

A Revised Text of Cicero's *Pro Lege Manilia*

by

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Author's Declaration

I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

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Abstract

This thesis proposes a newer edition of the critical text of Cicero's Pro Lege Manilia to build on the 1905 Oxford edition by Clark which is still the most popular in English scholarship. Much of the text and its methodological approach are derived from Reis' later 1933 Teubner edition. The study synthesizes these earlier editions with the prosopographical and philological scholarship that has been published since, including a highly controversial view that Mendner most recently asserted (1966) that an extended passage of the text is an interpolation.

Acknowledgements

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Additional thanks are owed to the entire Classics department of the University of Waterloo, especially to Dina Boero for pointing me to the work of Gurd and Brigitte Schneebeli for everything else.

Above all, I would like to express my deepest and sincerest gratitude to Dr. habil. Altay Coşkun. Without his generous patience and confidence in my work that exceeds even my own, this work would certainly never have approached anything resembling a completed form. Thank you, Altay.

Table of Contents

Chapter 1: Introduction	1
Chapter 2: On the Manuscripts	5
Chapter 3: <i>Oratio Pro Lege Manilia</i>	13
Chapter 4: Critical Notes on the Text	33
Chapter 5: The Major Interpolation (§§64-68)	48
Chapter 6: Rome and the Provinces	57
Chapter 7: Cicero and Rome	61
Chapter 8: The Interpolator	64
Chapter 9: Conclusion	68
Bibliography	70
Appendix	72

Chapter 1: Introduction

Delivered in the year 66 BC, at a *contio* before the Roman people, Marcus Tullius Cicero's *De Imperio Cn. Pompei* or *Pro Lege Manilia* (hereafter *Maniliana*) marks the praetor Cicero's first oration from the *rostra*. The speech was delivered at a critical time for more than Cicero's soon-to-be illustrious career, but also for the entirety of the Mediterranean: King Mithridates VI of Pontus had dealt Rome a significant blow after the defeat of an overextended army under the command of Lucullus' legate Valerius Triarius; and subsequently a resurgent Pontus loomed over Rome's holdings in Asia Minor, which in turn was causing an economic crisis in Roman Italy, with Lucullus' successor all the while unable to restore order. In addition to the external threats of Mithridates and his powerful ally King Tigranes II of Armenia, Pompey's popular support and extraordinary powers were shaking the precarious balance that marked the Republic in the years following Sulla's conquest. It was in this climate that Manilius proposed granting command over the third war with Mithridates to Pompey, who was still in the environs of Asia Minor since his defeat of the Cilician pirates the previous year.¹

Nevertheless, despite the importance of this speech, both as a piece of literature and an historical document, a critical edition has not been published in over 80 years. Currently, if one wishes to make use of a critical edition of this oration, the two in most common use are Clark's

¹ Sherwin-White (1984) 149-185 and Kallet-Marx (1996) 290-334 provide well-sourced and concise accounts of the context in which the Roman Empire found itself in the early first century, in the aftermath of the Civil and Social Wars. McGing (1984) 12-18 also provides a very concise timeline of the outbreak of the Third Mithridatic War, the most relevant to this study; Mayor (2011) offers a very engaging monograph on the life of Mithridates, with many significant insights, especially the dating of his birth, but she also makes numerous assumptions and her approach is at times methodologically lacking; see McGing (2011) 542-544. McGing (1986) 132-167 examines the evidence concerning Mithridates with more restraint than Mayor, who was influenced significantly by McGing's work; Gelzer (1969) 51-60 places Cicero's political career in this historical context. Lastly, Jonkers (1959) provides a brief commentary on the economic issues discussed, most significantly the issue of credit in §19.

Oxford edition (1905) and Reis' Teubneriana (1933). This is especially surprising when one considers the popularity that this text has seen in recent years: two separate student editions by leading Ciceronian scholars have been made in very recent years², Steel published a rhetorical commentary on the speech as a chapter of her *Cicero, Rhetoric, and Empire*.³ While neither of these older editions are perfect, Reis' edition makes good use of Harleianus (H), an earlier manuscript that provides many alternatives to readings found in the Δ family⁴, but still gives preference of weight to Δ, unlike Clark who preferred H.

Meanwhile much research has been published that sheds light on the text and its contexts. A collection of papyrus fragments, known to both Clark and Reis, were poorly used by the editors⁵ and have since received additional scrutiny from later scholars; Hagedorn's article on the papyri has proved an invaluable resource for this study. Caution must be exercised when weighing the value of papyri, since they have often proved less reliable than far more recent manuscripts.⁶ Prosopographical work has enabled a more accurate identification of previously unknown persons mentioned in the speech, a development that is not reflected in recent critical editions.

Yet this thesis is most indebted to the philological work of Mendner. In his article, Mendner argues that a section, whose authenticity the humanist Andreas Naugerius had first questioned in the 16th century, is in fact an interpolation. While Mendner's argument has its difficulties—if his argument is correct, this interpolation represents an early and significant change in the text—it also raises questions that are difficult to answer if one wishes to account

² Radice & Steel (2013); Gildenhard et al (2014).

³ Steel (2001) 116-156.

⁴ Δ represents the family of manuscripts to which all current copies of this speech belong, except P, H, and II. Of these three sources, only H is complete.

⁵ Hagedorn (1969) 75 conjectures that Reis misplaced the word *Quirites* (*Man.* 64), because he misread Clark's description of the papyrus fragments.

⁶ West (1973) 50.

for the presence of this supposed interpolation. In the nearly fifty years since the publication of Mendner's article, however, I have not been able to find any scholarly work either to challenge or support his central assertion. Mendner argues on the grounds of historical anachronism and Ciceronian style, both lexicography and prose rhythm, that the passage in question was not originally present in the *Maniliana*.

Before Mendner's argument is addressed, the text is first established, and so the following section contains the relevant information on the manuscripts and the textual tradition of the speech. Here sigla and notes on the text are provided, followed by a revised version of the *Pro Lege Manilia*, based in large part on Reis' text. The text provided here contains a limited apparatus criticus where differences between Clark and Reis, and between Reis and Bartlett appear. The apparatus criticus will therefore be minimal, so as not to become burdened with information that is not pertinent to the problems discussed in this thesis and whose reading in the textual tradition is not suspect. The approaches applied to establishing the text are based on the method first employed by Lachmann and set out by Maas.⁷ This study makes use of a modified version of Reis' stemma, which is covered in more detail in the following chapter. Especially useful in establishing the text was Willis' *Latin Textual Criticism*, and his lengthy second and third parts on the recognition of corruptions.⁸ The approach in establishing the archetypal text when faced with variant readings has been to ask what mistakes are most likely to occur, what corruptions happen most frequently in this text (and others written by this hand), and what corruptions were most likely to have arisen in the historical context of the manuscripts.⁹ After the revised Latin text, there is a brief critical commentary on all the changes that have been made to

⁷ Maas (1958) 10-41.

⁸ Willis (1972) 53-164.

⁹ Maas (1958) §16.

the text¹⁰, where these changes are both explained and defended. Such changes that are later discussed in the critical commentary appear in the body of the text in bold. Any discussion on the interpolation in the critical notes has been kept to a minimum here to keep its scope limited, and therefore the problem of the interpolation has been given the following chapter. Nevertheless, since the text of the interpolation is still a document from antiquity preceding the establishment of the archetype, and since it can still offer insight—albeit of a different sort—it will be included in the body of the text, but marked off, and its text given the appropriate emendations.

After the identification of the interpolation, the following chapter, divided into two parts, aims to explore how significant the findings of this study can be on the modern understanding of the *Maniliana*. This chapter demonstrates the subtle shifts in attention that happen throughout the text in light of this change. Thereafter, there is a brief chapter of speculation to answer how such an extended passage could have crept into the text. Finally, the study concludes with a brief summation of the methodologies through which this ancient document can be revised and the intricacies of its composition can be greater appreciated.

¹⁰ The exception to this will be a few cases of single-word transpositions, which happen commonly and are rarely damaging to our understanding of the text as a whole, though such errors will forever vex scholars of colometry.

Chapter 2: On the Manuscripts

The twentieth century saw the publication of two important critical editions of the *Maniliana*. The first edition was Albert Curtis Clark's Oxford, published in 1905, and the second Reis' 1933 Teubneriana, in which Reis sought to find a compromise between Clark's edition and his contemporaries who claimed Clark had weighed H far too heavily.¹¹ A significant difference between the text presented here, and in Reis' edition too, is the weighing of the manuscripts and the use of the stemmatic tradition. Clark, in his edition, weighed H, an eleventh century manuscript, above others. It is a single, complete manuscript, of a different family than the others, and co-eval with the earliest other manuscript of the stemma, the incomplete Tegernseensis (T). Clark also bore the honor of publishing H, and with it he was able to provide solutions to the problems that arose early in the other tradition (Δ), the family to which all other extant manuscripts (aside from P, an early and brief palimpsest) belong. Clark's bias in favor of H, however, extends well beyond the fact that he published it. Harleianus, simply said, is the best extant, complete manuscript of the *Maniliana*. Clark's edition, with the publication of H, marks a monumental achievement for the study of this oration and its reception. The work has so endured that both Berry's and Zetzel's recent works are still based on his text. Indeed, for all the errors that I posit in the following chapters, Clark brought manifold more improvements to the text, made possible by the witness of this second, complete tradition of the *Maniliana*. Thus, since this thesis focuses on the limits of H and the minor faults of Clark's work, much of the criticism that follows provides a distorted view of the value of both and of their contributions to the study of the *Maniliana*.

¹¹ Reis (1933) iv.

The greatest criticism against Clark's edition has been his weighing of the manuscripts,¹² for while H is the best extant manuscript, it is not the best tradition, but rather Δ is. The manuscripts of Δ are themselves mostly later than H, with Berolinensis 252 (formerly Erfurtensis and hereafter E) being the earliest complete copy dating to the 13th century. However, T, though incomplete, attests the existence of what is at least a third generation manuscript that had been composed roughly contemporaneously with H, thus signifying that priority in time must belong to Δ. The caution that must be made is that one cannot know how far Δ ante-dates H, and so preference of readings on this basis shall not be made alone. Priority aside, Δ must still not be followed blindly, for as Maas cautioned, "the antiquity of a suspect reading is not in itself an argument against assuming corruption."¹³ The Δ family of manuscripts, of which the best remaining manuscript is E, poses problems that are not found in H, most notably the omission of words (see §16 *quo tandem igitur animo*, §21 *atque odio*, §58 *ego*, §66 *qui ab ... oppidorum*). Indeed, while H is certainly not faultless in this regard, these failures on the part of Δ serve as a reminder of why H, despite its weaknesses, nevertheless cannot be disregarded in favor of the otherwise superior Δ.

Although H often seems to provide the superior reading, nevertheless many disagreements can be best explained as emendations made by copyists in H's tradition. These emendations can range from H correcting to provide the more accustomed sequence of tenses (§19 *amiserunt* instead of *amiserant*, §68 *gauderet* (sic) instead of *gaudeant*) to alterations that span much of a sentence (see §24 *Mithridates ... conlegerant*).¹⁴ Such criticisms of H are not to

¹² Reis (1933) i.

¹³ Maas (1958) §35.

¹⁴ There are numerous other changes in H which Clark and Reis note in their editions that go beyond the scope of this thesis; such poor different readings that can best be explained as attempts on the part of H to emend the text also include: §18 *partim eorum qui*; §18 *non parvi refert*; §63 *in eodem homine atque Catuli atque ceterorum*; §67 *iacturis iniuriis*.

dismiss it outright, or even devalue it below the other manuscripts; H, for example, attests many of Δ 's omissions.¹⁵ Nevertheless, there is a tendency in H to banalize the text, which is not as common in Δ . Thus both traditions are read with their weaknesses in mind.

The *Codex Berolinensis* 252, formerly *Erfurtensis* and henceforth E, is in stark contrast to H; the text is littered with many basic errors, the faults of a copyist who was doubtful of the words he was putting to parchment. Perl & Blochwitz noted the numerous failures of the copyist of E to transcribe properly the Latin technical words in the following instances: *Quirites* is incorrectly transcribed in §1 *quare*, §2 *cur*, §67 *quae*; praenomina are transcribed inconsistently, with many written out in full (§52 *Aulum*, §63 *Quinti*, *Gnei*) and others incorrectly transcribed (§3 *genere* instead of *Gnaei*, §57 *at* instead of *A*); in §38 and §41, *ceteras/ceteris* is used in place of the expected *exteras/exteris* modifying *nationes/nationibus*, errors common to the manuscript tradition¹⁶; and also the confusion of the abbreviation for *populi Romani* with *per* in §6 (cf. a similar error at *Caecin.* 82. 89 where the same copyist mistakes the abbreviated form of *praetor* for *per*).¹⁷ The strength of Δ , however, is that it does not rely on E alone; indeed, many of E's more basic errors can be corrected through comparison with other manuscripts in the same tradition, and so a far clearer picture can be provided of these manuscripts' common ancestor that both predated H and had fewer textual issues.

In addition to the two significant manuscript traditions, the next significant witness to Cicero's *Maniliana* relevant to this study is a collection of papyrus fragments (Cologne P. 2554 & 3292) dating to either the second or third century.¹⁸ The papyri, although they provide but a little of the speech, affirm the value of H in a few instances where it disagrees with Δ (§64 *istis*

¹⁵ The presence of *atque odio* (21) in H, which was omitted in Δ , is crucial in the discussion of Berry's proposed emendation to the text.

¹⁶ See West (1973) 74-76 on words similar in appearance.

¹⁷ Perl & Blochwitz (2004) 94.

¹⁸ Reis (1933) iv.

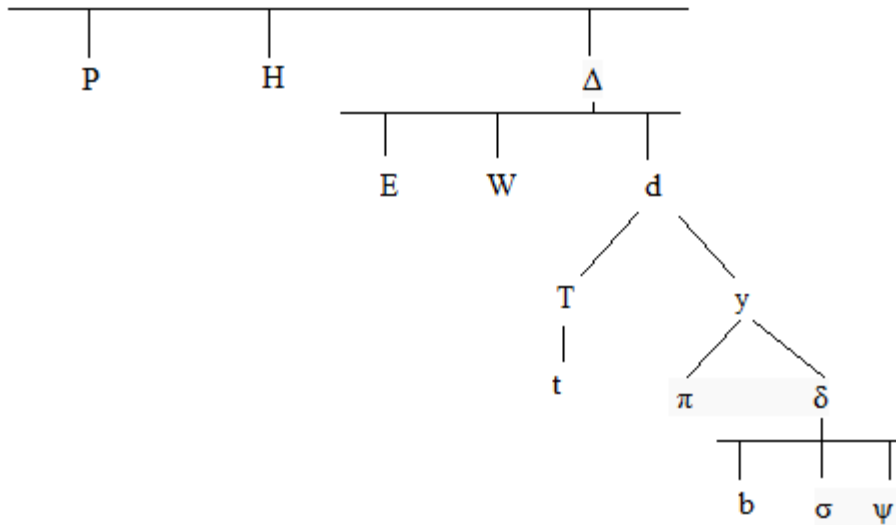
repugnantibus, §64 *regio Quirites*, §64 *animi virtutes*). There are several other disagreements where the papyrus agrees with Δ (§63 *in eundum hominem a Q. Catuli*, §63 *semper comprobata*, §71 *quicquid*, §71 *vestris beneficiis*), and a few where it provides a unique reading (§63 *illum unum* §64 *vestra consiliis*, §69 *vehementiusque*). However, the best approach to these unique readings is to remember Maas' caution above.

The text as it appears in this thesis is based on Reis' Teubner edition.¹⁹ Thus the method of noting textual variations here is as follows: in all instances where the current text disagrees with Reis' edition, I have provided his reading, the variances in the manuscripts, any relevant scholarly work that informed my decision to reject his reading, and also, where relevant, the reading provided in the Clark edition. Any instance where newer scholarship can call into question or affirm Reis' reading has been considered noteworthy; wherever Reis' apparatus criticus has failed to note important textual variants a note has been made; and finally I have noted any passages where a significant alternate reading, belonging to a manuscript of importance, can greatly impact the content of the speech and our understanding of Cicero's message.

Thus from the outset of this thesis, Reis' stemma was accepted as the model for re-establishing the archetype:²⁰

¹⁹ The selection of the text was based on methodology: Clark's edition was not without its merit nor Reis' without its weaknesses, but the latter provided a clear stemma of the manuscripts and weighed the manuscripts more diligently.

²⁰ Reis (1933) v.



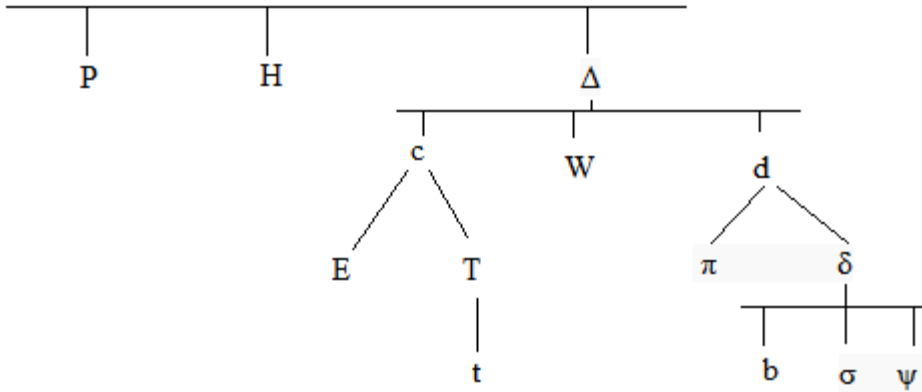
In the course of this study, however, there arose a number of common errors between E and Tt that necessitated at least a small revision to Reis' original model. These errors have been noted in the text. Of these errors, several can be coincidences, errors that can easily occur independent of each other, such as the change of a single vowel in §2 (*dixerunt* Et), §9 (*destricti* Et), and §15 (*relinquentur* ET); the transposition of a single word §6 (*causa*); the loss of a single letter, whether a consonant, as in §41 (*habeamus*), or a vowel, as in §69 (*videmus*); or the loss of an the emphatic enclitic *-ce* of *hosce* (§32). These errors, though significant possess little weight individually, since each one on its own can easily be explained as a coincidence; these similarities are more persuasive in large numbers. Even the errors found in §2 of Δ, where the tradition diverges between the two erroneous readings of *dixerunt* and *censuerunt* cannot be used to argue decisively a common source for ETt, or even refute Reis' stemma (though his stemma in this particular passage does require a more complicated explanation to account for the state of Δ). Some of these errors are more likely attributable to Δ, and not the family of c, such as §45 (*inflammata* Etδ). Indeed, these common errors can mislead; for example in §33 the erroneous pluralization to the form *gesserant* that Ebt attest is most likely the archetypal form for Δ and

therefore does not represent an innovation restricted to ETt's common ancestor with an unrelated innovation occurring within the one manuscript of δ .²¹ Nevertheless, such is possible, and seems the best explanation for the presence of *urbe* rather than *urbes* in Et σ , §13. Nohl's article where he sought to connect Tt and δ offers numerous superficial similarities, but lacks errors that cannot be explained so easily.²² The significant similarities between E and Tt are the errors that are less likely to occur independent of each other, such as the complex corruptions of §23, §32, §48, and §57. There is also the notable substitution of the preposition *in* with *ad*, that is only attested in §46 of Et. In addition to these errors, there are also preferable readings common to ETt: §6 *est belli eius modi* Ch; *est enim eius modi* $\pi\delta$; *est enim belli eius (huius Wt) modi* EWt; *est eius belli* H; §16 *propter* (cf. OLD IA) Et; *prope* H δ ; *om.* Π ; §63: *a Q. Catuli* ET; *atque Catuli* H; *a Q. Catulo* δ .²³ The stemma has therefore been revised to represent the close relationship between E and Tt, with 'c' indicating the consensus between these manuscripts:

²¹ That Δ said *gesserant* is clear through an internal examination of its later manuscripts. First, δ offers the three different readings *gesserunt* σ , *gesserant* b, and *gesserat* ψ , and π is the only other manuscript of the family to offer the correct reading. It is easiest to account for the manuscripts of δ if *gesserant* is assumed to be the original form: if that is so, then the erroneous pluralization can be attributed to the two scribes maintaining—to some degree—the received text rather than the two erring independently of each other in a common manner. Therefore $\pi\psi$ represent two independent corrections within the erroneous tradition of Δ .

