

CHAPTER 20

Some Passionate Performances in Late Republican Rome

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No one who has witnessed the opening years of the twenty first century needs to be told that emotion is inseparable from political thought and political action. So many today – individuals, parties, sects, whole nations – “are full of passionate intensity,” and so thoroughly do their passions govern their deeds that we could fancy Yeats’s drafting “The Second Coming,” in January 1919, as an act of prophecy, not a retrospective meditation on the Easter Rising and the First World War. But of course no decade in no century has ever wanted for the like, including the decades and centuries of Rome’s Republic; nor is the enactment of political passion ever, quite, just a symptom of “mere anarchy . . . loosed upon the world.” Political passions serve multiple purposes – expressive, effective, and normative – in making ideology manifest and urgent. In this chapter we will survey a few of these purposes in the time of Cicero, the better to see how such passions illuminate the values that sustained the republican community and inspired people to gestures mimicking stable unanimity amidst the tumult of competing factions.¹

We can organize the survey around a story that Cicero never tired of telling about himself, though it meant revisiting, again and again, a time of disfiguring disgrace. The story appears as the main structural element in no fewer than four extant speeches, delivered before quite diverse audiences, and significant elements of it reappear in several other orations and in the correspondence.² The story goes like this:

Late in 63 BCE Cicero, as consul, uncovered the plot of Catiline and his confederates to overthrow Rome’s civil regime. Acting with the senate’s authoritative support, he oversaw the execution of five chief conspirators at Rome, including a praetor of the Roman people; not long after, Catiline was defeated in a pitched battle in Tuscany. The Republic was rescued, and – though some malicious types grumbled that citizens had been executed without trial and the people’s judgment, contrary to Roman law and tradition – there was general agreement that Cicero was the Republic’s “unique savior.”³

But as the next few years passed there came to prominence an enemy of Cicero, and of all right-thinking patriots, the patrician Publius Clodius Pulcher, a dissolute and violent brigand, a plague on the community. After engineering a transfer from his patrician family to a plebian family in 59, so that he could become a tribune of the plebs, he gained that office for the following year and opened his term with a barrage of legislation that overturned several of the Republic's key institutions. Clodius then turned his attention to Cicero, promulgating a law, "on the life [*caput*] of a citizen," intended to punish with exile – retroactively as well as prospectively – anyone who put a Roman citizen to death without trial. This move was greeted by a great public outcry, massive and passionate demonstrations, and demands from both the senate and the people that the consuls take action to protect Cicero and thwart Clodius. But Clodius had already purchased the consuls' connivance with a promise of rich provincial assignments, and Cicero was left defenseless. After first contemplating armed resistance or even suicide, he resolved that self-sacrifice would be the most patriotic course: he would withdraw and thereby spare his fellow citizens the bloodshed that resistance would bring.

So Cicero went out from Rome on the day Clodius' law was passed [March 18(?), 58], leaving behind his wife, children, and all he held dear. Very quickly Clodius promulgated a second law, declaring that Cicero had been exiled: once this law was passed, his property would be confiscated, his civic status and family rights would be lost, and he could be executed on sight if found within 400 miles of Italy. So Cicero fled to the Greek mainland, staying first at Thessalonica in Macedonia and then at Dyrrachium on the Adriatic Coast, and for almost 18 months tracked from afar the efforts of patriots to gain his recall.

These efforts began barely a month after he left Italy and gradually gained momentum through the balance of 58: Pompey the Great, whose impulse to help had been "slowed" during Cicero's crisis,⁴ began to work on his behalf, and the elections for the magistrates of 57 both brought in a cadre of tribunes loyal to the good cause and gave the consulship to a man who would be Cicero's champion, Publius Cornelius Lentulus. When in December the new tribunes entered office they immediately promulgated legislation for Cicero's recall; the senate soon expressed strong support for such legislation at its meeting on the first day of the new year; and an assembly was convened to vote on the tribune's law on 23 January. But before that vote could be held the assembly was violently disrupted by Clodius' thugs: "the Tiber was filled then with the bodies of citizens, the sewers stuffed, the blood had to be cleared from the forum with sponges." (*Sest.* 77)

With this mayhem the public life of Rome was brought to a standstill, through February and beyond, partly under the oppressive influence of Clodius' lawless gangs, partly as an expression of outraged protest and sympathy on the part of Cicero's allies in the senate. But by late spring, the consul Lentulus was able to mobilize the forces of good order and set in motion the events leading to Cicero's recall. In late May or early June the senate met in the temple of Honos and Virtus built by Marius, Cicero's fellow native of Arpinum, whose generalship had saved Rome from German hordes just as Cicero's statesmanship had saved Rome from Catiline. There the senate passed a decree directing all provincial governors to ensure Cicero's safety and directing the consuls to send letters to the towns of Italy calling on "all who wished the commonwealth's safety" to gather in Cicero's support: the language intentionally echoed the formula used to declare a state of emergency and effectively identified the commonwealth's well-being with Cicero's own. During the *ludi Apollinares* in July those crowds did gather, in vast numbers, to show their favor, while the senate, following Pompey's lead, met to pass further supportive decrees. The law restoring Cicero's civic status was

promulgated, and on August 4, as the centuriate assembly was convened for the vote, Cicero set sail from Dyrrachium and touched Italian soil again at Brundisium the next day. A stately, triumphant procession the length of the Appian Way brought him to Rome on September 4, and to a joyous reception signaling that Cicero and the commonwealth had been restored at one and the same time.

