Zabarella postulated the superiority of the Republican system and asserted that Cicero had always hated Caesar. This meant that Cicero was not inconsistent: when he sometimes praised Caesar, he did so with the only objective of maintaining cohesion within the Republic. In Zabarella's view, Cicero was not unfaithful, but a pragmatic politician.

In 1392, Coluccio Salutati's reading of the letters *Ad familiares* influenced his lukewarm reception of Cicero's opinions about the murder of Caesar. Eight years later he wrote his *De tyranno* as a response to a question by his friend Antonio dell'Aquila on the legitimacy of Visconti's expansion against Florence.⁷⁸ In the treatise Salutati supported Dante and his condemnation of Brutus and Cassius.⁷⁹ At the same time he questioned Cicero's position on political murder. However,

73 Boccaccio, *Esposizioni sopra la Comedia* 4.litt. 193. Cf. Branca 1990, 204–205.

74 Boccaccio, *Esposizioni sopra la Comedia* 4.litt. 330–331.

75 Pier Paolo Vergerio, *Epistolario* = Smith 1934, 436: *Placuit siquidem Cesar quandiu sibi incolumitas urbis et ciuile otium placuit; postea uero quam subuertit omnia et libidine sua potitus est, nequaquam de eo bene dixi*, partly quoted by Lee 2018, 163. Cf. also McManamon 1996, 52–59.

76 Sottili 1973, 38–39, 55.

77 *Ibid.*, 57.

78 Zancarini/Fournel 1999, 50–53.

79 Piccolomini 1991, 51–56.

he used the historical character of Cicero, not his philosophical opinions. Salutati believed that tyrannicide was right, except for people who are “used to suffer cowardice” (*populo per ignauiam patiente*),⁸⁰ but he refused to portray Caesar as a despot. According to him, Caesar’s ambition was permissible, despite Cicero’s portrait of Caesar.⁸¹ Whereas before 1392 Salutati had depicted Caesar as a historical example of Visconti’s tyranny,⁸² in *De tyranno* he explained why Cicero’s political statements against Caesar were not reliable: firstly because Cicero only made these claims after Caesar’s death,⁸³ and secondly because Cicero’s positions would have been different if Pompey had won.⁸⁴ Thus, Salutati criticized Cicero’s opportunism and his lack of strength:

Verum, ut de *Policratico* sileam, Cicero noster ab academiae, quam colebat, institutione nimis assumpsit ex tempore loqui, nec solum nunc hoc nunc illud dicere, sed contraria mutatione temporum affirmare. Forte quidem qui diligenter ipsius scripta perspexerit, longe maiores Caesaris laudes inueniet quam detractationes; ferme quidem numquam eum uituperat quin et laudet uel extenuet aliquantulum acrimoniam inuehendi.⁸⁵

Truly, to leave aside the *Policraticus*, this Cicero of ours, according to the teaching of the Academy which he followed, took upon himself to speak too much offhand, saying now this and now that and contradicting himself as circumstances changed. It may well be that a careful examination of his writings would show far greater praise of Caesar than blame. Certainly Cicero never attacks Caesar without at the same time praising him or somewhat modifying the violence of his invective.

Salutati had doubts about Cicero’s abilities because as a senator he had been unable to predict the public’s attachment to Caesar.⁸⁶ Despite Cicero’s omnipresence in the text, it appears that Salutati did not give him any important argumentative function with regard to tyranny. Even though scholars who in the footsteps of Baron defend the idea of a “civic humanism” have interpreted the quotations from Cicero as part of a debate on Republican liberty and tyranny, other scholars have suggested that above all they are concerned with public involvement (within a broader reflection on Republican liberty).⁸⁷ In some ways,

⁸⁰ Salutati, *Tyr.* 2.8 (numbering according to Baldassarri 2014).

⁸¹ Salutati argues pragmatically that monarchy can be better than other types of government if it provides peace; cf. his *Letter to King Charles VI of France* 6 (in: Baldassarri 2014, 52). He thinks that Caesar’s dictatorship had such a role, too.

⁸² De Rosa 1980, 135, 158–159.

⁸³ Salutati, *Tyr.* 3.1.

⁸⁴ Casale 2013a.

⁸⁵ Salutati, *Tyr.* 3.3 (transl. Baldassarri 2014).

⁸⁶ Salutati, *Tyr.* 4.4.

⁸⁷ McManamon 1996, 57.

Cicero continued to be associated with moral and pragmatic commitments rather than with political theory.

The debate on tyranny illustrates the limits of Ciceronian influence on medieval political thought. Even though Cicero left many texts on tyranny, their impact was marginal during the Middle Ages. Some vanished from *scriptoria*, such as *De re publica*, whereas others, despite their availability, were almost ignored by jurists and polemicists. This can be explained by the role that the medieval tradition attributed to Cicero's authority (a role that also persisted when Aristotelian texts increasingly circulated): besides a rhetorician, Cicero was a moral philosopher. As such, his texts were deemed to be relevant to guide both individual and collective social behaviour, but they were considered as useless for establishing constitutional rules. The primary influence of Cicero on political thought appears through civic norms: how to be useful to the community, and how (as an orator) to be an involved citizen.

Leanne Jansen

Bruni, Cicero, and their Manifesto for Republicanism

Was Cicero a worthy man of state? With the rise of the humanist movement in the fourteenth century, the vicissitudes of Cicero's political career became a prominent topic of debate.¹ Scholars either expressed fascination for Cicero as a role model for Republican ideologies, or refused to accept this new, realistic image by which the Roman orator unavoidably became liable to criticism.

This paper will examine the biography of Cicero written by the Florentine chancellor and historian Leonardo Bruni. The *Cicero nouus* (1413)² is an attempt to compose an adequate translation of Plutarch's *Cicero* as well as to rewrite Cicero's political life. On the one hand, Bruni wished to restore Cicero's status as a literary model; according to him, an earlier translation of the *Cicero* into Latin, published around 1401 by Jacopo Angeli da Scarperia, was inadequate.³ On the other hand, Bruni wrote the biography in response to contemporary Florentine politics, particularly the ideology of a free Republic: Cicero's life offered a framework to set out Republican ideals. The biography should therefore not be read merely as a piece of antiquarian scholarship. Rather, as several modern scholars have already pointed out, it is an important historical document by reason of its political celebration of (Florentine) republicanism.⁴

Although the political nature of the *Cicero nouus* has been illustrated quite well, one important theme in the biography is generally overlooked: the interaction between Cicero and Caesar. I will argue here that Bruni is able to put a new spin on the merits of Cicero's political life by analysing the conflict between these two men. A large part of the *Cicero nouus* is dedicated to Caesar's rise to

1 It is not until the late fifteenth and sixteenth century that the discussion takes an explicit rhetorical and stylistic turn: the exclusive emphasis on Ciceronian style, or 'Ciceronianism', was not typical of early humanism; cf. Grafton 2010. For general overviews of Cicero's popularity in the Renaissance, see Marsh 2013; Ward 2013 treats the rhetorical side of this discourse.

2 For this dating, see Hankins 2008, with Ianziti 2012, 29 n. 8.

3 Bruni, *Cic.*, 416: *Itaque indolui equidem Ciceronis uicem, et mecum ipse indignatus sum quod in eo uiro littere nostre adeo mute reperirentur, qui uel solus ne mute forent sua diligentia prestitisset.* All citations from *Cicero nouus* are taken from Viti 1996, to which the page numbers are referring. Cf. Botley 2004, 21–23; Takada 2007, 183–185; and Ianziti 2012, 12–13, 48–53 on the preface.

4 Baron 1988, 121–122; Viti 1992, 343; Gualdo Rosa 1997, 193; Ianziti 2012. Ward 2013, 186 notes that with the *Cicero nouus* Cicero truly becomes "the avatar of the humanist ideal", i.e. an educated man devoting his knowledge to the management of the state.

power and the aftermath of his assassination; this particular historical scope gave Bruni the opportunity to examine closely Cicero's (heroic) role in the final phase of the Republic. Bruni's investigation of the relationship between Caesar and Cicero, partly through the innovative use of the *Letters to Atticus*, leads to a strong antithesis in which Caesar represents tyranny and the abuse of political rights and Cicero stands for civic freedom and self-determination.

A second focal point of my paper will be Bruni's concern with freedom itself — *libertas*, the chief concept underlying western Republican thought from the moment Cicero gave it a prominent place in his political theory. Importantly, I have chosen the *Cicero nouus* as a *primary* source for explaining Bruni's Republican convictions, whereas previous scholarship has tended to select his more overtly theoretical treatises.⁵ The *Cicero nouus* has further been employed on a secondary level to illustrate Cicero's symbolic status within Renaissance humanism,⁶ but this has unfortunately produced an incomplete and static picture. Little to no attention has been paid to the role that the *historical reconstruction* of Cicero's career played within Florentine Republican thought. It is true that the presentation of Cicero as the ultimate literary and civic model for the humanists is a salient feature of the biography, but that is certainly not all there is to it. The *Cicero nouus* illustrates, as we will see, that Cicero was actually perceived by Bruni as one constituent element in the machine that was the Roman Republic; the (re-)contextualization of his life and work is arguably the most rewarding outcome of Bruni's project.⁷ The biography further enables us to see which episodes of Cicero's life were particularly persistent in influencing his historical reputation. It should be noted that Bruni's biography was an enormously influential work especially in the fifteenth century, surpassing even the success of Plutarch's *Life*.⁸ As a result, Bruni's portrayal of Cicero must to a large extent have defined the scholarly understanding of the orator's historical import. Hoping to provide more insight into Bruni's contribution to Cicero's post-antique story, I will demonstrate how the humanist cleverly deploys the concept of *liber-*

5 Studies ranging from Rubinstein 1986 to Hankins 2019, who ironically makes a similar observation regarding Bruni's *History of the Florentine People* (271). I will refer briefly to most of these treatises below.

6 Following the seminal ideas of Baron 1966 and 1988.

7 Ianziti 2012, 12–13 argues similarly that the biography offers a complete reinterpretation of Cicero's life which results in a heroic picture of the orator. I would propose to steer away from this traditional emphasis on the portrayal of Cicero *per se* and focus on the process of reconstructing his public reputation.

8 Pade 2007, 154–165, for the transmission and popularity of the *Cicero nouus*; cf. Ianziti 2012, 45. See Pieper in this volume for Bruni's presence in commentaries on the *Philippics* of the late fifteenth century.

tas in order to turn the figure of Cicero into a bridge between ancient Rome and humanist Florence, presenting him simultaneously as the father *and* the timeless personification of Republican liberty.

Cicero as political role model in early Renaissance Italy

Whereas in the Middle Ages scholars had mostly concentrated upon the spiritual and edifying (potentially Christian) aspects of Cicero's writings, from the thirteenth century a reorientation took place that lent a greater emphasis on his character, public career, and political death.⁹ An early source for this discussion is a biography written around 1300 and transmitted in *codex Trecensis* 552, a collection of Cicero's writings.¹⁰ This "Epitome of the life, deeds, outstanding scholarship and books as well as the death of the most famous and illustrious man Marcus Tullius Cicero" (*Epythoma de uita gestis scientie prestancia et libris ac fine uiri clarissimi et illustris Marchi Tullii Ciceronis*) consists of a general account of Cicero's life and a detailed discussion of his writings.¹¹ The biography is remarkable because it presents an image of the Roman orator that is highly socially oriented:

Licet autem Tullius in re publica administranda et defendenda tantum insudauerit tociensque pro amicis declamauerit tantumque pro suorum emulorum elidenda inuidia pugnaverit ut uires ei incredibile sit suppeditasse humanas, sapientie tamen desiderio adeo feruens fuit ad studium et scribendum ut mirum sit quomodo potuerit tantam utrisque operam exhibere.¹²

However, although Tully put so much sweat into managing and defending the state, so often defended his friends and fought so hard to counter the envy of his rivals that it seems scarcely believable that the powers that drove him were human, his desire for wisdom still made him burning after study and writing to such an extent that it is miraculous how he could exhibit such a great fervour in both areas.

⁹ MacCormack 2013; Baron 1988, 102–108; and Mabboux in this volume.

¹⁰ Troyes, Bibliothèque municipale, ms. 552. It contains a miscellany of Ciceronian philosophical works, political speeches, and rhetorical treatises; see Tilliette 2003, 1054 n. 11. According to Tilliette, there are three fifteenth-century manuscripts containing the same *Vita Ciceronis*, abridged but textually superior; the *codex Trecensis* might offer a first 'version'.

¹¹ An introduction to and a transcript of the biography are found in Tilliette 2003.

¹² *Ciceronis Vita Trecensis*, in: Tilliette 2003, 1068. All translations are my own unless otherwise indicated.

Despite the fact that this early biography almost exclusively contains information available in ancient and medieval authors (in the words of the editor, it is a “*fa-tras informe*”),¹³ the compiler is aiming at a civic reading of Cicero’s life. The choice of sources indicates that he was interested especially in Cicero’s consulship, his role as a governor of the Republic, his social relations, and his death.¹⁴ The compiler’s concern with Cicero’s political reputation is clear from the passage above, which is not a quotation but an authorial observation.

Some decades after the production of the *Vita Trecensis*, Petrarch started to engage with Cicero’s civic life in a similar vein. Despite his initial dislike of Cicero’s political pursuits when he discovered the *Letters to Atticus*, Petrarch soon used them to give information about events and social relations in the late Republic. His biography of Caesar, *De gestis Cesaris*, incorporates material from the letters written in the year 49 BCE, because, as Petrarch explains, these provide illustrative facts about Caesar’s life.¹⁵ The main point of mentioning the letters in respect to writing Caesar’s life is that according to Petrarch the reading of them enabled an equal judgment of Pompey’s and Caesar’s ambitions.¹⁶ In quoting at length Cicero’s reflections on the behaviour of the two generals, Petrarch introduces him as a historical witness, a *testis*, rather than as a literary model:

Multa sunt id genus in illius epystolis, ab homine non solum doctissimo sed amicissimo in Pompeium dicta, ut scilicet undique fides constet. Sed ego hec pauca et ad rem de qua agitur spectantia et e locis secretioribus eruta libenter apposui, ut utriusque partis merita non usque adeo ut putantur imparia et utrunque, sicut dictum est, regnare uoluisset magno ac fide digno teste constaret.¹⁷

Many remarks of this sort are found in his letters, expressed by a man who was not only very learned but also a close friend of Pompey, clearly with the aim of affirming his overall faithfulness. But I have gladly added these details, which pertain to my account and which

13 Tilliette 2003, 1062.

14 Consulship at Tilliette 2003, 1065–1066; role as governor: 1066–1067, demonstrated by a long quotation from August. *De ciu. D.* 3.30, where Cicero is called *artifex regendae rei publicae*, and remarks by Seneca and Cicero himself about the difficulty of making political alliances; social relations are manifest throughout the biography through the prevalence of personal names, but especially at: 1067–1068, where excerpts from Macr. *Sat.* 2.3 discussing Ciceronian humour (*urbanitas*, *mordacitas*) are presented, with special attention to Cicero’s witticisms at the expense of Pompey and Caesar; death: 1072–1076.

15 Ianziti 2012, 58, indeed suggests that *De gestis Cesaris* is an important forerunner of the *Cicero nouus* with regard to its scope and handling of the classical sources.

16 Petrarca, *Gest. Ces.*, ed. Martellotti 1955, 266. Petrarch poses the question: *Quid tu lector ex his uerbis iudicas? Quantoque iustiorum Pompeii causam reris esse quam Cesaris?*

17 *Ibid.*, 266.

are derived from more obscure places, with the goal of demonstrating, by the words of a great and trustworthy witness [sc. Cicero], that the merits of both men are not as dissimilar as it is believed, and that either, as stated, wanted to reign.

Whilst introducing Cicero's judgment on the political conduct of the generals, Petrarch is also discreetly offering a political interpretation. He places Pompey and Cicero on one side of the conflict by emphasizing their *amicitia*; Caesar then, being their enemy, clearly stands on the other side.¹⁸

In the generations after Petrarch, the discussion of Cicero's public life gained a more explicitly political character; Cicero fulfilled an important role within the development of humanist political theory.¹⁹ Leonardo Bruni, in close competition with his master Coluccio Salutati, was the first systematic expounder of fifteenth-century Florentine Republican ideology,²⁰ though his ideas tied in with a long-standing civic ideology defining state government from the twelfth century onward.²¹ In determining the role of the individual in society and the best organization of the city state the ruling aristocracy used Cicero's *De officiis*, *De amicitia*, and *De oratore*, together with Aristotle's *Politics*, as guides.²² Bruni, however, was the first to promote Cicero to the role of prime model within this ideology,

18 Cf. *ibid.*, 265: *Quid refert igitur quid de illo sentiat Pompeius et Cicero cum perraro de hoste quisquam bene sentiat?*

19 Marsh 2013 presents an overview of Cicero's popularity in the Renaissance. Struever 1970, 115, notes: "It is neither Cicero the amoral formalist, nor Cicero the sage removed from worldly affairs, but Cicero the orator who employs form to persuade on public issues who is the archetype, who 'can just as properly be called the father of our eloquence and letters as father of his country,' and it is Cicero's *De officiis* which is the handbook of the 'civic Humanism' of the Renaissance". Grendler 1989, 212–229, questions the importance of the philosophical works at 216–217; Mabboux in this volume argues that Cicero was hardly ever read as political philosopher until the end of the fourteenth century.

20 Witt 1971 *contra* Black 1986, Rubinstein 1982 and 1986; cf. Najemy 2006. The thesis that Bruni was the central force in the manifestation and expression of Florentine republicanism was first suggested by Baron 1966. From Salutati's *De tyranno* 3.3–10 and 4.11–18, where Cicero's political analysis of the Caesarian regime is refuted at large, it becomes evident that there is a difference between Salutati, who employs Cicero as an authoritative source of information on Republican government, and Bruni, whose claim is that Cicero *personifies* the Republican government. See Mabboux in this volume for Salutati's 'apolitical' approach to Cicero; cf. Baldassarri 2014, xx.

21 Cf. Holmes 1973; Boutier/Sintomer 2014/2016 provide a splendid overview of the development of the so-called Republic of Florence between the twelfth and sixteenth century.

22 Cf. Rubinstein 1982, 167; focusing on virtuous citizenship in particular is Hankins 2019, 45–48.

presumably partly inspired by the image of Cicero as it appears from the work of Brunetto Latini, where the orator emerges as a champion of civic leadership.²³

Bruni's general thoughts on *libertas* and the Republican constitution can be gleaned from his epideictic speeches and his *History of the Florentine People*. A popular text within studies of Bruni's Republican views is his *Praise of the City of Florence*. In this oration, he famously rejects the imperial regime, for only in the pre-Caesarian age was there freedom:²⁴

Nondum Cesares, Antonii, Tiberii, Nerones, pestes atque exitia rei publice, libertatem sustulerant, sed uigebat sancta et inconcussa libertas, que tamen, non multo post hanc coloniam deductam, a sceleratissimis latronibus sublata est.²⁵

Not yet had tyrants like Caesar, Antony, Tiberius, Nero, the pests and destruction of the Republic, taken freedom away, but freedom reigned inviolable and unshaken, which however, not long after this colony [sc. Florence] had been founded [sc. by Sulla], was stolen by the most criminal brigands.

In the *History of the Florentine People*, Bruni's negative attitude toward Caesar is articulated even more clearly by his remark that the Roman imperium started to crumble as soon as the "Caesarian name fell upon the state".²⁶ "For", Bruni claims, "liberty has made way for the imperial title, and after liberty virtue disappeared".²⁷

Bruni's concern with *libertas* was a consequence of his own historical background. The wars fought in the late 1300s against the Milanese count Giangaleazzo Maria Visconti provided fertile ground for a revival of liberty as the key concept of Florentine propaganda against foreign imperialism.²⁸ Here Cicero proved to be an essential source of ideas. Bruni's political analysis of Florence is

²³ Yet in Latini's *Tresor* and *Rhetorica* his civic qualities are illustrated mainly by way of quotations and discussions of passages from his rhetorical and philosophical writings. Cf. Viti 1996, 415; Mabboux in this volume.

²⁴ For the thought in Salutati's *Missive*, see De Rosa 1980, 121, 140–141.

²⁵ Bruni, *Laud.* 34, ed. Baldassarri 2000.

²⁶ Bruni, *Hist.* 1.38, ed. Hankins 2001: [sc. *Aliquis*] *negare non poterit tunc romanum imperium ruere coepisse, cum primo caesareum nomen, tamquam clades aliqua, ciuitati incubuit. Cessit enim libertas imperatorio nomini, et post libertatem uirtus abiuit.*

²⁷ Cf. Baldassarri 2000, xxii, on the presence of the theme in *Laud. Flor.* 41.5–6. Cicero himself had complained of the lack of perseverance on the part of the conspirators against Caesar, and expressed his fear that *libertas* had not been recovered, nor had the constitution been restored: *Att.* 14.5.2, 10.1, 12.1, 13.6 (*redeo enim ad miseram seu nullam potius rem publicam*), 14.2 (*sublato enim tyranno tyrannida manere uideo*).

²⁸ See e.g. Baron 1966; De Rosa 1980, esp. 87–160; Najemy 2006, 188–218; Hankins 2019, 225, 232.

couched in Ciceronian terminology: his concept of liberty is one in which *libertas* and *iustitia* are two parts of the same medal, while *ius* is the guiding principle. Cicero emphasizes the combination of freedom with justice in his speeches and treatises; for him the Roman law was the pillar on which this liberty and justice rested.²⁹ As Bruni claims in the *Funeral Speech for Nanni Strozzi*: “This is true liberty, this equality within the state: that the violence of no one, the injustice of no one is being feared, that there is legal equality among the citizens, and equality in governing the Republic”.³⁰

***Cicero nouus*: the antagonism between Caesar and Cicero**

The *New Cicero* is an attempt to rewrite all the previous biographies of the orator. At first sight, Bruni follows the Plutarchan storyline quite closely, sometimes word for word, but as the biography progresses the structure and author's voice increasingly deviate from those of the Greek *Cicero*. In the preface, we read that Bruni took pride in having collected as much information on Cicero's life and works as he could find, thereby surpassing Plutarch's rendering of the orator's life.³¹ The main reason behind creating such an elaborate platform,

29 One of the clearest instances where this idea is expressed is Cic. *Clu.* 146: *Hoc enim uinculum est huius dignitatis qua fruimur in re publica, hoc fundamentum libertatis, hic fons aequitatis: mens et animus et consilium et sententia ciuitatis posita est in legibus.* Wirszubski 1950 has shown that the localization of liberty in the system of law is originally Ciceronian. De Rosa 1980 demonstrates how Salutati adapts this Ciceronian interpretation of republicanism in the Florentine context, thereby greatly influencing Bruni's concept of liberty.

30 Bruni, *Or. Strozzi* 21: *Hec est uera libertas, hec equitas ciuitatis: nullius uim, nullius iniuriam uereri, paritatem esse iuris inter se ciuibus, paritatem rei publice adeunde.* Compare this epideictic oration with Bruni's more formal Greek analysis of the city state, *Περὶ τῆς πολιτείας τῶν Φλωρεντίνων*, a speech held in 1439, where he notes that *ἰσγορία* is the driving force behind the appointment of offices, and that *ἐλευθερία* is the *τέλος* and *σκοπός* of the entire polity; cf. Rubinstein 1968.

31 Bruni, *Cic.*, 418: *Nos igitur et Plutarcho et eius interpretatione omissis, ex iis quae uel apud nostros uel apud Grecos de Cicerone scripta legeramus, ab alio exorsi principio uitam et mores et res gestas eius maturiore digestionem et pleniore notitia, non ut interpretes sed pro nostro arbitrio uoluntateque, descripsimus.* Bruni's wide reading is seen in his expansive treatment of the Catilinarian conspiracy, where the phrasing is reminiscent of Sallust's account. Cf., e.g., Sall. *Cat.* 29: *Ea cum Ciceroni nuntiarentur [...] quod neque urbem ab insidiis priuato consilio longius tueri poterat [...] rem ad senatum refert,* and Bruni, *Cic.*, 436: *Cicero, quod priuato consilio longius rem publicam sustinere non poterat, et quod motus iam ex Etruria nuntiabatur, [...] totam rem ut cognouerat in senatu patefecit.* Another instance constitutes the transition (signalled by ablative

Bruni states, was that Cicero had been the “parent and leading man of our letters” (*parens et princeps litterarum nostrarum*). The appropriation of Cicero as a forefather to the Florentine community forms the pivot of Bruni’s expression of Republican ideology and the interpretation of political liberty in this biography.³² As we will see, Cicero is more than a literary example: he is also a ‘father’ in the political sense, one whose *res gestae* form an important model for behaviour.³³ One might go as far as saying that the *mos maiorum*, which formed a central motivational force for all social and cultural action in Roman Antiquity, produced an offshoot as far as the fifteenth century.

As noted above, the *Cicero nouus* celebrates the Republican institution and Cicero’s defence of it. Aiming to sharpen the contrast between liberty and autocracy, Bruni has constructed a subtle narrative in which Caesar and Cicero are systematically opposed.³⁴ The first moment in which the two men are seen to be politically involved is the period after the Catilinarian conspiracy, where Caesar and Crassus are said to ruin Cicero’s *amicitia* with Pompey.³⁵ A little further

absolute constructions) to the episode at the Milvian bridge, which is rendered accordingly at *Cat.* 45: *his rebus ita actis, constituta nocte qua profiscerentur, Cicero per legatos cuncta edoctus* (L. Valerio Flacco et C. Pomptino praetoribus imperat) and *Cic.*, 440: *His rebus ita paratis, constituta nocte qua profiscerentur, Cicero per legatos cuncta edoctus (eos capi [...] iussit)*. The structure of the account in Bruni’s biography also strongly resembles that of Sallust, yet the historians differ with regard to details and names. Cf. Fryde 1980, who first addressed the various sources underlying the *Cicero nouus*.

32 The Roman *maiores* and the gentilician concept take an important place in Bruni’s Republican theory, e.g. *Laud.* 30–47; cf. Najemy 2006, 210–218. Possibly the perception of Cicero being one of the *maiores* has larger repercussions for Bruni’s political theory in general, but that is beyond the scope of this article.

33 Bruni uses the term *res (magnifice) gestae* once with reference to Cicero’s (rather controversial) military achievements during his proconsulate in Cilicia, see *Cic.*, 456. Here Cicero is definitely presented as a heroic man of action.

34 McLaughlin 2009 signals a broader trend in the early fifteenth century in which Cicero is associated with the language of revival and Caesar with that of decline. He situates the roots of this thought in the Florentine chancellors Salutati, Bruni, and Poggio Bracciolini, the latter two being the most outspokenly anti-Caesarian (cf. Canfora 2001). Bracciolini’s comparison of Scipio and Caesar resulted in a heated debate about Caesar’s reputation in the 1430s, in which Bruni also became involved. Cf. Schadee 2008, with ample bibliography.

35 *Cic.*, 446. Bruni describes the constitution of this friendship between Pompey and Cicero in reference not only to Plutarch, but also to Cicero’s own account of the events of 63 BCE: *Quin immo illi gratias egit, affirmans se frustra triumphum reportaturum fuisse, nisi urbs a Cicerone servata esset, in qua triumphare posset*. This rather demagogic observation is taken from *Cic. Off.* 1.78: *Mihi quidem certe uir abundans bellicis laudibus, Cn. Pompeius, multis audientibus, hoc tribuit, ut diceret frustra se triumphum tertium deportaturum fuisse, nisi meo in rem publicam beneficio ubi triumpharet esset habiturus*; cf. *Cic. Cat.* 4.21.

on, Bruni for the first time declares that Caesar stood opposed to Cicero with regard to their ideological views. In the period when Clodius was prosecuting Cicero for his execution of the Catilinarian conspirators, Crassus, Caesar, and Pompey refused to come to his aid; according to Bruni, Caesar failed to do so because he “thought differently about the Republic”.³⁶

The tone is set, and Bruni takes the time to describe the tension between Caesar and Cicero around 50 BCE.³⁷ Rome is now on the outbreak of civil war. Following Plutarch’s account, Bruni tells how Cicero travelled to Rhodes and Athens after his proconsulate had ended, and how he decided to hurry back to Rome as soon as tidings reached him that the city was in turmoil.³⁸ Plutarch and Bruni both explain that Cicero tried to calm things down by writing letters to Caesar and Pompey. Bruni further elaborates on the information given by Plutarch; he does so on the basis of the letters themselves. They induce him to analyse Cicero’s political role as a mediator between Pompey, Caesar, and the state: “yet as a kind of mediator, and favouring neither of them, he did not stop being an initiator of peace” (*tamen ut medius quidam nec alterutri affectior, pacis auctor esse non destitit*).

Apart from his constant appeal to Caesar and Pompey, Cicero gave many speeches in prevention of civil discord, advising the people and the senate to preserve harmony.³⁹ Bruni’s novel use of the epistles is clearly seen halfway through the biography.⁴⁰ There, he first reproduces the dialogue between Cicero and Caesar (preserved in *Att.* 9.18) on the issue of sending Caesar’s troops to Spain in order to fight Pompey’s legions in 49 BCE.⁴¹ Next, a letter of the same year from Caesar to Cicero is incorporated.⁴² Despite its length the letter is copied in entirety. On the basis of the dialogue and the letter Bruni is able to demonstrate that Caesar was putting pressure on Cicero either to support him actively or stay neutral and resort to a life of study. Indeed, this moment of interaction

36 *Cic.*, 448: *Cesar diuersa in re publica sentiebat*.

37 Already in Antiquity, the events of the civil war can be seen as greatly affecting Cicero’s reputation in the final years of his career: see La Bua in this volume.

38 *Cic.*, 458–460. Bruni has used a similar storm metaphor to Plutarch: (*ciuiles*) *procelle* vs. *φλεγμονή* (Plut. *Cic.* 36.6).

39 *Cic.*, 460: *Multa statim ad Cesarem super hoc ipso, multa etiam ad Pompeium scribens, multa postquam in urbem rediit in eam rem disserens: et in senatu et apud populum concordiam suadebat*.

40 *Cic.*, 462. Cf. Fryde 1980, 543; 549.

41 Which would result in the battle of Ilerda; the exchange shows that Cicero refused to support Caesar openly in the senate. Viti 1996 omits any reference to *Att.* 9.18. For the chronology, see *Eph. Tull. ad loc.*

42 *Cic. Att.* 10.8B.

serves as a foreboding of the actual retreat of Cicero from political life in 46–44 BCE, which is recounted later.

