

Caesar and the Political Crisis

In the spring of 46 BCE there could be little question that Caesar would control Rome and thus – for Romans – the world. Rome’s seemingly boundless imperial ambitions had coincided with, and for some observers seemed to culminate in, the ambitions of a single man. Caesar was at this time mopping up the remnants of the republican resistance, which was broken, symbolically if not practically, by defeat at Thapsus and Cato the Younger’s suicide in the nearby north African shore-town of Utica. Years later the Neronian-era poet Lucan enshrined Cato in the republican struggle: “the victorious cause pleased the gods, but the lost cause pleased Cato.”¹ His gory suicide was protracted by a failed sword-stroke and a doctor’s intervention – ultimately Cato ripped out the sewn-up entrails in order to finish the task. The scene was immortalized variously: Cato’s allusive reading of Socrates’ forced suicide by hemlock, Plutarch’s detailed narrative, and the lurid reworkings of Renaissance and Neoclassical painters: Bouchet, Le Brun, Guercino, Guérin, and Delacroix, among others, would fixate and elaborate on the image and its world-tragic potency. Cato’s death signaled not only Caesar’s triumph but the end of the republic.

The *Brutus* nowhere mentions Cato’s demise. It even treats him as still living (118–19), which has complicated exact dating of the work. The gloomy rumblings about recent news and the mandate to avoid talking politics (10–11) intimate the defeat at Thapsus, and there can be little question about Cicero’s simmering resentment, though not yet outright hostility, toward Caesar. Still, lingering hopes for a political future effectively ruled out attacking Caesar with the vehemence and venom that he would employ after the dictator’s assassination by Brutus and his

¹ *victrix causa deis placuit sed victa Catoni*, Luc. 1.128. Most Americans know the phrase from the shameful appropriation on the Confederate Memorial at Arlington National Cemetery in Virginia. Only gross manipulation can make Cato’s legacy justify slavery or the “Lost Cause.”

co-conspirators two years later. Brave invective was postponed until after Caesar's death, while in the *Brutus* it remains unclear what Cicero thought exactly or what he felt he could state publicly. In light of the republican losses and Cato's (presumed) death, two vexing questions inevitably surface: what is Cicero's attitude toward Caesar, and what does Cicero seek to accomplish politically?

Uncertainty about the *Brutus*' dates of composition and setting complicates the answers.² Cicero wrote the *Brutus* in spring 46 before also completing in that year the *Paradoxa Stoicorum*, his eulogy *Cato*, and the *Orator*.³ The dialogue seems to unfold right as news about Thapsus is arriving, and chronological indications are confusing. Because Cicero refrains from discussing living orators, mention of Cato's *summa eloquentia* without analysis suggests that he is still alive (118–19). Scipio, who perished soon after Thapsus, is treated similarly (212). Lucius Manlius Torquatus, however, is discussed among those who died during the civil war (265), and contemporary sources state that he died along with Cato.⁴

These notices and other omissions undermine any precise dating of the dialogue. The confusion may have been intentional or the product of circumstance or carelessness. Did Cicero slip when including Torquatus? Had only partial news arrived from Africa? We might excuse Cicero's inconsistency given his admission that long speeches often contain contradictions (209), but he also heavily criticizes the elder Curio's faulty recall (*memoria*) and the chronological inaccuracies of his dialogue (218–19). *Brutus* expresses shock at such mistakes “especially in a written work” (*in scripto praesertim*, 219). Even the dialogue's own criteria, which might help us explain the contradictory evidence, are themselves contradictory. This uncertainty about the date of the setting contributes to the very uncertainty that Cicero repeatedly manufactures – about his place in the oratorical canon, the future of oratory, and the future of Rome.

Even if we could establish the chronology of authorship with greater precision, countless obstacles make it hard to assess Cicero's attitude in the spring of 46. Like most of his contemporaries he did not know Caesar's

² On the date, see Robinson (1951), Bringmann (1971) 15–16, Gowing (2000) 62–64.

³ Probably in that order, though uncertainty attends the *Paradoxa*: Section 5 may refer to the *Brutus*; Cato appears to still be alive. *De Optimo Genere Oratorum* is probably from 46, but a relative chronology cannot be fixed.

⁴ *Caes. B. Afr.* 96.1–2; cf. *Oros.* 6.16.4–5. Kytzler (1970) 274 has Publius Cornelius Lentulus Spinther dying at Thapsus (and thus also confusing the *Brutus*' chronology), but Spinther probably died in 48 after Pharsalia. Similar problems are visible in the composition of *de Divinatione*, which was begun before but completed after Caesar's death.

plans – Caesar himself may not yet have formulated them – and such knowledge would not necessarily translate into Cicero’s unfiltered response in a public work such as the *Brutus*. To judge from the roughly contemporary letters and public documents, Cicero’s attitude is hardly single-minded.⁵ Instead, it reflects the vacillations and changes of opinion that were likely to result from the rapidly changing circumstances. Still, two main imperatives emerge: first, to wait and see what the future will bring, and, second, to encourage Caesar by every means possible to reinstate traditional republican government. The *Brutus* exudes a cautious mixture of expectation, resistance, and even encouragement. Above all Cicero wanted to restore the republic – as he defined it – and the *Brutus* is the first step in realizing that desire.⁶

The uncertainty and complexity of Cicero’s views in the spring of 46 have produced a range of scholarly opinion concerning the work’s stated or unstated politics. Matthias Gelzer thought that Cicero wished to work alongside Caesar to renew the republic, a view that has found some supporters.⁷ Cicero’s desire to win Brutus away from Caesar has also remained a prominent focus.⁸ Especially appealing has been the possible anti-Caesarian message, with some scholars suggesting that references to Brutus’ forefathers encouraged Caesar’s assassination.⁹ That interpretation will already have been fostered by Brutus’ portrayal of his descent from the Brutii and the Servilii, the vanquishers of tyrants.¹⁰ Others have emphasized Cicero’s difficulty in addressing Caesar critically or otherwise.¹¹

The evidence from Cicero’s letters does not provide a clear picture either, or at least the picture that emerges, especially near the end of the civil war, sometimes is critical and sometimes wavers between resigned, hopeful, and conciliatory. Cicero was on fairly good terms with Caesar through much of the 50s. His brother Quintus served on Caesar’s military

⁵ Lintott (2008) 310: “Cicero’s attitude to the new regime ... ranged from resignation to exasperation.” Gildenhard (2018) surveys the contemporary letters. Narducci (1997) 99–101 and Kurczyk (2006) 306 survey the scholarship.

⁶ Jacotot (2014) 202 on Cicero’s unification of “pratique rhétorique et défense de la république.”

⁷ E.g. Kytzler (1970) 277, but he emphasizes Brutus’ connection to the tyrannicide L. Junius Brutus and sees the *Brutus* as a precursor to the actions of the Ides of March. M. Gelzer (1938).

⁸ Rathofer (1986) is the fullest though not the first exponent of this idea.

⁹ Jahn, Kroll, and Kytzler (1964) 34, Strasburger (1990) 29–31, Wassmann (1996) 160–72, Monteleone (2003) 107–322, Dugan (2005) 233–48 (arguing for doublespeak), Martin (2014). Heldmann (1982) 199–213, esp. 207, rejects the pro-tyrannicide thesis.

¹⁰ *RRC* 433/1–2, dated by Crawford to 54 (probably directed at Pompey).

¹¹ Lowrie (2008) argues for the debilitating trauma of Caesar’s rise. Bishop (2019) 173–218 argues that Cicero’s preference for Demosthenes is a pattern of figured speech critical of Caesar.

staff in Gaul; via Oppius Caesar lent him money.¹² He courted Caesar's support, happily heard praise from him, and assisted Oppius with the Julian *forum* and *saepta*.¹³ Nevertheless, resentment accompanied political pragmatism and was often directed in the same breath at the triumvirate (or Pompey alone) and at Cicero's own political sidelining and impotence.¹⁴ Desperate to avoid civil war, he criticized Caesar's role in bringing it about.¹⁵ After Caesar's march on Rome in 49, Cicero occasionally styled him a tyrant in the manner of Pisistratus.¹⁶ In March 49 he writes of declaiming against a tyrant.¹⁷ Disappointment with the Pompeians after Pharsalus kept him, however, from pursuing the war in Africa.¹⁸ He returned to Italy, biding his time at Brundisium while anxiously awaiting Caesar's clemency.¹⁹ Letters to Atticus, often critical of Caesar (and Pompey) in the lead up to Pharsalus, grow sparse as we approach the year 46, making it hard to precisely gauge his attitude.²⁰ Letters to his friends in 46 initially express disappointment over Caesar's victory (without necessarily praising the losing side); they also reflect sentiments familiar from the *Brutus*: Cicero's uncertainty toward Caesar and the future, and his hope that studies and writing can cure the republic of its ills (again, the key word *salus* appears).²¹ By the end of 46 the once-simmering resentment of Caesar's control boils over.²²

Amidst Cicero's varying opinions of Caesar and his desire to see the republic restored, the *Brutus* offers a subtle yet coherent challenge to Caesar. The dialogue's sweeping account of oratorical and political history opposes his rise (and the Pompeians' blind insistence on war). Yet Cicero envisions a future for the republic and its oratory. That future draws heavily on the contemporary civil context, as Cicero portrays an ideal state

¹² *Att.* 5.1.2 (SB 94; May 51).