Such, at any rate, was the story that Cicero told; and as a story, it derives much of its shape and point from omissions, distortions, and – it must be said – downright falsehoods. To mention only a few of these falsifying touches here: though Cicero repeatedly says that Clodius' legislation overturned the use of auspices and destroyed the censorship, it is plain that these assertions are false, and tolerably clear that Clodius' measures aimed only at normalizing procedures (in the case of the auspices) and strengthening due process (in the case of the censorship); though Cicero repeatedly says the suppression of the Catilinarians was attacked as illegal only by *inimici et invidi* – personal enemies and those who were envious or spiteful – one did not have to belong to either category to think that such summary executions rode roughshod over several basic principles of republicanism; though Cicero repeatedly blames the consuls of 58 for their corrupt connivance at Clodius' attack, he also claims to have had the support of almost all the other tribunes, any one of whom could have vetoed the bills Clodius aimed at Cicero – if the bills had been even nearly as unpopular as Cicero represents them as being; though Cicero repeatedly speaks of his departure from Rome as a willing act of patriotic self-sacrifice, his correspondence from exile shows that it was a move he came bitterly to regret; and though Cicero repeatedly stresses the support he received from Pompey in the run-up to his restoration, he cloaks in silence or euphemism the fact that Pompey had flagrantly betrayed him in the weeks and months before his exile, when the great man refused an appeal from Cicero's son-in-law, equivocated with a delegation of Cicero's senatorial supporters, and literally turned his back on Cicero himself, not even bidding him to rise when he had thrown himself at Pompey's feet in supplication.⁵

But for our purposes here the various ways in which Cicero was economical with the truth in fashioning his story are less important than the story itself, which turns the drama of Cicero's exile and return into a late republican morality play.⁶ The play is obviously organized around a central conflict between personal interests and communal interests, between individual willfulness and the subordination of one's will to the common good: it reaches its crisis in the triumph of the few over the many that sends Cicero out of Rome, and it finds its resolution in the triumph of the many over the few that brings him home. Of course, the *dramatis personae* are drawn to suit the plot.⁷ The role of the ego that knows no bounds – the individual who willfully pursues his own advantages while ignoring the just claims of others and of the community – is played to the hilt by Clodius: he is, to use Cicero's favorite term, the *latro* – “brigand” – who is prepared to use violence, in defiance of the community's laws, for merely personal ends. To play off the brigand we have the men who embody the proper use of power and authority, and those who should do so but fail. The latter are the consuls of 58, Lucius Calpurnius Piso and Aulus Gabinius, who personify the perversion of public office: a hypocritical hedonist and

a debauched wastrel (respectively), they take the power delegated to them by the people, and – instead of using it for the common good under the guidance of the senate’s authority – they prostitute it to Clodius’ ends, not just turning a blind eye but actually shielding him in his assault on Cicero and the commonwealth; fouler still, they abuse their trust for self-interested reasons, to gain provincial assignments that will allow them to divert funds rightly owed to the treasury and apply them to their own insatiable appetites.⁸ Fortunately, these men are balanced by two figures of consular righteousness, Cicero himself and Lentulus, his champion in 57. It was Cicero’s own use of consular power, exercised as the minister of the senate in suppressing the threat to the civil community, that set the drama in motion; and it was Lentulus’ use of consular power, orchestrating the senate’s authority and the people’s will, that in the end produced the consensus of all patriots, the outpouring of the *populus Romanus universus* that called Cicero back and received him when he returned.

Within the story the actions of Cicero and Lentulus together illustrate the patriot’s obligations and his reward. The good man must not hesitate to risk his *caput* (“head” = “life”) for the *res publica*, whether it entails the literal sacrifice of his *caput*, his life – say, in defense of Rome at war – or the sacrifice of his metaphorical *caput*, his life as a citizen. It was exactly the latter that Cicero chose to give up when (as he claims) he chose to leave Rome rather than subject his fellow citizens to the mayhem that resistance would have brought: he thereby destroyed his civic self for the sake of the common good. When the good man has satisfied his obligation to the *res publica* in this way, the only thing he should expect and accept in return is glory: the good opinion of other patriots that, when spread abroad and preserved in memory, will cause his peers to judge him excellent and posterity to remember him respectfully, “forever.”⁹ And as Cicero liked to note, few if any Romans before him had been gifted with glory like his own. We have already seen, and we are about to see in greater detail, how his drama was punctuated by episodes in which his fellow citizens responded to and commented on the action in the manner of a tragic chorus, making their sentiments plain through speech and stylized gestures alike: among those sentiments was exactly the proposition that Cicero’s civic well-being was inseparable from, in fact identical with, the well-being of the civil community as a whole.

