

**MEN OF LETTERS: THE ORATORICAL AND PHILOSOPHICAL RELATIONSHIP
BETWEEN CICERO AND BRUTUS**

Gabriel Patrick Grabarek

**Submitted to the faculty of the University Graduate School
in partial fulfillment of the requirements
for the degree
Doctor of Philosophy
in the Department of Classical Studies
Indiana University
June 2010**

Accepted by the Graduate Faculty, Indiana University, in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

Doctoral Committee

Eleanor Winsor Leach, Ph.D.

James L. Franklin, Jr., Ph.D.

Betty Rose Nagle, Ph.D.

Eric Robinson, Ph. D.

June 25, 2010

©2010
Gabriel Patrick Grabarek
ALL RIGHTS RESERVED

For Jacoby

Acknowledgements

It is a duty -and a pleasure- to thank the many people who have helped me in one way or another with the writing of this dissertation.

I am especially grateful to the members of my committee, who provided countless revisions all of which led to a more polished, much clearer, and far more eloquent piece of work than I could have ever completed on my own. Eleanor Leach has been my mentor and teacher ever since my undergraduate days. Her unwavering commitment to Classics and to her students is simply remarkable. If I am able to mirror her greatness as a scholar or as a teacher in any way, then I will count my career as a success. James Franklin and Betty Rose Nagle are responsible for the two most difficult finals I have ever taken. That aside, their love of teaching was a constant inspiration. James Franklin embodies all the finer qualities of an Epicurean, and his “eat, drink, and be merry” attitude has been quite refreshing in the world of academia. Betty Rose Nagle’s poetic writing and thoughtful questioning brought out the best in my own writing. Eric Robinson was my link to the historical side of things, and is the reason I consider myself just as much a historian as a philologist. He also happily obliged me in my overbearing passion for the Spartans.

I would also like to thank the entire Department of Classical Studies at Indiana University for taking me in years ago as a young undergraduate. The circularity of life is reflected in the fact that this department provided me with my start and my ultimate achievement in the field of Classics. I will mention by name Matthew Christ, Jonathan Ready, Yvette Rollins, and Derek Vint. The Chair of the Department of Religious

Studies, and the only other person with an interest in Classics whom I ever saw at the gym (and on an almost daily basis for that matter!), David Brakke, also deserves mention.

During my time at Florida State University, two professors stood out as examples to me of what a true scholar really is. Francis Cairns has been a model for me since I first took a Propertius class with him. His excellence as a scholar is matched by his friendliness, and his willingness to provide assistance no matter how busy life may be. Since we lived near each other in Tallahassee, he was kind enough to give me rides home after classes, and our conversations on anything and everything are a real treasure to me. There should be a picture of Jeffrey Tatum next to the word *auctoritas* in the Oxford Latin Dictionary. As a fledgling graduate student I was quickly whipped into shape by him; the best teacher I have ever had. I had been accustomed to earning good grades both in high school and in college, but when he returned my first graduate paper covered in red ink with the simple phrase at the end, "Not bad, for an undergrad" I knew I had much work to do.

On a more personal note, I give much thanks to my entire family, who has always kept me grounded and thankfully helped me avoid the snobbery which is so commonplace in this field of work. They help me always to remember where I come from. My sister Cassandra, and my brothers Matt and Mike, are each powerful examples to me in their own way. But no more powerful example exists for me than my Mom. Her silent strength and everlasting courage are the foundation for everything I am and absolutely everything I have accomplished. Her encouragement and humble grace have gotten me through the most difficult times. She is an angel. I love you, Mom. Thank you.

My dear friends Doug Bauder and Marty Siegel are my Bloomington family. They are the kindest and most generous people I know. Our almost weekly movie nights were a wonderful escape when graduate work seemed to become overwhelming. I first met Doug my freshman year of undergraduate when I began working at the Office of Student Ethics, and his office, the Gay, Lesbian, Bisexual, Transsexual Student Support Services, was in the same building. He is the best man I have ever met, and the story of his life provides me with constant hope for mine. Of course, I would be remiss if I mentioned Student Ethics without naming Pam Freeman and Nita Allgood as kind souls who have been my friends for years now.

And, in the last, I give thanks to my son, Jacoby, to whom this dissertation is dedicated. They say you don't know what love is until you've had a child, and by God they got that one right. He has provided me with focus, clarity, and vision. It is my greatest pleasure to be his father. I am already so proud of him.

Gabriel Patrick Grabarek

MEN OF LETTERS: THE ORATORICAL AND PHILOSOPHICAL RELATIONSHIP
BETWEEN CICERO AND BRUTUS

The friendship between Cicero and Brutus, which has been largely untouched in scholarship, began around 51 B.C. when Cicero was governor in Cilicia, and continued until Cicero's death in December 43 B.C. Their relationship, like any other, had its points of harmony and departure. This dissertation explores their friendship and argues it was so strong at one point that Cicero saw Brutus as his oratorical and philosophical successor. Cicero dedicated no less than six treatises to Brutus in the years of Caesar's autocracy. Some of these treatises, such as the *Brutus* and the *Paradoxa Stoicorum*, also give Brutus credit for their inspiration. Since Brutus had a reputation as a respected philosopher, this dissertation argues Cicero wanted Brutus to become the oratorical leader for the future which he had been in the past. After Caesar's murder, however, with the rise of Antony and Octavian, Cicero and Brutus did not agree on how best to serve the Republic, and the few extant letters between them, the *Epistulae ad Brutum*, are filled with frustration.

This dissertation proceeds chronologically and can be divided into two halves. The first half, Chapters One and Two, deal with the oratorical relationship. Chapter One revisits the scholarly debate on Attic and Asianic orators, arguing against the common notion that Cicero and Brutus were at odds because of their chosen oratorical styles. Chapter Two focuses on the *Brutus*, and argues that Cicero discusses so many orators in order to demonstrate to Brutus the true power of oratory. The second half, Chapters Three and Four, discuss the philosophical aspect of their relationship. Chapter Three centers on Caesar's assassination, and draws attention to the philosophical justifications for such an act, which both Brutus and Cicero put forth. Chapter Four follows events after the Ides of

March. While Cicero zealously wanted war against Antony and enfranchised Octavian, Brutus whole-heartedly disagreed and instead chose patience. Ultimately, however, the relationship between Cicero and Brutus helped each define his role in the final dramatic years of the Roman Republic.

Table of Contents

Introduction	1
Chapter One: The Future of Oratory	24
Chapter Two: Who Is Cicero's Brutus?	53
Chapter Three: Philosophical Partnership	92
Chapter Four: Philosophical Divide	135
Conclusion	182
Appendix: The Writings of Marcus Brutus	192
Bibliography	197

Introduction

It was claimed for Marcus Brutus, the tyrannicide, that his was a lineage illustrious in the annals of Roman history for its resistance to monarchy.¹ Through his father's house he was said to be of the blood of L. Iunius Brutus, who expelled the Tarquins and founded the Republic.² Unfortunately, the common tradition maintained that the consul of 509 B.C. had no other children besides the two sons whom he caused to be executed.³ For this reason, the enemies of M. Brutus refused him the right to number the first consul among his ancestors, and insisted that he was descended from a plebeian, the son of a steward.⁴ In the opinion of his friends, however, the difficulty was removed by a secondary tradition which asserted the existence of a third son of L. Brutus—an infant who survived when his grown brothers were slain, and through whom the line was continued.⁵ In his mother's family also, hatred of tyranny was traditional. It was her ancestor, C. Servilius Ahala, *magister equitum* under Cincinnatus, who in 439 B.C. assassinated Spurius Maelius because he was plotting to seize royal power.⁶ Upon Ahala, at least, Brutus could rest his pride of race securely, however dubious might be his connection with the over-thrower of Tarquin. Pride in his ancestry was of tremendous significance in his life, as it was to any Roman. That L. Brutus and Ahala were included among his forbears neither he nor those that knew him could ever forget.

¹ *ad Att.* XIV.21.3, 15.1; XVI.15.3.

² Plut. *Brutus* I.1; Appian *Civil Wars* II.112. That the family tree which Atticus constructed for Brutus, at his request (Cornelius Nepos *Atticus* XVIII.3), included the name of the first consul is evident from *ad Att.* XIII.40.1. For L. Iunius Brutus, see Livy I.59-60; Polybius III.22.1.

³ Livy II.5.5-8; Plutarch. *Brutus* I.4.

⁴ Plutarch, *Brutus* I.4

⁵ Plutarch, *Brutus* I.5

⁶ For Ahala, see Livy IV.13-4; Plutarch, *Brutus* I.3.

The father of Brutus was M. Iunius Brutus, a member of the Marian party and tribune of the plebs in 83 B.C.⁷ After Sulla's death he joined Lepidus in an attempt to overthrow the Sullan constitution. As an officer of Lepidus' he occupied Mutina, was long besieged by Pompey, and, in 77, he surrendered either by his own choice or because of mutiny on the part of his troops. He received a safe-conduct and an escort of cavalry from Pompey, and retired a few miles east to Regium Lepidum, where, on the following day, by Pompey's order, he was murdered. Pompey's treachery in this instance roused a general indignation. Caesar turned it to his own advantage by announcing, early in the Civil War, that he was avenging Carbo, Brutus, and all others who had suffered from the cruelty of Sulla and Pompey.⁸ Upon M. Brutus, though he was but a child at the time of his father's murder, the outrage made so profound an impression that during nearly thirty years he avoided all association with the man who had committed the foul deed.⁹ And in 52, when there was a movement to give Pompey the dictatorship, Brutus' familial disdain for both tyranny and Pompey seemed to come together. Thanks in part to Brutus' public disapproval of dictatorship, Pompey was elected consul without a colleague. Brutus had written a pamphlet¹⁰ against Pompey in which he attacked the principle of the dictatorship, and asserted that

*praestat enim nemini imperare quam alicui servire: sine illo enim vivere honeste licet, cum hoc vivendi nulla condicio est.*¹¹

It is preferable to rule no one than to be a slave to anyone: for in the first case it is still possible to live honorably, but in the second no condition of living is possible.

⁷ See Broughton (1984-6) for listings of magistrates during the Roman Republic.

⁸ *ad Att.* IX.14.2

⁹ Plutarch, *Brutus* IV.1-2; *Pompey* LXIV.3.

¹⁰ For a list of Brutus' known works, see the Appendix.

¹¹ Quint. IX.3.95. All translations are my own.

Years later, on the Ides of March, it was to become evident that with Brutus this was really quite more than a philosophical platitude.

Cicero, who was Brutus' elder by about twenty-two years, surely would have sympathized both with Brutus' feelings concerning dictatorship, and also even a bit with his resentment of Pompey. Pompey was never the friend to Cicero which he had envisioned and hoped for. Pompey was an elite aristocrat who would side with Cicero when the occasion suited him, but who would also turn his back on Cicero in times of need. And concerning dictatorship, Cicero strove his entire career to promote the strength and leadership of the Senate above any individual. It seems that in Brutus, Cicero would find an almost kindred spirit. Although their backgrounds were very different, they shared a hatred of dictatorship and each fought in his own way to prevent and then to stop the dictatorship of Caesar.

However similar their political views may have been, Cicero and Brutus did not really begin a friendship until the time of Cicero's governorship of Cilicia in 51. It was Cicero's dear friend Atticus who advised him to cultivate the good will of Brutus.¹² Atticus was the tie that originally bonded them together. This connection arose from Brutus' marriage to Claudia,¹³ the daughter of Appius Claudius who became consul in 54 B.C. Atticus was on terms of close friendship with the Claudii. The attachment between Brutus and Atticus was a strong one;¹⁴ Atticus had a great admiration for the younger man. Through Atticus, Brutus was brought into friendly relations with Cicero. As Cicero writes to Atticus,

¹² *ad Att.* VI.1.3

¹³ The exact date of this marriage is unclear, but it occurred somewhere between 56 and 53.

¹⁴ *ad Att.* VI.1.3; 2.7; 2.9; 3.5; 3.7.

nunc venio ad Brutum, quem ego omni studio te auctore sum complexus, quem etiam amare coeperam.

Now I come to Brutus, whom at your behest I have eagerly embraced as a friend, and I have even begun to be quite fond of him.

He continues in the letter to say,¹⁵

si nihil aliud de hac provincia nisi illius benevolentiam deportassem, mihi id satis esse.

If I bring home nothing else from this province except his good will that is enough for me.

Cicero may have quickly seen in Brutus an active politician who studied oratory and was already earning a reputation as a learned philosopher. The governorship of Cilicia was the perfect opportunity for Brutus and Cicero to form a friendship since Brutus had spent time there with Ap. Claudius Pulcher as quaestor, and he would need Cicero's help in negotiating some of his continuing business in the province. The beginnings of their relationship, however, shed light on their entire friendship.

For Cicero, at least, this association was sometimes hard to bear.¹⁶ Brutus' treatment of him, so Cicero complains (as he had done with so many upper class friends), was not always very considerate. Occasionally it had in it something of the condescension of a great noble toward a parvenu. Regardless, in a letter to Cassius, Cicero himself says at what point his friendship with Brutus became close.¹⁷

post tuum discessum familiaritas mihi cum Bruto tuo maxima.

After your departure, my friendship with your friend Brutus really blossomed.

¹⁵ *ad Att.* VI.1.7

¹⁶ *ad Att.* VI.1.7; 3.7, XIII.11.1.

¹⁷ *ad Fam.* XV.14.6

This refers to Cassius' quaestorship with Crassus in Syria in 53, and nicely falls right before Cicero's governorship of Cilicia.

When Cicero left Rome for Cilicia at about the beginning of May 51, he bore with him a list of commissions which Brutus had asked him to execute,¹⁸ and he was impressed by the earnestness with which Brutus had commended to him M. Scaptius and P. Matinius,¹⁹ Cilician bankers and chief creditors of the town of Salamis in Cyprus. On his way to Cilicia Cicero touched at Ephesus, and there he was met by ambassadors from Cyprus who complained that Scaptius had used the cavalry given him by Appius Claudius to terrorize the people of Salamis, and that he had even kept the Salaminian senate besieged in the senate-house until five of the senators died of hunger. Upon hearing this, Cicero sent an order to the cavalry to leave the island at once.²⁰ Shortly after his arrival in Cilicia, which he found in a pitiable state of exhaustion after two years of misgovernment by Claudius,²¹ Scaptius appeared before him asking for a renewal of his cavalry command. Cicero denied him this on the grounds that he made it his policy to give no such post to any man in business, but promised to see to it that Scaptius should be paid. To this end, he arranged a meeting at Tarsus of the Salaminians, Scaptius, and himself. He ordered the debtors to pay, even threatening them with force. They did not refuse; they merely pointed out that they would really be paying out of Cicero's pocket, for he had foregone the requisitions customarily imposed by a governor, and the sum thereby saved to the people was rather more than the amount owed to Scaptius. Cicero did not object to this construction of affairs. Scaptius urged that they reckon up the debt,

¹⁸ *ad Att.* VI.1.3

¹⁹ *ad Att.* V.21.10

²⁰ *ad Att.* VI.1.6

²¹ *ad Att.* V.16.1-2; VI.1.2.

and proceeded to do so on the basis of a monthly interest of four percent, or forty-eight percent a year, as fixed in his bond.

Now Cicero, in the edict which as governor he had published at the beginning of his proconsulship, had declared that he would not recognize the validity of any interest rate greater than one percent a month (twelve percent annually). Therefore, he checked Scaptius in his reckoning. Scaptius produced a senatorial decree, of the year 56, which ordered the governor of Cilicia to give judgment in accordance with Scaptius' bond,²² and supplemented it with another decree of the same year which indemnified both the Salaminians and those who lent money to them against penalty for infraction of the law.²³ It was then explained to Cicero that when the Salaminians in 56 were attempting to raise a loan in Rome they found in their way the *lex Gabinia* of 67, which forbade provincials to borrow money in Rome, imposed penalties upon debtor and creditors, and declared the notes given in such transactions invalid. But none other than Brutus himself was able to effect the passage of a senatorial decree which set aside in this instance the functioning of the Gabinian law. Scaptius and Matinius thereupon made their loan to the Salaminians at forty-eight percent. It was not until after the loan was made that it occurred to them that though the decree protected them from punishment for violation of the *lex Gabinia*, it did not guarantee that the sum lent, with its exorbitant interest rate, would be recoverable. To guard against difficulty, Brutus arranged for the enactment of a second decree, which provided that judgment be given in accordance with the bond just signed. In other words, that the bond be good as law.

²² *ad Att.* V.21.11

²³ *ad Att.* V.21.12

Cicero was horrified. Such a judgment would mean the ruin of Salamis, which, ironically enough, was under the protection of Cato and Brutus himself.²⁴ He refused to accept all the implications of the second decree. Granted that the bond was good as law, it was good precisely to the degree which other bonds were good; it had the same validity that they had, no other, no greater.²⁵ Consequently, it had no peculiar superiority to Cicero's edict. Relying upon this bond, and supported by the two special decrees, Scaptius might demand the twelve percent interest allowed by the edict; he might not demand forty-eight percent in defiance of the edict.

Scaptius submitted to this interpretation. But from this arose a disagreement concerning the amount of the debt. The Salaminians maintained that they owed one hundred and six talents; Scaptius held out for two hundred, though he admitted privately to Cicero that they really owed a little less. It was discovered that their accounts agreed. The difference lay in the rate of interest reckoned; the Salaminians made their calculations on the basis of the legal rate. They were now eager to pay, but Scaptius still refused what they offered. Finally, he asked Cicero to let the matter drop; undoubtedly in the hope of getting what he sought from the next proconsul. Cicero, wishing to oblige Brutus' friend, weakly agreed and was unfair enough to forbid the debtors from depositing the money in a temple, pending the final decision. They begged permission to do this, since interest ceased to run on money thus deposited.

But the matter was not ended for Cicero. Soon after this arrangement was reached, Scaptius brought him a letter from Brutus.²⁶ In it Brutus requested that Scaptius

²⁴ *ad Att.* VI.1.5

²⁵ *ad Att.* V.21.12

²⁶ *ad Att.* VI.1.6

be given a prefecture, and he revealed himself as the real creditor of the Salaminians. Scaptius and Matinius had been acting merely as pawns. This information put the final touch to Cicero's astonishment. That Brutus should have any connection whatsoever with so dubious a business was sufficiently preposterous. That he should be the actual usurer, determined to have his forty-eight percent, would simply be unbelievable were it not that Brutus himself affirmed it to be so. But Cicero, aghast though he was, stood his ground. He would make no further concessions, even to Brutus. He had done enough for injustice in declining to allow the money to be deposited in a temple. With that, the matter rested.

However, Cicero was still obliged to concern himself with another one of Brutus' investments. Earlier, Brutus had made a loan to Ariobarzanes of Cappadocia.²⁷ The collection of this money was Cicero's responsibility.²⁸ He esteemed the king personally, but he knew that Ariobarzanes simply had no money with which to pay. Yet on Brutus' behalf, Cicero made one appeal after another, both by word of mouth and by letter. Although he implored, and even threatened, *ne pilum quidem*, ("not even one hair"), came from Cappadocia.²⁹ Ariobarzanes was anxious to pay Brutus for Cicero's sake, but he had no treasury and no income. Cicero was able to gain some money for Brutus, but not even enough to cover his losses. These results were the best that Cicero could obtain. He had done everything in his power to satisfy Brutus. In addition to his own efforts at collection, he had given prefectures to certain agents of Brutus in Cappadocia. But Brutus was not satisfied with respect either to Salamis or Cappadocia. To Atticus he professed

²⁷ *ad Att.* VI.1.3, 3.5.

²⁸ The details of this episode are in *ad Att.* V.20.6; VI.1.3-4, 3.5.

²⁹ *ad Att.* V.20.6

himself willing to sustain some loss,³⁰ but his letters to Cicero indicated no such thing. They were disagreeable in tone, and reflected alarm and irritation.³¹

It was not as if Brutus was transgressing the code of behavior of his class. On the contrary, he was walking and acting in the traditional way which many Roman aristocrats had done before him. From the aristocratic point of view the provinces existed to be exploited. They were the estates of the Roman people, and especially of the ruling oligarchs. Brutus was merely lining his pockets in a way which had proven successful for so many other previous Roman elite. What must have upset Cicero in these instances was how completely in line with the common corruption of the Senate Brutus had been. Cicero hoped that his own governorship would be for the benefit of the province, and a model for others to follow, but Brutus had shown himself as not so benevolent to the subjects of the Roman Republic. For a man who had such a renowned reputation as a philosopher, Cicero had hoped for more upstanding behavior.

Despite a rough beginning to their friendship, and questions on both sides as to the other's true feelings, Brutus and Cicero seemed to have had a strong academic relationship for many years to come. As Kennedy notes,³²

Cicero's interest in Brutus, to whom he dedicated at least six works, seems at heart a personal affection which Brutus may not have entirely reciprocated. They shared an interest in philosophy and many political opinions, but Cicero never converted Brutus to his literary attitudes.

Brutus became a strong, if not the strongest, contemporary influence on Cicero's oratorical and philosophical writings. In the later years of Cicero's life, he dedicated more works to Brutus than to Atticus, his brother Quintus, and his son Marcus combined.

³⁰ *ad Att.* VI.2.7

³¹ *ad Att.* V.20.6; VI.1.7, 3.7.

³² Kennedy (1972, p. 246)

In addition to this, it was at Brutus' request that Cicero began writing the *Cato*, a laudation of Cato which had to deliver its message in a carefully crafted manner in order not to offend the many Caesarians who surrounded Cicero. Brutus himself would later write a *Cato* himself. And it was Brutus' *de Virtute* which spurred Cicero into beginning a new stage of writing after his pen had been silent for several years since the publication of the *de Republica* in 52. Clearly Brutus meant a great deal to Cicero, as is evidenced by the sheer number of works dedicated to him, and by his continual presence either in the conception of other works (i.e. *Cato*) or in the works themselves.

Why exactly Brutus meant so much to Cicero and his program of oratorical and philosophical treatises is the main issue explored in this dissertation. The roles of both Brutus and Cicero in the events of the last century of the Roman Republic have been told in countless histories and biographies.³³ And Cicero's writings have been the subject of many books, articles, and commentaries.³⁴ But as yet there has been no in-depth study of the scholarly relationship between Brutus and Cicero. These men of letters began a friendship in the late fifties, around the time that Caesar's military power in Gaul and political power in Rome were at their height. But Brutus did not become a strong part of Cicero's literary program until five years later, around 46. During those five years Cicero had little literary output, mainly due to the Civil War between Caesar and Pompey, and Cicero's dismay concerning the condition of the Republic. When Cicero's hopes for the Republic were at their lowest, it was young Brutus who urged him to begin anew his

³³ Syme (1939) is still the liveliest history of these times. See also Gruen (1974), and Crook et al. (1994). For biographies of Cicero, see Mitchell (1979) and (1991), Rawson (1983), and Shackleton Bailey (1971). The only useful biography of Brutus is Clarke (1981).

³⁴ The copious amounts of scholarship on all of Cicero's writings need no listing here, but for an excellent bibliography of Cicero's works focused on in this dissertation, see Craig's bibliography at the end of May (2002).

writings for the sake of the Republic. And from 46 until his death in December 43, Cicero's literary output was remarkable. With Brutus at the center of all this writing, Cicero found a renewed spirit for benefiting and guiding the Republic as best he could in such trying times.

The two main subjects of Cicero's writings towards the end of his life, oratory and philosophy, roughly divide this study into two halves. But just as Cicero himself never thought that philosophy should be divorced from oratory, so too should this study not be viewed as combining separate fields. One of the most fundamental reasons why Cicero took such a liking to Brutus was that he saw a man, like himself, who combined the training of oratory with the wisdom of philosophy, and utilized both as a statesman in the service of the Republic. Chapters One and Two focus on the oratorical connection between Brutus and Cicero, and have the *Brutus* and the *Orator* at their center. None of Brutus' speeches survive intact, but Cicero's writings on oratory during this time are dedicated to Brutus, and he is a primary speaker in the *Brutus*, so an exploration of these treatises yields at least a glimpse of Brutus' opinions and Cicero's reaction to them. Chapters Three and Four center on philosophy's place in their relationship, and how each of them, but particularly Cicero, views the circumstances of the late Republic through a philosophical lens. What emerges from this entire study is a complex relationship with points of agreement and departure that helped both Brutus and Cicero define and understand their roles during the critical time of Caesar's ascendancy to dictatorship and the aftermath of his murder.

Chapter One reexamines the central role of Cicero in the supposed feud between the Atticists and Asianics, and how this affected his relationship with Brutus. Attic

orators looked to the Greek orator Lysias as their model, and typically employed a concise, polished style which was more concerned with rhetorical doctrine than oratorical effect. The Asianic orators held Demosthenes up as the best orator. Their oratory was traditionally more flamboyant, with periodic sentences which were created to affect the emotions of a crowd as the practitioner saw fit. The earliest treatment of this subject was done by Wilamowitz³⁵ at the turn of the twentieth century, and his influence is still felt in modern scholarship. In his long article, Wilamowitz argued for a very strong and visible distinction between the two opposing schools of oratory. He felt that one would either choose to be an Attic orator, or become an Asianic orator, and then stick to that chosen style zealously. In his view, there was no middle ground and, in fact, those who practiced one style were at odds with those who practiced the other.

Although Wilamowitz' article has been widely influential, it was Hendrickson and his series of writings³⁶ which really solidified the idea that Attic and Asianic oratory were competing schools of thought. Hendrickson built upon Wilamowitz' ideas and expanded them by beginning to argue that not only were these two opposing schools, but also that adherents of each of the schools must have had some kind of political differences and even personal animosities as well. Hendrickson based his claim largely on Cicero's *Brutus*, and particularly his discussion of C. Licinius Calvus. Hendrickson argued³⁷ that based on Cicero's poor judgment of Calvus' oratory in the *Brutus* (284-92), and his dismissal of Calvus' desire to be labeled an Attic orator, Cicero not only must have disliked Attic oratory in general, but also disliked Calvus personally. He also cites

³⁵ Wilamowitz (1900)

³⁶ Hendrickson (1906a, 1906b, 1926)

³⁷ Hendrickson (1926)

quotations from Tacitus and Quintilian³⁸ which seem to describe personal animosity between Cicero, Calvus, and Brutus because of their different oratorical styles. While Cicero favored the boisterous style of the Asianics, both Calvus and Brutus were followers of the precise Attic style. These types of arguments are present in later scholarship, particularly in Gotoff, and even as recently as Wisse in the *Brill's Companion to Cicero*, where Wisse takes the argument one step further to claim that Cicero was assiduously trying to win over Brutus to his own, supposedly correct, oratorical style.³⁹

The error in all of these arguments is presuming that there ever was a rigid definition of Attic and Asianic oratory, and that practitioners of each style must be placed in some sort of 'school of thought'. Gruen was the first in taking to task the idea that there was any implied personal animosity between Atticists and Asianics.⁴⁰ Simply by looking at the historical record and recognizing that Cicero and Calvus were in no way political or personal rivals, Gruen put to rest any notion that differing oratorical styles necessarily implied personal and/or political differences.

Around the same time, Johnson came out with a short and often over-looked study in which he detailed the change in Cicero's oratorical style over his entire career.⁴¹ In a very methodical manner, Johnson calculated the numbers of words and periods in many of Cicero's speeches in order to demonstrate that Cicero was able to change his own style to suit the occasion. Rather than rigidly thinking of Cicero as an Asianic orator, Johnson showed that Cicero was able to employ many styles. The problem with Johnson's overall

³⁸ Tacitus *Dialogus* (XVIII); Quintilian XII.10.12-5.

³⁹ Gotoff (1979); Wisse (2002).

⁴⁰ Gruen (1967). Gruen's ideas were later improved upon and given more substance in his *Last Generation of the Roman Republic* (1974).

⁴¹ Johnson (1971)

thesis is that he still thought of Cicero in the terms set forth by Wilamowitz, and believed that Cicero could go back and forth only between an Attic and Asianic style. Johnson left little room for any middle ground.

More learned theses came to the fore first with Kennedy, and then with May.⁴² Upon a closer examination of Cicero's oratorical treatises, Kennedy noticed that Cicero takes issue not with Attic oratory per se, but with its ultimate goals. Kennedy made an illuminating comparison between the Attic orators and Hellenistic poets. Both were chiefly concerned with following a strict set of rules and pleasing those in scholarly circles who truly understood either the nature of the oratory or poetry. To Cicero, the success of oratory should be judged on its ability to gain practical results. May's work dealt with Cicero's ability to change his own ethos and persona in order to best suit the occasion of a particular speech. The way in which May argues for a more fluid Ciceronian ethos is directly applicable to Cicero's chosen oratorical style as well. Just as Cicero could change his persona in a speech in order to give a desired effect, so too could he change his oratorical style. He need not be restricted to the Asianic style. As an ideal orator, Cicero could change his style to suit its occasion and purpose.

Chapter One continues this evolving picture of Ciceronian eloquence and argues that far from being a point of contention and divisiveness, Cicero and Brutus were brought closer together by discussions of oratorical style. Rather than viewing Cicero as an Asianic orator and Brutus as an Attic orator, this chapter argues for a much less rigid definition of oratorical style. Beginning in the *de Oratore* Cicero discussed the practical value of oratory as a tool for the proper statesman, and this discussion continues in the

⁴² Kennedy (1972); May (1988).

Brutus and *Orator*, with Brutus as the dedicatee and focus of both works. Throughout the *Brutus*, Cicero cites Roman exempla in order to demonstrate to Brutus the effect which a thoroughly well-rounded orator can have. The focus is on practicality and occasion, not on set rules of rhetoric. Cicero is not trying to win over Brutus, but is instead showing him through examples that many styles of oratory are effective, and that the truly ideal orator is a master of all styles and can employ the proper style to suit any occasion. Cicero and Brutus may have different styles of oratory, as is attested in the scholarship, but that difference does not affect their personal relationship in any negative way. In fact, it brings the two of them closer through constant discussion of the ideal orator in the years surrounding Caesar's autocracy.

Chapter Two continues where the previous chapter left off, but focuses primarily on the *Brutus*. If, as the first chapter argues, Cicero and Brutus were not at odds because of their differing oratorical styles, then Brutus' near omnipresence in Cicero's oratorical works of the mid to late forties must be explained. In particular, the *Brutus* is not only named after Brutus, but he is its dedicatee, one of the three interlocutors in the dialogue, and it was his own *de Virtute* which spurred Cicero into its writing. Brutus also appears alongside Cicero near the end of the treatise (330) as a "guardian" (*tutores*) of oratory for the present and future. Because of Brutus' vital role in the *Brutus*, and his appearance in many of Cicero's other treatises of the time, this chapter argues that Brutus became a focal point for Cicero's attempts to secure a crucial role for oratory in the difficult time under Caesar's autocracy. Specifically, Brutus becomes Cicero's young protégé while Cicero is trying to demonstrate to him the true and undeniable power of oratory to guide the Republic. Through the list of Roman exempla in the *Brutus*, Cicero hopes to show

Brutus that he can be for the future what Cicero has been for the present, and so many Roman orators had been for the past.

Unfortunately, early scholarship on the *Brutus* was blinded by the supposed feud between Attic and Asianic oratory. And so, rather than examining the *Brutus* objectively, Hendrickson instead used the *Brutus* as a mine for information to prove his theory.⁴³ Even though only a very small portion of the *Brutus* discusses the differences between Attic and Asianic oratory, Hendrickson focused on these passages to prove his point. In a rather circular argument he claimed that since the *Brutus* proves there was tension between Cicero and Brutus concerning oratorical style, then the character of Brutus within the *Brutus* must be a completely fictitious persona since he would not have agreed with Cicero's assessments of previous orators as readily as he does in the dialogue. Hendrickson simplified Brutus' role far too much by claiming he served merely to echo Cicero's own viewpoints.

The political nature of the *Brutus* has skewed earlier assessments as well. Since it was written in the second half of 46, politics were most certainly on Cicero's mind and many of his concerns find their way into the dialogue. Gelzer, however, saw the *Brutus* as an overtly political work with a strong political message, and not as a historical account of oratory as Cicero intended.⁴⁴ Gelzer believed that the *Brutus* was somehow intended as a cautionary tale to Caesar. Jones then took Gelzer's theory even further to claim that the *Brutus* was a message to Brutus himself in order to turn his mind towards the murder of Caesar.⁴⁵ This absurd argument can quickly be dismissed because it is inconceivable that

⁴³ Hendrickson (1926)

⁴⁴ Gelzer (1938)

⁴⁵ Jones (1939, 1943)

in 46, some two years before the (in)famous Ides of March, Cicero was planning or even thinking of murdering Caesar. In fact, he was not even part of the plot in 44. More contemporary evidence to the contrary comes in the form of the *pro Marcello*. Written at the same time as the *Brutus*, Cicero's message to Caesar in the *pro Marcello* is one of guidance and cautious optimism. In 46, Cicero still hoped for good things from Caesar.

The first truly illuminating work on the *Brutus* is rather recent. Gowing's article on the role of silence and memory in the *Brutus* has shed much light on the unique nature of this treatise.⁴⁶ Gowing argues that the *Brutus* showcases the crucial role of oratory, and hence orators, in remembering the Roman past, and thus how pivotal they are in maintaining the State. Cicero wrote the *Brutus* and set its dramatic date at a time when the forum had been effectively silenced (*eloquentia obmutuit*). But, as Gowing points out, oratory must continue, and so Cicero must find another venue in order for oratory to pass along to the next generation. Gowing says, "For while it may be true that the forum is no longer a place for the free and open exchange of ideas, there exists another avenue for expression, specifically, writing."⁴⁷ This helps to explain Cicero's massive literary output around this time. Chapter Two of this dissertation takes Gowing's argument one step further and argues that *Brutus* was the focus of all of this writing.

While Gelzer made some valid points concerning the political nature of the *Brutus*, he took his argument too far in claiming that the *Brutus* was chiefly political in nature. Charrier has a more balanced view of the *Brutus* which coincides well with its overall message of continuing the crucial role of oratory in the future with a man like

⁴⁶ Gowing (2000)

⁴⁷ Gowing (2000, p. 58)

Brutus.⁴⁸ Instead of seeing only pessimism and fatalism in Cicero's comments on the current political situation, Charrier acknowledges Cicero's disillusion and uncertainty, but balances it by also drawing attention to Cicero's message of continuing hope. Throughout his long list of orators from Rome's past, Cicero often notes how oratory helped guide the Republic through difficult times. Nowhere is this more apparent than in Cicero's discussion of the orators who lived under Sulla, Cinna, and Marius. While commenting on the atrocities which took place during this time, Cicero also makes it clear that while orators may have perished, oratory itself survived. This tale of hope is apropos to the time of the *Brutus*' publication, and to Brutus himself, who Cicero hopes will lead the Republic through the current difficulties since Cicero's own time is almost up.

Chapter Three begins focusing on the philosophical relationship between Brutus and Cicero. Brutus' reputation as a philosopher was well known, and even Plutarch centers his entire *Life of Brutus* on Brutus' philosophical leanings. Cicero had always been interested in philosophy and found in Brutus a man as dedicated to its study and application as he was. Their philosophical partnership really reaches a climax in connection with Brutus' most famous deed of murdering his friend, Julius Caesar. Since Brutus had a very public friendship with Caesar, he needed justification for his actions on the Ides of March. That justification came through philosophy, and Cicero's philosophical writings around this time serve as the primary lens through which one can see how such a justification was created. Brutus and the other "Liberators" could not claim that they had killed Caesar because he was too powerful politically. They needed

⁴⁸ Charrier (2003)

better reasons. Through Cicero's writings, Caesar is not depicted as a political powerhouse, but as a morally bankrupt tyrant who encapsulates all the negative aspects of Epicureanism. A political threat can be dealt with by traditional means, but a philosophical evil requires ousting by extraordinary measures. In treatises such as the *Paradoxa Stoicorum*, *de Finibus*, and *de Amicitia*, Cicero describes the atrocities which follow such a tyrant, and defends anyone who would rise up against him. It is important to note, however, that the philosophical justification which Brutus and Cicero create is not shared by every Roman, nor even perhaps by the majority. This is demonstrated by looking at Cicero's letters to Matus and his emotional response. For Matus was a friend of Caesar's and wants a stronger justification for his friend's murder.

That philosophy and philosophical dialogue were nearly omnipresent in the Roman Republic has been convincingly argued by Griffin.⁴⁹ Her work on philosophy's place at Rome is critical to any discussion on Roman philosophy and served as a strong foundation for the arguments of Chapter Three. She argues that philosophical tendencies, no matter how loosely they were followed, still guided the majority of Romans in their day to day decision making, and especially when weighing much larger and more difficult decisions. And so, as Chapter Three argues, it is no surprise that both Brutus and Cicero contemplated Caesar's political standing and his eventual murder in philosophical terms.

Sedley's article on Brutus' own philosophical justification for Caesar's murder was the first to examine closely the way in which Brutus first brought fellow Senators

⁴⁹ Griffin (1989)

into the plot, and then justified the conspiracy philosophically.⁵⁰ Sedley focuses on Plutarch's *Life of Brutus* and some key passages therein which demonstrate Brutus' constant reference to philosophy and his overall standing in the Republic as a morally sound man. It was Brutus' noble reputation as a philosopher which ultimately gave the conspiracy legitimacy. Tatum uses Sedley's arguments as a foundation for discussing the practicality of Caesar's murder.⁵¹ Since *amicitia* was such a public and respected bond, Tatum argues that Brutus was required to come up with sound philosophical rationales for his murder. Since Cicero was so interested both in philosophy and in somehow being free from Caesar, he aided Brutus by labeling Caesar as morally and philosophically bankrupt. What Brutus did in action, Cicero did in words.

The bonds of *amicitia*, however, are not so easily broken. Although Cicero wrote several treatises in which he attempts to justify one friend breaking away from another when that friend has done something dishonorable, his justifications were not as effective as he might have hoped. The passionate exchange of letters between Cicero and Matus, contemporary with the *de Amicitia*, Cicero's most explicit defense of breaking the bonds of *amicitia*, offer the other side of the argument. Griffin has already commented on the philosophical character of these letters,⁵² and Chapter Three frames them in the context of the ongoing struggle of both Brutus and Cicero to give conclusive reasons for Caesar's murder.

Chapter Four picks up chronologically almost immediately after Chapter Three and the Ides of March. A most succinct summation of its argument is found in the first of

⁵⁰ Sedley (1997)

⁵¹ Tatum (2008)

⁵² Griffin (1997)

Petrarch's two letters to Cicero.⁵³ Petrarch somewhat excuses Cicero's earlier behavior concerning Dolabella, Caesar, and Pompey. But when it comes to Antony, Petrarch demands further explanation from Cicero.

sed quis te furor in Antonium impegit? amor credo reipublicae, quam funditus iam corruisse fatebaris. quodsi pura fides, si libertas te trahebat, quid tibi tam familiare cum Augusto? quid enim Bruto tuo responsurus es? 'si quidem,' inquit, 'Octavius tibi placet, non dominum fugisse sed amiciorem dominum quesisse videberis.'

But what madness drove you against Antony? I believe it was love for a Republic which you already admitted had been completely ruined. But if absolute faith, if freedom compelled you, why did you become so close with Augustus? What would your answer be to your friend Brutus? 'If Octavius is acceptable to you,' he said, 'you will seem not to have shunned a master, but to have sought a friendlier one.'

Chapter Four tries to answer Petrarch's questions, and explores the divide which ultimately arose between Cicero and Brutus because of the events after the Ides of March up until Cicero's death in December 43. This division has been touched upon by Syme in his masterful *The Roman Revolution*, but some of his opinions need clarification and evidentiary support.⁵⁴ The major point of contention is Brutus' choice not to kill Antony along with Caesar. While Brutus believed Caesar's murder was all that was required in order to retrieve a functioning Republic, Cicero felt strongly that Antony would become another tyrant to replace Caesar. Cicero, who was known throughout his career as an advocate for peace, is unapologetic in his desire to wage war with Antony. Brutus, on the other hand, did not view Antony as a dire threat, recognized that he was a magistrate of the Roman Republic, and remembered what happened only a few years past when Cato's obstinacy had forced Caesar's hand.

⁵³ Petrarch, *Le Familiari* XXIV.3

⁵⁴ Syme (1939)

Cicero's new-found bellicosity appears both in the *de Officiis* and in the *Philippics*. The *de Officiis* is very different from Cicero's other philosophical treatises in that it not only discusses current events, even naming Caesar directly, but also is far more critical and acerbic than other works which deal with politics. Brunt has discussed the *de Officiis* in an article which outlines Cicero's methodology.⁵⁵ He argues that in the *de Officiis* Cicero writes what the best and most appropriate course of action is philosophically under the circumstances after Caesar's murder and with the rise of Antony. Hence, its hard-line stance can be understood as Cicero's personal manifesto. And since the *Philippics* are nearly contemporary with the *de Officiis*, Cicero professes publicly in the *Philippics* what he wrote in the *de Officiis*.

Brutus, however, disagrees with Cicero's immovable stance against Antony, and does not see the situation in such black and white terms. Furthermore, Brutus is appalled that Cicero has taken young Octavian under his wing and has enfranchised him with senatorial approval in order to fight against Antony. Brutus had murdered Caesar in the hope that tyranny would fall, and Cicero applauded such action. But now Cicero was empowering Caesar's adopted son and heir, a young man who had already shown signs of seeking revenge against the Liberators. While Brutus was keeping patient in the East, waiting for the dust to settle, Cicero desperately wanted him to return to Italy to fight against Antony, and was also fomenting the war and handing the reins of Roman legions to Octavian.

The frustration and tension between Brutus and Cicero at this time fills the *Epistulae ad Brutum*. This brief collection of letters demonstrates that although there was

⁵⁵ Brunt (1986)

still a friendly relationship, Cicero and Brutus did not see eye to eye on many of the critical issues in the last sixteen months of Cicero's life. In the letters, Cicero is upset chiefly because Brutus refuses to come to the aid of the Republic as he had on the Ides of March. Cicero had marked Brutus as his oratorical and philosophical successor, but now, in the Republic's final hour, Cicero did not understand why Brutus would remain in the East. Brutus is most upset at Cicero because of his aggrandizement of young Octavian. Brutus repeatedly warns Cicero that he is giving Caesar's heir far too much authority. These letters, so fascinating because of the glimpse they give into such a pivotal moment for the Republic, also reveal that Cicero and Brutus, friends for years and two of the most respected Roman Senators, could not agree on how to save the Republic.

The disagreement over Brutus' affairs in Cyprus discussed earlier, and the ubiquitous frustration of the *Epistulae ad Brutum* seem to frame the relationship between Brutus and Cicero. But however much disappointment these two statesmen ultimately caused each other, there always remains the fact that they shared a friendship which aided both in adjusting to the new landscape of a Republican Rome dominated by Caesar. Their oratorical and philosophical relationship was so strong, in fact, that Brutus became Cicero's hope for the future of the Republic.

