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THE RECEPTION OF CICERO'S *CONTIONES*
IN THE 20TH AND EARLY 21ST CENTURIES*

1. *Introduction*

In 1969 one of the most important politicians of modern Greece, Constantine Karamanles, then self-exiled in Paris, wrote to Constantine Tsatsos about Cicero: «I have lost my admiration for him [*i.e.* Cicero], when reading his speeches. Maybe because by character I dislike prosiness and hypocrisy that seem to be in abundance in Cicero»¹. Tsatsos, a former minister and academic, had sent Karamanles his recent book on a selection of Cicero's deliberative (the *Catilinarians*) and forensic (his first two *Caesarians*) speeches. What I find quite interesting here is that in fact Karamanles' comments about Cicero expressed in general the main impression of the latter's political ideas and action during the best part of the 20th century, even if everyone acknowledged his eloquence². Moreover, Karamanles' comments become even more impressive, when one realizes that Cicero was not then - and still is not - among the well-known and studied classical figures in modern Greece, a fact that in itself shows the power of some stereotypes (of course, the examination of the political slant of the reception of Cicero – indeed a very interesting aspect of his impact on modern world – is beyond the scope of this paper).

Undoubtedly most scholars during the previous century played their role in creating such an impression about Cicero. Over the period, scholars have developed contradictory interpretations of Cicero as both a great orator and a hypocrite or opportunist. Karamanles, a pro-West pol-

* I am grateful to Dr Orazio Cappello and the two anonymous reviewers for their help in improving the text.

¹ Sbolopoulos 2005, 7, 257 (translations are my own).

² See *e.g.* Mack 1937, 1: «Cicero ist es gewesen, der die politische Rede in Rom zur höchsten Vollendung geführt hat, weil er es wie keiner vor ihm verstand, die Menschen, vor denen er jeweils sprach, zu fesseln, zu überreden und auf seine Seite zu ziehen»; cf. below, n. 38.

itician, was aware of Cicero's complex profile as it emerged in scholarship, as was Tsatsos, whose book on Cicero addresses the complexity head on³. An unfortunate outcome of this interpretive tradition is that Cicero's surviving *contiones*⁴, namely his speeches before the crowd, attracted little attention among scholars. Those interested in Cicero widely dismissed these speeches as a display of the man's alleged opportunism: *contiones*, more so than speeches before the senate, provided Cicero with an impressionable audience – or so scholars believed – and one that was less sensitive to oratorical skill. Both historians and philologists shaped and reinforced this contradictory portrait, developing interpretations of Cicero in line with their views on the character of the Roman Republican polity – an issue that, in and of itself, has been the source of much controversy. Obviously, the way scholars understand and explain the Roman Republican polity decisively determines their reception of its rhetoric. Thus, the more democratic elements they recognize in this polity the more meaningful become contional speeches in general and Ciceronian ones in particular. In what follows, I hope to explain in greater detail the context of these interpretations and provide a review of the scholarship on the field over the past twelve decades, starting from the influence of the 19th century on the issue.

2. From the 19th to the 20th Century

The basic source of this contradictory portrait of Cicero is the influential and Nobel Prize winning German historian, Theodor Mommsen. Mommsen was not sympathetic towards Cicero as a political actor, nor did he show much admiration for Roman politics and the Republican political system. Actually, he characterized that system as an oligarchy, in fact a corrupted one, especially during its late period, when the members

³ Tsatsos 1968, 99-101, nn. 44-46; 124 n. 45; 206-215.

⁴ These speeches are as follows: i) *De/Pro lege Manilia* or *De imperio Cn. Pompei* (66 BCE); ii-iii) *De lege agraria* 2-3 (both in January 63 BCE); iv) *Pro Rabirio perduellionis reo* (later in 63 BCE); v-vi) *In Catilinam* 2-3 (November 9 and December 3 respectively 63 BCE); vii) *Post reditum ad Quirites* or *Oratio cum populo gratias egit* (possibly on September 5, 57 BCE); viii-ix) *Philippica* 4 and 6 (December 20, 44 BCE, and January 4 next year respectively). The word *contio*, however, also meant «an informal public meeting called by an office-holder [...] or the actual crowd attending it» (Millar 1995, 111); for a comprehensive presentation of the various types of public meetings and their functions see Pina Polo 1995; for a full discussion see Pina Polo 1989.

of the old aristocratic families (*nobiles*), in his view, were quarrelling over personal goals⁵. Within this frame, it was Mommsen who first portrayed Cicero as an opportunist, with a prose style of high quality in his orations though, and a figure who stood in stark contrast to Caesar⁶. Hence the historian praised Caesar as the prominent Roman figure who finally led to its end the alleged corrupted Republican regime⁷. Noteworthy here is that these two opposite views about Cicero and Caesar are very well explainable, as it will be shown below in this paper.

