

**ARTICLES – ARTICOLI**



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HOW NOT TO WRITE LIKE CICERO:  
*PRIDIE QUAM IN EXILIUM IRET ORATIO*\*

I would like to begin in a Roman schoolroom at some time during the first few centuries of the empire. Today the *magister* has asked us to deliver a *prosopopoeia*, a speech in the voice of Cicero. You stifle a yawn: this is hardly an original assignment<sup>1</sup>. In accordance with normal pedagogical practice, the theme assigned involves a topic that the historical Cicero never addressed but that fits the events of his life – a fifth oration concerning Catiline, for example, or a response to Marcus Antonius’s offer to spare his life if Cicero should agree to the destruction of all his writings<sup>2</sup>. The topic of today’s declamation is relatively straightforward: deliver the speech that Cicero could have composed, but did not, in the spring of 58 BC before he was driven into exile by the tribune Publius Clodius as punishment for executing the Catilinarian conspirators<sup>3</sup>. A serious student should have little problem with structure and motifs. He simply needed to cull bits from the speeches that Cicero had delivered following his return from exile, a corpus that is likely to have been available to him as a student<sup>4</sup>.

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<sup>1</sup> Examples of «Cicero» pleading with Antonius occur in Sen. *suas.* 7; for the so-called *Fifth Catilinarian* see De Marco 1991, 31-49. Keeline 2018, 148-151 discusses extant declamations delivered in Cicero’s voice, as well as others in the guise of his opponents; see too La Bua 2001, 174 n. 1.

<sup>2</sup> Compare Peirano 2012, 10 on «fakes» as «“creative supplements”, aimed at expanding canonical texts and filling in their gaps» (among other examples, she points to how the pseudo-Vergilian *Ciris* responds to Verg. *ecl.* 6, 74-77).

<sup>3</sup> Keeline 2018, 150 notes that this speech «manifestly cannot have been written by Cicero. (To leave aside style and language, the historical Cicero simply never had the occasion to deliver such a speech)». While this last point is true in a literal sense, Keeline does not consider that the text could have comprised a pamphlet as was the case with, for example, the *actio secunda* of the *Verrines* or *Second Philippic*.

<sup>4</sup> La Bua 2019, 81-84 (though I am skeptical about the relevance of Quint. *decl.* 348); for the descent of the *post reditum* collection since approximately the eighth century see Rouse-Reeve 1983, 57-61.

I must confess that I am not sure what I would have produced before the class, but I do know that I would have been perplexed by several elements of the declamation that one particular classmate had written. And, with student envy, I would have also been puzzled to learn that this composition, christened as *Pridie quam in exilium iret oratio*, has not only survived up to the present day but that, several centuries later, it even provides material worthy of scholarly discussion<sup>5</sup>. Most scholarship on the work has treated the necessary preliminaries, such as its intertextual relationship with the Ciceronian corpus or possible date of composition. I shall review and supplement these findings in the following discussion. But can anything else be said about this school exercise? An examination of style promises to yield little of interest, since our author seems primarily intent on trying to out-Cicero Cicero by taking rhetorical effects identified with the great orator – tricolon, anaphora, antithesis – and overusing them to an extent that his model would never have dared. A jejune use of alliteration and assonance, for example, dominates the start of the exordium and pervades the rest of the speech: *si quando inimicorum impetum propulsare ac propellere cupistis, defendite nunc unum unum*. Nor will I be highlighting the passages where our imitator violates Ciceronian expectations, because any modern reader familiar with Cicero will realize after a few sentences that he could not possibly be the author of this piece. Instead, I want to address those places where the author seems *intentionally* to deviate from Ciceronian style and content, and speculate about why these deviations occur. In particular I will discuss the ways in which the speaker refers to the three main actors in the speech – namely, Publius Clodius, Cicero himself, and the oration’s addressee – and then end by considering his predilection for hyperbaton.