²² Nohl (1886) 193.

²³ One can compare §61, *summa Q. Catuli* E; *summaque Catuli* T δ ; *quae* H. Here the two sources confusing *Q.* and *que* independently seems more likely than two scribes' independent corrections to the ablative. The latter certainly is possible, but the former represents a far more common occurrence, cf. H which renders *a Q. Catuli* as *atque Catuli* here, but earlier as *quae Catuli* (*Man.* 60).



Despite these promising finds, this area of study was not the focus of the thesis and arose out of necessity. Sufficient evaluation of the manuscripts has not been performed to confirm these findings. The only manuscript that has been reviewed in full to this end is the incomplete T, which is publically available at the *Münchener Digitalisierungszentrum*.²⁴ Due to difficulties locating E, the apparatus critici of Clark’s and Reis’ edition were cross-referenced against Benecke’s 1834 edition, which weighed E heavier, since H had yet to be discovered. Perl and Blochwitz also proved useful with a catalog of errata made by Clark in his apparatus criticus of E.²⁵ The greatest shortfall, however, is the lack of consultation of $t\delta\pi$. Thus these findings rely in large part on the apparatus critici of Clark and Reis, and a brief article by Nohl which discusses $Tt\delta$, and are therefore, much like a new manuscript, subject to maintaining previous errors. For this reason, outside of the stemmas provided, the sigla ‘c’ and ‘d’ have not been used in the critical notes of the text in order that the reader may easily relate the notes to Reis’ original stemma and the revised version of this thesis for the sake of comparison.

²⁴ Münchener Digitalisierungszentrum, “BSB-Hss Clm 18787.”

²⁵ Perl & Blochwitz (2004) 95-96.

Sigla

P = Palimpsestus Taurinensis, 4th or 5th century (§§40-43 tollenda ... quo homine)

H = cod. Harleianus 2682, formerly Coloniensis Basilicanus, 11th century

T = cod. Tegernseensis, now Monacensis Lat. 18787, 11th century (begins §46 vestris)

W = cod. Werdensis, used by Gulielmus, but now lost

E = cod. Erfurtensis, now Berolinensis 252, 12th or 13th century.

t = cod. Hildesheimensis, 15th century, from *T*

b = cod. S. Marci 255, 15th century.

σ = cod. Parisinus 14749, 15th century.

ψ = cod. Laurentianus (Gadd.) XC sup. 69, 15th century.

π = cod. Parcensis, now Bruxellensis 14492, 15th century (ends §52 refutata)

Ch = codex Coloniensis Hittorplanus, used by Gulielmus, now lost

F = codex Fuldensis 181. 4. C. 20

Δ = consensus codicum Wcd

c = consensus codicum ETt

d = consensus codicum πδ

δ = consensus codicum bσψ

Π = Oxyrhynchus papyrus, ed. A. S. Hunt vol. VIII (1911), 2nd or 3rd century.

Notes

Ba. = Bartlett

Be. = Benecke

Ber. = Berry

Cl. = Clark edition

Co. = Coşkun

Deu. = Deuerling

Hag. = Hagedorn

Gul. = Gulielmus

Ha. = Halm

Hot. = Hotoman

Man. = Manutius

Men. = Mendner

Nau. = Naugerius

P&B. = Perl & Blochwitz

Rs. = Reis edition

Sh. = Shackleton Bailey

Chapter 3: Oratio Pro Lege Manilia

1 Quamquam mihi semper frequens conspectus vester multo iucundissimus, hic autem
locus ad agendum amplissimus, ad dicendum ornatissimus est visus, Quirites, tamen hoc aditu
laudis qui semper optimo cuique maxime patuit, non mea me voluntas adhuc, sed vitae meae
rationes ab ineunte aetate susceptae prohibuerunt. Nam cum antea nondum huius auctoritatem
2 loci attingere auderem statueremque nihil huc nisi perfectum ingenio, elaboratum industria
adferri oportere, omne meum tempus amicorum temporibus transmittendum putavi. Ita neque
hic locus vacuus umquam fuit ab eis qui vestram causam defenderent et meus labor in
privatorum periculis caste integreque versatus ex vestro iudicio fructum est amplissimum
consecutus. Nam cum propter dilationem comitiorum ter praetor primus centuriis cunctis
renuntiatus sum, facile intellexi, Quirites, et quid de me iudicaretis et quid aliis praescriberetis.
Nunc cum et auctoritatis in me tantum sit quantum vos honoribus mandandis esse voluistis et
ad agendum facultatis tantum quantum homini vigilanti ex forensi usu prope cotidiana dicendi
exercitatio potuit adferre, certe et, si quid auctoritatis in me est, apud eos utar qui eam mihi
dederunt et, si quid in dicendo consequi possum, eis ostendam potissimum qui ei quoque rei
3 fructum suo iudicio tribuendum esse duxerunt²⁶. Atque illud in primis mihi laetandum iure
esse video, quod in hac insolita mihi ex hoc loco ratione dicendi causa talis oblata est in qua
oratio deesse nemini possit. Dicendum est enim de Cn. Pompei singulari eximiaque virtute;
huius autem orationis difficilius est exitum quam principium invenire. Ita mihi non tam copia
quam modus in dicendo quaerendus est.

4 Atque, ut inde oratio mea proficiscatur, unde haec omnis causa ducitur, bellum grave
et periculosum vestris vectigalibus ac sociis a duobus potentissimis regibus infertur,
Mithridate et Tigrane, quorum alter relictus, alter lacessitus occasionem sibi ad occupandam
Asiam oblatam esse arbitratur. Equitibus Romanis, honestissimis viris, adferuntur ex Asia
cotidie litterae, quorum magnae res aguntur in vestris vectigalibus exercendis occupatae. Qui
ad me, pro necessitudine quae mihi est cum illo ordine causam rei publicae periculaque rerum
5 suarum detulerunt: Bithyniae quae nunc vestra provincia est vicis exustos esse compluris;
regnum Ariobarzani quod finitimum est vestris vectigalibus totum esse in hostium potestate;
L. Lucillum magnis rebus gestis ab eo bello discedere; huic qui successerit non satis esse

²⁶duxerunt HE¹; dixerunt Et; censuerunt δπ

paratum ad tantum bellum administrandum; unum ab omnibus sociis et civibus ad id bellum imperatorem deposci atque expeti, eundem hunc unum ab hostibus metui, praeterea neminem.

6 Causa quae sit videtis; nunc quid agendum sit²⁷ considerate. Primum mihi videtur de genere belli, deinde de magnitudine, tum de imperatore deligendo esse dicendum.

Genus est enim²⁸ belli eius modi, quod maxime vestros animos excitare atque inflammare ad persequendi studium debeat, in quo agitur populi Romani gloria quae vobis a maioribus cum magna in omnibus rebus tum summa in re militari tradita est; agitur salus sociorum atque amicorum pro qua multa maiores vestri magna et gravia bella²⁹ gesserunt; aguntur certissima populi Romani vectigalia et maxima quibus amissis et pacis ornamenta et subsidia belli requiretis; aguntur bona multorum civium quibus est a vobis et ipsorum causa et rei publicae³⁰ consulendum.

7 Et quoniam semper appetentes gloriae praeter ceteras gentis atque avidi laudis fuistis, delenda est vobis illa macula Mithridatico bello superiore concepta quae penitus iam insedit ac nimis inveteravit in populi Romani nomine, quod is qui uno die tota in Asia, tot in civitatibus, uno nuntio atque una significatione³¹ civis Romanos necandos trucidandosque curavit non modo adhuc poenam nullam suo dignam scelere suscepit, sed ab illo tempore annum iam tertium et vicesimum regnat et ita regnat ut se non Ponto³² neque Cappadociae latebris occultare velit sed emergere ex patrio regno atque in vestris vectigalibus, hoc est in Asiae luce, 8 versari. Etenim adhuc ita nostri cum illo rege contenderunt imperatores ut ab illo insignia victoriae, non victoriam reportarent. Triumphavit L. Sulla, triumphavit L. Murena de Mithridate, duo fortissimi viri et summi imperatores, sed ita triumpharunt ut ille pulsus superatusque regnaret. Verum tamen illis imperatoribus laus est tribuenda quod egerunt, venia danda quod reliquerunt, propterea quod ab eo bello Sullam in Italiam res publica, Murenam Sulla revocavit.

9 Mithridates autem omne reliquum tempus non ad oblivionem veteris belli sed ad comparisonem novi contulit. Qui postea, cum maximas aedificasset ornassetque classis

²⁷ sit] illi H; *om. cett.*; ipsi Cl.

²⁸ est enim belli eius (huius Wt) modi EWt; est eius belli H; est enim eius modi πδ; est belli eius modi Ch

²⁹ bella et gravia H

³⁰ et ipsorum et rei publicae causa Et.

³¹ significatione H: significatione litterarum *cett.*

³² Ponti Eπ

exercitusque permagnos quibuscumque ex gentibus potuisset comparasset et se Bosphoranis, finitimis suis, bellum inferre simularet, usque in Hispaniam legatos ac litteras misit ad eos duces quibuscum tum bellum gerebamus, ut, cum duobus in locis disiunctissimis maximeque diversis uno consilio a binis hostium copiis bellum terra marique gereretur, vos ancipiti contentione districti³³ de imperio dimicaretis. Sed tamen alterius partis periculum, Sertorianae atque Hispaniensis, quae multo plus firmamenti ac roboris habebat, Cn. Pompei divino consilio ac singulari virtute depulsum est; in altera parte ita res a L. Lucullo, summo viro, est administrata, ut initia illa rerum gestarum magna atque praeclara non felicitati eius, sed virtuti, haec autem extrema, quae nuper acciderunt non culpa sed fortunae tribuenda esse videantur. Sed de Lucullo dicam alio loco et ita dicam, Quirites, ut neque vera laus ei detracta oratione mea neque falsa adficta esse videatur; de vestri imperi dignitate atque gloria, quoniam is est exorsus orationis meae, videte quem vobis animum suscipiendum putetis.

11 Maiores nostri saepe mercatoribus aut naviculariis nostris iniuriosius tractatis bella gesserunt: vos tot milibus civium Romanorum uno nuntio atque uno tempore necatis quo tandem animo esse debetis? Legati quod erant appellati superbius, Corinthum patres vestri totius Graeciae lumen exstinctum esse voluerunt: vos eum regem inultum esse patiimini qui legatum populi Romani consularem vinculis ac verberibus atque omni supplicio excruciatum necavit? Illi libertatem imminutam civium Romanorum non tulerunt: vos ereptam vitam neglegetis? ius legationis verbo violatum illi persecuti sunt; vos legatum omni supplicio interfectum relinquetis? Videte ne, ut illis pulcherrimum fuit tantam vobis imperi gloriam tradere, sic vobis turpissimum sit id quod accepistis tueri et conservare non posse.

12 Quid? quod salus sociorum summum in periculum ac discrimen vocatur, quo tandem animo ferre debetis? Regno est expulsus Ariobarzanes rex, socius populi Romani atque amicus; imminent duo reges toti Asiae non solum vobis inimicissimi sed etiam vestris sociis atque amicis; civitates autem omnes cuncta Asia atque Graecia vestrum auxilium expectare propter periculi magnitudinem coguntur; imperatorem a vobis certum deposcere, cum praesertim vos alium miseritis, neque audent neque se id facere sine summo periculo posse arbitrantur. Vident et sentiunt hoc idem quod vos, unum virum esse in quo summa sint omnia et eum propter esse, quo etiam carent aegrius; cuius adventu ipso atque nomine, tametsi ille ad 13 maritimum bellum venerit, tamen impetus hostium repressos esse intellegunt ac retardatos. Hi

³³ districti Wπδ; destricti Et; distincti H

vos, quoniam libere loqui non licet, taciti rogant ut se quoque {sicut ceterarum provinciarum socios³⁴} dignos existimetis quorum salutem tali viro commendetis atque hoc etiam magis, quod {ceteros}³⁵ in provincias eius modi³⁶ homines cum imperio mittimus, ut etiam si ab hoste defendant, tamen ipsorum adventus in urbis³⁷ sociorum non multum ab hostili expugnatione differant. Hunc audiebant antea, nunc praesentem vident, tanta temperantia, tanta mansuetudine, tanta humanitate ut ei beatissimi esse videantur apud quos ille diutissime commoratur.

14 Quare si propter socios nulla ipsi iniuria lacessiti maiores nostri cum Antiocho, cum Philippo, cum Aetolis, cum Poenis bella gesserunt, quanto vos studio convenit iniuriis <vestris>³⁸ provocatos sociorum salutem una cum imperi vestri dignitate defendere, praesertim cum de maximis vestris vectigalibus agatur? Nam ceterarum provinciarum vectigalia, Quirites, tanta sunt, ut eis ad ipsas provincias tuendas vix contenti esse possimus; Asia vero tam opima est ac fertilis ut et ubertate agrorum et varietate fructuum et magnitudine pastionis et multitudine earum rerum quae exportentur, facile omnibus terris antecellat. Itaque haec vobis provincia, Quirites, si et belli utilitatem et pacis dignitatem retinere voltis, non
15 modo a calamitate sed etiam a metu calamitatis est defendenda. Nam in ceteris rebus cum venit calamitas, tum detrimentum accipitur; at in vectigalibus non solum adventus mali sed etiam metus ipse adfert calamitatem. Nam cum hostium copiae non longe absunt, etiam si inruptio nulla facta est, tamen pecua³⁹ relinquuntur⁴⁰, agri cultura deseritur, mercatorum navigatio conquiescit. Ita neque ex portu neque ex decumis neque ex scriptura vectigal conservari potest; quare saepe totius anni fructus uno rumore periculi atque uno belli terrore
16 amittitur. Quo tandem igitur⁴¹ animo esse existimatis aut eos qui vectigalia nobis pensitant, aut eos qui exercent atque exigunt, cum duo reges cum maximis copiis propter⁴² adsint, cum una excursio equitatus perbrevis tempore totius anni vectigal auferre possit, cum publicani

³⁴ sicut ... socios *del. Cl.*

³⁵ ceteros *del. Co.*

³⁶ quod ceteras in provincias eius modi H; quod ceteros in provinciam eius modi Et; quod ceteros eius modi in provinciam Wπσ; quod ceteros in provincias eius modi Rs.

³⁷ urbe Eτσ

³⁸ iniuriis] vestris *coni. Sh.*

³⁹ pecora *codd.*: pecua *Serv. Georg. 3.64, Cl.*: pecuae (*sic*) Rs.

⁴⁰ relinquentur Et

⁴¹ *om. Δ*

⁴² propter (cf. OLD IA) Et; prope Hδ; *om. π*

familias maximas quas in **saltibus**⁴³ habent, quas in agris, quas in portibus atque in custodiis magno periculo se habere arbitrentur? Putatisne vos illis rebus frui posse, nisi eos qui vobis fructui sunt conservaveritis non solum, ut ante dixi, calamitate sed etiam calamitatis formidine liberatos?

17 Ac ne illud quidem vobis neglegendum est quod mihi ego extremum proposueram, cum essem de belli genere dicturus, quod ad multorum bona civium Romanorum pertinet; quorum vobis pro vestra sapientia, Quirites, habenda est ratio diligenter. Nam et publicani, homines honestissimi atque ornatissimi, suas rationes et copias in illam provinciam contulerunt, quorum ipsorum per se res et fortunae vobis curae esse debent—etenim si vectigalia nervos esse rei publicae semper duximus, eum certe ordinem qui exercet illa
18 firmamentum ceterorum ordinum recte esse dicemus—; deinde ex ceteris ordinibus homines navi atque industrii partim ipsi in Asia negotiantur, quibus vos absentibus consulere debetis, partim eorum in ea provincia pecunias magnas conlocatas habent. Est igitur humanitatis vestrae magnum numerum eorum civium calamitate prohibere, sapientiae videre multorum civium calamitatem a re publica seiunctam esse non posse. Etenim primum illud parvi refert, nos publicanis amissis vectigalia postea victoria recuperare; neque enim isdem redimendi
19 facultas erit propter calamitatem neque aliis voluntas propter timorem. Deinde quod nos eadem Asia atque idem iste Mithridates initio belli Asiatici docuit, id quidem certe calamitate docti memoria retinere debemus. Nam tum cum in Asia **res magnas permulti amiserant**⁴⁴ scimus Romae solutione impedita fidem concidisse. Non enim possunt una in civitate multi rem ac fortunas amittere, ut non pluris secum in eandem trahant calamitatem. A quo periculo prohibete rem publicam. etenim—mihi credite id quod ipsi videtis—haec fides atque haec ratio pecuniarum quae Romae, quae in foro versatur, implicata est cum illis pecuniis Asiaticis et cohaeret; ruere illa non possunt ut haec non eodem labefacta motu concidant. Quare videte num dubitandum vobis sit omni studio ad id bellum incumbere, in quo gloria nominis vestri, salus sociorum, vectigalia maxima, fortunae plurimorum civium coniunctae cum re publica defendantur.

20 Quoniam de genere belli dixi, nunc de magnitudine pauca dicam. Potest hoc enim dici, belli genus esse ita necessarium ut sit gerendum, non esse ita magnum ut sit pertimescendum.

⁴³ salinis *codd.*; saltibus *Hot.*

⁴⁴ magnas permulti res amiserunt H, *Cl, Rs*: res magnas permulti amiserant (-unt π) *cett.*, A&G 545.

In quo maxime elaborandum est, ne forte ea vobis quae diligentissime providenda sunt contemnenda esse videantur. Atque ut omnes intellegant me L. Lucullo tantum impertire laudis, quantum forti viro et sapienti homini et magno imperatori debeatur, dico eius adventu maximas Mithridati copias omnibus rebus ornatas atque instructas fuisse, urbemque Asiae clarissimam nobisque amicissimam Cyzicenorum obsessam esse ab ipso rege maxima multitudine et oppugnatam vehementissime, quam L. Lucullus virtute, adsiduitate, consilio
21 summis obsidionis periculis liberavit; ab eodem imperatore classem magnam et ornatam quae ducibus Sertorianis ad Italiam **studio atque odio**⁴⁵ **inflammata**⁴⁶ raperetur superatam esse atque depressam; magnas hostium praeterea copias multis proeliis esse deletas patefactumque nostris legionibus esse Pontum qui antea populo Romano ex omni aditu clausus fuisset; Sinopen atque Amisum, quibus in oppidis erant domicilia regis omnibus rebus ornata ac referta, ceterasque urbis Ponti et Cappadociae permultas uno aditu adventuque esse captas; regem spoliatum regno patrio atque avito ad alios se reges atque ad alias gentis supplicem contulisse; atque haec omnia salvis populi Romani sociis atque integris vectigalibus esse gesta. Satis opinor haec esse laudis atque ita, Quirites, ut hac⁴⁷ vos intellegatis a nullo istorum, qui huic obtrectant legi atque causae L. Lucillum similiter ex hoc loco esse laudatum.