Mommsen continued to be an authority to be reckoned with in the historiographical landscape for many decades after his death. M. Gelzer was central to the continuation of that historiographical tradition and became a leading voice among historians in his criticism of Republican politics with his book titled *Die Nobilität der römischen Republik*. Gelzer was disparaging of this politics as a system based on *clientela*, i.e. on a situation where common people depended largely, if not entirely, on the *nobiles* (whom he also saw as a concrete group of persons coming from the old aristocratic families), having thus no significant political entity and power by themselves. Apparently, according to such an approach, there was no point in seriously trying to persuade powerless crowds with deliberative oratory, to which Gelzer astonishingly never refers in his book. For Gelzer, the only meaningful kind of oratory in Republican Rome was the forensic one, because, in his view, it revealed the personal connections developed within the system of *clientela*⁸. Consequently, Gelzer was disapproving of Cicero's involvement in and approach to this system⁹. Like Mommsen, Gelzer was favourable to the kind of political engagement espoused by Caesar¹⁰.

⁵ See e.g. Mommsen 1854-1856, 2, 204: «die feige und faule Masse der Aristokratie»; cf. 3, chapter XI for his views on Caesar's reforms of the constitution; for a recent critical approach to Mommsen's judgment about Cicero see Merolle 2015 (especially the introduction and the first section). For the rather misleading interpretation of the words *nobilis* and *nobilitas* by modern scholars see Millar 1984, 11.

⁶ Mommsen 1854-1856, 3, 162-163; cf. also 535-536.

⁷ Mommsen 1854-1856, 3, chapter XI, especially 523-526.

⁸ For all this see Gelzer 1912, 49-56; cf. also 106. Cf. Millar 1986, 2; for the nature of the debate over the power of the people in Republican Rome see Yakobson 2006, 383-385.

⁹ For his views about Cicero see Gelzer 1969; cf. his reviewer's comment: «There is no discussion of Cicero's speeches against the Rullan bill, a most curious omission» (Gruen 1970, 235).

¹⁰ For his views about Caesar see Gelzer 1921; cf. Gelzer 1969, 409-410 for a comparison between Caesar and Cicero in favor of the former.

In line with this historiographical perspective, D. Mack was the first scholar to endeavour a systematic evaluation of Cicero's *contiones*. He achieved this by comparing these public speeches to their corresponding senatorial ones: Mack focused on the sets of parallel speeches on the same topic – in each set, one addressed the people, the other was performed before the Senate – and compared each set on the basis of their differences in style. He also carried out a focused examination of the argument in the two *Post reditum* speeches, and in the *Philippics* 3 and 4. Although Mack admitted that his study stood on shaky ground in terms of methodology, his conclusions echoed the general view of Cicero and Roman politics expressed by Mommsen and Gelzer¹¹. Mack argued that Cicero underestimated his popular audience in comparison to the senatorial one, because before the Roman public the orator used fewer *exempla*, avoided technical language, philosophy and logical arguments, while resorting more often to personal pronouns, emotional appeals and focusing on personal welfare instead of common interest. Mack did not, however, question or more broadly criticise the quality of Cicero's oration in general¹².

Two years after Mack's study appeared, the New Zealand historian and classicist R. Syme published *The Roman Revolution*, in which he reasoned that Caesar and Octavian had seen correctly that the Republican system was corrupt and in need of reform and undertook this process of change to meet what they saw as the new challenges of their time. Syme, however, considered both dictators, a view that represented a departure from historiography on these figures, who managed to prevail over their peers in their intrinsic clashes¹³. Hence, Syme introduced a new evaluation of Caesar and Augustus as political figures, which potentially opened the door for a shift in evaluating Cicero as well. At the same time, nevertheless, Syme characterized the political vocabulary of the late Republic, most of which survived through Cicero's works, as a collection of mere «catchwords», terms used by actors as part of a strategy to pursue personal aspirations and not reflective of substantial political ideas¹⁴. Hence, despite Syme's book and re-evaluation of key figures of the late Republic, Mack's views on Cicero's *contiones* remained generally

¹¹ Mack 1937, 80-124.