¹³ E.g. *Att.* 4.5 (SB 80), *Att.* 4.15 (SB 90) relations with Caesar (June/July 56, July 54); *Att.* 4.16 (SB 89) Oppius and projects (July 54).

¹⁴ E.g. *Att.* 4.17 (SB 91; Nov. 54); *Att.* 7.3.4–5 (SB 126; Dec. 50).

¹⁵ E.g. *Att.* 7.9, 7.11, 7.13, 7.17, 7.18, 7.20, 7.26 (SB 132, 134, 136, 141, 142, 144, 150; Dec. 50 to Feb. 49), and *Fam.* 4.2, 8.16 (SB 151, 153; both Apr. 49).

¹⁶ E.g. *Att.* 7.20.2 (SB 144), *Att.* 8.16.2 (SB 166).

¹⁷ *Att.* 9.4 (SB 173; Mar. 49).

¹⁸ *Att.* 11.6 (SB 217; Nov. 48).

¹⁹ Mitchell (1991) 263–4 summarizes it well.

²⁰ There is a gap from Sept. 47 to Apr. 46, and only *Att.* 12.2 (SB 238; probably Apr. 46), with little to report, before the writing of the *Brutus*. Bringmann (1971) 18–20 offers a sensible overview of Cicero's ambivalence.

²¹ E.g. *Fam.* 9.3, 9.2, 9.7, 9.6 (SB 176, 177, 178, 181; mid-Apr. to June, all to Varro); *Fam.* 9.16 (SB 190; July, to Papirius Pactus).

²² E.g. concerning the elections of 46 for 45, *Att.* 12.8 (SB 245), but with a humorous tone. To Papirius Pactus he complains of the lack of free speech, *Fam.* 9.19.4–5 (SB 194; July 46), the lack of courts, *Fam.* 9.18.1–2 (SB 191; July 46), and the autocratic passage of legislation, *Fam.* 9.15.3–5 (SB 196; fall 46).

in which oratory is the true weapon for civic action. Political oratory and its long history at Rome are to be the saving alternative to contemporary ills, especially to military success pursued for personal aggrandizement rather than for the sake of the republic. This program emerges in the course of the dialogue's preface (1–25), in the central digression on Julius Caesar, which emphasizes the value of civic oratory over military triumph (254–57), and in Cicero's carefully crafted discussions of the orators of the younger generation. Cicero pays special attention to several *exempla* of failed oratory (Curio, Caelius, Publius Crassus) in order then to shed special light on Marcellus, the key figure of the younger generation who embodies the traditional republic against the dangers posed by Julius Caesar. Marcellus' place in the dialogue, just like Caesar's, is shrouded in mystery, because Marcellus is the sole living figure Cicero discusses other than Caesar himself. The discussion of Marcellus, which can be read alongside Cicero's *pro Marcello* of September 46, reveals Cicero's hopeful resistance to Caesar, his desire to compel Caesar – with oratory – to restore the Roman republic.

The Preface at War (1–25)

Under Caesar's rule and lacking the traditional means of political opposition, Cicero's choices were compliance or innovation. He chose the latter, and the *Brutus* is the first stage in crafting and promoting political alternatives to compete with Caesar's unassailable military position. For all Cicero's positioning of the *Brutus* as repayment of literary debts to Atticus and Brutus, he also had to defend his choice to write a treatise and had to provide a larger sense of its urgency. With little delay the preface (1–25) presents the dialogue – and intellectual inquiry more generally – as a means of personal and civic salvation (*salus*).²³

Though crafting an innovative project, Cicero turns to the rhetorical and philosophical tradition to express his vision of civic engagement. Research into the past has the twin purposes of usefulness (*utilitas*) and honorability (*honestas*). These categories, familiar from deliberative rhetoric and moral philosophy, expressed both the instrumental serviceability of oratorical history and its value as a vehicle to secure public recognition. Cicero measures his new project against what he found in Atticus' *Liber Annalis*, which produced new and useful material: *ille vero et nova, inquam,*

²³ Chapter 2 discusses the preface as well, focusing on grief (*dolor*) and salvation (*salus*) amidst the crisis, and the interlocutors' textual exchanges.

mihi quidem multa et eam utilitatem quam requirebam (15).²⁴ Utility results from the immediate view of the past that Atticus' work afforded a reader. Most of all such texts brought salvation (*salus*), for Cicero and for the republic as a whole.²⁵ Coupled with utility was honorability (*honestas*), the main term through which Cicero would promote his new project.²⁶ *Honestas* encompassed at the broadest level the honor that one could achieve by pursuing a course of action, although the abstract idea was often translated into more concrete terms with greater currency, such as authority (*auctoritas*), grandeur (*dignitas*), and renown (*fama, gloria, laus*). Cicero densely populates the preface with all of these terms, emphasizing the importance of *auctoritas* and *dignitas*.²⁷ *Gloria* and *laus* are cited repeatedly.²⁸ Leisure time should be "measured and honorable" (*otium moderatum atque honestum*, 8; see below), with *otium* understood to include the learned conversation of dialogues.²⁹

This way of defining Cicero's scholarly activities surfaces against the background of traditional paths to honor: military command and triumph as a magistrate. In the 60s and 50s such recognition accrued especially to Caesar and Pompey. Special investiture with multi-year commands brought extraordinary honors, including supplication inflation – the awarding of increasing days of thanksgiving (*supplicationes*) in honor of a general's victories. The rampant pursuit of recognition, whatever its traditional aristocratic basis, culminated in civil war and spurred Cicero to remark in general terms on the opposition of glory to state well-being:

I am deeply distressed that the republic feels no need of the weapons of counsel, talent, and authority, which I had learned to handle and had

²⁴ Cicero's response reiterates the terms of Atticus' preceding inquiry: *quid tandem habuit liber iste, quod tibi aut novum aut tanto usui posset esse?* (14).

²⁵ In older definitions of deliberative categories utility was the main focus but was divided into utility concerned with the safety or preservation of an individual or group (*utilitas tuta*) and utility deriving from the honor something could provide (*utilitas honesta*). *Salus* is closely aligned to the first of these two. *Fin.* 3.64 connects *utilitas* and *salus*. See HWRh s.v. *Utile* for discussion of *utilitas* as a rhetorical category. The consideration of *honestas* and *utilitas* was a topos in the justification of oratory, e.g. *de Orat.* 1.30–34 (Crassus) or Tac. *Dial.* 5.4–10.8 (Marcus Aper).

²⁶ Brutus later refers to deliberative categories by noting the *fructus et gloria* (benefit and renown) acquired through oratory (though Brutus prefers oratory in itself, *studium ipsum exercitatioque*, 23).

²⁷ *Auctoritas*: 2, 7 (×2), 9. *Dignitas*: 1 (×2), 25. See Hellegouarc'h (1972) 295–320 (*auctoritas*) and 388–424 (*dignitas*).

²⁸ *Gloria* (and related terms) at 2, 3, 8, 9, 23; *laus* (and related terms) at 2, 9, 24, 25. See Hellegouarc'h (1972) 362–87. Cf. *praestans vir* (elsewhere rendering Aristotle's πολιτικός) at 7 with Hellegouarc'h (1972) 337–38.

²⁹ Cf. e.g. *de Orat.* 1.1–3 with the focus on *otium cum dignitate*. On *otium* see André (1966), Stroup (2010) 43–48, and Hanchey (2013). On *otium cum dignitate*, Boyancé (1941), Wirzubski (1954), Kaster (2006) 322 (with bibliography 31–32 n.70), Altman (2016) 18.

grown accustomed to, and which befit not only a man distinguished in state service but also a community enjoying moral and civic order. But if there was any time in the republic when the speech and authority of a good citizen could snatch the arms out of the hands of raging citizens, it was surely at that time when the advocacy of peace was precluded by either the wrongheadedness or the timidity of men.