22 Requiretur fortasse nunc quem ad modum, cum haec ita sint, reliquum possit magnum esse bellum. Cognoscite, Quirites; non enim hoc sine causa quaeri videtur. Primum ex suo regno sic Mithridates profugit, ut ex eodem Ponto Medea illa quondam profugisse dicitur, quam praedicant in fuga fratris sui membra in eis locis qua se parens persequeretur, dissipavisse ut eorum conlectio dispersa maerorque patrius celeritatem persequendi retardaret. Sic Mithridates fugiens maximam vim auri atque argenti pulcherrimarumque rerum omnium quas et a maioribus acceperat et ipse bello superiore ex tota Asia direptas in suum regnum congesserat in Ponto omnem reliquit. Haec dum nostri conligunt omnia diligentius, rex ipse e
23 manibus effugit. Ita illum⁴⁸ in persequendi studio maeror, hos laetitia tardavit. Hunc in illo timore et fuga Tigranes, rex Armenius, excepit diffidentemque rebus suis confirmavit et adflictum erexit perditumque recreavit. Cuius in regnum posteaquam Lucullus cum exercitu venit, plures etiam gentes contra imperatorem nostrum concitatae sunt. Erat enim metus

⁴⁵ atque odio *om.* Δ.

⁴⁶ inflammata *codd.*: Ber. *coni.* inflata (*cf.* 45)

⁴⁷ hac H: hoc Etδ: *om.* Wπ: hic *Rs. coni.*

⁴⁸ illum πδ; illum Aetam (a tam E; meta t) HEt

iniectus eis nationibus quas numquam populus Romanus neque lacessendas bello neque temptandas putavit; erat etiam alia gravis atque vehemens opinio quae animos gentium barbararum pervaserat, fani locupletissimi et religiosissimi diripiendi causa in eas oras nostrum esse exercitum adductum. Ita nationes multae atque magnae novo quodam terrore ac metu concitabantur. Noster autem exercitus tametsi urbem ex Tigrani regno ceperat et proeliis usus erat secundis, tamen nimia longinquitate locorum ac desiderio suorum commovebatur.

24 Hic iam plura non dicam. Fuit enim illud extremum ut ex eis locis a militibus nostris reditus magis maturus quam **progressio**⁴⁹ longior quaereretur. Mithridates autem **et**⁵⁰ suam manum iam confirmarat {**et**⁵¹ **eorum**⁵², qui **se**⁵³ ex ipsius regno **conlegerant**⁵⁴}, et magnis adventiciis auxiliis multorum regum et nationum iuvabatur. Nam hoc fere sic fieri solere accepimus, ut regum adflictae fortunae facile multorum opes adliciant ad misericordiam, maximeque eorum qui aut reges sunt aut vivunt in regno, ut eis nomen regale magnum et sanctum esse videatur.

25 Itaque tantum victus efficere potuit quantum incolumis numquam est ausus optare. Nam cum se in regnum suum recepisset, non fuit eo contentus quod ei praeter spem acciderat, ut illam, posteaquam pulsus erat, terram umquam attingeret, sed in exercitum nostrum clarum atque victorem impetum fecit. Sinite hoc loco, Quirites, sicut poetae solent, qui res Romanas scribunt, praeterire me nostram calamitatem, quae tanta fuit ut eam ad auris imperatoris non ex

26 proelio nuntius sed ex sermone rumor adferret. Hic in illo ipso malo gravissimaque belli offensione Lucullus, qui tamen aliqua ex parte eis incommodis mederi fortasse potuisset, vestro iussu coactus, quod imperi diuturnitati modum statuendum vetere exemplo putavistis, partim militum qui iam stipendiis confecti erant dimisit, partim <M'.> Glabrioni tradidit. Multa praetereo consulto ; sed ea vos coniectura perspicite, quantum illud bellum factum putetis quod coniungant reges potentissimi, renovent agitatae nationes, suscipiant integrae gentes, novus imperator noster accipiat vetere exercitu pulso.

27 Satis mihi multa verba fecisse videor, quare esset hoc bellum genere ipso necessarium, magnitudine periculosum; restat ut de imperatore ad id bellum delingendo ac tantis rebus praeficiendo dicendum esse videatur.

⁴⁹ progressio H *Cl.*: processio *cett. Rs.*

⁵⁰ se et H

⁵¹ et eorum Δ; et...conlegerant *del. Be. & Co.*

⁵² eorum opera H

⁵³ se] ad eum H

⁵⁴ concesserant H

28 Utinam, Quirites, virorum fortium atque innocentium copiam tantam haberetis ut haec vobis deliberatio difficilis esset, quemnam potissimum tantis rebus ac tanto bello praeficiendum putaretis! Nunc vero cum sit unus Cn. Pompeius qui non modo eorum hominum qui nunc sunt gloriam sed etiam antiquitatis memoriam virtute superarit, quae res est quae cuiusquam animum in hac causa dubium facere possit? Ego enim sic existimo, in summo imperatore quattuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem.

Quis igitur hoc homine scientior umquam aut fuit aut esse debuit? qui e ludo atque e pueritiae disciplinis bello maximo atque acerrimis hostibus ad patris exercitum atque in militiae disciplinam profectus est, qui extrema pueritia miles in exercitu summi fuit imperatoris, ineunte adulescentia maximi ipse exercitus imperator, qui saepius cum hoste conflixit quam quisquam cum inimico concertavit, plura bello gessit quam ceteri legerunt, plures provincias confecit quam alii concupiverunt, cuius adulescentia ad scientiam rei militaris non alienis praeceptis sed suis imperiis, non offensionibus belli sed victoriis, non stipendiis sed triumphis est erudita. Quod denique genus esse belli potest in quo illum non exercuerit fortuna rei publicae? Civile, Africanum, Transalpinum, Hispaniense { **mixtum**⁵⁵ **ex civitatibus**⁵⁶ **atque ex bellicosissimis nationibus** }, servile, navale bellum, varia et diversa genera et bellorum et hostium, non solum gesta ab hoc uno sed etiam confecta nullam rem esse declarant in usu positam militari quae huius viri scientiam fugere possit.

29 Iam vero virtuti Cn. Pompei quae potest oratio par inveniri? Quid est quod quisquam aut illo dignum aut vobis novum aut cuiquam inauditum possit adferre? Neque enim illae sunt solae virtutes imperatoriae quae volgo existimantur, labor in negotiis, fortitudo in periculis, industria in agendo, celeritas in conficiendo, consilium in providendo, quae tanta sunt in hoc uno quanta in omnibus reliquis imperatoribus quos aut vidimus aut audivimus non fuerunt.

30 Testis est Italia quam ille ipse victor L. Sulla huius virtute et subsidio confessus est liberatam; testis Sicilia quam multis undique cinctam periculis non terrore belli sed consili celeritate explicavit; testis Africa quae magnis oppressa hostium copiis eorum ipsorum sanguine redundavit; testis Gallia per quam legionibus nostris iter in Hispaniam Gallorum interneccione patefactum est; testis Hispania quae saepissime plurimos hostis ab hoc superatos prostratosque

⁵⁵ mixtum...nationibus *del. Rs.*

⁵⁶ civilibus et H; civibus *coni. Gul. Cl.*

conspexit; testis iterum et saepius Italia quae, cum servili bello taetro periculosoque premeretur, ab hoc auxilium absente expetivit, quod bellum expectatione eius attenuatum
31 atque imminutum est, adventu sublatum ac sepultum; testes nunc vero iam omnes orae atque omnes **exterae gentes ac nationes**⁵⁷, maria denique omnia cum universa tum in singulis oris omnes sinus atque portus. Quis enim toto mari locus per hos annos aut tam firmum habuit praesidium ut tutus esset, aut tam fuit abditus ut lateret? Quis navigavit qui non se aut mortis aut servitutis periculo committeret, cum aut hieme aut referto praedonum mari navigaret? Hoc tantum bellum, tam turpe, tam vetus, tam late divisum atque dispersum quis umquam arbitraretur aut ab omnibus imperatoribus uno anno aut omnibus annis ab uno imperatore
32 confici posse? Quam provinciam tenuistis a praedonibus liberam per hosce annos? quod vectigal vobis tutum fuit? quem socium defendistis? cui praesidio classibus vestris fuistis? quam multas existimatis insulas esse desertas, quam multas aut metu relictas aut a praedonibus captas urbis esse sociorum? Sed quid ego longinqua commemoro? Fuit hoc quondam, fuit proprium populi Romani longe a domo bellare et propugnaculis imperi sociorum fortunas, non sua tecta defendere. Sociis ego vestris⁵⁸ mare per hosce⁵⁹ annos clausum fuisse dicam, cum exercitus vestri numquam a Brundisio nisi hieme summa transmiserint? Qui ad vos ab exteris nationibus venirent captos querar, cum legati populi Romani redempti sint? Mercatoribus mare tutum non fuisse dicam, cum duodecim secures in praedonum potestatem pervenerint?
33 Cnidum aut Colophonem aut Samum, nobilissimas urbis, innumerabilisque alias captas esse commemorem, cum vestros portus atque eos portus, quibus vitam ac spiritum ducitis in praedonum fuisse potestatem sciatis? An vero ignoratis portum Caietae celeberrimum atque⁶⁰ plenissimum navium inspectante praetore a praedonibus esse direptum? ex Miseno autem eius ipsius liberos qui cum praedonibus antea ibi bellum gesserat⁶¹ a praedonibus esse sublato? Nam quid ego Ostiense incommodum atque illam labem atque ignominiam rei publicae querar, cum prope inspectantibus vobis classis ea cui consul populi Romani praepositus esset a praedonibus capta atque depressa est? Pro di immortales! tantamne unius hominis incredibilis ac divina virtus tam brevi tempore lucem adferre rei publicae potuit, ut vos qui modo ante

⁵⁷ terrae gentes ac nationes H *Cl.*

⁵⁸ ego vestris H; ego nostris Et; vestris ego πδ

⁵⁹ hos Et; hosce *cett.*

⁶⁰ et H; ac E; atque *cett.*

⁶¹ gesserat Ηπψ; gesserant Ebt; gesserunt σ

ostium Tiberinum classem hostium videbatis ei nunc nullam intra Oceani ostium praedonum
34 navem esse audiatis? Atque haec qua celeritate gesta sint, quamquam videtis, tamen a me in
dicendo praetereunda non sunt. Quis enim umquam aut obeundi negoti aut consequendi
quaestus studio tam brevi tempore tot loca adire, tantos cursus conficere potuit, quam celeriter
Cn. Pompeio duce tanti belli impetus navigavit? Qui nondum tempestivo ad navigandum mari
Siciliam adiit, Africam exploravit, inde Sardiniam cum classe venit atque haec tria frumentaria
35 subsidia rei publicae firmissimis praesidiis classibusque munivit. Inde cum se in Italiam
recepisset, duabus Hispaniis et Gallia Transalpina praesidiis ac navibus confirmata, missis
item in oram Illyrici maris et in Achaiam omnemque Graeciam navibus Italiae duo maria
maximis classibus firmissimisque praesidiis adornavit, ipse autem ut Brundisio profectus est,
undequinquagesimo die totam ad imperium populi Romani Ciliciam adiunxit; omnes qui
ubique praedones fuerunt partim capti interfectique sunt, partim unius huius se imperio ac
potestati dederunt. Idem Cretensibus, cum ad eum usque in Pamphyliam legatos
deprecatoresque misissent, spem deditiois non ademit obsidesque imperavit. Ita tantum
bellum, tam diuturnum, tam longe lateque dispersum, quo bello omnes gentes ac nationes
premebantur, Cn. Pompeius extrema hieme apparavit, ineunte vere suscepit, media aestate
confecit.

36 Est haec divina atque incredibilis virtus imperatoris. Quid? ceterae quas paulo ante
commemorare coeperam quantae atque quam multae sunt! Non enim bellandi virtus solum in
summo ac perfecto imperatore quaerenda est, sed multae sunt artes eximiae huius administratae
comitesque virtutis. Ac primum quanta innocentia debent esse imperatores, quanta deinde in
omnibus rebus temperantia, quanta fide, quanta facilitate, quanto ingenio, quanta humanitate!
Quae breviter qualia sint in Cn. Pompeio consideremus. Summa enim omnia sunt, Quirites,
sed ea magis ex aliorum contentione quam ipsa per sese cognosci atque intellegi possunt.

37 Quem enim imperatorem possumus ullo in numero putare cuius in exercitu centuriatus
veneant atque venierint? Quid hunc hominem magnum aut amplum de re publica cogitare qui
pecuniam ex aerario depromptam ad bellum administrandum aut propter cupiditatem
provinciae magistratibus diviserit aut propter avaritiam Romae in quaestu reliquerit? Vestra
admurmuratio facit, Quirites, ut agnoscere videamini qui haec fecerint; ego autem nomino
neminem; quare irasci mihi nemo poterit nisi qui ante de se voluerit confiteri. Itaque propter
hanc avaritiam imperatorum quantas calamitates, quocumque ventum sit, nostri exercitus

38 ferant quis ignorat? Itinera quae per hosce annos in Italia per agros atque oppida civium
Romanorum nostri imperatores fecerint recordamini; tum facilius statuetis quid apud exterarum
nationes fieri existimetis. Utrum pluris arbitramini per hosce annos militum vestrorum armis
hostium urbis an hibernis sociorum civitates esse deletas? Neque enim potest exercitum is
39 continere imperator qui se ipse non continet neque severus esse in iudicando qui alios in se
severos esse iudices non volt. Hic miramur hunc hominem tantum excellere ceteris, cuius
legiones sic in Asiam pervenerint ut non modo manus tanti exercitus sed ne vestigium quidem
cuiquam pacato nocuisse dicatur? iam vero quem ad modum milites hibernent, cotidie
sermones ac litterae perferuntur: non modo ut sumptum faciat in militem, nemini vis adfertur,
sed ne cupienti quidem cuiquam permittitur. Hiemis enim, non avaritiae per fugium maiores
nostri in sociorum atque amicorum tectis esse voluerunt.

40 Age vero ceteris in rebus qua <ille>⁶² sit temperantia considerate. Unde illam tantam
celeritatem et tam incredibilem cursum inventum putatis? Non enim illum eximia vis remigum
aut ars inaudita quaedam gubernandi aut venti aliqui novi tam celeriter in ultimas terras
pertulerunt, sed eae res quae ceteros remorari solent, non retardarunt: non avaritia ab instituto
cursu ad praedam aliquam devocavit, non libido ad voluptatem, non amoenitas ad
delectationem, non nobilitas urbis ad cognitionem, non denique labor ipse ad quietem;
postremo signa et tabulas ceteraque ornamenta Graecorum oppidorum, quae ceteri tollenda
41 esse arbitrantur, ea sibi ille ne visenda quidem existimavit. Itaque omnes nunc in eis locis Cn.
Pompeium sicut aliquem non ex hac urbe missum sed de caelo delapsum intuentur; nunc
denique incipiunt credere fuisse homines Romanos hac quondam continentia, quod iam
nationibus exteris incredibile ac falso memoriae proditum videbatur; nunc imperi vestri
splendor illis gentibus lucem adferre coepit; nunc intellegunt non sine causa maiores suos tum
cum ea temperantia magistratus habebamus⁶³, servire populo Romano quam imperare aliis
maluisse.

42 Iam vero ita faciles aditus ad eum privatorum, ita liberae querimoniae de aliorum
iniuriis esse dicuntur, ut is qui dignitate principibus excellit facilitate infimis par esse videatur.
Iam quantum consilio, quantum dicendi gravitate et copia valeat, in quo ipso inest quaedam
dignitas imperatoria, vos, Quirites, hoc ipso ex loco saepe cognostis. Fidem vero eius quantam

⁶² quae H; qua π; qualis *cett.*; qua ille *Ha*; quae illius *Rs.*; quae illi *coni. olim Ba.*

⁶³ habebamus PHδ; habeamus Eτπ

inter socios existimari putatis quam hostes omnes omnium generum sanctissimam iudicarent? Humanitate iam tanta est, ut difficile dictu sit utrum hostes magis virtutem eius pugnantem timuerint an mansuetudinem victi dilexerint. Et quisquam dubitabit, quin huic hoc tantum bellum transmittendum sit qui ad omnia nostrae memoriae bella conficienda divino quodam consilio natus esse videatur?

43 Et quoniam auctoritas quoque in bellis administrandis multum atque in imperio militari valet, certe nemini dubium est, quin ea re idem ille imperator plurimum possit. Vehementer autem pertinere ad bella administranda quid hostes, quid socii de imperatoribus nostris existiment quis ignorat, cum sciamus homines in tantis rebus, ut aut contemnant aut metuant, aut oderint aut ament, opinione non minus et fama quam aliqua ratione certa commoveri? Quod igitur nomen umquam in orbe terrarum clarius fuit, cuius res gestae pares? de quo
44 homine vos, id quod maxime facit auctoritatem, tanta et tam praeclara iudicia fecistis? An vero ullam usquam esse oram tam desertam putatis, quo non illius diei fama pervaserit, cum universus populus Romanus referto foro completisque omnibus templis ex quibus hic locus conspici potest unum sibi ad commune omnium gentium bellum Cn. Pompeium imperatorem deposcit? Itaque ut plura non dicam neque aliorum exemplis confirmem quantum auctoritas valeat in bello, ab eodem Cn. Pompeio omnium rerum egregiarum exempla sumantur: qui quo die a vobis maritimo bello praepositus est imperator, tanta repente vilitas annonae ex summa inopia et caritate rei frumentariae consecuta est unius hominis spe ac nomine quantum vix ex summa ubertate agrorum diuturna pax efficere potuisset.

45 Iam accepta in Ponto calamitate ex eo proelio de quo vos paulo ante invitatus admonui, cum socii pertimuissem, hostium opes animique crevissem, satis firmum praesidium provincia non haberet, amisissetis Asiam, Quirites, nisi ad ipsum discrimen eius temporis divinitus Cn. Pompeium ad eas regiones fortuna populi Romani attulisset. Huius adventus et Mithridatem insolita inflatum⁶⁴ victoria continuit et Tigranem magnis copiis minitantem Asiae retardavit. Et quisquam dubitabit quid virtute perfecturus sit qui tantum auctoritate perfecit, aut quam facile imperio atque exercitu socios et vectigalia conservaturus sit qui ipso nomine ac rumore
46 defenderit? Age vero illa res quantam declarat eiusdem hominis apud hostis populi Romani auctoritatem, quod ex locis tam longinquis tamque diversis tam brevi tempore omnes huic se uni dediderunt? quod <a> communi Cretensium legati, cum in eorum insula noster imperator

⁶⁴ inflatum Hπ; Inflammatum Etδ

exercitusque esset, ad Cn. Pompeium in ultimas prope terras venerunt eique se omnis Cretensium civitates dedere velle dixerunt? Quid? idem iste Mithridates nonne ad eundem Cn. Pompeium legatum usque in⁶⁵ Hispaniam misit? eum quem Pompeius legatum semper iudicavit ei quibus erat permolestum⁶⁶ ad eum potissimum esse missum speculatorem quam legatum iudicari maluerunt. Potestis igitur iam constituere, Quirites, hanc auctoritatem, multis postea rebus gestis magnisque vestris iudiciis amplificatam, quantum apud illos reges, quantum apud exteras nationes valituram esse existimetis.