¹² See above, n. 2.

¹³ Syme 1939, 47-60; 379-380 and 407.

¹⁴ Syme 1939, 152-153; the basic political vocabulary, which Syme described as «catchwords», include terms like *boni*, *optimates*, *turbulenti*, *libertas populi*, *auctoritas senatus*, *concordia ordinum*, *consensus Italiae*.

current and acceptable in the field, since there was no substantial change in evaluating Cicero's vocabulary used in these speeches.

The shift in scholarship on the *contiones* came about in the mid-60's, when the English historian P.A. Brunt questioned Syme's dismissive «catchwords» to describe the Republican vocabulary, and so Cicero's vocabulary. In a series of publications from 1966 to 1988, Brunt rejected Syme's conclusions, along with those of C. Meier, latest champion of Mommsen's tradition in Roman historiography and a contemporary of Brunt¹⁵. Although Brunt did not stray from an oligarchical interpretation of the Roman political system, maintaining that Rome was governed by the Senate, he argued that for the Romans of the late Republic terms like *libertas* had a real political meaning¹⁶. This meaning was expressed in the orations of Cicero and others, and it had currency for both the common people and the so-called oligarchs. Moreover, Brunt in an indeed balanced approach, unlike Meier, saw some of these «oligarchs» as the *populares* who sought to remedy real discontents among the citizenry, caused by the way the late Republican system worked, and not just as pursuers of personal goals¹⁷.

Brunt's early work did not have much of an impact on the interpretation of Cicero's *contiones*. So, for instance, the shift in scholarly ideas on Roman politics can hardly be detected in C. Thompson's doctoral dissertation (Thompson 1978): despite approaching the speeches from a different methodological angle, Thompson's conclusions were somewhat in line with Mack's. Thompson agreed with Mack on the topic of Cicero's use of *exempla*, personal pronouns, and his focus on common interest; but she rejected the argument that Cicero made greater use of technical language and logic, and resorted less to emotional appeals when delivering a speech before the Senate¹⁸. Thompson's survey ultimately showed a greater sensitivity to the rhetorical texture of Cicero's *contiones*, although her work did not challenge or question the accepted scholarly position on these works¹⁹.

¹⁵ Meier 1965; 1966 especially; 1968; 1978; 1980; 1982.

¹⁶ For his views on the predominance of the Senate see Brunt 1966, 4-5; for the meaning of *libertas* see Brunt 1988, 282.

¹⁷ Brunt 1988, 291-293; cf. Brunt 1966; 1968; 1971a; 1971b; 1982.

¹⁸ See Thompson 1978, IV-VI and 133-138 for a comparison between Mack's and her own conclusions.

¹⁹ Thompson 1978, 93: «It is difficult to believe that Cicero could expect his popular audience to be able to place these figures [*i.e. exempla*] in their proper time periods as he might expect from the senators»; cf. also 136: «Consideration on sentence structure and

Meanwhile, from the 1960s to early 1980s several scholars focused on the political vocabulary of Republican Rome, often placing Cicero at the heart of their studies and continuing to work within the legacy left by Syme²⁰. In this context, Brunt's studies remained among the few that sought to underpin a more essential relationship between political vocabulary and political thought in Roman Republican politics - an approach that, in fact, exerted limited influence²¹. Practically nobody thought of the need of a reevaluation of Cicero's *contiones* in respect of Brunt's views, since these views did not change the basic concept about how the Roman Republican system worked. Hence, despite Brunt's efforts to establish a new approach to the vocabulary of the late Roman Republic against Syme's «catchwords», potentially in favour of Cicero's contional orations, the old dogma of the very limited influence of the people's role in this polity was still there. This changed by the mid-1980s.

Fergus Millar launched a profound revision of scholarship on Roman political thought and the late Republican world in 1984, when he published the first of a series of studies on the topic. Millar attacked the orthodox view, using an original approach. He criticized and rejected Mommsen's and Gelzer's views through a persuasive use of Polybius, the Greek historian and witness to the late Republic²². Emphasizing Polybius' interpretation of the Roman political system, Millar argued that the most powerful element of the Roman Republican constitution was, in fact, the democratic one and that Rome was ruled by its people.

length in the parallel speeches led me to the conclusion that these are not for Cicero significant areas of concern in the adjustment of material to audience. He adapts sentence form according to the demands of the topic or occasion. The study was useful, however, since it has shown that what seemed at first to be a logical criterion for distinction between the two types of speeches is in fact not important to the orator».