It was my own experience that, although many other things warranted lamenting, I was still pained by the fact that, at a time when a man of my age and considerable accomplishments ought to seek safe haven, not in indolence and idleness, but in restrained and honorable leisure, and just when my oratory was growing gray and achieved a kind of maturity and ripe age, then were arms taken up, and those same men who had learned to make glorious use of them could not find a way to make beneficial use of them.

equidem angor animo non consili, non ingeni, non auctoritatis armis egere rem publicam, quae didiceram tractare quibusque me adsuefeceram quaeque erant propria cum praestantis in re publica viri tum bene moratae et bene constitutae civitatis. quod si fuit in re publica tempus ullum, cum extorquere arma posset e manibus iratorum civium boni civis auctoritas et oratio, tum profecto fuit, cum patrociniū pacis exclusum est aut errore hominum aut timore. ita nobismet ipsis accidit ut, quamquam essent multo magis alia lugenda, tamen hoc doleremus quod, quo tempore aetas nostra perfuncta rebus amplissimis tamquam in portum confugere deberet non inertiae neque desidia, sed otii moderati atque honesti, cumque ipsa oratio iam nostra canesceret haberetque suam quandam maturitatem et quasi senectutem, tum arma sunt ea sumpta, quibus illi ipsi, qui didicerant eis uti gloriose, quem ad modum salutariter uterentur non reperiebant. (7–8)

With his intellectual weapons (*arma*), Cicero (*praestantis viri, boni civis*) stands as the bulwark against rabid warmongers, presumably Pompey, Caesar, and their adherents. The conceptual distinction between figurative and actual weapons is signaled by the balanced use of *didiceram*/*didicerant* in the first and last sentences. Cicero consistently employs the weapons of peace: talent, authority, and especially oratory (*oratio*, used twice and reinforced by *patrociniū*).³⁰ The opposition of *gloriose* to *salutariter* undermines military valor because of its insalubrious effects on the body politic: Cicero stresses that individual glory in war must also benefit the republic. Cited as well is the common metaphor of the ship of state, here applied to his own career, and his own proper conduct is underlined in the

³⁰ On *arma* in connection to oratory, cf. *de Orat.* 2.72, Quint. *Inst.* 9.1.33, Assfahl (1932) 83–100, Fantham (1972) 155–58, Fox (2007) 181. Bishop (2019) 184 on *Demosthenis arma* as part of the *Nachleben* of Demosthenes' oratory.

decision to seek honorable *otium* after a political career, an idea suggestive of past political greats such as Laelius and Scipio Aemilianus (as Cicero portrayed them). The differences between such an ideal statesman and Cicero's contemporaries draw in sharpest relief the moral and political failures of those who covet power for its own sake.³¹

The conceit of oratorical weaponry recurs throughout the *Brutus* as a countervailing model to military power. Oratory deserves greater credit than martial activity, though the two resemble one another: *vis* ("forcefulness," "violence") is a key characteristic of the most accomplished orators.³² It is the hallmark of Demosthenes, who is lionized throughout. The dialogue's other hero, Pericles, terrified his contemporaries with the forcefulness of his speech (*vim dicendi terroremque timuerunt*, 44). *Vis* is nearly an antonym of *elegantia* ("gracefulness," "charm"), best exemplified in the opposition of Galba (*vis*) to Laelius (*elegantia*, 89). Among Roman orators, only Galba, Antonius, Curio, and Cicero stand out for their forcefulness, but most of all it is the hallmark of Antonius and Cicero.³³

Cicero aligns forcefulness (*vis*) with the arousal of emotion (*movere*), the cardinal virtue of oratory in the *Brutus*. It also defines the power that oratory has had in all historical periods, even those in which there is little or no formal evidence of great orators: "Yet still I don't doubt that oratory has always had incredible power" (*nec tamen dubito quin habuerit vim magnam semper oratio*, 39); the statement paves the way for Cicero's connection of *vis* to Odysseus and oratory's high esteem across generations (*honus eloquentiae*, 39). Romans also associated *vis* with conceptions of elite

³¹ *De Republica*, *de Amicitia* and *de Senectute* are central to Cicero's idealization. Cicero bitterly contrasts enforced *otium* with the dignified retreat of Scipio Africanus after a long and honorable career (*Off.* 3.1–2).

³² Despite its fundamental importance, *vis* as a general and unqualified character of speech occurs rarely in Cicero's catalogue: among Greeks it is used of Odysseus (40) and Pericles (44); among Romans we find it in Galba (89), Antonius (144), and it is Curio's sole saving grace (220), just as its absence is Calidius' chief shortcoming (276). The examples in connection with Pisistratus (41), Philippus (304), and Cicero himself (233) do not address an absolute judgment of style (Pisistratus has somewhat more force than his predecessors; Philippus gave testimony with the vehemence of a prosecutor; Cicero refuses to discuss his own *vis ingenii*).

³³ Cicero also notes that Philippus' passionate testimony resembled the forcefulness and fullness of a prosecutor (*cuius in testimonio contentio et vim accusatoris habebat et copiam*, 304). Cicero does hedge some in his examples in a way that suggests that only few orators truly have *vis*: the example of Galba is used to establish a dichotomy between *vis* and *elegantia* and to show that *vis* can also be lost in the transcription of speeches; Carbo is said to have *vis* and nothing else and yet still he is an *orator*, a claim Cicero makes in order to establish *vis* as a fundamental oratorical requirement. The only two orators with unqualified *vis* are Antonius and Cicero, who also have fullness of expression: *vis et copia*; these two characteristics were essential for major forensic cases (*vi atque copia quam genus illud iudici et magnitudo causae postulabat*, 15).

Roman men, through terms such as *vir* and *virtus* (“man” and “manly excellence”), and aligned oratorical power with proper male conduct.³⁴

To be sure, *vis* was also a more run-of-the-mill descriptor, translating the Greek technical term δύναμις and common in more neutral phrases such as *vis dicendi*, which means little more than “the capacity to speak (well).” The association of weapons with persuasion was also nothing new, and martial metaphors are part of oratory’s stock in trade. Demetrius of Phalerum is criticized for seeming to be trained in a gymnasium rather than with battle weapons (*non tam armis institutus quam palaestra*, 37).³⁵ Antonius will be described as perfectly disposing the elements of his speeches as “horsemen, foot-soldiers, and light infantry [are] by a general” (*ab imperatore equites, pedites, levis armatura*, 139). Even today we are prone to craft martial metaphors when wishing to lend gravity or urgency to political or social movements – think about the contemporary US slogans “fighting crime,” “the war on drugs,” and “the battle against cancer.” The *Brutus* skillfully draws on traditional associations of rhetoric with power and violence – emphases that are not necessarily opposed to moral and civic integrity – in order to present oratory as a rival force to military power. Thus the account of oratory demonstrates its centrality to state well-being and simultaneously diminishes military achievement. Along the way, Caesar will increasingly be pulled into the center of the work’s focus.

The Conquered Conquer Caesar

Since antiquity readers have traced back the events of the Ides of March 44 to the *Brutus*.³⁶ Reading back from later history has the tendency, however, to distort what exists in the dialogue. Without the assistance of hindsight there is little clear evidence that Cicero there encourages Caesar’s assassination. References to contemporary politics remain largely oblique. Scattered allusions and touches of gloom at the outset and the conclusion are cast in language vague enough that the interlocutors seem to lament the general state of affairs, the restrictions on the courts since 52, civil war since 49, and the uncertainty of oratory’s future. Explicit mention of Caesar, in connection with his style and his treatise *de Analogia*, abounds

³⁴ Gunderson (2000), Dugan (2005).

³⁵ Probably a pun: *palaestra* was also a covered portico for philosophers; cf. *Fam.* 7.23.2 (SB 209), *de Orat.* 1.98.

³⁶ Van der Blom (2010) 97–98, with Plut. *Brut.* 2.1; Cass. Dio 44.12, App. *B Civ.* 2.112.

in praise: “Toward Caesar the orator, writer, and scholar he is generous and almost excessive in flattery,” says Hendrickson.³⁷ Yet given the pressing realities of Caesar’s hold on power, we might expect much more. Instead, much of the discussion focuses on Caesar’s *de Analogia*, which should be read in light of the work’s claim that it was inspired by such literary exchanges between interlocutors. No other such exchanges are mentioned (Varro, for example, is cited only by name). Just as the *Brutus* settles a debt for Atticus’ *Liber Annalis* and Brutus’ *de Virtute*, it also indirectly repays Caesar for *de Analogia*, the treatise allegedly dedicated to Cicero.

Caesar’s importance for the *Brutus* is in his ghostlike quality, haunting the dialogue without ever assuming a clear place in it. Even if Caesar is named at various points, no mention in isolation reveals a clear purpose. Yet the sum of references and allusions taken together does outline a coherent challenge to Caesar both politically and stylistically. Throughout the work Cicero directly and indirectly challenges martial authority as a source of political authority. He first likens oratory and military victory through the term *prudentia* (“knowledge,” “sound thinking”): “you see, no one can speak well unless they possess sound thinking; this is why the man who strives after true eloquence also strives after sound thinking, which no one, even in the greatest battles, can calmly forgo” (*dicere enim bene nemo potest nisi qui prudenter intellegit; qua re qui eloquentiae verae dat operam, dat prudentiae, qua ne maxumis quidem in bellis aequo animo carere quisquam potest*, 23).³⁸ The preface concludes with strident assertions about oratory’s difficulty:

You’re quite right, Brutus, and I’m all the more pleased by this praise of speaking,³⁹ because no one is so humble as to think that he cannot acquire or has acquired the other things that were once thought the fairest in our state; I don’t know of anyone who’s been made eloquent by a victory.

