The Scholia on Cicero's Speeches

CONTEXTS AND PERSPECTIVES

Edited by

DENNIS PAUSCH
& CHRISTOPH PIEPER

BRILL

The Scholia on Cicero's Speeches

Mnemosyne Supplements

MONOGRAPHS ON GREEK AND
LATIN LANGUAGE AND LITERATURE

Temporary Executive Editor

T. Reinhardt (*Oxford University*)

Editorial Board

VOLUME 476

The titles published in this series are listed at *brill.com/mns*

The Scholia on Cicero's Speeches

Contexts and Perspectives

Edited by

Dennis Pausch
Christoph Pieper

BRILL

Contents

The Ciceronian Scholia and Asconius as Sources on Cicero and Other Roman Republican Orators

Gesine Manuwald

1   Introduction

Scholia and commentaries on Cicero's speeches were obviously compiled to elucidate those texts.[1] Thus, since Cicero's orations are the starting point, it is appropriate that modern scholars often look at these commentaries with a view to learning more about Cicero, be it a better understanding of the text, style and language of Cicero's speeches, be it more information about their historical, political or judicial contexts, be it insights into their early reception, be it other questions of this kind.[2] The fact that, beyond the connection to Cicero, the text of (some of) these scholia exists as a source in its own right makes it possible to use this material to address further questions, such as those that concern the nature of study and education in Late Antiquity or have to do with themes of particular interest in the grammatical tradition.[3]

One of these issues going beyond Cicero is the fact that the scholia, while focused on Cicero and his writings, explain his activity in its contemporary historical and literary context and thus also provide information on other Roman Republican orators. Therefore, in response to the dominance of Cicero in the modern view of Roman Republican oratory (caused by the fact that complete

---

1   For the interaction between canon formation and commentary tradition see Farrell in this volume.

2   For the general context of the scholiastic tradition see Zetzel 2018 (on scholiasts and textual criticism see Zetzel 1981). For a study of the Ciceronian scholia as tools to teach Cicero and for their interpretation as texts designed by a teacher see La Bua 2019a (esp. ch. 4); for their analysis as sources providing an insight into the teaching of Cicero in the early Empire see Keeline 2018 (esp. ch. 1; see also n. 6).

3   The scholia belong to a genre of texts that Dubischar 2010 has called "auxiliary texts" as they provide help in facilitating access to and understanding of 'primary texts' deemed to be in need of such additional material in the absence of a proper conversation situation between a text and its readers. Thus, such "auxiliary texts" can offer insights into details of 'primary texts', reveal what was regarded as worthy of being commented on in certain periods and add further supplementary information connected in some way with the 'primary texts'.

speeches from this period only survive for Cicero), it is worth checking what the scholia can reveal about 'other' orators and about Cicero's position in relation to them. In order to see whether, with respect to incorporating material from early Republican orators, there might be certain shared tendencies or distinctive features in the scholia, the surviving explanations by Q. Asconius Pedianus, the first-century CE commentator on Cicero's orations, as well as by Ps.-Asconius, will also be considered.[4]

It can be shown that the scholia and Asconius reveal mostly historical details about other orators and oratorical situations and some information about their oratory in a narrower sense; yet, due to their perspective, the most telling pieces of information are centred on Cicero and relate to Cicero in comparison to other orators. Still, even embracing such a comparative perspective as found in these commentary texts may contribute to going beyond looking at Cicero in isolation and lead to a more nuanced portrait of Cicero's working practices and his context.

2   Overview of the Material

In the standard edition of *Oratorum Romanorum Fragmenta* (*ORF*) by E. Malcovati and in the Loeb edition of *Fragmentary Republican Latin* (*FRL*), based on Malcovati's collection (with some additions), there are about twenty separate passages providing information (testimonia and fragments) on other Republican orators (with some passages mentioning more than one) taken from the Ciceronian scholia (excluding Asconius and Ps.-Asconius).[5] They all come from the *Scholia Bobiensia* and *Gronoviana,* with the *Scholia Bobiensia* being the dominant source. Thus, the number of informative passages retrieved from the scholia is not large; other transmitting authors (including Cicero) provide more evidence on Republican orators. Yet it is not only quantity, but also quality and distribution that might be meaningful.

