

*Ciceropaideia***A Brief Biography**

Cicero's life is well attested and well known, in part because the *Brutus* chronicles his education, training, and advocacy. It does not provide, however, a full biography by modern (or ancient) standards, and so a biographical sketch can help us assess what it does offer. Born in 106 BCE to an equestrian family in Arpinum, a hillside town some 65 miles south-east of Rome, Cicero would go on to have one of the most remarkable careers of any "new man" (*novus homo*).<sup>1</sup> His early education soon brought him to Rome and to the guidance of Quintus Mucius Scaevola "the augur" (cos. 117), after whose death Cicero attached himself to Quintus Mucius Scaevola "the pontifex" (cos. 95). Both were eminent legal authorities; the latter published some eighteen books on civil law, and his edict while governor of Asia guided Cicero's proconsulship in Cilicia in 51–50.<sup>2</sup> Cicero's *tirocinium fori* ("orator's apprenticeship in the forum"), the informal institution that Andrew Riggsby has memorably called "political boot

<sup>1</sup> On Cicero as *novus homo* and how he worked around this limitation, Earl (1967) 44–59, Wiseman (1971) 107–13, Dugan (2005), Kurczyk (2006) 121–211, van der Blom (2010), Hölkeskamp (2011a). Modern biographies of Cicero are legion. The following list is partial (and egregiously Anglophone-centric). M. Gelzer (2014, third edition in German) is the best for comprehensiveness, Rawson (1983) as an extensive study in English, Tempest (2011) as an introduction, and Everitt (2001) for entertainment. Stockton (1971) and Mitchell (1979) and (1991) emphasize political aspects. Shackleton Bailey (1971) is engaging or idiosyncratic, depending on one's expectations; he focuses on the letters and on Cicero's later life and tends to dismiss his politics and rhetoric. Andrew Dyck's 2015 *BMCR* review of M. Gelzer (2014) remarks that "a new biography . . . is overdue." Mary Beard's *LRB* review of Everitt (2001), reprinted as Beard (2013), desiderates an account of reception "to explore the way his life-story has been constructed and reconstructed over the last two thousand years" (87). The *Cronologia Ciceroniana*, Marinone (2004), is indispensable on details and slowly coming to receive its due. The latest version is on the website of the International Society of Cicero's Friends, [www.tulliana.eu](http://www.tulliana.eu).

<sup>2</sup> Van der Blom (2010) 238–41 for a succinct account; also see below.

camp,” introduced him to the forum’s inner workings under the guidance of an experienced member of the Roman aristocracy (Scaevola Augur).<sup>3</sup>

Cicero undertook legal advocacy rather late in comparison to his ambitious peers, many of whose family backgrounds facilitated their public entrée. Only in 81 did he take up his first civil case (*pro Quinctio*) and in 80 his first criminal case (*pro S. Roscio Amerino*). A sojourn through Greece in 79–77 interrupted his forensic activity and saw him studying under Greek masters of philosophy and rhetoric. He returned to Rome to restart his legal and political career with a refined oratorical style. His rise was exceptional given his background and limited connections. The quaestorship in 75 had him assigned to western Sicily. The Sicilians soon presented him the opportunity of prosecuting Gaius Verres in 70, the peccant propraetorian governor from 73 to 71. Success against Verres on charges of extortion (*repetundae*) marked a breaking point in his career. The defeat of Verres’ advocate, Quintus Hortensius Hortalus, the premier orator of his day, heralded Cicero’s triumphant arrival in the cutthroat arena of the Roman forum. He was elected aedile for 69 (before the trial’s conclusion), urban praetor for 66, and finally consul for 63, the first year he was eligible (*anno suo*).<sup>4</sup>

Cicero’s pursuit of Catiline and his followers while consul garnered him considerable and lasting renown: he received a *supplicatio* (“thanksgiving”) and was hailed as *pater patriae* (“father of the fatherland”). Execution of the conspirators also made him several enemies and left him exposed to legal reprisals. While continuing to be active in defense cases and politics, he would soon make one of the many political miscalculations that plagued his later career. He testified in 61 against Publius Clodius, who had snuck into Caesar’s house dressed as a woman at the festival of the *Bona Dea*, which prohibited men from attending. Clodius’ pursuit of revenge would lead to Cicero’s exile for eighteen months in 58–57. He was recalled by the people, with considerable help from Pompey, Atticus, and other allies, resuming forensic advocacy but with little scope for independent political action. During the so-called First Triumvirate he turned to the writing of dialogues in the tradition of Plato, which was one response to being sidelined from political affairs while Caesar, Crassus, and Pompey dominated domestic and overseas politics. He wrote three major treatises on

<sup>3</sup> Riggsby (2010) 59. Peter White has kindly shared an unpublished paper questioning the institutional status of the *tirocinium fori*; cf. Richlin (2011).

<sup>4</sup> For a succinct overview of the *cursus honorum*, see Lintott (1999) 144–46, Brennan (2014) 50–53; Beck (2005) examines its early development.

political philosophy: *de Oratore*, *de Republica*, and *de Legibus* (On the Orator, On the Republic, On the Laws).<sup>5</sup> *De Republica* indirectly inspired the *Brutus*, and the magisterial *de Oratore* looms constantly in the background.<sup>6</sup> Pompey's new laws in response to the urban chaos at Rome governed the courts in 52 and meant a busy year for Cicero. A proconsular assignment in 51–50 sent him to Cilicia (southeastern coast of modern Turkey), where he governed the province on the model of his former mentor Scaevola Pontifex, curbing corruption, ensuring the administration of justice, and limiting personal expenditures. He also defeated local mountain tribes in skirmishes.

This military success (and backroom political maneuvering in Rome) brought a second *supplicatio*, although Cicero's true goal was a triumph, with the justification that he had ensured stability in Cilicia.<sup>7</sup> The achievement was not trivial given the threat posed by the Parthians after Crassus' disastrous defeat in 53 in the neighboring province of Syria. Cicero's hopes, however, were dashed by great events and even greater men: civil war between Caesar and Pompey broke out in January of 49 as Cicero waited patiently outside the walls of Rome with his proconsular lictors, expectantly retaining *imperium* for a triumph that never materialized. He followed the Pompeian forces to defeat at Pharsalus in Greece in 48 and returned sheepishly to Italy, landing at Brundisium with the lictors still in tow. He would not relinquish *imperium* until pardoned by Caesar late in 47. The *Brutus* is written in the progressing aftermath of the civil war, which though still ongoing in the spring of 46 was essentially over after the defeat of the republican resistance in north Africa and the deaths of its leaders, Cato and Scipio.<sup>8</sup>

### The “Ciceropaideia” (301–29)

The outline presented above is the barest sketch of Cicero's biography, with details cherry-picked for their relevance to the *Brutus*. That cherry-picking in

<sup>5</sup> On the triad in Cicero's writings and career, see C. Steel (2005) 70–75 (*de Orat.*), 75–78 (*Rep.*), 78–80 (*Leg.*).

<sup>6</sup> The record of *de Legibus* is murky. Cicero probably never completed or published it while alive, although its mood seems to reflect the (late) 50s. See Dyck (2003) 5–7. Zetzel (2017) xxii–xxvi emphasizes connections to the 40s. Jim Zetzel has kindly shared an (unpublished) essay that challenges dating the work to the 50s and reading it in tandem with *de Republica*. Cavarzere (1998) on how Hortensius bridges the end/beginning of *de Oratore*/the *Brutus*.

<sup>7</sup> On this *supplicatio*, see Wistrand (1979), Rollinger (2017), and Morrell (2017) 197; Chapter 8.

<sup>8</sup> The resistance was “only mostly dead” (to borrow from *The Princess Bride*). Caesar subdued the holdouts in Spain on 17 March 45.

some sense copies Cicero’s own self-presentation (301–29), which is not an autobiography in any full sense, but what could be called a “Ciceropaideia,” on account of Cicero’s widespread interest in Xenophon’s *Cyropaideia* (“Education of Cyrus”).<sup>9</sup> Like the *Brutus*, this riveting account of Cyrus’ rise to command the Persian empire has far greater moral and political aims than just documenting its stated subject. Biography plays a crucial role in the *Brutus*, which adapts the tradition of Hellenistic biographical scholarship, repeatedly cites Roman (auto)biographers, and culminates in Cicero’s intellectual training and his political oratory.<sup>10</sup> It heavily emphasizes intellectual (and physical) connections with the Greek world: reading, declamation, philosophy, and rhetorical instruction, both at Rome and in the Greek East. It also closely intertwines the biographies of Cicero and his chief forensic rival, Quintus Hortensius Hortalus, honored at the dialogue’s beginning and end.