Chapter One

The Future of Oratory

Antony: But yesterday the word of Caesar might
 Have stood against the world; now lies he there,
 And none so poor to do him reverence.
 O masters, if I were disposed to stir
 Your hearts and minds to mutiny and rage,
 I should do Brutus wrong and Cassius wrong,
 Who, you all know, are honorable men.
 Shakespeare, *Julius Caesar* III.2.110-116

So Marc Antony continues in his most famous speech at the funeral of his dead mentor and friend, Julius Caesar. Antony's speech serves the exact opposite purpose that he supposes in this short segment, and that, of course, was his intention all along. Antony here claims not to want 'to stir your hearts and minds to mutiny and rage' in order to respect the honor of Brutus and Cassius. This supposed 'honor' is mentioned no less than seven times throughout Antony's speech, especially in the oft-repeated phrase, 'For Brutus is an honorable man.' Antony's speech follows the far shorter and less bombastic speech of Brutus, which had won over the crowd if only for a brief moment. Brutus' speech is perhaps a quarter the length of Antony's, and while by the end of it the crowd is receptive to Brutus' rationale for Caesar's murder, by the end of Antony's speech the emotions of the crowd have fomented and they are calling for the blood of all the conspirators. Antony had in mind all along to stir their hearts and minds to mutiny and rage.

The orations of Brutus and Antony come almost at the apex of the action in Shakespeare's *Julius Caesar*. Plutarch writes¹ that Brutus delivered a speech merely calculated to win over the hearts of the people on the day of Caesar's funeral, but he unfortunately does not give any of the contents of that speech, or remark at all about its style. He does state², however, that Brutus employed a laconic brevity in his letters, which is perhaps best summed up by Cicero when he complains vehemently of this very issue in a letter to Brutus³;

breves litterae tuae, breves dico. Immo nullae: tribus versiculis his temporibus Brutus ad me? nihil scripsissem potius!

Your letter is short, short I say. Almost nothing. Under these circumstances Brutus writes three short lines to me? I would have rather you write nothing at all!

It appears that from these suggestions by Plutarch and Cicero, Shakespeare has tried to reproduce Brutus' style in his oration.⁴ This opinion of Brutus' oratorical style has passed down to posterity, and has been described by the greatest of Roman historians as "logical, earnest, and austere."⁵

Likewise, near the beginning of Plutarch's *Life of Antony*, he describes Antony as an Asianic orator⁶, and this speech in Shakespeare and its subsequent result, although anachronistic, certainly fit in nicely with such a description.

He [Antony] adopted what was called the Asianic style of oratory, which was at the height of its popularity in those days and bore a strong resemblance to his own life, which was boastful and hot-tempered, saturated with empty arrogance and distorted ambition.

¹ *Brutus* 18

² *Brutus* 2

³ *ad Brutum* 22

⁴ Cf. Jones (1943)

⁵ Syme (1939, p. 97)

⁶ Plutarch *Antony* 2

Now Plutarch, like most sources on Antony, has a very negative view of him and his entire career, since the devices of Cicero and Augustus ultimately succeeded in their intended purposes. His oratory, like his life, is described as overbearing and flamboyant. Whether this is the case or not, his oration at Caesar's funeral certainly achieved exactly what Antony had intended.⁷

There is further similar criticism of Antony's oratorical style in Suetonius' *Life of Augustus*.⁸

M. quidem Antonium ut insanum increpat, quasi ea scribentem, quae mirentur potius homines quam intellegant; deinde ludens malum et inconstans in eligendo genere dicendi iudicium eius, addit haec: "tuque dubitas, Cimberne Annius an Veranius Flaccus imitandi sint tibi, ita ut verbis, quae Crispus Sallustius excerpit ex Originibus Catonis, utaris? an potius Asiaticorum oratorum inanisi sententiis verborum volubilitas in nostrum sermonem transferenda?"

He [Augustus] labels Mark Antony as insane, writing things which men marvel at, rather than understand; and mocking him for his depraved and fickle taste in the choice of oratorical styles, he writes, 'And do you doubt whether you ought to imitate either Cimber Annius or Veranius Flaccus, so as to use the words which Sallust has borrowed from the *Origines* of Cato? Or rather, ought the whirlwind of vocabulary of the Asiatic orators, and their empty judgments be transferred into our tongue?'

Cimber Annius and Veranius Flaccus, about whom nothing else is known, were, evidently, two contemporary archaizing grammarians who much enjoyed the simple rustic nature of Cato's style. As did Augustus. While Antony's style is mocked and abused because of its robust nature, it is the short, simple style which is praised. This is the style of Brutus' speech in Shakespeare, and it seems that Cicero himself could have

⁷ For a thorough historical treatment of Antony's funeral oration for Caesar, cf. Kennedy (1968).

⁸ *Augustus* 86. It is interesting to note that while Antony is derided for his 'Asiatic' style, Suetonius uses several sections to praise the 'simple and easy' (86) oratorical style of Augustus. While he never uses the term 'Attic' to describe Augustus' style, with phrases such as 'his main object being to say what he meant as plainly as possible', and 'to avoid the stink of far-fetched phrases', it is quite clear that the differences between Asiatic and Attic styles of oratory remained after Cicero's death. For a lucid discussion of the state of oratory after Cicero's death, cf. Osgood (2006b).

predicted its result. For, in a letter to his dear friend Atticus⁹, Cicero discusses the manner of Brutus' speech. He says that Brutus sent him the speech he delivered at the *contio* on the Capitoline and asked him to correct it for publication. Cicero makes clear that there is nothing fundamentally wrong with the speech, and that it is 'most refined' (*elegantissime*), and the wording could not be improved in any way. Cicero's only criticism is that he would have added more emotion (*ardentius*) given the speaker and the occasion. The mood is one of levity and personal opinion, not of an ongoing feud concerning oratorical supremacy. Even the fact that Brutus asked for Cicero's help is significant for understanding the relationship between the two men. And this strikes at the very heart of this chapter's discussion. Rather than there being any divisiveness between Cicero and Brutus as far as oratorical style is concerned, the two premier orators are engaged in a learned discussion of the best and most appropriate style. This discussion brings the two of them closer together, and does not in any way make them unfriendly towards one another.

It is very interesting that Shakespeare, intuiting Brutus' style from just a few ancient suggestions, caught the unadorned style of Brutus to a tee, "to show the reason of our Caesar's death" (III.1.238). Shakespeare also follows Plutarch, and apparently Suetonius, in making Antony deliver an impassioned oration over Caesar.¹⁰ It is indeed rare for Antony and Cicero to agree on anything, but it seems that their choice of oratorical style is a point of agreement between the two. Whereas Brutus' speech is short and to the point, with no ostentation whatsoever, Antony's speech is rife with emotion and grandeur. This, in a nutshell, sums up quite well the inferred conflict between

⁹ *ad Att.* XV.1a.2

¹⁰ A passage from one of Cicero's letters (*ad Att.* XIV.10.1) also claims that Antony's speech was dramatic and designed specifically to rouse the emotions of the crowd and win them over to his side.

Asiatic and Attic oratory present in Cicero's day. While some favored a style which was suited to rousing the crowds, others harkened back to the oratory of Cato, as Suetonius put it in the above quote, and a much simpler style.

Cicero does himself have something to say about the oratory of Cato in his unique work, the *Brutus*. Cicero explicitly discusses Cato's oratory in sections 63-9, and compares him chiefly with the Athenian Lysias. He says¹¹,

et quodam modo est non nulla in eis etiam inter ipsos similitudo. acuti sunt, elegantes faceti breves; sed ille Graecus ab omni laude felicior.

And in some way there certainly is a similarity between them. Both are sharp, refined, witty, and brief; but the Greek is much more fortunate as regards fame.

In fact, Cicero praises Cato's speeches a great deal, saying¹²

omnes oratoriae virtutes in eis reperientur.

Every excellence of oratory will be found in them.

He goes on¹³ further in describing the *Origines* of Cato,

iam vero Origines eius quem florem aut quod lumen eloquentiae non habent?

His *Origines* as well, what bloom, what glow of eloquence do they not contain?

This may come as quite a surprise to any modern reader of the few fragments left of the *Origines* nowadays. So too, later in the *Brutus*¹⁴, this comparison of Cato to Lysias, and Cicero's lauding of Cato's oratorical virtues comes as a surprise to Atticus as well.

equidem in quibusdam risum vix tenebam, cum Attico Lysiae Catonem nostrum comparabas, magnum mehercule hominem vel potius summum et singularem virum! nemo dicet secus; sed oratorem? sed etiam Lysiae similem, quo nihil potest esse pictius?

¹¹ *Brutus* 63

¹² *Brutus* 65

¹³ *Brutus* 66

¹⁴ *Brutus* 293

In fact, I was hardly containing my laughter in those places when you were comparing the Athenian Lysias with our friend Cato; a great man, no doubt, in fact one of the most distinguished and unique! No one will say otherwise. But an orator? And like Lysias, whose work is more colorful than any other?

Atticus most certainly recognizes the virtues of Cato, but they are bound up in the man and his political career, not in his style of oratory. He soon after (293-4) notes that Cato was a good orator for his own time, but concerning the overall picture of oratorical excellence, it is laughable that Cato even be mentioned by Cicero.

This digression by Atticus comes at the end of a much longer digression by Cicero (284-92) which has its origin in Brutus' comment that the orator C. Licinius Calvus¹⁵ wanted to be called an Attic orator. There is a long history of scholarship¹⁶ concerning the supposed 'Attic vs. Asianic' duel of oratorical styles which was taking place in the last decade or so of Cicero's life, and it has roughly centered on two figures: Cicero and Calvus. Just before Cicero's digression¹⁷, he gives a mixed review of Calvus' oratorical style.

sed ad Calvum—is enim nobis erat propositus—revertamur; qui orator fuit cum litteris eruditior quam Curio tum etiam accuratius quoddam dicendi et exquisitius afferebat genus; quod quamquam scienter eleganterque tractabat, nimium tamen inquirens in se atque ipse sese observans metuensque, ne vitiosum conligeret, etiam verum sanguinem deperdebat. itaque eius oratio nimia religione attenuata doctis et attente audientibus erat inlustris, multitudine autem et a foro, cui nata eloquentia est, devorabatur.

But let us return to Calvus, whom I brought up earlier. He was not only a more learned orator than Curio, but also had a more succinct and refined style of speaking which, although it came across skillfully and flowing, nevertheless by

¹⁵ C. Licinius Calvus (82-c. 47) was also a neoteric poet and a friend of Catullus (cf. Catullus 14, 50, 53, 96). Quintilian admires him as an orator (X.I.115), and Tacitus reports he left behind twenty-one speeches (*Dial.* XXI.1). For a lucid discussion of the political relationship between Calvus and Cicero, cf. Gruen (1967).

¹⁶ The classic treatments of this issue are Wilamowitz (1900) and Hendrickson (1906a, 1926). Also see Norden (1915), Schmid (1948), and Wisse (2002). The introduction to Gotoff (1979, esp. pp. 39-66) is an often overlooked concise treatment of the entire history of the *genera dicendi*, but it too is largely influenced by the prevailing notion that Cicero and Brutus were at odds with one another.

¹⁷ *Brutus* 283

examining it too much and constantly going over it with apprehension lest he make too many mistakes, he deprived it of any true vigor. And so while his overly-crafted speech was appreciated by learned listeners, it was wasted on the crowds in the forum, for whom eloquence exists.

Cicero is very careful with his word choice in this passage describing the oratorical style of Calvus, and hence that of the Atticists in general. It is not that their style is bad, per se, or that it has no place in the repertoire of oratorical styles. In fact, Cicero praises Calvus' style in a letter to Trebonius¹⁸, and goes so far as to defend that praise.

deinde ingenium eius maioribus extuli laudibus quam tu id vere potuisse fieri putas. primum quod ita iudicabam.

In the next place, I praised his [Calvus'] talent with greater commendations than you think could possibly be true. Firstly, I did this because I believe his talent to be so.¹⁹

Cicero treats Calvus as he does so many other orators in the *Brutus*. He combines praise of their merits along with censure of their faults. Cicero's chief objection is that this style is not fit for the Roman law courts, which are Cicero's bread and butter. The key phrase here is the last, *multitudine autem et a foro, cui nata eloquentia est, devorabatur*.

Some scholars have been all too quick to point out Cicero's objections to the Attic style, and this, in turn, somehow has been interpreted as an indictment of anyone who employed the Attic style. In Hendrickson's standard treatment of the debate between the Atticists and Asianists, while he himself admits that the stylistic terms thrown back and forth between Calvus and Cicero should not be seen as personal invective²⁰, the mood of the article seems to imply otherwise. He sees these two styles as competing 'schools' of thought which in no way agree with one another.

¹⁸ *ad Fam.* XV.21.4

¹⁹ As Gruen (1967, p. 226) aptly notes, "These are not the sentiments of a rival or *inimicus*."

²⁰ Hendrickson (1926, p. 248)

Other elements as well may have entered into play: not to mention political differences which were not without their influence on literary principles, there was the traditional hostility of philosophy to rhetoric, an hostility which, united with old Roman gravitas, was represented by such men as Cato and Brutus.²¹

Hendrickson's numerous writings²² on this topic held the greatest amount of sway, and were largely based on Wilamowitz' lengthy article²³ which attempted to delineate clearly two opposing schools of thought: the Attic and the Asianic. Wilamowitz saw a real separation between orators who practiced each of the styles, and goes on to claim that the division went much deeper than oratory, and became political and even perhaps personal.²⁴ However, the supposed rift which existed between Cicero and Calvus has been corrected since this statement. "It should by now be apparent that political animosity between these two orators is unattested and unlikely. Differences in literary opinions ought not to color any view of relations between them, especially as so little survives."²⁵ Furthermore, concerning the notion of competing 'schools' of thought:²⁶ "But 'a school of writing,' we now know, is pretty much a tiresome abstraction, a vague and temporary illusion that coddles mediocrities and only occasionally and very briefly shelters genius." The disagreement between Cicero and Calvus boils down to particular preferences of style in given situations and nothing more.

This becomes evident when the most reliable later accounts of this oratorical debate are examined. In the *Dialogus* (XVIII), Tacitus briefly discusses an exchange of letters²⁷ between Calvus, Brutus, and Cicero concerning the best oratorical style. He focuses on the differences between the Attic style of Calvus and Brutus, and the Asianic

²¹ Ibid, p. 237

²² Hendrickson (1906a), (1906b), (1926)

²³ Wilamowitz (1900)

²⁴ Ibid, pp. 12-14, 20-25

²⁵ Gruen (1967, p. 225)

²⁶ Johnson (1971, p. 2)

²⁷ These letters are also possibly referred to by Quintilian (XII.10.12; XII.1.22; IX.4.1).

style of Cicero. This evidence leaves no doubt that there was some sort of oratorical debate, but it need not be read as personal as some have taken it to be. Disparaging one's choice in oratorical styles is quite separate from an *ad hominem* attack, which is simply not attested in Tacitus' discussion of the letters.²⁸ In Quintilian (XII.10.12-15)²⁹ there is similar talk of the oratorical styles of Cicero, and of the Atticists, although no one is specifically named. The difference, however, between Tacitus and Quintilian is that much more anger and invective between the opposing sides is present in Quintilian, but this can be explained by two reasons. Firstly, most of the invective towards Cicero comes from sources who wrote after he was long dead and so can not be directly attributed to the debate between Calvus, Brutus, and Cicero in the letters. Secondly, Quintilian's own anger here against the Atticists can be explained by his impassioned following of the Ciceronian model, and the decay of any real oratory in his own day. So, ultimately, there is no real reason to see any kind of personal feud between Calvus, Brutus, and Cicero based on the passages in Tacitus or Quintilian. So too, when Brutus and Calvus are placed in the same Attic 'school', it is too often assumed that this implies some kind of rift between Cicero and Brutus.³⁰ If this were the case, then why would Cicero choose Brutus as the heir apparent of oratory at the end of the *Brutus*?

²⁸ The fuller discussion here which Tacitus gives to Aper is very interesting because it is obvious that Cicero's *Brutus* served as his model, and that Tacitus' correct interpretation of the *Brutus*' message has been lost on many modern scholars. Aper's point in the larger context is that the distinction of oratorical epochs is arbitrary and that while many orators may not be considered 'classics', they were very good for their own times and in the larger vein of oratorical evolution. As Mayer (2001, p. 13) notes, "In a very real way then the *Dialogus* picks up this thread first spun out in the *Brutus*, and shows that despotism has carried the day, and oratory as Cicero and Hortensius knew it no longer has a place in the newly reconstituted Roman state." For a good discussion of the connections between the *Dialogus* and *Brutus*, cf. Borzsák (1985).

²⁹ Quintilian (III.6.93) also mentions the difference between Cicero's and Brutus' manner of handling Milo's defense after the murder of Clodius.

³⁰ For a very thorough listing of ancient references concerning the oratory of Brutus, cf. Filbey (1911). But, as Filbey himself says (p. 328), "So few fragments of Brutus' oratory remain that no reliable conclusions can be based upon the evidence they offer as to Brutus' usual style."

Seven of Cicero's works are commonly labeled as his rhetorical works³¹, but the central importance of the *de Oratore*, *Brutus*, and *Orator* among the rhetorical writings is asserted not only because of the internal evidence in the works themselves, but also because of what Cicero himself says. In *de Divinatione*³², in his review of his philosophical writings, Cicero adds:

cumque Aristoteles itemque Theophrastus, excellentes viri cum subtilitate tum copia, cum philosophia dicendi etiam praecepta coniunxerint, nostri quoque oratorii libri in eundem librorum numerum reverendi videntur: ita tres erunt de oratore, quartus Brutus, quintus Orator.

Since both Aristotle and Theophrastus, men outstanding for exactness and fullness, joined with philosophy the rules of speaking, my oratorical books also ought to be placed in the same type of works. There are the three books of *de Oratore*, a fourth, the *Brutus*, and a fifth, the *Orator*.

The oratorical writings most worthy of consideration are then, according to Cicero, one whole of five books. The *de Oratore* concludes with a discussion of the oratorical merits of Hortensius, and Cicero introduces the *Brutus* with an expression of sorrow over the recent death of Hortensius, an old and leading orator among Cicero's contemporaries and an occasional rival of Cicero himself in an earlier period. In a similar way the *Brutus* closes by pointing to the *Orator*. In the former, Cicero admonished Brutus to set himself off from the common pleaders, to seek the distinction in oratory that so very few in the whole history of Greece and Rome have achieved. And in the *Orator*, Cicero begins by indicating that he is responding to a request of Brutus for a portrayal of the perfect orator. The three major writings of Cicero on speaking refer in their titles to a person possessing speaking ability (*de Oratore*, *Brutus*, and *Orator*) rather than to the art or a teacher of rhetoric. For this reason, in the case of Cicero, it does not seem correct to speak of his

³¹ *de Inventione*, *de Oratore*, *Brutus*, *Orator*, *de Optimo Genere Oratorum*, *de Partitione Oratoria*, and the *Topica*

³² 11.4

‘rhetorical writings’ as his writings on speech have been called for so long. Calling them ‘oratorical books’ (*oratorii libri*) seems altogether more appropriate. Cicero seldom uses the word *rhetor* or any other Latin derivative from it, and in those few instances when it is used, it refers, most of the time and sometimes with contempt, to the teachers of rhetoric.³³ “As became clear in his dispute with the neo-Atticists, he always regarded rhetoric as a practical art to be judged by its effectiveness with the audience.”³⁴

The term ‘Asianic’ is used for the first time describing an orator’s style by Cicero in the *Brutus* (325) when he is again discussing his colleague and great rival, Q. Hortensius Hortalus.³⁵ It does also occur once in the *de Oratore*³⁶, but this is in the quite literal sense when the discussion turns to orators who are, in fact, from Asia. The geographical nuances of this oratorical debate are perhaps Cicero’s chief issue concerning the Atticists. First, Cicero has a problem with the usage of the term ‘Attic’ because to him it denotes many styles of oratory, including Demosthenes, Lysias, and any other orator from the region of Attica. “The primary criticism of the “Attic school” rests on its loose usage of the word “Attic”.³⁷ Cicero questions how Lysias can be ‘Attic’ and Demosthenes not.³⁸ As well, the term Attic seems to include historians such as Thucydides and Xenophon, upon whom some in Cicero’s day were basing their oratorical styles. While this seems to be a key issue for Cicero, it has been covered in the scholarship concerning this debate.³⁹ What has not been discussed in full is another important objection by Cicero to the Attic style of oratory: its occasion. As stated above

³³ Cf. *de Inventione* II.7; *Tusculanae Disputationes* I.7

³⁴ Kennedy (1972, p. 276)

³⁵ Kennedy (1972, p. 97). Kennedy prefers the term ‘Asianist’ to either ‘Asian’ or ‘Asiatic’ “since many orators so labeled were not from Asia.”

³⁶ *de Oratore* III.11.43

³⁷ Gruen (1967, p. 226). Cf. also Quintilian XII.10.16-26.

³⁸ Cf. *Orator* 23-4, 28-32

³⁹ See n.17

in Cicero's statements about Calvus' style, for Cicero, the main, if not the only, arena for oratory is the law-courts in front of a crowd of all sorts ripe for manipulation.

This idea of the orator's place in the law-courts begins in the *de Oratore* and is there given substance. "If practice comes before theory in rhetoric (as Cicero declared in *De oratore* I.88f.), then his own speeches and *De oratore* exhibit standards which he only systematised when he was provoked to defend them."⁴⁰ A clear, underlying theme of the *de Oratore*, hence the name 'concerning the orator' and not 'concerning oratory', is the role of the orator **in action**, and not a list of rhetorical rules or devices. What has been lost in much of the discussion on the 'Attic vs. Asianic' debate is how this same idea is ubiquitous throughout both the *Brutus* and *Orator* as a chief objection to the Atticists.⁴¹ There is no personal quarrel between Cicero and the Atticists, or Cicero and Brutus in these treatises. The quarrel is simply a matter of style and occasion. For this reason, Cicero chooses to leave epideictic oratory out of the discussion completely. It does not pertain to the law-courts, and its only value is as a showpiece of rhetorical, not oratorical, excellence.⁴² "With a rigor that is belied by many of his own stylistic predilections –not the least of which is his mastery of complex periodic structure- Cicero divorces epideictic or ceremonial prose, characterized by such structure, from the proper study of oratory."⁴³ This is a critical point of the *Brutus* and *Orator* which Cicero is trying to get across to the addressee of each, Brutus. There are many styles of oratory, and all of them are good and have their place, but not all have a place in the law-courts. This is his definition of the 'perfect orator' in the *Orator*: one who is a master of many styles and has the education

⁴⁰ Fantham (1989, p. 236)

⁴¹ Although there may be possible hints and echoes of this controversy in the *de Oratore* (II.189-96; III.25-37), Cicero makes no specific mention of the debate anywhere in the treatise.

⁴² *Orator* 37

⁴³ Gotoff (1979, p. 47)

and wherewithal to chose which one is proper to each particular legal situation. Epideictic oratory does not fit this mold and, therefore, will be left out of the discussion. He wishes to talk about speech that uses a “real sword rather than a wooden one”.⁴⁴

The oft-repeated role of the orator presented in *de Oratore*⁴⁵ is *ut doceret ut delectaret ut moveret*.⁴⁶ All three of these ideas are easily demonstrated in Antony’s speech in *Julius Caesar*. And when Antony tries ‘to stir’ the audience in the quote which began this chapter, Shakespeare’s infinitive could certainly be a translation for *movere*. These three functions of the orator can only be achieved in action in front of an audience, whether that audience be senators, a judge, or the general public in the forum.⁴⁷ Just looking at some of Cicero’s rhetoric and arguments concerning orators in the *Brutus* and oratory in the *Orator* lends credence to the overarching idea that oratory’s place is in the public courts. At the very beginning of the *Brutus*⁴⁸, while lamenting the death of his friend, Cicero discusses the timing of Hortensius’ death and how it came at an opportune time for Hortensius at least because he would never have to witness the barren forum which is now present for Cicero and Brutus.

cum forum populi Romani, quod fuisset quasi theatrum illius ingeni, voce erudita et Romanis Graecisque auribus digna spoliatum atque orbatum videret.

When he saw the forum of the Roman people, which had been like a showcase of his talent, robbed and bereft of that learned voice worthy of both Roman and Greek ears.

The forum here represents the center of oratorical activity. When the forum has become silenced, so too has oratory in general, since there is no other appropriate arena for the

⁴⁴ *de Optimo Genere Oratorum* 16-7. For the usefulness of epideictic oratory to an orator, cf. *Orator* 37, 42; *de Inventione* I.27; *de Oratore* II.341, 349; *de Partitione Oratoria* 69.

⁴⁵ Cf. *de Oratore* II.32

⁴⁶ *Brutus* 276. Also, at *Orator* (69) *ut probet, ut delectet, ut flectat*.

⁴⁷ Kennedy (1972, p. 255)

⁴⁸ *Brutus* 6

showcasing of true oratorical ability and talent. It is to Hortensius' benefit that he does not have to witness this sight which is all too present for Cicero's generation, and for the up and coming generation of Brutus.

The chief reason why the forum is such an ideal location for the demonstration of oratorical abilities is because it allows the public to judge the merits and shortcomings of the orator. A chief disagreement between Cicero and the Atticists deals with the issue of a proper judge. While Cicero believes, as he had made clear in *de Oratore*, that the lay audience of Roman people serves as the only true judge of oratorical achievement, the Atticists seem to act like Hellenistic poets in that they believe only other highly educated orators can gauge a speech and an orator's talents. "Such style flourished most with declamation or other oratory or composition which was not intended for practical purposes."⁴⁹ Cicero best sums this up in the *Orator*⁵⁰,

semper oratorum eloquentiae moderatrix fuit auditorum prudentia.

What determines the eloquence of orators has always been the sagacity of the audience.

Moderatrix is a rare word which here means something akin to a gauge or almost a set of scales upon which to weigh the pros and cons of any oratorical action. It is the reaction of the audience and the orator's ability to move it as he pleases which marks a good performance.

In this same vein of practicality, located in the center of the *Brutus* at a critical juncture, which gives it a place of distinction and importance, is the longest digression of the treatise. This digression takes place immediately before Cicero begins discussing orators whom he himself, Atticus, and Brutus have all heard, and moving away from the

⁴⁹ Kennedy (1972, p. 99)

⁵⁰ *Orator* 24

orators of the last generation. In sections 183-200, Cicero elaborates on the idea of who the true judges of oratorical excellence are.⁵¹ While commenting on the careers of Cotta and Sulpicius, Cicero notes that they were considered excellent *cum meo iudicio tum omnium* (183). Atticus then asks him what exactly this means, and this is the point of departure for the entire discussion. This discussion, as it comes at the center of the *Brutus* and occupies much more space than Cicero's comments on the Atticists themselves, is a far more important matter for Cicero to convey to Brutus than any discussion of the decision of a few orators to model themselves on Lysias rather than Demosthenes. This digression includes the three elements of the true orator, originally brought up in the *de Oratore*⁵², and really fleshes out the underlying theme of all three: that the orator's abilities stem directly from the reactions of the audience, not from any set of rules or regulations in rhetorical handbooks. "As Cicero explains, the critic can show how or why an orator succeeds or fails, but success or failure itself is entirely a matter of results."⁵³ It is the judgment of the audience that matters. Their judgment determines victory or defeat for the orator, no matter how much studying the orator has done. And because of this, the orator must be able to tailor his speech to each and every particular audience. This is the chief failure of the Atticists, and, since Cicero envisions Brutus as the leader of the next generation of sound orator-statesmen, Brutus must avoid such a limiting view of oratory. For, in Brutus' own words⁵⁴, he only really takes delight in rhetorical study and exercise, not so much in its practical usage. Cicero attacks the Atticists in order to demonstrate to Brutus, who is leaning their way, the error of their views. If Brutus is to be a good orator,

⁵¹ May (2007, pp. 258-9)

⁵² *de Oratore* II.32, Antonius is speaking.

⁵³ Douglas (1966, pp. 138-9)

⁵⁴ *Brutus* 23

and therefore a good statesman, he must learn the proper way of oratory. In a very real way, the *Brutus* teaches rhetoric in a true Roman sense of exempla from the past, rather than a Greek way of rules and regulations. Cicero brings in personalities and great men from the past to inform the present audience (i.e. Brutus) as to what makes a perfect orator. This is part of the rationale for bringing in someone like Cato. He may not be the best orator when all are compared, but he was good for his time, and furthermore, he is a well-respected Roman aristocrat from the past. Cicero demonstrates to Brutus the true Roman orator-statesman not by telling him rules, but by showing him examples.

In the introduction to Book I of *de Oratore*, Cicero indicates that the discussion on the orator will narrow to a discussion of the speech of the law-courts and the forum. Limiting the orator so is consistent with Roman practice, for Roman eloquence has appeared in the court and forum and not in other matters, such as writing history.⁵⁵ The limitation of the orator to the law-courts and forum is then in accord with the Romans' primary interest in these arenas of activity; speaking well so as to persuade in the court and assembly is evidently valuable in a way that speaking well for pleasure, for illumination of the subject matter, and for itself is not. Let us, says Cicero to Brutus, learn about the orator of the law-courts and forum, and let us look to the perfect model of such an orator to learn what is required to be such an orator. Cicero accentuates the Roman bent to the practical and political by emphasizing the primary importance of the active political life. Let us accept as our standard nothing less than the highest conceivable achievement of speaking well in the forum and law-courts. To understand what is necessary for this high achievement is to recognize that much more is necessary than most men imagine. To possess what is necessary for this high achievement in the law-

⁵⁵ *de Oratore* II.55

courts and forum is to possess what is necessary for this high achievement in every mode of speech on every possible topic. The perfect orator of the forum and law-courts is simply the perfect orator and, hence, the perfect statesman. Why would the Atticists, and perhaps Brutus, chose to imitate any other style?

As with most of his assessments of orators in the *Brutus*, Cicero gives a mixed review of P. Rutilius.⁵⁶ And while he focuses on Rutilius' philosophical school and how that influences his oratorical style, the result is still the same: although the style is polished, it is not useful in the public forum.

quorum peracutum et artis plenum orationis genus scis tamen esse exile nec satis populari assensionem accommodatum.

As you know, the style of their oratory is very sharp and full of skill, but meager, not well suited to gaining the approval of the people.

Rutilius is a part of the Stoic school of thought and so his style mirrors the Stoic notions of correct usage of words and of shorter speech (116). Cicero, in fact, praises the Stoic style of oratory itself, but adds the caveat that this meager style does not transfer to the forum or a law court, where true oratory is practiced.⁵⁷ Very early in his catalogue of early Roman orators, Cicero keeps the focus on what oratory can accomplish, not on the style or the rhetorical rules. Even the early orators are spoken of by Cicero as having accomplished something with their oratory, whether it be allaying a tumultuous crowd, or influencing legislation.⁵⁸

Furthermore, while discussing the outstanding careers of Antonius and Crassus (138-45), this same notion of usefulness arises. They are the primary teachers in the *de Oratore*, Rome's equivalents to Demosthenes and Hyperides, and they have received the

⁵⁶ *Brutus* 114

⁵⁷ *Brutus* 94; cf. also 118-21.

⁵⁸ *Brutus* 53-7

greatest praise the Roman people have given for speaking.⁵⁹ Except by their example, they are not teachers. They are statesmen and practical men whose education has come primarily in the course of their public service and whose oratorical abilities spring from their natural ability nurtured by practice.⁶⁰ Throughout the *de Oratore* they are reluctant to speak about the art and skill in which they excel: Crassus has written nothing on his art, and Antonius wrote but one meager little treatise.⁶¹ These two orators, according to Cicero, were the first two Romans to at last equal the Greeks in oratorical excellence.⁶² There is no doubt as to how much Cicero admired these two orators who are the chief interlocutors in the *de Oratore*. What Cicero praises them for most notably in the *Brutus* is not their contributions to rhetorical academia, or even their specific styles, but for what they did and accomplished in the courtroom. The example which Cicero points to⁶³ in order to demonstrate Crassus' oratorical acumen is the case of Manius Curius before the *centumvirs*.⁶⁴ This was a rather straightforward case concerning the inheritance of property, but Crassus so overwhelmed the erudite Scaevola that he easily won for his client. Noteworthy in this case is not only that Crassus decidedly won, but exactly how and against whom he was victorious. Scaevola is praised by Cicero in the *Brutus*⁶⁵ for his unmatched understanding of the law, but this is not what wins a case. Although a thorough understanding of the law is part of the all-encompassing knowledge which Cicero claims the 'ideal' orator should have, it does not win out over the sheer eloquence

⁵⁹ *de Oratore* I.23; *Brutus* 138.

⁶⁰ *de Oratore* I.78, 208; III.74.

⁶¹ *Brutus* 163

⁶² *Brutus* 138 *hos oratores fuisse maximos et in his primum cum Graecorum gloria Latine dicendi copiam aequatam.*

⁶³ *Brutus* 145

⁶⁴ This case is also discussed at *Brutus* 194.

⁶⁵ 145, 147-8, 152, 155, et. al.

and oratorical ability of Crassus. In practice, in the courtroom, the experience and oratory of Crassus win out over the book-smarts of Scaevola.⁶⁶

What began in the *de Oratore*, and continues in the *Brutus* and *Orator*, is the notion that Cicero's consideration of rhetoric and politics appears to grow out of his own experience as the practitioner of oratory. Cicero justifies such considerations of rhetoric and oratory because they are useful. Understanding what is necessary to be the perfect orator or, for that matter, what is the best state, is an absolutely vital part of being an outstanding orator or leading statesman. In the *de Republica*, Scipio is interested in the subject, the best state, because he, as any craftsman, is interested in improving his art.⁶⁷ Cicero's writings on rhetoric and politics are meant as aids to the practitioner and not as exercises demonstrating the capacity of the human mind. The central discussion of the *de Republica*, that discussion of the best state, begins after Laelius has implored that an earlier discussion on cosmological matters be abandoned and that these eminent men turn to a discussion that will make them more useful to the state.⁶⁸

In general, Cicero's oratorical writings explore the relationship between speech and politics, protest the narrowness of the teachers and partisans of rhetoric, sketch some of the technical matter of the art, and defend the active life of politics. The latter theme, which is also a major theme of the *de Republica*, indicates at once an important common concern of Cicero's oratorical and political writings. It is, in fact, hardly correct to call

⁶⁶ Interestingly, Cicero says the following (165) when comparing the styles of Scaevola and Antonius. *Et vero fuit in hoc etiam popularis dictio excellens; Antoni genus dicendi multo aptius iudiciis quam contionibus*. "And he [Scaevola] had a style of speaking well suited to a popular audience; Antonius' style was much more fit for the courts than for a *contio*." This differentiation between the ability to speak in front of a court and a popular crowd at a *contio* implies that perhaps Scaevola should have won the case involving M'. Curius. It also brings up the notion of changing one's style from the actual court to the court of public opinion, which may seem obvious, but Cicero nowhere else discusses this idea specifically.

⁶⁷ *de Republica* I.35

⁶⁸ *Ibid*, I.31-3

the most important of Cicero's rhetorical writings non-political writings, for the focal point of these writings is the finished or perfect orator, what he is and how to educate a young man like Brutus to be one. For Cicero, the finished orator is the statesman. There are indications that Cicero discussed the true statesman in the *de Republica*, but his discussion seems in large part lost with the missing portions of Books II and V. Cicero's writings on the orator provide a valuable supplement to the *de Republica*.

Cicero sets up the opposition between the Atticists and their narrow usage of oratory, and what should be expected of the true orator, and especially Brutus, early on in the *Brutus*, and this thread of thought runs throughout the work. If Brutus is to become the true orator-statesman which Cicero envisions he himself was, and Brutus will be for the next generation, Cicero must deter Brutus from wholly engaging in the Attic style which, while it does have its merits, is ill-suited for making a name for oneself in the legal arena and, therefore, in the political life of Rome at large. The Atticists cannot even hold an audience in the law-courts in order to impress them.⁶⁹

sed in comitium veniant, ad stantem iudicem dicant; subsellia grandiore et plenior vocem desiderant.

But, let them [the Atticists] venture into an assembly, let them speak to a standing judge. The benches desire a loftier and fuller voice.

This judgment of Cicero's comes a little after⁷⁰ he had brought up a similar situation regarding the Greek poet Antimachus. In the midst of reading a long, drawn-out poem, all the audience left Antimachus except for Plato. Antimachus was pleased to continue in front of such a learned and well-respected judge. But the point Cicero is making is quite the opposite, and it ties in very nicely with Cicero's notions of who the true judges of

⁶⁹ *Brutus* 289. Immediately afterwards in 290, Cicero again reiterates the tri-fold role of an orator began in *de Oratore*. cf. also 322.

⁷⁰ *Brutus* 191

oratory are. Antimachus was a fool for forgetting his entire audience save one learned listener, and, as Cicero says, this is something Demosthenes would never have done. He ends this little example by asking Brutus directly if he would continue a speech in the same manner as Antimachus had continued his poem, if his audience were to leave him. “The neo-Atticists were abandoning practical persuasion for arbitrary critical perfection.”⁷¹ When Cicero comes to his own career⁷², he gives as one major reason why he chose to model himself after Hortensius instead of Cotta,

acrem enim oratorem, incensum et agentem et canorum, concursus hominum forique strepitus desiderat.

The throng of people and clamor of the forum long for an orator of spirit, passion, action, and volume.

This is the chief purpose of an orator, and this is why Attic oratory falls short. It lacks this ability and, in fact, avoids impassioned speech only to get at the bare bones of the issue at hand.⁷³ This can clearly be seen not only in Cicero’s assessment of Calvus noted earlier, but also elsewhere in the *Brutus* where Cicero praises orators for their ability to arouse the emotions of the crowd. While discussing Servius Galba, Cicero makes a special point to mark out the real significance of this early orator.⁷⁴

et nimirum is princeps ex Latinis illa oratorum propria et quasi legitima opera tractavit, ut egrederetur a proposito ornandi causa, ut delectaret animos, ut permoveret, ut auget rem, ut miserationibus, ut communibus locis uteretur.

In fact, he was the first in Latin who discharged the proper and allotted duties of an orator, to digress from the subject for embellishment, to charm his listeners’ spirits, to arouse them, to amplify the theme, and to make use of pathos and commonplaces.

⁷¹ Kennedy (1972, p. 258)

⁷² *Brutus* 317

⁷³ For Cicero’s analogy of the ‘flesh and blood’ of Atticism being neglected by modern Atticists in favor of a ‘bare bones’ style, cf. *Brutus* 67-8.

⁷⁴ *Brutus* 82

The connection here to the *de Oratore* is unmistakable, and Servius Galba was the first orator to accomplish such a thing. Cicero sums up the entire issue best just a bit later⁷⁵ by saying,

multoque plus proficiat is qui inflammet iudicem quam ille qui doceat.

He who arouses the judge's emotions will have much more advantage than he who instructs him.

Where Cicero's criticism is the harshest, and the only place where it enters the realm of invective is in his assessment of those who not only ignore the natural development of oratory and its usefulness in the law-courts, but also claim that the best models for oratory can be found in history. He briefly makes mention of them in the *Brutus*, but his real derision of the so-called 'Thucydideans' takes place in the *Orator*. Cicero believes Lysias to be a fine model for the Atticists, even though he is not as good as Demosthenes⁷⁶, but one who would take Thucydides as a model for their courtroom oratory is just plain foolish.

'Thucydidem,' inquit, 'imitamur.' Optime, si historiam scribere, non si causas dicere cogitatis.

One says, 'We imitate Thucydides.' Excellent, if you are thinking about writing history and not about pleading cases.⁷⁷

He continues on in the *Orator*⁷⁸,

ecce autem aliqui se Thucydidios esse profitentur, novum quoddam imperitorum et inauditum genus.

Look at some who declare themselves as 'Thucydideans', a new and unheard of class of idiots.

⁷⁵ *Brutus* 89

⁷⁶ At *Brutus* (35) Lysias is called *quem iam prope audeas oratorem perfectum dicere*. However, immediately afterwards, Demosthenes is indeed called perfect.

⁷⁷ *Brutus* 287

⁷⁸ *Orator* 30

Cicero never even comes close to insulting the Atticists as he does here with these ‘Thucydideans’. The reason is because at least the Atticists follow Lysias, who wrote speeches for law-courts, whereas Thucydides was a writer of history.

ipsae illae contiones ita multas habent obscuras abditasque sententias vix ut intellegantur; quod est in oratione civili vitium vel maximum.

Those speeches of his have so many incomprehensible and obscure sentences that they can barely be understood; which is a major fault in a public speech.

Thucydides is a fine historian,

sed nihil ab eo transferri potest ad forensem usum et publicum.

But nothing in him can be applied to a courtroom or public setting.

Along the same vein, is the historian Xenophon. Both of them are great historians, but Cicero says of Thucydides’ style,

non ut in iudiciis versaret causas,

not to plead cases in court,

and of Xenophon’s,

sed a forensi strepitu remotissimus,

but far removed from the ruckus of the forum.⁷⁹

The point is usefulness in a real law-court in front of a real judge and a real audience.

One can begin to imagine a scale to which Cicero is making reference. On one end are the ridiculous fools who use a historian as a model for oratory, and on the other is a man the likes of Demosthenes who can adapt his style to suit any situation. The scale runs along the lines of rigidity in oratory. The Atticists have their merits, but are too rigid in the application of their rhetorical rules by following someone like Lysias who could not change his style. Cicero sets up a clear standard for Brutus to think about since his own

⁷⁹ *Orator* 31-2

oratorical career is yet in its infancy. These ‘Thucydideans’ are put in as a counter-example of oratory useful to the state, and on the other end is the true orator-statesman like Demosthenes, the great exempla of Rome’s past, or Cicero himself. Brutus’ style has come too close to that of the Atticists for Cicero simply to ignore.

Cicero’s ability to change his own style has been noted by several scholars.⁸⁰ May’s is perhaps the most famous treatment, but he deals chiefly with Cicero’s ability to change the ethos of his speeches in accordance with his own political circumstances. His book does not so much discuss Cicero’s specific style in each speech. However, by understanding what Cicero had to say on the importance of the appropriate style for any given occasion, and combining it with May’s arguments of an ever-changing ethos in Cicero’s speeches, it becomes apparent that Cicero himself lived up to his own standard. Namely, he was able to adapt his style to the occasion, just like Demosthenes. Also noting Cicero’s adaptable style are Castorina and Johnson, but their theses need to be modified a bit. For Castorina believes that Cicero began his career as an Attic orator, slowly changed to the Asianic style, and then because of the constant criticism of his peers, returned to an Attic style in his elder years, where he learned to distinguish between “*due atticismi, uno buono ed uno cattivo.*”⁸¹ Similarly, Johnson says⁸², “in the final phase of his oratory Cicero moved from the exuberant style that was once thought to be his only style to a far more restrained style.” Johnson’s rationale for Cicero’s change from the Asianic style is similar to Castorina’s, for he claims it was Cicero’s “vanity that fostered the stylistic change in question.” However, rather than attempting to map rigid lines of style within Cicero’s corpus of speeches, it is much better to do as May has done

⁸⁰ Castorina (1952), Johnson (1971), and May (1988).

⁸¹ Castorina (1952, p. 229); “two types of Atticism, one good and one bad.”

⁸² Johnson (1971, p. 1)

and simply understand that Cicero was able to change his style. He was never an Atticist or an Asianist. He was instead an orator who could adapt his style as he saw fit. He was a master of all styles. It was not because of the criticisms of his contemporaries that he would change his style, but because of the occasion. Neither a true Attic nor Asianic orator, if one ever truly existed, could accomplish such a thing. As with his philosophy, Cicero takes the best of all possible bodies of knowledge and brings them together.

