

MASS ORATORY AND
POLITICAL POWER IN THE
LATE ROMAN REPUBLIC

ROBERT MORSTEIN-MARX



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To Sara, Eric, and Matthew

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This project began more than a decade ago with a paper delivered to the annual meeting of the American Philological Association in December 1992, which contained in fifteen minutes' compass the kernel of the argument of this book. Many interruptions, professional and private, have slowed its progress, and it has at times been nerve-wracking to monitor the constant stream of new publications emerging from the very debates that gave rise to this book. In retrospect, I find that while some of my points have now been anticipated, at least in part, many others have been greatly enriched by work that has come out since 1992, and that there still seems to be room for my own synthesis of the material. I know well that this will be far from the last word on the *contio* and Republican mass oratory. My greatest hope for the book is that it might stimulate, rather than foreclose, further debate on some central, though relatively neglected, phenomena of Roman political life.

It is a real pleasure to recall how many colleagues and friends have assisted me in this project over the years. Constraints of space prevent me from expressing my gratitude to all as fully as I would like, yet the signal services of some must be publicly acknowledged. Andrew Dyck, Erich Gruen, Alexander Yakobson, and two anonymous readers for the Press took up the burden of reading the penultimate draft of the manuscript; their comments, corrections, and objections contributed immeasurably to the value of this work. (Of course, any slips and errors that remain are my own responsibility alone.) Nathan Rosenstein read and commented on an earlier draft and cheerfully answered many a query that I would have been too embarrassed to ask others. Fergus Millar generously allowed me to see a draft of *The Crowd in Rome* in advance of its publication, and over the whole course of this project has been most kind and supportive despite our numerous points of disagreement – which on my part, at least, seem to be rather fewer now than when I began. My thinking has been repeatedly stimulated by conversations with Anthony Corbeill, who also kindly showed me some of his

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Two important books that were published in 2002 and came into my hands too late to be integrated into the present argument are Peter Holliday's *Origins of Roman Historical Commemoration in the Visual Arts* (Cambridge: Cambridge University Press) and Fergus Millar's *Roman Republic in Political Thought* (Hanover, NH and London: University Press of New England); I urge readers to consult the first especially in connection with my third chapter and the second with my introduction and conclusion. I have tried to give due attention to all relevant works published through 2001. It would be unrealistic to assume that I have done so with fully equal success in all the fields and sub-disciplines represented in this book, ranging from Republican political history to Ciceronian oratory to Roman topography, monuments and coins, and I apologize in advance to any whose work has been unjustly overlooked. In this connection, I would like to thank especially Karl-Joachim Hölkeskamp, who very kindly shared some of his remarkable bibliographical knowledge and in particular offered guidance with recent German scholarship. Here at the University of California, Santa Barbara, my colleagues in the Political Science Department, Peter Digeser and Eric Smith, offered valuable and stimulating bibliographical suggestions in their field. I would also like to thank Michael Sharp, Commissioning Editor for Classics at Cambridge University Press, for the interest he took in this project and the efficiency with which he has seen it through. Readers, as well as I, owe thanks too to Jan Chapman, my indefatigable copy-editor, who

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Note on translations

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All other translations are by the author.