Alert to biography’s potential for self-promotion, Cicero also promotes his intellectual and political achievements while reflecting on the appropriate use of Greek culture. The *Brutus* contains the oldest remains of extended autobiography from Greco-Roman antiquity, building on (now mostly lost) Greek and Roman forerunners. We learn too of Latin autobiographies of Catulus (132) and Scaurus (112). These are contrasted with Xenophon’s *Cyropaideia*, a laudable yet overvalued Greek model (112), despite Cicero’s praise elsewhere.<sup>11</sup> Cicero fashions the *Ciceropaideia* with these models in mind.<sup>12</sup> Its details are unlikely to satisfy the expectations of either ancient or modern readers: anecdotes and the assessment of moral character, so scintillating to ancient biographers, are largely absent. Absent too are the basic details relished by modern readers: nothing about his early years, family, or friends. Instead the focus is on his oratorical development, which mirrors the evolutionary account of Greco-Roman oratory.

In addition to recounting his rhetorical training and trajectory, Cicero interconnects his life with that of his slightly older rival Hortensius.<sup>13</sup>

<sup>9</sup> E.g. *Leg.* 2.56, *Fin.* 2.92, *Tusc.* 5.99, *Sen.* 30, 79–81, with J. G. F. Powell (1988) 256–58; *Att.* 2.3.2 (SB 23), *Fam.* 9.25.1 (SB 114), *Q. fr.* 1.1.23 (SB 1). The last letter emphasizes that Xenophon focused more on depicting the just ruler than chronicling the truth.

<sup>10</sup> On the *Cyropaideia* see Due (1989), J. Tatum (1989), and Gera (1993).

<sup>11</sup> E.g. *Fam.* 9.25.1 (SB 114).

<sup>12</sup> No mention is made, however, of Catulus’ Greek biography or Sulla’s memoirs; the latter colored much of the post-Sullan accounts of Roman history. Cicero may also occasionally draw on Rutilius Rufus’ memoirs. See Chassignet (2003), Smith (2009), W. J. Tatum (2011), Scholz, Walter, and Winkle (2013), and Flower (2014) on memoirs and autobiography.

<sup>13</sup> Dyck (2008) examines Hortensius’ career and Ciceronian evidence for it. Kurczyk (2006) 312–26 discusses Cicero’s autobiography and Hortensius’ role in it, but what follows differs fundamentally

Hortensius may seem like an obvious choice in light of his oratorical prominence, but other motivations undoubtedly play a role. By inserting Hortensius into the narrative Cicero emphasizes the importance of syncrisis for aesthetic evaluation; he also reinforces the general impression that the art of oratory progresses from generation to generation as a kind of shared intellectual project fostered and transmitted by the Roman elite.

Cicero might have considered other candidates for comparison, such as his coeval Servius Sulpicius Rufus (106/5–43 BCE, cos. 51). Sulpicius accompanied Cicero to Rhodes in 78 and was an eminent jurist and stylist, as evidenced by two famous letters (*Fam.* 4.5, 4.12 [SB 248, 253]), the first consoling Cicero after Tullia's death and the second detailing the death of Sulpicius' consular colleague M. Claudius Marcellus (cos. 51), who was murdered at Piraeus in 45 while on his way back to Rome from exile. Sulpicius had also prosecuted Murena in 63 after losing the consular elections to him, and won fame for three speeches that survived to Quintilian's day.<sup>14</sup> Like the earlier Mucii Scaevolae he excelled in Roman jurisprudence but took pride of place because he was the first to make it an art (151–54). Still, Sulpicius was hardly the orator that Hortensius was, and the prohibition on discussing living orators precluded evaluation of him.<sup>15</sup>

Hortensius' life becomes a foil for Cicero's, shedding light on Cicero's oratorical development throughout his lifetime.<sup>16</sup> Both in its comparison to Hortensius and in its overall presentation, the Ciceropaideia is highly manicured, selective, and tendentious. It not only paints Cicero in the best possible light but also interweaves into Cicero's oratorical development several themes and disputes central to the *Brutus*: the geography of Rome and Greece (especially Rhodes), including the stylistic debate over Atticism and Asianism; the philosophical and practical virtue of moderation; the idea of development and decline in individuals and in cultures; the manipulation of chronology to present a coherent narrative; the use of syncrisis as the key means to evaluate individuals; and the fundamental connection between oratory and politics.

from her account. Frazel (2009) 38–45 invaluably illuminates Cicero's devotion to rhetorical training and its importance to the portrayals of the prosecution of Verres and Hortensius' oratory.

<sup>14</sup> See *ORF*<sup>2</sup> no. 118; Quint. *Inst.* 4.2.106, 6.1.20, 10.1.22, 10.1.116, 10.7.30.

<sup>15</sup> Van der Blom (2016) 236 on how oratory helped Sulpicius secure the consulship in 51.

<sup>16</sup> Leo (1901) 150 on the exemplary use of biographical syncrisis: "Die vollkommensten Beispiele bietet uns Cicero im *Brutus*." The contest between Aeschylus and Euripides in the second half of Aristophanes' *Frogs* is the *locus classicus* of syncrisis in literary criticism.

The Ciceropaideia closely resembles yet meaningfully diverges from the work's comprehensive oratorical history. The nearly year-by-year reckoning shows far greater granularity than does the account of the *aetates* of Rome's orators, for which no identifiable chronological principle exactly determines the narrative's progress.<sup>17</sup> Cicero skips the earliest years before his arrival in the forum in 91 (*nos in forum venimus*, 303) but the details then come thick and fast up through his consulship. Cicero condenses his post-consular travails and quickly brings us to the year 50, when Hortensius and the practice of eloquence are said to find simultaneous ends.<sup>18</sup>

As is clear from annalistic history and the *fasti*, the names of consuls were the primary means to designate a year and thus place it within a continuous timeline. The *Brutus* draws on consular dating but frequently attaches additional significance to the tenure of office by implicitly aligning it with an event of oratorical or artistic merit. Thus the consulships mentioned, for example, do not successively connect in annalistic fashion the unbroken passage of time but instead often punctuate the progress of oratorical history by highlighting meaningful change.

The accounts of oratorical history and of Cicero's life stress key markers such as the tenure of office or the reliance on births and deaths to mark out different generations (the birth of Cicero, death of Crassus, and death of Hortensius). Magistracies likewise provide boundaries to signal significant advancements (Crassus in 95 and Hortensius' debut; Cicero and Hortensius as aedile-elect and consul-elect, respectively, in 70). As a result, greater emphasis falls on events in the lifetime of the artists: births, deaths, the offices that they hold, and significant civic or intellectual achievements connected to literary activity. These details are present in the Ciceropaideia no less than in the main narrative, and Cicero's emphasis on them in his

<sup>17</sup> See Sumner (1973) 151–54 for a general overview of the main *aetates*, which are taken from 333: Cato; Galba; Lepidus; Carbo (and the Gracchi); Antonius and Crassus; Cotta and Sulpicius; Hortensius. The fuller account across the dialogue would warrant adding (at least) the *aetates* of Q. Catulus; Caesar Strabo; Cicero; Brutus. Sumner (1973) 154 rightly speaks of the "variability of the concept *aetas*."

<sup>18</sup> The "end" of oratory is also the beginning of the narrative in the *Brutus*, since Cicero starts with the year 50 (*cum e Cilicia decedens Rhodum venissem*, 1). He learns of the death of Hortensius while returning from his governorship of Cilicia and landing at the island of Rhodes, and thus the chronological narrative offers a ring-composition with the work's beginning that is bolstered by thematic parallels such as the emphasis on *dolor* (1–8, 21/23, and 330–31) and the visual focus on Brutus as representative of the next generation (*in te intuens*, 22 and 331). On the (misleading?) account of Cicero's forensic advent in 91/90, see below.

own biography reinforces the importance of such markers to structure oratorical history throughout the work.<sup>19</sup>

The Ciceropaideia is a well-balanced diptych, two narrative panels of roughly equal length (301–16 and 317–29) that intertwine the lives of Cicero and Hortensius. Each half of the diptych illuminates the other by drawing attention to the parallels and differences in their lives. Nearly every significant topic of the *Brutus* is discussed or alluded to in some way, and the biographical microcosm of the Ciceropaideia encapsulates the macrocosm of oratorical history. Along the way Cicero grants himself considerable latitude in aligning his own life with the life of oratory, identifying his biological existence with the historical essence of oratory. Perhaps no single term better demonstrates this than *maturitas*, used only three times in the dialogue but to great effect (8, 161, 318). It twice describes Cicero himself and once describes oratory's first maturity at Rome in 106 BCE. *Maturitas* also connects a key moment in his professional life (his return from Sicily and subsequent prosecution of Verres, 318) to a key moment in oratory's life, the first maturity (*prima maturitas*) of oratory in the generation of Crassus (161). Cicero asserts that oratory had reached its "first flourishing" (*prima maturitas*) in the age of Crassus, highlighting in particular Crassus' speech in defense of the *lex Servilia* of 106 BCE: "so it can be known in which age Latin oratory had first reached maturity" (*ut dicendi Latine prima maturitas in qua aetate exstitisset posset notari*, 161).