47 Reliquum est ut de felicitate quam praestare de se ipso nemo potest, meminisse et commemorare de altero possumus, sicut aequum est homines de potestate deorum timide et pauca dicamus. Ego enim sic existimo, Maximo, Marcello, Scipioni, Mario et ceteris magnis imperatoribus non solum propter virtutem sed etiam propter fortunam saepius imperia mandata atque exercitus esse commissos. Fuit enim profecto quibusdam summis viris quaedam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adiuncta fortuna. De huius autem hominis felicitate de quo nunc agimus hac utar moderatione dicendi, non ut in illius potestate fortunam positam esse dicam sed ut praeterita meminisse, reliqua sperare videamur, ne aut invisae dis immortalibus oratio nostra aut ingrata esse videatur.

48 Itaque non sum⁶⁷ praedicaturus quantas ille res domi militiae, terra marique, quantaque felicitate gesserit, ut eius semper voluntatibus non modo cives adsenserint, socii obtemperarint, hostes oboedierint, sed etiam venti tempestatesque obsecundarint; hoc brevissime dicam, neminem umquam tam impudentem fuisse qui ab dis immortalibus tot et tantas res tacitus auderet optare quot⁶⁸ et quantas di immortales ad Cn. Pompeium detulerunt. Quod ut illi proprium ac perpetuum sit, Quirites, cum communis salutis atque imperi tum ipsius hominis causa, sicuti facitis, **velle et**⁶⁹ optare debetis.

49 Quare cum et bellum sit ita necessarium ut negligi non possit, ita magnum ut accuratissime sit administrandum et cum ei imperatorem praeficere possitis in quo sit eximia belli scientia, singularis virtus, clarissima auctoritas, egregia fortuna, dubitatis, Quirites, quin hoc tantum boni, quod vobis ab dis immortalibus oblatum et datum est in rem publicam

⁶⁵ in] ad Hispaniam Et

⁶⁶ erat permolestum *RKL.*; erat semper molestum *EW*; semper erat molestum *tδ*; erat molestum *Hπ*

⁶⁷ non sum] non solum *T*; om *E*; non sum *cett.*

⁶⁸ quot] quotque *ET*

⁶⁹ et velle *H Cl. Rs.*; cf. *Cic. Clu. 178 & Phil. 5.51*

50 conservandam atque amplificandam conferatis? Quodsi Romae Cn. Pompeius privatus esset hoc tempore, tamen ad tantum bellum is erat deligendus atque mittendus; nunc cum ad ceteras summas utilitates haec quoque opportunitas adiungatur ut in eis ipsis locis adsit, ut habeat exercitum, ut ab eis qui habent accipere statim possit, quid exspectamus? aut cur non ducibus dis immortalibus eidem cui cetera summa cum salute rei publicae commissa sunt hoc quoque bellum regium committamus?

51 At enim vir clarissimus, amantissimus rei publicae, vestris beneficiis amplissimis adfectus, Q. Catulus, itemque summis ornamentis honoris, fortunae, virtutis, ingeni praeditus, Q. Hortensius, ab hac ratione dissentiunt. Quorum ego auctoritatem apud vos multis locis plurimum valuisse et valere oportere confiteor; sed in hac causa, tametsi cognoscitis auctoritates contrarias virorum fortissimorum et clarissimorum, tamen omissis auctoritatibus ipsa re ac ratione exquirere possumus veritatem atque hoc facilius, quod ea omnia quae a me adhuc dicta sunt eidem isti vera esse concedunt, et necessarium bellum esse et magnum et in uno Cn. Pompeio summa esse omnia.

52 Quid igitur ait Hortensius? Si uni omnia tribuenda sint, dignissimum esse Pompeium, sed ad unum tamen omnia deferri non oportere. Obsolevit iam ista oratio re multo magis quam verbis refutata. Nam tu idem, Q. Hortensi, multa pro tua summa copia ac singulari facultate dicendi et in senatu contra virum fortem, A. Gabinium, graviter ornateque dixisti, cum is de uno imperatore contra praedones constituendo legem promulgasset, et ex hoc ipso loco permulta item contra eam legem verba fecisti. Quid? tum—per deos immortalis!—si plus apud
53 populum Romanum auctoritas tua quam ipsius populi Romani salus et vera causa valuisset, hodie hanc gloriam atque hoc orbis terrae imperium teneremus? An tibi tum imperium hoc esse videbatur, cum populi Romani legati quaestores praetoresque capiebantur, cum ex omnibus provinciis commeatu et privato et publico prohibebamur, cum ita clausa nobis erant maria omnia ut neque privatam rem transmarinam neque publicam iam obire possemus?

54 Quae civitas umquam fuit antea—non dico Atheniensium quae satis late quondam mare tenuisse dicitur, non Carthaginensium qui permultum classe ac maritimis rebus valuerunt, non Rhodiorum quorum usque ad nostram memoriam disciplina navalis et gloria remansit—quae civitas umquam antea tam tenuis, <quae>⁷⁰ **tam parva insula fuit**, quae non portus suos et agros et aliquam partem regionis atque orae maritimae per se ipsa defenderet?

⁷⁰ aut tam parvola *Cl.*; <quae> tam parva insula *Man. Rs.*; tam parva insula Δ ; tam parvula insula H

At hercule aliquot annos continuos ante legem Gabiniam ille populus Romanus, cuius usque ad nostram memoriam nomen invictum in navalibus pugnis permanserit, magna ac multo maxima parte non modo utilitatis sed dignitatis atque imperi caruit.

55 Nos, quorum maiores Antiochum regem classe Persenque⁷¹ superarunt omnibusque navalibus pugnis Carthaginensis, homines in maritimis rebus exercitatissimos paratissimosque, vicerunt ei nullo in loco iam praedonibus pares esse poteramus. Nos qui antea non modo Italiam tutam habebamus sed omnis socios in ultimis oris auctoritate nostri imperi salvos praestare poteramus, tum cum insula Delos tam procul a nobis in Aegaeo mari posita, quo omnes undique cum mercibus atque oneribus commeabant, referta divitiis, parva, sine muro, nihil timebat, idem non modo provinciis atque oris Italiae maritimis ac portibus nostris sed etiam Appia iam via carebamus. Et eis temporibus non pudebat magistratus populi Romani in hunc ipsum locum descendere, cum eum nobis maiores nostri exuviis nauticis et classium spoliis ornatum reliquissent!

56 Bono te animo tum, Q. Hortensi, populus Romanus et ceteros, qui erant in eadem sententia dicere existimavit ea quae sentiebatis; sed tamen in salute communi idem populus Romanus dolori suo maluit quam auctoritati vestrae obtemperare. Itaque una lex, unus vir, unus annus non modo nos illa miseria ac turpitudine liberavit sed etiam effecit, ut aliquando
57 vere videremur omnibus gentibus ac nationibus terra marique imperare. Quo mihi etiam indignius videtur obtrectatum esse adhuc—Gabinio dicam ane Pompeio, an utriusque, id quod est verius?—ne legaretur A. Gabinius Cn. Pompeio expetenti ac postulanti. Utrum ille qui postulat ad tantum bellum legatum quem velit idoneus non est qui impetret, cum ceteri ad expilandos socios diripiendasque provincias quos voluerunt legatos eduxerint, an ipse cuius lege salus ac dignitas populo Romano atque omnibus gentibus constituta est expers esse debet
58 **gloriae {atque} eius⁷² imperatoris atque eius exercitus** qui consilio ipsius ac periculo est constitutus? An C. Falcidius, Q. Metellus, **Q. Coelius⁷³** Latiniensis, Cn. Lentulus—quos omnis honoris causa nomino—cum tribuni plebi fuissent, anno proximo legati esse potuerunt; in uno Gabinio sunt tam diligentes, qui in hoc bello quod lege Gabinia geritur, in hoc

⁷¹ Persemque Etb̄; Persenque *cett.*

⁷² victoriae atque gloriae eius imperatoris *Ku.*; victoriae atque eius imperatoris H; eius gloriae atque imperatoris ET gloriae eius imperatoris δ; victoriae gloriaeque eius *Ba.*

⁷³ Caelius *codd.*

imperatore atque exercitu quem per vos ipse constituit etiam praecipuo iure esse deberet? De quo legando consules spero ad senatum relatores. Qui si dubitabunt aut gravabuntur, ego me profiteor relaturum; neque me impedit cuiusquam **inimicum edictum**⁷⁴, quo minus vobis fretus vestrum ius beneficiumque defendam, neque praeter intercessionem quicquam audiam de qua, ut ego arbitror, isti ipsi qui minantur etiam atque etiam quid liceat considerabunt. Mea quidem sententia, Quirites, unus A. Gabinius belli maritimi rerumque gestarum Cn. Pompeio socius ascribitur, propterea quod alter uni illud bellum suscipiendum vestris suffragiis detulit, alter delatum susceptumque confecit.

59 Reliquum est ut de Q. Catuli auctoritate et sententia dicendum esse videatur. Qui cum ex vobis quaereret, si in uno Cn. Pompeio omnia poneretis, si quid eo factum esset, in quo spem essetis habituri, cepit magnum suae virtutis fructum ac dignitatis, cum omnes una prope voce in eo ipso vos spem habituros esse dixistis. Etenim talis est vir ut nulla res tanta sit ac tam difficilis quam ille non et consilio regere et integritate tueri et virtute conficere possit. Sed in hoc ipso ab eo vehementissime dissentio quod, quo minus certa est hominum ac minus diuturna, hoc magis res publica, dum per deos immortalis licet, frui debet summi viri vita
60 atque virtute. At enim ne quid novi fiat contra exempla atque instituta maiorum. Non dicam hoc loco maiores nostros semper in pace consuetudini, in bello utilitati paruisse; semper ad novos casus temporum novorum consiliorum rationes adcommodasse. Non dicam duo bella maxima, Punicum atque Hispaniense, ab uno imperatore esse confecta duasque urbis potentissimas quae huic imperio maxime minitabantur, Carthaginem atque Numantiam, ab eodem Scipione esse deletas. Non commemorabo nuper ita vobis patribusque vestris esse visum ut in uno C. Mario spes imperi poneretur, ut idem cum Iugurtha, idem cum Cimbris, idem cum Teutonis bellum administraret. In ipso Cn. Pompeio in quo novi constitui nihil volt Q. Catulus quam multa sint nova summa⁷⁵ Q. Catuli⁷⁶ voluntate constituta recordamini.

61 Quid tam novum quam adolescentulum privatum exercitum difficili rei publicae tempore conficere? Confecit. Huic praeesse? Praefuit. Rem optime ductu suo gerere? Gessit. Quid tam praeter consuetudinem quam homini peradulescenti cuius aetas a senatorio gradu longe abesset imperium atque exercitum dari, Siciliam permitti atque Africam bellumque in ea

⁷⁴ iniquitas H; inimicum edictum Δ

⁷⁵ Summa om. H.

⁷⁶ quae Catuli H

provincia administrandum? Fuit in his provinciis singulari innocentia, gravitate, virtute, bellum in Africa maximum confecit, victorem exercitum deportavit. Quid vero tam inauditum quam equitem Romanum triumphare? At eam quoque rem populus Romanus non modo vidit
62 sed etiam omnium⁷⁷ studio visendam et concelebrandam putavit. Quid tam inusitatum quam ut, cum duo consules clarissimi fortissimique essent, eques Romanus ad bellum maximum formidolosissimumque pro consule mitteretur? Missus est. Quo quidem tempore, cum esset non nemo in senatu qui diceret non oportere mitti hominem privatum pro consule, L. Philippus dixisse dicitur non se illum sua sententia pro consule sed pro consulibus mittere. Tanta in eo rei publicae bene gerendae spes constituebatur, ut duorum consulum munus unius adulescentis virtuti committeretur. Quid tam singulare quam ut ex senatus consulto legibus solutus consul ante fieret, quam **ullum** <**curulem**>⁷⁸ magistratum per leges capere licuisset? quid tam incredibile quam ut iterum eques Romanus ex senatus consulto triumpharet? Quae in omnibus hominibus nova post hominum memoriam constituta sunt, ea tam multa non sunt quam haec
63 quae in hoc uno homine vidimus. Atque haec tot exempla tanta ac tam nova profecta sunt in eundem hominem a Q. Catuli⁷⁹ atque a ceterorum eiusdem dignitatis amplissimorum hominum auctoritate.

Quare videant ne sit periniquum et non ferendum illorum auctoritatem de Cn. Pompei dignitate a vobis comprobata semper esse, vestrum ab illis de eodem homine iudicium populi Romani auctoritatem improbari, praesertim cum iam suo iure populus Romanus in hoc homine suam auctoritatem vel contra omnes qui dissentiunt possit defendere, propterea quod isdem istis reclamantibus vos unum illum⁸⁰ ex omnibus delegistis quem bello praedonum
64 praeponeretis. Hoc si vos temere fecistis et rei publicae parum consulistis, recte isti studia vestra **suis consiliis**⁸¹ regere conantur; sin autem vos plus tum in re publica vidistis, vos istis repugnantibus per vosmet ipsos dignitatem huic imperio, salutem orbi terrarum **attulistis**, **aliquando**⁸² isti principes et sibi et ceteris populi Romani universi auctoritati parendum esse fateantur.

⁷⁷ omnium etiam ETW; etiam omnium Hδ

⁷⁸ curulem *Sh.*; alium Δ; alium *om.* H

⁷⁹ a Q. Catuli ET; atque Catuli H; a Q. Catulo δ

⁸⁰ unum illum *codd.*; illum unum Π

⁸¹ consili[is suis] Π *coni. Hag.*

⁸² attulistis] quare Π; *om. codd.*; Quirites *coni. Rs.*

{Atque⁸³ in hoc bello Asiatico et regio, **Quirites**⁸⁴, non solum militaris illa virtus quae est in Cn. Pompeio singularis sed aliae quoque animi virtutes magnae et multae requiruntur. Difficile est in Asia, Cilicia, Syria regnisque interiorum nationum ita versari nostrum imperatorem, ut nihil aliud nisi de hoste ac de laude cogitet. Deinde etiamsi qui sunt pudore ac temperantia moderatiores, tamen eos esse talis propter multitudinem cupidorum hominum
65 nemo arbitratur. Difficile est dictu, Quirites, quanto in odio simus apud exteras nationes propter eorum quos ad eas per hos annos cum imperio misimus libidines et iniurias. Quod enim fanum putatis in illis terris nostris magistratibus religiosum, quam civitatem sanctam,
66 quam domum satis clausam ac munitam fuisse? Urbes iam locupletes et copiosae requiruntur quibus causa belli propter diripiendi cupiditatem inferatur. Libenter haec coram cum Q. Catulo et Q. Hortensio, summis et clarissimis viris, disputarem; norunt enim sociorum volnera, vident eorum calamitates, querimonias audiunt. Pro sociis vos contra hostis exercitum mittere putatis an hostium simulatione contra socios atque amicos? Quae civitas est in Asia quae non modo imperatoris aut legati sed unius tribuni militum animos ac spiritus capere possit? Quare, etiam si quem habetis qui conlatis signis exercitus regios superare posse videatur, tamen, nisi erit idem qui a pecuniis sociorum, qui ab eorum coniugibus ac liberis, **qui ab ornamentis fanorum atque oppidorum**⁸⁵, qui ab auro gazaque regia manus, oculos, animum cohibere
67 possit, non erit idoneus qui ad bellum Asiaticum regiumque mittatur. Ecquam putatis civitatem pacatam fuisse quae locuples sit, ecquam esse locupletem quae istis pacata esse videatur? Ora maritima, Quirites⁸⁶, Cn. Pompeium non solum propter rei militaris gloriam sed etiam propter animi continentiam requisivit. Videbat enim praetores locupletari quotannis pecunia publica praeter paucos neque nos quicquam aliud adsequi classium nomine nisi ut detrimentis accipiendis maiore adfici turpitudine videremur. Nunc qua cupiditate homines in provincias et quibus iacturis, quibus condicionibus proficiscantur ignorant videlicet isti qui ad unum deferenda omnia esse non arbitrantur. Quasi vero Cn. Pompeium non cum suis virtutibus tum etiam alienis vitiis magnum esse videamus.
68 Quare nolite dubitare quin huic uni credatis omnia qui inter tot annos unus inventus sit

⁸³ atque...gaudeant *del. Nau., Men, Ba.*

⁸⁴ Quirites H; *om. cett.*; qir II; *Rs. om.*

⁸⁵ qui ab ornamentis ... oppidorum *om. Δ*

⁸⁶ Quirites *om. H*; quae ET

quem socii in urbis suas cum exercitu venisse **gaudeant**⁸⁷.} Quodsi auctoritatibus hanc causam, Quirites, confirmandam putatis, est vobis auctor vir bellorum omnium maximarumque rerum⁸⁸ peritissimus, P. Servilius, cuius tantae res gestae terra marique exstiterunt ut, cum de bello deliberetis, auctor vobis gravior esse nemo debeat; est C. Curio, summis vestris beneficiis maximisque rebus gestis, summo ingenio et prudentia praeditus; est Cn. Lentulus in quo omnes pro amplissimis vestris honoribus summum consilium, summam gravitatem esse cognostis; est C. Cassius, integritate, virtute, constantia singulari. Quare videte ut horum auctoritatibus illorum orationi qui dissentiunt respondere posse videamur.

69 Quae cum ita sint, C. Manili, primum istam tuam et legem et voluntatem et sententiam laudo **vehementissimeque**⁸⁹ comprobo; deinde te hortor ut auctore populo Romano maneat in sententia neve cuiusquam vim aut minas pertimescas. Primum in te satis esse animi perseverantiaeque arbitror; deinde, cum tantam multitudinem **cum tanto studio**⁹⁰ adesse videamus⁹¹ quantam iterum nunc in eodem homine praeficiendo videmus, quid est quod aut de re aut de perficiendi facultate dubitemus? Ego autem quicquid est in me studi, consili, laboris, ingeni, quicquid hoc beneficio populi Romani atque hac potestate praetoria, quicquid auctoritate, fide, constantia possum, id omne ad hanc rem conficiendam tibi et populo Romano
70 polliceor ac defero testorque omnis deos et eos maxime qui huic loco temploque praesident, qui omnium mentis eorum qui ad rem publicam adeunt maxime perspiciunt, me hoc neque rogatu facere cuiusquam neque quo Cn. Pompei gratiam mihi per hanc causam conciliari putem neque quo mihi ex cuiusquam amplitudine aut praesidia periculis aut adiumenta honoribus quaeram, propterea quod pericula facile, ut hominem praestare oportet, innocentia tecti repellamus, honorem autem neque ab uno neque ex hoc loco, sed eadem illa nostra
71 laboriosissima ratione vitae, si vestra voluntas feret, consequemur. Quam ob rem quicquid in hac causa mihi susceptum est, Quirites, id ego omne me rei publicae causa suscepisse confirmo, tantumque abest ut aliquam mihi bonam gratiam quaesisse videar, ut multas me etiam simultates partim obscuras, partim apertas intellegam mihi non necessarias, vobis non inutilis suscepisse. Sed ego me hoc honore praeditum, tantis vestris beneficiis adfectum statui,

⁸⁷ gaudeant Δ; gauderet H

⁸⁸ rerum *om. Rs*: a reminder of scribal errors

⁸⁹ vehementissimeque *codd.*; vehementiusque Π

⁹⁰ tanto cum H; cum tanto *cett.*

⁹¹ videmus ET

Quirites, vestram voluntatem et rei publicae dignitatem et salutem provinciarum atque sociorum meis omnibus commodis et rationibus praeferre oportere.