²⁰ See e.g. Hellegouarc'h 1963; Martin 1965; Weische 1966; Wirzubski 1968; Seager 1972; Favory 1976; David 1980a; David 1980b; Achard 1981 and 1982.

²¹ Cf. Yavetz 1969; Gruen 1974; Nicolet 1976; Perelli 1982; Vanderbroeck 1987; Lintott 1987.

²² Plb. 6, 11, 11-13, Ἦν μὲν δὴ τρία μέρη τὰ κρατοῦντα τῆς πολιτείας, ἅπερ εἶπα πρότερον ἅπαντα· οὕτως δὲ πάντα κατὰ μέρος ἴσως καὶ πρεπόντως συνετέτακτο καὶ διωκεῖτο διὰ τούτων ὥστε μηδένα ποτ' ἂν εἰπεῖν δύνασθαι βεβαίως μηδὲ τῶν ἐγχωρίων πότερ' ἀριστοκρατικὸν τὸ πολίτευμα σύμπαν ἢ δημοκρατικὸν ἢ μοναρχικόν. Καὶ τοῦτ' εἰκὸς ἦν πάσχειν. Ὅτε μὲν γὰρ εἰς τὴν τῶν ὑπάτων ἀτενίσαιμεν ἐξουσίαν, τελείως μοναρχικὸν ἐφαίνεται εἶναι καὶ βασιλικόν, ὅτε δ' εἰς τὴν τῆς συγκλήτου, πάλιν ἀριστοκρατικόν· καὶ μὴν εἰ τὴν τῶν πολλῶν ἐξουσίαν θεωροῖη τις, ἐδόκει σαφῶς εἶναι δημοκρατικόν. Ἔον δ' ἕκαστον εἶδος μερῶν τῆς πολιτείας ἐπεκράτει, καὶ τότε καὶ νῦν ἐτι πλὴν ὀλίγων τινῶν ταῦτ' ἐστίν. In one word, Polybius called the Roman polity "aristocratic" (Plb. 23, 14, 1). It was the ideal city-state according to the Stoics, since it combined the three basic polities, namely aristocracy, democracy and monarchy (D.L. 7, 131; cf. Cic. *rep.* 1, 54).

Throughout his analysis, Millar was careful to avoid calling the Roman polity a democracy in the sense of the Athenian one²³. A notable exception is his discussion of legislation procedures, which he did not hesitate to call democratic «in purely formal terms»²⁴. Apparently new dynamics on the analysis of Cicero's political vocabulary and his *contiones* particularly, since by these speeches Cicero addressed the people of Rome, came up²⁵.

As one might expect, Millar's approach to Roman Republican politics provoked severe criticism from scholars who still endorsed the views of Mommsen and his followers – a position still fiercely defended at the time²⁶. Another voice out of the chorus was the historian A. Yakobson, who defended and, in some respects, expanded Millar's conclusions on the preeminent role of the people in the Roman Republican constitution over its other two constitutional elements, i.e. the Senate and the magistrates²⁷. One of Yakobson's main supporting arguments centred on electoral bribery. For Yakobson, the very fact that candidates engaged in bribing voters indicated that voters held a significant position of power in the system²⁸.

Against this background, another study on Cicero's *contiones* appeared in 1994 that overlooked Millar's and Yakobson's arguments, rehearsing what one might characterize as the dogma on the issue. J. Fogel's dissertation, titled *Cicero and the "Ancestral Constitution": A Study*

²³ See Millar 1984, 2: «In the end I will want to say no more than what Polybius said, that we cannot understand Roman politics if our view does not encompass, along with the power of individuals holding office and the collective power of the Senate as a body, the power of the people as represented, however imperfectly, in their assemblies. This is not to say that it is worth trying to argue that Rome was a democracy. It is to say that in many respects it was more like, say, the classical Athenian democracy than we have allowed ourselves to think. Certainly, the people were subject to influence from above [...]. The vehicle through which such claims or proposals reached them was oratory»; cf. also Millar 1998, 217: «anyone occupying a public position should be subject to the judgment of the people»; see also Millar 1986; 1989; 1995.