Praeclare . . . Brute, dicis eoque magis ista dicendi laude delector, quod cetera, quae sunt quondam habita in civitate pulcherrima, nemo est tam humilis qui se non aut posse adipisci aut adeptum putet; eloquentem neminem video factum esse victoria. (24)

³⁷ Hendrickson (1962) 8.

³⁸ The preface repeatedly connects the good citizen (*civis bonus*, 2, 6, and 7) with (practical) wisdom (*sapientia*, 2 and 9) and *prudentia* (2, 11, and 23 [$\times 2$]).

³⁹ Martha and Hendrickson understand *ista dicendi laude* as Brutus’ renown. Translating it as Brutus’ praise for the art of eloquence seems more sensible (cf. Kaster 2020).

The insistence that oratory is more difficult than military victory – and presumably more valuable as a consequence – is new to Cicero's rhetorical treatises.⁴⁰ This first pass at upending so traditional a hierarchy is elaborated on in one of the work's most rhetorically brilliant digressions:⁴¹

"Then," Brutus said, "I think it friendly and superbly complimentary that he said that you're not only the first pioneer of fullness, which was great praise, but that you even have served well the renown and excellence of the Roman people. You see, the one domain in which we were being conquered by conquered Greece we have now either taken from them or surely share with them. Although I wouldn't rank this glorious testimony of Caesar above your public thanksgiving (*supplicatio*), still I'd rank it above the triumphs of many men."

"That," I said, "is quite right, Brutus, provided that this is evidence of Caesar's true judgment and not of his goodwill. You see, whoever that man is, if he exists, who not only revealed but even gave birth to fullness of speech in our city, he certainly conferred greater dignity upon our people than those renowned conquerors of Ligurian strongholds, which, as you know, resulted in a great many triumphs. But if we want to hear the truth, disregarding those divine plans of action in which often the salvation of the state – either in war or at home – has been secured, the great orator far excels those petty commanders. 'But a commander is of greater utility,' someone will say. Who'd deny it? But still – and I'm not afraid that you'll roar in protest; on the contrary, there's room here to say what you think – I'd rather have one speech of Lucius Crassus on behalf of Manius Curius than two of those outpost triumphs. 'But it was more useful that a Ligurian outpost be captured than that Manius Curius be well defended,' someone will say. All right; but it was also of greater utility to the Athenians to have sturdy roofs over their houses than to have that most beautiful ivory statue of Minerva. I'd still rather be Phidias than the best setter of roof beams. That's why we must weigh carefully not a man's utility but his true value, especially since only a few can paint or sculpt remarkably, but you can't have a lack of workmen and heavy lifters."

Tum Brutus: amice hercule, inquit, et magnifice te laudatum puto, quem non solum principem atque inventorem copiae dixerit, quae erat magna laus, sed etiam bene meritum de populi Romani nomine et dignitate. quo

⁴⁰ At *de Orat.* 1.6–8 Cicero suggests the comparison without claiming oratory's superiority to military accomplishment, even if oratory is the most difficult field. The *de Officiis* (44 BCE) will, like the *Brutus*, emphasize Cicero's squelching of the Catilinarian conspiracy as an act superior to military victory, apparently regardless of size: Cicero calls on Pompey after his third triumph, in 61 BCE, as evidence for his claim (*Off.* 1.77–78). On the much-debated *cedant arma togae*, see Volk and Zetzel (2015).

⁴¹ This hierarchical reordering is central to *pro Marcello*, which ranks civic clemency above military victory.

enim uno vincebamus a victa Graecia, id aut ereptum illis est aut certe nobis cum illis communicatum. hanc autem, inquit, gloriam testimoniumque Caesaris tuae quidem supplicationi non, sed triumphis multorum antepono.

Et recte quidem, inquam, Brute; modo sit hoc Caesaris iudici, non benevolentiae testimonium. plus enim certe adtulit huic populo dignitatis quisquis est ille, si modo est aliquis, qui non inlustravit modo sed etiam genuit in hac urbe dicendi copiam, quam illi qui Ligurum castella expugnaverunt: ex quibus multi sunt, ut scitis, triumphi. verum quidem si audire volumus, omissis illis divinis consiliis, quibus saepe constituta est salus civitatis aut belli aut domi, multo magnus orator praestat minutis imperatoribus.⁴² 'at prodest plus imperator'. quis negat? sed tamen – non metuo ne mihi adclametis; est autem quod sentias dicendi liber locus – malim mihi L. Crassi unam pro M'. Curio dictionem quam castellanos triumphos duo. 'at plus interfuit rei publicae castellum capi Ligurum quam bene defendi causam M'. Curi'. credo; sed Atheniensium quoque plus interfuit firma tecta in domiciliis habere quam Minervae signum ex ebore pulcherrimum; tamen ego me Phidiam esse malletm quam vel optimum fabrum tignuarium. quare non quantum quisque prosit, sed quanti quisque sit ponderandum est; praesertim cum pauci pingere egregie possint aut fingere, operarii autem aut baiuli deesse non possint. (254–57)

The passage has long been overshadowed by the surrounding highlights in which Atticus discusses Caesar's style and his *de Analogia*. According to Cicero (via Atticus) Caesar praised him for being essentially the first to introduce fullness of expression as an oratorical virtue: *paene principem copiae atque inventorem* (253). The compliment was worth hearing more than once, as Cicero has Brutus reprise Caesar's language while omitting the hedging adverb *paene* (254). Brutus' remark effects the transition into this digression, whose argument proceeds in interlocked steps that lack a clear logical progression. He boldly asserts the preeminence of Cicero's *supplicatio* over the triumphs of many men, a partial but not yet complete demotion of military victory. Cicero adapts the general idea by promoting his own *copia* over Ligurian triumphs. In a further step he erases the distinction between domestic and foreign affairs by claiming that the state's preservation (*salus*) has been assured by divine counsels both at war and at home. Cicero then imagines the objections of a fictive interlocutor only to concede the utility of triumphs (*prodesse, plus interesse*). He concludes, however, by asserting that true achievement lies in quality (*quanti esse*) not utility (*quantum prodesse*), citing the beauty

⁴² I have deleted *imperatorum sapientia* before *salus civitatis* (Kaster 2020, following Fuchs).

(*pulcherrimum*) of Phidias' statue of Athena/Minerva in comparison to everyday roofs.

Cicero's strategy is not simply to devalue military success but to portray his own range of accomplishments as the preeminent contribution to the Roman state. Along the way he bridges the divide between military and civic achievement, and this conflation of two notionally distinct categories largely accounts for the ambiguity – or apparent contradictions – in the passage and for the details that Cicero selects for special emphasis. The passage begins with an abrupt transition to the justification of Cicero's *supplicatio* and its value over a triumph. We are never told which *supplicatio* is meant: for suppression of the Catilinarian conspiracy or for his military command in Cilicia? The former is the obvious choice, given that the *supplicatio* is contrasted with a triumph, which Cicero was not awarded but surely coveted. In his proconsular command of the province of Cilicia in 51–50 Cicero won some minor skirmishes near the Syrian border and was hailed by his troops as *imperator*, an exclamation that was a precursor, though no guarantee, of a formal triumph. Subsequently the senate awarded him a *supplicatio* after considerable political maneuvering at Rome and despite the recalcitrance of Cato the Younger.⁴³

The coveted triumph would have partly restored his previous *dignitas*, since impaired by exile, but it never materialized and was perhaps an unrealistic expectation.⁴⁴ The recent calamity of Crassus' army at Carrhae in 53 would have been on anyone's mind in 50 BCE, and the Parthians continued to threaten the Romans in Syria, but Cicero's victory was meager, others had taken the lead in securing Rome's eastern possessions, and at least some senators opposed further honors.⁴⁵ Then again Cicero's minor success may be the reason for the faint tone of bitterness in his mention of insignificant triumphs; Lentulus Spinther, who governed Cilicia from 56 to 54, would receive a triumph in 51, and if so many others had received a triumph for so little, why not Cicero?⁴⁶ He had also done much more in the course of his career: the emphasis on the *supplicatio* and his calculated refusal to specify which one capitalizes on his having received

⁴³ See several of the essays in Rosillo-López (2017) on the backroom maneuvering and the use of intermediaries for political arm-twisting in general.

⁴⁴ Cf. *Att.* 6.6.4 (SB 121). Wistrand (1979), Beard (2007) 187–96, van der Blom (2016) 237–41, Morrell (2017) 106–16.

⁴⁵ Cicero was incensed at Cato's duplicity: Cato, promoting supplication inflation, got his son-in-law Bibulus twenty days of *supplicationes*, despite Bibulus' nearly bungled efforts to repel the Parthians and secure Syria. See Morrell (2017) 197–200 for an overview; *Cic. Att.* 7.2.7 (SB 125); Wistrand (1979) 37–40.

