The scholia on Cicero's speeches: contexts and perspectives

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*The Scholia
on Cicero's
Speeches*

CONTEXTS AND PERSPECTIVES

Edited by

DENNIS PAUSCH
& CHRISTOPH PIEPER

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Introduction

Christoph Pieper and Dennis Pausch

1   Renewed Interest in the *scholia Ciceroniana*

As Paolo de Paolis has stated, "ogni discorso sulla fortuna di Cicerone in epoca antica non può non partire dalla filologia ciceroniana".[1] This volume on the Ciceronian scholia originates from exactly this observation: its aim is to understand more fully what interests commentators of Cicero's speeches between (roughly) the first and the seventh century had; how they reacted to, but also actively participated in, the debate about Cicero's legacy in Imperial and late antique Roman culture; and whether these interests—notwithstanding the obvious changes of focus and knowledge between the Neronian period and the transition from ancient to medieval Europe—show certain elements of continuity with regard to how Cicero was perceived and taught.

The anonymous ancient scholia to Cicero's speeches (if we exclude for the moment Asconius, as in his case we know the author's name) are transmitted in versions that can be dated between the fourth and the late seventh centuries CE, and exhibit a long and complicated history during which the different corpora were assembled, abbreviated, combined, and reworked in the course of several centuries. The following brief characterizations are based on James Zetzel's excellent overview.[2]

Q. Asconius Pedianus: fragmentarily transmitted mid-first-century 'commentary'[3] on six Ciceronian speeches; after the rediscovery of the manuscript by Poggio Bracciolini, the text quickly spread throughout Italy, which is why it is transmitted by an impressive number of humanistic manuscripts.[4]

Scholia Bobiensia: a palimpsest, now partly in the Biblioteca Ambrosiana in Milan (Ambros. E 147 sup.) and partly in the Biblioteca Apostolica Vaticana (BAV Lat. 5750).[5] The scholia on Cicero's speeches were written shortly before

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1   De Paolis 2018, 32, paraphrasing La Bua 2015, 54.—All translations in this chapter are our own, unless specified differently.
2   Zetzel 2018, 143–148 and 257–259.
3   On the generic question of the text and on Asconius' working methods, see Keeline in this volume.
4   On the manuscript history see Welch 2017 and Welch forthcoming.
5   A small portion probably belonging to the same set of commentary is preserved in the *Scholia Gronoviana*, see below.

500 ("scholia ipsa saeculo v scripta sunt", as Hildebrandt says)[6] and were erased around the year 700. Their content, however, is older: the scholia in the transmitted form have been dated to the fourth century (the possible ascription to the commentary by Volcacius, which Jerome knew,[7] has been suggested, among others, by Peter Lebrecht Schmidt, but Zetzel—rightly in our view—is more careful).[8] What seems beyond doubt is that the commentator of the fourth century, when assembling the commentary notes, based himself on a large (possibly complete and possibly chronological)[9] commentary on Cicero's speeches.

Scholia by Ps.-Asconius (sometimes also labelled *Scholia Sangallensia*): a set of fifth-century, mostly rhetorical commentaries on the *Verrines*; transmitted in the same humanistic manuscripts from which we know the authentic Asconius, their much later authorship has been proven by Madvig.[10]

Scholia Cluniacensia et recentiora Ambrosiana and *Scholia Vaticana*: a brief set of marginal notes in manuscripts kept today in the British Library in London (BL Add. 47678), the Biblioteca Ambrosiana in Milan (Ambros. C. 29), and the Biblioteca Vaticana (BAV Reg. 2077). The manuscripts partly show textual variations (in Zetzel's words, they testify how regularly commentaries "change in accordance with the needs or interests of the scribes and users of the manuscripts"),[11] but seem to go back to one single commentary of the sixth century.

Scholia Gronoviana: a complex ensemble of three or probably four different sets of commentaries on the *Verrines* (*Schol. Gron.* A–C) and a selection of other speeches (D),[12] transmitted in a ninth-century manuscript kept in the University Library in Leiden (Voss. Lat. Q. 130) and stemming from material to be dated between the late fourth/early fifth and late seventh centuries. The oldest part (A), a commentary on *Ver.* 2.1.45–62, might be related to the *Scho-*

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6   Cf. Hildebrandt 1907, XVII–XVIII.

7   Cf. Hier. *Ruf.* 1.16, where he obviously lists the commentaries most commonly used for teaching: *puto quod puer legeris, **Aspri** in Vergilium ac Sallustium commentarios, **Vulcatii** in orationes Ciceronis, **Victorini** in dialogos eius, et in Terentii comoedias praeceptoris mei **Donati**, aeque in Vergilium, et aliorum in alios, Plautum videlicet, Lucretium, Flaccum, Persium atque Lucanum.* See on this passage also La Bua, p. 24 in this volume.

8   Cf. Schmidt 1989; Zetzel 2018, 258 ("quite uncertain"); La Bua 2019, 79–80.

9   Thus Zetzel 2018, 143. See also Pieper in this volume.

10   Madvig 1828, 84–142, who classifies its author as "non historicus, sed rhetoricus et grammaticus, in vocum sententiarumque facillimarum, rerum notissimarum enarratione positus, saepe puerilis, errorum et ineptiarum plenus" (90). See for the longevity of this judgment n. 15.

11   Zetzel 2018, 145.

12   Thus one generally assumes since Stangl 1884.

lia Bobiensia;[13] the youngest (D) was probably compiled in a monastery in the transitional phase between Late Antiquity and the early Middle Ages.

These Ciceronian scholia have long been neglected in modern scholarship.[14] If scholars used them, it was mostly to extract selective information from them, for example about lost speeches of Cicero, specific realia, or bits and pieces of historical information. Two major reasons might have been behind this very selective scholarly interest: on the one hand, there are the philological difficulties, which make exact dating for most of the scholia very problematic, resulting in the problem of several layers of commentators that can often hardly be separated from each other; on the other hand—ironically—the critical editor of the scholia, Thomas Stangl, who considered most of them of inferior quality, has for a long time influenced scholarly opinion.[15] Only the *Scholia Bobiensia*, preserved for us in a version of the fourth century, but containing much material from the second century, have always been considered of better quality—although even this commendation is often accompanied by patronizing remarks of surprise.[16] The reason for this disdain is probably that most nineteenth and early twentieth-century critics only looked for the

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13   Thus Hildebrandt 1907, 1–6, who prints it as part of his edition of the *Scholia Bobiensia*; cf. Zetzel 2018, 147.

14   E.g., they are absent from the study on ancient Roman education by Bonner 1977, or the one on literary education by Morgan 1998, or the edited volume on Graeco-Roman education by Too 2001.

15   Most notorious are his judgments on the *Scholia Gronoviana* in Stangl 1884: of the four layers of scholia that have been identified, only the oldest one (A = commentary on *Ver.* 2.1.45–62, fourth or beginning of the fifth century—Hildebrandt 1907, 1–6 regarded them as stemming from the *Scholia Bobiensia*), is "tolerable" ("erträglich") compared to Asconius (13), whereas B–D (end of fifth until seventh century) are so bad that their authors deserve to be doomed to anonymity forever: "Dass die Namen von B, C, D nicht erhalten sind, bedaure ich wirklich nicht; sie sind ἀνώνυμοι in jedem Betracht und mögen es bleiben" (25). Cf. Schanz and Hosius 1927, vol. 1, 450: "[sie] haben nur einen sehr geringen Wert". Ps.-Asconius is classified with words hardly less harsh in Stangl 1909, 3: the work is the "Kompilation eines Epigonen …, der, aller asconianischen Auffassung und Arbeitsweise bar, selten von den Elementen der Grammatik und Rhetorik loskommt und in Geschichte und Antiquitäten oft in Ungenauigkeiten und Irrtümer verfällt"; similar is the judgment by Schanz and Hosius 1927, vol. 1, 448 ("grammatisch und rhetorisch mit Trivialitäten").

16   Cf., e.g., the almost surprised litotes in the entry on Volcacius (the alleged author of the original second-century version) by P.L. Schmidt in Herzog and Schmidt 1989, 141: the scholia show the "*nicht unbeträchtliche* Niveau der historisch-rhetorischen Exegese unserer Epoche" (my emphasis). Schanz and Hosius 1927, vol. 1, 449 criticize the scholiast's tendency to sell tradition as his own insights ("… gibt das fremde Gut lieber als eigene Weisheit"), but at least acknowledge that "wir ihm Dank schuldig [sind]" for the fact that the scholia preserve fragments of otherwise lost Ciceronian material and historiographical works.

scholarly value of the scholia and were not at all interested in their didactic context and/or usefulness.[17] As a consequence, with few exceptions (among whom James Zetzel's important work since the 1970s takes pride of place),[18] scholars have only recently begun to study the Ciceronian scholia for their own sake and to take them seriously as coherent corpora.[19] In particular, they have found their way into the study of the reception of Cicero's works in Antiquity.[20] Most prominently, the monographs by Thomas Keeline and Giuseppe La Bua have used them to reconstruct the daily practice of teaching Ciceronian speeches in Imperial schools of rhetoric.[21] Caroline Bishop in 2015 has suggested another approach, namely that the scholia are an important piece of evidence for what she calls the "bifurcation" of Cicero's reception in Imperial times, when readers increasingly tended to separate his rhetorical legacy from the philosophical one due to the influence of the Greek commentaries on Demosthenes and Plato.[22] These recent studies have convincingly shown the importance of the scholia for a better understanding of Cicero's reception in Late Antiquity.

In the light of this renewed interest, it seems timely to dedicate a volume to the scholia, in which some of the opportunities and challenges regarding their study are dealt with: how does the Ciceronian exegetical material relate to the Graeco-Roman tradition of commentaries (especially the grammatical ones on Vergil and the rhetorical ones on Demosthenes); how do they fit into the broader context of teaching rhetoric (and grammar) in Antiquity and Late Antiquity; how do they contribute to our understanding of the negotiation of Cicero's legacy in Antiquity and of Republican oratory more generally; and can they also be inspiring for current research on Cicero's speeches themselves?

2 The Genre of (Ancient) Commentaries

Studies on ancient, medieval, and Renaissance commentaries of the last decades have shown how useful it is to approach these works not only to learn

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17   For the contrast between the two see Kraus and Stray 2016, 11.

18   Cf., e.g., Zetzel 1973, 1974, 1981, and 2018.

19   Sluiter provocatively labels ancient commentaries as "secondary literature"; she argues, however, that this a category that ancient literary critics did not find very interesting (Sluiter 2000, 199 and 202).

20   In Tadeusz Zieliński's standard work about Cicero's afterlife (Zieliński 1929), they are still conspicuously absent.

21   Keeline 2018, esp. ch. 1; La Bua 2019.

22   Bishop 2015.

more about the texts on which they comment. Instead, by taking commentaries seriously as a genre, questions have been raised that go beyond philological or historical interests, like those of authority and legitimation, cultural canonization and negotiation of the memory of the past.[23] This is also true for corpora of scholia, even though in their case certain parameters are more complex: as they are normally anonymous and often consist of material that goes back to different streams of the commentary tradition, it is more challenging to assign to them (authorial) intentions.[24] On the other hand, as Pieper argues, exactly because of their anonymity "they represent not one individual author's view of Cicero, but more collective testimonies of the *process* of Cicero's ancient and late antique *Nachleben*. Layers from different centuries overlap in most of them and suggest the longevity of the negotiation of Cicero's legacy".[25] Yet the variability of the commentary through the ages does not mean that there is no authorial agency at stake: even if no individual commentator can be assigned to the scholia, the versions as transmitted to us represent the (in some way or other conscious) choice of a certain compiler or a group of compilers, according to whom the specific form of the commentary as we have it must have felt useful or appropriate to the needs and interests of the alleged users of that time.[26]

This brings us to another important parameter of any commentary: its users. According to Christina Kraus and Christopher Stray, few other genres know a similar array of possible approaches to a source text, and in consequence a similarly broad spectrum of possible readers (ranging from students to teachers, to literary connoisseurs, to fellow-intellectuals).[27] This diversity is also visible in the Ciceronian material studied in this volume: whereas for Asconius we

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23 Cf. the important volumes by Most 1999; Gibson and Kraus 2002; Kraus and Stray 2016; and especially the excellent article by Sluiter 2000. For Renaissance commentaries see especially the groundbreaking article by Grafton 1985 and the rich introduction by Enenkel and Nellen 2013 to their edited volume.

24 Cf., however, Sluiter 2000, 187 on the "improvised … and fluid nature" of any ancient commentary, which means that scholia are not ontologically different from non-anonymous commentaries in this respect.

25 Pieper in this volume, p. 191.

26 Cf. Most 1999, XIII on commentaries which do not solve problems automatically inherent to the text; instead "the kinds of problems a commentator will discover in his text are at least in part the result of the approach he takes on it" and thus of the questions that interest him and his time. Cf. also Kraus 2002, 11. We recall the famous beginning of Stephen Greenblatt's *Shakespearean Negotiations* (Greenblatt 1988, 1) where he speaks of any interpreter's shaman-like wish to speak with the dead (i.e., the authors of the texts); but instead of their voices one always hears one's own voice in the texts.

27 Cf. Kraus and Stray 2016, 10.

may assume an informed reader who has passed the stadium of rhetorical exercises,[28] the notes in the ps.-Asconian or Gronovian scholia are clearly intended for didactic aims[29]—whether the compiler was actually a teacher or not.[30] The attitude expected by all ancient commentaries on Cicero from their ideal readers is that of an (inter)active partner of the commentator, as La Bua in this volume argues: the commentaries aim to trigger an active engagement with Cicero's texts and the rhetorical and cultural baggage they are transporting. This will not always have been the reality, of course—we can imagine that the commentaries were often not read from beginning to end, but instead were consulted for a specific passage or problem, or used as quarries for rhetorical theory or Ciceronian vocabulary. This becomes visible in the case of the *Scholia Gronoviana*: another Leiden manuscript, VLO 88, contains a *glossarium* of words used by Cicero in his speeches; the explanations of these words are taken from the Gronovian scholia.[31] This example shows that even if commentators construct a kind of idealized recipient of their commentaries, they cannot prescribe the actual way in which they will be used.[32]

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28   Cf. Steel 2022, 239.

29   On the scholia as didactic texts, see La Bua in this volume. This is visible, for example, from the emphasis on rhetorical terminology (that is always retraceable in the rhetorical handbooks of the same period as well) and in their interest in stasis theory, which is always included in the *argumenta*. Cf. the first lemmata of the *Scholia Gronoviana* on Cic. *S. Rosc.* (301.14–302.23 St.), which all are rather basic and directed towards a learner of rhetorical principles: the *argumentum* explains the historical setting and then focuses on Cicero's defence tactic, a *dispositio naturalis* in a case of double *coniectura* (thereby the status is also defined as *coniecturalis*). The scholiast adds that the speech is written in the *genus admirabile*. The following first eight lemmata on the speech proper contain: three Greek technical terms (*pleonasmos*, *antiptosis*, and *anadiplosis*); two explanations on Cicero's tactic of presenting himself as brave without blaming the other orators who did not defend Roscius; one definition of an orator's tasks, namely to possess *auctoritas* and *eloquium*; and two lexical explanations (on *officiosior* and *ignoscere*). All rhetorical terms used in *Schol. Gron. S. Rosc.* can also be found in Martianus Capella's *De nuptiis Philologiae et Mercurii* (apart from the three mentioned above, these are *prosapodosis* [304.7 St.]—Stangl's conjecture, as the transmitted *proantidosis* does not exist as a rhetorical or grammatical term); *anticategoria* (304.27); and *ironia* (313.27). This fits the general impression: as Manuwald in this volume, p. 183 asserts, "the rhetorical terminology used by the Ciceronian scholiasts is standard and their rhetorical explanations are often less advanced compared to contemporary rhetoricians".

30   We will never know this in the case of all Ciceronian commentaries and scholia (only for Asconius it seems safe to exclude this possibility because of his non-rhetorical focus). Cf. Sluiter 2000, 191, who reminds us that "the writer of a commentary need not be identical with the exegete", but can simply be compiling material used by other teachers.

31   Cf. Zetzel 2018, 145 for some brief remarks on the Leiden glossary.

32   On readings of commentaries being "unpredictable", see also Kraus and Stray 2016, 12.

While commentators cannot influence the reader's reception, they can try to shape their own authority.[33] In fact, authorial self-fashioning is an important element of every commentary, and it is especially important to mention this because, at a first and superficial view, commentaries could be understood as purely subservient texts without much authorial interest ('they want to elucidate the source text'). Research of the last decades, however, has made sufficiently clear that this is not the only truth. Commentators negotiate the authority of their voice, often in direct opposition to what previous exegetes have maintained.[34] We find numerous examples of this in the scholia as well, as several chapters of this volume show: Asconius has a special relation to the historian Fenestella with whom he loves to disagree, while other scholiasts often refer to the previous tradition.[35] It is worth noting that the scholiasts (as in this case the Gronovian one) often do not speak in the first person in such cases, but formulate their interpretation more generally, thereby suggesting that their explanation is not their private opinion, but truth.[36]

Closely connected to this question of authority is that of the relation between commentators and their source authors. With regard to this, Ineke Sluiter has identified two tensions that inform most commentaries. The first is the status of the source text: is it fully authoritative, or does it need further explanation in order to develop its full potential? The second is how commentators should approach the authors they are commenting upon: with "charity", i.e. an apologetic attitude, or with severity in order to show their own critical merit?[37] A possible solution for the first tension might lie in the self-

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33 The intellectual authority of commentators is a major criterion in Glenn Most's succinct seven "reflections on commentaries" (Most 1999, XII–XIV).

34 Kraus 2002, 17 calls this attitude "a powerful engine of *aemulatio* and anxiety of influence".

35 Margiotta in this volume discusses this with regard to the *Scholia Gronoviana* and the question of *oratio figurata* in the *Pro Marcello*, where the scholiast refers to the opinion of the *plerique* only to distance himself from those unnamed predecessors. Cf. *Schol. Gron. Marc.* 295.32–33 St.: *plerique putant figuratam esse istam orationem ... hoc nec temporibus convenit nec Caesari* ('most people think that this speech is figured ... This does not fit the time and the person of Caesar').

36 Examples of the same strategy from the *Scholia Bobiensia* include *Schol. Bob. Mil.* 125.26–31 St. (the opinion of *plerique* stands against that of the scholiast, formulated as factual truth) or *Schol. Bob. Vat.* 144.24–26 St. (the reader is addressed directly as (s)he could accuse Cicero [*possis ... reprehendere*]—the scholiast's answer is formulated impersonally); on the latter example see Pieper in this volume, p. 208.

37 Cf. Sluiter 2000, 188–190. With regard to the first tension, Kraus and Stray 2016, 8 speak of "fetishizing of the source text and direct[ing] attention away from it". Closely connected are the different goals of commentaries identified by Most 1999, XIV: not only explaining the text, but also helping the career and renown of the commentator.

fashioning of the commentator as equal to the author[38]—or even as superior in the sense identified by Schwameis in this volume: by making the hidden qualities of Cicero's speeches more visible than Cicero himself, Ps.-Asconius shows his highly developed exegetical and rhetorical acumen. An additionally useful tactic to show one's wit is to identify (and solve!) interesting problems in the text—as Asconius enthusiastically does all the time, or as Ps.-Asconius does with the question of the fictionality of the *actio secunda* of the *Verrines*, or as the *Scholia Gronoviana* do when discussing issues of Cicero's rhetorical disguise.[39] As Christina Kraus suggests, the readers' opinion as to whether commentaries explain "problems inherent in the text" or rather identify (or even create) these problems in order to solve them, has repercussions for how they perceive the role of the commentator, either as a "passive recipient" or as an active author.[40] The tendency of many scholia (and surely of Asconius' commentary) to go beyond a mere explanation of Cicero's speeches and to offer the reader insights into late Republican oratory and politics might be the result of attempts to make the commentaries more than simply a subservient text to the speeches, and consequently to give the commentator/scholiast authorial authority.[41]

A possible solution for Sluiter's second tension is offered by herself: be mild with the source author and restrict your philological austerity to previous interpreters.[42] We have mentioned the importance of criticizing predecessors among the Ciceronian scholiasts above, whereas an apologetic tendency towards Cicero (one could also say, a huge reverence towards him) is omnipresent, as Keeline, Pieper, Schwameis, and Margiotta in this volume especially demonstrate. In addition, this in the end helps the authority of the commentator, as he can present himself as a kind of advocate of the author who finds himself under attack from previous critics. If we take this image of the commentator as the author's *patronus* a step further, we might even say that in return for his service a commentator could expect a favour, which could perhaps be that his name be commemorated together with that of the author: as Homer and Aristarchus belong together, so do Cicero and Asconius.[43] And even if the twists of fate have doomed the names of the *scholia Ciceroniana* to

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38   For this see esp. Farrell, Bishop, and Schwameis in this volume.
39   On these aspects see Keeline, Schwameis, and Margiotta in this volume.
40   Kraus 2002, 11.
41   On the historical dimension, see Keeline, Manuwald, and Pieper in this volume.
42   Sluiter 2000, 189.
43   For a possible link between Aristarchus and Asconius see Farrell in this volume. See also above n. 7 for Jerome's list of authors and commentators as irresolvable entities.

oblivion, at least parts of their texts survive and can be lifted up on the ever-growing interest in the Ciceronian tradition.

One final remark on the genre of ancient commentaries and scholia: if we approach the Ciceronian scholia from a generic angle, this means that a typically generic issue such as intertextuality can also be applied to them. It can have to do with explicit references to previous commentaries, as mentioned above, or with silent adaptations or borrowings (both from previous Ciceronian and from other, e.g. Vergilian, material, which we regularly find in the scholia).[44] Generic intertextuality, however, can also go beyond the confines of Latin oratory, as several chapters in this volume argue. Bishop shows how processes of canonization via commentaries on Greek models have influenced the Roman practice of commentaries, while Farrell unveils the relevance of Vergilian commentaries for the development of the Ciceronian ones. Riesenweber argues for the interdependence of the Ciceronian scholia and Latin rhetorical handbooks, which in their turn were often adaptations of Greek treatises (a process during which examples from Demosthenes or other Attic orators were replaced with Ciceronian material), whereas Maffei reminds us that Cicero's speeches were also studied (albeit on a more basic level) in the Eastern part of the Empire.

3 The Ciceronian Commentaries and Scholia as Part of Cultural Discourses of Their Times

As Christina S. Kraus and Christopher Stray have stated, "[n]o commentator operates in a vacuum. … there were always already previous comments, interpretations, versions, and theories to negotiate."[45] Generic intertextuality as mentioned above is one aspect of how the Ciceronian material is embedded in learned discourses of its time. Another important point of contact are debates about Cicero's linguistic and moral excellence. One of the merits of Giuseppe La Bua's monograph of 2019 is his emphatic argument for the close connection between the scholia to Cicero's speeches and intellectual debates

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44   Cf. Bishop in this volume, p. 156, who stresses that the scholia share this tendency with authors like Servius, Victorinus, and Grillius (on the latter two, see also Riesenweber in this volume).

45   Kraus and Stray 2016, 9. In the case of Cicero, his own attempts to control his commemoration through interpreting and commenting upon his life and works have been identified as the starting point of his later reception; cf. La Bua 2019, 16–54, and especially Bishop 2019.

in Imperial and late antique Roman culture about Cicero's legacy and iconicity. In fact, Cicero's speeches were a constant source of intellectual debate in Antiquity. There were numerous intellectuals and/or teachers of grammar and rhetoric who fiercely debated the meaning of certain words or the grammatical structure of certain sentences, but also the historical circumstances and the people involved. The mostly anonymous and fragmentary ancient commentaries that we possess, which modern editors have labelled the *scholia Ciceroniana*, are embedded in this intellectual culture and participate in such debates.

Let us elaborate on one example here. The second-century polymath Aulus Gellius in his *Noctes Atticae* 1.7 discusses the question of whether one finds cases of solecisms in Cicero's speeches. A passage from Cicero's *Verrines* is at the core of such a linguistic debate.[46] Is the neutral form *futurum* in the accusative-with-infinitive construction *hanc sibi rem praesidio sperant futurum* (*Ver.* 2.5.167) correct, or should Cicero have written *futuram*?[47] After excluding the possibility that the debated form is a mere error of transmission (Gellius stresses the good quality of the copy he has, which allegedly goes back directly to Tiro's careful editorial interventions),[48] Gellius reports that 'many' (*complures*, Gel. 1.7.3) have accused Cicero of solecism in the sentence. An anonymous 'friend' of Gellius, however, who is introduced as an experienced reader and well versed in the writing style of the past (*cui pleraque omnia veterum litterarum quaesita meditata evigilataque erant*, 'who had researched, thought through and studied intensely almost all works of old literature', 1.7.4), comes up with parallels from Gaius Gracchus, Claudius Quadrigarius (twice), Valerius Antias, Plautus, and Decimus Laberius to show that Cicero's formulation had been perfectly acceptable in the old times of the Republic.[49] Cicero's many critics are blamed for ignorance both with regard to the grammatical terms and,

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46   For Gellius' admiration for Cicero see Santini 2006, esp. 35–38 on this passage.

47   Despite Gellius' defence of *futurum* and his reference to the Tironian edition to which he had access, modern editions prefer the reading *futuram*; cf. Zetzel 1973, 231 with reference to Zumpt's 1831 edition of the *Verrines*, 983.

48   Gel. 1.7.1: *in libro spectatae fidei Tironiana cura atque disciplina facto* ('in a book that has been produced with care and orderly method of Tiro, whose trustworthiness is well known'). On Tiro in this chapter of the *Noctes Atticae* see Howley 2018, 175–177. Cf. also the remarks of La Bua 2019, 62, who includes the passages in his discussion of second-century interest in Tiro's 'original' edition. Cf. Zetzel 1973, 241, who suggests that Gellius' alleged Tironian original was a forgery of the Antonine era, and Holford-Strevens 2003, 190: "crass errors in the 'libro spectatae fidei' destroy the credit of its provenance".

49   In the rest of the chapter, Gellius treats two passages from *De imperio Cn. Pompei*, in which critics have also found errors, more briefly—with the same result: the critics are wrong, not Cicero.

more importantly, their ability to understand Cicero not from their contemporary perspective, but as a *vetus auctor*.

The passage is instructive for our understanding of the fragmentary commentaries to Cicero's speeches that form the theme of this volume. Gellius gives us an impression of the intensity and love for linguistic detail with which critics scrutinized Cicero's speeches in search of linguistic ineptitudes.[50] The impression we have is that of two schools: one of critics who try to reduce Cicero's status as exemplary linguistic model (and which might be connected to the so-called 'Ciceromastiges', a tradition of heavily criticizing Cicero that according to Zielińksi goes back to Asinius Pollio),[51] and another that defends exactly this status with utmost philological vigour. It is worth mentioning that the argumentative frame set up by the two schools, which we find in Gel. 1.7, seems to be opposed: Cicero's critics argue from their contemporary understanding of Latin and thereby judge Cicero against criteria of their own times. The defenders, however, apply a historical perspective and explain Cicero with the help of Republican authors from the second and first centuries BCE, thereby including Cicero among those old authors whose texts were especially valuable sources for the archaist movement of the second century CE which looked for forgotten strands of Latin from the past.[52] That this tradition of using Cicero as source for acceptable archaic formulations was long-standing is proven by Macrobius, who applies a similar strategy in the *Saturnalia*, where the construction of *mille* followed by a partitive genitive and a verb in the singular is said to have an archaic flavour (*redolent vetustatem*, 1.5.4). It is sanctioned, however, by references to Cicero, Varro, Quadrigarius, and Lucilius (1.5.5–7).

These debates also found their way into annotations and commentaries that were written, reworked, and summarized since the mid-first century CE and which today form the corpus of the *scholia Ciceroniana*.[53] They regularly apply Gellius' apologetical position and show a keen interest in Cicero as a source for valuable linguistic curiosities of the past.[54] The commentary by Ps.-Asconius on the *Verrines* in particular seems interested in discussing possible solecisms in

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50   Cf. Holford-Strevens 2003, 206 on Cicero's "cheapjack critics" in Gellius' time; Santini 2006, 37 (not quite convincingly in my view) asserts that Gellius' main aim is not to defend Cicero, but to sanction an archaism through Cicero's usage of it.

51   Cf. Zieliński 1929, 353; Gabba 1957, 324–325; Massa 2006, 451–458.

52   Cf. La Bua 2019, 133 and Holford-Strevens 2003, 195–197 on the comparison of Cato, Gracchus, and Cicero as three model authors for oratory.

53   Cf. Zetzel 1974 for the second-century interest in obscure or rare formulations in Cicero, as witnessed by the word list of Statilius Maximus and the *Scholia Bobiensia*.

54   Cf. La Bua 2019, 144–146.

Cicero's work.[55] As La Bua writes, "the scholiographic corpora on the speeches offer quite a few examples of this academic confrontation between detractors and defenders of Cicero".[56] In doing so, however, they are not only concerned with questions of linguistic correctness or style, but also include factual errors or moral shortcomings of Cicero. Also in those cases they normally follow the Gellian tradition of defending Cicero.[57]

Generally, especially the earlier commentaries and scholia to Cicero's speeches (Asconius and the *Scholia Bobiensia*) are not only presenting Cicero as linguistic model, but also as a historical figure. Interest in Cicero's biography and character are traceable in many of the corpora. This also seems to be an interest which the commentaries share with other Imperial readers of Cicero. It is again Gellius who in 15.28 offers a good example of this more historical attitude: he mentions the question of how old Cicero was when defending Sextus Roscius from Ameria[58] and corrects Cornelius Nepos' erroneous opinion that Cicero was 23 at the time of the trial (fr. 12 *FRHist* = 37 Marshall)[59]—even though his own calculation that Cicero was 27 also misses the point. Furthermore, he refers to the historian Fenestella, who had (according to our modern knowledge correctly) suggested that Cicero was 26 years when he defended Roscius, for which he was obviously criticized by Asconius Pedianus in his (now lost) commentary on the speech. We mention the passage, interesting for many reasons, here because it tells us something about the authority of Asconius' commentaries on Cicero's speeches, which (at least for Gellius) seem to have an equal value as Nepos' *vita* for solving difficult Ciceronian *philologica*.[60]

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55 Cf. on these La Bua 2019, 160–161. Cf. Bishop in this volume, pp. 160–163 on the interest of the *Scholia Bobiensia* in Cicero's lexicon.

56 La Bua 2019, 177.

57 Cf. Manuwald and Schwameis in this volume.

58 That this was a question that interested readers in Antiquity greatly is still visible in Jerome's *Chronicle*, in which the speech is mentioned (Corbeill 2020, 23 n. 17).

59 Gellius excuses Nepos by adding the speculation that he might have been *studio amoris et amicitiae adductus* when making Cicero even younger: the speech would then be even more impressive (Gel. 15.28.5); cf. La Bua 2019, 57–58, and Cornell 2013, vol. 3, ad loc.

60 Keeline in this volume argues that Asconius was not a typical commentator as we would imagine one, but was probably read as a *scriptor historicus*, similar to the target of much of his criticism, Fenestella. Still, in Gellius at least we do not find what Sluiter 2000, 190, and following her Kraus and Stray 2016, 9 have labelled "the originary tension between the teacher/grammarian and the professional scholar", and we feel that it is not very prominent in the *scholia Ciceroniana* either.

4 Continuity or Change?

What we have said above leaves us with an important question that concerns not only the Ciceronian scholia, but most ancient commentaries as well: how much continuity or discontinuity do they reveal with respect to the interests in Cicero's speeches between the first and the late sixth or early seventh century CE? Closely related to this question is the problem of whether we should attribute any kind of individuality to the corpora of scholia (or, to put it differently, a specific character to their alleged authors), or whether we should see them rather as results of a collective cultural effort of several centuries. In order to approach the question, it is important to realize that throughout this whole period there seems to have been great continuity in the didactic curriculum of schools in the Western part of the Roman Empire. This includes the way rhetoric was taught, which continued to be seen as a core competence for young members of the upper class and anyone who aimed at a public career.[61] Together with the rest of the curriculum, the teaching of rhetoric thus fulfilled a similar function to the one ascribed to the task of the *grammaticus* by Robert Kaster. According to him, it "stood for the tenacious maintenance of one kind of order. ... the profession contributed to an idea of permanence that sought to control the instabilities of idiosyncratic achievement and historical change".[62] Therefore, what was taught often remained unchanged for hundreds of years and frequently found its foundation in the times that had first canonized this kind of knowledge and teaching: the late Republic and the early Principate. Matthias Gerth interprets this great stability as an expression of trust in the consolidating potential of the tradition and as a sign that the present and the past can merge in a meaningful and constructive way.[63] The famous simile of the bee that Macrobius in the preface to his *Saturnalia* borrows from Seneca's 84th letter is a very fitting metaphor for this, as well: *apes enim quodammodo debemus imitari, quae vagantur et flores carpunt, deinde quicquid attulere disponunt ac per favos dividunt et sucum varium in unum saporem mixtura quadam et proprietate spiritus mutant* ('in a certain way, we have to imitate bees, who go from place to place and pick flowers; then they order what they have collected and distribute it in their combs, and with a certain mixture and the quality of

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61   Cf. Gerth 2013, 225, who links the conservative teaching programme to the fact that teachers were paid by parents and therefore had to adapt their curriculum to their wishes.

62   Kaster 1988, 95.

63   Gerth 2013, 230; he contrasts his view with a more traditional interpretation of the fifth century as a time of a perceptible (and perceived) cultural decline. He speaks instead of the time's "gesundes Traditionsbewusstsein".

the breath they transform the different nectars into one flavour', *Sat.* 1.*pr.*5).[64] The simile not only instructs writers in good imitation, i.e. to engage with all available models in order to make something new out of the mixture, but the passage can also be understood as a reflection on cultural stability (and as such perfectly fits the attitude we find in the Ciceronian scholia): the material the bees bring together (the writers from the past) is appropriated to the needs of the present time (the new flavour) without the different nectars being lost altogether. In other words, the process of transformation that is part of the emulative process does not annihilate the past, but renders it even more relevant for the present.

In such a conservative cultural climate, it is not surprising that Cicero was seen as one of the intellectual champions of the past. In a certain sense, this position, achieved by the end of the first century CE (not least through the works of authors like Asconius and Quintilian, whose reverence for the *nomen eloquentiae* is notorious), never seems to have been seriously contested. On the other hand, as Riesenweber in this volume argues, the intensity with which Cicero's speeches were read as examples of all kinds of rhetorical means changed with time: judging from the quotations in the Imperial and late antique rhetorical handbooks there seems to have been a dip in engagement in the third and early fourth centuries. The interest was renewed after the publication of Marius Victorinus' influential commentary on Cicero's *De inventione*, which seems to have consolidated the work's importance for rhetorical teaching and, as a consequence, to have fostered interest in Cicero's speeches as practical examples of the teaching offered in *De inventione*.[65]

It is from this moment onwards that not only the rhetorical handbooks 'rediscovered' Cicero's speeches as major source, but also (as far as we can judge from what has been transmitted for us) that commentaries on the speeches gained a new momentum. All anonymous scholia as we have them are posterior to Victorinus' commentary, and in all of them we can observe that the focus on the biography of Cicero, which was still prominent in the first and second centuries CE, is diminished at the cost of rhetorical explanations. This is especially visible in the ps.-Asconian and Gronovian scholia, but also partly applies to the *Scholia Bobiensia* which, despite their interest in Cicero's personality

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64   See for this passage Goldlust 2009; Gerth 2013, 14 interprets the simile as stressing unity of disparately collected knowledge.

65   Riesenweber in this volume speaks of the "'Wiederentdeckung' Ciceros durch die *De inventione*-Kommentatoren" (p. 115). More than 100 years after Victorinus, in Martianus Capella's *De nuptiis Philologiae et Mercurii*, Cicero appears as companion of Lady Rhetoric herself in book 5: his role as *the* representative of Latin eloquence is undisputed.

and the historical circumstances in which he delivered his speeches, no longer arrange the speeches in chronological order as the second-century predecessor probably still did.[66] If one looks another few centuries ahead, rhetorical teachers of the Middle Ages had lost almost all interest in Cicero's personality—even to the extent that magister Tullius and the historical agent Cicero were considered two distinct persons.[67] The scholia never go as far. In the *argumenta*, even the late Gronovian scholiast still preserves some basic knowledge of the historical circumstances and climate of Cicero's time, but these are no longer in the foreground, only serving to elucidate more fully the rhetorical choices made by Cicero.

We hope that this volume will inspire scholars to consider the Ciceronian scholia as an important corpus. As research on the cultural and literary potential of the Ciceronian scholia has only recently begun to develop, our volume will certainly not provide any final answers, but we hope that it will stimulate more—and more profound—future research.

Summary of the Chapters of This Volume

The first two chapters are meant to pave the way in that they are conceived as general introductions to the *scholia Ciceroniana* and Asconius Pedianus respectively.

The first chapter by Giuseppe La Bua discusses the didactic function of the ancient commentaries and scholia on Cicero's speeches, intended as auxiliary texts supporting teachers and students in the interpretation and clarification of rhetorical, linguistic, and textual issues arising during the reading and learning process. The chapter starts with Jerome's discussion of the art of commentary in his reply to Rufinus' indictment for plagiarism (*Against Rufinus* 1.16) and re-examines the modalities by which an oration was being read and commented upon in the classrooms. Subsequently, it sheds further light on the figure of the scholiast as schoolteacher, engaged in assisting his

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66   So far no compelling solution for the changed arrangement has been found: has the compiler of the fourth century thought of a didactic arrangement (from easier to more difficult)? This seems hardly plausible given the speeches involved. Equally implausible is the suggestion by Zetzel 2018, 144 that the scholiast wanted to concentrate on the less well-known speeches (at least if Hildebrandt's suggestion is true that a part of the commentary on the *Verrines* of the *Scholia Gronoviana* belongs to the Bobbio material). Cf. La Bua 2019, 80–84 about the uncertainties of the organizational principle.

67   For Cicero's reputation in the Middle Ages see Schmidt 2000, Cizek 2009, and Mabboux 2022.

students on their path towards intellectual maturation. In addition to providing a telling test-case for illustrating the impact exercised by the *persona* of Cicero on the moral and cultural growth of would-be 'Ciceros', the scholia illuminate the complexity of the relationship between teacher and student and emphasize the reader's active role in interpreting the text of the master-author.

The second chapter by Thomas Keeline deals with the only commentary to Cicero's works that can be safely attributed to a certain author: Q. Asconius Pedianus, who at some point in the first century CE wrote 'commentaries' on an indeterminate number of Cicero's speeches. The chapter first challenges certain orthodox scholarly opinions about Asconius, showing how little we really know about the man. It then turns to our only secure source of information, Asconius' surviving works, and creates a typology for his comments on Cicero's *In Pisonem* and *Pro Milone*. Using these comments, it tries to extract some of Asconius' methods and working principles. He emerges as a curious 'gentleman' scholar with a particular interest in names, places, and dates, concerned above all to solve mysteries and problems found in Cicero's speeches. In conclusion, the chapter suggests that Asconius was not writing with pedagogical purposes in mind, still less for his sons, but was instead a *scriptor historicus* who wrote about whatever piqued his curiosity.

Chapters 3 and 4 broaden the perspective by showing the importance of Cicero's speeches for didactic aims both in the teaching of the Greek-speaking East (Egypt) and in the rhetorical treatises and handbooks known as the *Rhetores Latini minores*.

Chapter 3 by Fernanda Maffei discusses those transmitted papyri with fragments of Cicero's speeches that can be assigned to a didactic context. After an overview of all extant Egyptian papyri with passages from Cicero (stemming from the first to fifth century CE) it analyzes six of these: the first-century P. Iand. v. 90, one of the oldest Latin literary papyri we have containing a part of the *Actio secunda in Verrem*; P. Ryl. III 477 (the only Ciceronian papyrus also containing annotations, which show that the speeches were used at a more basic level of language acquisition in Egypt); the bilingual glossaries we find in P. Vindob. G 30885 a+e + P. Vindob. L17; P. Vindob. L127; PSI Congr. 21.2; and P. Ryl. I 61, containing extracts of the *Catilinarians*; the miscellaneous P. Monts. Roca inv. 129–149 + P. Duke inv 798, on which parts of Cicero's *Catilinarians* are combined with different pagan and Christian texts (the papyrus suggests that Cicero was also read in Christian, perhaps monastic, contexts); and the codex P. Oxy. VIII 1097 + P. Oxy. X 1251 + P. Köln. I 49, in which several speeches are transmitted (showing that the order of the speeches was flexible in Egypt,

too). The Ciceronian papyri attest to the popularity and didactic usefulness of Cicero's speeches also for Greek-speaking inhabitants of the Roman Empire who wanted to learn Latin.

Chapter 4 by Thomas Riesenweber reviews all instances of quotations or references to Cicero's speeches in the *Rhetores Latini minores*. After briefly characterizing all of the treatises gathered under this name, the chapter looks at each one according to its generic affiliation. By applying a roughly chronological approach in this analysis, it shows that in the earliest handbooks Cicero's presence is still relatively moderate, as they are mostly interested in Greek stasis theory and do not need Cicero to explain that. The intensity of his presence increases conspicuously after the mid-fourth century. The chapter connects this to the huge success of Marius Victorinus' *De inventione*-commentary, through which Cicero's status as a major teacher of rhetoric was reaffirmed. As a consequence, his speeches were also scrutinized more thoroughly as the handbooks aimed to show that the orator Cicero followed his own precepts when speaking. The chapter thus offers contextualization for the fact that most corpora of *scholia Ciceroniana* as we know them also date to the fourth century or later.

Chapters 5 and 6 are concerned with the models on which the Ciceronian scholia could rely.

In chapter 5, Joseph Farrell compares the canonization of Cicero with that of Vergil. He argues that Cicero's own self-fashioning, which he used to turn himself into a classical author, was influential on the way in which Vergil one generation later was turned into the model poet in Rome. Conversely, Vergil's early reception, especially in commentaries, established a pattern that would only later be followed in the case of Cicero. Starting from a humoristic remark in Cicero's correspondence with Atticus that the latter could serve as Cicero's Aristarchus, the chapter asks who, then, would be Cicero's Aristarchus, that is a commentator who seals his canonical status. After sketching the fluid nature of ancient canon formation and briefly reviewing early Imperial stages of Cicero's reception, the chapter turns to what we know about early commentaries and other scholarly work on Vergil and argues that this grammatical exegesis was necessary for Asconius to build his own Ciceronian commentaries upon.

Chapter 6 by Caroline Bishop explores the influence of the Greek scholia to Demosthenes on the Bobbio scholia to Cicero. It proceeds on the principle, well-attested in ancient Vergilian scholarship, that Roman scholars were motivated to produce works that resembled the exegetical traditions on their author's Greek model. While there are no close correspondences between Cicero's and Demosthenes' scholia, they do evince a similar methodological approach. Both scholiasts cross-reference other classical authors to demon-

strate lexical and contextual similarities, reinforcing a broader culture of classicism, and both discuss their respective orator's skill in admiring terms, even when that skill involved elements of deception. But unlike Demosthenes' scholiast, that of Cicero performs these tasks with an eye towards both Roman and Greek culture, referring to Roman and Greek classical authors alike, and using a wide array of Greek rhetorical terminology to describe Cicero's abilities. This suggests that the Ciceronian scholiast did indeed consider how Cicero's closest Greek counterpart had been studied, and then applied those methods in Latin.

Chapters 7 to 10 offer four case studies in which the potential of the Ciceronian scholia for research on Cicero and Roman Republican oratory is sketched.

Chapter 7 by Gesine Manuwald reviews the role of the Ciceronian scholia and Asconius in our knowledge of non-Ciceronian speeches in the Republic. It therefore lists all fragments of Roman Republican orators transmitted in the speeches and analyzes selected items from these. The aim of the article is to show that the commentators and scholiasts were not only academically interested in the oratorical material of Cicero's role models and contemporaries, but they also expected their readers to acknowledge that Cicero's speeches were full of intertextual references to previous speeches, and that it was the task of the commentaries to elucidate these. Thus, although the most telling pieces of information in the scholia are (due to their perspective) centred on Cicero and relate to Cicero in comparison to other orators, they contribute to going beyond looking at Cicero in isolation and lead to a more nuanced portrait of Cicero's working practices and his context.

Chapter 8 by Christoph Pieper interprets the two earliest corpora of Ciceronian commentaries, Asconius and the *Scholia Bobiensia*. It suggests that they were written for idealized (implied) readers who were interested not only in Cicero's speeches as oratorical models, but also in the history of the late Republic. When reading the commentaries, not in a fragmented way as merely secondary literature but as one coherent corpus, the originally chronological arrangement of Cicero's speeches in these commentaries turns out to be a kind of history book, offering late Republican history to the reader through the lens of Cicero's speeches. The second part of the chapter argues that this historical attitude results in an interest in Cicero that goes far beyond his rhetorical excellence. The commentaries participate in the Imperial debate about Cicero's political and moral legacy by turning him into an exemplary personality and by exculpating all his possible errors.

Chapter 9 by Christoph Schwameis deals with the ancient scholia by Ps.-Asconius as the most important source on the fictionality of Cicero's *Actio secunda in Verrem*. Although most modern scholars working on the *Verrines* still quote Ps.-Asconius when dealing with this subject, usually only those who

query the fictionality of the *actio secunda* dig any deeper into these ancient scholia. This chapter does not intend to solve the riddle of the true nature of Cicero's speeches, but rather to take a closer look at Ps.-Asconius' comments themselves on this subject and on their scholarly reception. First, the chapter treats the other sources on the fictionality of Cicero's speech and the ways modern research has assessed Ps.-Asconius. Next, it discusses the relevant text in a close reading, while embedding it in its context. Lastly, it outlines the ways in which Ps.-Asconius' observations on the fictionality of Cicero's *Verrines* have influenced early modern commentaries.

Chapter 10 by Giovanni Margiotta addresses the question of veiled speech in Cicero's *Caesarian Orations* and how it is treated in the *Scholia Gronoviana*. Starting from a remark in the *argumentum* that others have interpreted the *Pro Marcello* as *oratio figurata*, Margiotta first sketches Quintilian's theory of the term and his influence on later rhetorical handbooks before interpreting and contextualizing the scholiast's remark. In a following step, the chapter addresses the remaining two *Caesarian Orations* and how they deal with Cicero's rhetorical *dissimulatio*. In the case of *Pro Ligario*, the scholiast's treatment of its irony is compared to Quintilian's and Grillius' assessment of the same issue. For the *Pro rege Deiotaro* the chapter discusses how the scholia deal with Cicero's *insinuatio* with a reference to Vergil's notorious liar Sinon. The chapter shows how the scholia, by labelling these strategies of *dissimulatio*, fulfil "a didactic purpose, providing students with illustrious models of manipulatory eloquence" (p. 259).

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1

Teaching Cicero through the Scholia: The 'Active Reader' in Late Antique Commentaries on Cicero's Speeches

Giuseppe La Bua

1 Introduction

In his analysis of Quintilian's theoretical concerns about pedagogy, Martin Bloomer defines the child educated at schools of grammar and rhetoric as an 'active agent', cooperating with the teacher in the learning process and developing his cognitive abilities by reading, interpreting, and imitating the best models of the past.[1] *Eruditio*, fashioning and moulding the uneducated minds of the young by means of pure and correct Latin (*Latinitas*) and creative imitation of the models,[2] relied on an interactive dialogue between teacher and students, based on joint interpretative activity.[3] The construction of the *vir bonus dicendi peritus*, 'the good man skilled at speaking'—the basic principle of Quintilian's pedagogical project (and of any handbook or educational text aimed at establishing the moral and cultural background of Roman male elite students)—, was a dynamic process implying communication of ideas and notions, a process envisioning the formation of an accultured man, capable of emulating and competing with his model in the *ars dicendi*.[4]

This image of the student as an active reader, supporting his master in understanding a particular text and taking responsibility himself in embracing or rejecting one interpretation in favour of another, may well be applied to a large part of the late antique exegetical tradition. When dealing with literary conventions in ancient commentaries and the reader's role in the practice of

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1 Bloomer 2011.—All translations in this chapter are my own, unless otherwise indicated.
2 On the canon of the *idonei auctores* and the practice of reading and commenting upon the 'classical' texts, see De Paolis 2013 (with further bibliography).
3 For the notion of *Latinitas*, 'correct Latinity', see *Rhet. Her.* 4.12.17 (also Quint. *Inst.* 1.6; 10.1.27–36; see Coleman 2000; Grebe 2001). For the place of *Latinitas* in the acculturation process, see La Bua 2019, 125–130.
4 On Quintilian's cultural ideal and the "system of communication" in the *Institutio*, see Bloomer 2015. On Quintilian and education, see now the recent volumes by Nocchi 2020 and Raschieri 2020.

learning, Raymond Starr opportunely observes that "each reader is conceived of as an individual, not as an automaton, and as someone who had an active, not a passive, role: he or she had to decide independently on the meaning of each word and line".[5] The corpus of the late antique scholia and commentaries on Cicero's speeches, published by Thomas Stangl in 1912, provides us with an interesting view on this 'active' relationship between teachers and readers/students and the long-established practice of reading, teaching, and interpreting Cicero in the schoolrooms. They help us to illuminate the process of the students' maturation through their training at the school of rhetoric, assisted by the teacher on their path towards the acquisition of those abilities that could render them 'new Ciceros'. Starting from the recognized function of the commentaries as auxiliary texts supporting the interpretation and clarification of rhetorical, linguistic, and textual issues arising during the reading and learning process (as stated by Jerome in his self-apologizing discussion of the art of commentary in the polemical response to Rufinus), this paper aims to throw further light on teaching strategies in the *scholia Ciceronis*. It revisits the well-known passage about the standard teaching procedure in the rhetorical school (from the second book of Quintilian's *Institutio*: 2.5.5–11) and shows how the commentaries on Cicero's oratory reflect this conventional practice, shared by the students with their teacher. It then points to the scholiast's self-presentation as schoolteacher and intellectual guide and examines the student's role in the exegesis of Cicero's speeches, with special emphasis on the *Scholia Bobiensia* and the *Scholia Gronoviana*, both providing good insights into the complexity of the relation between teacher and students in the interpretative process. It is my goal to demonstrate that the scholia testify to the teacher/student cooperation in acquiring and replicating methods and content of good oratory, and thus are far from merely a telling test-case for illustrating the impact exercised by the *persona* of Cicero, icon of eloquence, on the moral and cultural growth of the young. They enable us to look at the art of expounding and interpreting Cicero as the result of a common effort conducted by teachers and students side by side: the commentator and the reader develop a dual relationship that also entails the participation of the particular author in the interpretative process.

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5   Starr 2001, 443.

2   Commentaries and Scholia as 'Didactic' Texts

Jerome's celebrated passage in the *Apology against Rufinus* (1.16), a self-defending response to Rufinus' allegations of plagiarism in his commentary on Ephesians, is an eloquent testimony to the art of commentary in Late Antiquity. It distils three basic functions of a good commentary: explanation of the words of another author, clarification of obscure words, and discussion of earlier opinions. The *prudens lector*, the learned and sensible reader—and the intelligent student, I would add—is to be held responsible for evaluating contrasting interpretations and judging what is worthy of accepting or refusing:

> commentarii quid operis habent? alterius dicta edisserunt, quae obscure scripta sunt, plano sermone manifestant, multorum sententias replicant, et dicunt: hunc locum quidam sic edisserunt, alii sic interpretantur, illi sensum suum et intelligentiam his testimoniis et hac nituntur ratione firmare, ut prudens lector, cum diversas explanationes legerit et multorum vel probanda vel improbanda didicerit, iudicet quid verius sit, et quasi bonus trapezita, adulterinae monetae pecuniae reprobet.

> What is the task of commentaries? They explain the words of another, they elucidate in plain speech what is written in obscure terms, they repeat earlier opinions, and they say: 'There are many who expound on this passage in this way, many others interpret it differently, and by these citations and this method they attempt to confirm their interpretation and opinion', so that the prudent reader, once he has looked through contrasting interpretations and has learned what is worthy of being accepted or rejected, can make his own judgement on the subject and, like a good money-changer, will reject the false coinage.[6]

Jerome is evidently referring to what we usually call a *variorum* commentary, in terms like those used by Donatus in the prefatory letter to Munatius. All the commentaries mentioned in the passage (Asper on Vergil and Sallust, Volcacius on Cicero's speeches, Victorinus on Cicero's rhetoric, Donatus on Terence and Vergil, and other commentaries on Plautus, Lucretius, Horace, Persius, and Lucan)[7] are *variorum* works, assembling and discussing previous exegetical material. The reader-student makes his judgement under the guidance of the

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6   Text and English translation: Williams 2006 (with minor alterations).

7   Volcacius is identified with the author of the Bobbio commentary by Schmidt 1989 (see also Piacente 2014, 49–54). On the question, see La Bua 2019, 79–80.

schoolteacher, who establishes his prominent position in the tradition and develops reading and learning strategies with his pupil.[8]

In addition to occupying a significant place in the history of classical scholarship,[9] Jerome's passage clarifies two important aspects of teaching practice in the school. First, it points to the interactive dialogue between the composer of the commentary and his readership (teacher and student) by emphasizing the strategic role of the *lector*, cooperating with his authoritative guide in textual exegesis.[10] Secondly, it assumes the didactic nature of the commentary, intended to serve as an auxiliary text, a support for the pupil in the knowledge process and a practical instrument for the correct understanding and explanation of textual issues, baffling words, or difficult passages of the text commented upon.[11]

Leaving aside the question of the origin of the scholia, either marginal/interlinear notes later recombined and assembled in a continuous text or separate commentaries, or *variorum* works preserving and discussing ancient material,[12] what we possess of the exegetical tradition on Cicero's speeches seems to confirm Jerome's statement. In particular, Asconius' historical commentary, the *Scholia Bobiensia*, and Ps.-Asconius' commentary on part of the *Divinatio* and the *Verrines*, all serve a didactic purpose and may easily be understood as auxiliary texts (or para-texts), as practical forms of support in the process of acquisition—and appreciation—of Cicero's rhetorical tactics and stylistic elegance.[13] As Zetzel puts it, "commentaries are practical books, valued by readers as aids to comprehension of a text; they are not valued for their *ipsissima verba*,

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8   Lardet 1993; La Bua 2019, 169–172; on Jerome's passage, see also Starr 2001, 435–437. For Jerome's interpretation of the art of the commentary, see Jay 1985, 69–80; for the polemical response to Rufinus and the literary dispute over the structure and meaning of a good commentary, see Gamberale 2013, 153–168.

9   Jerome's list of commentaries includes the *auctores* of the so-called *quadriga Messii*, namely Terence, Sallust, Cicero, and Vergil, alongside Plautus, Lucretius, Horace, Persius, and Lucan (a similar canon, excluding Terence, is in Sidonius Apollinaris' *Panegyric of Anthemius*: *Carm.* 2.182–192). On this list, see Zetzel 2018, 122.

10 On Jerome's definition of the *prudens lector* as a *bonus trapezita* and its origin from an *anagraphon* of Jesus, cf. Lardet 1993, 85. Starr 2001, 437, notes that "the *prudens lector* is the reader who is not merely thoughtful and intelligent but who can draw on his own experience as a reader to guide his decisions".

11 On the function of the commentaries as "auxiliary paratexts", supporting the reader's interpretation of the text commented upon, see also Williams 2006, 105–106. For the notion of 'auxiliary text' and its practical use, see Dubischar 2010.

12 On the history of Latin scholia, see Zetzel 1975 and 2005; see also Zetzel 2018.

13 For a different interpretation of the purposes of Asconius (not only didactic), see Bishop in this volume.

and can be rewritten—abridged, expanded, revised—to fit the needs of the immediate audience".[14] It might be tempting to say that the scholia or commentaries on Cicero's speeches operated as necessary textual 'supplements', assisting the teacher-scholiast in his teaching duties and helping the pupil to face the historical, literary, and linguistic obscurities of the scrutinized text.[15]

3   Teaching Strategies in the Scholia

Before turning our attention to the teaching system in the commentaries on Cicero, it seems useful to reanalyse briefly the usual classroom procedure for the teaching of rhetoric as described in Quintilian's second book of his *Institutio* (2.5.5–11), a passage of the greatest significance for our understanding of the didactic function of the *scholia Ciceronis*. Correctly deemed "a blueprint for a rhetorical commentary on a speech of Cicero",[16] Quintilian's passage tells us much about the different stages which a student had to go through to become familiar with the arguments, language, and stylistic features of an oration.[17] In Quintilian's words, the main task of the teacher was first to 'point out merits, and, where necessary, faults' of the text (*demonstrare virtutes vel, si quando incidat, vitia*), proceeding then to the explanation of the *causa* by appointing a student as a reader. Cooperation and active participation in the learning process smooth the way for a correct understanding of style and subject of the speech. By showing what comprises a good *exordium*, illuminating the orator's stratagems of winning the benevolence of the audience, illustrating the artifices of oratory, and discussing the speaker's selection and division of the arguments,[18] Quintilian's ideal teacher should direct his student's mind towards an

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14   Zetzel 2018, 130.

15   That the commentaries on Cicero were used as 'auxiliary' texts, in support of reading and learning, seems to be evident in the case of Asconius. Lewis 2006, XVI, correctly notes that "the remarks which occur at the beginning of each section of his exposition of each of his speeches, indicating how far from the beginning or ending of the roll (*volume*) containing the speech this section is to be found" demonstrate unequivocally that Asconius' commentaries were "intended to be read alongside the text of Cicero's speeches".

16   Winterbottom 1982, 247.

17   On Quintilian's passage, see Reinhardt and Winterbottom 2006, 120–141. See also La Bua 2019, 184–190.

18   Quint. *Inst.* 2.5.7–8: *tum, exposita causa in quam scripta legetur oratio* (*nam sic clarius quae discentur intellegi poterunt*), *nihil otiosum pati quodque in inventione quodque in elocutione adnotandum erit: quae in prohoemio conciliandi iudicis ratio, quae narrandi lux brevitas fides, quod aliquando consilium et quam occulta calliditas ... quanta deinceps in dividendo prudentia, quam subtilis et crebra argumentatio* ('the case for which the speech selected

appreciation of Cicero's oration as a specimen of the art of illusion (*ut denique dominetur in adfectibus atque in pectora inrumpat animumque iudicum similem iis quae dici efficiat*, 'and in conclusion how the orator established his sway over the emotions of the audience, forces his way into their very hearts and brings the feelings of the jury into perfect sympathy with all his words'), also paying due attention to the language and style of the speech as an example of masculine oratory:

> tum, in ratione eloquendi, quod verbum proprium ornatum sublime, ubi amplificatio laudanda, quae virtus ei contraria, quid speciose tralatum, quae figura verborum, quae levis et quadrata, virilis tamen compositio.[19]

> Finally, as regards the style, he will emphasize the appropriateness, elegance or sublimity of particular words, will indicate where the amplification of the theme is deserving of praise and where there is virtue in a diminuendo; and will call attention to brilliant metaphors, figures of speech and passages combining smoothness and polish with a general impression of manly vigour. (tr. Russell)

The teacher outlines the features of a good speech by disclosing what is needed to win the goodwill and *docilitas* of the listeners/readers. In so doing, he solicits imitation from his students, actively engaged in the learning project and expected to master the skills of successful oratory. The teacher's appointment of a skilful pupil as *lector*, fitted to the role of guide for his classmates by offering a penetrating and sensitive reading of the speech, points to the teacher's expectations on the one hand, and to the role played by the student in the interpretation of the text on the other. The teacher shares his knowledge with his audience and elicits an active response. The joint act of learning motivates stu-

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for reading was written should then be explained for if this be done they will have a clearer understanding of what is to be read. When the reading is commenced, no important point should be allowed to pass unnoticed either as regards the resourcefulness or the style shown in the treatment of the subject; the teacher must point out how the orator seeks to win the favour of the judge in his exordium, what clearness, brevity and sincerity, and at times what shrewd design and well-concealed artifice is shown in the statement of facts ... The teacher will proceed further to demonstrate what skill is shown in the division into heads, how subtle and frequent are the truths of argument ...'; text and English translation: Russell 2001).

19   Quint. *Inst.* 2.5.9.

dents and inspires them to follow in Cicero's footsteps, a precondition for the acquisition of the rhetorical instruments that make a good student into a *vir bonus dicendi peritus.*

Quintilian's *lectio* is not just the most "explicit evidence for the *enarratio* of prose texts by Latin".[20] In addition to being an oratory lesson *par l'exemple*, it also represents an implicit invitation to readers/students, budding orators aspiring to become 'new Ciceros', to appreciate oratory as the art of persuasion, founded on the subtle and elegant manipulation of rhetorical and stylistic artifices, powerful tools of deceit in the hands of skilled speakers. Applied to our understanding of the techniques of teaching in the scholia, Quintilian's lecture on Cicero's mastery of oratory supports us in observing how Ciceronian scholiasts were accustomed to discuss and dissect Cicero's speeches in detail, stimulating their students to admire and imitate the orator's deployment of arguments, his command of style and language, his irony and artful manipulation of passions—in other words, his unsurpassed capacity for exercising control over his adversaries and judges by making proper use of rhetorical stratagems and words. Alongside Quintilian, the ancient commentaries on Cicero's orations show the Republican orator to be a teacher of *dissimulatio*, a crafted speaker and an able manipulator of the minds of his potential hearers by means of emotional devices and cunning language.

We will return to the presentation of Cicero's art of advocacy in the scholia later. It is time now to move to teaching strategies in the commentaries and the related relationship between commentator and reader in the process of knowledge. Without doubt, crucial to a constructive teaching method was the teacher's self-establishment as an authority in the exegetical tradition along with the acceptance, on the student's part, of the key role played by the teacher in the learning process. As expected, the scholiast constructs his *persona* as teacher and establishes his role as intellectual guide by means of a typical teaching mechanism, the use of the first-person singular (e.g., *Schol. Bob.* 81.18 St. on *Sul.* 26: *et hic, quantum mea opinio est, imitatus est C. Gracchum*; 81.30 St. on *Sul.* 28: *verum mihi altius consideranti* …). At the same time, the notion of good teaching as depending on active cooperation between teacher and student accounts for the repeated use of the first-person plural (e.g., *Schol. Bob.* 82.23 St. on *Sul.* 32: *ab hoc comperimus* …; 84.7 St. on *Sul.* 41: *ut diximus*; 87.31 St. on *Clod.* frg. 14: *ut scimus*; 148.4 St. on *Vat.* 23: *notissimum habemus*):[21] apparently an emphatic *maiestatis* plural, this linguistic device relates directly to the

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20   Reinhardt and Winterbottom 2006, 120.

21   Cf. also *Schol. Bob.* 87.1 St. on *Clod.* frg. 7: *diximus in argumento* …; 99.4 St. on *Flacc.* 16:
        legimus enim …

union of teacher and student and highlights the true nature of a commentary as a means of sharing knowledge and binding teacher and students, encouraged by the examination of Cicero's text with the teacher's eye. 'I', the commentator, and 'we', the commentator and his readers, coordinate their efforts to interpret Cicero: the third-person singular, 'he', the most common form of person used in the commentary, refers to the author himself, Cicero, who implicitly—and virtually—dialogues with his interpreters and helps them in the exegesis of his own text by offering interpretative clues in more or less direct ways.

This relationship between commentator and students/readers is particularly evident in a case of textual emendation in a work entitled *Si eum P. Clodius legibus interrogasset*, a rhetorical *interrogatio* which was presumably placed after the *Pro Flacco* as the speech opening the corpus of post-exile orations in the collection available to the Bobbio scholiast (a fictitious *controversia* over the Cicero-Clodius theme, comparable to the preserved *Pridie quam in exilium iret* introducing the group of *post reditum* speeches in the earliest medieval manuscript, Paris, BNF Lat. 7794).[22] This was a repetitive replication of exile *topoi*, a text of no benefit to the students.[23] The commentator first invites his students to consider and follow the order of the Ciceronian speeches: *Oratio⟨num ordo⟩ Tulli⟨anarum⟩ … ⟨pos⟩tulat ut praecedentis commentario eam subiceremus quae inscribitur: Si eum P. Clodius legibus interrogasset, quae oratio videtur post mortem eius inventa* ('If I had followed the order of the Ciceronian speeches (as I see it), I would have commented upon the speech titled *If P. Clodius had sued him according to laws*, appending it to the commentary of the preceding oration. This speech seems to have been discovered after Cicero's death', *Schol. Bob.* 108.16–18 St.); the first-plural person *subiceremus* unequivocally indicates a joint textual act, pointing to the necessity of commenting upon a pre-exile text. The scholiast then reasserts his authorial role by taking the responsibility for omitting the speech from the collection, in consideration of the fact that 'nothing of Cicero's argumentation shall be missed' (*eximendam numero arbitratus sum, quando rebus nihil depereat*). The final act is a new, renovated invitation to his students to proceed further with the commentary (*consideremus igitur*, 108.22 St.). Embodying the good teacher, the scholiast selects what is worth reading and what is not. Preoccupied with choosing the texts that could refine his students' intellectual faculties, he opts for a drastic elimination of a boring, useless speech from Cicero's oratorical canon. This deliberate exclusion of texts devoid of any didactic interest from the school cur-

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22 La Bua 2019, 81–84. The manuscript was written in Tours.

23 On this Ciceronian 'fake', see La Bua 2001.

riculum is effected through a textual *emendatio*, shared by the teacher with his audience.[24] The scholiast thereby deals with the question on a twofold basis: first, by setting the agenda and demanding acceptance of his textual action from his student, and second, by associating himself with his students to elicit a direct involvement of his readers in the act of *emendatio*.

To be effective, teaching demands an attentive use of formulas or fixed locutions that could support students in recognizing the qualities of Ciceronian prose.[25] They function as a means of activating the interpretative process and show how teachers and students work side by side to illuminate peculiarities of the text being commented upon. The verb *notare*, 'to point out' (usually in subjunctive form), is peculiar to the teaching strategy in the scholia: it is not only used to signal textual problems or cases of incorrect use of words but also to show features of style and language that could illustrate Cicero's mastery of Latin prose at its best. Again, the use of the first-person plural is quite illustrative of this cooperation between teacher and students, cf. *Schol. Bob.* 90.20 St.: *notemus verborum medietates elegantissime ab oratore suspendi* (cf. also 97.14 and 152.4 St., for the use of *notabile*).[26] Other cases of this active involvement of the reader in the interpretative process may usefully be cited. On *Sest.* 120 the scholiast shows how compelling Cicero's reminder of the *senatus consultum* in the temple of Virtue was by the first-plural person *movemur* (*Schol. Bob.* 136.24 St.). Later, commenting on Cicero's joke about Vatinius's tumour (*struma*) at *Sest.* 134, the commentator correctly understands the political sense of the medical metaphor and joins himself and his students in the interpreta-

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24   A similar case is in the *argumentum* to the speech *Pro Sestio* (*Schol. Bob.* 125.7–126.5 St.). Here, after illustrating the historical and political background of the oration, the scholiast chooses not to comment upon much of Cicero's arguments and words, as this will result in a useless replication of post-exile themes. Notably, the commentator uses the first-person plural (*praetermittemus ... ostendimus ... iteremus*), attributing to himself and his students an action of textual *emendatio* and inviting his readers to cooperate in 'deleting' portions of the text unworthy of being commented upon.

25   It goes without saying that the *scholia Ciceronis* are abundant in comments on Cicero's elegance and *urbanitas*: for the sake of exemplification, here it is sufficient to remind readers and scholars of the recurrent use of adverbs (*eleganter*: cf. *Schol. Bob.* 90.20; 103.2; 103.18: *eleganti verbo usus est amplecteretur*; 104.3; 124.24; 127.7; 134.18; 163.13; 169.6; 176.13; *Schol. Gron.* 306.21; 334.33 St.) or expressions denoting Cicero's cultivated language and his long-appreciated fondness for words suited to the context (cf. *Schol. Bob.* 112.26 St., on the use of the verb *iacto* in *Mil.* 7; Ps.-Asc. 244.25 St. on *Ver.* 2.1.90, for *occido* as a *suspiciosum verbum*, making the audience sceptical about the arguments put forward by Cicero's opponent).

26   Cf. *Schol. Bob.* 128.31–129.2 St. on *Sest.* 28 and 131.28–30 St. on *Sest.* 49, for the use of *notabiliter*; cf. also 141.3 on *Sest.* 135 (*de verbis notabilibus scalpellum*).

tion of Cicero's allegory (*intellegere debemus*, 149.9–12 St.).[27] Again, historical events or figures are explained by a recurrent use of the first-person plural (e.g. 142.25–26 St., on *Sest.* 141: *breviter consideremus et* ...; 148.4 St., on *Vat.* 23: *notissimum habemus*).

Teaching Cicero (like any other classic) implied inviting students to ponder questions of content and style.[28] The scholiast alerts his pupils to textual issues, discussing variants of collation or *legitur* variants and commenting upon supposed linguistic and syntactical anomalies by voicing earlier opinions, thereby embarking on the long academic debate over Cicero's verbal creativity.[29] Notably, at the very moment in which the scholiast refutes earlier interpretations, he presupposes that the student sympathizes with his reasoning. Each time the commentator expresses his thoughts about a passage or a feature of Cicero's style, he asks for his student's cooperation and approval. A good example may be provided by a note in the Gronovian scholia on *Actio II in C. Verrem* (2.1.45; 344.11 St.: *velim tamen et in hac brevitate perspicias non abesse Ciceronis studium τῆς αὐξήσεως*, 'nevertheless, I would like you to consider that this passage, though concise, shows Cicero's fondness for amplification'). The scholiast's encouragement to recognize Cicero's fondness for amplification in a passage characterized by terseness stimulates the student to imitation: the use of the second-person singular (*si consideres ... si rem spectes ... si verba numeres* ..., 344.17–21 St.) indicates the 'active' participation of the pupil in discerning and appreciating the powerful effect of *amplificatio* on rhetorical strategy.[30]

It may also happen that the scholiast stimulates imitation and invites his readers to appreciate Cicero's rhetorical tactic in an indirect way, that is, by propounding his interpretation and thereby expecting a 'positive' reaction from his audience. It seems to me that we may place at least two examples into this category. First, we may note the Bobbio scholiast's comment on Cicero's *De consulatu suo* (165.7–9 St.: *nam de consulatu suo scripsit poetico metro: quae mihi videntur opera minus digna talis viri nomine*, 'he composed a versified poem on

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27 On this passage, see La Bua 2019, 254–255. In general, on Cicero's mockery of his adversaries' physical deficiencies, see Corbeill 1996, 14–56.

28 Cicero's language and his use of obscure or obsolete words allured readers and commentators, as it may be suggested by the collection of rare words and *singularia* compiled by the second-century scholar Statilius Maximus (see La Bua 2019, 139–147).

29 On this question and the relationship between the surviving scholia on Cicero and earlier exegesis, see now La Bua 2019, 162–182.

30 Interestingly, in the explanation of the narrative of the *Pro Milone*, a patent case of manipulation of truth, the commentator directly addresses his reader and invites him to examine the pattern of arguments used by Cicero in his defence of Milo (*Schol. Bob.* 120.2–3 St. on *Mil.* 24: *invenies ita narrari*).

his consulship; this work, however, gives me the impression of being unworthy of the fame of such a great man').[31] Here, echoing general criticism of Cicero's poetic activity, the commentator tacitly advises his students not to imitate and replicate Cicero's versification (a low-grade literature, unfavourably compared with his excellence in oratory). Second, the scholiast's stance on the controversy over the *Pro Marcello* as a 'figured' text, a covert attack on Caesar (*Schol. Gron.* 295.23–296.2 St.) may be noted. By reconsidering earlier interpretations and refusing an ironical reading of the speech (*plerique putant figuratam esse istam orationem et sic exponent, quasi plus vituperationis habeat quam laudis*, 'most think that this speech is 'figured' and explain it this way, as if the speech has more invective than praise'), the scholiast indirectly encourages his students to look at the text from a historical perspective.[32] By advocating a realistic, historically founded, reading of the praise of Caesar the scholiast teaches *how* to approach and evaluate a speech of Cicero, its ambiguity and apparent insincerity: in other words, he gives a lesson in textual exegesis and offers a portrait of Cicero's *persona* that seems in accord with the historical and political circumstances of the time. Moving from imitation to historical interpretation, the scholiast tries, more or less explicitly, to elicit an active involvement of his readers in the learning process.

To sum up so far, the scholiast's self-fashioning as the only trustworthy exegetical guide does not automatically result in a passive response or acquiescence from the student. As has been shown for Servius' commentary on Vergil, the shift from the first-person singular in the authorial preface to the first-person plural, recurrently used when commenting upon Vergilian lines, originates from an interactive act of knowledge and interpretation that anticipates the concurrent participation of the master-teacher, reader, and the work being commented upon.[33] It is an act that involves the reader's relative independence in the learning process. Cooperation between teacher and student requires a preliminary acceptance of the role played by the scholiast in interpreting the examined text. Yet, recognizing the crucial, if not pivotal, role of the commentator facilitates the transition from a passive to an active response to the issues and linguistic intricacies posed by the text. When implicitly requested to express his preference, accepting or refusing earlier interpretations, the reader incorporates himself into any particular tradition and approves of his teacher's exegetical choices. Like Jerome's *prudens lector*, the wise and expert reader puts

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31   Cf. also *Schol. Bob.* 144.24 St. on *Vat.* 8.
32   The passage of the scholiast is examined by Dugan 2013 (see also La Bua 2019, 209–214, and Margiotta in this volume).
33   Stok forthcoming.

his knowledge, shared with his teacher, in the service of a more reliable comprehension of the text he is reading and commenting upon.

4   Teaching and Imitating Cicero's Art of Advocacy

Imitation of Cicero's rhetorical tactic and language was the key to success and acquisition of a status of authority in Roman elite society. Teaching Cicero was thereby a means of showing what true oratory consists of and, above all, what a would-be orator should do to become a new 'Cicero'. Two points, in particular, attracted the commentators' attention and were reputed to be essential to the rhetorical formation. First, the composition of a good and effective—I would say, 'Ciceronian'—speech was necessary. As we have seen in the discussion of Quintilian's *praelectio*, the teacher was responsible for making the students sensible to the difficulties arising during delivery: by a perceptive reading and interpretation of the text-model, he should train his students in the successful handling of all rhetorical artifices. The *argumenta*, the explanatory proemial sections devoted to introducing the historical and rhetorical background of the speech, even to elucidating the *inscriptio* of the text (the title, as it happens in the *De aere alieno Milonis*, cf. *Schol. Bob.* 169.30 St.), contained subtle cues indicating how a speech should be arranged and composed to win the approbation of the audience, without deviating from rhetorical theory. A pertinent example is, in my opinion, the *argumentum* to the *Pro Archia* in the *Scholia Bobiensia* (175.1–20 St.). By attracting attention to Archias' literary doctrine and his outstanding cultural and moral qualities, Cicero shifts from the *status coniecturalis* to the *status qualitatis* and, in the absence of legal arguments, focuses on the *ethos* of the prosecuted, who is praised for his 'poetic skills and very pleasing learning' (*poetica facultas et doctrina iucundissima*). This is the only strategy at Cicero's disposal and the only strategy a good orator should use, when feeble or absent forensic argumentations impel him to follow a different line of defence. As James May has demonstrated, Cicero's art of verbal persuasion is founded on the presentation of the moral character of the speaker (and, accordingly, of his client).[34] So, the Bobbio scholiast not only offers his students suggestions about the best way of dealing with citizenship issues, but also implicitly restates the force of the eloquence of Ciceronian *ethos* and points to the importance of character portrayal in the rhetoric of advocacy.[35]

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34   May 1988.

35   In the comment on *Rosc.* 37 the Gronovian scholiast (306.1–5 St.) shows that the differ-

Second, dissimulation, a technique crucial to oratorical success, was used by Cicero on more than one occasion. The portrait of Cicero as a master of the art of *dissimulatio* is a common feature of the scholia. The comparison between Cicero and Sinon in the comment on the opening lines of the *Pro rege Deiotaro* (*Schol. Gron*. 299.1–7 St.) is eloquent concerning the notion of *ars dicendi* as a tool of deceit:

> TUM IN HAC CAUSA ITA ME ⟨M.⟩ PERTURBANT] amamus periclitantibus subvenire. hac arte dixit quemadmodum in Cornelianis et in Cluentiana. et dedit exemplum Virgilius. Sinon ⟨nisi⟩ miserabilem personam sumpsisset, et non haberet quemadmodum Troianis extorqueret misericordiam, quippe hostis. ut eius fallax audiretur oratio, finxit turbari: turbatus inquit inermis constitit. sic et modo Cicero, quia apud Caesarem de hoste Caesaris loquitur, finxit se moveri, ut eius audiatur oratio.

> THEN IN THIS CASE I AM SO PERTURBED BY MANY THINGS] We usually long to support those who are in danger. By means of this device Cicero pleaded in such a manner as he had spoken in the speeches on behalf of Cornelius and Cluentius. Vergil gave an example of this. If Sinon had not taken on a pitiable figure, he would not have had any possibility to induce the Trojans to clemency, as he was an enemy. He pretended to be perturbed so that they would listen to his false and deceitful speech: [Vergil] says: 'he stood anxious and unarmed'. Similarly, Cicero, for he spoke before Caesar on behalf of an enemy of Caesar, pretended to be perturbed, so that his speech could be paid attention to.