Bruni explains that the letter from Caesar is meant to “admonish and ask” Cicero not to sail to Pompey, and to “advise” him to stay out of the war by remaining neutral, *medius*.⁴³ It should be noted that nowhere in his original letter Caesar uses the terms *medius* or *neuter*. Instead he uses the term *amicitia* (twice): by supporting Pompey’s side Cicero would do grave harm to their relationship.⁴⁴ The letter expresses the unmistakable threat not to choose the wrong, i.e. Pompey’s, side. Bruni does not comment upon either the argument or the threatening tone, and merely concludes that it “suited Caesar if Cicero would stay neutral”.⁴⁵ It is plausible that Caesar’s words are mainly employed to emphasize Cicero’s efforts as mediator: the use of the term *medius* in Bruni’s introduction of the letter links this episode to his earlier analysis of Cicero’s neutral position in the ante-war period. The psychological stress Cicero is subsequently said to experience at that moment, in particular his anxiety about attracting criticism from the other senators, reflects perfectly well the ambiguous message of Caesar’s letter.⁴⁶

A skilful narrator, Bruni makes the interaction between Caesar and Cicero lead up to a climax. After Caesar has won the civil war and has *humanissime* received Cicero back into his exclusive circle of friends, there is nothing left for Cicero to do except retreat from the forum into a life of study and philosophy. Although Bruni has said nothing to denounce Caesar, his rejection of the dictatorship shines through in his lauding of Cicero, who is shown to be the true victor of the political conflict. For, despite the suppression of his political qualities and personal freedom, Cicero is able to remain useful to his fellow citizens and the state. Caesar’s domination leads to the unambiguous affirmation of Cicero’s exemplary embodiment of Roman citizenship and civic virtue:

Homo uere natus ad prodessendum hominibus uel in re publica uel in doctrina: siquidem in re publica patriam consul, et innumerabiles orator seruauit. In doctrina uero et litteris non ciuibus suis tantum sed plane omnibus qui Latina utuntur lingua lumen eruditionis sapientieque aperuit. [...] Ita solus, ut credo, hominum duo maxima munera et difficillima

⁴³ Cic., 462: *Ad eum scripsit monens atque rogans ne quo progrediretur, suadensque ut procul a bellorum curis medius, ut facere cepisset, alicubi conquiesceret.*

⁴⁴ Cic. Att. 10.8B.1: *Nam et amicitiae grauiorem iniuriam feceris et tibi minus commode consulueris, si non fortunae obsecutus uideberis [...] nec causam secutus [...] sed meum aliquod factum condemnauisse: quo mihi grauius abs te nil accidere potest.*

⁴⁵ Cic., 464: *Satis ergo erat Cesari ut cum neutro esset.* This observation is not in Plutarch.

⁴⁶ Cic., 464: *Hec [i.e. rumours about Cicero’s cowardice] tandem quasi tormenta quedam uirum expugnarunt, ut non modo Caesaris amicitie uerum etiam tuto otio bellum periculosum desperatumque preferret.*

adimpleuit, ut et in re publica orbis terrarum moderatrice occupatissimus plura scriberet quam philosophi in otio studioque uiuentes; et rursus studiis librisque scribendis maxime occupatus, plura negotia obierit, quam ii qui uacui sunt ab omni cura litterarum.⁴⁷

A man truly born to be of benefit to men either state-wise or in the realm of education: since indeed in the public sphere he saved the fatherland as consul and innumerable people as orator. But intellectually and in his writings, he revealed the light of erudition and wisdom not only to his fellow citizens but indeed to all who use the Latin language. [...] This is how, I believe, he alone fulfilled the two greatest and most difficult tasks of men, that while he was kept very busy by the state which was mistress of the world, he wrote more than the philosophers who spend their time in leisure and study. And the other way round, when he was most busy studying and writing books, he met more obligations than those who are free from any concern with books.

We recognize the commonplace idea, also expressed in the *Vita Trecensis* (see p. 157), that Cicero's special merit lies in the fact that he was able to combine the *uita actiua et contemplatiua* successfully.⁴⁸ The debate about the active vs. the contemplative life was an important theme within Bruni's work. While modern scholars usually attribute the popularity of this topic to the efforts of Salutati and Bruni,⁴⁹ the passage from the *Vita Trecensis* above demonstrated that Cicero's career *per se* invited scholars to reflect upon the question. In fact, the ancient historians already show proof of such reflection, partly because Cicero himself had put the matter up for debate in his philosophical works, partly because of his equal reputation as writer and politician, which the historians were eager to explain.⁵⁰ The double-sided career that Cicero conducted, therefore, was traditional subject matter in the historical tradition. At the same time, however, Bruni breathes new life into the discussion by associating it closely with the conflict between Cicero and his antagonists, particularly Caesar.⁵¹ We should realize

⁴⁷ Cic., 468–470.

⁴⁸ Cf. Viti 1992, 343–346, for a historical analysis of these passages in the *Cicero nouus*. Takada 2007 interprets these passages and the subsequent review of Cicero's writings as evidence of Bruni's desire to restore Cicero's ambivalent political reputation. Bruni similarly discusses the ideal balance between the *uita ciuilis* or *negotiosa* and the *uita otiosa* in the *Isagogicon moralis disciplinae* (Baron 1928, 39–40; see his note on p. 39); in his *Vita di Dante* Bruni ridicules men who believe scholars should isolate themselves from society (Baron 1928, 53); and the dual relationship between study and civic action is also an important part of Bruni's interest in Aristotle's *Politics* (Baron 1928, 72–73).

⁴⁹ Garin 1972; Rubinstein 1982; cf. Baron 1988, 122–123. Cf. Viti 1992, 339–363, on the theme in Bruni's work and in particular his private letters.

⁵⁰ Famous historiographical *loci* where Cicero's double-faced authority is highlighted, are Vell. Pat. 2.66; Plut. Cic. 5 and 13; Dio Cass. 38.18–29.

⁵¹ Witt 1971, 198–199. Ianziti 2012 argues that we should forget terms like Republican or 'civic', and read the *Cicero nouus* as an interpretation of Cicero's life that distances itself from the type

that the praise of Cicero comes at the particular point in the narrative when Caesar's dictatorship has just fully materialized.⁵² There would scarcely have been a more effective way of debunking Caesar and his ideals. It is Cicero who is remarkable for his *diuina magnitudo ingenii*, for his vigilant nature, and for having devoted all his wisdom and learning to the Republic.⁵³ With the narrative creating a direct link between Caesar's dictatorship and the fulfilment of Cicero's eternal value for Roman literature and society, it is difficult *not* to read this characterization of 'divine' Cicero as silent criticism of Caesar, who would, as every reader knows, in reality become *diu(in)us*.⁵⁴ While Plutarch merely notes that Cicero abstained from political life, tried to avoid Caesar, and kept to himself and his writing,⁵⁵ in the *Cicero nouus* the orator has retained his function within Roman society and civic life. His writings serve as a proxy for actual participation in politics.

The praise of Cicero signals a complete abandonment of the structure of Plutarch's biography. Bruni lapses into a long survey of all Cicero's writings⁵⁶ to illustrate his claim that Cicero is both the *parens patriae* and the *parens eloqui et litterarum nostrarum*.⁵⁷ When the historian picks up the political narrative of 44 BCE, Caesar is dead (*interfecto Caesare*), freedom has been restored, and Cicero is again *princeps* in the senate. This sudden transition from Cicero's private activities to post-Caesarian Rome, in which Cicero regains his public position, confirms to the reader the idea that Cicero and Caesar could not thrive in the same political arena.

of moral biography Plutarch wrote; he proposes a new type which is "uncompromisingly political" (60).

52 This is actually an inversion of the traditional (Ciceronian) thought, cultivated by Sallust and Tacitus, and followed by Bruni in his other works, that with the loss of *libertas*, *uirtus* dissipates as well. Cf. La Penna 1966 on the presence of Sallustian views in Bruni's *History* and epideictic speeches; Pocock 2003, 167 on the influence of Tacitus' senatorial pessimism.

53 *Cic.*, 470.

54 The deification of Caesar is left unmentioned in the *Cicero nouus*.

55 Plut. *Cic.* 40.

56 Dividing them into separate categories. Bruni actually gives numbers: there are 163 books in total, he says, of which 58 pertain to literary studies and philosophy, 33 speeches are on the Republic, 29 are forensic speeches, and 43 books are on *res familiares* (by which he must mean the letters). The invented category of 'Republican' or 'constitutional' speeches is especially interesting regarding the topic of this paper.

57 *Cic.*, 468. On the phrase *parens litterarum nostrarum*, see above (p. 162).

***Cicero nouus*: mediating for peace after the Ides of March**

Had Bruni characterized Cicero earlier as *medius* and an *adiutor* for peace in the conflict between Pompey and Caesar, his call for concord is now essential to rescuing what is left of the ruins of Rome after the Ides. Although Bruni's Cicero and Caesar on the individual level represent rather opposing forces, after the dictator's death Cicero shows himself—again—to be taking the middle ground on behalf of the *res publica*. He is able to persuade the Caesarians and the assassins, who have occupied the Capitol, to make peace. Bruni explains this call for peace by rehearsing the famous line from the first paragraph of Cicero's first *Philippic Oration*:⁵⁸ *Memoriam pristinarum discordiarum obliuione sempiterna delendam censuit*.⁵⁹ Then, when Mark Antony begins to behave increasingly like a tyrant, Cicero initiates the opposition by performing the first *Philippic*, which Bruni explicitly names as the cause for the increasing enmity between Antony and Cicero.⁶⁰ Acting on behalf of the Republic, Cicero finally finds himself pulling the political strings again: *Hic est iam Ciceronis uelut optimi poete extremus actus, et certe meo iudicio omnium fortissimus et pulcherrimus* ("this now is the final act of Cicero, as if the final act of a splendid poet, and surely to my opinion the bravest and most beautiful of all", *Cic.* 488). Cicero, as if he were a tragic poet, orchestrates the final events in the play that is the history of the Roman Republic. Does *extremus actus* refer only to Cicero's last year, or also to the end of the Republic, by now (again) led by Cicero?

Bruni tells us that Cicero now possessed the highest power in the city, which was initially reinforced by his reaching an alliance with Octavian. It was a father-

58 At this point in the narrative, Plutarch, Cassius Dio, and Appian instead refer to the speech for amnesty Cicero is known to have given, but Bruni clearly wanted to select a more accessible intertext considering the fact that the amnesty speech is not extant. See Vell. Pat. 2.58; Plut. *Cic.* 42.2; Dio Cass. 44.22–34. See La Bua in this volume on Cassius Dio's version of the amnesty speech.

59 Bruni, *Cic.* 486. Bruni removed *omnem* before *memoriam* in Cicero's original speech and added *pristinarum* to *discordiarum*.

60 *Cic.*, 488: *Antonius enim manifeste sibi tyrannidem parabat*. Compare this statement with Cicero's portrayal of Antony as tyrant or dictator in the letters: *Att.* 14.9.2; 15.4.1, 20.2, 21.1. Bruni dates Cicero's speech to 1 September, which is why we know for sure he is referring to the first *Philippic* here, although its exact date was 2 September (cf. Ramsey 2003, 81). Bruni might have become confused by a remark in *Phil.* 5.19 (*huc nisi uenirem Kalendis Septembris*), where Cicero dates Antony's speech in the senate, which proposed a supplication for Caesar, to the first of September, and his own reply to the second (*postridie*).

ly friendship, Plutarch and Bruni insist, strengthened by the fact that Octavian was born during Cicero's consulship. The alliance made Cicero's (Republican) cause much stronger.⁶¹ Cicero also personally advised the Liberators: Bruni recounts how he privately sent letters to Brutus to advise him on the best course of action, and encourage him not to wait for the *auctoritas* of the senate to preserve the *libertas et salus populi Romani*.⁶² Thus Cicero, guardian of the liberty and safety of the people, tried to control the power play in the state. Yet, as we all know, he was outshone by the more powerful Octavian and Antony. Whereas the ancient historians point to Cicero's vanity and his delusion as the reason for his failure,⁶³ Bruni—persistently cynical about the imperial regime—places the cause with Octavian:

Nam Octavianus adolescens ubi consules e medio sublato et se solum ducem in tantis copiis relictum aspexit, mutata iam et ipse mente, de dominatione cogitare cepit, quod illis uiuis nunquam facere potuisset. sed hec postea apparuerunt.⁶⁴

For the young Octavian, when he saw that the consuls were taken from their midst and he alone was left supported by such large troops, he himself experienced a change of mind and began to think about autocracy, something that he could never have done while they were alive. But this all manifested itself later.

It is in his portrayal of the relationship between Cicero and Octavian that Bruni deviates most from Plutarch's interpretation of events. Both agree that Octavian has used Cicero to his own advantage and out of a desire for power; yet Plutarch laid the blame entirely on Cicero for being deceived by Octavian, while Bruni emphasizes Octavian's hidden designs and his personal ambition to gain ultimate power, omitting any reference to Cicero's own responsibility.

Plutarch's opinion might be a better representation of ancient views on Cicero's choice to follow Octavian: the historian mentions a letter to Atticus from Brutus in which the latter derides Cicero's faith in Octavian.⁶⁵ Brutus believes that by courting the young man Cicero is betraying his former opinions about Republican liberty and the fatherland. Plutarch appears to agree, for he states:

⁶¹ Cic., 490: *Hac igitur coniunctione adeo superior facta est Ciceronis res, ut tandem Antonius territus urbem reliquerit.*

⁶² E.g. Cic. *Ad Brut.* 1.3.3; 1.9.4–5; cf. 1.5.1–2.

⁶³ Apart from Plutarch's statement (see below), see e.g. App. *B Ciu.* 3.61; Dio Cass. 38.12.6–7, 38.29, 46.43.4–5.

⁶⁴ Cic., 492.

⁶⁵ Plut. *Cic.* 45.2; Cic. *Ad Brut.* 1.175, cf. 1.4a.2. For the reception of *Ad Brut.* 1.17, and its contested authenticity, see Shackleton Bailey 1980, and *Eph. Tull. ad loc.*

Ἐνταῦθα μέντοι μάλιστα Κικέρων ἐπαρθεῖς ὑπὸ νέου γέρων καὶ φενακισθεὶς καὶ συναρχαι-
ρεσιάσας καὶ παρασχὼν αὐτῷ τὴν σύγκλητον εὐθὺς μὲν ὑπὸ τῶν φίλων αἰτίαν εἶχεν, ὀλίγω
δ' ὕστερον αὐτὸν ἀπολωλεκῶς ᾔσθετο καὶ τοῦ δήμου προέμενος τὴν ἐλευθερίαν.⁶⁶

Yet here more than ever Cicero was led on and cheated, an old man by a young man. After he helped him in canvassing for the elections and recommended him to the senate, he was blamed right away by his friends, but only later did he recognize that he had ruined himself, and had betrayed the freedom of the people.

In Plutarch's biography, in a final cathartic moment, Cicero realizes that it was his own naivety and the subsequent betrayal of himself, his political ideas and the Republic that ruined him. The orator's blindness and his lack of foresight is also highlighted by Augustine in *De ciuitate Dei*; the idea continued to exist in the Middle Ages as attested by the *Vita Trecensis*, where Augustine's verdict is quoted at length.⁶⁷ Bruni was familiar with the view, either through Plutarch alone or also through Augustine and later sources, but deliberately chose to present a new one (in line with his aim of writing a *Cicero nouus*) in which Octavian was ultimately responsible for Cicero's downfall.⁶⁸ The key to understanding the humanist's version of the story is found in his conception of Republican *libertas*, which is in fact expressed most clearly in his discussion of the death of Caesar and Octavian's final betrayal of Cicero.

Contrary to Plutarch, Bruni does not mention the allegations against Cicero about his complicity in the assassination of Caesar;⁶⁹ instead, the murder is interpreted from a constitutional point of view, placing Cicero at the centre of the action. Bruni explicitly associates the death of Caesar with the return of *libertas*, Republican freedom,⁷⁰ making clear that it is the condition under which Cicero regained his position in the Forum and his freedom of speech. From the murder of Caesar onwards Cicero will be associated with the right kind of constitution, and the Caesarians with unrightful domination and the overthrow of the Republic. Although the *Praise of the City of Florence* and the *History of the Florentine People* locate the start of the Republic's deconstruction in Caesar's reign, in the *Cicero nouus* a slightly more optimistic view occurs, for in this treatise polit-

⁶⁶ Plut. Cic. 46.1.

⁶⁷ August. *De ciu. D.* 3.30; *Ciceronis Vita Trecensis*, in: Tilliette 2003, 1074.

⁶⁸ See also Keeline in this volume.

⁶⁹ Plut. Cic. 42.1: Τῆς δ' ἐπὶ Καίσαρα συνισταμένης πράξεως οὐ μετέσχε, καίπερ ὦν ἐταῖρος ἐν τοῖς μάλιστα Βρούτου καὶ βαρύνεσθαι τὰ παρόντα καὶ τὰ πάλα ποθεῖν πράγματα δοκῶν ὡς ἔτερος οὐδεὶς.

⁷⁰ Bruni, Cic., 486: *Interfecto Cesare cum recuperata libertas uideretur statim princeps in senatu apparuit.*

ical decision-making can again take place in an at least temporarily restored Republic.

In accordance with Bruni's negative view on autocracy, Octavian, just as his adoptive father, is presented as the one to be blamed for sabotaging both *libertas* and Cicero. The narrative of events prior to Cicero's death is constructed in such a way as to lead up to Octavian's ultimate betrayal. After Mutina, Antony flees to the Alps with his army but needs to turn in his tracks, because Decimus Brutus' army is advancing; Antony persuades Lepidus to make an alliance with him. Octavian, himself possessing a large army, had already decided to opt for sole government, as we have seen above. This is the moment where he "turns the troops and the command he has received from the senate against the senate itself, having now truly dismissed liberty as well as Cicero" (*tandem uero et libertatem et Ciceronem missos faciens, copias et fasces quos a senatu receperat contra senatum conuertit, Cic.*, 494). The relative nonchalance of the remark underscores the logic behind the equation. Octavian dismisses *libertas et Cicero* as if they stood in his service—the military metaphor in *missos facere* cannot be coincidental. This remark refers to Octavian's successful wish to obtain *dominatio* over the Roman citizens and the state in its entirety. The rhetorical collocation of liberty and Cicero brings completion to the identification of Cicero with republicanism. Cicero belongs to liberty just as liberty belongs in his civic thought; they are two parts of the same, a hendiadys for the Republic.

The history of two Republics

Bruni's later works present an organic and consistent political theory.⁷¹ It would be wrong, therefore, to regard the *Cicero nouus* as an isolated biographical project. Bruni's adjustments to the storyline and the interpretation of Caesar's and Cicero's relationship convey an innovative message to the humanist audience

⁷¹ Compare Witt 1971 with Hankins 1995, who believes that it is "an anachronism" (325) to recognize ideological, political concepts in Bruni; according to Hankins, he was only a rhetorician in service of the state, an argument he in fact comes back from in Hankins 2019. Whether Bruni actually brought his ideas into practice is not the concern of this paper. I am interested in the Republican discourse that Bruni reconstructs on the basis of Cicero's political theory, and how this discourse affects humanist learning and civic ideology. Bruni himself acknowledges in *De militia* that there is a difference between the ideal (Platonic), literary state and its practical organization or day-to-day management. He makes no claim about which of these he values higher. See *Mil.* (in: Viti 1996, 658): *Forma uero ciuitatis duplex est: una limatior a sapientibus cogitata, litteris solum et ingenio constans, altera qualem usu et re uera ciuitatem uidemus.* Cf. Hankins 2019, 238–253.

of the biography. The *Cicero nouus* is the tale of two Republics. Although several historians have pointed to the ambiguous and often unconstitutional use of the term *libertas* in the Florentine sources,⁷² from Roman Antiquity onward the term was a synonym for republicanism. Its meaning was located somewhere between autonomous government and an official Republican constitution, but could be used informally as any kind of rule that was not based on domination, and recognized the rights of the citizen.⁷³ The novelty of the *Cicero nouus* is that it frames *libertas* as both a political and Ciceronian concept *in opposition to* Caesar's and, finally, to Octavian's rule.

The negative portrayal of Caesar in *Cicero nouus* is easily explained by the Florentine obsession with the protection of their civic rights in reaction to foreign threats. Yet, there is more to explore here. Within the reinvention of civic philosophy based on Cicero's writings the historical career of Cicero also has a significant role to play. Caesar's dictatorship instigated the culmination of Cicero's theoretical genius; the result was the successful articulation of the value of *libertas* for a healthy Republic. *De officiis*, one of the canonical texts about political leadership in fourteenth- and fifteenth-century Florence, repeatedly revisits the Caesarian regime as an example for the prototypical repressive reign of terror, in order to demonstrate the power of a polity governed by the principles of *libertas* and *aequitas*.⁷⁴ The subsequent conflict with Mark Antony and then Octavian gave further relief and urgency to these ideas. Cicero articulated his political thought mainly in reaction to the powerful individuals interfering with the traditional form of government in the first century BCE. Bruni may have been more heavily influenced by this personal vision informing *De officiis* than we have hitherto realized.

In fifteenth-century Florentine propaganda Ciceronian theory was an authoritative means to argue for the defence of liberty. However, in the biography, Bruni wants to do more than to acclaim Cicero as the classical authority for Republican beliefs or the perfect patriot who knows how to root political leadership in personal virtue and intellectual power. The biography offers a historical reconstruction of Cicero's mature political theory, formed at a point in time when the Republican system was staggering. It is not for reason of knowledge display or the typical humanist desire for comprehensiveness that Bruni inserts the episto-

⁷² Pocock 2010; Rubinstein 1986.

⁷³ Wirszubski 1950.

⁷⁴ *Off.* 1.26, 2.23; cf. 3.83, with Dyck 1996 *ad loc.* According to Dyck, "[t]he conflict between the old and new Roman political culture is largely personalized as a conflict between Cicero and Caesar" (32). Salutati also cites *Off.* 1.26 and 2.23 in *Tyr.* 3.1–2, a treatise which Bruni must have known well.

lary exchange between Caesar and Cicero in the *Cicero nouus* (see p. 163). The dialogue between Caesar and Cicero reflects the change in the position that civic individuals traditionally enjoyed within Rome's Republican government. Just as Cicero wrote in reaction to Caesar, the actions of Bruni's Cicero are defined by the relationship with Caesar, and, to a lesser extent, other power addicts like Mark Antony and Octavian.

As we have seen, Bruni states that the *extremus actus* of Cicero in 44–43 BCE, during his struggle against Mark Antony, was the most beautiful.⁷⁵ The side-comment “as if he were a poet”, makes it clear that the term is used metaphorically. If Cicero's life was imagined to be a play, the altercation with Antony would be his final moment on stage, while his death is rapidly approaching. Bruni envisaged a tragic narrative in restaging Cicero's political life and constructing a hero of liberty and a saviour of the Republic. *Actus*, however, has multiple meanings. It must in this context also signify the public defence of Roman liberty. Additionally, the remark that Cicero as a tragic poet⁷⁶—not actor!—wrote the *actus* himself suggests that the term alludes to his writings as well.⁷⁷ The political speeches (*Philippics*) would definitely come into play here, but Bruni might also have had in mind Ciceronian theory on the value of a Republican government in antithesis to a tyrannical rule.

I do not think we are meant to decide on a single meaning. Within Bruni's argument, it would be inappropriate to differentiate the literary and political achievements of Cicero, since all were performed with the same public goal. The praise of Cicero as embodiment of Roman citizenship, even when he was not allowed to partake in political life, has made that clear. It is nearly impossible to separate the man from the Republican Idea; his eloquence, his writings, and his personality have all been blended together in Bruni's concept of republicanism. The ‘new Cicero’ has become the personification of *libertas*—a *libertas* the ancient Cicero himself had defined and popularized. The Cicero Bruni is particularly interested in and is reshaping in the biography is the Cicero of the last days of the Roman Republic, which were also the last days of liberty in Bruni's view and in the view of the ancient historians. Exploring Cicero's life, then, was equivalent to exploring the possibilities of freedom and of Republican rule. This rewriting of an individual life story into a tale of subversion and repression turned it into an instructive piece which led its readers to understand Cicero's

⁷⁵ See above p. 167.

⁷⁶ The order of the words, *Ciceronis uelut optimi poete extremus actus*, suggests to me that *optimi poete* should be read as an apposition to *Ciceronis*.

⁷⁷ *Actus* can mean either business of state, public employment, or the oral delivery of public speeches; see *OLD*² s.v. *actus* 7–8.

magnificence better. Finally, it encouraged them, inspired by their ancestor's exemplary acts, to fulfil their own civic aspirations.

I have shown that Bruni's vision on Cicero's public career and authority was directed by the events of the later years. In his description of the life of Cicero, Bruni was led by the actual demands of Florentine politics, which were marked by a vehement debate on the character of the *res publica Florentina*. A product of this humanist discourse, Bruni revealed not only Cicero's personal ambitions and achievements, but also the historical background to the Ciceronian concept of liberty that has since Antiquity been the hallmark of western republicanism.⁷⁸

⁷⁸ Research for this chapter has been made possible by a VIDI grant of the *Dutch Research Council* (NWO), funding no. 276–30–013.

Christoph Pieper

Multilayered Appropriation(s)

Josse Bade's Edition of Cicero's *Philippicae tribus commentariis illustratae*

Early modern commentaries are an excellent genre for analysing the legacy of the classical texts. They appropriate an authoritative text, commend it to their readers' attention and negotiate its importance for the contemporary audience. At the same time, they are not just concerned with the text to be commented on. In order to contextualize it, they are heavily indebted to the classical tradition surrounding it. Thus, they can offer us insight into the way in which they approached classical culture in general and how they positioned the author at hand within this overall literary, political and cultural picture.

This chapter will concentrate on an edition of the last speeches by Cicero, the *Philippics*. It was printed in Paris in 1529 by Josse Bade and contained the commentaries of three Italian humanists: one attributed to (but according to modern views most probably not written by)¹ the Byzantine scholar and specialist on rhetoric George of Trebizond (1395–1472), another one by the Perugian professor of rhetoric Francesco Maturanzio (ca. 1443–1518),² and a third by the famous humanist and teacher Filippo Beroaldo the Elder (1453–1505).³ After briefly introducing the genre of early modern commentary and the specific edition, I will touch upon the *Philippics* as Cicero's final oratorical words, then deal with what I term 'intertextual' interactions between the commentaries by Maturanzio and Beroaldo, and finally turn to Bade's prefatory letter and the question of why he might have published his edition in 1529. For limits of space, I will concentrate primarily on the paratexts of the edition and the three commentaries: Bade's preface and the introductions to the speeches by the individual commentators.

1 Cf. Classen 1993, 82 [=2003, 147–148]. According to Classen's analysis, the annotations attributed to George differ vastly both in length and complexity from the genuine rhetorical works and commentaries by George of Trebizond. The commentary to the *Philippics* by Pseudo-Trapezuntius gives "the impression [...] of someone trying to introduce Greek pupils to Cicero's speeches on a fairly elementary level", whereas the 'real' George of Trebizond advocated a *philosophical* rhetoric, i.e., one that was no mere container of stylistic tricks, cf. Monfasani 1976, 294–299.

2 See Falzone 2009 for a biographical sketch of this slightly less known humanist.

3 The best brief introduction is Maréchaux 1997.

Josse Bade's 1529 edition of the *Philippics*

Early modern commentaries were not only meant to introduce contemporary readers to the works and life of the ancient authorities. At the same time their purpose was to provide useful guidance for their readers' personal future, thus combining philological, historical, antiquarian or philosophical insights with contemporary interests. As Karl Enenkel and Henk Nellen in their very thorough introduction on early modern commentaries argue,

it was not a foregone conclusion that commentaries necessarily ought to play an auxiliary role. Commentaries were mainly studied—in various intellectual settings, to be sure—in order to acquire knowledge and skills. A 'pure' understanding of the source text was not the exclusive goal.⁴

In other words, most commentaries were means of appropriation rather than works of purely academic reception; they were meant to be relevant for the contemporary reader's life. Their aim could be to improve grammatical or rhetorical ability, but also to increase insight into contemporary political and philosophical discourses or to provide profound religious education. A second point worth mentioning is that commentaries in early modern times were a very open genre. Not only could they vary considerably in their approach to texts (from short glosses and lexical variants in school commentaries to encyclopaedic lemmas in thick and expensive books), commentators were also free to include anything they found useful from existing commentaries and/or other authoritative literature in their own explanations. Thus, in commentaries appropriation of an authoritative text happens through re-use and re-shaping of information available in other sources, including previous commentaries on the same text. This recurrent re-use of previous material could put the authorial identity of the commentator at stake, as his work was prone to being abbreviated, changed or simply 'borrowed' by later scholars. Such a relative openness of the genre adduced commentators, especially since the invention of the printing press, to establish their own authority as intellectuals, with the commentary as a potential medium to negotiate questions of "power and authority".⁵

Josse Bade is one of those Renaissance intellectuals for whom negotiation of authority was of crucial importance. In his own self-representation he tried to

⁴ Enenkel/Nellen 2013, 3.

⁵ Cf. White 2013, 68–69 with further bibliographical references. See also Enenkel 2015, esp. 1–53, on the importance of authorial self-fashioning in printed book within early modern intellectual culture.

combine the image of a man of letters (who was offering material to others in a markedly unselfish manner) with the business of a professional printer who had to live off his job and therefore had to advertize his name in an adequate manner.⁶ The huge number of commentaries he published—partly with his own notes,⁷ partly with the annotations of others—attests to the success of his negotiation. Paul White even calls Bade “the exemplary figure of the early age of print”.⁸ His 1529 edition *Philippicae M. Tullii Ciceronis diligentissime ad exemplar fidelius repositae: & tribus commentariis, Maturantii, Philippi Beroaldi, Georgii Trapezuntii, & scholiis Ascensii, & tabella literaria diligenter e commentariis emendatis collecta, illustratae* is an interesting case in which the appropriation of Cicero’s *Philippics* can be observed on several levels. First, Bade’s decision to publish the *Philippics* with a foreword of his own anchors the edition in his own time and context. Second, he conserves and ennobles the three preceding commentaries. By reprinting them, he increases their canonical status, and by reprinting them *together*, he invites the reader to consider their interplay. Third, the three commentators themselves also relied on even earlier—ancient and early modern—material.

In the case of the *Philippics*, Bade’s own input as a commentator, apart from the important prefatory letter, is marginal (he only adds some philological lemmas about alternative readings of the text—his main achievement, so he claims, is the thorough emendation of the text). The edition is an emended reprint of a previous Parisian edition from 1514,⁹ which also contained the same three commentaries. Maturanzio’s *enarrationes* were first printed in 1488 in Vicenza by Enrico di Ca’ Zeno (Henricus de Sancto Ursio); later they formed a fixed pair with Beroaldo’s commentary ever since the latter’s *editio princeps* had appeared in

⁶ For his self-portrayal see now White 2013, esp. 34–60 (ch. 2: “Self-representation and authorship”). White especially underlines (p. 36) that Bade in his paratexts, in contrast to Erasmus and other contemporaries, tends “in the [...] direction of self-abnegation and dissavowal of ownership”, i.e., that Bade never sees himself as first author of his books; at the same time, he emphasizes “the intellectual labour he had invested in the text” (p. 50). It was not always easy for Bade to gain acceptance for his efforts from the other humanists, as shown convincingly by Diu 1997.

⁷ His own commentaries were often labelled *familiares commentarii* of moderate difficulty with a clearly didactic aim, aimed at “instilling in his pupils a profound love of the *belles lettres*”, as Crab 2014, 154, has argued. On the edition of the *Philippics* not quite fitting into this category, see below.

⁸ White 2013, 275.

⁹ Cf. Classen 2003, 40. He refers to the edition published by Jean Petit, Parisiis 1514 (no. 61064 in Pettigrew/Walsby 2012, 402), but I was not able to see this edition myself.

Bologna in 1501 with Benedict Hector;¹⁰ the *adnotationes* attributed to George of Trebizond (to which I will henceforth refer as Pseudo-Trapezuntius), however, had already been printed in Venice by Nicolas Jenson, probably in 1475, and were first added to the two by Maturanzio and Beroaldo in the afore-mentioned edition from 1514. However, it is interesting to see that Bade decided to re-publish it in 1529, a year in which the so-called ‘Ciceronianus’ debates had reached an initial peak after the publication of Erasmus’ homonymous treatise.¹¹ I will return to this towards the end of this chapter.