---

4   On Q. Asconius Pedianus see Keeline in this volume.

5   The following testimonia and fragments come from the Ciceronian scholia: 20 F 22 (= 49 F 2); 47 F 7; 48 F 40, 47; 79 F 3; 86 F 8 (= 157 F 3); 92 F 45 (= 102 F 11, 165 F 29); 112 F 3 (= 113 F 1B), 121 F 39 (= 125 F 10), 40; 124 T 3; 126 F 18; 127 F 2, 6; 155 T 3; 158 F 21; 162 F 16; 165 F 16, 17; 167 F 1.— The testimonia and fragments (incl. translations) from Roman Republican orators are quoted from the respective volumes of the Loeb edition of *Fragmentary Republican Latin* (*FRL*), with references to the serial number for each orator (identical to those of Malcovati for the orators included in both editions), plus testimonium (T) or fragment (F) number.—An entirely new edition of Republican oratory is being prepared by the project *Fragments of the Republican Roman Orators* (*FRRO*) under the direction of Catherine Steel (https://www.frro.gla.ac.uk).

Unsurprisingly, the vast majority of the relevant passages from the scholia refer to orators of the late Republican period contemporary with Cicero,[6] but no particular pattern or a focus on specific favourites can be discerned: most orators are mentioned once or twice; and in relation to Cicero they include colleagues, rivals as well as opponents in politics and court cases. In a small number of instances these notes are the only evidence for a speech (86 F 8; 102 F 11; 165 F 29); usually, they add further information about speeches also attested elsewhere. In the majority of cases the comments are testimonia providing information about orators and their speeches; yet they also yield a small number of verbatim quotations (20 F 22; 48 F 47). For the explanatory tradition of Cicero's speeches it has been observed that it focuses on outlining the speeches' rhetoric and argumentation and that historical background is given to aid the understanding of the rhetorical structure.[7] Even though the latter area might not have been the main aim of all explanatory works, depending on the purpose for which they were composed, the insertion of historical details is often the element ensuring transmission of information about other Roman Republican orators more indirectly linked to Cicero (rather than as direct illustration of features of his style and argument).

3 Scholia

In the Ciceronian scholia details about orators from before Cicero's time are typically given as pieces of historical information, for instance when a reference to a historical figure in Cicero is illustrated with additional details (e.g. 20 F 22) or the identity of a person named is explained in order to distinguish between several bearers of the same name, including some from the past (e.g. 47 F 7; 48 F 40).

An example of a more detailed scholiastic comment is the note that in a passage in the speech *Pro Sulla* (Cic. *Sul.* 26) Cicero imitates a section from a speech

---

6   See also Bishop in this volume, p. 162, on passages in which Cicero is compared to other orators.

7   See Keeline 2018, 71: "Asconius, Quintilian, and the scholia Bobiensia grant us a unique window into the Roman schoolroom. We have seen in great detail just how a teacher would have explicated a Ciceronian speech for his pupils. Servian grammatical commentary this was not, nor was Cicero put forward as a source of 'pure' Latinity. There was rather an insistent and overwhelming focus on rhetoric and argumentation, buttressed as necessary by explanation of contemporary or historical allusions. These latter served primarily to aid the students to understand the rhetoric of the speech itself, but they also helped stock the budding orator's mind with ready anecdotes and exempla that he could insert into his own future orations."

on promulgated laws by C. Sempronius Gracchus (48 F 47), which the scholiast then quotes.[8] Apart from the fact that otherwise this fragment would not survive, the remark is an interesting comment on Cicero's composition practices or on views on Cicero's composition practices. In line with the scholiastic tradition (e.g. Macrobius, Servius), which also identifies, for instance, borrowings from Homer, Ennius or Naevius in Vergil, the scholiast regards it as perfectly natural that Cicero would have imitated earlier orators. In this case the link is defined as the scholiast's opinion (*quantum mea opinio est*); thus, it is unclear to what extent this item might have been taken from the tradition. Yet, even if this particular example is a unique instance, the fact that the scholiast thinks in the categories of imitation (i.e. intertextuality from a modern point of view) is revealing and a sobering piece of information in the light of the widespread view of Cicero's uniqueness prompted by the lack of transmitted material for other Republican orators.

As is well known, Cicero's assessments of the political position and activities of the brothers Gracchi vary in his speeches depending on context and audience.[9] Yet, irrespective of the description of their political views, Cicero praises the eloquence of the Gracchi, especially that of Gaius (Cic. *Brut*. 125–126; *De*