Two distinct yet interrelated aspects of Crassus' speech motivate the special attention it receives. The speech must have been in reality a powerful model for Cicero. Crassus defended the interests of the senate by arguing for the inclusion of senators in the panels of court judges, which for two decades had been controlled by the equestrians. The distinctive value of Crassus' speech lay in the use of *popularis* rhetoric to assert the authority of the senate. He aroused indignation against the equestrians and prosecutors and then – with a highly emotional appeal – asked that the senate's authority, which ultimately derives from the people, be saved from the tyranny of the equestrian panels. Cicero would memorialize the speech in *de Oratore*, citing passages filled with emotional appeals and the complex yet powerful claim that the senate's autonomy could only be saved by making it subject to the will of the people.<sup>20</sup> Cicero had learned his lesson

<sup>19</sup> The significance of such dates and the attempt to emphasize or even manufacture coincidences are explored fully in Chapter 4. The framework helps to "cluster" data as much as to "space out" that data, creating an almost visual map of history in which meaningful events stand out.

<sup>20</sup> *De Orat.* 1.225. *ORF*<sup>4</sup> no. 66 fr. 22–26, with Morstein-Marx (2004) 28, 235–36. In *de Oratore* Antonius roundly criticizes the speech for failing to meet Crassus' philosophical positions. This

well – to appropriate *popularis* rhetoric in the service of the senate’s wishes. It is precisely the strategy he would use four decades after Crassus’ speech in the debate over yet another *lex Servilia*, the agrarian law proposed in 63 by the tribune of the plebs, Publius Servilius Rullus.<sup>21</sup> Cicero marvelously adapted *popularis* rhetoric to defend senatorial interests and authority and to defeat the agrarian law.<sup>22</sup> Crassus’ speech had taught him well the political and rhetorical maneuvering of contional speech.

The speech’s exemplary status was but one half of the equation, since its chronology was equally crucial to Cicero’s construction of an oratorical history. 106 BCE is, of course, the year of Cicero’s birth, and he will suggest, but not dictate, the obvious conclusion: oratory reaches full maturity with Cicero. Oratory could only advance in the hands of someone better instructed in philosophy, law, and history (*a philosophia a iure civili ab historia fuisse instructor*, 161), someone such as Cicero himself. The contemporary setting of the dialogue is the endpoint of Cicero’s *maturitas* (signaled by the pairing with *senectus*, 8). Life, history, and text are thus intricately interwoven throughout the *Brutus*.

Another essential parallel between the life of the art and the life of its principle artist exists in the theme of artistic evolution. The major change comes during Cicero’s sojourn to the East while in his late twenties for

earlier ambivalence is wholly absent from the *Brutus*. It is also perplexing that the *Brutus* highlights a contional speech but largely ignores the *contio* (see the following notes). A partial answer may be found in the observation at C. Steel (2002) 203: “Cicero seeks to eliminate content from his discussion, or at least the content of deliberative speeches, and to explain success in terms of technical skill.”

<sup>21</sup> Morstein-Marx (2004) 190–202. His discussion of the contional rhetoric of *de Lege Agraria* is exemplary. The idea that oratory reached its *prima maturitas* may be more than a biological conceit (though it is also that). Cicero may have seen Crassus’ speech as a crucial turning point in the senatorial elite’s appropriation of the relatively new *popularis* rhetoric – so fixed to the figures and memory of the Gracchi – to defend the interests of the senate.

<sup>22</sup> Cicero’s limited interest in the *contio*, described in *de Oratore* as virtually the greatest stage for the orator (*maxima quasi oratoris scaena*, *de Orat.* 2.338, cf. 2.334). The *Brutus* mentions the *contio* only ten times (54, 56, 165, 176, 178, 192, 223, 273, 305–6 [×4], 333); Mouritsen (2013) 65 n.17. The *contio* and the extent of “the sovereign power of the people” (Millar 1998 12) have become hotly debated topics in the study of the late republic. No note can do justice to the burgeoning bibliography, but van der Blom (2016) 3–4, 33 n.35 and Pina Polo (2012) offer judicious overviews. Morstein-Marx (2004) remains to my mind the most astute study of elite management of *popularis* discourse. The debate was sparked by several influential essays that culminated in the book by Millar (1998); cf. Jakobson (1992); North (1990) calls for reconceptualizing Roman democracy. Millar champions a democratizing thesis. It has in turn been challenged. Mouritsen (2001) emphasizes the non-representative nature of the contional crowd, while Hölkeskamp (1995), (2010), and (2017) stresses the lack of genuine democratic debate. Flaig (2003) details the various venues and mechanisms for elite communication. On the history and mechanics of the *contio*, see also Taylor (1966) 15–33, Pina Polo (1996), Tan (2008), Hiebel (2009), van der Blom (2016) 33–38.



what Susan Treggiari has called his “graduate study.”<sup>23</sup> Cicero’s style when younger endangered his physical well-being, and during his time in the East he changed his style considerably through training with experts, especially by studying with Apollonius Molon in Rhodes (313–16). Cicero’s account of his development concludes the first of the two panels in the biographical diptych. Set against it is the analysis of Hortensius at the end of the second panel (325–28). Yet unlike Cicero and his artistic progress, Hortensius failed to evolve and gradually declined after being consul. The careers of the two orators have opposite trajectories that are represented in geographical terms. Hortensius remains an unrepentant Asianist. Cicero forges a middle path between Asianism and Atticism that he identifies with the island of Rhodes.<sup>24</sup> The geographical details crucially connect his educational development with the stylistic debate over Atticism and Asianism. In the syncrisis with Hortensius, Cicero both champions the middle path and also intertwines geography and evolution to demonstrate the superiority of the Rhodian alternative. Just as the life of oratory evolves toward a Rhodian compromise between two extremes, so too does Cicero evolve on his way to measured stylistic maturity.

Cicero’s evaluation of Hortensius is richer than that of any other speaker yet still simpler than Cicero’s account of himself. While Hortensius is the main feature of the second panel, his presence there offers a useful entrée into the larger issues and aims of the Ciceropaideia. He is immediately identified as an Asianist, which explains his shortcomings in his later years, because “the Asian style of speech was permitted more to youth than to old age” (*genus erat orationis Asiaticum adulescentiae magis concessum quam senectuti*, 325). This genre of speech contains two main styles, which correspond roughly to the traditional division of content and form (*res* and *verba*) that Cicero emphasizes elsewhere.<sup>25</sup> One style relies on “thoughts that are not as weighty and stern as they are sonorous and charming” (*sententiis non tam gravibus et severis quam concinnis et venustis*, 325). The other uses swift and impetuous language (*verbis volucre atque incitatum*, 325) along with words that are elaborate and elegant (*exornato et faceto genere verborum*, 325), although it lacks the careful symmetry of thought of the first style (*ornata sententiarum concinnitas non erat*, 325).

<sup>23</sup> Treggiari (2015) 240, with Barwick (1963) 13–17. On (Greco-)Roman education, see Marrou (1971), Bonner (1977), Corbeil (2001), Sciarrino (2015), with *de Orat.* 1.147–59, Quint. *Inst.* 2.1–7 on rhetorical education and training.

<sup>24</sup> Dugan (2005) 225–26 on Rhodes’ importance.

<sup>25</sup> The division is prominent in *de Oratore*, although Cicero is adamant there that the two are inseparable.