I begin with the intriguing details of this work’s transmission. The earliest codex that contains Cicero’s nine genuine post-exile speeches from 57-56 BC is the ninth-century P (Paris, BNF, lat. 7794). In that manuscript, the first text encountered is ours, which henceforth I shall refer

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<sup>5</sup> The only modern edition of the speech is De Marco 1991; Gesine Manuwald is currently completing a commentary, joint with *red. Quir.* and *red. sen.* Gamberale 1998 and Keeline 2018, 167-71 offer a survey of background. By odd coincidence, the titular phrase occurs in describing a portent hostile to Cicero from 44 BC (Iul. Obs. 66), *Turbinis vi simulacrum, quod M. Cicero ante cellam Minervae pridie quam plebiscito in exilium iret posuerat, dissipatum membris pronum iacuit, fractis humeris brachiis capite; dirum ipsi Ciceroni portendit.*

to succinctly if inelegantly as *Pridie*. This speech also appears first in the other three principal witnesses to the post-exilic corpus (G, E, H) and was excerpted in an independently transmitted medieval *florilegium*<sup>6</sup>. Textual transmission, therefore, offers no hints that *Pridie* may not be an authentic work of Cicero. This veneer of authenticity was not to survive into the Renaissance. Expressions of doubt about Ciceronian authorship of *Pridie* occur early, in annotations from two late fourteenth- or early fifteenth-century manuscripts. Since then I am aware of no one who has dared launch a counterargument<sup>7</sup>.

From a more objective standpoint, analysis of prose rhythm supports the suspicion that Cicero is not the author. Since, as we shall see, the declaimer seems particularly influenced by the *peroratio* of Cicero's *De domo sua*, I choose that passage to compare rhythmic practice. For simplicity's sake, I use the conservative discussion of Wilkinson 1963, 141 for the disputed issue of what constitutes a «favored rhythm»: cretic + anceps; cretic + spondee; dicretic; molossus + cretic (I include resolution of a long syllable into two shorts; all final syllables are anceps). Examples in my sample from *Pridie* of clausulae that are avoided by Cicero include several examples of clauses ending with two or, often, more spondees and one instance of the heroic clausula (dactyl + spondee). Table 1 provides a schematic overview of the results:

**Table 1: Prose rhythm; percentage of sentence-end clausulae with favored rhythms<sup>8</sup>**

1. <i>peroratio</i> of <i>De domo sua</i> (142-147):	100% (of thirteen clausulae)
2. <i>Pridie</i>	
a. <i>peroratio</i> (29-30):	43% (of seven clausulae)
b. <i>exordium</i> (1-2):	58% (of twelve clausulae)

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<sup>6</sup> Rouse-Reeve 1983, 57-61; De Marco 1991, 1-9. For additional codices containing *Pridie*, see Rouse-Reeve 1983, 83; De Marco 1957; Reitzenstein 1927. Analogously, Cic. *ad Brut.* 1, 16-17 (generally thought spurious) and ps.-Cic. *epist. ad Oct.* are also transmitted among Cicero's genuine correspondence (for the latter Firenze, BML, plut. 49, 18 notes *Haec epistula non est Ciceronis, sed declamatoris alicuius*; see Watt 1958, 186).

<sup>7</sup> Rouse-Reeve 1983, 57 n. 11. The earliest editors also questioned authorship, e.g., Naugerius in his 1534 edition and Lambinus in 1565 (*plane non est Ciceronis*); see further De Marco 1991, 5.

<sup>8</sup> Clausulae are determined here as those preceding a full stop or colon in the editions of Peterson 1911 and De Marco 1991.

c. Address to *Quirites* (11-13): 50% (of ten clausulae)

Of the thirteen terminal clausulae in the concluding paragraph of *De domo sua*, all close with rhythms favored by Cicero in his speeches. Furthermore, three of these thirteen instances contain unusual word order or syntax that Cicero seems to have used explicitly to avoid yielding an unfavorable clausula. By contrast, of the seven clausulae in the *peroratio* of *Pridie*, fewer than half yields a favored clausula. Other sections of *Pridie* have similarly low percentages of favored rhythms: in the exordium the percentage is 58%, while in the address to the *Quirites* it is 50%. Although scholars still dispute the details about Ciceronian prose rhythm, these statistics alone should convince even the most skeptical that Cicero is most unlikely to be author of *Pridie*.

Another indication of non-Ciceronian authorship is, to be frank, the work's lack of substantial content. The author offers no historical details about the context of the speech; the description is chiefly restricted to Cicero's complaints that he is being exiled by a tribune whom he never names and that he has chosen to leave Rome in order to preserve civil concord. The estimation of Gamberale in 1979 remains fair and accurate: «The speech, rich in rhetorical trickery, [...] nevertheless has poor content, essentially repeating several times a very few basic motifs»<sup>9</sup>. More recently Keeline, in his 2018 book on the reception of Cicero in the early empire, represents a rare scholarly attempt at assessing this content. He devotes five pages to identifying the work's declamatory motifs, such as the appeal to Cicero's status as a *homo novus* and his warning about the dangers of tribunician madness<sup>10</sup>. Other than this, the little scholarly interest in *Pridie* has concentrated on two areas: dating and echoes of true Ciceronian works.