Relying on the technique of *insinuatio*, already used in the proemial sections of the *Pro Cornelio* and the *Pro Cluentio* (cf. Grill. 89.88–91 Jakobi; for the *Pro Cluentio* as an example of intentional oratorical deceit cf. Quint. *Inst.* 2.17.20–21), Cicero portrays himself as an afflicted, anxious, pleader manipulating feelings and eliciting compassion from the judge by means of deceitful and duplicitous language. The Vergilian counterpart, the mendacious Greek orator Sinon,

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ence between defence and accusation speeches, *defensiones* and *accusationes*, plays a role in the proper placement of the figures of amplification (*extollit magnitudinem criminis, ut* ⟨*fides*⟩ *derogetur … hoc in defensionibus recte facimus ante probationem, in accusationibus autem probato crimine debemus augere*, 'he exaggerates the gravity of the crime to reduce its credibility; the more things become bigger, the more they become incredible. We correctly do that in the defence speeches, before giving proofs: in the prosecution speeches, instead, we have to increase the seriousness of the crime, after demonstrating that it has been committed').

exemplifies the figure of the orator as a potential liar swaying the minds and souls of his listeners through emotional tactics and captivating words. From a pedagogical point of view, the note of the scholiast underscores the persuasive function of the art of *calliditas*, oratorical *astutia*, achieved through artifices of subtlety and deceit. The key verb *fingere*, 'to feign, simulate', is revealing of the essence of manipulative, effective oratory: the teacher tacitly invites his students to simulate fear and anxiety before speaking in public if they want to win benevolence from the audience.[36]

As we have said above, notes on Cicero's art of *simulatio/dissimulatio* are quite common in the scholia (cf. *Schol. Gron.* 287.15–16 St., on the tactic deployed in the *Fourth Catilinarian*). Flattery of the judges, misrepresentation and manipulation of the truth, tricky language, and denigration of the adversaries, attract interest from the scholiasts, engaged in making students familiar with the instruments of the art of persuasion. As Gotoff puts it, the speeches of Cicero served as "examples of the techniques for enchanting audiences, discomfiting opponents, changing minds and winning in argument and debate".[37] Within this scientific-didactic presentation of rhetorical strategies and forms of persuasion, it was Cicero's witticism and *argutia*, his unrivalled ability to destroy the credibility of his opponents by humour, that elicited most reactions from the scholiasts, who provide us with several positive comments on Cicero's irony and *mira urbanitas* ('remarkable turn of wit'). By means of linguistic mechanisms of recognition of Cicero's aggressive humour and verbal jokes (such as adverbs and fixed formulas: *summa cum festivitate*, *Schol. Bob.* 102.20–24 St.; *festivissime, Schol. Gron.* 292.6–8 St.) and, at the same time, by lingering over the political and moral force of humour (cf. *Schol. Bob.* 141.9–12 St., on Vatinius' tumour, *strumae*, and the medical metaphor of the state infected by Vatinius' illness), the scholiasts portray Cicero as a facetious orator, a joker passionate about puns and urbane irony.[38] In the note on *Planc.* 35 (*Schol. Bob.* 159.16–22 St.) the scholiast comments on Cicero's self-presentation as an 'urban speaker' and reminds his students of irony as a pervasive feature of the speeches against Verres:

> ad quod optinendum contra insimulationes inimicorum subnectit exemplum Cicero ipse de se: quem non ignoramus multum facetiis et urbanioribus dictis indulsisse, id quod locis pluribus in Verrinis orationibus

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potuimus adgnoscere. hoc ergo ait: quoniam soleo quaedam non ingrata festivitate secundum sales urbanitatis dicere, idcirco plerique huiusmodi omne quod dicitur, etiam si ab alio dictum sit, in me conferunt. quare nihil mirum est si quaedam falso etiam de Planci libertate iactentur.

In order to refute his opponents' allegations Cicero provided himself as example. We know well that Cicero was very fond for jokes and urbane sayings, something which we can easily observe and verify in the orations against Verres. For that reason, he said: since I am used to insert humorous words in my discourse, in line with the concept of urbane irony, there are many who ascribe to me anything that is said with humour, even if this has been said by others. So it is not surprising if some false allegations have been made concerning Plancius' freedom of speech.

Interestingly, Cicero exploits the allegations against his client, accused of speaking in injurious and vilifying words, to depict himself as a *cultor Latinitatis*, a learned man whose predilection for tongue-in-cheek humour is in fact an aspect of his cultivated, refined language. Viewed in didactic terms, the note outlines the way forward for the creation of the ideal orator, an educated man discrediting his adversaries and alluring audiences by means of proper and felicitous use of ironic language.

Cicero was reputed as a master of witticism and his humour was a topic for imitation in the schools.[39] Moreover, irony, as we know, played such an important role in the rhetorical formation. Scholiasts and later commentators looked at Cicero's art of wit as a relevant part of persuasion strategy. The numerous comments on Cicero's *jeu d'esprit* aim to stimulate students to replicate one of the most significant features of his style. Yet, Cicero's excessive use of jokes and ironic language was at the same time also a target of criticism (cf. Sen. *Contr.* 7.3.9; Quint. *Inst.* 6.3.2–5; 12.10.12; Tac. *Dial.* 23.1; Plu. *Cic.* 5.6; 27.1; *Comp. Dem. Cic.* 1.5; *Cat. Mi.* 21.5, on Cato's reply to Cicero). Cicero himself, paradoxically, warned against an incautious and unrestrained recourse to irony (Cic. *De orat.* 2.244–246). While encouraging students to imitate Cicero's humour, scholiasts and later commentators recommended moderation and restraint, virtues peculiar to the notion of *Latinitas*. 'Becoming Cicero' (to borrow the expression coined by Robert Kaster)[40] meant emulating the champion of irony and manipulative language without giving the appearance of violating the basic rules of good Latin.

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39   Corbeill 1996, 7.
40   Kaster 1998.

5   Conclusion

From a pedagogical perspective, the *scholia Ciceronis* represent a valuable piece of evidence for the reception of Cicero in the school curriculum in Late Antiquity. They offer precious indications of what comprised the teaching and learning of Cicero. Moreover, by showing features of Ciceronian style and illustrating Cicero's strategies of persuasion, the late commentators stimulated students to an act of 'creative imitation', a replication of themes and language of the model with an eye to *modus*, moderation, and a proper redeployment of rhetorical devices. This is particularly evident in the case of Cicero's use of mockery and irony, a powerful instrument of persuasion in the hands of talented speakers who are strongly advised not to exceed the limits of urban Latin. The student envisaged in the scholia is the 'active agent' of Quintilian's *Institutio*. He cooperates with his teacher in the process of acquisition of the rhetorical instruments, displayed in an urbane and elegant language. Becoming a 'new Cicero' required knowledge, critical intelligence, and an attentive and efficacious use of all the instruments that could make the orator into a 'good orator'.

Naturally enough, the different sets of scholia on Cicero we possess seem to be very different concerning the aims and involvement of the student/reader in the process of acquiring knowledge. Asconius Pedianus' commentary was conceivably aimed at instructing his sons about the historical and political circumstances of Cicero's speeches, although, as Thomas Keeline suggests, it was probably intended for a wider audience.[41] It avoids commenting on philological and rhetorical details and instead focuses on historical aspects; as Bishop has demonstrated, Asconius' approach finds a good precedent in Didymus Chalcenterus' commentaries on Demosthenes' *Philippics*.[42] Asconius' notes are largely dedicated to explaining controversial passages in Cicero's orations or solving problems for readers potentially unfamiliar with Roman history and Republican institutions. It is particularly significant that in the commentary we do not read first-person plural notes: the use of first-person singular ('I') is dominant and demonstrates that Asconius tends to reassert his exegetical authority and emphasizes his readers' quest for knowledge (e.g., *credo vos quaerere*, 14C; *quis his M. Piso fuerit credo vos ignorare*, 15C).[43] Quite different is the case of the

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41   See Keeline in this volume, p. 49.

42   Bishop 2015.

43   Cf. also Asc. *Sc.* 26.14–15C: *ne forte erretis et eundem hunc Cn. Dolabellam putetis esse in quem C. Caesaris orationes legitis, scire vos oportet ...* For Asconius' self-justifying assertion of exegetical inability (in the case of the use of *ac neque* in a passage of *Pro Scauro*)

Scholia Bobiensia and the *Scholia Gronoviana*. These are eminently rhetorical commentaries, the purpose of which was to promote linguistic and rhetorical knowledge. This explains, as we have seen, the higher level of cooperation between teacher and student, with the student not only requested to accept his teacher's authority but also to display critical skills and language competence, assisting his teacher in the interpretative process and redeploying those rhetorical and linguistic devices that could render a 'good' student into a 'new Cicero'.[44]

In a note on *Rosc.* 1 the Gronovian scholiast observes that the requirements for a good orator are *auctoritas*, 'prestige, dignity', and *eloquium*, 'ability in speaking' (302.11–14 St.: *duo sunt quae quaeruntur in oratore, auctoritas et eloquium. auctoritas ex nobilitate, eloquium ex doctrina. ut ait Virgilius: ex auctoritate 'tunc pietate gravem ac meritis'; ex eloquio 'ille regit dictis animos'* [*Aen.* 1.151; 153]; 'two things are, above all, required in a good orator, authority and ability to speak. The authority comes from nobility, the ability to speak from doctrine. As Vergil says: from authority, "a man honoured for noble character and service"; from speaking well, "with speech he sways their passion"'). The *vir bonus dicendi peritus* constructs his image by oratorical achievements and doctrine. The *scholia Ciceronis* teach how to appreciate and love Cicero and, above all, how to become a *vir bonus dicendi peritus* by means of a perceptive replication of Cicero's strategies of persuasion and elegant language. The reader actively participates in this teaching process. He reads, interprets, and comments upon the text with his teacher: imitation of Cicero is the direct consequence of this concerted interpretative action.

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cf. 24.9–13C: *quo autem casu acciderit quave ratione ut hoc loco Cicero hoc verbo ita usus sit, praesertim cum adiecerit illam appositionem, ut non intulerit postea alterum, neque perspicere potui et attendendum esse valde puto: moveor enim merita viri auctoritate …* Notably, on more than one occasion Asconius reminds his sons/readers of points already commented upon in order to stimulate—and reinforce—their historical 'memory' (e.g. *puto iam supra esse dictum …*, *Mil.* 53.13C; *puto vos reminisci, Corn.* 68.22C). For Asconius' readers as "engaged and knowledgeable readers, not aspiring practitioners, and Cicero's speeches as part of a shared cultural landscape rather than as tools to improve oratorical practice", see Steel 2022, 239.

44   Ps.-Asconius' commentary on the *Verrines* is largely dominated by the third-person singular ('he', sc. Cicero). Even in those notes devoted to rejecting earlier interpretations, the image of the commentator as textual 'authority' is practically absent.

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2

The Working Methods of Asconius

Thomas J. Keeline

1   Introduction

We know less about Q. Asconius Pedianus than we might like. At some point in the first century CE he wrote 'commentaries' on an indeterminate number of Cicero's speeches; preserved are his works on *Pro Cornelio* (I and II), *In toga candida*, *In Pisonem*, *Pro Scauro*, and *Pro Milone*. Beyond those few data we quickly pass into the realm of guesswork and conjecture, much of which has come to be uncritically accepted as fact. In this chapter I would like to discuss Asconius' working methods as a commentator—a subject all but universally neglected in pursuit of historical data about the late Republic and biographical data about Asconius himself[1]—but I will first need to dig through the accumulation of scholarly sediment *about* Asconius to get at the bedrock underneath. That will be the only secure foundation to build on.

I will thus begin by investigating some of the *fables convenues* that have sprung up around Asconius. Then I will turn to Asconius' text itself, examining his comments on the two Ciceronian speeches that are still (largely) extant, *In Pisonem* and *Pro Milone*.[2] What does he write annotations on, how does he write those annotations, and why does he choose particular points for comment? What does he omit, and why? These questions are fundamental to any attempt to understand Asconius or use his work, and in answering them, I hope to establish some of Asconius' principles and working methods. He emerges as a curious 'gentleman' scholar with a particular interest in names and places and dates, concerned above all to solve mysteries and problems found in Cicero's speeches. In conclusion I will try to use some of the principles that we have established to reflect on two of the perennial big questions about Asconius: for whom was he writing, and why? I suggest that Asconius was not writing with

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1 Partial exceptions, with a rather different approach from my own: Madvig 1828, 57–84; Chrustaljow 2020, 148–153.—All translations in this chapter are my own.

2 The extant orations provide a better basis to work from than the fragmentary speeches for which Asconius is the primary witness. But comments from elsewhere in the Asconian corpus are selectively incorporated where relevant.

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pedagogical purposes in mind, still less for his sons, but was instead a *scriptor historicus* who wrote about whatever piqued his curiosity.

2 Facts and 'Facts' about Asconius

Someone unfamiliar with Asconius might turn to an authoritative reference work like the *Oxford Classical Dictionary* for an introduction.[3] Such a person would find the following entry:[4]

> (AD 3–88: probable meaning of Jer. *Chron.* on 76, his death coming 12 years after the onset of blindness; the earliest reference to his activities may be Servius' remark (on *Ecl.* 4.11) that C. Asinius Gallus (d. AD 33) told Asconius that Virgil's fourth Eclogue was written in his honour); from Padua (Patavium) (*Livius noster* p. 77.4 Clark; also Quint. 1.7.24). It is not known whether he had a public career, although he was certainly familiar with senatorial practice (e.g. 43.27). His intimate knowledge of the city of Rome indicates that he spent many years there and possibly also composed his written work there. The only surviving work is part of a commentary (written AD 54–57) on Cicero's speeches, preserved in the order *Pis.*, *Scaur.*, *Mil.*, *Corn.*, *Tog. cand.*, and apparently much abbreviated. It is not known precisely how many speeches received such attention, but it was certainly a considerable number. This commentary was written for his two sons, in preparation for public life. The sources used include Cicero himself (some speeches now lost) and the invaluable *acta* for speeches after 59 BC. Although his reliability has occasionally been impugned (most notably by Marshall, 62–77), the consensus still regards him as a priceless resource, both for his chronological proximity to Cicero and for the variety of important sources accessible to him. Other works attributed to Asconius are: (1) *Vita Sallustii* (ps.-Acron on Hor. *Sat.* 1.2.41); (2) a work possibly entitled *De longaevorum laude* or *Symposium* (Pliny, *HN* 7. 159; *Suda*, entry under Ἀπίκιος); (3) *Contra Vergilii obtrectatores* (Donat. *Vit. Verg.* 191,

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3 Other introductions can be found in Madvig 1828, 3–23; Kiessling and Schoell 1875, v–xxi; *RE* s.v. Asconius 3 (II 2.1524–1527, G. Wissowa); Clark 1907, v–x; Marshall 1985, 1–77; Lewis 2006, xi–xxii; *BNP* s.v. Asconius (C. Kugelmeier); *FRHist* I 48–49 (E. Bispham and T. Cornell); Zetzel 2018, 258; Chrustaljow 2020; Santalucia 2022, 9–18; Ramsey forthcoming.

4 *OCD*[4] s.v. Asconius Pedianus, Quintus (P.K. Marshall). P[eter] K[enneth] Marshall, author of the *OCD* entry, is different from B[ruce] A[tkinson] Marshall, author of a historical commentary on Asconius (Marshall 1985). Although I shall pick at the details of the *OCD* entry in what follows, I should emphasize that I have the greatest respect for Peter Marshall as a scholar.

ed. C. Hardie, OCT). The manuscripts of the commentary on Cicero also contain a mainly grammatical work on *Verr.*, but this has been shown by Madvig to be a 5th-cent. compilation.

Let it be granted that the author of a three-hundred-word encyclopedia entry has to be ruthlessly selective and cannot present the evidence in its full complexity. Nevertheless, this entry creates a false impression of security. The naive reader will come away believing that we know rather more about Asconius than we actually do. And most readers will be understandably naive about Asconius: they are scholars of Cicero or something else who happen to be raiding Asconius for some tidbit of information, and so they look him up in a reference work for some basic background information, which they then simply accept as true. We will take a more critical look.

First, Asconius' dates: 3–88 CE may be in the right ballpark, but that range is based on tenuous evidence and looks much more definite than it really is. It relies entirely on a notice in Jerome's *Chronicle* for 76 CE, itself drawing on Suetonius' lost *De viris illustribus*, which states only:

> Q. Asconius Pedianus scriptor historicus clarus habetur, qui LXXIII aetatis suae anno captus luminibus duodecim postea annis in summo omnium honore consenescit.[5]

> Q. Asconius Pedianus is considered a famous historical writer. In his seventy-third year he went blind. He lived twelve further years in the highest esteem.

Many scholars have thought that this notice implies that Asconius *died* in 76 CE, and so must have been born around 9 BCE.[6] John Ramsey argues convincingly that such an interpretation is less likely,[7] but it should still strike us as unusual for Jerome to place Asconius in the year 76 CE because he *went blind* in that year. Indeed, *clarus habetur* is plainly a Suetonian formula intended to refer to a person's *floruit*, and so the most natural interpretation would be that 76 CE

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5 Hier. Chr. p. 188e Helm = Suet. fr. 79 Reifferscheid.

6 So e.g. *RE* II 2.1524; Clark 1907, vi; Squires 1990, vii; Lewis 2006, xi; *FRHist* I 48. *LXXIII aetatis suae anno* seems generally to be taken as '73 years old', hence a lifespan of 85 years and a birthday in 9 BCE, but the Latin strictly speaking ought to mean '72 years old', hence a lifespan of 84 years and a birthday in 8 BCE.

7 Ramsey forthcoming, observing that *clarus habetur* and *consenescit* are not used in Suetonian obituaries; see also Benario 1973, 64–65. It is not impossible that we should read *moritur* rather than *clarus habetur*; the opposite confusion may be found in Suet. fr. 7 Reifferscheid.

represented the peak of Asconius' fame and influence.[8] But Jerome's insertion of these figures into his *Chronicle* is quite arbitrary, because he was trying to weave incomplete information from Suetonius into the narrative of Eusebius' *Chronicle*, all while attempting to harmonize sacred history, Greek Olympiads, and the reigns of Roman emperors—and he was working feverishly fast and dictating to boot.[9] Pliny the Elder's *floruit*, for example, was placed in 109 CE, at least 30 years too late (and doubtless out of confusion with Pliny the Younger). We cannot give much credence to any specific year. Thus, even if the date in question *does* refer to Asconius' blindness, we cannot simply add to and subtract from 76 and arrive at a secure lifespan. At a minimum we need to write '*circa* AD 3–88', but the margin of uncertainty is itself uncertain, and we are probably better off simply dating him to the first century CE.[10]

Next, "from Padua". This should be qualified by 'probably'. The evidence cited is relatively weak: *Livius quoque noster* (Asc. 77.4C) need hardly imply that Asconius comes from the same town as Livy.[11] Indeed, *noster* in the sense of 'belonging to our nation' usually refers to Romans more generally (as opposed to, say, Greeks: *OLD* s.v. *noster* 7). The more natural interpretation is 'my friend Livy' (*OLD* s.v. *noster* 4). The passage from Quintilian might seem more suggestive, as Quintilian adduces Asconius as his authority for the claim that Livy wrote *sibe* and *quase* for *sibi* and *quasi* and says that Asconius used that orthography too (*"sibe" et "quase" scriptum in multorum libris est, sed an hoc voluerint auctores nescio: T. Livium ita his usum ex Pediano comperi, qui et ipse eum sequebatur*, Quint. *Inst.* 1.7.24). If such forms were a regional variant, then the shared orthography could indeed indicate that Asconius and Livy hailed from the same area—but J.N. Adams showed definitively that this orthograph-

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8   Cf. e.g., of 40 BCE, *Cornelius Nepos scriptor historicus clarus habetur* (p. 159d Helm = Suet. fr. 65 Reifferscheid). Of literary men the phrase is used of Livius Andronicus (Suet. fr. 5), Caecilius (fr. 10), Pacuvius (fr. 12), Accius (fr. 13), Pomponius (fr. 19), Philistio (author of mimes, fr. 44), M. Calidius (orator, fr. 55), Apollodorus of Pergamum (orator, fr. 56), Atratinus (orator, fr. 65), and Domitius Afer (fr. 72). See also Helm 1929, 84–85.

9   Cf. e.g. Jerome's prefatory plea: *obsecro ut, quidquid hoc tumultuarii operis est, amicorum, non iudicum animo relegatis, praesertim cum et notario, ut scitis, velocissime dictaverim* etc. (p. 2 Helm); further Helm 1929, 1–2, 93–96; Kaster 1995, li–lii.

10   Perhaps Asconius had died by the time Quintilian composed his *Institutio oratoria*, because he is there referred to with the imperfect *sequebatur* (1.7.24: quoted in-text below). One might also wonder whether the apparently chronological order of *scriptores historici* in Jerome's text—Sallust, Nepos, Livy, Fenestella, Asconius, Pliny the Elder— implies that Asconius died before Pliny, i.e. before 79 CE. Note that if Asconius was friends with Livy (see below), a birth year of ca. 3 CE seems improbably late, since Livy died in 17 CE.

11   *Pace* Kiessling and Schoell 1875, v, and others.

ical variant has nothing to do with Padua.[12] Nevertheless, Asconii are particularly well represented in inscriptions from Padua (*CIL* v 2820, 2829, 2848, 2899, 2937), and an intriguing passage in Silius Italicus links a literary 'Pedianus' with Padua, perhaps in homage to our Asconius (12.212–222).[13] Thus it is at least plausible that Asconius was from Padua, but again, we cannot say for sure.[14]

"It is not known whether he had a public career": rephrase as "there is no evidence that Asconius had a public career". Nor is there any particular reason to assume that he had.[15] Asconius' supposed 'familiarity' with senatorial practice is based on a single passage that in fact discusses only a rather basic procedural point (Asc. 43.27–45.6C); we will return to this passage later. But even if Asconius *had* evinced detailed knowledge of the Roman senate, that would hardly prove that he was a senator: Robert Caro could write with extraordinary precision and detail about American senatorial politics and procedure in the third volume of his Lyndon Johnson biography, *Master of the Senate*. But Robert Caro was no senator, just a careful researcher.

"The only surviving work is part of a commentary (written AD 54–57) on Cicero's speeches, preserved in the order *Pis.*, *Scaur.*, *Mil.*, *Corn.*, *Tog. cand.*, and apparently much abbreviated." Today we call what Asconius wrote a 'commentary', but in fact we have no idea what Asconius would have entitled these works himself. Yes, his work does consist of introductions to and lemmatized discussions of points of interest in Cicero's speeches, and so the label 'commentary' seems convenient. But it also carries with it certain expectations that might not be present if we instead thought of the works as, say, *De Ciceronis orationibus quaestiones selectae*. Perhaps our expectations of a 'commentary' are the reason that the *OCD* describes Asconius' works as "apparently much abbreviated". But besides their relative brevity, there appears to be no reason to think that the works of Asconius as we have them are incomplete, and one very compelling reason to think that they are intact: all of Asconius' abundant cross-

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12   Adams 2007, 149–152.

13   Silius Italicus is in fact Tiberius Catius *Asconius* Silius Italicus, leading Ramsey forthcoming to suggest a possible family tie (cf. Chrustaljow 2020, 139). Madvig 1828, 17–18 thinks Silius' verses refer to one of Asconius' sons; this is possible but unprovable (Marshall 1985, 26 finds it an attractive suggestion; Kiessling and Schoell 1875, v n. 1 do not).

14   For a note of doubt, see Lewis 2006, 195 (on Asc. *Pis.* 2.26–3.1C): "If indeed Asconius hailed from Patavium (Transpadane Gaul), it is odd that he should be so confused over the status of Placentia, about which the facts are to us tolerably clear."

15   *Pace* numerous scholars, e.g. *FRHist* I 48: "Asconius' familiarity with senatorial procedure suggests he may have been a senator himself."

references are traceable when the corresponding commentaries are extant.[16] Moreover, the general unity of style and tone is easily explicable as authorial; it would have required an extraordinarily diligent excerptor to maintain. Nevertheless, as we shall see, Asconius' 'commentaries' are quite different from works by both ancient and modern commentators; Asconius really may be more of an essayist, with his subjects suggested by Cicero's text.[17] Suetonius, for one, thought of him as a historian (*scriptor historicus*), placing him in *De historicis* in the company of Sallust, Nepos, Livy, Fenestella, and the Elder Pliny. Thus the modern label 'commentary' may not be altogether accurate or even helpful. I will use it here *faute de mieux*, but readers should bear the above cautions in mind.

How extensive was Asconius' work on Cicero? Again, we simply do not know. What is preserved are works treating Cicero's *In Pisonem*, *Pro Scauro*, *Pro Milone*, *Pro Cornelio* (I and II), and *In toga candida*. These commentaries, discovered by Poggio Bracciolini in a manuscript at St. Gall during the Council of Constance, are all that remains of what once must have been a much larger work.[18] On the basis of internal cross-references and external testimonia, we can deduce that Asconius wrote on at least thirty of Cicero's speeches.[19] Asconius' own comments and cross-references show that he must have arranged his work chronologically, beginning with Cicero's earliest speeches and continuing through his oratorical career.[20] Indeed, not only does Asconius seem to

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16   See further Marshall 1985, 21. (Special case: Asc. 53.13–14C, probably pointing not to a lost comment on *Pro Milone* but rather to *De aere alieno Milonis*.) On Asconius' cross-references, see n. 19 below.

17   It is not at all clear whether Asconius was looking to specific predecessors in producing such a work. We know of no previous commentary on Cicero, and Asconius never cites such a forerunner. Scholars have sometimes been tempted to point to Didymus' *On Demosthenes* as a comparandum (see e.g. Lewis 2006, xv; Bishop 2015, 291–292; La Bua 2019, 166–167; Chrustaljow 2020, 148), and this is not impossible, although the differences between the two works strike me just as much as their possible similarities. We should in any case bear in mind that the vast majority of ancient scholarly exegesis has disappeared in its original form, surviving only recycled and redacted and recombined in much later scholia; we simply do not know what Asconius might have been looking at. He seems likely to have been working in a tradition which has left little surviving evidence.

18   The details of the textual transmission are not yet entirely settled, but Welsh 2017 has convincingly revised the traditional tripartite stemma (as represented by Reeve 1983, 24–25).

19   For a collection and discussion of Asconius' cross-references, see Marshall 1985, 1–21. Marshall finds evidence of as many as 35 speeches treated; Ramsey forthcoming more cautiously says "roughly thirty".

20   The MSS of Asconius do not present the speeches in chronological order; a MS in the correct order *Corn*. 1–2, *Tog. Cand.*, *Pis.*, *Scaur.*, and *Mil.* may have have been split in two and rebound incorrectly as *Pis.*, *Scaur.*, *Mil.*, *Corn*. 1–2, *Tog. Cand.*

have arranged his work chronologically, he seems to have worked chronologically himself: there are no 'forward-pointing' cross-references, only references to chronologically earlier speeches that he had already discussed.[21] We thus have no evidence of any commentaries on speeches delivered after 52 BCE, the date of *Pro Milone*. But there is no particular reason to assume that Asconius simply stopped with *Pro Milone*. Indeed it seems more likely—although not certain—that he commented on all of Cicero's speeches that were available to him.[22]

And when was Asconius writing? Scholars tend to repeat "AD 54–57" with no further qualification or reflection.[23] But the evidence here is especially weak. We read at Asc. 27.4–5C, on Scaurus' house:

> possidet eam nunc Largus Caecina (*codd.* Longus Cicina *et sim., corr. Manutius et Lipsius*) qui consul fuit cum Claudio.

> Caecina Largus has possession of it [Scaurus' house] now. He was consul with Claudius.

The most radical skeptic would allow only that this sentence was written after 42, the year in which C. Caecina Largus—a conjecture, let it be noted, albeit a secure one—held the consulship with Claudius.[24] But as J.N. Madvig argued briefly, and Ramsey has demonstrated conclusively, the bare *Claudio* almost certainly implies that the emperor Claudius had died, and so we have a probable *terminus post quem* of 54.[25] Moreover, C. Caecina Largus is not recorded as

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21 Further Marshall 1985, 5, who also notes that there are four cross-references of a different sort, namely pointing backwards or forwards to another point *in the speech under discussion* (5.1–2C, 27.17C, 80.5–6C, 84.5C).

22 So Madvig 1828, 21–22; Chrustaljow 2020, 142; and (in a cautious formulation) Zetzel 2018, 67. This is a sensible conjecture because the selection that we have evidence for appears random: why *these* speeches?

23 So e.g. Lewis 2006, xii; *FRHist* I 48; Chrustaljow 2020, 141; Santalucia 2022, 13–14. Producing commentaries on more than thirty Ciceronian speeches in some four years is not impossible, but such a rate of production is extraordinary and perhaps unlikely; if we say that Asconius had been preparing and gathering materials for years beforehand (Marshall 1985, 29–30), then we are really saying that he had been working on his commentaries for years beforehand too.

24 D.C. 60.10.1; further *RE* s.v. *Caecina* 19.

25 Madvig 1828, 4; Ramsey 1975, 7–11. For *Claudio* rather than *divo Claudio* Ramsey compares Quint. *Inst.* 1.7.26, 8.5.16 and the fact that in Pliny the Elder, Claudius is mentioned 68 times but accorded the epithet *divus* only ten times. Such an omission may fit with Nero's attitude mentioned at Suet. *Claud.* 45.

being present at sacrifices of the Arval Brethren for Nero in October 57 or there-
after, whereas he had been at the sacrifices for both Caligula and Claudius.[26]
And so let it be granted further that Largus had probably died by October 57.
Still, why should we assume that Asconius knew that Largus had died? If Asco-
nius was not writing in Rome, he might not have been receiving news bulletins
on such things. More seriously, even if the implications of this sentence are
that it was written between 54 and 57, we cannot know whether even the com-
mentary on *Pro Scauro* as a whole was written in that range—and we can say
nothing at all about the date of composition for Asconius' other commentaries,
some twenty of which had presumably already been written before he turned
his hand to *Pro Scauro*. And preliminary reading and note-taking for such a
project could belong to a still earlier period. We can probably say little more
than 'mid-first century AD'.[27]

"This commentary was written for his two sons, in preparation for public
life." This claim is based entirely on Asc. 43.27–28C:

> quid sit dividere sententiam ut enarrandum sit vestra aetas, filii, facit.

> Your age, my sons (?), means that I need to explain what it means to
> "divide an opinion".

While Asconius regularly uses second-person plural pronouns and verbs, it is
only here in his extant work that he refers to his *filii*. Note that there is no reason
to assume, as the *OCD* seems to, that there are specifically two of them. Nor is
it completely certain that *filii* refers only to Asconius' *male* progeny; while the
cultural assumption seems reasonable, it is nonetheless an assumption, and
filii could encompass daughters as well (*OLD* s.v. *filius* 2). The *filii* are signifi-

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26   Marshall 1985, 28–29 (following Kiessling and Schoell 1875, x): see Henzen 1874, xliv, xlvi,
      xlvii, xlix, l, li (Caligula), liv, lv, lix (Claudius), lxiv (Nero). It is worth noting that usually
      only some of the Arvales were present at a given sacrifice, and so an absence need not be
      significant, but in October 57 the full college except Nero himself seems to have been in
      attendance (Henzen 1874, iii).

27   Asconius' dates have implications for other questions of Latin literary history. For exam-
      ple, Cicero's letters, esp. his letters to Atticus, are often assumed not to have been in general
      circulation when Asconius was writing (because he shows no direct knowledge of them),
      although they were apparently available and widely known by 63 CE, when Seneca the
      Younger can quote them and call them the basis for Atticus' fame (Sen. *Ep.* 21.4; 97.3–
      4; 118.1–2). For more on Asconius and Cicero's letters, see Shackleton Bailey 1965, 63–73;
      Setaioli 1976 (arguing for an earlier publication date); Marshall 1985, 47–50; Nicholson
      1998, 69; Ramsey 2021, 11.

cant, to be sure: we are doubtless right to surmise that, although a dedication is lacking in the extant text, they are the work's dedicatees. Such a dedication is entirely in line with Roman cultural practice.[28] But such a dedication does not necessarily mean that Asconius' *filii* are the work's primary intended audience; indeed, it seems obvious that a scholarly study covering dozens of Ciceronian speeches was always destined for a wider readership than Asconius' immediate family.[29] And there is no reason at all to assume that it is designed to prepare Asconius' *filii*, or anyone else for that matter, for a career in public life.[30] We will return in conclusion to the details of Asconius' comment on *divisio*, but even this comment touches only briefly on senatorial procedure, and the vast majority of Asconius' notes have nothing to do with contemporary public life at all; they are about the lost world of the late Roman Republic as it surfaces in Cicero's speeches. Asconius' commentaries as we have them would be spectacularly poor preparation for a senatorial career; this cannot have been his goal in writing them.

We can continue to pick at the *OCD* article. For example, is Asconius really so valuable for his "chronological proximity to Cicero"? If he is writing in the mid-first century CE, not only had he never seen Cicero himself, he probably could not talk to anyone who had. What makes him so valuable is his access to sources and his judicious and meticulous use of those sources. I will say nothing about the supposed *Vita Sallustii* and *De longaevorum laude*, which are attributed to Asconius on the most exiguous evidence, because the point has been sufficiently made. In almost every sentence of the *OCD* entry for Asconius we meet with statements of 'fact' that are at best statements of opinion. But these opinions, enshrined in handbooks and then cited by other scholars with confidence and authority, have by their repetition hardened into established doctrine. It is time to return to the only really secure evidence that we have, Asconius' own text, to see what we can deduce from it about how he worked.

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28 For father-son dedications in Latin literature, see LeMoine 1991 with further references and discussion. No known professional scholar dedicates a work to his sons; such a dedication is a sign of the amateur man of letters: Kaster 1988, 66–68. Aulus Gellius is an interesting point of comparison, writing notionally for his children (Gel. pr. 1) with a similar 'gentlemanly' approach, although he was writing at a time when professional scholars were becoming more important bearers of literary culture, and so his choice of form may have been significant and polemical. When Asconius was writing, by contrast, the 'amateur' approach was standard: further Zetzel 2018, 64–77.

29 *Contra* Marshall 1985, 32–38.

30 Again, *pace* numerous scholars, e.g. Squires 1990: viii or *FRHist* I 48: "addressed to his two sons in order to prepare them for a senatorial career" (perhaps relying on the *OCD*; cf. "*two sons*"). Asconius' mention of his children's age need imply only that they are too young to know about this point.

3   The Format and Scope of Asconius' Extant Work

Asconius' extant commentaries have a consistent format. Each begins with
a statement of the date when the Ciceronian speech under study was deliv-
ered, often given to the day and bolstered with evidence when necessary (e.g.
1.1–2.3C, 30.1–2C). There follows an *argumentum*, i.e. a general summary of
the relevant circumstances of the speech. These vary greatly in length and
detail, with that of *Pro Milone* being by far the longest (30.7–42.4C). After this
begins the lemmatized commentary proper, which Asconius calls *enarratio*
(e.g. 2.11C, 42.5C). Asconius assumes that his readers have a text of the requisite
speech in front of them—he takes care to specify the approximate location
of the relevant passages within the speech (e.g. 2.21C *circa vers. lxxx*, 'around
line 80')—but he also quotes his lemmata in lengthy chunks.[31] A reader tol-
erably familiar with the speech would not have much need to find the actual
passage in their own book roll; indeed, Asconius sometimes even specifies the
context so that the reader does not have to check (with brief pointers before
the actual lemmata, e.g. *de avo Pisonis materno* [4.2C] or *dicit de Castoris tem-
plo* [9.12C], both of which observations are superfluous for someone actually
reading the speech). Thus Asconius does not assume that readers are reading
through Cicero's speeches with his book at their side; rather, they are reading
his book and may from time to time consult the speeches. The lemmata pro-
ceed in the expected order through the end of the speech, at which point Asco-
nius appends a separate series of concluding remarks (except for *Pis.*: there
could be no neat conclusion to an invective speech). For trials he gives the out-
come, including the jurors' vote totals (e.g. 53.17–22C); in the case of *In toga
candida* he records the result of the consular elections (94.3–6C). Throughout
Asconius makes liberal use of cross-references, showing that his collection of
commentaries was designed to be read together.[32]

One of the most obvious features of Asconius' commentaries, as we shall
see, is their selectivity. For *Pro Milone*, for example, he provides only 21 lem-
mata, referring to just 19 of the 105 modern paragraphs of the speech. (Similarly
Pis.: 24 lemmata to the extant speech, which comprises 99 sections in modern
numeration, and five to the fragments.) By contrast, the *Scholia Bobiensia*—
where they are preserved—say something about almost every section of *Pro
Milone*. Thus while the remains of the *Scholia Bobiensia* on *Pro Milone*, lacking
some 55 manuscript pages, occupy 14 printed pages in T. Stangl's edition, the

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31   On citation practices in Asconius, see Zetzel 2018, 127–128.
32   On Asconius' cross-references, see n. 19 above.

lemmatized portion of Asconius' intact work on *Pro Milone* covers just nine pages. Asconius is parsimonious. He excludes certain categories of potential annotations: he does not treat Cicero's rhetoric or word choice. He avoids citing parallel passages and omits Greek entirely. There is no textual criticism.[33] Many of these exclusions are immediately understandable: Cicero's speeches had been in circulation for only about a century, and they were written in a Latin that was easily understandable by native speakers, i.e., by Asconius and his audience. Thus there was no need for the kind of textual scholarship that the Alexandrians had to perform on the text of Homer, nor was there much call to gloss or paraphrase the Latin itself. The omission of comments on rhetoric, however, is striking; for authors like Quintilian and the Bobbio scholiast, studying Cicero's rhetorical technique is very nearly the entire point of reading Cicero's speeches.[34] Not so for Asconius.

Asconius' commentaries are often classified as 'historical'. In a sense that is true; he was indeed a *scriptor historicus*. But Asconius in fact comments on very few historical points in his lemmatized commentary, because he writes relatively few notes. Asconius generally eschews notes on the obvious, and he usually does not simply paraphrase Cicero's own text. What he seems drawn to above all are mysteries and problems where he can offer a solution. Similarly, he is keen to correct the errors of earlier scholarship and, where possible, to justify or vindicate Cicero. These problems are, it is true, usually historical, but more particularly they tend to be chronological and prosopographical. We should now look at some of Asconius' comments in detail.

4   Asconius on *In Pisonem*: a Typology

Asconius' notes on *Pis.* can be grouped into several broad categories.

4.1   *Dating*
Asconius begins all his commentaries by dating the speech under consideration. In the case of *Pis.*, this discussion requires an intervention in a scholarly controversy: Asconius (correctly) places the speech in 55 BCE, and in so doing

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33   The one exception is in the service of resolving a historical problem: 76.13–77.8C; thus Asconius is willing to use textual criticism, but only as a tool in pursuit of his other aims.

34   Asconius may have intended his work to complement the study of Cicero in the rhetorical schools. This would explain the focus on the speeches and the neglect of rhetoric (a topic already treated by the *rhetores*): Keeline 2018, 29–30.

he disagrees with a predecessor who had dated the speech to 54.[35] He argues the point at some length (1.1–2.3C). But he then dispenses with the *argumentum* to the speech in just a few sentences (2.4–10C) and gets down to lemmatized commentary.

4.2   *Prosopography*

Of Asconius' 28 lemmatized notes on *In Pisonem*, fully 20 treat prosopography.[36] They are usually provoked by some allusion in Cicero's text that Asconius wants to clarify. So when Cicero says that he was 'prevented by a tribune of the plebs' (*Pis.* 6) from saying what he had wanted to say upon leaving office as consul, Asconius explains that the tribune was Q. Metellus Nepos, cross-referencing an earlier comment on this point (6.15–17C). Asconius similarly explicates the phrase *a Catilinae praevaricatore quondam* (*Pis.* 23) with a cross-reference to an earlier comment in which he had pointed out that Clodius had unsuccessfully prosecuted Catiline *de repetundis* (9.17–18C). So too when Cicero makes mention of the triumphs of both the present consuls' fathers (*patres horum amborum consulum qui triumpharant*, *Pis.* 58), Asconius reiterates that the speech was delivered in the consulship of Pompey and Crassus, explaining that Pompey's father triumphed in the Italic War and Crassus' father had earlier triumphed over the Spaniards (14.10–13C).

When someone is referred to obliquely, Asconius likes to make the allusion explicit: *profecto intellegitis P. Clodium significari* ('of course you understand that P. Clodius is meant', 9.10C); *profecto Cn. Pompeium significari intellegitis* ('of course you understand that Cn. Pompeius is meant', 11.7C); *confido vos intellegere L. Paulum significari qui …* ('I'm sure you understand that L. Paulus is meant, who …', 12.1C); *Philodemum significat qui fuit Epicureus illa aetate nobilissimus* ('he means Philodemus, who was the most renowned Epicurean of that time', 16.12–13C); *manifestum est P. Clodium significari* ('it's obvious that P. Clodius is meant', 16.22C). So too when Cicero quotes without attribution a line from Accius, Asconius points to the poet and the *personae* of the play: *prope notius est quam ut indicandum sit hunc versum esse L. Acci poetae et dici a Thyeste Atreo* ('it's almost too well known to be worth pointing out that this

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35   The MSS have a lacuna of four or five spaces where the predecessor would have been named; for discussion of possible supplements, see Marshall 1985, 82–83. But for the apparent length of the gap, Fenestella would be an attractive conjecture; on Fenestella and Asconius, see below.

36   2.17–20C, 4.8–14C, 5.1–11C, 6.15–17C, 7.9–26C, 8.12–9.2C, 9.10C, 9.17–18C, 9.22–23C, 10.19–22C, 11.7C, 11.14–18C, 12.1–6C, 12.11–21C, 14.10–13C, 14.19–15.6C, 15.13–21C, 16.12–13C, 16.17–18C, 16.22C.

is a verse of the poet L. Accius and is spoken by Thyestes to Atreus', 16.17–18C).
Sometimes, however, his approach is different, suggesting that he thinks his
audience probably will need some help in understanding a reference: so e.g.
fortasse quaeratis quem dicat Marcellum ('you might perhaps ask which Mar-
cellus he's talking about', 12.11C); *credo vos quaerere et quis hic Cotta et quis
ille collega Crassi fuerit* ('I suspect you'll ask both who this Cotta was and who
that colleague of Crassus was', 14.19–20C); *quis hic M. Piso fuerit credo vos igno-
rare* ('I suspect you don't know who this M. Piso was', 15.13C). And sometimes
even the diligence of an Asconius is frustrated: *cuius tribuni nomen adhuc non
inveni* ('the tribune's name I still haven't discovered', 7.26C); *socrus Pisonis quae
fuerit invenire non potui* ('I couldn't discover who the mother-in-law of Piso was',
10.19C).

In these 20 prosopographical notes Asconius does sometimes venture fur-
ther afield to treat related topics, but he seems to write these comments pri-
marily to explain who people were.[37] This is not to say that he set out to
write a prosopographical commentary; it seems more likely that he set out to
solve problems posed by Cicero's text, which included especially explaining
unknowns. For a man writing in the first century CE, persons of the late Repub-
lic simply represented a large category of potential unknowns.

4.3   *Other Historical Allusions*

Asconius' explanations of other historical allusions in *Pis.* seem to follow simi-
lar principles. There are four of them.[38] At *Pis.* 65 Cicero refers to *post hominum
memoriam apparatissimi magnificentissimique ludi* ('the most magnificently
lavish games in human history'). Asconius clarifies that the games were Pom-
pey's of 55 BCE: *Cn. Pompeii ludos significat quibus theatrum a se factum dedi-
cavit* (16.4–6C). At *Pis.* 94 Cicero mentions a 'law concerning the courts' (*lege
iudiciaria*); Asconius explains that the law in question is Pompey's reform of the
earlier *lex Aurelia* governing jury selection (17.4–10C). At *Pis.* 95 Cicero adduces
the example of L. Opimius, who was exiled although he had freed the Repub-
lic from the gravest dangers in both his praetorship and his consulship (*qui
praetor et consul maximis rem publicam periculis liberarat*[39]). Asconius spec-
ifies the dangers: in his praetorship (125) Opimius had taken Fregellae, and

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37   Cf. Pieper, p. 194 in this volume, who reads the prosopographical comments as a part of
      Asconius' broader historiographical mindset.

38   10.4–9C, 16.4–6C, 17.4–10C, 17.17–22.

39   Asconius's lemma here is inaccurate (*qui post praeturam et consul maximis periculis rem
      publicam liberarat*, 17.12–14C). Variant readings in Asconius' lemmata are not usually to be
      trusted as witnesses to Cicero's text (and, given the content of Asconius' note, his text of

in his consulship (121) he suppressed C. Gracchus (17.17–22C). The fourth explanation is slightly different: at *Pis*. 24 Cicero had said that 'even the Seplasia repudiated you [= Piso] when it first caught sight of you, despite the fact that you were a Campanian consul [i.e. a *duumvir* of Capua]'. The mention of *Seplasia* provokes Asconius to explain, with a cross-reference to his commentary on *Agr*. 2, that the *Seplasia* is a square in Capua where perfume sellers hawked their wares. He then summarizes: 'so even those who were conducting their business in that square were unhappy to see Piso when he arrived at Capua' (10.4–9C). Obscure names and places in and of themselves usually do not cause Asconius to write notes, whereas a reference to an unnamed person very well might, but in this case Asconius seems to feel that the allusion to the merchants in the street is indirect and obscure enough to require some elucidation.

4.4   *Problems and Solutions, or, Defense of Cicero*

Asconius' last category of comments on *Pis*. is different but related. He has four notes dedicated to solving 'problems' in Cicero's text, i.e. to resolving apparent inconsistencies or errors of fact in order to 'save' Cicero.[40] You might say that he is here following in the very traditional genre of ζητήματα and λύσεις, or you might just figure that such notes are the kind of thing that a scholar would naturally end up writing independent of any predecessors.[41] So Asconius is greatly vexed about why Cicero refers to Placentia as a *municipium* (*Pis*. fr. 10 Nisbet); he believes that it is a *colonia* instead: *magnopere me haesitare confiteor quid sit qua re Cicero Placentiam municipium esse dicat* (2.26–3.23C). He then writes a page-long note detailing the history of Placentia from its founding as a *colonia* on 31 May 218 BCE (note again Asconius' concern with precise dates) through its participation in efforts to recall Cicero from exile, citing annalistic sources. The solution to this apparent problem is actually quite simple: all Latin *coloniae* south of the Po became *municipia* in 90 BCE under a *lex Iulia*.[42] But what probably confused Asconius is the fact that Placentia *later* became a *colonia* again, and so was a *colonia* in Asconius' own lifetime. He is still troubled by this issue in his next note on Piso's grandfather (4.8–14C), and it is a problem that he is simply unable to solve.

Cicero here clearly had *praetor*, not *post praeturam*). Cf. section 5 below, however, on the textual problem at *Mil*. 46 and Asc. 49.11–17C.

40   2.26–3.23C, 4.8–14C, 5.16–6.8C, 13.4–14.3C. Cf. Pieper, pp. 206–210 in this volume for further discussion of Asconius and the Bobbio scholiast dealing with Cicero's perceived shortcomings.

41   On "problems and solutions" as an ancient scholarly subgenre, see Schironi 2018, 535–539; earlier *RE* XIII 2.2511–2529 (s.v. λύσεις, A. Gudeman).

42   See Marshall 1985, 85–86; Lewis 2006, 195–196.

Elsewhere Asconius is more successful in vindicating Cicero from potentially hostile critics, whether real or imagined. At *Pis.* 4 Cicero refers to C. Rabirius' killing of Saturninus in 100 BCE as having occurred '40 years before my consulship' (*xxxx anni ante me consulem*). Of course Cicero was consul in 63 BCE, and so in fact this event had happened 37 years earlier. Asconius says: *possit aliquis credere errare Ciceronem* ('someone could think that Cicero's making a mistake', 5.16C),[43] but he explains that Cicero is simply giving an approximate reckoning, not an exact date, and he cites a Ciceronian parallel for such round numbers in one of the *Catilinarian* speeches (6.3–8C). One wonders whether it is only Asconius himself, with his passion for getting the chronological details just right, who would be troubled by this sort of rounding 'error'.

Similarly, when Cicero claims that he was the first person for whom a house was built at public expense (*Pis.* 52), Asconius sounds a note of caution, claiming that Cicero here perhaps spoke with oratorical license and not with strict regard for historical truth (*hoc Cicero oratorio more, non historico, videtur posuisse*, 13.4C). He goes on to adduce a variety of instances in which houses had been built with public funds for well deserving citizens, citing a panoply of sources (Valerius Antias, Iulius Hyginus quoting Varro, Atticus, and Varro). Asconius concludes that perhaps what Cicero means is that he is the only one whose house was demolished and rebuilt at public expense—the others were given a site or a new house which had not previously belonged to them. In his commentary, R.G.M. Nisbet seems to endorse this suggestion ("Cicero's house was the only one which had been *rebuilt* with public money"[44]), and perhaps it is the right explanation—it is in any case Asconius' preferred solution—but I personally have the sense that Asconius' initial gesture to 'oratorical license' is more likely to be correct. In any case, Asconius' interest in justifying Cicero's problematic assertions is clear.

5 Asconius on *Pro Milone*: a Typology

Essentially the same typology holds for Asconius' 21 comments on *Pro Milone*.

5.1 *Dating*

Asconius begins, as always, by giving the date on which the speech was delivered, 8 April 52 BCE (30.1–2C).[45] There follows an extensive *argumentum*

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43   *errare* is a conjecture to fill a lacuna, but the sense is certain.

44   Nisbet 1961, 114.

45   For the problems posed by the chronology of Milo's trial, see Keeline 2021, 15 n. 70 and 336.

(30.7–42.4C), in which chronology is again a major concern (e.g. 31.12–15C, on the date when Milo set out for Lanuvium).

5.2   *Prosopography*

Nine of the 21 notes are prosopographical.[46] Typical is the comment on *Mil.* 12, where Cicero refers to *huius ambusti tribuni plebis*: Asconius explains that the reference is to T. Munatius Plancus Bursa (42.16–25C). At 43.29–45.6C Asconius identifies Cicero's *nescio quo* (*Mil.* 14) as Q. Fufius [sc. Calenus], noting that he had excavated this information from the *Acta*. He identifies the subject of Cicero's *et aspexit me* (*Mil.* 33) as Sextus Cloelius (46.10–12C; admittedly pretty clear from the context, but Asconius goes on to explicate why Cloelius is the *lumen curiae*, and this is the real mystery being solved here). At *Mil.* 45 Cicero mentions a *contio* summoned 'by a hired tribune of the plebs' (*ab ... mercennario tribuno plebis*); Asconius says that there were two *contiones* that day, one called by C. Sallustius and one by Q. Pompeius, but he thinks that Cicero meant Pompeius: *sed videtur mihi Q. Pompeium significare* (49.8–9C).[47] Similarly at *Mil.* 47 Cicero had referred vaguely to certain slanderers; Asconius identifies them: *Q. Pompeius Rufus et C. Sallustius tribuni fuerunt quos significat* ('Q. Pompeius Rufus and C. Sallustius were the tribunes whom he means', 49.24–25C). Again the pattern is clear: in each note Asconius is concerned to solve a minor mystery of identification.

This clear pattern may help us solve a textual problem at *Mil.* 46. Cicero is discussing C. Causinius Schola, a key witness for the prosecution. One side of the manuscript tradition includes the phrase *cuius iam pridem testimonio Clodius eadem hora Interamnae fuerat et Romae*, 'according to whose testimony given some years ago, Clodius had been at Interamna and Rome at the same time'—i.e., a biting reference to Clodius' alibi in the Bona Dea scandal a decade before, where the same Causinius had been the key witness. The other branch

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46　42.9–11C, 42.16–25C, 43.29–45.6C, 45.22–46.6C, 46.10–12C, 49.5–10C, 49.14–17C, 49.24–50.2C, 52.11–15C. Given the small sample sizes, the differing proportions allotted to prosopography in Asconius' notes on *Pis.* (71%) and *Mil.* (43%) may not be significant, but they may point to differences in the underlying speeches: *Pis.* may simply have had more unknown names. And *Mil.* may have required more historical comment (52% vs. 19%; see below).

47　Asconius uses *videtur ... significare* as a kind of formula here and elsewhere to signal to readers that he is speculating. This implies that when Asconius does *not* employ such a qualification, he feels certain about his information, either because he considers it obvious or because found it an earlier source (but this is probably an observation of a tendency rather than an absolute 'law').

of the tradition, however, appears to omit the phrase,[48] nor is it found in Asconius' lemma at 49.11–13C. Asconius, however, goes on to explain that 'this was the Causinius at whose house in Interamna Clodius claimed that he'd stayed on the night when he was caught in Caesar's house, when the Vestal Virgins were performing secret rites there on behalf of the Roman people' (Asc. 49.14–17C). Since, as we have seen, Asconius does not just paraphrase Cicero's words, his text of Cicero's speech must not have included this clause.[49] There is thus a second and independent piece of evidence in favor of deleting the phrase from Cicero's text, no matter how attractive it may be in context.[50]

5.3 *Other Historical Allusions*

Another 11 of the 21 notes on *Pro Milone* explain historical allusions, often with particular reference to chronology and/or prosopography.[51] We can look at an interrelated series of notes. At *Mil.* 37 Cicero makes vague mention of a metaphorical dagger that had been leveled at him by Clodius; Asconius explains that this refers to Clodius' driving Cicero into exile (46.17–20C, with reference to chronology). He goes on to explain Cicero's subsequent statement that this same dagger 'lay in ambush for Pompey', discussing an apparent attempt on Pompey's life orchestrated by Clodius (46.20–47.9C, with detailed discussion of both dates and names), as well as how the dagger stained the Appian Way with blood (47.12–26C, again with precise numerical and prosopographical details). Finally, when Cicero describes how that dagger was later turned against him again and how he nearly died at Clodius' hands near the Regia, Asconius admits that he cannot be certain of the incident in question, but he conjectures that it is to be identified with a fight the previous year between the partisans of Milo and Hypsaeus, one of Milo's rivals for the consulship (48.4–16C, yet another note on names and dates). These notes all fit with the pattern of Asconius solving—or trying to solve—mysteries posed by allusive references in Cicero's text. Other examples are cast in the same mold.

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48 I write 'appears' to omit because of a technical peculiarity in the transmission of *Pro Milone*: while H (London, British Library, Harley 2682) lacks the phrase, we cannot necessarily determine the reading of the (lost) vetus Cluniacensis from the silence of Vᶜ (Paris, Bibl. nat., Lat. 14749) here: for the details of the textual transmission, see Keeline 2021, 44–49 and esp. n. 173.

49 I.e., this cannot just be a case where a later copyist of Asconius has adjusted Asconius' lemma to fit the text of Cicero's speech.

50 *Contra* Keeline 2021, 230, q.v. for further discussion.

51 43.3–18C, 45.11–19C, 46.17–47.9C, 47.12–26C, 48.4–15C, 48.18–27C, 50.12–17C, 50.22–52.6C, 52.18–21C, 52.25–53.4C, 53.16–16.

5.4   *Problems and Solutions, or, Defense of Cicero*

Pro Milone did not seem to offer Asconius as many opportunities to resolve inconsistencies and so defend Cicero from criticism. Nevertheless, the delivered speech was a notorious failure, and Asconius may implicitly defend Cicero's performance by acknowledging but minimizing his difficulties: 'he spoke without his usual constancy' (*non ea qua solitus erat constantia dixit*, 42.1–2C).[52] Furthermore, he claims that the revised *Pro Milone* is Cicero's best speech (*scripsit vero hanc quam legimus ita perfecte ut iure prima haberi possit*, 42.3–4). This sounds a bit like a defense to an attack that is never explicitly formulated.

In the lemmatized commentary itself, there are perhaps one or two further instances of Asconius defending Cicero; I have classified these with the historical allusions above. At 48.4–15C, when discussing the question of when Cicero had nearly been done in by Clodius' dagger, Asconius says that although he cannot find when the incident happened, 'Nevertheless, I cannot be brought to think that Cicero lied here, especially since he added "as you know" (*ut scitis*)'. As we have seen, he goes on to identify a suitable incident anyway. So here he perhaps defends Cicero against the charge of fabricating this incident.

In the following note (48.18–27C), Asconius confesses that he has been unable to determine when the praetor L. Caecilius Rufus' house was placed under siege (*Mil.* 38). Still, he cites from Tiro a lawcourt case that may be relevant to the incident (48.18–27C). This, however, is probably not a 'problem' in Cicero requiring a defense from Asconius; it is simply a historical allusion that Asconius cannot identify.

It may be worth mentioning that Asconius *refrains* from correcting Cicero when he might have done so. In the *argumentum* he places the encounter between Milo and Clodius at the ninth hour (31.17C), evidently following the prosecution's account (Quint. *Inst.* 6.3.49), not Cicero's (*hora undecima aut non multo secus*, *Mil.* 29; cf. *Schol. Bob. Mil.* 120.12–14 St., where a particular interest is shown in the plausibility produced by the phrase *non multo secus*). Moreover, he notes in his *argumentum* that the fight between Clodius and Milo broke out by chance (*forte illa rixa fuerat*, 41.16C; cf. 41.19–20C), but he never takes Cicero to task for his claim—the very foundation of his speech—that Clodius had intentionally set an ambush for Milo. Indeed, Asconius' whole story of the 'battle of Bovillae' bears no resemblance to Cicero's version of events (31.12–32.17C). But the implications of these discrepancies Asconius passes over in

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52   On the ineffectiveness of Cicero's delivered speech and the later tradition surrounding his fear and failure, see Keeline 2021, 16.

discreet and deliberate silence. Asconius sometimes seems to operate on two levels: in the *argumentum*, as a historian, he offers an account of the facts as background, whereas in the lemmatized material he takes it as his brief simply to explicate what Cicero wrote.

5.5   *Topography*

We have not yet seen a comment on topography, but at Asc. 50.7–9C we find a description of the *monumentum Basili* on the Appian Way near Rome, which is said to be a spot quite infamous for robberies (*locus latrociniis ... perquam infamis*). This is mentioned in connection with Cicero's discussion of where Milo should have staged an ambush for Clodius, if that had been his plan (*Mil.* 49). Asconius' note clarifies where Milo might have found such a place, and so fits the general pattern of Asconius' identifying otherwise vague allusions.[53]

5.6   *Concluding Comments*

At the end of his lemmatized comments on *Mil.*, Asconius describes the outcome of Milo's trial and a variety of subsequent trials held in this connection and/or under Pompey's laws (53.17–56.5C).

6   Asconius' Principles

We can extract some of Asconius' working principles from the comments and typology above.

Principle 1   Solve mysteries.

Corollary: Don't just point out the obvious or paraphrase Cicero's text. If a name is already given, even if it is obscure, it probably does not merit a note. (Thus vast amounts of what is found in a Servius or a modern commentary on Cicero is excluded.)

Principle 2   Cicero is authoritative and right. Defend him and his text wherever possible.[54]

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53   Comments on topography are nevertheless relatively rare: Lewis 2006, xx–xxii.

54   A common enough principle in commentaries: see Keeline 2013; Schironi 2018, 736–737. For some remarkable instances of Asconius' defending Cicero, cf. 69.19–70.25C on *oratoriae calliditatis ius*; 76.21–77.8C on a mistake attributed to scribes rather than Cicero; and perhaps 24.1–20C on *ac neque* (if genuine: cf. Madvig 1828, 78–81): Asconius prefers to point to his own deficiencies rather than admit that Cicero, a man of unimpeachable authority (*merita viri auctoritate*), has done something wrong. Bishop 2015, 289, 293–294 has argued that Asconius was writing to try to rehabilitate Cicero in the face of first-century CE criticism. I am skeptical that Cicero's reputation had gone into a decline (cf.

Corollary: many others may be wrong, especially, as we will see, Fenestella.

Principle 3   Get the details right, names and dates above all. These are a central Asconian concern.[55]

Principle 4   Cite sources, often in detail.[56]

Principle 5   Be selective. We have already seen that Asconius does not comment on rhetoric and word choice and textual criticism; nor does he belabor the obvious. But he also does not try to solve every mystery.[57]

7   How Did Asconius Work?

Beyond the principles above, we can also engage in some measured speculation. First, while Asconius cites a wide array of sources, he seems to have a special relationship with Fenestella.[58] Fenestella is mentioned in four of Asconius' surviving commentaries, five times in total (5.8–9C, 31.12–15C, 66.22–24C, 85.13–20C, 86.16–16C). Only the *Acta* are cited more often, but almost always in connection with *Pro Milone* (five of the six times they are cited; Asconius read through all the *Acta* for this period: 44.9–10C).[59] And Asconius is very often in disagreement with Fenestella; indeed, we happen to know of an instance

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Keeline 2018, 6 n. 18), but if his reputation as a stylist *was* under attack, a commentary that eschews stylistic comment would not have been a very effective defense (further Chrustaljow 2020, 143–145; Ramsey forthcoming).

55   Even outside of Cicero: Asconius identifies the child of the fourth *Eclogue* as Gallus (Serv. auct. ad *Ecl.* 4.11); at *Ecl.* 3.105 he may have thought *spatium caeli* pointed to one Caelius of Mantua (Philargyrius, *Explanationes in Verg. Bucolica*, p. 70.4–9 Thilo-Hagen—problematic for various reasons); and he claims that Vergil was 28 when he published the *Eclogues* ([Probus], *Commentarius in Verg. Bucolica*, p. 329.5–7 Thilo-Hagen).

56   For comprehensive treatment of Asconius' sources, see Marshall 1985, 39–61.

57   To pick an example at random, at *Pis.* 88 we meet the phrase *per tuum servolum ordines adsignatos* ('ranks assigned by your flunky'). Who is this *servolus*? Nisbet 1961, 158 comments, "an official on Piso's staff". Asconius says nothing, either because he was not interested or because it was a problem that he could not hope to solve ("an official on Piso's staff" is not the sort of note that Asconius would write—it amounts to paraphrase of the text).

58   On Asconius and Fenestella, see Marshall 1980; Marshall 1985, 53–55; and Ramsey 2021, 11–15; further affinities discussed in Ramsey forthcoming.

59   The *Acta* are cited at Asc. 19.4C, 31.13–14C, 44.9–10C, 44.12–13C, 47.1C, and 49.7C. They were only available as a source for speeches delivered after 59 BCE, when they were instituted (Suet. *Iul.* 20.1), and presumably less relevant to *Pis.* in any case; on the *Acta* see White 1997 with discussion and references.

even outside of the extant commentaries where he controverts Fenestella on the date of *S. Rosc.* (Gel. 15.28.4). Fenestella was a historian in Asconius' mold, concerned in his *Annales* not only with Cicero's era but also with the details of dates and the like and with citing his sources—very unusual for an ancient historian.[60] Moreover, Fenestella's work was fairly recent and so perhaps available or otherwise authoritative.[61] Indeed, at 66.22–24C Fenestella is placed on the same level as Livy and Sallust (the *Historiae*); Livy is cited only once elsewhere (77.4–5C), Sallust nowhere else. Given the evidence, it seems likely—although this is unprovable—that Asconius relied on Fenestella for a basic narrative history of late Republican history, mentioning him by name only on points of contention. Perhaps he even had a copy of Fenestella close at hand as he wrote his own work.

Conversely, it seems unlikely that Asconius could have kept with him all the other sources whom he cites. Doubtless he sometimes worked from memory, but he seems more likely to have excerpted relevant passages as he read them for his research.[62] As a commentator might do today, Asconius would have read a Ciceronian speech, identified possible targets for notes, and then gone and read 'for' them. So, for example, at 66.19–67.5C we can see that Asconius wants to explain some of Cotta's laws, and he has checked (and found nothing relevant) in Sallust, Livy, and Fenestella. This procedure also accounts for Asconius' six uses of forms of *invenire* (3.17C, 7.26C, 10.19C, 48.2C, 53.16C, 92.3C): he consults sources to try to find solutions to particular problems. He did not simply keep all of these details in his head (or filing cabinet), ready to produce them on demand. He may also have revised, or planned to revise, after further research, since he sometimes refers to problems that he has not 'yet' solved (7.26C, 48.22–23C, 92.2–3C).

Finally, while we do not know how long Asconius took to write his commentaries, we can be sure that he worked much more quickly than a typical modern commentator. Since he was writing commentary on thirty or more Ciceronian speeches—and proceeding chronologically through the corpus—he could only have spent months, not years, on any individual oration.

If Asconius was trying to work quickly and was forced either to rely on his memory or to laboriously consult the voluminous writings of his predecessors to find the information necessary for his notes, these limitations will have

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60   Caesar gives only two precise dates in *Gal.* (1.6.4, 1.7.6) and two more in *Civ.* (1.5.4, 3.6.1); the practice of Livy and Sallust is similar. (I owe much of these observations concerning Fenestella to John Ramsey.)

61   On Fenestella's life and works, see *FRHist* vol. 1, 489–496.

62   Cf. the famous practice of the Elder Pliny (Plin. *Ep.* 3.5.10).

guided what he chose to comment on. He wanted to solve mysteries, but in general he only attacked such problems as he could solve or could hope to solve. Given these constraints, it is frankly amazing that Asconius managed to be as diligent as he is.

8   Asconius' Curiosity

Perhaps Asconius' diligence is owed to his curiosity. Within the limitations that he imposed on his commentaries, he seems to have been insatiably curious. He reads and reads and reads in order to solve problems, and he is able to admit when he cannot solve them (or cannot solve them yet: 7.26C, 48.22–23C, 92.2–3C; simply unsolved: 10.19–22C, 48.4–5C, 53.15–16C). And while his notes take their impetus from some specific point to be explained, they do not limit themselves just to that point. Indeed, in one passage in the *argumentum* of *Pro Milone*, he says: 'even though Cicero made no mention of these charges, nevertheless, because I'd investigated them, I thought that the results of my investigation should be put on record' (*haec, etsi nullam de his criminibus mentionem fecit Cicero, tamen, qui ita compereram, putavi exponenda*, 37.16–17C). So Asconius is not just a scholar; he is an especially curious scholar, and this curiosity seems likely to be a driving motivation behind his work.

9   Conclusions: Asconius' Aims and Audience

All commentators make choices and impose limitations on their work, whether consciously or not.[63] Asconius seems to have adopted a relatively consistent and principled approach to his inclusions and exclusions. Above all he likes to solve puzzles, not paraphrase or point out the obvious—and of course what was obvious and what was puzzling could have been very different for a mid-first-century Roman than it is for us today.

We might now return to the question of Asconius' audience and his purpose in writing these commentaries.[64] He seems to address his children, but

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[63]   For modern discussions of commentary theory and practice, see the essays in Most 1999; Gibson and Kraus 2002; Kraus and Stray 2016; and scattered chapters elsewhere (e.g. Gibson 2021).

[64]   Much-discussed questions: see Chrustaljow 2020, 142–148 with further references. Many have thought Asconius' goals were pedagogical: see e.g. Marshall 1985, 32–38; Keeline 2018, 16–17, 29–30; La Bua 2019, 190–193; Chrustaljow 2020, 153 ("sein Hauptziel war fast

it seems overwhelmingly clear that a work of this much time and effort was not intended for just a family audience. The address to the *filii* is, as we have seen, merely conventional. But was he pitching his comments at their level, i.e. writing for the studious youth? Some of the notes, like that on senate procedure (43.27–45.6C) might seem to point in this direction. Indeed, the solving of mysteries might seem especially suited to meeting the needs of curious young readers who would have difficulty figuring out the solutions for themselves. But Asconius also wrote on a massive number of speeches, and not just the ones that were popular in the school curriculum. It is hard to envision, especially given the realities of ancient book production, that schoolchildren would have actually been reading these commentaries at length themselves.

That leaves at least two possibilities (and perhaps more!). One is that Asconius is really writing for teachers, so that they can better teach these texts to students like Asconius' *filii*. Another is that Asconius is simply writing what he wants to. He is no professional scholar—this is indicated by the fact that he dedicates his work to his *filii*[65]—but an amateur in the full etymological sense of the word, with all the attendant virtues and vices. He is a *scriptor historicus*, and the best point of comparison is perhaps not other commentators, but rather Pliny the Elder, a man pursuing knowledge for its (or his?) own sake. The lengthy *argumentum* to *Pro Milone*, where Asconius even acknowledges that he cannot resist mentioning something not strictly relevant to the speech (37.16–17C), is an excellent case in point.

And let us return to the famous passage 'on senate procedure', examining it in full:

> quid sit dividere sententiam ut enarrandum sit vestra aetas, filii, facit.
>
> cum aliquis in dicenda sententia duas pluresve res complectitur, si non omnes eae probantur, postulatur ut dividatur, id est de rebus singulis referatur. forsitan nunc hoc quoque velitis scire qui fuerit qui id postulaverit. quod non fere adicitur: non enim ei qui hoc postulat oratione longa utendum ac ne consurgendum quidem utique est; multi enim sedentes hoc unum verbum pronuntiant "divide": quod cum auditum est, liberum ⟨est⟩ ei qui facit relationem dividere. sed ego, ut curiosius aetati[66] vestrae satisfaciam, Acta etiam totius illius temporis persecutus

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unbezweifelbar pädagogisch"); Santalucia 2022, 14–15.

65   See n. 28 above.

66   In the corrigenda to their edition, Kiessling and Schoell 1875, xlii appear to accept Franz Bücheler's emendation *curiositati vestrae* for *curiosius aetati vestrae*, as does John Ramsey in his forthcoming edition. But the transmitted reading is more likely to be correct:

sum; in quibus cognovi pridie Kal. Mart. S.C. esse factum, P. Clodii caedem et incendium curiae et oppugnationem aedium M'.[67] Lepidi contra rem p. factam; ultra relatum ⟨in⟩ Actis illo die nihil; postero die, id est Kal. Mart., ⟨T.⟩ Munatium in contione exposuisse populo quae pridie acta erant in senatu: in qua contione haec dixit ad verbum. "Cum Hortensius dixisset ut extra ordinem quaereretur apud quaesitorem; existimaret futurum ut, cum pusillum dedisset dulcedinis, largiter acerbitatis devorarent: adversus hominem ingeniosum nostro ingenio usi sumus; invenimus Fufium, qui diceret 'Divide'; reliquae parti sententiae ego et Sallustius intercessimus." haec contio, ut puto, explicat et quid senatus decernere voluerit, et quis divisionem postulaverit, et quis intercesserit et cur. illud vos meminisse non dubito per Q. Fufium illo quoque tempore quo de incesto P. Clodii actum est factum ne a senatu asperius decerneretur.[68]

Your youth, my sons (?), means that I must explain what it means to divide a proposal. When someone in moving a proposal includes two or more issues, if they are not all approved of, there is a call for a division, that is, to consider each issue individually. Perhaps you'd now also like to know who it was who called for the division in this case, but this generally has not been added to the record. For the man who calls for a division does not have to make a long speech and doesn't even have to stand up; many people while seated just say this one word, "divide," and when that word is heard, the man who introduced the motion is free to make a division. But I, in order to more diligently/inquisitively (*curiosius*) satisfy your youth, scrutinized the *Acta* too for this entire period. From these I learned that on the day before the Kalends of March a *senatus consultum* was decreed, to the effect that the killing of P. Clodius and the burning of the Curia and the attack of M'. Lepidus' house were acts against the interests of

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aetati vestrae picks up on the initial *vestra aetas*, and it picks up on it at the right rhetorical moment, i.e., right after explaining *divisio*. To paraphrase the whole note: '*vestra aetas* is the reason I'm writing this note about *divisio* … [explanation of *divisio*] … Now I've explained *divisio*. But in order to satisfy *vestra aetas* more diligently etc.' *curiositati*, on the other hand, would refer to something otherwise unmentioned. Moreover, the word is attested only once elsewhere before Apuleius, in a letter of Cicero where it may be a humorous nonce-word (*Att.* 2.12.2); it is not a word that Asconius is likely to have used. But even if *curiositati vestrae* is right, it would simply be a rhetorical pose: Asconius is clearly satisfying *his own* curiosity here, not that of his children.

67   The MSS of Asconius (and Cicero) transmit *M.* (Marcus), not *M'.* (Manius): on the correction see Keeline 2021, 120.

68   Asc. *Mil.* 43.27–45.6C.

the republic. Nothing further was related in the Acta for that day. On the following day, i.e. the Kalends of March, it is reported that T. Munatius described to the people in a *contio* what had been done in the senate the day before. In this *contio* he used these words: "When Hortensius had recommended that the matter be given expedited treatment before an examining magistrate [*quaesitor*], thinking that, since he'd given them [i.e. the senators] a taste of sweetness, they would swallow a large dose of bitterness, against this clever man we made use of our own cleverness. We produced Fufius to call for a division. Sallust and I interposed our veto against the remainder of the proposal." This contio, I think, explains both what the senate intended to decree, and who called for the division, and who interposed their veto and why. I'm sure that you remember that at that time too when the senate was considering P. Clodius' *incestum* it was through Q. Fufius that it was brought about that nothing on the harsh side was decreed.

Scholars who talk about Asconius' audience invariably refer to this passage, because it is the only one in which Asconius explicitly addresses his *filii*. And on the surface it does look as if he is writing for such youths: they supposedly need to have senate procedure explained to them, and so they must be young enough not to know it, and they might be thought to need to know it in order to prepare themselves for a senatorial career. Fair enough—except for two things. First, knowledge of the senatorial procedure here is absolutely essential to understand Cicero's speech; it need have nothing to do with fitting young men for a senatorial career. Much more importantly, this note is not really about senate procedure at all. The parliamentary business is disposed of in a single brief sentence at the beginning.

The real point of this note is prosopographical: 'Perhaps', Asconius says, 'you would like to know who it was who called for the division'. The rest—and overwhelming majority—of Asconius' long note treats this question, solving the mystery of Cicero's *nescio quo*. Asconius describes his painstaking research, which, he claims, he conducted quite carefully and/or inquisitively (*curiosius*) in order to satisfy their youthful question. This is obviously a pose. He delights in his investigation and in reporting his own diligence ('but I [emphatic *ego*] read through the *Acta* too [emphatic *etiam*, i.e. not just Cicero's speech] for the whole of this period'), and he establishes the exact date on which T. Munatius Plancus held a *contio* speech, whose exact words he cites, all in order to extract the single name 'Fufius'. Despite how clearly he seems to be addressing his children in this passage, this note has very little to do with the needs of a teenage audience.

Because Asconius does often address his audience, and because he seems to adopt an almost bantering tone with them, it is easy to believe that he really is concerned about some specific readership.[69] But this rhetoric might just as well be a genial and elegant cloak for his underlying scholarship, a bit of Asconian honey on the cup. I suspect that we are expecting too much of Asconius—or perhaps restricting him too much—if we think that he had a clear and consistent audience in mind for his work. Modern scholars, too, often write for themselves, or for some imagined audience fashioned in their own image and likeness that probably does not really exist. We too are often driven by our curiosity and follow our interests wherever they may lead with whatever diligence we can muster. Asconius was a curious and diligent amateur scholar, and perhaps what he really wanted to do was to share his investigations and put his findings on record so that they would not die with him. And we can be thankful that he did.[70]

Abbreviations

BNP   Cancik, H., Scheider, H., et al. (2002–2014). *Brill's New Pauly. Encyclopedia of the Ancient World*. Leiden.
CIL   (1863–). *Corpus Inscriptionum Latinarum*. Berlin.
FRHist Cornell, T.J. (2013). *The Fragments of the Roman Historians*. (3 vols). Oxford.
OCD[4] Hornblower, S., Spawforth, A., and Eidenow, E. (2012). *Oxford Classical Dictionary*. 4th ed. Oxford.
OLD   Glare, P.G. (1982). *Oxford Latin Dictionary*. Oxford.
RE   Pauly, A., Wissowa, G., et al. (1894–1980). *Realencyclopädie der classischen Altertumswissenschaft*. Stuttgart.

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69   So Zetzel 2018, 67.
70   I am grateful to Dennis Pausch and Christoph Pieper for organizing the "Ancient Scholia on Cicero's Speeches" workshop and for their deft and diplomatic editorial work in bringing this volume to publication. I am also grateful to the other participants in the workshop for lively discussion and suggestions, as well as to the anonymous referee for further thoughts. Last but certainly not least, I thank James Zetzel for advice on particular points, Andrew Dyck for reading and commenting on this chapter, and John Ramsey for letting me read portions of his Asconius commentary in advance of publication, for his reading and commenting on the present chapter, and for a stimulating and ongoing conversation about all things Asconian.

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3

Cicero in Egypt: The Ciceronian Papyri and the Teaching of Latin in the East

Fernanda Maffei

1　　　Introduction

Commentaries and scholia from Antiquity and Late Antiquity, which are the main focus of this volume, cast light on Cicero, specifically concerning his wide-ranging circulation as a *scholasticus auctor*.[1] But apart from those transmitted in medieval or humanistic manuscripts, other 'material' sources survive in this respect: palimpsests,[2] which also bear scholia, and papyri.

In this paper, I will offer a survey of the papyri of Cicero, with the aim of highlighting their place in the educational environment of the Eastern part of the Roman Empire, especially during Late Antiquity. Firstly, I will present a table of all the witnesses to give a general view of the documents and their main features: date, book form and material, work, and typology. Secondly, I will discuss selected items, focusing on their features that, in my opinion, can be related to an educational context. Finally, I will draw conclusions from the examined evidence concerning the spread of Cicero in Egypt and about his use in a didactic context, as well as making a general comparison with the contemporary educational path in the West.

Among the more than 1500 Latin papyri extant[3] according to my personal research in Trismegistos,[4] there are 231 literary texts. Within this small number, as pointed out by Ammirati,[5] we find mainly juridical and subliterary texts, but very few witnesses from classical authors. Concerning the dating, there are 60 Latin literary texts from Egypt in the period between the first and the third

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1　A deep investigation about the presence of Cicero in the Roman education has been carried out by La Bua 2019.—All translations in this chapter are my own, unless otherwise indicated.

2　The group of *Scholia Bobiensia* is transmitted by two palimpsests: Ambr. E 147 sup. and Vat. Lat. 5750, cf. Zetzel 2018, 258. Generally about Ciceronian palimpsests, see Lo Monaco 2012.