---

8 *Schol. Bob. Sul*. 81.18–24 St.: *et hic, quantum mea opinio est, imitatus est C. Gracchum: sic enim et ille de legibus promulgatis, ut ipsius etiam verborum faciam mentionem: 'si vellem', inquit, 'aput vos verba facere et a vobis postulare, cum genere summo ortus essem et cum fratrem propter vos amisissem, nec quisquam de P. Africani et Tiberi Gracchi familia nisi ego et puer restaremus, ut pateremini hoc tempore me quiescere, ne a stirpe genus nostrum interiret et uti aliqua propago generis nostri reliqua esset: haud ⟨scio⟩ an lubentibus a vobis impetrassem.'* ('And here, according to my opinion at least, he [Cicero] has imitated C. Gracchus: for thus he too said [in the speech] on promulgated laws, so that I even make mention of his very words: "If I wished", he said, "to deliver a speech in front of you and to demand from you, since I had been born into a very noble family and since I had lost a brother because of you, and nobody from the family of P. Africanus and Tiberius Gracchus remained except myself and a boy, that you would bear me at this point to abstain from politics, so that our family would not perish at the root and that some offspring of our family was left: I do not ⟨know⟩ whether I would have obtained this from you in line with your wishes".')—Cic. *Sul*. 26: *ego, tantis a me beneficiis in re publica positis, si nullum aliud mihi praemium ab senatu populoque Romano nisi honestum otium postularem, quis non concederet? ⟨ceteri⟩ sibi haberent honores, sibi imperia, sibi provincias, sibi triumphos, sibi alia praeclarae laudis insignia; mihi liceret eius urbis quam conservassem conspectu tranquillo animo et quieto frui* ('After so many good deeds have been conferred upon the Republic by me, if I demanded no other reward for me from the Senate and the Roman People other than a honourable peaceful time, who would not grant it? Others would have offices, commands, provinces, triumphs and other marks of great distinction for themselves; for me it would be allowed to enjoy the sight of this city, which I had preserved, with a tranquil and calm mind.').

9 See e.g. Bücher 2009.

orat. 1.38; *Har.* 41). For other orators and writers discussed in his works Cicero also distinguishes between language and attitude or content (e.g. on C. Papirius Carbo [cos. 120 BCE]: Cic. *Brut.* 103–106).[10] Thus, although Cicero would probably not have wanted to be associated with the Gracchi politically (at least in most contexts), it is not implausible that he might have reused and adapted elements of their oratory he regarded as impressive. In fact, in the rhetorical dialogue *De oratore* Cicero has L. Licinius Crassus (cos. 95 BCE) say that one of his practice exercises as a young man was to take speeches of earlier orators and to reproduce them in his own words, when he realized that, in the case of Gracchus, for instance (usually referred to C. Sempronius Gracchus, trib. pl. 123, 122 BCE), this method did not work since the original version already employed the most appropriate words (Cic. *De orat.* 1.154). Therefore, if this scholion did not survive, scholars might speculate on whether and in what way Cicero might have drawn on the works of earlier orators and whether what he claims for Crassus might apply to himself to some extent. The scholion demonstrates that Cicero could be seen to exploit the speeches of earlier orators on a formal or stylistic level irrespective of content and political focus.[11] Whether or not Cicero would have expected the audience to notice such connections is difficult to determine in view of the available evidence; the scholion at any rate regarded it as worth pointing out and might thus have assumed that Cicero intended the audience to recognize the intertextual link.

In this case the similarity between the two passages is not as great as one might think, as there is no extended verbatim repetition; the connection is based on the use of the same motif (a thought experiment on the audience's reaction for a request for quiet in response to the orator's situation) and some overlap in wording: both orators sketch their situation as a result of political activity and envisage what would happen if they asked the audience to enable them to enjoy peace and quiet. C. Sempronius Gracchus outlines his plight, namely that he has lost his brother because of the audience and that there is hardly anyone of his family left; he therefore imagines that he would be asking (*postulare*) for permission to withdraw to have some quiet (*quiescere*), so that someone of his family could survive. Cicero outlines his services to the Republic and explores what would happen if he asked (*postularem*) not for the kind of reward other people aim for, but rather for peace and quiet (*honestum otium, tranquillo animo et quieto*). Cicero expresses more confidence in

---

10   Cicero operates a similar distinction between language and dramatic effectiveness in the case of the playwright Caecilius Statius (Cic. *Att.* 7.3.10; *Brut.* 258; *Opt. gen.* 2).
11   Cicero's views of reacting to predecessors also emerge from his discussion of early Roman poets (e.g. Cic. *Brut.* 75–76).

being granted such a request, and his considerations are obviously based on different premises. Gracchus' statement displays engagement with the audience, characterized by a polite approach and emotional appeal, and several double expressions, giving weight and emphasis to the respective thoughts; Cicero's version contains more rhetorical features such as alliteration, anaphora and rhetorical question, more subordination and has more emphasis on Cicero's achievements for the general public and items important for the overall portrayal of himself.