⁴⁶ *Att.* 5.21.4 (SB 114).

not one but two separate *supplicationes*, one for quashing the Catilinarian conspiracy in 63 and one for the Cilician victory in 50.⁴⁷

Criticism of martial achievement emerges in various ways, most evidently in the dismissal of petty Ligurian triumphs.⁴⁸ The lengthy promotion of oratory (254–57) over martial success is structured around the deliberative opposition of *utilitas* (utility) to *honestas* (honorability), familiar from the preface (discussed above). The latter term, *honestas*, could also be expressed by other stand-ins, such as *dignitas* (254, 255). Cicero had already primed the reader to contrast oratory with military achievement in the earlier syncretism of Laelius and Scipio (83–85). Just as Laelius was greater in learning and speaking, so Scipio was greater in war (84). The reason, we are told, is that human custom refuses men priority in more than one field (85).⁴⁹

Cicero partly dismisses the sheer quantity of Roman triumphs as part of his attack on them: the fact that there are so many is a sign that they can be achieved easily, whereas Cicero's contribution to oratory is a singular accomplishment. This contrast of one versus many is reinforced in the subsequent example of Phidias' great statue of Athena Parthenos (Athena the maiden), partly sheathed in ivory and clad with detachable gold plates, which was the centerpiece of the Greek Parthenon.⁵⁰ The statue stands in sharp contrast to the work of countless everyday roofers. The terms Cicero here uses are important as well. In his claim that one "must weigh carefully not how much each man is beneficial, but how much he is truly worth" some careful wordplay is evident: the sheer quantity of basic objects (triumphs/roofs) would of course seem to outweigh one single object (oratory/Minerva), but this is proven false when Cicero makes the transition from physical weighing to conceptual weighing (both ideas are present in the verb *ponderare*, "to weigh" and "to ponder"). When one considers that Athena/Minerva is an immense ivory-clad statue with gold plates, her value is of course greater. Cicero has selected his image well, since one

⁴⁷ With a dash of humor Kaster (2005) 134–35 compares the Academy Awards' "lifetime achievement" Oscar.

⁴⁸ Several triumphs, concentrated in the second century, were awarded for defeating the disorganized if rugged Ligurians, natives inhabiting the northwestern Mediterranean basin in northern Italy, Gaul, and Spain. One might be tempted to see here indirect criticism of Caesar, whose command included the two Gauls in northern Italy and southern France, where the Ligurians, though distinct from the Gauls themselves, were based and still active.

⁴⁹ Gell. *NA* 17.21.1 catalogues men known for command or talent: *vel ingenio vel imperio nobiles insignesque*.

⁵⁰ Chapter 8 discusses Cicero's comparison of himself to Minerva and the stylistic evaluation of Caesar's *commentarii*, arguing for a much greater importance in the complex analogies of sculptor and orator/historian.

element in particular of the statue, gold, would actually be placed in the balance for weighing (*ponderare*), and the stories surrounding the statue in Plutarch focus specifically on that aspect – Pericles made the gold pieces detachable so that they could be weighed up, a fact that saved Phidias from prosecution for embezzlement of public funds.⁵¹ Even Cicero’s dismissive vocabulary draws attention to the act of weighing: it is not just any artisans that he cites, but the *tignuarius faber*, the craftsman who makes support beams (*tigna*). When he then says that there’s no shortage of workers (*operarii*) he cites one specific group, the *baiuli* (“porters,” “stewards”), that is, those whose job entails carrying heavy loads, small details that help sustain the image of weighing value. By contrasting lowly roofs with Minerva and the Parthenon towering above on the Athenian acropolis, Cicero suggests that military victory is merely a basic substructure holding up Rome’s greatness to serviceable ends. Militarism is not truly outstanding, *praestans* or *excellens*, the evaluative terms derived from the language of spatial distinction.

Phidias’ statue also marvelously straddles the divide between the distinct virtues of knowledge and military valor. The goddess embodies both wisdom and war, often simultaneously depicted with the Athenian symbol for wisdom, the owl, and a spear or sword. The statue along with the Parthenon was promoted by Pericles, the perfect example of the general, statesman, and orator, who in the *Brutus* obtains an otherwise unparalleled position among Greek orators.⁵² This apparent digression from discussion of Caesar (253–57) crucially expresses the dialogue’s ideological aims, redefining true accomplishment on behalf of the republic and depicting Cicero as the embodiment of that ideal. Caesar and his rise are nevertheless the immediate, if unexpressed, point of reference, and Cicero meaningfully places the digression in the middle of his discussion of Caesar. Yet Caesar’s counterpart, Marcus Claudius Marcellus, is equally crucial to this larger digression.

Marcellus, the *pro Marcello*, and the *Brutus*

Alongside Caesar, Marcellus is the only other living orator who is discussed. The pairing and the praise of Marcellus are remarkable, not only

⁵¹ Plut. *Per.* 31.2–3. According to Plutarch, Phidias was condemned later and died in jail for having carved a likeness of himself (and Pericles) into the depicted battle against the Amazons (31.4–5).

⁵² In *de Oratore* and *Orator* his role is considerably diminished. Isoc. *Antid.* 234 makes him the height of Greek eloquence; cf. Thuc. 1.139.4.

because Cicero must invent a creative loophole in his rule against discussing the living (only Brutus and Atticus discuss the oratory of Marcellus and Caesar), but also because Marcellus is hard to imagine as an appropriate counterpart to Caesar. Somewhat younger than Caesar and considerably younger than Cicero, he was not among the finest orators, though his successful career included a consulship. There must be some reason for giving him such a place of prominence next to Caesar. Robert Kaster has asked, “Is their unexpected juxtaposition, with the highest compliments paid to both, intended to make a statement?”⁵³ His inclusion is central to Cicero’s political aims, both as a response to Caesar and also as part of Cicero’s vision for the future of the Roman republic. That vision can be discerned as well in Cicero’s *pro Marcello* of September 46, a speech praising Caesar for pardoning Marcellus, and focusing on the tensions and themes of that speech will productively illuminate the politics of the *Brutus*.⁵⁴

Marcus Claudius Marcellus came from an established plebeian family with noteworthy ancestors. Along with Servius Sulpicius Rufus, Marcellus was the consul of 51, followed in that office by Gaius (his cousin) in 50 and Gaius (his brother) in 49. He staunchly opposed Caesar before the civil war and at Pharsalus. After Pompey’s defeat he went into self-imposed exile in Mytilene, on Lesbos, where he remained at the time of the *Brutus* and beyond. In September 46 the fate of Marcellus was decided at a meeting of the senate, and Caesar’s pardon prompted Cicero’s speech *pro Marcello*. Marcellus delayed his return and would never arrive. Servius Sulpicius Rufus reports that in May 45 he was treacherously murdered in Piraeus by his friend Magius Cilo.⁵⁵

Contrary to what its name suggests, the *pro Marcello* was not a speech of defense or justification – as the *pro Rege Deiotaro* and *pro Ligario* were – but a political statement directed at Caesar. In this and other respects it shares a common intellectual and political framework with the *Brutus*. When Cicero mentions that Marcellus consoles himself (*consoletur se*, 250, quoted in full below), he seems to provide a reference back to the work’s

⁵³ Kaster (2020) 17; cf. 16 “is there nonetheless a political stance to be discerned in the dialogue?” What follows seeks to answer Kaster’s questions.

⁵⁴ Strasburger (1990) 30–31, Gowing (2000) 59–61, Lintott (2008) 315. Gotoff (1993) xxvi notes the similar exculpatory language of communal misfortune in 250 and in the Caesarian Orations.