3　Cf. Scappaticcio 2019, 625.

4　https://www.trismegistos.org/index.php

5　Ammirati 2015b, 12.
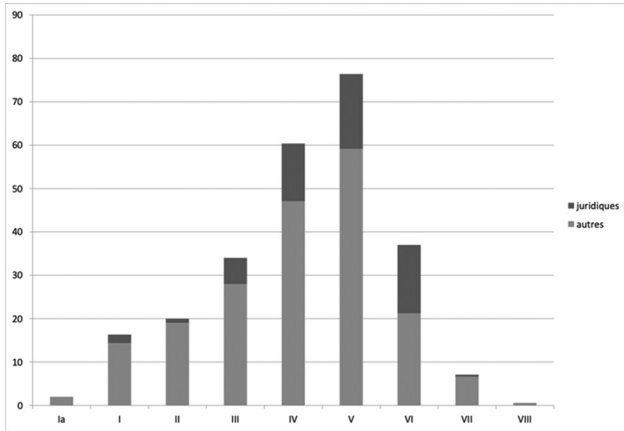
FIGURE 1   Chronological distribution of Latin papyri and percent-
            age of juridical texts

century CE, while there are 177 dated between the fourth and the sixth century
CE. Ciceronian papyri reflect this chronological distribution to an even larger
extent: only one papyrus survives that was written between the first and the
third centuries, whereas the other 11 can be dated to the fourth to the sixth
centuries. To make this point clearer, I give here a table by Jean-Luc Fournet,[6]
representing the spread of Latin literary papyri in Egypt, with a focus on the
number of juridical texts in each century.

It is relevant that, with a few exceptions, the papyri featuring Latin classical
authors correspond to the so-called *Quadriga Messii*, a canon of four authors
who ought to be studied as mentioned by Cassiodorus:[7] 37 documents con-
tain excerpts from Vergil,[8] 12 from Cicero, seven from Sallust,[9] and two from
Terence,[10] thereby making it easy to assume that they probably belong to an
educational environment.[11]

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6   Fournet 2019, 86.
7   Cf. Cassiod. *Inst.* 1.15.7: *regulas igitur elocutionum Latinorum, id est quadrigam Messii, om-
     nimodis non sequaris, ubi tamen priscorum codicum auctoritate convinceris; expedit enim
     interdum praetermittere humanarum formulas dictionum, et divini magis eloquii custodire
     mensuram.* See also Zetzel 2018, pp. 281–282.
8   For a general overview of the survey of Vergil from the East, see Scappaticcio 2013; see also
     Fressura 2017 concerning the bilingual glossaries.
9   Cf. Funari 2008.
10   About P. Oxy. 24.2401, see Nocchi Macedo 2018; about P. Vindob. Inv. L 103, see Danese
     1990.
11   The influence of the *quadriga* in the Ps.-Asconius commentary is also treated by Bishop
     in this volume, p. 166.

TABLE 1 Overview of the papyri

Papyrus	Date	Bookform and material	Work	Typology
P. Iand. V 90 *recto*	I	Papyrus roll	*In Verrem* 2.2.3–4	Text with reading marks
P. Monts. Roca inv. 129–149 + P. Duke inv 798	IV^{ex}	Papyrus codex	*In Catilinam* 1.6–9, 13–33; 2	Within a miscellaneous codex
P. Mil. Vogl. 1190	IV–V	Parchment codex	*In Verrem* 2.5.39–41	Columnar text
P. Vindob. G 30885 a+e + P. Vindob. L17	IV–V	Papyrus codex	*In Catilinam* 1.16–18, 15 (sic!) 19–20 + 1.14–15 + 27	Bilingual glossary
P. Vindob. L127	V	Papyrus codex	*In Catilinam* 3.15–16	Bilingual glossary
PSI Congr. 21.2	V	Papyrus codex	*In Catilinam* 1.10–11	Bilingual glossary
P. Ryl. Gr. I 61	V	Papyrus codex	*In Catilinam* 2.14–15	Bilingual glossary
P. Ryl. Gr. 3 477	V	Papyrus codex	*Divinatio in Caecilium* 33–37, 44–46	Annotated in Greek and Latin
P. Oxy. VIII 1097 + P. Oxy. X 1251 + P. Köln. I 49	V	Papyrus codex	*De imperio Cn. Pompei* 60–65, 70–71; *In Verrem* 2.1.1–9, 2.2, 3, 12; *Pro Caelio* 26–55	Anthology of Cicero's speeches
P. Berol. Inv. 13299 a–b	V	Parchment codex	*Pro Plancio* 27–28, 46–47	
P. Cair. Inv. S.R. 3732	V	Parchment codex	*In Catilinam* 1.3–4	
PSI I 20	V^{ex}–VI^{in}	Papyrus codex	*In Verrem* 2.1.60–61, 62–63	

The reason for the increasing number of literary and subliterary Latin papyri (such as grammars, alphabets, glossaries, writing exercises) must be sought in the diffusion of Latin in the Eastern part of the Empire. Two events were crucial in this respect. First, the *Constitutio Antoniniana* (212 CE) granted Roman citizenship to all inhabitants of the Empire of free status (apart from *peregrini dediticii*),[12] thus encouraging the study of Latin and the spread of Roman law.[13] Secondly, the reforms promoted by Diocletian (284–305 CE) led to a high level of bureaucratization of the Empire. In fact, people working in prefectures, dioceses, and provinces had to become well acquainted with both Roman law and the Latin language. It seems that Diocletian intended to promote the knowledge of Latin in the East, which was considered a factor of cohesion between the two parts of the Empire.[14]

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12   See Rochette 1997, 107; Internullo 2012; 31; Signes Codoñer 2019, 151.

13   The first evidence of a school of Roman law in the East, in Beirut, dates back to 239 CE.

14   Cf. Gaebel 1969–1970, 293–296 and Rochette 1997, 167–174; for the role of Diocletian in the spread of the Latin language, see Rochette 1997, 117.

Among the papyri listed in the table above, I have selected the items which are immediately related to an educational environment due to their palaeographic and bibliological features. Specifically, I chose to analyze the texts with reading marks (*apices*, *I longae*, *virgulae*), the texts with annotation (this typology is the closest to the scholia themselves), anthologies, and bilingual glossaries. The other papyri should be considered private copies, written according to the interests of the reader, and thus are less relevant to our purpose. I will proceed by treating the papyri in chronological order.

2   P. Iand. v. 90[15]

The first item is the oldest direct witness to the *Verrines* and the most ancient Latin book from the Eastern Empire which bears a text also known from medieval tradition; on the *recto*[16] it contains eight lines from *Ver.* 2.2.3–4. The right and upper margins are preserved; the right one seems to have been cut, perhaps in order to reuse the roll.[17] In fact, the papyrus is rewritten on the *verso*,[18] *transversa charta*, shortly afterwards.

Even if the papyrus had been purchased on the antiquarian market, which makes it impossible to establish its provenance reliably, in my opinion it is reasonable to believe that P. Iand. was written in the Western part of the Empire and then brought to Egypt, possibly by some member of the entourage of the *Praefectus Egypti*. This is suggested by its immediate reuse, leading us to assume that it was no longer considered useful or necessary. This fits the context of Egypt in the first century when Latin did not yet have the status of an official language, making it difficult to explain the presence of an educational tool linked to Latin declamation at this time.

The papyrus can be dated on palaeographical grounds to the Julio-Claudian age,[19] almost contemporaneous with Asconius, the first commentator on Cicero.[20] The papyrus is particularly interesting owing to the presence of various punctuation and reading marks. The *interpunctio*, the Roman practice of

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15   TM 59462, LDAB 561, MP³ 2920; the last edition is Kuhlman 1994.

16   About *recto* and *verso*, see Turner 1994.

17   Cf. Ballaira 1993, 83 with further bibliography and Fioretti 2016, 3. Ballaira suggested that the right side could have been perfectly cut by the antiquarian seller, in order to give the papyrus a better appearance.

18   ChLA XI 492, a list of slaves.

19   Cavallo 2008, 146.

20   About his working method, see Keeline in this volume.

middle dots to separate the words,[21] is used regularly, with a dot sometimes also found at the end of the line (3, 4, 5).

At line 3 we find a 'K' that is higher than the other letters, followed by a middle dot; it has been assumed that it is the abbreviated form of *kaput*, based on the grammarians.[22] According to the *ThLL*, the word has different meanings regarding written documents:[23] a note; the main point of a discussion; a part of a law; a philosophical *dogma*; or a *status* in rhetorical matters. In my opinion, the meaning which best fits the 'K' in the papyrus is "capitulum, particula scripti"[24] because it is placed where a paragraph begins in the modern editions, that is, there is a marked pause in the text. It is also noteworthy that Ps.-Asconius (214.6 St.) says *in primo capite Verrinarum*, referring to the first paragraph of the *Divinatio*: it may be that the *Verrinae* were indeed divided in *capita* already in Antiquity, though not necessarily by Cicero.[25] Among Latin papyri, the only similar case of the use of 'K' can be found in PSI II 142,[26] a paraphrase in hexameters of *Aeneid* 1.473–477[27] from the fifth century; the verses are written continuously as in prose, but they are separated from each other by a 'K', larger than the other letters.

Further punctuation marks can be found at lines 4, 5, and 8: slanting strokes mark a weak pause and correspond to commas in modern editions. This mark belongs, furthermore, to other papyri dated to the same time span: BGU II 611,[28] the *oratio in senatu habita* by Emperor Claudius about the justice reform, and P. Herc. 1067,[29] the *Historiae ab initio bellorum civilium* by Seneca the Elder.

In addition, the papyrus presents *I longae* and *apices*. The former is the use of a higher 'I' than other letters and can be found at line 1, *signIs monumentIsque*, at line 2 *laetarI*,[30] and at line 3 *victI*. They mark, of course, the quantity of the

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21 This feature is characteristic of the most ancient Latin documents and books, cf. Ammirati 2015a, 32–33 and Nocchi Macedo 2017, 203 n. 2. Two examples are P. Qasr Ibrim 78-3-1, the so-called Gallus-papyrus (on which see below), and P. Vindob. Inv. L 135, an acknowledgement of debts.

22 Cf. *ThLL*. s.v. caput III.384.77.

23 Ibid. III.423.7.

24 Ibid. III.424.81.

25 It has to be noted that Cicero himself uses the word *caput* to indicate a portion of text, as in Ammirati 2015b, 13–14.

26 TM 62965, LDAB 4157, MP³ 2942.

27 About this papyrus, see Ballaira 1996.

28 https://papyri.info/ddbdp/bgu;2;611/?q=identifier:66432; the stroke can be found e.g. at Col. III l. 18.

29 https://www.trismegistos.org/text/66487.

30 About this term, see below.

vowel. It is possible to find *I longae* also in P. Herc. 1067 (e.g. Cr.1 pz. 1 sovr. 4[31]) and in BGU II 611 (Col. II l. 1), as well as in some inscriptions belonging to the same century.[32]

In addition, the *apices*,[33] slanting strokes placed above long vowels, do not have the function of an accent, but they sometimes naturally fit, for instance in words where the accented vowel is also the only long vowel.[34] In P. Iand., we find apices four times: l.1: *urbés*; l. 2 *laetárI*; l. 3: *dénique*; and l. 6 *manú*. There is no agreement among scholars about the correct position of the *apex* upon *laetarI*: it is actually placed upon the letter 'r'. On the one hand, Sprey[35] believes that the correct diction is *laetarÍ*, even if the 'i' is oblong,[36] while on the other hand, Seider[37] supposes that the *apex* belongs to the letter 'a' in *laetári*, followed by Ballaira.[38] In my opinion, a comparison with P. Herc. 1067 and BGU II 611, both mentioned above, is useful in solving this question, since they are prose works and belong to the same century. As Piano has noted about the Hercula-neum papyrus,[39] *apices* are commonly slightly shifted to the right of the letter they should be upon: for instance, Cr. 1, pz. I sovr. 4.[40] The same happens in the second document, for instance at Col. I. l. 2. Furthermore, in P. Herc. 1067, Cr. I, pz. I, sovr. 4 the word *notárI* has at the same time the *apex*, slightly shifted upon the R and the *I longa*: it is a perfect parallel of *laetárI*, since they are the same verb form. Based on these comparisons, I agree with Seider and Ballaira who consider an *apex* upon an *I longa* redundant.

According to the suggestion of Joseph Farrell, another relevant comparison to understand the nature itself of P. Iand. V 90 is the so-called 'Gallus-papyrus'.[41] The two papyri, in fact, are the most ancient Latin literary papyri from Egypt; both papyrus rolls have *interpunctio*.[42] However, they differ in many respects:

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31   I am quoting the text referring to the numeration given by Piano 2017 in her edition.

32   A detailed table of comparison among some evidence can be found in Marichal 1988, 60–61.

33   Cf. Quint. *Inst.* 1.7.2–3.

34   Cf. Rolfe 1922, p. 88.

35   Sprey 1931, 210.

36   Although the photo I analyzed is of a very good resolution, it does not seem to me that the 'I' is oblong, but I yet intend to examine this papyrus in person.

37   Seider 1978.

38   Ballaira 1996, 86.

39   Piano 2017, 186.

40   See n. 29.

41   https://www.trismegistos.org/text/59474. The suggestion was made during the discussion portion of the conference.

42   Cf. Anderson/Parsons and Nisbet 1979, 131; about the *interpunctio*, see n. 21.

Gallus' papyrus bears elegiac distiches and its script is an elegant capital, while P. Iand. bears a prose text written in a majuscule with some cursive elements and some letters present slanting strokes exaggerated in length (e.g. q, r, k). Moreover, the Gallus-papyrus has no reading marks like *apices* or *I longae* or *capita*, and hence we can assume that it was a luxury book, while the Cicero roll was a "libro d'uso",[43] meant to be used by a Latin boy learning how to declaim a speech in public.

3 P. Ryl. III 477

After the examination of the only preserved fragment of a Ciceronian text from the early Imperial period, we turn to Late Antiquity and to the heart of this volume: in fact, P. Ryl. III 477, from the fifth century, is the only Ciceronian papyrus with annotations.[44] It is a bifolium from a papyrus codex, containing part of sections 35–37 and 44–46 of the *Divinatio in Caecilium*; it is by far the oldest witness of this speech of the *Verrines*.[45]

The papyrus is written in a half-uncial, the notes are made by five different scribes (labeled A–E for convenience's sake),[46] both in Latin and Greek and they are placed in the margins and in the interlinear space;[47] in addition, they are meant to be used for different purposes, according to the level of the student.

Some annotations, both Greek and Latin, are a way to make the speech more accessible to the readers, aiming to help them in the primary understanding of the text, for example: *Verres* written upon *ille* (fol. I r, l. 5), *dicere* in correspondence to *proferre* (fol. I r, l. 9), αμβλυνει (*sic*) glossing *impetus retardare* (fol. I r, l. 6), and ευρεθης (sic) referring to *reperiare* (fol. I v, l. 26).

In the left corner of the upper margin of folio I v there is the word *scopuloso*, distant from the corresponding text (*intellego quam scopuloso difficilique in loco verser*, *Div. Caec.* 36), which is at line 10 of the same folio. This is the only note written by scribe E.[48] Roberts focuses on the rarity of this word,

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43 Fioretti 2016, 9.

44 About other Latin authors' papyri with annotations, see McNamee 2007, 473–493.

45 In fact, at the present time, the oldest preserved manuscript bearing this text is Paris. Lat. 7823 (D), dated to the fifteenth century; regarding the manuscript tradition of the *Verrinae*, see Reeve and Rouse 1983, 68–72 and Reeve 2016.

46 According to Roberts 1938 and McNamee 2007.

47 Cf. McNamee 2007, 473–478.

48 Roberts 1938, 73.

but does not speculate about the reason why it is in the margin.[49] McNamee assumes that the word *scopuloso* in that position marks the column in which that word occurs. In my opinion, the annotator found the left margin near the word already full of notes, so he decided to use the upper one to write his note, but it was left incomplete.[50] It is easy to imagine why *scopuloso* was noteworthy, as it occurs in Latin literature only 21 times and only in this passage has the metaphorical meaning of 'difficult'.[51] For this reason, this passage is quoted by Ps.-Quintilian, *Declamatio minor* 259.12.1.

In the left margin, in correspondence to *scopuloso*, a Greek scribe wrote: σκο-πέλῳ δυσχερεῖ πράγματι ἀπὸ μεταφορᾶς [......] κοντων . . ρο […] των ('on a (rocky) point, in a difficult matter, from a metaphor of').[52] According to Roberts, this scholion is a "mere adaptation from the Latin",[53] but *scopulosus* is an adjective, while σκόπελος is a noun. This annotation is slightly more complex than the previous Latin notes, regarding not the basic understanding of the text, but its rhetorical features—it is addressed to someone who is already acquainted with Greek rhetoric and is now studying Cicero in order to learn Latin.

Another technical annotation can be found in the right lower margin of folio 1 r. This is the longest surviving annotation among Latin papyri and perfectly fits the cultural environment of the fifth century. In fact, its juridical content and bilingual script match contemporary juridical papyri.[54] It is easy to assume that it was written for people who aimed to work in the Roman administration and so needed to become well acquainted with Roman law and the Latin language. This scholium is written both in Latin and Greek and concerns the *indicium*,[55] a crime committed by two people together. The note

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49 Roberts 1938, 77.

50 McNamee 2007, 476.

51 Cf. also *OLD* s.v. scopulosus.

52 Translation by McNamee 2007, 477. The ink of this annotation has almost completely vanished and it is not possible from the digital image to understand whether there are diacritical marks; I follow the text of Roberts 1938.

53 Roberts 1938, 77.

54 Concerning bilingualism and juridical papyri, see Ammirati 2018.

55 I give here the whole note, according to the edition of McNamee 2007; note that the Latin part is written by hand 3, while the Greek one by hand 2.

Index est communis criminis, nam vetitum erat senatorem ferre indicium ('He is an informer of their common crime. For it was forbidden by the laws for a senator to be an informer', transl. by McNamee 2007, 475).

Νόμος ἦν παρὰ Ρομαί[οις] ὡς ὅτε δύο ἥμαρτον πε[ρί] τι ἰδιῶται μέ[ν]οντες οἷον φόνον πο[ιη]σ[ά]ντων εἰ ὁ εἷς καταμηνύσῃ τὸ ἁμάρτεμα ὅτ[ι] ˙τόδε μετὰ τοῦδε ἥμαρτον˙ τὸν μὲν κατα-μηνύσαντα μὴ τι[μω]ρεῖσθαι ἀλλὰ μισθὸν ἔχειν τῆς καταμηνούσεως τὴν συγγνώμην. τὸν μέντοι καταγγελθέντα κολάζεσθαι˙ εἰ μέντοι δύο ἥμαρτον συγκλητικοί, καὶ ὁ καταμηνύσας τιμω̣[ρεῖ]ται̣

tries to explain the nature of this crime and, specifically, the case of senators being involved in it. The interest in the *senatores* when commenting on this part of the *Divinatio* can also be found in the Ps.-Asconius;[56] it has been supposed that the papyrus and Ps.-Asconius depend on the same source. The two commentaries, however, differ between themselves: the anonymous commentary of the papyrus is made up by different hands, languages, and kinds of annotations and is clearly addressed to Greek speakers or people who had not studied Latin at the highest level, with the most complex annotation on the papyrus focusing on a juridical topic. The Ps.-Asconian commentary, on the other hand, is more complex and specific and is addressed to native Latin speakers.

4 Bilingual Glossaries on Papyrus

This didactic tool allows us literally to glimpse the multilingual environment of Egypt in Late Antiquity. The bilingual glossaries of Cicero belong to a wider

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ὑπο μενε.τιμ . [.]ο[...].[..] καταμηνυθῆναι τούτῳ ουδ .... πολο[.]ας κοινωνήαντα τούτῳ ἀμ[αρ]τημάτων ὅτι [ἔ]χρεν καταμηνῦσαι βούλει π . ωμαν ε.[..] πραγματεύεσθαι; ἐγὼ μὲν τ[ὸ] σὸν εἰκέναι ἔσομαι ἑκων οὐ κωλύει δέ σε τυχεῖν συγγναωμῆς ὁ νόμος ὡς συγκλητικὸν· συγκλητικὸς γὰρ ὢν οὐκ ὤφειλες ἁμαρτάνειν .. μεν .. ι περὶ τοῦτο ἀλλὰ ὡς αὐτὸ[ς] τοῖς Σικελοῖς συνηγόρων βούλει κατηγορεῖν [ἢ μᾶ]λλον τῆς συνηγορίας παραχωρῆσαι τῷ δυναμένῳ καλῶς καὶ μετὰ παρρησίας κατ[ηγ]ορεῖν καθαρὸν γὰρ ἔχω τὸ συνειδός οὐ δύνασαι σὺ γὰρ κοινωνὸς αὐτῷ τῶν ἀδικημάτων. ('There was a law among the Romans to the effect that when two men, being private persons, committed a crime such as murder, if one of those who committed the crime gave information about it, saying "I have committed this crime with this man", then the informant was not punished, but as a reward for the information received a pardon; but he who was denounced was punished. If, however, two senators committed a crime, then the informant also is punished ... because it was his duty to give information. Do you (i. e. Caecilius) wish ... to take up the case seriously? I (i.e. Cicero) shall be willing to speak your part for you. Does not the law prevent you, as a senator, from receiving pardon? For, as a senator, you ought not to have committed this crime ... But do you, on the ground that you yourself are acting for the Sicilians, wish to conduct the prosecution, or do you prefer to hand it over to a man who is in a position to prosecute well and frankly? For I have a clear conscience. You are unable to prosecute him; for you were a partner in his crimes', transl. by Grenfell and Hunt in McNamee 2007, 475–476).

56 Ps.-Asc. 197.7–14 St.: *certa sunt in quibus impunitas indici datur: in causa proditionis, maiestatis, et si quid huiusmodi est. certae etiam personae sunt quae indices fieri possint. itaque neque repetundarum causa per indices agi solet, neque senatoria persona potest indicium profiteri salvis legibus. index est autem qui facinoris cuius ipse est socius latebras indicat impunitate proposita. est autem sensus: 'Index potes esse, si tibi hoc licet; accusator, de qua re agimus, esse non potes'. satis contumeliose tamquam levem hominem exagitavit Caeci-*

range of scholastic tools[57] (alphabets, grammars, fables,[58] authors' texts) used to teach Latin as a second language to Greek native speakers in the Eastern part of the Roman Empire, in particular after Diocletian's reforms. In the bilingual glossaries, the text is disposed in narrow columns,[59] with the Latin on the left side and the corresponding Greek word-by-word translation on the right side. Among the glossaries, three typologies can be so far identified: the alphabetic ones,[60] the thematic ones,[61] and finally, glossaries connected to specific authors in the Latin canon, that is, Vergil and Cicero.

Four glossaries of Cicero, all featuring the *Catilinarians*, survive: P. Vindob. G 30885 a+e + P. Vindob. L17; P. Vindob. L127; PSI Congr. 21.2; and P. Ryl. 1 61. They can all be dated, on palaeographical grounds, to between the second half of the fourth and the fifth centuries. It is reasonable to believe that they were used in school classes at a higher educational level than Vergil's glossaries because they bear translations of many technical words concerning law and trials: *carcer*/φρουρά, *consilium*/συμβούλιον, *custodia*/φυλακή, *exilium*/ἐξορισμός, *indemnatus*/ἀκατακριθεῖς, *innocens*/ἀναίτιος, *iudicium*/κριτήριον, *lex*/νόμος, *quaestio*/ἐξέτασις.[62] Moreover, Vergilian glossaries present in some cases the alteration of the *ordo verborum*[63] in order to make the Latin text clearer to the reader. Additionally, it is possible to assume that the use of the bilingual glossaries to authors on the educational path was the same as in the Western part of the Empire. In fact, based on Quintilian, poets were studied before prose authors.[64]

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lium. The similarity with Ps.-Asconius has been noted immediately in the *editio princeps* (Roberts 1938, 76) and in the new bibliography (Scappaticcio 2018, 176).

57   For a detailed list of these materials, see Dickey 2016, especially 179–196; there were also bilingual, but non-digraphic tools (see Radiciotti 1997, 112 with further bibliography).

58   Regarding alphabets and grammars, see Scappaticcio 2015, with further bibliography; concerning fables, see Scappaticcio 2017.

59   According to the list in Dickey 2015, 815–817 only four documents are in a facing-page format. It is important to stress that, in such a typology of texts, the position of the language is crucial: on the left there is the main language, while on the right there is the translation; see Ammirati and Fressura 2017 about the palaeographical features of the glossaries transmitted on papyrus.

60   Word lists ordered alphabetically, used to learn vocabulary.

61   Word lists grouped according to the semantic sphere: family, animals, education, and so on. They can be compared to the mediaeval *capitula*.

62   Note that in the papyri the Greek words have no diacritics.

63   Cf. Fressura 2013, 91.

64   Quint. *Inst.* 2.5.1: *Interim, quia prima rhetorices rudimenta tractamus, non omittendum videtur id quoque, ut moneam quantum sit conlaturus ad profectum discentium rhetor si, quem ad modum a grammaticis exigitur poetarum enarratio, ita ipse quoque historiae atque etiam magis orationum lectione susceptos a se discipulos instruxerit.*

Some words feature a double translation, i.e. P. Vindob. G 30885 a+e F. 1 r., l. 18 *putes* = λογιζη νομιζεις (sic).[65] It is impossible to say if the scribe decided to add another translation by himself or whether he copied a marginal note in the main text.

Another interesting issue related to an educational environment can be found in PSI congr. XXI 2 v: between lines 14 and 15, we would expect the insertion of the lemma *Iovi Statori*, but this syntagm is absent in the papyrus,[66] probably because the compiler did not consider it useful for the student to learn such a specific term linked to the religious sphere. This lacuna, together with the handwriting of the papyrus—one of the best examples of the so-called "koine scrittoria Greco-romana"[67]—are relevant hints to the context in which the papyrus was written: certainly for didactic use by a man born in the Eastern part of the Empire, who was linked to the administration and hence able to write in a documentary hand.[68]

5 P. Monts. Roca Inv. 129–149 + P. Duke Inv 798

All papyri presented so far, as I have tried to demonstrate, testify very well to the environment they stem from. They show proof of a real need in learning Latin as a second language. With the following papyrus we remain in a didactic setting: it reveals the presence of Cicero in educational contexts linked to monasteries.

Ramon Roca-Puig bought this miscellaneous papyrus codex in 1950, and in 1973 he acquired, by an exchange with the Bodmer Foundation, other fragments belonging to the same codex. Finally, in 1977, P. Duke inv. 798 was identified as a part of the same codex and inventoried as number 129.[69] This codex features Latin and Greek scripts by the same hand and bears Christian and pagan works: Cicero's *Catilinarians* 1.6–9, 13–33, and 2; a *Psalmus responsorius*; a drawing of a mythological episode; the *Eucologi*;[70] the *Alcestis Barcinonensis*; the *Hadrianus*; and a Greek wordlist for stenography. The educational nature of the codex is

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65   Some double translations can also be found in the medieval witnesses of the *Hermeneumata Pseudodositheana*, cf. Flammini 2004 XII.
66   Cf. Internullo 2011–2012, 114 and 118.
67   Cavallo 1970.
68   Cf. Internullo 2011–2012, 123.
69   About the origin of this codex, see Gil and Torallas Tovar 2010, 24–32.
70   Named this way by Roca Puig, they are different Christian texts, which together form the program for a mass, cf. Nocchi Macedo 2014.

easy to explain, firstly by the presence of the *Catilinarians*, very well attested in scholastic contexts in the West and also in Egypt, for instance by bilingual glossaries. Emperor Hadrian is also well attested in educational texts (as in the *Altercatio Hadriani cum Epicteto* or even a bilingual one like the *Hermeneumata Pseudodositheana*),[71] and the tale in this codex can be considered a scholastic exercise, probably a διήγμα.[72] Moreover, the *Alcestis* also has a scholastic nature—according to Nocchi Macedo, it is an *ethopoiia*, a common rhetoric exercise.[73]

Scholars have argued that the text featured in this codex does not match the text of the three families into which the manuscripts of the *Catilinarians* are divided.[74] Concerning the text itself, it deserves to be mentioned that there is an accordance between P. Monts. Roca and Priscian with regard to *Cat.* 1.7: both the papyrus and the grammarian bear *Kalendarum Novembrium*,[75] and the manuscripts feature the abbreviated text *Kal. Nov.* or *Kal. Novembris*.[76] It may be that the codex of Montserrat belongs to a sort of 'Eastern tradition', earlier than the development of the three families of the Western one.

Different elements let us consider a link with Christian environment, first of all its content (*Psalmus responsorius* and *Eucologi*) and some bibliological analogies with the Bodmer papyri and the Chester Beatty codex,[77] and secondly the sales receipt where there is the mention of the Pachome monastery.[78] The Chester Beatty codex AC 1499 is a papyrus book dated to the fourth century,[79] containing some tables of conjugation of Greek verbs, a Greek-Latin glossary to the Pauline *Epistles*, some other Greek-Latin glosses, and a Latin alphabet. It is, apart from the Montserrat one, the only other miscellaneous codex with Greek and Latin and pagan and Christian content together. The Bodmer papyri are a collection of miscellaneous texts, also Christian and pagan, but in Greek and Coptic.[80]

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71   For the scholastic fortune of Emperor Hadrian, see Scappaticcio 2021.

72   Berg 2018, 109–111.

73   Nocchi Macedo 2014, 155–157.

74   Fioretti 2016, 12 and related bibliography.

75   P. Monts. Roca 128v, ll 4–5: *es fut[u]rus e[sset ante diem VI Kalenda]/rum ṇ[o]ṿemb[rium caium mallium audacie]*.

76   Cf. Spangenberg and Yanes 2017, 212–213.

77   Cf. Fournet 2015, 10.

78   For an overview of the origins of this codex, see Nocchi Macedo 2014, 18–24 with further bibliography.

79   Wouters 1988, 17.

80   Cf. Robinson 2011.

In this case, there is no reason to refer the text specifically to juridical studies, but it is evidence for the interest in Cicero's speeches among Christians also,[81] who read him in books that assembled both pagan and Christian texts considered as useful tools for the learning of Latin.[82]

6   P. Oxy. VIII 1097 + P. Oxy. X 1251 + P. Köln. I 49

The following codex is, as the previous one, a collection of texts, but it contains only speeches by Cicero. It is a papyrus codex, today kept partly in the British Museum in London and partly in the University Collection of Cologne. It can be dated to the fifth century on palaeographical grounds. Whether it stems from an educational context is unclear, but I have decided nevertheless to include it in my discussion because of one specific feature that relates to the Ciceronian scholia.

This papyrus testifies a sequence of speeches ordered by no conventional criteria, neither chronological nor alphabetical. It bears *De imperio Cn. Pompei* 60–65 and 70–71; *In Verrem* 2.1.1–9 and 2.2.3.12; and *Pro Caelio* 26–55.[83] According to Seider,[84] the complete text of these four speeches would have occupied four *quaterniones*, so it can be hypothesized that the codex could have featured other speeches as well. It is noteworthy, in my opinion, that the compiler chose to make a selection from the corpus of the *Verrinae*, starting with the *actio secunda*[85] because it is a proof that the two parts of the whole corpus were, sometimes, read separately, perhaps due to their internal differences. The first part of the corpus (*Divinatio* and *actio prima*) was effectively pronounced by Cicero, the *actio secunda* was only written after Verres' escape. The first speech was not an ideal model of oratory, since Cicero had little time to collect the proof against Verres, while the other five speeches are well organized and respect all the canonical features of a perfect *accusatio*.[86]

In my opinion, there are two possible interpretations of this unattested sequence of speeches. They could either be a selection of examples made by

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81   Cf. in this respect Buzi 2005, 86.

82   According to MacCormack 2013, 261–262, pagans were more interested in the speeches, unlike Christians who had more interest in philosophical works.

83   For the reception of this speech in the educational tradition, see la Bua 2019, 91–92.

84   Seider 1978.

85   Cf. in this respect, Tac. *Dial.* 20.1: *quis quinque in Verrem libros expectabit?*

86   On this point, see Ricchieri 2020, 24–31 and Schwameis in this volume.

a schoolteacher to show the pupils different kind of orations—one political (*De imperio Cn. Pompeii*), one defense (*Pro Caelio*), and one prosecution (*In Verrem*)—or they could be considered as a private book made up according to the literary taste of the reader. At any rate, the arrangement of the speeches, which can vary widely in different testimonies of Late Antiquity, is evidence of the problem why the chronological order of the speeches in Late Antiquity was also given up in the case of the scholia. The papyrus presented here can be seen as additional proof of this obvious flexibility of arrangement—a problem that still awaits a solution.

7   Conclusions

After the examination of the most relevant Ciceronian papyri linked to an educational context, the first aspect to be highlighted is that in Egypt we do not find any "bifurcation"[87] between oratory and philosophy in the reception of Cicero. In fact, in this specific environment, there is no evidence of interest in Cicero's philosophical works, as all the papyri, even those excluded from our analysis, bear speeches. Among them, there is a prominent presence of the *Catilinarians* and *Verrines*.

Second, we can conclude that Cicero was the author who was studied second most frequently in Egypt, following Vergil. Unlike Vergilian papyri, with the sole exception of P. Iand. V 90, Ciceronian scraps survive in Egypt only from the fourth century, the period of maximum expansion of Latin in the East and in which there was a greater need for learning the Latin language and Roman law, following the reforms by Diocletian.

Cicero (and in general prose authors) was commonly studied, including in Western education, at a higher level than poets[88] and this also fits the evidence of the papyri, particularly the bilingual glossaries. Another kind of evidence in this respect is the lack among Ciceronian papyri of basic writing exercises such as those which survive among Vergilian papyri.

Ciceronian papyri have a particular link to the learning of Roman law: in this respect, the main sources are P. Ryl. III 477 with its note on the *indicium*, probably referring to the complicity of Caecilius and Verres in previous crimes, and the bilingual glossaries, full of technical terms related to the semantic sphere of the trial. Moreover, as Ammirati has already pointed out, certain codicolog-

87   For the term cf. Bishop 2015.
88   Quint. 1.9.1.

ical and palaeographical features can be found in the bilingual glossaries on authors as well as in the fragments of legal content from the same time span.[89] The other papyri are linked to a more general educational environment, not specifically juridical, but more probably linguistic and rhetorical or simply to the interests of the compiler or reader.

It is noteworthy that the speeches surviving from papyrus scraps correspond well with the choice made by ancient grammarians: according to the index of Keil, the most quoted speeches in the *Grammatici Latini* are the *Verrinae*, *Catilinariae*, *Pro Cluentio*, and *Pro Caelio*.

Finally, there is a link between papyri and scholia concerning the selection of texts to study: the presence of the *Quadriga Messii* can be found in what mainly survives in Latin papyri and also in the scholia, often referring to Vergil, Sallust, and Terence. The fact that at least one papyrus also contains annotations shows that it is part of the tradition of commenting on Cicero's speeches for different purposes. Moreover, a link between scholia and papyri can be found in a strong interest in the *Verrines*. However, this case also shows the different perspectives which we find in the surviving material: whereas Ps.-Asconius, for example, was interested in the speeches from a rhetorical point of view, the main interest in the papyri is the learning of Roman law, and this collection of speeches is the only example of prosecution and a text linked to the practice of criminal law.

In conclusion, Cicero was considered one of the main Latin authors also in the Eastern part of the Empire, but he was used in school classes mainly for the teaching of the Latin language and Roman law rather than rhetoric.

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89   Ammirati 2018, 91.

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4

Ciceros Reden bei den *Rhetores Latini Minores*

Thomas Riesenweber

1 Einleitung

Man hat gelegentlich, und gewiß mit guten Gründen, betont, daß schon Cicero seine Reden vor allem mit didaktischer Absicht veröffentlicht habe, um die exemplarische Qualität seiner Kunst zu demonstrieren,[1] und aus der Distanz von gut 2.000 Jahren betrachtet muß man die Rezeption der ciceronianischen Reden ohne Zweifel als eine Erfolgsgeschichte bezeichnen. Aber der Einzug dieser Reden ins Curriculum der Schulen ist mitnichten über Nacht und im Triumph erfolgt.[2] Wir wissen natürlich, daß Quintilian im späten 1. Jahrhundert n. Chr. den Reden Ciceros einen hohen Stellenwert in seinem Unterricht eingeräumt hat, erhalten von ihm auch recht präzise Angaben, worauf bei der angeleiteten Rednerlektüre zu Beginn des Rhetorikstudiums zu achten sei,[3] aber ob dieses Bild für den Rhetorikunterricht schlechthin repräsentativ ist, läßt sich nicht mehr mit Gewißheit sagen.[4] In welcher Verbindung zur Schule die erhaltenen Scholien und Kommentare zu Ciceros Reden stehen, ist ebenfalls schwer zu bestimmen. Sicher können wir hingegen sein, daß die Theorie der Rhetorik, wie sie uns in den einschlägigen Handbüchern vor Augen tritt, im Rhetorikunterricht eine Rolle spielte. Aber wo ist inmitten all der Lehrsätze zu *genera causarum*, *partes orationis*, στάσεις und ἀσύστατα überhaupt noch Raum für Ciceros Reden? Dieser Frage möchte ich auf den folgenden Seiten nachgehen, um die Perspektive des Tagungsbandes, der sich ja vor allem auf die Behandlung der Reden in der Scholienliteratur konzentriert, durch einen Blick auf eine zweite Gruppe von Lesern zu erweitern, die die Reden Ciceros zur Illustration ihrer theoretischen Unterrichtsinhalte verwendet haben.

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1 La Bua 2019, 24 mit Verweis auf Stroh 1975, 52–54; s. auch Winterbottom 1982b, 61–62 (= 2019, 94–96).—Alle Übersetzungen in diesem Kapitel stammen von mir.

2 Den Weg Ciceros zum Klassiker skizziert Winterbottom 1982a; zur Cicerorezeption in der frühen Kaiserzeit zuletzt Keeline 2018.

3 Quint. *Inst.* 2.5.

4 In Keelines „first-century classroom" (2018, 13–72) unterrichten so unterschiedliche Kollegen wie Quintilian, Asconius Pedianus und der unbewegte Beweger der *Scholia Bobiensia*.

Die Tatsache selbst steht jedenfalls außer Zweifel und wäre an sich schon
geeignet, grundsätzlichere Fragen zu stellen: so gibt es zwar manche Stimmen,
die den Ursprung einer jeden Kunst in der Beobachtung der Natur sehen,[5]
aber nicht weniger häufig sind die Klagen über die wirklichkeitsfremden Leh-
ren der Rhetorikhandbücher.[6] Andererseits stützt sich der antike Literaturbe-
trieb bekanntlich in hohem Maße auf Prinzipien wie *imitatio* und *aemulatio*,
was grundsätzlich doch eine größere Dichte an *exempla* aus historischen Mus-
terreden erwarten ließe, als wir sie tatsächlich in den Rhetorikhandbüchern
antreffen: Aristoteles etwa zitiert in seiner Rhetorik, sieht man einmal von
dem der λέξις gewidmeten Buch 3 ab, nur ganz sporadisch einen früheren oder
zeitgenössischen Redner, und Cicero ist in *De inventione* noch sparsamer mit
Beispielen aus tatsächlich gehaltenen Reden.[7] Theorie neigt eben dazu, vom
Einzelfall zu abstrahieren und Lehrsätze zu formulieren, die möglichst vielsei-
tige Anwendung finden können.

Den kaiserzeitlichen Rhetoriklehrern stand zudem der ganze Kosmos des
Deklamationswesens mit seinen konstruierten Fällen und Gesetzen zur Verfü-
gung, um ihre theoretischen Systeme zu veranschaulichen.[8] Wir werden gleich
sehen, daß sie ausgiebig davon Gebrauch gemacht haben. Denn die Welt der
Deklamationen erlaubte es, mühelos Beispiele für noch so abgelegene Fälle
zu entwickeln: welche Rede Ciceros oder des Demosthenes fällt einem schon
spontan ein, wenn man seinen Studenten einen συγκατασκευαζόμενος στοχα-

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5   *Locus classicus* für die Frage, ob Rhetorik eine τέχνη sei, ist Quint. *Inst.* 2.17; dort auch die
    Auseinandersetzung mit der in *De oratore* von Crassus und Antonius vertretenen Meinung,
    daß die Rhetorik aus der Beobachtung von Reden entstanden sei (*De orat.* 1.109, 146; 2.32,
    232). Reinhardt und Winterbottom 2006, 311 erinnern an Cic. *Orat.* 183, *notatio naturae et ani-
    madversio peperit artem*, und Quint. *Inst.* 3.2.3, *initium ergo dicendi dedit natura, initium artis
    observatio* (weitere Stellen bei Adamietz 1966, 85) und führen Belege aus griechischer Litera-
    tur (Aristoteles u. a.) an.

6   Schon die Hermagoraskritik Cic. *Inv.* 1.8 zielt auf den Gegensatz von Theorie und Praxis:
    *verum oratori minimum est de arte loqui, quod hic fecit, multo maximum ex arte dicere, quod
    eum minime potuisse omnes videmus* (~ *Rhet. Her.* 4.6). Vgl. auch die Schulkritik des Mucius in
    Cic. *De orat.* 1.105: *non Graeci alicuius cotidianam loquacitatem sine usu neque ex scholis can-
    tilenam requirunt* (sc. *adulescentes*). Kritische Stimmen zum Deklamationswesen hat Bonner
    1969, 71–83 gesammelt.

7   Cic. *Inv.* 1.80 (= *Rhet. Her.* 2.33) wird aus Curios Rede *Pro Fulvio* zitiert, 2.52 wird auf den
    maiestas-Prozeß des C. Flaminius angespielt, 2.105 auf die Debatten über das Schicksal des
    Syphax und des Q. Numitorius Pullus, 2.111 auf den Versuch des L. Licinius Crassus, einen Tri-
    umphzug bewilligt zu bekommen. In der Herenniusrhetorik finden sich die meisten Beispiele
    im 4. Buch, das der *elocutio* gewidmet ist; einige Beispiele aus den anderen Büchern werden
    gesammelt bei von Ungern-Sternberg 1973, 323 Anm. 46.

8   Zu den Konvergenzen und Differenzen zwischen dem System der Deklamatoren und dem
    der Statuslehre s. Burkard 2016, 102–108, 126–129.

σμός erläutern muß? So manches Mal hat man den Eindruck, daß ein Theoriekapitel nur in der Welt der Deklamationen geschrieben werden konnte. Das unerschöpfliche Repertoire der Deklamatoren mußte den *artium scriptores* für ihre Aufgabe jedenfalls viel attraktiver erscheinen. Oft dürfte es sich um dieselben Leute gehandelt haben.

Allerdings können beide Welten, die Welt des Deklamationssaals und die Welt der historischen Reden, auch nebeneinander existieren: Quintilian hält das Deklamieren für ein gutes Mittel, um die Argumentationskunst zu lernen, verweist aber auch oft auf Reden Ciceros,[9] und zwei Generationen später veranschaulicht Hermogenes in Περὶ στάσεων die διαίρεσις τῶν στάσεων zwar zumeist mit Beispielen aus der Welt des Deklamationssaals, erinnert aber hier und da auch an Fälle des Demosthenes. Wie es zu dieser Entwicklung gekommen ist, die wir im folgenden auch in den lateinischen Rhetorikhandbüchern wiederfinden werden, läßt sich nicht mehr feststellen und soll hier deshalb auch nicht erörtert werden; ebenso wenig, warum die lateinischen Rhetoriklehrer bevorzugt aus den Reden Ciceros zitieren: daß Cicero im Laufe des 1. Jahrhunderts n. Chr. zum Klassiker geworden ist, wird hier als gegeben vorausgesetzt.[10]

Wie der Rhetorikunterricht der Spätantike im Einzelnen ablief, wissen wir natürlich nicht. Was wir haben, ist eine unter dem Titel *Rhetores Latini Minores* mehrfach publizierte Sammlung kürzerer rhetorischer Traktate der Spätantike. Sie geht im Kern auf François Pithous *Antiqui Rhetores Latini*[11] zurück, hat aber ihre bis heute gültige Ausprägung durch die noch immer unersetzte Ausgabe Karl Halms[12] erhalten. Sie umfaßt in dieser Form 24 Texte höchst unterschiedlicher Art und Provenienz aus einem breiten Zeitraum vom 1. bis 6. Jahrhundert n. Chr.: Figurenlehren, Rhetorikhandbücher, *De inventione*-Kommentare und vieles andere mehr. Im folgenden soll aus dieser Sammlung eine Auswahl von Texten herausgegriffen werden, die das System der Rhetorik vorstellen und ganz augenscheinlich für den Gebrauch in den antiken Rhetorenschulen geschrieben wurden bzw. ein Kondensat der dort verhandelten Lehrmeinungen darstellen. Die Figurenlehren will ich hier aussparen, weil sie wenig Theorie enthalten,[13] und beschränke mich auf die Handbücher bzw. Auszüge aus Hand-

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9   Winterbottom 1983.

10   S. zu diesem Themenkomplex und einem möglichen Zusammenhang mit dem Entstehen der ersten Kommentare zu seinen Reden Farrell in diesem Band.

11   Pithou 1599.

12   Halm 1863.

13   Ebenso unberücksichtigt bleiben der sogenannte Theon Latinus, weil sich in dem kurzen Stück, das von dieser Übersetzung erhalten geblieben ist (587.10–588.16 Halm = 20–21

büchern, die unter den Namen Augustinus, Sulpicius Victor, Iulius Severianus, Iulius Victor, Martianus Capella, Consultus Fortunatianus und Emporius überliefert sind, ferner auf die *Praeexercitamina* Priscians und die Kommentare zu Ciceros *De inventione* aus der Feder des Marius Victorinus und des Grillius, die beide ohne Zweifel in schulischem Kontext entstanden sind;[14] von Victorinus stammt zudem ein kleines Büchlein über die Definitionen, das er ebenfalls für den angehenden Redner verfaßt hat.[15]

Ich gebe zu, daß diese Auswahl nicht unproblematisch ist: wir können nichts darüber sagen, inwiefern diese Handbücher repräsentativ dafür sind, was an der Schule allgemein getrieben wurde. Hinzu kommt, daß sie einen sehr langen Zeitraum vom 2. bis zum 6. Jahrhundert abdecken. Was aber am schwersten wiegt: über Individualität verfügen die meisten Verfasser dieser Texte jenseits ihres Namens kaum. „Sie sind", wie August Reuter einmal feststellte, „nur Träger der Tradition, wie sie zu ihrer Zeit bestand."[16] An diese Tradition müssen wir daher unsere Fragen richten, inwiefern sich in ihr die Beschäftigung mit den Reden Ciceros niedergeschlagen hat und was wir daraus für die Bedeutung Ciceros im spätantiken Rhetorikunterricht lernen können. Gerade weil die spätantiken Rhetorikhandbücher im wesentlichen kompilatorisch sind, darf man keine Hoffnung haben, man könne feine Entwicklungslinien aufzeigen. Selbst die Frage nach der Eigenständigkeit, ob z. B. Iulius Severianus seine vielen Beispiele eigener Lektüre der Reden Ciceros verdankt oder früheren Handbüchern, die für uns verloren sind, werden wir nie beantworten können. Aber ein paar Tendenzen kann man feststellen, und um die soll es in diesem Beitrag gehen.

Vorarbeiten gibt es wenige: in Zielińskis berühmtem Buch *Cicero im Wandel der Jahrhunderte*[17] kommen die Texte, die uns hier interessieren, überhaupt nicht vor. Für den im angloamerikanischen Raum einflußreichen Überblick Kennedys *The Art of Rhetoric in the Roman World*[18] endet die Entwicklung der römischen Rhetorik im Jahre 300. Im Personenregister des neuen Handbuchs

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Schindel), kein einziges Zitat aus Ciceros Reden findet. Hinter dem sogenannten Hermagoras Latinus (585.1–587.9 Halm) verbirgt sich, wie Jakobi (in Vorbereitung) zeigen kann, ein Exzerpt aus der pseudoaugustinischen Rhetorik. Die bei Halm im Anschluß 588–589 abgedruckten Abschnitte *De historia* und *De epistolis* enthalten ebenfalls kein Material aus Reden Ciceros. Vernachlässigen können wir auch das Stück *De attributis personae et negotio* (593–595 Halm = 209–213 Ippolito), weil Beispiele aus Reden auch hier fehlen.

14   Zu Grillius vgl. Jakobi 2005, 7–9; zu Victorinus vgl. meinen *Prolegomena*-Band 21–24.

15   Victorin. *Def*. 1.20–22 Stangl.

16   Reuter 1893, 73–74.

17   Zieliński 1929.

18   Kennedy 1972.

Antike Rhetorik[19] sucht man die *Rhetores Latini Minores* vergeblich. Und auch noch in La Buas jüngst erschienener Studie *Cicero and Roman Education* zieren sie nur ganz sporadisch die Fußnoten.[20]

Angesichts der großen Fülle des Materials und der physischen Grenzen eines Tagungsbandbeitrags kann hier nur das Feld bereitet werden, das jemand mit mehr Zeit und Energie dereinst systematischer bestellen mag. Es scheint dazu zweckmäßig, zunächst die einzelnen Texte in aller Kürze vorzustellen und dann die aus Ciceros Reden angeführten Beispiele zu besprechen – nicht im Detail, denn die Menge würde den Rahmen sprengen, sondern exemplarisch, um einige Tendenzen festzuhalten.

2   Chronologie

Eine Geschichte der nachquintilianischen Rhetoriktheorie in lateinischer Sprache zu zeichnen ist aufwendig und kann hier nicht geleistet werden. Hier sollen nur in aller Kürze die wichtigsten Informationen zu den oben genannten Autoren zusammengetragen werden. Man muß sich jedoch klarmachen, daß nur in den seltensten Fällen belastbare Datierungen möglich sind. Ich versuche, in der Reihenfolge einigermaßen chronologisch vorzugehen.

Der älteste Text unseres Corpus scheint jene Rhetorik zu sein, die in einem Überlieferungszweig unter dem Namen des Augustinus überliefert wird,[21] aber mit an Sicherheit grenzender Wahrscheinlichkeit nicht von dem berühmten Kirchenvater stammt,[22] sondern vielmehr ins späte 2. oder frühe 3. Jahrhundert gehört: der anonyme Verfasser bietet eine modifizierte und vor allem verkürzte Version der Rhetoriktheorie des Hermagoras von Temnos aus dem 2. Jahrhundert v. Chr.,[23] kennt die eigenwillige Terminologie des Theodoros von Gadara,[24] des Rhetoriklehrers des Kaisers Tiberius, aus dem 1. Jahrhundert n. Chr. und zeigt Anklänge an Zenon von Athen,[25] der um die Mitte des 2. Jahrhunderts n. Chr. tätig war. Die Schrift ist nicht vollständig erhalten, sondern bricht nach

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19   Erler und Tornau 2019.

20   La Bua 2019, vor allem das Kapitel über „Cicero's Speeches in the Schools" (85–99).

21   Dem anderen Zweig gilt sie als Fortsetzung von Buch 3 der Rhetorik Fortunatians.

22   Jakobi (in Vorbereitung).

23   Matthes 1958, 104–107.

24   Ps.-Aug. *Rhet.* 47.9–10; 51.7, 12; 56.11 Giomini.

25   Ibid. 35.4–6 Giomini wird die *intellectio* als ein *officium oratoris* beschrieben, ein Modell, das sich sonst erstmals bei Zenon von Athen im 2. Jahrhundert n. Chr. nachweisen läßt (vgl. Sulp. Vict. 315.8 Halm). Dazu Heath 2002, 288.

20 Paragraphen bei der Besprechung des ἄδοξον σχῆμα ab, also mitten in der Behandlung der *praefatio* einer Rede.[26]

An zweiter Stelle in der Chronologie folgt C. Marius Victorinus (ca. 285–365 n. Chr.). Der aus Afrika stammende Victorinus war Mitte des 4. Jahrhunderts öffentlicher Professor für Rhetorik in Rom als Kollege des Aelius Donatus und hat vermutlich in dieser Funktion einen umfangreichen Kommentar zu Ciceros rhetorischer Jugendschrift *De inventione* verfaßt, die spätestens zu dieser Zeit offenbar zu einem grundlegenden Text für den Rhetorikunterricht geworden sein muß. In denselben schulischen Kontext gehört auch die Schrift *De definitionibus*, in der Material eines unvollendeten *Topica*-Kommentars verarbeitet wurde.[27] Daß Victorinus ein großer Verehrer Ciceros war, geht, wie wir sehen werden, aus fast jeder Seite seines paganen Werkes hervor.

In Überlieferungsgemeinschaft mit dem Kommentar des Victorinus steht das anonyme Exzerpt eines verlorenen Kommentars zu Ciceros *De inventione*, das unter dem Titel *De attributis personae et negotio* zitiert wird. Über die Datierung kann man nichts Genaues sagen, vermutlich setzt der Kommentar den des Victorinus voraus.[28]

Schwer zu datieren sind auch die *Institutiones oratoriae* des Sulpicius Victor. Es handelt sich nach Aussagen des Verfassers im wesentlichen um eine Übersetzung der στάσις-Lehre des griechischen Rhetoriklehrers Zenon von Athen aus dem 2. Jahrhundert, hier und da angereichert durch das verlorene Lehrbuch des lateinischen Rhetors Marcomannus (3./4. Jahrhundert?);[29] da außer

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26   Nicht nur das Ende fehlt, sondern auch der Anfang scheint nicht vollständig zu sein. Nicht nur daß Einleitung und Widmung fehlen: der Text beginnt in seiner überlieferten Form ganz unvermittelt mit dem *officium oratoris*. Es sei zugegeben, daß dies in der *Rhetorica ad Herennium* und bei Iulius Victor ganz ähnlich ist. Andere Handbücher geben hingegen zunächst eine Gliederung der Einführung (Cic. *Inv.* 1.5) oder schicken eine Definition der Rhetorik voraus (Sulp. Vict. 313.8 Halm; Fortun. *Rhet.* 65.4–5 Calboli Montefusco). Wenn wir am Ende von §1 lesen *reliquum est videre quis sit finis* (36.12–13 Giomini), so setzt das m. E. voraus, daß im verlorenen Anfangsabschnitt eine Gliederung gemacht worden ist, die hier abgearbeitet wird.

27   Zu Victorinus s. die wichtige Monographie von Hadot 1971 und meinen *Prolegomena*-Band (dort auch die wichtigste weiterführende Literatur). Gerade erschienen ist ein von Stephen Cooper und Václav Němec herausgegebener Sammelband mit dem Titel *The Philosophy, Theology, and Rhetoric of Marius Victorinus*, der die Beiträge einer Victorinuskonferenz in Prag 2017 enthält, darunter einen Aufsatz von mir zu schwierigen Stellen der Schrift *De definitionibus*. Daß das Büchlein das Werk eines Rhetoriklehrers ist, hat schon Usener 1877, 60 gesehen. Ich zitiere den Kommentar nach meiner *Teubneriana*, *De definitionibus* nach Stangl 1888 (wiederabgedruckt in Hadot 1971, 331–362); meine Edition muß leider noch etwas auf sich warten lassen. Zum christlichen Philosophen Victorinus jetzt Zacher 2023.

28   Siehe Ippolito 2009, 178–180 und meinen *Prolegomena*-Band 454–456.

29   Zu Marcomannus s. Schissel 1930.

wenigen Fragmenten weder von Marcomannus noch von Zenon etwas über-
liefert ist, kann das im Einzelnen nicht verifiziert werden. Mit seiner Arbeit
ist Sulpicius, wie er in einem kurzen Vorwort schreibt, den Wünschen seines
Schwiegersohnes M. Silo nachgekommen. Der Text bricht bei der Besprechung
der *leges contrariae* mitten im Satz ab. Sehr wahrscheinlich gehören die *Institu-
tiones* ins 4. Jahrhundert,[30] also in die Zeit, in der *De inventione* im Rhetorikun-
terricht eine neue Blüte erlebte. Sulpicius jedenfalls kennt *De inventione*, und
man hat den Eindruck, daß diese Kenntnis auch von seinem Umfeld erwartet
wird. Als er ganz zu Beginn über die *officia oratoris* handelt und in der Nach-
folge Zenons nur drei, nämlich *intellectio*, *inventio* und *dispositio* nennt, fühlt
er sich genötigt darauf hinzuweisen, daß ihm sehr wohl bewußt sei, daß Cicero
fünf *officia* aufzähle (neben *inventio* und *dispositio* noch *elocutio*, *memoria* und
pronuntiatio), die *intellectio* bei ihm aber fehle.[31] Diese Rechtfertigungsnot des
Autors ist jedenfalls bemerkenswert; sie zeigt m. E., daß *De inventione* auf dem
Weg war, das maßgebliche Lehrbuch für Rhetorik zu werden – oder es bereits
geworden war. Gerne würden wir wissen, welche Rolle Marcomannus bei die-
sem Prozeß gespielt hat, aber es ist noch nicht einmal sicher, ob er selbst ein
Handbuch geschrieben oder *De inventione* kommentiert hat.[32]

Das stark kompilatorisch angelegte Handbuch, das unter dem Namen eines
C. Iulius Victor überliefert ist, dürfte dem späten 4. Jahrhundert angehören.[33]
Es schreibt über viele Seiten Ciceros *De inventione* und vor allem Quintilian aus,
daneben weitere, z. T. unbekannte Quellen, die am Anfang des Werkes gleich-
sam als Überschrift genannt werden.[34]

Der *De inventione*-Kommentar des Grillius wird von Jakobi ins frühe 5. Jahr-
hundert datiert.[35] Er ist stark dem Kommentar des Victorinus verpflichtet, teilt
aber nicht das philosophische Interesse seines Vorgängers, sondern analysiert
Ciceros Rhetorik durch die Brille des Hermogenes.[36] Das ehrgeizige Werk, das
in seiner überlieferten Form mitten in der Kommentierung von Cic. *Inv.* 1.22
(*atque eorum usus arrogans*) abbricht, dürfte, wenn es denn jemals fertigge-

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30 Schindel 2020, 232; vgl. auch meine Bemerkungen im *Hermes* von 2018, 486–490.

31 Sulp. Vict. 315.10–14 Halm.

32 Jakobi 2005, 1.

33 Schindel 2020, 230–231. Die maßgebliche kritische Edition stammt von Giomini und Cel-
entano 1980.

34 *Hermagorae Ciceronis Quintiliani Aquili Marcomanni Tatiani*, eine andere, zeitgenössische
Hand hat davor *Rethorica doctissimorum* ergänzt (s. den Apparat von Giomini und Celen-
tano 1980).

35 Jakobi 2005, 5. Jakobi 2002 hat auch die maßgebliche Ausgabe angefertigt.

36 Jakobi 2005, 3.

stellt wurde,[37] nach den Berechnungen Jakobis den gewaltigen Umfang von über 1.000 Teubnerseiten gehabt haben.[38] Da vermutlich nicht einmal 10 % des Gesamtkommentars erhalten geblieben sind, müssen verallgemeinernde Aussagen über die Art und Weise, in der Grillius seinen Kommentar mit Beispielen aus Ciceros Reden illustriert hat, mit großer Unsicherheit behaftet sein.

Vermutlich um die Mitte des 5. Jahrhunderts schrieb der Gallier Iulius Severianus, ein Freund des Sidonius Apollinaris, seine *Praecepta artis rhetoricae*, in denen er das, was er in den Rhetorikhandbüchern gelesen hatte, gesammelt und verdichtet hat; ist er doch der Auffassung, daß zuviel Theorie schädlich sei.[39] Gewidmet hat er das Büchlein einem nicht weiter bekannten Anfänger in der Rhetorik namens Desiderius.[40]

Unter dem Namen des Fortunatianus ist eine *Ars rhetorica* in drei Büchern überliefert.[41] Für die Datierung wichtig ist, daß er dem Cassiodor, der ihn im Rhetorikkapitel der *Institutiones* ausgiebig zitiert, um die Mitte des 6. Jahrhunderts als *doctor novellus* gilt.[42] Es scheint deshalb problematisch, ihn noch im 4. Jahrhundert zu verorten,[43] eher sollte man das (späte?) 5. Jahrhundert in Erwägung ziehen.[44]

Aus der Feder des Martianus Capella stammt bekanntlich ein enzyklopädisches Werk mit dem Titel *De nuptiis Philologiae et Mercurii*, in dessen Buch 5 auch die Rhetorik verhandelt wird. Die genaue Datierung ist umstritten, doch scheint sie sich in den letzten Jahrzehnten, vor allem nach Shanzers sorgfältiger Wägung der Argumente, immer mehr nach hinten, an das Ende des 5. Jahrhunderts zu verlagern.[45]

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37   Immerhin finden sich Verweise auf nicht erhaltene Partien, die nahelegen, daß die Kommentierung wenigstens des ganzen 1. Buches von *De inventione* geplant war (Jakobi 2005, 7 Anm. 13).

38   Jakobi 2005, 7.

39   Iul. Sev. *Rhet.* 50.13–51.2 Giomini: *adverti praeterea … obesse dicentibus rhetoricae artis nimiam disciplinam.*

40   Zu Datierung und Widmungsempfänger s. Schindel 2000, 416. Es gibt zwei moderne Editionen von Giomini 1992 und Castelli Montanari 1995; ich zitiere hier nach Giomini 1992.

41   Die maßgebliche Edition stammt von Calboli Montefusco 1979.

42   Cass. *Inst.* 2.2.10 (vgl. 2.2.1).

43   Anders Calboli Montefusco 1979, 3–8.

44   Liebermann 1997, 152–153 setzt das Werk mit Schindel, *HLL* § 616–617.1 (noch nicht veröffentlicht) „wohl eher im 5. als im 4. Jh. n. Chr." an.

45   Shanzer 1986, 5–28 kommt zu dem Schluß, daß ein Martianus, der „in the 470s to 480s" schreibe, eine „distinct possibility" sei. Grebe 1998, 16–21, dort: 21 (entspricht 2000, 368) will aus allgemeinen Erwägungen über die Förderung der Wissenschaften durch die Van-

Priscian überträgt wohl im frühen 6. Jahrhundert die dem Hermogenes und dem Libanios zugeschriebenen, vielleicht im 3. oder 4. Jahrhundert angefertigten Προγυμνάσματα[46] aus dem Griechischen ins Lateinische. Dabei übersetzt er oft die Beispiele aus der griechischen Literatur einfach in die Zielsprache, ersetzt sie aber auch gelegentlich durch solche aus der lateinischen Literatur, vor allem Vergils, aber auch Sallusts; aus Ciceros Reden stammen zwei Beispiele.[47]

Unter dem Namen eines sonst nicht weiter bekannten Emporius haben sich vier Kapitel *De ethopoeia*, *Praeceptum loci communis*, *Praeceptum demonstrativae materiae* und *Praeceptum deliberativae* erhalten, die Halm auf den Seiten 561–574 der *Rhetores Latini Minores* abgedruckt hat. Ort und Zeit der Entstehung dieser Kompilation sind unbekannt, ja, man weiß noch nicht einmal, wie viele ‚Emporii‘ sich daran zu schaffen gemacht haben. Pirovano ist zuletzt von vier Händen ausgegangen: (1) dem Verfasser griechischer προγυμνάσματα, (2) seinem lateinischen Übersetzer, (3) einem lateinischen Verfasser eines Rhetorikhandbuchs und (4) einem Kompilator, der (2) und (3) einzelne Kapitel entnahm und in der überlieferten Reihenfolge zusammensetzte.[48] Die Beispiele sind oft Vergil entnommen und finden sich z. T. auch bei Macrobius;[49] Reden Ciceros werden dreimal herangezogen.

3   Umfang der Cicerozitate

Auch wenn es im folgenden nicht um Überlieferungsgeschichte gehen soll, scheint ein grober Blick auf den Umfang des in den kaiserzeitlichen und spätantiken Rhetorikhandbüchern vertretenen Kanons lohnenswert, um zu sehen, was dort gelesen wurde und was nicht. Laut Crawfords Untersuchungen[50] sind 80 Reden Ciceros verlorengegangen, meist weil er sie nicht veröffentlicht hatte, und 58 Reden ganz oder teilweise erhalten;[51] von 16 weiteren Reden finden

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dalenkönige noch in die Zeit Thrasamunds hinabgehen: „zwischen 496 und 523“. Gerth 2013, 118 datiert zuletzt wieder vorsichtiger „nach 410 und einige Zeit vor 498“. Ich zitiere Martianus Capella nach Willis 1983.

46   Kennedy 2003, 73.

47   Ich zitiere den Text nach der Ausgabe von Passalacqua 1987.

48   Pirovano 2020, 172.

49   Martinho 2020, 191–192.

50   Crawford 1994, 3–4; vgl. auch die Tabelle Crawford 1984, 12.

51   1. *Pro Archia poeta*, 2. *Pro Balbo*, 3. *Pro Caecina*, 4. *Pro Caelio*, 5.–8. *In Catilinam 1–4*, 9. *Pro Cluentio*, 10. *Pro rege Deiotaro*, 11. *Divinatio in Caecilium*, 12. *De domo sua*, 13. *Pro Flacco*,

sich Zitate bei späteren Autoren.[52] Aus 39 dieser 58 mehr oder weniger vollständig erhaltenen Reden finden sich Zitate, Paraphrasen oder Anspielungen in den Rhetorikhandbüchern der Spätantike und zu 8 der 16 durch Zitate erhaltenen Reden steuern sie z. T. bedeutende Fragmente bei.[53] Es fehlen von den 58 überlieferten Reden *De lege agraria 1* und *3*,[54] *Philippicae 4–14*, *Pro Plancio*, *De provinciis consularibus*, *Pro Q. Roscio Gallo comoedo*, *Pro Rabirio Postumo*, *Post reditum in senatu* und *In Vatinium*, von den 16 fragmentarischen Reden *De aere alieno Milonis*, *In P. Clodium et Curionem*, *De/pro Manilio*, *De Othone*, *De proscriptorum liberis*, *Cum quaestor Lilybaeo decederet*, *In Servilium Isauricum* und *In toga candida*.

Einige Reden wurden besonders oft herangezogen und scheinen in besonders vielfältiger Weise eingesetzt worden zu sein. Herausstechen die *Miloniana* mit 33 wörtlichen Zitaten und 29 weiteren Erwähnungen, gefolgt von der *Divinatio in Caecilium* (18/6) und den *Verrinen 2.1* und *2.5* (14/9 bzw. 18/9); die gesamte, fünf Bücher umfassende *actio secunda* der Verresreden kommt auf 50 wörtliche Zitate und 51 Erwähnungen. Das ist gewiß keine Überraschung, da *Pro Milone* und das Corpus der Reden gegen Verres auch schon von Quintilian ausgiebig zitiert und im Laufe der Kaiserzeit mehrfach kommentiert worden sind. In einem ehrenvollen Mittelfeld liegen *Pro Cluentio* (13/12), *Pro Caelio* (12/3) und die *Catilinaria 1* (13/1), aber auch *Pro Sex. Roscio Amerino* wird oft erwähnt (9/15). Vor allem sollte man nicht den Fehler machen und von einer bloßen Nennung einer Rede auf einen geringeren Bekanntheitsgrad schließen als bei einem wörtlichen Zitat; das Gegenteil ist der Fall: gerade Vertrautheit mit der *Rosciana* scheinen die Rhetoren bei ihren Lesern vorauszusetzen und begnügen sich oft mit einer bloßen Andeutung *ut Cicero pro Roscio* oder ähnlichem; Victorinus etwa zitiert nie wörtlich aus *Pro Milone*, sondern spielt nur auf die bekannten Zusammenhänge an.

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14. *Pro Fonteio*, 15. *De haruspicum responso*, 16.–18. *De lege agraria 1–3*, 19. *Pro Ligario*, 20. *Pro lege Manilia*, 21. *Pro Marcello*, 22. *Pro Milone*, 23. *Pro Murena*, 24.–37. *Philippicae 1–14*, 38. *In Pisonem*, 39. *Pro Plancio*, 40. *De provinciis consularibus*, 41. *Pro Q. Roscio Gallo comoedo*, 42. *Pro Quinctio*, 43. *Pro Rabirio perduellionis reo*, 44. *Pro Rabirio Postumo*, 45. *Post reditum ad Quirites*, 46. *Post reditum in senatu*, 47. *Pro Scauro*, 48. *Pro Sestio*, 49. *Pro Sex. Roscio Amerino*, 50. *Pro Sulla*, 51. *Pro Tullio*, 52. *In Vatinium*, 53.–58. *In Verrem 1–2.5*.

52   1. *De aere alieno Milonis*, 2. *De rege Alexandrino*, 3. *In P. Clodium et Curionem*, 4. *Contra contionem Metelli*, 5.–6. *Pro Cornelio 1–2*, 7. *Pro Fundanio*, 8. *Pro Gallio*, 9. *De/pro Manilio*, 10. *De Othone*, 11. *Pro Oppio*, 12. *De proscriptorum liberis*, 13. *Cum quaestor Lilybaeo decederet*, 14. *In Servilium Isauricum*, 15. *In toga candida*, 16. *Pro Vareno*.

53   Siehe die Tabelle S. 122–125.

54   Es ist nicht ganz klar, welche Rede Iul. Vict. 24.26 Giomini–Celentano gemeint ist.

Andere Reden werden dagegen kaum verwendet: so sind *In Catilinam 2*, *Philippica 3*, *Pro Archia poeta*,[55] *Pro Balbo*, *Pro Fundanio* und *Pro Sestio* nur mit jeweils einem wörtlichen Zitat oder einer Erwähnung im Corpus der spätantiken Rhetorikhandbücher vertreten, und *Contra contionem Metelli*, *De haruspicum responso*, *In Catilinam 3*, *Post reditum ad Quirites*, *Pro Cornelio 2*, *Pro Flacco*, *Pro Gallio*, *Pro lege Manilia*, *Pro Marcello*, *Pro Murena*, *Pro Oppio*, *Pro Rabirio perduellionis reo* und *Pro Sulla* mit zwei wörtlichen Zitaten bzw. Erwähnungen. Hervorzuheben ist vielleicht auch, daß das Ergebnis sich erheblich änderte, wenn man die beiden Kompilatoren Iulius Victor und Martianus Capella aus der Betrachtung herausnähme: dann verschwänden *De haruspicum responso*, *De lege agraria 2*, *In Catilinam 2*, *Philippica 3*, *Post reditum ad Quirites*, *Pro Balbo*, *Pro Fonteio* und *Pro Murena* ganz und *Contra contionem Metelli*, *In Catilinam 3*, *Pro Cornelio 2*, *Pro Flacco*, *Pro Gallio*, *Pro lege Manilia*, *Pro Marcello* und *Pro Rabirio* träten zur ersten Gruppe der Einmalerwähnungen hinzu.

Die Gründe für diese Auswahl von Ciceroreden sind gewiß vielfältig und mögen für jede Rede anders gelagert sein. Eine wichtige Rolle dabei dürfte aber die Frage gespielt haben, welche Rede sich für die Veranschaulichung bestimmter Aspekte rhetorischer Theorie besonders gut eignete. Auch das wird im folgenden zu berücksichtigen sein.

4 Strukturen

Der Aufbau der Rhetorikhandbücher ist im Detail unterschiedlich, doch lassen sich die einzelnen Bestandteile im Groben gut vergleichen, da mehr oder weniger dieselben Elemente wiederkehren. Das Grundschema findet sich bereits in Ciceros rhetorischer Jugendschrift *De inventione* und in der *Rhetorica ad Herennium*: nach Prooöm (Cic. *Inv.* 1.1–5) und Klärung der Vorfragen (5–9 ‚Was ist Rhetorik?‘, ‚Was ist die Aufgabe der Rhetorik?‘, ‚Was ist ihr Zweck?‘, ‚Was ist ihr Stoff?‘ [mit Unterscheidung von θέσις und ὑπόθεσις], ‚Was sind ihre Teile?‘) folgt die Lehre von der *inventio*, die mit der Einführung in die Statuslehre (10–19) beginnt.[56] Es schließt sich die Behandlung der einzelnen sechs Redeteile (19–109 *exordium*, *narratio*, *partitio*, *confirmatio*, *reprehensio*, *conclusio*) an. In Buch 2 von *De inventione* folgt auf eine Einleitung (2.1–10) die Argumentations-

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55 Hier liegt eine Besonderheit vor, weil das Zitat angekündigt wird, bevor der Text der pseud-augustinischen Rhetorik abbricht. Wir wissen also nur, daß aus *Pro Archia* zitiert werden sollte, aber nicht mehr, was genau zitiert wurde.

56 Zur Statuslehre allgemein s. Calboli Montefusco 1986 und die einschlägigen Abschnitte bei Lausberg 1990, v. a. 47–138.

topik für die jeweiligen *genera* gesondert, zuerst für das wichtige *genus iudiciale* (11–154), und zwar nach den vier *constitutiones* bzw. *status rationales* (στάσεις λογικαί) und den fünf *controversiae scripti* (στάσεις νομικαί). Daran schließen sich kurze Bemerkungen zum *genus deliberativum* und zum *genus demonstrativum* an.[57] Es ist anzunehmen, daß Cicero im Anschluß ursprünglich auch die anderen vier *officia oratoris*, also *dispositio*, *elocutio*, *memoria* und *pronuntiatio* darstellen wollte.

Diese Grobstruktur, die den Stoff nach den *officia oratoris* gliedert und die Redeteile innerhalb der *inventio* abfertigt, findet sich im wesentlichen auch bei den spätantiken Rhetorikhandbüchern wieder;[58] daß die *De inventione*-Kommentare diesem Schema folgen, versteht sich von selbst. Was in der Kaiserzeit noch hinzukommt, ist die dem Hermagoras zugeschriebene Lehre von den ἀσύστατα, also den Fällen ohne στάσις, die bei Cicero ausgespart worden war und die auch der *Auctor ad Herennium* und Quintilian nicht kennen.[59] An diesen Themen wollen wir uns im folgenden orientieren, wenn wir nach Beispielen aus Ciceros Reden suchen. Es wird sich dann zeigen, welcher Bereich der Theorie den Rhetoriklehrern besonders geeignet schien, mit Hilfe von Beispielen aus Ciceros Reden illustriert zu werden, und ob es Themen gibt, zu denen sich Beispiele nicht so leicht finden ließen. Daran wird man einerseits sehen, wo die Rhetoriklehrer Ciceros Stärken sahen, und andererseits, welche Fragen sich weniger gut mit Hilfe von Beispielen aus der historischen Redepraxis belegen ließen.

5 Handbücher aus Griechenland

Beginnen will ich der Übersichtlichkeit halber mit denjenigen Rhetorikhandbüchern, die, wie man der S.122–125 abgedruckten Tabelle entnehmen kann, auf Beispiele aus Ciceros Reden fast gänzlich verzichten oder nur ganz sporadisch darauf zurückgreifen. Es handelt sich vor allem um diejenigen Handbücher, die mehr oder weniger Übertragungen griechischer Vorlagen sind: die pseudaugustinische Rhetorik, die *Institutiones oratoriae* des Sulpicius Victor

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57 Zum Aufbau von *De inventione* s. Fuhrmann 1960, 60.

58 Vgl. die Übersicht bei Reuter 1893, 74 Anm. 2 zu Fortunatian, Iulius Victor, Martianus Capella und Sulpicius Victor. Die pseudaugustinische Rhetorik bietet, soweit sich das anhand der Reste noch sagen läßt, keine erheblichen Unterschiede zu diesem System.

59 Vgl. die ausführliche Diskussion bei Woerther 2012, 212–219, die die Behandlung der ἀσύστατα unter die *testimonia incerta* (inc. T4) einreiht.

und die *Praeexercitamina* Priscians; auch die *Ars rhetorica* Fortunatians müßte man, wie wir gleich sehen, wenigstens zum größten Teil hierher zählen.

Der anonyme Verfasser der pseudaugustinischen Rhetorik, der Ende des 2. oder Anfang des 3. Jahrhunderts schreibt, zitiert Cicero einige Male als Autorität, ein erstes Mal schon am Anfang, um das Urteil der Griechen über die Bedeutung der *memoria* für den Redner zu stützen. Dazu wird die berühmte Stelle aus *De oratore* angeführt, an der die *memoria* als ‚Schatzkammer aller Dinge‘ (*thesaurus rerum omnium*) bezeichnet wird.[60] Gleich im Anschluß wird Demosthenes als Autorität für die *pronuntiatio* genannt, so daß man den Eindruck bekommt, daß die beiden bedeutendsten Redner Griechenlands und Roms nebeneinander gestellt werden sollten.[61] Bemerkenswert ist, mit welcher Urbanität der Anonymus das Cicerozitat einleitet: *hoc, ut opinor, modo* – als ob er sich nur flüchtig erinnere! Dabei ist es eine fast wörtliche Übernahme aus *De oratore* 1.18.[62]

Trotz dieses programmatisch anmutenden Anfangs tritt Cicero im folgenden in den Hintergrund: die Unterscheidung von θέσις und ὑπόθεσις, die Erläuterung der περίστασις, die Vorstellung der στάσεις λογικαί und νομικαί, die Erklärung von αἴτιον, συνέχον und κρινόμενον und die Besprechung der ἀσύστατα kommen ganz ohne *exempla* aus oder beschränken sich auf Beispiele aus dem Deklamationsbetrieb (‚Ein Vater verstößt seinen Sohn‘ usw.) oder dem Mythos (Orestes, Odysseus). Erst als es um die *figurae controversiarum* und ihre Bedeutung für das *exordium* geht, werden in § 19 zwei Stellen aus Reden Ciceros wörtlich angeführt, um ihn als Meister des Redeanfangs zu präsentieren: sie stammen vom Anfang der Reden *Contra contionem Metelli* und *In Catilinam 4*.[63] Beide Reden haben gemein, daß Cicero sich der Sympathie seiner Zuhörer bewußt war (ἔνδοξον σχῆμα) und deshalb beherzter und selbstbewußter auftreten konnte als in einer Verteidigungsrede. Im folgenden § 20 zitiert der Anonymus wörtlich vom Anfang der Rede *Pro Scauro*, um ein Beispiel für das ἀμφίδοξον σχῆμα zu geben, bei dem der Redner versuchen muß, die Ablehnung, die dem Angeklagten aufgrund der ihm vorgeworfenen Tat entgegenschlägt, durch die Herausstellung seines tadellosen Charakters zu entkräften.[64] Auch hier wird Cicero als Autorität für einen gelungenen Redeanfang angeführt. In § 21 scheint noch ein wörtliches Zitat vom Anfang der Rede *Pro Archia poeta*

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60 Ps.-Aug. *Rhet.* 36.2–9 Giomini.
61 Zu Cicero und Demosthenes in den Scholien s. Bishop in diesem Band.
62 Vielleicht sogar kontaminiert mit *Rhet. Her.* 3.28; s. Jakobi 2013, 196. Die Stelle wird auch Tert. *Anim.* 24, Iul. Vict. 95.15 Giomini–Celentano und Isid. *Sent.* 1.13.7b zitiert.
63 Ps.-Aug. *Rhet.* 71.7–9; 72.1–2 Giomini (*Cont. Met.* frg. 1 Crawford; *Cat.* 4.1).
64 Ps.-Aug. *Rhet.* 74.5–8 Giomini (*Scaur.* frg. a).

gefolgt zu sein, um nach Demosthenes und Lysias noch ein römisches Beispiel für ein ἄδοξον σχῆμα zu liefern, doch bricht die Überlieferung des Traktats vor dem Zitat überraschend ab. Jedenfalls tritt Cicero auch hier neben die großen attischen Redner.