Chapter 4: Critical Notes on the Text

§2 *ex vestro iudicio*: here lies an error in earlier critical editions first detected by Perl and Blochwitz; the *codex Erfurtensis* uses a symbol, represented by Perl & Blochwitz as 7, which signifies both ‘*et*’ and ‘*ex*’ and is otherwise undocumented by scholars of paleography.⁹² Thus Reis, and Clark before him, often cite the use of this abbreviation in the apparatus criticus as an error, such as in this example, where Reis notes ‘*et E*’.

§13 {*sicut ceterarum provinciarum socios*}: Clark suggested that this line was an interpolation, perhaps because it was incompatible with his preferred reading later in the sentence, *ceteras in provincias* H (see the next note). Furthermore, Clark noted in his apparatus criticus that he saw this reading, which highlights Rome’s rampant plundering of all provinces, as an anticipation of the more famous passage later, where Cicero elaborates on Rome’s mistreatment of her allies. Indeed, if the digression of §§64-68 is to be accepted a large interpolation, then this current passage cannot anticipate it. Reis’ reading *ceteros in provincias* is more easily reconciled with *sicut ... socios*, but still only with difficulty.

It is further worth noting that Cicero later, while extolling the accomplishments and virtues of Pompey, emphasized that, in addition to numerous provinces, Italy had twice been witness to his greatness (30-31). With so much of Pompey’s illustrious career taking place in Italy itself, to define *quoque* to encompass only the provincials is reducing its potential meaning and thereby limiting its effect. It is not unfathomable that Cicero could make such an oversight—and it must be an oversight, for Cicero does not avoid the subject of Pompey’s presence in Italy earlier—but it seems more likely that the phrase *sicut ... socios* is an unstylistic gloss, whose

⁹² Perl & Blochwitz (2004) 93-94, 98-101.

creator failed to appreciate the text he was reading, and with this gloss excised, *quoque* can take on greater range than merely the provinces.

This gloss also represents an unusual phrasing, *provinciarum socios*. If Cicero wished to refer to the provincial allies of Rome, he often juxtaposed the nouns *provinciae* and *socii*, whereby one did not become the genitive complement of the other. Though Cicero does in fact mention a couple times the *socii Bithyniae* (*Fam.* 13.9), but this use of *socius* is that of shareholder, referring to Roman citizens charged with exacting taxes from the province.⁹³ In fact, *populi Romani* is one of the only genitives that one should find modifying the *socii* who dwell in the provinces.⁹⁴

{ceteros} in provincias: the major manuscripts disagree; Δ reads *ceteros in provinciam* whereas H *ceteras in provincias*. These slight differences greatly alter Cicero's message and what he has to say about the nature of Roman magistrates. Clark, following H, favored the latter reading. Unlike Clark, Reis formed a reading not derived from either H or Δ, but from a synthesis of both. This emendation works as a solution to the question of how a single archetype created these differences in later manuscripts, but, as is a common problem in textual criticism, the stemmatic approach can only reconstruct the archetype. In Reis' reconstruction of the archetype H was corrupted from *ceteros* to *ceteras* under the influence of *provincias*, especially since sections 13-14 would have had three other uses of the phrase *ceterae provinciae*.⁹⁵ Meanwhile, Δ would have had to singularize *provinciam* to harmonize it with the preceding interpolation, *sicut ceterarum provinciarum socios*, but this creates the historical problem of what is meant by *provinciam*, since Rome held many provinces in the east. A. Coşkun accepted Reis' reconstruction of the stemma, but went beyond this late antique copy of the text and

⁹³ OLD s.v. *socius* 3b.

⁹⁴ OLD s.v. *socius* 4.

⁹⁵ West (1973) 23-24.

posited that *ceteros* is an early and inaccurate interpolation into the text that led to further corruption in both traditions and therefore suggests {*ceteros*} *in provincias*. This suggestion, while bold, addresses the historical issues raised by the readings of the manuscripts of Δ, or the problem of internal consistency that H raised, and it does so by making use of both Δ and H. Indeed, Coşkun even suggested that this original corruption represents the anti-imperial rhetoric of the interpolator of §§64-68. Though there is insufficient evidence to support this line of argument, that such corruptions could possibly be scattered throughout the text is one of many ramifications of accepting the interpolation.⁹⁶

§14 iniuriis <vestris>: Shackleton Bailey noted not only that the presence of *vestris* here would be rhetorically stronger, but also its absence is easily explained, as it would appear as *uŕis* after *iniuriis* in the manuscripts and so be liable to be overlooked by copyists.⁹⁷ Rhetorical requirement for this very common modifier and the explicability of its absence both lend to its inclusion. Here Willis' reminder that "conservative criticism, in its extremest form, aims at proving the manuscripts were always right" should be borne in mind before deciding too hastily in favor of the manuscript tradition.⁹⁸

§15 pecua: The manuscripts record *pecora*, but Servius notes Cicero's use of this word in his commentary on Vergil's *Georgics* (*Georg.* 3.64). Servius in fact does not even quote the *Maniliana*, he cites this speech as another example where the particularly rare word *pecu* is found, and this suggests that the edition which Servius knew also contained this variation. Thus, it becomes an issue of whether the manuscript tradition was more likely corrupted from a rare to a common word or vice versa, and here the former is more likely. Given the rarity of *pecu*, a gloss in the manuscript beside *pecua* would be expected and, as West notes, "a gloss that

⁹⁶ Coşkun, personal communication, April 2016.

⁹⁷ Shackleton Bailey (1979) 253.

⁹⁸ Willis (1972) 9.

resembles the word explained is particularly liable to be mistaken for a correction”⁹⁹ thus ensuring the survival of the gloss and the loss of the original reading. While both Clark and Reis use Servius, Reis, through some oversight, wrote *pecuae* in his edition, despite the fact that Servius in his commentary clearly states that *pecu* follows the same paradigm as *genu*.

§16 quo tandem igitur animo: Δ omits *igitur*; this is the first of many examples of Δ’s tendency to omit single words or even, in one case, a brief clause (*cf.* §21 *atque odio*; §64 *Quirites*; §68 *rerum*). Moreover, the appearance here of *igitur* should be expected after Cicero’s brief digression from the threat of the foreign kings to his comparison of contemporary Rome to the nobler Rome of yesteryear.¹⁰⁰ Since this question marks the third in a series of three, where Cicero asked the previous two times *quo tandem animo* (11, 12), it seems more likely that this is a mistake that was created out of this context of similar questions preceding the third and final question. The copyist most likely recalled the earlier text and was thereby influenced in his transcription.¹⁰¹ Additionally, the *Pro Cluentio*, another speech from 66, marks the other occasion in Cicero’s extant writings where he asks the question *quo tandem igitur animo* (*Clu.* 29). This form of question, with *tandem igitur*, is comparatively rare in Cicero, occurring only five other times in total and three of these five occur in 66 too (*Clu.* 29, 65, 170; *Agr.* 2.21; *Tusc.* 5.69). It is not likely that the copyist of H was so astute as to know to put this emphatic ending on the final question, especially in light of other emendations.

in saltibus: Greenough and Kittredge pointed out that the *portu*, *decumis*, and *scriptura*, which occur earlier in this section, are then recalled in reverse order with *pecua* (*pecuaria* in their edition), *agri cultura*, and *navigatio*; so finally, with the emendation of *salinis* to *saltibus*, “here again three classes of revenue are alluded to: *scriptura* (*in saltibus*), *decumae* (*in agris*),

⁹⁹ West (1973) 22-23.

¹⁰⁰ OLD *s.v.* *igitur* 5.

¹⁰¹ Willis (1972) 98.

portoria (in portibus).”¹⁰² Such a continuation of themes certainly would have aided the orator’s memory. Furthermore *saltibus* is more rhetorically pleasing, since it provides a tricolon that moves from the empty and remote periphery of the empire to the nearer and more accessible centers, beginning in the pastoral glens, continuing through the busier fields, and finally ending in the very ports and guardhouses of the provinces.

§19 res magnas permulti amiserant: Reis preferred the reading of H *amiserunt* over *amiserant*, which is found in all of Δ except π. The pluperfect in a cum-clause is less likely but not unprecedented; indeed, Halm in his commentary provided a Ciceronian parallel in *Verr.* 2.5.178.¹⁰³ However, due to the rarity of this construction, it is susceptible to correction. In fact, even in the Δ family, where the pluperfect is transmitted in most manuscripts, π reads *amiserunt*, representing a correction to the more standard construction. The more plausible explanation for this difference in the manuscripts is that H most underwent a similar correction, whereas Δ maintained an uncommon but not inadmissible construction. A *lectio difficilior* is a valid, but not in itself final argument for establishing a text: here one must also consider H’s penchant to regularize the grammar (cf. §68 *gauderet*) and a passage from the *Verrinae* that provides a Ciceronian parallel where this same pluperfect construction is employed earlier.

§21 studio atque odio: H alone includes *atque odio*, but Δ does not. It is most likely that a copyist of Δ overlooked *atque odio* due to the similar end it shares with preceding *studio*.

inflammata: Berry’s emendation of *inflammata* to *inflata*¹⁰⁴, while novel and perhaps even rhetorically preferable, cannot be accepted. In his brief article, Berry provides strong arguments for his emendation; *inflata* is the perfect metaphorical word to describe the fleet that would have sailed to Italy, since in contrast the imagery of a burning fleet, the *classis*

¹⁰² Greenough & Kittredge (1902) 281.

¹⁰³ Halm (1848) 123.

¹⁰⁴ Berry (2005) 309-310.

inflammata, destroys any impression of threat that this fleet could have offered.¹⁰⁵ Thus Berry in his translation of Cicero’s speeches says, “A large and well-equipped fleet, puffed up with fanatical hatred.”¹⁰⁶ It is not unreasonable to believe that to much of Cicero’s audience, and perhaps even to Cicero himself, the literal meaning of the word in this context had become obscured by the more figurative transferred meaning of *inflammare* that had become far more prevalent in Latin by the mid first century BC.¹⁰⁷ Second, his comparison to Cicero’s use in *Mur.* 33, where we find a hostile fleet that would attack Italy *spe atque animis inflata* is also persuasive. Similarly persuasive is his point that elsewhere in the *Maniliana* (§45) the majority of the manuscripts record *inflammatum*, where Hπ record the preferable *inflatum*, thus establishing the potential for this error to occur.¹⁰⁸ In Berry’s other examples, *inflata*, or another form thereof, is used with nouns that find parallels elsewhere.¹⁰⁹ However, as even Berry acknowledges, *odio inflata* has no parallels in literature, whereas *odio inflammata* is common. Now, even if the assumption is made that *atque odio* is an interpolation, *studio* is often paired with *inflammata* but never with *inflata*. Indeed, Berry even goes so far to say “*studio* means much the same as *animis* at *Mur.* 33” and so in this case *studio inflata* is not objectionable.¹¹⁰ This is simply not the case; in *Mur.* 33 *animis* denotes courage but in this passage *studio* denotes eagerness or zeal. Moreover, the effect of *studium* on people differs from that of *animi*. In *Mur.* 33 *inflata*, in addition to its literal nautical meaning, denotes some degree of confidence, that the fleet is ‘puffed up’, whereas *inflammata* means roused or driven. The former is used to indicate how one finds the strength of will to act, while the latter is used to indicate what motivates or

¹⁰⁵ Berry (2005) 309.

¹⁰⁶ Berry (2009) 116; Zetzel (2009) 85 retains the transmitted text here.

¹⁰⁷ OLD *s.v.* *inflammo* 2a.

¹⁰⁸ Berry (2005) 309.

¹⁰⁹ OLD *s.v.* *inflo* 5 & TLL *s.v.* *inflo* 2c provide numerous examples of the participial form of *inflo* used to describe confidence but none, outside of this alternate reading, to describe people instilled with zeal or other strong emotions.

¹¹⁰ Berry (2005) 309.

drives one to act. Thus *studio*, which denotes eagerness or zeal, only finds itself used with *inflammare* for the reason that one is not ‘puffed up’ with eagerness, but driven by it.

§24 *progressio longior*: Reis chose to follow Δ which reads *processio longior*; *processio*, however, as Clark noted, is a word more known to a monk; that is, more apt for later Christian authors than Ciceronian Latin. Indeed, there is no other attested example of the word *processio* in the extant body of Latin writing until the 4th century (SHA. *Pert.* 11.3; Veg. *Mil.* 2.22). Errors of this type are common in the manuscript tradition.¹¹¹ Thus *progressio*, which is found in H and used in Clark’s edition, is the more suitable choice. R. Faber questions the assumed bias of the scribe toward the Christian word. Indeed, while such scribal bias is one possibility, *processio* could represent a gloss that became interpreted as a correction and incorporated into the text, as discussed in §15 and need not be explained through a Christian lens.¹¹²

Mithridates autem et suam manum iam confirmarat {et eorum, qui se ex ipsius regno conlegerant}: The manuscripts disagree here. H reads *Mithridates autem se et suam manum iam confirmarat eorum opera, qui se ad eum ex ipsius regno concesserant*, whereas Δ provides the variant reading: *Mithridates autem et suam manum iam confirmarat et eorum, qui se ex ipsius regno conlegerant*. The initial *et* of the sentence works best as a correlative with the one that begins the second main clause, and so the *se* of H can be dismissed; the subordinate clause in both manuscripts contains a reflexive as well, but only one contains a transitive verb to explain the transitive, and so *conlegerant* is to be preferred over *concesserant*; and finally, the *ad eum* of H becomes nonsense without *concesserant*, and can be dismissed as well; perhaps it

¹¹¹ Willis (1972) 74-75.

¹¹² Faber, personal communication, March 2016.

originated from a corruption in the verb.¹¹³ However, the words *et eorum* of Δ remain a problem and so does the variant reading of H *eorum opera*, but that could easily represent a correction. Halm argued that instead of *opera* being the noun that *eorum* limits, the noun is the *auxiliis* found later and so the sentence could be rephrased:¹¹⁴ *Mithridates autem et suam manum iam confirmarat et auxiliis eorum, qui se ex ipsius regno conlegerant et magnis adventiciis auxiliis multorum regum et nationum iuvabatur*. This would be a rather remarkable brachiology if this were the case; further, the use of *auxiliis* to signify Mithridates' own soldiers only creates further difficulties as well. Thus the best resolution to this issue is that *eorum qui ... conlegerant* represents a poorly placed gloss that two different manuscripts traditions attempted to correct: the one inserted the word *et* before *eorum* so as to render the understanding of *et manum suam et manum eorum confirmavit*, which is meaningless in this context; the other tradition created an ablative for *eorum* to limit and connected.

§28 {mixtum ex civitatibus atque ex bellicosissimis nationibus}: Here Cicero enumerates Pompey's numerous accomplishments from his part in the Civil War between Marius and Sulla from 83-82, the war in North Africa against the Marians led by Cn. Domitius Ahenobarbus and the Numidian king Hiarbas in 81, the pacifying of Transalpine Gaul in the wake of Lepidus' revolt and while en route to Hispania from 77-76¹¹⁵, the war in Hispania against the Marians led by Sertorius and Perperna from 76-71, the capture capture of the remnants of Spartacus' slave revolt in 71, and finally the campaign against the pirates in 66. If we are to read that the Sertorian War was a mix of domestic and foreign opponents, then the

¹¹³ According to TLL *s.v. concedo* 2B can in fact act transitively and therefore take an object, but this transferred meaning applies only to matters of the mind, and cannot account for the idea of motion that is required here (*cf.* TLL 1A).

¹¹⁴ Halm (1848) 139.

¹¹⁵ Ebel (1976) 96-97.

problem is why is this same specification not said of the African or Transalpine Wars.¹¹⁶ This interpolation, as it appears in most manuscripts, is inaccurate, and H, which reads *civilibus* instead of *civitatibus*, is still inaccurate or zeugmatic at the very least, since *civilibus nationibus* makes little sense in a Ciceronian context. Further, Cicero makes a clear effort to frame the wars, when possible, not in the context of the Civil War. The Clark edition included this interpolation with Gulielmus' conjecture *civibus*, whereas Reis omitted it. Indeed, it is easier to account for the differences in the manuscripts by assuming that the passage is a poor scribal gloss which H attempted to emend, rather than two independently occurring corruptions of *civibus*, when Cicero had been trying to pass over briefly the more unsavory elements of Pompey's early career.¹¹⁷ Moreover, the audience needs no reminder of the *Bellum Hispaniense* and the clarification is out of place in an otherwise brief account of most of Pompey's military accomplishments.

§31 *exterae gentes ac nationes*: This passage appears in H and Clark's edition as *terrae gentes ac nationes* and it is representative of the weight Clark attributed to H. Nowhere else in Cicero's speeches does he enumerate these three items together, whereas the pairing of *gentes* and *nationes* as a single colon is quite common throughout Cicero's career and even this speech (*Man.* 35, 56). This pair is quite common in Cicero and he often adds additional elements such as *reges* (*Dom.* 89) or *provinciae* (*Agr.* 2.39). These two words are often paired together in Cicero's pre-consular speeches (*cf. Font.* 35; *Verr.* 2.4.108, 109, 5.76, 188). In the reading of Δ, while Cicero does enumerate other witnesses including the coasts and seas, the words *gentes* and *nationes* represent a single colon in his list and the second part of an ascending tricolon. The reading of H, however, provides a difficult asyndeton in this second colon.

¹¹⁶ Steel (2001) 145.

¹¹⁷ Steel (2001) 146-147.

§40 qua <ille> sit temperantia: here H reads *quae sit temperantia*, whereas most of the manuscripts of Δ read *qualis sit temperantia*, with the exception of π , which reads *qua sit temperantia*. Halm first conjectured a form of *ille* had been lost; the word is rhetorically desirable, since this is the conclusion of the *confirmatio* where emphasis on Pompey should be expected. Drawing on Halm, Reis offered the reading *quae illius*, which incorporates both manuscript traditions. Nevertheless, such a reading requires a more complex series of corruptions to occur in both traditions than Halm's conjecture.

§48 velle et: H reads *et velle*, which both Reis and Clark preferred. However, compare Cic. *Phil.* 5.51: *velle esse et optare debemus*, and also Cic. *Clu.* 178: *ut velle atque optare aliquid calamitatis filio potius quam id struere et moliri videretur*. This tendency adds greater weight to the reading of Δ , which is to be preferred unless there is a more compelling reason to choose H.

§54 <quae> tam parva insula: Δ reads *tam parva insula* and H *tam parvula insula*. Clark, preferring H, suggested *aut tam parvola* (sic); however, it is far more likely that *parvula*, which only occurs in H, resulted from the position of *parva* beside *insula*, rather than *parvula* causing the creation of *insula* in all manuscripts, and then later in Δ being simplified to *parva*. The text provided draws on Manutius' emendation, which assumes an interrogative had fallen out of the tradition. Manutius' addition of *quae* addresses the issue that Clark also had with his insertion of *aut*: Rome was not an island, thus both added a word to create rhetorical questions out of one in the manuscript tradition. The strength of Manutius' reading is that it is easier to see how it could have been lost in the manuscript tradition, since the anaphora of *quae* creates a difficult reading, where the first two instances are paratactic and the final is hypotactic.