So we come to the passionate performances of my title. As a point of entry, consider the set of vivid tableaux that Cicero describes in one telling of the story, at just the moment when Clodius has promulgated the first of his laws aimed at Cicero and the crisis has begun to build:¹⁰

At this the senate grew concerned; you, gentlemen of the equestrian order, were aroused; all Italy together was thrown into a tumult. In short, all citizens of every sort and rank thought that in this matter, *where the public interest was critically at stake*, aid should be sought from the consuls and their high office. . . . Daily they were called upon, by the laments of all patriots and especially the senate’s entreaties, to look after *my interests*, to do something, finally, to refer the matter to the senate. [The consuls] took the offensive, not just refusing these requests but even laughing in the face of all the most substantial

men of the senatorial order. Hereupon, when a crowd of unbelievable size had gathered on the Capitol from every part of the city and all of Italy, a unanimous decision was taken to put on mourning dress and to *defend me* in every way possible, as a matter of individual initiative, seeing that [the consuls] had failed *the public interest*. At the same time, the senate met in the temple of Concord – the very precinct that called to mind the memory of my consulship¹¹ – and there the entire senatorial order, in tears, made its appeal to the . . . consul [Gabinius]. . . . Oh, the arrogance with which that slimy blot spurned the prayers of that most substantial body and the tears of our most distinguished citizens! . . . You came to the senate – I mean you, gentlemen of the equestrian order, and all patriots with you – dressed in mourning, and *for the sake of my life as a citizen* [*caput*] you prostrated yourselves at the feet of that utterly filthy pimp; and when your entreaties had been spurned . . . Lucius Ninnius [a tribune loyal to Cicero] . . . brought the issue before the senate as *a matter touching the public interest*, and a packed meeting of the senate voted to assume mourning dress for the sake of my well-being.

We can start with the adoption of mourning dress. In making this gesture, the “crowd of unbelievable size” (20,000 strong, Cicero elsewhere says: *Red. pop.* 8) was doing something at once very familiar and completely novel. The familiarity derived from the various occasions – other than those of actually mourning the death of someone close – when an individual or a group adopted mourning, to represent the suspension of life’s normal concerns under the impact of overwhelming psychic pain. It had become customary, for example, for a defendant in a “capital” trial, where his “life as a citizen” (*caput*) was at stake, to “change garments” (*vestem mutare*) – putting on a dark-dyed toga, or simply one that was unclean – and to go about in an unkempt state – unwashed, unshaven, and with hair untrimmed – to signal that he faced an unjust calamity and so deserved the pity of others, especially the judges, and his family and friends would join him in a show of solidarity.¹² Cicero remarks (*Red. sen.* 31) that there was a time within living memory when senators, at least, did not normally assume mourning when on trial, but by the mid-first century it appears to have been expected: one defendant’s refusal to don mourning was reportedly interpreted as a sign of arrogance and contributed to his conviction.¹³ It is easy to find other circumstances, too, when an individual used the gesture to arouse pity for a person presumed to be suffering unjustly and to stir indignation against the person or persons responsible for the suffering: one or another aggrieved suppliant came in mourning from Sicily to protest the depredations of the corrupt governor Verres; in the field against Catiline early in 62, the praetor Metellus Celer put on mourning when his brother, Metellus Nepos, was suspended from his tribunate in the aftermath of rioting he was held to have instigated; as governor of Asia, Quintus Cicero did the same when his brother was driven into exile, and so did the son of Cicero’s champion, Cornelius Lentulus, when a law unfavorable to his father was proposed in 56.¹⁴