Sieht man einmal von einer (allerdings voraussetzungsreichen) Anspielung auf die *Rosciana* in §19 ab,[65] handelt es sich bei den Beispielen des Anonymus gerade nicht um Reden, die in den Rhetorenschulen besonders beliebt gewesen sind, also die *Verrinen* oder die *Miloniana*. Aber das mag natürlich Zufall sein, ebenso wie die Tatsache, daß zwei der Reden, diejenige *Contra contionem Metelli* und *Pro Scauro*, nur fragmentarisch überliefert sind.[66] Man wird auch in Rechnung stellen müssen, daß die Schrift mitten in der Besprechung der *figurae controversiarum* abbricht und wir nicht wissen, zu welchen Bereichen der Anonymus weitere Beispiele vorgebracht hat. Festhalten dürfen wir aber gleichwohl, daß erst die Behandlung des Redeanfangs zu dem Bedürfnis geführt hat, Zitate aus Cicero beizubringen.

Die pseudaugustinische Rhetorik ist interessant, weil sie uns Einblick gibt in die Rezeption griechischer Handbücher in Rom: man übersetzt im wesentlichen griechische Rhetoriktheorie ins Lateinische, der Anonymus nennt sogar seinen Lehrer, einen ansonsten nicht weiter bekannten Mann namens *Democrates*.[67] Die Beispiele, die der griechische Lehrer ursprünglich wohl aus Demosthenes und anderen griechischen Rednern geschöpft haben muß (dafür gibt es in der Schrift auch einige Indizien), werden hier und da wohl durch Beispiele aus Cicero ersetzt. Viel deutlicher ausgeprägt ist allerdings die Nähe zum Deklamationswesen, was gerade in den Beispielen besonders deutlich wird: denn hier geht es meist um verstoßene Söhne, Arme und Reiche, Ehebrecher und andere typische Gestalten des Deklamationskosmos, nicht um Milo, Roscius oder Verres.

Und noch etwas ist auffällig an der pseudaugustinischen Rhetorik: sie beruft sich zwar mehrfach auf Hermagoras,[68] scheint aber Ciceros Schrift *De inventione* überhaupt nicht zu kennen, die sich ebenfalls auf Hermagoras oder vielmehr ein Handbuch der Rhodischen Rhetorenschule gestützt hatte, das auf Hermagoras antwortete. Das dürfte natürlich vor allem an dem griechischen Lehrer des Anonymus liegen. Gleichwohl ist es bemerkenswert, daß *De inven-*

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65   Jakobi 2013, 194 Anm. 3.

66   *Pro Scauro* als Beispiel für das ἀμφίδοξον σχῆμα wird später bei Grill. 92.54–60 Jakobi wiederbegegnen (im Kommentar z. St. verweist Jakobi auch auf Quint. *Inst.* 6.1.21).

67   Ps.-Aug. *Rhet.* 63.11 Giomini.

68   Insgesamt finden sich in dem kurzen Text 15 Erwähnungen, s. den Index bei Giomini 1990, 51.

tione, das noch von Quintilian ausgiebig zitiert worden war, in der Rhetorik des Anonymus gar keine Rolle mehr spielt. Vielleicht ist Ciceros Jugendwerk im 2. Jahrhundert durch griechische Importe etwas in den Hintergrund gedrängt worden.

Ganz ähnlich ist der Befund im Fall des Sulpicius Victor, der noch viel stärker als der anonyme Verfasser der pseudaugustinischen Rhetorik von den Beispielen des Deklamationswesens beeinflußt ist, natürlich vor allem dort, wo es um die Illustration der Statuslehre geht. Er führt aber auch Stellen aus ciceronianischen Reden an, mit denen er aus selbständiger Lektüre vertraut zu sein scheint. Dann ist Cicero für ihn oft die unumstrittene Autorität. Wer so wie Cicero vorgehe, mache immer das Richtige, behauptet er – etwa an der folgenden Stelle, an der es um Fälle geht, die aus mehreren στάσεις zusammengesetzt sind:

> Exempla non desunt Tulliana. coniuncta causa est pro Milone. defenditur enim statibus duobus: relatione, quod merito Clodius dicatur occisus, cum fecisset insidias; conpensatione, quod dicatur bono rei publicae occisus pessimus civis. facile ⟨est⟩ animadvertere, quid in eiusmodi causis debeat fieri, videntibus quid fecerit Cicero.[69]

> Beispiele aus Cicero fehlen nicht. Ein zusammengesetzter Fall ist der für Milo. Er wird nämlich durch zwei *status* verteidigt: durch die *relatio*, denn Clodius soll verdientermaßen getötet worden sein, da er einen Hinterhalt gelegt habe; und durch die *conpensatio*, denn dieser verkommenste Bürger soll zum Wohle des Staates getötet worden sein. Es ist leicht zu erkennen, was in Fällen dieser Art zu tun ist, wenn man sich anschaut, was Cicero getan hat.

Sulpicius zeigt hier innige Vertrautheit mit den Fachdebatten der Kaiserzeit: welche Verteidigungsstrategie für Milo die beste sei, war offenbar schon unter Ciceros Zeitgenossen umstritten, wie wir aus einer Bemerkung im Kommentar des Asconius Pedianus erfahren, die sich auch bei Quintilian und in den spätantiken Scholien wiederfindet.[70] Demzufolge habe Cicero in der *Miloniana* den *status relationis* angewendet (‚Milo hat Clodius zu Recht getötet, weil er

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69   Sulp. Vict. 318.3–7 Halm.

70   Asc. *Mil.* 41.9–18C; vgl. auch Quint. *Inst.* 3.6.93; *Schol. Bob. Mil.* 112.14–18 St. (die Erörterung ist allerdings unvollständig überliefert); *Schol. Gron. Mil.* 323.11–12 St. (*status in hac oratione est relativus, hoc est 'feci, sed meruit', hoc est 'insidiantem occidi'*). Ferner Mart. Cap. 5.451, 461.

in Notwehr gehandelt hat'), während Brutus in einer Übungsrede ganz auf den *status compensationis* (‚Clodius wurde zum Wohle der *res publica* getötet') gesetzt habe. Darüber scheint bei den Scholiasten Einigkeit geherrscht zu haben. Sulpicius wiederum sieht hier beide *status* verbunden, was schon bei Quintilian angelegt ist: dort wird Cicero ausdrücklich dafür gelobt, daß er der eigentlichen Beweisführung, daß Clodius Milo angegriffen habe, im Überfluß (*ex abundanti*) das Argument hinzugefügt habe, Milo hätte eine ruhmvolle Tat vollbracht, wenn er einen solchen Mann wie Clodius absichtlich getötet hätte.[71] Das bezieht sich auf den zweiten Teil von Ciceros *argumentatio* (72–91), die Cicero wahrscheinlich erst der publizierten Fassung der *Miloniana* hinzugefügt hat.[72] Cicero selbst hebt zu Beginn dieses Abschnitts hervor, daß, wäre es ihm nicht gelungen, den Vorwurf des Mordes zu entkräften, Milo ungestraft in der Öffentlichkeit die ruhmvolle Lüge (*gloriose mentiri*) verbreiten dürfte, er habe Clodius getötet. Das Wort *gloriosus* ist gewiß nicht besonders ungewöhnlich oder erlesen, aber die Junktur der ruhmvollen Lüge dürfte auf Ciceros Leser Eindruck gemacht haben.[73] Schon Quintilian hebt an der genannten Stelle den Ruhm (*gloria*) hervor, der dem Mörder zufallen müßte, und Sulpicius Victor folgt ihm darin, wenn er von einer *gloriosa defensio* spricht.[74] Daß er im Gegensatz zu Quintilian Ciceros *gloriosus* aufgreift, läßt aber vermuten, daß seine Formulierung der selbständigen Lektüre der *Miloniana* zu verdanken ist, auch wenn das Beispiel auf einer alten Kontroverse beruht.

Nicht minder konventionell ist das zweite Beispiel, das Sulpicius im Anschluß kurz berührt, daß in der Rede *Pro Cluentio* die *negatio* durch die *praescriptio* verstärkt worden sei.[75] Diese Deutung ist Gemeingut der Rhetoriklehrer spätestens seit Quintilian,[76] und dasselbe trifft zu, wenn etwas später die *Miloniana* als Beispiel für den *ordo artificiosus* angeführt wird.[77]

Wörtliche Zitate aus Cicero finden sich hingegen nur sehr selten: in § 19 wird behauptet, daß die *narrationes* der ciceronianischen Reden gewöhnlich

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71   Quint. *Inst.* 4.5.15 mit Keeline 2018, 67–68.

72   Winterbottom 1982b, 67 (= 2019, 102); Keeline 2021, 280.

73   Zur Faszination der Scholiasten für Ciceros Taktik der *dissimulatio* vgl. La Bua, Schwameis und Margiotta in diesem Band.

74   Sulp. Vict. 318.10–11 Halm: *quoniam etiam gloriosa Miloni possit esse illa defensio, si propter rem publicam fecisse videatur.*

75   Sulp. Vict. 318.12–17 Halm.

76   Quint. *Inst.* 6.5.9; vgl. Mart. Cap. 5.507; Grill. 49.135 ff. Jakobi.

77   Sulp. Vict. 320.24–25 Halm. Das Beispiel schon Quint. *Inst.* 4.2.25 und später auch Victorin. *Comm.* 76.23–24; Iul. Vict. 75.7–11 Giomini–Celentano; Fortun. *Rhet.* 123.11–13 Calboli Montefusco; Iul. Sev. *Rhet.* 63.6–7 Giomini; Mart. Cap. 5.506.

mit einem Nominativ begännen (*quam Graeci ὀρθόπτωσιν*[78] *vocant*), und als Beleg dafür *S. Rosc.* 15 (*Sextus Roscius pater huius municeps Amerinus fuit*) und *Mil.* 24 (*P. Clodius, cum statuisset omni scelere in praetura vexare rem publicam*) angeführt, gefolgt von der verallgemeinernden Behauptung, daß sich bei Cicero fast keine Rede finde, die anders anfange.[79] Das ist natürlich eine Übertreibung,[80] aber die Bemerkung des Sulpicius zeigt immerhin, wie sorgfältig man die *narrationes* Ciceros in den Rhetorenschulen der Spätantike studiert hat.

Bei der Besprechung der *narratio probabilis* § 20 wird betont, daß Cicero in allen *narrationes* bereits die spätere *argumentatio* vorbereitet habe; als Beispiel dient auch hier wieder die *Miloniana*, für die sogar zwei kurze Abschnitte aus *Mil.* 25 wörtlich zitiert werden.[81] Es scheint kein Zufall zu sein, daß hier in § 20 nach dem Zitat von *Mil.* 24 in § 19 der unmittelbar folgende Paragraph der *Miloniana* zitiert wird: Sulpicius dürfte die beiden Paragraphen in einem Arbeitsschritt geschrieben und die Cicerorede nur einmal aufgeschlagen haben.

Alles in allem fällt aber auch bei Sulpicius Victor die Bilanz der aus Ciceros Reden geschöpften Beispiele höchst bescheiden aus: neben drei kurze wörtliche Zitate aus der *Rosciana* und *Miloniana* treten drei weitere Anspielungen auf *Cluentiana* und *Miloniana*. Die wörtlichen Zitate betreffen ausschließlich die *narratio*; die Anspielungen beziehen sich auf die *figura causae* und die *dispositio orationis*. Das Kernstück des Buches (zumindest der erhaltenen Form nach zu urteilen), die in den §§ 24–62 abgehandelte Statuslehre, kommt ganz ohne Beispiele aus Cicero aus, sondern stützt sich vielmehr gänzlich auf die aus dem Deklamationsbetrieb bekannten Szenarien.

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78   Das Wort scheint in der griechischen Literatur sonst nicht mehr belegt zu sein; ὀρθόπτωτος findet sich in den Aischylosscholien zu *Pers.* 135 und in den Euripidesscholien zu *Phoen.* 1288 (LSJ 1249 s.v. ὀρθόπτωσις. ὀρθόπτωτος). In den προγυμνάσματα gibt es die Unterscheidung zwischen dem ὀρθὸν ἀποφαντικὸν σχῆμα διηγήσεως und dem ἀποφαντικὸν ἐγκεκλιμένον; das ὀρθὸν σχῆμα heiße deshalb so, weil es gänzlich oder größtenteils im Nominativ geschrieben sei (διότι παρ᾽ ὅλον τὸν λόγον ἢ τὸν πλείω τηρεῖ τὴν πτῶσιν τὴν ὀνομαστικήν), das ἐγκεκλιμένον σχῆμα verwende alle anderen Fälle (Ps.-Hermog. *Progymn.* 4.21–5.9 Rabe).

79   Sulp. Vict. 323.9–14 Halm.

80   Zunächst ist festzuhalten, daß viele Reden gar keine *narratio* enthalten. Was die erhaltenen Reden mit *narratio* betrifft, so beginnen tatsächlich nicht wenige mit einem Nominativ (*Quinct.* 11; *S. Rosc.* 15; *Ver.* 2.1.34; *Caec.* 10; *Clu.* 11; *Mil.* 24; *Lig.* 2), aber es gibt natürlich auch *narrationes*, die nicht mit einem Nominativ beginnen (*Tul.* 14; *Arch.* 4; *Sest.* 6). An diesen Beispielen erkennt man gut, daß die Deutung des Sulpicius Victor, daß die sogenannte ὀρθόπτωσις mehr Klarheit schaffe, unsinnig ist; denn Cicero erstrebt mit der Wortstellung nicht Klarheit, sondern Emphase.

81   Sulp. Vict. 323.20–25 Halm.

Mußten wir den Befund im Falle der pseudaugustinischen Rhetorik noch
mit der Einschränkung versehen, daß ein Urteil darüber angesichts des Erhal-
tungszustands der Schrift unsicher sein muß, so treffen wir bei Sulpicius Vic-
tor deutlich bessere Bedingungen an: zwar können wir nicht mit Gewißheit
sagen, daß nach der Statuslehre noch etwas folgte, aber thematisch scheint
nicht mehr viel zu fehlen, und die Statuslehre ist bis auf die Behandlung der
collectio und *ambiguitas* vollständig durchgeführt. Mehr als fünf Seiten dürf-
ten daher nicht verlorengegangen sein. Der Erhaltungszustand der bei Halm
40 Seiten umfassenden *Institutiones oratoriae* ist (wenigstens was den Umfang
betrifft) deutlich besser als der der 14 Seiten umfassenden pseudaugustini-
schen Rhetorik. Da sich beide Schriften recht ähnlich sind, dürfen wir viel-
leicht eine gemeinsame Tendenz der aus Athen importierten und ins Lateini-
sche übersetzten modernen Rhetorikhandbücher des 2.–4. Jahrhunderts darin
erkennen, daß sie für *exordium* und *narratio* gelegentlich auf Beispiele aus
Reden Ciceros zurückgreifen, die für die Argumentation so wichtige Status-
lehre jedoch im wesentlichen anhand der bekannten Deklamationsbeispiele
illustrieren.

Nicht anders steht es auch noch im Falle der vollständig erhaltenen *Ars rhe-
torica* des Consultus Fortunatianus aus dem späten 5. Jahrhundert. Auch For-
tunatian erklärt die Statuslehre im wesentlichen mit Beispielen aus dem Dekla-
mationswesen. Ja, einmal wird sogar ein Deklamationsbeispiel aus dem histo-
rischen Fall der *Miloniana* konstruiert.[82] Beispiele aus Reden Ciceros sind im
Vergleich dazu äußerst selten. So erläutert Fortunatian die Frage, wo man den
status finde (die vielleicht verwandt ist mit der Unterscheidung zwischen *sta-
tus principalis* und *status incidens*),[83] anhand der *Miloniana* und der bekannten
Frage, in welchem Verhältnis dort der *status relationis* und der *status coniec-
turalis* zueinander stehen.[84] Man erinnert sich, daß Sulpicius Victor die *Milo-
niana* in ähnlichem Zusammenhang angeführt hatte.[85] Beim *status legalis*, der
auf dem Gegensatz zwischen dem Wortlaut des Gesetzes und dem Willen des
Gesetzgebers beruht (*scriptum et voluntas*), wird eine Argumentationsstrate-
gie, die die *voluntas* durch Vergleich mit anderen Gesetzen zu ermitteln sucht,

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82   Fortun. *Rhet.* 87.7–9 Calboli Montefusco: *damnato Milone Cicero exclamavit urbem
      Romam bonis civibus sedem esse non posse. reus est laesae rei publicae* (= Kohl 1915, Nr.
      421; vgl. Iul. Vict. 12.6–8 Giomini–Celentano). Ebenso wird Fortun. *Rhet.* 71.8–12 Calboli
      Montefusco der Fehler παρ' ἱστορίαν durch ein Deklamationsthema erklärt, in dem Hor-
      tensius angeklagt wird, in seinem Konsulat unverurteilte Bürger hingerichtet zu haben,
      während es in Wirklichkeit Cicero sein müßte.

83   Calboli Montefusco 1979, 337–338.

84   Fortun. *Rhet.* 103.19–104.1 Calboli Montefusco.

85   Siehe oben S. 101-102.

durch einen knappen Verweis auf die Reden *Pro Tullio* und *Pro Caecina* erläutert.[86] Weitere Beispiele aus Reden Ciceros sucht man in der Statuslehre vergeblich.

Dagegen bestätigt sich der Befund, den wir auch schon bei Sulpicius Victor (und vielleicht auch Ps.-Augustinus) feststellen konnten, daß Beispiele aus Ciceros Reden gerne Fragen, die das *exordium* oder die *narratio* betreffen, veranschaulichen helfen: so profitiert vor allem die Behandlung der *narratio* hier und da durch einen Verweis auf und ganz selten auch durch wörtliche Zitate aus den Reden,[87] aber auch für die *partitio* werden einige Male Beispiele angeführt,[88] und sogar in der *argumentatio* findet sich wenigstens ein knapper Verweis.[89] Wenig verwunderlich ist auch, daß bei der Besprechung der *elocutio* einige Beispiele Reden Ciceros entnommen werden.[90]

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86 Fortun. *Rhet.* 116.19–22 Calboli Montefusco.

87 Fortun. *Rhet.* 121.13–14 Calboli Montefusco wird für die προέκθεσις auf die *Rosciana* verwiesen, 121.15–122.3 für die προπαρασκευή auf die Reden *Pro Oppio* und *Pro rege Deiotaro*. Daß die *narratio* nicht immer schematisch nach dem *exordium* positioniert werden muß, wird 123.10–13 am Standardbeispiel der Rede *Pro Milone* verdeutlicht (s. oben Anm. 77). Der Typus der *narratio convincens* wird 124.3–4 durch ein wörtliches Zitat aus *Cat.* 1.9 illustriert, Ciceros Praxis, in der *narratio* eine ἐκφώνησις (*exclamatio*) einzusetzen, wird 125.13–14 durch *S. Rosc.* 17 belegt. Für den Einsatz der ἀνανέωσις vor der *argumentatio* wird 126.23–127.1 auf *Pro Quinctio* und *Pro Caecina* verwiesen.

88 Daß man bei der *partitio* Selbstsicherheit vermeiden, vielmehr betonen solle, daß es einem scheine, daß die folgenden Punkte verhandelt werden müßten, wird Fortun. *Rhet.* 128.4 Calboli Montefusco durch *S. Rosc.* 35 verdeutlicht. Daß man die Feingliederung nicht in der *partitio*, sondern bei der Ausführung vornehmen solle (μερικὴ διαίρεσις), wird 128.5–9 durch Verweis auf die Rede *De imperio Cn. Pompei* gezeigt. Für den Typus der μικτὴ διαίρεσις wird 129.10–11 auf die Rede *De rege Alexandrino* verwiesen.

89 Fortun. *Rhet.* 134.16–23 Calboli Montefusco wird, wenn im Zuge der *argumentatio* die ὑποφοραί und ἀνθυποφοραί besprochen werden, ohne weitere Ausführungen auf die *Divinatio in Caecilium*, die *Corneliana 1* und die Rede *De rege Alexandrino* verwiesen.

90 Fortun. *Rhet.* 144.9 Calboli Montefusco wird vielleicht aus *Rab. perd.* 16 ein Beispiel für die Wortneuschöpfung durch *derivatio* vorgebracht, aber das Wort *perpessio*, um das es dort geht, kommt auch an anderen Stellen im *corpus Ciceronianum* vor. Cicero soll sich laut 145.7–8 auch nicht gescheut haben, die Wörter *serracum*, *pix* und *scalae* zu verwenden, wovon wenigstens *serracum* durch ein bei Quintilian erhaltenes Fragment der *Pisoniana* bezeugt ist (Cic. *Pis.* frg. xvi Nisbet). Der Gebrauch von *verba splendida* wird 146.2–3 durch *Ver.* 2.5.91 nachgewiesen, der von *verba humiliora* 146.7 durch *Corn. 1* frg. 11 Crawford, *Ver.* 2.1.122 und *Clu.* 27. Daß längere Wörter ans Satzende gehören, wird 146.16–17 durch einen Satz aus *Scaur.* 25 gezeigt. Die Verwendung des wohlklingenden *lychnus* statt *lucerna* wird 147.10–11 durch *Cael.* 67 belegt (Mart. Cap. 5.509 verwendet hier übrigens Verg. *Aen.* 1.726). Daß *verba propria* auch erhabene Passagen zieren können, wird 147.20–148.1 mit einem Satz aus *Phil.* 2.58 gezeigt. Für die metaphorische Verwendung von Namen dient 148.10 die *Palatina Medea* aus *Cael.* 18 als Beispiel.

Als Fazit darf man festhalten: auch wenn Fortunatian im Gegensatz zu Ps.-Augustinus oder Sulpicius Victor seine Quellen mit wenigen Ausnahmen nicht offenlegt, so steht die Statuslehre doch unter dem starken Einfluß des Hermogenes, vielleicht auch weiterer griechischer Handbücher. Bei den *partes orationis* nehmen die Ciceros Reden entnommenen Beispiele zu, woraus man auf einen Wechsel der Vorlage geschlossen hat.[91] Jedenfalls scheint es Fortunatian bzw. seiner Quelle wie schon seinen Vorgängern leichter gefallen zu sein, Beispiele aus den *exordia* oder *narrationes* Ciceros anzuführen; im Falle der Statuslehre hingegen ist es wohl einfacher gewesen, die komplizierten Zusammenhänge anhand der konstruierten Fälle des Deklamationsbetriebes zu erklären, statt zu versuchen, historische Beispiele zu finden.

Schließlich läßt sich dasselbe Phänomen auch im letzten Fall von Übersetzungsliteratur beobachten, den *Praeexercitamina* Priscians – um so mehr, als es sich nicht um bloße Anleihen aus griechischer Literatur handelt, sondern um eine recht wörtliche Übersetzung der dem Hermogenes zugeschriebenen Προγυμνάσματα, was man anhand der erhaltenen Vorlage noch feststellen kann. Cicero wird hier nur zweimal herangezogen, wenn zur προσωποποιΐα (der Redner legt einem Abstraktum oder einem Gegenstand Worte in den Mund) auf die Personifizierung der *patria* (*Cat.* 1.18 bzw. 1.27) und zur εἰδωλοποιΐα (der Redner legt einem Verstorbenen Worte in den Mund) auf den Auftritt des Appius Caecus (*Cael.* 14) verwiesen wird.[92] Ps.-Hermogenes hatte dagegen 20.10–12 Rabe als Beispiel für die προσωποποιΐα Menanders Ἔλεγχος (frg. 507 Kassel–Austin) und eine sonst nicht weiter bekannte Stelle aus einer Rede des Aristeides angeführt, in der dieser das Meer zu den Athenern hatte sprechen lassen; die εἰδωλοποιΐα wird 20.16–18 Rabe mit einer Stelle aus der Rede des Aristeides Πρὸς Πλάτωνα illustriert. Priscian hat hier vermutlich deshalb nach lateinischen Beispielen gesucht, weil Ps.-Hermogenes kein Beispiel wörtlich zitiert, sondern lediglich mit knappen Worten Literaturhinweise gegeben hatte, die dem römischen Publikum (und vielleicht auch Priscian selbst) wahrscheinlich nicht mehr vertraut waren. Die Stellen aus den *Catilinarien* gehörten im übrigen seit Quintilian (*Inst.* 9.2.32) zu den klassischen Beispielen für die προσωποποιΐα.[93]

Dasselbe Interesse an den Personifikationen Ciceros zeigt übrigens auch Emporius im Kapitel über die ἠθοποιΐα, wo für die προσωποποιΐα auf die Personifikation Siziliens in der *Divinatio in Caecilium* und (wie bei Priscian) auf

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91   Calboli Montefusco 1979, 23–25.

92   Prisc. *Praeex.* 45.10–14 Passalacqua.

93   Das Beispiel der *Caeliana* findet sich auch bei Aquila Romanus (11.8–10 Elice); beide Beispiele zusammen *Schem. Dian.* 72.18–20 Halm.

die Personifikation Roms in der *Catilinaria 1* verwiesen wird.[94] Im Kapitel über die *deliberatio* wird für das summarische Abhandeln der *narratio* schließlich noch auf die Rede *De imperio Cn. Pompei* verwiesen.[95]

6 Lateinische *De inventione*-Kommentare

Während man beobachten kann, daß die Handbücher griechischer Provenienz sich in der Rezeption der Ciceroreden im wesentlichen auf die *partes orationis* beschränken, beginnt mit der Kommentierung von Ciceros *De inventione* durch den römischen Rhetorikprofessor Marius Victorinus für uns ein neuer Abschnitt. Victorinus kennt natürlich den Deklamationsbetrieb der Schule. So ist er sich durchaus bewußt, daß ein Unterschied zwischen den *scholae controversiae* des Deklamationssaals und den *causae forenses* besteht.[96] Ihm fallen auch bei der Besprechung der *narrationes rerum ut gestarum* neben den *fabulae* sogleich die *themata, quae in auditorio dicuntur* ein.[97] Und einmal leitet er ein den Deklamationen entnommenes Beispiel mit den Worten ein: *apud rhetores est ista controversia*.[98] Man sieht daran, wie unwillkürlich ein Rhetorikprofessor des 4. Jahrhunderts die Themen der Deklamationen mit der Rhetoriktheorie verbinden konnte.

Das eigene Programm des Victorinus stellt dem Deklamationsbetrieb die Kommentierung von Ciceros rhetorischer Jugendschrift *De inventione* an die Seite. Sein Interesse an dieser Schrift ist allerdings primär philosophischer und logischer Natur, weniger technisch-rhetorischer. Folglich illustrieren bei ihm die Cicerobeispiele nicht selten auch nicht-technische Fragen. Gelegentlich zieht Victorinus, ganz in der Tradition des Ὅμηρον ἐξ Ὁμήρου σαφηνίζειν, Stellen aus Ciceros Œuvre heran, um seine sprachliche Deutung durch eine Parallele zu untermauern; oft sehen wir ihn auch um Begriffsdefinitionen ringen.[99] Aber nicht nur für sprachliche Erläuterungen, die man bei Victorinus ohnehin vergleichsweise selten liest, werden Beispiele aus Ciceros Reden herangezogen: So wird z.B. recht früh im Kommentar der Anfang der *Divinatio in Caecilium* als

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94 Empor. 562.33–34 Halm (*Div. Caec.* 19; *Cat.* 1.18, 27).

95 Ibid. 572.17–18.

96 Victorin. *Comm.* 152.25.

97 Ibid. 67.21.

98 Ibid. 202.2.

99 So bei der Bedeutung des Wortes *dictio*, das Victorin. *Comm.* 36.26–27 mit *narratio* gleichgesetzt wird unter Verweis auf eine nicht näher bezeichnete Cicerostelle. *Ver.* 2.1.43 (*suis cum certis propriisque criminibus accusabo*) dient 86.27–28 als Parallele für Ciceros Häufung von *suus certus proprius* (*Inv.* 1.34).

Beleg dafür angeführt, daß sich die Wirkung der Beredsamkeit nicht in privaten
Angelegenheiten zeige, sondern bei Kontroversen von öffentlichem Belang.[100]
An den *Verrinen* könne man auch erkennen, wie Cicero überall entweder Men-
schen oder ganze Städte verteidige.[101] Als es bei der Kommentierung von *Inv.*
1.5 darum geht, einen Beleg für den Schutz zu finden, den die Freunde weiser
Redner durch deren Beredsamkeit genießen, zitiert Victorinus eine Stelle aus
der *Divinatio in Caecilium*, um zu zeigen, daß Cicero sich als weiser Redner für
die Freunde eingesetzt habe.[102] Schließlich dient Cicero als Beispiel dafür, daß
Ankläger für ihre Anklage mit Belohnungen versehen wurden, eben weil er in
den *Verrinen* zweimal versichert, daß er sich von seiner Anklage keine finanziel-
len Vorteile verspreche.[103] Wir haben einen Kommentator vor uns, der Ciceros
Reden auch unter der Fragestellung liest, was wir aus ihnen über die Aufgaben
und die Verantwortung des Redners lernen können.

Wie sehr Victorinus Cicero bewunderte, erkennt man daran, wie er die
berühmte Zeuxisallegorie zu Beginn des 2. Buches von *De inventione* auf Cicero
überträgt. Cicero hatte dort bekanntlich erzählt, daß die Einwohner Krotons
den berühmten Maler Zeuxis gebeten hätten, für den Junotempel ein Bild der
Helena zu malen; der Künstler habe die Auftraggeber daraufhin gebeten, die
schönsten Mädchen der Stadt zu versammeln, weil er nicht geglaubt habe, daß
er vollendete Schönheit in nur einem Modell finden würde. Victorinus deutet
diese Geschichte in einer ausführlichen Allegorese aus und geht in diesem Rah-
men auch auf Zeuxis selbst ein:

> 'Zeuxis' Tullius. cum multa dicendi genera sint, ut inter picturas multas
> Helena, ita inter ceteras dictiones eminet semper oratoria, et ut Zeuxis
> in femineis pingendis vultibus summus, ita in orationibus Tullius. pinxit
> Zeuxis multa, quae usque ad nostram memoriam manent; saecula poste-
> riora tenent, quidquid pinxit oratio Tulliana.[104]

> 'Zeuxis' ist Tullius. Da es viele Redeweisen gibt, ragt die Sprache der Red-
> ner so unter den übrigen Redeweisen hervor, wie unter vielen Gemälden
> das der Helena hervorragt, und wie Zeuxis beim Malen von Frauengesich-
> tern der größte Meister gewesen ist, so war Cicero der größte Meister beim

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100 Victorin. *Comm.* 4.24–27 (Cic. *Div. Caec.* 1).
101 Ibid. 4.8–9.
102 Ibid. 23.4–7 (Cic. *Div. Caec.* 41).
103 Ibid. 191.1–2 (Cic. *Ver.* 2.1.21; *Ver.* 2.3.1) mit der vielsagenden Einleitung *exemplum Tullius*
     ('als Beispiel dient Cicero').
104 Ibid. 147.2–6.

> Verfassen von Reden. Zeuxis hat vieles gemalt, das bis heute fortbesteht;
> die kommenden Jahrhunderte werden all das festhalten, was Ciceros
> Sprache gemalt hat.

Gewiß, Cicero selbst hat den Vergleich mit Zeuxis durch seine Allegorie her-
ausgefordert. Aber was bei ihm eine Rechtfertigung für seinen Eklektizismus
ist,[105] wird in den Händen des Victorinus zu einem Lobpreis ciceronianischer
Beredsamkeit.

Es ist daher nicht verwunderlich, daß der Ciceroverehrer Victorinus zahlrei-
che rhetorische *praecepta* mit Beispielen aus Ciceros Reden illustriert hat. So
ersetzt er etwa mythologische *exempla*, die Cicero selbst in *De inventione* ange-
führt hatte, durch solche aus Ciceros Reden, z.B. wenn er die hermagoreische
Reihe *quaestio, ratio, infirmatio, iudicatio, firmamentum* (Cic. *Inv.* 1.18–19), die
von Cicero selbst anhand des Orestesmythos erklärt wurde, mit Hilfe der *Milo-
niana* erläutert.[106] Davon abgesehen finden sich auch bei Victorinus zahlreiche
Beispiele zu den *partes orationis*, vor allem zu *exordium, narratio, partitio* und
argumentatio. Im Bereich der *argumentatio* sind es in erster Linie die *attributa
personae et negotio*, die von Victorinus wenn schon nicht alle, so doch zu einem
gewissen Teil mit Hilfe von Ciceroreden, vor allem den kanonischen *Verrinen*,
der *Cluentiana*, der *Rosciana* und der *Miloniana* veranschaulicht werden. Ein
Beispiel aus der *Catilinaria 1* zum *argumentum a minore ad maius* bezeich-
net Victorinus als *notum exemplum*, weil es offenbar im Schulunterricht stan-
dardmäßig verhandelt wurde.[107] Auch Beweisformen wie die *conplexio* und die
enumeratio werden anhand von Stellen aus den *Verrinen* illustriert,[108] ein fünf-
gliedriger Syllogismus wird am Beispiel der *Miloniana* durchexerziert,[109] der
Unterschied zwischen *argumentum* und *signum* durch ein wörtliches Zitat aus
der *Caeliana* erklärt.[110]

Victorinus analysiert manchmal auch längere Passagen aus Ciceros Reden
etwas ausführlicher. An solchen Stellen wird der *De inventione*-Kommentar für
kurze Zeit fast zu einem Redenkommentar. Besonders auffällig ist folgender
Abschnitt, in dem es um eine Form der *partitio* geht, die Konsens und Dissens
mit der Gegenpartei aufzählt:

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105   Cic. *Inv.* 2.4–5.

106   Victorin. *Comm.* 56.25–30.

107   Ibid. 103.12–15 (Cic. *Cat.* 1.3). Dieses Beispiel findet sich auch Quint. *Inst.* 8.4.13 und Mart.
       Cap. 5.496.

108   Victorin. *Comm.* 111.19–20, 26–27 (Cic. *Ver.* 2.2.150; 2.1.36).

109   Ibid. 130.6–13 (Cic. *Mil.* 32 ff.).

110   Ibid. 136.1–2 (Cic. *Cael.* 22).

Illa superior species cum proposuerit quid conveniat, id ipsum ad se incli-
nat, ut pro se faciat id, quod adversarius confitetur; postea vero subiungit
id, quod sit in controversia. fecit hoc Cicero pro Tullio: 'Dicam', inquit, 'vim
factam a P. Fabii familia: adversarii non negant'. hic id proposuit, quod
adversarii fateantur. deinde ⟨id⟩ ipsum pro se fecit dicendo: 'Damnum
datum esse M. Tullio concedis: vici unam rem; vi hominibus armatis non
negas: vici alteram; dolo malo familiae P. Fabii, id non totum negas: a fami-
lia P. Fabii factum esse concedis, dolo malo negas: de hoc iudicium est'. sed
prima pars est, cum dicit: 'Damnum datum M. Tullio concedis: vici unam
rem'. item adiunxit alteram partem, in qua confessionem docet, cum dicit:
'Vi hominibus armatis non negas: vici alteram'. post quid in controversia
sit proponit, cum dicit: 'Dolo malo factum negas: de hoc iudicium est'.[111]

Wenn jene erste Form (sc. der *partitio*) die Übereinstimmungen angege-
ben hat, zieht sie diese auf ihre Seite, um sich das zunutze zu machen, was
der Gegner zugibt; daran schließt sie den Streitpunkt an. Cicero ist so in
seiner Rede für Tullius verfahren: ‚Ich werde behaupten, daß die Sklaven
des P. Fabius Gewalt angewendet haben: die Gegner leugnen es nicht'.
Hier hat er das angegeben, was die Gegner zugeben. Dann macht er sich
diese Übereinstimmung zunutze, indem er sagt: ‚Du gibst zu, daß dem
M. Tullius Schaden zugefügt wurde: in diesem Punkt habe ich gewonnen;
daß dies gewaltsam durch Bewaffnete geschehen sei, bestreitest du nicht:
in diesem Punkt habe ich schon wieder gewonnen; daß es durch Arglist
der Sklaven des P. Fabius geschehen sei, das bestreitest du nicht schlecht-
hin: daß es die Sklaven des P. Fabius gewesen seien, gibst du zu, die Arglist
leugnest du: darum dreht sich der Prozeß'. Der erste Teil (der *partitio*) ist,
wenn er sagt: ‚Du gibst zu, daß dem M. Tullius Schaden zugefügt wurde:
in diesem Punkt habe ich gewonnen'. Ebenso hat er einen zweiten Teil
hinzugefügt, in dem er auf eine Übereinstimmung hinweist: ‚Daß dies
gewaltsam durch Bewaffnete geschehen sei, bestreitest du nicht: in die-
sem Punkt habe ich schon wieder gewonnen'. Danach gibt er den Streit-
punkt an, wenn er sagt: ‚Die Arglist leugnest du: darum dreht sich der
Prozeß'.

Den zahlreichen Beispielen aus Ciceros Reden, die in Buch 1 des Kommentars
für die einzelnen Redeteile herangezogen werden, stehen allerdings erstaun-
lich wenige Beispiele für die Statuslehre in Buch 2 des Kommentars gegenüber.

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111   Ibid. 78.17–28.

Schon bei seiner Kommentierung von Ciceros Übersicht zur *constitutio generalis* (*Inv.* 1.14–15)[112] hatte Victorinus lediglich einmal beiläufig die *Verrinen* erwähnt, um zu zeigen, daß sich die in der *constitutio iuridicialis* verhandelten Fragen nach *praemium* und *poena* auf die Vergangenheit beziehen, und etwas später ein weiteres Mal den historischen Zusammenhang der *Verrinen* herangezogen, um zu zeigen, daß Verres sich nicht auf die *constitutio conparationis* zurückziehen konnte, sondern vielmehr den *status venialis* anwenden mußte; statt Beispiele aus Reden Ciceros zu suchen, hatte Victorinus ein bekanntes *exemplum* des Deklamationsbetriebes (*quidam muros civitatis dissipavit …*) bemüht.[113] In der ausführlichen Kommentierung der Statuslehre in Buch 2 findet man auf gut 70 Seiten lediglich drei knappe Zitate: bei der Besprechung der Motive, aus denen man handelt, wird der Fall, daß man auf einen Vorteil verzichtet, um einen Nachteil zu vermeiden, mit dem sprichwörtlichen *malo* (sc. *emere*) *quam rogare* aus den *Verrinen* illustriert, die auch ein Beispiel dafür liefern, daß man zwar einen Grund für eine Tat haben kann, dieser Grund aber nicht notwendig sein muß.[114] Der Unterschied zwischen *argumentum proprium* und *argumentum commune* wird schließlich anhand zweier Beispiele der *Rosciana* erklärt.[115] Weitere Beispiele für die Statuslehre in Ciceros Reden zu finden, scheint Victorinus schwer gefallen zu sein.

In seinem Büchlein über die Definitionen hat Victorinus Ciceros Reden unter dem Aspekt des rhetorischen Definierens gelesen und ausgiebig benutzt, um seinen Schülern bestimmte Definitionstypen zu erläutern. Hier ist daran zu erinnern, daß *De definitionibus* deutlich sichtbar in drei Teile zerfällt, von denen der erste (2.3–16.8 Stangl) die Auseinandersetzung mit der ciceronianischen Definition der Definition aus den *Topica* enthält, der zweite (16.9–29.12 Stangl) jene Sammlung von 15 verschiedenen Definitionstypen, die zu einem gewissen Teil wenigstens aus unbekannten griechischen Quellen gesammelt sein dürften, der dritte (29.13–32.29 Stangl) schließlich die *vitia definitionis*, die nach einer allgemeinen Einführung im wesentlichen anhand von *De inventione* beschrieben werden. Gerade die Beispiele, die den Mittelteil betreffen, ersetzen vermutlich ursprünglich griechische Beispiele, worauf ich hier nicht im Einzelnen eingehen kann. Hervorgehoben werden muß aber der Schluß

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112 Ibid. 50.26–54.17.
113 Die Anspielungen auf die *Verrinen* finden sich 51.10–11 und 54.12–16, das Deklamationsthema 52.28–30 und 54.9–11. Grillius hat später das *Verrinen*-Beispiel für die Verwechslung von *compensatio* und *deprecatio* übernommen und ausführlicher erläutert; eine ähnliche Verwechslung wird auch von Mart. Cap. 5.457 anhand eines *Verrinen*-Beispiels besprochen (Jakobi 2005, 240 zu Grill. 73.67).
114 Victorin. *Comm.* 156.6–7 (Cic. *Ver.* 2.4.11).
115 Ibid. 163.13–14 (Cic. *S. Rosc.* 18, 63).

des Büchleins, der einen Definitionsfehler ausführlich anhand der 1. *Philippica* bespricht; auch hier könnte man fast von einem Kommentar zu einer längeren Passage der Rede sprechen.[116]

Victorinus war also ganz augenscheinlich bemüht, in seinem Unterricht häufiger Beispiele aus den Reden Ciceros heranzuziehen, vor allem aus den kanonischen Reden, und hier besonders häufig aus den *Verrinen*. Auch er hatte aber offenbar noch Schwierigkeiten, passende Reden zur Erklärung der Statuslehre zu finden, mit Ausnahme der *definitio*.

Ob sich das im Grilliuskommentar geändert hat, können wir leider nicht sagen, weil die Einträge mitten in der Behandlung der *benevolentia* abbrechen. Deutlich wird allerdings, daß sich die Dichte der Cicerobeispiele erheblich vergrößert hat: Während Victorinus 58 Zitate und Anspielungen auf 212 Seiten bietet, finden sich bei Grillius 59 Zitate auf 97 Seiten, mithin etwa doppelt so viele pro Seite.[117] Gewiß, Grillius hat auch sehr häufig Beispiele aus Vergil parat; er ist sich aber, wie vor ihm schon Victorinus, durchaus bewußt, daß er Cicero auch aus Cicero erklären muß. So finden sich Bemerkungen wie *ut … exempla etiam de Cicerone ponamus* oder *ut demus exempla ipsius Tullii*.[118] Ebenso wie die Vergillektüre setzt er offenbar auch die Cicerolektüre bei seinen Schülern voraus. Auch Kommentare zu den Reden selbst sind offenbar ausgiebig genutzt worden.[119]

Daß Grillius in der Kommentierung seinem Vorgänger Victorinus in vielfacher Hinsicht verpflichtet ist, erkennt man auch an der Art und Weise, wie er seine Beispiele auswählt. Wie Victorinus erläutert auch Grillius nicht selten den Wortgebrauch Ciceros in *De inventione* durch Verweis auf Stellen in seinen Reden, z. B. für *abuti* oder *miser*.[120] Bei Cicero findet Grillius auch Belege für die von ihm diagnostizierten Unterschiede zwischen *orator bonus* und *malus*, zwischen *ars* und *exercitatio*, zwischen *causa* und *ratio*, zwischen *oratio* und *disputatio* oder zwischen *officium* und *finis*.[121] Wie schon Victorinus, so nimmt auch Grillius das Proöm der *Divinatio in Caecilium* als Beleg dafür, daß Cicero ganz wie die Weisen der Frühzeit ein vollendeter Redner gewesen sei, weil er sich *in*

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116   Ich habe über diese Stelle ausführlicher 2019, 125–127 gehandelt.

117   Die Relation der Wörtermenge (ca. 63.000 : 21.000) zeigt, daß die Zitatdichte bei Grillius auch dreimal so hoch gewesen sein könnte wie bei Victorinus; allerdings wissen wir nicht, ob die Frequenz nicht auch bei Grillius im letzten Drittel so stark abnahm wie bei Victorinus.

118   Grill. 89.88; 90.6 Jakobi; s. auch Jakobi 2005, 269.

119   Jakobi 2005, 4.

120   Grill. 20.106; 33.98 Jakobi (Cic. *Cat.* 1.1; 4.12).

121   Ibid. 9.16; 10.20; 15.155, 157; 17.27; 20.126; 40.82–41.90, 96–97 Jakobi (Cic. *S. Rosc.* 1–2; *Ver.* 2.2.191–192; *Phil.* 2.42; *Cat.* 3.11; *Div. Caec.* 1; inc. orat. frg. 29 Crawford; *Ver.* 2.1.21; *Phil.* 1.15).

causis iudiciisque publicis aufgehalten habe, nicht in den kleinlichen Streitfällen der Privatleute.[122] Als Beispiel für den *status iuridicialis* und die Frage nach Belohnung und Strafe zieht Grillius wie schon Victorinus zweimal die *Verrinen* heran, ist allerdings im einzelnen etwas ausführlicher als sein Vorgänger;[123] der Beweiszweck ist jedoch bei beiden derselbe: daß der *status iuridicialis* auf die Vergangenheit ausgerichtet ist, der *status negotialis* auf die Zukunft.

Aber es gibt auch Unterschiede: so ist bei Grillius das im Vergleich zu Victorinus gesteigerte technische Interesse offenbar für die Vermehrung der Zitate aus den Reden Ciceros verantwortlich gewesen. Während z. B. Victorinus den Anfang von *De inventione* mit seinem berühmten Kulturentstehungsmythos eher aus philosophischem Interesse gelesen hat, richtet Grillius sein Augenmerk auf den rhetorischen Zweck dieses Abschnitts.[124] Daher ist der Anfang des Grilliuskommentars durch das Bestreben geprägt, das Kunstgemäße des *De inventione*-Prooms durch Verweis auf Ciceros Redeanfänge herauszuarbeiten. Er beginnt mit der Feststellung, daß der Anfang von *De inventione* keineswegs dazu dienen solle, die Bedeutung der Rhetorik herauszustellen; vielmehr geht es in seinen Augen darum, die Rhetorik gegen Angriffe zu verteidigen. Denn im Prooem sei es wichtig, gleich die Punkte aufzulösen, die einem in der *argumentatio* gefährlich werden könnten. Als Beispiel für eine solche Verteidigungsstrategie dient der Anfang der Rede *De domo sua*, aus deren erstem Paragraphen wörtlich zitiert wird.[125] Etwas später weist er darauf hin, Cicero habe wie in seinen Reden auch zu Beginn von *De inventione* zunächst die Einwände gegen die Rhetorik, die vor allem Platon und Aristoteles vorgebracht hätten, entkräften wollen; für diese Strategie wird auf den Beginn der *Miloniana* verwiesen.[126]

Ein weiteres erhellendes Beispiel für diese programmatische Schwerpunktänderung in der Kommentierung ist die Besprechung der berüchtigten hermagoreischen Einteilung der *constitutio generalis* in *deliberativum*, *demonstrativum*, *negotialis* und *iuridicialis*: während sich Victorinus entsprechend seinen Vorlieben für logische Fragestellungen auf Ciceros syllogistische Argumentation konzentriert hatte,[127] weist Grillius zunächst die *calliditas* des Hermagoras nach, indem er die Ähnlichkeit von *negotialis*, *deliberativum* und *demonstrativum* anhand der *Divinatio in Caecilium* veranschaulicht.[128]

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122 Ibid. 31.44 (Cic. *Div. Caec.* 1); vgl. Victorin. *Comm.* 4.26–27 (dazu oben S. 108).
123 Grill. 70.57–61, 61–65 Jakobi (Cic. *Ver.* 2.5.72; 2.5.146 ff.; 2.1.157; 2.3.185 ff.). Zu Victorinus s. oben S. 111.
124 Jakobi 2005, 68–69.
125 Grill. 1.8, 14 Jakobi (Cic. *Dom.* 1).
126 Ibid. 12.72 Jakobi (Cic. *Mil.* 1).
127 Victorin. *Comm.* 43.3–50.25.
128 Grill. 58.35–42 Jakobi. Der Anfang (35–37) ist m. E. folgendermaßen zu interpungieren:

Die Ciceros Reden entnommenen *exempla* ersetzen verstärkt ab der *relatio* die Schulbeispiele der hermogeneischen Schultradition.[129] Die *relatio* selbst wird durch das alte Beispiel der *Miloniana* erläutert.[130] Im Zusammenhang der *compensatio* werden wie schon bei Victorinus nicht namentlich genannte Rhetoren kritisiert, die den Auftakt von *Ver.* 2.5 fälschlich in diesem Sinne gedeutet hätten, obwohl es sich eigentlich um den *status deprecationis* handele.[131] Die drei Teile der *purgatio* werden am Beispiel der Rede *Pro Ligario* besprochen, was man auch in den Gronovscholien und bei Iulius Victor findet.[132] Auch für die *deprecatio* stützt Grillius sich auf *Pro Ligario*[133] und hebt hervor, daß Cicero in der *Miloniana* ausdrücklich auf die *deprecatio* verzichtet habe, weil er damit zugegeben hätte, daß Milo schuldig war.[134] Der Unterschied zwischen *remotio* und *translatio* wird durch Verweise auf die *Verrinen* bzw. auf die *Pisoniana* verhandelt, allerdings nur die *remotio* noch einmal illustriert, nicht jedoch die *translatio*.[135]

Besonders zahlreich sind die Zitate traditionell, wie wir gesehen haben, im Bereich des *exordium*, aber Grillius übertrifft auch hier seinen Vorgänger Victorinus deutlich. Während z. B. die Erörterung der *genera causarum* bei Victorinus gänzlich ohne Verweise auf Ciceroreden ausgekommen war,[136] bringt Grillius für einzelne *genera* jeweils Beispiele.[137] Die beiden Formen des *exordium*,

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ecce in Divinatione, ubi est qualitas negotialis (*agitur enim de futuro iusto, qui melius accuset*)*, nonne videtur tibi Tullius ab honesto suadere, dum dicit … ?* ('Scheint dir Cicero in der *Divinatio in Caecilium*, in der die *qualitas negotialis* vorliegt (denn es geht um das in der Zukunft liegende Gerechte, wer besser die Anklage vertreten könne), nicht auch unter dem Gesichtspunkt des Ehrenvollen zu argumentieren, wenn er sagt …', es folgt 58.37–38 ein Zitat aus *Div. Caec.* 20–21, später, in 58.39–41, auch ein Stück aus 29–30).

129   Jakobi 2005, 232.

130   Grill. 72.49–51 Jakobi mit dem Kommentar z. St. (2005, 238).

131   Ibid. 72.66–73.67; 73.70–71 Jakobi (Cic. *Ver.* 2.5.4; 2.5.2). Vgl. oben Anm. 113.

132   Ibid. 73.90–94 Jakobi (Cic. *Lig.* 2–5). Vgl. Jakobi 2005, 242 z. St.

133   Ibid. 74.101–104 Jakobi (Cic. *Lig.* 30 ff.).

134   Ibid. 74.107–108 Jakobi (Cic. *Mil.* 6).

135   Ibid. 74.6–8, 11–12 Jakobi (Cic. *Ver.* 2.3.181–184; *Pis.* frg. 20 Nisbet). M.E. soll das Zitat aus der *Pisoniana* auch noch die *remotio* erklären; das abschließende *de ratione autem status huius, id est translationis, superius iam diximus* verstehe ich so, daß *hic status* nicht ‚der in der *Pisoniana* zugrundeliegende *status*' bedeutet, sondern ‚der unter diesem Lemma verhandelte'.

136   Victorin. *Comm.* 58.25–61.2.

137   Für das *honestum causae genus* wird Grill. 87.25 Jakobi *Div. Caec.* 6 wörtlich zitiert, für das *admirabile* und *anceps genus* auf die *Rosciana* (87.31) bzw. die *Cluentiana* (87.38) und *Scauriana* (88.41) verwiesen; für die *obscuritas ab oratore* beruft sich Grillius auf den Anfang der *Cluentiana* (88.51).

die Cic. *Inv.* 1.20 unterschieden hatte, *principium* und *insinuatio*, werden durch zahlreiche Beispiele veranschaulicht, auf die im einzelnen hier einzugehen den Rahmen sprengen würde. Ich verweise lediglich auf die beiläufige Bemerkung des Grillius, nachdem er am Beispiel der *Divinatio in Caecilium* verdeutlicht hatte, wie man Haß oder Mißgunst gegen den Prozeßgegner schüre: *et prorsus huius rei exempla per omnes orationes qui quaerit inveniet* (,Und überhaupt wird, wer Beispiele für diesen Sachverhalt sucht, sie in allen Reden finden').[138] Wie selbstverständlich meint er die Reden Ciceros, die ihm in ihrer Gesamtheit zu einem unerschöpflichen Reservoir für Beispiele geworden waren. Es ist daher um so bedauerlicher, daß von diesem Kommentar nur noch so wenig erhalten geblieben ist!

7   Kompendien und Kompilationen: Iulius Severianus, Martianus Capella und Iulius Victor

Nur noch kurz will ich auf das Kompendium des Iulius Severianus und die Kompilationen des Iulius Victor und des Martianus Capella eingehen, alles Schriften des 5. Jahrhunderts, die ganz im Fahrwasser der ,Wiederentdeckung' Ciceros durch die *De inventione*-Kommentatoren ihre Beispiele vermehrt aus Cicero beziehen. Von diesen scheint mir das *Breviarium* des Iulius Severianus für unsere Betrachtung interessanter zu sein als die manifesten Kompilationen der beiden anderen. Deshalb sollen letztere nur noch am Rande in den Blick genommen werden; die Frequenz der Cicerozitate entnehme man der Tabelle auf S. 122–125.

Iulius Severianus beginnt schon damit, daß er im Widmungsschreiben seinen Adressaten Desiderius ermahnt, sein Kompendium erst dann in die Hand zu nehmen, wenn er seine Fähigkeiten ausgiebig in der Kunst Ciceros geschult habe.[139] Wichtig sei die beständige Lektüre, vor allem von Reden, aber auch von Geschichtswerken und Gedichten, ferner von Philosophie und Jurisprudenz; die alten Redner seien zu lesen, die neuen zu hören. Die *imitatio* wird hier also zum Programm erhoben.[140] Dabei wird die exemplarische Bedeutung

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138   Grill. 96.57–58 Jakobi.

139   Iul. Sev. *Rhet.* 51.2–5 Giomini: *memento tamen non ante tibi haec esse compendia relegenda, quam ingenium tuum multa ac Tulliana arte subegeris.*

140   Ibid. 51.10–13; 52.6–7: *necessaria deinde orationum frequens lectio est, quae nos exemplo conformet, neque earum modo, sed et historiarum et carminum, ex quibus compositio dicendi non in totum trahenda est. ... huic et veteres oratores legendi sunt et praesentes audiendi.*

der Reden Ciceros betont.[141] Wie genau sich Severianus die Lektüre der Reden
vorstellte, ob diese angeleitet oder eigenständig, mit oder ohne Kommentare
erfolgen sollte, wissen wir nicht; es ist jedenfalls die Zeit, in der sich auch die
philologisch-rhetorischen Arbeiten herausgeformt haben dürften, deren Reste
wir heute noch in den Scholien greifen können.[142]

Gemäß diesem in der Widmung skizzierten Programm begegnen bei Iulius
Severianus zahlreiche Beispiele aus Ciceros Reden. Zwar finden sich bei ihm
in absoluten Zahlen etwa genauso viele Beispiele wie bei Victorinus und Gril-
lius, aber die Kommentare sind sechzehn- bzw. fünfmal so lang wie das kurze
Büchlein des Iulius Severianus, das etwa 4.000 Wörter umfaßt.[143] Cicero ist ihm
dabei nicht nur Unterrichtsgegenstand, sondern gleichsam *praeceptor*, wenn
etwa die Bedeutung der *dispositio criminum* durch eine Stelle der *Scauriana*
veranschaulicht wird, an der Cicero dem Prozeßgegner die Unordnung der
Anklagepunkte vorwirft.[144]

Die *partes orationis* werden der Tradition entsprechend auch von Iulius
Severianus mit zahlreichen Beispielen aus Ciceros Reden erläutert; ausgenom-
men bleibt das *exordium*, das mit einem Satz abgetan wird, weil man auf die
entsprechenden Lehrsätze auch von selbst (*natura*) kommen könne.[145] Die
Statuslehre ist stark verkürzt, doch werden *coniectura* und *finis* und ihre jewei-
ligen Argumente mittels Zitaten aus *Pro Cluentio*, *Pro Milone*, *Pro Scauro*, den
Verrinen und einer weiteren unbekannten Rede vorgestellt.[146] Die Theorie ist
hier ganz reduziert; fast möchte man sagen, sie tritt hinter den Zitaten aus der
ciceronianischen Redepraxis zurück. Im Rahmen des *finis* wird Ciceros Defi-
nition von *possidere* aus der Rede *Pro Quinctio* ausführlich analysiert.[147] Die
normalerweise stark ausdifferenzierte *qualitas* wird in einem kurzen Satz abge-
handelt.

Besonderen Wert legt Iulius Severianus auf die Affekte, die in einem lan-
gen Abschnitt besprochen und mit zahlreichen Beispielen aus Cicero illustriert
werden.[148] Vor allem findet er bei Cicero viele Belege für seine These, daß man
die Affekte manchmal nicht für die *peroratio* aufsparen dürfe, sondern *suo loco*
in der ganzen Rede einsetzen müsse, auch in der scheinbar objektiven *narra-*

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141   Ibid. 63.4–6: *edebat enim non solum patrocinia causarum, sed et exempla dicendi.* Dazu La
      Bua 2019, 24 Anm. 68.
142   Zu den *Scholia Bobiensia* s. Schmidt 1989, 140–142.
143   Zu Victorinus und Grillius s. oben Anm. 117.
144   Iul. Sev. *Rhet*. 57.9–11 Giomini (Cic. *Scaur*. frg. g Clark).
145   Ibid. 57.13–15.
146   Ibid. 73.3–78.12.
147   Ibid. 81.12–82.12 (Cic. *Quinct*. 85).
148   Ibid. 83.1–100.12.

tio und der *argumentatio*. Die Erörterung solcher Redepassagen kann mitunter den Umfang von Kurzkommentaren annehmen, wie in diesem Fall, der die *narratio* in *Ver.* 2.5.91–100 analysiert:

> evenit ut sit narratio, quae inter se locos communes patiatur, quos etiam adfectus vocamus. qui non erunt in ultimum, hoc est post narrationem, differendi, sed haec narratio gravissima criminis erit, in qua, cum se primum adfectus optulerint, statim interponendi sunt. neque enim possunt simul omnes post narrationem reddi, ut est: 'Praedonum dux Heracleo repente praeter spem ... classem pulcherrimam populi Romani ..., cum primum invesperasceret, inflammari incendique iussit'. ac mox interponit adfectum: 'O tempus miserum atque acerbum provinciae Siciliae! o casum illum multis innocentibus calamitosum!' ad narrationem redit: 'Adfertur', inquit, 'nocte intempesta gravis huiusce mali nuntius Syracusas'. rursum, dum narrat, excedit: 'Quo neque Atheniensium', inquit, 'gloriosissimae classes, cum mari plurimum poterant', et reliqua. rursum ad narrationem redit: 'Eone', inquit, 'pirata penetravit, quo simulatque adisset, non modo a latere, sed et a tergo magnam partem urbis relinquebat?' rursum excedit: 'Siculosne milites, aratorumne liberos, quorum patres tantum labore suo frumenti exararant, ut populo Romano totique Italiae sufficeret ...?' et item aliter excedit: 'O spectaculum miserum atque acerbum! ludibrio esse urbis gloriam!' ad narrationem redit: 'Posteaquam e portu', inquit, 'piratae non metu aliquo adfecti, sed satietate exierunt', et reliqua.[149]

Manchmal ist es möglich, daß eine Erzählung Allgemeinplätze zuläßt, die wir auch ‚Affekte' nennen. Diese darf man dann nicht bis zum Schluß, also bis nach der Erzählung, aufsparen, vielmehr wird die Erzählung eines Vergehens am wuchtigsten sein, wenn die Affekte eingeschoben werden, sobald sich eine Gelegenheit bietet. Denn nicht alle können zusammen nach der Erzählung vorgebracht werden. Zum Beispiel: ‚Der Anführer der Piraten, Herakleon, ließ plötzlich und wider Erwarten ... die prächtige Flotte des römischen Volkes ..., sobald es Abend geworden war, anzünden und in Brand stecken'. Und bald darauf fügt er einen Affekt ein: ‚Was für eine elende und bittere Zeit für die Provinz Sizilien! Was für ein Unglück, das viele Unschuldige heimsuchte!' Dann kehrt er zur Erzählung zurück: ‚In tiefster Nacht gelangt die Nachricht dieses schweren Unheils

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149   Ibid. 84.6–86.3.

nach Syrakus'. Dann überschreitet er wieder die Erzählung, während er erzählt: ‚Wohin nicht einmal die ruhmreichen Flotten der Athener, als sie die See beherrschten‘, usw. Dann kehrt er wieder zur Erzählung zurück: ‚Dorthin also drang ein Pirat vor, wo er nach seiner Ankunft einen großen Teil der Stadt nicht nur zur Seite, sondern auch in seinem Rücken lassen mußte?‘ Dann überschreitet er wieder die Erzählung: ‚Die Sizilischen Soldaten, Söhne von Pflügern, deren Väter durch ihre Anstrengungen soviel Getreide geerntet hatten, daß es für das Römische Volk und ganz Italien ausreichte …?‘ Und ebenso überschreitet er sie auf andere Weise: ‚Was für ein elendes und bitteres Schauspiel! Daß man mit dem Ruhm der Stadt Spott treibt!‘ Dann kehrt er zurück zur Erzählung: ‚Nachdem die Piraten den Hafen verlassen hatten, nicht weil sie sich aus irgendeinem Grund fürchteten, sondern aus Überdruß‘, usw.

Man kann sich gut vorstellen, daß eine Passage wie diese durch die Benutzung von Kommentaren inspiriert ist: die Zitate entsprächen den Lemmata, Bemerkungen wie *redit ad narrationem*,[150] *excedit*[151] oder *interponit*[152] finden sich auch sonst in Kommentarliteratur, auf Affekte wird auch in den *Scholia Bobiensia* gelegentlich verwiesen.[153] Bemerkenswert ist auch, daß manche Sätze nur ‚anzitiert‘ werden: Iulius Severianus scheint (wie ein Kommentator) den Text der *Verrinen* in den Händen seiner Leser vorauszusetzen.

Im Anschluß werden Beispiele aus Reden Ciceros für die verschiedenen Affekte Zorn, Haß, Mitleid, Neid, Furcht und Hoffnung und ihre mannigfaltigen Kombinationen gegeben; wie man umgekehrt dem Haß, der den Angeklagten trifft, begegnet, wird durch *Pro Caelio* illustriert.[154] Woraus man Affekte entwickelt (es sind im wesentlichen dieselben Quellen wie bei den Argumenten), wird gezeigt durch Beispiele aus den *Verrinen*, den *Catilinarien*, der *Miloniana* und den *Philippicae*. Wie man Affekte verbal steigern kann, wird anhand eines Beispiels aus den *Verrinen* illustriert; zwei weitere Beispiele aus der Rede *Pro Ligario* und aus *Ver.* 2.5 sind vermutlich Quint. *Inst.* 8.4.26f. entnommen.[155] Der

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150   Ael. Don. *Ter. Andr.* 224 *Fabvlae*] *Redit ad narrationem*. Eugraph. *Ter. Eun.* 107.

151   *Schol. Bob.* 132.2 St.: *excedit in cohortationem virtutis*.

152   Serv. Dan. *Verg. Aen.* 8.565: *interponit adfectum. Schol. Bob.* 104.33–34 St.: *falsum dicendi causas interponit*.

153   *Schol. Bob.* 108.11–12; 124.17; 143.27–28; 154.13–15 *miscuit …, non tantum quo doceretur iudex, verum etiam quo moveretur; adfectus enim coloravit ad misericordiam secundum Plancium permovendam*. 165.20–26 (mit Verweis auf Cic. *Orat.* 130); 169.1–2 St.

154   Iul. Sev. *Rhet.* 90.13 Giomini (Cic. *Cael.* 29).

155   Ibid. 98.2–11 (Cic. *Ver.* 1.9; *Lig.* 9; *Ver.* 2.5.118).

Einsatz von Gemeinplätzen in diesem Zusammenhang wird anhand zweier Zitate aus der verlorenen Rede *Pro Vareno* erläutert.[156] Wie man als Verteidiger Affekte reduziert, kann man zwei Beispielen aus den Reden *Pro Milone* und *Pro Caelio* entnehmen.[157] Das Handbuch schließt mit einem Kapitelchen zu den *epilogi*.

Mir scheint, daß wenn auch nicht alle, so doch manche Beispiele des Iulius Severianus auf eigene Lektüre zurückgehen könnten. Jedenfalls ist auffällig, daß gerade der Schluß von *Ver.* 2.5 mehrfach herangezogen wird, um ganz verschiedene Themen der Rhetoriktheorie abzudecken. Freilich ist diese Rede auch schon bei Quintilian der bevorzugte Lieferant von Beispielen. Wie auch immer: die Dichte der Beispiele ist bei Iulius Severianus außergewöhnlich, sein Werk stellt sicherlich den Höhepunkt der Bemühungen dar, die Rhetoriktheorie durch Beispiele aus Ciceros Reden wieder an die praktische Advokatentätigkeit auf dem Forum zurückzubinden.

Nur kurz sollen zum Abschluß noch die Kompilationen des Martianus Capella und Iulius Victor erwähnt werden, weil die Frage der Eigenständigkeit, die natürlich die antike Fachschriftstellerei schlechthin betrifft, hier besonders drängend gestellt werden muß. Auch bei ihnen ist die Frequenz der Beispiele aus Ciceros Reden hoch; Auskunft gibt die Tabelle auf S. 122–125, auf Details kann ich an dieser Stelle nicht eingehen. Erinnert sei nur noch einmal an die oben S. 97 bereits geäußerte Beobachtung, daß von den Kompilatoren mehrere Reden herangezogen werden, die sonst gar nicht oder nur sehr selten in den Rhetorikhandbüchern der Spätantike begegnen. Iulius Victor paraphrasiert zudem sehr häufig und hat eine auffällige Vorliebe für die Rede *Pro Caecina*; aber das mag nicht an ihm liegen, sondern an seinen Quellen.

Aufschlußreich für die Bedeutung Ciceros auch bei den Kompilatoren ist immerhin der Anfang des 5. Buches des Martianus Capella, der bekanntlich durch einen gewissen literarischen Anspruch heraussticht, der leider schon bald wieder aufgegeben wird.[158] Dort hat die Rhetorik ihren Auftritt, begleitet von Cicero und Demosthenes: sie kündigt gleich zu Beginn an, daß sie sich eng an den rhetorischen Schriften Ciceros ausrichten und allenthalben Beispiele

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156   Ibid. 100.1–5 (Cic. *Varen.* frg. 1, 2 Crawford).

157   Ibid. 100.8–9 (Cic. *Mil.* 65; *Cael.* 20).

158   Reuter 1893, 73: „Der eitle Capella freilich beansprucht ein Litteraturproduct in höherem Sinne zu bieten. Aber er verlässt den hohen Kothurn, auf dem er im Eingang einherschreitet, gar bald, und seine theatralisch aufgeputzte Göttin Rhetorik redet nach den pomphaften Einleitungsworten ebenso langweilig wie ein Schulmeister gemeinen Schlages." Versöhnlicher im allgemeinen und mit Diskussion der literarischen Vorbilder Gerth 2013, 119–156.

aus seinen Reden anführen werde.[159] Denn Cicero vereine Praxis und Theorie der Rede und habe nicht nur auf dem Forum, im Senat und vor dem Volk als Redner geglänzt, sondern auch zahlreiche Bücher zur Rhetorik hinterlassen (5.436). Die Identifikation der Göttin mit Cicero ist auf Schritt und Tritt sehr eng: so nennt sie den berühmtesten römischen Redner *Tullius meus* (436) und *meus Cicero* (439). Besonders auffällig ist diese Fixierung auf Cicero in dem aus Aquila Romanus übernommenen Abschnitt über die Redefiguren (523–557), in dem schon gleich zu Beginn zum Thema Ironie festgehalten wird, daß dieses Mittel *frequens apud Ciceronem* sei, während Aquila allgemeiner *frequentissima apud oratores* geschrieben hatte.[160]

Es würde den Rahmen sprengen, hier auf weitere Einzelheiten einzugehen. Martianus Capella ist ein klassischer Kompilator; was er durch eigene Lektüre gefunden, was er von Vorgängern übernommen hat, ist oft schwer zu sagen. Dort, wo uns seine Vorlagen erhalten geblieben sind, sieht man, wie wenig Originelles er zu bieten hat; die Cicerobeispiele des Aquila Romanus hat er sogar manchmal gekürzt. Aber wie sehr ihm gerade die ciceronianische Exordialtechnik in Fleisch und Blut übergegangen ist, erkennt man daran, wie er die Rhetorik in §436 ihre Rede beginnen läßt: wenn sie sich als eine Rednerin beschreibt, die auf dem Forum und in vielen Prozessen viele angeklagt und andere verteidigt habe,[161] so meint man noch den jungen Cicero der *Divinatio in Caecilium* zu hören, der von sich sagte, er habe so viele Prozesse geführt, aber bisher niemals jemanden angeklagt, sondern stets andere verteidigt.[162]

8   Schlußbetrachtung

Betrachtet man die Entwicklung der Rhetorikhandbücher in der Zeit nach Quintilian, vom späten 2. bis zum späten 5. oder frühen 6. Jahrhundert, so stellt man fest, daß sie zunächst unter dem Einfluß der griechischen Rhetoren beim Kerngeschäft der rhetorischen Theoriebildung, der Statuslehre, im Grunde fast

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159   Mart. Cap. 5.439: *quae quidem verba* (eine Anlehnung an Cic. *Inv.* 1.6) *mei Ciceronis attestor, cuius etiam exempli me per omnes insinuo praeceptionis ductus consequenter usuram.*

160   Vgl. die Gegenüberstellung bei Elice 2007, xci. Es sei hier festgehalten, daß schon Aquila Romanus bemüht gewesen war, die aus Demosthenes geschöpften Beispiele seiner Vorlage (der Figurenlehre des Alexander Numeniu) durch solche aus Cicero zu ersetzen.

161   Mart. Cap. 5.436: *quae semper in foro iudiciisque quampluribus accusaverim multos aliosque defenderim.*

162   Cic. *Div. Caec.* 1: *qui tot annos in causis iudiciisque publicis ita sim versatus, ut defenderim multos, laeserim neminem.*

ganz ohne Beispiele aus Ciceros Reden auskamen. Aber auch Quintilian hatte im Rahmen der Statuslehre *Inst.* 3 und 7 nur ganz selten einmal derartige *exempla* angeführt. Autoren wie Ps.-Augustinus, Sulpicius Victor und Fortunatian konzentrierten sich vielmehr auf die Beispiele, die ihnen das Deklamationswesen in großer Fülle an die Hand gab. Man hat den Eindruck, daß hier der Schwerpunkt der Rednerausbildung verortet war. Zu ändern beginnt sich das, wenn ich richtig sehe, im Laufe des 4. Jahrhunderts, und eine wichtige Rolle bei der ‚Wiederentdeckung‘ Ciceros für den Rhetorikunterricht könnte jemand wie Marius Victorinus gespielt haben, der Ciceros rhetorische Jugendschrift für den Unterricht erschloß und dabei das Bedürfnis gehabt haben muß, Ciceros Theorie hier und da aus dessen Redepraxis zu beleuchten. Im 5. Jahrhundert scheint der Höhepunkt dieser Entwicklung erreicht, und ein Mann wie Iulius Severianus benutzt die Theorie, überspitzt ausgedrückt, als Ordnungsgerüst für die Fülle seiner Cicerobeispiele.

Damit einher geht, wenn ich richtig sehe, die Berücksichtigung der Statuslehre bei der Kommentierung der Reden selbst: während man bei Asconius Pedianus Begriffe wie *status* oder *constitutio* vergeblich sucht, ist es in den *Scholia Bobiensia*, *Sangallensia* und *Gronoviana* offenbar üblich geworden, bei der Einleitung in die Rede auch den Status anzugeben.[163] Wie sich diese Zusammenhänge erklären lassen, ist schwer zu sagen. Ob die Kommentatoren und Scholiasten von den Rhetoriklehrern beeinflußt wurden oder ihrerseits die Rhetoriklehrer inspirierten, werden wir kaum je feststellen können. Vermutlich war es ein wechselseitiges Geben und Nehmen. Offenbar hat man beide Aspekte, das Studium der Rhetoriktheorie und die Analyse ciceronianischer Reden, bei der Ausbildung zukünftiger Redner geschätzt. Daß sie sich einander annäherten, konnte daher nur eine Frage der Zeit sein.[164]

Anhang: Tabelle

In der folgenden Tabelle habe ich mich bemüht, alle Zitate der oben berücksichtigten *Rhetores Latini Minores* aus Reden Ciceros aufzunehmen, ebenso alle Paraphrasen und Anspielungen, um dem Leser einen Überblick zu ver-

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163 *Schol. Bob.* 112.14–18; 175.14–15 St.; *Schol. Sang.* 186.15; 206.1–5; 225.1–2 St.; *Schol. Gron.* 292.4–5; 295.23–25; 298.28; 302.3–4; 323.11–12; 341.18 St.

164 Ich danke Christoph Pieper für die gründliche Durchsicht des Manuskripts und zahlreiche kluge und wertvolle Verbesserungen. Céline Elzner, Rainer Carl Wierzcholowski und Jan Richard Dinslage haben mit Argusaugen Tippfehler aufgespürt und auch sonst manche Unklarheit aufgehellt.

schaffen über die Bedeutung einzelner Reden für den Rhetorikunterricht. Manchmal ist es schwierig, Anspielungen bestimmten Reden zuzuordnen: wenn etwa Martianus Capella schreibt, daß Cicero sich in den *Verrinen* an den *ordo naturalis* gehalten habe, so betrifft das die Bücher 1–5 der *actio secunda*, und deshalb habe ich für jedes Buch eine Erwähnung eingetragen. Umgekehrt werden oft mehrere Zitate aus einem längeren Abschnitt angeführt, die aber thematisch nur ein Zitat darstellen, etwa wenn Iulius Severianus den Wechsel zwischen Erzählung und Affekten in *Ver.* 2.5.91–100 analysiert und dazu mehrere Sätze aus diesem Abschnitt ‚anzitiert‘: solche Fälle habe ich in der Regel als ein Zitat gewertet.

Die Angaben zur Länge der einzelnen Werke habe ich den einschlägigen Datenbanken entnommen (LLT, BTL). Sie sind *cum grano salis* zu betrachten, weil die zugrundeliegenden Ausgaben manchmal veraltet sind.