That the scholiast considered even such a similarity as worth pointing out and still regarded this as a connection between particular passages is noteworthy and might suggest that there would be a more obvious continuum of the use of rhetorical techniques from the early Roman orators down to Cicero if more material was available.[12]

As regards orators of Cicero's time, the scholia often provide further details about other figures involved in the events to which Cicero's respective speeches belong, for instance, when they identify advocates pleading with him or against him and provide details about their roles and speeches. While they do not include further verbatim excerpts, this additional information about other figures involved, not coming directly from Cicero, is helpful for establishing the context, and occasionally these are the only sources to confirm someone's involvement.

The most interesting piece is again a passage providing information on both Cicero and another orator, this time M. Iunius Brutus, and in relation to the case of T. Annius Milo (158 F 21). As is also known from other sources, Cicero both delivered a speech *Pro Milone* in court under difficult circumstances and published a different version afterwards (Asc. *Mil.* 41.24–42.4 C [*argumentum*]; *Schol. Bob. Mil.* 112.10–13 St. [*arg.*]; Quint. *Inst.* 4.2.25; 4.3.17; D.C. 40.54.2–4; 46.7.2–3; Plu. *Cic.* 35), while Cicero's friend Brutus composed his take on the matter as a practice speech. The rhetorician Quintilian indicates that Brutus treated the case differently and followed an argumentative structure contrasting with that applied by Cicero (158 F 18, 19 [Quint. *Inst.* 3.6.92–93; 10.1.23]). A notice in the scholia is the only text to define this difference technically, stating that Brutus believed that one should speak κατὰ ἀντίστασιν ('according to a balancing counter-plea', i.e. outlining the general benefit of the deed, outweighing any negative consequences) and Cicero preferred the manner of ἀντέγκλημα ('counter-charge', i.e. defending the deed by giving the victim responsibility for it, as their character or behaviour provoked and justifies the action).[13] As the

---

12   See also Bishop in this volume on the classicizing tendencies in scholia and commentaries.

13   *Schol. Bob. Mil.* 112.12–18 St. (*arg.*): *hanc orationem postea legitimo opere et maiore cura,*

text breaks off after this remark, the section where the scholiast would have gone on to describe Cicero's method has been lost. What can be inferred from Cicero's extant speech *Pro Milone* and the comments by Asconius is that Brutus did not deny the charge that T. Annius Milo killed P. Clodius Pulcher, but defended the action on the grounds that the assassination of Clodius was in the interest of the Republic while Cicero entered the counter-charge that it was not the case that Milo had set an ambush for Clodius and rather that Clodius had set one for Milo. Thus, Cicero obviously employed what he regarded as the best and most powerful oratorical practice and disagreed with friends on oratorical technique, not only in terms of style, as transpires from Cicero's comments elsewhere (e.g. Cicero on Brutus' style: Cic. *Att.* 15.1a.2), but also with regard to the most effective argumentative techniques.[14] Further, the scholiast's approach shows that, although Cicero is well known not to have followed the rules of school rhetoric precisely all the time, his methods (like those of others) could be classified accordingly by those who wished to label them within the system.

4   Asconius

In order to illustrate the kind of information conveyed by Asconius in comparison with the Ciceronian scholia, continuing with the same example (158 F 20) is most rewarding: there are very few cases in which references to the same speech or speeches by Roman Republican orators survive in both the scholia and Asconius; here there are comments by both of them, and these do not

---

utpote iam confirmato animo et in securitate, conscribsit. sed enim cum ratio defensionis huius ordinaretur, quonam modo et secundum quem potissimum statum agi pro Milone oporteret, M. Brutus existimavit κατὰ ἀντίστασιν *pro eo esse dicendum, quae a nobis nominatur qualitas compensativa. hoc enimvero Ciceroni visum est parum salubre, nam maluit* ἀντεγκλήματος *specie, id est rela* || ... [*desunt* VIII *paginae*] ('He [Cicero] wrote up this speech later with effort according to the rules of art and greater care, when he had already regained his strength of mind and was in safety. But when the plan of this defense was being arranged, as regards the manner in which and according to which particular issue [*status*] one should plead on behalf of Milo, M. Brutus believed that one should speak κατὰ ἀντίστασιν ['according to a balancing counter-plea'] on his behalf, which is called *qualitas compensativa* by us. Yet this seemed insufficiently salutary to Cicero, for he preferred the manner of ἀντέγκλημα ['counter-charge'], that is ...' [text breaking off]).—On these technical terms see Martin 1974, 39–40.