Hortensius won acclaim for having mastered both, although they ultimately lacked weighty distinction (*gravitas*, 326; cf. *auctoritas*, 327). He partly followed the striking polish of the Asian orator Meneclēs of Alabanda, preferring charming expression over the practical demands of speaking (*magis venustae dulcesque sententiae quam aut necessariae aut interdum utiles*, 326). Attention to effect over effectiveness essentially repeats earlier criticism of the Atticists, who subordinate persuasiveness to aesthetics.<sup>26</sup>

Through Hortensius Cicero also underscores, indeed makes paramount, the role of individual development and the accommodation of style to audience expectations. Yet there are two distinct aspects to this accommodation. First, style must be appropriate to the *ethos* of the speaker by matching his station or age. Second, different historical periods have different stylistic expectations, a main premise of the *Brutus*. For this reason Cicero notes that the masses and young men approved of Hortensius’ style, whereas older men such as Philippus (cos. 91) angrily ridiculed his youthful exuberance (*saepe videbam cum iridentem tum etiam irascentem et stomachantem Philippum*, 326).<sup>27</sup> Although Hortensius’ style lacked authority, he still excelled while young because “it nonetheless seemed appropriate to his age” (*tamen aptum esse aetati videbatur*, 327). Cicero seems to refer primarily to Hortensius’ status as a young man, but the ambiguity in the term *aetas* likewise suggests that his style was appropriate to the expectations of the younger generation in contrast to the older generation of Philippus, who is grouped with other *senes* in 326.

The analysis of Hortensius soon grows critical: he failed to curb his immature exuberance. When he was older, his style no longer matched his status or (perhaps) evolving tastes. Mock imitation of his style drives home the point: “although at that point official honors and the prominent authority of old age demanded greater gravity, he stayed the same and was ineptly the same” (*cum iam honores et illa senior auctoritas gravius quiddam requireret, remanebat idem nec decebat idem*, 327). The last clause concludes with a sing-song *sententia* of the sort that ensured the checkered reputation of the declaimers of the early imperial period catalogued by the elder Seneca. Its form perfectly captures its criticisms: the claim that style must acquire *gravitas* as individuals age is ostentatiously made in a style

<sup>26</sup> See Chapter 7 on Atticism. At *Orat.* 65 the *sophistae* have the same shortcoming. The centrality of pragmatic realism (*utilitas* and *veritas*) would become a refrain of Quintilian’s prescriptions for imperial orators. See Brink (1989).

<sup>27</sup> It is often argued that Hortensius prosecuted Philippus in 95; see *TLRR* no. 90, Fantham (2004) 299–300, Dyck (2008) 144. No clear evidence indicates a prosecution; cf. Kaster (2020) 127 n.348.

that lacks all grandeur. The repetition of verbs in *-ebat* and the pronoun *idem* produce a cloying parallelism that is reinforced by isocolon: two clauses of six syllables each (*remanebat idem / nec decebat idem*). Rhythm diminishes its grandeur by concluding with three trochees, the rhythmic sequence so prominent, for example, at the conclusion of Catullus' hendecasyllabic love poems.<sup>28</sup> Division of the clause makes all the more apparent its rhythmic monotony: ditrochee precedes the concluding triple trochee.<sup>29</sup>

The subsequent criticism of Hortensius' development focuses on his continued penchant for balanced phrasing and thought even as his command of adornment slackened: *manebat* (327) may slyly allude to the immediately preceding *remanebat* and its parodied ending *-ebat*. A contrast of style in Cicero's concluding flourish drives the point home and suggests how Hortensius should have written: "perhaps he pleased you less than he would have if you could have heard him burning with zeal and possessing his full talents" (*minus fortasse placuit quam placuisset, si illum flagrantem studio et florentem facultate audire potuisses*, 327). Cicero's conclusion varies the language of the thought (*placuit/placuisset*), relies on the balanced fullness of two participles with accompanying ablatives, alliterates *f*, *p*, and *s*, and employs the rhythm for which he would become known: resolved cretic plus trochee.<sup>30</sup> The superfluity of *audire potuisses*, where *audivisses* would suffice for the meaning but spoil the *clausula*, suggests that Cicero strove after the rhythmic effect, masterfully and damningly concluding the assessment of Hortensius.<sup>31</sup>

Cicero credits his own move away from extravagance – which he never calls Asianism – to an education received in the Greek East. His studies are directly tied to his portrayal of hellenizing influences and the Atticism debate. They are not merely biographical facts but rather part of a larger strategy, as the geography presented is calculated to elucidate his adherence to the golden mean. The arguments of the *Brutus*, Cicero's fulsome style,

<sup>28</sup> The triple trochee:  $\overset{v}{-} \overset{v}{-} \overset{v}{-} \text{ } \text{ } \overset{x}{-}$ . On ditrochee as an ending popular in Asia, see *Orat.* 212, and 212–15 on the need for variation; cf. Dion. Hal. *Comp.* 18, Quint. *Inst.* 9.4.103. Cicero says ditrochee is popular in Asia (*est secuta Asia maxime*, 212), Quintilian that it is popular among Asianists (*quo Asiatici sunt usi plurimum*), said with Cicero's passage in mind.

<sup>29</sup> The two six-syllable clauses are *remanebat idem / nec decebat idem*:  $\overset{v}{-} \overset{v}{-} \overset{v}{-} \overset{v}{-} \overset{x}{-} / \overset{v}{-} \overset{v}{-} \overset{v}{-} \overset{x}{-}$ .

<sup>30</sup> Often dubbed the "esse videatur" ending:  $\overset{v}{-} \overset{v}{-} \overset{v}{-} \overset{v}{-} \overset{x}{-}$ .

<sup>31</sup> Cicero rarely uses *audivisses*, however (only *Div.* 1.59). Brutus (probably) could have heard Hortensius at his height, even if we give credence to Cicero's claim about Hortensius' decline after the consulship of 69, in which year Brutus would have been about sixteen years old. This assumes, however, a birth year of 85, and not later (78/77). Badian (1967) 229 insists on the earlier date. Tempest (2017) 11 and 102 urges caution.

and his disagreement with the Atticists have often been taken to mean that he was essentially an adherent of the Asianist school of oratory in a debate against the Atticists – yet he nowhere confirms that and in fact goes to great lengths to offer a different perspective.<sup>32</sup> The geographical symbolism portrays him as being between two poles, one represented by various Atticists (unnamed at this point in the text but discussed at length earlier) and the other by the Asianist, Hortensius. Cicero himself appeals to the laudable "middle" between these extremes, represented geographically by the island of Rhodes. This explains the island's importance, including in its first sentence and in Cicero's repeated emphasis on training with Apollonius Molon of Rhodes. Cicero develops his oratorical skills in order to evolve toward a superior middle ground, whereas the Atticists and Hortensius persist in their one-sided inclinations.<sup>33</sup>

Cicero begins by noting the harm his oratorical delivery caused him before outlining the changes he underwent on Rhodes. His strained style endangered his health, almost mortally (*non procul abesse putatur a vitae periculo*, 313). Vigorous tension (*contentio*) is the prevalent term to describe his early style, which he successfully curbed on Rhodes under the guidance of Apollonius. Whereas Hortensius continued to pursue the charms of Asianism, Cicero had to adapt, and the account makes a virtue of necessity by highlighting the stylistic merits of a required change.

Prized above all else is moderation, signaled by *moderatio* and *temperatius dicere* at the beginning of his biography (314) and *mediocritas* at its conclusion (317). Cicero acquired variety and a restrained blending of stylistic effects, but the terms also suggest the "golden mean," the happy middle ground between stylistic extremes. Cicero had already reminded Brutus of the philosophical principle when discussing Crassus and Scaevola: "since the whole of excellence rests in the mean, as your Old Academy tells us, Brutus, each of these men strove after a kind of middle ground" (*cum omnis virtus sit, ut vestra, Brute, vetus Academia dixit, mediocritas, uterque horum medium quiddam volebat sequi*, 149).<sup>34</sup> This is yet another example of how an earlier and seemingly unrelated

<sup>32</sup> See Chapter 7 on Atticism/Asianism.

<sup>33</sup> Plutarch (*Cic.* 3) claims that Cicero left Rome because in his defense of Roscius of Ameria he exposed the machinations of Sulla's freedman, Chrysogonus.

