

NOTES ON CICERO'S *POST REDITUM* SPEECHES

The appearance of the excellent Teubner text (Leipzig 1981) of Cicero's *Post Reditum* speeches by T. Maslowski has crowned a period in which a fair amount of editorial attention has been devoted to them¹). There remain a few loose ends, and the object of this paper is to tie up some knots. In order to appreciate those manuscript variants which I quote, it is only necessary to know that P is by far the most reliable source and H by far the least.

Post Reditum in Senatu

1 *Si, patres conscripti, pro vestris immortalibus in me fratrem-que meum liberosque nostros meritis parum vobis cumulate gratias egero, quaeso obtestorque ne meae naturae potius quam magnitudini vestrorum beneficiorum id tribuendum putetis. quae tanta enim potest exsistere ubertas ingeni, quae tanta dicendi copia, quod tam divinum atque incredibile genus orationis, quo quisquam possit vestra in nos universa promerita non dicam complecti orando, sed percensere numerando?*

With the beginning of this speech compare Pan. Lat. 8. 1. 3 (p. 215 Mynors), with verbal similarities spaced: *quaevīs* (Mynors; *quamvīs* codd.) *enim prima tunc in renascentem rem p. patris ac patruī tui merita, licet dicendo aequare non possem, possem tamen vel censere numerando*. For *vel censere* the lost codex Bertinensis had *recensere*; Cicero has *percensere*.

4 *itaque vestro studio atque auctoritate perfectum est ut ipse ille annus, quem ego mihi quam patriae malueram esse fatalem, octo*

1) One notes in particular the Budé texts by Wuilleumier and Tupet (1951 and 1966; the latter volume, containing the *De Haruspicum Responso*, was reviewed by me in CR 17, 1967, 299) and the commentary on the *De Haruspicum Responso* by J. O. Lenaghan (The Hague 1969). Nothing of import is contributed by the Mondadori edition (1968) of this speech by A. Guaglianone, or by H. Kasten's *Ciceros Staatsreden 2* (Berlin 1969), and as for the Mondadori edition of the *Post Red. in Sen.*, silence is best.

tribunos haberet qui et promulgarent de salute mea et ad vos saepenumero referrent (nam consules modesti legumque metuentes impediabantur lege, non ea quae de me, sed ea quae de ipsis lata erat), cum meus inimicus promulgavisset ut, si revixissent ii qui haec paene delerunt, tum ego redirem.

promulgavisset Ernesti, -avit codd.

So should this sentence be read and punctuated, since *consules impediabantur cum meus inimicus promulgavit* is a totally incoherent statement. It follows that the *cum*-clause must be related not to *consules impediabantur*, but to *octo tribunos qui promulgarent*, so that Clodius is contrasted with the eight pro-Cicero tribunes (the tenth, pro-Clodius tribune was Aelius Ligus). Because Cicero is seeking this contrast, he repeats the same verb *promulgare*, though he might more exactly have applied *tulisset* to Clodius' bill. *Nam ... erat* now becomes the common type of *praeteritio*, '(I do not mention the consuls,) for ...'; the point of the clause is explained by De Domo 70 (*dicebant*) *lege istius impediti. Erat hoc verum, nam impediabantur, verum ea lege quam idem iste de Macedonia Syriaque tulerat.*

Post Reditum ad Populum

1-2 *quod precatus a Iove O. M. ceterisque dis immortalibus sum, Quirites, ... eius devotionis me esse convictum ... maxime laetor, Quirites (qui r. P), etsi nihil est homini magis optandum quam prospera, aequabilis perpetuaque fortuna ... , tamen, si mihi tranquilla et placata omnia fuissent, incredibili quadam et paene divina ... laetitiae voluptate caruissem.*

It is generally, and rightly, agreed that a conjunction of some kind is required where the second *Quirites* now stands. All modern editors follow Madvig in altering *Quirites* to *quare*, which produces nonsense ('I am pleased to have to pay my debt to the gods, therefore [!?] I would have missed my present pleasure'). Not *quare* but *quia*; at Leg. Agr. 2.27 *Quirites* is corrupted to *quia* in virtually all manuscripts. Peterson (OCT) and Hotoman got the sense right in adding *namque* or *enim*, but these are rough operations. We end up with a huge sentence, 18 lines in Maslowski's text, but a very similar *devotio* in De Domo 144-5 covers 22.