Dating need not detain us long, since we simply do not have enough information. The speech's most recent editor, Maria de Marco, puts the time of composition early, to the second century, in part on the basis of the declaimer's style and knowledge of history<sup>11</sup>; conversely, I will at-

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<sup>9</sup> Gamberale 1979, 77-78, «L'orazione, ricca di mezzucci retorici, [...] è però povera di contenuti, e ripete sostanzialmente più volte pochissimi motivi fondamentali».

<sup>10</sup> Keeline 2018, 167-171.

<sup>11</sup> De Marco 1991, 5.

tempt to show how these same aspects reveal not a skillful imitator but an idiosyncratic and willful author whose style and knowledge must be used with caution to argue for dating. Other dates offered range between the early first and late fourth centuries<sup>12</sup>. The best that can be said is that the speech was composed at some point after Cicero's death until sometime in later antiquity. As mentioned above, as early as the ninth century all the earliest codices place the speech at the beginning of the *post reditum* collection with no indication that the author is not Cicero.

The list of genuine Ciceronian texts with which our author is familiar also does not help with dating since their correspondence with those works most commonly cited in ancient sources is at best erratic. Despite the recent surge of interest in Cicero's reception, no comprehensive list seems to exist of those speeches quoted or alluded to in antiquity<sup>13</sup>. As a result, I have assembled a stopgap approximation, in part by consulting secondary scholarship but primarily by using the *indices locorum* of the best available editions of selected corpora. Table 2 lists those texts most frequently quoted.

**Table 2. List of Ciceronian orations quoted in order of popularity** (non-oratorical texts are in square brackets. The list considers only texts that are specifically cited/quoted; **bold** indicates overlap with Table 3)

1. Seneca the Elder

***Philippics*** (8 or 9 instances, of which *Phil.* 1 = 1, *Phil.* 2 = 7 or 8)

***Catilinarians*** (3)

*Pro Milone* (3)

*Verrines* 2, 5 (2)

2. Quintilian

*Verrines*, incl. *Divinatio in Caecilium* (67 instances)

[*De oratore*]

*Pro Cluentio* (55)

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<sup>12</sup> Wiseman 2004, 180, in his discussion of *Pridie* 24, postulates a date as early as the first century. Gamberale 1998, 65-70 discusses lexical and syntactic choices that indicate the late third or early fourth and is followed by La Bua 2001, 174 n. 1. I share the uncertainty expressed by Keeline 2018, 151.

<sup>13</sup> Analogous work has been done: Lo Monaco 1990 and 1995 reconstruct the various «editions» of Cicero's oratory from his own time through late antiquity; La Bua 2019, 85-99 uses scholia, papyri, and other scattered references to provide a valuable reconstruction of which speeches were most likely to have been used in a pedagogical context.

*Pro Milone* (50)

[*Orator*]

*Pro Ligario* (41)

3. Aulus Gellius

*Verrines* (13 instances)

*Philippics* (5)

*De oratore* (5)

4. *Grammatici Latini* (ed. Keil)<sup>14</sup>

*Verrines* (233 instances [104 in one passage of Priscian])

***Catilinarians*** (124, of which *Catil.* 1 = 63)

***Philippics*** (57, of which *Phil.* 2 = 30)

*Pro S. Roscio Amerino* (41)

*Pro Cluentio* (41)

*Pro Ligario* (40)

[*Tusculanae Disputationes* (39)]

5. *Rhetores Latini Minores* (ed. Halm)

[*De inventione*]

*Verrines* (107 instances)

*Pro Milone* (48)

***Catilinarians*** (39, of which *Catil.* 1 = 29)

*Pro Cluentio* (21)

*Pro S. Roscio Amerino* (21)

The five sources from which I have drawn these data vary widely in date and purpose – Seneca culls his excerpts from experienced speakers whereas Quintilian aims his compendium at the rhetorical training of students; the grammatical corpus covers a range of concerns, from the instruction of basic grammatical elements to the reading and interpretation of literature, while the *rhetores* concern themselves with largely rhetorical principles. Despite this diversity of chronology and intention, the table illustrates how the corpus of Ciceronian oratory to which they had recourse appears to have been strikingly limited. For the declaimers in Seneca the Elder, Kaster finds more than one quotation or allusion from the following works: the *Philippics* with 8 or 9 examples, *Catilinarians*