The use of sources: negotiating Ciceronian excellence

As mentioned above, the commentaries reprinted by Bade negotiate the previous Ciceronian tradition through their specific use of ancient and early modern sources. We do not possess ancient commentaries or scholia on the *Philippics*, nor did the humanists of the fifteenth century.¹² They therefore had to go back to other material. For the afterlife of certain passages of the speeches they could recur to Quintilian, who loved the *Philippics* and quoted from them regularly. Almost all of Quintilian’s references to the speeches are quoted in the lemmas of Beroaldo’s and Maturanzio’s commentaries. For a more general appraisal of the text, early imperial declamation as preserved by Seneca the Elder (mostly in his sixth and seventh *Suasoriae*), but also Juvenal’s tenth satire offered valuable material. For the historical background, it goes without saying that Cicero’s own works were used. Valerius Maximus offers some details of Cicero’s death, but it is especially the corpus of Plutarch’s *Lives*—extremely successful in fifteenth-century Italy¹³—

10 The edition *M. Tullii Cic[eronis] Orationes per Philippum Beroaldum recognitae ac diligenter correctae* (Bononiis: Hector, 1499) does not contain any commentary lemmas, cf. Classen 2003, 14–15.

11 The editio princeps was published in the Officina Frobeniana in March 1528: *De recta Latini Graecique sermonis pronuntiatione Erasmi Roterodami Dialogus. Eiusdem dialogus cui titulus Ciceronianus seu De optimo genere dicendi; cum aliis nonnullis quorum nihil non est nouum*, Basileae: Hieronymus Froben, 1528.

12 The only ancient commentary to Cicero’s speeches that was surely known to fifteenth-century Italian scholars was that of Asconius Pedianus, which (after its rediscovery by Poggio Bracciolini) began to circulate from 1416 onwards. It was printed regularly, often together with contemporary commentaries, but of course only for the small number of speeches it contains, most importantly *Pro Milone*.

13 Cf. Pade 2007.

which provided the commentators with the bulk of historical details, especially the *Lives* of Caesar, Mark Antony and Brutus, together with Leonardo Bruni's version of the life of Cicero, the *Cicero nouus* (officially a translation, but in fact a free adaptation of Plutarch's *Cicero*).¹⁴

I offer only one example for the commentators' dealing with their source material. It is a passage from Maturanzio's historical introduction to the *Philippics* (the other two commentators do not have a similar historical account): after Caesar had been killed by 24 wounds (not 23!)¹⁵ and the conspirators have occupied the Capitol, Maturanzio describes the following events in a kind of pastiche of several Plutarchan *Lives*. I have underlined passages which either quote or are closely inspired by Guarino da Verona's translation of the *Life of Brutus*, italicized references to Leonardo Bruni's translation of the *Life of Mark Antony*, and printed in bold what stems from Bruni's *Cicero nouus*.¹⁶

Accirco timens Antonius consulatus¹⁷ abiectus insignibus et mutata ueste¹⁸ delituit. uerum quando nemini illos nocere accepit tutaque esse omnia, prodiit e latebris. Senatus in Telluris aede habitus est. Multa pro concordia facta sunt uerba.¹⁹ **Cicero illico princeps in illo ordine apparuit: cum recuperata libertas uideretur esse,**²⁰ **pacem inter amicos et interfectores Caesaris qui Capitolium occupauerant suasit, discordiarum memoriam sempiterna obliuione delendam censuit.** *Brutus et Cassius laetis omnibus*²¹ e Capitolio uocati non prius tamen descendere quam Antonius et Lepidus uterque *filium suum obsides pro illis in Capitolium mitterent.*²² *Et C. quidem Cassium coenae die illo Antonius, Lepidus Brutum adhibuit. Postridie uero eius diei, cum de obliuione discordiarum, de prouinciis diuindis Antonius retulisset, summo studio ei senatus assensus est, etiam ut Caesaris acta rata*

¹⁴ See Mabboux and Jansen in this volume for more details.

¹⁵ 23 is the number offered by all ancient sources, e.g. Plut. *Caes.* 66.14, Livy, *Per.* 116 or Flor. 2.13; also the *editio princeps* [Rome 1470] of all of Plutarch's *Lives* in Latin translations offers this number, cf. Plutarch 1470, fol. 363v (the *Life of Caesar* in the translation by Guarino da Verona).

¹⁶ The passages in the *editio princeps* (Plutarch 1470) are on fols. 402r (*Life of Brutus*) and 443r (*Life of Mark Antony*); the *Cicero nouus* is quoted according to Viti's 1996 edition, 486.

¹⁷ *consulatus*] *magistratus* Plutarch 1470 (Bruni).

¹⁸ The same is also in *Life of Brutus* (in: Plutarch 1470 [Guarino]).

¹⁹ In Guarino's version of Plutarch's *Life of Brutus* (in: Plutarch 1470) Antony, Plancus and Cicero are mentioned as main orators.

²⁰ Maturanzio reuses this formulation almost verbatim in his introduction to the second *Philippic*: Bade 1529, fol. 24v: *ciuitatis eo tempore princeps*.

²¹ This summarizes Bruni's longer wording: *Brutus et Cassius a senatu laudati; gratulationes et applausus ut liberatoribus patrie per totam urbem facti* (Bruni, *Cic.*, 486).

²² This episode is also in *Life of Brutus* (in: Plutarch 1470 [Guarino]); Maturanzio has summarized both versions relatively freely rather than simply quoting one of them, as is the case in the other highlighted references.

*manerent. Magnam tunc omnium iudicio laudem est consecutus quod intestinum sua prudentia sustulisset bellum et recto consilio ac ciuili animo usus esset.*²³

Therefore Antony was afraid; he dropped the decorations of his consulship and hid after having changed his clothes. But when he heard that they [sc. the murderers of Caesar] did not want to harm anyone and that everything was safe, he stepped out of his hiding place. The senate was gathered in the temple of Tellus; many words in favour of concord were uttered. Immediately Cicero appeared to be the leader of this body: because freedom seemed to be restored, he recommended peace between the friends and the killers of Caesar, who had taken possession of the Capitol, and he promoted that the memory of discord should be extinguished into eternal oblivion. With everyone's approval Brutus and Cassius were called from the Capitol, but they did not descend before Antony and Lepidus had both sent their sons as hostages to the Capitol. And Antony invited C. Cassius to dinner that day; Lepidus did the same with Brutus. Moreover, the next day, when Antony spoke about the amnesty of the discord and about the distribution of the provinces, the senate very eagerly agreed with what he said, also in that the *acta Caesaris* remained valid. On that occasion, according to all, Antony deserved great praise for having suspended an imminent civil war with his intelligence and for having shown his right intention and his civil spirit.

It is a striking proof of Maturanzio's historical honesty that he has not omitted the very positive evaluation of Antony here.²⁴ Generally, however, he seldom distances himself from Cicero's eulogistic auto-representation; his aim is to extol the Roman orator and politician as much as he can. In this attempt he can be connected to earlier humanistic reappraisals of Cicero as a major political actor of his time, e.g., Leonardo Bruni's *Cicero nouus* or Sicco Polenton's description of Cicero.²⁵ His aim is to show that Cicero in the years 44 and 43 was *ciuitatis eo tempore princeps* (cf. n. 20), whose engagement the other Romans would have expected anxiously. In order to do so, he suppresses any criticism of Cicero's behaviour (as the attack on his *constantia* which Atticus had launched when Cicero wanted to leave Italy in the summer of 44, and against which he had defended himself in *Att.* 16.7). Instead Maturanzio describes the event as a completely straightforward decision by Cicero, who only reacted to the always changing

²³ Bade 1529, fol. a ii v.

²⁴ E.g., the Paduan humanist Sicco Polenton in his long and detailed narration of the events deals with Mark Antony's speech, but does not mention that he was praised for it. Instead the people of Rome attribute the glory for having restored the state to Cassius and Brutus, cf. Polenton, *Script. ill.* (= Polenton 1928), 413.

²⁵ Think of Sicco Polenton's seven (!) books dedicated to Cicero's life in his *Scriptores illustres Latinae linguae*. As he puts it, Cicero's life and works are an *ingens opus et mare*, an ocean of material testifying to the mass of his deeds (*rerum magnitudo*) and to his dignity (*uiri dignitas*): cf. Polenton, *Script. ill.* (= Polenton 1928), 265. See Mabboux and Jansen in this volume for the development between the thirteenth and early fifteenth century.

moods of Antony.²⁶ In order to increase Cicero's courage, he adds a small detail which deviates from both the ancient sources and the biographical tradition of the fifteenth century. According to him, Cicero actually dared not only to deliver his second *Philippic* in the senate, but he even did so in Antony's presence: *Ausus est uenire in senatum et hanc orationem, qua omnem ante actam Antonii uitam carpit et lacerat, habere ipso Antonio praesente et audiente.*²⁷ However, such a deviation from the sources is quite rare. In general, Maturanzio's dependence on his ancient and humanistic predecessors testifies to the deep rootedness of early modern commentaries in humanistic literary culture, a fact that increases also the layeredness of Bade's 1529 edition: it not only preserves earlier commentaries, but also the larger fifteenth-century debate and its ancient roots on Cicero's political and oratorical exemplarity.

The *Philippics* as Cicero's *Spätwerk*

When an author wants to show Cicero's exemplarity, the *Philippics* traditionally take pride of place in his argument. They have been considered part of Cicero's *Spätwerk*, that is, an *opus ultimum* that condenses his life-long oeuvre in a special way and helped turn its author into a 'classical' writer.²⁸ In principle the concept can refer to style or content. Whether there are indeed certain traits in the *Philippics* that justify labelling them as representatives of a distinct *Spätstil* is open to discussion. Recently, Michael von Albrecht has defended its existence:²⁹

26 With regard to Antony, Maturanzio had already alluded to *mutata mox eius uoluntas* previously; Cicero's decision to return to Rome and not leave Italy is presented as follows: *Reuertendi in urbem nouum cepit consilium cum mutatam Antonii uoluntatem intellexisset et repudiatis malis suasoribus se ad senatus auctoritatem totum contulisset* [correxī, contulisse Bade 1529]. He again bases this on Bruni, who stresses Antony's *mutata uoluntas/mutatio* at exactly the same historical moments (Bruni, *Cic.*, 486 and 488).

27 Bade 1529, fol. 24v. Bruni, *Cic.*, 490 says that Cicero wanted to go to the senate and respond to Antony's invective, but his friends dissuaded him. Sicco Polenton does not comment on the setting of the speech.

28 Cf. recently, e.g., Scheidegger Lämmle 2016 and Bitto 2016. According to them, a *Spätwerk* on the one hand is particularly susceptible to authorial self-stylization (e.g., the *Spätwerk* can channel the reception of earlier works), on the other hand is something to which later readers often recur in order to find coherence in the corpus of an author. I am grateful to Ermanno Malaspina for having reminded me of the importance of the concept for Cicero's works dating from 44/43 BCE. For Cicero's own attempt to become a 'classic', see Bishop in this volume.

29 His summarizing characterization, however, makes use of a terminology that seems even more typical for describing an *Alterswerk* than a *Spätwerk*; cf. Scheidegger Lämmle 2016, 65 for the distinction.

according to him, Cicero has freed himself from juvenile exuberance and thus achieves the highest degree of stylistic balance.³⁰ Similarly, Josse Bade, whose edition of 1529 will be analysed in this article, states that Cicero, the master of eloquence, surpassed even himself in the *Philippics*:

Vt enim ille omnium mortalium calculo et suffragio in eloquentia togatorum facile euasit primus aliosque in aliis operibus dicendi felicitate euicit omnes, ita in hoc opere se ipsum idest humanas uires superasse [...] uisus est.³¹

Just as according to the calculation and vote of all mortals he was easily the first in the field of eloquence of the Romans and defeated in his other oratorical works all others, thus in this work he seems to have defeated himself, that is human nature.

On the other hand, early modern readers were also willing to read the *Philippics* as Cicero's political heritage. This is partly due to Cicero's own rhetorical strategy in the speeches themselves, in which he shapes his *ethos* in a way that re-evokes his consular and post-consular *auctoritas*, thus stressing his political *constantia* as defender of the good cause of the Republic ever since his fight against Catiline.³² At the same time, he already reflects on his final works as part of a future commemoration of his deeds.³³ In the first *Philippic* Cicero wants to leave his voice as a testament for the state (*ut [...] huius tamen diei uocem testem rei publicae relinquerem*, *Phil.* 1.10),³⁴ and the end of *De officiis* refers to his voice which reaches his son Marcus, who is dwelling in Athens, *his uoluminibus*, i.e., in the written work itself (*quoniam his uoluminibus ad te profecta uox est mea*,

30 Cf. von Albrecht 2003, 114: "a general increase in purism, suppression of showy ornaments, strength and transparency instead of abundance". Cf. the epilogue to this volume for Erasmus' initializing the debate about a Ciceronian *Spätstil*.

31 Bade 1529, fol. <A ii v>. The text of the preface is edited in Renouard 1908, vol. 2, 323 (who erroneously prints *humanitas* instead of *humanas*). A French translation can be found in Lebel 1988, 120–122.

32 Cf., e.g., May 1988, 149; see also the famous beginning of *Cic. Phil.* 2: *Quonam meo fato, patres conscripti, fieri dicam, ut nemo his annis uiginti rei publicae fuerit hostis, qui non bellum eodem tempore mihi quoque indixerit?* Ps-Trapezuntius' commentary *ad loc.* reads as follows (Bade 1529, fol. 24r): *Hoc tamen affirmatiue dicit: fato uideor esse susceptus et natus ut omnes reipublicae hostes qui fuerant his annis uiginti, mihi etiam fuerint hostes*, thus adding an idea of Cicero's consistency as a result of the intervention of fate. Maturanzio makes Cicero's sentence unambiguous by explaining that Cicero's enmity against Catiline, Clodius, Antony and others was undertaken *magis reipublicae quam priuata causa* (*ibid.*, fol. 24v).

33 Cf. Bishop in this volume on Cicero's attempts to turn himself into an object of commemoration.

34 For this passage see also Scheidegger Lämmle 2016, 105. On the importance of writing in Cicero's oeuvre, see Butler 2002; Jansen/Pieper/Van der Velden (forthcoming).

Off. 3.121). This wish to codify his political ethos for future generations fits well the “Poetik des Nachlasses” as defined by Scheidegger Lämmle.³⁵

Also in Bade’s praise of Cicero’s rhetorical excellence which I have just quoted, an intertextual link, going beyond mere stylistic appreciation, adds a *political* aspect to his recognition of the *Philippics* as Cicero’s *Spätwerk*. Bade refers to Cicero’s own words with which he had remembered the death of Crassus in the preface of *De oratore* 3.³⁶ Cicero’s Crassus is not just a master of technical rhetoric. His last speech against consul Philippus was so excellent because in it he professed his political legacy as defender of the old senatorial values.³⁷ The link alludes to a similar function of the *Philippics*, which also serve as the political testament of a defender of the old Republican values. Just like Crassus, Cicero paid for his oratorical triumph with his life, a fact that lends extra gravity to the speeches.

Bade was surely not the only Renaissance reader of the *Philippics* to adorn the speeches with the aura of ‘last words’. Angelo Poliziano, whose fragmentary annotations to the *Philippics* we possess thanks to the notes taken by Poliziano’s student Pietro Crinito,³⁸ makes the same link with Crassus’ death via a reference to the famous image of the swans’ song before their death:³⁹

35 Scheidegger Lämmle 2016, 66, quoting Zanetti 2012, 54, who talks of the “Begehren [...] das bisher Geleistete im Hinblick auf die künftige Rezipierbarkeit des Geschriebenen insgesamt zu sichern oder in neue Bahnen zu lenken”.

36 Cic. *De or.* 3.3: *Omnium consensu sic esse tum iudicatum ceteros a Crasso semper omnis, illo autem die etiam ipsum a se superatum.*—In connecting Cicero’s death to his *De oratore*, the humanist readers might be inspired by a tradition from Antiquity, which we can grasp in the description of Cicero’s end by the Tiberian historiographer Cremutius Cordus: he links Cicero’s death to the death of the second protagonist of *De oratore*, Marcus Antonius the orator (Sen. *Suas.* 6.19): *Itaque, quo saepius ille ingenti circumfusus turba processerat, quae paulo ante coluerat piis contionibus, quibus multorum capita seruauerat, tum per artus sublatus aliter ac solitus erat a ciuibus suis conspectus est.* (cf. *De or.* 3.10: *Iam M. Antoni in eis ipsis rostris in quibus ille rem publicam constantissime consul defenderat quaeque censor imperatoris manubiis ornat, positum caput illud fuit a quo erant multorum ciuium capita seruata*). Also Livy might allude to this passage in the fragment narrating Cicero’s death (Sen. *Suas.* 6.17): *Caput in rostris [...] positum ubi ille consul, ubi ille consularis [...] auditus fuerat.*

37 Cf. the direct continuation of the passage quoted in n. 36 (*De or.* 3.3) which gives the reason (*enim*) for Cicero’s judgment: *Deplorauit enim casum atque orbitatem senatus, cuius ordinis a consule, qui quasi parens bonus aut tutor fidelis esse deberet, tamquam ab aliquo nefario praedone diriperetur patrimonium dignitatis.*

38 The manuscript has been studied by Mussini 2013.

39 Cf. Cic. *De or.* 3.6: *Illam tamquam cycnea fuit diuini hominis uox et oratio.* Scheidegger Lämmle 2016, 87–92 and 99–102 discusses the importance of the image in *De or.*, *Rep.* and *Amic.*

Nam profecto nemo dubitat omnes in ea uel animi uel ingenii sui neruos intendisse Ciceronem, sic ut alios in ceteris, in hac actione se ipsum maximus orator superauerit. Adsumam quod cignos ait Plato sacros Apollini suauiissime canere morti uicinos: hoc utique transferri aptissime ad Ciceronem potest, cuius hic liber tanquam extremus actus boni poetae supra ceteros laudetur.⁴⁰

For assuredly no one doubts that Cicero concentrated all the energy of his mind and talent in them [sc. the *Philippics*], so that the greatest orator surpassed others in other speeches, but himself in this one. I adopt what Plato says: swans, holy animals of Apollo, sing most sweetly when death is near. No doubt that this can most aptly be applied to Cicero, whose last book (the one we treat here) is praised more than all the others, like the final performance of a good poet.

One of the commentators edited by Bade in 1529, Filippo Beroaldo, also argues in a similar direction. He dedicates much space in his introduction to the ancient declamations dealing with Cicero's enmity with Antony and his death (see p. 190),⁴¹ thus creating a shadow of an imminent end around the *Philippics*. In the commentary itself he returns to this frame in two prominent places. In his last lemma of the first speech, when commenting on Cicero's sentence "The life I have lived is almost enough for me regarding both my age and my glory" (*mihi fere satis est quod uixi uel ad aetatem uel ad gloriam*, *Phil.* 1.38), he relates this to Cicero's actual death and quotes the "declaimer Cestius [Pius] who has said: 'If one looks at the longing of the people, you, Cicero, when you will die, have not lived long enough; if one looks at your deeds, you lived long enough; if one looks at the inequities of destiny, you have lived too long; if one looks at the memory of your works, you will live forever'". (*Cestius declamator egregie dixit: "Si ad desiderium populi respicis, Cicero, quando perieris parum uixisti; si ad res gestas, satis uixisti; si ad iniurias fortunae et praesentem reipublicae statum, nimium diu uixisti, si ad memoriam operum tuorum, saepe uicturus es"*, *Sen. Suas.* 6.4). The close relation between Cicero's death and his immortal fame is very reminiscent of a *Spätwerk*-discourse. More specifically, the formulation that Cicero has lived too long and therefore has seen the harshness of destiny alludes again to Cicero's own description of Crassus' death, who in Cicero's words had been spared from seeing the horrors of civil war due to a timely death.

⁴⁰ I quote the text from the edition by Mussini 2013, 223, lines 27–31. As Mussini also notes, the end of the passage (*tanquam extremus actus boni poetae*) quotes Leonardo Bruni's *Cicero nouus* (*Ciceronis uelut optimi poete extremus actus*, Bruni, *Cic.*, 488), who however does not relate this to the *Philippics* alone, but to Cicero's final year after his return to Rome in September 44 BCE. Cf. on this specific passage Jansen in this volume, pp. 167 and 172.

⁴¹ For the important role of declamation in the early reception of the *Philippics* see Keeline and Bishop in this volume; cf. also Keeline 2018 and La Bua 2019.

Attributing glory to Cicero's death is surely something Beroaldo was interested in. In one of the last lemmas of his commentary, on *Phil.* 14.34, he writes:

ID GENVS QVOD EST⁴² PVLCHERRIMVM] Socrates apud Platonem sic sermocinatur: "Videtur, Menexene, apud plurimas gentes praeclarum esse in bello occumbere. Etenim qui sic e uita migrat, funere et sepulchro magnificentissimo honoratur".^a Epaminundas Thebanus dicere solebat ἐν πολέμῳ θάνατον εἶναι κάλ<λ>ιστον, "in bello mortem esse pulcherrimam".^b Apud Silium inquit Annibal "pugnantem cecidisse meum est".^c Item in aelogio Pauli Aemilii "tibi gloria laeto [sic] | iam parta insigni".^d Plato quoque ita refert:^e "Profecto cum liceret nobis turpiter uiuere, honeste mori maluimus".⁴³

a. Pl. *Menex.* 234c

b. b. Plut. *Mor.* 192c = *Apophth. regum* 72.1

c. c. Sil. *Pun.* 4.509

d. d. Sil. *Pun.* 10.573–574

e. e. Pl. *Menex.* 246d

THIS KIND WHICH IS MOST BEAUTIFUL] Socrates speaks as follows in the work of Plato: "Menexenus, to die in war seems splendid for most nations. For who passes away like this, is honoured by a very magnificent funeral and tomb". The Theban Epameinondas used to say that "death in war is most beautiful". Hannibal says in Silius Italicus that "it is my task to fall fighting". See Silius, in Aemilius Paulus' eulogy: "your praise has emerged already through your glorious death [laeto]". And Plato says the following: "Indeed, when we were allowed to live a disgraceful life, we preferred to die honourably".

Cicero is here talking about those who have left their lives in the battle against Mark Antony and who will receive not only an honorific funeral monument, but also—more importantly—eternal fame. But Beroaldo's explanation could also be read as an indirect *laudatio funebris* of Cicero, who according to tradition had not only died *during*, but also *because of* his battle against Antony.⁴⁴

All these strategies by the commentators help to present the *Philippics* as something special: they are Cicero's rhetorical and political legacy, a kind of condensation of his work, and they are especially ennobled by the high price he had to pay for them.

⁴² Modern editions print *esset* here.

⁴³ Bade 1529, fol. 177r.

⁴⁴ For a more nuanced assessment of Cicero's death, see Keeline in this volume.

The interplay between the three commentators: fine-tuning the veneration for Cicero

While the reading of the *Philippics* as a kind of *Spätwerk* was obviously shared by most commentators in the fifteenth and early sixteenth century, in other instances, commentators also reacted specifically to one another. Bade's edition with the triple commentary makes it possible for his readers to compare the lemmas of different learned men and to look for similarities and differences. Before turning to some instances demonstrating this, however, it is useful to recall that an edition with several commentaries was nothing special per se—it was common practice at the beginning of the sixteenth century to publish *Horatius cum quatuor commentariis* (Venitiis: [Bon. Locatellus] 1494, with several reprints in the sixteenth century), *Vergilius cum quinque commentariis* (Argentorati: Joh. Grüninger 1502, with several reprints) and so on. Obviously, these large editions were not meant to be schoolbooks. They allowed more mature readers to compare the commentaries and to make up their own minds, especially in cases where the commentators entered into implicit or explicit discussion with each other.

Bade was one of the champions in this field. As Mark Crane has argued, his aim was to foster his readers' intellectual independence: "Bade's commentaries thus reflect faith in the capacity of his readers to use them in their full potential without having a teacher looking over their shoulder".⁴⁵ In this he might have been inspired by Beroaldo, one of his teachers during his Italian years, whom he continued to revere throughout the rest of his life.⁴⁶ The confronting of different commentaries was typical for Beroaldo as well: in commentaries that he published alone, he often explicitly quoted entries by his predecessors. It was also his decision to publish his commentary on the *Philippics* in 1501 together with Maturanzio's already existing one, thereby enabling the readers to choose the 'true' explanation, as he himself declares programmatically in his edition of Propertius from 1491 with the help of a quotation from Jerome (*In Ruf.* 1.16). He argues that the commentator's task is "to exhibit the interpretations of many so that an intelligent reader when reading the different explanations can judge what is true" (*multorum sententias exponere ut prudens lector cum*

⁴⁵ Crane 2012, 108.

⁴⁶ Cf. White 2013, 17–18.

diuersas explanationes legerit, iudicet quid uerius sit).⁴⁷ The quotation shows Beroaldo's wish to engage the reader actively in the process of reading by offering him alternative explanations.

The same approach is also valid for Bade's edition of the *Philippics*. One can find passages that are so closely related that I am inclined to label them conscious intertextual references between the three commentators printed by Bade. I quote the three individual introductions to the second *Philippic*. Pseudo-Trapezuntius writes: *Haec est secunda Philippica quae Ciceroni mortem attulit. Respondet autem criminibus et maledictis Antonii, deinde uehementissime et acerbissime in eum inuehitur*.⁴⁸ ("This is the second *Philippic*, which brought death to Cicero. He responds to Mark Antony's crimes and vituperations, and then accuses him very fiercely and violently"). Maruranzio, whose function as professor of rhetoric in Perugia makes it very probable that he knew a commentary attributed to a famous rhetorician such as George of Trebizond, imitates the emphatic beginning with a demonstrative pronoun that immediately appeals to the reader's emotional engagement with the text: *Haec est secunda Philippica quae M. Antonium priore oratione uehementer commotum in Ciceronem accendit ut leniri odii atrocitas postea numquam potuerit. Exstitit autem exitii et mortis Ciceroni causa, dicente etiam satyrico poeta, "Ridenda poemata malo | quam te diuinae miranda Philippica famae | uolueris a prima quae proxima"*.⁴⁹ ("This is the second *Philippic*, which angered Mark Antony, already very unsettled because of the first speech, so much that afterwards his hatefulness could never be mitigated again. It was also the reason for Cicero's death, as the satirical poet also asserts: 'I rank his ridiculous verses above you, astonishing *Philippic*, next to the first on the roll, with your immortal reputation'"). Beroaldo in his turn was one of the most learned men of his time (his phenomenal memory was praised by many fellow humanists) and one of the most successful teachers of Italy in his generation; therefore he will most probably have known not only Maturanzio's, but also the earlier Venetian edition of Pseudo-Trapezuntius. Beroaldo also makes use of the emphatic beginning *haec est* and, like Maturanzio, immediately refers to Juvenal as an ancient authority for the almost divine perfection of the speech: *Haec est illa Philippica omnibus Antonianis anteposenda, quam diuinam esse merito appellant, de qua sic serio scripsit poeta satyricus, "Quam te conspicuae*

⁴⁷ Quoted after Grafton 1977, 187 and Maréchaux 1997, 117. Grafton 1977, 188 has interpreted this as Beroaldo's unwillingness to express his own opinion and an invitation to "deplorably slovenly habits" (see also *id.* 1985, 636–637). Sandy 2007, 417, however, argues that Grafton's view is probably overstated.

⁴⁸ Bade 1529, fol. 24r.

⁴⁹ *Ibid.* The quotation is Juv. 10.124–126.

diuina Philippica famae / uolueris a prima quae proxima".⁵⁰ ("This is the famous *Philippic*, which one must prefer to all other *Antonian speeches*, and which one has rightly labeled 'divine'. The satirical poet seriously writes about it '[I rank his ridiculous verses above] you, immortal *Philippic*, next to the first on the roll, with your distinguished reputation'").

The addition of the adverb *serio* could be regarded as a reaction to Maturanzio, a clarification that Beroaldo deems necessary: Juvenal here does not speak with his usual satirical irony. This observation is especially striking if we consider that Beroaldo's commentary was always printed together with that of Maturanzio and that it might even have been triggered by his reading of the latter's work.⁵¹ The reader is not only able, but invited to read the two almost identical versions next to each other. To be sure, a correction as the one just mentioned is rare in the running commentary where Beroaldo and Maturanzio often comment on different words or do it in very different manner.⁵² It seems exaggerated, however, to conclude from this, as Maria Teresa Casella in a groundbreaking article from 1975 has done, that "nessun dialogo s'istaura tra i due commentatori".⁵³ There are several passages, especially in the introductions to the speeches, where Beroaldo's wording reacts to what he has read in Maturanzio. But the effect of this coexistence of the two commentators (or three, if we also take into account the much shorter annotations by Pseudo-Trapezuntius in Bade's edition) is not always that of a free choice for the reader; it can also enforce the preferred interpretation. In the case of the prefaces to the second *Philippic*, the commentaries drum the conveyed message (Cicero's second *Philippic* is a divine piece of oratory) into the readers' heads by means of persuasive repetition.

In order to corroborate this finding, let us turn to Maturanzio's and Beroaldo's praise of the *Philippics* in their respective introductions to all speeches. Maturanzio, who in his lemmas is usually more wordy than Beroaldo, keeps the lau-

50 Bade 1529, fol. 25r. The textual difference in the quotation from Juvenal is already in the 1513 edition (the *editio princeps* of Beroaldo's commentary), fol. Xv–Xlr—obviously Beroaldo wanted to represent Maturanzio's commentary as accurately as possible; the same then goes for Bade with regard to both Beroaldo and Maturanzio. The content of the verse is only slightly different: in Maturanzio's version, the glory of the second *Philippic* is divine; in Beroaldo's version (which corresponds to modern editions), it is the speech itself.

51 Thus Casella 1975, 654.

52 Cf. *ibid.*, 655, where Casella calls the interaction between the two a "mosaico in cui frammenti si allineano, non si sovrappongono" (but see my relativizing remark below). As mentioned above, Maturanzio's commentary is often more antiquarian or historical in tone, e.g. the two longest entries for the beginning of *Philippics* 1 are on *patres conscripti* (with the history of this term since Romulus), and on the fake-Marius (with a long summary of the events).

53 *Ibid.*, 654.

datory introduction quite short.⁵⁴ He briefly mentions four aspects: Cicero's imitation of and admiration for Demosthenes, the alternative name of *Antonianae orationes* transmitted by Aulus Gellius (e.g. *NA* 1.22.17; 6.11.3), and the speeches as the reason for Cicero's death, which is confirmed with a quotation from Juvenal (10.121–126). Additionally, at the beginning of his historical overview (see above, p. 179), he remarks that some of them were delivered in the senate, while others were speeches *ad populum*. In contrast to Maturanzio's brevity, Beroaldo's introduction is unusually long—he writes more than four times as many words, but he does not enlarge on all aspects in the same way. He says nothing about the audience of the speeches, only mentioning the name *Antonianae orationes* in passing (without reference to Gellius). His discussion of Cicero's dependence on Demosthenes is not much longer than Maturanzio's, but formulated more radically. The Perugian scholar quotes Cicero's *Orator* with the sentence that Demosthenes fulfilled what Cicero only aspired to (*et Demosthenem quidem ad Brutum scribens multa et in dicendo perficere, se conari multa, posse illum, uelle se dicit*).⁵⁵ Beroaldo in his turn begins his introduction with two sentences in which Cicero's name is not even mentioned; instead, Demosthenes is introduced with Quintilian's words as the *lex orandi* (*Inst.* 10.1.76). Cicero is afterwards introduced as an imitator of the Greeks and of Demosthenes in particular:

M. Tullius cum se totum ad imitationem Graecorum contulisset, maxime Demosthenem est aemulatus. Illum habet archetypum exemplar, illum cum primis admiratur eumque omni praeconio laudis extollit. Cuius nomini ac paene numini tantum tribuit ut orationes in M. Antonium triumvirum stilo bellatorio fulminantes Philippicas appellauerit quae et Antonianae nominantur. In quibus non minus clarum quam in forensibus orationibus eloquentiae lumen effulget.⁵⁶

Because Marcus Tullius resorted completely to the imitation of the Greeks, he especially emulated Demosthenes. He considers him his archetype and model, he especially admires him and praises him in all possible ways. He attributes so much to his name and (so to speak) godlike status that he gave the name *Philippics* to the speeches that thunder in warlike style against Mark Antony; they are also called *Antonianae orationes*. The light of his eloquence does not shine less brightly in these than in his judicial speeches.