14   It has been noticed, though, that in the latter part of the extant oration Cicero argues that, even if T. Annius Milo had killed P. Clodius Pulcher deliberately, it would have been in the public interest (Cic. *Mil.* 72–91), and it has therefore been suggested that this section might have been added in the published version (Keeline 2021).

just attest to the existence of a speech or speeches, but also discuss the content.[15] Asconius also distinguishes between the lines of argument selected by Brutus and Cicero respectively; he, however, does not classify them according to technical criteria, but rather summarizes the main points of each. He adds that Brutus' line would have been approved by some (thus suggesting that this was not only Brutus' decision, but a more widely held view) and highlights that Cicero did not approve of it.[16] The different types of focus are also described by Quintilian (*Inst.* 3.6.93),[17] with an assessment similar in substance and even more straightforward without the addition of comments about others.

In terms of categorizing the commentators and scholars engaging with Cicero's speeches, it has been noted that the rhetorical terminology used by the Ciceronian scholiasts is standard and their rhetorical explanations are often less advanced compared to contemporary rhetoricians. In this case the scholion employs more technical language than Asconius: this presentation might reflect a more teaching-based approach, focusing on conveying historical details rather than on applying rhetorical categories. From the point of view of gaining a better understanding of Republican orators more widely, both types of analysis provide helpful, albeit different information, while the content-based description in Asconius reveals more specific details about unpreserved speeches (on which basis readers could classify them within the rhetorical system).

---

15   On details in Asconius see the commentaries by Marshall 1985 and Lewis et al. 2006.—For a dicussion on the aims of Asconius' commentary see recently Bishop 2015; Chrustaljow 2020.

16   Asc. *Mil.* 41.9–14C (*arg.*): *respondit his unus M. Cicero: et cum quibusdam placuisset ita defendi crimen, interfici Clodium pro re publica fuisse—quam formam M. Brutus secutus est in ea oratione quam pro Milone composuit et edidit, quasi egisset—Ciceroni id non placuit ⟨ut⟩, quisquis bono publico damnari, idem etiam occidi indemnatus posset* ('M. Cicero was the only one to reply to them [the prosecutors]: and while it would have pleased some to have the crime defended in such a way, namely that Clodius was killed for the sake of the Republic—a line of argument that M. Brutus followed in that speech that he composed on behalf of Milo and published, as if he had delivered it—, this did not please Cicero, ⟨so that⟩, whoever was condemned in relation to the public good, could also be killed without having been found guilty in court.').

17   Quint. *Inst.* 3.6.93: *ideoque pro Milone aliud Ciceroni agenti placuit, aliud Bruto cum exercitationis gratia componeret orationem, cum ille iure tamquam insidiatorem occisum et tamen non Milonis consilio dixerit, ille etiam gloriatus sit occiso malo cive* ('and therefore one way of supporting Milo appealed to Cicero active in court and another to Brutus, when he composed a speech for the sake of exercise: while the former said that he was justifiably killed as an ambusher, though not by Milo's design, the latter positively boasted that a bad citizen had been killed').

Overall, Asconius is a source of far more information about other Roman Republican orators: in the surviving sections of his commentary there are almost forty separate passages (while again some of them provide information about several orators).[18] These passages offer hardly any verbatim quotations and mostly contain historical information. Here the dominance of orators contemporary with Cicero is even more noticeable; Asconius often talks about the other orators involved in cases in which Cicero was a speaker.[19]

The kind of evidence provided by Asconius also means that there are some orators and speeches for which specific information only survives via this channel (sometimes in addition to vague allusions in Cicero's works). This applies particularly to some of the Tribunes of the People of 52 BCE, namely T. Munatius Plancus Bursa (tr. pl. 52 BCE; 150 *ORF*[4] / *FRL*), C. Sallustius Crispus (tr. pl. 52 BCE; 152 *ORF*[4] / *FRL*) and Q. Pompeius Rufus (tr. pl. 52 BCE; 153 *ORF*[4] / *FRL*), as well as Faustus Cornelius Sulla (quaest. 54 BCE; 156 *ORF*[4] / *FRL*). The information on these men given by Asconius primarily conveys historical details and illustrates their role in the heated atmosphere of the year 52 BCE, characterized by the conflict between T. Annius Milo and P. Clodius Pulcher, in terms of their attitude to the main protagonists and thus to Cicero and their role in influencing the People. Most comments indicate that one or several of them gave inflammatory speeches before the People and/or explain vague references to Tribunes of the People in Cicero's speeches.