7 *at me ... C. Pisonis, generi mei, divina quaedam et inaudita auctoritas atque virtus ... a vobis deprecatae sunt.*

For *auctoritas atque* P reads *satque*, which suggests mutilation in the archetype (there was a similar mutilation at Post Red. in Sen. 13, where some ancestral manuscript read only *tamque* instead of *fictamque*, motivating the interpolations *versutamque* and *irritamque*), and Ernesti proposed *pietas atque*; this is strongly supported by (1) Post Red. in Sen. 38 *alter fuit propugnator mearum fortunarum et defensor assiduus, summa virtute et pietate, C. Piso gener*; (2) the fact that Piso had not yet attained sufficient age or rank to have much *auctoritas* (for the link between age and *auctoritas* see De Domo 117–18, De Senect. 60–2).

12 *atque eo die confecta res esset, nisi is tribunus plebis quem ego maximis beneficiis quaestorem consul ornaram, cum et cunctus ordo et multi eum summi viri orarent et Cn. Oppius socer, optimus vir, ad pedes flens iaceret, noctem[que] sibi ad deliberandum postulasset.*

Maslowski *AJP* 101, 1980, 411–12 quite rightly points out that the omission of *que* by H is due to its rearrangement of the sentence. Nevertheless this omission is the simplest correction; a scribe just lost his way in the sentence and thought that the clause *noctem ... postulasset* was governed by *cum*, not by *nisi*. Maslowski follows Klotz (Teubner 1919) in (*respondere dubitasset*) *noctemque*, which is much more expensive.

17 *huius consilia, P. Lentuli sententiam, senatus auctoritatem vos secuti (me) in eo loco in quo vestris beneficiis fueram ... reposuistis.*

So all modern editors, following Halm; in this century only Klotz has had enough feel for Latin to follow Renaissance editors in adding *me* after *eo*, a far more idiomatic position (cf. e. g. 16 *pro mea vos salute non rogavit solum*; Har. Resp. 37 *in tanto sibi scelere ignoverit*). In this case, moreover, a colon ends after the participial phrase and, according to Wackernagel's Law, the quasi-enclitic pronoun would naturally go in the second place in its own colon (cf. E. Fraenkel, *Kl. Beitr.* 1. 123–24); where Halm puts it, for the sake of a trifling palaeographical advantage, it is far too emphatic.

18 *hac auctoritate senatus, tanta consensione Italiae, tanto studio bonorum omnium, †cum† agente P. Lentulo, consentientibus cete-*

ris magistratibus, deprecante Cn. Pompeio, omnibus hominibus faventibus

H omits *cum*, and is followed by modern editors; Peterson adopts Halm's *causam*. Klotz LIX envisages *consule*, and this is supported by (1) the co-ordination with *ceteris magistratibus*; (2) Ad Fam. 1. 9. 16 *duce senatu, comitante Italia, promulgantibus omnibus* (*paene magistratibus*), *te* (the letter is to Lentulus) *ferente consule, comitiis centuriatis, cunctis ordinibus hominibus incumbentibus*. Since editors do not know of it, it may be as well to record Luterbacher's (*vobis*)*cum* (Jahresber. d. Phil. Vereins zu Berlin 38, 1912, 347).

De Haruspicum Responso

6 solus ille [i.e. Milo] cognovit quemadmodum armatum civem ... non modo vinci verum etiam vinciri oporteret.