The *lumen* which Cicero's speeches are said to possess thus seems to be dependent on his imitation of Demosthenes. The first impression the reader gets of Cicero is not that of the father or even name of eloquence, but of a sort of prede-

⁵⁴ Bade 1529, fol. a ii r.

⁵⁵ *Ibid.* quoting Cic. *Orat.* 105; cf. Bishop 2015, 286.

⁵⁶ Bade 1529, fol. a i r.

cessor of the humanists who through imitation has achieved the highest oratorical glory.

But the longest part of Beroaldo's introduction is still to come. He indulges at length in the theme of Cicero's death as a consequence of the speeches. The material he adds to Maturanzio's short notice stems from declamation (Seneca's sixth and seventh *Suasoriae* which treat the theme of whether Cicero should have burnt his speeches in order to save his life)⁵⁷ and historiography (Livy's description of Cicero's death as again transmitted by Sen. *Suas.* 6.17). Beroaldo quotes long sections of his sources verbatim, but two passages where he interrupts Livy's account are revealing. First, he presents the reader with a second version of Cicero's 'last words' (as transmitted by Aufidius Bassus, Sen. *Suas.* 6.18).⁵⁸ Second, he adds a quote by Mark Antony (which he found in a fragment of Cremutius Cordus, Sen. *Suas.* 6.19) that with Cicero's death the proscriptions have been fulfilled: *peracta proscriptio est*. These additions are in no way meaningless. In the first case, Beroaldo introduces his addition in a pathetic way with the particle *ecce* and by addressing Cicero in the second person (*tibi*), arguably in order to enlarge the reader's involvement and sympathy with Cicero at the moment of his death. The second addition is even more interesting. Antony's triumphant sentence seals Cicero's exceptional role: the whole proscription seems to have been undertaken only in order to have him murdered, and his death ends the bloodshed. The consequence remains implicit: if Cicero had refused to die, but had fled instead, the proscription would have continued and more Romans would have been killed. This means that Cicero, whose speeches during his lifetime according to Cremutius Cordus (Sen. *Suas.* 6.19) had saved the lives of many (*multorum capita seruauerat*), saves Roman lives even with his death.

What we see in Beroaldo's introduction is a reaction to Maturanzio's introduction: Cicero's oratorical pre-eminence is somewhat relativized by Beroaldo stressing his dependence on Demosthenes. On the other hand, the importance

57 On the importance of declamation for the reception of Cicero's final years see Keeline and Bishop in this volume.

58 Bade 1529, fol. a i v (the underlined passage is an addition to Seneca's words by Beroaldo): *Regressusque in uillam "Moriar", inquit, "in patria saepe seruata". Satis constat seruos fortiter fideliterque paratos fuisse ad dimicandum. Ipsum deponi lecticam et quietos pati quod fors iniqua cogeret iussisse. [Livy] Ecce tibi adest Popilius, olim a Cicerone defensus! Quem cum armatis militibus postquam aduentare prospexit "Accede", inquit, "ueterane, et incide ceruicem". [Aufidius Bassus] ("And returning to his villa, he said: 'I will die in the fatherland that I have saved so often'. It is well known that his slaves were ready to fight bravely and faithfully. He himself told them to put down the litter and to suffer calmly what an evil destiny had ordained. See, there comes Popilius, once defended by Cicero! When he saw him arriving with armed soldiers he said: 'Come here, veteran, and cut through my neck'.")*

of the *Philippics* as the testament of an exceptional *political* figure is enlarged. Beroaldo probably did this on purpose. He was an ‘Apuleianist’ and was as such opposed to the uncritical veneration of Cicero as a stylistic model by the ‘Ciceronians’ of his time.⁵⁹ As humanistic role model for political engagement and moral behaviour, however, Cicero remained very much acceptable.

Bade’s preface: adding a Christian flavour

As we have seen so far, Josse Bade’s edition offers the reader a temporally layered “delineazione di alcuni aspetti di storia della filologia”, as Donatella Coppini has defined it: three Italian Quattrocento commentators, who all belong to different “generazion[i] filologic[he]” and who incorporate older material in their commentaries,⁶⁰ embedded in the context of a sixteenth-century edition. As mentioned before, Bade’s own philological additions are few, but his preface to the edition is often considered to be one of his most important paratexts; according to Paul White, it is “the only document in which Badius reflects on his own contribution and legacy to the world of scholarship”.⁶¹

The text has the form of a dedicatory letter “to the admirer of Ciceronian expression, that is of the whole Roman eloquence” (*Iodocus Badius Ascensius Ciceronianae phraseos, id est totius eloquentiae Romanae miratori studioso salutem*).⁶² The letter can be divided into two parts. In the shorter second one, in which Bade pays tribute to Cicero (a passage partially quoted above, p. 182), he qualifies Beroaldo’s evaluation that Cicero was a (mere) imitator of Demosthenes. According to Bade—whose admiration for Beroaldo did not prevent him from being a Ciceronian stylist⁶³—Cicero was not inferior to the champions of Greek eloquence:

Vt enim ille omnium mortalium calculo et suffragio in eloquentia togatorum facile euasit primus aliosque in aliis operibus dicendi felicitate euicit omnes, ita in hoc opere se

⁵⁹ Cf. D’Amico 1984, esp. 361–362; Rose 2001, 59–63.

⁶⁰ Coppini 1976, 1371.

⁶¹ White 2013, 58. More generally, Diu 1997, 116 has underlined the importance of Bade’s prefaces: “C’est à l’occasion de ses préfaces que Bade forge son image de lettré”; “il s’y présente [...] comme champion de la restauration des belles-lettres”.

⁶² Bade 1529, fol. <A ii r>.

⁶³ See Deneire 2011, 26–27.

ipsum idest humanas uires superasse et cum principe Graecorum Demosthene dubia de uictoria contentione certasse uisus est.⁶⁴

Just as according to the calculation and vote of all mortals he was easily the first in the field of eloquence of the Romans and defeated all in his other oratorical works, thus in this work he seems to have defeated himself, that is human nature, and fought against Demosthenes, the best of the Greeks, in a battle the winner of which is undecided.

In the first part of the letter, however, Bade adds a religious level to his commentary. Its main aim, so he says, is not to propagate classical education for its own sake, but to render the reader capable of true Christian faith:

Totis cum corporis tum animi uiribus retinere conatus sum, ut uidelicet pro uirili mea et talento mihi a deo credito per litterarum promotionem rem christianam iuuarem. Visum enim mihi fermeque persuasum erat ut quisque optime Hebraice, Graece aut Latine sciret, ita ad diuinorum eloquiorum intellectionem esse et fuisse semper aptissimum.⁶⁵

With all the energy of my body and intellect I have tried to be loyal to my principles, that means to help promote Christian faith as well as my power and talent (which God has given me) allowed me. I thought and was almost sure that the more anyone had deep knowledge of Hebrew, Greek and Latin, the more he would be and would always have been well prepared to understand the divine utterances.

Bade defines nuanced knowledge of Christian Scripture as being dependent on a good training in classical, i.e. non-Christian rhetoric, and thus makes a strong claim for the latter's importance. Cicero, the champion of eloquence, is therefore a crucial author for all Christians to study. On the other hand Bade thereby reduces classical rhetoric to a propaedeutic discipline for theological studies.⁶⁶ Obviously, this argument goes back to discussions in Late Antiquity on how a Christian believer had to deal with non-Christian authors. Bade makes the link explicit by mentioning Greek and Roman church fathers as his witnesses, among them Hilary of Poitiers, Jerome, Ambrose, Augustine *sexcentique alii*. Hilary, for example, had declared that one had to use the most rhetorically polished language when speaking about the marvels of God's greatness.⁶⁷

⁶⁴ Bade 1529, fol. <A ii v>. For the ancient tradition of staging a fictitious competition between Demosthenes and Cicero, see De Jonge 2019.

⁶⁵ Bade 1529, fol. <A ii r>. Cf. Renouard 1908, vol. 2, 323, who prints *saepe* instead of *semper*.

⁶⁶ Cf. Crane 2012, 109 on the difference between Erasmus and Bade: the latter according to him was a propaedeutic thinker, whereas Erasmus was a critical spirit.

⁶⁷ Hilary, *Tractatus super Psalmos* 13.1: *Quanto magis conuenit Dei eloquia ad cognitionem humanam retractantes dignos nos hoc officio praestare! Sumus enim quoddam sancti spiritus organum, per quod uocis uarietas et doctrinae diuersitas audienda est. Vigilandum ergo et curandum est, ut nihil humile dicamus metuentes huius sententiae legem: 'maledictus omnis faciens opera*

The old debate gained renewed relevance at the beginning of the sixteenth century. Erasmus had defended the integration of classical learning in his *Anti-barbari* of 1520. More importantly, in 1528, one year before Bade published his commentary, in Erasmus' *Ciceronianus* the character Bulephorus (who functions as Erasmus' spokesman) defended a Christian rhetoric that was based on a fluid combination of Cicero and Paul, i.e. of Roman and Christian persuasion at the same time.⁶⁸ Bade, who had been influenced by the *deuotio moderna* of Thomas a Kempis in his youth, already in his commentary to Terence had declared that real poetry was always inspired by the Holy Spirit. In 1529, towards the end of his career as a printer, he programmatically re-affirms his belief (I quote Mark Crane) "that linguistic understanding could lead to deeper religious understanding".⁶⁹ I do not want to enter the debate on whether Bade's preface is meant to be an apology and might therefore be directed against Erasmus, who famously had called Bade a man who was more interested in earning money than in the *litterae* themselves.⁷⁰ In my view, White rightly advocates a nuanced position: while there is no doubt that Bade's preface is part of the ongoing Ciceronian debate, "[i]t seems unlikely [...] that Badius intended the dedication as an attack on Erasmus. His remarks about Christian eloquence seem entirely in tune with the Erasmanian position".⁷¹ More important for the purpose of this chapter is the fact that he made the claim in an edition of one of the champions of ancient rhetoric, Cicero. He thereby links the Ciceronian debate closely to its late antique predecessors and at the same time enhances Cicero's authority through the authority of

Dei negligenter'. ("How much more fitting is it that we, when interpreting God's eloquence according to human intellect, show ourselves worthy of the task! For we are a certain instrument of the Holy Ghost through which the variety of his voice and the diversity of his doctrine can be perceived. Therefore let us be wakeful that we do not say anything mean, out of respect for the following lawful judgment: 'Cursed anyone who fulfils God's works carelessly'." The final quote is from Jer. 48:10.

68 Cf. ASD I-2, 1971, 637–639. See Del Giovane in this volume for the sixteenth-century debate and especially for Erasmus' take on Cicero's *De officiis*.

69 Cf. Crane 2012, 103.

70 Lebel 1988, 17 advocates the idea of the preface being an anti-Erasmanian apologetic text, "une véritable profession de foi" (following a suggestion by Renouard 1908, vol. 1, 28). On Erasmus' (and other humanists') criticism of Bade's economical interest, see Diu 1997. In the *Ciceronianus* (ASD I-2, 672–673), Nosoponus says that he would rather admit Bade in the circle of Ciceronianists than Guillaume Budé, and that Bade would have been an even more successful stylist if he had dedicated more time to the studies and less to his personal economy (*nisi curae domesticae reique parandae studium interrupissent ocium illius musis amicum*). But as this judgment is pronounced by the Ciceronianus himself, i.e. by the figure that is ridiculed, it has to be taken *cum grano salis*.

71 White 2013, 57; cf. also Crane 2012, 109.

Jerome, Augustine, and all the “six hundred others”. While his preface excludes references to the political Cicero, which we have seen so prominently in the introductions by Maturanzio and Beroaldo, it adds a theological element to Cicero’s oratorical testament. Bade’s program could be summarized as follows: “I am interested in propagating Christian faith by propagating the universal qualities of Cicero, which are acknowledged by very different humanistic authorities; all of these authorities incorporate many ancient authorities for their claim that the *Philippics* are the best of Rome’s best orator”. Herewith, he sided with the commentators he published that studying Cicero is no mere matter of style, but also of content; and he shared their method of keeping alive important moments of the Ciceronian tradition that had already lasted for more than 1500 years in his time.

Conclusion

While commentaries have often been defined as media for negotiating power, Paul White has reminded us that they could also negotiate legacy. He thinks of Bade as defining and thereby codifying his own intellectual legacy which he wished to leave as a commentator and publisher. However, in his edition of Cicero’s *Philippics* at least two other cultural legacies are at stake as well. On the one hand, the edition serves as a mediator for the intellectual heritage of Italian Quattrocento humanism in Northern Europe. On the other hand, the Italian commentators themselves read the *Philippics* as Cicero’s legacy, his *Spätwerk*, and discuss his importance as an oratorical, political and moral authority.⁷² In order to do so, the reception of the *Philippics* in the commentaries is at the same ‘reception of Cicero’ and ‘reception of the Ciceronian tradition’, as it relates closely to early imperial, late antique and early humanistic moments of transforming Cicero into a cultural icon. For this reason, Bade’s edition is a truly rich treasure that can exemplify early modern appropriation of Cicero’s final years.⁷³

⁷² Thus Bade’s commentary (similarly to what Van der Velden in this volume postulates for the *Epistula ad Octavianum*) unites different strands of the Ciceronian tradition—the rhetorical, political and moral authority—into an iconic image of excellence and a major model for multi-layered imitation and emulation.

⁷³ I thank the participants of the CCC workshop and especially my Leiden colleagues Bram van der Velden and Leanne Jansen for many valuable suggestions and corrections. I am grateful to Cecilia Mussini for having sent me her unpublished Ph.D. thesis. Laura Napran kindly corrected my English. The sharp eyes of Ermanno Malaspina saved me from several infelicities. Research

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Marc-Antoine Muret and his Lectures on Cicero's *De officiis*

This chapter focuses on Cicero's *De officiis*, his spiritual legacy written in the last months of 44 BCE,¹ and on a pivotal figure of the European Renaissance, Marc-Antoine Muret.

I will investigate how Muret makes use of *De officiis* in his academic work at University of Rome 'La Sapienza'² and the role the treatise could have played in Rome at the time of the Counter-Reformation. Cicero wrote it during the fall of the Roman Republic, at the very end of his life, in order to hand the Roman value system down to young people. For this reason, Muret considered *De officiis* an inspirational work for the students in his class on eloquence. The cornerstone of his reading of the work is that moral philosophy is indispensable for eloquence to function as a political tool, as it did in Cicero's time.

Marc-Antoine Muret

Muret was an extraordinary figure³ who lived between 1526 and 1585 and who was active mainly in France, then in Italy, in Venice and Rome. He was a poet, orator and professor; his work as a philologist includes numerous editions of and scholia on works by Cicero, Horace, Seneca, Juvenal and Tacitus. Muret was also a key element in the complex landscape of humanism: he gave a new interpretation to secular culture after the Council of Trent⁴ and played a fundamental role in the debate around Cicero and the *Tullianus stylus* in the post-tridentine age.

1 For *De officiis* as Cicero's 'spiritual legacy', cf. Gabba 1979, 119: "Cicerone vuole riconfermare i fondamenti culturali e ideologici dello stato romano [...] le basi ideali (ma anche idealizzate) della vita politica romana; i modi di comportamento politico che avrebbero dovuto essere con-naturati con la vita politica stessa".

2 For a sketch of the environment at 'La Sapienza' during the years of Counter-Reformation, cf. Loverci 2000, 199–243; Conte 1993; Renazzi 1803–1806, 197–203.

3 On Muret, cf. Kraye 2005, 307–330; IJsewijn 1998; Mouchel 1997; Renzi 1993; Sharratt 1991; Ginsberg 1988, 63–69; Fumaroli 1980, 162–175; Dejob 1881.

4 The Council of Trent, which began in 1545 and ended in 1563 after many interruptions, was one of the most important Councils of the Catholic Church, convoked in reaction to the Protestant Reformation.

According to Croll, who offered pioneering contributions concerning Muret's prose,⁵ Muret was the initiator of the so-called 'anti-Ciceronian' movement, which lasted until the seventeenth century. Croll identifies the starting point of this movement in the speech given by Muret in 1572 at the beginning of the academic year:⁶ in this speech Muret harshly criticizes slavish imitators of Cicero's style, whom he calls magpies and parrots. However, Croll's position on Muret as an anti-Ciceronian has been called into question⁷ since Muret, whom Josephus Justus Scaliger considered the best speaker and writer of Latin after Cicero,⁸ rejects not Cicero's prose *per se* but the use of Cicero's prose to convey something which is not a "true and authentic" text of one's own.⁹ The most obvious target of this polemic is Mario Nizzoli, mentioned in the oration of 1572. He edited a Latin dictionary containing only Ciceronian words, the *Thesaurus Ciceronianus*, to which Muret is clearly alluding in his critique of those who write using words and constructions that only "smell like Cicero".¹⁰

In the milieu of the Counter-Reformation, the role of Cicero and of pagan prose had to be re-thought and Muret, by advocating "une réforme prudente de la tradition cicéronianiste",¹¹ was the first to understand how the *Tullianus stylus* could be adapted to the need for renewal of the Clergy. Muret stands out thanks to his lucidity in analysing both the cultural and the political environment of his era. He describes it as a time of barbarians,¹² and then reflects on how forensic oratory has died, making way for epideictic oratory and letter writing. Muret draws a comparison with the shift from Cicero's time to that of the Principate, during which frankness had to be replaced by wise prudence.¹³ Therefore, even if "Cicero's connection of oratory with liberty"¹⁴ remains the con-

5 The most significant is Croll 1966.

6 *De uia et ratione ad eloquentiae laudem perueniendi* [henceforth *De uia et ratione*], *Oratio* XXI.

7 Fumaroli 1980, 162–175 and *passim*; Mouchel 1997; IJsewijn 1998; Kraye 2005, 310.

8 Scaliger, *Scaligerana* 465–466 Desmaizeaux: Muret [...] s'est moqué des Ciceroniens, & cependant parle fort Ciceroniennement [...] *Mureto nullus fuit post Ciceronem qui expeditius loqueretur et scriberet Romane*.

9 Muret, *De uia et ratione* 262: *Picarum et psittacorum ista eloquentia est, auditas uoces iterare ac reddere neque quidquam unquam dicere quod sit uere ac proprie tuum*. The texts of the orations by Muret are taken from Frotscher's 1834–1841 Leipzig edition.

10 Muret, *De uia et ratione* 261: *Hodie enim ut quis uulgaria Rhetorum praecepta utcunque didicit et in Ciceronis scriptis tantum posuit operae, ut, adhibito Nizolii libro, possit orationem aut epistolam scribere, cuius tum singulas uoces tum ipsa etiam structura et collocatio Ciceronem oleat, protinus magno eorum consensu qui nihil altius aut sublimius cogitant, eloquentis nomen assumit*.

11 Fumaroli 1980, 164.

12 Cf. e.g. Muret, *Oratio* XVI 402.

13 McGinness 1995a, 12.

14 Vickers 1989, 36.

ceptual premise in approaching the topic of eloquence, the model of Tacitus becomes increasingly relevant.¹⁵ In fact, Muret's portrayal of "people who saved their lives by avoiding an unseasonable frankness"¹⁶ recalls the example of Agricola, capable of appeasing Domitian due to his prudence and moderation, and his lack of empty arrogance.¹⁷

The *praelectio* on *De officiis*

During his tenure as Professor of Rhetoric, in 1574, Muret taught a class on Cicero's *De officiis*. University classes were generally inaugurated with a *praelectio*, a speech in which the topic of the class was elucidated, and which has also been interpreted as a form of "transmission of knowledge"¹⁸ stemming from the Middle Ages¹⁹ and renewed in the Renaissance. We have the text of the *praelectio* on *De officiis*, held in November 1574: *Oratio VI, Ingressurus explanare M. T. Ciceronis libros De officiis*.²⁰ We do not possess the written texts of Muret's lectures but, in the case of his lectures on *De officiis*, the publication of the *scholia* on this work gives us some hints on Muret's reading and commentary.²¹

In Claire's analysis of the structure of Muret's *orationes*²² two elements are seen as indispensable: the praise (*laus*) of the work which will be taught and the exhortation to the students to engage with this work (*cohortatio*). As we will see, *Oratio VI* only partially fits into this scheme. Nevertheless, it represents

15 Muret appreciates Tacitus' style, defending it against the accusation of 'obscurity' (cf. e.g. the *Oratio XIV* 389: *Equidem cum istos de obscuritate Taciti querentes audio, cogito, quam libenter homines culpam suam in alios conferant, quantoque facilius omnia alia accusent quam semet ipsos*, "When I hear these fellows complaining about the obscurity of Tacitus, I think how readily men transfer their own fault to others, and how much more easily they blame everything but themselves", translation Scott in Mellor 1995). Furthermore, Tacitus' writings convey a moral-political lesson which offers to Muret the best option to deal with his times, i.e. to be prudent in a time of danger; cf. MacPhail 1990, 147–205.

16 Muret, *Oratio XIV* 384: *Quomodo neque intempestiva libertate utentes uitam suam sine ulla publica utilitate in periculum obiecerint*.

17 Cf. Tac. *Agr.* 43.4; but also see Tac. *Ann.* 4.20.7; on this parallel, see La Penna 1976, 300–301.

18 Claire 2009.

19 The term *praelectio* in the first century CE means the reading-lesson of the *grammaticus* before his pupils made their own attempt: cf. Quint. *Inst.* 1.2.15; 2.5.4; on this point, cf. Bonner 1977, 225.

20 Which will be abbreviated *Ingr.*

21 *M. Antonii Mureti Opera omnia ex mss. aucta & emendata cum breui annotatione Davidis Ruhnkenii*, Leiden 1789, vol. 3, 800–823.

22 Claire 2009, 3–4; on Muret's *orationes* cf. also Rossi 2006.

an exceptional document which also offers us an insight into the historical and social framework of Roman academia.

The beginning of the speech is shaped as a sort of prologue in which Muret explains his plan for the class. Muret's first "most felicitous decision" was to propose "to join Plato with Cicero one more time".²³ Nevertheless, as we read directly after in Muret's speech, he could not pursue this pedagogical programme, as he was told to put Plato aside and to focus only on Cicero.²⁴ As Muret explained, his decision to focus on Plato was due to the state of neglect in which Greek literature lay. He claimed to have been the first to propose the study of Plato in Rome, a proposal justified by the importance of that philosopher, capable "of saturating their minds with the bountiful springs of his wisdom and eloquence".²⁵ As I will maintain further, Muret considers *De officiis* the perfect example of how eloquence and philosophy are intrinsically bound to each other; Plato's *Republic* conveys the same congenital bond.

The interference with his decision and the prohibition of Plato is something with which Muret disagrees, but which does not seriously endanger his obedience and devotion to the institution of the Church. As we read in another inaugural lecture for a course held in 1578 (*Interpretaturus C. Sallustium*), Muret's intention to carry on teaching Aristoteles' *Rhetoric*, which he had already taught in 1576, was thwarted by Cardinal Guglielmo Sirleto,²⁶ whose activity in Rome and especially at the Vatican Library is described as having been more useful than thirty years of Council in Trento.²⁷ As in the case of Sirleto's interference in forbidding a second course on Aristotle, it seems that Sirleto could also be respon-

23 Muret, *Ingr.* 334: *Creueram hoc anno pulcerrimum consilium, quod anno superiore ceperam, persequi, et denuo Platonem cum Cicerone coniungere*. Translations are mine unless stated otherwise. Muret's previous course was on the first two books of Plato's *Republic*.

24 Muret, *Ingr.* 335: *Omnem a me huius anni operam in uno Cicerone consumi maluerunt*; on the impossibility of pursuing the original program for this class, Dejob 1881, 274–277; Loverci 2000, 237.

25 Muret, *Ingr.* 334–335: *Tum ut nobilissimus Philosophus, cuius ante me in his scholis nunquam, ut opinor, audita uox erat, paulatim familiarior factus, uberrimis illis sapientiae et eloquentiae suae fontibus ingenia nostra copiosius et abundantius irrigaret*.

26 According to Sirleto, quoted by Muret, the students could have felt bogged down by such a difficult topic, and the majority of them could not read nor appreciate the original Greek; furthermore, they might also get bored with a topic they had already encountered. Thus, Sirleto urged Muret to deal with Sallust instead, whose chief merits were his good Latin prose and the strong presence of civic wisdom.

27 This is a letter from Gerolamo Seripando to Sirleto dated 27 August 1562 and conserved in Biblioteca Apostolica Vaticana, *Vat. lat.* 6189, 119: cf. Zen 2018, 95 for a discussion of the letter.

sible for forbidding the lessons on Plato and Cicero, obliging Muret to focus on Cicero alone.

***De officiis* in the sixteenth century: the case of Erasmus**

Behind Muret's decision to focus on Cicero's *De officiis* for his class, there is a tradition of recognition and appreciation of this work, which transcends the various polemics on Cicero's imitation.

The debate on 'Ciceronianism', as was already mentioned, concerned the imitation of Cicero's style and vocabulary. Erasmus' *Ciceronianus*, written in 1528, is an example of such attacks against "la rigida osservanza ciceroniana",²⁸ behind which is couched what Erasmus interprets as a new form of paganism. As Bausi made clear, full devotion to literature, aimed at perfecting eloquence and pursuing glory, implies an existence which is distant from human society. Although Erasmus' admiration and praise of Cicero remains authentic, it establishes the subjection of Ciceronian eloquence to the service of Christianity as a prerequisite. The necessity of envisioning a Christian Cicero was already expressed by Petrarch, whose use of Cicero also rests on the firm belief that Cicero could have been a Christian had he lived in other times: *Si [sc. Cicero] uidisset Cristum aut nomen eius audiuisset, quantum ego opinor, non modo credidisset in eum sed eloquio illo incomparabili Cristi preco maximus fuisset* ("In my opinion, if Cicero had seen Christ, or heard his name, not only would Cicero have believed in him, but, thanks to his unparalleled eloquence, he would have been Christ's greatest champion").²⁹

Although during the Counter-Reformation Ciceronian prose is still a model, there emerges a clearer need to engage with Cicero not only in terms of imitation of his style, but also as a fundamental source for moral contents which are propaedeutic to Christian teachings, rather than incompatible with them. Cicero's *De officiis* represents the best choice: due to the ethical and political topics it treats, it is fully equipped to satisfy the urgent need for lending moral credibility to a Christian education which cannot do without the rhetorical tools of the classical *paideia*. *De officiis*, as we will observe in Muret's speech, will provide the chance to best deal with the complex dialectic between rhetoric and the importance of argumentation.

²⁸ Bausi/Canfora 2016, 42; on Erasmus' *Ciceronianus*, see also Bausi 1998.

²⁹ Petrarca, *Fam.* 21.10.13.

Two letters by Erasmus

Before dealing with Muret's oration, it is important to return to Erasmus one more time, as Erasmus' reading of *De officiis* represents a crucial starting point.

Erasmus worked on several editions of *De officiis*, the first of which was published in 1520. Two letters were inserted in this edition as prefatory texts. In the first letter, written in 1501 to Jacob Tutor (or De Voecht),³⁰ *De officiis* is described through an impressive series of metaphorical images which captures its powerful philosophical nature. Erasmus writes about taking some salutary walks while re-reading the three books of *De officiis*, and feeling unsure of whether he was getting more pleasure or profit out of it.³¹ The books are here called *aurei*, "golden", an adjective reprised by Muret in *Oratio VI* to refer to *De officiis*.³² Erasmus, quoting Pliny the Elder, writes that the work should never be out of one's hands.³³ Because of this recommendation, Erasmus tells us that he "reduced" the bulk of the books, that is to say, he printed an edition with a much smaller font. This result is a handbook (*enchiridii uice*) which allows one to carry the tome easily and, as Pliny suggested, to learn it by heart. The first meaning of the Greek word ἑχειρίδιον (from which the Latin *enchiridion*) is "hand-knife";³⁴ this word, used as a title for Epictetus' work, starts then to convey the meaning of 'manual, handbook', though keeping the semantic nuance of 'something useful to fight with, which fits in the palm of a hand'. In Erasmus' view, *De officiis* summons all the virtues required from a man educated by classical philosophical *paideia*, which is both propaedeutic to a good Christian education, and not extraneous to human society. The difficult circumstances in which *De officiis*

30 This is letter 152, published in Erasmus' first edition of *De officiis* (1520); the text of Erasmus' *Letters* cited and referred to in this chapter is that of Allen's 1906–1958 Oxford edition.

31 Erasmus, *Ep.* 152, 356, 11–15 Allen: *In proximis igitur meis inambulationibus [...] tres illos M. Tullii De Officiis libellos uere aureos relegimus, incertum maiorene uoluptate an fructu.*

32 Muret, *Ingr.* 335: *Peruolutabimus igitur hoc anno aureos illos M. Tullii libros de Officiis.*

33 Erasmus, *Ep.* 152, 356, 16–19 Allen: *Quos quoniam Plinius Secundus negat umquam de manibus deponi oportere, uoluminis magnitudinem quoad licuit contraximus, quo semper in manibus enchiridii uice gestari et, quod scripsit idem, ad uerbum edisci possent; cf. also Erasmus, Conuiuium religiosum, 242 Halkin et al.: Plinius scripsit Officia Ciceronis nunquam de manibus deponenda et sunt sane digna, quae cum ab omnibus tum praecipue ab iis qui destinati sunt administrandae reipublicae ad uerbum ediscantur; the passage of Pliny mentioned by Erasmus is *HN praef.* 22: *qui [sc. Cicero] de re publica Platonis se comitem profitetur, in consolatione filiae "Crantorem", inquit, "sequor," item Panaetium de officiis, quae uolumina ediscenda, non modo in manibus cotidie habenda, nosti.**

34 Dealy 2017, 68.

was written made this powerful pocket book a proper weapon,³⁵ as it fought the weapons of those who subverted all moral values. Another meaningful use of the idea of virtues as weapons comes from Cicero's *Brutus*, in a passage which expresses his worries for the socio-political situation of 46 BCE well.³⁶ Here the metaphorical weapons of *consilium*, *ingenium* and *auctoritas*, acquired by Cicero through his education, and necessary for a man devoted to the State as well as for the whole collective, are presented in opposition to the weapons employed by Caesar and his faction. Not by chance, this passage from *Brutus* continues with a variation of the 'moral weapons', in hendiadys, of *auctoritas et oratio*. This *patrocinium pacis* "encapsulates the tight connection between rhetorical capacity and political action",³⁷ the main argument of Muret's speech.