§57 gloriae atque eius imperatoris atque eius exercitus: the first difficulty of this passage is the appearance of *victoriae* in H and *gloriae* in Δ . It is unclear whether the archetype

should possess one of these two nouns or both. The second difficulty is seemingly less significant, but its ramifications are great: the agreement of a seemingly indefensible reading in both E and T, *eius gloriae atque imperatoris* challenges the stemma of both Reis and Clark; neither of them discuss this problem. The similar readings in these two codices cannot be assumed to indicate an earlier commonality found in the archetype, but a result of an innovation within a single branch of Δ, common to ETt, but not attested by δ. Therefore, given the importance of Pompey's character in this text, I have decided to maintain the readings of H and δ, where the emphasis falls on *imperatoris*. To explain the variant readings of *victoriae* and *gloriae*, I first conjectured that earlier in the H family, due to the similar appearance of the nouns, *victoriae gloriaeque* was simplified to *victoriaeque* (a regular enough form of omission), which was eventually corrected to *victoriae atque* in a later copy.¹¹⁸ With this reconstruction, Δ would have suffered from an omission of *victoriae* for the same reason H lost *gloriae*; thus the appearance of *atque* in E and the lack of a conjunction at all in δ (*gloriae eius imperatoris*) represent two separate complex corruptions, complicated by among the manuscripts.¹¹⁹ Though this is possible, A. Coşkun¹²⁰ has offered the simpler solution that is now found in this text; he suggests that the archetype read *gloriae atque eius imperator atque eius exercitus* which was further complicated by a gloss in the place of *gloriae* in H and the transposition of *eius* in *ET*. The reading of the archetype, however, is itself imperfect, since this polysyndetic use of *atque* is unattested outside of later poetry, and is even then rare.¹²¹ Furthermore, the repetition of *eius* preceding *eius exercitus* provides an answer as to why a copyist would insert it before *eius imperatoris*. Thus, the best course of action after establishing the archetypal text, all that is

¹¹⁸ See Willis (1973) 87-89, 111-114 concerning mistaken word divisions and omissions.

¹¹⁹ For a similar corruption occurring, compare §6 *est enim belli eius modi*, where H omits *modi* and πδ omit *belli*, but EWt kept both.

¹²⁰ Coşkun, personal communication, April 2016.

¹²¹ OLD *s. v. atque* 11e

needed is to delete the first *atque*, as δ did in what was presumably an attempt to solve this problem. As for the dilemma of whether to prefer *gloriae* and therefore Δ , or *victoriae* and therefore H, Δ was preferred because the more abstract notion of *gloriae* is more likely to necessitate a gloss than *victoriae*.

§58 Q. Coelius Latiniensis: The manuscripts and earlier editions read *Caelius*; however, based on much prosopographical research that has been conducted since, it is clear that Coelius is the person whom Cicero is referencing.¹²² This error is common and can be found elsewhere.¹²³ This corruption can still be found in Zetzel's recent translation.¹²⁴

inimicum edictum: H reads *iniquitas* and Δ *inimicum edictum*. This passage has long been considered a reference to a potential consular edict that could block the bill.¹²⁵ Indeed, given the fact that Cicero says next that he will only listen to a tribunician veto, it seems more likely that this passage refers to a potential consular edict, the other legal avenue of obstruction available to the opponents of the bill.

§62 ullum <curulem>: Δ reads *ullum alium magistratum* and H omits *alium*. The difficulty lies in the fact that Pompey could technically hold any other magistracy; he was certainly within his rights to canvas for a quaestorship, but not any curule magistracy, since he was still 3 months away from turning 36-years-old when he entered his consulship in 70, when the minimum age to be eligible for the lowest curule office, the *aedilitas*, was 37.¹²⁶ Shackleton Bailey, however, provides an interesting parallel where *curulem* has been lost in the manuscripts of Val. Max. 8.15.8 *nondum ullum honorem <curulem> auspicatus bis triumphavit*, but is

¹²² Broughton *MRR*3 59; Syme (1963) 55.

¹²³ Lewis (2006) 262.

¹²⁴ Zetzel (2009) 98.

¹²⁵ Halm (1848) 195.

¹²⁶ Halm (1848) 204-205.

maintained in Paris' epitome.¹²⁷ Halm maintains the transmitted text, but explains quite clearly that Cicero must have meant for his audience to understand *curulem magistratum*.¹²⁸ Shackleton Bailey's conjecture is not only elegant by itself, but convincing when one considers the parallel he provides.

64 suis consiliis: Π omits *suis* before *consiliis*; Hagedorn conjectured that perhaps the papyrus reads *consili[is suis]*.¹²⁹ It is uncertain whether *suis* has been omitted in Π, invented in the manuscripts, or transposed either in the manuscripts or in Π; nevertheless the reading of the manuscripts has been offered. The juxtaposition of *vestra* and *suis* provides a strong contrast and the presence of *suis* is integral to the meaning of the sentence.

attulistis aliquando: Reis emended the text to read *attulistis Quirites aliquando*, which the manuscripts do not attest, based on an otherwise inexplicable *quare* in Π.¹³⁰ While it is not difficult to imagine that *Quirites* could be lost in the manuscript tradition, and E's difficulty with the word elsewhere (§1 *quare*, §2 *cur*, §67 *quae*)¹³¹ is evidence of the various ways later copyists confused this technical word of the Republican era, nevertheless, this is unlikely. First, the close proximity of *quare* to another *Quirites*¹³², also attested by Π and represented as *qir*, renders any confusion of *Quirites* with *quare* unlikely. Secondly, whether one follows the argument that sections 64-68 form a large interpolation, or prefers to maintain the traditional text, the sentence following this one in either event still contains the word *Quirites*. Such close proximity, while not unheard of, is not common (*cf.* Cic. *Red. pop.* 18; *Agr.* 5, 9-10, 32, 101-102).

¹²⁷ Shackleton Bailey (1979) 254; Lintott (1999) 129-132.

¹²⁸ Halm (1848) 206-210.

¹²⁹ Hagedorn (1969) 75.

¹³⁰ Faber, personal communication, March 2016 suggests that *quare* is a gloss and I am inclined to agree.

¹³¹ See Perl & Blochwitz (2004) 94.

¹³² It is worth noting that the occurrence of *Quirites* in E happens just before the interpolation. Both the beginning of the interpolation, however, and the text immediately following the interpolation, also contain the word *Quirites*, thus this objection stands whether or not §§64-68 are excised.

§§64-68 Atque ... gaudeant: This extended passage has been scrutinized and its place in the *Maniliana* questioned for nearly 500 years; Andreas Naugerius, in the 16th century, first argued that this extensive passage makes up a significant interpolation, while Halm and Kuhn have defended its place in the text—a position that both Clark and Reis have maintained in their editions. See the following chapter.

§64 Quirites: Reis neglected Π here, which says *qir*, and so omitted *Quirites*, which is also attested in H.

§66: qui ab ornamentis fanorum atque oppidorum: Just as many other omissions in the text, this one is committed by Δ, and the omission occurred in a way in which omissions commonly occur: the preceding and following clauses both begin *qui ab* and so the copyist only needed to look too far ahead when he resumed writing to make this simple error.¹³³

§68 gaudeant: The manuscripts provide two variant readings: H *gauderet* and Δ *gaudeant*. The singular form *gauderet* does not preclude it from being the better reading, as it can easily represent a corruption of an earlier *gauderent* in the tradition. However, *gaudeant* provides the *lectio difficilior* and also the better reading; for, while the sequence of tenses usually demands an imperfect verb in the subordinate clause when the main verb is perfect, nevertheless, a present perfect will often produce a present subjunctive in the subordinate clause (A&G §485a). The sense of the sentence demands not so much “that Pompey alone was found at whose arrival the allies would rejoice”, but rather “Pompey alone has been found at whose arrival the allies rejoice.” It is therefore more likely that a copyist would have, unaware of such subtlety that the perfect possesses, made a correction to harmonize the sequence of tenses; such banalization

¹³³ West (1973) 24-25.

of manuscripts is in fact common.¹³⁴ As has been mentioned frequently, H exhibits this tendency to correct.

rerum: Reis omitted this, presumably by accident.

§69 vehementissimeque: All manuscripts read *vehementissimeque*, Π provides the comparative *vehementiusque*. When weighing the sources, the papyrus, dating as early as the 3rd century, represents in itself a textual tradition, and *ceteris paribus* carries equal weight as the manuscript tradition derived from a single Late Antique archetype. Hagedorn has argued that the comparative here is of a sort that is synonymous to the simple positive and represents an intrusion of later Latin into the text of the papyrus.¹³⁵ In his article, however, he also provided a differing opinion that he had received from L. Koenen; Koenen argued that the comparative was employed to indicate that Cicero approved of the Manilian Law more than the Gabinian, which Cicero discussed in §63, and the comparative was eventually replaced with the superlative when its meaning became lost on future readers.¹³⁶ This is a difficult argument to sustain, no matter how helpful it is to the thesis of this study.¹³⁷

cum tanto studio: Modern editors have followed the reading of H *tanto cum studio*; however, the other manuscripts provide a reading that is far more common in Cicero. Indeed, there is only one other example of Cicero postponing the preposition to follow *tanto* or any other form thereof (Cic. *ND* 3.69: [*rationem*] *tanta cum pernicie datam*). This statistical approach is not decisive *per se*, but lends greater weight to the witness of the already weighty tradition of Δ.

¹³⁴ West (1973) 21-22.

¹³⁵ Hagedorn (1969) 76.

¹³⁶ Hagedorn (1969) 76-77.

¹³⁷ It is tempting to conclude that the confusion arose from the intrusion of a large interpolation between Cicero's discussion of the Gabinian Law and this statement. If this were true, the presence of the comparative provides a view of a text that was still in the process of being shaped by an addition whose inclusion had necessitated minor emendations to the original text. Such an argument is circular and *vehementissime* is otherwise preferable.

Chapter 5: The Major Interpolation (§§64-68)

The argument that much of §§64-68 of the *Maniliana* represents an interpolation into Cicero's original speech is not new. Andreas Naugerius (Italian: Andrea Navagero) first argued this in the 16th century, but how Naugerius supported this assertion differs greatly from the approach that Mendner took four centuries later: to Naugerius it seemed¹³⁸ that Cicero composed two different versions of the same part of his speech (§§27-50 & §§64-68)¹³⁹, and, upon later review, omitted the one he saw as worse but still kept it among his documents at home; after Cicero's death, those who wished to publish his work, hastily and ineptly included the section into the end of Cicero's speech.¹⁴⁰ Naugerius' idea of how §§64-68 came to be included in the full body of the speech, while creative, is unsatisfying. Indeed, so too is his argument for its exclusion: Cicero made a digression where he repeats an earlier argument. Any student of Cicero will be familiar enough to know that a mere digression is not enough to excise a passage; it is on the assertion that §§64-68 is a superfluous repetition of §§27-50 where much of Naugerius' argument uneasily rests.¹⁴¹

Naugerius' argument, however, while weak, did see much support until the mid-19th century, when it was challenged and the view lost popularity. Halm dismissed the notion, differentiating the rhetorical purposes of the two sections: §§27-50 were dedicated to why Pompey was the best general for the commission, whereas §§64-68 sought only to prove he is

¹³⁸ Naugerius' original publication is no longer extant, or at least in wide print. The earliest reference to this argument that I could find is in Nürnberger's 1832 notes on Cicero's speeches.

¹³⁹ Due to an inability to find anything more of what Naugerius said, it is not clear what section(s) of the *confirmatio* he believed to be interchangeable with §§64-68.

¹⁴⁰ Nürnberger (1832) 6.

¹⁴¹ Canter (1931) 353 does not recognize §§64-68 as a digression, but he does mark §§57-58, the passage on Gabinius' appointment as a lieutenant of Pompey; Mackendrick (1995) 5-6 also marks §§57-58 as a digression and calls §§64-68 *confirmatio IV*, that is a continuation of the *confirmatio* which ends at §50. The problem, however, is that §69 resumes the thought begun in §§51-64, the issue of *auctoritas*. I can concede that these sections elaborate on the *confirmatio*, but nevertheless the speaker still digresses from and returns to the *refutatio*, where the goal from the outset was to explain how the side for the *Lex Manilia* has plenty of *auctoritas* of its own and the *auctoritas* of its opponents is irrelevant in this context, as it was a year ago (*Man.* 64).

the only general for the task.¹⁴² Halm's commentary would prove influential, since both Clark and Reis cite it in their decision to include these sections into their own editions and dismiss on purely rhetoric grounds why they ought to be regarded as an interpolation; that is still the consensus today. Nevertheless, this section is not a traditional Ciceronian digression in its subject matter. Cicero's digressions tend to appear more in emotional judicial appeals than in political speeches, and even then they tend to be about the issue of reproach or praise, not lengthy tirades with no clear object of reproach.¹⁴³

In 1966 Mendner, in an investigation of the prose rhythm of the speech, revived Naugerius' old assertion; however, where Naugerius assumed the passage was contemporaneous with the text and even composed by Cicero himself, Mendner rejects both of these outright. The difficulty with Mendner's line of argumentation is that it is not decisive in this instance. Indeed, while Mendner does cite some uncharacteristic clausulae in the section, there is nothing as jarring as dactyl-spondee at the end of a sentence.¹⁴⁴

The reception of Mendner's work is almost non-existent. For this thesis, the only piece of scholarship that I could find that even recognizes Mendner's work is an article that lists 1966's scholarship on Cicero with brief synopses of the content and a large compilation on the colometry of a book of Livy and this speech of Cicero. This latter work, Sträterhoff's *Kolometrie und Prosarhythmus bei Cicero und Livius: De imperio Cn. Pompei und Livius 1,1–26,8*, a more recent and exhausting approach to the prose rhythm of this speech, only comments on Mendner's

¹⁴² Halm (1848) 206-211.

¹⁴³ von Albrecht (2003) 21.

¹⁴⁴ Sträterhoff (1995) 131-132 points out an interesting feature of the clausulae in the following sentence: *ecquam putatis civitatem pacatam fuisse quae locuples sit, ecquam esse locupletem quae istis pacata esse videntur* (Man. 67). While the sentence concludes on a paeon-trochee, as is common to Cicero, the clausula of *quae locuples sit* represents a dactyl-spondee. A *clausula heroica* is not uncommon at the end of a colon: one recalls that Sträterhoff 899 counted 54 such clausulae in this speech. This clausula, however, also represents the conclusion of a grammatically complete sentence which most cola do not. The question now becomes the subjective issue of whether this clause is "heavy" enough that the *clausula heroica* should be avoided in Ciceronian oratory.

note on the word *interior*, and does not even discuss his metrical concerns, the subject of her own monograph. In the extensive statistical data available, there is no evidence of a strong deviation away from the rhythm of the rest of the speech.¹⁴⁵ This is in fact one of the most metrically rigid speeches of Cicero.¹⁴⁶ This study of prose rhythm, however, has not been fruitless, since the prose rhythms of later declamation became far more rigid than the rhythm of Cicero's day, containing significantly fewer stylistically acceptable clausulae.¹⁴⁷ Therefore, if this section is metrically consistent with Cicero, it is either because Cicero wrote it, whether originally or as a later interpolation into his own text, or an interpolator who lived within or not long after Cicero's lifetime.

Mendner, however, used several other arguments against the text's authenticity, and they all yet deserve to be considered and perhaps elaborated. The interpolation arguably begins with the following: *Atque in hoc bello Asiatico et regio non solum militaris illa virtus, quae est in Cn. Pompeio singularis, sed aliae quoque virtutes animi magnae et multae requiruntur* (Man. 64). This sentence marks the beginning of an extensive digression, which alone is not enough to draw scrutiny to this passage, but does make the section non-essential to the structure of the rest of the speech. Moreover, it is here that our speaker finds a new name for the war.¹⁴⁸ Previously, Cicero identified the war against the two powerful kings, Mithridates and Tigranes, as the *bellum regium* (50). The first war that had been fought against Mithridates was designated the *bellum Asiaticum* (19). Here, however, the war is designated the *bellum Asiaticum et regium* and again

¹⁴⁵ Sträterhoff (1995) 129-132, 886-904; see the appendix on prose rhythm for further explanation why Sträterhoff's work is to be preferred over Mendner's in this regard.

¹⁴⁶ von Albrecht (2003) 20 n. 52.

¹⁴⁷ Oberhelman (2003) 77-79.

¹⁴⁸ Mendner (1966), 419.

in section 66. Mendner asserts that *hoc bellum* usually suffices and deviations therefrom are by nature emphatic, but the text that follows fails to elaborate on this emphasis.¹⁴⁹

It is the second sentence of the digression that provides the greatest cause for skepticism, for although brief, it contains numerous irregularities, none of which is definitive *per se*.

Continuing the previous thought on the necessity of more than martial virtue, the text reads:

difficile est in Asia, Cilicia, Syria regnisque interiorum nationum ita versari nostrum

imperatorem, ut nihil nisi de hoste ac de laude cogitet (64). The first major problem is not philological, but historical: Roman generals had not yet entered Syria. Mendner, preferring to focus on the philological aspect of his argument, relegates this crucial detail to a mere

footnote.¹⁵⁰ The Romans first entered Syria two years later, and wholly unexpectedly, when

Pompey put aside the mandate of the *Lex Manilia* to end the Third Mithridatic War, since

Mithridates was still active in Crimea, and to follow up his Caucasian campaign against the king with a despatch of legates to Damascus under the authority granted to him by the *Lex Gabinia*.¹⁵¹

The inclusion of Syria suggests that this section was written at least two years after the initial recitation of the speech. Settle, however, pointed out that a young and ambitious Cicero would first want to make sure that his patron Pompey receive the proper edition of the speech.

Furthermore, with Cicero's canvass for the consulship in the near future, he likely was quick to publish his speeches in order that he might gain more recognition in Rome.¹⁵² Thus Syria's

presence is evidence of later tampering with the text of the speech, whether by Cicero's hand or

another's. Furthermore, aside from this highly problematic and anachronistic appearance of

Syria, no other new names are introduced in this section, but already established figures are

¹⁴⁹ Mendner (1966) 419.

¹⁵⁰ Mendner (1966) 415 n. 5.

¹⁵¹ Sherwin-White (1984) 209-210.

¹⁵² Settle (1962) 120-122.

reintroduced: Cilicia, Hortensius, Catulus. This paucity of information bespeaks a writer who is not sure of the details.

Furthermore, Syria is not the only problem in that list, since *interiorum nationum* is not Ciceronian. Cicero, as Mendner explained, does not use *interior* in a geographic sense.¹⁵³ Indeed, this appellation is quite contrary to how Cicero defines these *nationes* of the East several times in the speech: they are *exterae* (31, 38, 41, 46.), ‘on the exterior’, or ‘far-flung’. Sträterhoff, in fact, recognizes this problem, cites two examples in support of Mendner’s argument, but otherwise does not address the issue of the interpolation at all in her work.¹⁵⁴ This sentence has an additional grammatical peculiarity concerning the construction *difficile est*: Cicero used the dative of interest, of the person for whom it was difficult rather than the subject accusative that we find here in *imperatorem*.¹⁵⁵

The digression, in addition, contains hallmarks of late republican and early imperial style that are not common to Cicero. The speaker’s use the adjective *cupidorum* absolutely, that is unlimited by a genitive object, is rare for Cicero (64).¹⁵⁶ This speech also marks the first attestation of the word *gaza* in the corpus of extant Latin literature (66); indeed, this first attestation is markedly emphatic, with the modifier *regia*, which is rather redundant in light of its primary meaning of the royal wealth of Persian or eastern kings.¹⁵⁷ Catullus would later use the phrase *gaza regali* similarly (Cat. 64.46). In the body of Cicero’s writings, he used the word *gaza*

¹⁵³ Mendner (1966), 420; OLD s.v. *interior* 3 cites this passage as the earliest attested use of *interior* in this sense. In fact, while other contemporaries do use *interior* in this sense, they refer to the land itself, not the inhabitants thereof, a subtle but significant distinction; such a transfer of this modifier to inland peoples is not found again in the literature until a decade later, with Livy’s description of the *Boeoti...et interiores Graeciae populi* (Liv. 28.5.8).