<sup>34</sup> Cicero's claim is perplexing. Douglas (1966a) 97–98 adduces Antiochus' reliance on Peripatetic ethics. Cf. *Ar. Eth. Nic.* 2.5–7, esp. 2.6.13. The mean is prominent in the notion of emotional limitation (*metriopatheia* versus Stoic *apatheia*). See *Ac.* 2.135 (cf. *Ac.* 1.39) and *Tusc.* 4.38–47 (cf. *Tusc.* 3.12 on Crantor, a figure of the Old Academy) on *mediocritates* and the Peripatetic view of the mean as the best (*mediocritatem esse optumam existiment*, *Tusc.* 4.46), with Graver (2002).

principle anticipates a later topic, in this case the arguments for stylistic moderation.

Cicero's move toward moderation relies on two conceits: the geography of the Greek East and a commonplace image, the constraining of a violent river. Although the Ciceropaideia nowhere mentions Asianism or Cicero's disagreements with the Atticists, that debate remains central to his and Hortensius' biographies. The syncretism of Cicero and Hortensius gives their stylistic developments far greater meaning by making clear which alternatives each could or should have embraced, and in light of earlier orators who sought out moderation, like Crassus and Scaevola, it suggests how much Hortensius, unlike Cicero, failed to learn from the past. Although youthful exuberance and Asianist tendencies are not in themselves liabilities, they become so when Hortensius cannot adapt as he matures. Allusion to the Atticism/Asianism debate may prompt Cicero to single out Asia when describing his educational sojourn (*ea causa mihi in Asiam proficiscendi fuit*, 314). More directly he mentions Menippus of Stratonicea, "in my opinion the most fluent speaker of all Asia at the time" (*meo iudicio tota Asia illis temporibus disertissimus*, 315). A pointed barb notes that this Asian orator could be classified as an Atticist: "if having nothing bothersome or useless characterizes Atticists, this orator can rightly be counted among their number" (*si nihil habere molestiarum nec ineptiarum Atticorum est, hic orator in illis numerari recte potest*, 315). While faultless style is a minimum requirement for all oratory, it is neither the preserve of Atticism nor sufficient for great oratory (284). The discussion of the Asian orator Menippus again stresses that geography alone cannot guarantee stylistic affiliation or greatness, and singling him out both drives home this point and underscores the weakness of the label "Atticist."<sup>35</sup>

Further details of geography are central to this intervention in the Atticism/Asianism debate. Cicero arrived first in Athens to study philosophy for six months with Antiochus of Ascalon, who claimed to have returned to the original doctrines (the "Old Academy") in distinction to the "New Academy" of Arcesilaus, Carneades, and Philo.<sup>36</sup> Cicero proceeded from Athens to Asia to be in the company of the most prominent *rhetores*. They proved insufficient for his needs, and only at Rhodes did he flourish under Apollonius Molon (*quibus non contentus*

<sup>35</sup> Chapter 7 discusses this rhetorical strategy.

<sup>36</sup> See Brittain (2001) on Philo, Sedley (2012) on Antiochus, Woolf (2015) on Cicero's Scepticism.

*Rhodium veni meque ad eundem quem Romae audiveram Molonem adplicavi*, 316).<sup>37</sup>

The subsequent account of Cicero’s stylistic development is guided by one central metaphor, that of a raging river whose waters are contained: “when I was overswollen and flowing high on account of my style’s youthful rashness and license, he strove to constrain me and to keep me from overflowing the riverbanks, so to speak” (*is dedit operam . . . ut nimis redundantis nos et supra fluentis iuvenili quadam dicendi impunitate et licentia reprimeret et quasi extra ripas diffluentis coereret*, 316). The metaphor is continued in Apollonius’ successful interventions: Cicero’s “style had simmered down, so to speak” (*quasi deferverat oratio*, 316), with *defervescere* commonly used of boiling water that stops bubbling or rivers that settle after a flood crest.<sup>38</sup> The sustained river metaphor reemerges in connection with Hortensius and Asianism’s unchecked stylistic flow (*flumen . . . orationis*, 325) and swift course (*orationis cursus*, 325). Cicero sums up his own improvements by focusing again on his body (*corpus*) and his moderation (*mediocris habitus*, 317).<sup>39</sup>

Cicero transposes this emphasis on moderation from a Greek educational context to the Roman forum. Upon his return Hortensius and Cotta were the preeminent orators (317), each of whom embodied a stylistic extreme that Cicero longed to imitate: Cotta restrained and Hortensius vigorous. Cicero is more like Hortensius, who becomes a role model, but only partially. The middle path is crucial and is anticipated by the earlier, connected syncrisis of Cotta and Sulpicius (202–4). Here again, each exemplified a stylistic extreme, uncoincidentally portrayed with the same vocabulary and imagery of the Ciceropaideia: Cotta abandoned any straining (*contentionem omnem remisera*, 202) while Sulpicius’ ebullient swiftness avoided overflowing exuberance (*incitata et volubilis nec ea redundans tamen nec circumfluens oratio*, 203).<sup>40</sup> Even the selection of whom to emulate is guided by restraint and moderation between extremes.

<sup>37</sup> *Contentus* may allude to Cicero’s claim that his early style was dominated by *contentio*, which he overcame (*contentio nimia vocis resederat*, 316). Cicero would then be playing on different roots of *contentus*: *contendere* “to strain” (producing *contentio*) and *continere* “to restrain.”

<sup>38</sup> See *TLL* v.1.321.81–322.4 [Gudeman, 1910] for literal uses; 322.9–10 for the metaphorical usage in the *Brutus*. Bringmann (1971) 27–28 (with bibliography) notes the Callimachean background to the river metaphors. Cf. Keith (1999), Gutzwiller (2014) 21, Goh (2018).

<sup>39</sup> There is a curious inverse relationship between the physical and the stylistic developments: Cicero’s style has thinned out as he has physically bulked up. Bishop (2019) 204 astutely suggests that the narrative of overcoming physical limitations ties Cicero to similar accounts about Demosthenes. Leeman (1963) 111 concludes that Cicero exaggerates these stylistic changes, which were part of a much larger development.

<sup>40</sup> The interlinking of Cotta/Sulpicius with Cotta/Hortensius is also an excellent example of Cicero’s nested syncrises, in which one pair or group partially overlaps with another, creating a network of

Equally instructive in historical terms is the earlier stylistic account of oratory's demise in the post-classical Greek era, when Cicero discusses the journey of *eloquentia* through Greece and Asia.<sup>41</sup> Here key language from the river metaphor first appears and the geographical symbolism meaningfully expresses stylistic development:

And in fact outside of Greece there was great devotion to speaking, and achieving the greatest honors for this accomplishment gave prominence to orators' renown. You see, as soon as Eloquence sailed out from Piraeus it wandered through all the islands and made its way through all Asia, so that it smeared itself with foreign habits, lost so to speak all that wholesomeness and health of Attic style, and nearly unlearned how to speak. From here came the Asian orators who shouldn't be despised at all either for their swiftness or for their fullness, but because they lack concision and are overly verbose. The Rhodians are healthier and are more like the Attic stylists.

At vero extra Graeciam magna dicendi studia fuerunt maximique huic laudi habiti honores inlustre oratorum nomen reddiderunt. nam ut semel e Piraeo eloquentia evecta est, omnis peragravit insulas atque ita peregrinata tota Asia est, ut se externis oblineret moribus omnemque illam salubritatem Atticae dictionis et quasi sanitatem perderet ac loqui paene dediceret. hinc Asiatici oratores non contemnendi quidem nec celeritate nec copia, sed parum pressi et nimis redundantes; Rhodii saniores et Atticorum similiores. (51)

Linguistic parallels again drive the conceptual narrative by equating the lives of artist and art. The Asians are *nimis redundantes*, a fault of which Apollonius cured Cicero (*nimis redundantis*, 316). *Eloquentia* toured Greece and Asia as Cicero did (*a me Asia tota peragrata est*, 315).<sup>42</sup> Unlike Cicero, it followed a trajectory of decline, leaving Athens for the islands (presumably including Rhodes) and finally reaching Asia, a gradual decline from restraint (Athens) to exuberance (Asia). Cicero by contrast first visited the extremes of Athens and Asia before finding the happy medium at Rhodes.

The decline of Greek oratory, symbolized geographically by its movement to Asia, only highlights Cicero's successful pursuit of moderation. He left Rome to study in Asia (*in Asiam*, 314) but returned to Rome having studied in Rhodes, suggesting that he may have initially pursued

mutually illuminating syncretisms. The description of Sulpicius here either conflicts with *de Oratore* or perhaps makes Sulpicius a model for the development away from his earlier style: cf. *de Orat.* 2.88 (where Sulpicius resembles a young Hortensius/Cicero).