The second image sketched by Erasmus comes from the agricultural world; it compares the law studies undertaken by Jacob Tutor, depicted as a rich harvest from the spreading plains, with *De officiis*, a small field, but sufficient to satisfy all needs, provided it is cultivated with care. In this field it is possible to find the *moly*, the Homeric herb which works as an antidote to Circe's poisons.³⁸

The last image depicting *De officiis* is that of a spring of divine honesty—the Ciceronian *honestum*—dividing itself into four streams, which are of course the cardinal virtues.³⁹ The peculiarity of this spring, which is making men not only good at speaking (*uocalis*), but also immortal in terms of morals (*immor-*

35 Erasmus also depicts *De officiis* as a *pugiunculus*, "tiny dagger".

36 Cic. *Brut.* 7: *Equidem angor animo non consili, non ingeni, non auctoritatis armis egere rem publicam, quae didiceram tractare quibusque me adsuefeceram quaeque erant propria cum praestantis in re publica uiri tum bene moratae et bene constitutae ciuitatis. Quod si fuit in re publica tempus ullum, cum extorquere arma posset e manibus iratorum ciuium boni ciuis auctoritas et oratio, tum profecto fuit, cum patrocinium pacis exclusum est aut errore hominum aut timore* ("For me too it is a source of deep pain that the state feels no need of those weapons of counsel, of insight, and of authority, which I had learned to handle and to rely upon,—weapons which are the peculiar and proper resource of a leader in the commonwealth and of a civilized and law-abiding state. Indeed if there ever was a time in the history of the state when the *authority and eloquence* of a good citizen might have wrested arms from the hands of angry partisans, it was exactly then when through blindness or fear the door was abruptly closed upon the cause of peace"), translation Hendrickson in Hendrickson/Hubbell 1939.

37 Fox 2007, 181, who argues that "to be able to use his experience and skill as an advocate for the cause of peace would have been the culmination of Cicero's entire career".

38 Erasmus, *Ep.* 152, 357, 38–40 Allen: *Et quanquam a iurisperitorum latissimis campis opimam frugem demetis, tamen hic agellus licet angustus, si diligenter excolueris, omnia unis suppedabit; 42–44: Neque alibi reperies Homericam illam herbam quam moly nominat, repertu difficillimam, contra omnia Circes ueneficia praesentissimum antidotum.*

39 *Ep.* 152, 357, 46–48 Allen: *Hic fons ille diuinus honestatis in quatuor riuulos se diuidit, qui potius non solum uocalem, ut Aonius ille, uerum etiam immortalem faciat.*

talīs), prefigures the pivotal point in Muret's argumentation: the importance of combining eloquence with moral contents.

In a letter written in 1519,⁴⁰ again addressed to Jacob Tutor, Erasmus recounts a trip he took to Brabant and Flanders. The books he decided to bring became travel companions with which to have a pleasant conversation. He lists *De officiis*, *Laelius*, *Cato maior* and *Paradoxa stoicorum*, all in small formats, so as not to add weight to his little bag; pocket editions, to all intents and purposes.⁴¹ The choice of these books, defined a *fructus*, "a benefit", offers the opportunity for comparison with recent Christian authors (*nostrates quosdam neotericos legens*). Cicero's *De officiis* was capable of motivating him to search for *honestum* and *virtus*, while modern Christian authors, although dealing with *res magnae* and expressing themselves with subtlety, turn out to be cold.⁴² The qualities Erasmus most appreciates in this work are its verisimilitude, its strength, and conformity with nature; nothing is artificial nor idle:

At in praeceptis uiuendi quanta aequitas, quanta sanctimonia, quanta synceritas, quanta ueritas, quam omnia consentanea naturae, quam nihil fucatum aut somnolentium. Quem animum exigit ab his qui gerunt rempublicam! Vt admirabilem illam et amabilem uirtutis spetiem ponit ob oculos!⁴³

What justice, what purity, what sincerity, what truth in his rules for living! —all is in harmony with nature, nothing glossed over or half asleep. What a spirit he demands from those at the head of public affairs! What a notable and lovable picture of virtue he paints before our eyes!⁴⁴

The criticism directed at modern Christian authors applies not only to their skill (or lack thereof) in conveying religious arguments, but also to their morals and their politics. "How we should do good to all men even without being rewarded for it, how to maintain a friendship, the immortality of souls, how to hold unimportant matters in contempt": these are Cicero's moral lessons, reprised by Erasmus and traceable one by one in *De officiis*, which present-day Christians, clergy-

⁴⁰ Ep. 1013 Allen.

⁴¹ Ep. 1013, 66, 31–33 Allen: *Inuitarat autem uoluminis exiguitas, haud multum additura sarcinulae ponderis. Ex huius lectione, mi Tutor, geminum fructum coepi.*

⁴² Ep. 1013, 66, 36–40 Allen: *Sic me totum inflammauit ad honesti uirtutisque studium, ut iam pridem nihil tale senserim, nostrates quosdam neotericos legens, qui Christiani Christianae philosophiae mysteria profitentur, et iisdem de rebus magna, ui nobis uidetur, subtilitate disserunt, sed aequae frigide; cf. Vallese 1962, 121.*

⁴³ Ep. 1013, 66, 44–48 Allen.

⁴⁴ Translation Mynors in Bietenholz/Mynors 1987.

men and monks are unable to learn.⁴⁵ According to Erasmus, Cicero, defined as “a saint, almost a deity”, achieved what Christian authors could not. With his *De officiis* he proposed a concrete political model (*talem principem aut magistratum*) embodying a philosophical and moral lesson which any contemporary grandee could interpret as ridiculous.⁴⁶

As has been observed, in Erasmus' reception of *De officiis* it is already possible to find the elements which will then become pivotal for Muret's reading of this work. The representation of *De officiis* as a moral weapon is particular helpful in understanding why Muret chose this work for his students in his capacity as chair of Eloquence. Eloquence cannot do without moral contents and moral contents strengthen the orator's position when dealing with the political and religious issues posed by the Counter-Reformation. Like Augustine, Erasmus accuses Christian writers of being unable to see what the pagans saw. Despite their lack of Evangelical light (*euangelica lux*), the pagans were better able to incite to virtue and only due to their natural flare (*naturae scintilla*).⁴⁷ Thus, Cicero's moral weapon is necessary and propaedeutic to the Christian common good.

Muret's oration

The last product of Cicero's old age

After the aforementioned digression on Roman academia, Muret can finally focus on the work he had chosen to teach (*transibo ad alia, quae proprie pertinent ad eos libros, quos uobis hoc anno Deo fretus explanare decreui*, “I will move on to other matters, which are more strictly related to those books which, trusting in God, I decided to elucidate for you this year”). According to Claire's analysis, this section corresponds to the *laus* of the work in question. The first justification of his choice (*decreui*) is offered by none other than Cicero, who is presented as the foremost Roman author with regard to eloquence. In

⁴⁵ Erasmus, *Ep.* 1013, 66, 49–52 Allen: *De gratis etiam iuuandis omnibus, de tuenda amicitia, de immortalitate animorum, de contemptu earum rerum quarum gratia uulgi hodie, non dicam Christianorum sed theologorum etiam ac monachorum, nihil non et facit et patitur.*

⁴⁶ Erasmus, *Ep.* 1013, 66, 55–57 Allen: *Describe nostris satrapis talem principem aut magistratum qualem describit Cicero, dispeream ni cum sua imagine ut delirus ridebitur.*

⁴⁷ Erasmus, *Ep.* 1013, 66, 63–68 Allen: *Nunquam antehac magis expertus sum uerum esse quod scribit Augustinus, ethnicorum benefactis acriores addi stimulus ad uirtutem quam nostratum, cum subit animo quam turpe sit non id perspicere pectus Euangelica luce illustratum, quod per spectum est iis quibus sola nature scintilla prae lucebat.*

fact, his greatness is so undisputed that no one can even be considered ‘second’ after him.⁴⁸

An additional strong point is Cicero’s age when he wrote *De officiis*,⁴⁹ defined as “almost the last fruit of that remarkable man” (*hic prope ultimus illius praestantis ingenii fetus*). Cicero’s *senectus* coincides with the most troubled and complex period of the Roman Republic, which is actually its end. Caesar’s dictatorship, his death, the second triumvirate and Marc Antony’s hostility mark a watershed moment in Cicero’s works, a point of no return, which, according to Muret, lends these books added significance. The distinction chiefly consists in the philosophical subjects which, as we will observe, in Muret’s view can convey the perfect model of education for students in the Counter-Reformation era. The reason for a composition of *De officiis* is summarized by Muret with the decision of Cicero, labelled as *singularis [...] uir natusque in posteritatis exemplum*, to “procure for himself a strength of both wisdom and prudence” (*immensam sibi quandam uim sapientiae ac prudentiae comparasset*). The creation of such a powerful handbook, whose greatest fighting strength is wisdom, as Erasmus would say, is only possible thanks to Cicero’s ability to work in such a hostile political environment. For Muret, the merits of *De officiis* are to be attributed to Cicero’s commitment, the nightly vigils dedicated to its composition, and his expertise and treatment of the manifold questions relating to politics and human affairs. However, it is exactly the historical contingency of the ultimate fate of the Republic and the enforced *otium* to which Cicero is bound which made *De officiis* such an important work for the exhortation to wisdom. The expression employed by Muret to describe the difficulties of Cicero during the time of writing *De officiis* is *multi casus*, “many failings”. To cite Cicero’s own words describing the feelings tied to the *multi casus*, “I am kept by force of armed treason away from practical politics and from my practice at the bar, I am now leading a life of leisure. For that reason I have left the city and, wandering in the country from place to place, I am often alone” (*Off.* 3.1).⁵⁰

48 Muret, *Ingr.* 336: *Primum quod Ciceronis sunt, hoc est, eius uiri, qui perpetuo omnium aetatum consensu inter Romanos scriptores eloquentiae laude ita numeratur primus, ut ab eo nemo numeratur secundus.*

49 Muret, *Ingr.* 336: *Deinde quod scripti a Cicerone iam sene.* See Pieper in this volume for a discussion of Renaissance commentators reading the *Philippics* as Cicero’s *Spätwerk* (pp. 181–185).

50 *Cic. Off.* 3.1: *Nam et a re publica forensibusque negotiis armis impiis uique prohibiti otium persequimur et ob eam causam urbe relicta rura peragrantes saepe soli sumus*; translation Miller 1913. It is interesting to notice how Muret does not mention that *De officiis* was written at the same time as the first two *Philippics*, which shed further light on the hostile environment around Cicero.

A fruit of which Cicero is (rightly) proud

Another point submitted to the students is the self-consciousness which marks this work and involves its addressee: Cicero's son Marcus, who was in Athens to complete his education under the guide of the philosopher Cratippus (*Off.* 1.1). Some critics have indeed stressed the importance of Cicero's choice to address this book to his son, and interpreted the literary form of *De officiis* in light of its chosen addressee.⁵¹ Marcus embodies the younger generation which is being educated in dramatic political circumstances, and this concern could have contributed to the peremptory tone of the treatise. It is not hard to see why Muret chose this book to instruct students at the difficult time of the Counter-Reformation.

But it is also interesting to notice how Muret links Cicero's aim of educating both his son and his son's entire generation with Cicero's own awareness of having produced a great work. For Muret, the "good and useful teachings" (*bona et utilia praecepta*) were collected by Cicero with the aim of giving a foundational law and rules for life (*lex ac norma instituendae uitae*), an expression which is reminiscent of the *formula honestae uitae* ("the rule for an honest life") from Seneca's lost *De officiis*.⁵² However, according to Muret, sending this work to Athens, the "temple of erudition", would have offered Cicero the chance to submit it also to the judgment of the philosophers who surrounded his son. This, Muret argues, could be the main reason behind the refined, polished style of the work,⁵³ a curious opinion which is quite divergent from the consensus among modern scholars. According to the latter,⁵⁴ both the speed of the composition and the difficult working conditions have left traces, such as the absence of Cicero's usual long, hypotactic periods, or the presence of overlaps and repetitions of the same concepts. Nevertheless, Muret insists on the stylistic perfection of this work, a perfection of which Cicero too must have been well aware.⁵⁵ Furthermore, Muret calls attention to how Cicero defines *De officiis* as "a gift" (*munus*)

51 On the excessive attention given to Cicero's son Marcus, cf. Fedeli 1973, 358 and footnotes.

52 This is the title of a work by Martin of Braga, which might be inspired by Seneca's lost *De officiis* (fr. 57 Vottero).

53 Muret, *Ingr.* 337: *Neque quidquam praetermissum in limandis ac perpoliendis, quae scriberentur, ut in eam urbem, quae tum eruditionis ac sapientiae domicilium erat, acutissimorum hominum subitura iudicium* ("Nor was anything neglected in the process of polishing and refining what was being written, insofar as it was meant to be submitted to the judgment of the exceedingly sharp men from the city which at the time was home to all erudition and wisdom").

54 Narducci 2007, 6–7.

55 Muret, *Ingr.* 337: *Constat etiam ipsum sibi ualde placuisse in confectione horum librorum, ut qui sibi unus optime conscius esset operae in eis scribendis collocatae.*

for his son at the end of the book, while at the beginning he had recommended it to improve his command of the Latin language. As a proof of Cicero's self-awareness of the value of *De officiis*, Muret quotes a letter to Atticus.⁵⁶ According to Muret,⁵⁷ Cicero's words of praise for his own work in this letter (*magnifice explicamus*) are revealingly self-confident. In fact, these words would mean that Cicero does not fear the judgment of Atticus, who is presented in the letters as a severe judge whose corrections in red pencil are to be feared.⁵⁸ The famous passage from the Atticus-letter gives us a concise and effective *summa* of *De officiis* and it agrees with Muret's portrayal of this work: namely, it emphasizes the crucial role played by philosophy in connection with Cicero's duty towards his son Marcus. Furthermore, Cicero's mention of the *peregrinatio* in his letter sets his self-imposed exile after Caesar's death as the backdrop for the composition of *De officiis*. Since this *oratio* is intended as a speech to his students, Muret takes care to anticipate possible objections to Cicero's pride in his own work, which would make him no better than an Astydamos.⁵⁹ Muret's preventive defence also concerns the praise of the book by wise people from all ages, who recommended to learn *De officiis* by heart (*ad uerbum ediscerentur*). This statement confirms *De officiis'* role as a manual, a handbook to study and consult in matters of moral and socio-political behaviour; an evaluation of the book which is consistent with Cicero's proposal. A particularly interesting individual among the sample of wise people chosen by Muret is Alexander Severus, an emperor traditionally known as a good one. According to the biography ascribed to Lampridius in the *Historia Augusta* (Alex. 30.2) Alexander was deeply devoted to both Greek and Latin literature, and his readings (Plato's *Republic*, Cicero's *De re pu-*

56 Cic. Att. 15.13A.2: *Nos hic φιλοσοφοῦμεν (quid enim aliud?) et τὰ περὶ τοῦ καθ' ἡμέραντος magnifice explicamus προσφωνοῦμενque Ciceroni. Qua de re enim potius pater filio? Deinde alia. Quid quaeris? Exstabit opera peregrinationis huius.*

57 Muret, Ingr. 337: *Et ad Atticum scribens homini eruditissimo et cuius ipse saepe miniaturas ceras extimescebat* (referring to Att. 15.14.4 and 16.11.1) *magnum huius operis expectationem concitare non ueretur*; Muret does not say anything about a possible reaction by Atticus.

58 In a previous letter (Att. 15.14.4), Cicero expressed worry about Atticus' reading of the philosophical treatises he was writing: *His litteris scriptis me ad συντάξεις dedi; quae quidem uereor ne miniata cerula tua pluribus locis notandae sint* (the συντάξεις, "treatises", mentioned could allude to *De officiis*, but also other works have been suggested, such as *De gloria* and *De amicitia*). Apparently, moving forward in *De officiis'* composition, Cicero became more self-confident as regards the value of his treatise.

59 Muret, Ingr. 337: *Ac ne quis ipsius, quasi Astydantis cuiusdam, de se testimonium eleuare conetur, sciat hos libros semper fuisse in prima commendatione apud sapientissimos quosque, ut et tererentur assidue manibus, et a plerisque etiam ad uerbum ediscerentur*; Astydamos was a poet famous in Antiquity for praising himself: cf. Zenobius' proverb n. 100 Lelli: Σαυτὴν ἐπαυεῖς, ὥσπερ Ἀστυδάμας, γύναι.

blica and *De officiis*) created a path which Muret is proud to follow (*sapientissimi imperatoris uestigia persequamur*).

Moral contents

The main point of Muret's speech is his decision to focus on *De officiis* on the basis of the excellence of the moral contents found in it: *Nihil est, quod magis inuitare atque allicere nos debeat ad accuratam horum librorum lectionem, quam res ipsae, de quibus in eis disputatur* ("There is nothing that invites and prompts us to read these books carefully more than the very topics discussed therein").

The summary that follows offers an exhaustive description of the political and moral teachings developed by Cicero. "How each person should act in every part of life" (*Quomodo unusquisque in omni parte uitae gerere se debeat*) encompasses the authoritative tone and the prescriptive nature of the treatise, first of all focused on the right moral behaviour of each person. "What is demanded of each person" (*Quid a quoque postuletur*) shifts the focus onto the main argument of the treatise, the duties, and points out the socio-political perspective, as this part focuses on what the state wants from citizens. "What is proper for each person" (*Quid quemque deceat*) clearly refers to *decorum*, a crucial topic of the treatise. *Decorum* concerns the fourth part of the *honestum*, from which it is never separated.⁶⁰ The phrase *quid patriae praestandum sit, quid parentibus, quid propinquis ceterisque amicis, quid uniuerso hominum generi* ("what duties must be fulfilled towards the fatherland, towards one's parents, relatives, close friends, and the entire human race") recalls the explication given by Cicero of the degrees of human society and of duties towards these degrees.⁶¹ As we read in *De officiis*, the order of obligations puts the fatherland first —the *patria* mentioned by Muret—followed by parents, children and acquaintances. Muret respects this hierarchy, emphasizing from where all the degrees have their origins: the whole of mankind.⁶² In order to insist on the moral strength of these teachings Muret inserts two verses from a letter by Horace.⁶³ This allows him

⁶⁰ The focus on *decorum* concerns *Off.* 1.93–151.

⁶¹ Cf. *Cic. Off.* 1.53–60.

⁶² Cf. *Cic. Off.* 1.53: *Ab illa enim immensa societate humani generis in exiguum angustumque concluditur*. The focus on the whole of mankind recalls the Stoic conception of cosmopolitanism, cf. Schofield 1999 for an in-depth analysis.

⁶³ Muret, *Ingr.* 337: *Ea denique, quorum studium "Aeque pauperibus prodest, locupletibus aeque; / aeque neglectum pueris senibusque nocebit"*; verses from *Hor. Epist.* 1.1.25–26.

to explain how the moral of *De officiis* will be useful to both the poor and the rich.

Two more points are added by Muret to the general description of moral contents in *De officiis*. The first is a reference to Socrates, who stresses the importance of focusing on moral philosophy rather than on other branches of the same topic.⁶⁴ The second is a positive judgment on Cicero's ability to adapt Stoic philosophy, considered too rigorous and beyond the grasp of common citizens, to his educational project, which is devoted to offering practical teachings on socio-political behaviour. Muret's definition of Stoicism as a *seuerum et masculum philosophandi genus*, "an austere and masculine kind of philosophy", emphasizes the masculinity traditionally assigned to Zeno's philosophy, stressed by different authors including Seneca, concerning *rigida ac uirilis sapientia*, "unyielding manly wisdom".⁶⁵ Muret draws on the same Ciceronian criticisms of Stoicism that we read in the fourth book of *De finibus*,⁶⁶ where Cicero rejects the excessive obscurity of philosophical concepts and the abstruseness of the language.⁶⁷ Moreover, Muret asserts that the identification of the supreme good with virtue⁶⁸ to the exclusion of everything else makes the correct organization of one's own existence impossible, since every possible course of action is already predetermined. Stoicism's excessive intellectualism, as Muret remarks, makes Stoic teachings remote and impossible to actualize. Cicero's great merit has been to soften this excessively strict philosophy for the purpose of arranging civil life: *Ita se Cicero temperauit, ut ab illis, quae absurda aut erant aut uideri poterant, abstinerit omniaque ad ciuilem uitae institutionem apta et accommodata protulerit* ("Cicero was so self-disciplined as to abstain from what either was fool-

64 Muret, *Ingr.* 337–338: *Socrates quidem, qui in his et talibus quaerendis studium omne consumerent, eos sapere unos praedicabat: qui, his neglectis de natura mundi, de rebus superis, de causis uentorum, imbrium, fulgurum philosopharentur, desipere hallucinariue dicebat.*

65 Sen. *Helu.* 12.4; cf. Diog. Laert. 7.30: "Thou madest self-sufficiency thy rule, Eschewing haughty wealth, O godlike Zeno, With aspect grave and hoary brow serene. A manly doctrine thine," translation Hicks 1925; Lucian, *Bis. acc.* 20: "I see that most of you [...] contemptuous of me because my head is close-clipped, my glance is masculine, and I seem dour", translation Harmon 1921.

66 On the criticism of Stoic ethics, cf. Ioppolo 2016.

67 Cf. e.g. Cic. *Fin.* 4.2: *Non mehercule, inquam, soleo temere contra Stoicos, non quo illis admodum assentiar, sed pudore impediore; ita multa dicunt, quae uix intellegam.*

68 Cic. *Fin.* 4.68–77: cf. e.g. 4.68: *Cum enim, quod honestum sit, id solum bonum esse confirmatur, tollitur cura ualitudinis, diligente rei familiaris, administratio rei publicae, ordo gerendorum negotiorum, officia uitae, ipsum denique illud honestum, in quo uno uultis esse omnia, deserendum est.*

ish or could be perceived as such, and brought forward everything that was appropriate and fit for an education to civic life”, *Ingr.* 238).

Eloquence and philosophy

This last section focuses on the concluding part of Muret's speech, which is also the climax of his argument. After the *laus* of the proposed work, the last part of the speech should be devoted to the *cohortatio*, the exhortation to study the author in question.⁶⁹ In the case of the *Oratio* VI, the exhortation coincides with a fierce new apology by Muret, this time towards people who criticize him for being inconsistent. The incoherence would consist in focusing on a work which is not strictly on the subject of rhetoric when teaching the subject of eloquence.⁷⁰ Thus, the section resembles a proper forensic *peroratio*, in which Muret presents all the arguments to defend his cause.

The core of Muret's self-defence concerns Cicero's crucial treatment of the relation between wisdom and eloquence. In *De inuentione* Cicero had already begun to sketch out the fundamental idea that eloquence cannot be conceived without wisdom.⁷¹ The synthesis between eloquence and wisdom is here already oriented in a socio-political direction, which will be taken up again in *De oratore* and then finally in *De officiis*. As Narducci points out, *De oratore* aims to “azzerare il pernicioso divario tra una retorica di basso profilo e sprovvista di *sapientia* etico-politica e una filosofia che ha in genere reciso il diretto legame con la vita pubblica”.⁷² The model of the orator proposed in *De oratore* already aimed to educate and instruct human society, as we read through Crassus' words:

Vt uero iam ad illa summa ueniamus, quae uis alia potuit aut dispersos homines unum in locum congregare aut a fera agrestique uita ad hunc humanum cultum ciuilemque deducere aut iam constitutis ciuitatibus leges iudicia iura describere? [...] Comprehendam

⁶⁹ See the analysis by Claire 2009.

⁷⁰ Muret, *Ingr.* 338: *Aiunt enim, perperam facere me, qui cum iussus sim, quantum quidem uires meae ferunt, eloquentiae praecepta tradere, eiusmodi tamen fere libros interpreter, qui non tam bene dicendi quam bene uiuendi praecepta continere uideantur.*

⁷¹ Cic. *Inu. rhet.* 1.1: *Ac me quidem diu cogitantem ratio ipsa in hanc potissimum sententiam ducit, ut existimem sapientiam sine eloquentia parum prodesse ciuitatibus, eloquentiam uero sine sapientia nimium obesse plerumque, prodesse numquam* (“For my own part, after long thought, I have been led by reason itself to hold this opinion first and foremost, that wisdom without eloquence does too little for the good of states, but that eloquence without wisdom is generally highly disadvantageous and is never helpful”, translation Hubbell 1949).

⁷² Narducci 1997, 67.

breui: sic enim statuo, perfecti oratoris moderatione et sapientia non solum ipsius dignitatem, sed et priuatorum plurimorum et uniuersae rei publicae salutem maxime contineri.⁷³

To come, however, at length to the highest achievements of eloquence, what other power could have been strong enough either to gather scattered humanity into one place, or to lead it out of its brutish existence in the wilderness up to our present condition of civilization as men and as citizens, or, after the establishment of social communities, to give shape to laws, tribunals, and civic rights? [...] I will conclude the whole matter in a few words, for my assertion is this: that the wise control of the complete orator is that which chiefly upholds not only his own dignity, but the safety of countless individuals and of the entire State.

The third book of *De oratore* also deals with the relationship between eloquence and philosophy, offering a series of historical precedents, beginning with Phoenix, Achilles's teacher, chosen by his father Peleus for the purpose of making his son into an orator and a man of action at the same time.⁷⁴ It is not by chance that Muret also starts his argumentation with the importance of combining the two disciplines from the heroic age, offering the example of Homer's Phoenix.⁷⁵ Probably inspired by this passage from *De oratore*, Muret quotes Homer's verses from the *Iliad* directly, whereas Cicero translates them. Muret affirms then the necessity of providing the good orator with knowledge of moral philosophy, even if this purpose is reachable in two different ways.

The first is the model of the eloquent man described by Cato the Censor, the *uir bonus dicendi peritus*, who is able to teach "the best part of philosophy".⁷⁶ Cicero's *De oratore* presents the figure of Cato as an incarnation of the perfect ora-

73 Cic. *De or.* 1.33–34. Translation Sutton/Rackham 1942.

74 Cic. *De or.* 3.57: *Nam uetus quidem illa doctrina eadem uidetur et recte faciendi et bene dicendi magistra; neque disiuncti doctores, sed eidem erant uiuendi praeceptores atque dicendi, ut ille apud Homerum Phoenix, qui se a Peleo patre Achilli iuueni comitem esse datum dicit ad bellum, ut efficeret oratorem uerborum actoremque rerum* ("For in old days at all events the same system of instruction seems to have imparted education both in right conduct and in good speech; nor were the professors in two separate groups, but the same masters gave instruction both in ethics and in rhetoric, for instance the great Phoenix in Homer, who says that he was assigned to the young Achilles by his father Peleus to accompany him to the wars in order to make him 'an orator and man of action too'", translation Sutton/Rackham 1942).

75 Muret, *Ingr.* 338: *Sed ne quis sit error, hoc sibi responsum habeant iam inde ab heroicis temporibus coniunctam fuisse harum rerum professionem, idque uel illo cognosci Homeri loco, ubi Phoenix datum se Achilli a Peleo dicit, ut eum et ornate dicere et fortiter facere doceret*: Προήκε διδασκόμεναι τάδε πάντα, | μύθων τε ῥητῆρ' ἔμεναι πρῆκτῆρά τε ἔργων.

76 Muret, *Ingr.* 339: *Et certe, siue uera est M. Catonis illius sapientis definitio, oratorem esse uirum bonum dicendi peritum: qui quomodo uir bonus fias, docet, potioem ac praestantiorum partem artis oratoriae docet; siue Aristotelem sequi malimus, ut quamlibet bonum oratorem esse posse dicamus, etiam qui non sit uir bonus.*

tor, because he has knowledge concerning different disciplines.⁷⁷ But besides all this, Cato, holding office, is also a man of the State—this is the real meaning of the adjective *bonus* implied by Cato and accepted by Muret as well. Eloquence, from a Ciceronian perspective, is what allows the coordination of all disciplines from a socio-political perspective.

According to Muret, the second route to becoming a good orator is that shown by Aristotle, who in the *Rhetorica*⁷⁸ explains how being a good orator does not presuppose being a good man. In another speech, Muret presents the same sequence of Cato's portrayal of the perfect orator and then of Aristotle's concept that the art of rhetoric does not necessarily imply being a good man.⁷⁹ In this context, Muret calls this art distinguished, "which teaches that part of injustice through which nothing is worse than the fact you can deceive a lot while you look like an honest man," echoing *De officiis* 1.13.⁸⁰ Nevertheless, according to Muret, neither of these two ways will be useful to the eloquent man without the knowledge of moral philosophy: *Facere tamen nullo modo possumus, quin eam partem Philosophiae, qua formantur mores, oratori futuro necessariam esse fateamur* ("However, absolutely nothing can be accomplished if we do not admit that the branch of philosophy which shapes one's moral customs is essential for an orator to-be"). As regards the Aristotelian path, moral philosophy becomes particularly necessary because a good orator who is not also a good man needs to make up for his lack of ethics.

Moral philosophy is sophistically presented by Muret as a fundamental requirement for any activities concerning oratory.⁸¹ According to this argument,

⁷⁷ Cic. *De or.* 3.135.

⁷⁸ Arist. *Rhet.* 1.2, 1356a ff.

⁷⁹ Muret, *Cum in Platone explicando progredieretur* [henceforth *Cum in Platone*] 330: *Hoc uiri boni erat, non oratoris boni. Immo uero, ait alius, ne orator quidem esse potest, nisi qui uir bonus sit. Scio istud dici et ad auctorem M. Catonem referri: sed me magis Aristoteles mouet, qui me Philosophus cum aliis rebus rapit, tum quod mirifice ueritatis amans uidetur. Is igitur, bonus uir sit orator an minus, negat quicquam ad artem pertinere: illud quidem esse in arte uel praecipuum, ita fingere ac conformare orationem, ut te, quicumque sis, ii qui audient bonum uirum esse et sibi amicum putent.*

⁸⁰ Muret, *Cum in Platone* 330: *Egregiam uero et expetendam artem, quae eam iniustitiae partem doceat, qua nulla capitalior est quo modo consequi possis, ut cum maxime fallas, tum maxime uir bonus esse uidearis.*

⁸¹ Muret, *Cum in Platone* 339: *Quomodo enim apte et copiose aut laudabit aut uituperabit, nisi qui uirtutum uitiorumque naturam, ex quibus omnis uera laus et omnis uituperatio nascitur, diligenter cognitam ac pertractatam habuerit? Quomodo potens et efficax in suadendo aut dissuadendo futurus est, qui, quae secundo horum librorum de utili atque inutili traduntur, nunquam didicerit? Quid aget in iudiciis, qui iustitiae iniustitiaeque cognitionem e Philosophorum fontibus haurire neglexerit?*

the knowledge of the nature of vices and virtues, i.e. the traditional subject of moral philosophy, is essential for praising and vituperating. The comprehension of what is useful or not, described in the second book of *De officiis*, is essential for the art of persuasion or dissuasion. In the same way, it would be impossible to win a trial if an orator had not learnt from philosophers the concepts of justice and injustice.

This insistence on moral philosophy in order to defend the choice of *De officiis* for his course on eloquence makes it clear how Muret views this subject in a Ciceronian way. That is, on the one hand he interprets eloquence as a philosophy of language and education, a propaedeutic instruction for being a good citizen within a socio-political community; on the other, he interprets philosophy as the art of guiding people towards the *honestum*.⁸² Crucially, Cicero himself exhorts his son Marcus to place *De officiis*—representing here one of his philosophical books—beside his forensic orations: the incitement is to read both orations and philosophical books carefully,⁸³ which would mean considering these apparently different kinds of books as different elements of the same thing. Eloquence is not the abstract and artificial subject developed by the pedantic followers of Cicero's style, the *Ciceroniani*. Eloquence is to be interpreted as a wider subject which comprises philosophy, law, dialectic and which allows one to become a better person, and, above all, a person integrated in human society.

A link with Plato's *Republic* is hopefully beginning to emerge. Plato approves of eloquence only when it is used by philosophers, who are capable of exploiting it for the common good of humanity. When eloquence is joined with philosophy and conveys the truth, it becomes an educational tool for citizens. In the oration on Plato's *Republic* already mentioned above, Muret clearly argued that eloquence can otherwise be used in the wrong way. Nevertheless, Muret stresses that "its [eloquence's] purpose is to serve innocence, not crime, to serve justice, not injustice, to serve the truth, not falsehood".⁸⁴ As McGinness states, "Plato's *Republic* provides the best answer to the question of eloquence and virtue, for it notes that the cultivation of eloquence had as its aim the extirpation of criminal

⁸² Alfonsi 1975, 114.