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<sup>14</sup> These are rough numbers, and I include only places where an author seems to refer to specific passages, omitting places where only a title is mentioned.



with 3, *Pro Milone* with 3, and *Verrines* 2, 5 with 2<sup>15</sup>. For Quintilian, of the more than thirty discrete Ciceronian texts quoted, the most popular orations are, in order, the *Verrines* (including *Divinatio in Caecilium*), *Pro Cluentio*, *Pro Milone*, and *Pro Ligario*. A century later, the *Verrines* also tops the list for Aulus Gellius with thirteen mentions, while the remaining twenty-five or so texts are cited only once or twice. In the seven volumes of Keil's *Grammatici Latini*, the *Verrines* again rank highest with 233 mentions (though this includes 104 passages that Priscian examines in a line-by-line analysis of part of the speech); the *Verrines* is followed by the *Catilinarians* at 124, the *Philippics* at 57, then a more distant grouping of *Pro S. Roscio Amerino*, *Pro Cluentio*, *Pro Ligario*, and *Tusculanae Disputationes*. Finally, in Halm's collection of the *Rhetores Latini Minores*, it is unsurprising that Cicero's most traditional rhetorical treatise, *De inventione*, tops the list, with the most popular non-rhetorical works being again the *Verrines*, *Pro Milone*, *Catilinarians*, *Pro Cluentio*, and *Pro S. Roscio Amerino*. In conclusion, a glance at Table 2 indicates that the number of Ciceronian texts most frequently quoted by grammarians and rhetoricians and hence, presumably, those most commonly taught in schools at both the early and advanced stages of instruction, is very limited. It is not insignificant that the group also corresponds well with the opinion offered by Maternus in Tacitus's *Dialogus* (37, 6). According to Maternus, the following speeches, given in no particular order, «made Cicero a great orator»: the *Catilinarians*, *Pro Milone*, *Verrines*, and *Philippics*<sup>16</sup>. Maternus also mentions the *Pro Quinctio* and *Pro Archia*, but explicitly as speeches that did not «make Cicero a great orator»; it is worth noting that neither of these speeches ranks among the most popular in Table 2<sup>17</sup>. The restricted and select range of texts offered here will be key to my argument.

Let us now contrast the data in Table 2 with Table 3 below, which contains the apparent verbal echoes of Cicero that I have been able to

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<sup>15</sup> Kaster 1998, 253-254; I do not include those passages to which he attaches a question mark.

<sup>16</sup> See too Keeline 2018, 80-83, who notes (81 n. 26) that the Ciceronian papyri contain fragments from the *Catilinarians* (most numerous), *Verrines*, *De lege Manilia*, *Pro Plancio*, and *Pro Caelio*.

<sup>17</sup> A reader for the journal suggests that the mention of *Quinct.* at Hier. *chron. a. Abr.* 1934 may indicate its popularity in antiquity. I think it more likely that the citation reflects debate over which of Cicero's extant orations was earliest (cfr. Gell. 15, 28).

locate in *Pridie*. This list, which is no doubt far from complete, is compiled from three sources: the limited testimonia provided in De Marco's critical edition of 1991, my own research, and most of all Gamberale 1997 and 1998; I have supplemented these results via searches on the Tesserae website (<http://tesserae.caset.buffalo.edu/>)<sup>18</sup>. On the table, an asterisk marks correspondence with those popular texts listed in Table 2, and the obelus indicates a thematic rather than a close verbal resemblance. I have also added a selection of instances where the author uses Ciceronian vocabulary and syntax without there seeming to be a precise source text<sup>19</sup>.

**Table 3. Reminiscences of Cicero and other texts in *Pridie*<sup>20</sup>**

(\* indicates correspondence with Table 2 above, † indicates only thematic resemblance; DM = testimonia in De Marco 1991; G = Gamberale; those unmarked are my own additions)

#### A. Verbal and thematic

- 1 (*inimicorum impetum propulsare ac propellere cupistis*) ~ *Mur.* 2, *inimicorum impetus propulsare possim* (cfr. *prov.* 41, *popularis impetus [...] propulsare possem*). G 1998, 57.
- 1 (*nolite eo velle carere qui*) ~ *dom.* 146, *nolite, quaeso, eum cuius re-ditu restitutam rem publicam fore putastis [...] velle esse privatum*). G 1998, 58.
- 3 (*tum vos eum consulem, qui [...] sua eximia animi virtute hostilem civium mentem [...] vindicavit, existimate vobis retinendum esse in civitate*) ~ *Font.* 42, *ex eo genere homines quorum cognita virtus, industria, felicitas in re militari sit, diligenter vobis retinendos existimetis*.
- \*6 (*honestissime sanctissimeque [lautissimeque codd.] acta vita*) ~ *Phil.* 9, 15, *vitae [...] sanctissime honestissimeque actae*. G 1979, 82-83.
- 6 (*etenim errat si quis arbitratur M. Tullium idcirco in periculum capitis vocari quod deliquerit aliquid, quod patriam laeserit, quod improbe vixerit*) ~ *Rab. perd.* 2, *non enim C. Rabirium culpa delicti, non*