In most such instances the purely “private” element of mourning – the sharp personal grief felt for an intimate – is obviously blended, at least implicitly, with a “political” element, as the gesture is aimed at a lamentable state of affairs caused by official action in the public sphere; and the political element is dominant when the gesture is performed by a group working in concert. Consider, for example, some

responses to the actions of tribunes: in 133 the landholders opposed to Tiberius Gracchus donned mourning to protest his agrarian legislation; in early 62 the members of the senate did the same to express their dismay at the rioting caused by the clashing tribunes Cato and Metellus Nepos, then again in 56 to protest another tribune's vetoes; and in 55, the consuls Pompey and Crassus, together with their senatorial partisans, "changed their garments" in response to some tribunes' opposition on various fronts.¹⁵ In all such cases the point the demonstrators wish to make is not that they feel aggrieved because their personal interests are at stake – a position that would be either absurd or dishonorable in the circumstances described – but that their grief is honorably public-spirited: the calamity that provoked it should be understood to touch the entire *res publica*, and their common dress shows that they share the sentiments that *all* decent people should share. Such was the point, more clearly still, when the population at large assumed mourning in 63, as war with Catiline threatened, or when the senate and people together did so late in 50, on the eve of civil war.¹⁶ *And* such was plainly the point of the Senate and people's demonstration in 58, when (according to in Cicero's account) they wished to show that "the public interest (*res publica*) was critically at stake," while the consuls "had failed the public interest (*res publica*)."

But that is just where the demonstration passed from the familiar to the novel. As Cicero puts it (*Sest.* 27):

What a day that was, judges, mournful for the senate and all patriots, a source of woe to the commonwealth, a grievous one for me in the sorrow it brought my household – but for the memory that posterity will have of me, glorious! For what greater distinction could anyone find in all history than this, that all patriots, on their own and in concert, and the entire senate, as a matter of public policy, took on the dress of mourning for one of their fellow citizens?

What greater distinction, indeed? The senate, as a matter of "public policy" (*publico consilio*), and the people, in a display of passionate consensus apparently embracing all but the villainous consuls, had together acted out their belief that a threat against the civic status of a single man was tantamount to a threat against them all, against the public interest – the commonwealth, *res publica* – as a whole. As Cicero was to claim – truthfully, so far as we know – that equation had never before been made (*Planc.* 87), and in that respect it was a unique honor comparable to having a period of thanksgiving declared in his name as a civil magistrate (not a victorious general) for saving Rome from the Catilinarians (*Cat.* 3.15, 4.5, 20). The unprecedented character of the honor, combined with the extravagant claim it implied, would have been sufficient grounds for the consuls to do what they did next: issue an edict bidding the senators to resume normal dress, an act for which Cicero never forgave them.¹⁷

Related to the demonstrative use of mourning dress, but of wider application, is another gesture that appears in Cicero's account already quoted: "You came to the senate – I mean you, gentlemen of the equestrian order, and all patriots with you – dressed in mourning, and for the sake of my life as a citizen [*caput*] you prostrated yourselves at the feet of that utterly filthy pimp [the consul Gabinius]" (*Sest.* 26, cf.

Red. sen. 12). Cicero's account of his drama recurs often to the same image, of people groveling in supplication on his behalf: a tribune, on the verge of vetoing a measure favorable to Cicero, found his own father-in-law at his feet; Cicero's daughter and her husband abased themselves before the husband's distant relative, the consul Piso; Cicero's brother, Quintus, "in a gesture of unbelievable devotion and unprecedented affection, groveled in utter disarray at the feet of our worst enemies."¹⁸

I imagine that most readers of this essay, like its author, have never seen anyone actually behave this way in everyday life, and that distance might tempt us to suppose that in such cases Cicero is speaking metaphorically; but that would surely be mistaken. In fact, the practice appears to have been so common as to have had a highly formalized, quasi-scripted character: it is difficult to imagine how else we should visualize the account of a defendant and his supporters supplicating a panel of judges who were about to render their verdict in court – an effort so carefully choreographed as to ensure that six of the group clasped the knees of the judges on the left while five clasped the knees of the judges on the right; or the account of Clodius – in a tight spot earlier in his career – throwing himself at the feet of every single senator in turn at a meeting attended by over 400 members, a process that – even granting no more than a rather feverish five seconds per senator – would have taken over half an hour.¹⁹ Like the assumption of mourning, the act aims to stir pity in the person entreated, and thereby gain a request, when that person is able to relieve your wretchedness; when the person entreated is also held responsible for your wretchedness – as very commonly – the gesture also typically aims to arouse onlookers' pity and their indignation against the offender, to shame him into action. In all cases it is understood to be a voluntary act of self-humiliation. Actually to kick someone who thus abased himself before you was a mark of monstrous arrogance (*Val. Max.* 8.1 (absol.).3); to spurn the suppliant arrogantly, as Gabinius is represented as doing in Cicero's account, hardly better.

But a different, more public, and perhaps more interesting form of supplication plays an important role in Cicero's story, nearer the joyful climax than the mournful beginning. Early in July 57, when the bill that gained Cicero's recall was about to be presented to the people, the consul Lentulus convened an assembly (*contio*) at which he invited all the foremost men of the community (*principes civitatis*) to speak in support of the measure.²⁰ The first of these to speak was Pompey, whose remarks were summarized in the speech of thanks that Cicero delivered before the people not quite two months later (*Red. pop.* 16):

First he instructed you [the *populus*] that the commonwealth had been saved by my policies, he yoked my cause together with that of the general well-being [i.e., he restated the premise of the earliest demonstrations on Cicero's behalf, above], and he urged you to defend the senate's authority, the civil regime, and the fortunes of a citizen who had earned your gratitude. Then, in rounding off the argument he asserted that you were being petitioned by the senate, by the equestrian order, and by all Italy; and in conclusion he not only petitioned you for my well-being but even implored you.