⁸³ Cic. *Off.* 1.3: *Quam ob rem magnopere te hortor, mi Cicero, ut non solum orationes meas, sed hos etiam de philosophia libros, qui iam illis fere se aequarunt, studiose legas—uis enim maior in illis dicendi sed hoc quoque colendum est aequabile et temperatum orationis genus.*

⁸⁴ Muret, *Cum in Platone* 329: *Nam quod a multis persaepe dictum est, non eloquentiae istam culpam esse, sed hominum ea secus, quam oportet, utentium; ipsius quidem hunc esse finem, ut innocentiae, non flagitio, ut aequitati, non iniustitiae, ut ueritati, non ut mendacio patrocinetur: uideamus, ne rebus ipsis haec oratio refellatur.*

contagion, not its promotion”.⁸⁵ This idea of eloquence pursued by evil individuals is also stressed by the tradition of the Jesuits and of the Collegio Romano, whose links and relationship of reciprocal influence with Muret have been thoroughly elucidated.⁸⁶ It is enough to quote the example of Perpiña, who theorizes the importance of eloquence as a weapon to fight against the heretics, “impious and perfidious” people who made depraved use of the same arms.⁸⁷

As has been pointed out, in *De officiis*, unlike in *De inuentione*, “neither orators nor eloquence are invoked as the institutors of Society”.⁸⁸ In *De officiis*, moral philosophy’s essential message on ‘what is right for a man to do’ is an adequate lesson for younger generations. This, however, does not imply an abandonment of eloquence. On the contrary, it implies the subsuming of eloquence as a coordinating force for all disciplines: in fact, eloquence coincides with *sapientia*. If in the *Orator* wisdom was the *fundamentum* of eloquence, as of other things,⁸⁹ in *De officiis* this distinction becomes superfluous: the praise of *sapientia* found in the first book⁹⁰ is enough to explain this new perspective where wisdom, and consequently eloquence, is subsumed into the socio-political purpose of educating mankind. In Raylor’s words, “in this account, the key factor is the existence, among human beings, ‘of fellowships and society’ (*communitatis et societatis humanae*) and the founding principle of such society is the existence of a connection ‘which can be perceive in the universal society of the human race (*quod cernitur in universi generis humani societate*)’”.⁹¹ The passage from *De officiis* quoted by Raylor⁹² goes on to say that two crucial elements unite human beings in a universal family: *ratio* and *oratio*. The expression *ratio et ora-*

⁸⁵ McGinness 1995a, 24.

⁸⁶ Cf. e.g. Fumaroli 1980, 162–169 and McGinness 1995b. Muret exerted considerable influence on the academic and literary trends among the Collegio Romano. Francesco Benci, a distinguished Jesuit, was a student and friend of Muret’s, who left all his books to the Collegio after his death. The Collegio spread Muret’s works in Europe and printed his unpublished manuscripts.

⁸⁷ Perpiña, *De arte rhetorica*, 149–150; cf. McGinness 1995a, 15.

⁸⁸ Raylor 2018, 19.

⁸⁹ Cic. *Orat.* 70: *Sed est eloquentiae sicut reliquarum rerum fundamentum sapientia.*

⁹⁰ Cic. *Off.* 1.18–21.

⁹¹ Raylor 2018, 19; for *De officiis*’ purpose to indicate “quale deve essere il rapporto che il cittadino politicamente impegnato ha verso lo stato, cioè verso la comunità sociale di cui è parte”, see Gabba 1979, 124.

⁹² Cic. *Off.* 1.50: *Optime autem societas hominum coniunctioque seruabitur, si, ut quisque erit coniunctissimus, ita in eum benignitatis plurimum conferetur. Sed quae naturae principia sint communitatis et societatis humanae, repetendum uidetur altius. Est enim primum quod cernitur in universi generis humani societate.*

tio, aiming to translate the Greek word *logos*,⁹³ embodies what makes humans different from animals, what prompts them to treat each other as social beings, and constitute a community. If there is no emphasis on eloquence, the *speech* as a founding part of human beings together with *reason* shows the direction followed by this work and its scope in instructing young people to the *honestum* through their human and intellectual skills. Post-tridentine preachers will call attention to *ratio* and *oratio* as representing signs differentiating humans from beasts,⁹⁴ as well as the Christian harmonization between *res* and *uerba*.⁹⁵ As regards civil commitment, the orator's duties towards the *respublica christiana*, Perpiña, alongside Silvio Antoniano, represents one of the most meaningful voices of the Jesuit tradition.⁹⁶

Muret's final remarks

The last section of Muret's speech on *De officiis* concludes with a renewed assertion of the pedagogical value of combining Plato's *Republic* with Cicero's philosophical work.⁹⁷ After affirming the importance of combining *uerba* and *res*,⁹⁸ three verses of Horace's *Ars poetica* (309–311) summon first the ideal of wisdom as a foundation of eloquence (*scribendi recte sapere est et principium et fons*, "of good writing the source and fount is wisdom"), then the importance of philosophy in the writings of Socrates' followers (*rem tibi Socraticae poterunt ostendere chartae*, "your matter the Socratic pages can set forth") and finally the principle of the subject driving the words (*uerbaque prouisam rem non inuita sequuntur*, "and when matter is in hand words will not be loath to follow").⁹⁹ Once the right training for such philosophical eloquence is clarified one last time,

⁹³ Cf. Dyck 1996, 167–168.

⁹⁴ McGinness 1995a, 21.

⁹⁵ The harmonization of *res* and *uerba* finds the perfect realization in "Christ, the *Logos*, the Wisdom of God, who in his incarnate nature spoke the divine *arcana* in human speech", as stated by McGinness 1995a, 21.

⁹⁶ McGinness 1995a, 14; 20.

⁹⁷ Muret, *Ingr.* 339: *An ego si troporum ac schematum exempla traderem [...] plus uobis ad eloquentiam prodessem, quam cum aut libros Platonis de republica aut Ciceronis philosophica interpreter?*

⁹⁸ Muret, *Ingr.* 339: *Vera et solida eloquentia non tantum in uerbis posita est, sed in rebus*; in this statement, Muret is invoking Seneca: cf. *Ep.* 20.2, *uerba rebus proba*; *Ep.* 83.7, *deformatatem rei et inopportunitatem ostende rebus, non uerbis*.

⁹⁹ This is a variation of the Catonian *rem tene, uerba sequuntur*; translation Rushton Fairclough 1926.

Muret can formulate its antithesis, which is *inanis loquacitas*, “empty loquacity”. A possible pitfall (*atque hoc deterius eunt res*) is the pedantic attention to words, which actually reveals a negligence in the use of those very same words. In reporting this attitude, considered childish and excessively zealous, Muret is thinking of the *Ciceroniani*, especially people like Nizzoli.¹⁰⁰ Once again, on the one hand, pedantic imitation of Cicero is stigmatized; on the other, Cicero's true lesson is learned: the model behind the words *bona ac lecta* suggested by Muret is Cicero, who recommends using “chosen words” in *Brutus* and in the *Orator*.¹⁰¹ Fumaroli has clarified how Muret, drawing from both Erasmus and the directives from the Council of Trent, submitted *elocutio* to “learned *inuentio*, nourished by Seneca and the Fathers”; nevertheless, he never gave up using the *elegantia Ciceroniana*,¹⁰² considered a crucial element for powerful speech by the wise orator.

Muret deals with the topic of eloquence also in the speech, already mentioned above,¹⁰³ for his inaugural lecture as Chair of Eloquence in 1572. On the one hand, this *oratio* is a strong critique of the *Ciceroniani*;¹⁰⁴ on the other, the *oratio* focuses on the true meaning of eloquence, which is to serve both political and civic activities and, consequently, in accordance with the environment of Roman Counter-Reformation, the Catholic Clergy. This speech offers one more illuminating perspective on its historical context. First, inspired by Pseudo-Longinus' *On the Sublime*,¹⁰⁵ Muret treats the skill of moving the audience and of inciting its admiration. For Muret, however, the eloquent man's *enthousiasmos* sparks the necessity to talk about *ciuilia negotia*, “public affairs”.¹⁰⁶ What is required of the eloquent man is an education which spans every field of knowl-

100 Cf. above (p. 198).

101 Cic. *Brut.* 250; *Orat.* 170; 227.

102 Cf. Fumaroli 1983, 259: “The values required by Cicero for the latter [*sc. elocutio*], *latinitas*, *urbanitas*, *elegantia*, the art of flattering the ear by the harmonious music of the style, are, for him, not incompatible with the Christian and philosophic erudition of the wise man. On the contrary, it is through this Ciceronian music that the wise man at court will succeed in having his wisdom listened to and in having it enter into the exercise of power”, see also Fumaroli 1980, 171–172 and *passim*.

103 Cf. above (p. 198).

104 This speech has been interpreted as the most impressive document of Muret's supposed anti-Ciceronianism: cf. Croll 1966.

105 Fumaroli 1980, 165–168 shows how Longinus influenced the rhetorical theories of the late sixteenth century.

106 Muret, *De uia et ratione* 262: *Aliud antiqui uocabant eloquentiam: qui nisi qui de ciuilibus negotiis ornate ac copiose loqui posset, qui dicendo animos audientium flecteret, qui admirationem concitaret, qui modo clamores faceret, modo circumfusam multitudinem stupore defigeret, neminem eloquentem uocabant.*

edge, consisting of dialectic (*multa de ratione argumentandi*, “several matters concerning the criteria for argumentation”), moral philosophy (*multa de uirtutibus ac uitis, multa de permotionibus animi*, “several matters on virtues and vices, and several more on emotions”), history and law (*multa de ueterum institutis ac legibus, multa de ratione instituendarum ac gubernandarum*, “several matters on the institutions and laws of the ancients, many more on the criteria for education and government”). Thus, a definition of eloquence which only covers the technical skills of persuasion is excluded—and persuasion, as was already observed, opens eloquence up to evil aims as well. *Rhetor* or *sophista* are indeed terms to be rejected; instead, Muret proposes the meaningful name of *politicus*.

Conclusion

To summarize, Muret aims to turn his students of the University in Rome into *politici* and enable them to “know how to do and say the right things to get ahead in politically perilous times”.¹⁰⁷ As MacPhail points out, the Counter-Reformation is a complex time in terms of conflicting political forces, but most of all in terms of the necessity of a spiritual renewal which would start from Christian-ethical contents. Educating a new class of people in eloquence was interpreted by Muret first as getting rid of the sterile imitation of Cicero’s style, which, as has been noticed, was widespread among both clerical and lay people in the Council of Trent.¹⁰⁸ Once free of the shadow of a degraded and pedantic reproduction of Cicero which opens up accusations of continuing fondness for paganism, Muret can focus on what he believes to be truly necessary to becoming an orator. Passing through Aristotle and Plato, he reinforces his idea of an eloquence strictly connected with politics and ethical issues. Cicero’s *De officiis* was the best option: not a work on eloquence, but a philosophical treatise written by Cicero in the most difficult period of his life. The innovation of the work, reflecting Cicero’s personal situation, is a focus on civic-political commitment which also allows for different life choices. The most important thing is not yielding to selfishness nor forgetting one’s duties towards the community. In Muret’s view, a good student in eloquence can choose whatever life he desires as long as he cultivates his cultural background and keeps focusing on his duties as a citizen with the purpose of being a good Christian, *dicendi peritus*. Muret himself will eventually

¹⁰⁷ MacPhail 1990, 150.

¹⁰⁸ Gatti 2017.

become dissatisfied with his life split between civil commitments and teaching. Total adhesion to his Christian mission will see him become a priest in 1580.

As has been observed, the relation between the *uita actiua* and the *uita contemplatiua* was a fundamental topic in the post-tridentine Church, where the preacher was considered a *uir eloquens*, that is a “bishop whose skill in preaching came not just from a theological education but from the kind of broad background recommended by Cicero and Quintilian”.¹⁰⁹ If the sacred orator consequently embodies ‘the contemplative in action’, we can say that Muret has learnt the lesson of Cicero’s *De officiis*. In this work, due to Cicero’s ‘forced *otium*’ in such a difficult political situation, the relation between contemplative and active life shifts back towards the traditional suspicion of a leisure devoted only to studies and meditation.¹¹⁰ Muret gets the title of *ciuis Romanus*: becoming a priest meant neither sacrificing attention to political and civil commitments nor being devoted to Cicero’s style. Such behaviour certainly conforms to the spirit of *De officiis*.

109 McGinness 1995a, 20.

110 Narducci 2007, 7–8.

Gesine Manuwald
First Epilogue

Dramatic Representations of the Final Years of Cicero's Life

Introduction

The writings of Marcus Tullius Cicero are well known to have had a significant influence on intellectual history, on the development of European political thought as well as on oratorical practices in politics and education, even though not all details of this rich reception have been studied in detail yet. What is less well recognized is that, in contrast to other writers from the ancient world, Cicero's personality, covering his political activities and also his literary and philosophical production, has inspired a flourishing reception in a variety of artistic media. This 'afterlife' is probably due to the fact that Cicero was active in politics and is therefore mentioned in historical works on the late Republican period and to the large amount of writings by him that have been preserved, including a number of personal letters, so that there is a considerable amount of information about 'Cicero the man'.

An art form well suited to giving a direct impression of the character Cicero and therein to build on his works, most of which have a dialogic character, is stage drama. This type of reception has gone largely unnoticed by Classicists until recently, although there are more than 60 plays (dating to the period from 1574 to 2017) in which Cicero appears as one of the dramatic characters.¹ By far the most popular incident in Cicero's life to be dramatized is his opposition to the Catilinarian Conspiracy in his consular year of 63 BCE, followed at a considerable distance by Cicero's exile in 58–57 BCE and the presentation of longer stretches of his life. Cicero's confrontation with Mark Antony and his support

¹ All these dramas have been explored in a larger study (Manuwald 2018), where further details can be found and which has inspired the presentation of the individual plays here. In the context of that study, however, it was not possible to focus specifically on plays dramatizing a particular period of Cicero's life: hence a discussion concentrating on dramas relating to 44–43 BCE is offered here; thus it can be explored whether any specific features of this group of plays can be determined.—There is hardly any secondary literature on the individual plays. Also, there is hardly any evidence on the production and reception history of these plays; therefore, this aspect cannot be taken into account here. Since references to works on the wider context can be found in the earlier study, engagement with secondary literature here will be limited.

for Octavian, the future emperor Augustus, in the final two years of his life (44–43 BCE), an important event for the development of the shape of Rome's political system, consists of a number of dramatic confrontations and concludes with the deaths of major figures; yet, perhaps somewhat surprisingly, it forms the subject of separate dramas less frequently. The activities of these two years, however, feature in plays about Cicero's death or in those that cover extended sections of his life including the period leading up to his death.

Within the framework of looking at reactions to Cicero's actions and writings from 44–43 BCE through the ages, this study will explore eleven plays based on events of these years and featuring scenes involving Cicero, and it will comment on their representation of the conflict between Cicero and his opponents as well as on their characterization of the figure of Cicero. Therefore, in a chronological survey, these dramas will be presented and discussed individually. On the basis of this material it can then be considered in conclusion whether there are specific 'dramatic' ways of responding to the situation in 44–43 BCE, whether there are any developments in the format of its representation in drama and to what extent these pieces agree or engage with the description of the events by the historical Cicero.

The plays including elements of the last two years of Cicero's life (with a focus on Cicero and beyond a brief mention) are the following ones: Caspar Brüllo, *Caius Julius Caesar Tragoedia* (1616); *The Tragedy of that Famous Roman Orator Marcus Tullius Cicero* (1651); Pier Jacopo Martello, *Il M. Tullio Cicerone* (c. 1713); *Die Enthaubttung deß Weltberühmten Wohlredners Ciceronis* (1724); Pietro Chiari, *Marco Tullio Cicerone* (1752); Prosper Jolyot Cr billon, *Le Triumvirat ou La mort de Cic ron* (1754); Johann Jakob Bodmer, *Marcus Tullius Cicero. Ein Trauerspiel* (1764); Henry Bliss, *Cicero, A drama* (1847); Upton Sinclair, *Cicero. A Tragedy of Ancient Rome* (1960); Helmut B ttiger, *Cicero oder Ein Volk gibt sich auf* (1990); Robert Harris/Mike Poulton, *Imperium* (2017).

As for the distribution of these dramas, no particular patterns are immediately noticeable: plays showing the end of Cicero's life can be found in all centuries between the seventeenth and the twenty-first centuries; the highest number comes from the eighteenth century. These plays were produced by writers associated with a range of different countries: Britain, Italy, Austria, France, Switzerland, Canada, USA and Germany; accordingly, they are written in Latin, English, Italian, French or German. Moreover, these plays differ in their specific selection of incidents from Cicero's final years, the highlighted nuances, their political outlook as well as their historical accuracy.

The seventeenth century

The first known dramas in which Cicero appears as a character do not seem to have favoured a particular focus on the events of 44–43 BCE and the role of Cicero within them. Thus, the earliest play in which Cicero's fate during this period is given some attention is Caspar Brüllov's (1585–1627) *Caius Julius Caesar Tragoedia* (1616), written (for Strasbourg) almost fifty years after the first attested play featuring Cicero.² This Latin play, also translated into German by contemporaries, is named after Caesar and revolves around his assassination, but covers a longer stretch of the historical development, including Cicero's death in Act IV (on 7 December 43 BCE).³

After Caesar's assassination (on 15 March 44 BCE) the play's Cicero discusses future strategy with Octavian (Octavianus): he asks Octavian to confront the rebellious minds of Mark Antony (M. Antonius) and his partner Fulvia and thus free the Republic; Octavian promises to follow Cicero (IV 2). While there are historical sources for Octavian trying to liaise with Cicero (e.g. Cic. *Att.* 14.11.2; 16.8.1; 16.9.1; 16.11.6; App. *B. Ciu.* 3.82), in the historical record Cicero engages with him less directly. The positive interaction in the play leads Cicero to proclaim that a Republic ruled by Octavian will be happy and to be confident in Octavian's reign as he represents a legitimate and morally sound model of government (IV 3). By contrast, in an open confrontation Antony and Fulvia attack Cicero with reference to his oratory and political record, while Cicero reproaches them for their misbehaviour (IV 3).

These scenes prepare the conflict between the two sides: Antony and Fulvia demand Cicero's death in the proscriptions; Octavian initially resists, explaining that Cicero has not done anything meriting death and has always been honoured, but eventually gives in when threatened, though he denies responsibility (IV 4) (cf. Keeline in this volume). Just before his death Cicero recalls the great number of dangers he has undergone for Rome's sake and regrets that he has wrong-

2 CAIUS JULIUS CÆSAR | TRAGOEDIA, | EX PLUTARCHO, APPIA- | NO ALEX. SUETONIO, D. CAS- | sio, Joh. Xiphilino &c. maximam partem | concinnata, & adversus omnem te- | merariam se- | ditionem atque | tyrannidem ita con- | scripta | ut ἀξιολογούμενευζα & præcipuas Roman. histo- | storias, ab V. C. ad Imp. usq; Octav. Aug. | breviter commemoret. | AUTHORE | M. CASPARO BRÜLOVIO, | Pomerano, P. C. Secundæ Curiae Argen- | toratensium in Academiâ | Præceptore. | Publicè exhibita in Academiæ Argentor. Theatro, | nundinis æstivalibus, Anno fundatæ salutis, | M. DC. XVI. | ARGENTORATI, | Impensis Pauli Ledertz Bibliopolæ, Typis Antonij | Bertrami, Aca- | demiæ Typographi (<http://digital.slub-dresden.de/werkansicht/dlf/23684/1/cache.off>).

3 On Brüllov's biography see Hanstein 2013, 51–120; on this play see Hanstein 2013, 410–471, also Gundelfinger 1904, 52–56.

ly trusted Octavian, as the historical Cicero realizes his failed assessment at a late stage (e.g. Cic. *Ad Brut.* 1.18.3–4). Still, the drama's Cicero calmly awaits death, like a philosopher, as this is determined by nature, and he reflects on the life of the soul after death; he is confident that his writings will continue to be read (IV 5).

While this Cicero supports Republican virtues, he does not oppose Caesar's reign since it was established by the senate. Yet Cicero confronts individuals who act like tyrants and in immoral ways such as Mark Antony. That a monarchical system may be ultimately legitimized by Roman history is suggested in the play from the start via an initial appearance of Quirinus/Romulus and the fairly positive depiction of Octavian. At the same time the figure of Cicero is characterized as a human being displaying weaknesses: for instance, he is timid and rather credulous. Thus, the nuanced presentation helps to explore the complex political developments and the futility of Cicero's efforts in view of the actual power relations.

The final phase of Cicero's life takes on more prominence on stage in the anonymous piece *The Tragedy of that Famous Roman Orator Marcus Tullius Cicero* (1651), which is probably the oldest play named after Cicero.⁴ This play dramatizes the last eighteen months of the life of the historical Cicero, the period roughly from a few months after the assassination of C. Iulius Caesar until Cicero's death.

While the overall plot of this tragedy follows the historical sequence of events fairly closely, on the basis of the writings of the historical Cicero and of later ancient historiographers (e.g. Plutarch's *Life of Mark Antony* and *Life of Cicero*, Cassius Dio's *Roman History* and Appian's *Civil Wars*), it includes additional subplots that make the story more personal and entertaining: Cicero's brother Quintus, the brother's wife Pomponia and their son are among the characters and interact with Cicero (I 4; III 12; IV 7; V 7), which provides an extended family setting for the character Cicero. Equally, Mark Antony's partner Fulvia has an enhanced role, which ensures that the two opposing sides are balanced also in the presentation of personal relationships and prepares Fulvia's triumphant and revengeful behaviour in connection with Cicero's death (V 10; cf. Dio Cass. 47.8.4).

4 THE | TRAGEDY | OF | THAT FAMOUS ROMAN | ORATOVR | Marcus Tullius | CICERO | London, | Printed by Richard Cotes, for John Sweeting | at the Angell in Popes-head Alley. | 1651 (available on Early English Books Online: http://eebo.chadwyck.com/search/full_rec?SOURCE=var_spell.cfg&ACTION=SINGLE&ID=12365474&ECCO=N&FILE=../session/1568275305_28787&SEARCH-SCREEN=CITATIONS&DISPLAY=AUTHOR&SUBSET=30&ENTRIES=53&HIGHLIGHT_KEYWORD=default); modern edition: Clare 2002, 41–151. Some people (e.g. Morrill 1991, 97–98) have attributed the play to Fulke Greville, 1st Baron Brooke (1554–1628).

Action on the level of ‘servants’ has been introduced, providing comic relief (esp. I 2).

That the play’s author was familiar with the writings of the historical Cicero is evident from references to some of them: the first two acts display reminiscences of the last group of speeches the historical Cicero delivered, the *Philippic Orations* (esp. Cic. *Phil.* 2; 12; 13; 14); the later acts, covering the period after the last *Philippic* (21 April 43 BCE), rely mainly on reports of later ancient historiographers, though the third act has some allusions to Cicero’s letters to Brutus written in summer 43 BCE. As a result of the chosen genre, the author sometimes converts summative accounts in those sources into drama: for instance, some incidents Cicero describes in the *Philippic Orations* are turned into dramatic scenes.

The result for the portrayal of Cicero is that this drama presents this figure as uncertain and in a shifting position without any whitewashing. Nevertheless, since Cicero functions as a defender of aristocratic Republican values despite his human shortcomings, the play conveys the political message of the danger to these values on account of the power hunger of individuals.⁵

In different ways all these plays from the seventeenth century depict Cicero as a fighter for liberty and Republican values, although he is ultimately unsuccessful in the political arena within a climate endangering these concepts and he might only be remembered later due to his qualities as an orator or his personal characteristics, although his human shortcomings are also alluded to.

The eighteenth century

The theme of the final years of Cicero’s life was taken up again in Italy in the early eighteenth century. The playwright and dramatic theorist Pier Jacopo Martello (1665–1727) wrote treatises on tragedy as well as several pieces based on stories from ancient myth or history, one of which is *Il M. Tullio Cicerone* (c. 1713).⁶

⁵ For discussions of the play in its contemporary context see e.g. Potter 1981, 295–296; Randall 1991; Morrill 1991; Wiseman 1998, 72–79; Clare 2002, 44–49.

⁶ IL | M. TULLIO | CICERONE. | in: OPERE | DI | PIERJACOPO | MARTELLO | TOMO TERZO. || TEATRO | ITALIANO | DI | PIERJACOPO | MARTELLO | Parte Seconda. | In BOLOGNA | Nella Stamperia di LELIO DALLA VOLPE | M DCC XXXV. | CON LICENZA DE’ SUPERIORI (pp. 1–72) (available on Google Books: https://books.google.it/books?id=ZK40AAAAMAAJ&printsec=frontcover&source=gbs_book_other_versions_r&hl=it#v=onepage&q&f=false, or at <https://archive.org/details/imageGIV182-3TeatroOpal/page/n7>).

While the title does not give any indication about the phase of Cicero's life depicted, the plot reveals that the play showcases the last few months of Cicero's life and his death in 43 BCE. In the preface the author claims that he has merely made minor changes to the historical record and that these have mainly been necessitated by theatre conventions; he goes on to explain that the dramatic character Cicero only speaks in four scenes of the first act, but that the entire piece is about him (*Proemio*, pp. 4–5). As the figure of Cicero only appears in the first act, there is hardly any presentation of Cicero's death or of Cicero as a character through his own actions. Instead, the focus is on discussions of the justification of Cicero's death and on the views of different people on Cicero's role in the period leading up to his death, on the appropriate response to his activities and on his status as a writer.

The second part of the play features controversies among the triumvirs and then between them and members of Cicero's family as to whether Cicero should be killed and whether his *Philippic Orations*, delivered against Mark Antony, should be destroyed (themes already popular in ancient declamation, cf. Bishop in this volume). In fact, when Mark Antony (Antonio) demands them, Cicero's *Philippics* are not handed over in return for his life and that of members of his family (IV 1–6). Eventually Cicero is killed because one of Antony's followers carries out his orders before Antony becomes doubtful and hesitant (V 3).

At the end of the play Antony reflects on the problematic nature of his conduct although he remains convinced of his political views while Octavian (Ottaviano) expresses his admiration for Cicero because of his fight for liberty. As the orator Cajo Rusticello is added to the dramatic characters and announces that he will continue the tradition started by Cicero (V 3), the expectation is created that Cicero's influence as an orator will continue. Thus, the dominant impression of Cicero at the end is that of a fighter for liberty, though without immediate impact on changes to the political system. The importance of texts written by Cicero (not highlighted to the same extent in most other plays) demonstrates the significance of Cicero as an orator, of political speech and of the potentially devastating effect of such speeches.

The next play in chronological sequence (1724) is a piece of a different nature: it is a comic drama belonging to the genre of so-called 'Haupt- und Staatsaktionen' (lit. 'important matters'), which were popular from the late seventeenth to the early eighteenth centuries in the German-speaking world and were typically a combination of scripted drama and impromptu theatre, with plots supplemented by a comic buffoon, called 'Hanswurst'. The most famous author and performer of dramas of this type was the Austrian Josef Anton Stranitzky (1676–1726); it is generally assumed that the Austrian play *Die Enthauptung deß Weltberühmten Wohlredners Ciceronis* ("The beheading of the universally fa-

mous elegant orator Cicero”) is also by him.⁷ The existence of a comic version of a dramatic presentation of Cicero’s death suggests that the character of Cicero as a dramatic figure and perhaps also the incidents at the end of his life were so familiar that this theme could be considered a suitable object of ridicule in drama and the resulting comic references could be expected to be recognized by audiences with the desired effect.

Not unexpectedly, this play does not offer a historically accurate portrayal; it rather uses material from ancient sources for particular effects. For instance, entertaining links to Cicero and his works are created when ‘Hanswurst’ utters *o tempora o mores* (III 13), the famous phrase from Cicero’s *First Catilinarian* (Cic. *Cat.* 1.2), or when Hanswurst comically misunderstands Cicero’s effusive description of justice (I 10).

Nevertheless, the play has a political dimension: the desire for revenge felt by the power-hungry Mark Antony (Marcus Antonius) triggers Cicero’s death and consequently his daughter’s hatred of him (Cicero’s daughter Tullia is still alive at that point in this play); yet, the unhistorical love between Tullia (Tulia) and Mark Antony’s son Julius (a young man in the drama) eventually enables reconciliation (with a motif reminiscent of opera). Throughout, Cicero appears as a contrast to Mark Antony: he feels obliged to fight for justice constantly and to accept death in order to remain true to his principles and his reputation. Cicero’s wife Terentia questions Cicero’s decision: she cannot see how it will benefit the country; at the same time she feels that Cicero does not pay enough attention to his family (I 9). Thus, in this play, the human implications of political decisions are displayed: while Cicero, appearing as an eloquent orator and as an upright and dutiful defender of justice and the state, cannot satisfy the demands of his family and of promoting his political convictions, the love between the opponents’ children is shown to transcend their differences (with a happy ending as required by the genre).

Just under thirty years later another Italian writer took up the topic: Pietro Chiari (1712–1785), known for his comedies written in the time of Carlo Goldoni, also produced novels and tragedies, one of which is *Marco Tullio Cicerone* (1752).⁸

7 Die Enthaubttung | deß | Weltberühmten Wohlredners | CICERONIS | Mit HW: | den seltsamen Jäger, lustigen Gallioten, verwirten Briefftreger, lächerlichen Schwimer, übl belohnten Botten ec. Daß Übrige wird die Action selbstn vorstehen. | Componiert in | Jahr 1724, den 12 Junij., in: *Wiener Haupt- und Staatsaktionen*. Eingeleitet und herausgegeben von Rudolf Payer von Thurn. I. Band, Wien 1908 (Schriften des Literarischen Vereins in Wien X) (pp. 69–132) (available at <https://archive.org/details/wienerhauptundst01paye>).

8 MARCO TULLIO | CICERONE | TRAGEDIA | Rappresentata | NEL TEATRO GRIMANI | DI | S. GIO: GRISOSTOMO. | *Prima Edizione Bolognese*. | IN BOLOGNA MDCCLXV. | Nella Stamperia di S. Tom-

In the preface Chiari defends his choice of subject matter by the observation that the name of Cicero is so well known that everyone derives pleasure from watching his character, his experiences and his death and that the selected section of history has not yet been dramatized except in a play by Pier Jacopo Martello (*L'autore a chi legge*; 1755, p. 4). It is true that both Chiari's and Martello's pieces have the name of Cicero as the title and dramatically present the final months of his life in 43 BCE; yet, they do so in different ways since Chiari has a more complex and more dramatic plot, especially since he adds further characters and love stories.

In terms of the presentation of Cicero, he again appears as a supporter of liberty and a defender of his country. Cicero's main impact is seen through his oratory, as he is presented as giving speeches to the People in the Forum and opposing Mark Antony; the group of the *Philippic Orations* is again a key feature determining the reactions of other characters to Cicero. Octavian (Ottaviano) tells Cicero that he will live if he yields his *Philippics* to Mark Antony (Marco Antonio). Cicero comments that he is going to die soon anyway and will not do anything to reduce the fame emerging from his writings (V 1). Earlier in the play Cicero says that his glory was more important to him than his family; he is keen to have his *Philippics* preserved since he regards them as the basis of future fame (IV 1). His wife (here called Livia), however, is concerned for his safety and would prefer to have Cicero's *Philippic Orations* burned as these provoke Mark Antony's hatred while Cicero's son (here called Quinto) is eager to honour his father's wish to preserve these speeches (IV 1). Ultimately, similarly to what happens in Martello's play, Cicero is killed because one of Mark Antony's followers carries out his orders (V 7–9). The play closes with Octavian announcing happy centuries under himself as Ottavio Augusto (V 9). This prospect implies that Cicero has not been able to prevent the change from Republic to Principate, which may also be due to his misjudgment of the situation and of the characters involved. Nevertheless, as the life-threatening fight over the text of his *Philippics* vividly illustrates, Cicero's fame as a great orator and defender of the Republic will be preserved and live on.