All of this is not to say, as many have, that Cicero hates the Attic style and in the *Brutus* and *Orator* is desperately trying to win Brutus over to his own style of oratory. Thoughts such as “As is well known, Cicero’s main purpose in *Brutus* and *Orator*, written in 46 B.C., is to defend himself against the so-called Atticists, as group of youngish Romans who criticized his style as bombastic, and to establish his own approach to oratory as superior to theirs”⁸³, give a greatly misleading impression of the origins of the *Brutus* and *Orator*. Much more cogent is the idea that “These activities [Attic criticism] did no more than provide one of the stimuli that led to the production of *Brutus*...”⁸⁴ Or, as it has been rather eloquently put, “It is unlikely that the intricacy and the violence of this apologia came into being merely because some younger talented men had become critical of his work.”⁸⁵ It does not seem likely that the Atticists ever really posed a serious threat to Cicero’s predominance in oratory. Cicero’s oratorical popularity during this period is evidenced by the attention he received from all the important Caesarians, many of whom took lessons in oratory from him. The virtual absence of all reference to the Atticists⁸⁶ in his correspondence and his speeches at the time he wrote

⁸³ Wisse (2002, p. 364)

⁸⁴ Douglas (1966a, p. xvii)

⁸⁵ Johnson (1971, p. 63)

⁸⁶ Calvus is discussed in *ad Fam.* XV.21.4-5.

the *Brutus*, *De Optimo Genere Oratorum*, and the *Orator* seems also to show that the Atticists were not too much on his mind, and that they probably were not the cause, but, at best, the occasion of or an excuse for Cicero to put down in writing all his thinking on the history, theory, and practice of oratory, on which he was an undisputed expert.

Cicero himself tells us his purpose in writing the *Brutus*.⁸⁷

est enim propositum colligere eos qui hoc munere in civitate functi sint, ut tenerent oratorum locum.

It is my purpose to bring together those who employed themselves in the service of the state, that they might be regarded as orators.

This not only shows Cicero's purpose, but also emphasizes the idea of true orators working for the state, which is precisely his own definition of the true orator-statesman, and what he hopes for Brutus to become. Again and again Cicero praises the true Attic style⁸⁸, and on several occasions praises the oratory of Brutus himself.

nempe igitur hinc tum, Pomponi, ductus est sermo, quod erat a me mentio facta causam Deiotari fidelissimi atque optimi regis ornatissime et copiosissime a Bruto me audisse defensam. scio, inquit, ab isto initio tractum esse sermonem teque Bruti dolentem vicem quasi deflevisse iudiciorum vastitatem et fori.

Surely, then, the discussion began when I made mention of the case of the wonderfully loyal king Deiotarus and with what embellishment and what richness I heard Brutus had defended him. Yes, said Atticus, that is where our talk began, and you were grieving for Brutus just as you were shedding tears over the emptiness of the law courts and forum.⁸⁹

This idea of the 'emptiness of the law courts and forum' should recall the same sentiments Cicero had concerning Hortensius at the beginning of the *Brutus*, and what he

⁸⁷ *Brutus* 137. Cf. also *Orator* (5), where Cicero elaborates on the purpose of the *Brutus*. *Quorum tanta multitudo fuit, tanta in suo cuiusque genere laus, ut cum summa miraremur, inferiora tamen probaremus.* "There were so many of them, and such praise for each in his own age, that while we admire the best, we nevertheless approve of those who were less."

⁸⁸ Cf. *Brutus* 202; *Orator* 1, 20, 72, 75-90, 98.

⁸⁹ *Brutus* 21. Cicero continues on (22) to wonder about Brutus' roll now. For more on Brutus' speech defending King Deiotarus, cf. *ad Att.* XIV.1.2.

would not have to witness due to the timeliness of his death. Brutus' style here is characterized as having 'embellishment' and 'richness'. These are words associated with the adorned style which Cicero is fond of, and Cicero approves of this speech of Brutus because he was able to employ the style which best suited the occasion. As Cicero sets out in *de Oratore*⁹⁰, more than one style of oratory is satisfactory, but to be a perfect orator one must be a master of all of them. Coming full circle to the *Orator*, Cicero there explains that the full and vigorous style is the one most necessary to the orator, for it is the style that moves the emotions. But the highest accomplishment for the orator, that which characterizes Demosthenes, is the ability of the orator to use all three styles so that he may speak in a manner appropriate to the case he is treating. The orator will temper and blend the full and vigorous style with the other styles so that he is prepared to speak appropriately on every occasion.⁹¹ This is precisely what Cicero says Hortensius' chief downfall was when he grew older.⁹² Hortensius' oratory dwindled in his older years because he retained a style suited to younger orators, and could not change his style; *remanebat idem nec decebat idem*.⁹³ If Brutus can become a master of all styles of oratory, then he will be a much more able and effective advocate for the *res publica*, and a stalwart guardian of oratory itself.

It becomes evident through studying Cicero's debate with the Atticists and with Brutus himself that the critical point of contention was not whose oratory sounded better or whether to take Lysias or Demosthenes as a model, but whose oratory really served the

⁹⁰ *de Oratore* III.20-36

⁹¹ *Orator* 62-6, 70-4, 97, 99, 101, 111, 123. Cf. also *Brutus* 284, 289, 325; *de Partitione Oratoria* 22; *de Optimo Genere Oratorum* 10; *de Finibus* III.19

⁹² *Brutus* 325-7

⁹³ As Johnson's (1971) small, but very insightful and often overlooked book has shown, Cicero himself changed his own style as his oratory became more mature, and he suited it to the occasion at hand.

true purpose of an orator, which is to benefit the state. Cicero saw Brutus as a, if not the, leading orator and statesman for the next generation, as he had been for his own, and wanted to demonstrate to him the ultimate possibilities for oratory. Much more than showpieces for study and refinement, oratory could move the senate, it could move the Romans themselves to achieve so many of the things which Cicero chronicled in the *Brutus*. And in the *Orator*, Cicero is responding to Brutus' inquiries into what type of orator Cicero himself prefers⁹⁴, and that orator is the true orator-statesman. He is not so much attempting to sway Brutus to his own style of oratory, but rather demonstrate to him the power of an orator no matter what style is utilized. Cicero sums this up⁹⁵ at the end of the *Orator*.

habes meum de oratore, Brute, iudicium; quod aut sequere, si probaveris, aut tuo stabis, si aliud quoddam est tuum. in quo neque pugnabo tecum neque hoc meum, de quo tanto opere hoc libro adseveravi, umquam adfirmabo esse verius quam tuum. potest enim non solum aliud mihi ac tibi, sed mihimet ipsi aliud alias videri.

You have my judgment, Brutus, concerning oratory, which you will follow if you agree. Or, you will hold to your own view if it is something else. I will not fight with you about this, nor will I ever assert that my view, which I have declared with such labor in this book, is any truer than yours. It is not only quite possible that I have one view and you another, but also that I myself have different views at different times.

There is no mark of an oratorical feud of any kind between Brutus and Cicero present in this passage. They have differing styles and, as Cicero admits, different occasions call for different styles. If Brutus could become a master of all styles, as had Demosthenes and Cicero before him, then he too could guide his state as the captain of a ship. Ultimately, it seems that Cicero failed in attempting to convert Brutus over to his own style of

⁹⁴ Cf. *Orator* 1f., 34f., 52, 146, 238.

⁹⁵ *Orator* 237

oratory⁹⁶, but that does not necessarily mean that he failed in gaining Brutus' attention concerning the helm of the state. Cicero paid so much attention to Brutus not only in dedicating many philosophical and rhetorical writings to him, but also by naming one after him and making him a chief interlocutor in it as well. As Cicero says at the end of the *Brutus*⁹⁷, he wants himself and Brutus to become the guardians (*tutores*) of oratory. The Brutus whom Cicero is talking to is his own designed narrative persona, and it begs the question who exactly the Brutus of the *Brutus* is.

⁹⁶ In *ad Att.* XIV.20.3, Cicero refers to their different styles, admits that Brutus did not agree with the views in the *Orator*, and basically says 'to each his own'. The tone of the letter is respectful, not spiteful.

⁹⁷ *Brutus* 330

reading a bit too much into Brutus' words and imposing future knowledge on present events. These words speak for themselves in that this was surely a most difficult and complex time for Brutus: many of his friends and family had perished in the Civil War, he had an impending post in Gaul granted to him by Caesar, and Caesar was indeed his friend and a benefactor whom Brutus had to have known was entering dangerous territory. This, however, does not imply that Brutus was already thinking of murdering Caesar.

This same anachronistic view of Brutus and the situation regarding Caesar's dictatorship comes to the forefront of much scholarship on Cicero's *Brutus*.

Fearing that Brutus would become too friendly with Caesar, he hoped to turn Brutus from this course by assigning to him sentiments that he himself hoped Brutus would have. It is not fantastic to think that Cicero's dialogue, although without immediate effect, made Brutus' mind receptive to thoughts of conspiracy, to which his ancestry, his marriage to Cato's daughter Porcia, and Caesar's later acts led him.²

On the contrary, it is quite fantastic to entertain such thoughts. Ending with "Caesar's later acts", this very quote contradicts itself in presuming that Cicero's intentions in writing the *Brutus*, addressing it to Brutus, and making Brutus one of the three interlocutors had anything at all to do with the murder of Caesar, which took place some two years later. There is nothing in the *Brutus* which might either directly or indirectly suggest that Cicero wants Caesar dead, nor that he envisions Brutus as the chief facilitator of such a deed. The only mention of Caesar in the *Brutus* (248-58) occurs during the brief discussion of living orators placed in the mouths of Brutus and Atticus. While there most certainly is an air of frustration with the present regime in this discussion, especially with the mention of one of Caesar's political rivals, M. Claudius

² Jones (1943, p. 452). These same sentiments are also found in Jones (1939, pp.321-3).

Marcellus, doing so well in exile, there is no hint of any action being planned, taken, or even thought of. In fact, there is nothing but positive comments about Caesar and the concise style of his *commentarii*. Cicero had said from the beginning of the treatise that he wished to avoid any discussion of the current state of the Republic, a fact which Atticus all too often reminds him of when he begins to veer in that direction. This is not to say that there are no political undertones in the *Brutus*. It is merely to say that these ubiquitous undertones are still at the stage of uncertainty and despair, rather than fortitude and action: a stage at which, at least for Cicero, he will not reach publicly until the outspokenness of the *Philippics* in late 44 B.C.

Somewhat less foolhardy than assuming that already in 46 B.C. Cicero wanted Caesar dead, is the notion that Cicero intentionally creates a fictitious Brutus for the *Brutus*—a persona which would agree with Cicero’s every word on the history and current state of oratory even though it would have been well known that Brutus did not completely agree with Cicero’s viewpoints set forth in the *Brutus*. This arises partly from a misunderstanding of the form of dialogue which Cicero employs in the *Brutus*.³ He follows Aristotle’s expository form of dialogue⁴ in which there is one main speaker, with an audience of listeners who occasionally supply the speaker with questions in order to either facilitate further discussion, or to clarify a point previously made. The point of the listeners is not to provoke the speaker and introduce their own opinions (as is done in the

³ This also goes against Cicero’s Sceptic nature in which there is no ‘right’ answer and the point of the dialogue is to engage in the conversation itself. Cicero makes mention of this characterization in other dialogues. Cf. *Acad. Pr.* 2, 10, 12, 148; and the introductions to *de Republica*, *de Amicitia*, and *de Senectute*; *ad Att.* XIII.2.3; 19.5; 16.1; 12.3; 25.3; 14; 16; 18; 19; 21.4; 23.2; 25.3.

⁴ The same dialogue form is employed in *de Legibus*, *de Amicitia*, and *de Senectute*. As Hendrickson (1906b, p. 193) aptly puts it, “...no good reason can be assigned for setting [the dialogue form employed in the *Brutus*] apart from the habitual technique employed elsewhere.”

*de Oratore*⁵ and *de Republica*), but simply to facilitate further discussion. The chief characteristic of the expository form which Cicero follows is the leading role of the author himself. “On the whole individuals are not given personal idiosyncrasies, but idealized in this as in Cicero’s later dialogues, especially *De Re Publica*: the elders are benevolent and nurturing, the young appreciative and respectful. It is difficult to imagine an arrogant young Polus or an egoistic Callicles appearing in a Ciceronian dialogue, let alone asking difficult questions or voicing extreme views.”⁶ Brutus does not overtly voice his own opinions on oratory because that is not his role in the dialogue. And yet the Brutus of the *Brutus* cannot be viewed in the way Hendrickson puts it, “Brutus...found himself in the dialogue shaped into a mere echo and applause of Cicero’s own views.”⁷ This idea stems from the notion, already discussed at length in the previous chapter, that the sole purpose of the *Brutus* was to convert Brutus over to Cicero’s thinking. “In the *Brutus* his portrayal of Brutus is distorted because of his purpose, partly political, partly rhetorical, to convert Brutus to his own views.”⁸

Cicero has stated his purpose for writing the *Brutus* in the dialogue itself, and even Brutus understands what Cicero is trying to accomplish when he says (74), *oratorum genera distinguere aetatibus*. And this is immediately followed by Cicero with, *Recte, inquam, Brute, intellegis*. As discussed in the previous chapter, very little of the *Brutus* has anything to do with the differences between Brutus and Cicero when it comes

⁵ While it is true that Cicero describes the *de Oratore* as written *Aristotelio more* (*ad Fam.* I.9.23), this is due much more to the notion that the *de Oratore* takes a philosophical approach to a subject (rhetoric) which typically receives a very pedantic and prescriptive treatment.

⁶ Fantham (2006, p. 76)

⁷ Hendrickson (1926, p. 252)

⁸ Jones (1939, p. 325). Very similar sentiments are expressed by Jones (1939, p. 323), Filbey (1911, p. 333), and Narducci (2002, p. 402). Filbey (1911) especially focuses on very minute details in order to prove the extremely passive and incorrect viewpoints of Brutus, such as Brutus’ concern (which he would not have had in real life) over Sulpicius’ lack of *lepos* (*Brutus* 204). This is truly losing the forest for the trees.

to their chosen oratorical styles, and so the purpose of the treatise cannot simply be to convert Brutus.

There is no question, however, that pieces from each of the two previous arguments do have merit inasmuch as the *Brutus* was written in a tumultuous time with both the role of oratory and the actions of Caesar on Cicero's mind.⁹ And Brutus plays a very important role for Cicero in both of these concerns. Brutus' role in the current state of oratory has been discussed in the first chapter, and his ideas on Caesar's regime will be discussed in the next chapter. By 46, when the *Brutus* was written, the relationship between Brutus and Cicero was very strong and Cicero surely knew Brutus' views on both of these issues. This makes the idea that Cicero molded a false Brutus for the *Brutus* all the more absurd. This is too simple a view for the manifold and unique nature of the *Brutus*. "In a literature as genre-bound and precedent-driven as Roman literature, Cicero's *Brutus* is an anomaly."¹⁰ And so the questions must be asked: who is the Brutus of the *Brutus*, and what is his full role in the dialogue?

As discussed in the previous chapter, the current state and future of oratory were without question in the front of Cicero's mind. As argued there, however, Cicero's ideas can not be reduced to a simplistic controversy between himself and some younger orators who prefer Lysias to Demosthenes as the example of good oratory. The crux of Cicero's message concerning oratory remains the same in the *Brutus* as it had been in the *de Oratore* and, to an extent, in the *de Republica*. The whole point of oratory is not a list of rules and guidelines to be adhered to, but in what a true orator can become and accomplish. In Cicero's mind, the true orator is the true statesman. And the true orator-

⁹ This is most lucidly discussed by Rathofer (1986, pp. 24-32). Cf. also Narducci (2002, pp. 99-100).

¹⁰ Gowing (2000, p. 39)

statesman has nearly unequaled power to shape the path and guide the course of the Republic. As the first chapter has demonstrated, Cicero views Brutus as this very orator-statesman for the next generation as he himself had been for the present one. Cicero, then, is teaching Brutus the best type of oratory for such a task in order to create in him a Roman Senator who has not only all the oratorical and political savvy which Cicero had, but also a name far more recognized and respected than that of a *novus homo*. With that combination, Brutus could go further than Cicero ever had. And so, the Brutus of the *Brutus* emerges as a protégé, and this seems quite in keeping with Cicero's actions at this time. In the *Brutus*, Cicero is a teacher, not of philosophy (which will come later), but of the right kind of eloquence. And eloquence is what will rule the state, as Cicero sees it. That is why Brutus is his protégé. His teaching now in eloquence, as it will be later in philosophy, is directed mostly to the young political figures of the day, and specifically Brutus himself. His interest in the education of Brutus is evident throughout the *Brutus*. Here he speaks not of an education in morals, which he expounds in *de Republica* IV, but of an education in oratorical style.

It is clear that Cicero's purpose in so much of his writing after the Civil War was manifold. A combination of public calamity, private sorrow, and a patriotic sense of public service spurred him on to his prolific philosophical and rhetorical effort. The public calamity was precipitated by the Civil War and Caesar's dictatorship. The private sorrow was the loss of his prominent political position due to the ruinous condition of the Republic, seriously aggravated by the death of his daughter Tullia. But of all the compelling factors, it is Cicero's patriotism which dominates his personal motivation in undertaking the task of a philosophical and rhetorical expositor. It is Cicero's chief goal

to provide his countrymen, and specifically Brutus, with an encyclopedia of philosophical and rhetorical knowledge in Latin, to make better citizens of them by the improvement of their moral life through philosophy, and especially to form the youth of the nation into the future leaders of a restored Republic. All through the *prooemium* of the *de Divinatione*, there are a fair number of expressions attesting to this patriotic sense of public service.¹¹

Of all the personal aims inspired by his patriotism, none is given more space than his desire to instruct and prepare the young men of his day. In Cicero's old age, with the forum effectively silenced, no greater or better service can be rendered to the state than this. The youth had become morally lax and needed to be restrained and directed along the right path. Philosophy could do this for them, as could rhetoric; using examples of these from the Roman past Cicero would be their teacher. One could not expect all of them to take up this program of study, but even if only a few did so, most importantly Brutus, their good example and influence would have a widespread effect upon the state. Even men advanced in years, Cicero says¹², are finding comfort in his works and are inspiring him to more assiduous activity. In fact, it becomes hard to escape the impression that Cicero is surprised at the interest taken in his treatises by older men, as if he had sought primarily to attract and interest the young. As an elder statesman with staunch republican convictions and a recognized leader of the optimate party which was scattered and reduced in number at this time, it was understandable that Cicero should seek younger men to succeed him in political life. Men inspired by his own political

¹¹ *de Divinatione* 2.1, 7, e.g.; cf. also *Tusculanae Disputationes*. 1.91, *de Officiis*. II.46.

¹² *de Divinatione* 1.2

ideals, his love of learning and philosophy, his lofty standard of eloquence. Men who would restore the Republic once more. Men like Brutus.

Cicero's prominence in politics, oratory, and universal learning had, in fact, already for many years attracted young political aspirants to him. He instructed some in declamation, seeking to inculcate his political ideas in them, and generally courting their favor.¹³ Many in that generation with political aspirations strongly desired Cicero's recognition and association. Such were Marcus and Publius Crassus¹⁴, sons of the *triumvir*, who studied and declaimed his oratorical works under him; C. Scribonius Curio¹⁵, of whom, in 53, Cicero had great political expectations; M. Caelius Rufus, who corresponded with Cicero when the latter was in Cilicia, reporting to him on political developments in Rome; P. Cornelius Dolabella, Cicero's son-in-law; C. Cassius Longinus, Aulus Hirtius¹⁶, and C. Vibius Pansa, devoted Caesarians, who practiced declamation under him and maintained friendly relations as well; and C. Trebonius, who received some of his rhetorical training under Cicero and had cordial respect for his leadership in culture and his formative influence. Members of his own family are included in this number -his nephew, Quintus Cicero, whose education Cicero supervised from 56-54, and over whose conversion to his own attitude concerning the Republic through certain of his writings Cicero rejoices; and his own son, Marcus, who receives a great deal of attention in Cicero's final works. So popular was Cicero with the young men of Rome that around 46, at the suggestion of L. Papirius Paetus¹⁷, Cicero jokingly

¹³ Hirtius and Dolabella to name a few notables, cf. *ad Fam.* IX.16.7. Quintilian (XII.11.6) also mentions these men.

¹⁴ Cf. *ad Fam.* V.8; XIII.16

¹⁵ *ad Fam.* II.3, 4, 7.

¹⁶ Note also that the *de Fato* was dedicated to Hirtius.

¹⁷ *ad Fam.* IX.18.2; 20.3

thought of conducting some sort of school. Not that of a rhetor, but of a critic and lecturer in his own fields of expertise and from his own experience. None of these young men, it seems, were as important to Cicero as Brutus, to whom more philosophical and rhetorical works were dedicated than any other of his young colleagues, and who receives a dramatic increase in attention during and after the dictatorship of Caesar.

The *Brutus* is partially a political work written under the dictatorship of Caesar, but, as Gelzer puts it, in the sense of a “republikanischen Stoss-seufzers”¹⁸. In this article, however, Gelzer also maintains that the *Brutus* was written with a very serious political purpose. Cicero, so the article argues, wanted Caesar to know how unfavorably the author of the *de Republica* felt about the present political situation. The *Brutus* is therefore seen as a serious attempt to bring political influence to bear on Caesar to dissuade him from pursuing the path of Sullan dictatorship, a theme which Cicero was to take up again in September of 46 in his *Pro Marcello*¹⁹. With this in mind, Cicero used Brutus and Atticus to express politically dangerous sentiments (*Brutus* 157, 251, 266, 329). He assigned to Brutus the task of praising Caesar’s enemies -Cato (118), Metellus Scipio (212), and M. Marcellus (250). And even the attempts of Atticus and Brutus to avoid politics in the dialogue (157) were used to emphasize Cicero’s discontent with the political circumstances of the day. Gelzer still, however, makes the character of Brutus in the dialogue into a mere puppet for Cicero, which goes back to the simplistic view discussed earlier. As supporting evidence, Gelzer cites Quintilian (V.10.9) quoting from a letter of Cicero to Brutus which, so he claims, makes reference to Brutus’ fear of having some of the offensive sentiments of a former work -perhaps the *Brutus*- introduced into the *Cato*.

¹⁸ Gelzer (1938, p. 131)

¹⁹ *Pro Marcello* 3, 8, 12, 17

And, in July 45, Atticus writes that only now is he willing to be assigned a role in one of Cicero's dialogues.²⁰ Both of these citations are far too ambiguous to support the notion that either Brutus or Atticus disliked their role in the *Brutus*. The quotation from Quintilian is only a line long, and the one from Cicero's letter a bit shorter than that. And neither gives any context whatsoever.

And so, keeping in mind both the political nature of the *Brutus* as an attempt by Cicero to avoid direct involvement in politics for the moment, and its focus on the force and power of a true orator-statesman, perhaps the best place to look for answers about the identity of the Brutus character will be a recent article by Gowing.²¹ As he puts it, "Rather, the *Brutus* was evidently an unusual work written to fulfill an unusual purpose."²² The focus of his article is to call attention to the prevalence of notions of silence and memory within the *Brutus*.

Thus, as I shall argue here, the central arguments of the *Brutus* are these: 1) memory is vital to the health of the Republic, 2) the primary transmitters of memory are orators, whose published speeches constitute *monumenta* that convey the thoughts and *memoria* of their creators (52, cf. 92, 181), and 3) orators are therefore indispensable to the *bene constituta civitas*, the "well-founded state" (7, f. 45).

As Gowing himself acknowledges throughout this article, the levels of silence and memory in the *Brutus* are manifold. Firstly, the silence of the forum under Caesar's dictatorship has caused Cicero, and certainly other unheard orators as well, to resort to alternative means of maintaining the Republic, as the true orator-statesman should always do. In a letter to Varro²³ from April 46, Cicero expresses these very sentiments.

²⁰ *ad Att.* XIII.22.1. Robinson (1951, p. 141) also refers to the supposed anxiety of Brutus and Atticus concerning their portrayal in the *Brutus*, but his evidence is the same and simply does not hold water.

²¹ Gowing (2000)

²² *Ibid.*, p. 39

²³ *ad Fam.* IX.2.5

non deesse, si quis adhibere volet, non modo ut architectos, verum etiam ut fabros, ad aedificandam rem publicam et potius libenter adcurrere: si nemo utetur opera, tamen et scribere et legere politeias, et si minus in curia atque in foro, at in litteris et libris, ut doctissimi veteres fecerunt, navare rem publicam et de moribus ac legibus quaerere.

Let us not be absent, if anyone wants to utilize us not only as architects, but even as carpenters for building the Republic, but rather let us willingly help. If no one has use for our work, let us nevertheless write and read *political works*, and if all the less in the curia and forum, let us support the Republic and inquire about its customs and laws in letters and books, as our most learned elders did.

Although silenced in the forum, Cicero has found, has been compelled to find, an alternative means of performing the duties of an orator-statesman and supporting the Republic. The idea here is to perform these duties for the benefit of others. And in the *Brutus*, Cicero states clearly that the entire discussion is for the benefit of Brutus.²⁴ This discussion had already taken place between Cicero and Atticus earlier, and so it will be recounted for Brutus. In fact, Brutus himself is present at almost every turn of the *Brutus*' inception. It was his defense of King Deiotarus which was the starting point for the conversation between Atticus and Cicero (21). Then, Cicero's lament over Brutus' lot because of the effective silencing and emptiness of the forum caused him to continue discussing the praise of true eloquence, which then becomes the *Brutus* as we know it. From the beginning, it becomes clear that Brutus himself is the focus of this dialogue, not the career of Hortensius, nor the career of Cicero. For Hortensius' career and his (un)timely death serve as an introduction to the written work and as a link to the *de Oratore*, which ends with a discussion on Hortensius and his abilities. Cicero focuses on

²⁴ *Brutus* 20. See also (307): *Haec etsi videntur esse a proposita ratione diversa, tamen idcirco a me proferuntur, ut nostrum cursum perspicere, quoniam voluisti, Brute, possis—nam Attico haec nota sunt—et videre quem ad modum simus in spatio Q. Hortensium ipsius vestigiis persecuti.* “Although these things seem to be at variance with my proposed account, nevertheless I have offered them so that you might be able to observe my own development, Brutus, as you wished, -for Atticus is already familiar with it- and see how I followed in the footsteps of Hortensius on his journey.”

his own career only to point out his training, which Brutus had asked him to do (232), and which is laid out in order to serve as a potential model for the future success of Brutus himself.

Furthermore, the role of Brutus' own *de Virtute* must be taken into consideration. Not only is this work one of the chief spurs to Cicero's writing of the *Brutus*, but it is also mentioned in other treatises.²⁵ Cicero dedicates all three dialogues of the *de Finibus* to Brutus. Brutus is not an interlocutor in any of these, but his silent presence is made conspicuous by the remarks, dedicatory and otherwise, which Cicero makes to him in direct speech and always with extraordinary respect. Brutus, the model young Roman statesman-philosopher-orator, is said²⁶ to rival even the Greeks in philosophy. It was Brutus' dedication of the *de Virtute* to him, Cicero says, which spurred him on to the present undertaking. Brutus is praised²⁷ for his proficiency in philosophy, especially in its highest branch, ethics.

de ipsis rebus autem saepenumero, Brute, vereor ne reprehendar, cum haec ad te scribam, qui cum in philosophia, tum in optimo genere philosophiae tantum processeris. quod si facerem quasi te erudiens, iure reprehenderer. sed ab eo plurimum absum neque ut ea cognoscas quae tibi notissima sunt ad te mitto, sed quia facillime in nomine tuo acquiesco et quia te habeo aequissimum eorum studiorum quae mihi communia tecum sunt existimatorem et iudicem.

Concerning these very things, however, I often fear, Brutus, that I will be censured since I am writing them to you, who has made such great progress not only in philosophy, but in its highest branch. And if I were taking on the persona of your instructor, I would rightly be censured. But this is simply not the case. I do not send these writings to you so you may learn things which you already know quite well, but because I feel very supported by your name and because I have in you a most fair critic and judge of those studies which we share in common.

²⁵ Although not specifically naming the *de Virtute*, at *Orator* 33-5 Cicero praises Brutus for keeping to his studies, for urging Cicero to do the same, and he then says that Brutus was the impetus for the *Cato* as well.

²⁶ *de Finibus* I.3

²⁷ *de Finibus* III.2

The relationship spoken of here is not one of a teacher and student, as it is in the *Brutus*. Rather, Cicero sees Brutus as his equal in philosophical studies. This becomes even more apparent when Cicero digresses from the dialogue a bit and directs a side remark to the addressee, Brutus²⁸. Cicero asks him to judge whether the exposition of Antiochus' doctrine which is to follow, is satisfactory. This is an obvious compliment to Brutus' philosophical prowess. The presence of Brutus in the *Tusculanae Disputationes* is less conspicuous than in the *de Finibus*. Apart from one reference in Book I (I.1), all other mentions of him appear in Book V. His *de Virtute* is mentioned twice (I.1; V.1). The topic of Book V, that virtue is self-sufficient for a happy life²⁹, is mentioned several times as having Brutus' approval or being a matter of strong conviction for him.³⁰ Twice (I.1; V.121) Cicero credits Brutus with his return to philosophical activity, which lines up nicely with the same attribution in the *Brutus*. In a way, Brutus has aided Cicero by his writing of the *de Virtute*, and so Cicero wishes to benefit Brutus in the same way by writing something (*Brutus*) to aid him (12).³¹ To quote Hendrickson, "Whether the payment to Atticus which Cicero contemplated was in fact ever made does not appear. Payment to Brutus however was in process at the moment of writing, and it took appropriately as its title the name of the one whose debt it discharged."³² In comparing his own renewed spirit to that of Marcellus after the horrible defeat at Cannae, Cicero says:

²⁸ *de Finibus* V.3

²⁹ cf. *Paradoxa Stoicorum* 2

³⁰ cf. V.1, 3, 12, 34

³¹ For the identification of Brutus' 'letter' mentioned in the *Brutus* with the *de Virtute*, see Hendrickson (1939).

³² Hendrickson (1939, p. 405)

sic post rerum nostrarum et communium gravissimos casus nihil ante epistulam Bruti mihi accidit quod vellem aut quod aliqua ex parte sollicitudines allevaret meas.

In a similar way, after my own very harsh circumstances and those of the state in general, there was nothing which I wanted or which would in some way alleviate my anxieties more than the letter of Brutus.

Even Atticus (11) enjoyed the *de Virtute* and acknowledges that it *monere te prudenter et consolari amicissime*. The *de Virtute* seems to have been a guide for Cicero as to how he should weather the current political and personal storm. So too is the *Brutus* a guide for its own namesake as to the proper conduct during the tumultuous time of Caesar's tight grip on power. All of this is to say that Brutus himself served as the impetus for the *Brutus* in many ways so that, although the *prooemium* of the written work takes the death of Hortensius as its origin, Brutus was omnipresent in every facet of its inception.

Just as Brutus serves as the impetus for the *Brutus*, so too is he the focus of its message. Cicero wonders (22) and is apprehensive about what path lies ahead for Brutus and his *natura admirabilis et exquisita doctrina et singularis industria* ("remarkable ability, refined learning, and extraordinary determination"), especially since *eloquentia obmutuit* ("eloquence has been silenced"). Cicero sets the mood and timing of the entire discussion when, in this moment of contemplation concerning the career of Brutus, he says, *et cum tibi aetas nostra iam cederet fascisque summitteret* ("and when my time was already giving way to you and laying down the fasces"). Brutus was already viewed by Cicero as the heir to his own oratorical supremacy. And since Cicero's time was effectively over, since the Republic was currently suffering from a lack of true oratory and hence true leadership, Cicero began thinking about the future of oratory and the future of Brutus. Cicero fulfills Brutus' wish (23) to review the study and training which

is required in order to become a good thinker and speaker. Unfortunately for Cicero, Brutus here also says,

dicendi autem me non tam fructus et gloria quam studium ipsum exercitatioque delectat.

However, the reward and renown of speaking does not so much give me pleasure as the study itself and training do.

So, Cicero will grant Brutus' wish to hear about the *studium* and *exercitatio* required of the true orator, but he will also tell of the *fructus* and *gloria* which orators of the past (and present?) have attained by the proper use of oratory. As Gowing puts it, "What we have here is nothing less than a formula for the transmission of knowledge from one generation to the next. In short, written speeches establish the Republic's memory of its orators and their craft and, by extension, of an important part of its political history as well."³³ The speeches Cicero so often refers to³⁴ chronicle the orators of Rome's past, establishing memory and an example of authority for Brutus to follow, but so too does the *Brutus* itself and its message of the everlasting power of a true Roman orator-statesman.

The memory which Gowing so masterfully refers to in his article is ubiquitous throughout the *Brutus*, and all of its focus is on the figure of Brutus. Since, for the time being, Cicero says that *eloquentia obmutuit*, he must find another way to fulfill the responsibilities of being a true orator-statesman as he alluded to in the letter to Varro cited earlier. One way in which to fulfill this responsibility and to pay back the debt he

³³ Gowing (2000, p. 46)

³⁴ Against this is the odd statement by Hendrickson (1906b, p. 184). "In large measure therefore, though by no means consistently, [the *Brutus*] ignores books and avoids allusions to them, referring a knowledge of the statements or opinions of others to communication with the speakers of the dialogue by word of mouth, either directly or through intermediaries." It is unclear what "books" Cicero should have referred to, but regardless, Cicero over and over again asserts how much he has relied on the written word, specifically the speeches which were written down by many of the orators discussed.

owes to both Atticus and (especially) Brutus is by writing.³⁵ The *Brutus*, in some ways, is an oratorical exercise in memory through which Cicero brings forth numerous exempla from Rome's past just as he did in so many of his orations before the Senate and people of Rome.³⁶ All of this, as discussed above, is chiefly for the benefit of Brutus himself, since Atticus and Cicero had already engaged in this conversation. Brutus is its focal point just as he is its primary intended audience.

The text as a whole has aimed at inducing Brutus to recognize -and perhaps fight for- his place in the illustrious tradition of Roman oratory. The tradition is at risk, and Cicero has given Brutus ample cause for rescuing it, and in that sense, the *Brutus* is an appeal for the restoration of the Republic or, at the very least, the reinstatement of oratory and the free exchange of ideas -in other words, to give *eloquentia* back its voice.³⁷

Cicero goes through a short list of Greek orators, and an extensive list of Roman ones³⁸ chiefly to demonstrate to Brutus the power and authority which all of them wielded in some respects. Certainly at times³⁹ Atticus laughs at the inclusion of some orators:

tum Atticus: tu quidem de faece, inquit, hauris idque iam dudum.

Then Atticus said, 'You are really drawing from the dregs now, and have been for some time'.

But Cicero lists so many in part to showcase exactly how many orators have tried and how many are remembered (but also how few truly succeeded), and the impact that they had on the Republic. This is the same rationale that he gave at the beginning of the *de Oratore*⁴⁰, a work which is in many ways the prequel to the *Brutus*. While beginning the *Brutus* by talking about his friend and rival, Hortensius, Cicero showcases the impact

³⁵ Gowing (2000, p. 49)

³⁶ See Robinson (1951, p. 139), who emphasizes the sheer length and breadth covered by the *Brutus*.

³⁷ Gowing (2000, p. 57)

³⁸ For a complete prosopographical survey of the Roman orators in the *Brutus*, see Sumner (1973), who calculates the total number of orators cited to be around 275.

³⁹ *Brutus* 244

⁴⁰ *de Oratore* 1.2-3

Hortensius had on the politics of the late Republic and how great a loss he was, especially during the current political turmoil. However, just as Hortensius lived through so much political upheaval before the feud between Caesar and Pompey, and just as Cicero is finding a way to maintain the power of oratory under the dictatorship of Caesar, so too will Brutus persevere in the future. As Gowing notes, “A demonstration of the ability of one orator to weather the political maelstrom of the late Republic, the remembered life of Hortensius provides Brutus with an example of a man who survived in precisely the circumstances in which Brutus finds himself.”⁴¹ As Cicero mentions at the outset of the *Brutus*, the relationship between himself and Hortensius improved Cicero’s own oratorical abilities and pushed him forward. So too, ideally, will the friendship between Cicero and Brutus compel Brutus to be an effective orator and statesman for the suffering Republic. Hortensius had indeed died at a most unfortunate time for the Republic, but Cicero is not yet dead, nor is *eloquentia*. It has been stifled for the time being, and so too has Cicero in the public forum⁴²,

sic Q. Hortensi vox extincta fato suo est, nostra publico,

So the voice of Hortensius was extinguished by his own death, mine by the death of the Republic,

but with the perseverance of Cicero and of his protégé, Brutus, *eloquentia* will not suffer the same fate as Hortensius.

With Cicero looking towards the future, since his own career is now reaching its end and he himself is too old (330), Brutus must become the principle guardian (*tutores*) of *eloquentia* and of the Republic:

⁴¹ Gowing (2000, p. 56)

⁴² *Brutus* 328

nos autem, Brute, quoniam post Hortensi clarissimi oratoris mortem orbae eloquentiae quasi tutores relictis sumus, domi teneamus eam saeptam liberali custodia, et hos ignotos atque impudentes procos repudiemus tueamurque ut adultam virginem caste et ab amatorum impetu quantum possumus prohibeamus.

Since we, however, Brutus, have been left as the guardians, so to speak, of eloquence who was orphaned by the death of Hortensius, that most renowned orator, let us keep her at home protected by a keen-eyed watchman, let us spurn these unknown and impudent suitors, let us watch over her so that we might shield her, as a chaste virgin grown into adulthood, from the advances of lovers as much as we are able.

This remarkable simile brings together many of the ideas present in the *Brutus*. Since there are so few truly qualified orators, the death of only one, Hortensius, has left oratory orphaned⁴³ and in need of guardians. Cicero's choice of *tutores* is noteworthy here because it demonstrates the idea that oratory is an everlasting ideal which passes from generation to generation. It has no true beginning, no true parent, but has grown organically throughout Roman history. Each generation must do its part to shelter, nurture, and strengthen oratory in order that it may be passed along. And especially now, in the time of Cicero and Brutus, oratory is in desperate need of protection since it will play a vital role in leading the Republic through such tumultuous times. Specifically, Cicero says that oratory must be kept "at home" (*domi*) out of the public eye. This may be a subtle reference to the silence of the Forum under Caesar, and the fact that Cicero is now forced to write treatises on oratory from his home rather than practice it in the Forum. The last few lines have an almost elegiac feel to them, as eloquence is called a "chaste virgin" (*virginem caste*) who is being pursued by "impudent suitors" (*impudentes*

⁴³ A similar comparison takes place in *ad Fam.* III.11.3, where Cicero says that the "orphaned citizenry ought to embrace such guardians" as Ap. Claudius Pulcher (*orba civitas talis tutores complecti debeat*), since there is currently such a dearth of such men.

procos) and the “advances of lovers” (*ab amatorum impetu*). Cicero elsewhere refers to oratory as a virgin⁴⁴ when he says,

mollis est enim oratio philosophorum et umbratilis nec sententiis nec verbis instructa popularibus nec vincata numeris sed soluta liberius; nihil iratum habet, nihil invidum, nihil atrox, nihil miserabile, nihil astutum; casta verecunda virgo incorrupta quodam modo. itaque sermo potius quam oratio dicitur.

The oratory of the philosophers is effeminate and contemplative, not furnished with phrases or words for the public ear; nor rhythmically structured, but rather free from metrical restrictions. It has no anger, no hatred, no ferocity, no pathos, no cunning. It is just like a chaste, modest, and pure virgin. And so it is called conversation rather than oratory.

In this instance Cicero is referring to the rather dry and academic oratory of the philosophers, who have no knack for the embellishment which captures the attention and emotions of an audience. Here, calling oratory a *virgo* is a disparaging remark because she has none of the vigor which makes oratory so powerful. But, in the passage from the *Brutus*, Cicero wants himself and Brutus to watch over this virgin so that she is not pursued and corrupted. So, those who might think that the *proci* and *amatores* of the *Brutus* passage may be referring to the Atticists would be mistaken. Cicero’s references to oratory as a chaste virgin have both a positive and negative connotation. In the *Brutus* this simile emphasizes the current frailty of oratory. Just as the chaste virgin must be kept safe from the rampaging libidos of young men, so too must oratory be protected from the ravages of the current political situation. If the suitors get hold of the virgin, she will no longer be so; and if oratory is allowed to succumb to contemporary circumstances, it will be misused by those with intentions and ambitions which Cicero thinks are dangerous.

Cicero continues immediately afterwards⁴⁵ to acknowledge that night has come upon both his own life and that of the Republic, but that he is sustained (*sustentor*) by

⁴⁴ *Orator* 64

Brutus' *de Virtute* and its kind and reflective words. Cicero should take heart in the knowledge of his past deeds and all that he has accomplished on behalf of the Republic. In a sense, he is continuing his labor on behalf of the Republic with the writing of the *Brutus* and his insistence that Brutus himself join him as a caretaker for *eloquentia* and the Republic, both of which are labors of the true orator-statesman. As Cicero made clear throughout the *Brutus*, so few orators actually lived up to the name of orator and accomplished everything they could on behalf of the Republic. He urges⁴⁶ Brutus to separate himself from the throng of pleaders (*ea turba patronorum*) which he has set forth in this treatise, to continue with his training, and to become like one of the greats from Rome's past. Cicero claims that each age of Roman history has been characterized by at most two outstanding orators who achieved to the highest degree for the Republic.⁴⁷

nonne cernimus vix singulis aetatibus binos oratores laudabilis constitisse?

Do we not see that in every period scarcely two orators stood out as praiseworthy? There was Cato alone above his contemporaries, until Galba came along. Then Lepidus and Carbo. Next, the Gracchi brothers who, although using their oratory to rouse the popular mob, were sound orators. After them, of course, Antonius and Crassus, who are the chief speakers and teachers in the *de Oratore*. Cotta and Sulpicius follow. What happens next is very interesting, and would be all the more so if the end of the *Brutus* were not so unfortunately lost. Cicero names Hortensius, but then rather than also name his colleague, merely says,

nihil dico amplius; tantum dico, si mihi accidisset ut numerarer in multis... si operosa est concursatio magis opportunorum...

⁴⁵ *Brutus* 331

⁴⁶ *Brutus* 332

⁴⁷ *Brutus* 333

I say nothing further; I say only that if it had happened that I were counted among the multitude...⁴⁸

Although the manuscript breaks off here⁴⁹, it seems relatively certain that Cicero was about to say that he would rather have not been counted among the orators at all than to be called a mediocre one among the crowd, referring to the *ea turba patronorum* cited above. Thus, in a round-about way, Cicero names himself as the other great orator of Hortensius' age. And the implication of this historical catalog seems to be that Brutus is well on his way to becoming one of the rare renowned orators of the next generation if he continues on the path which Cicero has laid before him. These pairs of orators are a part of Roman history in and of themselves, but they are also the preservers of the history of Rome not only through their speeches, but also through their actions on behalf of the Republic. Cicero has dedicated to Brutus a work which chronicles so many of the orators of Rome's past in order to emphasize those very few who can be characterized as Rome's true statesmen -the best orators Rome had to offer. What started in the *de Oratore*, with the torch being handed from Antonius and Crassus to Hortensius, reaches its fruition in the *Brutus*, with the torch being handed from Hortensius to Cicero, and then to Brutus.⁵⁰

vides igitur ut ad te oratorem, Brute, pervenerimus tam multis inter nostrum tuumque initium dicendi interpositis oratoribus.