²⁴ Millar 1998, 210.

²⁵ Millar 1995, 111: «For it [i.e. the crowd] was itself the sovereign body, and in many respects, it was also the governing organ. Moreover [...] we underestimate how large a part in all this was played by persuasion, mainly in the form of oratory, but also by question and answer, or by various forms of visual presentation. In all of this we are looking at various aspects of the *contio*».

²⁶ On the broader issues at stake, see e.g. Classen 1985; Jehne 1987; Burckhardt 1990; Meier 1990; North 1990a; North 1990b; Pina Polo 1991; Will 1991 (a class antagonism approach); Jehne 1993; Hölkeskamp 1995; Jehne 1995; Hölkeskamp 1996; Pina Polo 1996; Lasser 1997; Morstein-Marx 1998; Cavaggioni 1998; Cerutti 1998; Flaig 1998; Riggsby 1999.

²⁷ Yakobson 1992; 1995; 1999.

²⁸ Yakobson 1999, 103; cf. also 117.

of Cicero's *Contio Speeches*, continues along the interpretive track laid down by Mack and Thompson, particularly with reference to the *mos maiorum*. Through a reading of most of Cicero's extant *contiones* (the one exception is the third *Agrarian*), Fogel concluded that the orator sought to persuade the people to follow his proposed plans of action or policies, by attempting to convince them that the *maiores* were not just the ancestors of their living relatives but the forefathers of all Romans. Hence for Fogel the whole concept of «ancestral constitution» based on the *mos maiorum* was nothing but an illusion, a construct that the *nobiles* and their supporters shaped and upheld in order to create the false impression in the mind of the Roman *populus* that all Romans more or less had the same interests²⁹. Fogel's treatment of the term *mos maiorum* is more than just reminiscent of Syme's «catchword» approach.

3. *The Early 21st Century*

From the beginning of the 21st century, scholars were calling for a new analysis of Cicero's *contiones* that would take into account Millar's and Jakobson's works on the Roman polity and the wide-ranging debates their views prompted³⁰. After all, Cicero remained «the most controversial of major Roman writers», as G.A. Kennedy pointed out³¹. C.P. Craig stressed that need clearly: «The most radical expression of this view, argued vigorously by Fergus Millar (esp. 1998, with lit.) is that the Roman popular assemblies are much less oligarchically constrained and centred than has been believed, and that the Roman assemblies are in a real sense democratic bodies. The Roman crowd is thus a direct target of persuasion, and the rhetoric of the *contio* an important field of study. The dimensions and dynamics of this field are still being negotiated [...]. If consensus can be reached, the resultant new understanding of

²⁹ See e.g. Fogel 1994, 2-3: «The “essence” of an argument from the ancestral tradition is by definition fluid, if not nonexistent [...]; the way Cicero goes about tapping and sometimes creating ancestors for his audience can tell us important things about the forces working upon both Cicero and his audience during the end of a political era»; see also 6; 101; 259.

³⁰ See e.g. Hölkeskamp 2000; Jehne 2000; Morstein-Marx 2000; Pina Polo 2000.

³¹ Kennedy 2002, 481.

Cicero's eight preserved speeches in *contiones* [...] should be a rich field in the coming decade»³².

Scholarship has heeded Craig's call and the *contiones* have attracted a great deal of attention from scholars since the beginning of this century – and they continue to do so. A year before from Craig's survey, H. Mouritsen distanced himself from Millar and Yakobson, and argued that, contrary to these scholars' position on the matter, few Romans participated in public meetings, though not clearly attested by the ancient sources, and so the whole process did not represent the will of the Roman people³³. For Mouritsen what the *contiones* really represented was an effort on the part of the *nobiles* to fabricate, through the speeches delivered in this context, an imaginary community between the Senate and the people, an illusory community whose existence would prop up the pre-eminence and significance of the senate over the *populus*³⁴. With minor deviations, this was the point other scholars stressed in the years that followed³⁵.

A really striking approach to the issue of public speaking and its function in the late Roman Republic was undertaken in 2004 by Morstein-Marx in his book *Mass Oratory and Political Power in the Late Roman Republic*. Particularly ground-breaking in this monograph was the method that its author followed in addressing the field. Morstein-Marx exploited an interdisciplinary approach in order to interpret the phenomenon of public speech at Rome, *i.e.* the *contio*. Commenting on this publication, Dugan described the methodological grounds of the study as the «performative ambience of Roman oratory», extending to an analysis of «the *contio* within the context of the location and conditions of its performance». Dugan then reflects on work's conclusion in the following terms: «Using current political and communications theory, Morstein-Marx offers a fresh interpretation of how these speeches at popular assemblies, regardless of their democratic appearance, were instruments through which the ruling elite shored up its power»³⁶.