⁵⁵ In *Fam.* 4.4.3–4 (SB 203) Cicero reports the senate meeting to Marcellus; in *Fam.* 4.7–9 (SB 229–31) Cicero urges Marcellus to return to Rome; *Fam.* 4.11 (SB 232) is Marcellus’ thankful acknowledgment of Cicero’s efforts on his behalf; in *Fam.* 4.12 (SB 253) Sulpicius reports Marcellus’ murder.

preface and especially to Brutus' epistolary treatise, *de Virtute*, cited (indirectly) as a source of inspiration for Cicero and the *Brutus*. Consolation is a theme in the preface (*consolari*, 11) and the conclusion (*consolatione sustentor*, 330), the only other uses of the term in the work. As far as we can tell, Marcellus played an important role in Brutus' treatise, which offered philosophical consolation (*consolatio*) in the face of political turmoil, emphasizing *virtus* and promoting self-sufficiency as a means to individual well-being.⁵⁶

In *pro Marcello* and the *Brutus* Cicero intertwines his own fate with that of other significant figures. The *Brutus* fixates on Hortensius in the past and Brutus in the future, oratorically and politically, and ties the fate of each to the fate of the republic. The *pro Marcello* similarly intertwines Cicero with the political fortunes of his allies:

By restoring Marcus Marcellus to the republic at your [the senators'] instigation, Caesar restored me to myself and to the republic without anyone's intercession and restored other dignified men to themselves and their fatherland.

cum M. Marcellum deprecantibus vobis rei publicae conservavit, me et mihi et item rei publicae, nullo deprecante, reliquos amplissimos viros et sibi ipsos et patriae reddidit. (*Marc.* 13)

Both texts announce Cicero's reentry into politics at Rome, though in different ways: the *Brutus* announces Cicero's return to written politics, the *pro Marcello* to spoken politics. In many respects the *Brutus* is the theoretical justification for the immediate practical aims of the *pro Marcello*. This explains the central tension in both texts: how to win over Caesar while offering an alternative vision of the Roman republic founded on its institutions and tradition. In this regard the aims are similar but given different weight: the *Brutus* proposes a future with oratory at the center of civic affairs. The *pro Marcello* insists on restoring order and government: "the courts must be established, credit restored, vices checked, birth rates fostered: everything that collapsed and flowed away must be bound by strict laws" (*constituenda iudicia, revocanda fides, comprimendae libidines, propaganda suboles: omnia, quae dilapsa iam diffluxerunt, severis legibus vincienda sunt, Marc.* 23).

In both works conspicuous praise of Caesar accompanies the subordination of military achievement to civic accomplishment: Cicero's civic

⁵⁶ On *de Virtute* see Chapter 2.

actions surpass military triumphs (254–57, discussed above). The deft rhetoric of *pro Marcello* coaxes and cajoles Caesar to accept Cicero's view of the republic. Military victory, however praiseworthy, depends on others' achievements and the gifts of fortune. Civic accomplishments, including the pardoning of Marcellus and the eventual restoration of the republic, are the true source of enduring achievement. Caesar is portrayed as a kind of ideal statesman along the lines found in Cicero's *de Republica*, and James Zetzel rightly calls the speech an "exercise in redescription."⁵⁷ Cicero redefines Caesar's actions as a partial restoration of the republic in order to promote its full restoration.

The political relevance of Marcellus, and his closeness to Cicero, emerge in the surprising insistence on the similarities between the two men:

"Well then, what's your opinion of the man you often heard," I said.

"What do you think," Brutus asked, "other than that you'd find him like yourself?"

"If that's so," I responded, "I'd certainly want you to like him as much as possible."

"It is," he replied, "and I like him exceedingly and for good reason. You see, he both studied and set aside other interests to pursue one thing and exercised himself arduously with daily activities. And so, he makes use of choice words and density of thought, and his speech is made attractive and brilliant by the sonorous voice and dignified movement, and all qualities attend on him so that you'd think he lacked none of the orator's virtues. And he merits praise too, since in this state of affairs he consoles himself – as much as is possible given the inevitable fate we share – with the best intentions and even a renewed commitment to learning. You know I saw the man recently in Mytilene and, as I just said, I saw a true man. And so, whereas I regarded him previously as like you in speaking, I really noticed a much greater similarity, since he's been equipped with full learning by Cratippus, an especially learned man, who, I gathered, is a close friend of yours."

"Although," I responded, "I'm always happy to hear the praises of an excellent man and very good friend, still it brings me right to the thought of our shared miseries, and I'd carried on our discussion here because I sought to forget them. But I want to hear what Atticus in fact thinks of Caesar."

Quid igitur de illo iudicas quem saepe audisti?

Quid censes, inquit, nisi id quod habiturus es similem tui?

⁵⁷ Gotoff (1993), (2002), Gildenhard (2011) 225–43 on the Caesarian Orations. Krostenko (2005) on the proreptic function of stylistic registers in *pro Marcello*. Tempest (2013) on *de Republica* and *pro Marcello*; "redescription": Zetzel (2009) 280.

Ne ego, inquam, si ita est, velim tibi eum placere quam maxume.

Atqui et ita est, inquit, et vehementer placet; nec vero sine causa. nam et didicit et omissis ceteris studiis unum id egit seseque cotidianis commentationibus acerrume exercuit. itaque et lectis utitur verbis et frequentibus <sententiis>, splendore vocis, dignitate motus fit speciosum et inlustre quod dicitur, omniaque sic suppetunt, ut ei nullam deesse virtutem oratoris putem; maxumeque laudandus est, qui hoc tempore ipso, quod⁵⁸ liceat in hoc communi nostro et quasi fatali malo, consoletur se cum conscientia optumae mentis tum etiam usurpatione et renovatione doctrinae. vidi enim Mytilenis nuper virum atque, ut dixi, vidi plane virum. itaque cum eum antea tui similem in dicendo viderim, tum vero nunc a doctissimo viro tibi, ut intellexi, amicissimo Cratippo instructum omni copia multo videbam similiorem.

Hic ego: etsi, inquam, de optimi viri nobisque amicissimi laudibus lubenter audio, tamen incurro in memoriam communium miseriarum, quarum oblivionem quaerens hunc ipsum sermonem produxi longius. sed de Caesare cupio audire quid tandem Atticus iudicet. (249–51)

Marcellus and Cicero followed similar political paths in the civil war: supporting Pompey at Pharsalus but refusing afterward to support the republican military cause. Marcellus did not have an illustrious career as an orator, although he was active in some prominent cases in the 50s BCE.⁵⁹ Posterity had little interest in his speeches, especially compared to any number of other speakers such as Caesar, Curio, Calvus, Caelius, or Pollio. The likenesses here are calculated to remind us of basic similarities in style and especially learning (*didicit*) – Marcellus' self-imposed exile is transformed into precisely the kind of study in the East with a renowned philosopher in the service of oratory that Cicero will make so central to his autobiography; the mention of their friendship with the Peripatetic philosopher Cratippus provides a personal touch. The connection between philosophy and *copia* is likewise central to Ciceronian ideas about the relationship between philosophical knowledge and rhetorical ability. These passages underscore political action intertwined with scholarly learning as a response to civil upheaval, and the overt emphasis on *vir* and *virtus* makes it difficult not to see a repeated set of allusions to Brutus' treatise and to Marcellus' role in that treatise – again, the very document Cicero cites in the preface as having inspired him to write the *Brutus*. Indirection and

⁵⁸ I read *quod* for *cum* (Kaster 2020, following Peter).

⁵⁹ Milo in 56 BCE, Scaurus in 54 BCE, and Milo in 52 BCE. See *TLRR* nos. 266, 295, and 309 (in the first trial he defended Milo *apud populum*, in the last he only examined witnesses).

reference to earlier and later passages in the work integrate its political concerns with its claims to intellectual vitality and renewal.⁶⁰

Even the ostensible desire to avoid discussion of politics only points us back to the political situation. Ironic signaling seems to underlie the wish to forget about the republic's woes: Cicero then tells Atticus, "I wish to hear about Caesar" (*de Caesare cupio audire*). And this later emphasis on Marcellus may also help to explain an earlier choice Cicero had made: he claims that Brutus' treatise was for him what the victory at Nola in 216 was for the Romans after the defeat of Cannae. The victorious general there was none other than Marcus Claudius Marcellus, ancestor and namesake of the Caesarian exile. The piquancy of the reference is surely reinforced by the fact that Cicero in a letter to Atticus discussed Caesar's descent through Italy and likened him to Hannibal.⁶¹ Pressing realities, despite being kept at bay, only reinforce the parallel: Caesar was now in Africa, fighting against Rome's army only miles from the site of Hannibal's Carthage, tucked in between the battlefield at Thapsus and the spot of Cato's death at Utica.⁶²

The Younger Generation

The importance of Marcellus – returned to below – emerges most clearly when set against Cicero's portrayal of the subsequent younger generation of orators. Cicero's insistence on discussing Marcellus and Caesar is inherently tied to his political aims, which he expresses indirectly by implicit comparisons with other figures. Marcellus, as a representative of the younger generation (like Brutus), is one figure in a larger tableau of younger orators once attached to Cicero and Caesar. The likening of Marcellus and Cicero to one another, and the emphasis on their adherence to traditional republican values, will soon be contrasted with the erroneous ways of the younger generation whom Cicero soon discusses. This

⁶⁰ Douglas (1966a) 184 remarks (on the sentence in 250 ending with *renovatione doctrinae*), "These words also refer by implication to Cicero himself." Another subtle similarity is their connection to Greek islands, Lesbos (Marcellus) and Rhodes (Cicero).

⁶¹ *Att.* 7.11.1 (SB 134).