¹⁵⁴ Sträterhoff (1995) 363 n. 2.

¹⁵⁵ What follows are all Ciceronian examples of this impersonal construction with a subject infinitive and an explicit subject of the verb. The phrase *difficile est*, in various forms of conjugation and declension, never takes accusative subject: *De Orat.* 1.242; *Fin.* 1.4; *Inv.* 2.130; *S.Rosc.* 2; *Toll.* 5; *Verr.* 2.3.213; *Quinct.* 77. The results for *facile est* are far more numerous, but also fail to account for the presence of an accusative. Though one solution may be simply to emend the text, Cornelius Nepos provides evidence for this construction: *difficile enim esse in tam propinquo loco tuto eum versari* (*Them.*8.5).

¹⁵⁶ Mendner (1966) 421.

¹⁵⁷ OLD s.v. *gaza* a; TLL s.v. *gaza* 1A.

twice more, ten years later discussing, ironically enough, Gabinius' despoliations of Syria (*Sest.* 93) and again twenty-two years later, but in the context of the royal Macedonian treasury after Aemilius Paulus' victory at Pydna (*Off.* 2. 76), and he used its primary meaning, a royal treasury, without any other modifiers. While the notion behind the phrase *gaza regia* was already apparent in Catullus, Nepos is the one who provides the otherwise earliest attestation of the soon to be popular phrase *gaza regia* (*Nep. Dat.* 5.3).¹⁵⁸

In addition to these other concerns, there is also the problem of the ethos¹⁵⁹ that Cicero sought to cultivate in his speech. Cicero dedicated the first three sections of this speech to establish his own praetorian ethos, and here he thoroughly expressed his gratitude to the people for electing him unanimously thrice (*Man.* 2).¹⁶⁰ Nevertheless, despite this earlier *captatio benevolentiae* and Cicero's repetition of *Quirites* throughout the speech in order to create a rapport with the people¹⁶¹, in this digression he condescends to the people with a string of questions asking whether they are truly so ignorant of the conduct of their generals (66).¹⁶² It would indeed be a bold tactic for a politician, already marked with the enmity of the nobility, to first reproach them as a popular politician and then to turn against the people and shame them for their complicity. What is more, Cicero in his condemnation of outrageous Roman conduct in Asia Minor implicates P. Servilius Vatia Isauricus, his political friend and, as he will soon tell, supporter of this very bill. Servilius, whose support Cicero mentions in §69, campaigned against

¹⁵⁸ This phrase does in fact become somewhat common in the literature of the early principate (*BAfr.* 91.3; Suet. *Aug.* 41.1; Liv. 34.4.3, 44.46.8, 45.41.6; Curt. 3.13.5, 5.1.10; Tac. *Ann.* 16.3).

¹⁵⁹ von Albrecht (2003) 25.

¹⁶⁰ May (1988) 14-47 describes the care the Cicero takes in his early forensic speeches to establish not only his own ethos of the both parties as well; May 47-48, however, only alludes to the subtle change in ethos that took place after the *Verrinae*, and the process where Cicero slowly took on the weighty *auctoritas* that he earlier decried and that he would have fully developed by the time of the Catilinarian orations of his consulship.

¹⁶¹ *Quirites* occurs 21 times throughout this speech, and including three occurrences within the interpolation.

¹⁶² Mendner (1966) 416-417.

the Cilician pirates from 79-74 and even occupied the Pamphylian and Lycian coasts.¹⁶³ Servilius also won renown in Rome both through his naval victories and by bringing home the spoils of many captured cities (Flor. 1.41; Liv. *Per.* 93).¹⁶⁴ This lengthy campaign could not have been so easily forgotten, a mere decade later. Thus Cicero should have wished to avoid citing as an *auctor* a man whose military victories, but ultimate failure to establish stability in the East surely must have come to mind in this wholly unnecessary digression.

Section 66 also contains a fundamental misunderstanding of the earlier story of the *conlectio dispersa*, whereby Cicero compares Lucullus' seizure of Mithridates' wealth to the pursuit of Medea (*Man.* 22). Cicero may have faulted Lucullus and his army for being too concerned with collecting the wealth than winning the war, *dum nostri conligunt omnia diligentius* (22), but he by no means condemns the general for taking what he won by conquest; indeed he has the entire army share the blame, "our men collected everything too diligently." Thus Cicero shifts the blame from Lucullus to *nostri*, our men, men from the assembly with whom the audience would closely relate.¹⁶⁵ Additionally, Cicero does not say *cupidius*, too greedily, he says *diligentius*, too diligently. Plundering the foe was not a fault of Lucullus, it was a right that all Roman generals enjoyed and that Cicero recognized. The fault of the whole campaigning army was that they valued booty over victory. Cicero, in his *Verrinae*, in fact marveled recalling the victories of P. Servilius Isauricus; he marveled at the captured standards and fineries that the victorious general had brought back to Rome by the law of war and the right of an emperor, *lege atque imperatorio iure* (*Verr.* 2.1.57). The comparative in the *Maniliana* is merely to denote excess, a lack of moderation, not a moral violation by any means. Here, however, the speaker says:

¹⁶³ Broughton MRR II 90.

¹⁶⁴ Broughton MRR II 99.

¹⁶⁵ I owe this observation to A. Coşkun, personal communication, February 2016.

Nisi erit idem, qui se a pecuniis sociorum, qui ab eorum coniugibus ac liberis, qui ab ornamentis fanorum atque oppidorum, qui ab auro gazaque regia manus, oculos, animum cohibere possit, non erit idoneus qui ad bellum Asiaticum regiumque mittatur (Man. 66).

Unless he is the same man who can keep himself from the money of our allies, who can keep himself from the adornments of temples and towns, who can keep himself from their wives and children, and can keep his hands, eyes, and mind from the gold and treasury of a king, he will not be suitable to be sent to the war in Asia against the kings.

Such a sentiment, to a modern reader, may seem only natural, but this a strong statement for a Roman politician, a *novus homo* no less, to deny a general his *ius imperatorium* that he earned *belli lege*.

Lucullus' reputation also suffers heaviest in this part of the speech. Cicero's earlier efforts not to speak harshly of Lucullus' actions were beyond reproach. Here, however, what was earlier a convenient apologetic for Lucullus' failure to capture Mithridates becomes a direct criticism of him and of his greed. Of course, from Cicero's statement that Pompey did not even consider that he had to go look at the valuable pieces of art that other commanders saw fit to remove from Greek towns (40), one could and should infer that Pompey would not fall into the trap of being slowed down by such a *conlectio dispersa* as Lucullus had previously.

There is an additional fundamental difficulty in proving an interpolation and that is accounting for its publication, since such interpolations were unlikely to survive in antiquity when far more copies of a text existed.¹⁶⁶ Furthermore, the ethical and historical problems contained in this chapter are not likely oversights that Cicero made years later when he had finally published his speech, since it is more likely that he had published it very soon after its delivery and it therefore did not differ significantly from its delivered form.¹⁶⁷ It could happen that another edition was published separately from Cicero's. It is not unheard of for two separate

¹⁶⁶ West (1973) 19.

¹⁶⁷ Settle (1962) 120-122.

traditions of a Ciceronian speech to be in circulation. In fact, Asconius discusses the two different versions of the *Pro Milone* that existed in his own time: the one of these was published by Cicero and contains familiar Ciceronian adornments; the other was either a fabrication or a stenographer's notes on his speech that were published independently of Cicero's refined and edited version that would be published soon after.¹⁶⁸ It is, however, worth noting that the 'unofficial' text did not survive antiquity. The context in which such an eloquently written interpolation could have intruded into the text is uncertain, but it is not necessary to demonstrate how an interpolation occurred to argue successfully that it is in fact an interpolation. Such an interpolation, with such classical rhythm would indeed have to have occurred early, but even so, the antiquity of the passage does not account for the so many historical, ethical, and stylistic problems present in the text; therefore, the very preponderance of evidence makes an interpolation into the text the most likely explanation.

¹⁶⁸ Settle (1963) 277-280.

Chapter 6: Rome and the Provinces

With so much evidence pointing to the presence of an interpolation into the text, it is worth considering what impact the removal of so significant a section will have on the speech itself. Thus, in order not to make this chapter and the preceding seem circular, it should be noted that none of the discoveries in this chapter are meant to support the assertion of the previous chapter, but simply explore its ramifications on the tone of the speech, if the findings are true.

The speech, with §§ 64-68, contains some of Cicero's most scathing critiques of Roman imperialism found outside his Verrine orations of just a few years prior. In one part of the interpolation Cicero talks of Roman acts of sacrilege, abduction of the women and children of allied states, and various other forms of avarice (*Man.* 66); he even hearkens back to a line of argument found in the *Verrinae*: the amount of hatred that the rest of the world has for the Romans (*Man.* 65; *Verr.* 2.5.181). Yet Cicero's attack on Roman imperialism is less expected in this speech than it is in the *Verrine* orations, since this was actually a common strategy in a *quaestio de repetundis*, where the case had to be made on behalf of the provincials.¹⁶⁹ However, Cicero's most damning statements do not serve any direct purpose in the *Maniliana*, but are merely tangential to his criticism of generals other than Pompey, who, as he says, is the only clear successor for this war.

These instances of anti-imperial sentiment, however, are found inside the supposed interpolation; therefore, it is not through this tirade against the evils of empire, which leaves such a significant impression at the end, that this text should be understood. As Lintott notes, section 65 is often quoted to illustrate the iniquities of the Roman Empire, and the digression is certainly one of the more memorable passages of the speech for anyone who is interested in Rome's self-

¹⁶⁹ Lintott (2008) 99-100.

image.¹⁷⁰ Yet, in the absence of the interpolation, Cicero is far less critical of the Roman Empire than is traditionally believed. This passage has little to do in subject matter with the tirade of sections 64-68:

Hi vos, quoniam libere loqui non licet, taciti rogant, ut se quoque dignos existimetis quorum salutem tali viro commendetis; atque hoc etiam magis, quod {ceteros} in provincias eius modi homines cum imperio mittimus, ut etiam si ab hoste defendant, tamen ipsorum adventus in urbis sociorum non multum ab hostili expugnatione different (Man. 13).

They ask you silently, because they may not speak freely, that you also deem them worthy of entrusting their safety to such a man; and they ask this even more because we are sending to the provinces men of such type that even if they should defend the province from the enemy, nevertheless their arrival at an allied city would not differ much from the enemy's assault.

Here, Cicero discusses the accommodation of the army in the provinces, which was a heavy burden for towns to bear. This anticipates the discussion of Pompey's virtues, where Cicero extolls his frugality and discretion (38-39). Cicero even continues his overblown rhetoric: he picks up on the earlier exaggeration of the arrival of a Roman army being similar to military defeat, with the similarly rhetorical assertion that Pompey's army can pass through without leaving a trace, *ne vestigium quidem*. Indeed, as Cicero says, "our ancestors wished there to be, in the houses of friends and allies, a refuge from winter, not a resort for greed" (39). These passages concern themselves with Roman military conduct, not the governance of provinces. Furthermore, with the removal of *ceteros*, Cicero's criticism is now limited to the few unnamed men who the Romans were currently sending to the provinces in question, rather than all others whom they were sending out; the *inimicitiae* that Cicero risks incurring from such statements are far less, since the passage only offends those whose enmity Cicero had already earned by virtue of his support to the *Lex Manilia*.

¹⁷⁰ Lintott (2008) 99.

In section 57, when Cicero digresses to become indignant over the fact that some the previous year had unsuccessfully blocked Pompey's attempt to choose A. Gabinius as his legate for the pirate war, Cicero asks:

Utrum ille qui postulat ad tantum bellum legatum quem velit idoneus non est qui impetret, cum ceteri ad expilandos socios diripiendasque provincias quos voluerunt legatos eduxerint, an ipse cuius lege salus ac dignitas populo Romano atque omnibus gentibus constituta est expers esse debet gloriae eius imperatoris atque eius exercitus qui consilio ipsius ac periculo est constitutus (Man. 57).

Is it that he who asks for the legate whom he wants for so great a war is not qualified to be granted what he is requesting, when all the others have led out on expedition to plunder the allies and to pillage the provinces whatever legates they wanted? Or is that the very person, by whose law safety and dignity were secured for the Roman people and all nations, ought to be excluded from the glory of this *imperator* and this army which was established by his counsel and at his peril?

Again, moral failings occur in the light of Pompey's virtue, and here the virtue of his legate Gabinius. This is not from the provincial perspective as section 65 is. In fact, what little outside of the interpolation that Cicero says of the world's current perception of the Romans is quite generous: within Rome's empire, the provincials are starting to see why their ancestors chose to serve the Romans than rule over others, now that, thanks to Pompey, the brilliance of their empire has again begun to shine on the allies outside of Italy (41).

With this reinterpretation of the text, Cicero certainly does not lavish the Roman Empire with praise; indeed, he finds many faults with previous magistrates who have failed to protect it, often due to their own greed. He even acknowledges that many seek magistracies for campaigns, or they seek the status of a legate (57) under a magistrate, in order that they may gain wealth at the expense of provincials and even Romans already present in the region. However, emphasis shifts from the suffering of the provincials, most notably those of Asia Minor, which is more fitting in a *quaestio de repetundis*, to the deeds of other generals. Cicero does not bother himself

with the world's suffering as a result of Roman avarice. Rather, the speech is a juxtaposition of common vice with Pompey's singular virtue, of which Cicero reminds his audience several times. Indeed, as Cicero even says, Pompey's virtues are better recognized through a comparison with others than by themselves.

And this emphasis is to be expected. This is not an extortion trial, and Cicero does not speak on behalf of the provincials, but rather this is an encomium and Cicero speaks for Pompey. Thus, the result is a speech that, while handling the issues of corruption and mismanagement, does not focus on their victims. The provinces are in Cicero's periphery and they are only mentioned to the degree needed to aid his cause, and that is to pass the bill proposed by the tribune C. Manilius.

Chapter 7: Cicero and Rome

The emendations in this thesis also make an impact on the ethos that Cicero constructs for this first speech *pro rostris*. Therefore, this section will first provide a brief contextualization of the status of Cicero's political career in 66 and demonstrate that the ethos that Cicero constructs is only undermined by the content of the interpolation. 66 was a pivotal year for the career of Cicero. On the one hand, he experienced great success reaching the praetorship as a *novus homo*; indeed, much of the support from the people—and this support was considerable enough for him to win every century in each attempted election of 67 (*Man.* 2)—was in large part due to his popular politics, which even earned him the charge of demagoguery during the trial of Verres.¹⁷¹ The peroration that Cicero provides for the *Maniliana* is similar in many ways to the peroration of the second action against Verres in which he discusses the difficulties that a *novus homo* faces in Rome and the enmities that one must acquire by merely being active in the public sphere (*Verr.* 2.5.180-2). Cicero remarks of the *nobiles* that where he has to struggle, these men earn higher offices in their sleep (2.5.180); and where several *novi homines* had earned their offices with the greatest toil and through acquiring numerous *inimicitiae*, the aristocrats—there Cicero addresses them directly with *vos*—had acquired their offices *per ludum et per negligentiam* (2.5.181). Nevertheless there Cicero expresses a will to accept eagerly any *inimicitiae* that he will incur as a result of his action (2.5.182), just as he will later in his career in his support of the *Lex Manilia*. While Cicero was prone to exaggerate, he was not wrong in asserting that he experienced the difficulties of *inimicitiae* where *nobiles* did not. Indeed, as Epstein says, the *nobiles* “regarded the consulate as virtually polluted if any new man, no matter how eminent, attained it,” and even the *plebs* “were also averse to new men and shared the

¹⁷¹ Wiseman (1971) 173-179; Vasaly (2009) 113 n. 39

nobility's respect and enthusiasm for a long line of noble ancestors."¹⁷² In fact, Cicero's choice to cite the *auctoritas* of C. Scribonius Curio (*Man.* 68), who had previously supported Verres and whom Cicero had chosen to quote in the *Verrinae* for an example of corruption in the Roman courts (*Verr.* 1.7), reveals that Cicero has to some degree reconciled with a former political enemy.¹⁷³ Thus he was careful to avoid controversy or offense, where possible, a fact that is apparent both from an examination of this text and external evidence.

That Cicero was an ambitious politician is well attested throughout his writings, and for this reason Cicero in his speeches can be, and quite frequently is, disingenuous and there should therefore be no expectation of consistency from one cause for oration to another.¹⁷⁴ In fact, Cicero's opportunism can be seen even in the context of this speech when he promises Manilius his support in the peroration. While Cicero defended, or at least spoke in open support of Manilius in 66, concerning his indictment for charges *de repetundis*¹⁷⁵, and while he did serve on Manilius' defense in 65 until the trial was disrupted through violence¹⁷⁶, he later withdrew his support and refused to defend him from charges *de maiestate*.¹⁷⁷ Even at the end of the *Maniliana*, when Cicero says that he spoke not to earn political favor, when in fact he may earn enmity, but for the sake of the republic (*Man.* 71), he was being disingenuous there too. For, as his brother says in a letter:

Li rogandi omnes sunt diligenter et ad eos adlegendum est persuadendumque est iis nos semper cum optimatibus de re publica sensisse, minime popularis fuisse; si quid

¹⁷² Epstein (1987) 55.

¹⁷³ Epstein (1987) 39-40 and it is likely that the new man had earned Scribonius' enmity through his actions in the *Verrinae*.

¹⁷⁴ Lintott (2008) 99-10.

¹⁷⁵ Ramsey (1980b) 334-336.

¹⁷⁶ Gruen (1974) 262; Crawford (1984) 65.

¹⁷⁷ Crawford (1994) 33-48; Lintott (1968) 212 notes that both Gabinius and Manilius were popular leaders accustomed to using violence and coercion to accomplish their political goals. Thus, in light of the earlier discussion of Ciceronian ethos, it is not surprising that not only did Cicero distance himself from these former political allies later as he ascended the *cursus honorum*, but that he did not wish even to name the proposer of this bill until the peroration of this speech (*Man.* 69).

locuti populariter videamur, id nos eo consilio fecisse ut nobis Cn. Pompeium adiungeremus, ut eum qui plurimum posset aut amicum in nostra petitione haberemus aut certe non adversarium (QCic. Pet. 5).

They all ought to be diligently asked, and charged, and persuaded that we always have maintained a consensus with the *optimates* concerning the Republic, and have not at all been popular in our politics; if we seem to have spoken too popularly, we did it with the intent that we win over Pompey for ourselves, that we have him, who can do very much, either as a friend during our petition or at least not as an adversary.

If the authenticity of this letter is to be trusted, as the more recent scholarship suggests¹⁷⁸, Cicero was clearly conscientious of his public actions in the time leading to his petition for the consulship.

Elsewhere in the year of this speech and in the following year when Cicero began his petition, there are pieces of evidence that indicate how he tried to cultivate his public image. In the *pro Cornelio* of 66, Cicero uses light humor and mockery over invective to undermine the *auctoritas* of his noble opponents in order that he might not incur their *inimicitiae*. Cicero's popular rhetoric is far more subtle in this speech than it has been previously, and his criticism of the aristocracy far less biting.¹⁷⁹ With the removal of §§64-68, the ethos of the *Maniliana* becomes more stable and it is similar to the ethos that Cicero constructed for this and the following years in his petition for the consulship.