This was «a fresh interpretation» that, nonetheless, lent support to the old dogma on the value and democratic import of public meetings,

³² Craig 2002, 523.

³³ Mouritsen 2001, 39.

³⁴ Mouritsen 2001, 13; see also 43; 45.

³⁵ See especially Jehne 2006; cf. also Hölkeskamp 2004; Beck 2005; Pina Polo 2005.

³⁶ Dugan 2007, 19.

accepting the unique role of public oratory in Republican Rome³⁷. Morstein-Marx also noted Cicero's mastery in contional oratory and stressed that his works were regularly underestimated by students because of distorted views about him³⁸. According to Morstein-Marx, this kind of public oratory encouraged an «intellectual impasse» by not offering practicable or real alternative solutions to political and social issues, to existing problems. In this way, Morstein-Marx concluded, *contiones* helped Caesar, among other political actors, transform the Roman Republic, which had by that time (1st century BCE) entered a period of profound crisis and, in any case, not shown much favour to the *plebs*, into a more functional regime³⁹.

The division and controversies that by now characterized the field became all the more explicit in two companions on the Roman Republic appearing at that period: *The Cambridge Companion to the Roman Republic* (2004) and Blackwell's *Companion to the Roman Republic* (2006). Both volumes contain articles championing all sides of the dispute, each of which delivers vivid and well supported argumentations, and ultimately show the extent to which Millar's radical point of view had become an integral part of the debate⁴⁰. This was also the case with another companion appeared soon after, this time on rhetoric, titled *A Companion to Roman Rhetoric* (2007)⁴¹.

That contentious character of the debate on the issue is also apparent in D. Hiebel's full analysis of the *contio* in relation to its institutional and political role in Republican Rome (2009). This technical study focused on the *contio* between 287 BCE, date from which the *lex Hortensia* enabled

³⁷ Morstein-Marx 2004: «We should therefore view the oratory of the *contio* as a uniquely important political “discourse” (or “genre of discourse”) – that is, an interrelated series of utterances and practices embedded in a specific political context and linked to a certain type of social action – with a heavy ideological content». For the power of the *contio* see e.g. 36-37; cf. also 158 and chapters 6 and 7 for the role of the *optimates*, i.e. the «ruling elite», in the *contio*; see his conclusion, where he also discusses the views of other scholars, (279-287).

³⁸ Morstein-Marx 2004, 139-140: «His [*i.e.*, Cicero's] mastery of *eloquentia popularis*, the style of speech appropriate to public meetings, is in general too little noted, presumably because it seems sharply inconsistent with our image, or caricature, of the man as a staunch senatorial conservative».

³⁹ Morstein-Marx 2004, 285-287.

⁴⁰ Flower 2004; cf. Rosenstein-Morstein-Marx 2006.

⁴¹ See e.g. Alexander 2007, 100-101, especially his conclusion: «Perhaps a consensus will eventually emerge that speeches were effective tools for shaping public opinion, yet that public opinion was decisive, and could be shaped only within limits set by the people»; cf. also Ramsey 2007, 131-134.

the tribunes of the plebs to enact legislation (*plebiscita*) through the voting process at the *concilium plebis* (in which only the plebs voted), and 49 BCE, when Caesar occupied Italy⁴². The dismissive traditional view of the *contio*'s relevance to Roman politics exerts an undeniable influence on her work on elite propaganda in contional speeches; however, Hiebel is also sensitive to the fact that Romans did attend public meetings, where speeches were delivered and that this form of participation was part of Roman political culture and tradition, both of which, in her view, were shaped by strong democratic elements in the Roman constitution⁴³. Therefore, for Hiebel the *contio* was an ambiguous concept in Republican history, because it served both the people, since it offered an arena in which the *plebs* received information from and communicated with the magistrates, and the *nobiles*, as keystone to their strategy to bind the people to the Senate.