There is less information about the actual oratory, but T. Munatius Plancus Bursa is at least characterized as follows: *fuit autem paratus ad dicendum* ('and he was well equipped for speaking' or 'ready to speak' in almost any situation, 150 F 4 = Asc. *Mil.* 42.16–25C [ad Cic. *Mil.* 12]),[20] and an excerpt from one of his speeches is transmitted (150 F 6 = Asc. *Mil.* 44.8–45.4C [ad Cic. *Mil.* 14]). Unfortunately, the text of this fragment is uncertain and controversial, but it seems clear that it reports in indirect speech what Q. Hortensius Hortalus (92 *ORF*[4] / *FRL*) is alleged to have said and thought and confronts this with the strat-

---

18   The following testimonia and fragments come from Asconius: 43 F 8 (= 85 F 3), 11 (= 85 F 5); 69 F 3, 4, 6; 80 F 16; 86 F 4; 92 F 31 (= 91 F 2B; 96 F 8A), 48 (= 124 F 4; 137 F 9; 140 F 9; 155 F 5), 49 (= 126 F 26; 140 F 10; 155 F 6; 156 F 2); 104 T 6; 107 F 4; 111 F 21, 28 (= 150 F 5); 112 F 2 (= 113 F 1A); 119 F 2 (= 120 F 2A); 121 F 20 (= 139 F 2), 24; 123 F 3, 4; 127 F 1; 134 F 1; 138 F 1 (= 162 F 29); 139 F 4, 5; 143 + 144 F 2; 148 F 1; 149 T 3; 150 F 1, 2 (= 152 F 3), 4, 6 (= 92 F 50), 7; 152 F 2; 153 F 1 (= 152 F 1), 2; 154 F 2; 156 F 1; 158 F 20; 159 F 6 (= 172 F 2); 162 F 31 (= 168 F 1A).

19   Cf. Keeline in this volume, pp. 52–53 and 56–57, on Asconius' prosopographical interests.

20   The phrase *ad dicendum paratus* to assess an orator's ability appears in Cicero's discussion of orators (Cic. *Brut.* 78); the negative version can be found in Fenestella (*FRHist* 70 F 2: *C. Cato, turbulentus adulescens et audax nec imparatus ad dicendum*—'C. Cato, a troublesome and audacius young man and not unequipped for speaking').

egy adopted by the Tribunes.[21] This extract is therefore revealing with regard to the kind of oratory employed in front of the People. The passage includes an instance of word play (*ingeniosus*, *ingenium*) and alludes to a technical element of proceedings in the Senate (dividing up motions consisting of several items, so that each can be voted on separately). If this is an accurate reproduction, it seems to be assumed that the People are familiar with such technicalities and can appreciate word play. Moreover, the strategies behind the behaviour of both sides are given: even if they are not completely true, it is apparently assumed that they can be brought out in the open, and that the People will understand them and are interested in the background rather than merely the eventual outcome. While, in broader terms, such an exposition helps to showcase the ingenuity of the Tribunes of the People and thus might be designed to encourage the audience to follow them, such a level of detail would not have been necessary for achieving this aim. Thus, this kind of speech might point to the People as a more sophisticated audience than often assumed and thus the application of more complex rhetorical techniques and structures in speeches delivered to the People. In this context Asconius is an important source since without this passage there would be even less information on contional ora-

---

21   Asc. *Mil.* 44.8–45.4C (ad Cic. *Mil.* 14): *sed ego, ut curiosius aetati vestrae satisfaciam, Acta etiam totius illius temporis persecutus sum; in quibus cognovi pridie Kal. Mart. S.C. esse factum, P. Clodi caedem et incendium curiae et oppugnationem aedium M. Lepidi contra rem p. factam; ultra relatum in Actis illo die nihil; postero die, id est Kal. Mart., ⟨T.⟩ Munatium in contione exposuisse populo quae pridie acta erant in senatu: in qua contione haec dixit ad verbum: 'Q. Hortensium dixisse ut extra ordinem quaereretur apud quaestorem; existimaret ⟨f⟩ut⟨u⟩rum ut, cum pusillum dedisset dulcedinis, largiter acerbitatis devorarent: adversus hominem ingeniosum nostro ingenio usi sumus; invenimus Fufium, qui diceret "divide{ret}"; reliquae parti sententiae ego et Sallustius intercessimus.' haec contio, ut puto, explicat et quid senatus decernere voluerit, et quis divisionem postulaverit, et quis intercesserit et cur* ('But, so as to satisfy [the needs of] your age more thoroughly, I have even gone through the records of that entire period; in these I have discovered that on the day before the Kalends of March a decree of the Senate was passed that the assassination of P. Clodius and the burning of the Senate House and the besieging of the house of M. Lepidus were done against the Republic; that nothing further was noted in the records for that day; that on the following day, that is, on the Kalends of March, ⟨T.⟩ Munatius explained to the People at a public meeting what had been transacted in the Senate on the previous day; at this meeting of the People he said this verbatim: "that Q. Hortensius had spoken in favor of the matter being investigated by a special court before a quaesitor; that he [Hortensius] believed that it would happen that, after he had given a little bit of sweetness, they [Clodius' followers] would swallow sharpness in great quantity: against this clever man we used our own cleverness; we found Fufius to say 'divide'; the remaining part of the motion was vetoed by myself and Sallust." This speech before the People, as I believe, explains what the Senate wanted to decree, and who requested the division, and who vetoed and why.').

tory beyond Cicero's speeches; his own interests, however, rather concern the explanation of the technicalities of the procedure.