	Ps. Augustinus 4.268 Wörter	Victorinus 71.788 Wörter (comm. + def.)	De attributis 2.279 Wörter	Sulpicius Victor 14.280 Wörter	Iulius Victor 28.028 Wörter	Grillius 21.161 Wörter	Iulius Severianus 4.054 Wörter	Fortunatianus 14.552 Wörter	Martianus Capella 12.459 Wörter (nur Buch 5)	Priscianus 3.516 Wörter	Emporius 4.327 Wörter	Σ
Contra contionem Metelli	1				1							2
De domo sua		(1)				2			2 (1)			4 (2)
De haruspicum responso					(2)							(2)
De lege agraria 2					(1)				2			2 (1)
De rege Alexandrino								(2)	1			1 (2)
Divinatio in Caecilium		6 (3)	1		1 (1)	9		(1)	1		(1)	18 (6)
In Catilinam 1		1			1		2	1	7	1	(1)	13 (1)
In Catilinam 2					1							1
In Catilinam 3						1			1			2

(*fortges.*)

	Ps. Augustinus 4.268 Wörter	Victorinus 71.788 Wörter (comm. + def.)	De attributis 2.279 Wörter	Sulpicius Victor 14.280 Wörter	Iulius Victor 28.028 Wörter	Grillius 21.161 Wörter	Iulius Severianus 4.054 Wörter	Fortunatianus 14.552 Wörter	Martianus Capella 12.159 Wörter (nur Buch 5)	Priscianus 3.516 Wörter	Emporius 4.327 Wörter	Σ
In Catilinam 4	1				(1)	1			1			3 (1)
In Pisonem		3				1 (1)		1	2 (1)			7 (2)
In Verrem 1		1 (2)			(1)		3		3 (1)			7 (4)
In Verrem 2.1		7 (4)			(2)	2 (1)	1 (1)	1	3 (2)			14 (9)
In Verrem 2.2		(4)			(3)	1	(1)		5 (2)			6 (10)
In Verrem 2.3		1 (4)			(2)	(2)	(1)		5 (4)			6 (13)
In Verrem 2.4		1 (4)			1 (3)		2 (1)		2 (2)			6 (10)
In Verrem 2.5		(3)			3 (1)	2 (1)	9 (2)		4 (2)			18 (9)
Philippica 1		1 (1)				2			2 (1)			5 (2)
Philippica 2		1			1	1	2	1	2			8
Philippica 3									1			1
Post reditum ad Quirites					(2)							(2)
Pro Archia poeta	[1]											[1]
Pro Balbo					1							1
Pro Caecina		(1)			4 (5)			(1)	1			5 (7)
Pro Caelio		1			3 (2)	1	3	2	1 (1)	1		12 (3)
Pro Cluentio		3 (2)		(1)	1 (6)	3 (1)	3 (1)	1	2 (1)			13 (12)
Pro Cornelio 1		2			1 (2)	2	(1)	1 (1)	(3)			6 (7)

(*fortges.*)

	Ps. Augustinus 4.268 Wörter	Victorinus 71.788 Wörter (comm. + def.)	De attributis 2.279 Wörter	Sulpicius Victor 14.280 Wörter	Iulius Victor 28.028 Wörter	Grillius 21.161 Wörter	Iulius Severianus 4.054 Wörter	Fortunatianus 14.552 Wörter	Martianus Capella 12.159 Wörter (nur Buch 5)	Priscianus 3.516 Wörter	Emporius 4.327 Wörter	Σ
Pro Cornelio 2						1			1			2
Pro Deiotaro								(1)	2			2 (1)
Pro Flacco					(1)	1						1 (1)
Pro Fonteio					3				1			4
Pro Fundanio		1										1
Pro Gallio					1		(1)					1 (1)
Pro Ligario					3 (2)	1 (2)	1		2			7 (4)
Pro lege Manilia								(1)			(1)	(2)
Pro Marcello		1			1							2
Pro Milone	1	(6)		2 (2)	8 (4)	8 (3)	6 (4)	(3)	8 (7)			33 (29)
Pro Murena					1				(1)			1 (1)
Pro Oppio							(1)	(1)				(2)
Pro Quinctio		2 (1)				2	3		1			8 (1)
Pro Rabirio perduellionis reo								1	(1)			1 (1)
Pro Sex. Roscio Amerino	(1)	2 (7)		1	(1)	1 (2)		2 (1)	3 (3)			9 (15)
Pro Scauro	1					(2)	4		1 (2)			6 (4)
Pro Sestio		1										1
Pro Sulla						1	(1)					1 (1)

(*fortges.*)

	Ps. Augustinus 4.268 Wörter	Victorinus 71.788 Wörter (comm. + def.)	De attributis 2.279 Wörter	Sulpicius Victor 14.280 Wörter	Iulius Victor 28.028 Wörter	Grillius 21.161 Wörter	Iulius Severianus 4.054 Wörter	Fortunatianus 14.552 Wörter	Martianus Capella 12.159 Wörter (nur Buch 5)	Priscianus 3.516 Wörter	Emporius 4.327 Wörter	Σ
Pro Tullio		1 (1)			(3)	(1)		(1)	1 (1)			2 (7)
Pro Vareno					(1)		2 (1)					2 (2)
fragmenta incertae sedis					1		2		2			5

Erläuterung: () = kein wörtliches Zitat bzw. überwiegend Paraphrase oder Testimonium; [] = wörtliches Zitat vermutlich verlorengegangen

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5

The Canonization of Cicero in Ancient Commentaries

Joseph Farrell

1   Some Background

In this paper I approach the topic of *scholia Ciceroniana* by asking whether and how these texts might bear witness to the process of literary canon formation in Antiquity. Previous work on the Vergilian tradition has encouraged me to draw two related inferences. The first is that Vergil's use of Greek scholarship on two of his literary models, Theocritus and Homer, played a much more than utilitarian role in the allusive programs of the *Eclogues* and the *Aeneid* and in their scholarly reception.[1] There is now reason to think that this is even more true of Cicero, as I will presently explain. My second inference is that Vergil, although he could hardly be certain what kind of scholarly attention his works might attract, was evidently justified in hoping that critics might react to them exactly as they did. The question I pursue here is whether this is true of Cicero, as well. The answer, I believe, illustrates some general characteristics of the role played by ancient scholarship in canon formation as well as some peculiarities about the reception of these two authors. Let me expand upon these two inferences.

In regard to my first inference, it is now clear that Vergil did not consult scholarship on Theocritus and Homer merely to avoid making the kind of 'mistakes' for which critics had previously censured this or that passage of those models.[2] Indeed, he sometimes imitates these passages in a way that he presumably believed would cause his own critics to find similar 'mistakes' in his works—as Vergil's critics in fact did.[3] Their comments concern some of the

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1 See Farrell 2008 and 2016. I do not investigate the *Georgics* from this angle beyond a few observations in Farrell 1991. A preliminary investigation of the scholia to Apollonius' *Argonautica* (Farrell 2017) yielded some promising results which I hope to develop at some point.—All translations in this chapter are my own, unless otherwise indicated.

2 This is the principal concern of Schlunk 1974; further developments in Schmit-Neuerburg 1999.

3 Casali 2004.

largest and most actively debated questions posed by ancient critics about Vergil's models and about his own works, along with many other questions of a more focused sort. Significantly, among the latter category, the poet sometimes repeats—deliberately, to all appearances—the very mistakes for which his models had been censured by ancient Greek commentators, only then to be censured himself in very similar terms by his own critics.[4] I infer from this that Vergil's reaction to Greek scholarship on Theocritus and Homer was highly ambitious and extremely sophisticated in terms of the impact it had on Vergil's own work and on the subsequent evaluation of that work by his own critics.

My second inference is that Vergil had reason to expect his critics to react as they did, which is to say, much as earlier critics had reacted to his models.[5] In fact, it is not only the case that these critics comment on individual passages by using language very similar to, and possibly borrowed from what they found in Greek commentaries dealing with analogous passages in his models.[6] It is also clear that at least some critics imagined themselves as the Roman equivalents of this or that Theocritean or Homeric scholar in a larger sense, in much the same way that Vergil imagined himself as the Roman Theocritus or Homer.[7] On this basis, it is tempting to infer not only that Vergil imitated his Greek models as a way of claiming to be the Latin counterpart of these important authors, but that he also coveted a scholarly reception that would be recognizably similar to theirs, presumably as a component of the comparable status he hoped to obtain. But one may well ask, is Vergil's ancient scholarly reception unusual or even unique in this respect, or is it similar to that of other authors?

The scholarly reception of Cicero is an attractive point of comparison for several reasons. First of all, three recent books have greatly illuminated what I am calling the 'canonization' of Cicero in ways that invite comparison to Vergil. The first of these, by Caroline Bishop, studies Cicero's use of Greek scholarship as part of his emulation of Greek authors in a number of genres.[8] According to Bishop, Cicero's engagement with the critical reception of his models broadened and deepened over the course of his career, and did so to such an extent

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4   Casali 2004; Farrell 2016 and 2021, 66–74.

5   It is possible that Vergil's earlier works had become the subject of lectures while he was at work on the *Aeneid*: see below on Q. Caecilius Epirota. If this is so, then criticism of the earlier works may have helped him understand how to provoke specific reactions from critics of the epic.

6   Fraenkel 1949; Mühmelt 1965.

7   See below on Zoilus of Amphipolis and his Roman imitators. On the relationship between Servius' comment on *arma* at *Aen.* 1.1 and the *Iliad* scholia see Farrell 2008, 119–120 and 2021, 42–43.

8   Bishop 2019.

that it anticipates all of the most important features found in Vergil's program of self-canonization. The two other books, by Thomas Keeline and Giuseppe La Bua, make excellent use of the surviving scholia and related scholarship to elucidate the reception of Cicero's speeches primarily in the Roman classroom.[9] In effect, they continue to trace the process that Cicero set in motion, as Bishop shows, to the point of its posthumous consummation, at least in the field of oratory. I take these three studies as outlining a general process of literary canonization similar to what I, following others, have found in respect of Vergil, a process in which the author's ambition to be recognized as the Roman Homer or the Latin Demosthenes is fully realized not in his own oeuvre, but in the recognition of his achievement by scholars who are themselves following in the footsteps of their own Greek predecessors. Indeed, I think it would be reasonable to assume, in the light of Bishop's research, that Cicero's effort at self-canonization established much of the pattern that, *mutatis mutandis*, Vergil would later follow.

That said, in this chapter I mean to explore the implications of that qualifying phrase, *mutatis mutandis*. In regard to the first inference that I discussed above, Bishop's findings prove that very similar inferences can be drawn about the use of Greek scholarship by Cicero and Vergil. Furthermore, because Cicero's career predates the composition of Vergil's entire oeuvre, it is more than reasonable to suppose that Cicero's project of self-canonization inspired Vergil's fashioning of his own career. In regard to my second inference, however, and in spite of the possibility—I would even say, the likelihood—that Vergil followed Cicero in this regard, the detailed treatments of Keeline and La Bua permit the corollary inference that Cicero's posthumous route to scholarly canonization was less immediate and less direct than that of Vergil, particularly where the genre of commentary is concerned. That is to say, in spite of the very real similarities that exist between the learned receptions of these two authors, it is quite possible—and again I would say, likely—that the direction of influence among their respective critics was reversed, and that Vergil's early reception, especially in commentaries, established a pattern that would only later be followed in the case of Cicero. That, then, is my somewhat paradoxical answer to the question I posed at the beginning of this chapter about the relevance of Vergil's experience to that of Cicero, and in the rest of this paper I will explain what that means.

To anticipate, most of the differences between the canonization of Cicero and that of Vergil have something to do with the difference between prose and

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9   Keeline 2018; La Bua 2019.

poetry. An irony here is that even if Cicero's effort at self-canonization both preceded and inspired Vergil's own, it seems likely that Vergil attained laureate status via scholarly reception both sooner and more completely than Cicero did, mainly because he was a poet, and that Vergil's experience established a pattern that Cicero could follow only approximately, mainly because he was an orator. It should go without saying that my argument has absolutely nothing to do with the relative merits or general importance of Cicero and Vergil as compared to one another or to anyone else. Rather, it has to do with the mechanisms by which ancient literary and scholarly culture operated, as well as with the particular places in ancient education and society that were held by poetry and oratory on the one hand and by grammar and rhetoric on the other.

2   Cicero's Aristarchus

I have alluded to the idea that the ambitions of ancient scholars might parallel those of the authors they studied. A passage from one of Cicero's letters to Atticus plays on this idea while straddling the boundary that distinguishes the orator's fortunes from those of the poet. This happens when Cicero addresses Atticus as 'the Aristarchus of my speeches' (*meis orationibus, quarum tu Aristarchus es*, *Att.* 1.14.3). He does this somewhat playfully, and certainly without implying that Atticus himself literally aspired to be recognized as a Roman Aristarchus! Nevertheless, the passage implicitly raises some relevant issues.

The context is an account of a senate meeting early in 61 BCE in which the presiding consul had asked Pompey for his opinion regarding the infamous Bona Dea affair at the end of 62. In response to the question, Pompey confined himself to saying blandly that he always agreed with the senate's decrees, and then took a seat next to Cicero. Shackleton Bailey takes this to mean that Pompey's "'general' expression of support for senatorial decrees"—including any that they had made or would make in regard to the Bona Dea affair—"was taken as covering the 'ultimate' one"—i.e. the *senatus consultum ultimum* that the senate had passed in 63, which gave Cicero as consul the authority to take any measures that he deemed necessary to suppress the Catilinarian conspiracy.[10] At this juncture, Cicero writes:

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10   Shackleton Bailey 1965, 308 ad loc. The phrase *senatus consultum ultimum* was later coined by Caesar (*Civ.* 1.5.3) with immediate reference to the decree passed against him on January 7, 49 BCE, while also characterizing it as the latest in a series of extreme measures passed by the senate, beginning with one authorizing the consul L. Opimius to take what-

> When Crassus saw that Pompey had netted some credit from the general impression that he approved of my Consulship, he got to his feet and held forth on the subject in most encomiastic terms, going so far as to say that it was to me he owed his status as a Senator and a citizen, his freedom and his very life. Whenever he saw his wife or his house or the city of his birth, he saw a gift of mine.

Then Cicero comes to the point:

> In short, he worked up the whole theme which I am in the habit of embroidering in my speeches one way and another, all about fire, sword, etc. (you are their Aristarchus and know my colour-box), really most impressively. I was sitting next to Pompey and I could see he was put out, whether at Crassus gaining the credit which might have been his or to realize that my achievements are of sufficient consequence to make the Senate so willing to hear them praised.[11]

Now, to be clear, Cicero's first consideration here is his own political standing. Nevertheless, he represents Crassus not only as praising Cicero's *res gestae*, but also as imitating Cicero's own speeches in praise of them. That is to say, Cicero represents himself as a model for other orators to follow in general; and, more specifically, he represents his own praise of his own accomplishments as illustrating an ideal theme for other orators to celebrate as well. He obviously could not have known in 61 BCE, when he wrote this letter, that in the next generation declaimers would do something very like that when they debated whether Cicero ought to have burned the *Philippics* to obtain clemency from Marcus Antonius, or that the elder Seneca would cite Cicero's preparation to deliver the *Philippics* as the foundational act in the history of Roman declamation; but

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ever measures he deemed necessary against the followers of C. Gracchus in 121. On the history of the *senatus consultum ultimum* with particular reference to Cicero see Drummond 1995.

11   *Att.* 1.14.3: *Crassus, postea quam vidit illum excepisse laudem ex eo quod* [*hi*] *suspicarentur homines ei consulatum meum placere, surrexit ornatissimeque de meo consulatu locutus est, ut ita diceret, se quod esset senator, quod civis, quod liber, quod viveret, mihi acceptum referre; quotiens coniugem, quotiens domum, quotiens patriam videret, totiens se beneficium meum videre. quid multa? totum hunc locum, quem ego varie meis orationibus, quarum tu Aristarchus es, soleo pingere, de flamma, de ferro* (*nosti illas* ληχύθους), *valde graviter pertexuit. proxime Pompeium sedebam. intellexi hominem moveri, utrum Crassum inire eam gratiam quam ipse praetermisisset an esse tantas res nostras quae tam libenti senatu laudarentur.* (Trans. Shackleton Bailey).

that is in fact what happened.[12] This is more than an irony of literary history, however, because we have every reason to believe that Cicero was concerned with his place in literary as well as in political history and that he regarded the previous reception of his Greek models as patterns for his own future reception.[13]

In view of all this, we may apply some pressure to the expression that Cicero uses when he represents Atticus as the Aristarchus of his orations. In a very general sense, of course, it means no more than that Atticus is a connoisseur of Ciceronian oratory who will immediately understand what Crassus' speech was like when Cicero represents it as cut from the same cloth as one of his own. In this context, however, for reasons that I shall explain, it seems worth taking the metaphor a little more seriously.[14]

At a minimum, one should acknowledge that Aristarchus of Samothrace was famous not only as a great critic who worked on a large number of Greek authors, but as the greatest critic of the greatest author of them all. In the case of Aristarchus and Homer, the critic worked centuries after the fact to restore the author's work, which in the meantime had sustained numerous corruptions and interpolations, to what he believed was its perfect state. Atticus instead was not only a contemporary of Cicero but his best friend and a trusted advisor who offered constructive criticism of his speeches in advance of their delivery and supervised their subsequent publication. Atticus' role in this process was not to restore Cicero's work to its former glory, but to help make it the best possible expression of the author's characteristic style. That said, Aristarchus' contribution to Homer also tended to be characterized almost as if the author and the critic were collaborators, or even as if the critic were a kind of authorial alter ego.[15] To that point, it is more than possible that Atticus' advice played a significant role in the composition of Cicero's works, particularly in the case of speeches that were revised for publication after they were delivered. He was also involved in the posthumous editing and consolidation of Cicero's literary corpus, which eventually gave rise to a lively trade in what were represented as early manuscripts that allegedly preserved the most authoritative readings.[16]

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12   Sen. *Suas.* 7 with Feddern 2013 ad loc.; see Kaster 1998; Degl'Innocenti Pierini 2003; Keeline 2018.

13   This is the main point of *Brutus* above all; see Bishop 2019, 197–206.

14   Cicero seems to have had more than a passing interest in Aristarchus, whom he mentions in three additional passages (*Pis.* 73; *Fam.* 3.11.5, 9.10.1).

15   On the mutual implication of Aristarchus' prestige with that of Homer see Schironi 2018, 30.

16   Phillips 1986.

Thus, Atticus played a role in the process whereby Cicero's works were subjected to the kind of critical scrutiny that Aristarchus had lavished on Homer, and even surpassed Aristarchus by advising his author on the ultimate form that the works ought to take. In many ways, then, when Cicero calls Atticus his Aristarchus, he describes his friend's contribution to Cicero's own status as an author in ways that go beyond anything that Cicero could have actually foreseen. Cicero is obviously flattering Atticus in humorously hyperbolic terms by comparing him not only to perhaps the most famous of the Greek critics, but also to one who was widely credited with materially improving the text of the greatest of Greek authors, with whose consummate status Aristarchus' own fame was intimately bound.

This observation invites the question whether Cicero also imagines himself as playing Homer to Atticus' Aristarchus. In view of Cicero's undeniable literary ambitions and the fact that they were realized to an astonishing extent, even in important details, this is a question that should not be dismissed. At the same time, it goes to the heart of the difference between Cicero's canonization and that of Vergil, as I will next explain.

3   Dynamics of Canon Formation

Literary canons by their nature take seemingly definite forms at particular times; but when these individual canons are viewed as interim reports on a diachronic process, it becomes obvious that 'the' canon is by its nature a dynamic concept. This is an elementary, but important observation. It should not prevent anyone from understanding that any lack of fixity is not the same thing as evidence that the idea of a canon did not exist. These points are illustrated by Quintilian's observation that Aristophanes of Byzantium and his pupil Aristarchus did not admit Apollonius of Rhodes to their canon of Greek epic poets, which included Homer, Hesiod, Antimachus, and Panyassis, because they refused to confer this honor upon any of their contemporaries.[17] In this sense, the first paragraph of Quintilian's canon, which can too easily be

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17   Quint. *Inst*. 10.1.46–54. But does Quintilian's comment on Panyassis explain why he is to be included in the canon or excluded from it? Panyassis (10.1.53) is followed by Apollonius, Aratus, Theocritus, Pisander, and Euphorion (10.1.54–56), all of whom except Pisander (sixth century BCE) were active in the third century BCE but before Aristophanes and Aristarchus. Whether Quintilian's reference to Apollonius as *sui temporis* with reference to the two grammarians is a close rendering of their stated policy or a reflection of Quintilian's approximate understanding of the chronology is unclear. See Stachon 2017.

taken as a definitive account, states as if with programmatic intent that the canon is a living thing. The version of Aristophanes and Aristarchus that Quintilian cites implicitly assumed that future critics would evaluate the eligibility of third-century poets like Aratus, Apollonius, and Theocritus for canonization; and that is what Quintilian—following others, no doubt—does himself. But he then goes on to justify the procedure by analogy with the Roman epic canon, reversing the lines of influence that one instinctively adopts when thinking about the relationship between the two. Thus, the very existence of a Roman canon changes the nature of the Greek one on which it was originally modeled. I do not say that Quintilian regarded his canon as merely provisional or *exempli gratia*, but I would maintain that, if one reads it properly, it is full of indications that he regarded even his own canon as a contextually determined intervention in an ongoing process.

Cicero lived in an age when the literary canon was especially dynamic. Bishop well summarizes the intellectual climate of those times, which was informed by different principles but dominated in large part by the idea of what she calls "classicism".[18] Essential to this idea were not only sometimes contrasting opinions about what authors defined as the most ancient classics, but also about which of the *neoteroi* deserved to be admitted into that charmed circle. At stake was the evolution of the Greek canon as well as the continuing creation of a Roman one. It is certainly true that when the youthful Cicero decided to translate Aratus' *Phaenomena* as his first really ambitious literary project, he was inevitably, and audaciously, presenting himself as the Roman counterpart of arguably the most widely acclaimed Greek poet of the last two centuries. Another way of putting that would be, the most widely acclaimed poet to have written since the time when Aristophanes of Byzantium and Aristarchus of Samothrace drew up their canon of epic poets, from which they explicitly excluded their contemporaries—including Aratus. This did not prevent Aratus from earning extraordinary prestige. He was extolled, sometimes openly and sometimes with exemplary understatement, by colleagues like Theocritus, Callimachus, and Apollonius. He also became the subject of learned commentary. These are forms of what Bishop calls classicizing and what I am calling canonization. So is Cicero's decision to become the Roman Aratus. But that is a slightly different order of canonization, where Greek poetry is concerned, than Latin poets had practiced up to that point. When Livius Andronicus translated Homer's *Odyssey*, or when any of the early tragedians adapted scripts of Aeschylus, Sophocles, or Euripides, or Plautus, Terence, and comic playwrights

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18   Bishop 2019, 7–16.

made the plays of Menander and Diphilus their own, they were repeating acts of canonization that had been performed by the Hellenistic critics.[19] To choose Aratus as the model of an otherwise unprecedented Latin poem, however, amounted in effect to a twofold canonization. In the first place, it identified Aratus as one of the *neoteroi* who was worthy of inclusion as a classical author in the epic canon. In the second place, of course, it was a self-canonizing gesture, staking Cicero's claim to be the Roman equivalent of an author whose addition to the Greek canon Cicero's *Aratea* not so implicitly endorsed.

In respect of scholarship, Cicero's project of canonizing his model as well as himself opens up an ironic perspective. On the one hand, as Bishop writes, "If Cicero was seeking a poem that had provoked a broad response that his adaptation might hope to mirror, he could scarcely have picked a better work than the *Phaenomena*". This is true partly because it was, "probably as early as the second century, already supplied with more commentaries and expository materials than any Greek poetry other than the works of Homer".[20] I would suggest, however, that the young Cicero probably did not hope for a scholarly reception of his own work that would be too similar to that of Aratus, particularly where the genre of commentary was concerned. Our perspective may be skewed by the fact that the only complete commentary on Aratus that has survived—indeed, the only complete commentary on any author that has survived from the Hellenistic period—is hardly typical of the genre. It is the work of Hipparchus, an important astronomer of the second century BCE, whose purpose was to inform readers about all of the obsolete information conveyed in Aratus' *Phaenomena* thanks to the author's reliance on a treatise of the same title written by the fourth-century astronomer Eudoxus of Cnidus.[21] If Hipparchus' commentary was available to Cicero, it did not save him from reproducing some of Aratus' scientific errors and even adding to them.[22] Perhaps Cicero did not trouble himself too much about this aspect, in view of Aratus' impressive success. It is also possible that commentary was not the genre in which Cicero envisioned his scholarly canonization as taking place. Here, in one of her most important insights, Bishop discusses the kind of learned reception that Cicero not only imagined for his poem, but that he actually modeled for

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19   Here one might ask about Greek authors who are not known to have been canonized but whose work was adapted by Roman poets. Does this practice suggest that the Romans were not too concerned with canonical status, that the Greek canon was evolving even as the Romans used it as the basis of their own, or even that Roman adaptation was an attempt to intervene in the process of Greek as well as Roman canon formation?

20   Bishop 2019, 42.

21   Ibid., 61–64.

22   Ibid., 70–71 n. 96.

his own readers when, at the end of his career, he returned to the *Aratea* in the late treatises *De natura deorum* and *De divinatione*.[23] There he offers examples of leisurely intellectual exchange in which varied interpretive possibilities arising from Cicero's work are raised by cultivated readers of different philosophical orientations.

Whatever the youthful Cicero may have hoped for his poem, it seems that the more experienced writer was, if anything, less concerned than he may once have been with the status conferred by utilitarian genres like commentaries. Moreover, if this is true with regard to his poetry, it can only have been even more true of his speeches. What evidence we have suggests that Greek grammarians in the Hellenistic period devoted very little attention to prose authors and almost none at all to orators.[24] In fact, it is possible that Cicero himself had never seen an actual commentary on Demosthenes or any other Attic orator. In *Brutus*, another of his mature works, he suggests the form that learned discussion of oratory as a genre might take. Moreover, the fact that he methodically discusses the history of Roman oratory with constant reference to the Greek precedent—in art history as well as oratory itself—should be understood not as the fashioning of a Roman canon according to parameters laid down by an established Greek model, but as an intervention in Greek as well as Roman canon formation. In particular, Cicero's promotion of Demosthenes as the greatest of the Attic orators serves his implicit but unmistakable argument that he himself occupies a similar place in Latin. It is in wide-ranging discussion among connoisseurs and indeed practitioners that these ideas are developed, not in grammatical commentaries written for students and their teachers. In fact, the more one looks into what Cicero suggests about the form of learned reception for which he hoped, the smaller the place he seems to have reserved, or even allowed, for the genre of commentary specifically.[25]

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23   Ibid., 259–310, especially 275–298.

24   Schironi 2018, 30.

25   At *Brut.* 57–61, where Cicero quotes Ennius' *Annals* to prove that that the Romans recognized oratorical excellence at the time of the Second Punic War, he takes pains to avoid sounding too much like a professional scholar (e.g. *est igitur sic apud illum in nono, ut opinor, annali*, 58); shortly thereafter, in developing the key point that in oratory as in poetry a writer or speaker is to be judged by the standards of his own time, and not in comparison to later, more refined ages, he turns from discussing Ennius' disparagement of Naevius' *Bellum Poenicum* to apostrophizing Ennius and chastising him for such an attitude (*'scripsere' inquit 'alii rem vorsibus'; et luculente quidem scripserunt, etiam si minus quam tu polite. nec vero tibi aliter videri debet, qui a Naevio vel sumpsisti multa, si fateris, vel, si negas, surripuisti,* 76). By the same token, although the main ideas in *Brutus* are pre-

4 Cicero's Reception: the First Hundred Years

Whatever forms of scholarly reception Cicero himself envisioned for his works, the existing *scholia Ciceroniana* prove that commentary was one of the forms that it did in fact take. Accordingly, if someone today were asked, "Who is the Aristarchus of Cicero's speeches?" they could do worse than point to the speeches' most famous commentator, Asconius Pedianus. Asconius' commentary did not appear until a hundred years after Cicero's death, though, and this raises the question of whether Asconius had any predecessors. I believe the answer is that he almost certainly did not. It is impossible to be sure, but the works of both Keeline and La Bua strongly suggest that this is the case.

Keeline and La Bua demonstrate in complementary ways that Cicero enjoyed a significant posthumous reception practically from the moment of his death and throughout the Triumviral and Julio-Claudian periods. Both also acknowledge that certain prominent voices are missing from the chorus of those who might have praised Cicero, or at least said something about him. Nevertheless, it is clear that Cicero lived on, not just in the halls of declamation as they were recalled decades after the fact by the elder Seneca, and in the closely related pages of Velleius' universal history and Valerius Maximus' encyclopedia of exemplary deeds and saying.[26] They lived even in the works of the younger Seneca, whose evident familiarity with Cicero must in part reflect his father's preferences as well as the forces that took the son in an entirely different direction.[27] At the same time, it would be difficult to say that the record attests a substantial growth in Cicero's posthumous reputation. To a very large extent, the orator who, according to old Seneca, inaugurated Roman declamation was himself reduced to a declamation topic; the writer whose command of historical knowledge makes him a virtual encyclopedia of *exempla* was himself reduced almost to a single *exemplum*, specifically that of his death; the philosopher whom young Seneca confessed to be the greatest that Rome had produced thus far earned that much praise but no more from the man who far surpassed

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sented almost entirely in Cicero's voice, note the important interpellation at 292, where Atticus notes that he has been restraining himself from interrupting for a long time, and opens up the possibility that Cicero's entire discourse is to be taken as ironic. Elements like these suggest that cultivated discussion among notional equals, even if one of them surpasses the others in his command of the subject at hand, seems to be Cicero's preferred form of 'commentary'.

26   See Degl'Innocenti Pierini 2003.

27   Keeline 2018, 196–222.

him, as he threatened to surpass him in every other dimension. In the first century of his *Nachleben* Cicero was remembered less as a man or even as an author than as a symbol.[28]

When viewed against this background, the sudden appearance of Asconius' commentary might seem all the more to prove that he, if anyone, is the Aristarchus of Cicero's orations. It would be easier to grant Asconius this honor, however, if we had all of his commentary on the speeches and especially if it turned out to look more like the commentary of Ps.-Asconius. In fact, the two works look quite different. The genuine Asconius is focused almost entirely on history, whereas Ps.-Asconius is typical of the general-purpose exegetical commentaries produced by *grammatici* like Aristarchus.[29] It is also, in the form that has come down to us, much later than Asconius. James Zetzel follows Madvig in regarding the Ps.-Asconius commentary as "post-Servian".[30] It goes without saying that a commentary of this period will have been almost entirely tralaticious, but this brings up a very important point.

The truth is, we have almost no idea what earlier commentaries Ps.-Asconius may be drawing on. The subtitle of Keeline's book, "The Rhetorical Schoolroom and the Creation of a Cultural Legend", rightly makes rhetorical education the focus of his study. Accordingly, he begins by distinguishing the concerns of the *grammaticus*, who supervised the lower, more elementary form of education, from those of the *rhetor*.[31] This is pretty much the last thing Keeline has to say about the grammatical classroom. La Bua has more to say about it when he discusses Quintilian's promotion of Cicero as a grammatical model specifically in the rhetorical schoolroom.[32] As La Bua makes clear, Quintilian recommends that students who are new to the rhetorical schools read Cicero as an easy and agreeable first author who is also an impeccable model of Latinity. Strictly speaking, of course, Latinity is the province of the *grammaticus*. The grammar teacher must have been familiar with prose authors as well as poets, and indeed surviving grammatical commentaries on poets frequently cite prose authors as exemplars of Latin usage. All of this said, as La Bua admits, "Whether Cicero's orations were also read and expounded at the school of the

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28   Quint. *Inst.* 10.1.112: *Cicero iam non hominis nomen sed eloquentiae* ('Cicero is now the name not of a person but of eloquence'); again see Kaster 1998.

29   Zetzel 2018, 259 characterizes Ps.-Asconius as "largely exegetical and grammatical". On Asconius' working methods, see Keeline in this volume.

30   Zetzel 2018, 259; he also notes that "Gessner's more specific suggestion that Ps.-Asconius was a pupil of Servius"—presumably because the commentary is constructed on lines broadly similar to that of Servius—"is unnecessary"; see also Zetzel 2018, 144.

31   Keeline 2018, 13–14.

32   La Bua 2019, 131–132.

grammaticus remains a controversial matter. Ancient evidence does not bear out the perception of Cicero as a standard author in the grammatical school."[33]

The inference that I draw from this lack of evidence is that Asconius' commentary amounts to something of a departure from the previous reception of Cicero's orations and also from what had been the usual practice in previous commentaries on Latin authors. To show what I mean, I turn now to materials written for the Roman grammatical schoolroom.

5   Early Scholarship on Vergil and Other Roman Poets

Whereas Cicero evidently had to wait a hundred years before Asconius wrote what was apparently the first commentary on any of his works, Vergil became the subject of exegetical lectures either during his own lifetime or very shortly thereafter. Suetonius tells us that sometime after 27 BCE the *grammaticus* Q. Caecilius Epirota—a freedman of Atticus, no less—became the first teacher to hold discussions in Latin and to lecture on Vergil and other 'new poets'.[34] As Robert Kaster explains, "the terms *poetae novi*/οἱ νεώτεροι/*neoterici* always denote poets who are 'new' or 'modern' relative to some canon of older, established texts, in this case the poets of the 2nd cent. who were regularly taught in the schools".[35] That is as if to say that Caecilius' teaching promoted Vergil's entry into the rapidly expanding Latin canon.[36] It also invites comparison between Caecilius and the most influential Greek grammarian of the Augustan period, Theon of Alexandria. Theon was extremely prolific, producing commentaries on many of the ancient poets long recognized as canonical while also working on *neoteroi* such as Lycophron, Theocritus, Apollonius, Callimachus, and Nicander.[37] We cannot say whether Caecilius was directly inspired by Theon's example. If he was, and if Keeline is correct (as I believe he is) to argue that Vergil used Theon's commentary on Theocritus in composing the *Eclogues*, then we could infer that influence moved from Greek scholarship to Latin imi-

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33   Ibid., 131, citing Pugliarello 2009 and De Paolis 2013 for the full list of *auctores* taught in grammar schools.

34   Suet. *Gram.* 16.

35   Kaster 1995, 187–188.

36   Kaster (see the preceding note) cautions that one should not read too much into Caecilius' curricular innovations, and he is right of course. Caecilius had no *locus standi* outside of his own classroom, and he presumably had no influence at all over Augustan policy, particularly in the wake of his antics with Pomponia and his friendship with Cornelius Gallus as described by Suetonius at *Gram.* 16.1–2.

37   Meliadò 2015.

tations of Greek poetry to Latin commentary on those imitations in a very tight circle indeed during the last decades of the first century BCE, and probably for several decades thereafter.[38] Another figure who belongs to this milieu is C. Julius Hyginus, a freedman of Augustus appointed to be the first director of the Palatine library, who wrote commentaries on Vergil as well as on C. Helvius Cinna's *propempticon* to Asinius Pollio.[39] The case of Cinna is instructive. During these same years, a third grammarian, L. Crassicius Pansa, wrote a commentary on *Zmyrna*, Cinna's learned masterpiece, which can be interpreted as another gesture towards canonization; and if one imagines that Crassicius hoped to ride Cinna's coattails into a similar position among scholars, he must have been pleased by the epigram preserved by Suetonius in which rival 'suitors' of the heroine—i.e. rival commentators on Cinna's poem—are advised not to bother, because only Crassicius knows all her secrets. Kaster believes, no doubt rightly, that Cinna's famously obscure poem could not have been suitable as a teaching text.[40] To my mind, this proves that the writing of commentaries during this period was not a matter of Roman grammarians, still unsure of their own judgment, feeling their way towards competence in a genre invented and dominated by the Greeks. Instead, indications are that commentators were engaged in a much more sophisticated and ambitious business by which the Latin grammarian sought both to advocate the canonization of his author and also to establish himself as a scholar of such learning and expertise that he had the right to do so.[41]

To call such a period dynamic in respect of canon formation is an understatement. The fact that some authors, among whom Vergil is obviously the most outstanding example, succeeded brilliantly while others, such as Cinna, apparently failed to make the cut should be understood as illustrating the meaning of such dynamism in actual practice. It may be significant that Catullus, Cinna's close friend, never managed to gain canonical status either, at least as far as the grammarians were concerned. Indeed, Catullus' poetry would not have survived any more than Cinna's if it had not been a matter of local pride in Catullus' home town of Verona to keep a single copy of it there. For all that we number both Catullus and Cinna among the leaders of the 'new poets' of the first century BCE, they were creatures of the Republic, and entries into the Roman canon that developed during the Augustan principate tended to be contemporary poets, not those of the previous generation. Indeed, it is not surprising

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38   Keeline 2009.
39   Suet. *Gram.* 20.
40   Kaster 1995, 200.
41   See Schwameis in this volume on Ps.-Asconius' self-fashioning.

that most of the grammarians I have just been discussing are tied by Suetonius' account to Augustus, either directly or through one of his close associates.[42] In view of all this, while we lack the information we would need to describe the process in detail, it appears very likely that its net effect is not altogether different from the one that Ronald Syme describes in his influential chapter on "The Organization of Opinion" in *The Roman Revolution*, inflected perhaps by Richard Thomas's arguments in his study of *Virgil and the Augustan Reception*.[43] That is, Augustus and his allies not only promoted the reputation of certain contemporary poets who wrote about issues that were of interest to the regime, but also supported grammarians who themselves promoted these poets by canonizing them as authors worthy of serious study.

In such a climate, one can understand why the reception of Cicero's speeches failed to move along a similar trajectory, even if from a certain perspective such a thing seems as though it might have been possible. Like Catullus and Cinna, Cicero was a man of the late Republic. He was of course in so many ways a much more consequential figure; but I have already observed that the Triumviral, Augustan, and Julio-Claudian periods, even in celebrating Cicero, tended to reduce him to a cultural meme—a symbol of the death of eloquence—instead of treating him as a fully rounded historical figure. Where commentary is concerned, it is telling that the Augustan-era Greek grammarian Didymus Chalcenterus, not very long after Cicero's death, produced what became the most authoritative ancient commentary on Demosthenes.[44] This might have served as a model for an ambitious Roman grammarian to write on Cicero during the same years when Caecilius Epirota and Julius Hyginus were lecturing and writing on Vergil. Indeed, it would have made sense if Caecilius himself, as a freedman of Atticus, had been drawn to this opportunity, with or without Didymus' example. On the other hand, it may be that writing about Cicero was not seen as a shrewd career move in those years. Nor, as I have suggested, was it necessarily the precise form of scholarly reception that Cicero himself hoped to provoke, not least because there would have been nothing typical or expected about it. A grammarian who decided to write an exegetical commentary on any prose author in the time of Augustus would have been doing something unprecedented in Roman scholarship.

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42   Section 21 concerns C. Melissus, whom Maecenas introduced to Augustus, who placed him in charge of the libraries in the Porticus Octaviae; section 22 concerns M. Pomponius Porcellus and 23 Q. Remmius Palaemon, both of whom seem to have been closely connected to Tiberius.

43   Syme 1939, 459–475; Thomas 2001.

44   See Gibson 2002, 51–75, and Bishop in this volume.

In the decades that immediately followed Vergil's death, then, it seems clear that the well-established procedures of the *grammaticus*, both as a school-teacher and as a scholar and writer, facilitated Vergil's rise to a position of undisputed eminence in the Augustan and post-Augustan canon. Schools of declamation and celebration of Cicero as exemplifying the death of oratory offered no such easy route to similar acknowledgement. Eventually, however, commentaries on Cicero did begin to be written. Grammarians did come to regard him as defining the ultimate standard of Latinity. Later grammars and commentaries on all Latin authors reflect these facts, as does the existence of a diverse corpus of *scholia Ciceroniana*. What was it that caused ancient scholars to go beyond the typical Julio-Claudian reception of Cicero as a symbol of eloquence, and especially of the death of eloquence, so that he eventually came to define Latinity itself?

6   Some Vergilian Moments in the Julio-Claudian Reception of Cicero

The notion that Cicero, as the greatest orator in the Roman canon, defines Latinity itself, while Vergil, author of the 'national epic', is the greatest Roman poet, needs no illustration. Apocryphal anecdotes that circulated in later Antiquity represent this pairing of the two authors as always already true, apparent even from the beginning.[45] In fact, of course, it took time for the notion to coalesce; and, as I have been suggesting, even if Cicero laid down a path to canonical status that Vergil was to follow, it was Vergil's success in following it, abetted by official promotion under Augustus' regime, that created conditions in which Cicero, in spite of numerous obstacles that lay in his way, ascended to a position of primacy. It is obviously impossible to prove this in detail, but I believe this perspective contains more verisimilitude than any other. In this section I consider the circumstantial evidence in its favor.

If Cicero ever seriously hoped that his speeches would find their Aristarchus—that is, an editor and commentator of sufficient talent and ambition to establish himself as the Roman counterpart to the Greek prototype, and his subject as a Roman Homer—then he was disappointed. As I have explained, the educational structures devoted to grammar and rhetoric, respectively, were themselves obstacles to Cicero's obtaining such a scholarly reception.[46] By the

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45   See the (totally anachronistic) story told in the *Vita Donati aucti* 41 in which Cicero reacted to a recitation of the *Eclogues* by hailing Vergil 'the second hope of great Rome' (*magnae spes altera Romae*).

46   Another way of looking at the situation, as Christoph Pieper suggests to me, is that Cicero

same token, Vergil's success in emulating Homer greatly improved his chances for achieving that kind of recognition. Nevertheless, even he did not find his Aristarchus. But he did find something almost as good, and possibly even better.

I have referred several times to Vergil's ready acceptance of adverse criticism. It is a good thing that he had this attitude, because he seems to have got plenty of negative reviews, especially in the early period when his reputation as a canonical author was rapidly taking shape.[47] Anecdotal evidence of heckling at an early recitation of the *Eclogues* suggests that he faced mockery right from the beginning. Learned judgment deplored his torturing of the language, his *cacozelia* in stretching the conventional meanings of ordinary words. These criticisms, by the way, go directly to the issue of Vergil's Latinity. Even if not all of Vergil's detractors were professional grammarians, it was above all the way he handled the language, in their opinion, that was at issue. That was not all, of course. A critic named Herennius collected Vergil's 'faults', a Perellius Faustus his 'thefts' from other poets, and one Q. Octavius Avitus an eight-volume work of his 'similarities', evidently documenting verses that Vergil had appropriated from other poets. Catalogues of parallel passages in books 5 and 6 of Macrobius' *Saturnalia* that descend from such dossiers prove that Vergil 'stole' even-handedly from Latin as well as Greek poets. Since we do not have the words of any of these critics to explain precisely the charges on which they wished to indict Vergil, beyond a general lack of originality, we cannot say very much about that. Still, it seems impossible not to conclude that Vergil's sheer presumption in attempting to rival not only Theocritus and then Hesiod, but even Homer himself, incurred the wrath of these literary prosecutors.

Of course, as I have noted, Vergil seems not only to have tolerated, but even to have actively provoked such criticism, especially if it reproduced adverse criticism of his Greek models for doing exactly the same thing. Suetonius recognizes the net effect when he writes, 'Vergil never wanted for detractors. And why not? Neither did Homer' (*obtrectatores Vergilio numquam defuerunt, nec mirum; nam nec Homero quidem, VSD* 43). That is to say, by the end of the first century CE it was clear that any given element that linked Vergil to Homer corroborated his status as Homer's Roman counterpart. I would not want to argue that the *obtrectatores* undertook their work with this purpose in mind, but I do think we can say that Vergil effectively laid a trap for them that worked

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effectively became his own Aristarchus, for instance in the case of *Pro Milone*, "where he 'corrects' the bad speech with the publication of an ideal one".

47   For what follows see chapters 43–46 of the *Vita Vergili Donatiana* (*VSD*), which is generally regarded as deriving almost verbatim from Suetonius; see also Barchiesi 2004.

beautifully for his own purposes, if not for theirs. Indeed, it worked so well that one of these detractors, a certain Carvilius Pictor, gave his work the title—and thus in effect gave himself the nom de plume, or perhaps I should say nom de guerre—*Aeneidomastix*, which he adapted from *Homeromastix*, 'Scourge of Homer', the sobriquet of Antiquity's most vigorous critic of the *Iliad* and *Odyssey*, the fourth-century BCE grammarian and Cynic philosopher Zoilus of Amphipolis. Thus, we can say that even if Vergil himself did not find his Aristarchus, at least he found his Zoilus; and that, perhaps, was an even greater sign of his success at becoming the Roman Homer.

Here let me advert to a comment that Bishop makes in reviewing the parallel experiences of Cicero and Vergil in ancient scholarly reception. She writes, "Cicero's exegetical tradition among later Romans was the only one that came close to Vergil's in its complexity and in its mimicry of the Greek exegetical tradition". I agree with this, having already suggested that Cicero's exegetical tradition is the more complex, though this may be simply a matter of how one looks at it. Bishop continues: "In fact, only three authors acquired 'scourges' with the suffix *-mastix* in antiquity, and those three were Homer, Vergil, and Cicero."[48] Now, there is nothing very surprising in the fact that Vergil's Homeric ambitions helped him obtain a Zoilus of his own. But Cicero, to state the obvious, even if he does call Atticus the Aristarchus of his speeches, did not really aspire to a specifically Homeric form of recognition. How, then, did he come to be afflicted with a quasi-Homeric *Ciceromastix?*

We know a bit more about the author of this work than we do about any of Vergil's *obtrectatores*. Licinus Larcius was the "first orator to seek fame in the centumviral court". Later in his career, as *iuridicus* of Hispania Tarraconensis in 73/74 CE, he "unsuccessfully offered the elder Pliny, then procurator, 400,000 sesterces for his notebooks".[49] These few moments in the spotlight of ancient history suggest that Larcius was something of a buffoonish opportunist, and a not very original thinker. It seems unlikely that it was he who got the idea of appointing himself as a Roman Zoilus so that he could excoriate Cicero, and much more likely that he was following the lead of Vergil's detractors. Since Larcius died while holding this office, we have a *terminus ante quem* for the writing of *Ciceromastix*. If Jerome is correct, Asconius died in 76 and thus outlived Larcius by just two years, having lost his eyesight in 64.[50] On this dating,

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48   Bishop 2019, 309.

49   Holford-Strevens s.v. Larcius Licinius in *OCD³*, with further bibliography. For the title *Ciceromastix* see Gel. 17.1.1.

50   Hier. *Chron*. 76; but see Keeline in this volume, pp. 43–44, on the limits of Jerome's reliability on biographical information.

Asconius was born in about 9 BCE, and since it is very unlikely that Larcius was in his eighties while serving in Spain, Asconius was probably much older than he. I mention these details about Asconius because it seems likely that his most famous and influential work, apart from his commentary on Cicero, bore the title *Against Vergil's Detractors* (*Contra obtrectatores Vergili*).[51] Although it was lost, traces of it survive in passages of Servius' commentary that defend Vergil against hostile critics. Again, it seems unlikely that Carvilius Pictor wrote after Asconius' successful rebuttal of Vergil's detractors and much more likely that he was one of Asconius' targets. *A fortiori*, it seems unlikely that it was Larcius who inspired the unknown author of *Aeneidomastix* to fashion himself as a second Roman Zoilus, and much more likely that the converse is true. It also stretches credulity to assume that Larcius flaunted his *obtrectatio* of Cicero after Asconius had rebuked the Vergilian prototypes.

It is certainly suggestive that Asconius made such important contributions to both Vergilian and Ciceronian scholarship during this period. I do not have space to pursue this matter other than to sound a note of caution. As I noted earlier, Asconius' commentary on Cicero looks nothing like almost any ancient Vergilian commentary that we know.[52] It is not a grammatical or more generally exegetical commentary, but is focused almost entirely on history and rhetoric.[53] I am not aware of any specific element that Asconius might owe to previous Vergilian commentators; but there may be one general consideration. As I have noted, Asconius is the first commentator on Cicero of whom we know. Is it possible that he was inspired by the wealth of scholarly activity being devoted to Vergil to adapt some of the characteristic forms to promote Cicero's standing in the canon of Latin literature, which was still characterized by dynamism, but in a way that threatened to leave Cicero behind? If so, then his commentary, different as it is from what we think of as the standard grammatical and exegetical type, may deserve more consideration than it usually receives simply as the first Latin commentary, and one of the few produced in Antiquity, on any Latin prose author.

7   Kinds of Commentaries on Different Literary Genres

Here perhaps a broader focus will be helpful. James Zetzel, in his bibliographic guide to ancient scholarship in Latin, organizes his presentation by schol-

51   *VSD* 43.
52   See however below on Ti. Claudius Donatus.
53   See Keeline in this volume on his working methods.

arly genre, beginning with dictionaries and encyclopedias and moving on to commentaries and then grammars. Among commentaries he confines himself to those that actually survive in whatever form, whether more or less intact, like Asconius and Servius, or as scholia in medieval manuscripts. The canonical authors in question, besides Cicero and Vergil, include Terence, Horace, Ovid, Germanicus, Persius, Lucan, Statius, and Juvenal: all but Cicero are poets. Cicero is the only prose author. Even so, it is worth noting that commentaries on poets are not confined to grammatical and exegetical works. Ovid is a case in point.[54] Germanicus is another exception.[55] Horace is particularly interesting, in a number of ways.

I have saved Horace for last because he is a useful comparandum to Asconius. Above all, the peculiarity of Horace's poetic corpus called for a very different sort of commentary than those written on Vergil in particular. Especially pertinent here is that Horace addresses or mentions a very significant number of historical individuals. This is simply not as important a factor in Vergil. Horace commentaries must explain these references, and that of Porphyrio twice (*in Serm.* 1.3.21 and 90–91) refers to scholars of Horatian prosopography (*qui de personis Horatianis scripserunt*). As Zetzel notes, "We cannot date those writers (if the plural is not simply exaggeration), but they are probably also [i.e. like the aforementioned contemporaries of Martial] relatively early: it does not take long (witness Asconius on Cicero) for knowledge of historical facts and persons to fade, particularly in the minds of schoolchildren".[56]

Zetzel's mention of Asconius in this context strikes me as apt both in the specific way that I believe Zetzel intends and also as an illustration of a point similar to one he makes about the substantial amount of overlap one finds between works devoted to grammar and those devoted to rhetoric. I will return to this point immediately below. By the same token, we see here that there is an overlap between grammar and what we may call history. Horace was a poet and he was taught in grammar schools, even if not to anything like the extent that Vergil and Terence were. Commentaries on his poetry, which abound in the names of historical personages, look a good deal more like Asconius' commentary on Cicero than any Vergil commentary does. Furthermore, as Zetzel

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54   Zetzel 2018, 268: "He is rarely quoted by grammarians before the sixth century, and the extant commentaries themselves very definitely do not belong in an educational context".

55   Ibid., 269: " 'Scholia to Germanicus' is the customary name for several related astronomical texts that are in fact not commentaries on Germanicus' translation of Aratus' *Phaenomena*, but discussions of the constellations, derived (at some remove) from the *Catasterismoi* ascribed to the Alexandrian scholar Eratosthenes and possibly derived (again, at some remove) from a text actually by Eratosthenes".

56   Ibid., 150–151.

notes, even if Horace did not occupy the central position in the curriculum that Vergil enjoyed, "he was obviously read and studied with considerable care, and the interpretive tradition, if we cannot trace it back to Horace's lifetime as we can in the case of Virgil, certainly begins no later than the middle of the first century CE"—about the same time when Asconius writes his commentary on Cicero.[57]

8 Some Conclusions

I began this paper by recalling two inferences that I had drawn from previous research on Vergil's use of Greek scholarship and the influence of that same scholarship in Vergilian commentaries. In regard to the first instance, that Vergil's own use of Greek scholarship played a much more than utilitarian role in his adopting the *personae* of Theocritus and Homer, I remarked that Bishop's work on Cicero had convinced me all the more that this inference is correct and also that Cicero's example probably had a direct influence on Vergil's program of authorial self-fashioning. My second inference was that Vergil's own use of Greek scholarship provoked his critics to comment on his poetry in much the same way as Greek critics had commented on Homer and Theocritus, even to the point of using language that looks as if it had been drawn from a commentary on those authors. With regard to that inference, I asked whether something similar could be true of Cicero and his commentators. I have not considered the very real positive indications that this is true, because these are considered elsewhere in this volume.[58] Instead, I have focused on the considerable differences between the early reception of Cicero and that of Vergil, which seem to me to indicate that Vergil, even if he followed Cicero in his use of Greek scholarship on his literary models, was more immediately successful in calling into being an exegetical tradition like theirs that was devoted to his own works. Eventually, Cicero also succeeded in this; but, surprisingly perhaps, there appear to be some indications that the direction of influence that seems likely in the careers of these two authors became reversed during their Julio-Claudian reception, so that Ciceronian scholarship mimicked Vergilian scholarship in certain ways. Whether this mimicry extends to the production of the first commentary on Cicero, written by a scholar who had defended Vergil against his detractors, is an open question, but one that seems at least worth asking.

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57 Ibid., 149.
58 See in particular Bishop in this volume.

A final point on the relationship between grammar and rhetoric also seems worth making. The focus of my work on the Vergilian tradition has been grammatical commentary, and especially on the sources, including the earliest and most distant ones, that fed into Servius' commentary. As I have noted, this sort of commentary looks very little like that of Asconius on Cicero, so that the two traditions appear to be quite incompatible. Comparison between the two would be much easier if instead of Servius and his predecessors had produced works more like that of Tiberius Claudius Donatus.[59] Exploitation of the material offered by Donatus would involve another project, which I am convinced would be worthwhile. By way of closing, however, I would like to make just a few points to follow up on those I have made so far.

First, if the grammatical tradition acted upon the rhetorical tradition in the case of Cicero, then after Quintilian's intervention it appears that the converse started to be true of Vergil. Not that this was Quintilian's goal, or at least, not all of it. I think one can assume that he wanted to promote Cicero as the standard of Latinity in all forms of writing, but I don't believe that he wanted all poets to write as if they were orators.[60] But it would not be long before Vergil too came to be evaluated as an orator, just as much as or even more than as a poet. The process may have begun long before Quintilian. Certainly, there is an abundance of rhetorical exegesis in Servius' commentary, although little of it takes into account the sort of thing one finds in the Bobbio scholia or those of Gronovius among the *scholia Ciceroniana*. It was apparently not too long after Quintilian's time that the work of the mysterious Florus came to light, but Michiel Verweij has emphasized the novelistic elements of this work,[61] so that there is no reason that it should have been composed soon after its dramatic date in the time of Domitian. Moreover, since Vergil's name, after the title, does not appear in what we have of this work, we can't say anything about how it answered the question, *Vergilius, orator an poeta?* But I think we should assume that this became a perennial question. In their useful anthology of *Medieval Grammar and Rhetoric*, Rita Copeland and Ineke Sluiter emphasize this aspect of Donatus' work, writing as follows:

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59   I am grateful to Dennis Pausch and Bram van der Velden for discussion of this point.

60   In his comments about Latin epic poetry, for instance, he even writes, 'Lucan [is] ardent, passionate, particularly distinguished for his *sententiae*, and (if I may say what I think) more to be imitated by orators than by poets' (*Lucanus ardens et concitatus et sententiis clarissimus et, ut dicam quod sentio, magis oratoribus quam poetis imitandus, Inst.* 10.1.90).

61   Cf. Verweij 2015.

It is Tib. Claudius Donatus' thesis that the whole poem [i.e. the *Aeneid*] has one purpose, the praise of Aeneas, and through him of Augustus. From this perspective, the poem belongs to the *genus laudativum* [a category, obviously, of epideictic rhetoric] and hence Tib. Claudius Donatus defends the claim that the interpretation of Virgil belongs to the domain of the rhetorician rather than the grammarian. In this way the *Aeneid* becomes part of a much larger and longer tradition of competition between the language disciplines, with participants registering anxieties about the boundaries and legitimate domain of each. This instance of such competition is of particular interest for the history of literary theory, in that what is at stake is who gets to speak authoritatively about the *literary* domain.[62]

This seems to me a fitting point on which to conclude. If I were to describe the general purpose of my investigations, I could do no better than to borrow the words of Copeland and Sluiter to call it an investigation of the "anxieties about the boundaries and legitimate domain" of grammar and rhetoric in Antiquity, and also of our own understanding of the two disciplines, the relationship between them, and what kind of authority they exercised over those authorities—the authors themselves—in whom the authority of language itself was in some sense enshrined. It was obviously a circular relationship, with authors and critics depending on one another for their own reputations, and grammarians and rhetoricians sometimes borrowing from one another, sometimes arguing with one another. It is a bit fanciful to characterize the relationship between Cicero and Vergil in this way as well, as one in which one author inspires the other, who then challenges him for supremacy in the pantheon of Latin *auctores*, until eventually each defines his own place in the canon in such a way that they can be seen from the perspective of later ages as being in a complementary or a competitive relationship, perhaps for all time. But perhaps there is some truth in that, after all.

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62   Copeland and Sluiter 2009, 141.

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6

The Influence of Greek Commentaries on the Bobbio Scholia to Cicero

Caroline Bishop

1   Introduction

Cicero, like other late Republican and Augustan authors, made no secret of his desire to become part of the Roman literary canon, nor did he spare any efforts to achieve this aim.[1] For example, to enhance his reputation as Rome's premier orator, in 60 BCE he selected the twelve best speeches delivered during his consular year and published them together as a single corpus; he chose twelve because this was the number of works that circulated in Demosthenes' 'Philippic' corpus, and he wished for aspiring Roman orators to read his collection of consular speeches just as aspiring Greek ones read Demosthenes' collection of *Philippics* (*Att.* 2.1.3).[2] In later years, Cicero went even further in promoting himself as a Roman counterpart to Demosthenes. In his treatise *Orator*, written in 46 BCE, he analyzes six of his own speeches (*Or.* 102–103), and then, a few chapters later, analyzes four of Demosthenes' (110–111) using the exact same methods, a clear indication of his desire to receive the same scholarly attention and analysis as his famous Greek counterpart.[3]

Cicero certainly succeeded in this goal; generations of Roman students did indeed study his speeches with the same attention that Greek students paid to Demosthenes. Though we cannot know exactly what those Roman students learned about Cicero in their classes on rhetoric, we do have an excellent piece of evidence that permits hypotheses: namely, the surviving commentaries on Cicero that are preserved as the Bobbio scholia. It is generally agreed that these commentaries, in their extant form, are a fourth-century revision of a second-century CE work, and although their preservation was

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1   As is shown by Bishop 2019, 1–39.—All translations in this chapter are my own, unless otherwise indicated.

2   For the reasons behind Cicero's publication of these speeches, see Cape 2002, 115–120; Steel 2005, 50–54; and Manuwald 2007, 75–77.

3   This comparison is discussed by Bishop 2015a, 184–190.

quite haphazard, what survives provides a useful source of information about how Cicero was taught in Late Antiquity, and indeed for several centuries prior.[4]

This paper will consider the role that Greek commentaries on Demosthenes played in the composition of the Bobbio scholia (and the section of the *Scholia Gronoviana* thought to be by the same author).[5] By the period in which the scholia were originally composed, Roman teachers of rhetoric had long since taken Cicero up on his suggestion that his speeches be read and studied in the same fashion as those of Demosthenes. At least as early as the first century CE (and probably even earlier still), Roman students were made to follow the advice of Livy that they 'ought to read Demosthenes and Cicero, and then whoever was most similar to Demosthenes and Cicero' (*legendos Demosthenen atque Ciceronem, tum ita ut quisque esset Demostheni et Ciceroni simillimus*, Quint. *Inst.* 10.1.39). As students in rhetorical schools read these speeches, they were instructed to copy down and memorize the particular passages they liked the best (a practice Cicero recommends at *De orat.* 1.154–155, and which is described by Aelius Theon at *Prog.* 2.65.29–66.2); passages from Cicero and Demosthenes with similar rhetorical figures and effects must often have sat side by side in these student handbooks.[6] Close attention to Cicero's and Demosthenes' similarities and differences was further encouraged by another assignment that had students compare their stylistic strengths and weaknesses—an exercise whose traces can be seen in the comparisons of the two that survive by Quintilian (*Inst.* 10.1.105–108), Ps.-Longinus (*Subl.* 12.4–5), and Plutarch.[7] The earliest known of these comparisons was written by the Augustan-era Greek literary critic Caecilius of Caleacte, a sign that this type of exercise was already being practiced shortly after Cicero's death. It was still quite common in the second century, the period in which the Bobbio scholia originated: Aulus Gellius (15.28), Pliny (9.26), and Juvenal (10.114–119) all compare Cicero and Demosthenes in terms that evoke this schoolroom exercise.

It can thus be assumed that the commentator whose work became the Bobbio scholia was familiar with stylistic comparisons of the two orators, and that

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4 For the date of the Bobbio scholia, see La Bua 2019a, 78–79 and Zetzel 2018, 143–144.

5 For the authorship of this part of the *Scholia Gronoviana*, which encompasses *Ver.* 2.1.45–62, see Zetzel 2018, 144.

6 As Weische 1972, 167–171 notes, these handbooks seem to have focused on the most famous passages, as well as on passages that served as models for various tropes and figures. When the scholiast compares Cicero's and Demosthenes' rejection of an argument from Antiquity (346.27–28 St.), for example, it was likely this very educational practice that had made him familiar with the parallel passages.

7 On schoolroom comparisons of the two, see further Keeline 2018, 93–98 and de Jonge 2019.

like his contemporaries, he had also read and memorized their speeches in concert with one another during his rhetorical training. It is certain that he knew Demosthenes well: the only mention of him in the extant scholia is found in a passage (346.27–28 St.) where the commentator describes how both Cicero and Demosthenes rejected the use of an argument from Antiquity—the one in the *Verrines* (2.1.56), the other in *Against Aristogeiton* (26.7).[8] The two passages in question have nothing in common except this shared theme, which suggests that the Ciceronian commentator was familiar enough with Demosthenes' speeches to draw on an unrelated but relevant comparandum.

Given this demonstrated familiarity with Demosthenes, and presumably an educational context in which our commentator was taught to compare him with Cicero, there is good reason to consider whether he used Greek commentaries on the speeches of Demosthenes as a framework for his project. It is quite likely that he did. Not only were Cicero and Demosthenes frequent objects of schoolroom comparison, there was also, by the time in which he wrote, already a precedent in Roman scholarship for the use of Greek scholarly models. This precedent can be most clearly seen (and has been most extensively documented) in the Vergilian commentary tradition, which provides a useful comparandum for this study. This is because Cicero and Vergil shared a special relationship among later Romans as the two schoolroom authors *par excellence*—the one studied in grammarians' schools, the other when schoolboys graduated to rhetoric.[9] Their hypercanonical status resulted in scholarly cross-pollination: commentators often used the one to explicate the other's language and rhetoric (and vice versa), and several scholars devoted works to both authors.[10]

From an early stage, these scholarly works often openly followed Greek blueprints. For example, detractors of both Cicero and Vergil, writing no later

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8   This passage derives from the section of the *Scholia Gronoviana* thought to be by the same author as the Bobbio scholia.

9   For evidence of this special relationship, see, e.g., Sen. *Con.* 3.*pr*.8, Mart. 5.56.3–5, Plin. *Nat.* 13.83, and Quint. *Inst.* 1.7.20. Silius Italicus, who bought and tended both Cicero's Tusculan estate and Vergil's tomb (Mart. 11.48), is a literal embodiment of the link between them. See also Farrell in this volume.

10 Already in the Neronian period, Seneca mentions a grammarian who used the *De re publica* to explicate Vergil (*Ep.* 108.32–34), and Servius bears this out; Mountford-Schultz 1930 list 169 quotations from Cicero's works in his commentaries, more than any other prose author. Cicero is principally used to bolster Vergil's linguistic authority, as MacCormack 2013, 286–287 and La Bua 2019a, 155–156 note. Vergil is used similarly in Ciceronian scholarship: both Victorinus and Grillius cite the *Aeneid* frequently to explicate the *De inventione* (on which see MacCormack 2013, 287 n. 201). References to the *Aeneid* are also found in the scholia to Cicero's speeches; see, e.g., Ps.-Asc. 215.24–26 St. and *Schol. Gron.* 299.1–7 St.

than the Julio-Claudian period, produced works entitled *Aeneidomastix* (Carvilius Pictor, *VSD* 44) and *Ciceromastix* (Gel. 17.1.1), respectively. Both titles allude to the seminal work *Against Homer* in nine books by the fourth-century BCE Cynic and literary critic Zoilus of Amphipolis, who was known as the *Homeromastix*, or 'scourge' of Homer.[11] Even the special relationship between Cicero and Vergil may have had its origins in the Greek propensity to combine Homer and Demosthenes (and sometimes Homer, Plato, and Demosthenes): for example, comparisons of Cicero and Vergil—a schoolroom exercise similar in conception to the comparisons of Cicero and Demosthenes mentioned above—were presumably modeled on a Greek tradition that compared Homer and Demosthenes.[12]

Of course, these appeals to Greek models ultimately relied on the suggestions of Cicero and Vergil themselves. Much as Cicero had done with Demosthenes, in his *Aeneid* Vergil extensively interacted with Homer's epics, and with the rich tradition of commentary on them.[13] This interaction influenced the approach of his commentators in turn, who aimed to produce Vergilian commentary that resembled the Homeric commentaries so central to Greek intellectual culture.[14] A single example will illustrate just how fine-grained this scholarly resemblance could be.[15] In a scholion on a passage in which the Sibyl mentions Tartarus to Aeneas (*Aen.* 6.577–579), Servius discusses possible etymologies for Tartarus' name: 'Tartarus, either because everything is disturbed there, from "disorder" (ταραχή), or—and this is a better explanation—from "to shiver" (ταρταρίζειν), that is from the trembling of cold, since it is without the sun' (*tartarus vel quia omnia illic turbata sunt*, ἀπὸ τῆς ταραχῆς: *aut, quod est melius*, ἀπὸ τοῦ ταρταρίζειν, *id est a tremore frigoris; sole enim caret*, Serv. *Aen.* 6.577).

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11   For Vergil, the title makes perfect sense, since he was considered the Roman Homer, but bestowing it on a work critical of Cicero is unexpected. Titling this work *Ciceromastix* is thus a sign of how tightly linked Cicero and Vergil were in the scholarly tradition. For more on Zoilus, see Bishop 2015b, 385–392. For more on these two works, see Farrell in this volume, pp. 145–147.

12   For the combination of Homer and Demosthenes (and Homer, Plato, and Demosthenes), see, e.g., Ps.-Longin. *Subl.* 14.1–2, 36.2; Ps.-D.H. *Rhet.* 10.19.7–9; Ps.-Lucian, *Enc. Hom.* 4, 5. Both Servius and Macrobius allude to a tradition of syncrises of Cicero and Vergil (Serv. *Ecl.* 7.16; Macr. 5.1.3); the extant comparison of Homer and Demosthenes attributed to Lucian suggests the Greek model for the genre.

13   Knauer 1964 is the *locus classicus* for Vergil's use of Homer in the *Aeneid*; Schlunk 1974 and Schmit-Neuerburg 1999 discuss his use of the Homeric commentary tradition.

14   On this, see especially Farrell 2008; Mühmelt 1965 collects parallels between Servius' commentary and the Homeric scholia.

15   This parallel is discussed at Mühmelt 1965, 62.

While these potential origins for Tartarus' name could easily have come from a work on Greek etymology, they are in fact lifted directly from the Homeric scholia to the passage on which Vergil's description of Tartarus is based, which is the council of the gods at the beginning of *Iliad* 8, where Zeus says he will throw any god who intervenes in the Trojan war into Tartarus (8.13–16). The Homeric scholiast also uses this mention of Tartarus to discuss its etymology, saying, 'Tartarus seems both to be disturbed (τετάρακται) and cold, and indeed they call excessive shivering ταρταρίζειν' (ὁ δὲ Τάρταρος καὶ τετάρακται καὶ ψυχρὸς εἶναι δοκεῖ· καὶ γοῦν τὸ σφόδρα ῥιγοῦν ταρταρίζειν φασίν, *Sch. vet. Il.* 8.13). This points to a sophisticated process at work in the Vergilian commentary: despite the fact that Homer and Vergil had evoked Tartarus for entirely different narrative purposes, Vergil's commentator has recognized which Homeric passage Vergil drew on, and has based his own comments on the scholia to that very passage. Nor is this an isolated example; this was an utterly routine practice within the Vergilian commentary tradition.[16]

Before discussing potential similarities between the Bobbio scholia and Greek commentaries on Demosthenes, it must be acknowledged that no parallels will be found that are as close as this Vergilian one—nor should we expect there to be. Oratory is by nature contingent on the circumstances of specific cases, and while parallels between Cicero's speeches and the speeches of the Attic orators can be (and have been) detected, any two speeches of Cicero and Demosthenes—even their respective *Philippics*—necessarily focus on different circumstances, different charges, and different legal traditions.[17] Furthermore, ancient commentators on oratory had a different aim from commentators on poetry. Their principal audience was students of rhetoric, for whom the most useful commentary was one that taught them how to speak like the classical orator whose speech they were studying.[18] This meant that their focus was on a speech's argumentative strategies and on rhetorical tropes and figures, alongside explanations of unusual words and phrases—in other words, not material that could easily be copied wholesale from a Greek exemplar. Finally, it should also be noted that both the Ciceronian and the Demosthenic scholia are more haphazardly preserved than the Vergilian and Homeric material, so in a practical sense, there is less evidence to mine for possible parallels.[19]

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16   As Farrell 2008 shows.

17   Weische 1972 is a thorough examination of Cicero's use of the Attic orators.

18   La Bua in this volume discusses the pedagogical aim of the Ciceronian scholia; Heath 2004 notes that the same was true for the Demosthenic scholia.

19   Zetzel 2018, 143–148 describes the patchwork of extant exegesis on Cicero's speeches, while Heath 2004, 132–183 discusses the origins and nature of the Demosthenic scholia.

Therefore, in considering how Greek commentaries on Demosthenes might have influenced the Bobbio scholia, I will focus on whether the Bobbio scholiast demonstrates the same *attitude* that motivated Vergilian lemmata like the one above. Think of the numerous assumptions the Vergilian scholiast had to make in order to write such a note. First, he had to accept the premise that Vergil was the Roman equivalent of Homer. Next, he needed to have a good sense of parallel passages between Vergil and Homer, and the resources to find a reliable commentary for those Homeric passages. Finally, and perhaps most importantly, he needed to have believed that providing comments similar to those of his Homeric counterpart would be useful to his readers: that a note on the etymology of Tartarus was what students of Vergil required at this point in the *Aeneid's* narrative, just as it was what students of Homer had needed when reading Vergil's model passage in the *Iliad*.

Did the commentator whose work lies behind the Bobbio scholia to Cicero's speeches believe the same thing? Was he familiar with commentaries on Demosthenes? And did he use rhetorical exegesis on Greek texts for inspiration as he wrote his own commentary? In what follows I will offer evidence that suggests that the answer to these questions is yes.

2   Parallels in the Ciceronian and Demosthenic Scholia

The origins of the Bobbio scholia, as I have already mentioned, lie in the second century. Before examining the similarities between this commentary and the Demosthenic scholia in detail, it is necessary to show that the exegetical resources on Demosthenes that the Bobbio scholiast had access to would have borne some resemblance to the extant scholia to Demosthenes. The Demosthenic scholia significantly postdate the Bobbio scholia, with their earliest surviving manuscript dating to the ninth century.[20] However, like the commentary that provided the material for the Bobbio scholia, their origins also seem to lie in the second and third centuries CE. The most recent theory on their provenance has argued that their principal source was Menander Rhetor, a scholar of rhetoric who flourished during the reign of Diocletian in the late third and early fourth century.[21] But similarities between the extant scholia and a papyrus of the late second century CE (P.Yale 1434) suggest that Menander himself borrowed some of his material from earlier scholarly work on Demosthenes, an

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20   For a concise overview of the Demosthenic scholia, see Gibson 2002, 21–22.
21   See Heath 2004.

unsurprising fact given the conservative nature of ancient education and scholarship.[22] So while the extant Demosthenic scholia postdate the Bobbio scholia on Cicero, both have roots in the same period, and our Cicero commentator would certainly have had access to commentaries of a similar ilk on Demosthenes' speeches that he could have consulted.

With this in mind, I will now turn to potential parallels between the two sets of scholia. My investigation will focus on three points of similarity. First I will discuss lexical cross-references to other classical authors, and second, cross-references that were more contextual in nature. Finally, I will turn to the use of specialized Greek rhetorical terminology to describe an orator's skill, and show how this vocabulary in both sets of scholia betrays a pragmatic attitude towards an orator's use of deception. This attitude reflects the fact that the primary audience for both commentaries was would-be orators, who read Cicero's and Demosthenes' speeches not out of an appreciation for their literary qualities but rather as how-to manuals for practicing the art of persuasion.

2.1   *Lexical Cross-References*

I will begin with cross-references that focus on linguistic parallels between Cicero or Demosthenes and another classical author. It will, of course, occasion no surprise that discussion of the particularities of an orator's word choice played a central role in rhetorical scholarship. This was especially true in the second century when the Bobbio scholia first seem to have been composed. In this period, educated Greeks and Romans alike were obsessed with the idea of linguistic purity, for which their canonical orators provided important support: Demosthenes was one of the pre-eminent sources of properly Attic Greek,[23] while Romans of the late first and early second century CE were intensely interested in Cicero's Latinity.[24] In fact, the focus on speaking 'classical' Greek or Latin just as Demosthenes and Cicero had done actually led to a new type of scholarship in the second and third centuries CE: specialized lexica to classical orators that served as glossaries for readers who did not wish to comb through a whole speech for properly classical words. Numerous lexica to Demosthenes'

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22   Hubbell 1957 discusses the similarities of this papyrus to the scholia, and to Menander's treatise on epideictic. The fourth-century PRain. 1.25, discussed by Erbì 2006, also overlaps with the extant scholia.

23   Phrynichus, the most prescriptive of Atticists, argued that only the language of Aristophanes, Cratinus, Eupolis, Plato, Thucydides, and Demosthenes counted as properly Attic (Phryn. 114, 286 Fischer). Other Atticists had a broader canon, but Demosthenes was always included. For more on this topic, see Pagani 2015.

24   See, for example, Gel. 1.4, 1.7, 10.3, 13.1. La Bua 2019a, 130–162 discusses how Roman scholarship over many centuries continued to consider Cicero the ideal of *Latinitas*.

speeches were produced in the second and third centuries CE, the most famous of which was Harpocration's lexicon on the ten canonical Greek orators.[25] Roman students had access to similar study aids, such as the mid-second century treatise of Statilius Maximus on *singularia* ('rare words') in the speeches of Cicero and Cato.[26] This in itself is a good example of how Roman scholars adapted Greek scholarly formats for the authors that they considered counterparts to various members of the Greek literary canon.[27]

The same focus on classical propriety at the level of the individual word can be seen in the scholia to both Cicero's and Demosthenes' speeches. Each scholiast devotes space to proving that even rare terms in the speeches of their respective orator are (or occasionally are not) properly classical, typically by cross-referencing other classical authors who had used the same words. Such discussions reinforce Cicero's and Demosthenes' reputations as paragons of linguistic purity and underscore their continued importance as models for aspiring orators.

At several points, the Bobbio scholiast remarks upon rare Ciceronian terms in order to show that they were properly classical. These include the diminutive *labecula* (152.4–5 St.) and the rare word *fucosa* (154.17–19 St.); though the scholiast notes that both words are unusual, he adds that both were considered acceptable by the ancients (*veteres*), which means that they represent adequate examples of classical Latin. In other cases, the scholiast mentions the specific ancients who had also used these words. The early-first-century comedian Lucius Afranius, for example, is quoted to explain the meaning of the word *calautica*, a type of woman's head covering (89.18–19 St.).[28] No less an authority than Cato the Elder is deployed to counter the assertion of ignorant readers that Cicero used derivations from the verbs *festinare* and *properare* as exact synonyms in the *Pro Milone*; a relevant passage from one of his speeches in which he differentiates between the two terms is quoted (121.2–9 St.).[29] Another ora-

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25   For an overview of the Demosthenes lexica, see Gibson 2002, 18–20.

26   For Statilius Maximus' work, see La Bua 2019a, 139–140 and Zetzel 2018, 82–83. Statilius Maximus is also remembered for producing a now-lost edition of Cicero's speeches; on this aspect of his work, see La Bua 2019a, 66–71.

27   Zetzel 1974, 120 n. 6 notes the similarity between Statilius' project and the Atticist lexica.

28   This Ciceronian passage, a fragment from the speech *In Clodium et Curionem*, interested lexicographical scholars (including Nonius, who discusses it at some length) because it includes several rare terms for clothing, as La Bua 2019a, 152–153 notes. Interestingly, Servius uses the term *calautica* to gloss Vergil's use of *mitrae* (*Aen.* 9.613) in a passage that cites Cicero as his authority for another clothing term (*manicae*); this suggests that he was familiar with something similar to Nonius' discussion.

29   On this passage, see further La Bua 2019a, 145–147.

tor, Gaius Gracchus, is also mentioned as a source for a passage in Cicero's *Pro Sulla*, though in this case, the only word the two passages share in common is the verb *postulo* (81.18–24 St.).[30]

The particular authors that the scholiast quotes as linguistic parallels are significant. Gaius Gracchus and Cato the Elder, arguably the two most famous pre-Ciceronian orators and the two most in vogue in the archaizing second century, reinforce Cicero's authority as an exemplar of Latin prose.[31] Cato in particular, as the acknowledged forefather of Latin prose, occupied an authoritative role for Romans not unlike Thucydides did for the Greeks, since both had been the first to compose prose in their respective dialects. In fact, in the *Brutus* Cicero himself had named Cato Thucydides' Roman counterpart (*Brut.* 66). The scholiast's reference to Afranius is notable for the same reason. Many of Afranius' plays borrowed from Menander, an important schoolroom author whose Greek was often admired. Furthermore, an explicit comparison between the two had, in this case as well, already been drawn by Cicero (*Fin.* 1.7).[32] The Bobbio scholiast thus seemingly preferred cross-referencing authors whom Cicero himself had suggested were the counterparts to the Greek authorities for *Hellenismos*. Presumably Cicero's approval reinforced these particular authors' *bona fides* as authorities to be cited alongside Cicero as exemplars of *Latinitas*.

The Ciceronian scholiast's program of cross-references coheres nicely with what can be found in the Demosthenic scholia, where the authors cited as parallels for Demosthenes' linguistic usage are all central figures in the establishment of classical Greek.[33] Three dramatic poets—Euripides (4.5.33), Sophocles (8.43.61b), and Aristophanes (3.29.139a–b, 19.43.115c, 22.3.13a)—are quoted at least once as linguistic parallels, and Homer, the ultimate poetic authority, appears frequently (1.7.51a, 1.20.132a, 2.18.125c, 18.53.107, 18.215.283, 19.64.154, 19.110.234, 19.197.410, 21.151.59, 40.48.1). On the prose side, Thucydides offers the most parallels for Demosthenic usage (18.28.74b, 19.12.46b, 22.3.12), followed by Plato (18.119.201, 19.2.13c) and Isocrates (1.1.2a–b).

With the exception of Homer, these authors are among the principal authorities for Attic Greek, a fact that explains their role in authenticating various Demosthenic words.[34] That this is their primary purpose is clear from a com-

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30   Manuwald in this volume, pp. 179–181, discusses this passage in more detail.

31   Both are favorites of Gellius, for example, and Cato in particular was considered a rival to Cicero in this period for the title of Rome's favorite prose author: it is noteworthy that Statilius Maximus' work on *singularia* focused on both of them.