Thus, we entered the current decade with the protagonists of both sides of the dispute holding fast to and expanding their approaches on the issue⁴⁴. Remarkably, no one had yet undertaken the task to analyze our key source for Roman Republican contional oratory, i.e. Cicero's *contiones*, taking into account the aforementioned recent critical approaches to the issue, especially Millar's and Yakobson's ones.

My dissertation, revised and published in 2016, sought to fill that gap. In a review appearing in this journal, Vassiliades expressed the view that my study on the subject was original because focused on reading «the interac-

⁴² For the *concilium plebis* especially see Oakley 2004, 19; cf. also North 2006, 261-263; Yakobson 2006, 395.

⁴³ Hiebel 2009, 55-71; cf. Ramsey 2007 for a comprehensive discussion of the Roman senatorial oratory, especially 133-134. His final conclusion rejects the accusation that Cicero underestimated the *plebs*: «And finally, to illustrate the principle that Cicero does not talk down to the people, no better example can be offered than that provided by the opening sections of the *Post Reditum* speeches. *Post Reditum in Senatu* 1 comprises a total of ninety-nine words distributed in three relatively short sentences of 31 to 35 words each. *Post Reditum ad Populum* 1, by contrast, consists of one long periodic sentence containing 127 words. [...] it shows that by means of careful delivery, with suitable pauses and the right emphasis and intonation, a Roman orator could speak in just as sophisticated a manner to the man in the Forum as he could to his colleagues in the senate». Cf. also Narducci 2009 for a full discussion on Cicero's consistent and cohesive image as politician, orator, philosopher, intellectual and writer.

⁴⁴ For the views in favor of the predominant role of the people see Flower 2010 and 2014; Yakobson 2010; Hall 2013; Tatum 2015; for the opposite views see Hölkeskamp 2010; Pina Polo 2011a; 2011b; 2012 and 2013; Jehne 2013; Morstein-Marx 2013 and 2015; Mouritsen 2013 and 2015; for views somehow in-between see Vasaly 2013; Steel 2013a and 2013b; Schofield 2015. For essays about Athenian democracy and the Roman Republic see Hammer 2015.

tion between Roman, especially Ciceronian, oratory and politics in Republican Rome» from the «perspective of *eloquentia popularis* in the *contiones*»⁴⁵.

I offered a wide-reaching study, analysing for the first time all of Cicero's extant *contiones* attentive to their rhetorical quality, as well as to their historical, constitutional and political context. By way of introduction, I explore the Greek background to rhetoric, with which Cicero was familiar, in order to clarify the close relationship between Greek, essentially Athenian, and Roman democratic oratory. Moreover, I stress that Cicero in his rhetorical treatise *Brutus* tracks the evolution of Roman rhetoric in terms of the history of a conflict between two political or ideological trends, one pro- and another anti-constitutional⁴⁶. Cicero characterises himself as a champion of the constitution, while he condemns the anti-constitutional movement as a real threat to the ancestral Republic. This accusation derives from his belief that orators who operated within that movement pursued the overthrow of this polity and sought nothing but to concentrate power in their hands. Among those orators, as indicated elsewhere in his work, Cicero counted Caesar and Mark Antony⁴⁷. The political opposition between Cicero and Caesar, and their respective camps, emerges more clearly and underpins the competing attitudes we have described so far in this paper. Cicero fights against this internal threat with his orations, which constitute an attempt to persuade the free people of Rome to support him, and so to bring together all elements of the constitution to protect the traditional form of the ancestral Republic. This includes an effort to secure the people's rights, chief among which *libertas*, and not just the members of the elite⁴⁸. And Cicero crafts this message in his orations by recourse to history, philosophy and sciences, by using technical terms, with the full expectation that the people were capable of understanding and accepting them. The proof of this receptivity on this audience's part is evident in the support we understand he garnered after delivering a *contio*⁴⁹.

My study concludes that Cicero's rhetoric as expressed before the Roman people was democratic in nature⁵⁰. This both because Cicero was responding to the strong democratic elements at work in the Roman Re-

⁴⁵ Vassiliades 2017, 415.

⁴⁶ Kontonasios 2016, 45-103.

⁴⁷ See e.g. his *Philippics* in general for Mark Antony and *Phil.* 5, 49 particularly for Caesar.

⁴⁸ For a comprehensive discussion of the issue in English see Kontonasios 2014.

⁴⁹ Kontonasios 2016, 170-190.