For another of the Tribunes of the People of 52 BCE, Q. Pompeius Rufus, a fragment of a speech to the People has also been preserved: *Milo dedit quem in curia cremaretis: dabit quem in Capitolio sepeliatis* (153 F 2).[22] This phrase displays an advanced rhetorical arrangement, with a grammatically parallel structure in both parts and repetition of some words, while there are differences in the tenses of the verbs, details of the action and the reference point; thus, it is a veiled reference to what happened and what is planned to happen in the conflict of T. Annius Milo and P. Clodius Pulcher. Again, if this an accurate quotation from the speech, it shows a rather high level of sophistication on the part of the speaker and then assumed for the audience.

Thus, the information gathered about other Roman Republican orators in Asconius is selective and not particularly systematic, while it reveals testimonia and fragments in relation to late Republican orators that otherwise would not have been known and enables further conclusions about oratory in this period and more general developments.

5   Ps.-Asconius

Finally, the handful of passages about other Roman Republican orators preserved by Ps.-Asconius (all from comments on speeches related to the trial of C. Verres in 70 BCE)[23] are mostly concerned with providing background information to specific statements in Cicero, so as to clarify allusions and vague

---

22   Asc. *Mil.* 50.26–51.7C: *Q. Pompeius Rufus tribunus plebis, qui fuerat familiarissimus omnium P. Clodio et sectam illam sequi se palam profitebatur, dixerat in contione paucis post diebus quam Clodius erat occisus: 'Milo dedit quem in curia cremaretis: dabit quem in Capitolio sepeliatis.' in eadem contione idem dixerat—habuit enim eam a. d. VIII Kal. Febr.—cum Milo pridie, id est VIIII Kal. Febr., venire ad Pompeium in hortos eius voluisset, Pompeium ei per hominem propinquum misisse nuntium ne ad se veniret* ('Q. Pompeius Rufus, a Tribune of the People, who had been on the friendliest terms of all with P. Clodius and declared openly that he was an adherent of that gang, had said at a public meeting a few days after Clodius had been killed: "Milo has given you someone to cremate in the Senate house; he will give you someone to bury on the Capitol." In the same speech to the People the same man had said—for he delivered it on the eighth day before the Kalends of February—that, when on the preceding day, that is the ninth day before the Kalends of February, Milo had wished to come to Pompeius in his gardens, Pompeius had sent him a message through a relative that he should not come to him.').

23   On Ps.-Asconius' sources see La Bua 2019b.

references.[24] Thus, these pieces provide factual details about the existence of particular speeches and about who spoke when in what capacity, but offer hardly any information on the oratory itself.

The most interesting item in terms of the history of Roman oratory is perhaps the explanation of Cicero's claim in the first speech against Verres that his unusual approach of forgoing a long continuous speech was not a novel procedure, but rather observed a precedent established by earlier orators and advocates (90 F 7 = 91 F 2A).[25] Such a comment indicates that there is a historical basis for Ciceronian claims of this sort that could be verified and that Cicero could follow oratorical precedent, not only in the use of motifs (as in the case of a passage from C. Sempronius Gracchus), but also in approach and strategy.

6　　　Conclusion

So, in the end, the attempt to get away from the dominance of Cicero and to use the excerpts from the Ciceronian scholiasts, Asconius and Ps.-Asconius, to learn more about other Roman Republican orators can be regarded as partially successful: it has become clear that these texts are useful (and sometimes indispensable) sources for the more historical aspects of the development of Roman oratory and the activity in the period before Cicero and especially in the time of Cicero, as they document the role and involvement of particular orators, who were also political figures, in certain court cases or political controversies. With reference to literary and oratorical questions in a narrower sense, their main aim and thus value is to illustrate Cicero's practices and therefore Cicero continues to play a role in the evaluation of the evidence in these sources. Yet, as they comment on Cicero's techniques or position by describing those of other orators, these texts provide information about these speakers in their own right and, significantly, about the oratorical context in which

---

24　The following testimonia and fragments come from Ps.-Asconius: 90 F 7 (= 91 F 2A); 92 F 19 (= 139 F 3), 21, 22 (= 130 F 4), 24, 26; 111 F 13.