<sup>41</sup> For later versions of the allegory in Dionysius and Longinus, see de Jonge (2014).

<sup>42</sup> Cf. also the adjacent citation of Menippus as the leading orator in all Asia (*tota Asia*, 315).

Asianism but ultimately found Rhodianism. Allegiance to the latter style (whatever it might entail) rather than Asianism results from experience and learning. He does not defend Asianism against Atticism but instead rejects the limitations of both: Atticism and Asianism are two sides of the same coin, beholden to an extreme and inferior to Rhodian moderation.<sup>43</sup>

The Rhodians' importance can explain their initial inclusion almost as an afterthought in the allegory of *eloquentia* (*Rhodii saniores et Atticorum similiores*, 51). It anticipates their ultimate triumph as the locus of moderation and creates a ring-composition in the text: Rhodes appears in the first and last sentences of the long preface (1–51). The island also suggests a connection between Roman imperialism and oratory, as Cicero's journey back from Cilicia via Rhodes in 50 creates a parallel between his provincial command and his oratorical education.

### Truthiness in the *Ciceropaideia*<sup>44</sup>

Halfway through the *Ciceropaideia* Cicero gestures toward self-effacement: "I think too much is being said about me, especially since I'm the one talking" (*nimis multa videor de me, ipse praesertim*, 318). The statement could serve as a lightly ironic motto for the work, since Cicero and his values are ultimately the subject of the dialogue even when he isn't the subject of the discussion, as the comparisons with Hortensius demonstrate. Like so many other orators Hortensius is a foil for Cicero, and the choices and judgments made concerning the history of oratory are remarkably self-serving. The larger conceptual framework in which Cicero compares himself to Hortensius only reinforces several ideas Cicero assumes to be valid, for example, that successive generations imitate their predecessors

<sup>43</sup> Quintilian confirms the *Brutus*' portrayal, contrasting moderate Rhodianism with Atticism and Asianism: "Then those who made this division added the Rhodian style as a third, which they understood as a kind of middle ground and mixture of each" (*tertium mox qui haec dividebant adiecerunt genus Rhodium, quod velut medium esse atque ex utroque mixtum volunt*, *Inst.* 12.10.18). The topos was malleable: Isoc. *Antid.* 296 claims moderation (μετρίότης) for Attic (presumably between Doric and Ionic). Cf. Gutzwiller (2014) 26 and 31 on the middle style: "The middle was a useful concept in part because it was not a clearly distinct style but flexible in its in-betweenness, mixing elements of other styles in various ways, sometimes ameliorating the grandeur of the high and sometimes adorning the plainness of the low." The middle style and Rhodianism share this slippery quality, though Rhodianism should not be confused with the middle style. Cicero uses Rhodianism to implicitly distinguish himself from the extremes of two stylistic currents.

<sup>44</sup> The term "truthiness" was implanted in the American political lexicon in 2005 by television comedian Stephen Colbert and roughly means the intuitive sense that a statement is or should be true based on its general appeal or plausibility rather than accuracy or fact. For the Latin-abled, Colbert also offered the term "veritasiness," a composite not so unlike Sisenna's infamous "spittlicious" (*sputatilica*, 260), on which see Chapter 6.



and that orators transmit their abilities across each *aetas*. The comparison with Hortensius also assumes that individual style should evolve during one's lifetime, which explains Hortensius' decline and Cicero's rise.

The evolutionary account of the Ciceropaideia and the larger historical narrative of oratory are mutually reinforcing. Cicero's trajectory is a miniature version of oratory's evolution at Rome since its origins, once again giving the impression that his accomplishments are the inevitable result of oratory's history and the encapsulation of its artistic principles. Cicero manipulates and guides the material at hand while making larger points and arguments through indirection and implication. The massive network of parallels and coincidences gives the impression of connection and continuity, imperceptibly endowing history with a sense of purpose and meaning: the vicissitudes of oratorical history seem to be guided by a visible yet authorless intelligent design.

Cicero's autobiography also illuminates several claims made elsewhere about oratory. Some are more obvious, such as his enumeration of philosophy (*philosophia*), civil law (*ius civile*), and history (*memoria rerum Romanarum*) as essential departments of knowledge for great oratory (322). It is nearly impossible not to glance back from there to the first maturity of oratory in the age of his role models, Crassus and Antonius, who would be surpassed "only by someone who was more learned in philosophy, civil law, and history" (*nisi qui a philosophia a iure civili ab historia fuisset instructor*, 161).

Less obvious perhaps is the significance or even logic of certain seemingly stray details, such as his repeated mention of Apollonius Molon of Rhodes at Rome (307, 312, 316). He supposedly first came to Rome along with other Greeks in 87 (307), a detail whose accuracy has been questioned.<sup>45</sup> Later mention of Apollonius in Rome in 81 as an envoy during Sulla's dictatorship reprises the earlier passage's language (*Moloni dedimus operam*, 312) without noting the earlier visit.<sup>46</sup> And lastly Cicero crucially changed his speaking style under Apollonius while on sojourn in Rhodes in the early 70s. On that occasion it was Apollonius who took pains (*is dedit operam*, 316) to reshape Cicero's oratory.

<sup>45</sup> Douglas (1966a) 221 summarizes the arguments against it and defends the possibility that Apollonius was at Rome, since Posidonius was at Rome as an envoy at the time (citing Plut. *Mar.* 45). Caesar also studied with him (Suet. *Jul.* 4.1, Plut. *Caes.* 3.1). On the three mentions of Apollonius and Cicero's selective reporting of the years 90–89 (see below), including the *lex Varia* and the suspension of the courts, Badian (1969) 452–58 is essential, though we differ on certain aspects of Cicero's motivations.

<sup>46</sup> Hendrickson (1962) 270 n.a: "an awkward intercalation, suggesting later insertion." On the language, cf. *Att.* 2.1.9 (SB 21), with a joke at the expense of Favonius.

The three separate periods of tutelage create an overall image of Cicero's training, and in order to produce that image he inevitably shaped or even fabricated certain details. As a young man he observed legal cases and *contiones* (forensic and deliberative oratory), studied law under Scaevola Pontifex, and philosophy under Philo (304–6). The curriculum thus far is impressive, but as Ernst Badian explains: "there was an obvious gap in the structure of his studies: he had not yet studied rhetoric under a master. It was essential for the completion of the picture that, no later than 87, he should do so."<sup>47</sup>

This is the first instance of three in which Cicero connects crucial stages of his career to formal training with Apollonius, and it essentially caps the studies of his youth, which took not only the shape of formal pedagogy but also observation of real speeches in the Roman forum. The second stage has again a close connection to Apollonius, when Cicero studies with him in 81 and notes that his initial forensic activity depended on adequate learning (*ut . . . docti in forum veniremus*, 311). It is after this argument that he inserts mention of his simultaneous training with Apollonius (*eodem tempore Moloni dedimus operam*, 312) and nearly credits him with the success of his oratorical debut: "and therefore my first public trial, spoken on behalf of Sextus Roscius, won so much approval that no other case seemed not to deserve my services" (*itaque prima causa publica pro Sex. Roscio dicta tantum commendationis habuit, ut non ulla esset quae non digna nostro patrocínio videretur*, 312).<sup>48</sup>

In the final phase of influence Apollonius guided Cicero toward a mature Rhodian style (discussed above). No figure is as important to his early years: he dedicated himself to Apollonius during the hiatus of the courts in the early 80s, his forensic debut in the late 80s, and his crowning transformation in Greece (79–77 BCE). The three passages closely mirror one another, as Cicero first devotes himself to Apollonius, who later responds in kind (*operam dedimus - dedit operam*), a parallel reinforced by the changed location: Cicero requites his teacher's visits to Rome by traveling to Rhodes. And Cicero stresses that Apollonius was not merely a teacher but also a speaker (307, 316) and writer (316): *actor, magister, scriptor*, all activities that describe Cicero, if one considers his pedagogical role in the *Brutus*. Most crucial is Apollonius' connection to Rhodes, which, as we have seen, is so central to Cicero's self-portrayal as a moderate Rhodian orator against the extremes of the Atticists and Asianists.

<sup>47</sup> Badian (1969) 456.

<sup>48</sup> Badian (1969) 456 n.24 says that the insertion and temporal indication wholly undermine Cicero's arguments. They do, however, emphasize how important Apollonius was to Cicero's early success.