⁶² See the beginning of Chapter 2 for discussion of Marcellus and Nola as well as the reference to Caesar as Hannibal. Connecting the two Marcelli in this way may also help us to explain the earlier choice to mention Nola and the necessary disparities in the analogy that Cicero had to overlook: Nola happened shortly after Cannae (while Cicero claims to have had nothing to uplift him for quite some time until Brutus' letter), Marcellus failed to subdue Sicily, and he ultimately died fighting the Carthaginians in Italy. Fantham (1977) argues that Cicero enlists Marcellus as an opponent of Caesar's *de Analogia*, but Marcellus' politics must have been crucial.

generation includes Marcus Caelius Rufus (273), Gaius Scribonius Curio (280–81), and Publius Crassus (281–82), who round out Cicero's oratorical canon. Cicero cites them for their oratorical ability, but in each case closely focuses on their political choices: their involvement with Caesar and the civil war. And as we might well expect, Cicero freely reworks the biographical material in order to produce a clear narrative that supports his own political inclinations and suggests shortcomings in the choices made by men who chose to follow Caesar and placed personal ambition before the good of the state.⁶³

We first get a brief notice of Marcus Caelius Rufus, among Cicero's best-known protégés, whom he (alongside Crassus) memorably defended in April of 56. Caelius produced contional speeches, three noteworthy prosecutions, and defense speeches of lesser quality.⁶⁴ He became curule aedile in 50 BCE before siding with Caesar and instigating uprisings over debt relief in southern Italy, during which he died:

After he had been elected curule aedile, with the greatest support of the right-thinking, somehow after my departure he abandoned himself and his downfall came after he began to copy those he had once toppled.

hic cum summa voluntate bonorum aedilis curulis factus esset, nescio quomodo discessu meo discessit a sese ceciditque, posteaquam eos imitari coepit quos ipse pervererat. (273)⁶⁵

On its own the example of Caelius might stand as evidence of Cicero's disappointment in a former student and friend. Yet Caelius anticipates his younger contemporaries, Gaius Scribonius Curio and Publius Licinius Crassus. They are also potent reminders of Cicero's political concerns: individuals cannot place personal ambition above the collective good of the republic without threatening its existence. Like Caelius, Curio and Crassus began as adherents of Cicero but soon struck out on their own: Curio went over to Caesar (perhaps by bribery) and Crassus followed his father into

⁶³ Gowing (2000) 54–55 reads the special attention drawn to recently dead prominent senators such as Bibulus and Appius Claudius Pulcher as a clear allusion to Caesar and the ills of the civil war (267–69).

⁶⁴ Cicero says three prosecution speeches, though five are known in the record; see Kaster (2020) 146 n.425 for details. Cicero has either misremembered or lowered the number, perhaps the latter given his distaste for prosecution (Cicero notes that Caelius prosecuted because of disagreements related to matters of state politics).

⁶⁵ It may be better, with Kaster (2020), to translate the *cum*-clause as concessive, depending on how strongly one senses a logical contrast between support of the *boni* for Caelius and his subsequent political shift away from Cicero's guidance. Hendrickson and Martha take it as a narrative *cum*-clause.

disaster against the Parthians: both men, Ronald Syme notes, represent “talent corrupted by glory of the wrong kind.”⁶⁶

Curio becomes an *exemplum* of unbridled political ambition, and Cicero connects him to his true target, Publius Crassus, son of the triumvir. This brief digression on political power and ambition, as with so many of the *Brutus*’ digressions, happens because of an abrupt shift in thought. Confused by Cicero’s characterization, Brutus seeks clarification:

[Cicero:] And if he [Curio] had been willing to listen to me, as he had started to do, he would have preferred honors to power.

[Brutus:] What do you mean by that and how do you distinguish?

qui si me audire voluisset, ut coeperat, honores quam opes consequi maluisset. Quidnam est, inquit, istuc? et quem ad modum distinguis? (280)

Cicero is only too happy to elaborate:

Seeing that honor is the reward for excellence conferred upon someone by the enthusiastic judgment of the citizens, the man who has obtained it by opinions, by votes, is in my judgment both honorable and honored. But when a man has gotten power by some random opportunity even though his compatriots are against it, as Curio desired to do, he has acquired not honor but merely a title. And had he been willing to listen to all this, he would have attained the highest heights with the greatest possible goodwill and reputation, climbing up the grades of offices, as his father had done, as all other men of considerable distinction had done. Indeed I think I often impressed this upon Publius Crassus, son of Marcus, after he joined my circle of friendship at a young age, insistently urging him to take the straightest path to renown, which his forefathers had followed and left for him . . .

But some surge of glory – a new thing to young men – pulled him down as well. Because as a soldier he had served a commander (*imperator*), he wished at once to be a commander, for which duty ancestral custom has a fixed age but uncertain assignment. And so, suffering the gravest fate, while he hoped to be like Cyrus and Alexander, who had sped through their careers, he ended up being wholly unlike Lucius Crassus and many others from that family.

cum honos sit praemium virtutis iudicio studioque civium delatum ad aliquem, qui eum sententiis, qui suffragiis adeptus est, is mihi et honestus et honoratus videtur. qui autem occasione aliqua etiam invitis suis civibus nactus est imperium, ut ille cupiebat, hunc nomen honoris adeptum, non

⁶⁶ Syme (1980) 407. *Caes. Civ.* 2.42 portrays Curio’s devotion up to the end.

honorem puto. quae si ille audire voluisset, maxuma cum gratia et gloria ad summam amplitudinem pervenisset, ascendens gradibus magistratuum, ut pater eius fecerat, ut reliqui clariores viri. quae quidem etiam cum P. Crasso M. f., <cum> initio aetatis ad amicitiam se meam contulisset, saepe egisse me arbitror, cum eum vehementer hortarer, ut eam laudis viam rectissimam esse duceret, quam maiores eius ei tritam reliquissent. . . . sed hunc quoque absorbit aestus quidam insolitae adolescentibus gloriae; qui quia navarat miles operam imperatori, imperatorem se statim esse cupiebat, cui muneri mos maiorum aetatem certam, sortem incertam reliquit. ita gravissimo suo casu, dum Cyri et Alexandri similis esse voluit, qui suum cursum transcurrerant, et L. Crassi et multorum Crassorum inventus est dissimillimus. (281–82)

Cicero pulls no punches regarding either man, and was gravely disappointed at losing protégés to Caesar. The characterization of Crassus may well suit his actions, but has also confounded modern observers: “the harsh judgment of Cicero is not explained by any evidence we possess” and “nothing is known to account for these insinuations.”⁶⁷

Crassus becomes a pretext to a discussion of appropriate leadership and the limits of traditional office. Unsurprisingly, the digression repeats Cicero’s criticisms of those who have undermined the republic by seeking personal advantages. Publius Crassus was the son of Marcus, the triumvir, with whom he died at Carrhae in 53. Cicero’s painting of Publius closely resembles Plutarch’s portrayal of the father, which might suggest that they were, or at least were thought to be, of similar character (or that Cicero could interchange their descriptions easily enough).⁶⁸ Yet Cicero had not criticized Marcus Crassus in harsh terms, instead assessing his modest abilities and fairly successful oratorical career (236). No mention is made of the triumvirate, much as only the briefest notice in stock terms is given to Pompey’s modest oratory and ambitious pursuit of military glory (239).

Reference to Publius does reinforce a pattern according to which several members of the younger generation have wrongly chosen Caesar’s side. Right before the transition to the discussion of Publius Crassus, Cicero reminds us of the relationship of sons to fathers by noting that Curio did not wish to follow his father’s path, or that of all good Romans. Curio *pater* is of course present in the reader’s mind as a staunch anti-Caesarian

⁶⁷ Hendrickson (1962) 244 n.a and Douglas (1966a) 208.

⁶⁸ Father’s attributes claimed for the son: Douglas (1966a) 208. On Publius as Cicero’s protégé see Cic. *Q. fr.* 2.8.2 (SB 13). One explanation for the harsh treatment is that Cicero draws inferences about Publius from his choice to follow his father to the East. That still does not explain why Cicero chose to include those criticisms in an account of Publius’ oratory.

for his dialogue and witty criticisms.⁶⁹ Such points make the passage applicable generally to Roman politics, given the importance of family connections in public life. In the case of Publius Crassus, however, his ambitions also brought him to Caesar. The unnamed *imperator* under whom Publius served, and who whet his ambition, was Julius Caesar himself in the Gallic campaigns. While Cicero criticizes Publius' refusal to play by the rules of the game, that is, to follow the established pattern of the *cursus honorum*, this can be just as much an indictment of the triumvirate's stranglehold on the electoral system and on the assignment of extraordinary provincial commands. While in Gaul, Publius did lead troops in battle, but received no formal title: he was neither tribune or legate, and certainly not *imperator*.⁷⁰ Upon his return to Rome he was one of the three men in charge of issuing coinage, a *triumvir monetalis*, which was often a precursory position to entrance in the *cursus honorum*. He was young when elected to the college of augurs (Cicero replaced him after his death in 53), but this hardly contradicted tradition.