Though Cicero describes the speech's first part less tactfully in the contemporary speech of thanks to the senate (*Red. sen.* 26: "he commended my cause to those of

practical intelligence [viz., the senate] and gave a thorough lesson to the ignorant [viz., the *populus*]”), the final contrast between petitioning (*rogare*) and imploring (*obsecrare*) is described in similar terms in all of Cicero’s frequent references to the speech:

[he] not only exhorted but even implored [*obsecrari*] the Roman people on my behalf as though on behalf of a brother or parent. (*Red. sen.* 29, similarly 31 “he implored the Roman people as a suppliant”)

in assemblies of the people he presented himself not only as a defender of my well-being but even as a suppliant on my behalf [*supplex pro me*]. (*Pis.* 80)

he roused ... the Roman people ... not only with his *auctoritas* but also with his entreaties [*preces*] (*Har. resp.* 46)

[Lentulus] then introduced Pompey, who not only put his moral weight behind my well-being but <presented> himself as a suppliant of the Roman people. (*Sest.* 107 “se non solum auctorem ... sed etiam supplicem ... <praebuit>”).

The latter two passages especially, which contrast putting the moral weight of one’s *auctoritas* behind a request and acting as a suppliant (*supplex*), suggest why Cicero so stresses this point. In a request based on *auctoritas* the petitioner occupies a superior position in the other party’s eyes, and he expects to gain his aim just because the other party is disposed to grant it; in supplication, the hierarchical positions are reversed, as the petitioner presents himself as the dependent party. Since any *contio* was, as a matter of ideology, an assembly of the people as a whole, Pompey was acting out his dependence on the people as whole, making plain in visually unmistakable terms where sovereignty lay. For one of Pompey’s vastly preeminent social standing (*dignitas*) to present himself thus was an extraordinary, self-humbling gesture, of the sort made only for a very close connection (cf. *Red. sen.* 29: “as though for a brother or parent”): it both implied great emotional involvement in the request and placed on the persons being supplicated a pressure made more intense by the sudden, vertiginous reversal of authority.

The arousal of pity – the painful awareness that an innocent has been wronged, coupled with the desire to make the wrong right – pervades the performances of mourning and supplication that we have surveyed; but yet another performance, more striking still, is prominently associated with the public rousing of pity in Cicero’s story. A more formally staged performance, at least at its start, it took place a month or so before the supplication of Pompey just described, as the movement to restore Cicero gathered steam. In late May or early June the consul Lentulus convened a meeting of the senate in the temple of Honos and Virtus and there saw to the passage of several decrees. These included the decree directing the consuls to send letters to the towns of Italy calling on “all who wished the commonwealth’s safety” to gather in Cicero’s support: this was the summons that effectively equated Cicero’s well-being with the commonwealth’s as a matter of public policy, and it resulted in the crowds that received Pompey’s supplication in early July. But Lentulus did not just leave matters to the senate: he simultaneously gave a set of

extraordinary theatrical games – games outside the official cycle of festivals – at which he saw to it that a veteran actor’s virtuoso performance of a carefully chosen script created in the crowd a heady blend of pity, grief, and shame.²¹

Here are the words in which Cicero, giving a virtuoso performance of his own, evokes the scene he was not present to see (*Sest.* 120–2):

[Weren’t] the true and uncorrupted judgment of the people as a whole and the most deep-seated feelings of our civil community [made plain] when – as soon as word of the senate’s decree passed in the temple of Virtus was relayed to the theater, at the games where a vast crowd was gathered – [the actor Aesopus] pled my case before the Roman people, with tears of fresh joy mixed with grief and longing for me, and with much weightier words than I could have done myself? He gave expression to [the poet Accius’] talent not only through his craft but also through his grief: for when he forcefully delivered the lines on

the one who, with mind resolved, aided the commonwealth,
set it upright, and stood with the Achaeans,

he was saying that *I* stood with all of *you*, he was pointing at all the categories of the citizenry! Everyone called for a reprise –

when the going was uncertain
he scarce balked to put his life at risk, unsparing of his fortunes.

What a clamor greeted that performance! . . . Applause rained down for the poet’s words, the actor’s intensity, and the thought that I was going to return:

greatest friend amid the greatest war –

then in the spirit of friendship he added, and people approved, perhaps from some yearning they felt:

endowed with greatest talent.