The repeated notice of Apollonius, the details of language, and the geographical relevance of Rhodes all conspire to elevate Apollonius to an importance no other figure attains, likening the two individuals to one another.<sup>49</sup>

Omissions in the Ciceropaideia are as important as its emphases. The most glaring instance skips over his post-consular career, abbreviating the years between 62 and 51 with the notice that he and Hortensius harmoniously managed several notable cases together. The protracted dispute with Clodius, exile, and the so-called First Triumvirate all vanish from the record. We fast-forward to the new courts under Pompey's laws in 52. When the narrative is more detailed, in Cicero's rise to prominence, the picture is remarkably flattering. Cicero's suggestion of how much diligence and hard work were necessary to become a capable speaker may appeal to modern scholars, with their own protracted journey toward professional competence, but most of all he makes a virtue of necessity. He spent his early years largely in the shadows, of other rhetorical luminaries and of the greatness to which he aspired. It may be true that Cicero seemed ready to take on any case after defending Roscius, but seemed so to whom?

The available evidence suggests that Cicero handled cases of limited importance until the prosecution of Verres in 70 – and even then he fought for the right to prosecute, a struggle memorialized in the *Divinatio in Q. Caecilium*.<sup>50</sup> Until 70 Cicero's cases were largely “small beer,”<sup>51</sup> mostly for provincial Italians. It was not until the aedileship of 69, at age thirty-seven, that he broke into the ranks of premier patrons; he first defended a senator, Marcus Fonteius, on charges of provincial extortion in Transalpine Gaul.<sup>52</sup> That year brought three cases, including two for

<sup>49</sup> Contrast the quite different source of influence emphasized in *de Oratore*: esteemed Romans gathered around the figures of Crassus and Antonius. I am of course not suggesting that Cicero portrays himself as a Greek rhetorician or that he considered Apollonius a social equal. Cic. *N.D.* 1.6 indiscriminately cites Diodotus, Philo, Antiochus, and Posidonius as Cicero's teachers.

<sup>50</sup> See now C. Steel (2016) for a survey of early-career prosecution, esp. 219–20 on the considerable social and political capital required to mount such a case; 222–23 on how unusual and risky his prosecution of Verres was.

<sup>51</sup> Borrowing the phrase for certain imperial cases from Crook (1995).

<sup>52</sup> C. Steel (2012) 261. C. Steel (2005) 40 suggests that *de Inventione* will have been the alternative to a significant early debut. See Dyck (2012) on *pro Fonteio*. Political upheaval partly delayed Cicero's debut: “With Crassus as his patron he might well have expected to enter the forum with a prosecution around 87–86 BC, if only there had been no Social War and no Marian revolution” (Fantham 2004 300). Cicero claims that the year 76 was filled with notable cases (*causas nobilis egimus*, 318), but the claim is hard to corroborate. *Pro Vareno* (lost but still published) may be meant or *pro Q. Roscio comoedo*; if so, were the two enough to justify the claim of a year's activity? Crawford (1994) 7–18 tentatively suggests 77/76 for *pro Vareno*, a vehicle of advertisement for his campaign for the quaestorship; cf. Gruen (1974) 531. On *pro Q. Roscio comoedo* see TLRR no. 166, usually dated to 76–68 with scholars favoring the end of that range. The term *nobilis* may be rather deceptive, suggesting not just cases of notoriety (*nobilis*) but clients of status (*nobilis*). Crawford

extortion (Fonteius and Oppius), perhaps because of his experience the previous year prosecuting *repetundae* proceedings. It was not until his praetorship in 66 that he pleaded regularly and held a contional speech (*pro Lege Manilia*), supporting Pompey's extraordinary command and eyeing the consulship of 63.<sup>53</sup> Hortensius by contrast first spoke at age nineteen in 95 and soon after defended Nicomedes of Bithynia, possibilities for someone of his political clout and pedigree, but unimaginable for even the most talented and ambitious equestrian upstart from Arpinum.<sup>54</sup> Cicero emphasizes his devotion to learning as a screen for his limited access to forensic advocacy. This reframing has been readily accepted by modern readers perhaps eager to find in him something that passes for humility: Cicero too, for all his talent, found oratory difficult to master.

Even his oratorical debut in the *Brutus* is a half-truth, as he makes no mention of the *pro Quinctio* of 81, a relatively insignificant civil case, which he in all likelihood lost to Hortensius. Instead, he notes the *pro S. Roscio Amerino* of 80, which he won, and thereby underscores the criminal trials that were far more important to his career.<sup>55</sup> The case offered a chance to address a larger if hazardous theme – the republic under Sulla's dictatorship – and he readily followed rhetorical injunctions to seek out a larger issue to enhance the persuasiveness of a case. Rather than focus on early defeat against his future rival, he notes an early victory and then refocuses attention onto besting Hortensius during the *Verrines* more than a decade later after his training in Rhodes, creating the illusion that they only then first clashed in the forum.<sup>56</sup>

Cicero also diminishes the post-consulship oratory of Hortensius after 69, citing his waning enthusiasm (*summum illud suum studium remisit*, 320). Yet Hortensius still spoke on legislative matters, such as the *lex*

(1984) nos. 1–3 lists only three trials up to 75 (*pro muliere Arretina* 79/80, *pro Titinia Cottae* 79, *pro adolescentibus Romanis in Sicilia* 75). C. Steel (2005) 22–25 on Cicero's early publication of speeches.

<sup>53</sup> Zetzel (2009) 73: “the first major speech in Cicero's own campaign to be elected consul.”

<sup>54</sup> Demosthenes pled while young; Calvus, Caesar, and Pollio all handled serious cases (prosecutions) before the quaestorship (Quint. *Inst.* 12.6.1). Cicero may be stretching the truth about Hortensius' speech by stating *in foro*, in order to further align their careers, but the details are too complex to treat here. Cf. *de Orat.* 3.229 (senate speech), Quint. *Inst.* 12.6.1 (above), 12.7.4. Gruen (1966) 49–50, Dyck (2008) 144, C. Steel (2016) 215.

<sup>55</sup> Cicero does say that he began with both civil and criminal cases (*ad causas et privatas et publicas adire coepimus*, 311), but for a work so invested in beginnings he suppresses his own oratorical misstart. On *pro Quinctio*, see Kinsey (1971) 5–6, *TLRR* no. 126, Tempest (2011) 32. Silence about the speech in the *Brutus* may suggest that he lost. He lost but published *pro Vareno*, another overlooked case. Cf. C. Steel (2012) 258–59 on Cicero's later “suppression of failure” (259).

<sup>56</sup> At *Div. Caec.* 44 Cicero says they'd already met multiple times on the same and opposing sides, although, again, no other speeches are known.

*Gabinia* (67 BCE) and the *lex Manilia* (66 BCE) on Pompey's commands.<sup>57</sup> He also pled cases; we know of three between his consulship and Cicero's, including on behalf of Murena in November 63.<sup>58</sup> Hortensius, we are told, lost interest in the art and disappeared from the forum only to jealously return, often as co-counsel (*coniunctissime versati sumus*, 323), after Cicero's event-filled consulship. Perhaps the real image that Cicero wishes to suggest, in addition to intertwining their oratorical lives so closely, comes from the relationship of Hortensius to Cotta: when Cicero returned to Rome he noted that these two orators worked together, with Cotta as the elder chief advocate and Hortensius as the real powerhouse and younger member of the legal duo (317). Cicero inserts the idea of the inheritance of the top spot in the forum among orators of successive generations, and just as Cotta had yielded to Hortensius, so Hortensius yielded to Cicero. These generational interconnections amount to an unbroken continuity in the recent history of oratory: Brutus too will inherit Cicero's legacy and continues the lineage back to Hortensius, pleading alongside Hortensius in his last case, the defense of Appius Claudius Pulcher in the spring of 50 (328).<sup>59</sup> Cicero's career closely tracks Hortensius' in the natural progression of generations. He aligns them temporally: "he flourished from the consulship of Crassus and Scaevola to that of Paullus and Marcellus, I followed the same path from Sulla's dictatorship to about the same consuls" (*ille a Crasso consule et Scaevola usque ad Paullum et Marcellum consules floruit, nos in eodem cursu fuimus a Sulla dictatore ad eosdem fere consules*, 328).<sup>60</sup> He equates their careers and

<sup>57</sup> Cf. *Man.* 51–53. Cicero naturally has motivations for stressing Hortensius' opposition to those laws to bolster his own case, but Hortensius clearly played at least some role. At 302 Cicero also seems to indulge in some rather different inventiveness, claiming that Hortensius uniquely used *partitioes* and *conlectiones* (perhaps to follow a pattern in which speakers of generational importance should introduce at least some technical refinement).