32   Horace also compares them in his letter to Augustus (*Ep.* 2.1.57).

33   Citations of the Demosthenic scholia are from the edition of Dilts 1983.

34   Pagani 2015, 829–830 discusses Homer's relationship to Atticism.

ment found in the scholia to Demosthenes' speech 17, *On The Accession of Alexander*.[35] When mentioning the various arguments that have been made against the speech's authenticity, the scholiast notes that some scholars consider it spurious on the grounds of insufficiently Attic vocabulary—but, he says, this is not a compelling enough reason, since Plato, Menander, Aristophanes, and the 'historians' (presumably Thucydides) also sometimes used similar linguistic techniques.[36] Given the origins of these scholia in a period in which all educated men (but especially would-be orators) needed to learn how to speak appropriately Attic Greek, references to other writers that were agreed to be authoritative users of the dialect were important for showing that Demosthenes' language was (or, on occasion, was not) acceptable to imitate. It is clear that the same motive lies behind the citation of other Roman authors as linguistic authorities in the Ciceronian scholia. The difference is that in determining which figures ought to count as exemplars of *Latinitas*, the Roman scholar appears to have borrowed his approach from his Greek counterparts.[37]

2.2   *Contextual Cross-References*

References to other classical authors occur in both sets of scholia not just to indicate linguistic parallels, but also to point out parallel ideas or opinions. Though such cross-references are not in the service of attaining linguistic purity, they are perhaps an even clearer sign of the classicism that pervaded both societies: authors of the classical past were presumed to agree with one another on important points because of their intuitive and authoritative understanding of the nature of things.

An excellent example is the association of Demosthenes with Plato, which dates back at least to the Hellenistic biographer Hermippus, who claimed that Demosthenes had been Plato's student. Their supposed relationship was used

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35   As Heath 2004, 166–168 notes, the structure and content of this essay are quite similar to the so-called *Ulpiani Prolegomena* that opens the collection; for our purposes, it is worth noting that that essay also discusses Demosthenes' lexical similarities to Thucydides and Homer (1.14–2.30). Heath argues that both essays ultimately derive from Menander Rhetor.

36   *Schol. Dem.* 17, p. 196.7–13: 'If someone should find fault with it because of its language, he would not find either Plato or the comedians or the historians blameless. Rather, it is necessary to say that it was both customary for Attic speakers to coin new words and to use the prevailing words against their established meanings. There are many examples of such things in Menander and Aristophanes and Plato' (κατὰ δὲ τὴν λέξιν εἴ τις αὐτῷ καταμέμφοιτο, οὐκ ἂν εὕροι τις οὐδὲ τὸν Πλάτωνα οὐδὲ τοὺς κωμικοὺς οὐδὲ τοὺς συγγραφέας ἀνεπιλήπτους. μᾶλλον δὲ χρὴ λέγειν ὅτι καὶ ὀνοματοποιεῖν σύνηθες Ἀττικοῖς ⟨καὶ⟩ χρῆσθαι πρὸς τὰς ὑποκειμένας ὕλας τοῖς κεκρατηκόσιν ὀνόμασιν, οἷα πολλὰ παρὰ Μενάνδρῳ καὶ Ἀριστοφάνει καὶ ... τῷ Πλάτωνι).

37   This was a widespread practice in Roman scholarship, as Bishop 2019, 33–34 notes.

to establish a link between philosophy and rhetoric during the late Hellenistic quarrel between the two disciplines.[38] By the first and second centuries CE, it also had the benefit of linking two recognized classics of Attic prose, and of tying Demosthenes to the philosophical school that had come to dominate intellectual life. References to Demosthenes' adherence to Platonic philosophy accordingly appear throughout his scholia (2.18.125b, cf. 2.22.157a–b; 19.70.170b): when, for example, Demosthenes says in *Against Timocrates* that the wicked behavior of Androtion was visited upon him by the gods so that he would ultimately be the cause of his own punishment, the scholiast notes that this sentiment is in line with similar passages in Homer (*Od.* 5.290) and Plato (*R.* 2.380a).[39] The suggestion may be that Demosthenes was familiar with these passages, but at the very least, the scholiast has shown that these three authoritative figures all agreed with one another.

Plato is not the only figure of classical authority to whom Demosthenes is linked in his scholia. Isocrates is mentioned as having expressed similar thoughts (19.198.418, 20.25.59a) and used similar persuasive techniques (2.1.1c; 3.3.32a; 4.1.1h, 3b; 10.70.24). Thucydides, though not an orator, is frequently cited for the same reason, with the citations typically deriving from his embedded speeches (pg. 1.3–4, 1.1.1c, 1.3.23, 1.6.44c, 1.8.53d, 1.15.111, 5.12.25, 8.51.66, 13.p.170.14, 15.14.6b, 20.28.68a, 22.3.12, 24.1.2c, 24.149.301).[40] He is also mentioned in his guise as an historian in order to verify various historical details in Demosthenes' speeches (1.22.151, 3.24.114, 20.28.73), as are Herodotus (7.39.42), Xenophon (2.24.163a, 22.15.52), and even Homer (4.17.82b, 10.3.8).[41] In addition to their practical value in explaining aspects of Demosthenes' speeches, these refer-

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38   See Plu. *Dem.* 5.4–5 for Hermippus' claim, which is repeated by Cicero (*Orat.* 15). For the quarrel between rhetoric and philosophy of the late Hellenistic period, see Bishop 2019, 143–157.

39   Plato's dialogues are also described as a model in the more practical sense of providing help with the rhetorical figure of *sermocinatio* (speaking in someone else's character) at *Schol. Dem.* 19.42.112; elsewhere, both Plato and Thucydides are mentioned as literary models for Demosthenes (19.2.13). Plato was sometimes considered practically an orator, and Cicero frequently discusses him in that light; for examples, see Bishop 2019, 108–109.

40   Thucydides, like Plato, was often considered a model for oratory, a fact about which Cicero complains in his anti-Atticist polemic (*Or.* 30).

41   Homer's inclusion in this list should perhaps be unsurprising, given the central role he played in ancient Greek education; already in the classical period, Plato mocks the propensity of professional scholars for considering the *Iliad* and the *Odyssey* repositories of practical information on topics as varied as fishing, military strategy, and medicine (e.g., *Ion* 536–538). The scholiast also claims that Demosthenes used Homer as a rhetorical model at various points (4.1.6b, 18.1.1e), which is also to be expected given the tradition of considering him the ultimate font of oratory (see, e.g., Quint. *Inst.* 10.1.46–51).

ences also serve to remind the scholia's readers that Demosthenes' views were in line with other figures of classical significance, and thus help to cement his own classical significance.

Unlike the Greeks, the Romans did not have a single classical tradition: for them, 'the classics' encompassed both Greek and Roman authors. Correspondingly, the Ciceronian scholia feature a doubled appeal to classical authority. As in the Demosthenic scholia, there are numerous intra-cultural cross-references that cite fellow Roman authors whose works could be used to explicate various aspects of Cicero's speeches. So, for example, the scholiast identifies Cicero's use of the phrase *lacrimantes gaudio* (*Sest.* 117) as a borrowing from Terence's *Adelphoe* 409 (136.8–10 St.), and refers to Lucilius as evidence for a comment in the *Pro Plancio* (153.22–24 St.). Sallust, meanwhile, is used to verify historical information (98.10–11, 141.20–22 St.).[42]

But these are not the only authors with whom Cicero is said to have displayed an affinity, and Greek authors are also mentioned—and sometimes quoted at length—as sources that can illuminate Ciceronian practices. In fact, the sole mention of Demosthenes, which I have already referred to, is made in just such a context, when the scholiast compares Cicero's and Demosthenes' rejections of an argument from Antiquity (346.27–28 St.). Shortly before this passage, which is found in the commentator's discussion of the *Verrines*, Herodotus is quoted to explain a religious reference (345.11–14 St.). These two quotations from Greek authors, found in such close succession, show that the commentator had a very good knowledge of Greek, and suggest that if more of his commentary were extant, there would be many more parallels of this sort to list.

Even more notable are cross-references where the commentator cites from both Greek and Roman authors at the same time. A comment in the *Post reditum ad Quirites* that good health is more pleasant after a serious illness (*Red. pop.* 4) inspires just such a display of cross-cultural virtuosity on the commentator's part (110.34–111.8 St.); he uses the opportunity to show that a variety of classical authorities all agreed on this point, quoting similar sentiments as found in Vergil (*Aen.* 1.203), Plato (*R.* 9.583c–d), and Isocrates (*Dem.* 35). The same is true in a comment on a discussion about death and the soul in

42   It is unusual that Sallust is mentioned at 141.20–22 St., since the information the scholiast cites him for, the condemnation of Opimius for accepting bribes in his division of Numidia, is not explicitly mentioned by Sallust, who merely mentions the bribery (*Jug.* 16.3). This suggests that the scholiast was looking for a reason to cite Sallust, rather than having actually used him to verify these details. I thank the anonymous referee for this point.

the *Pro Sestio* 47, where Plato's *Phaedo* and Cicero's own philosophical writings (the *Tusculan Disputations*) are cross-referenced for similar sentiments (130.32–131.5 St.). While references to Greek and Roman authors together were common in Roman works, it is nonetheless worth highlighting the fact that the Bobbio scholiast believed both Greek and Roman authors had produced similar insights on the nature of things.

Although this type of cross-reference is less directly related to the instruction of would-be orators than cross-references focused on lexical parallels, it bears witness to an important aspect of ancient education, namely, its classicism. Schoolboys were expected to be familiar with certain authors, and rhetorical instruction participated in reinforcing that familiarity. It is certainly no coincidence, for example, that the scholiast refers to the three other members (Sallust, Vergil, and Terence) of the so-called *quadriga Messii*, the four principal school authors who were used to teach the principles of classical Latin at the elementary level.[43]

Ultimately, then, cross references to other authors in both sets of scholia are the result of a pedagogical emphasis on classicism, and especially the proper classical form of each language, as found in select authors. This makes it all the more noteworthy that the Bobbio scholiast refers not just to Roman classical authors, but also Greek ones. The suggestion that Cicero's views were in line with the classical tradition of both cultures is characteristic of the Roman approach to intellectual culture, and helps explain why a Roman scholar would have considered the work of his Greek counterparts worth consulting in the first place.

2.3   *Greek Literary-Critical and Rhetorical Terminology*

Greek literary-critical and rhetorical terms appear frequently throughout the Ciceronian scholia for much the same reason that Greek classical authors are cited: they were an expected part of Roman education. This is clear from the fact that these terms are often unglossed, and always fully integrated syntactically into their respective Latin sentences.[44] The terms that appear are also highly technical: the Greek texts in which these words are most frequent are

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43   On the *quadriga*, see Zetzel 2018, 281–282 and Maffei and Riesenweber in this volume. The
     influence of the *quadriga* is even more apparent in the late antique commentary of Ps.-
     Asconius on the *Verrines*, where nearly all literary cross references are to Sallust, Vergil,
     and Terence. For these scholia's date, see Zetzel 2018, 144. For Ps.-Asconius' use of Vergil,
     see La Bua 2019b.

44   For the mechanics of Greek rhetorical and literary-critical terminology in late antique
     Latin texts more generally, see Holtz 2007.

rhetorical treatises (such as those of Hermogenes, Libanius, Harpocration, and Sopater), and the scholia to orators (including Demosthenes, Aeschines, and Aelius Aristides) and rhetorical authors (Hermogenes). That the Ciceronian scholia share common terms with the Demosthenic scholia like ἀφορμή (an orator's material or subject) and παράδειγμα (in rhetoric, the term for a proof from an example) is not surprising, since these terms are also used by Quintilian, and seem to have been largely naturalized in Roman rhetoric.[45] More telling are terms that describe an orator's skill, and thus reinforce the narrative of Cicero's and Demosthenes' shared talent for oratory. Notably, both scholiasts locate this skill in an orator's ability to forcefully or vehemently press his points, or, on the contrary, to make them so subtly that his audience is persuaded without even realizing that they have been.

Multiple terms for each orator's use of force appear in both sets of scholia. In a comment on a passage in the *Verrines*, for example, the scholiast commends Cicero for making such a 'forcible argument by example' (δεινῶς μετὰ παραδείγματος, 345.15 St.) with which to disparage Verres. In a similar vein, discussing Demosthenes' pre-emptive use in *On the False Embassy* of a letter purportedly from Philip to the Athenians (but which Demosthenes claims Aeschines actually wrote, 19.36–40), his scholiast notes:

τὸ θαυμαστότατον τοῦτό ἐστιν, ὅτι, ἥπερ ἂν Αἰσχίνης ἐχρήσατο πρὸς ἀπολογίαν ἐπιστολῇ, ταύτην ἔλαβε πρὸς κατηγορίαν Δημοσθένης· σύνηθες γὰρ αὐτῷ τὰ ἰσχυρὰ τῶν ἀντιδίκων διὰ ἰσχὺν δεινότητος αὐτοῦ ποιεῖσθαι.[46]

This is completely amazing: the very letter that Aeschines would have used for his defense is used by Demosthenes as an accusation. He is accustomed to making the strong points of his opponents his own through the strength of his force (δεινότης).

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45   ἀφορμή: 140.3, 345.8 St.; *Schol. Dem.* 2.22.152; 3.33.151a; 10.3.9 *passim*; 13.1; 16.6.2; 18.32.83; 20.152.381; 21.130. 460, 148.515; 22.22.66, 53.144; 23.110.66; 24.87.180a. Quintilian uses the term in his discussion of status theory to denote the opportunity for committing a crime (*Inst.* 3.6.27). παράδειγμα: 345.15, 346.1 St.; *Schol. Dem.* 1.5.39a, 5.40b, 11.83b; 3.4.32a; 10.18.9; 15.21.11a, 25.12; 16.11.3; 17.2 *passim*; 19.188.379; 20.11.28a–b; 20.112.261a, 162.406; 21.36.119a *passim*, 71.218a; 22.66.163a; 23.111.68a, 135.79, 202.108; 24.138.275a–b, 144.283a–b. Quintilian discusses this rhetorical proof at *Inst.* 5.11.1–2.

46   *Schol. Dem.* 19.38.105. Compare the scholiast's comments at 1.1.1c, where he praises Demosthenes and Thucydides alike for their force; other uses of the adverb δεινῶς in this sense can be found at 2.6.48 and 18.10.35. Demosthenes had long represented the ideal for the forceful style in rhetoric; for his association with this idea, see Bishop 2019, 181–183.

A near-synonym, βιαίως, frequently occurs in similar contexts. In rhetoric, this term was used to describe arguments that turn what appears to be a strong point for the opposite side to one's own advantage; in fact, one example in the scholia to *Against Timocrates* almost uses this exact phrasing to describe Demosthenes' cleverness in quoting the language of Timocrates' law against its own drafter.[47] Cicero's scholiast also uses the term to express admiration for his orator's daring in his defense of Milo: 'he forcibly (βιαίως) claims the authority of the Twelve Tables to defend the confession of Milo; they give the power to kill a robber by day, if he comes with arms, and by night, however he comes' (βιαίως *auctoritatem XII tabularum ad defendendam confessionem Milonis trahit, quae grassatoris interficiendi potestatem faciunt per diem, si armatus veniat, noctu vero, quoquo modo venerit*, 114.13–18 St.).[48]

On the other side of the coin are terms that refer to an orator's subtlety in making his arguments. One such example can be found in variants of the word εὐλάβεια, used to describe the discretion or caution with which delicate arguments are made. Cicero's scholiast uses the term to praise the care with which Cicero refers to the triumvirs' role in his exile in the *Pro Sestio*, saying 'since they were powerful men, he does not dare to complain more openly, but discreetly (εὐλαβῶς) pretends that Clodius himself said these things about them' (*sed* εὐλαβῶς, *quoniam viri potentes sunt, non audet exertius queri, sed ipsum Clodium talia de illis iactitasse confingit*, 129.28–29 St.).[49] In the same way, Demosthenes is admired for 'carefully (εὐλαβηθείς) using forcefulness' in his condemnation of Philocrates' decree in *On the False Embassy*.[50]

Words related to πλάγιος, in its sense of 'indirectly' or 'by innuendo', appear in similar contexts. In his comments on *Pro Sestio* 135, the scholiast explains that when Cicero remarks that the best healers of the Republic are those who can excise a pest as if they were cutting out a tumor, he is indirectly (πλαγίως) insulting Vatinius, who had just such a disfiguration.[51] In the Demos-

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47 For the definition, see Heath 1995, 254. The scholiast says: 'the orator forcibly overturns [the meaning of Timocrates' law], saying this: "he did not mean to bring forward sureties truthfully, but in order to deceive you"' (ὁ δὲ ῥήτωρ βιαίως ἀνατρέπει τοῦτο λέγων ὅτι 'τῇ ἀληθείᾳ οὐδὲ ἐγγυητὰς βούλεται παρασχεθῆναι, ἀλλὰ ἀπατῆσαι ὑμᾶς', 24.79.169). Cf. *Schol. Dem.* 1.21.140c–d, 3.1.8a, 21.2.10, 21.56.169, 21.114.401, 22.29.89b.

48 The same adverb occurs again at 129.5 St., where the scholiast is commending Cicero's use of αὔξησις (amplification) in the *Pro Sestio*. αὔξησις was a common literary-critical word, and occurs regularly in the Ciceronian scholia: see too 324.25, 333.3, 333.7, 333.25, 344.12 St.

49 A similar use of εὐλαβῶς can be found at 77.16 St.

50 *Schol. Dem.* 19.47.121: εὐλαβηθεὶς ὁ ῥήτωρ δεινότητι κέχρηται. Similar uses of related words occur at 10.6.5, 11.19.1, 14.3.3, 15.1.2, 19.193.386, 21.110.386, 21.199.662b, 24.144.283a.

51 *Schol. Bob. Sest.* 141.10–12 St.: 'When he says "tumor of the state", we should understand

thenic scholia, meanwhile, the scholiast begins his discussion of the *First Olynthiac* by noting that its introduction cleverly praises its audience indirectly (ἐκ πλαγίου), with the compliment only implied, not stated straight out.[52]

Both forcefully stating an argument on the one hand, and on the other, not directly stating it at all, are important parts of what an orator does. But the ability to persuade an audience who does not even realize that they are being persuaded is perhaps more indicative of an orator's rhetorical skill, and it is correspondingly more of a focus in the two sets of scholia. This is because both scholiasts consider persuasion to be the ultimate benchmark that determines a speech's success or failure, and if an indirect—or even outright mendacious—argument is considered more persuasive, they do not scruple to highlight that fact.[53] This pragmatic approach is a potent reminder that the principal audience for both commentaries was students in rhetorical classrooms, which meant that their primary goal was to learn how to speak with the same persuasiveness as Cicero or Demosthenes had done, even if that meant sometimes bending the truth.

In fact, by the period in which these commentaries originated, teachers of rhetoric were fairly forthright about the orator's need to occasionally use deception. Aulus Gellius recalls Titus Castricius, his own teacher of rhetoric, saying that 'it is permissible for the orator to use arguments that are false, daring, cunning, deceitful, and full of sophisms, so long as they are similar to the truth and able to insinuate themselves by some craftiness into the minds of the men to be persuaded' (*rhetori concessum est sententiis uti falsis, audacibus, versutis, subdolis, captiosis, si veri modo similes sint et possint movendos hominum animos qualicunque astu inrepere*, Gel. 1.6.4). Quintilian, although not quite this straightforward, also repeatedly says that orators must sometimes use argu-

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it indirectly, because it refers to Vatinius himself, who is said to have had an appearance full of tumors and a mottled body' (*Sed quod ait 'strumam civitatis'*, πλαγίως *intellegere debemus; pertinet enim ad ipsum Vatinium, qui traditur fuisse strumosa facie et maculoso corpore*). The term is also used at 137.4 St., where it refers to the actor Aesop's cunning references to Cicero during his performance of Accius' *Eurysaces*.

52 *Schol. Dem.* 1.1.1a: 'The introduction is an indirect panegyric of the audience, with the compliment implied' (τὸ προοίμιον ἐκ πλαγίου ἔπαινος τῶν ἀκροατῶν χρηστοῦ ὑποκειμένου πράγματος). Compare a similar use of the term at 18.18.55b.

53 As Heath 2004, 184–214 notes in his study of the Menandrian material in the Demosthenic scholia, "he is teaching people how to argue a case successfully, not necessarily fairly" (quote at 212). La Bua 2019a, 219–266 discusses the pragmatic attitude that Cicero's ancient commentators took towards the idea of oratory as the art of illusion.

ments that are false (*Inst.* 2.17.27–29, 4.5.5–7, 12.1.36–45) and even recalls Cicero boasting that in the *Pro Cluentio* he had pulled the wool over the eyes of the jury (*Inst.* 2.17.21).

Greek rhetorical theory of the second and third centuries CE also acknowledged the occasional need for mistruths. The author of the treatise Περὶ μεθόδου δεινότητος (long attributed to Hermogenes) not only says that an orator ought to be able to achieve his aims by stating the opposite of what he wants (22), he also notes that it is acceptable for an orator to tell a patent lie, as Demosthenes does in *On the Crown*, so long as it flatters his audience (19). The author known as Anonymus Seguerianus also uses Demosthenes' *On the Crown* in his treatise Τέχνη τοῦ πολιτικοῦ λόγου as evidence of the orator's use of deceptive practices, in this case pointing out a section of the speech in which Demosthenes hides a weak argument among several strong ones (192).

It is noteworthy that Demosthenes serves as an example of rhetorical deception in these two treatises, since the Demosthenic scholia, which also originated in this period, likewise take a pragmatic approach to the topic that does not shy away from describing Demosthenes' less-than-factual arguments. So, for example, the scholiast speaks approvingly of Demosthenes' use of a sophism in *Against Timocrates* (24.112.223), and comments matter-of-factly on how Demosthenes averted suspicion that he had called false witnesses in *Against Meidias* (21.107.378a–b).[54] And like Anonymus Seguerianus, he admires Demosthenes for disguising the weakest parts of his argument while appropriating or demolishing his opponents' strong ones.[55] In his commentary to *On the False Embassy* he notes that Demosthenes recognized you can gain credibility if you concede something minor: 'the orator teaches us the rule that in defenses of the most trivial things, it is necessary to let something small go and through this acquire the ability to repel something greater' (κανόνα δὲ ἡμῖν δίδωσιν ὁ ῥήτωρ, ὅτι ἐν ταῖς ὑπὲρ τῶν φαυλοτάτων ἀπολογίαις ἀφεῖναι δεῖ τι μικρὸν καὶ δέξασθαι δι' οὗ τὸ μεῖζον ἀπωσόμεθα, 19.233.453).[56] When Demosthenes mentions the more compelling aspects of Aeschines' argument in the same case, of course, his purpose is to achieve the opposite effect, and the scholiast remarks that in this respect, 'he teaches us the principle to attack the parts that all would consider the greatest as if they were small and trivial' (ἔδωκε δὲ ἡμῖν θεώρημα τὸ τὰ μέγιστα πᾶσι νομιζόμενα ὡς μικρὰ καὶ φαῦλα διαβάλλειν, 19.237.455a).

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54 For this aspect of the scholia, see Heath 2004, 212.
55 On this, see further ibid., 189–193.
56 Cf. similar statements at *Schol. Dem.* 19.39.106, where the scholiast praises the orator for continuing to press strong points, and the passage from 19.38.105 quoted above on p. 167.

Clearly, then, Demosthenes' scholiast was unconcerned with the falsity of certain of the orator's arguments; in fact, his recognition that a skilled orator ought both to concede his weakest arguments to gain credibility and to mischaracterize his opponent's strong points as weak shows that he considered misdirection an important part of the orator's skillset. The explicitly pedagogical language in these two passages ('he teaches us the rule/principle') makes it clear that these commentaries on Demosthenes' speeches were intended for students of rhetoric, who studied the orator in order to become effective orators themselves.[57]

The Ciceronian scholiast takes a very similar attitude towards rhetorical deception.[58] This is most clear in his comments on the *Pro Milone*, a speech that was popular at least in part because of its mendacity: rhetorical teachers and students were impressed that Cicero could make such a specious argument sound so convincing, and Quintilian even praises Cicero for the 'concealment of his art' (*arte occulta, Inst.* 4.2.58), which he used to 'trick the judge' (*iudicem fefellerit*, 4.2.59) in the speech's *narratio*.[59] This *narratio*, where Cicero plays fast and loose with the timing and sequence of events that led to Clodius' death, also attracted several comments from the scholiast. When Cicero remarks on the ambush that had been set for Milo, the scholiast comments:

> pars haec narrationis aliquanto turbatior est: sine dubio in ea multa finguntur. verum hanc omnem confusissimam permixtionem cursim praetervolat: non enim debent cum mora protrahi quae videri iudicibus possunt aliquod habere figmentum, ne orator, si laciniosus sit, in mendacio deprehendatur.[60]

> This part of the *narratio* is a little more confused: doubtless many things in it are invented. But he quickly flies past this confusing mishmash: he does so because things that seem to the judges to contain some fiction ought not to be dragged out at leisure, so that the orator, if he should become tangled in his own folds, is not caught red-handed in a lie.

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57   As Heath 2004, 211–212 also notes.

58   For further reflections on this topic, see La Bua and Schwameis in this volume.

59   On this aspect of the speech's popularity, see La Bua 2019a, 234–238 and Keeline 2018, 32–33, 60–62. Even Asconius, the least rhetorically minded of Cicero's commentators, contradicts his account of Clodius' death (41.18–21C), showing that he knew Cicero's argument was false.

60   *Schol. Bob. Mil.* 120.16–19 St. I rely on Keeline 2021, 169 for this translation of *si laciniosus sit*.

Later in the same chapter, the scholiast remarks that Cicero's description of the melee between Clodius' and Milo's factions is 'doubtless full of false assertions, because [Cicero] wants to construct a narrative in which [Milo's] slaves did nothing at their master's orders' (*plena sine dubio falsae adseverationis, quippe vult ita praestruere, ut servi nihil imperante domino fecerint*, 120.28–29 St.). While Cicero may have wanted to present such a narrative as true, the scholiast makes it clear that he knows better. Indeed, he had already emphasized its less than factual aspects in his introduction to the speech, where he says that 'the slaves of Milo pursued and killed [Clodius] not of their own free will, as Cicero says in this defense (because he is compelled to by his obligation), but at their master's order, who greatly desired it' (*quem secuti non sua sponte, ut in hac defensione Tullius loquitur pro sui officii necessitate, sed iussu domini qui hoc maxime praeoptaverat servi Milonis interemerunt*, 111.26–28 St.).

A final example underscores the scholiast's frank acceptance, and indeed almost admiration, of Cicero's use of rhetorical deception in the *narratio* to the *Pro Milone*. It comes when the scholiast describes how Cicero cleverly avoided making a direct reference to the murder by using the euphemism '[Milo's] slaves did what every man would want his slaves to do in such a situation' (*quod suos quisque servos in tali re facere voluisset*, Cic. *Mil.* 29). The scholiast admires Cicero for this turn of phrase, which he describes—using a Greek term for the idea—as a trick (κλέμμα ... *id est furtum*, 121.5 St.) noting that the natural end of this sentence would be 'they killed the enemy of their master' (*consequens erat ut dicerent: 'occiderunt inimicum domini sui'*, 121.6–7 St.). 'But', he adds, '[Cicero] thought it much safer to gesture at this imperceptibly (λεληθότως) ... anything that could damage the defendant has been removed' (*sed cautius multo existimavit* λεληθότως *hoc perstringere ... subtracta est, qua reus potuisset onerari*, 121.7, 10 St.).

The Greek adverb used here, λεληθότως, appears regularly in the Demosthenic scholia, where—much like the variants of πλάγιος and εὐλάβεια discussed above—it denotes subtle rhetorical effects. By reminding his audience of their goodwill towards Aeschines immediately after the embassy in *On the False Embassy*, for example, Demosthenes 'imperceptibly strikes at' them (πλήττει λεληθότως τὸν δῆμον, 19.23.78), perhaps just enough to make them feel ashamed of their former behavior, but not enough to alienate them. Elsewhere, when Demosthenes pre-empts Aeschines' line of defense by discussing and dismissing it, the scholiast writes, 'marvel at the orator for his trick: how, so that he does not seem to argue against Aeschines' witnesses, he imperceptibly undoes the effect of the witnesses which Aeschines produces' (θαυμάσαι τὸν ῥήτορα τῆς μεθόδου, ὅπως, μὴ δοκῶν πρὸς τοὺς Αἰσχίνου μάρτυρας διαλέγεσθαι,

λεληθότως ἐκβάλλει τοὺς μάρτυρας οὓς Αἰσχίνης παρέχεται, 19.80.188b).[61] In their shared use of this adverb, then, each scholiast openly admires his respective orator for a rhetorical trick that he presents as so subtle that it requires the close reading of a trained teacher to recognize—and, we might assume, well-trained students to reproduce. It is a reminder that in both Greek and Roman rhetorical classrooms, there was little room for questions of morality. Rather, the focus was on producing persuasive speech, even if it required bending the truth.

3   Conclusion

In this examination of the scholia traditions of Cicero and Demosthenes, I have focused on highlighting parallels that suggest a similar approach on the Roman scholiast's part, rather than looking for the sort of direct borrowing from Greek sources that is so notable in ancient commentaries on Vergil. What do these similarities tell us about the Ciceronian commentator whose work survives as the Bobbio scholia? For one thing, we can say that he was familiar enough with the vocabulary of Greek rhetorical scholarship—and with the ways that Greek rhetorical scholars applied it to their orators—to use it similarly in his commentary. He also had a good knowledge of Greek classical authors (including Demosthenes), so much so that he could quote from them as cross-references in relevant passages. And his references to classical Greek authors alongside Roman ones suggests that he accepted the premise of their basic equivalency that was a standard tenet of Roman education and that inspired exercises like the comparisons of Cicero and Demosthenes in the first place. It is also noteworthy that two of the Roman authors he uses to authenticate Ciceronian vocabulary, Afranius and Cato, had been named by Cicero himself as the equivalents of Menander and Thucydides, who often performed this function in the scholia on Demosthenes; this too speaks to the idea that there was a natural correspondence between authors of the two societies, an idea that Cicero himself had done much to promulgate. Finally, there is a remarkable resemblance between his response to Cicero's deceptive techniques in speeches like the *Pro Milone* and the way that the Demosthenic scholiast analyzed his orator's less than truthful moments. This probably has less to do with a direct borrowing on the Bobbio scholiast's part, and more to do with the close similarities between

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61   The adverb is rather common in the scholia, and can be found elsewhere at *Schol. Dem.* 1.1.1c, 1.14.105c, 1.28.189, 2.1.1a, 2.14.98b, 3.3.23, 4.1.4, 15.21.11b, 18.46.94, 18.132.247, 19.70.170b, 20.121.294, and 21.141.490.

the two systems of rhetorical education—but since the Romans borrowed their rhetorical pedagogy from the Greeks, in some ways it amounts to the same thing.

In conclusion, a comparison of the Ciceronian commentary preserved as the Bobbio scholia with the scholia to Demosthenes' speeches makes it clear that Cicero's commentator was familiar with the tradition of Greek rhetorical commentary, and that he subscribed to the Roman attitude that the classical texts of both cultures could and should be interpreted in the same fashion. Cicero may have suggested as much in his portrayal of himself as a Roman equivalent to Demosthenes, but his self-fashioning would not have endured without the willing participation of interpreters like the Bobbio scholiast, and the system of Roman education that his commentaries illuminate.

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7

The Ciceronian Scholia and Asconius as Sources on Cicero and Other Roman Republican Orators

Gesine Manuwald

1 Introduction

Scholia and commentaries on Cicero's speeches were obviously compiled to elucidate those texts.[1] Thus, since Cicero's orations are the starting point, it is appropriate that modern scholars often look at these commentaries with a view to learning more about Cicero, be it a better understanding of the text, style and language of Cicero's speeches, be it more information about their historical, political or judicial contexts, be it insights into their early reception, be it other questions of this kind.[2] The fact that, beyond the connection to Cicero, the text of (some of) these scholia exists as a source in its own right makes it possible to use this material to address further questions, such as those that concern the nature of study and education in Late Antiquity or have to do with themes of particular interest in the grammatical tradition.[3]

One of these issues going beyond Cicero is the fact that the scholia, while focused on Cicero and his writings, explain his activity in its contemporary historical and literary context and thus also provide information on other Roman Republican orators. Therefore, in response to the dominance of Cicero in the modern view of Roman Republican oratory (caused by the fact that complete

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1 For the interaction between canon formation and commentary tradition see Farrell in this volume.

2 For the general context of the scholiastic tradition see Zetzel 2018 (on scholiasts and textual criticism see Zetzel 1981). For a study of the Ciceronian scholia as tools to teach Cicero and for their interpretation as texts designed by a teacher see La Bua 2019a (esp. ch. 4); for their analysis as sources providing an insight into the teaching of Cicero in the early Empire see Keeline 2018 (esp. ch. 1; see also n. 6).

3 The scholia belong to a genre of texts that Dubischar 2010 has called "auxiliary texts" as they provide help in facilitating access to and understanding of 'primary texts' deemed to be in need of such additional material in the absence of a proper conversation situation between a text and its readers. Thus, such "auxiliary texts" can offer insights into details of 'primary texts', reveal what was regarded as worthy of being commented on in certain periods and add further supplementary information connected in some way with the 'primary texts'.

speeches from this period only survive for Cicero), it is worth checking what the scholia can reveal about 'other' orators and about Cicero's position in relation to them. In order to see whether, with respect to incorporating material from early Republican orators, there might be certain shared tendencies or distinctive features in the scholia, the surviving explanations by Q. Asconius Pedianus, the first-century CE commentator on Cicero's orations, as well as by Ps.-Asconius, will also be considered.[4]

It can be shown that the scholia and Asconius reveal mostly historical details about other orators and oratorical situations and some information about their oratory in a narrower sense; yet, due to their perspective, the most telling pieces of information are centred on Cicero and relate to Cicero in comparison to other orators. Still, even embracing such a comparative perspective as found in these commentary texts may contribute to going beyond looking at Cicero in isolation and lead to a more nuanced portrait of Cicero's working practices and his context.

2 Overview of the Material

In the standard edition of *Oratorum Romanorum Fragmenta* (*ORF*) by E. Malcovati and in the Loeb edition of *Fragmentary Republican Latin* (*FRL*), based on Malcovati's collection (with some additions), there are about twenty separate passages providing information (testimonia and fragments) on other Republican orators (with some passages mentioning more than one) taken from the Ciceronian scholia (excluding Asconius and Ps.-Asconius).[5] They all come from the *Scholia Bobiensia* and *Gronoviana*, with the *Scholia Bobiensia* being the dominant source. Thus, the number of informative passages retrieved from the scholia is not large; other transmitting authors (including Cicero) provide more evidence on Republican orators. Yet it is not only quantity, but also quality and distribution that might be meaningful.

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4 On Q. Asconius Pedianus see Keeline in this volume.

5 The following testimonia and fragments come from the Ciceronian scholia: 20 F 22 (= 49 F 2); 47 F 7; 48 F 40, 47; 79 F 3; 86 F 8 (= 157 F 3); 92 F 45 (= 102 F 11, 165 F 29); 112 F 3 (= 113 F 1B), 121 F 39 (= 125 F 10), 40; 124 T 3; 126 F 18; 127 F 2, 6; 155 T 3; 158 F 21; 162 F 16; 165 F 16, 17; 167 F 1.— The testimonia and fragments (incl. translations) from Roman Republican orators are quoted from the respective volumes of the Loeb edition of *Fragmentary Republican Latin* (*FRL*), with references to the serial number for each orator (identical to those of Malcovati for the orators included in both editions), plus testimonium (T) or fragment (F) number.—An entirely new edition of Republican oratory is being prepared by the project *Fragments of the Republican Roman Orators* (*FRRO*) under the direction of Catherine Steel (https://www.frro.gla.ac.uk).

Unsurprisingly, the vast majority of the relevant passages from the scholia refer to orators of the late Republican period contemporary with Cicero,[6] but no particular pattern or a focus on specific favourites can be discerned: most orators are mentioned once or twice; and in relation to Cicero they include colleagues, rivals as well as opponents in politics and court cases. In a small number of instances these notes are the only evidence for a speech (86 F 8; 102 F 11; 165 F 29); usually, they add further information about speeches also attested elsewhere. In the majority of cases the comments are testimonia providing information about orators and their speeches; yet they also yield a small number of verbatim quotations (20 F 22; 48 F 47). For the explanatory tradition of Cicero's speeches it has been observed that it focuses on outlining the speeches' rhetoric and argumentation and that historical background is given to aid the understanding of the rhetorical structure.[7] Even though the latter area might not have been the main aim of all explanatory works, depending on the purpose for which they were composed, the insertion of historical details is often the element ensuring transmission of information about other Roman Republican orators more indirectly linked to Cicero (rather than as direct illustration of features of his style and argument).

3   Scholia

In the Ciceronian scholia details about orators from before Cicero's time are typically given as pieces of historical information, for instance when a reference to a historical figure in Cicero is illustrated with additional details (e.g. 20 F 22) or the identity of a person named is explained in order to distinguish between several bearers of the same name, including some from the past (e.g. 47 F 7; 48 F 40).

An example of a more detailed scholiastic comment is the note that in a passage in the speech *Pro Sulla* (Cic. *Sul.* 26) Cicero imitates a section from a speech

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6   See also Bishop in this volume, p. 162, on passages in which Cicero is compared to other orators.

7   See Keeline 2018, 71: "Asconius, Quintilian, and the scholia Bobiensia grant us a unique window into the Roman schoolroom. We have seen in great detail just how a teacher would have explicated a Ciceronian speech for his pupils. Servian grammatical commentary this was not, nor was Cicero put forward as a source of 'pure' Latinity. There was rather an insistent and overwhelming focus on rhetoric and argumentation, buttressed as necessary by explanation of contemporary or historical allusions. These latter served primarily to aid the students to understand the rhetoric of the speech itself, but they also helped stock the budding orator's mind with ready anecdotes and exempla that he could insert into his own future orations."

on promulgated laws by C. Sempronius Gracchus (48 F 47), which the scholiast then quotes.[8] Apart from the fact that otherwise this fragment would not survive, the remark is an interesting comment on Cicero's composition practices or on views on Cicero's composition practices. In line with the scholiastic tradition (e.g. Macrobius, Servius), which also identifies, for instance, borrowings from Homer, Ennius or Naevius in Vergil, the scholiast regards it as perfectly natural that Cicero would have imitated earlier orators. In this case the link is defined as the scholiast's opinion (*quantum mea opinio est*); thus, it is unclear to what extent this item might have been taken from the tradition. Yet, even if this particular example is a unique instance, the fact that the scholiast thinks in the categories of imitation (i.e. intertextuality from a modern point of view) is revealing and a sobering piece of information in the light of the widespread view of Cicero's uniqueness prompted by the lack of transmitted material for other Republican orators.

As is well known, Cicero's assessments of the political position and activities of the brothers Gracchi vary in his speeches depending on context and audience.[9] Yet, irrespective of the description of their political views, Cicero praises the eloquence of the Gracchi, especially that of Gaius (Cic. *Brut.* 125–126; *De*

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8 *Schol. Bob. Sul.* 81.18–24 St.: *et hic, quantum mea opinio est, imitatus est C. Gracchum: sic enim et ille de legibus promulgatis, ut ipsius etiam verborum faciam mentionem: 'si vellem', inquit, 'aput vos verba facere et a vobis postulare, cum genere summo ortus essem et cum fratrem propter vos amisissem, nec quisquam de P. Africani et Tiberi Gracchi familia nisi ego et puer restaremus, ut pateremini hoc tempore me quiescere, ne a stirpe genus nostrum interiret et uti aliqua propago generis nostri reliqua esset: haud ⟨scio⟩ an lubentibus a vobis impetrassem.'* ('And here, according to my opinion at least, he [Cicero] has imitated C. Gracchus: for thus he too said [in the speech] on promulgated laws, so that I even make mention of his very words: "If I wished", he said, "to deliver a speech in front of you and to demand from you, since I had been born into a very noble family and since I had lost a brother because of you, and nobody from the family of P. Africanus and Tiberius Gracchus remained except myself and a boy, that you would bear me at this point to abstain from politics, so that our family would not perish at the root and that some offspring of our family was left: I do not ⟨know⟩ whether I would have obtained this from you in line with your wishes".')—Cic. *Sul.* 26: *ego, tantis a me beneficiis in re publica positis, si nullum aliud mihi praemium ab senatu populoque Romano nisi honestum otium postularem, quis non concederet? ⟨ceteri⟩ sibi haberent honores, sibi imperia, sibi provincias, sibi triumphos, sibi alia praeclarae laudis insignia; mihi liceret eius urbis quam conservassem conspectu tranquillo animo et quieto frui* ('After so many good deeds have been conferred upon the Republic by me, if I demanded no other reward for me from the Senate and the Roman People other than a honourable peaceful time, who would not grant it? Others would have offices, commands, provinces, triumphs and other marks of great distinction for themselves; for me it would be allowed to enjoy the sight of this city, which I had preserved, with a tranquil and calm mind.').

9 See e.g. Bücher 2009.

orat. 1.38; *Har.* 41). For other orators and writers discussed in his works Cicero also distinguishes between language and attitude or content (e.g. on C. Papirius Carbo [cos. 120 BCE]: Cic. *Brut.* 103–106).[10] Thus, although Cicero would probably not have wanted to be associated with the Gracchi politically (at least in most contexts), it is not implausible that he might have reused and adapted elements of their oratory he regarded as impressive. In fact, in the rhetorical dialogue *De oratore* Cicero has L. Licinius Crassus (cos. 95 BCE) say that one of his practice exercises as a young man was to take speeches of earlier orators and to reproduce them in his own words, when he realized that, in the case of Gracchus, for instance (usually referred to C. Sempronius Gracchus, trib. pl. 123, 122 BCE), this method did not work since the original version already employed the most appropriate words (Cic. *De orat.* 1.154). Therefore, if this scholion did not survive, scholars might speculate on whether and in what way Cicero might have drawn on the works of earlier orators and whether what he claims for Crassus might apply to himself to some extent. The scholion demonstrates that Cicero could be seen to exploit the speeches of earlier orators on a formal or stylistic level irrespective of content and political focus.[11] Whether or not Cicero would have expected the audience to notice such connections is difficult to determine in view of the available evidence; the scholion at any rate regarded it as worth pointing out and might thus have assumed that Cicero intended the audience to recognize the intertextual link.

In this case the similarity between the two passages is not as great as one might think, as there is no extended verbatim repetition; the connection is based on the use of the same motif (a thought experiment on the audience's reaction for a request for quiet in response to the orator's situation) and some overlap in wording: both orators sketch their situation as a result of political activity and envisage what would happen if they asked the audience to enable them to enjoy peace and quiet. C. Sempronius Gracchus outlines his plight, namely that he has lost his brother because of the audience and that there is hardly anyone of his family left; he therefore imagines that he would be asking (*postulare*) for permission to withdraw to have some quiet (*quiescere*), so that someone of his family could survive. Cicero outlines his services to the Republic and explores what would happen if he asked (*postularem*) not for the kind of reward other people aim for, but rather for peace and quiet (*honestum otium*, *tranquillo animo et quieto*). Cicero expresses more confidence in

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10   Cicero operates a similar distinction between language and dramatic effectiveness in the case of the playwright Caecilius Statius (Cic. *Att.* 7.3.10; *Brut.* 258; *Opt. gen.* 2).

11   Cicero's views of reacting to predecessors also emerge from his discussion of early Roman poets (e.g. Cic. *Brut.* 75–76).

being granted such a request, and his considerations are obviously based on different premises. Gracchus' statement displays engagement with the audience, characterized by a polite approach and emotional appeal, and several double expressions, giving weight and emphasis to the respective thoughts; Cicero's version contains more rhetorical features such as alliteration, anaphora and rhetorical question, more subordination and has more emphasis on Cicero's achievements for the general public and items important for the overall portrayal of himself.

That the scholiast considered even such a similarity as worth pointing out and still regarded this as a connection between particular passages is noteworthy and might suggest that there would be a more obvious continuum of the use of rhetorical techniques from the early Roman orators down to Cicero if more material was available.[12]

As regards orators of Cicero's time, the scholia often provide further details about other figures involved in the events to which Cicero's respective speeches belong, for instance, when they identify advocates pleading with him or against him and provide details about their roles and speeches. While they do not include further verbatim excerpts, this additional information about other figures involved, not coming directly from Cicero, is helpful for establishing the context, and occasionally these are the only sources to confirm someone's involvement.

The most interesting piece is again a passage providing information on both Cicero and another orator, this time M. Iunius Brutus, and in relation to the case of T. Annius Milo (158 F 21). As is also known from other sources, Cicero both delivered a speech *Pro Milone* in court under difficult circumstances and published a different version afterwards (Asc. *Mil.* 41.24–42.4 C [*argumentum*]; *Schol. Bob. Mil.* 112.10–13 St. [*arg.*]; Quint. *Inst.* 4.2.25; 4.3.17; D.C. 40.54.2–4; 46.7.2–3; Plu. *Cic.* 35), while Cicero's friend Brutus composed his take on the matter as a practice speech. The rhetorician Quintilian indicates that Brutus treated the case differently and followed an argumentative structure contrasting with that applied by Cicero (158 F 18, 19 [Quint. *Inst.* 3.6.92–93; 10.1.23]). A notice in the scholia is the only text to define this difference technically, stating that Brutus believed that one should speak κατὰ ἀντίστασιν ('according to a balancing counter-plea', i.e. outlining the general benefit of the deed, outweighing any negative consequences) and Cicero preferred the manner of ἀντέγκλημα ('counter-charge', i.e. defending the deed by giving the victim responsibility for it, as their character or behaviour provoked and justifies the action).[13] As the

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12   See also Bishop in this volume on the classicizing tendencies in scholia and commentaries.

13   *Schol. Bob. Mil.* 112.12–18 St. (*arg.*): *hanc orationem postea legitimo opere et maiore cura,*

text breaks off after this remark, the section where the scholiast would have gone on to describe Cicero's method has been lost. What can be inferred from Cicero's extant speech *Pro Milone* and the comments by Asconius is that Brutus did not deny the charge that T. Annius Milo killed P. Clodius Pulcher, but defended the action on the grounds that the assassination of Clodius was in the interest of the Republic while Cicero entered the counter-charge that it was not the case that Milo had set an ambush for Clodius and rather that Clodius had set one for Milo. Thus, Cicero obviously employed what he regarded as the best and most powerful oratorical practice and disagreed with friends on oratorical technique, not only in terms of style, as transpires from Cicero's comments elsewhere (e.g. Cicero on Brutus' style: Cic. *Att.* 15.1a.2), but also with regard to the most effective argumentative techniques.[14] Further, the scholiast's approach shows that, although Cicero is well known not to have followed the rules of school rhetoric precisely all the time, his methods (like those of others) could be classified accordingly by those who wished to label them within the system.

4   Asconius

In order to illustrate the kind of information conveyed by Asconius in comparison with the Ciceronian scholia, continuing with the same example (158 F 20) is most rewarding: there are very few cases in which references to the same speech or speeches by Roman Republican orators survive in both the scholia and Asconius; here there are comments by both of them, and these do not

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utpote iam confirmato animo et in securitate, conscribsit. sed enim cum ratio defensionis huius ordinaretur, quonam modo et secundum quem potissimum statum agi pro Milone oporteret, M. Brutus existimavit κατὰ ἀντίστασιν *pro eo esse dicendum, quae a nobis nominatur qualitas compensativa. hoc enimvero Ciceroni visum est parum salubre, nam maluit* ἀντεγκλήματος *specie, id est rela* || ... [*desunt VIII paginae*] ('He [Cicero] wrote up this speech later with effort according to the rules of art and greater care, when he had already regained his strength of mind and was in safety. But when the plan of this defense was being arranged, as regards the manner in which and according to which particular issue [*status*] one should plead on behalf of Milo, M. Brutus believed that one should speak κατὰ ἀντίστασιν ['according to a balancing counter-plea'] on his behalf, which is called *qualitas compensativa* by us. Yet this seemed insufficiently salutary to Cicero, for he preferred the manner of ἀντέγκλημα ['counter-charge'], that is ...' [text breaking off]).—On these technical terms see Martin 1974, 39–40.

14   It has been noticed, though, that in the latter part of the extant oration Cicero argues that, even if T. Annius Milo had killed P. Clodius Pulcher deliberately, it would have been in the public interest (Cic. *Mil.* 72–91), and it has therefore been suggested that this section might have been added in the published version (Keeline 2021).

just attest to the existence of a speech or speeches, but also discuss the content.[15] Asconius also distinguishes between the lines of argument selected by Brutus and Cicero respectively; he, however, does not classify them according to technical criteria, but rather summarizes the main points of each. He adds that Brutus' line would have been approved by some (thus suggesting that this was not only Brutus' decision, but a more widely held view) and highlights that Cicero did not approve of it.[16] The different types of focus are also described by Quintilian (*Inst.* 3.6.93),[17] with an assessment similar in substance and even more straightforward without the addition of comments about others.

In terms of categorizing the commentators and scholars engaging with Cicero's speeches, it has been noted that the rhetorical terminology used by the Ciceronian scholiasts is standard and their rhetorical explanations are often less advanced compared to contemporary rhetoricians. In this case the scholion employs more technical language than Asconius: this presentation might reflect a more teaching-based approach, focusing on conveying historical details rather than on applying rhetorical categories. From the point of view of gaining a better understanding of Republican orators more widely, both types of analysis provide helpful, albeit different information, while the content-based description in Asconius reveals more specific details about unpreserved speeches (on which basis readers could classify them within the rhetorical system).

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15 On details in Asconius see the commentaries by Marshall 1985 and Lewis et al. 2006.—For a dicussion on the aims of Asconius' commentary see recently Bishop 2015; Chrustaljow 2020.

16 Asc. *Mil.* 41.9–14C (*arg.*): *respondit his unus M. Cicero: et cum quibusdam placuisset ita defendi crimen, interfici Clodium pro re publica fuisse—quam formam M. Brutus secutus est in ea oratione quam pro Milone composuit et edidit, quasi egisset—Ciceroni id non placuit ⟨ut⟩, quisquis bono publico damnari, idem etiam occidi indemnatus posset* ('M. Cicero was the only one to reply to them [the prosecutors]: and while it would have pleased some to have the crime defended in such a way, namely that Clodius was killed for the sake of the Republic—a line of argument that M. Brutus followed in that speech that he composed on behalf of Milo and published, as if he had delivered it—, this did not please Cicero, ⟨so that⟩, whoever was condemned in relation to the public good, could also be killed without having been found guilty in court.').

17 Quint. *Inst.* 3.6.93: *ideoque pro Milone aliud Ciceroni agenti placuit, aliud Bruto cum exercitationis gratia componeret orationem, cum ille iure tamquam insidiatorem occisum et tamen non Milonis consilio dixerit, ille etiam gloriatus sit occiso malo cive* ('and therefore one way of supporting Milo appealed to Cicero active in court and another to Brutus, when he composed a speech for the sake of exercise: while the former said that he was justifiably killed as an ambusher, though not by Milo's design, the latter positively boasted that a bad citizen had been killed').

Overall, Asconius is a source of far more information about other Roman Republican orators: in the surviving sections of his commentary there are almost forty separate passages (while again some of them provide information about several orators).[18] These passages offer hardly any verbatim quotations and mostly contain historical information. Here the dominance of orators contemporary with Cicero is even more noticeable; Asconius often talks about the other orators involved in cases in which Cicero was a speaker.[19]

The kind of evidence provided by Asconius also means that there are some orators and speeches for which specific information only survives via this channel (sometimes in addition to vague allusions in Cicero's works). This applies particularly to some of the Tribunes of the People of 52 BCE, namely T. Munatius Plancus Bursa (tr. pl. 52 BCE; 150 *ORF*⁴ / *FRL*), C. Sallustius Crispus (tr. pl. 52 BCE; 152 *ORF*⁴ / *FRL*) and Q. Pompeius Rufus (tr. pl. 52 BCE; 153 *ORF*⁴ / *FRL*), as well as Faustus Cornelius Sulla (quaest. 54 BCE; 156 *ORF*⁴ / *FRL*). The information on these men given by Asconius primarily conveys historical details and illustrates their role in the heated atmosphere of the year 52 BCE, characterized by the conflict between T. Annius Milo and P. Clodius Pulcher, in terms of their attitude to the main protagonists and thus to Cicero and their role in influencing the People. Most comments indicate that one or several of them gave inflammatory speeches before the People and/or explain vague references to Tribunes of the People in Cicero's speeches.

There is less information about the actual oratory, but T. Munatius Plancus Bursa is at least characterized as follows: *fuit autem paratus ad dicendum* ('and he was well equipped for speaking' or 'ready to speak' in almost any situation, 150 F 4 = Asc. *Mil.* 42.16–25C [ad Cic. *Mil.* 12]),[20] and an excerpt from one of his speeches is transmitted (150 F 6 = Asc. *Mil.* 44.8–45.4C [ad Cic. *Mil.* 14]). Unfortunately, the text of this fragment is uncertain and controversial, but it seems clear that it reports in indirect speech what Q. Hortensius Hortalus (92 *ORF*⁴ / *FRL*) is alleged to have said and thought and confronts this with the strat-

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18   The following testimonia and fragments come from Asconius: 43 F 8 (= 85 F 3), 11 (= 85 F 5); 69 F 3, 4, 6; 80 F 16; 86 F 4; 92 F 31 (= 91 F 2B); 96 F 8A), 48 (= 124 F 4; 137 F 9; 140 F 9; 155 F 5), 49 (= 126 F 26; 140 F 10; 155 F 6; 156 F 2); 104 T 6; 107 F 4; 111 F 21, 28 (= 150 F 5); 112 F 2 (= 113 F 1A); 119 F 2 (= 120 F 2A); 121 F 20 (= 139 F 2), 24; 123 F 3, 4; 127 F 1; 134 F 1; 138 F 1 (= 162 F 29); 139 F 4, 5; 143 + 144 F 2; 148 F 1; 149 T 3; 150 F 1, 2 (= 152 F 3), 4, 6 (= 92 F 50), 7; 152 F 2; 153 F 1 (= 152 F 1), 2; 154 F 2; 156 F 1; 158 F 20; 159 F 6 (= 172 F 2); 162 F 31 (= 168 F 1A).

19   Cf. Keeline in this volume, pp. 52–53 and 56–57, on Asconius' prosopographical interests.

20   The phrase *ad dicendum paratus* to assess an orator's ability appears in Cicero's discussion of orators (Cic. *Brut.* 78); the negative version can be found in Fenestella (*FRHist* 70 F 2: *C. Cato, turbulentus adulescens et audax nec imparatus ad dicendum*—'C. Cato, a troublesome and audacius young man and not unequipped for speaking').

egy adopted by the Tribunes.[21] This extract is therefore revealing with regard to the kind of oratory employed in front of the People. The passage includes an instance of word play (*ingeniosus*, *ingenium*) and alludes to a technical element of proceedings in the Senate (dividing up motions consisting of several items, so that each can be voted on separately). If this is an accurate reproduction, it seems to be assumed that the People are familiar with such technicalities and can appreciate word play. Moreover, the strategies behind the behaviour of both sides are given: even if they are not completely true, it is apparently assumed that they can be brought out in the open, and that the People will understand them and are interested in the background rather than merely the eventual outcome. While, in broader terms, such an exposition helps to showcase the ingenuity of the Tribunes of the People and thus might be designed to encourage the audience to follow them, such a level of detail would not have been necessary for achieving this aim. Thus, this kind of speech might point to the People as a more sophisticated audience than often assumed and thus the application of more complex rhetorical techniques and structures in speeches delivered to the People. In this context Asconius is an important source since without this passage there would be even less information on contional ora-

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21 Asc. *Mil.* 44.8–45.4C (ad Cic. *Mil.* 14): *sed ego, ut curiosius aetati vestrae satisfaciam, Acta etiam totius illius temporis persecutus sum; in quibus cognovi pridie Kal. Mart. S.C. esse factum, P. Clodi caedem et incendium curiae et oppugnationem aedium M. Lepidi contra rem p. factam; ultra relatum in Actis illo die nihil; postero die, id est Kal. Mart., ⟨T.⟩ Munatium in contione exposuisse populo quae pridie acta erant in senatu: in qua contione haec dixit ad verbum: 'Q. Hortensium dixisse ut extra ordinem quaereretur apud quaestorem; existimaret ⟨f⟩ut⟨u⟩rum ut, cum pusillum dedisset dulcedinis, largiter acerbitatis devorarent: adversus hominem ingeniosum nostro ingenio usi sumus; invenimus Fufium, qui diceret "divide{ret}"; reliquae parti sententiae ego et Sallustius intercessimus.' haec contio, ut puto, explicat et quid senatus decernere voluerit, et quis divisionem postulaverit, et quis intercesserit et cur* ('But, so as to satisfy [the needs of] your age more thoroughly, I have even gone through the records of that entire period; in these I have discovered that on the day before the Kalends of March a decree of the Senate was passed that the assassination of P. Clodius and the burning of the Senate House and the besieging of the house of M. Lepidus were done against the Republic; that nothing further was noted in the records for that day; that on the following day, that is, on the Kalends of March, ⟨T.⟩ Munatius explained to the People at a public meeting what had been transacted in the Senate on the previous day; at this meeting of the People he said this verbatim: "that Q. Hortensius had spoken in favor of the matter being investigated by a special court before a quaesitor; that he [Hortensius] believed that it would happen that, after he had given a little bit of sweetness, they [Clodius' followers] would swallow sharpness in great quantity: against this clever man we used our own cleverness; we found Fufius to say 'divide'; the remaining part of the motion was vetoed by myself and Sallust." This speech before the People, as I believe, explains what the Senate wanted to decree, and who requested the division, and who vetoed and why.').

tory beyond Cicero's speeches; his own interests, however, rather concern the explanation of the technicalities of the procedure.

For another of the Tribunes of the People of 52 BCE, Q. Pompeius Rufus, a fragment of a speech to the People has also been preserved: *Milo dedit quem in curia cremaretis: dabit quem in Capitolio sepeliatis* (153 F 2).[22] This phrase displays an advanced rhetorical arrangement, with a grammatically parallel structure in both parts and repetition of some words, while there are differences in the tenses of the verbs, details of the action and the reference point; thus, it is a veiled reference to what happened and what is planned to happen in the conflict of T. Annius Milo and P. Clodius Pulcher. Again, if this an accurate quotation from the speech, it shows a rather high level of sophistication on the part of the speaker and then assumed for the audience.

Thus, the information gathered about other Roman Republican orators in Asconius is selective and not particularly systematic, while it reveals testimonia and fragments in relation to late Republican orators that otherwise would not have been known and enables further conclusions about oratory in this period and more general developments.

5   Ps.-Asconius

Finally, the handful of passages about other Roman Republican orators preserved by Ps.-Asconius (all from comments on speeches related to the trial of C. Verres in 70 BCE)[23] are mostly concerned with providing background information to specific statements in Cicero, so as to clarify allusions and vague

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22   Asc. *Mil.* 50.26–51.7C: *Q. Pompeius Rufus tribunus plebis, qui fuerat familiarissimus omnium P. Clodio et sectam illam sequi se palam profitebatur, dixerat in contione paucis post diebus quam Clodius erat occisus: 'Milo dedit quem in curia cremaretis: dabit quem in Capitolio sepeliatis.' in eadem contione idem dixerat—habuit enim eam a. d. VIII Kal. Febr.—cum Milo pridie, id est VIIII Kal. Febr., venire ad Pompeium in hortos eius voluisset, Pompeium ei per hominem propinquum misisse nuntium ne ad se veniret* ('Q. Pompeius Rufus, a Tribune of the People, who had been on the friendliest terms of all with P. Clodius and declared openly that he was an adherent of that gang, had said at a public meeting a few days after Clodius had been killed: "Milo has given you someone to cremate in the Senate house; he will give you someone to bury on the Capitol." In the same speech to the People the same man had said—for he delivered it on the eighth day before the Kalends of February—that, when on the preceding day, that is the ninth day before the Kalends of February, Milo had wished to come to Pompeius in his gardens, Pompeius had sent him a message through a relative that he should not come to him.').

23   On Ps.-Asconius' sources see La Bua 2019b.

references.[24] Thus, these pieces provide factual details about the existence of particular speeches and about who spoke when in what capacity, but offer hardly any information on the oratory itself.

The most interesting item in terms of the history of Roman oratory is perhaps the explanation of Cicero's claim in the first speech against Verres that his unusual approach of forgoing a long continuous speech was not a novel procedure, but rather observed a precedent established by earlier orators and advocates (90 F 7 = 91 F 2A).[25] Such a comment indicates that there is a historical basis for Ciceronian claims of this sort that could be verified and that Cicero could follow oratorical precedent, not only in the use of motifs (as in the case of a passage from C. Sempronius Gracchus), but also in approach and strategy.

6   Conclusion

So, in the end, the attempt to get away from the dominance of Cicero and to use the excerpts from the Ciceronian scholiasts, Asconius and Ps.-Asconius, to learn more about other Roman Republican orators can be regarded as partially successful: it has become clear that these texts are useful (and sometimes indispensable) sources for the more historical aspects of the development of Roman oratory and the activity in the period before Cicero and especially in the time of Cicero, as they document the role and involvement of particular orators, who were also political figures, in certain court cases or political controversies. With reference to literary and oratorical questions in a narrower sense, their main aim and thus value is to illustrate Cicero's practices and therefore Cicero continues to play a role in the evaluation of the evidence in these sources. Yet, as they comment on Cicero's techniques or position by describing those of other orators, these texts provide information about these speakers in their own right and, significantly, about the oratorical context in which

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24   The following testimonia and fragments come from Ps.-Asconius: 90 F 7 (= 91 F 2A); 92 F 19 (= 139 F 3), 21, 22 (= 130 F 4), 24, 26; 111 F 13.

25   Ps.-Asc. 222.14–18 St. [ad Cic. *Verr.* 1.55]: *'faciam hoc ⟨non⟩ novum, sed ab his, qui nunc principes nostrae civitatis sunt, ante factum.' verum dicit; etenim L. Lucullus et item M. Lucullus, ambo consulares, Marcus vero et triumphalis fuit. hi cum accusarent L. Cottam, non usi sunt oratione perpetua, sed interrogatione testium causam peregerunt* ('"I shall do this ⟨not⟩ as something novel, but it has previously been done by those who are now leading men in our community." He [Cicero] says what is true; for L. Lucullus and equally M. Lucullus were both ex-consuls, and Marcus was also a former triumphator. When these men accused L. Cotta, they did not use a continuous speech, but carried the case through by questioning witnesses.').

Cicero is to be situated, for instance with reference to the kind of speeches that could be made in particular situations and in front of specific audiences and in terms of Cicero's engagement with the Roman oratorical tradition. The kind and depth of information provided varies according to the nature and aims of the individual commentary text.

In any case even the additional comparative dimension afforded by these commentary texts sharpens and clarifies the modern view of Cicero's oratory, as thereby he can be removed somewhat from the isolation caused by the textual transmission: for that reason alone (in addition to other ways in which they can be investigated for various purposes) it is a great benefit that (some of) these scholia survive.

Abbreviations

FRL   Manuwald, G., ed./tr. (2019). *Fragmentary Republican Latin, Vol. 3–5: Oratory. Parts 1–3*. Cambridge, MA/London.

ORF[4] Malcovati, H., ed. (1976). *Oratorum Romanorum Fragmenta liberae rei publicae quartum edidit, Vol. 1: Textus*. Turin etc.

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8

'Cicero Cannot Be Separated from the State': in Search of Cicero's Political and Moral Exemplarity in Asconius Pedianus and the *Scholia Bobiensia*

Christoph Pieper

1   Introduction

Ancient commentaries and scholia, and especially the Latin ones, have for a long time been approached predominantly from a philological angle.[1] Recently, however, research has begun to consider questions of authority and legitimation, cultural canonization and negotiation of the past as important fields of study for this genre. My chapter reflects this interest by looking at a specific aspect of the two oldest corpora of Ciceronian commentaries of which we have substantial traces: the commentaries by Asconius Pedianus and the *Scholia Bobiensia*. I question whether we can see elements of a canonization of Cicero that go beyond admiration for his rhetorical skills: do the commentators also portray him as representing his own time in a specific way and in the sense that he can be considered an example of political and/or moral behaviour? By asking such a question, I interpret the commentaries and scholia as part of the process of Cicero's canonization in Imperial times.[2]

This approach from the perspective of reception studies has several advantages with regard to the Ciceronian scholia. So far, one reason why they have been largely neglected in modern scholarship is their supposedly inferior quality: some of their historical details are considered useful, because they are not transmitted elsewhere, but in general the scholia are regarded as less interesting for the interpretation of the texts than some of the scholia and ancient commentaries on poets like Vergil, Terence, or Lucan.[3] Yet, the perceived qual-

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1 Good evidence for this is Glock's purely philological entry about the Latin scholia in Dyck and Glock 2001.—Translations in this chapter are my own, unless otherwise indicated. The title of this chapter is a translation of *Schol. Bob. In Cur. et Clod.* 86.19 St.: *Cicero seiungi ab re publica non potest* (see below p. 210).

2 See Farrell in this volume on the relation between Asconius' commentary and Cicero's canonization.

3 Even Zetzel 2018, 143, whose concise treatment is a plea for more thorough studies, calls them

ity of the scholia's content becomes a less important criterion if one turns to reception studies. Even when they are stating the obvious about Cicero, albeit often in greater detail than we find in other exemplary discourse in Antiquity, the scholia and commentaries testify to the pervasiveness of Cicero as a historical, rhetorical, and moral exemplary figure. Additionally, because the scholia cannot be ascribed to a specific author or to one specific period of time, they represent not one individual author's view of Cicero, but more collective testimonies of the *process* of Cicero's ancient and late antique *Nachleben*. Layers from different centuries overlap in most of them and suggest the longevity of the negotiation of Cicero's legacy.[4]

This potential of the scholia for studying Cicero's reception has recently been made fruitful by Caroline Bishop, Thomas Keeline, and most importantly Giuseppe La Bua. By including them in their studies of the history of Roman rhetorical teaching and declamation, Keeline and La Bua show the stability with which students and scholars approached Cicero's speeches throughout Antiquity, whereas Bishop argues that they can help us understand the process of transforming Cicero into a classical author comparable to his Greek models, especially Demosthenes.[5] La Bua's book in particular is an important step for re-establishing the intellectual discourse that informs the comments and *argumenta* of the scholia. He has shown in great detail that the scholia are interested not only in Cicero's rhetorical mastery, but that they also pay attention to the field of Roman exemplarity, rhetorical sincerity and, last but not least, Cicero's public *persona*.[6]

In my chapter I will follow a similar path by examining aspects of Cicero's political and moral exemplarity in Asconius Pedianus and the *Scholia Bobiensia*.[7] My approach is much indebted to La Bua's hypothesis that the scholiasts invited their readers to consider Cicero as an example to be imitated in their

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"less gaudy" than the Vergilian material. It is striking, for example, that in the two volumes edited by Geerlings and Schulze 2002–2004 there is no chapter dedicated to the Ciceronian material.

4   Zetzel 2018, 147 stresses the fluidity of the material: "… notes and commentaries of different types [of scholia-traditions, CP] flowed from one set of notes to another, from one margin to another".

5   Cf. Keeline 2018, 13–72; La Bua 2019; Bishop 2015 (and see also Bishop 2019, 173–217 on Demosthenes as Cicero's rhetorical role model); cf. also Bishop in this volume.

6   Cf. La Bua 2019.

7   The question could also be applied to the later corpora. A good example is the vexed question of the *oratio figurata* in the *Scholia Gronoviana*, for which see Margiotta in this volume; it is interesting that the scholiast argues more from a Caesarian angle and from political circumstances than from an (imagined) Ciceronian psychology.

own lives, to become new Ciceros themselves.[8] According to him, the history of ancient scholarship on Cicero's speeches from Asconius onwards shows that "Cicero stirred up enthusiasm and condemnation at the same time, as both a prose stylist and a political authority".[9] However, the aim of the scholia is broader than that:[10] it was not only young Romans who could learn how to become Cicero-like, morally competent public speakers, but also non-Roman users could learn how to become Romans by being introduced to the last generation of the Republic as one epoch of Rome's history that was among the most formative ones for a Roman cultural identity.

2   Cicero's Ancient Exemplarity and the Commentaries

Even though Cicero's shameful death during the proscriptions of 43 BCE was meant to suggest to his contemporaries that he was an enemy of the (new powerful men in) the state, soon afterwards his presence in the schools of declamation as well as in historiography turned him into an exemplary man of Rome's recent past.[11] This meant more than simply acknowledging Cicero's rhetorical excellence: he was also presented as an important political actor— in the words of Plutarch 'an eloquent man **and a lover of his country**' (λόγιος ἀνὴρ καὶ φιλόπατρις, Plu. *Cic.* 49.5).[12] We find evidence for this from the late Augustan period onwards. In Manilius' *Astronomica* (probably written in the last years of Augustus' reign),[13] Cicero figures in a long series of *viri illustres* of Roman history who have deserved a dwelling place in the Milky Way as *fortes animae dignataque nomina* (1.758; Cicero is mentioned in 1.794–795);[14] in a fragment from Cornelius Severus' *Res Romanae* quoted by Seneca the Elder, Cicero's death is described in terms that evoke his consular ethos.[15] In Tiberian histo-

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8   Cf. La Bua 2019, 337, and La Bua in this volume.

9   La Bua 2019, 181.

10   I owe this point to James Zetzel's insightful comments during the workshop.

11   Cf. e.g. Kaster 1998; Degl'Innocenti Pierini 2003; Sillett 2015; Keeline 2018; La Bua 2019; Pieper 2021; Jansen 2022; cf. also the edited volumes by Altman 2015; Manuwald 2016; Pieper and van der Velden 2020; Berno and La Bua 2022.

12   On the famous episode towards the end of the *Life of Cicero*, in which Augustus declares that he has come to terms with Cicero's legacy, cf. Lintott 2013, 210; Keeline 2018, 108–109; Pieper 2021, 344.

13   Cf. Volk 2009, 137–161.

14   Cf. Baldini Moscadi 1981, 53–55; Volk 2009, 233.

15   Cornelius Severus, fr. 219.1–7 Hollis (= Sen. *Suas.* 6.26.1–7): *oraque magnanimum spirantia paene virorum | in rostris iacuere suis. sed enim abstulit omnis, | tamquam sola foret, rapti Ciceronis imago. | tunc redeunt animis ingentia consulis acta | iurataeque manus*

riography, Cicero's image is further consolidated. He is regularly portrayed as a defender of the state, a prudent consul, and a father of the fatherland; in short, he could easily be turned into a predecessor of the princeps Augustus and his claim of the *res publica restituta* because he symbolized the harmonization of Republican past and (proto-)'Imperial' present, i.e. the *concordia* that was especially dear to Tiberius.[16] This image, shaped in the early Empire, turned out to be quite stable. When Plutarch conceived his *Lives* of famous Greek and Roman personalities, Cicero's and Demosthenes' *bioi* were among the earliest he wrote. While Joseph Geiger has suggested that for the Latin part Plutarch seems to have been inspired by the gallery of *viri illustres* on Augustus' Forum, there probably was no such statue of Cicero there.[17] This is an indication of the power of the historiographical negotiation about Cicero in the first century CE: obviously it had created such a powerful image of Cicero that, by Plutarch's time, he firmly belonged to the group of the most representative Roman politicians of the past, so that that it was only natural for Plutarch to write his biography.

I suggest that the negotiation of the historico-political symbol of Cicero triggered the ancient commentators' historical interest in his speeches, as well.[18] As I will argue, Asconius, the earliest author of commentaries on Cicero's works

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deprensaque foedera noxae | patriciumque nefas; extincti poena Cethegi | deiectusque redit votis Catilina nefandis ('The heads of great-hearted men, still almost breathing, lay on the rostra that were theirs: **but all were swept away by the sight of the ravaged Cicero**, as though he lay alone. **Then they recalled the great deeds of his consulship**, the conspiracy, the wicked plot he uncovered, the aristocrat's crime he smothered; they recalled Cethegus' punishment, Catiline cast down from his impious hopes', transl. Winterbottom). A few verses later Cicero is hailed as the *egregium semper patriae caput* ('the glorious head of his country') and the *vindex senatus* ('defender of the senate'). Cf. for the fragment Dahlmann 1975 and Sillett 2015, 167–169.

16 On Cicero and historical harmonization in Bruttedius Niger see Pieper 2021; for Velleius Paterculus, cf. Wiegand 2013, 130–131. On the programmatic function of the Aedes Concordiae Augustae, which Tiberius dedicated a few years before he succeeded Augustus in 10 CE, see Kellum 1990.

17 Cf. Geiger 2005, 240 for the influence of the Forum Augustum on the Plutarchan *bioi*; and Geiger 2008, 98 and 156 for the possible exclusion of Cicero from the gallery on the Augustan Forum.

18 Farrell in this volume reads the tradition of Asconius' commentaries on Cicero's speeches as following the canonization of Cicero in the first century after his death. That there were also examples of more rhetorically oriented commentaries already in the earlier Empire, is very probable given Quintilian's emphasis on Cicero's rhetorical excellence; but we only see concrete examples of these in the pseudo-Asconian scholia that stem from Late Antiquity. Generally, we should probably avoid thinking in clear-cut typologies: Jakobi 2004, 5 has questioned Friedrich Leo's typological differentiation between realia commentary and rhetorical commentary, at least for the first centuries of the Empire. Cf. also Zetzel 2018 (as in n. 5).

we know of, introduces Cicero's political career and his personality through the speeches.[19] The anonymous Bobbio scholiast adopts a similar approach (in fact, as can be shown, at least for the *Pro Milone*, the *Scholia Bobiensia* actually use Asconius' commentary as one of their sources).[20] To a certain extent these two commentaries reveal a reverse approach compared to the exemplary discourse on Cicero in other genres: in the latter, Cicero's complex and rich life is reduced to a few moments and thereby turned into a symbol of just a handful of political concepts, whereas in the 'historical' commentaries this exemplary nucleus serves as the starting point for a more detailed history of Cicero, one of the major agents of late Republican political life. In this way the commentaries and scholia can be defined both as a kind of a history book (in which Cicero serves as the main source and most reliable witness)[21] and a detailed biography of Cicero's public *persona*—in other words, Cicero is presented as a key to understanding late Republican politics.[22] This goes further than the functions of modern commentaries, which are meant to elucidate the text they comment upon. While the Ciceronian scholia serve that purpose as well, they additionally use the Ciceronian corpus as a starting point for their much broader historical interests.[23]

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19 On Asconius, see recently Bishop 2015, Steel 2022, 237–239, and Keeline in this volume. Bishop 2015, 287–292 compares Asconius' working method to Didymus' historical commentary on Demosthenes. As Keeline in this volume argues (p. 59), Asconius was fascinated by unsolved riddles, especially regarding realia and prosopography. This research-minded attitude could be labelled historical or antiquarian.

20 Cf. *Schol. Bob. Mil.* 116.4–13 St., which according to Stangl 1912 ad loc. is taken from Asc. *Mil.* 43C. Also the *argumentum* of the scholia seems informed by Asconius in many ways. James Zetzel in the discussion portion of the workshop defined the scholiast as a research-minded archaist (whose sources might have been authors like Gellius or Julius Romanus).

21 Cf. e.g. Asc. *Pis.* 1.1–5C, where the (contested) date of the speech is proven to be shortly before the opening of Pompey's theatre with the help of Cicero's words: *hoc intellegi ex ipsius Ciceronis verbis potest* ('this can be understood from the words of Cicero himself'). Asconius' emphasis on historical rather than rhetorical aspects of the speeches, which manifests itself in the huge number of prosopographical lemmata, for example, confirms the impression that the works of the orator Cicero could be read as sort of history book and that the implied reader would be rather interested in the major and minor actors of Roman politics roughly between the Sullan and the Octavian civil wars. For a different explanation of Asconius' prosopographical interest, cf. Keeline in this volume.

22 Cf. Zetzel 2018, 148 (on Asconius' aim to teach "the history of the Roman republic"). Whether the Ciceronian scholia have also influenced biographies of Cicero, or whether Tiro's or Nepos' biographies are important sources for the commentators, is beyond the scope of this article. But the question is relevant of course: in the case of the Demosthenian scholia, Gibson 2002, 46 assumes that "authors of biographies of Demosthenes seem not to have imported much content from [the] commentaries (and vice versa)".

23 In this respect they are comparable to the historico-cultural function of early modern

Asconius and the *Scholia Bobiensia* can thereby fill a gap: with the exception of Sallust's monograph on the Catilinarian conspiracy, in which the ambiguous evaluation of Cicero's role has led to much debate among scholars,[24] we have no treatment of Cicero's political deeds in the form of a biography or a longer historiographical narrative in Latin—whereas in Greek, there are Plutarch's biography and Cassius Dio's lengthy treatment of Cicero's exile and fight against Mark Antony. Sabine MacCormack, for example, seems to base her judgement that Cicero was judged "with some severity" in later Imperial historiography mostly on these Greek sources.[25] On the one hand, the lack of Latin counterparts is due to transmission: the long biography that Cicero's freedman Tiro wrote shortly after his death, or Livy's books that dealt with the first century BCE are lost to us—as are other important works like Asinius Pollio's *Historiae*. On the other hand, the lack of longer Latin historiographical texts dealing with Cicero also fits a trend of later Imperial times: instead of large-scale historiography, from the second century CE onwards historiographers were more interested in genres that abbreviate, condense and systemize the knowledge amassed by Livy, Sallust, and others. It is sufficient to think of Florus' history of Rome, of collections like Ampelius' *Liber memorialis* or the writings transmitted under the name of Aurelius Victor. In all of these, Cicero appears, too, but in the abbreviated and thus, in an exemplary form which Keeline has related to the schools of declamation: his consulship, exile, and death are the most repeated events (as they probably were in earlier large-scale historiography). In the abbreviated form, however, they are hardly ever narrated, but only referred to as something the reader is supposed to know already. Similarly, the commentaries on the speeches do not *narrate* Cicero's life (only in the *argumenta* do we find narrative elements, most strikingly in Asconius' extended one to the *Pro Milone*). They do, however, considerably increase the amount of detail and the record of distinct moments of Cicero's life available to their readers.

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commentaries, which was not only to "play an auxiliary role ... Commentaries were mainly studied ... in order to acquire knowledge and skills" (Enenkel and Nellen 2013, 3).