A point which I touched on briefly in CR 17, 1967, 301. According to Guaglianone the 'editors' read *armatus* (consciously preferred by U. de Franco in his edition, Rome 1957), by which he means that this is a misprint in the text of Klotz. Lenaghan notes 'There is particular odium in these words. During the year 57 Clodius was a private citizen in arms.' There is more to it than that; the carrying of arms within Rome had been prohibited by a Lex Cornelia of Sulla (Dig. 48. 8; RE *quaestio* 741; W. Kunkel, *Untersuch. z. Entwicklung des röm. Kriminalverfahrens*, Abh. bay. Akad. 56, 1962, 64). *Vinciri* implies the knots of the law (see my commentary on Juv. 8. 50), also alluded to in the sentence after the next (*inlaqueatus iam omnium legum periculis, inretitus odio bonorum omnium, exspectatione supplicii iam non diuturna implicatus*; Lenaghan is wrong to link this with 5 *pecudem ac beluam*, which refers to Aelius Ligus, not, as he states, to Clodius); the reference is to Milo's attempts to prosecute Clodius (the *reum* of 7), for the moment suspended while Clodius was aedile, but not permanently abandoned (Ad Att. 4. 3. 5).

12 quae tanta religio est qua non ... unius P. Servili aut M. Luculli responso ac verbo liberemur? de sacris publicis ... quod tres pontifices statuissent, id semper populo Romano, semper senatui, semper ipsis dis immortalibus satis sanctum, satis augustum, satis religiosum esse visum est.

Lenaghan explains who Servilius and Lucullus were, but does not indicate the point of the combination, which will appear from *Prov. Cons.* 22 *haec lumina atque ornamenta rei p., P. Servilium et M. Lucullum . . . quae fuerunt inimicitiae in civitate graviores quam Lucullorum atque Servili? quas in viris fortissimis non solum exstinxit rei p. < utilitas > dignitasque ipsorum, sed etiam ad amicitiam consuetudinemque traduxit.* Nor does he appreciate the point of *tres*. The *pontifices* were a *collegium*, and *Neratius Priscus tres facere existimat collegium* (*Dig.* 50. 16. 85); evidently three votes had to be cast if a decision was to carry collegial weight.

32 *sanctissimum Dianae sacellum in Caeliculo*

This location is called *minor Caelius* by Martial 12. 18. 6, *Caeliolus* by Varro LL 5. 46. Here too Graevius corrected to *Caeliolo*, and though no modern editor mentions it, this is probably correct. Diminutives in *-culus* from second declension nouns (and for that matter in *-cula* from first declension nouns) are rare and mostly late or vulgar; see F. T. Cooper, *Word Formation in the Roman sermo plebeius* (1895) 184–85, Paucker *Z.ö.G.* 27, 1876, 603.

36 *illud in hac civitate esse maxime inlustre atque insigne periurium, et te ipsum tamen in periurium et te ipsum inprime . . . non vocari*

Clearly there has been a dittography of some kind here. The choice lies between *periurium, et te ipsum tamen in periurii crimen* (Madvig, followed by Peterson and Guaglianone) and the same without *periurii* (Klotz, followed by the rest). The latter is more probable. A. C. Clark, *The Descent of Manuscripts* (Oxford 1918) 273 sqq., proved that an ancestral manuscript had columns with lines of about 21–22 letters or slightly longer; on the assumption that a line of text was repeated, Klotz's correction fits this norm. One line will have contained *periurium et te ipsum tamen in*; the scribe will have repeated this as far as *ipsum* and then, realising his mistake, continued with *inprime* (the corruption of *in crimen*) leaving out *tamen*.

40 (*haruspices*) *monent 'ne per optimatum discordiam dissensionemque patribus principibusque caedes periculaque creentur auxilioque divinitus deficiantur, qua re ad unum imperium ꝑ pecuniaeꝑ redeant exercitusque [a] pulsus diminutioque < imperi add. Klotz > accedat.'*

The manuscript tradition offers a number of minor problems here, of which the central one is that marked by my obelus. There Lambinus suggested *ad unius imperium res redeat*, comparing 54 *ne in unius imperium res recidat monemur*. Busche (BPW 37, 1917, 1359) instead proposed to alter *pecuniae* to *res cunctae*, and this may be supported by an entry in the *Tonitruale Nigidii* recorded by John the Lydian *De Ostentis* p. 66. 13 Wachsmuth = P. Nigidii Figuli Operum Reliquiae ed. A. Swoboda (Vienna-Prague 1889) p. 95. 8 εὐάν βροντήσῃ, εἰς ἓνα τὴν πάντων δύναμιν ἐλθεῖν φράζει· οὗτος δὲ ἔσται τοῖς πράγμασιν ἀδικώτατος (July). This passage is adduced by Piganiol in his fascinating article in *Studies in Roman Social and Economic History in Honor of A. C. Johnson* (Princeton 1951) 80, but not in direct connection with the *De Har. Resp.*, which is discussed on 84–5. Lenaghan correctly draws attention to the conservative tendency of the haruspices, who were generally of noble Etruscan families and inclined to support the optimates. The ‘one’ intended by them was very likely Pompey; Cicero tactfully avoids an identification.