<sup>58</sup> *TLRR* nos. 202, 221, 224 (*pro Murena*). The frequency of trials in 69–63 does not deviate all that much from the rest of Hortensius' career (with the caveat that *TLRR* cannot be complete), especially if one considers as anomalies a year such as 54 BCE with three trials recorded for Hortensius (*TLRR* nos. 283, 293, 295).

<sup>59</sup> *TLRR* no. 355. Cicero also assumes that senior senators were expected to continue pleading cases regularly after the consulship, but this was not in fact the norm: Cicero, Hortensius, and M. Licinius Crassus are exceptions; van der Blom (2016) 281. The expectation was that senior senators would use their *auctoritas* to testify at trials; van der Blom (2016) 32–33; Guérin (2015) comprehensively studies testimony in the late republic. Cicero's speeches were a better vehicle for self-profiling, while his searing *in Vatinius* shows the pitfalls of testifying.

<sup>60</sup> Cicero left for Cilicia in 51 and stopped pleading slightly before Hortensius; civil war closed the courts before Cicero's return. He does use *fere* here, a nice gesture to accuracy amidst the alignment of careers. Exactness is especially prominent when he has nothing to lose by it.

likens their progress: “I followed Hortensius on the race-course in his very footsteps” (*simus in spatio Q. Hortensium ipsius vestigiis persecuti*, 307).<sup>61</sup>

Constant reference to their offices, in parallel but with Cicero a step behind, gives the impression that they followed the same oratorical and political trajectory and that great oratory naturally results in the tenure of office.<sup>62</sup> We may see some massaging of historical details in Cicero’s desire to line up their careers so closely, as Hortensius’ rise is connected to a number of crucial events: “and as he was reaching his prime Crassus died, Cotta was exiled, the war interrupted the courts, and I entered the forum” (*hoc igitur florescente Crassus est mortuus, Cotta pulsus, iudicia intermissa bello, nos in forum venimus*, 303). The alignment of events suggests contemporaneity, although Crassus died in 91, shortly before the outbreak of the war and the suspension of the courts; similarly, Cotta was not exiled until 90, when Cicero assumed the *toga virilis* (“toga of manhood”) and began his *tirocinium fori* under Scaevola Pontifex.<sup>63</sup>

The narrative resumes with Hortensius’ military service during the Social War in 91 and portrays events clustering around that year, gathering and coordinating the critical moments of Roman history, including Cicero’s arrival in the forum. The connection was already anticipated by Hortensius’ first speech in the forum in 95, the year Crassus and Scaevola (Pontifex) were consuls. Hortensius, as noted above, is elsewhere depicted as having spoken before the senate in that year; shifting the venue from senate to forum aligns their careers more closely, despite their vastly different debuts.<sup>64</sup>

Lastly, there is another near fabrication in Cicero’s claims about the courts in 90. The outbreak of the Social War suspended all trials except those that fell under the *lex Varia*, whose proceedings he scrupulously attended (*exercebatur una lege iudicium Varia, ceteris propter bellum intermissis; quoi frequens aderam*, 304). We never learn that later in 90 the Varian court was probably also suspended. He also omits his service under

<sup>61</sup> The image of the race course or path follows the use of *cursus* earlier in 307 and is reiterated in 328 (*in eodem cursu*, quoted above).

<sup>62</sup> He notes that in 76 Cotta, Hortensius, and Cicero sought the offices of consul, aedile, and quaestor, respectively (318). During the prosecution of Verres he was aedile-elect and Hortensius consul-elect (319).

<sup>63</sup> See Rawson (1983) 13–14 with Plut. *Cic.* 3.1 and *Cic. Amic.* 1. Douglas (1966a) follows Fabricius and prints “Q. f.” at 306, which would indicate Scaevola Augur, but Scaevola Pontifex is meant here (reading “P. f.”), although Cicero first followed Scaevola Augur: see Badian (1967) 228–29, Kaster (2020) 157 n.470. To smooth the narrative Cicero omits the earlier connection.

<sup>64</sup> Ryan (1998) on senatorial debate; an overview in van der Blom (2016) 38–42.

Sulla and Pompeius Strabo and his absence for much of 89.<sup>65</sup> Again these are not outright lies, but the omissions crucially alter the image of his training, suggesting he spent nearly two years imbibing high-stakes speeches in the forum.<sup>66</sup>

The Ciceropaideia captures several crucial details of Cicero's life while demonstrating the selectivity, emphases, and shaping of material that so typify the *Brutus*. Cicero repeatedly posits meaningful parallels, especially through extended syncrises and cross-generational or cross-cultural comparisons. He deploys digressions to great effect, allowing seemingly unrelated material to serve important functions at different points in the dialogue: the discussion of Hortensius' failure to change, for example, makes most sense in light of Cicero's dispute with the Atticists and his unflinching insistence on progress as a developmental principle, not only in his own and Hortensius' lives but in the life of an artistic practice across time. We also find Cicero carefully crafting, sometimes manipulating, the material available in the historical record to produce a compelling narrative.<sup>67</sup>

Selectivity of details in the *Brutus* gives us a glimpse into how Cicero retrospectively represented his career. Previously published losses or smaller cases – so central to his earlier crafting of a public profile as someone otherwise unknown – are omitted or emphasized differently, and what emerges is a picture of a far more competent and connected advocate, one who selectively argued more important and more successful cases that, in the privileged view of hindsight, inevitably portended future success.<sup>68</sup> And however unusual Cicero's career was, even by his own admission, he still goes to great lengths to make it seem normal and normative. The history of his own oratory overlooks the reality that the type of education he had and the possibilities for remaining at Rome and involved in its politics were relatively new in the construction of political careers. Magistrates were in Rome more frequently at more crucial times, and

<sup>65</sup> *Phil.* 12.27, *Plut. Cic.* 3, with *Div.* 1.72, 2.65 and Cichorius (1922) 181–85, Badian (1969) 454. Mitchell (1979) 9 has him under Sulla for the first half of 89 and under Strabo for the second.

<sup>66</sup> Badian (1969) 458: "It would seriously impair the picture of Cicero's assiduity in 90, if it were known that the court only sat for a small part of the year – just as, in 89, it would do so if we were to know that he was on military service for most of the year." Mitchell (1979) 9 n.29: "He is guilty of distortion by omission in the *Brutus*."

<sup>67</sup> Although there is not space here to address the topic at length, J. Hall (2014) 50 notes that Cicero suppresses the details of Hortensius' eccentric style of performance, barely noting them in passing (316). Gunderson (2000) 127–32 on Hortensius' (alleged) effeminacy.

<sup>68</sup> C. Steel (2012) on how Cicero shapes his early career through careful publication, noting "his constant attempt to impose, on the sometimes recalcitrant raw material of Roman politics, order and success." Cf. Gibson and C. Steel (2010).

extensive service as a military tribune or provincial governor became less integral to a political career.<sup>69</sup> He also relies on assumptions about the common publication of speeches, which was far less common than one might think from reading the *Brutus*.<sup>70</sup>

Individually, none of Cicero's techniques of invention or presentation were new or unusual, but throughout the dialogue he deftly employs rhetorical strategies and techniques to produce a persuasive and yet seemingly artless account of his own life and of oratory's past. Drawing together the different possibilities for representing the past and for conceptualizing an art is among the dialogue's greatest contributions to intellectual history, and Cicero goes to great lengths to impress upon readers the uniqueness and novelty of his literary-historical project. His claims to innovation in the face of tradition are the subject of the next chapter.

<sup>69</sup> Military service: Harris (1979) 11–15, Rosenstein (2007) 133. Presence in Rome: Flower (2010) 67 (on the effects of moving the start of the year in 153 to 1 January from 1 March), Pina Polo (2011) on the consulship's development into a civil rather than military office after Sulla. For an overview, see Blösel (2011). Van der Blom (2016) 25–45, 280–89 details the public profiling of a career via oratory and Cicero's idiosyncratic perspective.

<sup>70</sup> C. Steel (2005) 22, 145 on how few great orators in the generation immediately preceding Cicero's published their speeches. Earlier orators did of course, such as the Gracchi or Cato, but the practice became more widespread in Cicero's generation.