And what a groan arose from the Roman people when soon . . . he delivered this phrase:

Oh father –

I, I in my absence should be mourned as a father, he thought – I whom Quintus Catulus and many others in the senate had called “father of the fatherland.” What copious tears he shed in lamenting my fall in flames and ruin – the father expelled, his home set afire and razed to the ground, the fatherland beset – and what an effect he achieved: first gesturing toward my early good fortune, then whirling round to say,

All this I saw in flames!

He roused to weeping even those hostile to my person and envious of my success! By the immortal gods! What a performance then followed! . . .

Oh ungrateful Argives, thankless Greeks, unmindful of the favor done you!

... The following line that the poet wrote ... the actor ... delivered with reference to me, when he pointed to all the categories of the citizenry and indicted the senate, the equestrian order, the Roman people as a body:

You leave him in exile, you left him to be driven out, and now he's driven out
you put up with it!

How they all joined then in a demonstration, how the Roman people as a body made plain its feelings ... – well, I for my part only heard the report, those who were present can more readily judge.

The script was presumably chosen by the man who gave the games, Cicero's supporter Lentulus, and it was a shrewd choice: the *Eurysaces*, in which the title character – the son of Ajax and grandson of Telamon – laments the expulsion of his grandfather from his *patria*. It was child's play for the actor to make the lines pointedly refer to Cicero's plight, and in fact Roman audiences were accustomed to that sort of topical adaptation: two years earlier, when an actor delivered a line from a tragedy – “To our misery are you great” – in a way that was taken to refer to Pompey the Great, the audience called on him to repeat the line over and over, and Clodius, more recently, had been treated to a similar discomfiture.²² But the actor Aesopus' skill in working upon the audience's feelings called upon still more sophisticated techniques. Having delivered the first half of a line from Accius' script – “greatest friend amidst the greatest war” (“sumum amicum summo in bello”) – he then improvised a second half with particular bearing on Cicero – “endowed with greatest talent” (“summo ingenio praeditum”) – to produce a full trochaic line. Another improvisation was still venturesome, in the manner of a jazz musician quoting a snatch of melody from one song while playing on the chord structure of another: for the words “Oh father ... All this I saw in flames” are not from Accius' play at all but are inserted from Ennius' *Andromacha*, evoking the fall of Troy and applying it to the destruction of Cicero's grand house on the Palatine, after he left for exile. And Aesopus augmented the impact of this improvisation with a theatrical stroke that capitalized on the placement of the temporary stage in the center of the city: for when Cicero says that the actor “gestur[ed] toward [Cicero's] early good fortune,” he means that he pointed to the north rim of the Palatine, where Cicero's house had stood, then whirled back to the audience to exclaim, “All this I saw in flames!” There was, Cicero assures us, not a dry eye in the house.

Thus “the Roman people as a body” – *populus Romanus universus* – made its feelings known, as it had at every significant stage of the drama. The beginning, middle, and end of Cicero's story are all strongly marked by moments of passionate, highly formalized behavior that sweep up – and are meant to sweep up – “all the categories of the citizens” and cause them to think and feel the same thing: the episodes serve as forms of punctuation in the narrative flow at the same time as they help to move the action along to its resolution. And though we are exceptionally well informed about this story, thanks to Cicero's repeated retellings, there is no reason to

think that the story is atypical in either the amount or the kinds of passionate behavior it represents. Much of Roman public life comprised the sorts of exuberant street theater that we have surveyed, and other sorts too; and much of that street theater must have been as carefully mobilized and staged as the episodes we have seen in Cicero's tale, none of which was simply a spontaneous upwelling of popular response, for all that Cicero seeks to represent them as such. They are all more or less calculated attempts to shape popular opinion by kindling popular emotion, or by appearing to do so in ways that could be represented as the authentic voice of an aroused populace.

This shaping was done for plainly practical, instrumental ends, to influence magistrates or to whip up support for a piece of legislation. Yet it would surely be a mistake to assume that it was done simply for such purposes, with an aim as narrow as influencing a given vote: after all, the law that restored Cicero to Rome was voted in the centuriate assembly, which was so organized that the wealthy exercised disproportionate power and any given issue was typically decided before the great majority of potential voters – “the Roman people as a body” – had had a chance to vote. I suggest that so much effort and passion were also spent for a reason both less focused and more fundamental: so that the public men who lived out their lives “in the sight of the Roman people” (*in conspectus populi*) could claim to be figures of consensus, men with whom all patriots stood and whom only “brigands” opposed, who were devoted only to the common good and who therefore rightly enjoyed the only sort of prestige consistent with republicanism's communitarian ideology. Being such a man was, in the minds of the political class, as important as, and inseparable from, being the sort of man who commanded the material realities of wealth, kinship, and power. Cicero's repeated retellings of his story before various audiences – before the senate and before the people, before the college of priests and before a panel of judges, before (in fact) “all the categories of the citizens” – were clearly motivated by various forms of self-interest: reclaiming his house, discharging obligations to friends, taking vengeance on enemies, justifying his life to date. But we should resist any impulse to reduce the story to those ends, or to suppose that Cicero did not value it for any other reason. However self-interested and utilitarian those repeated retellings undoubtedly were, they also evoked something that was, to Cicero and his audiences, desirable in itself, by momentarily creating, and inscribing in the hearers' minds, the cohesive, consensual community of the republican ideal.