42 *post patris mortem primam illam aetatulam suam ad scurrarum locupletium libidines detulit, quorum intemperantia expleta in domesticis est germanitatis stupris volutatus ... quaestum illum maxime fecundum uberemque campestem totum ad se ita redegit ut homo popularis fraudaret improbissime populum, idemque vir clemens divisoires omnium tribuum domi ipse suae crudelissima morte mactaret.*

The word *scurrarum* here, as at Pro Sest. 39 *cum scurrarum locupletium scorto*, keeps its original sense of ‘rake, debauchee’ (Duckworth on Plaut. Epid. 15 [‘city lounge’], Fordyce on Catull. 22. 12, P. B. Corbett, *The Scurra*, Edinburgh 1986, 28 and 59), but Cicero also wishes us to have in mind the usual reference to buffoons and parasites for the sake of an oxymoron, since normally no *scurra* would be *locuples* (Pro Quinct. 55 *vetus est ‘de scurra multo facilius divitem quam patrem familias fieri posse’*). Yet another point: it was essential to Clodius that his lovers should be *locupletes*, since his father’s death left the family in poverty (Varro RR 3. 16. 2). Cicero implies that Clodius had to make his living this way.

germanitatis looks odd, though the word is used much as here by Pliny NH 14. 59, Apul. Met 5. 27, then Arnobius and later. The point is that as a collective it can imply incest by Clodius

not only with his sisters, a common charge against him, but also with his brother (see *Pro Sest.* 16 with *Schol. Bob.*).

What the last sentence means is quite obscure, but at any rate it can have no connection with the metaphorical application of *mors* and *mactare* to exile and such calamities (instances in E. Wistrand, *Sallust on Judicial Murders in Rome*, Goteborg 1968, 9 sqq.); this is ruled out first by *domi suae*, secondly by the point of *clemens*, which means that Clodius objected to Cicero's execution of the Catilinarians (see the criticism of Cicero implied by Piso's claims to *misericordia* and *clementia*, *Post Red. in Sen.* 17).

45 *concors etiam tum senatus, principe Cn. Pompeio sententiam dicente*

senatus GE; *senatu senatus* P; *senatus, senatus* edd. vett.

Since Lenaghan, following Peterson, still reads *senatus* twice, it may be as well to remark that Pompey could not possibly have been *princeps senatus*, and is never called so (*RE* suppl. 6. 699–700). Peterson should have reflected more on his own citation of *Prov. Cons.* 1 *si princeps eam sententiam dicerem*.

46 *ea miscet ac turbat ut (modo his se), modo vendat illis, nec tamen ita ut se quisquam, si ab isto laudatus sit, laudatiorem putet.*

Lenaghan does not pick up the allusion to the line of Naeivius, often on Cicero's lips and in his mind (see Nisbet on *In Pis.* 72), *laetus sum laudari me abs te, pater, a laudato viro*.

50 *cuius initia furoris dissensionibus eorum qui tum a vobis seiuncti videbantur sustentata sunt.*

52 *si reditus ei gratiae patuerit*

Lenaghan correctly realises that 50 means 'dissensions with those' (i. e. the triumvirs), but this genitive and that in 52 cause him pain because he is unaware that the objective genitive can represent not only the direct object of the verbal form (as *timeo hostes – timor meus hostium*), but also a prepositional relationship (as *dissentire cum eis, redire in gratiam*); see Kühner–Stegmann, *Lat. Gramm.* 1, 415, A. Draeger, *Hist. Syntax* 1. 468. In 49 *illum externorum bellorum hostiumque victorem* it represents first a cognate accusative (*bellum vincere*), then a direct object.