24   See now Sillett 2015, 42–101 and Jansen 2022, 40–81, with ample further bibliography.

25   MacCormack 2013, quotation on 253. One must relativize her statement, however, as she mainly bases it on Greek sources (especially Dio Cassius and Appian) which do not seem to be fully representative for the Latin tradition (otherwise it would be hard to understand why Cicero appears as a positive *exemplum* both in Ampelius and Ps.-Aurelius Victor's *De viris illustribus*; see below). On Cicero in Cassius Dio cf. Gowing 1992, 143–161 (esp. on the last years of Cicero) and now Jansen 2022, ch. 3 and 4 *passim*.

3   **Implied Author/Implied Reader: Aims and Structural Organization of Asconius and *Scholia Bobiensia***

Especially in the case of the *Scholia Bobiensia* a further preliminary remark on my underlying assumptions is needed. These scholia are not the work of one clearly identifiable author,[26] as they are transmitted anonymously and in what must be an abridged and adapted fourth-century version of an earlier corpus. I will nevertheless treat them, just like Asconius' (fragmentary) commentary, as a *coherent corpus*—in the sense that they represent a specimen of a Ciceronian commentary as it was conceived towards the end of the second century and still partly available in the fourth century. A consequence is that in my view the anonymous *Scholia Bobiensia*, just like Asconius' commentary, have an implied author (who in reality might be several authors in different periods who share certain interests).[27] As others in this volume argue as well, such an implied author of an ancient commentary is normally interested in showing his authority in rhetorical and historical matters.[28] An authoritative voice of an implied author, however, can only exercise its authority if an ideal reader is willing to accept it, a process that La Bua defines as an "interactive dialogue between the composer of the commentary and his readership".[29] As suggested by Keeline, it is not important whether such a reader actually existed or was just the invented mirror of the author's predilections.[30] For the bulk of my argument, I will talk about these ideal readers: by way of analogy, I will call them the 'implied reader' of the two sets of commentaries.[31] They are interested in knowing more about Cicero's rhetorical skills,[32] the historical circumstances of his speeches like the major steps of his career, other political actors or orators[33] of the time, and Cicero's importance as a historical model.

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26   For the sake of convenience I will refer to the commenting voice in the *Scholia Bobiensia* as 'the Bobbio scholiast'.

27   Cf. Zetzel 2018, 258 for a brief characterization.

28   Cf. Farrell and Schwameis in this volume.

29   La Bua in this volume, p. 25.

30   Cf. Keeline in this volume, p. 66: Asconius might have written "for some imagined audience fashioned in [his] own image and likeness that probably does not really exist". Cf. also Kraus and Stray 2016, 11 on the "conceptualized" reader of commentaries.

31   In Asconius' case, the explicit internal readers of the text are his sons, but obviously they only stand *pars pro toto* for any reader with similar historical interests and needs, cf. Keeline in this volume, p. 49. The concept of the implied reader was coined by Iser 1972 (in analogy to the implied author imagined by Booth 1961, esp. 74–75).

32   Cf. the *calliditas*-debate mentioned by La Bua and Schwameis in this volume.

33   For an overview of this theme see Manuwald in this volume.

A somewhat related question is how much material Asconius' commentary and the *Scholia Bobiensia* originally included. It is obvious that both collections were once much longer than they are now, as we find cross-references to commentaries on speeches that are not transmitted in the manuscripts.[34] Asconius must have commented on substantially more than the five speeches we have—perhaps his work was meant to cover all Cicero's speeches.[35] As Keeline argues in this volume, he seems to have followed the chronology of Cicero's speeches when writing his commentaries (and in consequence probably also arranged the speeches chronologically), as his regular cross-references never refer to later speeches, but always to those that were delivered earlier in Cicero's career.[36]

As for the *Scholia Bobiensia*, of which we possess comments on twelve speeches, Hildebrandt has suggested that they once comprised notes on all known speeches of Cicero; recently, James Zetzel has tentatively followed him.[37] Giuseppe La Bua has reviewed the evidence and argued against this opinion, mostly due to the lack of positive evidence that would suggest a full commentary;[38] yet I would counter that we also do not have anything to prove the contrary. Instead, we do have at least one strong piece of evidence that confirms Hildebrandt's and Zetzel's claim. At the beginning of the commentary on *Cum senatui gratias egit* the scholiast defends his choice to exclude the speech *Si eum P. Clodius legibus interrogasset* because according to him it contains nothing that his readers will not find in other *post reditum* speeches, as well: *sed quoniam plurimae consequentur in quibus ⟨eadem⟩ paene omnia dicturus est, eximendam numero arbitratus sum quando rebus nihil depereat quae sine dubio in aliarum tractatione reddentur* ('but because many will follow in which he will say almost the same things, I thought that this one could be left out, because nothing will be lost with regard to things that doubtlessly will

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34 Cf., e.g., Asconius' *diximus iam antea* when commenting on *In Pisonem* (Asc. *Pis.* 6.15C). See the overview of all internal references in Marshall 1985, 1–25. With regard to the *Scholia Bobiensia*, in the *Pro Flacco* alone we find cross-references to *Pro Murena* (96.5 and 104.8 St.); *In Catilinam* 2 (98.27–29 St.), *Pro Fonteio* (99.28 St.) and the *Divinatio in Caecilium* (108.2 St.).

35 Zetzel 2018, 143 believes it was a complete commentary. Lewis et al. 2006, xii carefully state that "some further *Commentaries on the Speeches of Cicero* have also perished". Bishop in this volume sees no reason why Asconius should not have commented on all speeches that were available to him.

36 Cf. Keeline in this volume.

37 Hildebrandt 1894, 10; Zetzel 2018, 143 ("seem … to have been").

38 Cf. La Bua 2019, 79–84.

be mentioned when treating other speeches', 108.18–21 St.).[39] This is at least the explicit reason; however, the scholiast also adds that the speech has not been transmitted as straightforwardly as the others (*quae oratio videtur post mortem eius inventa*, 'this speech seems to have been found after his death', 108.18 St.). One wonders whether its possible spuriousness might be another reason to exclude it.[40] This would be a hint that in principle the commentary was meant to cover all authentic speeches by Cicero in a (more or less) chronological order.[41]

The regular cross-references we find in both Asconius and the Bobbio scholiast also tell us something about how the implied authors expected their implied readers to use them: ideally, they should read the *whole* corpus with care. The alleged chronological order means that an implied reader would also go through the material chronologically; the cross-references would thereby regularly remind them of what they have read before. In this way they would receive a good impression not only of Cicero's rhetorical skills, but also of his political career and the historical circumstances in which he lived. The *argumenta* with their brief narrative of the historical and political circumstances of the speeches particularly build up towards a panorama of major events during Rome's political crisis of the first century BCE. Caroline Bishop has convincingly suggested with regard to Asconius that he "seeks to … recreate the vanished world of Republican politics".[42] In my view, the *Scholia Bobiensia* show a similar interest. And even if in the later collections of scholia that I will not consider in this chapter (Ps.-Asconius and the *Scholia Gronoviana*) the number and trustworthiness of historical facts gets lost or confused,[43] we can imagine that a student in an early medieval French monastery (for whose teachers the Leiden manuscript of the Gronovius scholia might have been copied)[44] could still learn more about Cicero, his contemporaries and the political situation in

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39   Cf. La Bua 2001; a summary of the argument is in La Bua 2019, 81.

40   Similarly, in *Schol. Bob. Sest.* 126.3–5 St., the scholiast says that he leaves out some explanations since the reader can find them in the *Pro Milone* commentary. In *Schol. Bob. Planc.* 166.28–30 St., the scholiast mentions Cicero's sojourn in Rhodes and his studies with Molon, which might have been mentioned before; but it is also possible that such pieces of Cicero's biography which are mentioned out of their chronology invite the readers to complement their mental overview of Cicero's life.

41   Cf. Zetzel 2018, 143.

42   Bishop 2015, 293.

43   As Stangl 1884 has shown in detail and with a kind of arrogant pleasure for the Gronovius scholiasts B–D.

44   Cf. Zetzel 2018, 145–147 for a good overview of the philological complexities of the *Scholia Gronoviana*.

Rome (especially, as far as our excerpts show, about Sulla's and Caesar's dicta-
torships and some details of the Catilinarian affair) than other early medieval
sources contained.[45]

4   Cicero's Political Curriculum: *cursus honorum* and Major Political Battles

I should specify a bit more what I mean by the assumption that our commen-
taries and scholia were an invitation to read Cicero's speeches as a kind of
historical and biographical material. I do not want to suggest that they were
proper biographies, which would imply that Cicero's *cursus honorum* would
have been a conspicuous (perhaps even structuring) element. It is difficult to
say exactly how the commentaries dealt with this matter as we lack all *orationes
consulares* as well as the *Verrines*, which shortly predated Cicero's *aedilitas*. The
first sentence of Asconius' *argumentum* to the *In toga candida* (*sex competi-
tores in consulatus petitione Cicero habuit*, 'Cicero had six competitors in his
bid for the consulship', Asc. *Tog.* 82.4C) suggests that Asconius did not find it
relevant to introduce Cicero's decision to be a candidate with more emphasis.
Generally, the impression is that the offices in both Asconius and the *Scholia
Bobiensia* are only mentioned if they are directly relevant to the argumentation
of the speeches, but not for their own sake. It is not surprising that references to
Cicero's consulate as a major moment of his authority abound in the commen-
taries of the speeches of the 50s, as they confirm Cicero's own self-presentation
as *homo consularis* during these years.[46] The other offices are only mentioned
in passing.[47] Similarly, Cicero's *novitas* as one of the striking and contested fea-
tures of his career is no very prominent theme in the remaining commentaries

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45   For the loss of detailed knowledge about Cicero's life in Late Antiquity, cf. MacCormack
      2013 (as in n. 25); on the medieval situation, cf. Schmidt 2000 and Cizek 2009.
46   Some striking passages in the *Scholia Bobiensia* are *Schol. Bob. Sul.* 79.19–24 St. (on the
      insinuation in the *Pro Sulla* that Cicero behaved like a *rex* during his consulship), which
      is countered by stressing that his magistracy was actually a *salutaris consulatus* (80.28–31
      St.); *Schol. Bob. Flac.* 94.4–6 St. on the *invidia* which others showed towards his consulate;
      ibid. 107.23–31 St. where the scholiast stresses that Cicero's ethos is founded on his suc-
      cessful consulship; and *Schol. Bob. Vat.* 145.6–9 St., where Cicero's consulship is called
      honourable.
47   In Asconius, the *Pro Cornelio* and the events preceding it are dated with reference to
      Cicero's *praetura* (Asc. *Corn.* 59.5–16C and 60.9–10C). The Bobbio scholiast, in comment-
      ing on the famous passage about Cicero's quaestorship in the *Pro Plancio*, highlights
      Cicero's good behaviour in the province (163.27–30 St.).

and scholia[48]—but again, one must not forget that we do not have the speeches that would probably have offered more ample opportunity to mention it: the early speeches like the *Pro Sexto Roscio Amerino* or the consular speeches.

What we find slightly more often (although not abundantly) instead is the tendency to interpret Cicero's political engagement as a feud against personal enemies or opponents—sometimes all kinds of *invidiosi*,[49] but of course also the obvious big three, Catiline, Clodius, and (less visible as we lack commentaries on the *Philippics*) Mark Antony. Asconius and the Bobbio scholiast thereby confirm Cicero's own version of the recent history as expressed at the end of his life in *Phil.* 2.1: enemies of the Republic are enemies of Cicero. Such a concentration on personal enmities also shows the close connection of the scholia with what was going on in the schools of declamation, where Cicero's opposition to Catiline, Clodius, and especially Antony offered ample themes for *controversiae* and *suasoriae*.[50] I give one example that concerns Clodius. The speech *Pro Cornelio* seems to have given Asconius the opportunity to introduce Catiline for the first time (*fuit patricius* would be unnecessary had he been mentioned before). The context of the remark are disturbances during a trial of Manilius in 65 BCE, which Cicero ascribes to the instigation of unnamed *magni homines*. According to Asconius, these were Catiline and Piso—in fact his remark has regularly been taken as evidence for the alleged 'first' Catilinarian conspiracy:[51]

> L. Catilinam et Cn. Pisonem videtur significare. fuit autem Catilina patricius et eodem illo tempore erat reus repetundarum, cum provinciam Africam obtinuisset et consulatus candidatum se ostendisset. accusator erat eius **P. Clodius**, adulescens ipse quoque perditus, **qui postea cum Cicerone inimicitias gessit.** Cn. quoque Piso, adulescens potens et turbulentus, familiaris erat Catilinae omniumque consiliorum eius particeps et turbarum auctor.[52]

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48 The most explicit treatment I could find is *Schol. Bob. Sul.* 80.12–24 St. (on *Sul.* 22), where the scholiast refers to Cicero's origins. On Cicero's "self-presentation as a *homo novus*" cf. Van der Blom 2019; on invective criticism of his *novitas* cf. Van der Blom 2014, 41.

49 E.g. Asc. *Mil.* 37.20C (*invidiosas* [*sc.* contiones] *de Cicerone*); *Schol. Bob. Flac.* 94.4–6 St.; *Red. pop.* 110.11 St. The term *invidia* is a standard characteristic of his opponents in Cicero's text from the 50s, cf. Achard 1981, 416.

50 See the overview in Kohl 1915, nos. 418–425.

51 Cf. Cic. *Corn. 1*, fr. 18 Crawford. Against the *communis opinio*, Woodman 2021 argues that the conspiracy of 66/65 BCE actually did take place; for a detailed treatment of Asconius' testimony, cf. ibid. 56–58.

52 Asc. *Corn.* 66.7–14C.

He is apparently referring to L. Catilina and Cn. Piso. Catiline was a patrician and at that time under indictment for extortion, when he had governed Africa as his province and had declared his candidacy for the consulship. His accuser was **P. Clodius**, himself a depraved young **man who later became Cicero's enemy**. Also Piso, an influential and restless young man, was a friend of Catiline, an accomplice in all his plans and an author of turmoil.

It is worth noting that Asconius, albeit carefully (*videtur significare*), identifies the men in question. Modern interpreters have doubted that Piso is meant here: an *adulescens* in Asconius' own words can hardly be called a *magnus homo*.[53] Lewis tries to defend the commentator by saying that it is unclear whether Asconius himself believed what he wrote, but was merely trying to follow Cicero's line of reasoning in this speech.[54] Perhaps, however, it is worthwhile to apply such a Ciceronian focus more broadly. Asconius takes the opportunity to introduce Cicero's major opponent Catiline in the year before Cicero's candidature for the consulship, and thereby focuses the reader's attention on the major development of what will follow soon. It is noteworthy that Catiline's name is not the only *prolepseis* of Cicero's personal opponents: Asconius also introduces Clodius as Catiline's prosecutor, adding the information that the same Clodius will become an important antagonist of Cicero in later years. Among the huge number of names and agents mentioned, both in the speeches themselves and in the explanations by Asconius, the readers can thus keep these figures in mind. Furthermore, in contrast to his immoral opponents, Cicero's light shines brighter. Suggesting clearly defined oppositions was Cicero's constant tactic throughout his life, and Asconius and the Bobbio scholiast fully subscribe to his self-representation.

5 Cicero's Exemplary Character

We can preliminarily conclude that the Cicero encountered by the implied reader in Asconius' commentary and the Bobbio scholiast is an extended version of an exemplary Cicero, in fact very close to the public *persona* he himself wanted to create. This has at least two consequences for the exegetes' working

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53 Crawford 1994, 190–191 ad loc. (referring to Gruen 1974 and others who have questioned Asconius' interpretation).

54 Lewis et al. 2006, 272. An anonymous reviewer has suggested to me that Asconius uses *videtur* regularly when he is unsure about a piece of information he gives.

methods: they will mostly focus on Cicero's virtues, and they have to counter errors, shortcomings, or even vices in his speeches that might already have been branded as such by others.

Regularly we find characterizations that add up to the portrayal of an exemplary personality. Let me clarify what I mean with the help of the *argumentum* of Asconius' commentary on the *Pro Milone*. In the first sentences Asconius informs the readers that Milo and Cicero are the good ones. Both Clodius and Milo have gangs, and both show a high degree of boldness (*erant uterque audacia pares*, Asc. *Mil.* 30.16–17C). The difference is that Milo, together with his close friend Cicero (*Ciceronis … amicissimus*, 30.11–12C), represents the part of the *optimates*: *sed Milo pro melioribus partibus stabat* (30.17C). Yet, the adjective *melior* carries more associations than a simple reference to a political faction—it also embodies a moral statement about right and wrong. Milo and automatically Cicero as well stand on the good side of history; their political position is ethically preferable. Later, when Asconius mentions the *invidia* that Cicero encountered from the tribunes of the people, the majority of the *populus*, Plancus, and even Pompey, he contrasts this general hostility with Cicero's *constantia* and *fides*, which could not deter him from his duty.[55] A similar example is Asconius' first lemma to the *In toga candida*, where he explains that the envy felt by Caesar and Crassus (here not called *invidiosi*, but *refragatores*, 'people who oppose the interest of another', a hapax legomenon in pre-patristic Latin) is triggered by Cicero's virtue, in this case his increasing *civilis dignitas* (Asc. *Tog.* 83.20–21C). Obviously Asconius is much indebted to exemplary discourse: he thinks in virtue terms that he can ascribe to Cicero.

Turning to the *Scholia Bobiensia*, we can observe a comparable approach. A good example can be found in the commentary on the *Pro Sulla*, which contains Cicero's famous apology against the charges of the accuser L. Manlius Torquatus that he had behaved like a king during his consulate. In *Sul.* 21 Cicero stresses that as a consul he did not give any orders, but always obeyed the senate and *omnes boni*. The scholiast paraphrases Cicero's defence as follows: *itaque … statim … consulatum suum **talia edidisse moderationis et con-***

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55   On the *invidia*-passage cf. above n. 49; the sentence stressing Cicero's firmness is rhetorically heroic, with multiple alliterations at its beginning and fourfold anaphor (Asc. *Mil.* 38.6–11C): *tanta tamen constantia ac fides fuit Ciceronis, ut non populi a se alienatione, non Cn. Pompei suspicionibus, non periculo futurum ut sibi dies ad populum diceretur, non armis, quae palam in Milonem sumpta erant deterreri potuerit a defensione eius* ('so great was his steadfastness and loyalty that he could not be deterred from Milo's defence either by abalienation from the people, or Pompey's suspicions, or the danger that in future he would be accused before the people, or by the weapons that had been openly taken up against Milo').

tinentiae et virtutis exempla ut non ipse rex, sed aliis regnum adfectantibus esset inimicus ('therefore … immediately [he affirms that] his consulship **produced such great examples of restraint, self-control, and virtue** that he was no king, but an enemy of others who aimed at kingship', 79.21–22 St.).[56] In the speech itself Cicero does not use the terms *moderatio* or *continentia* for his behaviour:[57] the use of the terms here shows the rhetorically trained mindset of the scholiast, who turns a typical moment of Ciceronian self-fashioning into exemplary discourse.[58] This corresponds to a more general tendency in the *Scholia Bobiensia*. By fully subscribing to Cicero's self-fashioning as a bringer of welfare and salvation to the state they depict his deeds as manifestations not of circumstantial and selective decision making but of his character. The reader is invited to accept Cicero's exemplary status and to read the rest of the speech (and also the following speeches) as the utterances of consistent political virtue.[59]

If we examine more closely which other virtues are ascribed to or associated with Cicero, it is not surprising to find those that Cicero himself considered important for his self-fashioning. There is his ability to bring about consensus among the Romans, which the scholiast in the *argumentum* of the *Post reditum ad Quirites* considers a greater glory than those celebrated in the previous triumphant speech in the senate: *nunc etiam populo audiente percenset, magis (ut opinor) gloriae suae consulens ut existimetur* **omnium ordinum consensu restitutus** *nec ulla populi ⟨pars⟩ ab sua dignitate dissenserit* ('now he continues his survey with the people as his audience, and thereby (as I believe) takes better care of his honour: the result is that one believes that he was

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56   Cf. La Bua 2019, 262 on this passage in the context of the scholiast's interest in Cicero's "art of illusion".

57   *Virtus*, on the contrary, is once connected to his consulship, cf. *Sul.* 83: 'Can I be so out of my mind as to be guilty of allowing those things that I did for the salvation of all to seem to have been done by chance and luck rather than by virtue and careful planning (*virtute et consilio*)?' On *moderatio* as "la vertu par excellence" for Cicero cf. Achard 1981, 247.

58   I add in passing that Cicero would probably have applauded this reception, cf. Van der Blom 2010, 338 (my emphasis): "[H]e was aware that he needed more than that [*sc.* fame or his literary and oratorical achievements], hence his attempts to *set himself up as an exemplary governor and an exemplary and responsible consul* who was not afraid of acting resolutely."

59   To give just one example of a later speech: a comment on *Cum senatui gratias egit* (where Cicero describes that senators were forbidden by the consuls to wear mourning clothes out of sympathy for him, cf. *Red. sen.* 16) shows according to the scholiast that Cicero attacks Piso as a tyrant (*quasi tyrannum insectatur*), which seals his role as major defender of freedom (cf. *Schol. Bob. Red. sen.* 109.6–9 St.).

recalled **with the agreement of all orders**; and no ⟨part⟩ of the people had a different opinion about his dignity', 110.6–8 St.).[60] There is the *consultissimum temperamentum* ('extremely prudent moderation') with which he (again as the defender of Republican ideals) stirs envy against the triumvir Caesar without openly attacking him (130.16–19 St.). Moreover, there is his *constantia*, which Imperial authors so often questioned.[61] I have already suggested that Cicero's *persona* and his deeds appear as very consistent throughout the commentaries, as he is always associated with the same political virtues. A specific way to highlight this are the cross-references to passages in other speeches, which actively invite the reader to see the scholia as one coherent corpus. A telling example is found in one comment on the *Pro Milone*.[62] In *Mil.* 40 Cicero makes a very positive remark about Mark Antony (who was one of Milo's accusers) because he allegedly brought the highest hope of salvation to *omnes boni* when he had once almost killed Clodius himself. Thomas Keeline in his recent commentary interprets the passage as "extravagant praise", expressed in language that "is deliberately over the top".[63] The *Scholia Bobiensia*, however, are not interested in this aspect. Their major concern is the huge contrast between this passage and Cicero's negative portrayal of Mark Antony in the *Philippics*—obviously the scholiast was afraid that the readers could interpret the remark in the *Pro Milone* as a sign of Cicero's *inconstantia*. The scholiast reassures them that this is not true by pointing to a sentence in *Phil.* 2.21:

> sed de M. Antonio quod ait, et in Filippicis secunda oratione hoc idem contestatur his, ut opinor, verbis: "quidnam homines putarent si tum

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60	Cf. La Bua 2019, 197 on this passage and Cicero's "self-aggrandizement".

61	On charges of unreliability during Cicero's own life cf. Van der Blom 2014, 46–48; for early Imperial examples, cf. Iulius Bassus (apud Sen. *Con.* 2.4.4): *nemo sine vitio est: in Catone deerat moderatio, in Cicerone constantia, in Sulla clementia* ('no one is without fault: Cato lacked moderation, Cicero consistency, Sulla clemency'); Ps.-Sal. *Cic.* 5: *homo levissimus*. See for such criticism in later Imperial authors now Jansen 2022, 244–250.

62	Because of the discrepancy between spoken and published speech, the *Pro Milone* might have triggered the question of Cicero's *constantia* in a special way. Asconius excuses his unusual lack of steadiness with a reference to the bad circumstances (*Cicero cum inciperet dicere, exceptus est acclamatione Clodianorum, qui se continere ne metu quidem circumstantium militum potuerunt. **itaque non ea qua solitus erat constantia dixit***, 'when Cicero began to speak, he was received by the outcry of Clodius' supporters, who could not restrain themselves even out of fear of the soldiers surrounding the trial; **therefore Cicero did not speak with the usual steadiness**', Asc. *Mil.* 41.24–42.2C).

63	Keeline 2021, 213–214.

occisus esset, cum tu illum in foro inspectante populo R. gladio insecu-
tus es negotiumque transegisses, nisi ille in scalas tabernae librariae se
⟨coniecisset⟩?"[64]

But as to what he says with regard to Mark Antony: he makes the same
point in the second *Philippic Speech* in these words, I believe: "What
would the people think if he had been killed at that time when you chased
him with a sword under the eyes of the Roman people and would have
completed the job if he had not ⟨flung himself onto⟩ the staircase of a
booksellers' shop?"

The cross-reference is more than a learned addition. Without mentioning any
charge of inconsistency explicitly, the scholiast nevertheless seems to feel the
need to react to one of the major criticisms against Cicero's public *persona*
both during his life and in the Imperial reception. We see a similar approach in
the scholia with regard to Cicero's exile; his unphilosophical behaviour during
his absence from Rome had regularly been criticized, most notably by Greek
authors like Plutarch and Cassius Dio.[65] This criticism was mostly based on
what later authors could read in Cicero's letters, especially the third book of
the *Ad Atticum* collection, whereas his *post reditum* speeches paint an image
of a noble exile and triumphant return. The Bobbio scholiast completely cor-
roborates this latter impression. When commenting on the *In Vatinium*, he
remarks that Cicero regularly boasts of his *exilii gloriosam patientiam* ('glorious
endurance of his exile', 144.20–21 St.) and thereby validates Cicero's behaviour
by attributing a philosophical value term to it. This is in line with the general
impression one gets from the *Scholia Bobiensia*: Cicero's exile was sad, but it
brought him no dishonour, as the following passage emphatically expresses
twice: *tristem magis profectionem quam ignominiosam illud exilium fuisse, ut
non sit infame quod solam habuit iniuriam* ('this exile was a sad rather than
a shameful departure, so that something which involved only a wrong is not
discreditable', *Schol. Bob. Red. pop.* 110.21–23 St.).[66] Disgrace does not befit the
image of Cicero that the scholiast depicts: despite the envy of his opponents,
he has lived an exemplary life in the service of the state.

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64 *Schol. Bob. Mil.* 123.3–7 St. The striking addition *ut opinor* (i.e., the intrusion of the com-
     mentator in the first person singular) can be read as a marker of the self-fashioning of the
     teacher as "intellectual guide", cf. La Bua in this volume, p. 23 and 28.

65 Cf. Plu. *Cic.* 32.5 and D.C. 38.18–30. On criticism of Cicero's exile, see Keeline 2018, 164–177,
     on the Philiscus-scene in Cassius Dio now also Jansen 2022, 250–255.

66 Cf. also *Schol. Bob. Sest.* 130.25–28 St. (admiration for Cicero's oratorical skills that turn
     exile from a punishment to a virtue); *Schol. Bob. Planc.* 156.26–29 St.

6   Apologies for Cicero's Shortcomings

With the last two quoted passages I have already touched upon the apologetical character of Asconius and the *Scholia Bobiensia*. So far, I have looked at instances in which the commenting voice backs up or enhances Cicero's own self-defensive strategies. But what about those rare cases in which the commentator or scholiast has to deal with shortcomings of Cicero? In Asconius' commentary, such instances always concern the orator's alleged factual errors or contradictions.[67] Why did he call Placentia a *municipium*, when it was a *colonia* (Asc. *Pis.* 4.8–14C)? Why did he misrepresent the length of an interval of time (ibid. 5.16–6.8C)? Why did he assert that no one had ever had his house rebuilt at public expense, when there had been other historical examples before him (ibid. 13.4–14.3C)? And why did Cicero offer two contradictory versions regarding a detail of Scipio the Elder's life in *Pro Cornelio* and *De haruspicum responso* (Asc. *Corn.* 69.24–70.25C)?[68] The defensive strategy[69] Asconius adopts is always the same: he refers to the difference between historiography and oratory. In the case of Cicero's house, the commentator simply states that Cicero is speaking not as a historian, but as an orator (*hoc Cicero oratorio modo, non historico, videtur posuisse*, 13.4C). In the case of the discrepancy in the Scipio story, Asconius refers to Cicero's *oratoria calliditas* that allows him to set aside truth and argue in a dialectic way (*non praeterire autem vos volo esse oratoriae calliditatis ut, cum opus est, eisdem rebus ab utraque parte vel a contrariis utantur*, 'I do not want you to fail to appreciate that it is a mark of oratorical shrewdness to use the same things in contrasting ways as pro and contra arguments when necessary', 70.13–15C).[70] The argument is not fully convincing, as historical facts should stand above an *in utramque partem* debate in the strict sense, but the point nevertheless helps Asconius to demonstrate

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67   See Bishop 2015, 293–294 and Keeline in this volume, pp. 54–55 for Asconius' defence of Ciceronian shortcomings—Bishop even believes that whitewashing Cicero's name from the attacks of *obtrectatores* was "one of his [Asconius', CP] chief reasons for taking up the project in the first place" (294).

68   Still another category is represented by Asc. *Corn.* 77.1–5C, where different numbers of tribunes of the people after the Mons Sacer episode are discussed; Asconius seems to suggest that Cicero is wrong, but mitigates this as he shares this error with Tuditanus, Atticus, and Livy.

69   Cf. Schwameis in this volume, p. 222 who observes that Ps.-Asconius also "seems to stage himself as a defender of the orator", thus turning the commentary into a *leçon par l'exemple* of judicial rhetoric.

70   On Cicero's oratorical *calliditas* cf. La Bua in this volume, p. 35.

that historical *exempla* from the past can be used by the orator in a flexible way without damaging his ethos.[71]

So whereas the criticisms Asconius refutes mostly concern factual errors, his defence strategy is related to Cicero's personality. In the *Scholia Bobiensia*, this tendency becomes more evident. The (comparatively fewer) instances of dealing with direct criticism against Cicero are mostly concerned with his ethos and personal consistency. This becomes visible in in the *argumentum* of the *Pro Sestio* where the scholiast explains that Cicero spoke as the last of the advocates and that his speech therefore must be understood as the *peroratio* of the set of defence speeches for his client. This specific position in the trial explains why he also added elements that might seem *extra causam*, as critics have said. The scholiast admits that Cicero sometimes allows his emotions to lead him away from the main path, but assures the reader that this is not the case in this speech; instead Cicero has firmly stuck to what was useful for Sestius.[72] A second example concerns one specific sentence of the *Post reditum ad Quirites* (*a parentibus, id quod necesse erat, parvus sum procreatus, a vobis natus sum consularis*, 'from my parents I was born a tiny baby, as was necessary; from you I was born as an ex-consul', *Red. pop.* 5), which is characterized as not dignified enough (*popularis magis quam pressa et gravis*, *Schol. Bob. Red. pop.* 111.11 St.), but the 'error' with regard to Cicero's use of rhetorical *ethos* is immediately justified by the remark that Cicero was indeed addressing the common folk (*ad aures vulgi*, 111.12 St.) and therefore had to adapt his rhetoric to the audience.

Two further instances of criticism directed against Cicero's personality concern a crucial element of anti-Ciceronian topoi in Antiquity: his exuberant self-praise.[73] In these cases alone we observe the scholiast agreeing with Cicero's

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71 For the interest of Ciceronian scholia in *dissimulatio* techniques see La Bua 2019, 219–266 and La Bua, Farrell, and Schwameis in this volume.

72 *Schol. Bob. Sest.* 125.26–31 St.: *itaque Tullius ea peroravit quae sibi fuerant explicanda nec, ut plerique arbitrati sunt, extra causam vagatus est. quamvis enim sciamus … multa Ciceronem vel iratum vel dolentem de passionibus suis ultra paene quam res posceret exaggerare solitum, tamen quod hic prolixa quadam turbulentissimi temporis descriptione multum voluminis occupat, non mediocriter videtur ad praesens negotium pertinere.* ('Therefore Cicero in a kind of peroration of the trial explained what had to be explained by him and did not speak about things that did not belong to the case, as many have thought. Although we know … that Cicero, when he is angry or sad, usually piles up many things on account of his emotions—almost more than the case requires—nevertheless the fact that in this case he fills lots of his book with an extensive description of the very turbulent time seems to be well connected to the actual business.'). Cf. on this passage La Bua 2019, 196.

73 Suffice it to think of Seneca's *De brevitate vitae = Dial.* 10.5.1 (*illum consulatum non sine causa sed sine fine laudatum*). Cf. Dugan 2014 for a psychoanalytical approach and La Bua 2019, 197–198 for an overview of the theme in the scholia. Another point of criticism

critics. In the *In Vatinium* the scholiast comments on Cicero's remark that out of grief for his exile the forum was sad, the senate silent and all intellectual life came to a standstill (*Vat.* 8). According to the scholiast this is one of several examples (*haec et talia*) of Ciceronian arrogance (*superbia*). Although his excellent eloquence deserves every praise, it would have been better not to express it so explicitly: *haec et talia possis aput M. Tullium quasi nimium superbe dicta reprehendere. quamvis mereatur hoc testimonium tam insignis et nobilis eloquentia, multo rectius fuit moderari huic de semet ipso praedicationi* ('One can criticize this and other similar passages in Cicero as spoken with too much arrogance. Although his extraordinary and noble eloquence deserves such appraisal, it would have been much more correct to tone down this statement about himself', *Schol. Bob. Vat.* 144.24–26 St.). The criticism is even more relevant, so the lemma continues, as Cicero does not obey his own precepts, as 'elsewhere' he has stated that too much arrogant ostentation is offensive (*odiosa sit superbia et iactantia*, 144.26–145.1 St., which Stangl connects to Cic. *Div. Caec.* 36). The same excessive boastfulness, now with regard to his consulate, is mentioned in a comment on *Planc.* 85.[74] The scholiast remarks that in his letter to Pompey, Cicero had praised his own deeds with too much arrogance so that Pompey became angry with him[75]—an error for which Cicero eventually paid a bitter price in that Pompey did not support him in the months preceding his exile:

> nam significat, ⟨quantum⟩ scio, epistulam non mediocrem ad instar voluminis scribtam quam Pompeio in Asiam de rebus suis in consulatu gestis miserat Cicero, aliquanto, ut videbatur, insolentius scribtam, ut Pompei stomachum non mediocriter commoveret, quod quadam **superbiore iactantia** omnibus se gloriosis ducibus anteponeret. ... obfuerunt autem re vera: nam sic effectum est ut ei Pompeius contra Clodianam vim non patrocinaretur.[76]

(which I only mention in passing) concerns Cicero's poetry which is considered not adequate to his dignity (*Schol. Bob. Planc.* 165.5–9 St.).

74 That the theme was very much in the focus of the scholiast, can also be seen in yet another passage from *De aere alieno Milonis*, where the scholiast hints at Cicero speaking boastfully of himself (ἀλαζονικὰ *erant*) in the generalizing third person (*non specialiter nec nominatim, sed per hanc generalitatem*) in order not to be perceived as over-ostentatious (*ne pro insolenti et iactatissimo haberetur*, 171.25–29 St.).

75 See Cicero's letter to Pompey's in which he shows himself disappointed because Pompey has not sent official compliments: *Fam.* 5.7 with Rawson 1978, 95–97.

76 *Schol Bob. Planc.* 167.22–30 St.

> For ⟨as far as⟩ I know, he refers to a rather long letter, almost resembling a book, which Cicero sent to Pompey in Asia about his actions during the consulship—written a bit too arrogantly, as it seems, so that Pompey got quite angry because Cicero **with arrogant ostentation** placed himself above all illustrious military leaders. … These words really harmed him, for as a result Pompey did not protect him against the aggression of Clodius.

One might ask why both Asconius and the Bobbio scholiast, who are obviously interested in presenting an idealized version of Cicero to their readers, deal with Cicero's factual errors or mention criticism of his behaviour at all. An important reason for this is the commentator's *auctoritas*, which depends on his competence and trustworthiness.[77] Simply excluding all kinds of possible criticism was therefore not an option, as this would have destroyed the readers' faith in the commenting author—the readers knew the less favourable tradition about Cicero anyway. So instead of concealing it the commentators contain the existing criticism by including it in homeopathic doses and either refuting or embedding it firmly in their positive account of Cicero's life. It is of course dangerous to argue *ex silentio*, but it is striking that Asconius' commentaries never hint at Cicero's improper boastfulness (which, as Seneca's famous dictum attests, was definitely a prominent theme in Asconius' day), whereas the *Scholia Bobiensia* do so thrice. This could simply have to do with the fragmented transmission. I nevertheless tentatively propose an alternative explanation: the fact that the Bobbio scholiast does not pass over the issue in silence, but dares to include this piece of criticism, might hint at the less contested status of Cicero as historical *exemplum* in the later second century compared to the Neronian times in which Asconius was active (as a contemporary of Seneca and Lucan, who both shed a rather ambiguous light on Cicero's personality).[78] We know from late antique handbooks like Ampelius' *Liber memorialis*, which includes Cicero among those who committed great deeds in times of peace, or Ps.-Aurelius Victor's *De viris illustribus*, which offers a very positive biography of Cicero, that Cicero had by then become an integral part of Rome's *viri illustres*—also as a political and ethical *exemplum*.[79] A further important voice in the consolidation of Cicero's ethical value was Quintilian, who defined the

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77   Cf. Farrell in this volume on self-fashioning strategies of the ancient commentators.

78   On Cicero in Lucan, see Narducci 2003 and recently La Bua 2020 and Jansen 2022, 151–159; on Seneca's view on him, Grimal 1984 and Keeline 2018, 196–222.

79   For a concise overview of the Ciceronian tradition in late antique abbreviators see Gasti 2018.

true orator with Cato the Elder's famous claim as a *vir bonus dicendi peritus* (*Inst.* 12.1.1) and turned Cicero into the exemplary figure for this rhetorical and ethical ideal.[80] When the scholiast does not pass over a few critical aspects in silence, this might be as much a sign of his accuracy as of his belief in Cicero's consolidated exemplary status: mild criticism cannot damage this positive image of the orator and politician.

7   Concluding Remarks: Implied vs. Actual Readers and Changes of Use

We have seen that both Asconius and the *Scholia Bobiensia* present Cicero as an exemplary figure from Rome's Republican past. Especially for the implied reader who would not consult the comments on one speech only, but would follow up all cross-references and read the corpora as coherent texts, this becomes obvious: Cicero's biography, insofar as it reveals itself through the speeches, is turned into a consistent and exemplary life in service of the Roman state.[81] The exemplary discourse seems to be even more prominent in the Bobbio scholiast than in Asconius, at least if we consider explicit references to or criticism of moral categories as a hint in that direction. The most practical way of turning a historical person into an exemplary one is by making her/him not only possess, but also represent general values or a political system. Thus when the *Scholia Bobiensia* in the *In Clodium et Curionem* declare that Cicero's *gloria* derived from the fact 'that he cannot be divided from the state' (*gloriae Ciceronis accedit quod seiungi ab re publica non potest*, 86.19 St.),[82] this sentence could be called the quintessence of Cicero's exemplarity.

The diachronic element of both sets of commentaries, which have been developed over centuries, however, also raises huge problems that have not

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80   Cf. the defence of Cicero's ethos in *Inst.* 12.1.14–20 with Connolly 2007, 256–258 and Stoner 2022, 98.

81   The question of whether for such a consistent character portrayal the commentaries and scholia were partly relying on the technique of *ethopoiia* in commentaries on poetic texts, is beyond the scope of this paper. They had at least learned this kind of approach to persons in literary texts in their own education. Cf. e.g. Jakobi 1996 on Donatus' commentary of Terence, who shows that it was Donatus' aim "die Einheitlichkeit innerhalb der Charakterzeichnung aufzuweisen" (165); this was according to Jakobi even the core of his exegesis (177).

82   In the *Scholia Gronoviana* we find a similar expression of an indissoluble link of Cicero and a concept, namely peace (*Schol. Gron. Marc.* 295.8–9 St.: *nec enim locus esse poterat inter bella Ciceroni*).

been solved so far.[83] It is hard to identify the reasons why the commentary by Asconius and the Bobbio scholiast suffered disarrangement in their manuscript tradition. In the case of the Bobbio corpus, we can be pretty sure that this happened before the end of fourth century CE. Perhaps one can connect the development to the increasing importance of the exemplary model of historical commemoration, in which absolute chronology was not the only, and not automatically the preferred, method of arranging historical material. Another one could be a thematic (as in Ampelius) or simply an order at random (as in Gellius' *Noctes Atticae*). In addition, the accessibility of the speeches could have played a role: did one want to start with easier texts? Ultimately, the order in which the speeches are transmitted does not easily relate to any one principle. We simply have to accept that real users often do not behave like the implied reader whom a text constructs. At a certain moment the actual readers of the commentaries seem to have lost interest in historiographical chronology when reading Cicero's speeches. Yet, even in their mutilated and reversed form as they appear today, Asconius and the *Scholia Bobiensia* contain enough elements of exemplary discourse to be a relevant piece of evidence for the afterlife of Cicero as a political *persona* in Late Antiquity.[84]

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83 Cf. on the problem of chronology Zetzel 2018, 144, who remarks that in the case of Asconius, the textual tradition reaches out until his rediscovery in the Renaissance, whereas for the *Scholia Bobiensia* he concludes that "[t]he collection of the Bobbio scholia is likely to remain opaque".

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9

Deinceps haec omnia non dicta, sed scripta contra reum: The Fictional *Verrines* in the Ciceronian Scholia and beyond

Christoph Schwameis

1　Fictionality

The theory that Cicero never really delivered the *actio secunda in Verrem* in court, but only pretended to do so in a published text, is one of the most fascinating aspects of this oration.[1] If Cicero never really spoke about the misdeeds of Verres, several questions arise. Are there any differences to be traced between this oration and the orations that were certainly given and published later? Is this matter important for the general debate about the relationship between the spoken and written versions of Cicero's speeches?[2] Is there any connection between the invective and fictionality, since the most vigorous invectives that Cicero created, the *actio secunda in Verrem* and the second *Philippica*, are, as far as we know, speeches that were never delivered?[3]

Regarding the importance of this matter I have just outlined, it is astonishing to consider that the interpretation of the *actio secunda* as a fictional oration is mostly based on the ancient scholia we know as 'Ps.-Asconius'.[4] The extensive scholia on the *Verrines*, once ascribed to Asconius Pedianus, seem to have once dealt with the whole *corpus Verrinum*.[5] They are only partially preserved

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1　I regard the *actio secunda* as one oration that is divided into five books. See Schwameis 2019, 65–77 with further literature. Therefore, I use the terms 'oration' or 'speech' when referring to the *actio secunda*.—All translations in this chapter are my own, unless otherwise indicated.

2　For this debate see Schwameis 2019, 8 n. 22 with further literature and especially Powell and Paterson 2004, 52–57; Stroh 1975, 31–54.

3　For the edition of these undelivered speeches in general see now La Bua 2019a, 47–54 referring to their status as "pamphlets", for the second *Philippic* see Ott 2013.

4　The erroneous identification with Asconius was demonstrated by Madvig 1828; see pp. 84–88 on earlier doubts about the identity of the scholiast.

5　For the origin and form of these scholia see La Bua 2019b, 668 n. 16 with further literature and his conclusion on p. 680 and Farrell in this volume. For their date (fifth century CE) see La Bua 2019a, 159 n. 408; Zetzel 2018, 259; Benario 1973, 66–67; Gessner 1888, 9; Madvig 1828,

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and contain comments on the *Divinatio in Caecilium* and the *actio prima*, the *De praetura urbana*, and the beginning of the *De praetura Siciliensi*, approximately its first fifth. As remnants of the rhetorical teaching in Late Antiquity, they provide us with further evidence of the importance which the *Verrines* had in classrooms at this time, as is also indicated by the *Scholia Gronoviana*, papyrus fragments, and palimpsest fragments from this period.[6] However, Ps.-Asconius is of course not the only source to claim that the speech was a literary exercise and never delivered.

As is well known, there is no overt sign of its fictionality in the speech itself. Indeed, Cicero stresses the surprising presence of Verres at the beginning of his speech—according to him, this presence was counter to all expectations (*Ver.* 2.1.1–4). Only here does Cicero emphasize Verres' presence and therefore seems to present a clue regarding his actual absence.[7] There is not, however, any explicit statement in other writings of Cicero that indicates the speech's fictionality (*Orat.* 131, 167). It is treated just as any other of Cicero's speeches, which is also true for Quintilian, who quotes the *actio secunda* frequently. Nevertheless, there are three rather short statements about this topic, which I will briefly address.

In a letter written to Tacitus at the end of the first century CE, Pliny deals with the demand for brevity in speeches and the relationship between delivered and published speeches.[8] Although Pliny acknowledges the differences between given and published speeches (published speeches, he says, are often

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140–142. Gessner 1888, 28–29 tries to prove that Ps.-Asconius was a pupil of Servius, which is dismissed by Zetzel as "unnecessary" and by La Bua 2019b, 670 as "dreamt up". Nevertheless, Servius' influence on Ps.-Asconius is obvious. It has recently been discussed by La Bua 2019b.

6   For early Eastern papyri of the *Verrines* see Maffei in this volume, pp. 75–77; 81–82. La Bua 2019a, 87–90, 93–94; Zetzel 2018, 144 who indicates on p. 147 that there may have been three or four different commentaries combined in the *Scholia Gronoviana*. Correspondingly, Servius in his commentary on Vergil cites them more often than other speeches (26 times—compared to 14 quotations of the *Catilinarians*, 11 of the *Philippics*), see La Bua 2019a, 155–156. In Grillius' commentary (Ps.-Asconius' contemporary) on Cic. *Inv.*, I count 18 quotations (*Mil.* five times) according to the index by Jakobi 2002, 98–99. The importance of the *Verrines* in Late Antiquity is further shown in quotations in Ammianus Marcellinus and Augustine, see MacCormack 2013, 263–264; Hagendahl 1967, 50–51.

7   Butler 2002, 75–76. Gurd 2010, 95–96 who in general argues that there are signs of self-conscious reflection on its fictionality in the speech itself.

8   For this letter, see La Bua 2019a, 39–41; Zehnacker 2009, 126–130; Gamberini 1983, 27–32; Sherwin-White 1966, 132–135. It is ironic that Tacitus is the addressee of this letter, since this author is today considered as an important witness for the disproval of the fictionality theory. Does it not seem strange that Pliny wrote in this way, if he had thought that Tacitus had a different opinion on this subject?

shortened), he nevertheless underlines their general equivalence. In his view, published speeches are similar to the delivered ones. He proves this similitude with the side remark that even speeches like the *Verrines* that have never been delivered contain oral facets:

> ideo in optima quaque mille figuras extemporales invenimus, in iis etiam quas tantum editas scimus, ut in Verrem: "artificem quem? quemnam? recte admones; Polyclitum esse dicebant."[9]

> Therefore, we find in the best speeches innumerable spontaneous ways of speaking, even in those which were, as we know, only published like those against Verres: "Which artist? Which? You remind me correctly: They said it was Polykleitos."

Pliny's words are plain and factual, whereas the reference that Cassius Dio gives one hundred years later in a speech he ascribes to Q. Fufius Calenus is overtly hostile.[10] The approach taken here is still best expressed by Zieliński's term "Cicerokarikatur".[11] In his long invective, Calenus *inter alia* attacks his opponent Cicero because he had never really delivered a speech, but only wrote and published them afterwards. As a pretentious coward, Cicero (according to Calenus) either promised more than he could do or attacked his opponents without daring to come into court. As an example of this reproach, Calenus then uses the prosecution of Verres, asking Cicero to remember how he proceeded in this particular case:

> ἐς μὲν γὰρ τὸ φῆσαι καὶ ὑποσχέσθαι τι θρασύτητι πάντας ἀνθρώπους ὑπερβάλ-λεις, ἐν δὲ δὴ τοῖς ἀγῶσιν αὐτοῖς, ἔξω τοῦ λοιδορῆσαί τινα καὶ κακῶς εἰπεῖν, καὶ ἀσθενέστατος καὶ δειλότατος εἶ. ἢ οἴει τινὰ ἀγνοεῖν ὅτι μηδένα τῶν θαυμαστῶν σου τούτων λόγων οὓς ἐκδέδωκας εἴρηκας, ἀλλὰ πάντας αὐτοὺς μετὰ ταῦτα συγγέγραφας, ὥσπερ οἱ τούς τε στρατηγοὺς καὶ τοὺς ἱππάρχους τοὺς πηλίνους πλάττοντες; εἰ δ' ἀπιστεῖς, ἀναμνήσθητι πῶς μὲν τοῦ Οὐέρρου κατηγόρησας …[12]

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9   Plin. *Ep.* 1.20.10; cf. *Ver.* 2.4.4.

10   For Cassius Dio's attitude towards Cicero and this speech in particular, see Burden-Strevens 2020, 89–92; La Bua 2019a, 108–109; Mallan 2016; Montecalvo 2014, esp. 366–406.

11   See Zieliński 1967, 280–288, for the term itself see p. 280: "man gestatte das häßliche Wort für ein häßliches Ding".

12   D.C. 46.7.3–4. Translation by Carey 1917.

> In making assertions and promises you surpass all mankind in audacity, but in the trials themselves, apart from reviling and abusing people, you are most weak and cowardly. Or do you think anyone is ignorant of the fact that you never delivered one of those wonderful speeches of yours that you have published, but wrote them all out afterwards, like persons who fashion generals and cavalry leaders out of clay? If you doubt my word, remember how you accused Verres …

Of course, Calenus exaggerates the general idea in his own invective: no one could seriously assume that Cicero had not in fact delivered *a single* speech of invective because he was afraid of presenting his attacks in court. Nevertheless, in order to render his argument plausible, Calenus seems to be referring to a shared knowledge or at least to an accepted opinion, namely that the *actio secunda in Verrem* had never been delivered. This idea, however, is not polemic itself and not necessarily a part of the invective against Cicero, as Tempest interprets it.[13] It is only the *way* Dio or his speaker Calenus uses it, that is demeaning.

A third indication comes from parts of the *Scholia Gronoviana*, from the scholiast known as 'Gronovianus B'.[14] He states, while referring to the beginning of the *actio prima*: 'Some regard this delivered speech as the pleading (*actio*) for the reason that it alone was spoken at the trial, whereas the rest of the speeches were written after the trial was over' (*actionem quidam ideo dictam hanc orationem arbitrantur, quia haec tantummodo dicta est in iudicio, ceterae vero orationes postea scriptae sunt*, 328.13–14 St.). While the opposition between delivering and publishing (*dicta–scriptae*) is the same, as we shall discern in Ps.-Asconius, the context (an incorrect explication of the word *actio*) and the place of this remark seem noteworthy. Afterwards, this scholiast also deals with this subject in his introduction (*argumentum*) to *De praetura urbana*. Unfortunately, the beginning of its *argumentum* is not extant, and therefore it is not known if he began in the same way as Ps.-Asconius. Still, in the preserved part of the *argumentum* 'Gronovianus B' explains: 'It is certain that all speeches against Verres were published before Cicero's aedileship' (*satis autem constat omnes in Verrem orationes ante aedilitatem editas esse*, 341.16–17 St.). Of course, this statement does not tell us that the speeches have never been delivered, but nonetheless it stresses their published form. Further on, we perceive another clear ref-

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13   Tempest 2006, 32.
14   For these scholia see Zetzel 2018, 145–147 (whose classification, however, is misleading) and 258; Stangl 1905–1906. They closely resemble Ps.-Asconius and may have been dependent on him, see Stangl 1884, 16–18.

erence to the fictionality in the explanation to the *responsurum* (*Ver.* 2.1.1): 'He pretends that he is present; but Verres had left the city' (*fingit illum praesentem esse; ille autem exierat*, 342.14 St.).

Even if we do not know if 'Gronovianus B' has dealt with the subject in a part of the scholia now lost to us, we can be sure that in the preserved text he stresses it much less than Ps.-Asconius does. It is remarkable how differently the two scholia treated this subject, as far as we know. As in the scattered remarks in Pliny and Cassius Dio, only the fictionality of these speeches is stated. In all these texts an explanation for the non-deliverance of the *actio secunda in Verrem* is lacking, since Cassius Dio's polemic explanation (cowardice) cannot be taken seriously. Therefore, their influence on modern research is doubtless far less important than Ps.-Asconius' view of this aspect.

Two ways of dealing with Ps.-Asconius as a source for this subject present themselves. On the one hand, those who accept the *actio secunda* as a literary exercise treat these scholia as a reliable source. They are quoted alongside other sources such as Cicero, Pliny, etc. in lexicon articles.[15] Butler even stresses the generally "valuable information" they give in spite of their time of creation, before discussing the chapter on the fictionality thoroughly.[16] Accordingly, he never indicates their errors and misunderstandings. On the other hand, those who aim to disprove the fictionality of the *actio secunda* treat this testimony disparagingly and deny its value. Often, they do not examine these scholia thoroughly, but merely dismiss them in footnotes.[17] For example, Powell and Paterson, who try to prove the factuality of the *actio secunda*, summarily discard Ps.-Asconius with the argument that scholia from the fifth century cannot be taken as serious testimony.[18] Likewise, Pittia briefly argues that some historical mistakes found in the scholia reduce their historical value.[19]

Kathryn Tempest, however, tries to refute Ps.-Asconius' explication comprehensively in a chapter of her PhD thesis.[20] There, she collects several possible testimonies for the fictional nature of the *actio secunda* in order to reject their significance. Interestingly, she starts with Ps.-Asconius himself, whom she obviously judges as the weakest testimony. In order to dismiss his account, she uses three different arguments. First, she states the (obvious) fact that the scholiast

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15 Cf. for example *RE* 8 A,2 (1958), 1630.65–1631.18 (Habermehl); *RE* 7 A,1 (1939), 848.56–58 (Gelzer).

16 Butler 2002, 74–76.

17 Madvig 1828, who does so and insists on the low quality of the scholia in order to prove that their author cannot be Asconius, conspicuously refrains from mentioning this subject.

18 Powell and Paterson 2004, 56.

19 Pittia 2004, 15 n. 2.

20 Tempest 2006, 26–28.

wrote many centuries after the trial and was therefore not present at it, making his interpretation "dependent on a tradition".[21] Second, Tempest argues that the scholiast only used the words of Cicero himself to prove his theory and did not add "anything new to the debate".[22] Third, Tempest reasons that Ps.-Asconius was generally not well informed, since he twisted the order of prosecution and defence in the second part of the trial.[23]

Tempest only takes the section about the supposed fictionality of Cicero's speech into account without noticing that there are several explications to be found in the scholia that cannot come from Cicero's text alone. Nevertheless, she addresses many important aspects of these passages and has offered the most substantial discussion of Ps.-Asconius' theory on fictionality until now. However, she is not interested in these scholia for their own sake but treats them solely as an obstacle to be removed in order to refute the theory of fictionality. Her only intention is to depreciate Ps.-Asconius as a reliable testimony. In my view, she fails to do so, as her tripartite argumentation against the scholiast's value does not disprove this theory on the fictionality itself, which was presumably transmitted to him by earlier scholiasts with the knowledge or the sources of Pliny and Cassius Dio, as will be shown below.

Until recently, a full assessment of this scholiast and his value for understanding Cicero's *Verrines* has been lacking. Yet, the growing interest in Roman scholia in general in recent years, and Ciceronian scholia in particular, has led to new considerations of Ps.-Asconius which were then embedded in ancient scholarship and considered in this context. Most prominently, Giuseppe La Bua in *Cicero and Roman Education* discusses Ps.-Asconius as a rhetorical handbook, "a commentary tailored to students in need of a good grounding in rhetoric".[24] Primarily considering the introductions in the commentary, he additionally deals briefly with their theory of fictionality: he states that the scholiast highlighted the fictionality and compares the modern debate on the "speech's artificiality" with an analogous ancient debate.[25]

I do not intend to solve the riddle of the true nature of Cicero's *actio secunda* in this chapter. Nonetheless, a fair and balanced assessment of Ps.-Asconius' scholia in general, particularly his presentation of this subject, may represent another piece in assembling this jigsaw puzzle. After a short introduction to

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21   Ibid., 26–27.
22   Ibid., 27. I shall discuss this aspect more thoroughly, in what follows.
23   Ibid., 27–28. This will also be discussed briefly in this chapter, p. 227 n. 57.
24   La Bua 2019a, 201. See also La Bua in this volume.
25   La Bua 2019a, 205–206.

these scholia in general, I will undertake a close reading of Ps.-Asconius' comments on this subject, followed by an outline of the impact of his observations on modern commentaries.

2   Ps.-Asconius' Scholia: General Characteristics

As it is usual in scholia of this time,[26] Ps.-Asconius introduces every commented speech by a so-called *argumentum*, a lengthy summary of the circumstances and the subject of the subsequent text,[27] followed by a detailed commentary, the *enarratio*. The scholia are not merely exegetical and concerned with rhetorical and linguistic matters:[28] both in the summaries and in the detailed commentaries the unknown scholiast discusses political and historical circumstances, although he commits many errors.[29] Remarkably, he also admits at one point that he is not informed, when he concedes that he has not discovered why the Sicilians have been under-reimbursed (223.16–17 St.). Elsewhere, he states that he does not fully understand the sense of a sentence and can only guess what it means (256.6 St.). Even if some of the information and interpretations contained in the scholia are incorrect, with others probably based only on Cicero's speech itself, they nonetheless also inform us about topics Cicero does not address or mentions only vaguely. At times, Ps.-Asconius is the only source for the historical and political context. In the detailed commentary we learn, for example, that the brothers Celer and Nepos Metellus brought an indictment against Lepidus, the former governor of Sicily (187.12–14; 259.1–3 St.). The scholiast thoroughly explains the circumstances of Hortensius' defence of his cousin Varro (193.19–26 St.). Moreover, he knows of different theories about the name of the so-called *Achaicus inquisitor* (*Ver.* 1.6), the man who helped to delay the beginning of the trial against Verres (207.8–20; 208.9 St.).[30]

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26   Ibid., 190–191; Madvig 1828, 88.

27   For the *argumenta* found in Ps.-Asconius see La Bua 2019a, 201–207, for *argumenta* in Ciceronian scholia in general La Bua 2019a, 191–219, and Keeline 2018, 28–42, and La Bua in this volume.

28   For an assessment of the linguistic notes in Ps.-Asconius see La Bua 2019a, 159–162.

29   For a list of historical and further mistakes in these scholia see Madvig 1828, 108–134, see also Gessner 1888, 23–24.

30   Even the hypercritical Madvig 1828, 106–108 notes some of this 'special information' and concludes: "quae nisi ex antiquis et bonis fontibus derivata esse non possunt." For a brief, but balanced assessment of the historical information as given in these late scholia see Pieper in this volume, pp. 198–199.

These bits of historical and judicial information demonstrate that the commentator resorts to a longstanding scholia tradition of using independent historical material.[31] Ps.-Asconius explicitly refers to predecessors, although he never names any of them in particular, as is usual in the Ciceronian scholia.[32] Sometimes he simply mentions other scholars in connection with historical details or the explanation of a word, while in other cases he enumerates several opposing opinions without contradicting them in any way.[33] The most interesting cases of 'scholarly debates' in Ps.-Asconius, however, are those where the scholiast mentions other scholars in order to refute them,[34] especially concerning rhetorical aspects. For example, in the first instance, regarding the *exordium* of the *Divinatio*, the scholiast states: 'Many wonder about the narrative in the introduction and criticize it severely, but wrongly' (*narrationem in exordio multi admirantur ac⟨ri cum⟩ reprehensione, sed non recte*, 187.3–4 St.). A brief rhetorical explanation follows. What all these statements have in common is that the scholiast opposes any negative assessment of Cicero,[35] thus seeming to stage himself as a defender of the orator, whom he alone can judge correctly. The court situation of the commented speech may thus be transferred to the scientific debate in the scholia with the scholiast delivering a practical proof of his rhetorical mastery. Moreover, here the tendency to devalue the opinion of others in order to emphasize one's own superior rhetorical knowledge is apparent.[36]

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31   Cf. La Bua 2019a, 162–172 on the genesis of these "variorum works" in general.

32   La Bua 2019a, 164–165.

33   Ps.-Asc. 187.26–188.3; 199.29–200.3; 207.18–20; 217.8–13; 220.1–3; 230.33–31.13; 232.22–33 St. Cf. La Bua 2019a, 163 for the "technical expression" of alluding and a similar list in n. 424. La Bua describes here a possible didactic value of these discussions in scholia like that of Ps.-Asconius: "Within a systematic collation of data, scholars provided their readers/students with a controlled, exhaustive series of different explanations, placed side by side, inviting them thus to familiarize themselves with scholarly debates on the scrutinized text or passage." See also La Bua in this volume.

34   La Bua 2019a, 166 generally sums up this tendency of ancient scholarship: "Each interpreter claims authority. Each interpretation is implicitly legitimated by refuting previous scholarly evaluations". He also describes this (p. 165) as a certain tradition of Ciceronian scholarship, when discussing the debate between Fenestella and Asconius. On early critics of Cicero see Bishop in this volume, p. 157; on the apologetical character of Ciceronian scholia see Pieper in this volume, pp. 206–210. A similar debate can be traced in the ancient scholarship on Vergil's *Aeneid*, see the classical study of Georgii 1891.

35   For similar corrections of negative (rhetorical) assessments cf. Ps.-Asc. 191.3–4; 191.23–32; 192.110–112; 196.1–3; 233.1–4; 250.13–16; 257.13–15 St. La Bua 2019a, 178–181 has already discussed some of these passages and connected them to the tradition of controversial scholarly debate since the period of the early Empire.

36   Cf. La Bua 2019a, 171 describing the ancient commentator who "implicitly enters into com-

In order to prove this knowledge, the scholiast furthermore at times does not hesitate to contradict Cicero's account, thereby additionally showing his insights into the orator's fabrication, as is customary in ancient scholia.[37] Ps.-Asconius indicates now and then that Cicero is not always to be believed or taken literally. For example, he recognizes rhetorical amplifications (187.6–8 St.), indicates that the orator is deliberately concealing inappropriate information (241.16–18 St.), and points out that Cicero is only pretending to omit facts willingly that he simply cannot prove (247.6–7 St.). Furthermore, he shows himself aware of discrepancies in Cicero's speech and explains divergent information with the dissimilar purposes of different speeches (191.29–32 St.).[38] In this context, he also spots intentions that the orator does not show openly, but only indirectly (201.9–14 St.). When Cicero implies further misdeeds of Caecilius, the scholiast asserts that this is only an oratorical insinuation or threat (197.1–3,15–16 St.).[39] In the same way he declares that it would be senseless to identify some senator and knight mentioned by Cicero in the *actio prima*, 'as if the uttered words were true, as if they were not purposefully invented by Cicero in order to denigrate his adversaries and to defend himself' (*quasi certum sit quod dicitur, et non de industria fingatur a Tullio ad invidiam adversariorum et sui defensionem*, 212.14–15 St.). Elsewhere, he rightly points out a polemic: 'All this is said in disparagement rather than truth' (*totum hoc magis invidiose quam vere dicitur*, 219.21–22 St.).[40] These observations, however, never lead to a negative assessment of Cicero; sometimes, they even lead to the aforementioned criticism of other scholars who had, in turn, unjustly rebuked Cicero. Instead, these remarks give the impression that Cicero's con-

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petition with his erudite rivals. He asserts thus his authoritative role as a trustworthy exegete and offers his interpretation as the unique, reliable source of knowledge."

37 See in this volume La Bua in general and Bishop, pp. 167–168, on the scholia to Demosthenes' *On the False Embassy* and the Bobbio scholia to Cicero's *Pro Milone*.

38 Cf. Ps.-Asc. 196.1–3 St.: 'Inappropriately, some wonder … they do not realize that this is adapted to the current situation. After the condemnation of Caecilius it was no longer necessary' (*inepte quidam mirantur … non intelligunt haec ad tempus commode adiungi: quae victo Caecilio non sunt necessaria*).

39 Cf. Ps.-Asc. 226.19 St.: 'He silently threatens not only Verres, but also the jury' (⟨*non*⟩ *modo Verri, set subtiliter etiam iudicibus comminatur*).

40 For another excellent assessment of Cicero's invective cf. also Ps.-Asc. 233.1–4 St.: 'People criticize Cicero most foolishly for attacking Verres' son, an innocent child, failing to realize that as an excellent accuser Cicero provides that Verres jun. does not inspire pity of the jury for the father when he is brought out at the end of Hortensius' speech' (*reprehendunt homines stultissime Tullium, quod in filio Verris innoxiam laedat aetatem, ignorantes illum accusatoria arte providere ne in epilogis productus ab Hortensio conciliet misericordiam iudicum patri*).

traditions, exaggerations, etc. are entirely appropriate to his oratorical task, which only Ps.-Asconius is capable of understanding.[41] These expositions are thus comparable to the cases in which he overtly praises Cicero's rhetorical art.[42]

3   Ps.-Asconius and the Fictionality of the *actio secunda*

The culmination of these insights, however, is the theory on the fictionality of Cicero's speech. While the other short and scattered observations concern details and do not fundamentally contradict Cicero's statements, this theory affects the interpretation of the entire speech and is stated extensively and coherently in an entire section of the text. Its special status is also demonstrated by the fact that the scholiast not only deals with these circumstances in the introduction to the new speech (the *argumentum*), but also at the end of the scholia on the *actio prima*, a treatment which he never does elsewhere. He thereby stresses that an entirely new section begins and distinguishes the *actio secunda* clearly from the previous speech.

3.1   *The Final Remarks on the* actio prima
At the end of his comments on the first part of the trial, the scholiast outlines its further course. He states that Cicero presented witnesses and documents for many days. Then, he continues in this way:

> quibus rebus adeo stupefactus Hortensius dicitur, ut rationem defensionis omitteret, adeo perculsus Verres, ut abiret in exilium sua sponte. nec quid amplius in iudicio gestum est nisi quod Tullius, metuens ne tantum negotium paene tacitum praeteriret, finxit Verrem comperendinationi praesto fuisse, ut bis defensus accusaretur iterum. et quemadmodum victoriae consuluerat brevitate dicendi, ita laudem eloquentiae tamquam

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41   One might even suspect that some of these refuted points of criticism are nothing but an invention of the scholiast to make his own point better, which of course is impossible to prove. Scholarly debate on Cicero's person and speeches, after all, was traditionally controversial, cf. La Bua 2019a, 100–182.

42   Cf. e. g. Ps.-Asc. 193.27–28 St.: 'That is magnificently expressed—in these addresses one often recognizes the greatness of Cicero's skill' (*mire ... hoc dicitur: quae saepe virtus maxima Ciceronis in huiusmodi allocutionibus invenitur*). Such praise is frequent, cf. 192.12–13; 196.26–27; 199.7–8; 205.24; 215.28–29; 221.25–27; 242.6–8; 261.19; 262.5 St. See La Bua in this volume, p. 30 n. 25, on the use of praising adverbs in Ciceronian scholia.

repetita accusatione est consecutus reliquorum conscriptione librorum, qui ceteros consequuntur.[43]

> Because of these things they say that Hortensius was so shocked that he omitted his defence altogether and Verres was so stunned that he went into exile voluntarily. Nothing further was done in court, but Cicero, who was afraid that his hard work would not be talked about, pretended that Verres was present at the hearing after the adjournment, so that he was twice defended, twice accused. And as Cicero had brought about his victory by speaking little, he won fame for his eloquence in the supposedly renewed accusation by writing the following books.

The importance of these words has to be emphasized in order to assess them properly. For the first time, the presumed non-deliverance of the *actio secunda* is not merely addressed on its own terms, but also furnished with a credible reason: the scholiast concisely explains that, although Hortensius had deserted him and Verres was gone for good, Cicero did not want to waste his efforts and miss the chance of earning glory for his eloquence and that he therefore only purported that Verres was present.

When describing this, Ps.-Asconius uses the verb *dicitur* ('they say'). One wonders, who said so? After all, this explanation corresponds aptly to ideas that Cicero himself expressed at the beginning of the *actio secunda*,[44] which concerns the reaction of the defence. While describing the results of his strategy in the *actio prima*, Cicero states:

> id sum adsecutus ... ut alter dies amicis istius ac defensoribus non modo spem victoriae sed etiam voluntatem defensionis auferret, ut tertius dies sic hominem prosterneret ut morbo simulato non quid responderet, sed quem ad modum non responderet, deliberaret. deinde reliquis diebus his criminibus, his testibus, et urbanis et provincialibus, sic obrutus atque oppressus est ut his ludorum diebus interpositis nemo istum comperendinatum, sed condemnatum iudicaret.[45]

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43   Ps.-Asc. 223.26–33 St.

44   Ps.-Asconius uses Cicero's own words and presentation also in other introductions, cf. La Bua 2019a, 204. On further examples for usages of Cicero's own words found in the scholiast see Schmiedeberg 1905, 52–53.

45   Cic. *Ver.* 2.1.20.

I achieved … that the second day caused his friends and defenders to give up the hope for victory and the desire for defence, the third day prostrated the man so that he pretended to be sick and deliberated not what, but how he could *not* answer. In the following days he was crushed and defeated because of these charges, witnesses from the city and the province. Consequently, nobody reckoned that his trial would be resumed in a second hearing after the games, but that he was already condemned.

According to Cicero, he was so successful that Verres and his supporters lost all hope for defence, did not know how to answer to these charges or testimonies, and voluntarily renounced the defence. While this statement only refers to the *actio prima*, it may have been transferred to the *actio secunda*: just as Verres, according to Cicero, had surrendered during the *actio prima*, he gave up afterwards. The similar phrases and sentence structure Cicero and Ps.-Asconius use when describing these events point to a correspondence (*rationem defensionis ~ voluntatem defensionis; adeo perculsus Verres, ut abiret ~ sic hominem prosterneret, ut …*).[46] As well, the idea of exile as Verres' imminent fate is expressed in two parts of the *actio secunda*.[47] Ps.Asconius (rightly) understands Cicero's remark that Verres was already at the city gates on his way out (*Ver.* 2.1.23) when the *actio secunda* began.[48] Apart from that, Hortensius' silence is a well-known fact that was also attested later by Cicero (*Orat.* 129), although we know that at some point afterwards he delivered a speech for him (Quint. *Inst.* 10.1.23).[49] The intentions of Cicero, as presumed by Ps.-Asconius, may also stem from the *Verrines*, for right at the beginning Cicero shows in a mixed conditional what an absence of Verres would have meant to him:

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46   Ps.-Asc. 205.13–15 St. probably already quotes these words when describing the end of the first trial in the speech's *argumentum*: *qua arte ita est fatigatus Hortensius, ut nihil contra quod diceret inveniret, ipse etiam Verres desperato patrocinio sua sponte discederet in exilium.*

47   Cic. *Ver.* 2.3.205; *Ver.* 2.5.44 (about Verres' ship): 'To all who had seen it, it already seemed to point towards exile and to look for an opportunity for its master to escape' (*quae quidem omnibus qui eam aspexerant prospectare iam exsilium atque explorare fugam domini videbatur*).

48   In any case, Ps.-Asconius does not tell where Verres fled to, as Cicero does not indicate this. This piece of information remains unknown to this day.

49   For this speech see Schwameis 2019, 7 n. 17 with further literature. Its authenticity was disputed by La Bua 2019a, 104 n. 36.

> si iste id fecisset quod prius statuerat, ut non adesset, minus aliquanto quam mihi opus esset cognosceretur quid ego in hac accusatione comparanda constituendaque elaborassem.[50]

> If Verres had done what he had intended to do, that is, not to be present, my hard work in prosecuting him would be less appreciated than would be useful to me.

The scholiast (or his sources) could have simply abandoned the counterfactual mode of this sentence and produced a real purpose. The fact that Ps.-Asconius comments upon exactly this subject shows how important this information from Cicero has been for his own theory of fictionality.

Let us now take a look at the peculiar presentation: Ps.-Asconius in this explanation not only distinguishes the first and second part of the trial, but also tries to combine them in some way. By elegantly using a rhetorical antithesis, the scholiast identifies the different means of securing a victory and of gaining oratorical distinction: brevity and abundance, spoken and written words. We shall see this mode of description by means of contrast again. Yet, after having stated the differences between the two parts of the trial, the scholiast emphasizes that the reason and outcome of both speeches, delivered or not, were the same: success and renown for Cicero's work. In this way, the scholiast at the transition of the two speeches, on the one hand, fashions a most elegant connection, and on the other hand, praises both the speech already discussed and the one being examined afterwards. In my opinion, there is a kind of schoolroom rhetoric discernible, as the teacher justifies why he has dealt with a speech of Cicero and why he is continuing to concern himself with another one now—they are both oratorical masterpieces.[51] It is striking that Ps.-Asconius uses the word *fingere* here for the first time;[52] he then constantly adapts it for the fiction of the *actio secunda*.[53] This can be seen at the very beginning of his commentary on the *actio secunda*.

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50 Cic. *Ver.* 2.1.2.

51 On the 'didactic nature' of these scholia see La Bua 2019a, 159 and 162.

52 Apart from that, Ps.-Asconius seems to make a small judicial mistake here: in fact, a second part of the trial was necessary. If there had not been one, Verres would have never been convicted. This mistake has been common until today. See for this subject Schwameis 2019, 7 n. 19. However, when this adjournment took place without Verres, it was of course different from the situation Cicero describes in his *actio secunda* that therefore remains fictional. Thus, this error does not diminish the value of Ps.-Asconius' statements here.

53 Cf. La Bua 2019a, 206 n. 107; Gurd 2010, 50. For this term in Ciceronian scholia see also La Bua in this volume, p. 35.

3.2   *The Introduction to the* actio secunda

deinceps haec omnia non dicta, sed scripta sunt contra reum, quod ⟨ita⟩
factum est: fingit Cicero adesse in iudicio Verrem comperendinatum,
respondere citatum et defendi. in ceteris enim orationibus defensor futu-
rus, accusationis officium his libris qui Verrinarum nomine nuncupan-
tur compensare decrevit, et quoniam accusare multos indecorum Tullio
videbatur, in una causa vim huius artis et eloquentiae demonstrare. nam
et bene intelligentes omnem virtutem oratoriam quaecunque in crimi-
nationibus constituta est hic expressam vident, et contra ex hoc defen-
sionum vim in ceteris orationibus et nervos eius ex hac virtute cognoscunt
quae in opprimendo expromitur reo. igitur rerum scaena sic ficta est, ut
dicit Tullius, non ut acta res est. "Adest", inquit "Verres, respondet, defendi-
tur". ergo cum prima Actione accusatus sit ac defensus Verres, nunc velut
defensus iterum (sic enim mos erat) in altera Actione accusatur ad ulti-
mum rursus oratione perpetua.[54]

Afterwards nothing of this is spoken anymore, but everything is (only)
written against the defendant. And it was done this way: Cicero pre-
tends that Verres is present at the hearing after the adjournment, that he
responds and is being defended. Cicero who was going to be an advocate
for the defence in the rest of his speeches, resolved to fulfil the duty of
a prosecutor by means of these speeches, which are called the *Verrines*.
Since he thought it would be unseemly to prosecute many, he wanted
to show his oratorical vigour of this art and type of eloquence in one
case. For experts, on the one hand, find here every rhetorical compe-
tence, which is required in prosecutions, on the other hand, they find
the vigour of defences in the other speeches and recognize his oratorical
power in the excellence, which he showed in the prosecution. Therefore,
the scene is invented by Cicero's words, when he says: "Verres is present,
he responds, he is being defended." It is not real. As Verres was prosecuted
and defended in the first part of the trial, it is now pretended that he is
(first) defended again (as was usual) in the second part and then prose-
cuted again in a continuous speech until the end.

It is obvious how similar the choice of words is to the aforementioned section.
Again, the scholiast uses an antithesis to point out the difference between the

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54   Ps.-Asc. 224.1–14 St.

previous and the following oration. While he has stressed the contrast between length and shortness before, he now emphasizes that between speaking and writing. We can perhaps detect a typical perspective of Ciceronian scholarship here, since (the real) Asconius when distinguishing the unsuccessful delivered *Pro Milone* from the perfectly written one similarly states: *non ea qua solitus erat constantia **dixit**. ... **scripsit** vero hanc quam legimus ... perfecte* ('he did not speak with the same constancy as usual ... but this one we read he wrote perfectly', Asc. *Mil.* 42.1–4C). Still, Asconius does not claim that Cicero is simulating in the extant *Pro Milone* and he does not use the word *fingere*.

Ps.-Asconius continues to use Cicero's own phrasing (*adesse ...*, *respondere ...*, *defendi*), and again, he gives a good reason for Cicero's fiction. Although it is roughly the same as before, that is oratorical distinction, he now employs a different perspective and a different antithesis, i.e. prosecution and defence. Implying that prosecuting had a bad reputation, Ps.-Asconius justifies that Cicero was active in this genre: On the one hand, he implies that the *actio secunda* displays an oratorical mastery (*omnem virtutem oratoriam ... hic expressam*) that excuses even the ill repute of an accusation.[55] On the other hand, he stresses that Cicero confined himself to a single accusation and thereafter only acted as a defender. Both ideas are based on Cicero's account. At the beginning of the *divinatio*, Cicero presented himself as an accuser against his will, who was only diverted from his usual defences by the pleas of the Sicilians (Cic. *Div. Caec.* 1–4, cf. Ps.-Asc. 185.7–9 St.). Moreover, Cicero's frequently uttered promise that he would afterwards return to his habit of defending certainly had an impact. This promise was most prominently expressed at the end of the *actio secunda* (Cic. *Ver.* 2.5.189). Its combination with the fictionality of this speech was, however, obviously a later invention.[56] This needs to be stressed: it is only with Ps.-Asconius that we find the assertion that Cicero had to invent this speech in order to gain oratorical renown and to bring an end to his career as an accuser at the same time. Thus, Cicero is depicted as a man of integrity,[57] but above all a master of eloquence. Although defending and prosecuting are different oratorical tasks, Cicero proves his mastery and perfection in both subjects. Moreover, the scholiast himself also establishes his own expertise when he turns to rhetorical 'experts' (*bene intelligentes*), whose positive assessment he quotes (224.7–10 St.). Since Ps.-Asconius' verdict is as positive as that of the experts, he implicitly counts himself among the authorities.

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55   La Bua 2019a, 205 n. 105.