You see, Brutus, we have come down to you as an orator, but with so many orators intervening between my beginnings and yours.

What alarms and disturbs Cicero the most is the thought of Brutus' not attaining all that is possible with his career. The constant and continuous cycle of only a few Roman orators from each generation rising up in order to take a leading role in the state

⁴⁸ The rest of this line is too corrupted to translate.

⁴⁹ According to the app. crit. in Wilkins' 1948 edition of the *Brutus*, there are probably only one or two pages of text missing.

⁵⁰ *Brutus* 231

through their use of the rostra is at risk of being broken if no arena remains for Brutus. The final tragedy lies in the risk that a man so young and promising in talent and political achievement as Brutus could very well be deprived of the Republic and the Republic of him (332): *Ex te duplex nos adficit sollicitudo, quod et ipse re publica careas et illa te.* At the beginning of the *Brutus*, indeed the very reason for the discussion between Atticus and Cicero, was the thought of Brutus' remarkable talents going to waste in a Republic which is ruled by the power of generals and weapons (*arma*), rather than the combined power of *auctoritas* and *eloquentia* and those who wield it. So too does Cicero return to this same lament at the closing of the *Brutus*. Cicero has continued working on behalf of the Republic not only by chronicling its history, but also by illuminating the power of the orator-statesman throughout all periods of Roman history. The cycle, however, does not end with Cicero as its apex and the culmination of all oratorical excellence. For Brutus is the addressee and the namesake for the entire work, and it is with him that Cicero finishes the *Brutus*.⁵¹

tibi favemus, te tua frui virtute cupimus, tibi optamus eam rem publicam in qua duorum generum amplissimorum renovare memoriam atque augere possis. tuum enim forum, tuum erat illud curriculum, tu illuc veneras unus, qui non linguam modo acuisses exercitatione dicendi, sed et ipsam eloquentiam locupletavisses graviorum artium instrumento et isdem artibus decus omne virtutis cum summa eloquentiae laude iunxisses.

We support you, we want you to profit from your virtue, we wish for a Republic in which you can restore and increase the memory of your two most illustrious families.⁵² The forum was yours, that path was yours; you alone had come to that place, you who not only had sharpened your tongue by training in speaking, but

⁵¹ *Brutus* 331

⁵² This is not a call to Brutus' heritage and the ousting of kings by members from both branches of his family in order to put into Brutus' mind the idea of murdering Caesar. It is completely anachronistic to see here a concealed hint that Caesar might have to be dealt with by anything other than peaceful political means. "Brutus' family tradition was about helping the free state, not about expelling kings or killing would-be tyrants." Douglas (1988, p. 415)

also had enriched eloquence herself by the use of weightier skills, and with such skills you had joined all the glory of virtue with the highest renown of eloquence.

Keeping in mind Brutus' authorship of the *de Virtute*, Cicero is saying here that Brutus has combined the two most important traits of a Roman orator-statesman: *virtus* and *eloquentia*. If Brutus is lost either because the forum has been silenced, or because he does not fully understand the power and importance of an orator which Cicero has laid before him, the consequences would be dire and two-fold. Not only would Brutus lose the opportunity to gain personal distinction for himself and for his two great families in continuing the cycle of influential orators and statesmen, but also the Republic would suffer immensely from the lose of such a young and promising talent as Brutus. All of those pairs of great orators from Rome's past whom Cicero has discussed at length in the *Brutus* have brought renown to themselves for their deeds. Hence they are remembered by Cicero and written down. But they have also brought renown and glory to the Republic itself. The relationship goes both ways, and "orators are therefore indispensable to the *bene constituta civitas*, the "well-founded state".⁵³

It is important to note, however, that all is not lost. There is indeed danger under the present circumstances, and Cicero himself has been silenced for the time being, but the mood at the end of the *Brutus* is one of cautious optimism. Throughout Cicero's entire catalog of orators from the past there have been periods of discontent and constitutional upheaval, but oratory has survived down to Cicero and, although the current political climate is difficult for eloquence, this difficulty has arisen before, past orators have persevered, and so too will Brutus. Periods of crisis for the Roman constitutional order and the Republic have been the periods of the greatest Roman

⁵³ Gowing (2000, p. 41)

orators. The turbulence of the times appeared to encourage good men to turn more earnestly to the art of speaking. For good or ill, the art of speaking, rhetoric, had a greater importance than ever during those times, as it does and will during the current situation under Caesar.⁵⁴ The *Brutus* has been described in various ways as “die grosse politische Grabrede auf die eloquentia Romana,”⁵⁵ but this a misrepresentation of its overarching message not only to posterity, but, most importantly, to Brutus himself. Even Gowing goes a bit too far when he discusses the similarities between a *laudatio funebris* and the possible interpretation of the *Brutus*’ message,⁵⁶ “The impetus behind the funeral and the funeral oration and the *Brutus* is precisely the same: the preservation and transmission of memory, in the belief that a knowledge of the past is the most secure means to ensure wisdom in the future.”⁵⁷ It is indeed true that Cicero has chronicled so much of Roman history in order to preserve and transmit it to the future, namely Brutus, but the comparison with a funeral oration implies that something or someone has died, and that only the memory of the deceased’s actions remains. This is not the case with the *Brutus* and with the state and future of *eloquentia*. The *Brutus* begins with the death of Hortensius, and countless other orators have fallen exercising their duties as orators-statesmen, but the cycle continues and has not been broken. Perhaps, as Cicero says, *eloquentia obmutuit*, but it is not *mortua*.

In an illuminating article⁵⁸, Charrier sees a cautionary tale to Brutus in Cicero’s discussion of the orators who lived during the bitter civil wars involving Sulla, Marius, and Cinna during the years 90-80 B.C.: a manual on how to act during the similar

⁵⁴ Cf. *Brutus* (207, 301 ff.); compare also with Tacitus’ *Dialogus de Oratoribus* (36-7, 40).

⁵⁵ Haenni (1905, p. 52). Cf. also Douglas (1966a, p. xi), Narducci (1955, p. 98).

⁵⁶ Gowing (2000, pp. 57-9)

⁵⁷ Gowing (2000, p. 59)

⁵⁸ Charrier (2003)

oratorical crisis under Caesar, and a tale of hope for the continuation of oratory and rhetoric. Specifically, Cicero's autobiographical digression in the *Brutus* (304-312) and its dealings with the history of eloquence presented in the work can, in fact, be seen as a starting point for a reflection by its intended recipient, Brutus himself. Referring chronologically to the events of 90-80, Cicero recalls that he was at that time a witness to the *contiones* and *iudicia* of the period and outlines many instances of public speaking which did indeed take place in a time of civil war. By retracing the steps of his own training, he also measures his progress in relation to his predecessors, including Crassus and Hortensius. Previous orators have had to continue their trade under harsh and uncertain times, so did Cicero, and so must Brutus. Cicero's account of the turbulent years of 90-80 suggests that the conditions necessary for eloquence can be restored after such a difficult period, and that they did not end permanently, but were merely silenced for a time, as they are now. Under the present circumstances, this account can serve as a great benefit to Brutus, the designated heir, who is now able to recollect the continuity of Roman eloquence throughout Roman history because of Cicero's writing of the *Brutus*. Cicero's long list of orators reveals the fact that he constantly does place a lot of emphasis on the ongoing *contiones* and *iudicia* while the government was in upheaval during such tumultuous times, most specifically, under Sulla and Cinna. While deploring the conditions under which oratory had to survive and lamenting all those orators who were killed, Cicero here also makes it clear that oratory did, in fact, survive these very difficult times in the courts and before the people, and can do so again under the regime of Caesar.⁵⁹ Cicero describes the activities of so many orators including himself to provide models for Brutus, "exemple à imiter."⁶⁰

⁵⁹ Charrier (2003, p. 82)

Cicero was an eyewitness not only to the troubles in the years 90-80, but also to the actions of the great orators Crassus, Antonius, and Hortensius during those times. Just as these men were models for Cicero and played an active role in his own training, so too can Cicero be and do these things for his young protégé, Brutus. One only needs to recall the esteem which Cicero has for Crassus and Antonius. This is most explicitly demonstrated in the *de Oratore*, but is also strongly present in the *Brutus*. Their life-long commitment to the art of oratory, in fortunate times and those fraught with misfortune, stands as an ideal for Cicero. If Cicero could become this same model for Brutus during similar circumstances, then oratory will have a caretaker in the future. Furthermore, the actions of Sulla and his proscriptions are a far cry from what has occurred under the present circumstances for both Cicero and Brutus. Caesar was no Sulla. While oratory may be restrained under Caesar, either intentionally or not, in no way are orators being killed as they were in the 80's B.C. It is quite a stretch to see close similarities for orators under Sulla and under Caesar. While Cicero may exaggerate the case a bit due to his own proximity to the present circumstances, oratory has not been stifled under Caesar to the same degree as it had been under Sulla. Therefore, if *eloquentia* could survive the atrocities of Sulla, and even thrive afterwards with the likes of Hortensius and Cicero, the same can once again happen under the far less extreme dictatorship of Caesar. Cicero may have lost his voice, but *eloquentia* will persist and thrive with Brutus.

It is this cautious optimism about the future of oratory which causes the character of Brutus almost always to be the one in the dialogue who is pushing Cicero and pushing the conversation to look towards the present and the future, rather than dwell on the past. The entire dialogue moves from the distant past of Greek and Roman orators, through

⁶⁰ Charrier (2003, p. 87)

those of the recent past, and then to Hortensius, Cicero, and ends with Brutus. But within the dialogue it is Brutus himself who always attempts to goad Cicero into revealing his thoughts and opinions of contemporary orators. While Cicero is discussing the career of Servius Sulpicius (156-7), Brutus interjects to say that he had recently visited Sulpicius on the island of Samos, and found that he was as erudite in the law as Cicero has been claiming.⁶¹ He then continues,

itaque doleo et illius consilio et tua voce populum Romanum carere tam diu; quod cum per se dolendum est tum multo magis consideranti ad quos ista non translata sint, sed nescio quo pacto devenerint.

And so I grieve that the Roman people have been without both his counsel and your voice for so long; a thing which not only must be grieved for its own sake, but all the more so when considering to whom those things not so much have been handed over, but in some way have happened to.

At this time Sulpicius was governor of Achaia, and so while he has not been forced from the forum, his knowledge is nevertheless absent from Rome. As Brutus has begun to talk about the present state of affairs, something which both Cicero and Atticus said at the beginning of the dialogue that they would not do, so Atticus immediately intervenes in order to stop the conversation from doing just that.

dixeram, inquit, a principio, de re publica ut sileremus; itaque faciamus. nam si isto modo volumus singulas res desiderare, non modo querendi sed ne lugendi quidem finem reperiemus.

I had said at the beginning that we would remain silent concerning politics; and so let us hold to that. For if, in this fashion, we wish to feel the want of our losses one by one, we will indeed find no end to our lamenting and mourning.

In this interesting exchange between Brutus and Atticus, Brutus tries to blur the line between the past and present in order for the conversation to drift into current politics, but

⁶¹ In the *Brutus*, Cicero praises Sulpicius' legal expertise, which he had mocked in 63 in the *pro Murena* (19-30). There is no insincerity involved in Cicero's praises in the *Brutus*, as Cicero was creating a defense in the *pro Murena*. More evidence of Cicero's admiration of Sulpicius can be found in the *Ninth Philippic*.

Atticus quickly puts a stop to this. Brutus says that Sulpicius' vast knowledge of the law served him well in the past, and would most certainly have done so during the present constitutional crisis.

In these passages, Sulpicius' situation is not the only current issue which Brutus laments. He also points out that Cicero's pen has been silent for far too long. As Atticus pointed out at the beginning of the *Brutus*, Cicero has not written anything since the *de Republica* (19), and it is high time that he write something else. Of course Atticus has stipulated that this new work cannot touch upon the current situation and must remain embedded in the past, but Brutus often seeks to blur this line. A great many implicit remarks are made in the *Brutus* about the contemporary situation; when they become explicit, however, as Brutus has done in these passages, Atticus must stop the dialogue in order to reinforce the stipulation set forth at the beginning. This action by Brutus "highlights the near impossibility of simultaneously remembering the past and forgetting the present."⁶²

Both Atticus and Cicero have attempted to draw an impossible line in the hopes of clearly separating the past from the present. But in remembering the past, the similar circumstances of those orators under Sulla and Cinna, and in recalling how even more recent orators have met their end, Brutus makes it obvious that the present must be taken into consideration to some extent. As he is Cicero's chosen heir and the oratorical leader of the next generation, Brutus is not content with simply discussing the past as if it existed in a vacuum. If he is to become a true orator-statesman, he must apply these examples from the past to the present and the future. The days of Cicero and of Atticus are waning, and so they are perfectly at ease with simply talking about the glories of old,

⁶² Gowing (2000, p. 51)

but the young Brutus will continue the cycle of great orators-statesmen, and so he often looks to push the conversation beyond the set bounds.

Later in the dialogue (266), Brutus again attempts to bring this discussion of the past into the present when he says,

tum Brutus Torquati et Triari mentione commotus -utrumque enim eorum admodum dilexerat- ne ego, inquit, ut omittam cetera quae sunt innumerabilia, de istis duobus cum cogito, doleo nihil tuam perpetuam auctoritatem de pace valuisse. nam nec istos excellentis viros nec multos alios praestantis civis res publica perdidisset.

Then Brutus, moved by the mention of Torquatus and Triarius -both of whom he admired a great deal- said, 'Not to leave out other reasons which are countless, but when I think about those two, I grieve that your constant influence amounted to nothing when it came to peace. For the Republic would have lost neither those outstanding men, nor many other distinguished citizens.'

Just as before, Brutus is not so much urging Cicero to discuss contemporary orators, as he is attempting to turn the conversation toward the present state of affairs and the fact that so many orators, so many potential leaders of the state, have been lost. However, Cicero immediately rebuts,

sileamus, inquam, Brute, de istis, ne augeamus dolorem. nam et praeteritorum recordatio est acerba et acerbior expectatio reliquorum. itaque omittamus lugere et tantum quid quisque dicendo potuerit, quoniam id quaerimus, praedicemus.

Let us keep quiet about those things, Brutus, lest we add to our sorrow. For recollection of the past is painful, and even more painful is awaiting the future. And so let us set aside our weeping, and make known how great each orator was at speaking, since this is what we are seeking.

Even when taking a step back from the details of the conversation itself, the very setting of the dialogue adds a great deal to the notion that the present and the future are on the minds of both Cicero and Brutus. For one thing, the *Brutus* is the first of Cicero's

dialogues with a dramatic date the same as the time of its composition, namely 46 B.C.⁶³ In other words, the *Brutus* and its conversation on the past takes place in the present, unlike all previous Ciceronian dialogues, which take place in the past, typically around the characters in the so-called Scipionic Circle, in order to avoid any discussion of the present.⁶⁴ At the beginning of the *de Republica* (I.1), Cicero states the terms of the conversation.

omitto innumerabilis viros, quorum singuli saluti huic civitati fuerunt, et qui sunt haut procul ab aetatis huius; memoria commemorare eos desino, ne quis se aut suorum aliquem praetermissum queratur.

I leave out countless men who individually protected this state, and I do not celebrate in memory those who are not far from our present time, lest someone complain that he or a member of his family has been forgotten.

This conversation takes place in 129 B.C., just before the death of Scipio, and so on one level it is very easy for Cicero to leave out any discussion of the present, since it would be anachronistic and disrupt the flow and fiction of the dialogue. But he also makes it known that he will not even discuss figures from the not-too-distant past in order for the line between present and past to be very clear. Certainly, the topics and general discussion of the *de Republica* are applicable to the time at which it was written, otherwise Cicero would not have written it. Nonetheless, Cicero takes great pains to stay away from any explicit mention of the present, and gives his reason as avoiding censure from those who feel they have been undeservedly left out of the discussion.⁶⁵

⁶³ The other dialogues which have a contemporary dramatic date are *de Legibus*, *Paradoxa Stoicorum*, *Academica*, *Tusculanae Disputationes*, *de Divinatione*, and *de Fato*. None of these, however, equal the poignancy of the *Brutus* and its direct connections to the issues of the day. For good, brief discussions of each, see MacKendrick (1989).

⁶⁴ A tactic to which Cicero will return in the *de Senectute* and *de Amicitia*.

⁶⁵ Cf. Cicero's famous letter to his brother Quintus (*ad Quintum Fratrem* III.5) regarding this matter.

The *de Oratore* comes a bit closer than the *de Republica* to touching upon the present. The dramatic date is again set a generation in the past in order to avoid explicit mention of present circumstances, but in the *de Oratore* Cicero is reporting a conversation which he himself supposedly heard as a child. Although the *de Republica* reports a conversation chiefly between Scipio and Laelius, this report is given indirectly through Cicero who had originally heard of the conversation through P. Rutilius Rufus (I.8). In the *de Republica*, Cicero puts himself at an additional remove, which is not present in the *de Oratore*. Not only is the *de Oratore* a direct recollection from Cicero's memory of the conversation between Antonius and Crassus, but he also takes time at the end of the dialogue to bring Hortensius into the discussion, who most certainly is part of the not-too-distant past, a time which he vowed not to touch upon in the *de Republica*. Both of these dialogues, composed so close together, have set up very specific temporal boundaries in order to avoid any explicit mention of the present and thus, as Cicero had explained, to avoid any insult to contemporary figures or lamenting of the current situation. Even the *de Senectute* and *de Amicitia*, both composed after the *Brutus*, have dramatic dates of 131 B.C. and 129 B.C., respectively, that is, a distance of almost ninety years from the *Brutus*' dramatic, and actual, date. In those dialogues, Cicero says he has chosen the specific figures of Cato the Elder and Laelius to speak about their given topics because they were best suited to the discussion, rather than for any avoidance of contemporary affairs. Nevertheless, the fact still remains that even these much lighter dialogues have a separation from the present which cannot be found in the *Brutus*.

The *Brutus* is the first of Cicero's treatises to break the chronological rules of keeping a safe distance from the present. And rather than adhering to the strict rules about

not mentioning contemporary affairs set forth at the beginning of the treatise, these rules have to be constantly reinforced as the present comes all too close to the forefront. This conflation of the past and present happens solely through the devices of Brutus. The result is that while the other dialogues are set in the past in order to avoid any mention of present circumstances (although their subjects are still easily applicable to Cicero's time), the *Brutus* is set in the present exactly so that it can reflect on the present and even look forward to the future. Present ills are ostensibly going to be avoided in the *Brutus*, and yet are ubiquitous; and Brutus is always the one who crosses the line between past and present, consistently trying to push the conversation forward in time. In fact, Brutus even calls into question the rationale put forth by Cicero for his assiduous wish to avoid the present. According to Brutus, the real reason is instead nearly identical to the one given by Cicero in the *de Republica*.⁶⁶

vides igitur, ut ad te oratorem, Brute, pervenerimus tam multis inter nostrum tuumque initium dicendi interpositis oratoribus; ex quibus, quoniam in hoc sermone nostro statui neminem eorum qui viverent nominare, ne vos curiosius eliceretis ex me quid de quoque iudicarem, eos qui iam sunt mortui nominabo. tum Brutus: non est, inquit, ista causa quam dicis, quam ob rem de iis qui vivunt nihil velis dicere.

quaenam igitur, inquam, est?

vereri te, inquit, arbitror ne per nos hic sermo tuus emanet et ii tibi suscenseant, quos praeterieris.

quid? vos, inquam, tacere non poteritis?

nos quidem, inquit, facillime; sed tamen te arbitror malle ipsum tacere quam taciturnitatem nostram experiri.

tum ego: vere tibi, inquam, Brute, dicam. non me existimavi in hoc sermone usque ad hanc aetatem esse venturum; sed ita traxit ordo aetatum orationem, ut iam ad minoris etiam pervenerim.

interpone igitur, inquit, si quos videtur; deinde redeamus ad te et ad Hortensium. immo vero, inquam, ad Hortensium; de me alii dicent, si qui volent.

minime vero, inquit. nam etsi me facile omni tuo sermone tenuisti, tamen is mihi longior videtur, quod propero audire de te.

⁶⁶ *Brutus* 231-2

‘You see, therefore, we have come down to you, Brutus, with so many orators intervening the beginnings of my and your speaking; from which I will name only those who are already dead, since I have decided to name no one in this discussion of ours who is still living, lest you too curiously try to get out of me what I think about each one.’

Then Brutus said, ‘That reason you are giving is not really why you wish to say nothing about those who are living.’

‘What is it, then?’ I asked.

‘I think you are afraid that this discussion of yours will get out through me, and that those whom you left out will be indignant with you.’

‘What? Can’t you keep quiet?’

‘Indeed I can, very easily. But nonetheless, I think that you prefer to keep quiet yourself rather than put my silence to the test.’

‘I will tell you truthfully, Brutus, I did not think that I would come all the way to our time in this discussion; but the continual cycle of ages has carried along our discussion so much that I have already come down to my own juniors.’

‘Bring in whoever seems best,’ Brutus said, ‘then let us return to you and to Hortensius.’

‘Surely to Hortensius,’ I said, ‘but others will speak about me, if anyone wants to.’

‘No, no,’ Brutus said, ‘for although you have easily held my attention during your entire discussion, nevertheless it seems rather long to me because I am in a hurry to hear about you.’

After so many orators and so many generations of Rome’s past, the discussion has finally come full circle to Hortensius, Cicero, and Brutus. This is a pivotal point in the dialogue since the boundary established at the beginning must now be crossed. Therefore, this is a deliberate crux in the dialogue, one intentionally engineered by Cicero. It is undeniably impossible simultaneously to discuss the past and not to think about its applicability to the present, and it is the character of Brutus who brings this impossibility to light.

Cicero’s rationale is similar to the one given in the *de Republica*, but instead of claiming that he does not want to cause offense by omission, as he did in the *de Republica*, Cicero instead claims in the *Brutus* he does not want to give a critical assessment of his living contemporaries. Brutus reveals this similarity and questions Cicero’s given rationale here; that it is Brutus’ curiosity which forces him to keep quiet about contemporary

orators and affairs. Brutus knows that Cicero does not wish to cause offense too explicitly, and so Cicero claims he would rather keep silent himself than trust in the silence of Brutus. Interestingly, Cicero's response to this point made by Brutus is inadequate and confused, and immediately, in fact, he moves on to discussing the present and the not-too-distant past, both of which he had vowed not to do. This entire cycle of orators has inevitably arrived at the present, and however unwilling Cicero claimed to be about such a discussion, he will continue because of the goading of Brutus. The character of Brutus has brought the dialogue into the present, just as the real Brutus will take oratory into the future. None of this would have been possible if the *Brutus* had been set in the past with an artificially imposed ending, a strategy which would have resulted in an awkwardly abrupt end to the organic growth of oratory.

So, it is no coincidence that very soon after this exchange between Cicero and Brutus about the role of the present in a discussion of the past, the figures of M. Claudius Marcellus and C. Julius Caesar appear in the dialogue (248-62). This passage has been discussed both for the political issues⁶⁷ which it brings up, and also for the fact that these are the only two living orators besides himself whom Cicero mentions in the *Brutus*. Quintilian notes, *de omnibus aetatis suae, qui quidem tum vivebant, exceptis Caesare et Marcello, silentium egerit*.⁶⁸ In fact, Cicero puts most of the discussion of Marcellus in the mouth of Brutus, and that of Caesar in Atticus'. Elaine Fantham has argued⁶⁹ that Cicero here "...introduce(s) Marcellus, balancing Caesar, in a context emphasising their

⁶⁷ Rathofer (1986, pp. 189-94) is the best discussion of the politics swirling around the two figures of Marcellus and Caesar, and their possible place in the politics of the *Brutus* itself. He claims that the only reason Marcellus and Caesar are signaled out is because they represent the "political poles" present at the time of the *Brutus*' writing. See also Gruen (1974, pp. 461-8).

⁶⁸ *Inst. Or.* 10.1.38

⁶⁹ Fantham (1977, p. 264)

common concern for the quality of literary Latin, rather than their conflicting political careers.” This assertion appears in her discussion of the relationship between Marcellus and Varro specifically and Varro’s forthcoming *de Lingua Latina*. She argues that Cicero mentions Marcellus and Caesar together, having knowledge of Varro’s work, in order to compare their “elegance of diction.”⁷⁰ If she had substituted ‘as well as’ for “rather than”, her argument would be absolutely correct. Politics certainly play a role in the introduction of Caesar and Marcellus, and it seems that oratory and its usage on behalf of the state is a chief topic of conversation.⁷¹ These issues most certainly add a great deal of depth and breadth to the mention of these two political rivals, and add layers to the meaning of this passage. In the context of the *Brutus* itself, this passage is meaningful on several different levels. In this chapter, however, the focus is on the involvement of the character of Brutus in this discussion, and specifically his role of consistently pressing the conversation forward in time.

Brutus begins this passage in that very role.⁷²

quam vellem, inquit, de his etiam oratoribus qui hodie sunt tibi dicere liberet.

How I wish it were permitted for you to speak about those orators who are alive today.

He goes on to say that, if Cicero cannot mention any others, he should at least speak about Caesar and Marcellus, both of whom Cicero knows and admires. The influence of Brutus’ *de Virtute* on the inception of the *Brutus* mentioned earlier cannot be overlooked here.

⁷⁰ Fantham, (1977, p. 268)

⁷¹ Hendrickson (1939, p. 408) briefly mentions that the reason for Marcellus’ and Caesar’s being discussed together in the *Brutus* is chiefly because Brutus had discussed the two of them together in the *de Virtute*. This is an intriguing suggestion.

⁷² *Brutus* 248

In Seneca's discussion of his own exile,⁷³ he talks of the joys of exile in rekindling Roman *virtus*, and then uses a quotation from Brutus' *de Virtute* where Brutus is discussing Marcellus' voluntary exile to Mytilene after Pharsalus. Just as Cicero directly compares the oratory of Marcellus and Caesar in the *Brutus*, so too in the quotation from Brutus' *de Virtute* Seneca directly compares the exile of Marcellus with the 'exile' of Caesar. While Marcellus is bearing his exile extremely well, *exulantem... beatissime viventem... ad tolerandum aequo animo exilium*, Caesar is almost in a forced exile because of all of his military campaigns, *quid porro? hic qui te expulit, non ipse per annos decem continuos patria caruit?* And again, if Brutus' *de Virtute* was the inspiration for Cicero's *Brutus*, the connection here cannot be denied. It should also be noted that Cicero does mention (12) Marcellus' ancestor near the beginning of the *Brutus*; whose actions lifted up the morale of the Romans just as Brutus' *de Virtute* lifted up his own spirits. Thus, there is a clear link between Brutus' role as one of the chief reasons for the writing of the *Brutus*, and the role of his character in consistently bringing the discussion into the present, and specifically wanting to hear more about Marcellus and Caesar.

Cicero coyly avoids giving his own opinion about Marcellus, and lets Brutus say (249) what his impressions are, since Brutus has heard enough of Marcellus' oratory, but not of Caesar's, to have formed his own opinions. Brutus' remarks on Marcellus and his oratory have caused Brutus to be labeled a "mouthpiece" of Cicero⁷⁴ because he allegedly agrees too much with Cicero's style of oratory, but this is not the case. Brutus likes Marcellus' oratory because he has "studied hard" (*acerrime exercuit*), and uses "carefully

⁷³ *ad Helviam* IX.4-8

⁷⁴ See n. 7, 8.

chosen words” (*lectis utitur verbis*).⁷⁵ These are characteristics attributed to Brutus and his own style both in the *Brutus*, and in the *Orator*, as discussed in the first chapter. One should set these details of oratory aside because Brutus bases his admiration for Marcellus quite clearly on something else.

maximeque laudandus est, qui hoc tempore ipso, quod liceat in hoc communi nostro et quasi fatali malo, consoletur se cum conscientia optimae mentis tum etiam usurpatione et renovatione doctrinae.

And he must be praised most of all who, in this almost doomed present time of ours, has encouraged himself not only by the knowledge of a very sound mind, but also by the resumption and restoration of his training.

This sounds exactly like the role which Cicero has impressed upon Brutus throughout the dialogue. Although times are difficult, these are the very times in which oratory and true orators-statesmen are needed most. So many orators from the past persevered through the trials and tribulations of the Republic in order to guide the state with their oratorical abilities. In this passage, the boundary which was set at the beginning has been broken, and there is a discussion of living orators; and yet the message is the same. Marcellus is persevering under most difficult circumstances. This is what Brutus admires most, and it is also the lesson which he could have learned from Cicero’s catalog of past orators. It is no coincidence that Marcellus is discussed along with the very person who is making things difficult at this point for oratory to thrive: Caesar. Although there is no discussion of Caesar’s politics whatsoever in Atticus’ opinion of Caesar’s oratory, it may still be surprising how much praise is lavished upon Caesar. Atticus has very good things to say (252-61) about Caesar’s style, and his *de Analogia*.⁷⁶ Even Brutus chimes in (262) concerning his *commentarii*. Nothing needs to be said directly concerning Caesar’s role

⁷⁵ This becomes a bit more interesting when one remembers that in the *de Oratore* both Crassus and Antonius claim not to study very hard, and have instead learned through experience.

⁷⁶ See Hendrickson (1906a) for a fuller discussion of the *de Analogia*.

in the state right now, just as Cicero remains vague when discussing the difficulties of those orators from 90-80 B.C., not mentioning Sulla or Cinna. The message implied throughout these episodes, and throughout the *Brutus* as a whole is that oratory has had a long life, starting in Rome's distant past all the way up till the present. During all that time those few who became the best orators provided the state with unparalleled guidance, strength, and perseverance. And in the difficult times already upon them, and in those to come, it is Cicero's sincere hope that Brutus will become a guiding force for the Republic.

And so, the Brutus of the *Brutus* is not the complete fiction which so much scholarship on this dialogue would have one believe. Although Cicero most certainly does not employ the "freedom of a dramatist"⁷⁷ in his characterization of Brutus, he does however mix into reality a bit of idealism. Cicero lays out for his friend Brutus what he hopes he might become. In this multi-faceted dialogue, Cicero sets forth the history of Roman oratory most certainly as an historical exercise, but also as a large compendium of exempla for Brutus to consider, admire, and emulate. The one enduring message of the *Brutus* is that oratory survives. Oratory is the lifeblood of the Republic in so many ways. It retains the memory of the Republic itself. It places into memory those great orators who used their talents and abilities of behalf of the Republic in good times, and especially during the bad times. This dialogue stands alone as the first, and most important, of Cicero's dialogues to be staged in the present, and that is because Cicero cannot help but blur the lines between remembrance of the past and thoughts on the present. Hortensius died at a fine time for himself, but a terrible time for the Republic. He had performed his duty for the Republic, and so will be remembered, and is remembered in Cicero's *Brutus*.

⁷⁷ Hendrickson (1906b, p. 189)

Cicero himself spends time talking about his own path, and although he recognizes that his time is now short, he has been consoled by the words of Brutus and his *de Virtute* that he can take comfort in all the deeds he has performed on behalf of the Republic. And Brutus himself, as the dedicatee of the dialogue, one of the three interlocutors, and the culminating point at the end of the work, has a path set before him as the chosen leading orator-statesman for the upcoming generation: a generation which, although it may endure difficult times, will hopefully rise out of the political calamity with the aid of oratory and its chosen heir, Brutus.

Chapter Three

Philosophical Partnership

Antony: Therefore I took your hands, but was indeed
 Swayed from the point by looking down on Caesar.
 Friends am I with you all, and love you all,
 Upon this hope, that you shall give me reasons
 Why and wherein Caesar was dangerous.

Brutus: Or else were this a savage spectacle.
 Our reasons are so full of good regard
 That were you, Antony, the son of Caesar
 You should be satisfied.

Shakespeare, *Julius Caesar* III.1.218-26

In the negotiations immediately following Caesar's murder, Shakespeare depicts Cassius, Brutus, and Antony attempting to arrive at some sort of compromise concerning the body and funeral of Caesar. A public funeral in the forum is decided upon, and so too that both Brutus and Antony will give public speeches over the body of Caesar to all those who have come looking for answers as to why their beloved Caesar has been felled. Of the many mistakes the so-called 'Liberators' made, perhaps none was so great as assuming that their own ideas concerning Caesar and his autocracy were shared by the majority of Romans. As mentioned in Chapter One, Brutus' speech to the people and his given rationale for murdering his supposed friend, "not that I loved Caesar less, but that I loved Rome more," carried the crowd only for a moment. By August of 44, Brutus and Cassius were forced to leave Rome for Greece, and by politically outmaneuvering them Antony became the de facto leader in Rome. In the brief passage which begins this chapter, Antony desires to know the evidence that proves Caesar was a danger to the

Republic and, in turn, why he was seen as so dangerous that he needed to be gotten rid of completely. In his speech Brutus mixes praise of Caesar with censure.¹

Had you rather Caesar were living, and die all slaves, than that Caesar were dead, to live all freemen? As Caesar loved me, I weep for him; but, as he was ambitious, I slew him. There is tears for his love, joy for his fortune, honor for his valor, and death for his ambition.

It was the ambition of Caesar that caused his murder, according to Brutus. In the eyes of far too many, however, Caesar's ambition did not outweigh Brutus' bonds of *amicitia*, and Brutus paid for it in the end.

After the Civil War and his return to Rome, Caesar had continued to take for himself and be granted many honors and accolades. In the meantime, his vaunted *clementia* had won him many allies because of the debt which they now owed him. The majority of the Senate at this point "had been reduced to spaniels"² by Caesar. The rank and file of the Senate were his own appointments. They had either joined him before the Civil War in order to defeat Pompey and the *optimates*, or, once Pompey was beaten, had accepted Caesar's mercy. Now Caesar had become a supposed tyrant, the sole dispenser of prestige in Rome, to whom they each of them owed a debt of friendship³ greater than they could ever hope to repay. Most notably, Brutus can be counted among them. And here lay a serious moral crisis for those who now began to hate Caesar and his despotism. Amongst senators, there were no political parties as they are defined today.⁴ There was only friendship, *amicitia*, and enmity, *inimicitia*. And these relationships mattered significantly not just personally, but most especially politically. Roman friendships, such

¹ Shakespeare, *Julius Caesar* III.2.20-3

² Tatum (2008, p. 153)

³ For an excellent discussion of the basics of Roman *amicitia*, see Konstan (1997, pp. 122-37), and of course Brunt's article in *The Fall of the Roman Republic and Related Essays* (1988).

⁴ The standard treatments on Roman politics are Syme (1939) and Taylor (1949).

as the one between Caesar and Brutus, were formal and public, and involved serious and lasting obligations. To fulfill its bonds was the definition of decent and honorable behavior. To break its bonds was about as damning to your reputation and character as anything could be in ancient Rome. The recipients of Caesar's *clementia* had made themselves his friends by accepting his mercy. And this friendship quickly became a "ponderous connection, and could hardly be evaded simply because it was inconvenient"⁵ as Caesar gained more and more honors and reached closer and closer to godhead. As Syme eloquently notes, "they took the gift of life and restoration with suppressed resentment."⁶

The Liberators, however, needed better public reasons for the murder of Caesar than the fact that his *amicitia* had become too much for them to bear. "Obviously matters could not be put plainly: the conspirators could hardly justify Caesar's assassination by proclaiming to the public that the time for Caesar's handing over the reins of power to themselves had gotten to be past due."⁷ Even Caesar's appointments of so many magistracies would not be enough to sway most of the nobility, let alone the plebian masses. Caesar had taken from the nobility that which they most wanted: the ability to showcase their own talents and prestige in the highly competitive arena that was Roman politics. No longer was a good family name, or the reputation of glorious deeds enough to earn a coveted magistracy. Now, one had simply to be on Caesar's good side to gain such distinction. Although there had to be a great variety of personal reasons and rationales for why Caesar had to go, the burden of *amicitia* and the disappearance of traditional means of distinction surely were the truest and most wide-spread. However, it was Caesar's

⁵ Tatum (2008, p. 153)

⁶ Syme (1939, p. 51)

⁷ Syme (1939, p. 161)

ascent towards *regnum* which provided the best reason and allowed the Liberators to gain any amount of credibility. And this credibility started with Brutus, whose moral stature gave the whole project respectability adequate to ensure the complicity of some other leading men. And soon it was a conspiracy of more than sixty senators, all of them beneficiaries of Caesar's dictatorship. Once Brutus was brought into the fold, the conspirators then had to figure out a means by which to justify such a violation of *amicitia* and such base illegality against a figure to whom they all owed so very much. As Cicero noted earlier in his career,⁸

nam cum grave est vere accusari in amicitia, tum, etiam si falso accuseris, non est neglegendum.

For not only is a valid accusation of violating the bonds of friendship a serious matter, but also even a false accusation should not be disregarded.

That answer came through Greek thought and, more specifically, the best glimpse of such a rationale comes through the philosophical works of Cicero. "They were reproached for disregarding the obligations of friendship and betraying their leader; Cicero would justify them, as no doubt they justified themselves, for their fidelity to the commonwealth, of which they claimed to be 'Liberators'."⁹

The circle of men who conspired to murder Caesar communicated with one another chiefly through the principles and arguments of philosophy. They recruited new members to their cause in this way, and after the deed was done, justified their actions in a purely philosophical fashion. No one was more apt to do this than was Brutus. There

⁸ *pro Murena* 7

⁹ Brunt (1988, p. 380)

has been some work done¹⁰ on Cassius' Epicureanism in relationship to the murder of Caesar, but little has been said of Brutus' own philosophical justification. The best, and most enlightening, article by David Sedley has begun to shed new light on Brutus' philosophical tendencies and how they were used in order to justify the murder of Caesar.¹¹ Philosophically, Brutus was well known to be an adherent of the so-called Old Academy, the school founded by Antiochus of Ascalon. He was not a Stoic, as the tradition has somehow come to accept, and was not a strict follower of his uncle Cato. "In his eyes, the Stoics were dwarves on the shoulders of the Platonist giants. Occasionally their privileged vantage point had enabled them to see a little further. But more frequently they had been guilty of falsely claiming as their own a disguised and even distorted version of the giants' achievements."¹² Brutus would have followed his philosophical leanings much more rigidly than a New Academic like Cicero, who was able to survey the entire scene of philosophy in order to find the best arguments. And if Cicero can put into the mouth of Brutus' fellow Antiochean, Varro, the following words¹³, should one not be able to expect a very similar state of mind from Brutus? Especially since it seems that Brutus' philosophical work had so much to do with the field of ethics.

totum igitur illud philosophiae studium mihi quidem ipse sumo et ad vitae constantiam quantum possum et ad delectationem animi, nec ullum arbitror, ut apud Platonem est, maius aut melius a dis datum munus homini.

So for myself, at least, I adopt that entire pursuit of philosophy both in order to make my life as self-consistent as I can, and for the sake of intellectual

¹⁰ The most famous work is perhaps a short but influential review by Momigliano (1941), but since then there have been larger works. Cf. especially M. Griffin "Philosophy, Politics, and Politicians" and D. Fowler "Lucretius and Politics", both in *Philosophia Togata* (1989).

¹¹ Sedley (1997)

¹² Sedley, (1997, p. 42)

¹³ *Academica* 1.7

satisfaction; and, as can be read in Plato, I believe that no greater or better gift has been bestowed by the gods on the human race.

The fact that Brutus did indeed think of Caesar's murder in philosophical terms is immediately revealed in a short, but enlightening, passage from Plutarch.¹⁴

For of his other friends too, Brutus excluded Statilius the Epicurean and Favonius the admirer of Cato. This was because, when in the course of joint philosophical dialectic he indirectly, in a roundabout way, put them to such a test, Favonius replied that civil war was worse than a law-flouting monarchy, while Statilius said that it was not proper conduct for one who was wise and intelligent to take on risks and worries on account of people who were bad and foolish. Labeo, who was there, spoke against both. Brutus was reticent on that occasion, saying that the argument had a problematic aspect which was hard to decide. But later he divulged the plot to Labeo.

Brutus' cunning here is difficult to deny. If philosophy was going to be the rallying point around which potential conspirators could be found, Brutus needed to scout out various Romans' philosophical leanings without giving away the true nature of his intentions. One can imagine philosophical discussions of this nature going on almost daily in Roman life, especially as the topic of tyranny was on the lips of everyone after Caesar's actions of thrice removing the crown which Antony attempted to place on his head at the Lupercalia. Brutus could not simply wander around and ask the many friends of Caesar if they would be willing to commit murder, and possibly treason, because they had become irritatingly jealous of Caesar's political position. Instead, Brutus needed co-conspirators who shared the same, or at least a similar, philosophical position when it came to tyranny. He needed people who would turn philosophical tendencies into political action.

In his thorough examination of this passage, Sedley¹⁵ brings attention to Brutus' framing of the question in terms of moral duties (*kathékonta*). These are the very same duties and proper conduct which Cicero would discuss only months later in his *de*

¹⁴ *Brutus*, XII.3-4

¹⁵ Sedley (1997, p. 47)

Officiis, and to which Brutus himself had dedicated a treatise, the *peri Kathekontos*. The message of both of these treatises is one of selecting the correct actionable path from the correct set of philosophical standards. The point of each is duty, or action, not simply philosophizing. Unfortunately, the vast majority of Brutus' philosophical writings are now completely gone, but what does remain are Cicero's feelings on the very same issues. And it is from Cicero that one can begin to gain insight into Brutus' philosophical makeup and their joint decision to mold a philosophical basis for the murder of Julius Caesar.

Cicero consistently sought to reunite philosophy and politics.¹⁶

nunc sive qui volet, eum philosophum qui copiam nobis rerum orationisque tradat per me appellet oratorem licet; sive hunc oratorem quem ego dico sapientiam iunctam habere eloquentiae, philosophum appellare malet, non impediam; ... quem si patiuntur eundem esse philosophum, sublata controversia est;

I give full leave to anybody who wishes, to apply the title of orator to a philosopher who imparts to us an abundant command of facts and of language, or alternatively I shall raise no obstacle if he prefers to designate as a philosopher the orator whom I on my side am now describing as possessing wisdom combined with eloquence... and if they allow him also to be a philosopher, that is the end of the dispute.

This is the persistent theme in his philosophical writings. The philosophical wise man is encouraged to move towards the political arena.

*nec vero habere virtutem satis est quasi artem aliquam nisi utare; etsi ars quidem cum ea non utare scientia tamen ipsa teneri potest, virtus in usu sui tota posita est;*¹⁷

Nor is it enough to possess virtue, as if it were a skill of some sort, unless you make use of it. Although skill, when it is not made use of, may still be retained in knowledge, virtue completely consists in and of its own use.

¹⁶ *de Oratore* III.35.142-3

¹⁷ *de Republica* 1.2

Over and over again in so many of Cicero's oratorical and philosophical works he reiterates the idea, against Plato and in favor of Socrates, that knowledge and philosophy are only good if they are useful. The clearest and broadest example of this is surely Cicero's *de Republica*, which is based on history and the real experiences of the Roman Republic and its people, as opposed to Plato's *Republic*, which is sheer fantasy and only exists as a possible utopia.