Two years later (1754) there was a French play on the final years of Cicero: the second drama by Prosper Jolyot Cr  billon (1674–1762) on events from Cicero's life (after *Catilina*, 1748); some of Cr  billon's plays prompted alternative versions by Voltaire (1694–1778; *Rome sauv  e, ou Catilina*, 1752). Cr  billon's *Le Triumvirat ou La mort de Cic  ron* ("The Triumvirate or Cicero's death") is the only

play featuring Cicero as a character that has a reference to the triumvirate (of 43 BCE) in the title.⁹ The piece puts some emphasis on the attested situation that one member of the triumvirate, Mark Antony, wishes Cicero's death while another, Octavian, does not (Plut. *Cic.* 46). Essentially, however, it is not a drama about the triumvirs, but rather a triangular love story, between Cicero's daughter Tullia (Tullie) and Sextus, the son of Pompey the Great, as well as Octavian (Octave Cesar), combined with the political controversies of the 40s BCE. This structure enables the discussion of principles of behaviour of politicians and citizens, absolute rulers and supporters of the Republic: Cicero is keen to save the Republic, even disregarding his own life; yet, he is momentarily persuaded to side with Octavian while his daughter Tullia is adamant in her defence of the Roman Republic and opposes Octavian's advances. Ultimately both Cicero and Tullia remain true to their political convictions, but both die.

By means of the unhistorical construct of a love affair that has both Sextus Pompeius and Octavian be in love with Tullia (still alive in 43 BCE here), who prefers Sextus, Crébillon creates a close connection between political and personal issues. Cicero's initial offer of his daughter in marriage to Octavian may suggest that he even exploits his daughter's happiness to achieve a higher political goal. Still, Cicero appears as the defender and saviour of the Republic and as an opponent of individuals he regards as tyrants, attempting to incite Octavian to more responsible behaviour. Since, ultimately, the focus is on Sextus and Tullia, who fight for traditional Roman values of virtue and the principles of the Republic, Cicero does not emerge as the only representative of the Republican cause or opponent of the triumvirs. Cicero's death, although mentioned in the title, happens offstage (IV 2; V 2; V 3); Mark Antony and Fulvia are not even included among the *dramatis personae*. Thus, there is less emphasis on the appreciation of Cicero as an individual or his achievements as a statesman though Cicero appears as the most prominent of the defenders of the Republican system.

The well-known Swiss literary theorist and writer Johann Jakob Bodmer (1698–1783) wrote two plays involving Cicero; the second of these, *Marcus Tul-*

9 LE | TRIUMVIRAT | *OU LA MORT* | DE CICÉRON, | *TRAGÉDIE*. | Par M. DE CREBILLON, de | l'Académie Française. | *Représentée par les Comédiens François, | le 20 Décembre 1754.* | Prix 30 fols. | A PARIS, | Chez CHARLES HOCHEREAU, | Libraire, Quai de Conti, au Phénix. | M. DCC. LV. | Avec Approbation & Privilège du Roi (text available e.g. at http://www.theatre-classique.fr/pages/pdf/CREBILLON_TRIUMVIRAT.pdf or http://www.mediterranees.net/histoire_romaine/cicero/crebillon/index.html).

lius Cicero. Ein Trauerspiel (“Marcus Tullius Cicero. A tragedy”), was published in 1764.¹⁰

This play focuses on the final stages of Cicero’s life, after his last public appearances in 43 BCE. The sequence of events is mainly based on the narrative in Plutarch (Plut. *Cic.* 46–48). From the start the drama’s Cicero is presented as preparing for life in the afterworld. Several times he acknowledges his misgivings because he misjudged Octavian and because Brutus, one of Caesar’s assassins, was right to warn him (I 2; II 2), echoing sentiments of the historical Cicero expressed in late letters to M. Iunius Brutus (e.g. *Cic. Ad Brut.* 1.18.3–4); equally, the drama’s Cicero insists that he never acted against the Republic and did not do anything dishonourable in relation to the gods.

Bodmer depicts Cicero as one of the heroes of true greatness and superior character (cf. *Vorbericht*, pp. II–III). The play’s Cicero merely states that the just sometimes have to commit smaller mistakes in order to avoid bigger ones (IV 3), which functions as an excuse for his wrong assessment of Octavian. The piece closes with Cicero being praised by his secretary Tiro, who laments Cicero’s death and simultaneously honours him (V 5). Cicero’s humanity (V 3–5) contrasts with the behaviour of Fulvia, who dishonours Cicero’s severed head (cf. Dio Cass. 47.8.4) and has Quintus killed (V 3–5).

This appreciation of Cicero is conveyed throughout the drama, which also presents important stages of his life retrospectively, such as his exile (IV 3) and his grief at the death of his daughter Tullia (III 3). Thereby the piece encompasses a portrayal of Cicero in all his functions, as a former politician, a successful orator and a thoughtful philosopher. It is thus rather a presentation of this famous figure than a complex consideration of political issues.

In the eighteenth century Cicero remains a character who is politically active and represents particular political views, but he is depicted more integrated into a personal and family setting (including comic scenes and love affairs), so that the political focus is not as prominent and is somewhat relegated to the background.

¹⁰ Marcus Tullius | Cicero. | Ein | Trauerfpiel. | Zürich, bey Orell, Geßner und Comp. 1764 (<http://digitale.bibliothek.uni-halle.de/vd18/content/titleinfo/5208190>).—On this play see Scenna 1966, 82–88.

The nineteenth century

The only drama from the nineteenth century to cover the final years of Cicero's life is *Cicero, A drama* by the Canadian writer Henry Bliss (1797–1873), which appeared in 1847, attributed to “The author of ‘Moile’s State Trials’”, identifying the writer not by name, but rather by a reference to an earlier work.¹¹ While the author defines *Cicero* as a ‘drama’ and divides the text into acts and scenes, it is not a ‘drama’ in the standard sense: there are no ordinary dialogues; instead, it is a dramatic narrative, presenting scenes of different types, including reports, soliloquies, speeches in public and conversations, written in a sequence of English rhyming couplets.

The title of this drama indicates Cicero as the main protagonist while it does not reveal whether his entire life or a particular phase will be shown. The first scene mentions the death of Cicero's daughter Tullia (45 BCE) and Mark Antony's attack on Rome's freedom (44/43 BCE), which indicates that the play is concerned with events towards the end of Cicero's life.

It turns out that the piece charts the main historical events from Caesar's assassination until Cicero's confrontation with Mark Antony in September 44 BCE broadly accurately. For this purpose, the writings of the historical Cicero have obviously been adduced; these elements are supplemented by scenes for which no historical evidence exists. For instance, when Cicero is summoned to a meeting of the senate (II 7), this must refer to the session on 19 September 44 BCE, when Mark Antony delivered the speech to which the historical Cicero reacted with the second *Philippic*: historically, this ‘speech’ was written up, but never delivered, since Cicero did not attend the meeting of the senate on that day. In the drama he does so; accordingly, the provocative speech by Antony (presumably developed on the basis of the response by the historical Cicero) and Cicero's reply can be juxtaposed directly (III 4; III 5); the shape of the confrontation means that Cicero appears superior despite all criticism.

This piece thus gives an overview of the events in the last year of Cicero's life and demonstrates Cicero's key characteristics as a politician and orator; the portrayal is nuanced since the views of others are also provided. The play does not end with Cicero's death, but rather with the delivery of a ‘*Philippic*’ against Mark Antony in the senate (III 5); in this speech Cicero justifies his career and accuses Antony of misdeeds; it is successful with the audience. Thus, despite the trou-

11 CICERO, | A DRAMA. | BY THE AUTHOR OF | “MOILE’S STATE TRIALS”. | LONDON: | SIMPKIN, MARSHALL AND CO., | STATIONERS’ HALL COURT; | AND | B. KIMPTON, 43, HIGH HOLBORN. | MDCCCXLVII (available at <https://archive.org/details/cicerodrama00blisuoft>).

bled situation in Rome, the drama closes with Cicero at a high point in his life, showing him as the consummate orator. Yet, even though Cicero seems to be superior at the end, the general tenor is subdued: already at the beginning Cicero regrets in a soliloquy that he did not die at peaks in his life, when Catiline and Clodius had been vanquished, he was courageous, wielded an impressive oratorical art and was called a 'new founder of the state' (I 1; p. 14). Accordingly, this Cicero appears as a great orator who has had political successes, but also as someone who has passed the zenith of his effectiveness.

The twentieth and twenty-first centuries

The theme of the end of Cicero's life was not taken up again until more than one hundred years later, in the piece *Cicero. A Tragedy of Ancient Rome* by the American Pulitzer Prize winner Upton Sinclair (1878–1968), first performed in 1960.¹²

The play covers major events during the last twenty years of the life of the historical Cicero, from the year of his consulship (63 BCE) until his death (43 BCE). The extended time period covered does not mean that historical events are condensed in a non-historical way; by contrast, there is an explicit chronological progression, indicated by stage directions. Moreover, there are references and extended 'quotations' of literary works of the historical Cicero and also of the poet Catullus (who appears as a character) throughout.

Because the play's Cicero is mainly shown in conversation with his secretary Tiro, his wife Terentia and/or his friend Atticus, but never in public, and since the works of the historical Cicero are represented when the play's character dictates them to his secretary Tiro or privately practises speeches, Cicero's character and personal biography take centre stage. His feelings and concerns about his career and his standing are made explicit, as he is presented in such intimate conversations. Beyond his individual situation, this Cicero expresses disappointment at the political and moral development of Rome.

The play creates the expectation that Cicero's works (published by Atticus) will survive through the ages and even schoolboys will read them. Equally, it suggests that the political and philosophical ideas supported by Cicero will not outlive him because the Romans of his day have become interested in their own advantages, money and pleasure: the loss of virtue leads to a loss of liberty, and there will be a change to a monarchical society as Cicero predicts.

12 Upton Sinclair, *Cicero. A Tragedy of Ancient Rome*, [s.l.] 1960.

Thus, the play has a moral and political message with a general application, despite being focused on Cicero's personal situation.

Later in the twentieth century, in 1990, the German writer Helmut Böttiger (b. 1940) published a play on Cicero with his own publishing house, *Cicero oder Ein Volk gibt sich auf* ("Cicero, or a nation abandons itself").¹³

This play is set in 43 BCE and dramatizes Cicero's death as part of the development from Republic to Principate. As a note at the beginning indicates (p. 3), the drama's main focus is on demonstrating how Caesar's assassination led to the establishment of inappropriate monarchical rule because of the failures of the individuals involved. Accordingly, Cicero's death is only shown in the brief final act; most of the plot is devoted to the presentation of the feelings of and negotiations between Mark Antony (Mark Antonius), Octavian (Octavianus), Cicero, the senators and ordinary citizens. These interactions indicate the inability of the system to cope with challenges and result in an ambiguous presentation of the character Cicero.

Thus, while the triumvirate comes to power and is victorious in the end, it is not a joyful success since various scenes demonstrate that the current system has weaknesses, that the senators are not up to the job and that ordinary people are unhappy, yet not in a position to make changes. Accordingly, monarchical rule becomes inevitable, but is not a proper solution for the problems of the existing system. Within this framework the character of Cicero displays the well-known attributes of a polished orator (including reminiscences of the works of the historical Cicero) and a preserver of the Republican system. But, as the author has Octavian comment (III 2), he does not offer any substantial idea of how to shape the system, so that it could cope with the issues facing it.

Moreover, although the measures envisaged by Cicero would probably not have changed the eventual outcome, they are not even attempted, i. e., he is unsuccessful because of the attitude of the representatives of the traditional order, which he intends to preserve. As a result, the failure of the Republican system is indirectly attributed not only to Cicero, but also to the lack of insight among the senatorial elite.

The latest incarnation of Cicero and of Cicero's final years on stage is the dramatization of Robert Harris' trilogy of novels by Mike Poulton, which was performed by the Royal Shakespeare Company first in Stratford-upon-Avon between November 2017 and February 2018 and then in London in summer 2018. The dramatic version is organized into two performances of three plays each. The two

13 CICERO | oder | Ein Volk gibt sich auf | Tragödie von Helmut Böttiger | Jubiläumsausgabe zum 50. Geburtstag des Autors am 2. März 1990 | Dr. Böttiger Verlags-GmbH.

performances are entitled *Imperium, Part I: Conspirator* and *Imperium, Part II: Dictator*; the six plays are called *Cicero*, *Catiline*, *Clodius*, *Caesar*, *Mark Antony* and *Octavian*.¹⁴

The sequence of plays ends with Fulvia displaying the head of the dead Cicero (cf. Dio Cass. 47.8.4), while Octavian and Agrippa are dressed for a triumph (*Octavian*, Epilogue [p. 268]); thereby it is acknowledged that Cicero ultimately is unsuccessful with his political initiatives and dies in the face of opposition. Neither is it denied that Cicero has personal weaknesses, for instance insecurity, ambition and desire for glory. At the same time the play stresses that this Cicero wishes to preserve the ‘democratic’ structure of the Roman Republic against autocratic tendencies displayed by men like Catiline, Pompey, Mark Antony or Caesar. While Cicero becomes progressively disillusioned, he is still shown supporting a worthy cause in “defending the Republic” (*Caesar*, Scene Six [p. 178]). Even in the last play Cicero says: “Antony is the last obstacle on our road to freedom—I shall destroy him as I destroyed Catiline. For a second time I’ve saved the Republic. Single-handed. Let the boy know nothing happens in Rome these days without my approval – nobody knows where my power begins and ends. It’s better than being Dictator –” (*Octavian*, Scene Six [p. 248]).

Thus, the way in which Cicero is portrayed in this drama comes fairly close to the image that the historical Cicero tried to create of himself: someone who is proud of having saved the Republic and aims to continue doing so while he does not reflect upon whether this is still the most appropriate approach. The conclusion of the piece thus shows that Cicero overestimates his influence.

In the last three centuries, then, the dramatization of the end of Cicero’s life is still used to make political statements, now often rather general, in obvious reaction to the political situation in the writer’s present and connected to social issues, and also to create powerful dramatic scenes, but the small number of plays makes the range of approaches appear even more diverse.

Conclusion

If one looks back over this series of plays presenting aspects of Cicero’s final years in versions for the stage, one notices that all playwrights have made use of the dramatic potential of the events of these years for the plots of their

14 IMPERIUM | The Cicero Plays | *Adapted for the stage by* | Mike Poulton | *From the novels by* | Robert Harris | *With an introduction by* Mike Poulton | NICK HERN BOOKS | London | www.nickhernbooks.co.uk [2017].

dramas. This applies with respect both to Cicero's life and to the political turmoil of the period, even though not all plays end with Cicero's death as a dramatic climax. All playwrights follow the sequence of historical events in the main, although some add further (mostly minor) figures, slightly alter the biography of historical characters or insert more personal scenes, to create more vivid and entertaining effects and to give the dramatic events a more lifelike quality. The general faithfulness may be caused by the availability of a sizable amount of material, especially in Cicero's own writings, and the inherent dramatic quality of the events themselves. Thus, there are numerous variations, but no obvious tendency or development over the centuries; this may also be linked to the fact that only rarely do later playwrights seem aware of the works of their predecessors.

It is telling that Poulton, the adapter of Harris' novel trilogy, decided to omit most of what is narrated in the first novel (entitled *Imperium*), covering Cicero's early years, and, for the two parts of the dramatic action, to focus on Cicero's fight against Catiline in his consular year of 63 BCE and on the events of 44–43 BCE (perhaps inspired by the connections the historical Cicero creates between these two periods). Apart from the dramatic effectiveness of this selection and the resulting compression, such a focus makes sense for a play highlighting the failure of a political system and the tensions between monarchical and Republican rule (with intended parallels to the present).

For, if one wishes to explore the question of the respective advantages and disadvantages of different political systems as well as their potential developments and to illustrate the ramifications, what happened in 44–43 BCE is one of the most suitable case studies, as this sequence of events can be used to showcase positive and negative features of Republican and monarchical structures, in general or with oblique allusions to the writer's present. This is especially true when the events are presented with a focus on Cicero's fate and activities, since the series of his powerful oratorical interventions, ultimately followed by his death, demonstrates both his ideals and his failure to promote them with lasting effect. While this is valid for any intellectual engagement with the material relating to 44–43 BCE, it particularly applies to drama because the stages of the development can be juxtaposed and presented from different perspectives or commented on by a variety of people while the playwright is not forced to commit explicitly to a particular view.

At the same time, though, the selection of incidents and their presentation in a sequence of scenes convey a particular point of view. Thus, for instance, in Böttiger's play, the second most recent version, the switch to a monarchical system, due to happen after Cicero's death, is presented as a negative development, while the failures of the Republican system are equally highlighted: it could not be saved because of the lack of decisive actions on the part of Cicero and

of support from the senatorial elite. Bliss too presents Cicero as a great orator who has had limited success, but ultimately is not able to stop the development towards autocratic rule, though this is not linked to the same extent to an analysis of society.

Bodmer, by contrast, focuses more on a portrayal of Cicero as an individual. In Crébillon's piece Cicero is only one among others to support the Republican cause. In the comic version there is more emphasis on the personal aspects of the underlying political situation. The Italian plays add the dimension of Cicero's impact as an orator. Still, even when Cicero is less prominent or there is more emphasis on his personality, the political framework and the opposition between Republic and monarchy is a paramount theme. A general linear development in the assessment and presentation of events in the final period of the Republic over the centuries cannot be observed although there seems to be a tendency towards a more and more pronounced social analysis.

As for the general questions raised by the focus on the reception of the events involving Cicero in 44–43 BCE, one may offer the following responses with regard to drama: because of the dramatic format there is no direct explicit and reflective engagement with Cicero's writings from the period, but it is obvious that the playwrights were familiar with these in addition to other ancient (and later) sources. Since Cicero's death is a dramatically effective event and a suitable closure, it is often a key point in the plot of plays focusing on the final years of his life: this incident colours the general presentation of the figure, but the display remains nuanced in that Cicero is presented as a great orator and a staunch supporter of the Republic, even if his initiatives are ultimately unsuccessful in the longer term.

Beyond depicting Cicero as an orator (and sometimes also as a writer and philosopher), these plays are not interested in showcasing literary details of his works. They show awareness of earlier speeches and literary productions, but these do not play a major role in the plots; only in the two Italian plays is the existence of the *Philippic Orations* a major factor in discussions about Cicero's death. The fact that letters by the historical Cicero survive from the time after the last extant speech enables playwrights to draw on Ciceronian material for the depiction of much of 44 and 43 BCE; only for the final stages do they need to have recourse to the descriptions of later historiographers.

The recent production of *Imperium* emphasized explicitly comparisons to the political situation in the modern world. Because Cicero (or at least his name) is still famous and evokes associations of other major figures he dealt with and because, at the end of his life, he was heavily involved in the final stages of the development from Republic to Principate, which influenced all subsequent European history and demonstrated the characteristics of each of these political sys-

tems, this important role and the transferability of the context endow Cicero's activities in 44–43 BCE with perennial interest. This is shown in drama by regular take-up on and off through the centuries until the present day, which says as much about Cicero as about the political and intellectual situation in the various countries and centuries.

Christoph Pieper and Bram van der Velden

Second Epilogue

Scholarly Appraisals of Cicero's Final Years

The following pages are by no means meant to give a full account of scholarly debates on Cicero's final years between the Renaissance and the 20th century.¹ What they want to offer are specimens of evaluations of Cicero's political and moral behaviour in order to sketch a general tendency in scholarship, but even more in order to show that the final years of Cicero's life have continued to interest readers far beyond the early modern period.²

The sixteenth century: Erasmus and Lipsius

Erasmus' *Ciceronianus*, mentioned in the previous two chapters, contains a view of Cicero's character and life which is not purely hagiographical. As others had done before him, Erasmus chides Cicero's frequent self-praise, his poetry, and his frequent mistakes of facts, but he does not stop there. Bulephorus, Erasmus' spokesperson, remarks for example:

Fatebor eloquentem, qui Ciceronem feliciter expresserit: sed qui totum, exceptis uiciis: et ne sim iniquior, una cum ipsis uiciis, modo totum. Feremus illud subinane, feremus mentum leua demulceri, feremus et collum oblongum atque exilius, feremus perpetuam uocis contentionem, feremus indecoram parumque uirilem in initio dicendi trepidationem, feremus iocorum intemperantiam: et si qua sunt alia, in quibus M. Tullius uel sibi, uel aliis displiuit, modo simul et illa exprimant, quibus ista uel textit ille, uel pensauit.³

I will acknowledge him eloquent who copies Cicero successfully; but he must copy him as a whole and his very faults too. I will put up with that suggestion of emptiness, that stroking of the chin with the left hand, the long and thin neck, the continual straining of the voice, the unbecoming and unmanly nervousness as he begins to speak, the excessive number of jokes, and everything else which in Cicero is displeasing to himself or to others, provided only he copy those other traits too by which he concealed these or compensated for them.

1 Useful overviews are still Zieliński 1929 (until the 18th century) and Weil 1962; recently published are Springer 2018 and the relevant chapters in Steel 2013 and Altman 2015a.

2 Scholarship has been defined as an important field of reception studies (labelled as “transformation studies”) in that “scholarship is itself transformative and triggers new *transformations*” (emphasis in the original); cf. Bergemann *et al.* 2019, 16.

3 Erasmus, *Ciceronianus* LB I 985F (ASD I-2 626.17–24). All English translations of this work in this chapter are those of Scott 1910.

Cicero's behaviour during his final years, however, has no place in his harangue. Bulephorus even suggests that Cicero's faults became less conspicuous towards the end of his career, as he claims that Cicero's eloquence in the *Philippics* is that "of an older man, [...] less redundant and less boastful",⁴ and that during his last year he "spoke freely before the Senate and the Roman People, laying aside the fear of death".⁵ This is perhaps not unexpected given Erasmus' positive estimation of 'Cicero's' contempt for death found in the *Epistula ad Octavianum*, as mentioned by Van der Velden in this volume (cf. p. 131).

Erasmus' treatise sparked many further contributions by scholars all over Europe, some of which aimed to defend Cicero against the aspersions cast over his character.⁶ One of these was Julius Caesar Scaliger, who even reacted to the relatively minor incriminations found in the above-mentioned quotation.⁷ Justus Lipsius, although stylistically by no means a Ciceronian, also took up the task of defending Cicero's character. He did so in an *Oratio pro defendendo Cicerone in criminibus ei objectis*, held between 1564 and 1568, when he was still a student in Leuven.⁸ In this speech,⁹ he discusses the criticism of Cicero's character found in Erasmus separate from the question of the *imitatio* of Cicero: he would tackle that in a different speech, the *Oratio utrum a solo Cicerone petenda sit eloquentia*.¹⁰

In the beginning of his *oratio*, Lipsius draws a distinction between the reception of Cicero's oratorical prowess and the reception of his life and career:

4 Erasmus, *Ciceronianus* LB I 1004C (ASD I-2 654.27–28): *quum in his tamen senilior sit, minus redundans, minus exultans eloquentia*. Gotoff 1980, 169 remarks that this is the first scholarly remark on Cicero's alleged *Spätstil*, anticipating later contributions by Wilamowitz and von Albrecht. Cicero also describes his own pruning back of his earlier excesses (not with reference to the *Philippics*) in *Brut.* 314–316, to which Erasmus is clearly looking here. We owe this suggestion to Tom Keeline.

5 Erasmus, *Ciceronianus* LB I 1018B (ASD I-2 696.14–15): *Sublato mortis metu libere dixit apud Senatum populumque Romanum*.

6 For which see Scott 1910 and DellaNeva/Duvick 2007.

7 On Scaliger's two pro-Ciceronian orations, see Scott 1910, Part 1: 42–62; Hall 1950, 96–105 and 110–114, specifically 101 for Scaliger's reaction to Erasmus' abovementioned "petty personal criticisms" of Cicero; and Conley 2008 for the first oration.

8 This is no. 5 in the posthumous collection of his orations (Lipsius 1607). We will refer to the text by the page number in this edition. For this collection of speeches in the context of Lipsius' career, see Morford 1991, 129–130. This particular speech was also reprinted together with J.C. Scaliger's *Oratio contra Ciceronianum Erasmi Roterodami* in a 1618 Heidelberg edition (Scaliger/Lipsius 1618).

9 Studied extensively in Graupe 2012, 408–423 (see 410 n. 24 for the dating).

10 No. 6 in the collection mentioned in footnote 8.

Non laudatur ab omnibus Cicero? Fateor, sed sic, ut eloquens, ut facundus, ut disertus patronus; quae laudes ejusmodi sunt, ut uel de Catilina, uel de Clodio, perditis ciuibus, et quos ipsos ualuisse dicendo accepimus, ne inimici quidem jejuniis dixerint. [...] Cujus [sc. Ciceronis] tamen, si recte consideremus, non minorem gloriam integerrima uita quam laudem eloquentia meruit.¹¹

Is Cicero not praised by everyone? Yes, I admit it, but he is praised as an eloquent, articulate and well-spoken advocate. Praise of this kind might also be bestowed on Catiline or Clodius, wretched citizens of whom we learn that they too were good at speaking. [...] But if we judged the matter rightly, we would discover that Cicero's most blameless life makes him worthy of as much renown as his eloquence makes him worthy of praise.

Lipsius then sets out to refute two points of criticism against Cicero's *integerrima uita*, which we have encountered many times over in this volume:¹² Cicero's *leuitas* and *inconstantia* in his political career, and his *arrogantia* and a *puerilis gloriae cupiditas* in political life. To the first charge, Lipsius responds that it was only normal for Cicero's opinions and allegiances to fluctuate, given that he was living in such a tumultuous period.¹³ To the second, he objects that Cicero's praise of his own deeds was just, and that his arrogance is similar to that displayed by Demosthenes in his speeches, or Socrates in Plato's *Apology*.¹⁴

In his refutation of the first charge, Lipsius discusses an objection levied by many: that after the death of Pompey it would have been fitting or even proper for Cicero to end his life just as Cato had done. But if he had done so, Lipsius argues, the Republic would have to have been without Cicero to defend it during his final years, and its fall would have happened even sooner.¹⁵ The *Oratio* continues with an *Obiectio* from an anonymous *praeses*. He claims that Lipsius has neglected to discuss a major point of criticism which one might level at Cicero's life:

11 Lipsius, *Oratio* 6, 70. All translations, except where mentioned, are our own. We have made minor changes in orthography.

12 Lipsius calls them *duo fere crimina, et jam tum Ciceroni uiuo fuisse inusta* (*ibid.*, 70). Graupe 2012, 412 n. 29 mentions the possibility that Lipsius is consciously alluding to Petrarch's famous critical letter to Cicero (cf. Mabboux and Jansen in this volume).

13 *Ibid.* 6, 77: *Valde enim stultum sit et ridiculum, cum in tanta rerum et animorum uarietate ueriseris, ad unam aliquam regulam ac quasi ad normam exigere sententiam.*

14 *Ibid.*, 88–89.

15 *Ibid.*, 85: *Si enim tum, cum isti uolunt, uis illata Ciceroni esset, aut illud Catonis exemplum in seipso imitatus fuisset; desiderasset profecto postea Resp. fortem illum et constantem ciuem, qui M. Antonii, Dolabellae, et aliorum effrenatam dominandi cupiditatem, si non opprimeret, ad tempus tamen reprimeret.*

Est hoc crimen, quod dico, positum in iis temporibus, quae C. Caesaris Dictatoris mortem sunt consecuta, tum quod Cicero tuus, quasi suscepta causa Reip. et libertatis, si uere consideras, rem publicam ipsam Octavio adolescenti prodidit.¹⁶

The offence to which I refer happened in the times following the death of C. Caesar the dictator; because in this period your Cicero—who took up, so to speak, the cause of the Republic and of liberty—surrendered, if you think about it properly, the Republic to Octavian, only a young man.

Lipsius left out *haec turpissima et Cicerone indigna nota* on purpose, according to the *objectio*. He disagrees: Cicero's handling of Octavian was most prudent and necessary to prevent Antony from taking over control, and it would be unfair to blame Cicero for Octavian's betrayal of the Republic:

Nam quod Cicero honoribus et laude, qua illius aetas maxime capitur, hunc adolescentem cum legionibus suis, Antonii et Dolabellae furori opposuit, non tantum prudenter, sed etiam rei publicae salutariter fecit, neque unquam tam diu [...] Antoniorum regnum prohibere potuisset, nisi Ciceronis consiliis hic adolescens, ad causam rei publicae esset adjunctus. Qui, si postea perditorum hominum perditae amentiae parere quam fidelissimis Ciceronis consiliis obsequi uoluit, ualde profecto in Ciceronem iniqui sunt, qui eum alienae culpa reum arguunt et cuius facti omnis reprehensio Caesaris propria sit, eam inuidiam in Ciceronis personam deriuant.¹⁷

As regards the fact that Cicero, by praising and complimenting him (something in which someone of his age delights), convinced this young man to stand in the way of the fury of Antony and Dolabella with his legions, he did this not only wisely, but also in the interest of the Republic. He could not have prevented [...] the reign of the Antonii had not this young man, won over by Cicero's counsel, joined the cause of the Republic. Even if he (sc. Octavian) subsequently preferred to obey the madness of wretched men rather than to follow the most faithful counsels of Cicero, the people who charge him with someone else's fault, and apportion to Cicero all the hatred for a fact for which only Octavian is to blame, are definitely unfair to Cicero.

The eighteenth century: Montesquieu and Middleton

Positive depictions of Cicero's final years continued until far in the 18th century. This was especially the case in England and France, where many philosophers of the Enlightenment took inspiration from Cicero's scepticism (the century can

¹⁶ *Ibid.*, 94.