56   Butler 2002, 140 n. 27 suggests a different source for this explanation.

57   For this see Pieper in this volume, pp. 201–205.

Having outlined this, the scholiast returns to the theme of fictionality by illustrating it with a theatrical metaphor (*scaena sic ficta est, ut dicit Tullius, non ut acta res est*, 224.10–11 St.).[58] Elsewhere, too, Ps.-Asconius seems to liken the dissembling orator to an actor. For regarding an act of feigned indignation, he states: 'It's all a show' (*hoc totum* ἐν ὑποκρίσει, 248.17 St.).[59] Apart from the fact that the association of actors and orators was common in Roman rhetorical theory,[60] this manner of speaking may also be based on these speeches themselves, since Cicero uses theatrical metaphors in the *Verrines*, on which Ps.-Asconius also comments (260.26–28 St. ad *Ver.* 2.2.18).[61] Moreover, since the playwrights Plautus and Terence are the most frequently quoted poets in these scholia after Vergil,[62] this may also point to a certain importance of theatre in Ps.-Asconius[63] and more generally to the role of Roman comedy in the late antique classroom.[64]

Most of the rest of the introduction to the speech is concerned with different matters (224.15–225.7 St.),[65] which indicates that the scholiast does not regard this speech as fundamentally different from speeches that were actually delivered.[66] The scholiast twice provides an overview of the structure of the *actio secunda*, which is arranged by subject and divided into books. Understandably, he is particularly concerned with the subsequent book, which is devoted to the *vita ante acta*. He compares it to corresponding defence speeches dealing with the same subjects (224.15–16 St.), but also describes its rhetorical status as conjectural (225.1–2 St.), just as he has done in the introductions of the previous

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58   La Bua 2019a, 205.

59   See Bishop in this volume on the use of Greek terms in Latin rhetorical scholia, indicating their pedagogical origin and their connection with Greek scholia. On the term ὑπόκρισις used for both acting and oratory see Schulz 2014, 364; Zucchelli 1962, 57–73.

60   Cf. e. g. Cic. *De orat.* 1.18, 1.130, 1.251, 1.258, 2.193, 3.83, 3.214; *Orat.* 74. For the connection between orators and actors in Roman courtrooms and rhetorical theory/education see Schulz 2014 (*passim*), especially pp. 364–369; Bexley 2013; Fantham 2002.

61   Cf. Ps.-Asc. 200.27–30 St. on *Div. Caec.* 22. Ps.-Asconius also deals with the equipment of theatres (238.7–12 St.).

62   For Vergilian exegesis in Ps.-Asconius cf. La Bua 2019b.

63   For Plautus cf. Ps.-Asc. 197.27–28; 199.16–18; 212.26–27 St. For Terence cf. 187.22; 189.5; 200.21–23; 215.30–31; 246.4; 247.27–28; 263.24–25; 264.15 St.

64   Terence was, along with Cicero, Sallust, and Vergil, part of the so-called *quadriga Messii*, the most important authors (Cassiod. *Inst.* 1.15.7), see Maffei in this volume, p. 70. For Terence's popularity as a school author which resulted in commentaries see Zetzel 2018, 253–256. Plautus was less important, but is named in a canon of authors in Sidon. Apoll. *Carm.* 2.182–192, cf. La Bua 2019a, 171 n. 452.

65   Cf. La Bua 2019a, 206–207 on this part.

66   La Bua 2019a, 206 thus rightly states: "In spite of its fictionality, the *Actio Secunda* must be read as a standard oration, a text structured in line with rhetorical theory."

speeches (186.15; 206.1–3 St.). Whether the speeches are delivered or not, the scholiast evaluates and treats them with the same methods of rhetorical analysis.

It is only at the end of this section that Ps.-Asconius returns to the counterfactual nature of the speech. Again, he quotes Cicero's own words: 'against Verres, who is bold enough to be present and is being defended' (*in Verrem* **audentem adesse** *atque* **defensum**, 225.9 St.). Compare this to the beginning of Cicero's speech: 'He had decided not to be present ... It is the same Verres as always, inclined to be bold, ready to listen. He is there, he answers, he is being defended' (*statuerat ac deliberaverat non* **adesse** *... est idem Verres qui fuit semper, ut ad* **audendum** *proiectus, sic paratus ad audiendum. praesto est, respondet,* **defenditur**, Cic. *Ver.* 2.1.1–2). The scholiast is referring to special parts of the *actio secunda*, the *prohemia* (225.8–13 St.), enumerating three aspects of these introductions: exhorting the jury, threatening the adversaries, and explaining the reasons for presenting witnesses instead of giving a long speech. Ps.-Asconius concludes: 'all of this seems to me as if Cicero does not say new things but repeats assertions from the last book' (*quae omnia eiusmodi sunt, ut non tam nova dicere quam dicta libri superioris instaurare videatur*, 225.11–13 St.). The scholiast therefore recognizes that Cicero uses similar subjects as in the *actio prima* and realizes that the introductions of the *actio secunda* resemble real introductions. As he has done before, he thereby emphasizes the similarity of delivered and written speeches. That the creation of this similarity is to be considered as Cicero's accomplishment is explicitly made clear: 'The introductions of this book are obviously constructed to look like those of a real accusatory speech' (*prohemia sane huius libri in simulatione constituta sunt quasi verae accusationis*, 225.8–9 St.). It is the first time Ps.-Asconius uses the word *verum* 'real', the opposite of 'fiction' that is accompanied by *quasi* and *in simulatione*.

3.3   *Further Remarks on the Fictionality*

As he has abundantly focused on the techniques of 'fictionalizing' in the *prohemia*, Ps.-Asconius afterwards no longer has to treat the theme at length, and only speaks about this subject (at least in the surviving text) regarding the *exordium* of *De praetura urbana*. Right at the beginning (225.16–18 St.), referring to Cicero's statement that Verres surprisingly is here, he stresses the fact that the defendant was in fact absent from Rome on the day when Cicero pretended to deliver his speech. In doing so, he again uses the word 'real' (*verus*): 'All of that is Cicero's fiction so that the speech in the following books seems real, for Verres had already voluntarily gone into exile' (*hoc totum figmentum est Ciceronis, ut sequentium librorum vera actio videatur: nam Verres iam sua sponte elegit*

exilium). It must be emphasized that with his first remark Ps.-Asconius vehemently contradicts Cicero's own words in the speech, thus establishing a clear contrast between the oration and the commentary. While Cicero is deliberately feigning, the scholiast tells the truth. When assessing Cicero's first statement as a *figmentum*, Ps.-Asconius chooses a word that had been used before in scholia on poetry,[67] which seems to point to the literary status of the *actio secunda*.

Similarly, at the end of the introduction, he discusses a peculiar hint of Cicero about Verres' path into exile. Explaining Cicero's statement about the new hope that had caused Verres to return from the city gates to the trial (*spes illorum nova, quae cum Verrem a porta subito ad iudicium retraxisset*, *Ver.* 2.1.23), the scholiast states: 'Cicero fabricates this, so that we think the second part of the trial is real: but in accordance with what can be expected from reality, it was not delivered, but only written' (*hoc comminiscitur Cicero, ut credamus veram fuisse secundam Actionem: quae secundum veram gestorum fidem non dicta, sed scripta est*, 229.28–30 St.).[68] Just as he has done before, the scholiast claims that Cicero is deliberately deceiving his audience and feigning reality. Whereas he has used an impersonal formulation above (*videatur*), he now uses the first-person plural (*credamus*), thereby addressing his readers in general and inviting them to agree with him.[69] Again, the teacher appears as a kind of 'saviour' who knows the truth and informs us about the facts: his importance for understanding the speech is implicitly justified, his superiority over the text seems established. Afterwards, Ps.-Asconius does not mention the fictionality of the *actio secunda* again in the transmitted text of his scholia, neither in the rest of the *enarratio* nor in his introduction to *De praetura Siciliensi*. He seems to have made his point.

3.4   *Conclusions*

Ps.-Asconius elucidates the fictional status of the *actio secunda in Verrem* especially in two remarks on the *exordium* of the speech. His explanation and wording seem to have been based mainly on Cicero's own words. Nevertheless, something must have given him or his sources a reason to do so, since a com-

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67   Serv. *Aen.* 1.273 (*fabulosum figmentum est*); 5.85 (*est optimum figmentum poetae*); 9.104 (*est figmentum poeticum*); *Schol. Hor. Ars* 119 (*si fingis, habeat artem et verisimilitudinem figmentum tuum*). Afterwards, it was also used in Ciceronian scholia, see *TLL* 6.1, 709.72–80.

68   La Bua 2019a, 207.

69   Ps.-Asconius frequently uses the first-person plural. Once, he seems to address his readers directly: 'Recall that all jurors are present' (*memento omnes iudices praesentes esse*, 263.9 St.). For the use of the first-person plural in Ciceronian scholia see La Bua in this volume, pp. 28 ff.

parable fundamental disbelief in Cicero's words can nowhere else be detected in these scholia. As well, it seems highly improbable that he or other scholiasts originated the idea, since there are earlier testimonies for the theory, as we have seen.

By stressing the fictionality of this speech, the anonymous scholiast in my opinion seems to aim at two main goals. First, he emphasizes the rhetorical excellence of Cicero's speech by constantly stressing the oratorical art of the text he is discussing, not least in order to underpin the value of his own study and teaching.[70] Accordingly, the scholiast indicates Cicero's oratorical mastery in all introductions: regarding the *Divinatio in Caecilium* he presents Cicero as the suitable prosecutor because of his eloquence and innocence (186.1–2 St.). Referring to Cicero's short, but successful *actio prima*, he states that it is a proof of Cicero's oratorical skills despite the necessary brevity (206.15 St.). Lastly, when dealing with *De praetura Siciliensi* he praises the speech's beginning by defending it against critics, since it rightly treats great and illustrious aspects (257.13–15 St.). Correspondingly, with regard to the *actio secunda* in general, Ps.-Asconius explains that Cicero aimed at glory as an orator, especially as a prosecutor in pretending to speak against an absent defendant.

However, it is not only Cicero's intention, but also the fictionality of the speech itself that proves its rhetorical value: Ps.-Asconius clearly shows how excellent Cicero's speech is, for it persuasively deceives, replaces reality with fiction, and in this way has achieved immortal glory. This high regard for a fictional speech is perhaps better understood when we bear in mind the practice of rhetorical training in Roman schools of declamation, in which teachers and students delivered equally fictional speeches on various subjects.[71] If this kind of rhetorical training that flourished in the late Republic and the early Empire survived until Ps.-Asconius' days, his readers may have viewed Cicero's speech as an example of successful oratorical fiction and the orator himself as a role model in the art of deception.[72]

It must be emphasized that Ps.-Asconius nowhere indicates that the fictional status of the speech diminishes its oratorical value; rather it is the other

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70 For this self-fashioning of commentators, the establishment of their *auctoritas*, see in this volume Farrell, p. 142, on L. Crassicius Pansa, commentator of Cinna's *Zmyrna*, and La Bua in general.

71 For declamation in Roman rhetorical education see Bloomer 2007; Kaster 2001; Bonner 1949. For Cicero in declamation schools in the early Empire see Winterbottom 1981.

72 Bishop in this volume, p. 163, likewise states that successful rhetorical techniques are emphasized in the scholia in order to be imitated by their readers, see also La Bua in this volume.

way around.[73] Therefore, an important difference between ancient and modern scholarship on this subject must be highlighted:[74] the theory of the fictionality of this speech has been closely linked to its evaluation in the last century. Researchers who have regarded the *actio secunda* as a pamphlet, as an example of literary rhetoric that does not correspond to the structure of a normal speech, have relied on its fictional status.[75] Scholars like Tempest, by contrast, who wanted to evaluate the *actio secunda* as a genuine speech, have aimed at refuting this theory, as we have discussed above. Thus, it is important to note that this opposition is a modern one and did not exist in ancient scholarship. The knowledge that Cicero never actually gave this speech did not lead Ps.-Asconius to judge this speech as unrhetorical or as a literary pamphlet. In the same way, Asconius considered *Pro Milone*, which was never delivered, but only published, as Cicero's best *speech* (Asc. *Mil.* 42.1–4C).[76] The ancient scholars apparently understood that Cicero issued speeches, both delivered and not delivered, to show his oratorical mastery.[77] For them, the question of whether a speech was really given seems to have been less important than whether it could have been given that way. What mattered was the credibility (*verisimilitudo*) and the persuasiveness of a speech. For Ps.-Asconius, the fictionality of the *actio secunda* was apparently only a proof of how well Cicero succeeded in making the speech come across as genuine. As Bishop in this volume shows, it was quite common in Greek and Latin scholia not only to note rhetorical deception, but also to admire and praise it. This is matched by the observation of the fictionality of the entire speech, which, understood as deception on a larger scale, is meant to appear all the more impressive. Therefore, no doubt it would have seemed absurd to Ps.-Asconius that someone would use his theory to judge Cicero's speech against Verres as unrhetorical. It is time for modern research, too, to separate the speech's fictionality from its status as an oratorical work.

Let us now look at Ps.-Asconius' second goal: in my view, he tries to prove himself an excellent teacher as the author of a schoolbook. On the one hand,

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73   For the assessment of rhetoric as the 'art of illusion', which can be found in commentaries on Cicero see La Bua 2019a, 219–266. Similarly, Bishop in this volume emphasizes the acceptance of rhetorical deception in Greek and Latin scholia.

74   The comparison of ancient and modern debate made by La Bua 2019a, 205 is therefore slightly misleading.

75   Enos 1988; Fuhrmann 1980, 16–17. Cf. for this subject also Schwameis 2019, 65–68.

76   For the popularity of this speech (as shown in the copious commentary tradition) see Keeline 2018, 13–72, and see Bishop and Pieper in this volume.

77   For Cicero's intentions of editing the speeches cf. Cic. *Brut.* 122–123; *Att.* 2.1.3, 4.2.2, *Q. fr.* 3.1.11, see Schwameis 2019, 12 n. 34 with further literature.

he demonstrates the superiority of his own knowledge and skills by unveiling Cicero's 'deceit': even if the great Cicero tried to mislead artfully, he, the scholiast, cannot be deceived; he is fully capable of pointing to the reality and guiding his readers to the truth.[78] The contrast between reality and fiction that can be seen in the scholiast's phrasing is therefore also a contrast between orator and commentator. It can thus be seen that the authority of the commentator and his work is established in two seemingly opposing ways: on the one hand, by emphasizing the rhetorical excellence of the commented author, and on the other, by distancing himself from that author.

In this context, it is worth mentioning that the scholiast not only theoretically discusses style and language in Cicero's speech, but also shows how to apply it practically. Using rhetorical techniques himself, such as the repetition of words and phrases, or oppositions such as between brevity and copiousness, delivering and writing, truth and fiction, Ps.-Asconius demonstrates his own rhetorical skills. The fact that the scholiast repeats the same assertion again and again, is therefore no sign of incompetence. It corresponds exactly to his own teaching, since he elsewhere, with regard to the anaphora, indicates the power of repetition: 'It is characteristic of Cicero in the speeches, dialogues and letters to repeat the same sentence … and to use the same phrases taken from different contexts' (*proprium Ciceronis et in orationibus et in dialogis et in epistolis eandem saepe sententiam dicere … iisdem sententiis tamen ab aliqua occasione repetitis*, 226.9–11 St.).[79] Moreover, Ps.-Asconius not only proves himself to be a master of style, but also demonstrates his abilities as a writer of a rhetorical textbook, for he obviously uses the theory of fiction consciously in order to distinguish and align the *actio prima* and the *actio secunda*, thereby creating a good transition.

Of course, we do not know if the scholiast was a lecturer in his own time. Nevertheless, we do know that he has fulfilled the role of an outstanding 'instructor' until this day, as, in contrast to Pliny and Cassius Dio, his remarks on the fictionality of Cicero's *actio secunda in Verrem* offered a concise, plausible, and handy explanation directly referring to the speech itself. We shall see that his influence on the research on these speeches of Cicero has been tremendous.

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78 Cf. La Bua 2019a, 206: "Preoccupied with supporting his students in discerning the speech's verisimilitude, the schoolmaster interprets the expression *a porta subito retraxisset* as a made-up scene, concluding that such an image has been devised by Cicero to persuade his potential readers to believe the Second Action to be a reality-based performance".

79 This remark itself is a repetition, since Ps.-Asconius has already pointed out that repetition of major arguments is by no means boring, but essential (203.19–20 St.). Cf. La Bua 2019a, 280–281.

4 Reception

After Poggio had discovered these scholia together with those of Asconius Pedianus in 1416 in the monastery of St. Gall, its text was available to all scholars working on Cicero. The first edition was published in 1477, subsequent editions were published at the beginning of the sixteenth century.[80] Since then it has been widely used and has also had a huge impact on commentaries, including its theory on the fictionality of the *Verrines*. I want to delineate the aftermath of this subject in early and modern commentaries on Cicero's orations at the end of my chapter.

One of the finest early commentaries on Cicero's orations was written by the Italian humanist and printer Paolo Manuzio (1512–1574) and published again after his death in 1578. Manuzio himself had edited the scholia in 1547, so he was very familiar with them.[81] In his introduction to *De praetura urbana* he writes as follows:

> sequentes igitur quinque libros Cicero, quasi praesentem Verrem altera actione accusaret, ad eloquentiae laudem conscripsit. huius autem primi libri prooemio nihil aliud agit, quam ut Verres adesse, defendique iterum ab Hortensio, comperendinationum more, videatur.[82]

> Cicero wrote the following five books, as if he prosecuted the present Verres in the second part of trial, to gain oratorical fame. In the introduction of his first book, he does not do anything but pretend that Verres is present, is being defended again by Hortensius after an adjournment.

Manuzio not only informs his readers about the fictionality of the speech in the same place as Ps.-Asconius did, namely in the introduction to the first book, but also gives the same reason for Cicero's decision, his longing for oratorical recognition, and uses the same words. Moreover, he explicitly deals with the *prooemium* of the first speech, just as Ps.-Asconius did. Manuzio even uses the same manner of quoting Cicero's words to show his interpretation. Nevertheless, Manuzio does not refer directly to the scholiast regarding this subject, although he quotes him elsewhere explicitly. This is a facet often to be encountered in the commentaries of the following centuries.

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80   For Poggio's discovery and the manuscripts see Welsh 2017; Reynolds and Wilson 1991, 136–140; Stangl 1909; Schmiedeberg 1905. For the first editions see La Bua 2019a, 159 n. 408.

81   La Bua 2019a, 159 n. 408.

82   Manuzio 1578, 116.

Another mode of adaption is to be seen in the commentary by Johann Thomas Freigius (1543–1583), re-issued in 1624. After having presented the Latin text of the proem of *De praetura urbana*, Freigius continues with this introduction:

> sequuntur quinque Verrinae, secundae actionis, quas Cicero non dixit, sed cum vellet omnem vim et rationem accusandi in uno reo ostendere, quinque hos libros domi scriptos edidit.[83]

> The five *Verrines* of the second part of the trial follow. Cicero did not deliver them, but wrote those five books at home and published them, as he wished to show the oratorical vigour and way of prosecution in one defendant.

Apart from the different localization after the *prooemium*, Freigius clearly follows the presentation of the scholia. He begins like Manuzio with the phrase 'they follow' (*sequentes–sequuntur*). In this, both scholars continue the scholiast's manner of stressing the beginning of a new kind of speech. However, Freigius then chooses different aspects of the scholia in comparison to Manuzio: just like the scholiast, Freigius emphasizes the contrast between the spoken and the written words. Interestingly, he also neglects the scholiast's general explanation of Cicero's intentions, and only chooses the special one, the wish to close his work as a prosecutor with an impressive speech. Just like Manuzio, Freigius makes no mention of the influence of Ps.-Asconius on his work.

In the eighteenth and the beginning of the nineteenth centuries, Isaac Verburg (1680–1745), Nicolas-Éloi Lemaire (1767–1832), and Karl Gottlob Zumpt (1792–1849) chose an interesting method of adaptation in their commentaries on Cicero's orations. They simply quoted the introduction found in Ps.-Asconius in full. Lemaire even doubled this application in his commentary published in 1827 by first quoting the *argumentum* of the scholiast, then followed by his own introduction. He considers the explanation of the scholiast again, when he writes:

> studium eius forense praeterea semper in amicorum defensione versatum fuerat, neque antea quemquam accusarat; quod quum faceret denique, statuit in hoc uno reo vim artis accusatoriae demonstrare; et

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83   Freigius 1624, 231.

perpetuam conscripsit actionem secundam, libris quinque divisam, in qua finxit Verrem comperendinatum in iudicio adesse, respondere et defendi.[84]

In his legal activity he was always concerned with the defence of his friends and had never prosecuted anyone before. When he finally did so, he decided to show in this one defendant the vigour of prosecution; and he wrote the speech of the second pleading uninterruptedly, subdivided into five books. In it he pretended that Verres was present at trial after the adjournment, that he responded and was being defended.

Lemaire turns the explanation of the scholiast around. While Ps.-Asconius looked ahead to Cicero's further advocacy, which lacked prosecutions, Lemaire looks back at the start of Cicero's career. Therefore, Cicero seems in Lemaire's view to have started a new part of his career. However, unlike Ps.-Asconius, Lemaire does not emphasize that this was Cicero's last prosecution, although the explanation provided for this intention remains nearly the same. Moreover, the dependence on the ancient scholia becomes very clear at the end of this sentence, when Lemaire quotes them literally and follows them in picking up Cicero's own utterances.

By contrast, Zumpt's use of these ancient scholia on this subject already seems ambiguous. Although he quotes their *argumentum* in full, he is the first commentator who expressed doubts on the identity of the scholiast. While Lemaire still identified the scholiast as Asconius Pedianus in 1827, Zumpt calls him "Asconius Pedianus qui dicitur".[85] Zumpt therefore may have been aware of Madvig's meticulous thesis on the identity of the scholiast, published only three years previously.[86] Nevertheless, Zumpt still quotes Ps.-Asconius' introduction and, in this way, perpetuates the idea of the fictionality of the speech. Zumpt's commentary therefore marks the beginning of a transition in the way of dealing with the ancient scholia. A further step was made by George Long (1800–1879) in his introduction to his commentary on the *Verrines* (1851). While Long still refers to 'Asconius' elsewhere, without any sign of doubt about this identification (for example p. 75 n. 1), he still offers significant innovations regarding the theory of the fictionality. First of all, Long does not deal with the fictionality of the speeches at the beginning of *De praetura urbana*, as commentators following the scholiast used to do, but as part of an overview of the

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84   Lemaire 1827, 283.

85   Zumpt 1831, 91.

86   Madvig 1828, 84–142. There had previously been doubts on his identity, see ibid., 86–87.

trial. Secondly, he neither mentions Ps.-Asconius at all in this regard nor does he consider his method of reasoning or quote him literally:

> The oration entitled 'Divinatio,' and the 'Actio Prima,' were the only Verrine Orations which were spoken. Cicero wrote the other five after the trial. He has handled his matter so skilfully that, if we were unacquainted with this fact, we should never suspect that we were reading a rhetorical exercise; for such the five last Verrine Orations are, though the orator doubtless wished to leave to posterity not only a sample of his art, but a merciless exposure of the plunderer of Sicily, of his eloquent advocate, and of the senatorian body who had attempted to save him.[87]

Although the supposed intention of Cicero remains roughly the same, that is to produce a testimony for his rhetorical art, Long discusses Cicero's intention more thoroughly, including the opposition to Hortensius and corrupt senators. Moreover, Long indicates that there are no signs in the text itself to suppose its fictionality, that it seems perfectly real. This could lead him to the radical interpretation that it actually *was* real, but he refrains from that. In Long's view the counterfactual nature of these speeches is indubitable, he calls it simply a "fact". It is interesting to note, though, that Long does not refer to the source of this "fact" everyone seems to have been acquainted with. While Long is still referring to the scholiast (and is still calling him Asconius), he avoids mentioning him when speaking about the peculiar fictional nature of the *Verrines*. Thus, in Long's commentary Ps.-Asconius finally lost his status as the most important witness for the fictionality of the *Verrines* that he had obtained in the commentaries for over 300 years. Accordingly, Ps.-Asconius has been ignored in the recent commentaries on the *actio secunda* published in the twentieth and twenty-first centuries. Neither Levens nor Mitchell nor Baldo quote these scholia as a source when describing the speech's fictionality.[88] The teacher, it seems, has vanished, but his doctrine still lives on in the commentaries on Cicero's *actio secunda in Verrem*.[89]

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87   Long 1862, 6.
88   Baldo 2004, 23–24; Mitchell 1986, 10; Levens 2001, xxxv–xxxviii.
89   This chapter has been greatly improved by the careful corrections and helpful comments of Andreas Heil, Katharina-Maria Schön, and Christoph Pieper, whom I would like to thank warmly.

Abbreviations

RE   Pauly, A., Wissowa, G., et al. (1894–1980). *Realencyclopädie der classischen Alter-
        tumswissenschaft*. Stuttgart.

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10

Reading the *Scholia Gronoviana*: Ambiguity and Veiled Language in the Interpretation of Cicero's *Caesarian Orations*

Giovanni Margiotta

1 Introduction

Anyone interested in the subject of Cicero's reception can hardly fail to be confronted with the judgement which Theodor Mommsen offers of the Roman orator. In a far too famous passage of his *Römische Geschichte*, the great German scholar writes of Cicero that "as a statesman without insight, opinion, or purpose, he figured successively as democrat, as aristocrat, and as a tool of the monarchs, and was never more than a short-sighted egotist".[1] Mommsen's contempt for Cicero runs parallel with his profound admiration for Julius Caesar.[2] The nationalistic sentiments and militaristic attitudes rooted in nineteenth-century Prussia clearly played a significant role in forming such assessments.[3] Moreover, Mommsen saw in Caesar's autocratic rule the correct answer to the crisis of the Roman Republic, whereas he blamed Cicero's political choices and ideals as inadequate and devoid of stability.[4]

Lack of stability and consistency has been repeatedly imputed to Cicero throughout the centuries. As Pieper and van der Velden have demonstrated, charges of *levitas* and *inconstantia* arose from evaluations of Cicero's political actions in his final years.[5] Alignment to the Triumvirs in the mid-50s, participation in the Civil War at the side of Pompey, reconciliation with Julius

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[1] The translation is from Dickson 1866, 608. On Mommsen's judgement about Cicero see also Weil 1962, 310–323; Fuhrmann 2000, 110–113; Merolle 2015, 22–53. Note that throughout this chapter translations of the *Scholia Gronoviana* are after La Bua 2019.

[2] There is ample literature about the favorable image of Caesar depicted by Mommsen. See, for example, McGlew 1986, 424–445; Christ 1994, 134–165; Rebenich 2002, 87–98; Polverini 2011, 173–184.

[3] On the political and ideological climate in which Mommsen lived see Rebenich 2002, 63–71.

[4] Canfora 1988.

[5] Pieper and van der Velden 2020, 6–14. On Cicero's *levitas* and *inconstantia* see Ps.-Sal. *Cic.* 4–5; Sen. *Contr.* 2.4.4 (Keeline 2018, 107; 136; 157–158; 171–173; 183; 199). See also Tracy 2012 and Fulkerson 2013 for positive reassessments of Cicero's apparent lack of consistency.

Caesar, support first to the Caesaricides and then to Octavian, and even the final opposition against Mark Antony have been under attack by ancient and modern critics. All these allegations concerned Cicero's switching sides in his relationships with the powerful.

This chapter deals with Cicero's public activity under the dictatorship of Julius Caesar, as is witnessed by his *Caesarian Orations*. This corpus, consisting of three speeches delivered before Caesar, forms a good test case for investigating how accusations of inconsistency arose against Cicero. After choosing Pompey's side in the Civil War, in September 47 BCE Cicero received Caesar's pardon. Returning to public life, he found himself playing the role of mediator between Caesar and the former Pompeians.[6] The first oration, *Pro Marcello*, is a thanksgiving speech (*gratiarum actio*) given in the Senate in autumn 46 BCE after Caesar had granted his pardon to the former consul Marcus Claudius Marcellus. The *Pro Ligario* marks Cicero's return in the Forum: with Caesar in the role of the judge, Cicero took part in the defense of the knight Quintus Ligarius, prosecuted by the former fellow-Pompeian Quintus Aelius Tubero. A few weeks later, towards the end of 45 BCE, Cicero defended in Caesar's house the Galatian king Deiotarus, accused by his grandson of having attempted to murder Caesar.[7]

The very fact that the speeches "pit Rome's greatest orator … against his most sophisticated audience, C. Julius Caesar"[8] has fascinated ancient and modern readers. The ambiguity of these texts, the uniqueness of the situation, the inconsistency between the speeches and the letters from the same period,[9] the characters involved, and the assessment of Cicero's praise of Caesar provoked multifarious reactions, raising questions about the meaning of Cicero's message to Caesar. A tendency in the reception has been to consider the orations as flattering and hypocritical. However, since Late Antiquity a branch of the tradition has striven to defend Cicero against allegations of inconsistency and sycophancy. To this end, the *Caesarian Orations* have been interpreted as 'figured', namely ironical texts concealing a seditious message against Caesar.[10]

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6 Gasti 1997, 13–18.
7 In general, on the speeches see Gotoff 1993a; Gotoff 2002, 219–271.
8 Gotoff 2002, 219.
9 In several letters from 49 BCE Cicero expresses his fears that Caesar may act as a tyrant. See Gildenhard 2006, 197–209; Malaspina 2013, 57–69.
10 Dyer 1990; Gagliardi 1997 (*contra* Levene 1997; Winterbottom 2002). More reasonably, modern scholars have abandoned this clear-cut distinction between two extremes, trying to disclose the ambiguity of the speeches by looking into the historical and rhetorical background. In his unpublished dissertation Ramos 1994 reassesses the meaning of figured speech, suggesting that Cicero's criticism of Caesar is far from being subversive, but

Evidence of the ancient debate comes from the late antique commentary known as *Scholia Gronoviana*.[11] In the *argumentum* to *Pro Marcello* there is a passage every scholar of the *Caesarianae* has had to reckon with: it relates that some readers believe the speech to be an example of *oratio figurata*. This source will be widely explored in what follows. In doing so, I will undertake a close reading of relevant passages from the *Scholia Gronoviana* to the *Pro Marcello*, *Pro Ligario*, and *Pro rege Deiotaro*, analyzing the rhetorical, historical, and literary aspects signaled by the scholiast. Furthermore, I will draw comparisons with other late rhetorical sources in order to spot analogies and differences with the comments provided by the *Scholia Gronoviana*. I hope that my results will cast more light on the reception of Cicero's *Caesarian Orations* in the rhetorical environments of Late Antiquity, thus also contributing to the study of Ciceronian scholia.

2   *Pro Marcello*

The *argumentum* to the *Pro Marcello* is rich in information about the historical and rhetorical frameworks of the speech. Taking up the proemial words (*diuturnii silentii*), the scholiast fleshes out the events which Cicero experienced during the Civil War, such as his abstention from oratorical activity and the pardon received from Caesar.[12] Afterwards, the character of Marcellus is introduced. He is defined as *loquax*, after an expression from Lucan (1.313). This epithet evidently points to the eloquence which Marcellus manifested during his consulship in the invectives urging war against Caesar. In a shift to the time

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rather constructive and in some cases intentionally ambiguous. See Craig 2008 for the establishment of criteria for spotting figured speech in Cicero's orations. Specifically, for the *Pro Marcello* see Rambaud 1984; Tedeschi 2005 (esp. 16–20 for an overview on the scholarly evaluations); Connolly 2011; Dugan 2013; Tempest 2013a. The ambiguity of the *Pro Ligario* has been explored by Craig 1984; Montague 1992; Johnson 2004; Breij 2015a. Finally, for the case of the *Pro rege Deiotaro* see Petrone 1978; Peer 2008; Monteleone 2010.

11   A collection of glosses and marginal notes employed for didactic purposes, the *Scholia Gronoviana* contain an informative introduction (*argumentum*) explaining the context, time, and characters of some Ciceronian speeches and lemmatized annotations (*lemmata*) on sections of the text. Careful attention is devoted to Cicero's style and rhetoric. The *Scholia Gronoviana* are contained in *Voss. Lat. Q. 130*, a ninth-century manuscript preserved in Leiden. See Stangl 1884, 8–29; Zetzel 2018, 144–147; La Bua 2019, 176 n. 482.

12   *Schol. Gron. Marc.* 295.8–9 St.: *bellis civilibus Cicero tacuit, nec enim locus esse poterat inter bella Ciceroni. data est indulgentia Ciceroni.*

of the speech, the scholiast reasserts Marcellus' anti-Caesarian rashness (*temeritas*), citing his voluntary exile in Athens.[13]

The senatorial meeting in which the *Pro Marcello* was held is narrated in highly dramatic terms.[14] The scholiast depicts the poignant supplication of Gaius Marcellus who, embracing Caesar's knees, begged him to have mercy on his cousin Marcus Marcellus, amidst the senators' tears.[15] Viewing this scene, Caesar reacted as if he had his enemy before his eyes, saying in a scolding tone: *Marcelle, hoc contra me fecisti. de superiore iniuria illud fecisti. deinde audio mihi parari insidias ab his quos servavi* ('Marcellus, you did it against me. You did it on the basis of your earlier injustice: you did it. Now, I have been informed that those whose lives I spared are waiting in ambush to kill me', 295.17–19 St.). Then, Caesar's speech took an unexpected turn as he decided to grant his *clementia* by claiming: *tamen, quoniam hoc amplissimus ordo postulat, ignosco* ('nevertheless, since this most honorable order demands it, I accord pardon', 295.19–20 St.). It was at this point, the scholiast proceeds, that Cicero rose to thank Caesar.

As Dugan remarks, the scholiast "uses dramatization to substantiate his reading of the speech".[16] The scene of the supplication, in fact, is exploited by the scholiast to offer his interpretation of the rhetorical underpinning of the *Pro Marcello*. At 295.23–25 St. he writes: *plerique statum dederunt in hac oratione venialem, cum in ista oratione nullus status sit: gratiarum actio est. si necdum dedisset indulgentiam, videretur status venialis* ('most people have considered the point in question in this speech [*status*] as one of pardon [*venia*]; but there is not an issue at question: it is instead a thanksgiving speech. If he [*sc.* Caesar] had not yet given his pardon, the *status* would seem *venialis*'). We see here that the scholiast opposes the assumption of those who inter-

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13   The scholiast here is mistaken: after the battle of Pharsalus Marcellus voluntarily retired in Mytilene (Cic. *Fam.* 4.7.4 = SB 230; 4.11 = SB 232 (Marc. [Cic.]); Sen. *Dial.* 12.9.4), while in Athens he was murdered in mysterious circumstances (Cic. *Fam.* 4.12 = SB 253). Mytilene on the island of Lesbos was a preferred place for exile: the choice of such a distant site must be read as a sign of Marcellus' intention to stay as far away from Rome as possible and of his unwillingness to accept Caesar's *clementia* (see Kelly 2006, 129; 204–206).

14   An account of this meeting is found in a famous letter to Servius Sulpicius Rufus, Marcellus' colleague as consul in 51 BCE (Cic. *Fam.* 4.4.3–4 = SB 203).

15   *Schol. Gron. Marc.* 295.13–15 St.: *ingressus est frater Marcelli, Gaius Marcellus, tenuit genua Caesaris: 'Miserere' inquit 'da indulgentiam fratri'. secutae sunt lacrimae totius ordinis.* Gaius Marcellus was not Marcellus' brother, but his first cousin. However, it was customary to employ *frater* to indicate the son of a paternal uncle (*frater patruelis*; see *OLD s.v.* 2). Strengthening the family ties, moreover, the designation as *frater* must have complied with pathetic purposes (see also Cic. *Marc.* 34).

16   Dugan 2013, 215.

pret the *Pro Marcello* on the basis of the *status* theory.[17] In his view, Cicero did not seek pardon (*venia*)[18] for Marcellus' wrongdoings, but he addressed Caesar only after the pardon itself had been bestowed. The speech, therefore, contrary to an opinion shared by many, does not fall within the *status venialis*. As a thanksgiving speech (*gratiarum actio*), it belongs to the *genus demonstrativum*.

Afterwards, the scholiast makes an additional clarification: *in gratulatione tantum Marcelli qui putant surrexisse Tullium errant. vidit Caesarem ignoscere: multis enim petenda venia fuerat. provocat illum ad ⟨ipsum⟩ genus laudis* ('those who think that Tullius rose to his feet to speak only in felicitation of Marcellus are wrong. He saw that Caesar had forgiven his enemy: many still had to plead for mercy. He challenged him to the same kind of praise', 295.25–27 St.). This passage hints at the more complex nature of the *Pro Marcello*. Although Cicero expresses his gratitude to Caesar for his act of *clementia*, considering the speech as a mere *gratiarum actio* is not satisfactory for understanding its meaning.[19] The scholiast analyzes how Cicero establishes his line of communication with Caesar, underlining that the speech also contains persuasive elements revealing aspects of the political genre (*genus deliberativum*). The praise of Caesar subtends the more profound message that in the wake of Marcellus other former Pompeians should also be pardoned and restored into the civic body.[20] As La Bua observes, "to the scholiast, the *pro Marcello* is not just a *gratiarum actio*, an official expression of thanks for the dictator. In his view, Cicero constructed his performance as a model of rhetorical praise. He challenged his reader/spectator Caesar to enter into dialogue—and competition—with him."[21]

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17   On *status* theory see Calboli Montefusco 1986; Lausberg 1998, §§ 79–253.

18   The *status venialis* or *concessio* (Gr. συγγνώμη) entails confession of guilt and request for pardon by *purgatio* (the intention is defended as unintentional and due to ignorance, accident or necessity) or by *deprecatio* (there is no longer a defense, but just a request for pardon). See *Rhet. Her.* 2.23–25; Cic. *Inv.* 1.15; 2.94–109; Quint. *Inst.* 7.4.14–20; Iul. Vict. *Rhet.* 14.1–9 Giomini-Celentano; Fortun. *Rhet.* 1.17 = 90.4–91.3 Calboli Montefusco. Within the judicial issues, the *status venialis*/*concessio* is the weakest rank, as the defendant gives up building argumentation of his defense, but pleads guilty and appeals to the mercy of the judge. See Calboli Montefusco 1986, 113–116; 129–139; Lausberg 1998, §§ 186–191.

19   The presence of elements from the three oratorical genres in the *Pro Marcello* has been noted and explored by von Albrecht 1988.

20   On the political message of reconciliation see Cipriani 1977; Rambaud 1984; Dobesch 1985; Connolly 2011; Tempest 2013b. On Cicero's encomium as a form of advice see Braund 1998, 68–71; Gotoff 2002, 226–235; Cole 2013,115–126, Tempest 2013a.

21   La Bua 2019, 211.

In the second part of the speech (Cic. *Marc.* 21–23), Cicero addresses Caesar's *gravissimam querelam et atrocissimam suspicionem*, revealing that the dictator suspects that his own life could be in jeopardy from his fellow-citizens. According to the scholiast Cicero here seems to make use of the *status coniecturalis*.[22] In fact, Cicero strives to prove that Caesar's suspicion is groundless as none in Rome—neither the former Pompeians nor the Caesarians—could have reasons to plot against his life. However, the scholiast remarks that also in this case the use of the *status coniecturalis* is not uncomplicated. As it is explained, 'these words have been said for two reasons: to absolve others from allegations (so that Caesar would not regret his forgiveness) or he wanted to alert Caesar to be on his guard' (*in extrema parte orationis utitur quasi statu coniecturae, quia dicebat: "Insidias mihi faciunt, ut me occidant," sive ut purget ceteros, ne poeniteat ignoscere Caesarem, sive ut Caesarem cautum faceret*, 295.27–29 St.). Apparently defending his fellow-citizens, Cicero engages in a rhetorical 'challenge' with Caesar, delegating to him the task of detecting the ambiguity of his words.

3   Figured Speech

The next comment in the *Scholia Gronoviana* ushers in the long-debated question of the possible readings of the *Pro Marcello*. 'Most think that this speech is "figured" (*oratio figurata*)', the scholiast writes. Yet before addressing this point, it will be helpful to draw some attention to *oratio figurata*. This section, however, is not meant to give a full reconstruction of the theory of figured speech.[23] Since the insertion of the debate about figured speech in the *argumentum* reflects the scholiast's interest in this theory, I would nonetheless like to give an overview of the relevant Latin sources attesting to figured speech. In doing so, I aim at investigating more closely the place occupied by the Gronovian scholiast in this rhetorical tradition.

To begin with, figured speech indicated a form of veiled, indirect, subtle language. Ranging from single words to involving the entirety of a text, it was

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22   According to Quint. *Inst.* 3.6.5, the *status coniecturalis* answers the question *an fecerit?* ('whether he did it?'), aiming to prove whether an issue was committed by the defendant or not. See also *Rhet. Her.* 1.18; 2.3–12; Cic. *Inv.* 1.10–11; 2.14–51; Quint. *Inst.* 7.2; Sulp. Vict. 325.19–336.26 Halm; Iul. Vict. *Rhet.* 6.18–7.30; 21.1–23.24 Giomini-Celentano; Fortun. *Rhet.* 1.12 = 81.17–84.4; 2.5 = 112.1–14 Calboli Montefusco; Mart. Cap. 5.444 = 153.23–24 Willis; In general, on this point see Calboli Montefusco 1986, 60–77; Lausberg 1998, §§ 99–103.

23   See Ahl 1984; Chiron 2003; Ascani 2006; Breij 2012.

usually applied in contexts where freedom of speech was limited. Its ruling mechanism was based on a discrepancy between the intention of the speaker and the surface message which he conveys.[24] As Breij puts it, figured speech "was often used by the speakers to cloak a potentially unpalatable message in such a way as to make it acceptable to their audience".[25] In other words, a speaker resorting to figured speech used the surface of the text as a screen to cover his actual message. Such a veiled approach became much in vogue in Imperial Rome and was applied to the rhetorical exercises of declamatory schools. A result was the *controversia figurata*, the mock judicial speech in which, under the guise of defense or accusation, the declaimer aimed at achieving different goals.[26]

Apart from a few scant references during early Imperial times,[27] the first comprehensive treatment of figured speech at Rome occurs in Quintilian. In the ninth book of his *Institutio oratoria* he introduces the concept of *schema* or *figura*, a device closely resembling irony, but conveying *aliud latens et auditori quasi inveniendum* ('something hidden and left to the hearer to discover', *Inst.* 9.2.66).[28] Moving on to the purposes of this device, Quintilian singles

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24   The earliest definition of figured speech is ascribed to the fourth-century BCE grammarian and Homeric commentator Zoilus of Amphipolis: σχῆμά ἐστιν, ἕτερον μὲν προσποιεῖσθαι, ἕτερον δὲ λέγειν ('σχῆμα is to pretend one thing, but to tell another', Phoeb. *RG* 3 = 44.1–3 Spengel). Cf. Demetr. *Eloc.* 287: τὸ δὲ καλούμενον ἐσχηματισμένον ἐν λόγῳ οἱ νῦν ῥήτορες γελοίως ποιοῦσιν καὶ μετὰ ἐμφάσεως ἀγεννοῦς ἅμα καὶ οἷον ἀναμνηστικῆς, ἀληθινὸν δὲ σχῆμά ἐστι λόγου μετὰ δυοῖν τούτοιν λεγόμενον, εὐπρεπείας καὶ ἀσφαλείας ('next, what is called allusive verbal innuendo. It is used by current orators in a ridiculous way, with a vulgar and what one might call obtrusive explicitness, but genuine allusive innuendo is expressed with these two safeguards, tact and circumspection', trans. Innes 1995). For the Latin rhetoric see Quint. *Inst.* 9.1.14: *verum id ipsum anguste Zoilus terminavit, qui id solum putaverit schema, quo aliud simulatur dici quam dicitur* ('Zoilus however narrowed down even this definition, because he thought that a *schema* was found only where the speaker pretends to be saying something which he is not saying', trans. Russell 2001).

25   Breij 2006, 79.

26   On *controversia figurata* see Desbordes 1993; Ascani 2006, 150–165; Breij 2006, 86–88; Pernot 2007, 215–232; Franchet d'Espèrey 2016. Surviving examples of *controversiae figuratae* are the *Major Declamations* 18 and 19 falsely attributed to Quintilian (for an edition with translation and commentary see Breij 2015b).

27   Closely connected to figured speech is the concept of *color* which in the declamatory collection of Seneca the Elder starts to indicate a particular nuance in reporting the events within a speech. A speech can have a particular argumentation according to its *color*. Still, in Seneca's collection *schema* or *figura* has a meaning associated with subtle language or figured speech (Sen. *Contr.* 2.4.10; 2.5.17; 7.1.20). On this meaning of *color* in Seneca the Elder see Calboli Montefusco 2003, 114–115; Breij 2006, 81–83.

28   Cf. Quint. *Inst.* 9.2.27: *haec quotiens vera sunt, non sunt in ea forma de qua nunc loquimur: adsimulata et arte composita procul dubio schemata sunt existimanda* ('when these expres-

out three different contexts for application: safety, decency, and elegance.[29] A speaker can make use of figured speech to overcome situations in which speaking openly is either unsafe or unfitting; whereas the third use is merely ornamental.[30]

The first kind of *schema* (*Inst.* 9.2.67–75) is said to be frequent in the school practice.[31] In the cases involving tyrants, speaking freely is unsafe, so the students cannot afford to embark on open criticism.[32] Since it is not safe for the speaker to be frank, he cannot say something explicitly; for this very reason he cannot be blamed for something he did not say.[33] Afterwards, Quintilian explains that in using this rhetorical device, the speaker has to keep his intentions secret. This does not mean that figured speech is centered around ambiguous words. Ambiguity of language must be employed sparingly since overuse exposes the speaker to the risk of being detected. By its very nature, figured speech exercises its influence only implicitly.[34] As soon as it is discovered, it loses its effectiveness.[35] In other words, if the speaker happened to offer too obvious clues for the audience to detect, the effect of figured speech would be invalidated.

The second usage of figured speech is related to decency (*Inst.* 9.2.76–80). In this case free speech is overridden by respect owed to someone. The speaker has to convince the judge that he is keeping something hidden, restraining himself from speaking by the force of truth. Whereas Quintilian recommends the *schema* for safety to address or criticize powerful people, here a different issue

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sions are sincere, they do not come under our present topic; but if they are feigned and artificially produced they are undoubtedly to be regarded as Figures', trans. Russell 2001).

29   Quint. *Inst.* 9.2.66: *eius triplex usus est: unus si dicere palam parum tutum est, alter si non decet, tertius qui venustatis modo gratia adhibetur et ipsa novitate ac varietate magis quam si relatio sit recta delectat* ('there are three uses of this device: (1) if it is unsafe to speak openly, (2) if it unseemly to do so, (3) when it is employed simply for elegance and gives more pleasure by its freshness and variety than the straightforward statement would have done', trans. Russell 2001).

30   Breij 2006, 83–84 notes a fourth use in Quint. *Inst.* 9.2.75, which is recommended to prove arguments that cannot be based on sound evidence.

31   On the use of figured speech in the Roman courtrooms see Quint. *Inst.* 9.2.68. On this point see also Breij 2015a, 5.

32   Cf. Demetr. *Eloc.* 292–295.

33   Franchet d'Espèrey 2016, 64.

34   Ascani 2006, 201.

35   Quint. *Inst.* 9.2.69: *ideoque hoc parcius et circumspectius faciendum est, quia nihil interest quo modo offendas, et aperta figura perdit hoc ipsum quod figura est* ('consequently, one must be more wary and circumspect in using such Figures, since how you give offence makes no difference, and a Figure which is seen through loses its value as a Figure', trans. Russell 2001).

is at stake. Figured speech is no longer motivated by danger of punishment from tyrants, but rather by a kind of caution and tact typical of virtuous men.[36] In the first case, the speaker is censored by external bonds whose breaking may put him in jeopardy; in the second, he decides to eschew speaking openly, censoring himself because of some moral bonds.[37]

Quintilian's analysis ends with the *schema* for elegance (*Inst.* 9.2.96–99). A form of rhetorical embellishment, it is recommended for stylistic purposes as it permits the speaker to express himself more gracefully and attractively. However, before reaching a conclusion Quintilian devotes a long digression to declamation (*Inst.* 9.2.81–92). Sharp criticism is directed at those *controversiae figuratae* where an excessive employment of ambiguity can have counterproductive effects on the cause.[38]

As we will see below, Quintilian's theorization seems to resonate with the comments of the *Scholia Gronoviana*. Although the scholiast does not accept reading the *Pro Marcello* as an example of *oratio figurata*, Quintilian's precepts are echoed in the *argumentum*. In particular, the first *schema* can be linked with the circumstances surrounding the speech as well as the figure of Caesar. These arguments, indeed, underpin the explanation of the advocates of a figured reading and are taken up by the scholiast to counter such an interpretation.

The authority of Quintilian in rhetorical theory also explains why the following two sources about figured speech draw on the *Institutio oratoria*. Iulius Rufinianus (*Schem. Dian.* 59.2–60.14 Halm) and Iulius Victor (*Rhet.* 86.6–89.31 Giomini-Celentano) take up the threefold division into *schema* for safety, decency, and elegance as well as the discussion of *controversia figurata*. An innovation in these fourth-century rhetoricians is perhaps the more abundant presence, in considerably shorter treatises, of examples taken from literary sources. In Rufinianus the quotations from classical authors (Vergil and Caesar) replace the examples from declamation. On the other hand, Iulius Victor employs themes of *controversiae* together with passages from Vergil and Cicero.

In the section about the *schema* for elegance, Quintilian also quotes from Cicero twice,[39] but the evidence provided by the Gronovian scholiast, Iulius

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36   Cf. Demetr. *Eloc.* 288.

37   Desbordes 1993, 78; Ascani 2006, 168–169.

38   Quint. *Inst.* 9.2.81: *dicendum ergo de iis quoque in quibus non asperas figuras sed palam contrarias causae plerique fecerunt* ('I must therefore say something about the cases in which many have adopted Figures which are not only harsh but patently damaging to their Cause,' trans. Russell 2001).

39   The first quotation (*Inst.* 9.2.96) is an allusion to Clodius' involvement in the *Bona Dea*

Rufinianus, and Iulius Victor demonstrates that the tendency to use Ciceronian material as examples of rhetorical issues becomes increasingly common in later times.[40] In the specific case of *oratio figurata*, the *Pro Marcello* was not the only Ciceronian speech which was acknowledged as illustrative of this phenomenon.[41]

4   The *Pro Marcello* as an Example of *oratio figurata?*

It is now time to focus on the passage from the *Scholia Gronoviana*, which documents the debate surrounding the reading of the *Pro Marcello*:

> plerique putant figuratam esse istam orationem et sic exponunt, quasi plus vituperationis habeat quam laudis. hoc nec temporibus convenit nec Caesari. nam et tempus tale est, ut vera laude Caesar inducatur ad clementiam, et Caesar orator est qui non possit falli.[42]

> Most think that this speech is 'figured' and explain it this way, as if the speech has more invective than praise. But this interpretation accords neither with the times nor with Caesar. For in reality both the time is such that it is by true praise that Caesar would be moved to clemency, and Caesar is an orator who cannot be deceived.

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scandal from the lost speech *In Clodium et Curionem* 14; while the second Ciceronian occurrence (*Inst.* 9.2.99) is advised against by Quintilian since figured speech is restricted to the term *amica* in *Cael.* 32.

40   On the late antique practice to use Cicero's speeches for didactic purposes see La Bua 2019, 5–15; 85–99. See also Riesenweber in this volume.

41   An example from the *Pro Caelio* occurs in Iul. Vict. *Rhet.* 88.30–32 Giomini-Celentano: *tertium genus est, quod etsi palam liceat dicere, elegantius tamen figuratur, ut Marcus Tullius: 'semper hic erro', et 'cum propter nocturnos metus cum sorore cubitaret' et talia* ('the third kind realizes figure with more elegance, even if it is allowed to speak forthrightly, like in Marcus Tullius: "I always make that slip", and "as, because of terrors at night, he always went to sleep with his sister" and so on'). Moreover, at Iul. Vict. *Rhet.* 89.7–10 Giomini-Celentano we find an allusion to Cic. *Cat.* 4 as an example of *obliquitas*, through which Cicero pretends to be lenient towards the conspirators although he actually aims at securing a severe punishment. Iulius Victor devotes a section of his treatise to *obliquitas* (*Rhet.* 89.2–14 Giomini-Celentano), a concept based on the principle *aliud dicere aliud velle*. See Ascani 2006, 159–160; Breij 2006, 85 n. 21.

42   *Schol. Gron. Marc.* 295.32–296.2 St.

In a common phrasing (*plerique putant*), the scholiast introduces an external point of view, claiming that the *Pro Marcello* is widely believed to be an example of *oratio figurata*. According to a widespread interpretation, the panegyrical language employed by Cicero seems to have aroused doubts in some readers who spotted something unspoken underneath the surface.[43] But what are the features of figured speech emerging from this passage? According to many readers, the speech carries out an overturning of the traditional elements of epideictic oratory. The sense of *oratio figurata* is epitomized in the sentence *quasi plus vituperationis habeat quam laudis*. What is at issue is Cicero's praise of Caesar, which was perceived as containing a form of invective. This reading relies on the typical procedure of figured speech consisting in saying something but meaning the opposite.[44] Under the guise of eulogy, therefore, Cicero would actually be criticizing Caesar, as explained by Quintilian's *schema* for safety.

The scholiast, however, disagrees and counters this *communis opinio*. In his view, the speech must be read as straightforward. As Dugan has argued, the scholiast supports his arguments with two "rubrics of rhetorical invention: *persona* and *tempus*".[45] The reception of Caesar's praise in the *argumentum* is delineated within a frame which takes into account the historical circumstances of the speech as well as the figure of Caesar.[46]

When Cicero delivered the *Pro Marcello*, Caesar was carrying out a policy of *clementia*, pardoning the former Pompeians. Therefore, the scholiast claims that there was no reason for Cicero to conceal criticism underneath his eulogy. This would be a sign of anachronistic hostility (*tempus*). As a former enemy, Cicero must have preferred to express sincere gratitude to the man who had pardoned both him and his client. It is worth noting that the exploitation of the rhetorical *locus* of the *persona* is not centered around the figure of Cicero, but around Caesar.

Alongside a positive evaluation of Caesar's generosity in his political program of *clementia*, the scholiast holds in high esteem *Caesar orator*, implying that he would have been familiar with the concept of *oratio figurata*. By claiming that Caesar could not be deceived by Cicero, the scholiast confirms the idea of the *Pro Marcello* as a form of competition between Cicero the speaker and Caesar the addressee. However, this competition is performed between equally

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43   On figured interpretation of praise discourses see Pernot 2015, 102–111.
44   Within the Greek theory about figured problems, the σχῆμα κατὰ τὸ ἐναντίον fulfills this aim since it brings about the opposite of what it says. See Ps.-Dion. Hal. *Fig.* α2 = 54.19–20; 55.28–56.13 Dentice di Accadia; β2 = 84.22 Dentice di Accadia; Ps.-Hermog. *Inv.* 205.1–8 Rabe; Aps. *Fig.* 2 = 112 Patillon.
45   Dugan 2013, 218.
46   La Bua 2019, 213–214.

renowned orators. Besides, the scholiast inserts himself within a trend of the Caesarian reception. As early as his death, Caesar was regarded as one the most distinguished orators of his time.[47] The scholiast's acknowledgement of Caesar's oratorical prowess hence rules out a figured reading of the speech. By means of his rhetorical skills, indeed, Caesar could have managed to detect any trace of unspoken—or even subversive—message and thus nullify the sense of figured speech.[48]

The interpretation of the *Pro Marcello* is substantiated in the rest of the commentary as well. As has been noted, throughout the *lemmata*, the scholiast strives to refute the views of his adversaries by clarifying potentially ambiguous sections. At 296.3–6 St., for instance, the context in which the *Pro Marcello* was delivered (*his temporibus*) is stripped of the critical overtones which a figured reading entails. Whereas the expression can be understood as a covert accusation of Caesar's autocratic rule, the scholiast rejects such an interpretation on the grounds that Cicero was not afraid. In his view, the expression *non timore aliquo*, is "meant to anticipate and neutralize such suspicions".[49] An additional argument comes from the gloss on *quae vellem quaeque sentirem*, which the scholiast associates with the context of the speech, considering it as a marker of *plena libertas*.[50] The term *libertas* is significant since in some cases it is the Roman equivalent to the Greek *parrhesia*.[51] By reading Cicero's words as a manifestation of freedom of speech, the scholiast denies the very condition of figured speech.

In other comments the scholiast focuses on the eulogies to Caesar. In order to dispel potential ambiguity or an ironic use of encomiastic language, he accounts for Cicero's word choice. For example, Caesar's *modus* denotes the restraint of the victor in treating his enemies.[52] In another passage the scholiast explains the adjective *divinus* by mentioning Caesar's claim to be descended from Venus.[53] Furthermore, Cicero's message to Caesar is highlighted. The scholiast often comments on Cicero's advice about peaceful settlement of Rome and civic reconciliation under Caesar's guidance.[54]

47　On the reception of Caesar as an orator see Van der Blom 2021.

48　On the failure of figured speech when it is detected by the addressee see Quint. *Inst.* 9.2.69. See Winterbottom 2002, 24.

49　Dugan 2013, 215; cf. La Bua 2019, 212.

50　*Schol. Gron. Marc.* 296.10 St.: *quae vellem quaeque sentirem. ecce iam plena libertas.*

51　Syme 1939, 152; Brunt 1988, 314–317. On Cicero's *parrhesia* in imperial literature see Jansen 2022, 165–258.

52　*Schol. Gron. Marc.* 296.11–14 St.

53　*Schol. Gron. Marc.* 296.15–17 St.

54　*Schol. Gron. Marc.* 296.19–20; 297.6; 10; 19; 29–31 St.

To recap, the scholiast rejects a figured reading of the *Pro Marcello* although he is aware that behind Cicero's eulogies subtler political implications lurk. The concept of *oratio figurata* in the *Scholia Gronoviana* is influenced by Quintilian's theorization as well as by later rhetoricians. The fact that many contemporary readers applied *oratio figurata* to Cicero's praise of Caesar seems to recall the motives of safety and decency which, Quintilian explains, are employed to address powerful people and to show respect to the addressee.

5   *Pro Ligario* and *Pro rege Deiotaro*

Although the Gronovian scholiast disproves that the *Pro Marcello* is an example of *oratio figurata*, one should not conclude that there was no interest in examining potential hidden layers in the *Caesarian Orations*. This becomes clear from ancient scholarship on Cicero's speeches, which has often stressed the orator's mastery in manipulation and dissimulation.[55] Various notes in the commentaries and in the Ciceronian scholia show particular interest in Cicero's ability to persuade and sway his audience through subtle rhetorical strategies. This aspect of Ciceronian rhetoric is well documented within the comments of the *Scholia Gronoviana* to the *Pro Ligario* and *Pro rege Deiotaro.*

After the customary account of the historical events surrounding the speeches, the rhetorical framework follows. According to the Gronovian scholiast, both speeches belong to the *genus admirabile*, the kind of case which elicits the hostility of the listeners.[56] As the judge, Caesar is the most important listener and he is said to bear aversion towards the defendants.[57] Cicero's rhetorical strategies in either speech are explained in the light of the attempt to overcome this aversion. Commenting on the *Pro Ligario*, the scholiast accepts Cicero's claim in *Lig.* 1 that he will give up rational defensive arguments and refer to Caesar's *clementia* throughout his whole speech, which is thereby clas-

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55 On this point see La Bua 2019, 219–266, and cf. also La Bua, Bishop, and Schwameis in this volume.

56 On *genus admirabile* or *turpe* see *Rhet. Her.* 1.5; Cic. *Inv.* 1.20–21.; Quint. *Inst.* 4.1.41; Grill. 87.29–35 Jakobi. Cf. Lausberg 1998, § 64.3.

57 For the *Pro Ligario* see *Schol. Gron.* 292.5–6 St.: *genus causae admirabile: quod iste odit reum, quod odiosa persona est Caesari* ('the category which the case belongs to is *admirabilis*: for he hates the accused; he is hated by Caesar'). For the *Pro rege Deiotaro* see 298.28–30 St.: *genus causae admirabile: nam offensus est animus Caesaris, sed non satis, quia indulgentiam dederat* ('the category of the speech is *admirabile*; for Caesar feels hurt and offended by the accused, but not so much; he had given him his pardon').

sified as a sample of *status venialis*.[58] In the last of the *Caesarianae*, the scholiast underscores Cicero's use of the *insinuatio* at the beginning of the *Pro rege Deiotaro* to win over the benevolence of Caesar elusively.[59]

5.1   *The Irony of the* Pro Ligario

The *argumentum* to the *Pro Ligario* contains references to one of the most famous characteristics of the speech: irony. This concept bears close resemblance to figured speech in that both achieve dissimulation by subverting the superficial meaning of a text.[60] In spite of the differences between these rhetorical concepts,[61] the *argumenta* to the *Pro Marcello* and *Pro Ligario* call attention to strategies of dissimulation. Notably in the *Pro Ligario* the Gronovian scholiast acknowledges Caesar's appreciation of irony as a rhetorical weapon employed by Cicero to counter the arguments of his opponents.[62]

At 292.6–7 St. the scholiast writes: *in ista oratione per hironiam esse principia intellegamus* ('in this speech the proemial words are to be interpreted ironically'), claiming that irony offers the interpretive framework for the *exordium*. Labeling the charge moved by Tubero against Ligarius as a *novum crimen*, Cicero manipulates the situation to his own advantage. From the beginning of the speech, biting irony is used to ridicule Tubero (292.8 St.).[63] However, the fact that the rhetorical theory does not include irony in the conventional tools of an *exordium* accounts for the numerous comments about this strategy. The scholiast notes the derisive tone in the *exordium*, insisting on Cicero's mockery of his opponent(s).[64]

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58   See above. On the question of the *Pro Ligario* as a *deprecatio* see Johnson 2004, 373–399 with further bibliography.

59   Quint. *Inst.* 4.1.42 claims that *insinuatio* fits the *genus turpe* (*admirabile*).

60   On the relationship between irony and figured speech see Demetr. *Eloc.* 291; Ascani 2006, 68–74 maintains that the similarity between irony and figured speech is due to their common origin in the Socratic method.

61   A difference is explained by Quint. *Inst.* 9.2.65: *huic vel confinis vel eadem est qua nunc utimur plurimum. iam enim ad id genus quod et frequentissimum est et expectari maxime credo veniendum est, in quo per quandam suspicionem quod non dicimus accipi volumus, non utique contrarium, ut in* εἰρωνείᾳ, *sed aliud latens et auditori quasi inveniendum* ('related to, or identical with, this is a Figure which we use a lot nowadays. For it is time now to come to the very common device, which I am sure the reader is specially waiting for, in which we drop a hint to show that what we want to be understood is not what we are saying—not necessarily the opposite (as in Irony) but something hidden and left to the hearer to discover', trans. Russell 2001).

62   Gotoff 2002, 241–242; La Bua 2019, 215.

63   Loutsch 1984. On the use of irony in Cicero's speeches see Corbeill 1996.

64   *Schol Gron.* 292.8 St.: *per irrisionem*; 292.13: *irridet patrem etiam*; 292.18; 292.21: *totum*

The unusual employment and ambiguity of irony in the *exordium* lays at the heart of debates on the entire defensive strategy in Cicero's *Pro Ligario*. Frequent throughout the commentary in the *Scholia Gronoviana* are also lemmata about the *status venialis*: the scholiast notes the passages in which Cicero ironically confesses Ligarius' guilt[65] or downplays it by relying on the categories of *casus*, *inprudentia*, and *necessitas*.[66]

In order to understand the scholiast's interest in the irony of the *Pro Ligario*, it can be useful to look at the position of this speech in previous rhetorical sources. As a matter of fact, Cicero's *Pro Ligario* enjoyed much popularity throughout the centuries, serving as a sourcebook of rhetorical and legal items. Echoes of Cicero's strategy in confessing guilt are found in the declamatory collections arranged by Seneca the Elder.[67] Later, Quintilian was also acquainted with Cicero's *Pro Ligario*, which is quoted 53 times in his *Institutio oratoria*.[68] Several aspects of the speech can be illustrative of this admiration. Considered by Quintilian as a *deprecatio*, the speech became a paradigmatic specimen for a kind of plea which had come into vogue during the Imperial period.[69] Further, Quintilian acknowledged its irony as pivotal: in a plea that required begging a superior's pardon, irony was an unexpected quality to find, and Cicero's use of this device led the rhetorician to talk about *divina illa pro Ligario ironia*.[70] Finally, Cicero's defense of Ligarius together with the prosecution speech from Tubero offered the young students of rhetoric an illustrative model on how to argue a specific issue on both sides (*in utramque partem*).[71]

In the wake of Quintilian, the late rhetoricians interested in teaching practice made much use of the speech. Apart from some quotations related to stylistic or metrical issues,[72] in Late Antiquity the *Pro Ligario* was mostly val-

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irridet. Gotoff 2002, 241 observes that the beginning of the *Pro Ligario* violates the typical rules of the *exordium*.

65   *Schol. Gron. Lig.* 293.8 St.

66   *Schol. Gron. Lig.* 292.22; 292.26; 292.32–33; 293.6–7; 293.20–21; 294.11 St.

67   Sen. *Contr.* 10.3.3; cf. *Suas.* 6.13.

68   Carilli 1984. McDermott 1970, 334–336 denies Quintilian's appreciation for the *Pro Ligario* but claims the rhetorician quotes from the speech exclusively for didactic needs, inasmuch as it was an early example of *deprecatio*.

69   Quint. *Inst.* 5.13.5.

70   Quint. *Inst.* 4.1.70.

71   Tubero's speech *In Ligarium* is lost to us, but Quintilian knew and used it (Quint. *Inst.* 5.13.20; 5.13.31; 11.1.78–80). For the practice of *in utramque partem discurrere* cf. Quint. *Inst.* 2.4.15; 3.5.5; 3.11.1; 12.2.25.

72   See Iul. Vict. *Rhet.* 92.12–26 Giomini-Celentano who, among the *genera elocutionis*, considers the style of the *Pro Ligario* as *tenue*. In the corpus of the *Grammatici Latini* edited

ued for its rhetorical virtues. It was not unusual for ancient commentators to track in Cicero's speeches concrete applications of rhetorical theories. Accordingly, the abrupt opening words *novum crimen* were exemplarily reported to illustrate the concept of irony.[73] Moreover, the speech served as a support to the explanation of the *status* theory: Iulius Victor regarded it as an example of συγγνώμη,[74] while in his commentary on Cicero's *De inventione* Grillius carried out a detailed examination of Cicero's strategies spotting elements of *purgatio* and *deprecatio* within the speech.[75]

Grillius' analysis of the *Pro Ligario* is interesting because it contains an explanation at odds with the comments in the *Scholia Gronoviana*. Whereas the scholiast classified the speech as belonging to the *genus admirabile*, Grillius makes clear that the speech has to be categorized under the *genus anceps* (93.98–94.107 Jakobi). This kind of case generates confusion over the sense of justice.[76] Here confusion arises from the charge moved against Ligarius: reading the *exordium*, one might wonder whether Ligarius' real guilt was being in Africa or supporting Pompey. The right answer is the latter, but Grillius explains that Ligarius' permanence in Africa is also part of the accusation—although the slighter part (*partem accusationis leviorem*). Also, for Grillius the fact that Ligarius' presence in Africa is considered a *novum crimen* is ironic, but it also offers another chance for the defense, accommodating one of the main motives of the *purgatio*—that of *necessitas*.[77] By binding Ligarius to the necessity of remaining in Africa, Grillius reasons, Cicero provides a strong line of defense.

Despite diverging in opinion, it is significant that both Grillius and the Gronovian scholiast direct their efforts to elucidating which kind of case the *Pro Ligario* belongs to. Together with irony, the applicability of the speech to certain tenets of rhetorical theory reflects the main tendencies in the reception of the *Pro Ligario*.

5.2   *The* insinuatio *of the* Pro rege Deiotaro

Similar attention to the *genus causae* and the *exordium* is paid in the *argumentum* to the *Pro rege Deiotaro*. Here, the Gronovian scholiast dwells on the *insinuatio* at the beginning of the speech, revealing another rhetorical device based

by Keil, there are 13 occurrences. See also Mart. Cap. 5.520 = 180.22–23 Willis. On Cicero's presence in the *Rhetores Latini Minores* see Riesenweber in this volume.

73   Romanus Aquila *Fig.* 24.21–24 Halm; Iul. Rufin. *Fig.* 38.7 Halm; Mart. Cap. 5.523 = 182.12–14 Willis.

74   Iul. Vict. *Rhet.* 14.1–9 Giomini-Celentano.

75   Grill. 73.90–74.106 Jakobi.

76   On the *genus anceps* or *dubium* see *Rhet. Her.* 1.5; Cic. *Inv.* 1.20; Quint. *Inst.* 4.1.40. See Lausberg 1998, §64.

77   La Bua 2005, 264–265 n. 7.

on ambiguity and veiled language. Cicero's manipulation of Caesar's emotions is associated with the deceitfulness exhibited by one mythical figure, which will be taken up in the Vergilian epics. By drawing on this very strategy, the scholiast himself indirectly fulfills a didactic purpose, providing his students with illustrious models of manipulatory eloquence.[78]

According to the rhetorical tradition, the theory of the *genus causae* is conventionally related to that of the *exordium*. In every speech, the rhetoricians prescribe the insertion of an introduction consistent with the whole of the case which is to be pleaded. When an orator aims to win over a reluctant audience in an awkward situation, the *genus causae* is called *admirabile*. As we have seen above, this category 'alienates the sympathy of the audience', therefore the most suitable kind of *exordium* is *insinuatio*, that is, a subtle approach which achieves the audience's goodwill in a covert manner.[79]

The defense speech on behalf of Deiotarus is inserted by the scholiast into the *genus admirabile*. Since Deiotarus stood accused of having attempted to murder Caesar, the dictator could hardly have been sympathetic towards him. Cicero's strategy to cope with this prejudice is hereby explained:

> Tᴜᴍ ɪɴ ʜᴀᴄ ᴄᴀᴜsᴀ ɪᴛᴀ ᴍᴇ ᴍᴜʟᴛᴀ ᴘᴇʀᴛᴜʀʙᴀɴᴛ] Amamus periclitantibus subvenire. hac arte dixit quemadmodum in Cornelianis et in Cluentiana. et dedit exemplum Virgilius. Sinon ⟨nisi⟩ miserabilem personam sumpsisset: et non haberet quemadmodum Troianis extorqueret misericordiam, quippe hostis. ut eius fallax audiretur oratio, finxit turbari: turbatus inquit inermis constitit. sic et modo Cicero, quia apud Caesarem de hoste Caesaris loquitur, finxit se moveri, ut eius audiatur oratio.[80]

> Tʜᴇɴ ɪɴ ᴛʜɪs ᴄᴀsᴇ I ᴀᴍ sᴏ ᴘᴇʀᴛᴜʀʙᴇᴅ ʙʏ ᴍᴀɴʏ ᴛʜɪɴɢs] We usually long to support those who are in danger. By means of this device Cicero pleaded in such a manner as he had spoken in the speeches on behalf of Cornelius and Cluentius. Vergil gave an example of this. If Sinon had not taken on a pitiable figure, he would not have had any possibility to induce the Trojans to clemency, as he was an enemy. He pretended to be perturbed in order that they would listen to his false and deceitful speech; he [sc. Vergil] says: "He stood anxious and unarmed". Similarly, Cicero, for

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he spoke before Caesar on behalf of an enemy of Caesar, pretended to be perturbed, in order that his speech could be paid attention to.

The scholiast describes Cicero's *ars* as a sort of exciting oratorical challenge, consisting of undertaking the defense of someone despite disturbing circumstances. He refers to Cicero's rhetoric in general terms, alluding to the employment of *insinuatio* through literary precedents (Cicero's own *Pro Cornelio* and *Pro Cluentio*).[81] What is more, the scholiast shows here the influence of the Servian exegesis when he claims that an occurrence of *insinuatio* is found in Vergil's *Aeneid* as well. The reference is to Sinon's speech, reported by Aeneas in his account of Troy's fall in the second book.

After being taken captive, the Greek hero Sinon reveals himself and delivers a deceitful speech. Before the Trojans and King Priam, Sinon dramatically recalls a long-time antagonism with Ulixes. He claims to have deserted his own comrades who, in the meantime, had left Troy. Thereafter he attempts to persuade the Trojans to move the wooden horse into the city. The debt of Sinon's speech to rhetoric drew the attention of ancient commentators very early. The Vergilian interpreter Servius carried out a thorough analysis of 'Sinon's duplicitous speech' (*Sinonis oratio diasyrtica*).[82]

However, Ciceronian exegesis was also concerned with it. In addition to the Gronovian scholiast, Grillius recalled Sinon's speech to provide an example for his explanation of *insinuatio per circuitionem*. A line from the speech was quoted by Grillius to denote how to achieve benevolence by using circumlocution (*per ambages*).[83]

Ancient exegetical tradition thus agrees to regard the speech as a piece of rhetorical manipulation. In the *Scholia Gronoviana*, the episode serves as an illuminating model to explain Cicero's rhetorical strategy in *Pro rege Deiotaro*. As La Bua has observed, "the scholiast exemplifies Cicero's manipulation of the jurymen through the archetypal figure of the Vergilian liar Sinon".[84] Seeking benevolence from a hostile audience, exploiting pathos and resorting to obliquity of language are traits which make Cicero's *exordium* in *Pro rege Deiotaro* and Sinon's speech examples of *insinuatio*.

Nevertheless, other factors may have favored the identification between Cicero and Sinon. Both speakers show anxiety: Cicero insists on his *perturbatio* (*Deiot*. 1–4), and Vergil describes Sinon as *turbatus* (*Aen*. 2.67). Moreover, it is

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81   Cf. Grill. 89.88–91 Jakobi.
82   Serv. *Aen*. 2.80.
83   Grill. 89.77–90 Jakobi.
84   La Bua 2019, 264.

noteworthy that there is a resemblance in the composition of the audiences. Cicero performed before Caesar as dictator and judge and a few witnesses, perhaps all members of his entourage. Similarly, Sinon begins by addressing Priam with whom the final decision rests, although a crowd of Trojan warriors gather around the captive. Rulers constitute the main addressees in either case.[85]

6　Conclusion

The evidence collected and discussed makes it possible to draw some conclusions about the interpretation of the *Caesarian Orations* in the *Scholia Gronoviana*. As a general conclusion, it should be stressed that the Gronovian scholiast is nourished by the educational climate of his times.[86] The cultural tendencies and inclinations of Late Antiquity are reflected in the commentary. At the same time, the scholiast counters some contemporary assumptions, shaping his own teachings as weapons against coeval mistakes.[87]

The red thread running through the commentary to the three *Caesarian Orations* is the scholiast's attention to Cicero's veiled language and rhetoric of ambiguity. At first sight, the scholiast's comments may appear at odds with each other. The claim that the *Pro Marcello* is not a specimen of figured speech seems to contradict the emphasis laid by the scholiast on the strategies of dissimulation and ambiguity in the *Pro Ligario* and *Pro rege Deiotaro*. Nevertheless, ruling out a figured reading for the *Pro Marcello* does not imply that this speech is considered as unambiguous or devoid of sophisticated elusiveness.

The commentary to the *Pro Marcello* shows the scholiast advancing his own opinion against those considering the speech belonging to the *status venialis* or as an example of *oratio figurata*. The latter concept excited deep interest in Late Antiquity, a period in which the theory was well known[88] and Cicero's speeches were often read as concrete manifestations of rhetorical theory. However, the scholiast strongly refuses to apply *oratio figurata* to Cicero's *Pro Marcello*. Rather, he builds up his arguments on the precepts provided by Cicero's own rhetoric. In particular, the *locus* of *persona* is exploited to rule out that

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85　Cf. Quintilian's *schema* for safety (*Inst.* 9.2.67–75) discussed above.

86　See Ramelli 2015. On the reception of Cicero in Late Antiquity see MacCormack 2013.

87　Dugan 2013, 217.

88　A development of figured speech can be observed on the theory of *ductus* in Fortun. *Rhet.* 1.6–8 = 71.19–75.21 Calboli Montefusco and Mart. Cap. 5.470–472 = 165.3–21 Willis.

another *vir bonus dicendi peritus* like Caesar may be deceived by Cicero's tricks. The *locus* of *tempus*, on the other hand, serves to contextualize Cicero's peaceful attitude towards Caesar.

Cicero's reputation as a "master of the art of illusion"[89] is highlighted in the comments about the *Pro Ligario* and *Pro rege Deiotaro*. In the former speech, attention is paid to the ability of Cicero to ridicule his adversaries by means of irony. In the latter, the scholiast draws on an example from epics to emphasize (and teach) how Cicero employed strategies of insinuation to cope with awkward situations.

The image of Cicero arising from the *Scholia Gronoviana* clashes with the severe judgement of Mommsen and, in general, with those who charged Cicero with *levitas* or *inconstantia* in his relationship with the powerful. In analyzing the *Caesarian Orations* the scholiast portrays Cicero neither as a flatterer nor as a cunning deceiver. By contrast, Cicero emerges as a brilliant orator who can resort to the sophisticated resources of his rhetoric in addressing and conveying his political messages to another brilliant orator like Caesar.

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89   I borrow this expression from La Bua 2019, 309. For oratory as "the art of illusion" see Gotoff 1993b.

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Index Nominum

(N.B.: As Cicero's name appears on almost every page of this volume, he has not been included in this index)

Index Locorum

The ancient commentaries and scholia to Cicero's speeches have hitherto received relatively little scholarly attention. This volume is dedicated to Asconius' first-century commentary and the corpora of the scholia stemming from the 4th-7th centuries (Bobbio, ps.-Asconius, and Gronovius). It shows the specific interpretative challenges of these corpora and offers interpretative case studies. Furthermore, it contextualizes the corpora within the learning and learned environment of their time, by contrasting them with rhetorical teaching (via the transmission of Cicero on papyri and his presence in the Rhetores Latini minores) and other ancient commentaries (on Homer and Demosthenes).

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