During the last years of the Republic, an attempt to show a simple and direct relationship between certain current philosophical doctrines and specific political programs ends in almost complete frustration. Beginning with the policies of Tiberius Gracchus, for example, one concludes that sound Stoic arguments could be adduced in support of his reforms, or in opposition to them.¹⁸ The same seems to be true for the Caesarian revolution. Epicureans, for example, fought on both sides during the war, often in adherence to their doctrines.¹⁹ This lack of an obvious correlation between political conduct and philosophical doctrines might tempt some to conclude that philosophy mattered little to pragmatic Romans when trying to determine the right thing to do. But such a conclusion would ignore the reality that Romans often weighed their political options with a moral vocabulary derived from the major schools. It seems better to acknowledge that the philosophical systems were not so much codes of conduct providing ready-made answers as they were systems of investigation. Philosophy provided the tools for an individual to reach his own conclusions. These often difficult conclusions could then, in turn, be defended by a deliberative comparison to the system which had guided the individual in his working out of the problem.

¹⁸ Griffin (1989, p. 34)

¹⁹ Griffin (1989, pp. 26-8)

A few personal examples of this come from the Ciceronian corpus of letters. In a letter to P. Lentulus Spinther²⁰ Cicero justifies his decision to support Caesar in largely philosophical terms. While emphasizing the political machinations which are at work in his decision, Cicero also speaks a great deal about notions of friendship, and even relates a small quotation from Plato while explaining his reasoning and rationale. While deeply contemplating²¹ the choice between Pompey and Caesar in the Civil War, Cicero asks Atticus for a copy of Demetrius' *de Concordia* so that he might prepare to decide between Caesar and Pompey. Cicero frames nearly the entire argument, the pros and cons, in a very philosophical setting, even bringing up issues which he had tackled in previous writings. It is clear from Cicero's statements to Atticus in these two letters that he is not looking for the answer, but rather looking for a means by which to arrive at a clear, justified answer. Philosophy was just such a tool for this type of exploration, and Cicero utilized it even for decisions of such a momentous caliber. It is no wonder why philosophy would play such a large role when the issue of Caesar's autocracy came into being.

It is important to note that the most difficult decisions were often defended using the language of philosophy. Philosophy provided the Romans with the context, and often supplied the technical language of morally based decisions. The concepts and language of philosophy seem to have been to some degree well enough established in the common language that usage was possible without any degree of self-consciousness. Philosophy provided the terms in which to cast the problems. It was "not just a veneer, though no doctrine decides the issue." Philosophy provided "the moral vocabulary for weighing

²⁰ *ad Fam.* I.9

²¹ *ad Att.* VIII.11, 12

alternatives and justifying decisions. To write or speak in philosophical terms, even insincerely, is to think in those terms.”²² And Cicero, more than any other Roman of the time whose writings have survived, wrote and spoke about many of the travails of his life in philosophical terms.

In the rapid sequence of political events which followed his *de Oratore* and *de Republica*, Cicero had served as proconsul of Cilicia in 51, returned to Rome shortly before the outbreak of the Civil War, and, in the conflict which followed, joined the forces of Pompey at Dyrrachium in 49, in spite of his desire to serve rather as peace-maker and mediator between Caesar and Pompey. Having no heart for the shedding of Roman blood, he left the disorganized and dispirited optimate camp before Pharsalus and returned to Brundisium. After his pardon by Caesar, he spent the period of Caesar’s dictatorship *cum otio sed sine dignitate*, busily employing his versatile capacity as writer, teacher, adviser, and elder statesman. Since, on his own admission²³, Caesar’s regency was too dangerous a time to allow for a work of a professedly political character, Cicero chose the alternative of using rhetorical and philosophical material as a vehicle for communicating his political ideas. A few of these have been touched upon in the two previous chapters. In addition, a strong political intention has been observed²⁴ behind the avowed literary purpose of the *Brutus*. The *Paradoxa Stoicorum* has also been viewed²⁵ as a *consolatio* for the defeated optimate nobility after the Civil War.

²² Griffin (1989, p. 34)

²³ At *Orator* 35, Cicero states as his reason for his hesitancy to write on politically related themes, *tempora timens inimica virtuti*. Regarding the upcoming *Laus Catonis*, with its heavy political content, Cicero says (*ad Att.* XII.4.2), *hoc ipsum tamen ipsis [the Caesarians] odiosum akousma sit*. And, regarding his first letter of advice to Caesar, Cicero says (*ad Att.* XIII.27.1), *si illum offensuri fuimus, paene periculosi*.

²⁴ Gelzer (1938). As discussed in the previous chapter, while there certainly is a political element to the *Brutus*, it is not as overbearing and fatalistic as Gelzer believes.

²⁵ Kumaniecki (1957)

Despite all this, Cicero (and surely others, including Brutus) did not immediately and wholly distrust Caesar and what he might be able to accomplish in power. One needs to look no further than the *pro Marcello*, delivered in the senate in September of 46, and to a letter²⁶ written to S. Sulpicius Rufus in which Cicero explains the circumstances of Marcellus' recall from exile and says enthusiastically that when Caesar said he would not refuse a request by the senate for Marcellus, in spite of the latter's character, Cicero seemed to see the shadow of a reviving Republic. Cicero was uncertain as to whether Caesar would prove himself to be a Phalaris or a Peisistratus.²⁷ Caesar knew that his fellow citizen was asking this question about him, and so he wrote to Cicero in order to assure him that nothing was further from his mind than cruelty (*crudelitas*).²⁸ However, Cicero was not long deceived in the idea that Caesar intended to restore the Republic. At first he believed in Caesar's good will²⁹, defended him, saying that the bad conditions were not Caesar's fault³⁰, explaining that it was not easy to restore order after a civil war, or, at worst, that Caesar just did not know what policy to pursue.³¹ But as early as the end of September or the beginning of October 46, Cicero, in *ad Fam.* XII.18.2, written to Q. Cornificius, in which he refers to the incident of Laberius' humiliation at the *Ludi Victoriae Caesaris*, shows that he is beginning to lose confidence in Caesar. In *ad Att.* XII.8, written in the second intercalary month of 46, Cicero gives the first clear sign of distrust of Caesar. The latter, before his departure for Spain, had made arrangements to procure his election as sole consul for 45 and postponed the election of the other

²⁶ *ad Fam.* IV.4.3-4

²⁷ *ad Att.* VII.20.2

²⁸ *ad Att.* IX.16.2

²⁹ *ad Fam.* VI.8.1; XIII.68.2

³⁰ *ad Fam.* IV.4.4; VI.6, 10, 13; XII.17.1

³¹ *ad Fam.* IX.17.3

magistrates. This was a blow to Republican hopes and feelings, and Cicero asks Atticus with mistrust whether the report about the elections was true. The remaining letters of 46 and the beginning of 45 up to February (that is, to the death of Tullia) have occasional references to the *clementia Caesariana* mingled with lugubrious comments about political affairs, but it is clear that Cicero is no longer entertaining illusions about Caesar. In January 45, he tells Cassius³² to avoid vain pursuits such as the restoration of the Republic. In the letters after Tullia's death, an increasing antipathy towards Caesar is noticeable.³³

So far as Cicero's letters to Atticus are concerned, it seems that around August of 45 is when Cicero really begins to feel a true sense of friction with Caesar and his political choices.³⁴ Cicero's change of heart regarding Caesar, and the special purpose of his philosophic writings seem linked in time according to the evidence of the letters. This change of mood in Cicero has been noted.

At the time he began to call Caesar *rex*, in the summer of 45 B.C., Cicero also wrote to Atticus that there was a lack of such men as Servilius Ahala and Lucius Brutus, the two tyrannicides par excellence... Cicero's young friend Marcus Brutus happened to be a descendant of both these heroes (his mother was a Servilia)... In 45 and 44, Cicero reminded him repeatedly, in treatises dedicated to him, of his predecessors' famous deed... It seems beyond doubt that Caesar's assassination was on Cicero's mind by the summer of 45 and that he had focused on Brutus. And the fact that (in Cicero's opinion) Caesar had become *rex* was undoubtedly why Cicero wished him dead.³⁵

Habicht is on the right track here, but he takes the insinuation much too far in suggesting that Cicero was thinking of Caesar's murder this early, and that this is the sole reason he paid so much attention to Brutus in his later treatises. Brutus' ancestors were known more

³² *ad Fam.* XV.17.4

³³ See especially *ad Att.* XII.45.3, 47.3, 48; XIII.44.1, 10.3

³⁴ *ad Att.* XIII.37.2: *alienissimos nos esse a Caesare, fidem nobis habendam non esse.*

³⁵ Habicht (1990, pp. 73-4)

for their deeds on behalf of the State and rescuing it from possible tyranny, rather than for any murdering of a potential tyrant. At least a year or so before the Ides of March, Cicero was exhorting Brutus to fight for the Republic, not to murder his friend and benefactor. It is anachronistic and only confuses the matter even further to try to nail down a specific point at which Cicero began to consider Caesar's murder a possibility. Furthermore, all of this talk centers on the idea that it was Cicero who influenced Brutus into taking his fateful decision, rather than there being a sentiment among many of the *optimates* that something drastic had to be done about Caesar and his autocracy. It is well within the realm of possibilities, and perhaps a much better option, to consider the notion that Brutus was wrestling with the question of what action to take just as much as Cicero was. It seems the two of them dealt with this issue in very philosophical terms, and it was not Cicero who solely influenced Brutus. It was the two of them together creating a philosophical framework in which to explore the question of Caesar. However, there is a great deal more of Cicero's writings and ideas extant than those of Brutus, and so a reconstruction of the various stages of their thinking must be done through the eyes of Cicero. It is possible, however, to get a glimpse of Brutus' rationale because so many of Cicero's later works were dedicated to him and seem to be framed as almost a continuous conversation between the two of them. Eventually what takes place is that the average Roman under Caesar's rule who imbibes Cicero's philosophic message must go away from the experience finding the taste of Caesar too bitter to bear. All the more so for Brutus, to whom so much attention was paid.

Any anti-Caesarian undertones in the work named for Brutus seem implicit in the numerous complaints and laments expressed in the work about the political conditions of

the time. Allusions to the Civil War, Caesar's dictatorship, and the political confusion in Rome are expressed by phrases such as *alienissimo rei publicae tempore* (2); *gravissimos casus* (12); *in hoc communi nostro et quasi fatali malo* (250); *hanc rei publicae noctem* (330); *misera fortuna rei publicae* (331); *haec importuna clades civitatis* (332), and by Cicero's overall standing rule that the current times and orators not even be discussed for fear of bringing forth lamenting and tears. A frequent use is also made of expressions of grief and sorrow over the desperate plight of the Republic: *lugere...rem publicam* (4, 8, 266); *quasi deflevisse iudicorum vastitatem* (21); *istuc et doleo et dolendum puto* (23, 157, 320, 331); *impendentis casus deflevimus* (329). More personally, Cicero expresses his own afflictions. He is troubled with a *diuturna perturbatione* (12); was prostrate with grief until the *Liber Annalis* of Atticus revived him (13); and seeks to protract the discussion in hopes of forgetting the miseries of the present (251). While all of this certainly demonstrates an air of discontent on Cicero's part, which surely must have been shared by others at the time, there is no clear evidence that at the time of the writing of the *Brutus* in 46 Cicero entertained any ideas of ousting Caesar or even that Caesar was the chief problem. Direct accusations against Caesar begin privately, in his letters, later in 46, and do not arise publicly until well after Caesar's death, in the *de Officiis*. As Cicero's hopes for a renewed Republic under Caesar diminish, so too does the necessity of his being diplomatic. The final result of this is that, once Caesar is dead, Cicero can begin an unrelenting attack on his regime.

True to his teaching in the *de Republica*³⁶, in the *Brutus* Cicero reflects the Roman prejudice against kingship and emphasizes the evils of tyranny. Abuse of power by an individual or influential group is detrimental to the Republic, and this thought is

³⁶ *de Republica* I.54, 65f.; II.45-9

clearly behind his statements. Royal power is termed strongly a *dominatus regius* (41), and the removal of it is called *libertas*. Royal domination hinders the development of oratory (45) and, in fact, the removal of the Sicilian tyrants occasioned the birth of oratory among the Greeks (46). Under dictatorial and tyrannical rule, the state is *sine iure...et sine ulla dignitate* (227), as it was during the interim between Sulla's departure and return to Rome. Whatever thwarts or threatens the operation of well-ordered constitutional government is always looked on with disfavor by Cicero, and in this he is wholly consistent in the *Brutus* with the *de Republica*.

The most famous commentators on the history of the late Republic have discussed the political issue of *regnum*, and it is perhaps best defined by Wirszubski. "The odious term *regnum* signifies a power, or a position, which even if formally legal, is incompatible with the spirit of the republican constitution but not necessarily monarchy."³⁷ The stereotype of the Greek tyrant gave to the Romans a ready-made tool for the abuse of anyone seeking autocracy.³⁸ The Greek loan words *tyrannus*, *tyrannis*, and *tyrannicus* were used almost interchangeably with Latin words such as *rex* and *dominus* and any of their cognates. And, as Dunkle demonstrates in his article, "...the concept of tyranny signified much more than autocracy. It signified a characteristic psychology of personality, a typical manner of behavior marked by a total lack of morality."³⁹ Greek literature of all kinds became saturated with evil tyrants who had completely abused their power and had lost any sympathy with an audience; such as Zeus in Aeschylus' *Prometheus Bound*, and Creon in Sophocles' *Antigone*. And later in Latin literature, even a famous line by Atreus in Accius' play of the same name, *oderint dum*

³⁷ Wirszubski (1950, p. 64)

³⁸ Dunkle (1967)

³⁹ Dunkle (1967, p. 153)

metuant, made its way directly into Cicero's political discourse in the *de Officiis* (I.97). It even reached the point at which finally, in 44 B.C., after Caesar's murder, an audience at a performance of Accius' *Tereus*, aroused by references made in the play to tyranny, supposedly applauded Brutus as a tyrannicide.⁴⁰ Greek political literature had provided the Romans -Cicero and Brutus specifically- with terrible images and representations of what a tyrant was capable of. Although the term tyrant originally meant simply an extra-constitutional aristocrat in sole power who was not a king, and had little if any negative connotation, the term quickly gained its current despicable meaning because so many early tyrants turned out to be terrible men and sinister rulers. And so, just as the tyrant came to symbolize pure wickedness, so too did the tyrannicide become a true savior for the state. The reasons and the rationale of the tyrannicide were not, however, above scrutiny. For his reasons had to be sincere and solely for the benefit of the state. In this moment is where the tyrannicide and oratory have much in common.

In the fight against tyranny, eloquence is put forward as the surest means for maintaining peace and order in the state. In fact, there is the consistent argument by Cicero that the orator is far better than the general in this regard (*Brutus* 24, 255, 256, 257, 239). Cicero even says early on in the *Brutus* (7),

equidem angor animo non consili, non ingeni, non auctoritatis armis egere rem publicam, quae didiceram tractare quibusque me assuefeceram quaeque erant propria cum praestantis in re publica viri tum bene moratae et bene constitutae civitatis.

Indeed I grieve that the state does not need the weapons of counsel, of natural talent, and of authority, which I had learned to wield and with which I had become accustomed, weapons which were peculiar not only to a leading man in the state, but also to a well-run state of sound character.

⁴⁰ *ad Att.* XVI.2.3; *Philippics* I.36

The very use of the word *armis* lends itself to Cicero's feelings on what an orator can accomplish in a civilized state, as opposed to what a general might do with actual *armis*. The weapons which Cicero is talking about lead to a better state while causing none of the harm and discontent which traditional weapons entail. This is one of the reasons why Cicero and Brutus are the defenders of orphaned eloquence at the end of the *Brutus*. There is still hope (330), which is confirmed by a letter to Varro about Cicero's own readiness to assist in building the constitution.⁴¹ This hope, which Cicero felt was growing increasingly dim before Caesar's murder, experienced a bit of a resurgence immediately after the Ides of March. But it would soon enough become all but crushed by the machinations of Antony and the everlasting obstinacy of his senatorial peers. So much so, that by the time of the *Philippics*, Cicero has begun marching down a fatalistic verbal warpath with which friends like Brutus do not agree, and from which he will not return.⁴²

Because of his waning hope in the face of Caesar's autocracy, Cicero looked for some kind of solace. And he found a bit of the peace and reassurance he was seeking in his friend Brutus and his writings: chiefly the *de Virtute*. The *de Virtute* of Brutus, which partly inspired the *Brutus* of Cicero, had as its main tenet that virtue is sufficient for a happy life. It also indirectly (or perhaps rather directly) told Cicero to feel contentment in the deeds which he had already accomplished on behalf of the Republic. Cicero could whole-heartedly see in the *de Virtute* a philosophical means by which he might endure the difficulties of the present time, take solace in what he had done previously, and then, in turn, leave his mark and his thoughts for future generations (specifically, Brutus) to

⁴¹ *ad Fam.* IX.2.5

⁴² Much more on this in the next chapter.

continue his life's work. As the *de Virtute* consoled Cicero, so he might console others who were feeling the same under the dominating hand of Caesar. And it is not just a coincidence that most of the paradoxes which Cicero chose to develop in the *Paradoxa Stoicorum* were appropriate consolation material for the politically bankrupt optimates of that time.⁴³ Few ethical ideas were apt to console the nobility so much as that virtue is the only good and that virtue alone is sufficient for happiness. Caesar's dictatorship must have appeared a near slavery to them; hence the obvious appropriateness of the thought that only the wise man is free, even if he be a slave. For those who were in exile, there was consolation in the thought that only the wise was truly a citizen, whereas only the fool was in exile, even if he lived in his own home and city. Those, in turn, who lost their possessions and careers could draw some solace from the maxim that only the wise was truly rich, even if he be poor. The choice of these particular paradoxes was too suitable for the existing political situation to have been other than a conscious one.⁴⁴

Cicero's stated policy in the *Paradoxa Stoicorum*, as in the *Brutus*, was to avoid mention of contemporaries and to resort to men either of the recent or distant past for praise or blame. Cicero sets out at the beginning, in his dedication to Brutus, that these Stoic ideals deserve further analysis because Cato is able to sway crowds of men with them even though he adds no oratorical ornamentation (1-2). Cicero contrasts this with both himself and Brutus because, in his own words to Brutus, *nos ea philosophia plus utimur quae peperit dicendi copiam*, "we make more use of philosophy which has given

⁴³ Note especially *Paradoxa* 1, 2, 6, and 7.

⁴⁴ Kumaniecki (1957, p. 122) In section 4 of the *Paradoxa Stoicorum*, Cicero expresses warm acceptance of the six ethical doctrines of the Stoics which will follow (calling them *verissima*). But earlier in his career, in the *Pro Murena* (60-66), and even roughly contemporary with the *Paradoxa*, in *de Finibus* (IV.74-77), Cicero criticizes these same beliefs as being extravagant and pedantic. This may lend itself to the idea that Cicero does not truly believe in these Stoic doctrines, but is merely setting them forth as possible avenues of consolation for the politically bankrupt of the time, and as philosophical reasons for the ousting of Caesar.

rise to the ability to speak.” As Cicero is already framing this “brief little work” (*hoc parvum opusculum*), it becomes apparent that it will be set in the mode of combining philosophy with oratory in order to create plausible arguments for such radical philosophical doctrines. As stated before, Brutus was no Stoic. He would not have believed in the drastic doctrines set forth here in the *Paradoxa*. But he would have known well that many potential allies in his cause (as well as Cicero’s) styled themselves as Stoics. And so if he is to bring them into the fold of his conspiracy he must understand, and possibly be able to manipulate, their doctrines. Brutus’ belief in the Old Academy was a lighter version of the hard and rough Stoicism of Cato, and so while these doctrines may have been far too rigid for his liking, ideas like virtue as the sole good were easily translatable to virtue as a chief means of achieving happiness. This is what Brutus had said to Cicero in his *de Virtute*, and there are certainly shades of Brutus’ advice to be found in the *Paradoxa*.⁴⁵

All of this being said, it is interesting to note that nearly all of Cicero’s discussions of the six Stoic doctrines are argued from a negative standpoint rather than a positive one. He produces far more negative examples to prove his points than positive. Paradox Four, that every foolish man is mad, is a hardly veiled attack on Publius Clodius, who is doubtless also in mind in number Two, that the possession of virtue is sufficient for happiness. Number Five satirizes costly luxuriance and affectation, which perhaps aims its insults against Lucullus, and maybe even Hortensius. And number Six has been supposed to be an exposure of the methods of L. Licinius Crassus the triumvir and his questionable money-making methods. It is almost as if he is using the Stoics and their doctrines to further his own arguments against those who do not believe virtue to be the

⁴⁵ *Paradoxa Stoicorum* 17, 29

only, or even the highest, good; or that wisdom is the tool of choice against those who would wish to make them slaves.

Cicero's attack on the dead Clodius appears, then, to be a safe and perhaps not too veiled attack on Caesar, since Clodius had been one of the leaders of the *populares*, and his violence had been countenanced by Caesar. And since Clodius is chastised for causing the virtual suspension of orderly government, Cicero may have meant to hold Caesar at least somewhat culpable for the unconstitutional situation which existed then in 58 as it also did currently in 46. Here, however, the entire argument is placed in a philosophical framework. This is not, nor are any of Cicero's public outcries against Caesar and his regime, plain and simple invective whose only purpose is to deride and declaim. Cicero's goal is not only to produce a negative viewpoint on the current political situation, but also to do so in philosophical terms which will justify the very claims he makes. This is exactly what Brutus was doing in the earlier passage from Plutarch. There is no point in blatantly criticizing Caesar and his political machine, and, in fact, doing so could result in unfavorable results. But, if Caesar and his ideas could be shown as philosophically unworthy or even out-and-out wrong, then a reason to do something about it arises out of that very philosophy. While calling to mind all the atrocities which Clodius had committed against him, Cicero makes a clear distinction that no matter what Clodius did to material goods such as houses and property, he could never take away Cicero's firmness of mind (*animi mei constantiam*, 29). So too with Caesar, the true outrage would be if he began to affect the moral and intellectual standing and well-being of Cicero, Brutus, and their like. This would be insufferable under any philosophical school's doctrines, not least that of the Stoics.

In this same line of thought, Cicero begins in the *Paradoxa Stoicorum*, and finishes in *de Finibus*, to draw clear lines of distinction between Roman Stoicism and Roman Epicureanism. Stoicism was obviously the far better choice. While one might argue that the Romans failed to appreciate the depth of either school of thought, it must be conceded that Stoicism was more respectable in Rome precisely because it appealed to those who valued the ancient virtues. For example, both the Elder and Younger Cato were renowned throughout the Republic and well into the Empire because of their steadfastness, integrity, and willingness to follow the school of Stoic thought through to its conclusions. And although Cicero at times criticized the rigidity of the younger Cato's Stoicism,⁴⁶ no similar story or person can be found in the annals of Roman history who was ever exemplified because of a steadfast commitment to Epicureanism. Surely Cicero does not do justice to the doctrines of the Epicurean school of thought, and its overall reputation has been irrevocably harmed because of Cicero's abuses. The overall picture which Cicero gives of a Roman Epicurean cannot have been what Epicureans thought of themselves. Furthermore, Cicero himself knew full well that there were virtuous aspects to Epicurean thought, which becomes most evident in Torquatus' speech in favor of Epicureanism in Book I of the *de Finibus*. Even earlier in Cicero's career, in his speech against L. Calpurnius Piso, he acknowledges the difference between 'good' Epicureanism and 'bad' Epicureanism. While deriding Piso for letting his desire for pleasure get the better of him, he scolds him for misunderstanding and even abusing the tenets of true Epicureanism.⁴⁷

⁴⁶ The best account is in the *pro Murena* 60-66, but this also happens in Cicero's speech in Bk. IV of *de Finibus* where he refutes the Stoic system which was presented by Cato in Bk. III.

⁴⁷ in *Pisonem* 42

atque hoc quidem etiam isti tui dicunt voluptarii Graeci, quos utinam ita audires, ut erant audiendi; numquam te in tot flagitia ingurgitasses; verum audis in praeseptibus, audis in stupris, audis in cibo et vino- sed dicunt isti ipsi, qui mala dolore, bona voluptate definiunt, sapientem, etiam si in Phalaridis tauro inclusus succensis ignibus torreatur, dicturum tamen suave illud esse seque ne tantulum quidem commoveri: tantam virtutis vim esse voluerunt, ut non posset esse umquam vir bonus non beatus.

And this is indeed what your pleasure-loving Greeks say, to whom if only you were so listening as they ought to be heard, never would you have gorged yourself on such disgrace. You truly listen to them in taverns, while whoring around town, and in your gluttony and drunkenness. But those very men who define evil as pain and good as pleasure say that the wise man, even were he enclosed in the bull of Phalaris and roasted by a fire from below, would nevertheless say his circumstances were pleasant and that he himself was distressed not even a little bit. They mean that the strength of virtue is so great, that the good man can never be anything except happy.

Even as Cicero is insulting the Epicureans by calling them “pleasure-loving” and using the pronoun *isti*, he is still giving them credit for a proper understanding of virtue and denouncing Piso for his abuse of such a noble tenet. However, since Cicero was typically so harsh towards the Epicureans, their notions of pleasure, and lack of any real concern for politics, he uses this same image of the bad Epicurean present in the *in Pisonem* almost in the same respect as he did the Greek idea of a tyrant. In both instances the application worked well with Caesar and his regime, and with both ideas Cicero was able to frame Caesar not simply as a political iron fist, but more so as a philosophical evil. A ruthless politician can be dealt with by traditional means; a morally bankrupt tyrant needed to be ousted by extraordinary measures.

As far back as 49, while the Civil War was ravaging Rome, Cicero was already referring to Caesar and his ambitions as the ultimate acts of improper or unrestrained Epicurean fulfillment. As Cicero puts it⁴⁸,

⁴⁸ *ad Att.* VII.13.1

quid est quod ab eo non metuas qui illa templa et tecta non patriam sed praedam putet?

What should you not fear from a man who deems the temples and homes not so much as his country, but rather as his plunder?

Caesar is often depicted in very negative Epicurean terms, such as the fulfillment of personal pleasure and complete lack of concern for others, by Cicero in his letters and invective. The picture which Cicero begins to piece together concerning Caesar's ambition, namely his aspirations towards *regnum*, is of a man who bends anything and everything to his own will without any regard for others or for the public safety. The life of a tyrant is indeed no life at all, and the example which Cicero points to⁴⁹ in the *de Amicitia* is Tarquinius Superbus.

nam quis est, pro deorum fidem atque hominum, qui velit, ut neque diligat quemquam nec ipse ab ullo diligatur, circumfluere omnibus copiis atque in omnium rerum abundantia vivere? haec enim est tyrannorum vita, nimirum in qua nulla fides, nulla caritas, nulla stabilis benevolentiae potest esse fiducia...

For, by the name of gods and men, who is there who would wish to overflow with unlimited riches and to live with an affluence of everything possible, with the result that he neither loves anyone, nor is himself loved by anyone? This is indeed the life of tyrants, in which there can surely be no faith, no affection, no reliable trust of goodwill.

Caesar, as Cicero represents him when discussing Roman political events, is certainly not a hero or a conqueror. He is the equivalent of a parricide. Caesar is sacrilegious, and is so far from honoring Rome's holy temples that he desires to possess their treasures. Indeed, Caesar's desires seem to be without limits ever since he abandoned himself to his own reckless ambition. As Torquatus says in defining the bad Epicurean against the good one,⁵⁰

⁴⁹ *de Amicitia* 52

⁵⁰ *de Finibus* I.43-4.

cupiditates enim sunt insatiabiles, quae non modo singulos homines sed universas familias evertunt, totam etiam labefactant saepe rem publicam. ex cupiditatibus odia, discidia, discordiae, seditiones, bella nascuntur.

Desires are unquenchable. They destroy not only individuals, but also entire families, and even often make an entire nation crumble. Out of desires are born hatreds, discords, dissensions, insurrections, and wars.

Caesar works outside the law, for law and religion do not affect him. He is his own authority. All that he does, he does for his own self-defined honor. Raw military force, not justice, is his strength. Although Cicero does not mention Caesar by name in *de Finibus*, he does raise for its reader the specter of a perfectly vicious, hypothetical bad Epicurean who has precisely these same attributes, and more.

Since Cicero styles (I.7) the arguments present in the *de Finibus* as a sort of patriotic service (*mererer de meis civibus*), it becomes clear that he is combining the philosophical with the political. And so many of the arguments in defense of and against the various philosophical schools are framed by politics. At one point,⁵¹ Cicero mentions Crassus and Pompey by name, but blatantly omits Caesar. Only the slowest of his Roman readers would fail to see that the “evil-doer” (*improbe faciat*) is actually Caesar.⁵² Two of the three triumvirs are named, and the audience is invited to imagine them vicious enough to put their unlimited power in the service of Caesar’s unlimited desires. The third triumvir, Caesar, is the only one not mentioned by name, which is to say that he is the one not thanked for refraining from being “as unjust as he liked” (*esse enim quam vellet iniquus poterat impune*). Caesar is also the only one of the three still alive at the time of the writing of *de Finibus*, and so is the only one whose evil is still to be feared. That Crassus is said to have been limited “by his natural goodness” (*qui tamen solebat uti*

⁵¹ *de Finibus* II.57

⁵² Selem (1987) is also forced to think of Caesar when reading this passage. Cicero expresses with gratitude that Crassus and Pompey did not become evil-doers, and his silence on Caesar makes Caesar the antithesis.

suo bono) should give the reader pause, and perhaps slightly sarcastically demonstrates how much more depraved Caesar was/is than Crassus. In this way Cicero reminds the audience that the triumvirs were limited, while failing to give adequate cause. Of course each was limited by the need to coordinate with the other two. Only a triumvir could match another triumvir, and any two could check the third. Caesar, as the only surviving member, now has no limits at all. The powers of the triumvirate are now in his hands alone, and are unchecked.

Just like the absolutely corrupt Epicurean sketched out in *de Finibus* by Cicero, Caesar, as the sole remaining triumvir, now has no bonds or boundaries to check his desires. As Torquatus points out in his defense of sound Epicureanism,⁵³

at vero eos et accusamus et iusto odio dignissimos ducimus qui blanditiis praesentium voluptatum deleniti atque corrupti quos dolores et quas molestias excepturi sint occaecati cupiditate non provident.

But we both rightly blame and label most deserving of just hatred those who are so seduced and corrupted by the charm of immediate pleasures that, blinded by their desire, they do not foresee what pain and trouble will follow.

Whether or not Caesar is a political Epicurean who has given in to the baser side of such a philosophy, he is at least the political incarnation of the pleasure principle. Inasmuch as traditional Rome became great by glorifying the virtues of voluntarily sacrificing the self for the city, Caesar, who conquers Rome rather than surrender himself, is the precise opposite of this traditional Roman virtue. It becomes very clear that the monster who grows out of a misunderstanding and abuse of Epicurus' teachings, who must be rejected, feared, and fought, is actually the Caesar whom Cicero rejects and fears. The reason for rejecting both is the same. To succeed at pleasing the self before all is to destroy the virtuous foundation of Rome's greatness.

⁵³ *de Finibus* I.33

A similar type of argument can be seen in the *in Pisonem*, as mentioned earlier, against L. Calpurnius Piso. Cicero is not attacking the whole of Epicurean philosophy, even though he is not a proponent of Epicurean thought in any way. He is attacking Piso himself for distorting and abusing the doctrines set forth by Epicurus. Piso has twisted them for his own gratification. And even while denouncing Piso, Cicero cannot miss an opportunity also to attack the ambitions of his son-in-law, Julius Caesar.⁵⁴ Already in 55, when the *in Pisonem* was delivered, Cicero recognizes Caesar's growing ambition and desire. He mockingly asks Piso to instill in his up-and-coming son-in-law the same philosophical doctrines which he claims to follow. Cicero says that the illustrious commander Caesar is burning with a desire for fame and glory, and for a triumph. He sarcastically says,

valebis apud hominem volitantem gloriae cupiditate vir moderatus et constans, apud indoctum eruditus, apud generum socer.

You, such a restrained and steady man, will be a strong example to a man flitting with a desire for glory; a learned example to an untrained youth; a father-in-law to a son-in-law.

It seems that Cicero already realizes Caesar may follow in Piso's footsteps and lose himself in the debaucheries which so many misread into Epicureanism. Ultimately, in Cicero's eyes, Caesar's desires for military glory upset the whole of the Roman Republic. And as Torquatus said in his speech in favor of Epicureanism, this is the worst misuse of such a philosophy.

Although Cicero argues against Stoicism in the second conversation of *de Finibus*, he seems to limit himself to attacking those aspects of the teaching which enable the adherent to remain aloof from politics. He is extremely careful not to argue so much

⁵⁴ *in Pisonem* 59

against Cato himself as against Cato's choice of words. It is possible for a Roman to admire Cato's stature and yet take issue with his unbending philosophy. The real reasons for Cicero's apparent quibbling with Cato are revealed when he presents Piso's⁵⁵ position of the Old Academy. This is the position closest to Brutus' and it is the only position Cicero does not openly dispute. In the difference between the words of Cato and the words of Piso, what Cicero seems to fear about Brutus is seen most clearly. Brutus must not be encouraged to find the compromise with the politics of Caesar which may be open to him. Rather, he must be encouraged to see the moral requirement to be an uncompromising enemy of tyranny. This is why Cicero is so adamant about his interest in Brutus. If the well-known and respected Brutus is able to tolerate Caesar by philosophical means, then his decision may snowball into other optimates doing the same thing. According to Cato, and those of similar philosophical leanings, as long as the Stoic Wise Man keeps his own hands clean, he can live anywhere, under any regime. There is no real moral imperative to preserve the Republic. If Brutus should adopt a similar viewpoint, then surely many *nobiles* would follow him. There was already the problem of so many *nobiles* being indebted to Caesar and, for that reason, being very afraid of any affront against his dominion. In addition to this, if they were able to discover philosophical reasons for remaining aloof from any action whatsoever against Caesar, then Cicero would surely have lost the battle. Brutus was the key, and Cicero knew this very well. And so, Cicero vehemently argues against Cato's words because he cannot allow "that

⁵⁵ This is M. Pupius Piso Frugi Calpurnianus, the orator, quaestor (83), and consul (61), not L. Calpurnius Piso.

captivity, enslavement, death, and loss of country are no evils” (*negaret esse in malis capi, venire, interfici, patriam amittere*).⁵⁶

This thought of Cicero’s against the Stoic school is very reminiscent of words spoken by Brutus concerning Pompey’s sole consulship in 52. Brutus’ *de Dictatura Cn. Pompeii* was a violent protest against the idea of giving Pompey the dictatorship, and perhaps rather agreeing with the idea of making him sole consul. Although this speech may never have been given in public, its survival down to the time of Quintilian is a testament to its own power and Brutus’ advocacy for a normally functioning Republic rather than a dictatorship. A dictatorship was quite simply out of the question as far as Brutus was concerned.

*praestat enim nemini imperare quam alicui servire: sine illo enim vivere honeste licet, cum hoc vivendi nulla condicio est.*⁵⁷

It is better to rule no one than to be a slave to anyone. It is possible to live an honorable life without ruling, but there is no possible condition of living with enslavement.

This is the only remaining line of Brutus’ message to his countrymen, but it is quite revealing as far as his mood towards any type of dictatorship is concerned. In fact, these very same words could have easily come from the mouth of Cicero. At the time it seems that with the appointment of Pompey as sole consul rather than dictator, Brutus and others wanted plainly to remind him that while he was the one man they trusted to solve the current political crisis, he was still in no way above the laws and regulations of the Republic. As sole consul Pompey was still answerable to the Senate and a possible *provocatio* if his actions were deemed inappropriate. Although dictator was a constitutional office, its powers were too far-reaching and absolute. And if these were

⁵⁶ *de Finibus* IV.22

⁵⁷ This fragment of Brutus comes from Quintilian IX.3.95.

Brutus' sentiments regarding the appointment of Pompey in 52, one can only imagine his mood when Caesar is named *dictator perpetuus*.

Brutus cannot, like a Stoic, simply endure the tyranny of Caesar. And he most certainly cannot, like Cicero's and Torquatus' evil Epicurean, simply avoid politics altogether and enjoy the pleasures which have so led to the corruption of the Republic. Near the end of Book II of *de Finibus*⁵⁸, Cicero is addressing Torquatus in the second person while destroying any and all arguments which attempt to support the Epicurean way of thinking. Although the literary addressee is Torquatus, it becomes clear that at the end of his argument against the negative aspects of Epicureanism, and right before he begins the discussion of Stoicism, Cicero is addressing someone else besides Torquatus. That someone is the dedicatee of the entire work, Brutus.

tute introspice in mentem tuam ipse eamque omni cogitatione pertractans percontare ipse te, perpetuisne malis voluptatibus perfruens in ea quam saepe usurpabas tranquillitate degere omnem aetatem sine dolore, ..., sine doloris metu, an, cum de omnibus gentibus optime mererere, cum opem indigentibus salutemque ferres, vel Herculis perpeti aerumnas. sic enim maiores nostri labores non fugiendos tristissimo tamen verbo aerumnas etiam in deo nominaverunt.

You, look within into your mind, investigating your every thought to ask yourself if you would prefer to pass your whole life free from pain in that state of calm which you so often spoke of enjoying pleasures... free from fear of pain, or, would you prefer to serve well the entire human race, and bring succor and safety to the distressed, even at the cost of enduring the hardships of Hercules? So indeed our ancestors, with a most somber term, named those unavoidable labors hardships, even in the case of a god.

Cicero is constantly, and here quite directly, urging Brutus not to give in to the alternatives which have been provided by the desires of misguided Epicureans. There is no pleasure to be found in a world beset by evils. And even if pleasure could be found, the true mandate of a man the caliber of Brutus is to forego pleasure on behalf of his

⁵⁸ *de Finibus* II.118

peers. The only road to happiness lies in the enterprise of virtue overthrowing vice, to which enterprise Brutus is called. This is not to say that, at the time of writing *de Finibus*, Cicero is advocating the murder of Caesar at the hands of Brutus, for this is to impose a future action upon the past. Cicero is calling Brutus to action, but to political action, to moral action, not yet to the illegal murder of his benefactor and supposed friend.

And so, as discussed at the beginning of this chapter, with all these philosophical arguments in place as to why Caesar must be dealt with, the most obvious obstacle yet present is still the tie of *amicitia* which so publicly exists between Brutus and Caesar. And Cicero dedicates an entire treatise, the *de Amicitia*, to defending Brutus' violation of friendship. But first, he has some things yet to say in the *de Finibus*. While discussing the absurdities of the Epicurean school of thought in Book II, Cicero spends a bit of time on their incorrect notion of friendship and its sole reliance on *utilitas*.⁵⁹ The issue for Cicero here is two-pronged. First, as has been discussed, if Caesar is the incarnation of the bad Epicurean taken to an ultimate extreme, then he is wholly incapable of having real friends. A virtuous Epicurean not only can have friends, but also values them above almost anything else.⁶⁰

Epicurus quidem ita dicit, omnium rerum quas ad beate vivendum sapientia comparaverit nihil esse maius amicitia, nihil uberius, nihil iucundius.

Indeed Epicurus says that of all the things which wisdom provides for the sake of living happily, nothing is better than friendship, nothing richer, nothing more delightful.

However, any of the bonds of *amicitia* which Caesar has procured among Senators and other respected Romans are null and void since a bad Epicurean such as Caesar does not

⁵⁹ The common translation of *utilitas* in this situation is "expediency", but the more sterile term "usefulness" gets Cicero's point across much better.

⁶⁰ *de Finibus* 1.65

honor or value the true bonds of Roman friendship as understood by the majority of Romans. This would fit in quite well with the historical situation. In Cicero's eyes, and in the eyes of Brutus, Caesar is not "friends" with those Romans whom he has helped out since before the Civil War began. Caesar is merely using them: appointing them to the Senate and to various magistracies only for the sake of *utilitas*. They are useful to Caesar in the positions he has placed them and nothing more. Therefore, if Caesar is not honoring these ties as true friendships, then no reciprocity is required.

That leads to the second point made by Cicero: the utter lack of reciprocity required by those tied to Caesar by friendship. Most important is Brutus, the dedicatee of the *de Finibus*. Caesar is merely setting up bonds for the sake of *utilitas*. And while an upstanding Roman like Brutus might yet still feel the need to honor those bonds, he must understand that not only is it not required, but it would be harmful to do so.

*quod si ne quo incommodo afficiare non relinques amicum, tamen, ne sine fructu alligatus sis, ut moriatur optabis. quid si non modo utilitatem tibi nullam afferet, sed iacturae rei familiaris erunt faciundae, labores suscipiendi, adeundum vitae periculum?*⁶¹

But if you do not forsake this friend because it may cause you some trouble, still you will wish for his death so that you are not bound by a fruitless bond. What if he not only brings you no usefulness, but causes you to suffer loss of property, to undergo toils, to bring danger into your life?

This fabricated bond of friendship which is set up by the bad Epicurean is completely without merit in Cicero's eyes and, furthermore, is even dangerous to the one who is under the impression that the bond of friendship must still be honored. And so, this gives a philosophical justification to anyone who wants out of such a friendship.

Philosophically speaking, this is no bond of friendship whatsoever since this bad Epicurean is incapable of having true and lasting friendships, unlike those described by

⁶¹ *de Finibus* II.79

Torquatus. It is incumbent upon the one involved in such a friendship to break the bonds for his own safety and for the safety of his larger family. If the fabricated friendship continues, then there may very well be no end to the troubles which will occur. What Cicero begins to discuss in the *de Finibus* in terms of friendships is really discussed at length in his later treatise, the *de Amicitia*. It is a powerful point which Cicero is making, and it needs much more justification than it is given in the *de Finibus*, which, after all, is a much longer treatise dealing with issues much more involved and complex than just friendship. In the *de Finibus*, Cicero only mentions that this type of friendship must be cast aside. He does not discuss the how and when of the matter. These matters are left for the *de Amicitia*.

Cicero's earlier hope to stand as a Laelius to Pompey's Scipio is well enough known⁶², but his desire to be a philosophical guide to prominent leaders in the Republic did not end there. Brutus was perhaps the last in a long line of upstanding *nobiles* whom Cicero desperately wanted to steer in the right direction. And while it is clear that Cicero wants to influence Brutus, to play Laelius to another Scipio, he has much more of a kindred spirit in Brutus than he ever had in Pompey. Pompey was surely no philosopher, and he never received the amount of literary attention which Brutus did. The message of the *de Finibus* would not be lost on its addressee, nor would the much clearer and more direct message of the *de Amicitia* fall on deaf ears. That being said, it is imperative to understand that the "point" of the *de Amicitia* is not an outright defense of Brutus and his co-conspirators, just as the "point" of the *de Finibus* is not to portray Caesar as a debauched tyrant. It is far too simplistic, and dangerous, to read any of Cicero's treatises as having one simple objective in mind. The *de Finibus* addresses many issues, and each

⁶² *ad Fam.* V.7. Cf. B. Rawson (1978) for a full treatment of the friendship between Pompey and Cicero.

one is as valuable and important as any other. So it is also with the *de Amicitia*. Although its message is much more direct and specific than many of Cicero's treatises (hence its brevity), Cicero set out to accomplish much more with the *de Amicitia* than a justification of Brutus' breach of friendship. However, the timing of the *de Amicitia*, and several of its themes, are not mere coincidence in the wake of Caesar's murder and the charges being leveled against Brutus; and so the treatise must be read within its historical context. And so, while the *de Amicitia* may not be a direct defense of Brutus' actions against Caesar, its ideas are obviously applicable to the nature of their relationship and Brutus' ultimate decision to murder his friend and benefactor.