¹⁷ *Ibid.*, 96.

truly be labeled as heyday of Ciceronianism). A prominent admirer of Cicero's philosophical works was Montesquieu, who in most of his works praised Cicero's ethical exemplarity and philosophical acumen.¹⁸ In 1734, he wrote a treatise entitled *Considérations sur les causes de la grandeur des Romains et de leur décadence*. In the twelfth chapter of his work on Rome's greatness and its decline, however, his portrayal of Cicero is not uncritically eulogistic. Instead we read a balanced account of Cicero's role after the Ides of March. On the one hand, Cicero is still recognized as one of the most important political players; but on the other, his ethical exceptionality is somehow downplayed in comparison with Cato.¹⁹ According to Montesquieu, Cicero's vain wish for recognition and his lacking insight into the psychology of Octavian were two reasons for the Republic to fall—in Montesquieu's pointed formulation, it was Cicero himself who unwittingly created Antony as an enemy for the Republic:

Je crois que si Caton s'étoit réservé pour la République, il auroit donné aux choses tout un autre tour. Cicéron avec des parties admirables pour un second rôle, étoit incapable du premier: *il avoit un beau génie, mais une ame souvent commune*; l'accessoire chez Cicéron c'étoit la vertu; chez Caton c'étoit la gloire; *Cicéron se voyoit toujours le premier*; Caton s'oublioit toujours; celui-ci vouloit sauver la République pour elle-même, celui-là *pour s'en vanter*. [...] le Sénat qui se crut au dessus de ses affaires songea à abaisser Octave, qui de son côté cessa d'agir contre Antoine, mena son Armée à Rome, & se fit déclarer Consul. *Voilà comment Cicéron qui se vantoit que sa Robe avoit détruit les Armées d'Antoine, donna à la République un Ennemi plus dangereux.*²⁰

I believe that if Cato had preserved himself for the Republic, he would have given a completely different turn to events. Cicero's talents admirably suited him for a secondary role, but he was not fit for the main one. *His genius was superb, but his soul was often common*. With Cicero, virtue was the accessory, with Cato, glory. *Cicero always thought of himself first*, Cato always forgot about himself. The latter wanted to save the Republic for its own sake, the former *in order to boast of it*. [...] The senate, believing it had things under control, considered reducing Octavius, who, for his part, stopped working against Antony, led his army to Rome, and had himself declared consul. *This is how Cicero, who boasted that his robe had destroyed Antony's armies, presented the Republic with an enemy even more dangerous.*

Whereas Montesquieu, the fervent Ciceronian whose earlier *Discours sur Cicéron* has been analysed as Ciceronian panegyric by Martin, allows for nuances in this

¹⁸ Cf. Sharpe 2015, 332–334; Chomarat 1984 for the influence of *De officiis* on Montesquieu's philosophy.

¹⁹ Of course, this theme goes back at least to Seneca the Younger, cf. Grimal 1984.

²⁰ Montesquieu 2000, 179–180 (our emphasis), transl. Lowenthal 1965. This passage is also quoted in Weil 1962, 204 and Sharpe 2015, 333.

quotation,²¹ another Ciceronian *pur sang*, Conyers Middleton, turns Cicero's last years into the crowning achievement of his glorious career. His *Life of Cicero*, "the authoritative eighteenth-century treatment of its subject",²² portrays Cicero's standing in Rome following Caesar's death as follows: "He was now without competition the first Citizen in Rome; the first in that credit and authority both with the Senate and the People, which illustrious merit and services will necessarily give in a free City".²³ And when Cicero meets his end, Middleton describes it as a paradigmatic event which would be impressed upon the minds of generations to come:

The deaths of the rest, says an Historian of that age, caused only a private and particular sorrow, but Cicero's an universal one; it was a triumph over the Republic itself; and seemed to confirm and establish the perpetual slavery of Rome. Antony considered it as such, and, satiated with Cicero's blood, declared the Proscription at an end. [...] The story of Cicero's death continued fresh on the minds of the Romans for many ages after it; and was delivered down to posterity with all its circumstances, as one of the most affecting and memorable events of their History: so that the spot, on which it happened, seems to have been visited by travellers with a kind of religious reverence".²⁴

Especially the last sentence is remarkable: Middleton asserts that Romans of the imperial times regularly went on a kind of religious pilgrimage to the shores of Formiae.²⁵ Without making it explicit, the eighteenth-century biographer thereby subscribes to the already established image of Cicero as a martyr of the Roman Republic;²⁶ as a consequence, his life and transmitted works should be approached with a similar, almost religious reverence as the tombs of Christian martyrs. Cicero was, in Middleton's view, a moral *exemplum* without any shadow, a radiant representative of the better past: "His moral character was never blemished by the stain of any habitual vice, but was a shining pattern of virtue to an

²¹ Cf. Martin 1984, esp. 218–227 on Cicero's political career in both the *Discours* and the *Considérations*. According to his analysis, the mixed interpretation of Cicero's role went hand in hand with Montesquieu having to admit Caesar's genius (p. 222).

²² Ingram 2015, 95. See on Middleton also also Fox 2013, 331–335; Fotheringham 2016, 206–208.

²³ Middleton 1741, vol. 3, 1.

²⁴ *Ibid.*, vol. 3, 281–283. The "Historian" is Cremutius Cordus (in Sen. *Suas.* 6.19).

²⁵ Cf. Davis 1958, 175 n. 3: "A late local tradition identifies large tower-like tomb along the Via Appia near Formia as Cicero's burial place". We owe this reference to Tom Keeline.

²⁶ Cf. Burchell 2002, 93, who especially links Middleton's image to Italian humanistic constructions of Cicero.

age, above all others the most licentious and profligate”.²⁷ Here, Middleton does the contrary of what Erich Gruen would do 200 years later: Cicero is not explained and understood through his interaction with other representatives of “the last generation of the Roman Republic”,²⁸ but presented as the one and only moral exception of perfectly virtuous behaviour within a degenerated world.

The nineteenth century: Drumann and Mommsen

It is only with the well-known scathing biographies of Wilhelm Drumann and Theodor Mommsen that Cicero’s final years *primarily* become reason for criticism. Drumann published his enormous *Geschichte Roms in seinem Übergange von der republikanischen zur monarchischen Verfassung oder Pompeius, Caesar, Cicero und ihre Zeitgenossen* in six volumes between 1833 and 1844. Volume 6 is dedicated to Cicero. In Drumann’s depiction of Cicero before Caesar’s death, he is a has-been who is living a pitiable existence:²⁹

Cicero verlor sich in der Menge. Lebend tot, vergessen wie Catilina, grollte er mit der Gegenwart, und Ärgeres bereitete sich vor. Er hatte den Verbannten geschrieben, ihr Los sei das mildere, sehen herber als hören. [...] Den blutigen Ausgang sah Cicero nicht voraus. Er kannte das Geheimnis der Meuterer nicht. Man hatte ihn nach Rom gerufen und damit angedeutet, daß er die schweigende Bedingung seiner Begnadigung erfüllen und sich wenigstens zeigen möge, wenn man öffentlich verhandelte. [...] Die Verschworenen beendigten diese Not.³⁰

Cicero was lost in the crowd. Forgotten like Catiline yet still alive, he resented the present situation, and worse was to come. He had written to the exiled that their fate was the milder one, and that seeing was worse than hearing [...] Cicero did not foresee the grisly end,

²⁷ Middleton 1741, vol. 3, 301. Here Middleton “uncritical veneration” is not just “for the textual Cicero” (as Fox 2013, 333, puts it), but explicitly also for the ethical and political role model. See Fox 2013, 331–332, for examples of contemporary criticism and mocking of Middleton’s portrayal of Cicero.

²⁸ See Gruen 1974, 2 on how Cicero’s attitudes depend on and are shaped by the political circumstances. Gruen calls the decennia he discusses the “Ciceronian age” (*passim*), but only as a reference to our dependence on Cicero’s writings as sources, not as a hint at a truly exceptional role he played.

²⁹ See Weil 1962, 303–309 for a characterization of Drumann’s working method and aims, and Canfora 1988, 102–103 (quoted by Fuhrmann 2000, 107–110) who sees Drumann as a monarchist who was strongly averse to the Republican ideals of the French Revolution, and by consequence, averse to Cicero’s Republican ideals.

³⁰ Drumann 1899–1929, vol. 6, 288.

which the rebels had kept from him. He had been called to Rome on an implicit understanding that, in return for his amnesty, he would appear in public life. [...] The conspirators put an end to this agony.

Cicero's re-entry into politics after the Ides of March is portrayed as a decision of a fearful and bitter man seeking recognition, but who is up against opposition to whom he is inferior.

Cicero bebt vor dem Exil, der Schlacht, den Proskriptionen und dem Meuchelmorde. Dennoch wagte er, aber alles um alles. Kaum lockte ihn je ein solcher Preis. Einst wollte er sich Ansprüche erwerben, und jetzt, im Bewußtsein unermeßlicher Verdienste, erbittert durch vieljährige Entbehrung forderte er Ansehen und Einfluß zurück. Nach Caesar, als Gegner von Männern, die nur vor Caesar sich beugten, auf einem bis zu den Tiefen aufgewühlten Meere wollte er das Staatsschiff lenken. Er verkannte sich selbst, die Befreier, durch welche er zu handeln gedachte, und Antonius, der klüger war als sie und er.³¹

Cicero trembled in fear of exile, battle, proscriptions and assassination. Nevertheless he did not shun a single danger. Never had such a great reward enticed him. Once he had wanted to bind people to himself and now, fully aware of his great achievements and embittered by years of hardship, he demanded his authority and influence back. After Caesar, he wanted to steer the ship of state through this turbulent sea, as the opponent of men who had only ever bowed to Caesar. He misjudged not only himself, but also the liberators, whom he thought were his instruments, and Antony, who was more astute than both the liberators and Cicero himself.

Generally, Drumann insists that the frequent change of mind and of focus of Cicero's life between 46 and the summer of 44 is typical for his unstable character that is characterized by frequent transmutations ("Umwandlungen").³² Cicero's philosophical production of 46–44 BCE is considered an indicator for this lack of stability: instead of a genuine interest in the matter, the treatises merely served him as pastime:

Jede schriftstellerische Arbeit wurde augenblicklich zur Seite gelegt, wenn Cicero hoffen durfte, in Rom zu wirken. Bald überzeugte er sich, daß dies nicht von ihm, sondern von anderen abhing. Bis zum Ende des Jahrs, oder bis zur Eröffnung des Feldzuges von Mutina gewann er keine feste Stellung. Seine Erbitterung verriet sich durch Klagen, Anspielungen und Ausfälle. Doch mußte er in den Werken, welche er bekannt machte, sich mäßigen.³³

He immediately laid aside every literary activity and began to hope of a return to the political stage in Rome. He soon convinced himself that this did not depend on himself but on others. He did not manage to achieve security for himself until the end of the year [44], or

³¹ *Ibid.*, vol. 6, 289–290.

³² Cf. Weil 1962, 304–305. See also our introduction of this volume on Cicero's inconstancy.

³³ Drumann 1899–1929, vol. 6, 311.

perhaps [even] until the start of the military campaign at Mutina. His bitterness revealed itself in his complaints, innuendos and angry outbursts. Yet he had to restrain himself in the works which he published.

Half a century later, Theodor Mommsen, the most influential and most notorious destroyer of Cicero's renown,³⁴ would present Cicero's philosophical *Spätwerk* in much the same way:

[S]o fiel dagegen der Kompilator vollständig durch, als er in der unfreiwilligen Muße seiner letzten Lebensjahre (709, 710) sich an die eigentliche Philosophie machte und mit ebenso großer Verdrießlichkeit wie Eilfertigkeit in ein paar Monaten seine philosophische Bibliothek zusammenschrieb. Das Rezept war sehr einfach. In roher Nachahmung der populären aristotelischen Schriften [...] nähte Cicero die das gleiche Problem behandelnden epikureischen, stoischen und synkretistischen Schriften, wie sie ihm in die Hand kamen oder gegeben wurden, zu einem sogenannten Dialog zusammen. [...] Aber wer in solchen Schreibern eine klassische Produktionen sucht, dem kann man nur raten sich in literarischen Dingen eines schönen Stillschweigens zu befleißigen.³⁵

The compiler on the other hand completely failed, when in the involuntary leisure of the last years of his life (709–710 [sc. from the foundation of Rome in 753 BCE]) he applied himself to philosophy proper, and with equal peevishness and precipitation composed in a couple of months a philosophical library. The receipt was very simple. In rude imitation of the popular writings of Aristotle [...] Cicero stitched together the Epicurean, Stoic, and Syncretist writings handling the same problem, as they came or were given to his hand, into a so-called dialogue. [...] but any one who seeks classical productions in works so written can only be advised to study in literary matters a becoming silence.

Mommsen's extremely negative image of the "Staatsmann ohne Einsicht, Ansicht und Absicht" ("statesman without insight, idea or purpose"),³⁶ of the mediocre and opportunistic lawyer without any passion is too well known to need further elaboration here—especially as he never wrote the part of his *Römische Geschichte* that would have dealt in depth with the years 44/43 BCE.³⁷

³⁴ Cf. Mommsen 2010, vol. 1, XII (the introduction by Stefan Rebenich): "Am bekanntesten ist seine hämische Abrechnung mit Cicero, die Generationen von Altphilologen erbost [...] hat". Cf. also *ibid.*, XI: "Mommsen ist parteiisch, aber es ist [...] die Parteilichkeit eines mitstreitenden Agitators".

³⁵ Mommsen 1856, vol. 3, 576 [= 2010, vol. 5, 288], transl. Dickson 1867.

³⁶ *Ibid.*, vol. 3, 572 [= 2010, vol. 5, 284].

³⁷ See on Mommsen and Cicero Weil 1962, 310–323; Fuhrmann 1989; Fuhrmann 2000, 110–113; Cole 2013, 338–340; for many juicy quotations also Merolle 2015, 22–53. On Drumann's influence on Mommsen (especially as depicted by Wilamowitz), see Canfora 1988, 107–108.

The twentieth century: Carcopino and Gelzer

To fill this gap, one of Mommsen's most ardent followers in the twentieth century will be quoted. Just as Mommsen's portrait of Cicero is deeply rooted in nineteenth-century Germany's nationalism with its wish for a strong leader, Jérôme Carcopino's *Les secrets de la correspondance de Cicéron*, published in 1947, still breathes the spirit of the French Vichy-regime, as Carlos Lévy has argued convincingly.³⁸ Carcopino's major aim was to prove that Cicero's correspondence had been published by Augustus in order to further destroy Cicero's name after 43.³⁹ He therefore zooms in on all possible failures and moral inconsistencies in Cicero's life. As a result, Carcopino's Cicero is as unstable and fickle as Drummann's.⁴⁰ The death of the Roman orator and politician is therefore presented as a logical and almost deserved consequence for his misconduct and complete lack of political insight:

Nous verrons [...] comment, après avoir failli s'en relever dans les mois qui ont suivi le meurtre de César, il a consommé sa perte par la répétition des *mêmes faiblesses* et par de *monstrueuses erreurs de calcul* [...]. Ainsi s'achève dans le sang de sa proscription, le 7 décembre 43 v. J.-C., la longue suite de mécomptes, de revers et d'infortunes qui, de son consulat à sa mort, pendant près de vingt années consécutives, ont gâché sa vie publique; et sa Correspondence, en étalant à chaque page les travers de son esprit et les vices

38 Cf. Lévy 2015, 198–212. Carcopino surely also knew the powerful image Gaston Boissier had depicted of Cicero in his *Cicéron et ses amis* (1865), cf. the study in Narducci 2004. Harich-Schwarzbauer 2010 shows that Boissier corrected Mommsen's extremely negative image by focusing much more on the social necessities that forced the political protagonists of the time into their actions (cf. esp. *ead.* 2010, 190–191). Boissier's main interest was to rehabilitate Cicero's philosophical oeuvre and the emotional aspects of his character as part of the “condicio humana” of a passionate humane being (*ibid.*, 192: Cicero as “Typ des *leidenschaftlichen Menschen*”, emphasis by the author).

39 Cf. Carcopino 1947, vol. 1, 442 (the very end of part 1): “En décembre 43 av J.-C., Octave, en laissant inscrire Cicéron sur les tables de proscription, n'avait attenté qu'à sa vie. Plus tard, en faisant publier ses Lettres, il en a ruiné l'honneur”. (“When in Dec. 43 he allowed Cicero's name to be inscribed on the proscription list, Octavian aimed only at murdering the man. Later, when he caused the *Letters* to be published, he dealt a death-blow at Cicero's honour.”). The English translation of Carcopino in this chapter is that of Lorimer 1951.

40 About Cicero's changing moods between April and August 44 Carcopino writes: “En quatre mois, il a *changé quinze fois d'avis*, et cette suite d'ordres et de contre-ordres, d'agitations sans objet et de repentirs sans conséquence résume l'aboulie chronique dont Cicéron était atteint”. (“In four months *he changed his mind fifteen times*, and this series of orders and counter-orders, of aimless agitations and repentances that led to nothing, forms the case-history of the chronic disease of incapacity to make decisions—*abulia*, a physician would call it—from which Cicero suffered”; Carcopino 1947, vol. 1, 396, our emphasis).

de son cœur, les lacunes et les tares de sa personnalité, nous explique la banqueroute perpétuelle qui en fut la conséquence et la sanction. [...] *Il n'a possédé aucune des qualités qui font l'homme d'État; il eut tous les défauts qui l'annihilent.*⁴¹

[W]e shall see [...] how, after having nearly pulled himself together in the months that followed Caesar's murder, he completed his own destruction by a repetition of the *same weaknesses* and *monstrous miscalculations*. [...] Thus on Dec. 7, 43, the blood of the proscribed man sealed the long series of misreckonings, reverses and misfortunes which from the time of his consulship to his assassination, during the course of well-nigh twenty consecutive years, marred his public life. His *Letters*, every page of which reveals the eccentricities of his mind and the vices of his heart, the faults and defects of his personality, explain the perpetual bankruptcy which were their consequence and their penalty. [...] *He possessed none of the qualities which make and he had all the faults which destroy a statesman.*

This bitter résumé of Cicero's failure has nothing to do with Cicero's self-representation as analysed by Caroline Bishop in this volume. Here, failure simply overcomes him as a result of his character. To put it in a nutshell: Cicero has not been able to fulfill the role of leader the Romans after Caesar's death because of his inability to master his own weakness ("il était incapable de se conduire lui-même").

Carcopino's invective against Cicero is a late example of such negative views of his life. Generally, the twentieth century, and even more so the years after the Second World War, gave rise to a period of rehabilitation of Cicero. In 1971, Klaus Bringmann in the preface of his *Habilitationsschrift* reflected on this tendency. According to him, recent scholars have tried to defend Cicero against Mommsen's sharp criticism and thereby partly fallen into the opposite: "Dem Verdikt eines Drumann und eines Mommsen ist in neuerer Zeit, nicht zum mindesten in Deutschland, eine—vor allem von philologischer Seite getragene—Apologetik gefolgt, deren forciertem Enthusiasmus kaum zu einer sachgerechten Würdigung Ciceros geführt hat. Angesichts dieser wenig befriedigenden, wenn auch historisch verständlichen, Einstellung zu Cicero habe ich mich bemüht, sine ira et studio zu schreiben und von meinem Autor die, wie ich glaube, notwendige Distanz zu wahren".⁴² One of the most influential books about Cicero written in the twentieth century, however, does not fit Bringmann's general sketch. Only two years

⁴¹ Carcopino 1947, vol. 1, 371–372 (our emphasis).

⁴² Bringmann 1971, 5–6: "The verdict of a Drumann or Mommsen has in more recent times been followed, especially in Germany, by an apologetic tone, usually from philologists. This forced enthusiasm has scarcely led to an adequate appraisal of Cicero. In light of this unsatisfactory (albeit historically understandable) attitude towards Cicero I have attempted to write *sine ira et studio* and to keep my author by necessity at a cautious distance". Cf. Harich-Schwarzbauer 2010, 185: according to her, Bringmann does not fulfil his announcement, but follows Mommsen's and Gelzer's negative attitude towards Cicero's eclectic philosophy.

earlier, in 1969, Matthias Gelzer had published his authoritative biography of Cicero (whose modest subtitle—"a biographical essay"—is a major understatement). It was largely based on his entry for Pauly and Wissowa's *Realencyclopädie der classischen Altertumswissenschaft* from 1939. The book of 1969 represents a wonderful example of a mediated interpretation of Cicero's life, in which the old negative judgments (which Gelzer most probably had got to know as a student at the very beginning of the 20th century) are still perceivable in some formulations: "Cicero's Beschimpfung des toten Caesar ist wohl das Unedelste, was sein unermüdlicher Griffel hinterlassen hat" ("Cicero's scolding of the dead Caesar is probably the least dignified passage which his tireless pen has left us") is one such passage (according to Gelzer, Caesar had not asked him for advice after the Civil War, as he did with the jurist Ser. Sulpicius Rufus, and this affront had offended Cicero).⁴³ But for the most part of his monograph, Gelzer has substituted the negative vision with sound contextualization of Cicero's actions and with a sympathetic attitude, which even allows the author to add personal evaluations that are not written *sine ira et studio*. About *Ad Brut.* 1.18 (Cicero's last letter), we read: "Der Leser, dem es verstattet ist, hinter den Zeilen dieses letzten Briefes Ciceros den Aufstieg einer neuen Geschichtsepoche zu schauen, wird Zeuge einer Schicksalstragödie, wie sie kein Dichter erschütternder erfinden möchte. Dem Helden, von dem wir wissen, daß er im nächsten Augenblick in den Abgrund stürzt, sind allein noch die Augen geblendet".⁴⁴ And also when he describes Cicero's end, the 83-year-old Gelzer almost seems to identify with Cicero (the "lonely and helpless old man") and to excuse himself for having to pass a negative judgment about his lacking sense of reality during the last months: "Als sinnbildlich erscheint mir am Tod des vereinsamten hilflosen Greises der Kontrast zum Wahn seines Prinzipats, worin er noch bis in den August gelebt hatte. Wem aufgegeben ist, von Cicero als Politiker zu handeln, *kann das nicht beschönigen*".⁴⁵

The end of Gelzer's biography is worth quoting at more length. Even if he does not say so, we still perceive a kind of wicked fascination for the ruthless

⁴³ Gelzer 1969, 363 ("[a]n dieser verletzten Eitelkeit nährte sich im Grund sein tobender Haß gegen den Tyrannen").

⁴⁴ *Ibid.*, 404: "The reader who is able to perceive the beginning of a new historical epoch between the lines of this last Ciceronian letter witnesses a tragedy of fate, more harrowing than any poet could invent. However, the hero, whom we know will soon fall into the abyss, is still blind".

⁴⁵ *Ibid.*, 408: "The contrast between the death of the lonely and helpless old man and the fantasy of his Principate, to which he still clinged until August [43], strikes me as emblematic. No one writing about Cicero as a politician *can embellish this*". (our emphasis).

Caesar as the powerful representative of a new political era,⁴⁶ against whom Cicero and his old Republican ethos were helpless. Gelzer combines this with more explicit fascination for Cicero just because he represents the “memory of the by-gone better time”:

Dabei fehlte völlig die Einsicht, daß die herkömmliche, vom Senat in unausrottbarem Schlendrian ausgeübte Herrschaft des römischen Gemeindestaats über die Provinzen in ein neu aufzubauendes Reichsregiment mit bureaukratischen Organen umgewandelt werden mußte. Ein Staatsmann, der wie Caesar ohne philosophische Begründung zugriff, wo sich Aufgaben zudrängten, und dazu freie Hand behalten mußte, war ihm unverständlich. So ward ihm beschieden, daß er den begeisterten Jubel über Caesars Ermordung bald genug mit dem eigenen Untergang büßen mußte. Aber trotz der politischen Niederlage lebten mit seinen Werken auch seine hohen Worte von der wahren *res publica* und dem sie leitenden Staatsmann weiter und erwiesen noch in der Kaiserzeit ihre mahnende Kraft als Erinnerung an eine vergangene bessere Zeit.⁴⁷

He did not realize at all that the Roman Republic's traditional command of the provinces, executed with ineradicable nonchalance by the senate, had to be transformed into a new imperial form of governance with bureaucratic governmental bodies. He could not understand a statesman like Caesar who acted without philosophical justification whenever he met challenges and who wanted free rein as he tackled them. Therefore, he was soon fated to repay his jubilant enthusiasm about Caesar's murder with his own death. But despite his political defeat, his lofty words regarding the true *res publica* and its government lived on together with his works; they remained powerful admonitions of a better past.

Appendix: Max Brod's ‘holy Cicero’

We would like to conclude this by no means exhaustive overview with fiction. In his novel *Armer Cicero* (published in 1955), Max Brod⁴⁸ sketches an uncompromisingly positive image of Cicero's final years. Brod, of Jewish origin, had survived the Second World War in Palestine, but had lost his brother in the German concentration camps. Having experienced the Holocaust he turned his interests to religious themes. He was convinced that God's creation was perfect notwithstanding the terrible tragedy he had lived through. Felix Weltsch has shown that he began to espouse the idea that “the perfect becomes more perfect through the

⁴⁶ Cf. for this aspect the excellent review of a recent reprint of Gelzer's biography by Dyck 2015. According to Dyck, the over-estimation of Caesar is one of the major limitations of Gelzer's monograph.

⁴⁷ *Ibid.*, 410.

⁴⁸ Brod was a prolific writer of numerous novels, essays and philosophical works. He is also well-known for having been Franz Kafka's friend and biographer.

addition of something imperfect”.⁴⁹ His exceedingly positive depiction of the Republican Cicero inscribes itself in such a world view. Whether he saw parallels between the rise of the Nazi regime and the rise of the Augustan regime, as famously Ronald Syme had done in his *The Roman Revolution* of 1939,⁵⁰ is difficult to tell from the novel itself. It is, however, by no means impossible, as the link was created by other writers as well. Brod could have found a positive depiction of Cicero, clearly influenced by the time of writing, in Stefan Zweig’s miniature *Cicero* (first published as part of the English edition of his *Sternstunden der Menschheit* in 1940).⁵¹ According to Zweig, Cicero was “a born artist whom chance only had lured from the study into the phantasmorgia of politics”,⁵² but who in the chaos of March and April 44 was determined to fulfill his patriotic duty as “the only man to show firmness of will”.⁵³ His *De officiis* was, according to Zweig, the ideal combination of a philosophical treatise and political commentary in that Cicero “was the first among Romans to utter an eloquent protest against the misuse of authority”.⁵⁴ Zweig read the work as a condemnation of war and imperialism and thus as a predecessor of his own deeply rooted pacifism.

Just like Zweig’s Cicero, Brod’s protagonist is a shining character: he is turned into a perfect philosopher who combines Platonic and Stoic excellence. In fact, in Brod’s version, Cicero’s death resembles those of Socrates and Seneca, in that he finds himself in a state of complete *ataraxia* and can chat light-heartedly in his final hours. During the evening before his death, he has a dinner with friends and philosophers and discusses death and duties. His last words have a very Socratic sound to them, not only because of the several references to his knowledge of his own weakness, but even more in the light tone in which he tries to comfort his grieving friends. On the other hand, Brod almost portrays him as a Christ-like saviour:

⁴⁹ Cf. Weltsch 1965, 55–56.

⁵⁰ If Brod was influenced by Syme at all (which is by no means sure), his evaluation of Cicero’s role in the events is diametrically opposed to Syme’s, according to whom Cicero’s populist and partially unlawful actions against Mark Antony (and others enemies of the state) paved the way to the disruption of Republican order later on, cf. Syme 1939, 143–148, esp. 147: “In Cicero, the Republic possessed a fanatic and dangerous champion”. Van der Blom 2003 is a defence of Cicero against Syme’s charges.

⁵¹ Zweig 1940. We thank an anonymous reviewer for having brought Zweig’s essay to our attention.

⁵² *Ibid.* 4.

⁵³ *Ibid.* 8.

⁵⁴ *Ibid.* 13.

Ich weiß ja, meine Kinder, daß ich in meinem Leben der Lächerlichkeit mehr als einmal nahe gekommen bin. Widerspricht mir nicht, auch du nicht dort, mein Leonidas, der die gespreizte Rechte hochstreckt. Nein, nein, ich weiß es. Alle meine Schwächen weiß ich. So will ich also wenigstens zuletzt recht leise sein. Hättet ihr nicht das vom 'Schlaffmachen' gesagt, so hätte ich wohl überhaupt geschwiegen [...] doch nun ist es geschehen, daher laßt mich nur noch das eine entgegnen: In der Liebe ausharren und liebend den Tod aushalten—etwa Stärkeres als das gibt es nicht.⁵⁵

Children, I know that in my life I have been close to being a laughing stock more than once. Do not contradict me, not even you there, my Leonidas, raising your hand. No, no, I know it. I know all my weaknesses. But at least in the end I am all for a quiet life. If you had not mentioned the topic of feebleness, I would have remained completely silent. [...] But now it did come up, and therefore let me say just this: to persevere in love and to undergo death with love—nothing is stronger than that.

The religious aura is intensified after his death, when Atticus and the fictitious philosopher Antiochus talk about the deceased. Atticus sighs "Armer Cicero!" ("Poor Cicero!"), but Antiochus does not agree:

Seliger Cicero! Sollte es vielmehr heißen—und wohl auch: menschlicher Cicero! Denn als Mensch irrte er oft, und mit einem Teil seines Selbst ragte er dabei dennoch immer in das Reich seliger Genien herein. [...] Es ist so, als hätte er all das, was er im Leben immer wieder zurückgeschoben, aus übergroßer Klugheit versäumt hat, als hätte er all das nachgeholt in seinem großen Tod. Deshalb möchte ich vorschlagen, statt vom 'armen Cicero' lieber vom 'heiligen Cicero' zu reden, wenn du, mein Atticus, damit einverstanden bist.⁵⁶

'St. Cicero', we should say—and also 'mortal Cicero'! For as a human being he made many mistakes, but still a part of him always reached the realm of saintly geniuses. [...] It seems as if his sublime death made up for everything which he had postponed in his life and failed to do because of his extreme prudence. For that reason I would propose to speak of the 'holy Cicero' instead of the 'poor Cicero', if you agree, my dear Atticus.

Holy martyr or pettifogger, (Stoic) philosopher or characterless turncoat? Cicero's final years turned out to be an especially fitting moment of his life to discuss his political, philosophical and moral heritage. The discussion started almost imme-

⁵⁵ Brod 1955, 267. Zweig 1940, 22 also regarded Cicero's hour of death as the moment in which he showed himself "more heroic, more manly and more stalwart" than ever before.

⁵⁶ *Ibid.*, 279–280. An anonymous reviewer has suggested that the epithet 'holy' carries heavy meaning with regard to Brod's new religious orientation after the Second World War (see above, p. 251).

diately after his death and still fascinates us today, as the contributions to this volume hope to have shown.⁵⁷

⁵⁷ Thanks to Tom Keeline, Ermanno Malaspina and the anonymous referee for De Gruyter for their useful comments on this chapter and to Matthew Payne for his help with our translations of Drumann, Bringmann, Gelzer and Brod.

Bibliography

Abbreviations

- ASD** *Erasmi opera omnia*, Amsterdam, 1969 – .
- CAH²** *The Cambridge Ancient History*, 2nd ed., Cambridge, 1984 – 2005.
- CIL** *Corpus Inscriptionum Latinarum*, Berlin, 1863 – .
- DIVO** Elisa Guadagnini and Giulio Vaccaro, *Dizionario dei volgarizzamenti*, <http://tlion.sns.it/divo/>.
- Eph. Tull.** *Ephemerides Tullianae*, <https://www.tulliana.eu/ephemerides/frames.htm>.
- FRHist** Timothy Cornell (ed.), *The Fragments of the Roman Historians*, Oxford, 2013.
- FRP** Adrian S. Hollis (ed.), *Fragments of Roman Poetry. c. 60 BC – AD 20*, Oxford, 2009.
- GL** Heinrich Keil (ed.), *Grammatici Latini*, Leipzig, 1857 – 1880.
- LB** Jean Le Clerc (ed.), *Desiderii Erasmi Opera omnia*, Leiden, 1703 – 1706.
- MRR** T. Robert S. Broughton, *The Magistrates of the Roman Republic*, New York, 1951 – 1952 (Supplement 1986 supersedes Suppl. 1960).
- OLD²** Peter G.W. Glare (ed.), *Oxford Latin Dictionary*, 2nd ed., Oxford 2012.
- ORF⁴** Enrica Malcovati (ed.), *Oratorum Romanorum fragmenta*, 4th ed., Torino 1976.

Throughout this volume, references to ancient works are given according to the abbreviations of the *Oxford Classical Dictionary*. For Renaissance authors, we used the abbreviations of Johann Rammingner's website *Neulateinische Wortliste. Ein Wörterbuch des Lateinischen von Petrarca bis 1700* (<http://www.neulatein.de/words/start.htm>).

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