¹⁷⁸ There is a long history of scholarly controversy concerning the *commentariolum petitionis*, the letter wherein Quintus provides what is seemingly obvious advice to his brother as he petitions for the consulship. McDermott (1970) and Ramsey (1980a) represent the most modern consensus, that the letter is authentic.

¹⁷⁹ Crawford (1994) 92, 142.

Chapter 8: The Interpolator

Thus far the greatest difficulty in identifying and maintaining the argument for an interpolation is the need to account for its existence, that is who inserted it and what the motive was for doing so. For all the pieces of evidence that can suggest that this brief digression does not belong to Cicero, or at the very least, that it represents a far later stage in his career, no attempt has been made to account for how such a passage came into being. There is a wide space of time to which this insertion can be attributed. The passage has a *terminus post quem* of 64 BC, when Pompey entered Syria and a *terminus ante quem* ranging from the second to the third century AD, depending on the date one accepts for the papyrus fragments that contain the interpolation. The prose rhythm, closely resembling Cicero's, albeit for a brief passage, suggests a date no later than the early principate. In order to find a possible period to when this passage could date, this study followed the method that Yardley employed in his *Justin and Trogus*, with the understood limitation that the interpolation offers such a small sample analyze.¹⁸⁰ Many rather uncommon phrases and constructions entered into the interpolation, and the range was post-Ciceronian, but only slightly, with many similarities arriving with Nepos and Livy.

Cornelius Nepos, in fact, was an acquaintance and contemporary of Cicero, and therefore he and his relationship with the great orator bear discussion.¹⁸¹ Nepos, in addition to his relationship with Cicero, was also expectedly an admirer of his style. In fact, a fragment that remains of Nepos is his praise of Cicero in Cicero's very style (*Cic. Leg. 1.5-7; Nep. frg. 58*).¹⁸²

¹⁸⁰ Brunt (1980) 484-485; Yardley (2003).

¹⁸¹ Stem (2012) 68-72 discusses the relationship between Nepos and Cicero, suggesting, with good evidence, that their closeness was a literary invention of Nepos himself, and their relationship was one of discussion of intellectual issues rather than one of 'personal familiarity'.

¹⁸² Robinson (1940) 526-530.

Nepos, in an effort to illustrate Atticus' close relationship to Cicero, cites the eleven volumes of letters in a revealing manner:

Ei rei sunt indicio praeter eos libros, in quibus de eo facit mentionem, qui in vulgus sunt editi, undecim volumina epistularum ab consulatu eius usque ad extremum tempus ad Atticum missarum; quae qui legat, non multum desideret historiam contextam eorum temporum (Nep. Att. 16. 4).

As evidence for this matter, in addition to five books, in which [Cicero] makes mention of [Atticus] and which have been published for the masses, are eleven volumes of letters from his consulship up until his final days, sent to Atticus; whoever may read them, he would not much need the historical context for the times.

Here the reader needs to be informed about these letters, which had presumably not yet been *in vulgus editi*, that is not yet been published, even after the death of Atticus. Thus Cornelius Nepos was a Roman scholar, who had a personal relationship with Cicero (Att. 16.5.5; 14.4), a close friendship with Cicero's friend Atticus, and access to a large body of Cicero's letters that had yet to be published. What is more, Atticus was the father-in-law of Marcus Vipsanius Agrippa, through his daughter Caecilia Pomponia Attica. In fact, Titchener recently attempted to explain a letter from Cicero to Atticus, where Cicero reports that Nepos had requested a collection of Cicero's letters (Cic. Att.16.5.5), presumably for the purpose of publishing them.¹⁸³

In *Work in Progress*, Gurd discusses the social activity of editing literary works among friends, a practice that Cicero enjoyed as well.¹⁸⁴ While the *Maniliana* was written far too early to have been part of this tradition in Cicero's life, it does show a willingness and capability among Cicero's friends, of whom Cornelius Nepos was one, to work directly with Ciceronian texts and employ his style and rhythm as part of a social exercise. In fact, Nepos can offer an explanation to a problem from earlier, the following sentence: *Difficile est in Asia, Cilicia, Syria regnisque interiorum nationum ita versari nostrum imperatorem* (Cic. Man. 64). This sentence

¹⁸³ Titchener (2003) 95.

¹⁸⁴ Gurd (2012) 49-76

proved the most problematic earlier for both stylistic and historical reasons in the interpolation; Cicero, as it was said, always used the dative for this construction, and so *nostro imperatori* should be the expected reading.¹⁸⁵ Cornelius Nepos, has already in fact been mentioned in relation to this sentence as evidence that such a construction was admissible: *difficile enim esse in tam propinquo loco tuto eum versari* (Nep. Them.8.5). That Nepos not only used the same grammatical construction, but the same verb may mean nothing, but authors are certainly known to reuse their phraseology throughout their works. Indeed, other parallels can be drawn; as discussed in the section on the interpolation, the phrase *gaza regia* also was ahead of its time in Latin literature, and did not seem part of Cicero's active vocabulary for the majority of his career. It is more than just these similarities that make Nepos a candidate for the interpolator.

Lastly, there currently is not, nor do I soon expect there to be, a publication dedicated to the prose rhythm of Cornelius Nepos.¹⁸⁶ That is not to say that no scholar has thought to look at Nepos' prose rhythm; indeed, Horsfall has claimed that Cornelius Nepos possessed an "inadequate mastery of the basic principles of prose rhythm and word orders."¹⁸⁷ Yet, this criticism stands opposite of what McCarty said earlier, comparing Nepos' clausulae to those of Cicero or Gorgias.¹⁸⁸ To undertake such an inquiry is out of the scope of this study and so to overcome the lack of scholarly consensus on the quality of Nepos is unfortunately not possible. It is, however, doubtful whether such a study would even be fruitful, since Nepos was an historian, not an orator, and the same pattern of arranging clausulae should not necessarily be expected to appear across genre, time, and even an individual text, as can be seen clearly from Cicero's own

¹⁸⁵ It is also worth mentioning that Cicero tends to avoid separating *difficile* and the dative it introduces too far apart in the text.

¹⁸⁶ That is not to say that authors have not written about the quality of Nepos' clausulae, but that there is no dedicated study concerning the prose rhythm found in Cornelius Nepos' biographies.

¹⁸⁷ Horsfall (1989) xviii.

¹⁸⁸ McCarty (1970) 111 n. 14.

works, even if the historian were capable of composing in the genre.¹⁸⁹ Further investigations into Nepos and his relationship to the texts of Cicero would be required to continue this line of argument. There is, however, sufficient evidence that this text did see later emendations and some circumstantial evidence to suggest that Cornelius Nepos contributed to the most significant change that this text saw in its history.

If such an interpolation, with such a new emphasis on the *bellum Asiaticum regiumque* could have been written any time, it indeed fits best under the patronage of Octavian, in the fallout of the diplomatic crisis between the young Caesar Octavian and Marc Antony. The acknowledgement of the difficulty for a Roman to maintain virtue in the East, the condemnation of Romans' rapacious and arrogant behavior in these regions, and the image of the one general capable of withstanding these vices would certainly have resonated strongly in the months preceding Actium. As Pliny recounts, Nepos survived the civil wars of the first century, dying early in the Augustan principate (*NH.* 9.137), and so at least after the constitutional changes of 27 BC, if Pliny is to be trusted.¹⁹⁰

¹⁸⁹ von Albrecht (2003 11-120 covers the numerous factors that account for a change in rhythm and style in Cicero.

¹⁹⁰ Conte (1994) 221-222.

Chapter 9: Conclusion

There is much that further inspection into the *Maniliana* can reveal. However, there are difficulties beginning with the establishment of the text. Two of the modern editions in circulation, while significant contributions to scholarship, are becoming increasingly outdated. In addition, there are a few difficult passages surviving into the texts of Clark and Reis that are best explained as glosses. The wealth of more recent prosopographical resources and the ability to compare Latin texts through tools such as the Packard Institute's *Latin Concordance* have made possible numerous lines of inquiry that would have rendered unnecessary errors such as *omnes terrae gentes nationes* (*Man.* 31).

Additionally, since the time of Clark and Reis, numerous fields have advanced greatly. The study of prose rhythm has been refined greatly since the time of Zieliński, in part thanks to his very work. This thesis, in fact, for its many suggestions to the text, profited greatly from the works of several scholars: the work of Broughton, a synthesis of the works of innumerable scholars, clarified the identity of several persons found in the speech, while Shackleton Bailey and Berry have both published articles suggesting emendations to the text.

Though the findings of this thesis are few and limited in scope, their implications are not insignificant, since they add to the growing body of literature that challenges the notion of ancient literature as static pieces of text. Indeed, the fallibility of the manuscript tradition account for a great number of small errors in not only this speech, but all ancient literature, Settle's work on the publication of Cicero's speeches already raised the issue of Cicero's later emendations to his own study. It is, however, the work of Gurd that underscores the difficulty of maintaining control of one's own work in antiquity and highlights how easily the words of others can be inserted into a work, with or without the permission of the original author. This thesis does add

to the growing uncertainty of the state of ancient documents and stresses the caution with which they ought to be approached. Indeed, one consequence of accepting the interpolation that has only been briefly mentioned, is the fallibility of the text and our inability to see past the edition in which the interpolation appeared; Coşkun raised the issue once with his suggested deletion of *ceteros* in §13. Here arises the dilemma between the conservative critic and the conjectural critical, and while conservative criticism is limited by an inability to go far beyond the manuscript tradition and the reconstructed stemma, the conjectural critic can become too free to try to restore a previous edition of a text without that may have been irreparable altered long before the formation of the stemma.

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Appendix

There are several problems in the study of prose rhythm and they arise from the fact that while this practice demonstrably existed¹⁹¹, there is a poor understanding on what the ever-changing principles of prose rhythm were and how strictly any given Roman author would follow these conventions. Not only does the rhythm of one author's prose differ from that of another author, it differs significantly within an author's body of work. Additionally, there is also the question of how a modern reader should scan prose, as this chapter seeks to elucidate. In fact, as Oberhelman notes, "terms like *kolon*¹⁹², *komma*, *clausula*, and even rhythm vary widely from one author to the next, thereby leaving modern scholars a mother lode from which to draw a seemingly inexhaustible supply of publishable material to account for, or to explain away, these differences."¹⁹³

Of the uncertain terms above, the most relevant to this discussion is *clausula*, metrical feet that are employed at the end of most sentences and major clauses, or perhaps throughout the text. It is at the *clausula* that a sentence ends and, in antiquity, a speaker had to resolve his rhythm with a sufficient variety of cadences lest his speech become tedious.¹⁹⁴ The first problem with *clausulae* is knowing the theory underlying them. Cicero discusses prose rhythm and *clausulae* at length in the *De Oratore* and the *Orator ad Brutum*, but these discussions show a divergence between the theory that Cicero espouses and the practice found in his texts. Cicero does not make frequent use of his own preferred *clausulae*. Indeed, Cicero recommends the *clausula heroica*, a dactyl-spondee (*Or.* 217), but such a *clausula* is almost absent from the entire

¹⁹¹ For such proofs, one need only refer to the Romans' own body of literary criticism: both Quintilian in his treatises on oratory and style and Cicero have written at length on the proper form of prose rhythm.

¹⁹² It is worth noting that in this appendix, a colon is not a rhetorical unit, but a rhythmic unit, see Habinek (1985) 8-17 on the distinction between the two.

¹⁹³ Oberhelman (2003) 69.

¹⁹⁴ Oberhelman (2003) 9-16.

body of his work¹⁹⁵, outside of intentional quotations of poetry, but the cretic-spondee, one of Cicero's most common clausulae, is nowhere mentioned by him.¹⁹⁶ This discrepancy has frustrated modern scholars and had earlier led Zieliński to doubt whether Cicero was even cognizant of his own rhythmic practices.¹⁹⁷

Here Zieliński has made the most significant impact on the field of study, at least in the context of Ciceronian prose rhythm. In his 1904 publication *Das Clauselgesetz in Ciceros Reden: Grundzüge einer oratorischen Rhythmik*, he sought to prove throughout Cicero's works the presence of the *Integrationsclausel*, a clausula with a cretic base preceding a trochaic cadence.¹⁹⁸ According to Zieliński, the goal was to prove that this *Integrationsclausel* was more than a mere preference, but a law of late Republican prose rhythm, hence the name *Clauselgesetz* he gave to this phenomenon. After a list of various clausulae, which Zieliński scanned on this principle, he states “*Sie besteht sonach aus einer kretischen ‘Basis’, wie wir sie nennen wollen, und einer, zwei- oder mehrsilbigen trochaischen ‘Cadenze’.* – *Das ist die ciceronianische Clausel; das Gesetz ihrer Einhaltung ist das Clauselgesetz bei Cicero.*”¹⁹⁹ The main flaw is Zieliński's *a priori* insistence on his *Integrationsclausel*; he often had to use stress shifts and unusual resolutions of vowels to explain away clausulae to prove the presence of the *Integrationsclausel*, thus forming a circular argument.²⁰⁰ Zieliński did rely on one additional fallacy: that the most frequent clausula in Cicero is therefore the most favored. This is a flaw of

¹⁹⁵ According to von Albrecht (2003) 14-15, the dactyl and spondee, or *clausula heroica*, is not entirely eschewed in Cicero, but it tends to be used in his earlier speeches, and again more frequently in his later speeches, often to give a colloquial or lofty tone. Sträterhoff (1995) 899 counts 54 *clausulae heroicae* in this speech, but none of these falls at the end of a sentence or major clause, with one possible exception that is discussed later (see Ch. 5).

¹⁹⁶ Aili (1979) 9.

¹⁹⁷ Zieliński (1904) 4.

¹⁹⁸ In Oberhelman's history of the scholarship, he erroneously dates the publication to 1914, after Clark's edition of the *De Imperio Cn. Pompei*. It is worth restating that Clark, for his critical edition, had access to and made use of this publication, but not Zieliński's 1914 publication *Der constructive Rhythmus in Ciceros Reden*, which is discussed later in this chapter.

¹⁹⁹ Zieliński (1904) 13.

²⁰⁰ Oberhelman (2003) 97-99.

the internal approach²⁰¹ and due to it Zieliński failed to recognize that a clausula representing only 4.3% of Cicero’s clausulae, the paeon-trochee (*essē vīdēātūr*), is still significant when compared to a 2% occurrence in non-rhythmic prose.²⁰² Thus while Zieliński used the paucity of the paeon-trochee in Cicero to dismiss the significance of the clausula, the relatively high occurrence of this clausula in his prose suggests that it did indeed hold a special significance.

In addition to Zieliński’s *Integrationsclausel*, there have been other approaches to account for the rhythms of Latin prose. Havet, for example, argued for a different understanding of the clausula by rejecting the traditional view of metrical feet in prose rhythm. He instead argued that the final two words, regardless of syllable count, form the clausula and that “*la forme prosodique du mot ou groupe final détermine la forme prosodique du mot précédent, ou au moins de ses dernières syllabes.*”²⁰³ This seeming difference has real effects on what is acceptable speech. As an example, Oberhelman provides the example of *terroremque geminat dolo* which by more accepted methods would be scanned as a paeon-cretic, *terrorēmquē gēmīnāt dōlō*; by Havet’s reckoning of prose rhythm, however, this same clausula ought to be scanned as anapest-iamb: *gēmīnāt dōlō*.²⁰⁴ Havet’s theory fails to account for clausulae that cannot be expressed with two words; thus the cretic-trochee that ends section 23, *cōmmōvēbāntūr*.²⁰⁵ This is but one of many controversies surrounding clausulae and the controversy’s very presence in this paper is meant to illustrate the uncertainties that are inherent in the scholarship, the difficulty of using rhythmic prose to interpret a work, and the cautions that must therefore be taken.

²⁰¹ The comparison of rhythms occurring with the work of a single author, rather than a comparative or external approach.

²⁰² Aili (1979) 14.

²⁰³ Havet (1911) 89.

²⁰⁴ Oberhelman (2003) 36-42.

²⁰⁵ Oberhelman (2003) 90.

There is also the issue that Cicero's rhythmic tastes evolved over time. As von Albrecht notes, Cicero was more likely to use 'patch-words' to achieve his rhythm in his earlier works; these patch-words are cumbersome additions to the clausula that produce a desired meter where it would otherwise not exist.²⁰⁶ Such a patch-word can be seen in the clausula of section 27 *dicendum esse videatur*, where *videatur* is supplied in addition to the simpler *dicendum sit* to produce a more pleasing cretic-trochee for the clausula. Finally, the method of Mendner must be explained. Mendner postulated that Cicero follows a pattern of clausular endings formed around the double cretic (1), the catalectic (2), and the hypercatalectic that is either a ditrochee with a cretic *aufтакт* (3a) or without (3b).²⁰⁷ This approach is different than Zieliński's method of measuring clausulae and is based on the method of Norden, which is not widely accepted.²⁰⁸ Indeed, a weakness of Mendner's approach is that Norden's method was developed to explain the distribution of clausulae throughout antiquity and yet here it is being used to find invalid a section of highly stylized text that cannot be dated later than the third century AD.

Therefore this speech must be analyzed again, using a more accepted approach. For this purpose, the fortuitous existence of Sträterhoff's *Kolometrie und Prosarhythmus bei Cicero und Livius* is a boon, with much statistical data on the rhythmic content of the speech. Nevertheless, this approach is not without its weaknesses too. Nisbet makes a few criticisms of her methodology, but most of these pertain not to her treatment of clausulae but to her divisions of internal cola—that is her study of colometry—and so many of these issues are not pertinent to this study in particular. There is, nevertheless, one significant critique: Sträterhoff tends to treat final verbs in a sentence as an independent colon where, as Nisbet put it, "shorter words may not

²⁰⁶ Von Albrecht (2003) 111.

²⁰⁷ Mendner (1966) 422.

²⁰⁸ Norden (1915); Oberhelman (2003) 75-79 explains the rigidity of Norden's method and the weakness of using one synchronic approach to account for the rhythms of classical Greece through to late imperial writers.

have enough body.²⁰⁹ Though this difference in methodology has the potential to render significantly different rhythms, especially if one allows for hiatus in the division of cola, nevertheless the occurrence of this questionable division of cola infrequently applies to the clausulae of this speech. This practice is based on the method of Fraenkel²¹⁰, which Sträterhoff adapted for her purpose. Indeed, Fraenkel first recognized that the final verb can constitute a colon, and with the exception noted above, the view has been largely accepted.²¹¹ Indeed, Nisbet, with the exception of these criticisms, acknowledged that Sträterhoff had otherwise refined Fraenkel's method.²¹² Therefore, with Sträterhoff's work representing the most recent scholarship in prose rhythm, and with only slight differences being found between her methodology and others, the approach of this thesis has been to follow her work, with Nisbet's reservations in mind.

²⁰⁹ Nisbet (1997) 312 provides the example of §7 *hoc est in Asia luce versari*, where Sträterhoff (1995) 60 treats *versari* as a molossus rather than a *luce versari cretic-trochee*, which is a more common clausula in this speech, by Sträterhoff's own count.

²¹⁰ Fraenkel (1968); Habinek (1985) 4-8 provides a brief summary of Fraenkel's method and addresses a weakness that Sträterhoff did not repeat: his lack of statistical data to corroborate his findings; Weische & Sträterhoff (2001) 133-134 discuss briefly the impact that Fraenkel's work had had on the the study of prose rhythm.

²¹¹ Fraenkel (1969) 31 n. 6; Hutchinson (1995) 490 n. 22.

²¹² Nisbet (1997) 311.