The most famous assertions of the *de Amicitia* coincide nicely with what Cicero had said before Caesar's murder in the *de Finibus*; namely that true friendship only exists among good men (*boni*), and that (20) *nec sine virtute amicitia esse ullo pacto potest* ("nor without virtue is friendship able to exist at all"). The crucial role of virtue in friendship is a consistent theme in the entire treatise, and this is the very virtue lacking in Cicero's bad Epicurean tyrant from the *de Finibus*. Caesar cannot be counted among the *boni* in Cicero's eyes, nor does he have the *virtus* necessary to cultivate any form of true friendships. So, as Cicero discusses in the *de Finibus*, so he makes clear in the *de Amicitia* that any friendship which does not have *virtus* as its foundation is no friendship at all, and does not need to be honored. Caesar valued his own desires and ambitions over the safety and well-being of the Republic, and over a concern for his so-called friends. "In writings after Caesar's death, especially the *Laelius*, Cicero lays much weight on the priority of duty to the commonwealth over private ties; but we should not conclude that this is special pleading in their cause; rather, their actions illustrate the truth of his

contention.”⁶³ Brunt is right to point out Cicero’s insistence on the commonwealth over private ties, but the *de Amicitia* as one of its functions does indeed serve as “special pleading” on behalf of Brutus and those around him. Caesar’s actions do speak for themselves, at least in the eyes of Cicero, but with the charges being leveled against Brutus, they obviously were not viewed with the same disapproval by other Romans. And so, justification for Brutus’ actions was in order. “The reason for the uneasiness in Cicero’s introduction of the argument in favor of rebuking is that it is a novel recommendation in Roman discourse on friendship and one that ill fits a traditional view of friendship between equals.”⁶⁴ According to Cicero, Brutus was right to ignore the traditional bonds of friendship which others saw between Brutus and Caesar. First, because this was not a true friendship, and second, because what Caesar was doing before his murder was dishonorable and Brutus was not obliged to follow a friend committing such atrocities against the Republic.

Many times in the *de Amicitia* Cicero delves into the idea of what is to be done when a supposed friend is doing violence against his own country.⁶⁵ And among those scholars who debate the origins and models for Cicero’s treatise, there is a consensus that the sections devoted to the role of the friend of someone committing violence against the Republic (36-44; 70-6) are original to Cicero.⁶⁶ He first mentions⁶⁷ as one of the chief reasons as to why friendships rarely last for a lifetime that *ut de re publica non idem sentiretur* (“because they do not share the same views concerning the State”). This is a carefully worded sentiment, as Cicero is not out-rightly attacking the measures of Caesar,

⁶³ Brunt (1988, p. 380)

⁶⁴ Habinek (1990, p. 170)

⁶⁵ Cf. also *ad Fam.* 1.9.18 and *ad Att.* IX.9.2

⁶⁶ Konstan (1997, pp. 131-2)

⁶⁷ *de Amicitia* 33

some of which were quite beneficial to the State, and he himself believed for a bit of time that Caesar might actually have done some good in his position. Those who had initially followed Caesar simply no longer saw things politically in the same way. Brutus had once been one of Caesar's closest confidants, but then there was disagreement.

Importantly, this disagreement concerned the management of the State and Caesar's role as autocrat. When considering how far love (*amor*) ought to go in friendship (36), Cicero gives three striking examples of men who compromised the safety of the Republic:

Coriolanus, Vecellinus, and Maelius. Then, his greatest example, and the one on which he spends the most time, is Tiberius Gracchus. All four of these Roman *exempla* had the ignominious reputation of having attempted to overthrow the Republic for their own personal gain, much like the reputation that Caesar had earned. Brutus surely disagreed with what these men had done, and he did not wish to be a part of such offenses to the State in his own time, and so it was right and justified that he forsook any possible bonds of friendship which may have existed between himself and the man responsible for these offenses, Caesar.

Although the dramatic date of the *de Amicitia* is 129 BC, and Cicero never directly addresses contemporary affairs, the link between his discussion of the actions of such men as Tiberius Gracchus and the current political situation is especially strong. "Far from representing an ideal moment in Cicero's conceptualization of history, the dramatic situation of the *De Amicitia* should be understood as a moment of passage when Roman political affairs were taking the decisive turn towards the climactic disorders of his own time."⁶⁸ Not only was this a moment of transition between the political upheaval of the Gracchi and of Caesar, but also Cicero frames the situations as eerily similar to one

⁶⁸ Leach (1993, p. 7)

another. He sets up Laelius as a prophet of things to come; and these are the exact events which have surrounded Caesar, his murder, and the near anarchy which has followed.

When establishing the law that neither may dishonorable things be asked in a friendship, nor, once asked, ought they be done (40), Cicero frames the justification for this law in very contemporary terms.

turpis enim excusatio est et minime accipienda cum in ceteris peccatis, tum si quis contra rem publicam se amici causa fecisse fateatur. etenim eo loco, Fanni et Scaevola, locati sumus, ut nos longe prospicere oporteat futuros casus rei publicae. deflexit iam aliquantulum de spatio curriculoque consuetudo maiorum.

It is a dishonorable excuse and should not only be unallowable for other sins, but especially if someone pleads that he did something against the State on behalf of a friend. And indeed, Fannius and Scaevola, we are currently placed in such a situation that we must look out far and wide for the future troubles of our State. Already our way of doing things has swerved a bit from the track and course of our ancestors.

The emphasis is again placed on someone who has wronged the State, and what, if anything, a friend owes to such a person. But then Cicero comes about as close as he can to discussing contemporary events when he mentions *futuros casus*, and the fact that the State has already begun to deviate from its ancestral practice. This of course implies that whatever “swerving from the path” had begun at the dramatic date of 129 BC, has now, by 44 BC become a complete derailment. There is no excuse for those who led the State down such a disastrous path, and furthermore, there will be no quarter shown to those who followed. Brutus would have been one of these followers if he had not made the honorable choice of casting aside his friendship with Caesar. “Since the chief value of friendship as maintained both by Laelius and by Cicero is the society of common purpose in the political arena, its bonds are constantly being tested by the pressure of events in

which friends are involved.”⁶⁹ Brutus has passed this test of friendship by placing the State above his own personal ties.⁷⁰

praecipendum est igitur bonis, ut, si in eius modi amicitias ignari casu aliquo inciderint, ne existiment ita se alligatos, ut ab amicis in magna aliqua re publica peccantibus non discedant; improbis autem poena statuenda est, nec vero minor eis qui secuti erunt alterum, quam eis qui ipsi fuerint impietatis duces.

Therefore, good men must be admonished that if they by some chance unknowingly happen into friendships of this kind, they should not think themselves so bound that they do not forsake these friends sinning in some great way against the State; however, a penalty must be determined for wicked men, nor will this penalty be less for those who were the followers, than for those who were themselves the leaders of disloyalty.

Cicero here states very clearly what is required of a friend in Brutus’ situation, and almost sets up Brutus as the very model of good behavior in the midst of such a friendship. Just as Brutus’ moral and philosophical standing lent merit and credence to the conspiracy to murder Caesar, so too his justifiable actions lend a reciprocal credence to Cicero’s attempt at acquitting Brutus of any wrongdoing.

Cicero’s justification of Brutus’ actions goes beyond a defense of his renouncing Caesar’s friendship, and even begins to touch upon a defense of Caesar’s murder itself. This is not to say that the *de Amicitia* is a flat defense of Brutus, but it can demonstrate what type of mindset would have led to such an extreme action as the murder of one’s friend. No excuse of friendship can be acceptable for following a debauched man who would harm the State, and furthermore, an example needs to be made of such a man.⁷¹

quare talis improborum consensio non modo excusatione amicitiae tegenda non est, sed potius supplicio omni vindicanda est, ut ne quis concessum putet amicum vel bellum patriae inferentem sequi. quod quidem, ut res ire coepit, haud scio an aliquando futurum sit; mihi autem non minori curae est, qualis res publica post mortem meam futura sit, quam qualis hodie sit.

⁶⁹ Leach (1993, p.7)

⁷⁰ *de Amicitia* 42

⁷¹ *de Amicitia* 43

Wherefore, such an alliance of wicked men should not only not be defended with the excuse of friendship, but rather vengeance should be taken upon it by every severe punishment, in order that no one think it permissible even to follow a friend waging war against his country. And yet this very thing, as affairs have begun to go, will probably happen at some time in the future; for my part, I have no less concern for how the Republic will be after my death, than for its condition today.

The *omni supplicio* implies very harsh punishment, such as beheading or scourging, and is a strong message to anyone who would doubt the severity of such a man's crimes.⁷² And so Cicero sets it up as a moral obligation not only to renounce such a friendship, but also to exact the most severe punishment upon a man who would call one a friend while committing the most heinous crimes against the State. What is also interesting about this passage is the element of clairvoyance which reappears from the previous passage (40). Only here, as with the punishment of such an evildoer, Cicero is being much more specific. He has Laelius say that something like this will probably happen in the future. And here the timing of the *de Amicitia* and its political and historical background cannot be denied. The future which Laelius and Cicero are discussing is Caesar. Laelius is concerned for the condition of the Republic after his death, just as Cicero is. This coincides with what was discussed in Chapter Two, and Cicero's strong desire to see in Brutus a man who can take care of oratory, and therefore the Republic, as Cicero had done for so many years. What is important is the future, and according to the doctrines of the *de Amicitia*, Brutus had done everything he could in order to assure a better future for the Republic.

That these types of philosophical arguments and justifications were in the air in the days and months after Caesar's murder is nowhere more apparent than in the letters

⁷² Cf. *Verrines* III.19; *de Officiis* III.100; *Philippics* III.10

between Cicero and Matius.⁷³ For the purposes of this chapter, what these two letters demonstrate is that the philosophical justification for Brutus' (and others') betrayal of Caesar's friendship for the sake of the Republic was a public issue at the time and, perhaps more importantly, that not everyone accepted these rationales and justifications as readily as did Brutus and Cicero. The sincerity of these letters is unimportant for the current discussion, but it is hard to get around the feeling that Matius' words are heartfelt, and his emotions and distress become almost palpable. Since so much of what is said in this chapter focuses on the justifications for Caesar's murder, Matius' defense of his feelings and heartbreak at the murder of his friend and his subsequent inability even to grieve for him, serve as an excellent counterbalance and bring the discussion to a human and subjective level.

As the dates of both the *de Amicitia* and the letters between Cicero and Matius are roughly contemporary⁷⁴, a discussion of the two together highlights arguments present in each individually. As Griffin points out, "in *De amicitia*, as in the letter to Matius, Cicero formulates the moral conflict between friendship and virtue entirely in terms of obligations of friendship versus obligations to the *res publica*."⁷⁵ This is the philosophical difficulty which Brutus found himself in, and it is the very same conflict for Matius. The difference of course being that each arrived at a very different answer. Brutus ultimately chose to murder his friend on behalf of the Republic, while Matius chose to honor his friend even in the face of extreme opposition. As Griffin shows in her article, the entire

⁷³ Miriam Griffin's article (1997) on the philosophical overtones in these letters is outstanding, and has guided me in much of what is said here.

⁷⁴ The *de Amicitia* was written sometime after Caesar's murder between March and November of 44, while the letters between Cicero and Matius are roughly dated to around October of the same year.

⁷⁵ Griffin (1997, p. 89)

discussion between Cicero and Matius is framed in philosophical arguments and language. When Cicero addresses Matius, he says,⁷⁶

sed te, hominem doctissimum, non fugit, si Caesar rex fuerit, quod mihi quidem videtur, in utramque partem de tuo officio disputari posse.

But it does not escape such a learned man as yourself that, if Caesar was a despot, which seems to me to be the case, your moral obligation can be argued in one of two ways.

While the entire sentence overflows with philosophical nuance and phraseology, there is very strong philosophical language specifically in the word *doctissimum* and the phrase *in utramque partem*. By referring to Matius as a *doctissimus*, Cicero is engaging him as a man learned in philosophy who would understand the moral dilemmas and issues involved in the matter of *amicitia*. The phrase *in utramque partem* is Cicero's common phrase for referring to his own school of thought, the New Academy, in which all sides of an argument need to be looked at before a sound decision can be made. It does not require a large leap in logic to posit that the philosophical justifications which Cicero was making on behalf of Brutus, in the *de Amicitia*, *de Finibus*, and elsewhere, were surely known outside their circle, and even to adherents of Caesar like Matius. The problem for both Brutus and Cicero was that there must have been many more men like Matius who did not buy into such affronts to traditional Roman *amicitia*.

Matius' rebuttal of Cicero's arguments is strong and, more importantly, is framed in such a way that it becomes apparent that these ideas very much had been put into the public arena in order to attempt a defense of Brutus and his co-conspirators.⁷⁷

nota enim mihi sunt quae in me post Caesaris mortem contulerint. vitio mihi dant quod mortem hominis necessari graviter fero atque eum quem dilexi perisse indignor; aiunt enim patriam amicitiae praeponendam esse, proinde ac si iam

⁷⁶ *ad Fam.* XI.27.8

⁷⁷ *ad Fam.* XI.28.2

vicerint obitum eius rei publicae fuisse utilem. sed non agam astute: fateor me ad istum gradum sapientiae non pervenisse.

I know indeed those objections which have been brought against me after Caesar's death. They say I am at fault because I bear the death of a friend with difficulty and because I am angry that a man whom I loved has been murdered; they say that country should come before friendship, just as if they have already proven that his death was beneficial for the Republic. But I shall not continue with clever arguments: I admit that I have not arrived at such a level of wisdom.

This is Matius' chief response to those who have attempted to justify the murder of his friend, Caesar. Much has been said about this passage by Griffin, but the public notion involved in Matius' rebuttal is relevant for the current discussion. Matius never gives the names of those who are leveling such objections against him. He keeps it very ambiguous. This is surely not because he did not know where the charges were coming from, but that they were so prevalent and ubiquitous in contemporary public discourse that no one need be named, as the charges were coming from many people. He begins this powerful passage with a generic *nota*; "known to me are these objections", as if he does not need to be reminded of them by anyone specific, least of all Cicero, who is one of the authors of such a philosophical viewpoint. Then comes the shadowy and unnamed "they" of *dant* and *aiunt*: "they" are doing; "they" are saying. Matius, however, is very clear on exactly what "they" are saying. And what "they" are saying is exactly what Cicero was saying in the *de Amicitia* and elsewhere; namely that any friendship with Caesar must be cast aside for the sake of the Republic. Matius, and surely others, did not agree with such a philosophical justification. Matius answers in perhaps his most powerful line that this idea had not been proven even though those who propagate such an idea believe it had been. He ends "with mock modesty"⁷⁸ in claiming that he himself has not yet reached such an astute level of philosophical sophistication. Through Matius'

⁷⁸ Griffin (1997, p. 99)

letter, a modern audience is able to get a sense of the arguments and philosophical justifications which were being publicly spoken in order to acquit the murderers of Caesar in general, and Brutus specifically, of any moral wrongdoing. While the likes of Cicero and Brutus may have sincerely believed in such justifications, it becomes quite apparent that not everyone, and, theorizing from future events, not even the majority of Romans agreed with them.

Brutus' quarrel with Caesar at the last was not with the man who had pardoned him after Pharsalus, but with the autocrat who that man had become. At the outbreak of the Civil War, he had suspected Caesar of the wish to do away with the ancient constitution. After Pharsalus he was amazed by the mildness and tolerance of the victor, and believed that no such purpose was in his mind. That he was wrong in this latter point is beside the point. In the passage from Shakespeare which began this chapter, Antony asks for the reasons why Caesar had to be murdered. Brutus responds that he has such good reasons that Antony would not be upset even if he were Caesar's son. However, it becomes clear from the far more reliable and contemporary source of Matius, that perhaps Brutus' reasons did not carry as much weight as he thought; *proinde ac si iam vicerint obitum eius rei publicae fuisse utilem*. ("just as if they have already proven that his death was beneficial for the Republic.") Matius disagreed with such a fabricated philosophical argument, and so too (obviously!) had Caesar, but from a much more pragmatic view. Suetonius notes,⁷⁹

non tam sua quam rei publicae interesse, uti salvus esset: se iam pridem potentiae gloriaeque abunde adeptum; rem publicam, si quid sibi eveniret, neque quietam fore et aliquanto deteriore condicione civilia bella subituram.

⁷⁹ *Divus Iulius*, 86

that it was not so much in Caesar's interest as in that of the Republic that he remain alive; he had long enjoyed the full measure of power and glory, whereas, if he should perish, the Republic would be plunged into civil war and into a considerably worse condition.

And, as it has been eloquently put, "Caesar failed to understand the extent of his friends' resentments and hatreds. But of their capacity for destructive factionalism, he possessed a perfect understanding."⁸⁰ More on this will be said in the next chapter.

⁸⁰ Tatum (2008, p. 166)

Chapter Four

Philosophical Divide

Decius: Shall no man else be touched but only Caesar?

Cassius: Decius, well urged. I think it is not meet
 Marc Antony, so well beloved of Caesar,
 Should outlive Caesar. We shall find of him
 A shrewd contriver. And, you know, his means,
 If he improve them, may well stretch so far
 As to annoy us all, which to prevent,
 Let Antony and Caesar fall together.

Brutus: Our course will seem too bloody, Caius Cassius,
 To cut the head off and then hack the limbs-
 Like wrath in death and envy afterwards-
 For Antony is but a limb of Caesar.
 Let's be sacrificers, but not butchers, Caius.

Shakespeare, *Julius Caesar* II.1.154-66

While organizing their plot to murder Julius Caesar, who had lately been granted the unthinkable honor of *dictator perpetuus*, the Liberators needed to hammer out many details in order to make it run as smoothly and appear as creditable as it possibly could. In Shakespeare's tale, at least, the conspirators consider whether or not to expand their plot by killing Antony as well. Antony had been Caesar's right-hand man, an astute general, and was a dangerous and formidable fighter. Earlier he had also been Caesar's *magister equitum* in the years after Pharsalus, and was at this point Caesar's colleague in the consulship of 44. Antony's culpability in Caesar's autocracy, however, did not end there. He was also the one who had thrice offered Caesar a crown to wear at the Lupercalia in February of the same year, and so was seen as someone who was not only benefiting from Caesar's autocracy, but also as one who was urging it along. It is likely that Shakespeare's Decius and Cassius would have argued along these lines, and may have even won over the majority of their co-conspirators. For seemingly, Brutus stands

alone in Shakespeare as the one conspirator who has not lost sight of what the true intention of their act will be; they are murdering a tyrant who has placed his own agenda and desires above those of the State. And for that he must be gotten rid of. In this passage, Brutus refers to himself and his followers as “sacrificers, but not butchers,” since what they are doing has almost divine consent and should be viewed as a noble sacrifice rather than a calculated murder. If Antony should be brought into the scheme and murdered, their cause would be jeopardized if not completely lost. Therefore, Brutus makes the honorable decision to destroy the tyrant, but then to leave it at that.

Now, perhaps the greatest fallacy in Shakespeare’s depiction of the planning and thought which went into the murder of Caesar by those who were his friends and benefactors was assuming there was actually this much planning at all. The far majority of both ancient and modern assessments¹ of the murder of Caesar cite the sheer lack of foresight and planning by the Liberators as their largest mistake. It seems as though the Liberators, and most notably Brutus, assumed that with Caesar gone, the Republic would march along anew as it had after both Sulla and Marius. Cicero was obviously frustrated with the handling of Caesar’s murder, and the sheer lack of foresight in the endeavor. One can imagine that this frustration is far greater concerning Brutus, whom Cicero had so often acknowledged as a wise and philosophically sound man. He says in a letter to Atticus² a few months after the murder of Caesar,

mihi autem non est dubium quin res spectet ad castra. acta enim illa res est animo virili, consilio puerili. quis enim hoc non vidit, regem sublatum, regni heredem relictum?

¹ The ancient accounts begin with Cicero, about whom much more will be said in this chapter, but go on to Appian and Plutarch. The modern accounts are, most notably, Mommsen (1885), Syme (1939), and Shackleton Bailey (1971). The very harsh and critical views of both Mommsen and Syme, while for the most part correct, have been balanced by Shackleton Bailey’s assessment.

² *ad Att.* XIV.21.3

There is no doubt in my mind that we are staring at war. Indeed, that act was done with the courage of men and the wisdom of children. Who does not see that when the king was removed, an heir was left behind?

The *illa res* refers to the murder of Caesar, and Cicero consistently mixes praise for the divine deed of killing Caesar with censure for such a blatant mistake as leaving Antony alive. Of course, it is quite easy for Cicero and modern scholars to ridicule the decision not to kill Antony as well, because hindsight always provides a much better vantage point for judgment. However, there is also evidence that the planning of the murder was, from the beginning, done without wisdom and providence.

In a letter³ from Decimus Brutus to Marcus Brutus and Cassius, of which Cicero had received a copy, there is evidence that the Liberators surely had no plan after the assassination. In this letter probably written soon after the debacle which was Caesar's public funeral⁴, Hirtius had acted as an emissary for Antony, delivering his ideas and political machinations to Decimus Brutus. The entire tone of the letter makes quite clear that D. Brutus, and surely M. Brutus and Cassius, really had planned nothing after the murder of Caesar. After hearing that Antony will not give him his allotted province of Cisalpine Gaul, and that none of the conspirators are safe in the city, D. Brutus writes,

quod utrumque esse falsum puto vos animadvertere atque illud esse verum quod Hirtius demonstrabat, timere eum ne, si mediocre auxilium dignitatis nostrae habuissemus, nullae partes iis in re publica relinquerentur.

I think you both observe that each contention is false, and that the reality which Hirtius made evident is that he is afraid lest, if we had even a little aid for our position, no parts would be left for them to play in the Republic.

³ *ad Fam.* XI.1

⁴ I accept Shackleton Bailey's dating for this letter, although other dates have been given which range from early on March 17th to after Caesar's funeral on the 20th. Cf. Shackleton Bailey (1977 Vol. II).

It seems that D. Brutus knows that his position, the same as that of M. Brutus and Cassius, could have been the superior one in the eyes of the Roman public, but he is utterly at a loss to act upon such knowledge. Hirtius, who in this instance represents the stance of Antony, is fearful of the positive public perception of the Liberators. So much so that he is urging them to flee the city; the adage “out of sight, out of mind” might be applied here. But D. Brutus is perplexed, as the rest of the letter makes glaringly apparent. In the days immediately following Caesar’s murder the Liberators were completely unable to build upon any public support which they may have had, which the shrewd politician Antony realized and took advantage of. While having praised the actions of the tyrannicides, Cicero continues in subsequent letters to be frustrated and almost flabbergasted at the lack of any foresight whatsoever in men so highly regarded as the Bruti and Cassius.

The tension which was created after Brutus’ divine deed and which existed until Cicero’s death in December of 43, was almost solely predicated upon Brutus’ refusal to murder Antony along with Caesar. Posterity seems to have sided with Cicero, but, as said above, hindsight has greatly influenced this opinion. For Antony went on to march against D. Brutus at Mutina, helped create the so-called Second Triumvirate, and then fought against Octavian in a bloody civil war for another twelve years. Brutus could not have seen this coming. And while Cicero’s abusive attacks on Antony may seem to portray an orator and a statesman who knew the vices in Antony’s character all too well and knew what havoc Antony would cause if left alive, this is a very misleading inference to make. For Cicero had no idea what was coming either. The difference between Brutus and Cicero in this crucial period for the Republic lies in a fundamental shift in the

rhetoric and actions of Cicero. Brutus remained the same conservative Republican stalwart he had always been. He will be shown to be constantly pushing for peace, as Shakespeare's quote above encapsulates. Cicero, on the other hand, in his philosophy, but mostly in his oratory and political actions, began heading down a path on which Brutus could no longer follow. As Ronald Syme says, "Their incompatibility of temperament was aggravated by a complete divergence of aims and policy."⁵ To put it plainly, the whole of Cicero's desired actions amounted to the murder of a consul, and the promotion and enfranchisement of a young upstart with a famous name. And Syme's harsh assessment of Cicero is confirmed by other less stern, but just as capable, historians. Indeed, "killing a consul, even one irregularly appointed, was not at all the same thing as killing a *dictator perpetuus*; it would be unlikely to conciliate respectable opinion."⁶ And at this time Brutus' opinion was the most respectable of all.

Even Cicero himself feels the need to explain why someone so known for consistently advocating peace as himself has, in the wake of Antony's actions around Mutina, turned completely in favor of war.⁷ As he says,

itaque ego ille qui semper pacis auctor fui cuique pax, praesertim civilis, quamquam omnibus bonis, tamen in primis fuit optabilis.

And so I have always been a proponent of peace, especially peace among countrymen. And although peace has been desirable to all good men, it has nevertheless been most desirable to me.

Cicero continues briefly to elaborate when and with what unflagging zeal he has sought peace throughout his career in order to lessen any potential dismay other Senators may feel at his present bellicose approach towards Antony.

⁵ Syme (1939, p. 183)

⁶ Rawson (1975, p. 261)

⁷ *Philippics* VII.7-9

quem ad modum accepturi, patres conscripti, sitis, horreo, sed pro mea perpetua cupiditate vestrae dignitatis retinendae et augendae quaeso oroque vos, patres conscripti, ut primo, etsi erit vel acerbum auditu vel incredibile a M. Cicerone esse dictum, accipiatis sine offensione quod dixero, neve id prius quam quale sit explicaro repudietis –ego ille, dicam saepius, pacis semper laudator, semper auctor, pacem cum M. Antonio esse nolo.

I fear how you will receive my words, Senators, but because of my continual desire to maintain and increase your prestige I ask and I beg you, Senators, first of all, although it will be either harsh to hear or difficult to believe what Cicero has said, to receive what I have said without insult, and not to reject it before I have explained its meaning. I, the everlasting eulogist of peace, its unrelenting proponent, I will say it again and again, am against peace with Antony.

This, of course, is partly a rhetorical device of Cicero's used to exaggerate the level of danger presented by Antony. For if a peace-loving man such as Cicero can be drawn into a desire for war, then what type of truly vicious enemy must the Republic have encountered?⁸ Beyond this, however, it must have come as a surprise to many Senators that the traditionally indecisive Cicero, whose leanings had typically always been towards peace, was now tossing aside any thought of peace with Antony for the very real possibility of civil war. And in the events to come, Cicero maintains his strong stance against peace by denouncing any peace envoys to Antony, especially one which would have included himself.⁹

Throughout all of Cicero's assaults upon Antony both in the *Philippics* and in his letters, he had forgotten one very important point which Brutus had not. For Brutus remembered what had happened nearly six years before when the Senate and Cato had cornered Caesar, a proconsul, and declared him a public enemy. Cicero was attacking a consul of the Roman Republic, and wanted the Senate to declare him a public enemy and

⁸ Cf. also *Philippics* VII.19

⁹ *Philippics* VII, XII

start yet another civil war. To the logical and level-headed Brutus, this simply would not do. As Syme¹⁰ puts it,

Now came the last and heroic hour, in the long and varied public life of Cicero. Summoning all his oratory and all his energies for the struggle against Antonius, eager for war and implacable, he would hear no word of peace or compromise: he confronted Antonius with the choice between capitulation and destruction. Six years before, the same policy precipitated war between government and a proconsul.

Syme goes on to claim that it was guilt and “the memory of all the humiliations of the past”¹¹ which drove Cicero to such extreme and foolhardy actions against Antony, but this interpretation is far too simplistic. It is quite likely that Cicero had in mind what had happened between Caesar and Pompey and his own inability to strike a peace between the two of them. But posterity knows, and surely Cicero did too, that the blame for this cannot rest solely upon his own shoulders. As Syme reiterates throughout his *Roman Revolution*, things never happened in Roman history simply because of one person, but always because of a party composed of many individuals. Cicero played his part in the conflict between Caesar and Pompey, but so too did Cato, Marcellus, and many others. Cicero’s severe stance against Antony cannot be explained merely by guilt and past humiliations; something more needs to be said. And the rift which arose between Brutus and Cicero is a crucial piece of evidence for what exactly drove Cicero to such extreme, drastic, and ultimately fatal, measures.

Cicero had famously struggled in his decisions during the ongoing feud between Caesar and Pompey.¹² The decision as to which side to take occupied quite a bit of his thought, but so too did the decisions involved in trying to avoid war altogether. At this

¹⁰ Syme (1939, p. 144)

¹¹ Syme (1939, p. 144)

¹² The best overall discussion of this topic is still Raaflaub (1974), which is a revision of his dissertation.

point in his career, Cicero was an avowed peacemaker and strove great lengths to avoid the likely civil war which would erupt between Caesar and Pompey. As he says in a letter¹³ to Atticus,

equidem ad pacem hortari non desino; quae vel iniusta utilior est quam iustissimum bellum cum civibus.

Indeed I do not cease from urging peace; even an unjust peace is better than a most just civil war.

Cicero, very much unlike Cato, wished for peace between Caesar and Pompey and knew that peace, however unjust, was preferable to a war between fellow Romans. In peace the Republic can begin to mend, but in war the divisions which had so ravaged the Republic and the Senate would be exacerbated and would perhaps even become permanent. As Cicero was later to write¹⁴ concerning the sound advice of Servius Sulpicius,

cuius si essemus et auctoritatem et consilium secuti, togati potius potentiam quam armati victoriam subissemus.

if we had followed his guidance and advice, we would have submitted to the sway of a citizen and not the victory of an armed man.

Whatever amount of time and thought Cicero put into his decisions during the conflict between Caesar and Pompey, it seems that his ultimate judgments were correct. A war would be intolerable for the Republic, and would only do further damage. And then, once a winner had been decided, that man, whether it be Caesar or Pompey, would have an army behind him and no rival to contend with. As Brunt¹⁵ says of Cicero's feelings,

This was true: if Caesar's demands had been granted, he would have become the first man in Rome but not a military autocrat, the position that the intransigence of his opponents and the unco-operative attitude of the neutrals forced him to assume and which after victory he was unwilling to surrender. However dangerous were

¹³ *ad Att.* VII.14.3

¹⁴ *ad Fam.* VI.1.6. Cf. *ad Fam.* IV.2 for Cicero's discussion with Ser. Sulpicius.

¹⁵ Brunt (1986, p. 20)

his designs in January 49, the free commonwealth could have survived in one way or another, if war had been avoided.

Cato had ruthlessly created an insurmountable barrier between Caesar and the Senate, and the question of whether Cato's actions were justified becomes moot. For in so doing he had forced Caesar's hand, and had forced civil war upon Rome. Cicero had always seen himself as a peacemaker and mediator between the two powers of Caesar and Pompey, and so wanted peace at nearly any price. However, the way in which Cicero struggled with the decision of what to do with Caesar after his term in Gaul had expired, and whether to support Caesar or Pompey in the ensuing civil war is utterly and completely absent from any of his writings after the Ides of March. Cicero struggled with no political decisions at this time. Antony must be killed. He must be named a public enemy. Octavian required the backing of the Senate. There is none of the vacillation for which Cicero was so famous for so much of his career. In essence, he became what he had so despised in Cato.

Because of the prevalence of Cicero's oratory, the strong influence of his *Philippics* on posterity, and the machinations and sheer propaganda of Augustus, it might seem that Cicero was at the head of a majority of senators who wished Antony to be declared a public enemy and simply gotten rid of. But, as Syme puts it, "a rash and factious minority prevailed."¹⁶ War against a standing consul in 44, who became a consular in 43, was so very different, and much more extreme than many care to consider. Brutus knew this, and this is why the tone of the collection of letters between Cicero and Brutus is so contentious. Cicero was supporting a young upstart who had a glorious name and no official sanction from the Roman Senate against a standing

¹⁶ Syme (1939, p. 47)

consul/consular. In plain terms, Cicero was supporting treason. Cicero is so very upset at the apparent weakness and lack of conviction on the part of the consuls of 43, Hirtius and Pansa, from the Liberators in the East, most notably Brutus, and from many others in the Senate. But what Cicero was asking for was an affront to the traditions of the Republic, and it is no wonder why many of his proposed measures were either not passed, or were delayed for weeks at a time. “The imperious eloquence of Cicero could not prevail over the doubts and misgivings of men who knew his character and recalled his career.”¹⁷ Much earlier in his career, Cicero had gotten into quite a bit of trouble for his execution of Roman citizens without trial, for which he eventually went into voluntary exile. The Senate did not see fit to sever any hope of a compromise with Antony and declare civil war. This would have been hasty and rash. These are the sentiments of Brutus, and Cicero is at his wits’ end to try and change the minds of the Senate, and of Brutus.

Where this rift between Cicero and Brutus is most evident is in three aspects: first, the decision not to kill Antony along with Caesar; second, Brutus’ decision to stay in the East and not return to Italy; and third, in Cicero’s aggrandizement of the very young Octavian. Their difference of opinion comes to the fore in the *de Officiis*, which has rightly been called “Cicero’s political testament,”¹⁸ in Cicero’s letters to other friends, but especially in the few extant letters between Cicero and Brutus themselves. This chapter will examine all of these pieces of evidence in order to once again assess the roughly sixteen months between the deaths of Caesar and Cicero. Rather than adding to the ever-growing list of histories on this subject, however, this chapter will specifically look at the relationship between Cicero and Brutus. As the previous three chapters have

¹⁷ Syme (1939, p. 176)

¹⁸ Long (1995, p. 214)

demonstrated, this relationship was very important to Cicero, and probably to Brutus as well. But the rush of events after the Ides of March put a heavy strain on their relationship, and the collection of letters which survives between these two consummate statesmen shows only a picture of anxiety, frustration, and even perhaps pent-up hostility.

Cicero always saw himself in the role, or persona, of a peacemaker rather than a warrior or general. As Cicero discusses in the *de Officiis*, it is proper (*prepon* is the Greek word; *decorum* the Latin) for an individual to understand both his own personality and his place within society and how those two personae come together.¹⁹ At that very intersection is where an individual makes the best decision for his purpose in the State. For Cicero, who was a statesman and a consular who had so vigorously fought for the Republic both in the Forum and in his writings, but who was very reluctant to fight on the battlefield, the choice became to continue the fight through his oratory; most notably the *Philippics*. “Thus the welfare of the *res publica*, as he saw it, was bound indissolubly with the preservation or restoration of his own *dignitas*, and his *officium* to both was one and the same.”²⁰ And while Cicero’s peace-loving image of himself is intrinsically brought out in his construction of persona and personality in the *de Officiis*²¹, it is stunning to compare the personal attacks against Caesar present in the *de Officiis* with his refusal to mention contemporary affairs in so many other of his philosophical and rhetorical treatises. Although the *de Officiis* was begun and finished between October and early December of 44, some seven months after Caesar’s murder, the issue of Caesar’s *acta*, the Liberators, tyranny, and Antony were still very fresh in everyone’s mind.

¹⁹ Cf. Brunt (1986, pp. 14-6) for a more thorough discussion of this topic. Although Brunt focuses on Cicero’s decision making during the Civil War between Caesar and Pompey, his thoughts and ideas are easily applicable to the situation surrounding Antony, D. Brutus, and Octavian.

²⁰ Brunt (1986, p. 16)

²¹ Cf. *de Officiis* I.93-151 for Cicero’s construction of persona.

Cicero's usual policy of not referring to contemporary events in his philosophical and rhetorical treatises is sometimes fulfilled by placing the dialogue in past generations, such as with the *de Oratore*, *de Republica*, and *de Amicitia*, among others. The dramatic dates of these treatises allow Cicero both the freedom to discuss issues which would be easily applicable to the current state of affairs, and the freedom from potential attacks and unwanted political friction since he politely steps on no one's toes.²² As he says in a letter to his brother, Quintus, while writing the *de Republica*,²³

ego autem id ipsum tum eram secutus, ne in nostra tempora incurrens offenderem quempiam.

At that time, however, I had followed this very policy, lest in coming upon our own time I give offence to someone.

In treatises which are set at the time of writing, such as the *Brutus*, Cicero makes his stance clear by stating directly in the dialogue that there will be no talk of current events. And while either method is useful for Cicero, the fact remains that all of his treatises were influenced by and had an influence on the times in which they were written. However artfully Cicero creates his dialogues, the audience can never fully escape the present and current affairs. In previous chapters the place and significance of several of Cicero's later treatises has been discussed within the context of his relationship with Brutus. This relationship becomes all the more important as Caesar draws more and more people and institutions into his own sphere of influence. In the *de Officiis*, however, Cicero breaks a number of the rules which he had established for many of his other treatises, and the rationale seems to fall in line with Cicero's newfound bravado and recklessness.

²² In *ad Quintum* III.5.1-2, Cicero discusses these very issues with his brother while working on the *de Republica*.

²³ *ad Quintum* III.5.2

It is undeniable that the *de Officiis* has as its background the recent murder of Julius Caesar, and that Cicero pulls no punches when it comes to his thoughts on tyranny and Caesar's tyranny in particular. The thoughts and ideas found in the *de Officiis* "match with extraordinary coincidence Cicero's actual fears and hopes at this time."²⁴ And, as Rawson notes²⁵,

Its insistence on the necessity of putting private friendship and enmity below duty to the State is perhaps significant of present tensions. For the main objection to any alliance of Caesarians and Liberators was the Roman stress on personal loyalties. Was it not the Caesarians' duty to take vengeance on the Liberators? Was it not, above all, Octavian's?

Cicero had discussed the role of friendship and its limits a short time before the *de Officiis*, in the *de Amicitia*, but in the *de Officiis* the discussion is far more concerned with how such friendships will affect the State and how they must be tempered to the needs of the State. The whole issue of friendship in the *de Officiis* revolves around the idea of what is 'proper' (*decorum*) for a person living as a citizen to do. Cicero had established the idea of propriety and appropriateness a couple of years earlier in the *Orator*²⁶, which was dedicated to Brutus.

ut enim in vita sic in oratione nihil est difficilius quam quid deceat videre. prepon appellant hoc Graeci, nos dicamus sane decorum. de quo praeclare et multa praecipuntur et res est cognitione dignissima.

As indeed in life, so too in a speech, nothing is more difficult than to determine what is appropriate. The Greeks call this *prepon*, let us call it *decorum*. About which many illuminating rules have been put forth, and it is a thing most worth understanding.

Cicero is here specifically talking about what is 'proper' for a speech, since the *Orator* is a rather technical treatise written by Cicero at the supposed behest of Brutus because

²⁴ Long (1995, p. 221)

²⁵ Rawson (1975, p. 273)

²⁶ *Orator* 70

Brutus had wanted to know what exactly Cicero thought the best type of speech was. Cicero goes on just a bit later to say that another entire volume ought to be written on the subject.²⁷ *Decorum* is crucial in life, just as in a speech, and this comparison brings out its importance to Cicero very nicely -an importance which he was trying to pass along to Brutus in the *Orator*, and to his son, Marcus, in the *de Officiis*.

Now, Brutus was indeed the dedicatee of the *Orator*, in which Cicero began his conversations concerning *decorum* and the proper path for any citizen to take. And Brutus was the dedicatee of so very many of Cicero's recent treatises, even having one named in his honor. But he is not the dedicatee of the *de Officiis*. That honor went to Cicero's son, Marcus, who had been studying in Athens and was perhaps in need of encouragement from his father. Although Cicero had dedicated many rhetorical and philosophical treatises to Brutus in the last years of his life, he had other men in his life to whom he dedicated several other treatises. For, as discussed in previous chapters, Brutus had become a person with whom Cicero felt not only a political and friendly connection, but also a philosophical one. But Brutus was not the only learned man with whom Cicero could converse. Both the *de Senectute* and *de Amicitia* were dedicated to Atticus, the first edition of the *Academica* to Lucullus, the second to Varro, and the *de Divinatione* was dedicated to his brother Quintus. But the fact still remains that a great majority of Cicero's later works were dedicated to Brutus, and more specifically many of the treatises which had anything to do with oratory, politics, or philosophy. For the *de Senectute* and *de Amicitia* are rather short treatises dedicated to Atticus, a man who had grown old with

²⁷ *Orator* 73; *Magnus est locus hic, Brute, quod te non fugit, et magnum volumen aliud desiderat.* ("This is an important topic, Brutus, which does not escape you, and it needs another large book.")

Cicero and with whom Cicero had been a dear friend for many years. The *de Divinatione*, *Academica*, and *de Officiis* are obvious exceptions to this trend.

The *de Officiis* is in the line of philosophical works dealing with current political situations, such as the *Paradoxa Stoicorum* and *de Finibus*. The glaring difference is that it treats the current political situation rather explicitly by naming Caesar several times and discussing his murder²⁸ with calculated glee. Brutus himself had published a treatise, the *peri Kathekontas*²⁹, whose title is a Greek translation of *de Officiis*. From all evidence, which, quite frankly, is not much, it seems that Brutus' Greek version had been written before Cicero's Latin version. And their overall messages probably would have been very similar, but with Brutus perhaps remaining a bit more modest about his murder of Caesar given his present predicament. While it is true that Cicero followed the celebrated treatise of Panaetius³⁰ as his model for the *de Officiis*, it is hard to theorize how much Cicero would have been influenced by Brutus' work on the same subject. Brutus himself is absent from the *de Officiis*, since it is dedicated to young Marcus, but his philosophical influence could very well be just below the surface, especially when Cicero is discussing the tyranny of Caesar.

Cicero's anti-Caesarian hostility is also very evident in the letters of this period. Through March, April, and into May, Cicero frequently expresses the joy and consolation he feels over the glorious event of the Ides of March. But from May onwards, he makes an occasional admission that Caesar's murder was useless after all. It comes as a regularly recurrent refrain that Caesar was a tyrant, that his death was well-deserved, that

²⁸ Such examples run throughout the *de Officiis*, but glaring examples are I.35, 64; II.23-8; III.18, 32, 36, 82-5.

²⁹ Cf. Seneca, *Epistulae* XV.95.45. For more information, see the Appendix.

³⁰ A treatise which shared the same name as Brutus', *peri Kathekontas*.

his tyranny is continued through his *acta*, and that he is the ultimate cause of the present strife. In a letter to Cassius from May of 44,³¹ Cicero says,

nam ut adhuc quidem actum est, non regno sed rege liberati videmur. interfecto enim rege regios omnis nutus tuemur, neque vero id solum, sed etiam quae ipse ille, si viveret, non faceret, ea nos quasi cogitata ab illo probamus. nec eius quidem rei finem video.

For as it has progressed so far, we seem to be free from the king, but not from monarchy. Although the king has been killed, we are witnesses to his every royal nod. And not only that, but we approve of measures which that man himself, if he were alive, would not have taken, as if he had been thinking about them. Indeed I see no end to this business.

Cicero's frustrations concerning the Liberators and the state of affairs after Caesar's murder go much deeper, as he expresses to Atticus. There is consistent joy when Cicero reminisces about the Ides of March, but such joy is now framed as a nostalgic past which no longer has any real bearing on the present except to provide Cicero with some sort of comfort and escape from the issues of Antony, Octavian, and the Liberators.

*sed omnia licet concurrant, Idus Martiae consolantur.*³²

But although all these matters rush down upon us, the Ides of March consoles us. And, a few letters later,

*sed tamen adhuc me nihil delectat praeter Idus Martias.*³³

But nevertheless nothing to this point gives me pleasure except the Ides of March. Cicero often refers to Brutus' glorious deed while lamenting everything else which is occurring in the months afterwards, namely the rise of Antony and the retreat of the Liberators.