FURTHER READING

For an excellent overview of the period from the consulship of Cicero to the aftermath of his return from exile see Wiseman 1994a, 1994b; for accounts with a biographical focus on Cicero, see Gelzer 1969: 97–152, Rawson 1975: 89–121, and Mitchell 1991: 63–168, and on his exile see G. Kelly 2006 (ch. 4.4); the best treatment of Clodius is Tatum 1999. On the adoption of mourning and the use of supplication as instruments of “popular justice,” see esp. Lintott 1999: 16–20; on these and other means used to arouse righteous indignation (*invidia*) against abusive individuals, see Kaster 2005a: 96–9; and on the “ritualized” nature

of public life in the late republic, see Flaig 2003. The political role of “the crowd in Rome in the late republic” and its management in formal assemblies (*contiones*) and elsewhere have been much debated in the last two decades, and will continue to be debated: see esp. Vanderbroeck 1987; Hölkeskamp 1995: 25 ff.; Pina Polo 1996; Laser 1997: 138–82; Millar 1998; Mouritsen 2001; Morstein-Marx 2004. On demonstrations at the games and shows, see Nicolet 1980: 363–73, Edwards 1993: 110–19, Leach 2000 (treating the games discussed above), Stärk 2000; on the “theatricality” of Roman political culture more generally, see esp. Bartsch 1994.

NOTES

- 1 For a discussion of the political passions, from a normative point of view, in the thought of (especially) Thucydides, Plato, and Aristotle, see Ludwig, this volume, chapter 19.
- 2 The same story is told, with minor variations in detail, in *Red. sen.* and *Red. pop.* (both Sept. 57), *Dom.* (Oct. 57), and *Sest.* (Mar. 56); elements appear in all the “postreturn” speeches broadly so called, most importantly *Pis.* (late summer 55), and in the important political *apologia* addressed to Cornelius Lentulus, Cicero’s main supporter in 57 in *Fam.* 1.9 (esp. 13–14: late 54). On the genesis of the story, and its often misleading character, see Kaster 2006: 1–14, with further refs.
- 3 That he “alone” was responsible for saving the Republic is among the notes Cicero strikes most insistently, both in his own voice (e.g., *Fam.* 5.2.6–7, *Prov. cons.* 23, *Pis.* 6, 21, cf. *Sull.* 33–4, *Rep.* 1.7) and esp. in reporting the view of others (e.g., *Att.* 1.19.7, similarly *Att.* 2.1.6; *Red. sen.* 29, *Red. pop.* 5, 16–17, *Dom.* 73, 122, 132, *Sest.* 129, *Har. resp.* 58, *Prov. cons.* 43, 45, *Pis.* 23, 34, *Mil.* 39, 73).
- 4 The euphemism appears at *Sest.* 67; cf. below at note 5.
- 5 On Clodius’ legislation regarding the auspices see Kaster 2006: 194–6, with further refs.; on the censorship, Tatum 1999: 133–5. On the legal status of the Catilinarians’ execution see Ungern-Sternberg 1970: 86 ff., esp. 123–9; Drummond 1995: esp. 95 ff.; Berry 1996: 178. For Cicero’s regret at his decision to leave Rome see esp. Cic. *Q Fr.* 1.4.4, *Fam.* 14.3.1–3. For Pompey’s equivocations and evasions in the period leading to Cicero’s departure see Cic. *Pis.* 77, *Q Fr.* 1.4.4, *Att.* 10.4.3 (written in April 49 but referring to the events of 58); Plut. *Cic.* 31.2; Cass. Dio 38.17.3; cf. Cic. *Q Fr.* 2.37.3.
- 6 For Cicero’s own conception of the story as a literary drama, see *Fam.* 5.12.4–6; he treated the story of his exile and return in a lost epic poem in three books, *On His Times*, on which see S. Harrison 1990.
- 7 With the discussion of Cicero’s character drawing here, cf. Stadter’s discussion, in chapter 29 of this volume, of the ancient historians’ views on the role of character in politics.
- 8 For Cicero’s attacks on Gabinius see esp. *Red. sen.* 10–13, *Red. pop.* 11, *Sest.* 18, 20, 71, 93, *Prov. cons.* passim; for his attacks on Piso, beyond *Prov. cons.* and *Pis.*, see esp. *Red. sen.* 13–17, *Red. pop.* 10, *Dom.* 62, *Sest.* 19, 21–4, 71, 94.
- 9 On “glory” in Cicero’s thought, see Sullivan 1941; Knoche 1967; Haury 1974; Lind 1979: 16–19, 57–8; J.-F. Thomas 1994; and esp. Long 1995.
- 10 *Sest.* 25–6 (emphasis added) (spoken in a trial before a panel of judges comprising both senators and equestrians, hence the address to “gentlemen of the equestrian order”). For the demonstration and the consuls’ response see also Cic. *Red. sen.* 12, 31, *Red. pop.* 8, *Dom.* 26, 99, *Pis.* 17–18; Plut. *Cic.* 30.4, 31.1, *comp. Dem. et Cic.* 4.1; App. *B Civ.* 2.15; Cass. Dio 38.14.7.