⁵⁰ Kontonasios 2016, 279-286.

public; but also because of the influence exerted upon Cicero's rhetoric by the classical Athenian one. This democratic rhetoric provided the Romans with a formidable arsenal with which to fight for their interests publicly. Those interests, I argue, were not always in accordance with what was called – and in many respects, indeed, was – the ancestral constitution and its democratic foundation⁵¹. This left room for demagogues to emerge and take an advantage of this popular element and of the Roman army too, since, judging from what followed, there were no sufficient constitutional safeguards against that combination. Finally, despite Cicero's and others' political resistance, these demagogues managed to overthrow the Republic and turned it into a totalitarian regime that ultimately deprived the people, whom ostensibly they set out to protect, of their prominent position within the state⁵². Thus, I endeavoured to challenge the opposition between Cicero's mastery in oratory, on the one hand, and his political inconsistency or even hypocrisy, on the other. This has been achieved in a «clear and convincing way» according to the reviewer⁵³.

The decade is now coming to an end with no substantial changes in the views of modern scholars, who nevertheless remain committed to the study of this complex issue⁵⁴. Furthermore, one significant point has remained at the heart of the debate, namely that the democratic element of the Roman Republic shaped the content and political message of Cicero's *eloquentia popularis* in his *contiones*.

4. Conclusion

From the above review of key interpretations of Cicero's *contiones* over the past twelve decades, it is clear that from the beginning of our period every scholar has acknowledged of the great value of these rhetorical speeches. Hence, the fact that these speeches for a long time have

⁵¹ About what Cicero considered constitutional see Cic. *Phil.* 13, 14, *Licet autem nemini contra patriam ducere exercitum, siquidem licere id dicimus, quod legibus, quod more maiorum institutisque conceditur*; cf. also Brennan 2004, 33-35.

⁵² For the true meaning, according to Cicero, of the word *popularis* and its deceptive exploitation from his opponents see Kontonasios 2016, 154-164.

⁵³ Vassiliades 2017, 421.

⁵⁴ See e.g. Russel 2016; Hodgson 2017; Hölkeskamp 2017; Mouritsen 2017; Blom-Gray-Steel 2018. See also Manuwald 2018 for a valuable commentary on the *Agrarian* speeches.

been – and by some scholars still are – treated as hypocritical or even deceptive is puzzling, though not inexplicable. Beyond the fact that we have Cicero's letters, many of which have been read as personal, emotional or even indignant responses to specific situations, obviously the reception of the whole issue is influenced by the historical and political context of each era⁵⁵. Thus, we can explain Mommsen's, Gelzer's and Mack's views, who lived or published their studies under non-democratic regimes that did not appreciate the role of the common people in politics⁵⁶. Syme on the other hand witnessed the rise of the totalitarian regimes around the world, and in Europe particularly. Those leading scholars shaped the field for decades and shaped the standard approach to it.

Brunt launched the first challenge to that interpretive tradition in the 1960's, a challenge that Millar took on and went as far as a total rejection of the orthodoxy in the 1980's. In the wake of Brunt and Millar, scholars could not simply accept and continue Mack's approach to the *contiones*. On the contrary, starting gradually, hesitantly even, from Thompson's conclusions, we have been witnessing a growing attention to the democratic element of these speeches and their political vocabulary, and to an approach that went beyond dismissing the terminology as «catchwords»; instead, for some, that vocabulary attested the most precious values in the political history of the Roman Republic. Even those scholars who, influenced for various reasons by the traditional point of view, consider that approach unrealistic for practical Republican politics now have to admit that oratory before the crowd in Republican Rome, of which the utmost expression are Cicero's *contiones*, played a crucial role in the way the polity functioned. To what extent that oratory exerted influence and thereby what represented the real character of the Roman Republic and Cicero's role in it, these are issues still open to discussion.

Finally, what the course of the reception of Cicero's *contiones* during the last twelve decades tells us is that it followed the course of the expansion of democracy in modern world⁵⁷. Hence it seems that Cicero with his work, and particularly his *contiones*, did not just tell us much about himself; he tells us much about ourselves too.

⁵⁵ See e.g. Cic. *Att.* 1, 19, 4, especially his phrase *sentinam urbis exhauriri*, depending on which one could conclude that Cicero hypocritically supported the people's interests.

⁵⁶ See e.g. Mack 1937, 11 n. 38.

⁵⁷ See e.g. Kennedy 2002, 490-492.

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