³¹ *ad Fam.* XII.2. Similar sentiments are found in *ad Att.* XIV.9.2, 10.1, 11.1, 13.3, 14.2-3.

³² *ad Att.* XIV.4.2

³³ *ad Att.* XIV.6.1

This hard stance against Caesar and his tyranny is mirrored in the *de Officiis*, giving the treatise an acerbic flavor which is not found elsewhere in Cicero's other philosophical works. As Long³⁴ has noted, "Cicero's writings after the Ides of March were no longer part of the programme of philosophica he had embarked on in the previous year." And, as suggested above, and as will be discussed further, this is perhaps a sign of Cicero's departure from the stance of Brutus, and Brutus' absence from the *de Officiis* could be a consequence of such a rift. Cicero's decision to comment so explicitly and directly concerning his opinion of Caesar's tyranny most likely did not sit well with Brutus who, at this time, was still trying to broker some kind of understanding and compromise with the Caesarians. The situation called for patience and peace, and it seems that the Republic's self-proclaimed peacemaker wanted nothing of the sort. Compromise had begun almost immediately after the Ides of March with the labeling of Caesar as a tyrant, but with all his *acta* being ratified. Even Cicero himself had voted for such an agreement, but he later regretted that decision and began to make it very well known exactly how he felt about the brief reign of Caesar, and the aspiring tyranny of Antony. The *de Officiis* arises from such a black-and-white viewpoint, and Caesar's tyranny receives much attention.³⁵

omnium autem rerum nec aptius est quicquam ad opes tuendas ac tenendas quam diligi nec alienius quam timeri. praeclare enim Ennius 'quem metuunt oderunt; quem quisque odit, perisse expetit'. multorum autem odiis nullas opes posse obsistere, si antea fuit ignotum, nuper est cognitum.

However of all things there is nothing more suited to protecting and holding onto influence than to be loved, and nothing more adverse than to be feared. For

³⁴ Long (1995, p. 222). Long goes on to view the *de Officiis* similarly to Cicero's proposed writing of a dialogue concerning the murder of Caesar. This work is referred to as a *Heracleideion*, because it would be written in the style of Heracleides Ponticus. For references to this supposed work, cf. *ad Fam.* XII.16; *ad Att.* XIV.17.6; XV.4.3, 27.3, 13.3.

³⁵ *de Officiis* II.23

Ennius famously said, 'He whom they fear, they hate; he whom one hates, one desires to be dead.' And if it was unknown before, surely recently it has become known that no amount of influence can withstand the hatreds of many.

This assertion by Cicero, that it is better to be loved than feared, has so recently been proven by the fate of Caesar. As with so many of Cicero's philosophical and rhetorical treatises, he uses exempla from the Roman past to illustrate the merit of what he claims. Usually, however, these exempla are drawn from the distant past or, at the very least, from a generation ago. In the *de Officiis*, Cicero uses Caesar as his primary exemplum of the disaster which a state ruled by tyranny becomes.³⁶ And consequently, he also uses Caesar as the showpiece for what does and rightly should happen to any and all aspiring or current tyrants. If Cicero's objective in refraining from using contemporary exempla in previous treatises was to avoid stepping on toes and creating political animosity and enemies, then surely his objective is just the opposite in so blatantly using as an exemplum the entire situation surrounding Caesar and his tyranny, which is so crucial to current goings-on. Cicero is more or less doing what no politician in his right mind would do: he is openly declaring his honest opinion. And Cicero is no longer concerned with the possible consequences of such action³⁷

nam quidquid eiusmodi est, in quo non possint plures excellere, in eo fit plerumque tanta contentio, ut difficillimum sit servare sanctam societatem. declaravit id modo temeritas C. Caesaris, qui omnia iura divina et humana pervertit propter eum, quem sibi ipse opinionis errore finxerat principatum.

For however much it is of this type in which many are unable to become eminent, in this type there frequently arises such competition that it is most difficult to preserve an undefiled partnership. The recent rashness of Gaius Caesar proved such a thing. He overturned all divine and human laws on account of the preeminence which he had fabricated for himself by the error of his own estimation.

³⁶ Cf. Long (1995, pp. 224-33)

³⁷ *de Officiis* I.26. Cicero also mentions Caesar by name at I.43.

Such a characterization of Caesar recalls sentiments found in the *de Finibus*³⁸, but there Cicero makes no direct mention of Caesar and leaves it to the readers to make any such inference. Here Cicero makes it clear that Caesar is the prime example of such thoughtless and reckless action by a tyrant. The dedicatee of the *de Finibus* was Brutus, who, as argued in the previous chapter, received Cicero's intended message and quite probably agreed with it. But, however much Brutus agreed with the justification for Caesar's murder, the deed was done and the current situation with Antony and Octavian required a different strategy. While part of Cicero's message with the *de Officiis* can be viewed as a justification for what Brutus had done on the Ides of March, the time of its writing and its overtly negative assessment of Caesar and the situation which he was responsible for imply that Cicero was thinking and promoting a similar justification for what he thought needed to be done to Antony as well. After all, the entire message of the *de Officiis* rests on what can be considered beneficial and honorable actions on behalf of the State. In Cicero's eyes, murdering a tyrant was the proper action a few months earlier, and it was the proper action now. Cicero links the atrocities of Caesar with those of his heirs several times.³⁹

cari sunt parentes, cari liberi, propinqui, familiares, sed omnes omnium caritates patria una complexa est, pro qua quis bonus dubitet mortem oppetere, si ei sit profuturus? quo est detestabilior istorum immanitas, qui lacerarunt omni scelere patriam et in ea funditus delenda occupati et sunt et fuerunt?

Parents are dear, children are dear, so too are kinsmen and acquaintances, but our country alone has embraced all the affections of everyone. What good man would hesitate to meet death on her behalf, if it would be to her benefit? How much more abominable is the barbarism of those who have torn apart the country with

³⁸ As discussed in the previous chapter.

³⁹ *de Officiis* I.57

every sort of crime and who have been, and still are, engaged in completely destroying her?

The Republic is mother to everyone, and what Caesar started by tearing her apart for his own supposed glory, Antony and his minions continue to do.

Cicero does make a distinction between Caesar and his heirs, however. After the passage above which refers to Caesar by name (I.26), Cicero admits that Caesar had a superior mind and most brilliant abilities (*in maximis animis splendidissimisque ingeniis*), and this is perhaps what made him all the more dangerous. Cicero lauds Caesar in a similar fashion several times throughout the treatise.⁴⁰ No such compliments can be found anywhere for the likes of Antony. Similar sentiments are found in the *Second Phillipic* addressed to Antony.⁴¹

aut tu es ulla re cum eo comparandus? fuit in illo ingenium, ratio, memoria, litterae, cura, cogitatio, diligentia; res bello gesserat, quamvis rei publicae calamitosas, at tamen magnas; ... cum illo ego te dominandi cupiditate conferre possum, ceteris vero rebus nullo modo comparandus es. ... an, cum illum homines non tulerint, te ferent?

Or do you possibly compare in any way with Caesar? He had talent, reason, memory, culture, care, deliberation, and industry. He had achieved things in war, although disastrous to the Republic, nevertheless magnificent. ... In your lust for tyranny I can compare you with him, but in no other way do you compare. ... Since men did not suffer Caesar, will they suffer you?

With Caesar, there was at least the possibility of a renewed Republic because of his innate abilities. As the rest of the *Second Phillipic* demonstrates, Antony had no such inner quality. What Antony has done, then, can be viewed as even more atrocious than Caesar's actions. Caesar represents a fine example for Cicero's discussion of the difficulties which may seem to arise between what is beneficial and what is honorable.

⁴⁰ Cf. I.64; II.21

⁴¹ *Phillipics* II.116-7. Cf. also III.12.

For Caesar was learned, a strong orator, and a man who could have led the Republic had his talents not been overrun by his craving for domination. With Antony, there is no moral dilemma, apparent or otherwise. Cicero never has a kind word for Antony, and only unleashes the full force of his masterful invective against him, as is most famously displayed in the *Second Philippic*. And, as Long notes⁴², “The *De officiis* is the appropriate philosophical accompaniment to the *Philippics*.”

The logical conclusion, as far as Cicero is concerned, is that if Caesar’s genius had to be killed, surely Antony and his band of miscreants deserve a similar fate. The onus is on Cicero and his contemporaries.⁴³

iure igitur plectimur. nisi enim multorum impunita scelera tulissemus, numquam ad unum tanta pervenisset licentia, a quo quidem rei familiaris ad paucos, cupiditatum ad multos improbos venit hereditas.

Therefore, we are rightly punished. For if we had not endured the unpunished crimes of many men, never would such lawlessness have come to one man, from whom the inheritance of his estate indeed passed to a few friends, but the inheritance of his greediness passed to many wicked men.

This is one of the reasons why Cicero and Brutus are at odds concerning Antony. If Brutus had the wherewithal and courage to murder someone like Caesar, who was his friend, benefactor, and in fact had many outstanding qualities, Cicero simply cannot understand why Brutus is against the idea of killing Antony as well. For his death surely would affect the Republic far less than that of Caesar. In Cicero’s eyes, Antony is simply a renegade who has temporarily filled the vacuum which was left after the Ides of March. To let such a scoundrel live is to keep the tyranny of Caesar alive. And this would no doubt compromise everything which was gained when Brutus accomplished his divine

⁴² Long (1995, p. 231)

⁴³ *de Officiis* II.28

deed. This is a consistent message in Cicero's contemporary letters, and it goes a long way towards defining the newfound difficulties in the relationship between Cicero and Brutus.

As for Antony, consul in 44, whom Cicero never liked, there is a long list of questionable behavior. He is forging Caesar's *acta*, putting through measures and awarding bounties which Caesar himself would never have approved, with the result that, though the tyrant is dead, the tyranny continues under a man who threatens to be a worse tyrant than Caesar.⁴⁴ The public funeral of Caesar in the Forum, the funeral oration delivered by Antony, and the reading of Caesar's will at that time, are an object of criticism and of apprehension, because they enhanced the growth of Antony's power. The latter's seizure of Caesar's store of gold from the *aerarium* for his own use, the gradual increase of his personal bodyguard into a legion, the arrogation of Decimus Brutus' province of Cisalpine Gaul for himself, the recall of the Macedonian legions, and other Antonian measures of power-politics all come in for adverse and apprehensive comment, and threat of war is frequently mentioned by Cicero in connection with them. For these reasons, a difference of policy between Cicero and Brutus towards Antony can be perceived from nearly the very first moment when Cicero knew of Caesar's murder. His letters to various friends illustrate best this vast difference of opinion.

The most fundamental difference between Brutus and Cicero can be summed up in Cicero's words to Atticus in April of 44,⁴⁵ which are echoed numerous times throughout many letters.

sublato enim tyranno tyrannida manere video.

⁴⁴ All of this, of course, is put far more eloquently by Cicero in the *Philippics*.

⁴⁵ *ad Att.* XIV.14.2

With the tyrant removed, I see that the tyranny remains.

Cicero was apparently never made aware of the plot to murder Caesar, and was never asked to join. However, his absolute glee at the glorious deed of Brutus and his companions shines through from the contemporary letters. This jubilation is almost immediately accompanied by constant criticism of the planning and carrying out of the plot. Whether Cicero truly wished Antony dead on the Ides of March along with Caesar, or only later arrived at such an idea because of Antony's quick ascension to power and his political acumen, for which Cicero was utterly unprepared, is a question that cannot be answered. Nevertheless, Cicero finds and utilizes every occasion to make his feelings on Antony known. In a letter of February 43,⁴⁶ Cicero writes to Cassius in the East to ask about his and Brutus' whereabouts. Even the letter itself is framed in a manner quite unflattering to the Liberators. Cicero informs Cassius that he has to rely on rumor and word of mouth, since Cassius and Brutus have been so unorganized in whatever it is that they are doing and planning. And in a rather witty way, Cicero acknowledges that all of this trouble could have been avoided if only he had been made a part of the plot to murder Caesar.

vellem Idibus Martiis me ad cenam invitasses; profecto reliquiarum nihil fuisset. nunc me reliquiae vestrae exercent, et quidem praeter ceteros me.

I wish you had invited me to dinner on the Ides of March; assuredly there would have been no leftovers. Now, your leftovers are keeping me busy, and indeed myself more than any others.

⁴⁶ *ad Fam.* XII.4

It must have been quite irritating for the Liberators to be constantly reminded of Cicero's wishes for Antony and the 'Monday morning quarterbacking' that Cicero seems to be practicing.

A letter from June of 44 to Atticus relates a meeting between Cassius, Brutus, Cicero, and a few others.⁴⁷ Going along with Cicero's advice, Cassius and Brutus agree that it is no longer safe for them in Rome and that they should head to their respective provinces. He also spends a bit of time rehashing exactly where their plot went wrong, even though there is no real use in crying over spilt milk. Antony should have been murdered, they should have immediately summoned the Senate, urged popular approval for their actions, and therefore assumed leadership of the State. Opportunities were lost, and while hindsight is twenty-twenty, Cicero seems to have known all of these things for quite some time. On the night of the Ides, Cicero did indeed urge Brutus and Cassius, who were, after all, both praetors, to summon the Senate and really take control of what they had done. Instead, the conspirators decided to negotiate privately with Antony. And on the Seventeenth, the Senate voted for a general amnesty for the benefit of the assassins, but also recognized the validity of all of Caesar's *acta*. Cicero, however, was not free from blame. For he had spoken in favor of this compromise, even though he would later write what a terrible mistake it had been. On the next day, a public funeral was decreed for Caesar. "Unmistakably the initiative had passed to Antony."⁴⁸ Similar feelings are addressed to Atticus only a couple of months after Caesar's murder.⁴⁹

⁴⁷ *ad Att.* XV.11

⁴⁸ Shackleton Bailey (1971, p. 230)

⁴⁹ *ad Att.* XIV.12.1

o mi Attice, vereor ne nobis Idus Martiae nihil dederint praeter laetitiam et odi poenam ac doloris. quae mihi istinc adferuntur. quae hic video. 'ho praxeos kales men, atelous de.'

My dear Atticus, I fear that the Ides of March have brought us nothing except joy for our grief and satisfaction for our hatred. The things which are brought to my attention from Rome. The things which I see here. "Twas a fine deed, but only half done.'

As mentioned earlier, Brutus had very different feelings concerning his duty to kill Caesar in order to restore the Republic, and the notion of killing Antony. "To his firm character and Roman patriotism there was something highly distasteful in Cicero's fanatical feud against Antonius."⁵⁰ This was not as clear-cut a situation to Brutus as it was to Cicero. Brutus still wanted to compromise and engage in politics, as was his nature. However hard Cicero tried to convince the Senate and the Liberators that Antony had been declared a de facto public enemy because of his actions⁵¹, Brutus knew that this was not the case and he would not take matters into his own hands without the backing of the Senate. But Cicero had now chosen a different path. He truly believed that Antony must be gotten rid of in order for any hope of a free Republic to exist once again, and he was done with the senatorial politics and policies which had fueled the disastrous feud between Caesar and Pompey, allowed Caesar to usurp constitutional government, and which were now about to yield to the armies and bravado of Antony.

This clarity of vision is best witnessed in Cicero's arguments of the *Third* and *Eighth Philippic*. These speeches are a fine demonstration of Cicero's ability to see the situation in black and white terms, and call it for what it was. In the *Third Philippic*, either Antony was still to be regarded as consul, in which case those in arms against him

⁵⁰ Syme (1939, p. 183)

⁵¹ *Phillipics* II.1, 2, 51, 89; III.6, 14, 21; IV.1, 2, just to name a few.

without public authority were traitors; or, if they were to be applauded for their actions, then the traitor and public enemy was Antony. When speaking of the famous Fourth and Martian Legions, which deserted Antony and went over to the side of the young Octavian, Cicero explains his logic.⁵²

nam si ille consul, fustuarium meruerunt legiones quae consulem reliquerunt, sceleratus Caesar, Brutus nefarius qui contra consulem privato consilio exercitus comparaverunt. si autem militibus exquirendi sunt honores novi propter eorum divinum atque immortale meritum, ducibus autem ne referri quidem potest gratia, quis est qui eum hostem non existimet quem qui armis persequantur conservatores rei publicae iudicentur?

For if Antony is a consul, the legions which deserted a consul deserve to be beaten to death; Caesar is a criminal; and Brutus a traitor, who raised troops against a consul by his own private initiative. If, however, unheard of honors must be devised for those soldiers because of their divine and undying deed; if sufficient gratitude is indeed unable to be given to their leaders; who would not consider Antony an enemy, whom those who are judged saviors of the Republic attack with arms?

Cicero is here attempting to force a decisive judgment from his fellow Senators. He claims that they have lived and acted in a hypocritical manner since the Ides of March by treating Antony as a legal consul/pro-consul and yet still sending consular armies against him. And while doing this, they are also giving their approval to Octavian, who had no political or legal standing whatsoever. Cicero is demanding a decision. “The orator’s own view was expressed in lavish encomia of Decimus, Octavian, and the two deserting legions.”⁵³

In the *Eighth Philippic* the terms of the argument are different, but the message is much the same. A motion had been proposed by L. Caesar that the military feud with Antony be labeled an “uprising” (*tumultus*), but Cicero insisted that the word should in

⁵² *Philippics* III.14

⁵³ Shackleton Bailey (1971, p. 260)

fact be “war” (*bellum*). Cicero saw this proposal as just another sign of the weakness and lack of leadership on the part of the Senate and the consuls, Hirtius and Pansa. An “uprising” was by no means a strong enough stand against Antony, and it gave to him and to the Senate plenty of maneuverability. This was simply unacceptable to Cicero.

*etenim cum inter bellum et pacem medium nihil sit, necesse est tumultum, si belli non sit, pacis esse: quo quid absurdius dici aut existimari potest?*⁵⁴

For since there is no middle ground between war and peace, it is unavoidable that if an uprising does not belong to war, then it belongs to peace: and what more ridiculous notion could be said or thought?

This “rhetoric of crisis”⁵⁵ by Cicero seeks to set a clear delineation between what is right and what is wrong. As he says, there can be no middle ground. While others, most importantly Brutus, wished to remain very patient and uncommitted in such affairs, Cicero demanded clarity concerning Antony.

However, Brutus had other ideas in mind. Antony was no Caesar, and Antony still had too many enemies on all sides of politics to attain the absolute power which Cicero feared. If it had not been for the political machinations of Octavian, Antony in all likelihood would have gone the way of so many strong-willed generals before him; namely he would either have acquiesced to the Senate, or he would have fallen to the armies of another. Brutus recognized that Antony did not yet have a sufficient army to wage the type of war about which Cicero was warning, and that Antony was only the leader of one faction among many. Antony knew all of this also, and was wisely biding his time. At the moment he had to deal with D. Brutus in Mutina, Octavian, and the Senate. Vengeance against Brutus, Cassius and the other Liberators would have to wait.

⁵⁴ *Philippics* VIII.4

⁵⁵ Cf. Wooten (1983), who deals with the *Philippics* as a whole. For more specific analysis of individual *Philippics*, including the *Third* and *Eighth*, see Hall (2002), esp. pp. 276-7, 283-7.

Syme, however, takes it too far when he says of Antony, “He had no quarrel with the Liberators providing they did not interfere with the first object of his ambition, which was to seize and maintain primacy in the Caesarian party.”⁵⁶ Antony did indeed have a quarrel with the Liberators because of Caesar’s murder, but that feud would have to wait until affairs were more settled in Gaul.

Antony’s disdain for the Liberators comes through rather vividly in a letter which he addressed to the consul Hirtius and young Octavian. In the *Thirteenth Philippic* Cicero read this letter to the Senate while mocking every line of it.⁵⁷ And Antony has some choice words for those who find themselves opposed to the Caesarian party. Concerning Dolabella’s capture, torture, and subsequent murder of Trebonius, which had led to Dolabella being declared a public enemy, Antony says⁵⁸,

cognita morte C. Treboni non plus gavisus sum quam dolui. dedisse poenas sceleratum cineri atque ossibus clarissimi viri et apparuisse numen deorum intra finem anni vertentis aut iam soluto supplicio parricidi aut impendente laetandum est.

When I learned of Trebonius’ death, I was no more glad than I was pained. It should be celebrated that a criminal has paid his penalty to the ashes and bones of a most distinguished man, and that the will of the gods has become manifest before the end of the year through the lenient punishment of a parricide already carried out, or through imminent punishment.

He goes on to lament the fact that Dolabella, who punished an assassin, has been declared a public enemy while the murderer Trebonius has received such lamentation.⁵⁹ He chastises both Hirtius and Octavian for allowing such measures to be passed only in order

⁵⁶ Syme (1939, p. 106)

⁵⁷ Although the entire text of this letter can be found throughout *Philippics XIII*, Lintott (2008, pp. 445-7) has done a real service by printing the Latin text and a translation of the letter separate from Cicero’s comments. Reading the letter uninterrupted allows for a much better understanding of Antony’s overall message.

⁵⁸ *Philippics XIII.22*

⁵⁹ *Philippics XIII.23*

to liberate D. Brutus and give more power to Brutus and Cassius in the East.⁶⁰ And in a final stinging message, Antony has a simple request.⁶¹

quam ob rem vos potius animadvertite utrum sit elegantius et partibus utilius Treboni mortem persequi an Caesaris, et utrum sit aequius concurrere nos quo facilius reviviscat Pompeianorum causa totiens iugulata an consentire ne ludibriosimus inimicis.

Therefore ask yourselves whether it is more fastidious and expedient for our side to avenge the death of Trebonius or of Caesar, and whether it is more advantageous for us to fight in order that the so often slaughtered Pompeian cause might rather easily be rejuvenated, or for us to work together lest we be a mockery to our enemies.

Although Antony addressed this letter to Hirtius, who had been a Caesarian, and Octavian, whose Caesarian leanings need no explanation, he no doubt knew that it would be read publicly to a Senate which was filled with Caesarian appointments. Throughout the letter he makes references to the Pompeian and Caesarian camps, which means that the Ides of March was still very much on his mind. He needed, however, to shore up issues in Gaul and gain a few more legions before even thinking about an assault on Brutus and Cassius in the East.

Cicero was under the impression that Brutus and Cassius had headed East in order to raise armies and money which they would then bring back to Italy in an attempt to fight off Antony. They had indeed raised large armies and much money, but despite Cicero's urgings, they remained in the East. For Brutus and Cicero did not see eye to eye on his actions in the East. "The possession of Macedonia and an army meant for Brutus not so much an instrument for war as security and a basis for negotiation."⁶² Antony had shown no desire either to declare war on Brutus or to march against him at this point in

⁶⁰ *Philippics* XIII.24-6

⁶¹ *Philippics* XIII.38

⁶² Syme (1939, p. 184)

time, or for the foreseeable future. Antony's current issues were with D. Brutus in Cisalpine Gaul. He wanted that province for himself as a secure base with several legions close enough to Rome to have a strong influence. Cicero did not agree with such a silent truce between the two and urged Brutus to think of his beloved Republic.

With all the confusion continuing at Mutina regarding Antony's laying siege to D. Brutus, Cicero is concerned for the welfare of those left defending the Republic. In an emotional plea to Cassius⁶³, Cicero writes,

tu velim sic existimes tibi que persuadeas, omne perfugium bonorum in te et Bruto esse positum si, quod nolim, adversi quid evenerit. res, cum haec scribebam, erat in extremum adducta discrimen. Brutus enim Mutinae vix iam sustinebat. qui si conservatus erit, vicimus; sin, quod di omen avertant, omnis omnium cursus est ad vos. proinde fac animum tantum habeas tantumque apparatus quanto opus est ad universam rem publicam recipendam.

I hope that you truly understand and are convinced that all refuge for the *boni* rests in you and Brutus if, may it not happen, some reverse comes about. As I write this, affairs have arrived at a final crisis. Brutus can scarcely hold on any longer at Mutina. If he is saved, we have won; if not, may the gods avert such a thing, every path for us all leads to you. Therefore, be sure that you have such spirit and preparation as are needed for the work of regaining the entire State.

Cicero is writing such things to Cassius because he has been unable to receive letters from Brutus with any regularity. The whereabouts of both of them have become difficult to surmise, but Brutus even more so. And this is quite frustrating to Cicero, who is looking to them to remain stalwarts for the Republic in the fight against Antony and possible tyranny. Since they have not yet returned to Italy in order to bolster the consular forces and those of Octavian, Cicero hopes that they are at least prepared to become a base of operations for a functioning Republic if the battle goes ill. The dismay which Cicero feels over affairs in Mutina is compounded by the fact that the Liberators are so

⁶³ *ad Fam.* XII.6.2

far away and seem to have no intention of returning to aid in the fight against Antony. As he says in another letter⁶⁴,

oppressa omnia sunt; nec habent ducem boni nostrique tyrannoctoni longe gentium absunt.

Everything has been crushed; the *boni* do not have a leader and our tyrannicides are far away from home.

The disparity between Cicero's attitudes towards Antony and the current political situation and those of Brutus seems rather gaping. Cicero had decided to come back to Rome rather than sail to Greece to watch over the schooling of his son, Marcus. Whatever friendship may have existed between Antony and Cicero⁶⁵ was cast aside, as Antony took advantage of his position in the Caesarian party, and Cicero made public his feelings towards the debauched drunkard. Cicero was dug in for the political and oratorical fight of his life, and had hoped for the help of the Liberators whom he had recently lauded to the skies. Brutus, on the other hand, saw his role as fulfilled and was being patient. Caesar was dead, and while his *acta* still held the authority of law, Brutus thought that the Republic had been saved and that the only action to be taken at this point was defensive while the pieces fell into place.

Whatever be thought of those qualities which contemporaries admired as the embodiment of aristocratic *virtus* (without always being able to prevail against posterity or the moral standards of another age), Brutus was not only a sincere and consistent champion of legality, but in this matter all too perspicacious a judge of men and politics. Civil war was an abomination. Victory could only be won by adopting the adversary's weapons; and victory no less than defeat would be fatal to everything that an honest man and a patriot valued. But Brutus was far away.⁶⁶

⁶⁴ *ad Fam.* XII.22.2

⁶⁵ Antony and Cicero must have had some kind of friendship since the first issue which Cicero addresses in the *Second Philippic* is Antony's claim that Cicero had violated that friendship (II.3).

⁶⁶ Syme (1939, pp. 147-8)

Brutus saw Cicero's actions as rash and foolhardy, while Cicero thought that Brutus was lost in complacency and lacked the foresight to truly understand what Antony and his party were capable of. Brutus had been a strong-willed philosophical ally of Cicero from the time of Caesar's rise to power, but now each had chosen separate paths. Brutus was biding his time for the most opportune moment to return to Rome unscathed and ready to assume politics as usual. Cicero saw that there was no time to waste and that the ultimate crisis was upon the Republic. This disagreement would prove fatal to the Republic which both had fought to preserve.

Nowhere were Brutus and Cicero more in disagreement than with the case of young Octavian. It is never completely clear exactly how much Cicero truly trusts Octavian, since he readily cites his youth, his Caesarian ancestry, and the people around him as possible dangers. The completely laudatory and overly dramatic portrayal of Octavian in the *Philippics* does not represent what Cicero truly felt about the boy. For, in the *Philippics*, Cicero is setting up a clear contrast between the noble actions of Octavian and the egregious actions of Antony. As he says⁶⁷,

C. Caesar adulescens, paene potius puer, incredibili ac divina quadam mente atque virtute, cum maxime furor arderet Antoni cumque eius a Brundisio crudelis et pestifer reditus timeretur, nec postulantibus nec cogitantibus, nec optantibus quidem nobis, quia non posse fieri videbatur, firmissimum exercitum ex invicto genere veteranorum militum comparavit patrimoniumque suum effudit: in salute rei publicae collocavit.

When Antony's madness burned at its wildest and when his cruelty and destruction were feared to be returning from Brundisium, the young man Caesar, hardly more than a boy, with extraordinary and almost divine intellect and courage, and without our asking or thinking or even hoping, raised a very strong army of veterans who had never been defeated and freely spent his inheritance. He arranged all this for the safety of the Republic.

⁶⁷ *Philippics* III.3

Cicero continues⁶⁸,

qua peste rem publicam privato consilio -neque enim fieri potuit aliter- Caesar liberavit: qui nisi in hac re publica natus esset, rem publicam scelere Antoni nullam haberemus. sic enim perspicio, sic iudico, nisi unus adolescens illius furentis impetus crudelissimosque conatus cohibuisset, rem publicam funditus interituram fuisse.

Caesar freed the Republic from such a scourge by his own judgment, for there was no other way. If he had not been born in this Republic, through the crime of Antony we would have no Republic. And so I observe, I judge, that if this one young man had not checked the assaults and cruelest impulses of that man's madness, the Republic would have perished utterly.

Cicero is attempting to contrast Antony's madness with Octavian's judgment, and to provide the Senate with another viable option besides the ineptitude of Hirtius and Pansa, and the criminality of Antony. Octavian is so young at this point that Cicero publicly claims he can guide and even control his actions in a way that will separate Antony from any who are sympathetic to his cause in the Senate. But while Cicero showers Octavian with praise in public, he is unsure of him in his private letters. As Octavian seeks in various ways to curry Cicero's favor, Cicero is not hostile to him, but hesitant and uncertain of his true political intentions. He writes⁶⁹ to Atticus,

nobiscum hic perhonorifice et peramice Octavius. quem quidem sui Caesarem salutabant, Philippus non, itaque ne nos quidem; quem nego posse bonum civem. ita multi circumstant, qui quidem nostris mortem minitantur, negant haec ferri posse. quid censes cum Romam puer venerit, ubi nostri liberatores tuti esse non possunt?

Octavian is here with me, and he is very respectful and friendly. His companions salute him as Caesar, Philippus does not, and so neither do I. I do not think that he can be a good citizen. There are so many around him who threaten our friends with death, and deny that the present situation can be tolerated. What will cross your mind when the boy has come to Rome, where our Liberators cannot be safe?

⁶⁸ *Philippics* III.5. Cf. also *Philippics* III.8, 15; V.42; XIII.19.

⁶⁹ *ad Att.* XIV.12.2

Cicero often refers to Octavian merely as *puer*, which seems to demonstrate his underestimation of him.⁷⁰ Octavian does indeed play the political game with Cicero by appearing humble and gracious, and Cicero really succumbs to the ruse. For Cicero never says anything directly negative towards Octavian himself, but always phrases any possible faults as linked to his family background, his youth, or his constant companions. He says⁷¹ to Atticus, *vide nomen, vide aetatem* (“look at his name, look at his age”) while Octavian is trying to get into Cicero’s good graces by saying and doing all the right things. However, Cicero still remains very unsure. But because of Octavian’s persistence, and his political savvy, Cicero does decide that he can manipulate him. Octavian says⁷² he wants to work everything through the Senate, which would have had a pleasant ring to Cicero’s ears, as he was a powerful consular in the Senate, and far too often in the recent past those who had been put in charge of armies had used them as leverage against the Senate rather than as a protective shield on its behalf.

Cicero feared what Antony was, but was wary of what this boy might become. He remained ever watchful. Although Octavian provided a useful wedge between Antony, the Senate, and his soldiers, his name carried more weight and trepidation for Cicero than he would publicly admit. He writes to Atticus⁷³ in June of 44,

Octaviano, ut perspexi, satis ingeni, satis animi, videbaturque erga nostros heroas ita fore ut nos vellemus animatus. sed quid aetati credendum sit, quid nomini, quid hereditati, quid katexesei⁷⁴, magni consili est.

⁷⁰ It is perhaps interesting to note that Cicero derides Antony (*Philippics* XIII.24-5) for referring to Octavian as a *puer*, and for claiming that he owes everything to his name, the very same things which Cicero says in private.

⁷¹ *ad Att.* XVI.8

⁷² *ad Att.* XVI.9

⁷³ *ad Att.* XV.12.2

⁷⁴ The Greek term *katexesei* is an interesting choice here by Cicero because it denotes more than just fundamental schooling and learning, but also has a strong sense of philosophical allegiance. Cicero is

As I see it, Octavian has plenty of ability and spirit, and it seems that he will be as inclined to our heroes as we might wish. But how much ought we trust one of his age, of his name, of his heredity, of his schooling? It is a great question.

Despite Cicero's apprehension at the risks of bestowing upon Octavian so much authority and prestige at such a young age, he thought that Octavian provided strong opposition to Antony because of his widespread popularity with the Roman people, but most notably with the armies made up chiefly of Caesar's veterans. No one else had been able to successfully stand up to Antony on so many fundamental fronts.⁷⁵ Cicero thought that he could use Octavian to destroy Antony, and then easily set him aside. For, as Cicero famously said⁷⁶, *laudandum, ornandum, tollendum* ("he should be praised, honored, and gotten rid of"). Yet Octavian proved to be a far more astute politician than Cicero, and only used all the authority which was granted to him at an unheard of age to gain even more. In professing his false devotion to Cicero, Octavian had even taken to referring to him as 'father'.⁷⁷ This was a sheer outrage to Brutus.⁷⁸ Cicero lacked the foresight truly to understand what this boy would become, but Brutus most certainly dreaded this boy and his drive for power.

In the few letters which survive between Brutus and Cicero, the mood can best be described as one of begrudging respect and insistent urging. Cicero is desperate to get Brutus back to Rome, and Brutus is appalled by the honors which Cicero has bestowed upon Octavian. In one letter, Brutus cautions Cicero that, if Antony is defeated by

unsure of the boy's philosophical leanings and his school of thought, and so is unable to say for sure what he is capable of or where his moral compass points.

⁷⁵ *ad Att.* XVI.11.6. Cf. also *ad Att.* XVI.15.3, in which Cicero lauds the boy's ability to "beat back" (*retundit*) Antony, and even has positive things to say about his oratorical ability.

⁷⁶ *ad Fam.* XI.20.1

⁷⁷ Plutarch, *Cicero* 45

⁷⁸ *ad Brutum* XXVI.5. This is one of the two spurious letters which conclude the collection, but some of its thoughts can be seen as true reflections of Brutus' position.

Octavian and his army, he must be wary lest he exchanges one monarch for another.⁷⁹ As discussed earlier, Brutus remembered what happened when Caesar was pressed hard by an immovable Senate, and he foresees the same thing happening with Antony. And young Octavian most certainly is not the answer. Brutus warns Cicero that if things go wrong, the Senate will be to blame, but him most of all because of the great authority he currently exercises. In Brutus' opinion, Cicero is using all of his influence to raise Octavian to the stars prematurely. He tells Cicero that in all his wisdom he still needs to show restraint in bestowing honors (*nulla abs te desideratur nisi modus in tribuendis honoribus*). The tone of the letter attempts to be polite, but it is easy to see right below the surface that Brutus is quite upset that Cicero has placed all his hopes in the young man with a notorious name. He writes to Cicero,

itaque timeo de consulatu, ne Caesar tuus altius se escendisse putet decretis tuis quam inde, si consul factus sit, escensurum.

And so I am concerned about the consulship; namely that your friend Caesar may think he has ascended higher through your decrees than is the rest of the climb, if he is made consul.

He continues,

quonam animo fore putas si quis auctore non tyranno interfecto sed ipso senatu putet se imperia quaelibet concupiscere posse?

What type of mindset do you think one will have if he thinks himself able to strive after any command not with the backing of a dead tyrant, but with the backing of the Senate itself?

Antony had attained any power he currently had because a vacuum was left when Caesar was murdered. Octavian, on the other hand, was far less a part of the Roman establishment than Antony, had been elected to no legal magistracy, and yet the Senate,

⁷⁹ *ad Brutum XI*

and most especially, Cicero, was awarding him extraordinary offices and honors. Brutus ends the letter with a powerful and prophetic statement.

quod utinam inspectare posses timorem de illo meum!

If only you could grasp my fear of that boy!

Brutus remembered why he had killed Julius Caesar and consequently sacrificed so much. But with the arrival of his heir, Brutus knew that Caesar had a new standard bearer in Octavian. To this point, Antony had never professed any desire to march against the Liberators or take up the mantle of Caesar. True, he did have political ambitions just as any other Roman Senator did, but Caesar's legacy was a stepping-stone for him and not the desired result. Antony was defending the Caesarian cause against those who had either betrayed Caesar on the Ides of March, or those who were doing so currently in the Senate by supporting and lending aid to Caesar's murderers. Octavian, however, had immediately taken his adoptive father's name for himself, had entrenched himself with Caesar's veterans, and showed no signs of compromise with the men who had killed his namesake. Brutus knew an aggressive enemy when he saw one, and Antony was not it. Young Octavian, Brutus thought, was the one who would bring the Republic to her knees. History proved Brutus right. And to Brutus' utter amazement, Cicero, the professed enemy of tyranny, was empowering Caesar's son with senatorial authority and consular armies. In Brutus' eyes, "Now the champion of the constitution had become the ally of a Catilina, invoking on the side of insurgents the authority of the Senate and the liberty of the People."⁸⁰

⁸⁰ Syme (1939, pp. 162-3)

Cicero's defense against this accusation first comes up in the *Fifth Philippic*, dated to January 1, 43, a full six months before Brutus' letter. This means that this charge had been leveled for some time against Cicero and by others besides Brutus, since Cicero felt the need to address it in the Senate so publicly. Cicero claims that if Alexander the Great could achieve what he did at such a young age, why should anything less be expected from Octavian.⁸¹ In fact, he wishes that the Senate had so honored Julius Caesar as he deserved, because it was this very lack of esteem from the Senate which drove Caesar to seek other means of glory!⁸² Cicero's dubious analogy is that because of everything which Octavian has already done on behalf of the Republic, his youth should be no consideration when deciding upon his honors. And for those who fear what Octavian might do with all this prestige, in words which mirror those he would later write to Brutus, Cicero says⁸³,

nullus iste timor esse debet. omnis Caesar inimicitias rei publicae condonavit; hanc sibi iudicem constituit, hanc moderatricem omnium consiliorum atque factorum. ita enim ad rem publicam accessit ut eam confirmaret, non ut everteret. omnis habeo cognitos sensus adolescentis. nihil est illi re publica carius, nihil vestra auctoritate gravius, nihil bonorum virorum iudicio optatius, nihil vera gloria dulcius.

There is nothing to that fear. Caesar has surrendered all personal feuds with the Republic, which he has made his judge and director in all decisions and actions. And so he has entered the Republic to strengthen it, not to destroy it. I have a handle on the young man's thoughts and feelings. Nothing is dearer to him than the Republic, more influential than your authority, more desirable than the approval of good men, sweeter than true glory.

Cicero's words might strike a modern audience with a certain amount of disbelief, since he turned out to be so very wrong about Octavian. And his audacity in personally

⁸¹ *Philippics* V.48

⁸² *Philippics* V.49

⁸³ *Philippics* V.50

vouching for Octavian may reveal the true extent of the crisis in which Cicero believed the Republic to be.⁸⁴

audeo etiam obligare fidem meam, patres conscripti, vobis populoque Romano reique publicae; quod profecto, cum me nulla vis cogeret, facere non auderem pertimesceremque in maxima re et periculosa opinionem temeritatis. promitto, recipio, spondeo, patres conscripti, C. Caesarem talem semper fore civem qualis hodie sit qualemque eum maxime velle esse et optare debemus.

I even dare to pledge my word, Senators, to you and to the Roman People and to the Republic, which surely I would not dare to do since no force compels me, and I would become very afraid of being thought a fool in such an important and dangerous affair. I promise, I guarantee, I pledge, Senators, that Caesar will always be such a citizen as he is today and such as we ought most to wish and hope him to be.

Cicero felt he had no other choice but to promote this young man against Antony.

Whether he truly trusted Octavian and believed the words he spoke almost becomes irrelevant because Cicero was doing what he thought best. Brutus did not agree.

Cicero's private defense of himself⁸⁵ to Brutus is not surprisingly in a philosophical vein. He recounts a saying of Solon, one of the Seven Wise Men, that a state depends on two things; reward and punishment (*praemio et poena*). He begins by once again reminding Brutus of the mistakes he made in carrying out the murder of Caesar. He left the deed unfinished, and he then departed from Rome too soon without having gained the popular advantage.⁸⁶ He then claims,

atque omne praesidium esset in puero qui a cervicibus nostris avertisset Antonium, quis honos ei non fuit decernendus?

And the whole defense was in the boy who had turned Antony away from our necks. What honor ought not be proposed for him?

⁸⁴ *Philippics* V.51

⁸⁵ *ad Brutum* XXIII

⁸⁶ This is also said in *ad Brutum* V.1-2, where Cicero calls himself a little more forceful (*vehementior*), and Brutus a bit milder (*lenius*).

Cicero is absolutely unapologetic to Brutus for his decisions concerning Octavian. His argument to Brutus was the one which he had made to other Romans. Antony was a plague upon the Republic, and because of the ineptitude and inaction of the Senate and consuls, all hope must be placed in Octavian who had shown proper respect and humility towards Cicero and the Senate. Cicero continues that he had voted honors to many others, but heard no complaint about that from Brutus, so why was he so upset about the honors bestowed upon a boy who had voluntarily set himself up as a shield for the Republic?

It is at this point, however, that Cicero nearly proves Brutus' point for him. While recounting all the honors given to so many people, he does admit⁸⁷ that he and the Senate ought to be blamed for honoring Lepidus with a statue in the Forum. For they were hasty in awarding such a gift to a man who had lately betrayed the Republic. And in an even earlier letter⁸⁸ Cicero had admitted to Brutus some hesitation on his part concerning Octavian.

qui si steterit fide mihique paruerit, satis videmur habituri praesidi; sin autem impiorum consilia plus valuerint quam nostra aut imbecillitas aetatis non potuerit gravitatem rerum sustinere, spes omnis est in te.

If he stays loyal and obeys me, we will seem to have enough of a defense. But if, however, the advice of wicked men is more influential than mine, or if the frailty of his youth cannot bear the weight of things, all hope lies in you.

In the same letter he later says,

hoc adolescentis praesidium equidem adhuc firmum esse confido, sed ita multi labefactant ut ne moveatur interdum extimescam.

I am still confident that this young man is a strong defense, but so many men are causing his loyalty to waver that I dread he may eventually change positions.

⁸⁷ *ad Brutum XXIII.9*

⁸⁸ *ad Brutum XVII.4*

As with other letters to friends, Cicero is wary of those with whom Octavian associates and of his youth. This fear, however, does not stop Cicero from placing all his faith and hope in Octavian. For he views him as the only real hope for the Republic against Antony, and therein lies the chief difference between Cicero and Brutus after the Ides of March. While Cicero felt the Republic was teetering between salvation and ruin, Brutus thought the Republic had already been saved and now should be a time for compromise and patience.

The omnipresent rhetoric of crisis in the *Philippics* is no mere oratorical device utilized by Cicero for the sake of invective. Looking at all of Cicero's writings after Caesar's murder, a consistent theme of fatalism appears. The time is now. Friends must be gained, and enemies must be punished. For a man who so famously vacillated with so many decisions, this was quite a change, and it probably came as a surprise to those who had known him. In fact, the collection of letters between Cicero and Brutus begins⁸⁹ with the line, *cum haec scribebam, res existimabatur in extremum adducta discrimen* ("As I write these things, affairs are reckoned to be brought into the ultimate crisis"). This entire first letter is almost a last will and testament for Cicero, defending his decisions, gearing up for the battle, and placing all hope in Brutus adjusting his mindset and coming to the realization that the end may be near.

quam ob rem ita te para, Brute, ut intellegas aut, si hoc tempore bene res gesta sit, tibi meliorem rem publicam esse faciendam aut, si quid offensum sit, per te esse eandem recipendam.