25　Ps.-Asc. 222.14–18 St. [ad Cic. *Verr.* 1.55]: *'faciam hoc ⟨non⟩ novum, sed ab his, qui nunc principes nostrae civitatis sunt, ante factum.' verum dicit; etenim L. Lucullus et item M. Lucullus, ambo consulares, Marcus vero et triumphalis fuit. hi cum accusarent L. Cottam, non usi sunt oratione perpetua, sed interrogatione testium causam peregerunt* ('"I shall do this ⟨not⟩ as something novel, but it has previously been done by those who are now leading men in our community." He [Cicero] says what is true; for L. Lucullus and equally M. Lucullus were both ex-consuls, and Marcus was also a former triumphator. When these men accused L. Cotta, they did not use a continuous speech, but carried the case through by questioning witnesses.').

Cicero is to be situated, for instance with reference to the kind of speeches that could be made in particular situations and in front of specific audiences and in terms of Cicero's engagement with the Roman oratorical tradition. The kind and depth of information provided varies according to the nature and aims of the individual commentary text.

In any case even the additional comparative dimension afforded by these commentary texts sharpens and clarifies the modern view of Cicero's oratory, as thereby he can be removed somewhat from the isolation caused by the textual transmission: for that reason alone (in addition to other ways in which they can be investigated for various purposes) it is a great benefit that (some of) these scholia survive.

Abbreviations

FRL   Manuwald, G., ed./tr. (2019). *Fragmentary Republican Latin, Vol. 3–5: Oratory. Parts 1–3*. Cambridge, MA/London.

*ORF*⁴   Malcovati, H., ed. (1976). *Oratorum Romanorum Fragmenta liberae rei publicae quartum edidit, Vol. 1: Textus*. Turin etc.

Bibliography

Bishop, C. (2015). Roman Plato or Roman Demosthenes? The Bifurcation of Cicero in Ancient Scholarship. In: W.H.F. Altman, ed., *Brill's Companion to the Reception of Cicero*, Leiden/Boston, pp. 283–306.

Bücher, F. (2009). Die Erinnerung an Krisenjahre. Das Exemplum der Gracchen im politischen Diskurs der späten Republik. In: K.-J. Hölkeskamp, ed., *Eine politische Kultur (in) der Krise. Die 'letzte Generation' der römischen Republik*. Unter Mitarbeit von E. Müller-Luckner, Munich, pp. 99–114.

Chrustaljow, W.K. (2020). Was für ein Buch hat Asconius eigentlich geschrieben? Zur Frage nach den Zielen und Methoden des antiken Kommentars zu Ciceros Reden. *Hyperboreus* 26, pp. 137–156.

Clark, A.C., ed. (1907). Q. *Asconii Pediani orationum Ciceronis quinque enarratio*. Oxford.

Dubischar, M. (2010). Survival of the Most Condensed? Auxiliary Texts, Communications Theory, and Condensation of Knowledge. In: M. Horster and C. Reitz, eds., *Condensing Texts—Condensed Texts*, Stuttgart, pp. 39–67.

Keeline, T.J. (2018). *The Reception of Cicero in the Early Roman Empire. The Rhetorical Schoolroom and the Creation of a Cultural Legend*. Cambridge.

Keeline, T.J. (2021). *Cicero, Pro Milone*. Cambridge.

La Bua, G. (2019a). *Cicero and Roman Education. The Reception of the Speeches and Ancient Scholarship*. Cambridge.

La Bua, G. (2019b). Late Ciceronian Scholarship and Virgilian Exegesis. Servius and Ps.-Asconius. *CQ* 68, pp. 667–680.

Lewis, R.G. (2006). *Asconius. Commentaries on Speeches of Cicero*. Revised by J. Harries, J. Richardson, C. Smith, and C. Steel, with Latin text edited by A.C. Clark. Oxford.

Marshall, B.A. (1985). *A Historical Commentary on Asconius*. Columbia.

Martin, J. (1974). *Antike Rhetorik. Technik und Methode*. Munich.

Stangl, T., ed. (1912). *Ciceronis orationum scholiastae. Asconius, Scholia Bobiensia, Scholia Pseudasconii, Sangallensia, Scholia Cluniacensia et recentiora Ambrosiana ac Vaticana, Scholia Lugdunensia sive Gronoviana et eorum excerpta Lugdunensia. Vol. 2: Commentarii*. Vienna/Leipzig.

Zetzel, J. (1981). *Latin Textual Criticism in Antiquity*. New York.

Zetzel, J.E.G. (2018). *Critics, Compilers, and Commentators. An Introduction to Roman Philology, 200 BCE–800 CE*. New York.