His true error will have been the fatal choice to follow his father to the East, but again Cicero does not discuss the triumvir. Instead he names Lucius Licinius Crassus, inserting him in a way that suggests a family lineage among them, although the connection between these different branches of the Licinii Crassi is uncertain, if not unlikely. Glossing over this fact is all the more suspicious given that he had earlier criticized the intentional distortion of family lineages.⁷¹ Lucius Licinius Crassus was Cicero's own role model and virtually a political surrogate for the pedigree that he lacked.⁷² The remarks not only underscore the disparity between Lucius Crassus and Publius, but set criticism of the triumvir and his son against Cicero's own political and oratorical *exemplum*. Cicero essentially crafts two genealogies by discussing the Crassi in this way: L. Licinius Crassus and Cicero as saviors of the republic, and Publius Crassus (son and, perhaps, father) who subvert the state order to their own ends.

⁶⁹ Suet. *Jul.* 49.2; more scurrilously: "every woman's man and every man's woman" (*omnium mulierum virum et omnium virorum mulierem*, 52.3).

⁷⁰ See Caes. *Gal.* 1.52, 3.20–27. Syme (1980) and Rawson (1982) seek to explain Cicero's claims on the assumption that Cicero is not engaging in rhetorical distortion. Cf. Rawson (1982) 542: "Why should the *Brutus* be mistaken or unjust?"

⁷¹ He dismisses inaccuracies produced by the *laudationes* (61–62), although there it should be noted that he attacks the confusion of plebeian and patrician branches and the introduction of false honors, but the principle abides.

⁷² See van der Blom (2010), esp. 30–31, 177–79, 226–33, 251–54. Cf. also *Balb.* 3, *Div. Caec.* 25.

Cicero's Marcellus

Set against the failures of Caelius, Curio, and Crassus is the clear alternative: Marcellus, portrayed as almost a second Cicero, especially in the present moment as he awaits the future of the republic and indulges in rhetorical exercises and philosophical teachings. The pattern of failures and successes presents a clear choice to Brutus, who is the most significant member of the younger generation. Cicero essentially asks him, "Given all these failed followers of Caesar (Caelius, Curio, Crassus), doesn't it make more sense to act as Marcellus does, who, as you say, remarkably resembles me, Cicero?" The emphasis on Marcellus, however, challenges Caesar without attacking him. Cicero is competitive but not agonistic, since, like Cicero, Marcellus remains an *exemplum* of moderate resistance and partial accommodation. He refused to join the anti-Caesarian forces after Pharsalus and did not commit unwaveringly to resistance as Cato did. In Cicero's portrayal Marcellus represents a model of Stoic-like resistance without the bellicose rigidity of a Cato: Stoic virtue but not Stoic extremism.⁷³ Indeed, Cicero's emphasis on Marcellus and his moderation may partly explain the chronological difficulties surrounding the exclusion of Cato, who was anything but moderate. Cicero discusses other figures who died fighting Caesar in Africa, but the deliberately uncertain date of the dialogue's setting allows him to plausibly exclude Cato and, more importantly, keeps him from having to judge Cato in a way that would reflect poorly on Caesar, or the republican cause.

Lionization of Marcellus offers a prudent and compelling alternative to Caesar. Certainly Caesar's actions and intentions will have been clear to few observers at this point, including Cicero, who had little reason to alienate Caesar. In the face of uncertainty, Cicero continued to champion the good of the state over the benefit of individuals. Much of the blame for the crisis of the civil war is directed at the personal failures of individuals shared by the whole community.⁷⁴ To counter the crisis, Cicero seeks the restoration of the republic, its institutions, and with these its senatorial

⁷³ Volk (2021), chap. 3 on philosophical allegiances in the late republic. We cannot know, but it is tantalizing to consider whether a preference for Marcellus over Cato influenced Cicero's chronological parameters for the dialogue's fiction: if he knew of Cato's death, might he have excluded Cato from the dialogue's fictional world so as not to have to praise him at great length? Marcellus certainly better represented Cicero's response to civil war. Such a suggestion must remain speculative, and Cicero would after all write a eulogy for Cato.

⁷⁴ Lintott (2008) 315, with Cicero's (vague) blame of human error or fear in the *Brutus* (*errore hominum aut timore*, 7). Cf. the sense of inevitable communal woe (*in hoc communi nostro et quasi fatali malo*, 250).

class. In the early 40s he actively cultivated connections with (former) Pompeians (including Marcellus and Sulpicius Rufus).⁷⁵ No less did he court alliances with Caesar's friends, fostering social connections while avoiding, or trying to avoid, complete acquiescence to Caesar's power: Pansa, Hirtius, Balbus, Oppius, Matius, and others.⁷⁶ In particular, he promoted the younger generation, of which Brutus was the immediate example, alongside those such as Marcellus, who had already achieved political success.⁷⁷

It is true that political calculation may partly explain Cicero's appeals for Marcellus' restoration in September 46 when he delivered *pro Marcello*. He doubtless felt isolated as one of the few former supporters of Pompey in Rome and may have feared the taint of collaboration.⁷⁸ But the appeals for Marcellus to return, whether to Caesar in *pro Marcello*, directly to Marcellus in his letters, or perhaps even implicitly in the *Brutus*, were also crucial to ensuring the involvement of leaders prominent before the civil war. The senate had lost several such men in recent years: Cato, Hortensius, and Pompey, most notably, but also Bibulus, Appius Claudius Pulcher, Domitius Ahenobarbus, and Milo.⁷⁹ As Ingo Gildenhard remarks, Cicero sought to justify, to himself no less than others, "political engagement in and with Caesar's world, in the belief that reform is a distinct possibility, best achieved through cooperation that remains devoted to a Republican vision of politics rather than sterile resistance."⁸⁰ Cicero's remaining allies were to be part of that future.

Marcellus may also have appealed to Cicero for the more immediate legacy of political pragmatism he represented. Harriet Flower has suggested that the three Claudii Marcelli may have formed a pact to help secure the plebeian consulship in succession from 51–49, right at the moment when the initial conflict with Caesar was coming to a head.⁸¹ Marcellus in some

⁷⁵ C. Steel (2005) 101–3; Cicero's letters helped foster "a community of men who wish to find a place for themselves in the new Caesarian dispensation" (102). J. Hall (2009) 96: "his desire to work with Caesar on his arrival in Rome rather than against him." Lintott (2008) 317.

⁷⁶ Gildenhard (2018) 227.

⁷⁷ On Cicero's pursuit of the younger generation, Brutus in particular, see Rawson (1983) 211, Dyck (1996) 11. Securing Brutus' allegiance is the central topic of Rathofer (1986). On Marcellus' importance to Cicero, see C. Steel (2005) 99–101.

⁷⁸ Cf. C. Steel (2005) 101, Zetzel (2009) 279. ⁷⁹ Rawson (1983) 208 (who lists others as well).

⁸⁰ Gildenhard (2018) 224, discussing the "intellectual community" bound by the values of "elitist humanism."

⁸¹ Flower (2010) 152, citing Gruen (1974) 155. She is seconded by van der Blom (2016) 236. The pact may have even required Cato's acquiescence to not securing the plebeian consulship for some years. He lost the elections for consul of 51 to M. Marcellus, who would be joined by Cicero's close friend Servius Sulpicius Rufus. Cato seems not to have subsequently presented his candidacy.

sense also represented pragmatic senatorial self-assertion, and promotion of Marcellus may reflect a symbolic, if wishful, turning back of the clock to a time before the woes of the civil war.

Just as Cicero thought that oratory would once again continue to develop, so did he envision the continuation of the republic, a restoration of the forum and its politics not so unlike the kind he experienced under and especially after Sulla (absent the proscriptions). There is unquestionably criticism of military force in the service of personal ambition, but it is tempered by the prospect of resolving the civic crisis. Cicero's reliance on indirection largely accounts for the conflicting messages that seem to emerge from the *Brutus*: vagueness and caution still allow him to outline political alternatives to – or perhaps for – Caesar, while recognizing Caesar's ultimate control of the republic.

Cicero's research into the literary past, how to organize, classify, and evaluate it, is beholden through and through to his vision of the Roman republic in the present. He interweaves the history of eloquence and its guiding values into the political context, implicitly arguing for the inseparability of politics and aesthetics. In examining how Cicero makes the past suit his vision of the present we gain an understanding of his mode of inquiry along with his civic aims. Cicero offers a version of the development of oratory and literature in order to prescribe a specific vision of the Roman republic – one based on the art of rhetoric and the force of persuasion in public discourse. He does not attack Caesar outright, but he does challenge much of what has brought him (no less than Pompey) power and fame: military success in the service of personal glory and ambition at the expense of the common good. In response he offers a vision of the republic in which oratory and its history are the primary vehicle of political power and its attendant renown. Oratory is also an inherited artistic tradition, opposed to conventional forms of power derived from military success and aristocratic lineage. These are not necessarily new strategies for Cicero, but in the *Brutus* they coalesce as a response to the crisis of civil war and in conjunction with new possibilities for presenting and evaluating the past.