For this reason prepare yourself, Brutus, that you may understand if things go well at this moment, you must create a better Republic, or if things go ill, you must restore her.

⁸⁹ *ad Brutum* I.1

In the same letter in which Cicero defends the rewards given to Octavian, he also has something to say about punishment. His tone is very stern, and he is very critical of Brutus' policy of clemency.⁹⁰

intellexi enim ex tuis saepe litteris te in iis quos bello devicisti clementiam tuam velle laudari.

Indeed I understand from your letters that you often wish to be praised for your mercy towards those you have captured in war.

Cicero's insistence on the term *bellum* in this context, and in many of the other letters to Brutus recalls the same argument fleshed out in the *Third Philippic*. While others, including Brutus, may regard the situation as a mere uprising or disagreement, Cicero sees this as an ongoing war against tyranny. There is no turning back, and there is simply no room for negotiation or mercy. Cicero is indeed quite upset with Brutus because of his refusal to put Antony's brother, Gaius Antonius, to death. Brutus is steadfast in his commitment to keep Gaius alive, and is even worried that others in his camp may try to do otherwise.⁹¹ Cicero writes⁹² that Brutus' words regarding Gaius are far too lenient (*lenes*), and that he barely believed the words were actually Brutus'. He is very critical of Brutus' decision and pulls no punches in his reply.⁹³

sed illam distinctionem tuam nullo pacto probo; scribis enim acrius prohibenda bella civilia esse quam in superatos iracundiam exercendam. vehementer a te, Brute, dissentio; nec clementiae tuae concedo, sed salutaris severitas vincit inanem speciem clementiae. quod si clementes esse volumus, numquam deerunt bella civilia. sed de hoc tu videris. de me possum idem quod Plautinus pater in Trinummo: 'mihi quidem aetas acta ferme est: tua istuc refert maxime.'

But in no way do I approve that distinction you draw; you write that we should be keener in preventing civil war than in bringing our wrath upon the conquered. I

⁹⁰ Cicero's hostility towards Brutus' clemency has much to do with Brutus' refusal to kill Antony's brother, C. Antonius, whom he had captured in Macedonia.

⁹¹ *ad Brutum* II.2

⁹² *ad Brutum* V.3

⁹³ *ad Brutum* VI.2

strongly disagree with you, Brutus. I am as merciful as you, but suitable severity overrides the empty claim of mercy. If we wish to be merciful, civil war will never end. But you are aware of this. I can say for myself the same thing that Plautus' father said in *Threepence*: 'My time has nearly come to an end. This is your concern now.'

Cicero continues to rebuke Brutus for his leniency in this matter, and says it has no place in the current crisis. He tells Brutus that Antony and his two brothers belong in the same boat.⁹⁴ But Brutus will not kill a man outright who has not been declared a public enemy by the Senate, a scruple Cicero ought to have understood. Gaius could provide even more leverage with Antony, and to kill him would be far too rash an action. Cicero tries⁹⁵ to convince Brutus that Gaius has in fact been declared a public enemy, but his logic does not hold water. Brutus scolds Cicero for his insistence on killing a fellow Roman by strongly hinting at Cicero's past abuses.

quod enim nondum senatus censuit nec populus Romanus iussit, id adroganter non praeiudico neque revoco ad arbitrium meum.

That which the Senate has not yet decreed nor the Roman people ordered, I do not arrogantly prejudge, nor do I refer it to my own decision.

This surely would have stung the man who was exiled for doing much the same with Catiline. But, Brutus does not stop there.

multo equidem honestius iudico magisque quod conducere possit rei publicae miserorum fortunam non insectari quam infinite tribuere potentibus quae cupiditatem et adrogantiam incendere possint.

I think it is much more honorable and far better for the Republic not to harangue constantly those who are unfortunate than to bestow endless honors upon the powerful which can enflame their desire and arrogance.

⁹⁴ *ad Brutum* VII.3

⁹⁵ *ad Brutum* VIII

These two men, who had become fast friends around the time of Cicero's governorship in Cilicia, are now at a crossroads with one another and could not differ more in their interpretation of the present situation.

Besides this argument, Cicero also wants Brutus to come back to Rome in order to better protect her and the Senate from Antony's armies. As has been shown in previous chapters, Cicero viewed Brutus as his heir in guiding the Republic through turmoil by means of his oratorical abilities and philosophical learning. And even when certain amounts of violence were required in the cases of Catiline and Clodius, Cicero had not shied away. He hoped for the same commitment from Brutus in the current political situation, but Brutus simply did not share Cicero's viewpoint on Antony, Octavian, or the immediate dangers posed to the Republic. Cicero writes to Brutus in a style similar to the one he used when writing to Cassius enquiring about Brutus. The calls for Brutus to come home chiefly occur in the last third of the letters, after much of the discussion concerning Octavian and C. Antonius is over. As the letters date from early April to late July of 43, Cicero's growing concern for Brutus' return can be attributed to the worsening situation around Mutina. In June he wrote⁹⁶ to Brutus about the disaster that was unfolding at Mutina even after Antony had been defeated. Both consuls were dead, Octavian has not yielded to D. Brutus' authority, and D. Brutus himself is too slow in pursuing Antony.

quam ob rem advola, obsecro, atque eam rem publicam, quam virtute atque animi magnitudine magis quam eventis rerum liberavisti, exitu libera. omnis omnium concursus ad te futurus est. hortare idem per litteras Cassium. spes libertatis nusquam nisi in vestrorum castrorum principiis est.

For this reason, I beg you, hurry and free from disaster the Republic which you saved by your courage and strong spirit rather than by accident. Everyone will

⁹⁶ *ad Brutum XVII*

come to your side. Urge Cassius through letters to do the same thing. Hope for freedom lies nowhere except in your camps.

Brutus' decision to stay in the East and not to heed Cicero's entreaties is a testament to their difference of opinion. Cicero even publicly says that Brutus might have too much patience in the East, which could be quite dangerous.⁹⁷ Although there is never any word from Brutus' own lips as to why he remained in the East, at least part of the reason must be because he did not view events in the dire way which Cicero did. In fact, Antony never marched his army on Rome or threatened the Senate. Octavian was the one who did both. Whatever Brutus' rationale was, it did not coincide with Cicero's. And Cicero desperately wants Brutus and Cassius back in Italy.

nam cum in te non solum exercitus tui sed omnium civium ac paene gentium coniecti oculi sint... nos te tuumque exercitum exspectamus, sine quo, ut reliqua ex sententia succedant, vix satis liberi videmur fore.

For not only are the eyes of your army upon you, but so too are those of all citizens, and those of nearly the whole world... we await you and your army without which, even if everything else goes as planned, we would seem hardly to have our freedom.

Cicero's pleas to Brutus become more and more hopeless until he eventually says⁹⁸,

subveni igitur, per deos, idque quam primum, tibi que persuade non te Idibus Martiis, quibus servitutem a tuis civibus depulisti, plus profuisse patriae quam, si mature veneris, profuturum.

Therefore, by the gods, come to our aid as quickly as possible. Know that you aided your country no more on the Ides of March, when you cast slavery from your fellow citizens, than you will if you return promptly.

This letter is dated to the middle of July 43, and it is one of the last extant letters between Cicero and Brutus. Although this collection of letters is unfortunately so very short, it encapsulates many of the issues which existed between Brutus and Cicero after Caesar's

⁹⁷ *Philippics* X.23. Cf. *Philippics* X.14.

⁹⁸ *ad Brutum* XXII.2

murder. The criticism leveled against Brutus that he and his co-conspirators had nothing else planned after the murder of Caesar is quite valid. But, in Brutus' defense, he thought the murder was all that was needed. Caesar was the problem, and once he was gone, the Republic would resume functioning as it had. He did not view Antony as an heir to the throne of Caesar, and recognized that he was not an immediate threat to himself or to the Republic. Brutus' provinces in the East, his legions of soldiers, and his capture of C. Antonius were tools of negotiation, not weapons of war. He probably would have agreed with Plutarch's overall assessment⁹⁹ of Cicero as an elder statesman who was blinded in one eye by hatred of Antony and in the other by a young man's flatteries.

Cicero, on the other hand, knew that "there was nothing to be hoped for in politics".¹⁰⁰ Politics as they had been had led to the current state of affairs. So often in Cicero's earlier philosophical treatises and letters he talked about the Republic crashing down before his eyes, and then in later works that it was now the crucial and pivotal moment for the Republic. And so, Cicero knew he needed to do something different, something drastic, if he wanted to effect change and return the Republic to that model which he idealized in the second century dramatic setting of so many of his treatises. However, his judgment to make Antony his bitter enemy, to leave no room for compromise and negotiation, and to enfranchise Octavian proved a complete failure. "The last year of Cicero's life, full of glory and eloquence no doubt, was ruinous to the Roman People."¹⁰¹ Of course, Cicero is far from being the only one to blame for such a crisis. If Octavian had remained under Cicero's guidance, then perhaps "the most

⁹⁹ Plutarch, *Cicero*. See esp. his comparison with Demosthenes.

¹⁰⁰ Rawson (1975, p. 274)

¹⁰¹ Syme (1939, p. 4)

irrational of all civil wars”¹⁰² could have been avoided. Both Brutus and Cicero played their parts well and acted as they each thought best, but it was the young Octavian who schemed and finally overthrew any chance for a renewed Republic.

¹⁰² Syme (1939, p. 139)

Conclusion

There is a reason why Brutus shouted the name of Cicero while completing his divine deed on the Ides of March¹, and although Cicero's explanation may be a little clouded by the ultimate purpose of the *Philippics*, it is the same reason that Cicero dedicated so many rhetorical and philosophical works to him in the waning years of the Republic. As Cicero puts it,

cur mihi potissimum? quia sciebam? vide ne illa causa fuerit appellandi mei quod, cum rem gessisset consimilem rebus eis quas ipse gesseram, me potissimum testatus est se aemulum mearum laudum exstitisse.

Why me above all? Because I knew of the plot? Take notice that that is not the reason why he called my name. It is because when he had performed a duty very similar to those which I had done, he called me especially to witness that he now stood out as my rival in glory.

He continues²,

omnes ergo in culpa. etenim omnes boni, quantum in ipsis fuit, Caesarem occiderunt: aliis consilium, aliis animus, aliis occasio defuit; voluntas nemini.

And so all of us are to blame. In fact, all the *boni* killed Caesar, however much each was able. Some lacked sagacity, some courage, some opportunity: none lacked the desire.

Cicero may not have been a member of the plot to murder Caesar, but he was most certainly an integral member of a much wider movement which, for various reasons, saw Caesar and his autocracy as the summation of all that was currently ailing the Republic. Cicero and Brutus had become friends through the instigation of Atticus around the year 51, very near to the time that Caesar's power was growing exponentially and beginning

¹ *Philippics* II.28

² *Philippics* II.29

to rival that of Pompey. During the turmoil of the Civil War and afterwards when Caesar was bringing many institutions and upstanding Romans under his own sway, Brutus and Cicero viewed the world in remarkably similar terms. After Pharsalus both accepted Caesar's invitations back to Rome and both fell under his remarkable charisma. And although Brutus may have been closer to Caesar personally, neither of them truly became what Caesar had hoped for, nor did either act as Caesar wanted. It seems that from early on in Caesar's regime both Brutus and Cicero recognized in him the makings of a destroyer and usurper who was not guided by an honest moral compass or the proper philosophical schooling. Their thoughts concerning Caesar were one and the same. And while Cicero supplied the *consilium*, as the above quotation might be read, Brutus supplied the *animus*. The two of them ultimately played different roles in Caesar's murder, but they were both equally culpable. As this dissertation has demonstrated, up until the events after the Ides of March, Cicero and Brutus pursued strikingly similar paths of oratorical and philosophical thought in order to justify the murder of a friend and benefactor to both of them.

Far from being oratorical rivals with one another because of their chosen styles, Brutus and Cicero urged one another along through almost constant discussion of the Attic and Asianic styles. As discussed in Chapter One, the common thread of scholarship claims that there was something of a disagreement between Brutus and Cicero regarding their oratorical styles, if not a full-blown feud accompanied by attacks from both sides belittling the chosen style of each. This argument takes as its premise that Cicero was an Asianic orator, who prided himself on long periodic sentences, bombastic flare, and over-the-top flamboyance, and that Brutus was an out-and-out Attic orator, who rather enjoyed

a short and almost stunted style which prided itself on preciseness in vocabulary in order to get across the fullest meaning in the fewest words.

As has been demonstrated, this premise is false. Although Brutus and Cicero did have different tastes and preferences when it came to oratorical style, this does not imply any sort of hostility between them. On the contrary, their difference of opinion made for some interesting and in depth discussion of the issue, which is most prevalent in the *Brutus* and the *Orator*, both dedicated to Brutus. Cicero praises the style of Brutus numerous times, noting his fine speech in support of King Deiotarus and his Capitoline speech given the day after Caesar's murder. Furthermore, to place Cicero and Brutus rigidly in separate oratorical 'schools' is to misunderstand Cicero's discussions of the *genera dicendi*. Cicero did not belong to any 'oratorical school', and that is precisely his chief argument in the *Orator*. He says repeatedly that each style has its own unique qualities; its own merits and drawbacks. To be a truly good and effective orator, such as Demosthenes, one must master all three styles in order to utilize specific characteristics of each for the appropriate occasion. This is Cicero's message to Brutus, and their scholarly debate surely brought them closer rather than driving them apart.

As Brutus is the namesake for Cicero's most unique discourse on Roman oratory, as well as one of the interlocutors in the dialogue, he must have been an important figure in Cicero's life at the time. The *Brutus* itself was written at a critical time in both Cicero's and Brutus' lives. In 46, when the *Brutus* was written, Caesar was returning to Rome and there was much anxiety concerning what he had in store for the ailing Republic. For this reason, much scholarship on the *Brutus* interprets its message as hopeless and fatalistic; claiming that this is Cicero's *laudatio funebris* for oratory itself. Although there certainly

are political undertones throughout the *Brutus*, and many of them do in fact portray a Cicero who is concerned for and perhaps even mourning what has betaken the Republic, this does not imply that Cicero has lost hope either for the Republic or for oratory. Rather, the *Brutus* stands as a beacon for the possibilities of the power of oratory in this trying time. Much as the *pro Marcello* is a hopeful guide for Caesar as to what he might accomplish with his newly found political power, so too the *Brutus* demonstrates what Roman oratory and orators have accomplished in the past with the implication that oratory can do the same in the present and future. This implication is made explicit at the end, where Cicero calls on Brutus to guard oratory and protect her. Brutus is the focus of the entire dialogue, and he is always the one in the dialogue prodding Cicero to forget his rule of not speaking about the present. The chronological progression of the *Brutus* naturally leads from the past, when orators such as Antonius and Crassus led the Republic through the turmoil of Sulla; to the present with the recent death of Hortensius, who was Cicero's greatest peer, and to Cicero himself who accomplished so many meritorious deeds by his own oratorical abilities; and finally to the future, which is encompassed in Cicero's great hope for Brutus. Far from being a pessimistic account of the current situation, the *Brutus* represents Cicero's trust in the power of oratory to right the ship of State. And it also represents Cicero's hope and belief in young Brutus, whose oratorical acumen can lead the State once Cicero is gone.

Additional proof of the unique friendship between Brutus and Cicero is the simple fact that six extant philosophical works, dating from 46-44 are dedicated to Brutus. This is far more than are dedicated to Atticus or to Cicero's brother, Quintus. Brutus was not only close to Cicero because of his oratorical learning, but also, and perhaps more

importantly, because of his philosophical training and knowledge. It was Brutus' own *de Virtute* which helped guide Cicero through the turmoil of Caesar's autocracy. In Brutus, Cicero had someone with whom he could discuss philosophy in a learned manner. Many of the treatises dedicated to Brutus have at their core the way in which philosophy can best be harnessed for the sake of the Republic. This is no surprise, as Cicero thought philosophy a noble pursuit only in pragmatic terms --if it were useful in some way, particularly for the Republic. And as Caesar's autocracy crept closer and closer to *regnum*, both Cicero and Brutus turned to philosophy in order to find a means of coping with such tyranny. At first, Cicero's philosophical works explore the various avenues available, much like Brutus' *de Virtute* had done. And they extol action. Not yet the murder of Caesar, as much scholarship has argued, but political and moral action. As a certain Varius Geminus would later say³,

quid deficiamus? et res publica suos triumviros habet.

Why do we lose hope? The Republic too has her own triumvirs.

Now, the 'triumvirs' of whom he is speaking are Brutus, Cassius, and Sextus Pompeius. And while this quotation is more so referring to the actions of these three men after the Ides of March against Antony, Octavian, and Lepidus, it still brings to mind that Brutus was a respected *nobilis* in the Republic, perhaps the most respected. His name, his political connections, and his moral standing made him a focal point for Caesar as well as Cicero. And when Caesar's tyranny had reached an unbearable level, it was Brutus who lent credence and justification to Caesar's murder. As Plutarch⁴ puts it,

³ Seneca, *Suasoriae* VI.11

⁴ *Brutus* 10

What the enterprise needed most of all was the reputation of a man such as Brutus, whose presence would, as it were, consecrate the victim and ensure the justice of the sacrifice by the mere fact of his participation.

Plutarch's entire *Life of Brutus* depicts Brutus largely as a philosophical man whose morality both came from his philosophical training, and also was crucial for the justification of Caesar's murder as a necessary act against tyranny rather than the treasonous slaying of a friend. There is no doubt Plutarch's view of Brutus was heavily influenced by Cicero's. After the Ides of March, Cicero aided in this justification most directly with the *de Amicitia*, which was a strong counter-argument against those who claimed Brutus had violated *amicitia* by murdering Caesar. In the *de Amicitia*, which is a much darker treatise than is usually realized, Cicero spends a great amount of time and effort explaining exactly when friendship must be set aside. Although friendship can be a wonderful thing, it must never be placed above the State. Most crucially, if a friend is committing wrongs against the State, then that friendship is forfeit. And there was no better example of this than the friendship between Brutus and Caesar. Cicero rejoiced in Caesar's murder partially because Brutus had fulfilled Cicero's long-held philosophical doctrine that the State comes before anything else.

The philosophical harmony that existed between Cicero and Brutus and which culminated on the Ides of March, however, would not last long afterwards. While the tyrant was gone, the tyranny remained. In Cicero's eyes, Brutus had left the deed only half done; an opinion which Cicero never missed an opportunity to make known. Antony was quickly at the head of the Caesarian party, and Cicero felt Antony deserved the same fate as Caesar. Brutus never shared this opinion, and a wedge developed between the two of them concerning what was now best for the Republic. It was at this point that Cicero

wrote the *de Officiis*, the most acerbic of all his philosophical works. In it he directly names Caesar and praises his murder as both an honorable and beneficial act, since tyranny can in no way be tolerated. Also implicitly mentioned are Antony and his denizens who, so Cicero claims, are aiming at the very same *regnum* for which Caesar was killed. So begins Cicero's unrelenting attacks against Antony, which reach their fruition in the *Philippics*. To Cicero's disappointment, Brutus did not agree with his hard-line stance. Brutus did not want to corner Antony and force yet another war. He believed the chief problem had been solved with the removal of Caesar, and that now politics should be utilized.

On the Ides of March I gave up my life to my country, and since then for her sake I have lived another life which is free and glorious.⁵

He would not go along with Cicero's constant entreaties to label Antony and his brother as public enemies, nor would he return to Italy to wage war. The thoughts of Brutus might best be summed up by Seneca.⁶

sic M. Cicero decessit, vir natus ad rei publicae salutem, quae diu defensa et administrata in senectute demum e manibus eius elabatur, hoc ipsius vitio laesa, quod nihil in salutem eius aliud illi quam si caruisset Antonio placuit.

So died Cicero, a man born for the welfare of the Republic, which he defended and managed for a long time up until old age when it slipped from his hands, destroyed by his own fault: that nothing else would convince him the Republic was safe except Antony's disappearance.

And although Antony was a point of strong disagreement, there was nothing about which Cicero and Brutus disagreed more than the young Octavian. The *Epistulae ad Brutum* are marked out by a consistent division between Brutus and Cicero; the strongest concerning Octavian. Although Cicero is wary of Octavian, he nevertheless

⁵ Plutarch, *Brutus* 40

⁶ *Suasoriae* VI.23; spoken by Aufidius Bassus.

promotes him among his fellow Senators and is his advocate in acquiring senatorial approval for many of his actions. The way in which Brutus views Octavian is almost a reflection of how Cicero sees Antony. Brutus believes that Octavian is Caesar's true heir and that Cicero is demonstrating a lack of foresight in equipping him with so much power in order to be a tool against Antony. Cicero wanted Antony ousted at any cost, and believed Octavian could be shaped and influenced by his own counsel. History would prove Brutus the wiser.

The relationship between Cicero and Brutus spanned both of Cicero's great passions, oratory and philosophy. In Brutus, Cicero recognized a compatriot who was eager for knowledge in both disciplines and was well respected for his abilities in each. Cicero was confident that Brutus could be for the future what he himself had been for the past; a helmsmen of the State who could lead her by means of oratorical skill and philosophical wisdom. Although the will of Caesar would rule the day, Cicero still says to Atticus⁷,

ille exsilium meditari. nos autem alium portum propriam huic aetati videbamus; in quem mallet equidem pervehi florente Bruto nostro constitutaque re publica. sed nunc quidem, ut scribis, non utrumvis. adsentiris enim nostram aetatem a castris, praesertim civilibus, abhorrere.

Brutus is contemplating exile. However, I see another harbor more appropriate for my age; into which I would have preferred to sail while our friend Brutus was in charge and the State was standing strong. But at this point, as you say, neither is possible. You agree that at our age we are most unfit for war, especially civil war.

What the orators Crassus and Antonius had passed to Cicero, he had hoped to pass along to Brutus so that he might retire to old age while his friend and respected peer was guiding the Republic.

⁷ *ad Att.* XIV.19.1

As far as Cicero's extant writings are concerned, November 44 is the last letter between Cicero and his dear friend Atticus.⁸ Likewise, May or perhaps June 43 is the last letter in the *ad Familiares*⁹, which is, appropriately enough, a recommendation letter to Brutus on behalf of Cicero's friend, L. Lamia. And the very last piece of writing from Cicero is the final letter of the *Epistulae ad Brutum*, written to Brutus in July 43. This leaves quite a gap between the end of Cicero's writings and that fateful day in early December when Antony's denizens at last caught up with Cicero. Why there are no letters during this five-month span can perhaps never be answered, but it may not be mere coincidence that the latest letters in Cicero's life were addressed to M. Iunius Brutus. This was a man who received a great deal of attention in the final years of Cicero's life, politically, but more importantly rhetorically and philosophically. Brutus had earned the respect of Cicero because of his dedication to the study of oratory, his erudition in the field of philosophy, and, in the last, his loyalty to his early ancestor who had rid Rome of the prospect of tyranny.

All four Cicerones¹⁰ were placed on the triumvirs' proscription lists, and three of the four met with such an end. Cicero's son Marcus, however, survived not in the least because Cicero had placed him under the care and guidance of Brutus in the East. Marcus escaped the defeat at Philippi, and returned to Rome under the amnesty granted in 39 and pursued a comparatively ignominious career. Although he was appointed as an Augur by Octavian, who seemed to take a liking to him, and later became consul in 30, and a governor in Asia, his biggest claim to fame was being the most prolific drinker in Rome.

⁸ *ad Att.* XVI.15

⁹ *ad Fam.* XI.17

¹⁰ Marcus, his brother Quintus, and both of their sons.

However this may be, surely it is the greatest testament to Cicero's affection for Brutus and his respect for his wisdom as a man and as a philosopher that, during a time of such turmoil and distress, he placed his own son and his well-being in Brutus' hands.

Appendix

The Writings of Marcus Brutus

As the writings of Brutus are mentioned throughout this dissertation, the sheer lack of knowledge concerning their content and message has been emphasized. However, it may be of service to see in one conspectus the whole of his literary accomplishment as attested by ancient sources. His writings included poems, historical epitomes, philosophical treatises, orations (including panegyrics), and letters.

I. Of the poems practically nothing is known. In a rather long list, Pliny, *Epistulae* V.3.5, numbers Brutus among the writers of erotic verse. Tacitus, *Dialogus* 21, observes humorously that both Caesar and Brutus wrote poems which were no better than Cicero's, but with which they had better luck, since fewer persons knew that they had written them. *fecerunt enim et carmina et in bibliothecas rettulerunt, non melius quam Cicero, sed felicius, quia illos fecisse pauciores sciunt*. There is another possible reference to his poetry in Statius, *Silvae* IV.9.20, when he mentions the *Bruti senis oscitationes* ("the boring writings of old Brutus"). But this is far too ambiguous, as it may refer to any number of the family of the *Bruti*, and the "yawn-inducing" works do not necessarily have to be poems.

II. Of the epitomes a little more is known. They were three:

1. Epitome of C. Fannius; *ad Att.* XII.5.3.
2. Epitome of Coelius Antipater; *ad Att.* XIII.8.

3. Epitome of Polybius; Plutarch, *Brutus* 4.4.

Cicero used the epitome of Fannius, and later suspected that it was inaccurate (*ad Att.* XII.5.3), *conturbat enim me epitome Bruti Fanniana* (“Brutus’ epitome of Fannius confuses me”). How accurate the other two were is not attested. Brutus wrote the epitome of Polybius while encamped with Pompey at Pharsalus.

III. The philosophical treatises were likewise three in number:

1. *de Virtute*: Cicero, *de Finibus* I.3.8; *Tusculanae Disputationes* V.1.1; Seneca, *ad Helviam* IX.4. It was dedicated to Cicero, and was written after a visit paid by Brutus in 47 to M. Marcellus in voluntary exile in Mytilene. As well, it was surely the impetus for the *Brutus* itself (*Brutus* 11-13).¹
2. *peri Kathekontas*: Seneca, *Epistulae* XV.95.45. Its message may have been very similar to that of Cicero’s *de Officiis*, which would be the Latin translation of *peri Kathekontas*.
3. *de Patientia*: Diomedes Grammaticus, I.383-8. Diomedes’ discussion, while at some bit of length, is purely grammatical, and so gives no insight into what the treatise may have been about.

IV. The orations were more numerous. They consisted of the following:

1. *de Dictatura Cn. Pompei*: Quintilian IX.3.95. It was a violent protest against the movement in 52 to give Pompey a dictatorship rather than a sole consulship. *praestat enim nemini imperare quam alicui servire: sine*

¹ Hendrickson (1939)

illo enim vivere honeste licet, cum hoc vivendi nulla condicio est (“It is better to rule no one than to be a slave to anyone. It is possible to live an honorable life without ruling, but there is no possible condition of living with enslavement”).

2. *pro Milone*: Quintilian III.6.93; X.1.23, 5.20. It was only an exercise, or a practice composition.

3. *pro Appio Claudio*: Cicero, *Brutus* 230, 324; cf. *ad Fam.* III.10.2, 11.3.

4. *pro Deiotaro rege*: Cicero, *Brutus* 21; *ad Att.* XIV.1.2; Tacitus, *Dialogus* 21; cf. Plutarch, *Brutus* 6.3. In the *Brutus*, Cicero praises this speech.

5. *Laudatio Appii Claudii*: Diomedes Grammaticus I.367.26-7; cf.

Valerius Maximus I.8.10; Lucan V.195-6. It was composed after the death of Claudius in 48.

6. *Laudatio Catonis*: Cicero, *ad Att.* XII.21.1; XIII.46.2. Cicero first wrote a eulogy of Cato, which was quickly followed by an *anti-Cato* of Caesar’s. It is likely that Brutus’ version was written after Caesar’s, and in response to it Caesar’s friend Hirtius wrote yet another *anti-Cato*.

7. *Contio Capitolina*: Cicero, *ad Att.* XV.1.2, cf. 3.2, 4.3; Appian II.137-141. It was delivered on March 16, 44, one day after the murder of Caesar. Brutus asked Cicero to look over this speech before it was published.

8. *Contiones in Octavium*: Tacitus, *Annales* IV.34. Nothing is really known about these, but Tacitus uses the word *acerbitas* to describe them,

and so they likely contained sentiments concerning Octavian similar to those found in the exchange of letters between Cicero and Brutus.

The chief characteristic of Brutus' oratory, at least in the opinion of Quintilian, XII.10.11, was *gravitas*. Likewise, Tacitus, *Dialogus* 25, discusses *gravior Brutus*. Neither esteemed Brutus' oratory very highly, and the supposed feud between Cicero and Brutus as concerns oratorical style has been discussed in Chapter One.

V. The letters of Brutus were in Latin and in Greek², and while general mention of them is made by Quintilian IX.4.75 (*Brutus in epistulis*), and by Diomedes Grammaticus I.388-7, more specific mention of groups of letters are also named. Surely such a man as Brutus would have had a corpus of letters which at the very least would have equaled that of Cicero's.

1. *Correspondence with Cicero*: Originally these letters amounted to at least nine books; but now there are only the twenty-four letters which form the *Epistulae ad Brutum*. Seventeen of the letters are from Cicero to Brutus, and seven are from Brutus to Cicero. Along with these twenty-four letters in some of the manuscripts³ are two more letters; the first from Brutus to Cicero, and the second from Brutus to Atticus. The entire collection was considered spurious for some time, but now the first twenty-four letters are recognized as genuine, while the final two are generally considered spurious. Shackleton Bailey points to several specific

² The best overall account of Brutus' epistolary output is Moles (1997).

³ Cf. Shackleton Bailey (1980, pp. 10-4). His introduction gives the best information on the *ad Brutum* collection.

pieces of evidence in order to claim that they are forgeries, but perhaps the most obvious marker is their tone. While the letters between Cicero and Brutus have a great deal of frustration and erupting anger in them, letters 25 and 26 come closer to invective than conversation.

2. *Letters of Calvus and Brutus to Cicero*: Tacitus, *Dialogus* 18. The content of these letters apparently had something to do with each of the three's oratorical styles and abilities.

3. *Correspondence with Caesar*: Charisius I.130.15. No other mention is made of these, but they would surely make for a good read.

4. *Letters from Philippi*: Pliny, *Historia Naturalis* XXXIII.3.39. The content of these letters is unknown.

Bibliography

- Barnes, J. and M. Griffin, eds. (1997) *Philosophia Togata II: Plato and Aristotle at Rome*. Oxford.
- Borzák, S. (1985) "Le Dialogue de Tacite et le Brutus de Cicéron." *BAGB*: 289-98.
- Broughton, T. (1984-1986) *The Magistrates of the Roman Republic*. Scholars Press. 3 vols.
- Brunt, P. (1986) "Cicero's *Officium* in the Civil War." *JRS* 76: 12-32.
- (1988) *The Fall of The Roman Republic and Related Essays*. Oxford.
- Castorina, E. (1952) *L'atticismo nell' evoluzione del pensiero di Cicerone*. Catania.
- Charrier, S. (2003) "Les années 90-80 dans le *Brutus* de Cicéron: la formation d'un orateur au temps des guerres civiles." *REL* 81: 79-96.
- Clarke, M. (1981) *The Noblest Roman: Marcus Brutus and His Reputation*. Cornell.
- Crook, J., A. Lintott, E. Rawson, eds. (1994) *The Cambridge Ancient History, Vol IX: The Last Age of the Roman Republic, 146-43 B.C.* Cambridge.
- Dillon, J. (2007) *The Cambridge Introduction to Shakespeare's Tragedies*. Cambridge.
- Dominik, W., ed. (1997) *Roman Eloquence: Rhetoric in Society and Literature*. Routledge.
- Dominik, W. and Jon Hall. (2007) *A Companion to Roman Rhetoric*. Blackwell.
- Douglas, A. (1966) *M. Tulli Ciceronis Brutus*. Oxford.
- (1988) "Review of Ciceros '*Brutus*' als literarisches Paradigma eines Auctoritas-Verhältnisses by Clemens Rathofer." *Classical Review* 38: 414-5.
- Dunkle, J. (1967) "The Greek Tyrant and Roman Political Invective of the Late Republic." *TAPA* 98: 151-71.
- Dyck, A. (1996) *A Commentary on Cicero, De Officiis*. Ann Arbor.
- Fantham, E. (1977) "Cicero, Varro, and M. Claudius Marcellus." *Phoenix* 27: 262-75.

- (1989) "The Growth of Literature and Criticism at Rome." in *The Cambridge History of Literary Criticism, Vol. I, Classical Criticism*, ed. G. Kennedy. Cambridge: 220-44.
- (2006) *The Roman World of Cicero's De Oratore*. Oxford.
- Filbey, E. (1911) "Concerning the Oratory of Brutus." *CPh* 6: 325-33.
- Gelzer, M. (1938) "Ciceros 'Brutus' als politische Kundgebung." *Philologus* 93: 128-31.
- Gill, C. (1988) "Personhood and Personality: The Four-*Personae* Theory in Cicero, *De officiis* I." *OSAP* 6: 169-99.
- Gotoff, H. (1979) *Cicero's Elegant Style: An Analysis of the Pro Archia*. Illinois.
- Gowing, A. (2000) "Memory and Silence in Cicero's *Brutus*." *Eranos* 98: 39-64.
- Griffin, M. (1989) "Philosophy, Politics, and Politicians in Rome." in *Philosophia Togata*, eds. M. Griffin and J. Barnes. Oxford: 1-37.
- (1997) "From Aristotle to Atticus: Cicero and Matius on Friendship." in *Philosophia Togata II*, eds. J. Barnes and M. Griffin. Oxford: 86-109.
- Griffin, M. and E. Atkins. (1991) *Cicero: On Duties*. Cambridge.
- Griffin, M. and J. Barnes, eds. (1989) *Philosophia Togata*. Oxford.
- Gruen, E. (1967) "Cicero and Licinius Calvus." *HSCPh* 71: 215-33.
- (1974) *The Last Generation of the Roman Republic*. California.
- Habicht, C. (1990) *Cicero the Politician*. Johns Hopkins.
- Habinek, T. (1990) "Towards a History of Friendly Advice: The Politics of Candor in Cicero's *De Amicitia*." *Apeiron* 23: 165-85.
- Haenni, F. (1905) *Die litterarische Kritik in Cicero's "Brutus"*. Sarnen.
- Hall, J. (2002) "The *Philippics*." in *Brill's Companion to Cicero: Oratory and Rhetoric*, ed. J. May. Brill: 273-304.
- Hendrickson, G. (1906a) "The *De Analogia* of Julius Caesar: Its Occasion, Nature, and Date, with Additional Fragments." *CPh* 2: 97-120.

- , (1906b) "Literary Sources in Cicero's *Brutus* and the Technique of Citation in Dialogue." *AJPh* 27: 184-99.
- , (1926) "Cicero's Correspondence with Brutus and Calvus on Oratorical Style." *AJP* 47: 234-58.
- , (1939) "Brutus, *De Virtute*." *AJPh* 60: 401-13.
- Howe, H. (1951) "Amafinius, Lucretius, and Cicero." *AJPh* 72: 57-62.
- Johnson, W. (1971) *Luxuriance and Economy: Cicero and the Alien Style*. California.
- Jones, R. (1939) "Cicero's Accuracy of Characterization in his Dialogues." *AJPh* 60: 307-25.
- , (1943) "Brutus in Cicero and Shakespeare." *CJ* 38: 449-57.
- Kahn, A. (1986) *The Education of Julius Caesar: A Biography, a Reconstruction*. New York.
- Kennedy, G. (1968) "Antony's speech at Caesar's funeral." *QJS* 54: 99-106.
- , (1972) *The Art of Rhetoric in the Roman World*. Princeton.
- , ed. (1989) *The Cambridge History of Literary Criticism, Vol. I, Classical Criticism*. Cambridge.
- Konstan, D. (1997) *Friendship in the Classical World*. Cambridge.
- Kumaniecki, K. (1957) "Ciceros *Paradoxa Stoicorum* und die römische Wirklichkeit." *Philologus* 101: 113-34.
- Leach, E. (1993) "Absence and Desire in Cicero's *De Amicitia*." *CW* 87: 3-20.
- Lintott, A. (2008) *Cicero as Evidence*. Oxford.
- Long, A. (1995) "Cicero's Politics in *De officiis*." in *Justice and Generosity: Studies in Hellenistic Social and Political Theory*, eds, A. Laks and M. Schofield. Cambridge: 213-40.
- MacKendrick, P. (1989) *The Philosophical Books of Cicero*. New York.
- , (1995) *The Speeches of Cicero*. London.
- May, J. (1988) *Trials of Character: The Eloquence of Ciceronian Ethos*. Chapel Hill.

- , ed. (2002) *Brill's Handbook to Cicero's Oratory and Rhetoric*. Leiden.
- (2007) "Cicero as Rhetorician." in *A Companion to Roman Rhetoric*, eds. W. Dominik and J. Hall. Blackwell: 250-63.
- Mayer, R. (2001) *Tacitus: Dialogus de Oratoribus*. Cambridge.
- Mitchell, T. (1979) *Cicero: The Ascending Years*. Yale.
- (1991) *Cicero: The Senior Statesman*. Yale.
- Moles, J. (1997) "Plutarch, Brutus and Brutus' Greek and Latin Letters." in *Plutarch and his Intellectual World*, ed. J. Mossman. Duckworth: 141-68.
- Momigliano, A. (1941) "Review of B. Farrington, *Science and Politics in the Ancient World*." *JRS* 31: 149-57.
- Mommsen, T. (1856-1885) *Römische Geschichte*. Berlin. 4 vols.
- Narducci, E., ed. (1955) *Cicerone: Bruto*. Milan.
- (2002) "Brutus: The History of Roman Eloquence." in *Brill's Companion to Cicero: Oratory and Rhetoric*, ed. J. May. Brill: 401-25.
- Norden, E. (1915) *Die antike Kunstprosa, vom 6. Jahrh. v. Chr. bis in d. Zeit d. Renaissance*. Leipzig.
- Osgood, J. (2006) "Eloquence Under the Triumvirs." *AJPh* 127: 525-51.
- Powell, J. (1998) "Reviews and Notices of Publications." *JRS* 78: 216-7.
- Raaflaub, K. (1974) *Dignitatis contentio: Studien z. Motivation u. polit. Taktik im Bürgerkrieg zwischen Caesar u. Pompeius*. München.
- Rathofer, C. (1986) *Ciceros Brutus als literarisches Paradigma eines Auctoritas Verhältnisses*. Frankfurt.
- Rawson, B. (1978) *The Politics of Friendship: Cicero and Pompey*. Sydney.
- Rawson, E. (1983) *Cicero: A Portrait*. Ithaca.
- (1985) *Intellectual Life in the Late Roman Republic*. Johns Hopkins.
- Robinson, E. (1951) "The Date of Cicero's Brutus." *HSCPh* 60: 137-46.

- Schmid, W. and O. Stählin. (1948) *Geschichte d. griechischen Literatur*. München. 5 vols.
- Sedley, D. (1997) "The Ethics of Brutus and Cassius." *JRS* 87: 41-53.
- Salem, A. (1987) "Antiepicureismo e Politica Nei Primi Libri Del *De Finibus*." *Cultura e Scuola* 26: 57-60.
- Shackleton Bailey, D. R., ed. (1965-1970) *Cicero's Letters to Atticus*. Cambridge. 7 vols.
- (1971) *Cicero*. New York.
- , ed. (1977) *Cicero, Epistulae ad Familiares*. Cambridge. 2 vols.
- , ed. (1980) *Cicero: Epistulae ad Quintum Fratrem et M. Brutum*. Cambridge.
- , ed. (1986) *Cicero: Philippics*. Chapel Hill.
- Sumner, G. (1973) *The Orators in Cicero's Brutus: Prosopography and Chronology*. Toronto.
- Syme, R. (1939) *The Roman Revolution*. Oxford.
- Tatum, W. (2008) *Always I am Caesar*. Blackwell.
- Taylor, L. (1949) *Party Politics in the Age of Caesar*. California.
- Wilamowitz, M. (1900) "Asianismus und Atticismus." *Hermes* 35: 1-52.
- Wilkins, A. (1948) *Brutus; Orator; de Optimo Genere Oratorum; Partitiones Oratoriae; Topica*. Oxford.
- Wirszubski, C. (1950) *Libertas as a Political Idea at Rome During the Late Republic and Early Principate*. Cambridge.
- Wisse, J. (2002) "The Intellectual Background of Cicero's Rhetorical Works." in *Brill's Companion to Cicero: Oratory and Rhetoric*, ed. J. May. Brill: 331-74.
- Wooten, C. (1983) *Cicero's Philippics and Their Demosthenic Model*. Chapel Hill.

GABRIEL P. GRABAREK

1345 W. Allen St.
Bloomington, IN 47403
(812) 339-2275
ggrabare@indiana.edu

Education

Indiana University, Classical Studies, Ph.D., expected 2010
Florida State University, Greek and Latin, M.A., 2002
Indiana University, Classical Civilization, B.A., 2000
American School of Classical Studies at Athens, Summer 2008

Employment

Latin Teacher, Pope John Paul II High School, Hendersonville, TN, 2003-2006
Latin Teacher, Sage Ridge School, Reno, NV, 2002-2003

Teaching and Research Interests

Latin Language and Literature; Roman Republican History; Cicero; Ancient Sparta

Dissertation

Men of Letters: The Literary and Philosophical Relationship of Cicero and Brutus.
Committee: Eleanor W. Leach (Chair), Betty Rose Nagle, James Franklin, Eric Robinson

Papers Delivered

“Memory and Authority in Tacitus’ Use of the *Res Gestae*,” Classical Association of the Middle West and South Annual Meeting (CAMWS), April 2009

“Cicero’s *de Senectute* and the Realities of Old Age,” 20th Annual Duke University/University of North Carolina Graduate Colloquium, “Dialogues of the Vulnerable: Children and the Elderly in the Ancient World”, March 2009

“The Claudii Marcelli in Cicero’s *Brutus*,” CAMWS, April 2008

“Religious Objections to Caesar’s Consular Legislation,” Indiana University Religious Studies Symposium, “Religion and the State”, March 2008

Academic Honors

Field Scholarship, American School of Classical Studies at Athens, Summer 2008

National Endowment for the Humanities Grant, to attend “Horace and Catullus,” a seminar at The College of Notre Dame, Baltimore, MD, Summer 2005

Classes Taught at Indiana University

“This Is Sparta!” (Sole Instructor)
Classical Epics (Sole Instructor)
Intensive Latin for Graduate Students (Sole Instructor)
Latin II, III (Sole Instructor)
Greek Culture (Discussion Section Leader)
Classical Mythology (Discussion Section Leader)
Roman Culture (Grader)
Classical Art and Archaeology (Grader)

Classes Taught at Florida State University

Latin I, II (Sole Instructor)

Intermediate Latin: Vergil (Sole Instructor)

Classes Taught at Pope John Paul II High School (Hendersonville, TN)

Latin I, II, III, IV, Advanced Placement

Ancient History

World History

Classical Mythology

Classes Taught at Sage Ridge School (Reno, NV)

Introduction to Latin

Latin I, II, III

References

Eleanor W. Leach

leach@indiana.edu

Matthew Christ

mrchrist@indiana.edu

James Franklin

franklin@indiana.edu

Eric Robinson

ewr@indiana.edu

Francis Cairns

fcairns@fsu.edu