Abbreviations

- C A. C. Clark, ed., *Q. Asconii Pediani orationum Ciceronis quinque enarratio* (OCT), Oxford, 1907
- CIL* *Corpus Inscriptionum Latinarum*
- Cr J. W. Crawford, ed., *M. Tullius Cicero: the Fragmentary Speeches*, 2nd edn., Atlanta, 1994
- FGrH* F. Jacoby, *Fragmenta der griechischen Historiker*, Berlin and Leiden, 1923–
- Gordon A. E. Gordon, *Illustrated Introduction to Latin Epigraphy*, Berkeley, 1983
- Greenidge–Clay A. H. J. Greenidge and A. M. Clay, *Sources for Roman History, 133–70 BC*, rev. by E. W. Gray, Oxford, 1960
- IIt* *Inscriptiones Italiae*
- ILLRP* A. Degrassi, *Inscriptiones Latinae Liberae Rei Publicae*, 2 vols., Florence, 1965
- ILS* H. Dessau, *Inscriptiones Latinae Selectae*, 5 vols., Berlin, 1892–1916
- L W. M. Lindsay, ed., *Sextus Pompeius Festus: De verborum significatu quae supersunt cum Pauli epitome* (Teubner), Leipzig, 1913
- LTUR* *Lexicon Topographicum Urbis Romae*, 6 vols., Rome, 1993–2000
- M B. Maurenbrecher, ed., *C. Sallusti Crispi Historiarum reliquiae*, 2 vols., Leipzig, 1891–93
- MRR* T. R. S. Broughton, *Magistrates of the Roman Republic*, 3 vols., New York, 1951–86
- OLD* P. W. Glare, ed., *Oxford Latin Dictionary*, Oxford, 1982
- ORF* E. Malcovati, *Oratorum Romanorum Fragmenta*, 4th edn., Torino, 1976

- Peter H. Peter, *Historicorum Romanorum Reliquiae*, 2nd edn., 2 vols., Leipzig, 1906–14
- RE* A. Pauly, G. Wissowa, and W. Kroll, *Real-Encyclopädie der classischen Altertumswissenschaft*, Stuttgart and Munich, 1893–
- Roman Statutes* M. H. Crawford, ed., *Roman Statutes* (Bull. of the Institute of Classical Studies 64), 2 vols., London, 1996
- RRC* M. H. Crawford, *Roman Republican Coinage*, 2 vols., Cambridge, 1974
- St T. Stangl, ed., *Ciceronis Oratorum Scholiastae*, Vienna, 1912
- TLL* *Thesaurus Linguae Latinae*, Leipzig, 1900–

CHAPTER I

Introduction

MASS ORATORY AND POLITICAL ACTION

At around sundown on January 18, 52 BC, the battered corpse of the popular hero P. Clodius Pulcher, murdered earlier that day on the Appian Way on the orders of T. Annius Milo, was carried through the Porta Capena into Rome, borne on the litter of a senator who had passed by the scene of the crime and, after giving instructions for the conveyance of the body, prudently retraced his steps.¹ A huge crowd of the poorest inhabitants of the metropolis and slaves flocked in mourning and indignation to the impromptu cortège as it made its way to Clodius' house on the upper Sacred Way, on the lower slope of the northern Palatine (see maps 1 and 2, pp. 43–44);² there his widow set the body on display in the great atrium of the house, poured forth bitter lamentations, pointed out his wounds to the angry multitude. The crowd kept vigil through the night in the Forum,³ and next morning reassembled at Clodius' house in vengeful mood, joined now by two tribunes of the plebs, T. Munatius Plancus and Q. Pompeius Rufus. The tribunes called upon the gathering multitude to carry the corpse on its bier down to the Forum and onto the Rostra, the speakers' platform, where the wounds inflicted by Milo's cutthroats and gladiators could be seen by all. At that very spot, on the morning of the previous day, Pompeius Rufus and a third tribune, the future historian C. Sallustius Crispus, had harangued the People,⁴ no doubt inveighing against Milo's candidacy, against which they had been fighting a determined struggle for weeks in favor of protégés of the great Pompey. Now, a day later, the tribunes had better material: they unleashed a fiery discourse in place of a funeral eulogy, whipping up

¹ My narrative is largely a paraphrase of Asconius' introduction to Cicero's *Pro Milone* (32–33 C).

² For a plausible identification of the location and remains of the house (formerly that of M. Aemilius Scaurus at the corner of the Sacra Via and Clivus Palatinus, bought by Clodius in 53), see Carandini 1988: 359–73, esp. 369, n. 35; cf. E. Papi, *LTUR* II.85–86, 202–204.

³ App. *B Civ.* 2.21.

⁴ Asc. 49 C (cf. Cic. *Mil.* 27, 45, where a date of January 17 is intentionally and misleadingly suggested).