- 11 Cicero had presided over critical meetings held there on Dec. 3–5, 63 to determine the Catilinarians' fate: *Cat.* 3.21; Sall. *Cat.* 46.5, 49.4; Plut. *Cic.* 19.1.
- 12 See, e.g., *Clu.* 18, 192, *Mur.* 86, *Sest.* 1, *Cael.* 4, *Planc.* 21, 29, *Scaur.* 49, *Lig.* 32–3; Plut. *Cic.* 9.2, 19.2, 30.4, 35. Implied in all such gestures is an understanding of emotion that grants a great deal to cognition: Roman “pity,” for example, does not just respond instinctively and irrationally to the spectacle of suffering but depends on the judgment that the sufferer does not deserve to suffer. On the importance of cognition in the ancient understanding of emotion, from Aristotle on, see esp. Konstan 2006; on the Romans, Kaster 2005a, 2005b.
- 13 Plut. *Cic.* 35.4, on the trial of Milo in 52.
- 14 Sicilian suppliants: Cic. *Verr.* 2.2.62, 2.3.6, 2.4.41, 2.5.128. Metellus Celer: Cic. *Fam.* 5.1.2. Quintus Cicero: Cic. *Att.* 3.10.2. Young Lentulus: *Sest.* 144.
- 15 See, respectively, Plut. *Ti. Gracch.* 10.6–7; Cass. Dio 37.43.3; Cass. Dio 39.28.1–4, 39.30.3–4 (= Livy *Periochae* 105); Cass. Dio 39.39.2.
- 16 See, respectively, Cass. Dio 37.33.3; Plut. *Pomp.* 59.1, *Caes.* 30.3.
- 17 Cicero often decries this “enormity”: see *Red. sen.* 12, *Red. pop.* 13, *Dom.* 55, *Sest.* 32–3, *Pis.* 18, *Planc.* 87; cf. Plut. *Cic.* 31.1; Cass. Dio 38.16.3; the distinction between private and public behavior drawn at *Red. sen.* 12 (“[Gabinus] issued an edict that, while saying nothing to keep you from groaning over your own woes in private, bade you not lament the fatherland’s misfortunes in public”) perhaps is a distorted echo of the edict’s wording, cf. Bailey 1991: 11 n34. In none of his accounts of these demonstrations does Cicero mention that they took their cue from Cicero himself, who assumed mourning when Clodius’ bill was promulgated, a move he later regretted (*Att.* 3.15.5).
- 18 Respectively, *Sest.* 74 (cf. *Att.* 4.2.4); *Red. sen.* 17, cf. *Sest.* 54; *Sest.* 145.
- 19 Defendant and supporters: Asc. 28.16 ff. Cl., on the trial of Marcus Aemilius Scaurus, at which Cicero spoke (but did not join in the supplication). Clodius: Cic. *Att.* 1.14.5 (Feb. 61), at the height of the Bona Dea scandal; similarly *Q Fr.* 2.6.2, an account of the senator Fulvius Flaccus. Cf. also Cic. *Quinct.* 96–7, *Phil.* 2.45, *Att.* 8.9.1, 10.4.3, *Lig.* 13 with *Fam.* 6.14.2; Plut. *Pomp.* 3.3
- 20 On the assembly, *Red. sen.* 26, *Red. pop.* 16, *Sest.* 108, *Pis.* 34, and below; on the chronology and the relation of the assembly to the bill’s promulgation, Kaster 2006: 401 n26.
- 21 On the date of the games and their place outside the regular festal calendar see Kaster 2006: 400 n25.
- 22 For these episodes, see Cic. *Att.* 2.19.3 and *Sest.* 118, respectively; for demonstrations at games and gladiatorial shows more generally, see *Sest.* 124, *Pis.* 65, *Att.* 1.16.11, 2.21.1, 4.15.6, 14.2.1, *Q Fr.* 2.15.2, 3, 3.1.14, *Fam.* 8.2.1 (Caelius); Plut. *Cic.* 13.