<sup>18</sup> I thank Neil Coffee and Tessa Little at the University of Buffalo for loading *Pridie* onto the Tesserae website.

<sup>19</sup> For additional examples of our author using syntax and phraseology common in Cicero, but without referring to a specific text, see Gamberale 1998, 56-65 *passim*.

<sup>20</sup> I do not include here 14 (*numen [...] sartum ac tectum*) ~ *Verr.* 2, 1, 131, *Aedem [...] sartam tectum integrumque* (DM), since the phrase was already proverbial in Cicero's day (*Cic. fam.* 13, 50, 2; Otto 1890, 309).

- invidia vitae, [...] *non denique veteres iustae gravesque inimicitiae civium in discrimen capitis vocaverunt*; cfr. 26, *in summum periculum capitis*.
- 7 (*cedo invitus de republica*) ~ Verg. *Aen.* 6, 460 (cfr. Catull. 66, 39): *invitus, regina, tuo de litore cessi*. Keeline 2018, 169 n. 58.
- 8 (*Tullium custodem urbis, defensorem omnium*) ~ dom. 118, *me [...] custodem defensoremque Capitolii templorumque omnium*.
- 8 (*illud impium incendium [...] lacrimis potius meis quam vestro sanguine restingui malui*) ~ Font. 47, *ille ignis aeternus [Vestae] [...] sacerdotis vestrae lacrimis exstinctus esse dicatur* and dom. 144, *ignem illum sempiternum non sum passus [...] sanguine civium restingui*. G 1998, 60-61.
- 9 (*di immortales, qui meae menti lumina praetulistis*) ~ Sull. 40, *o di immortales [...] vos [...] clarissimum lumen menti meae praetulistis*. G 1998, 64-65.
- \*9 (*cum consensum exstinxi coniurationis arcemque urbis ab incendio ac flamma liberaui [lacuna?] liberosque uestros a gremio et complexu matrum ad caedem et cruorem non sum passus abstrahi*) ~ Catil. 3, 15 (quoting a senatorial edict), *quod urbem incendiis, caede civis, Italiam bello liberassem*.
- 13 (*decedam pro omnibus unus tribunicio furori*) ~ [Cic.] *Inv. in Sall.* 10, *furori tribuni plebis cessi; utilius duxi quamvis fortunam unus experiri quam universo populo Romano civilis essem dissensionis causa*.
- 15 (*Omnia sunt immutata; manus religantur ad demonstrandam iniuriam, lingua inciditur ad deplorandam calamitatem, animus praecluditur ad exponendam rei indignitatem*) ~ *de orat.* 3, 4 (Crassus speaking): *Non tibi illa sunt caedenda [...]: haec tibi est incidenda [v.l. excidenda] lingua, qua vel evulsa spiritu ipso libidinem tuam libertas mea refutabit*. This collocation occurs only here and in a sixth-century commentary on *Leviticus* (*ThL* 7, 1 908, 79-82 [B. Rehm]).
- 17 (*nemo tam perdita auctoritate [...] inventus est [...] qui, cum de scelere fateretur*) ~ *Rab. perd.* 23, *nemo est [...] inventus [...] tam perditus [...] qui [...] fateretur*. G 1997, 38.
- †\*19 (Lentulus, Catiline, Cethegus, Cassius) ~ *Catil.* 3, 16 (Catiline, Lentulus, Cassius, Cethegus). DM.
- \*20 (*rei publicae procreatum [scil. Ciceronem]*) ~ *Phil.* 14, 25, *Caesarem (sc. Octavian) [...] rei publicae procreatum*.
- 24 (*Nunc ego te, Iuppiter Optime Maxime, cuius nutu ac dicione sola terrarum gubernantur, teque, particeps conubii, socia regni, Regina Iuno, teque, Tritonia, armipotens Gorgophona Pallas Minerva, ceterique di deaque immortales, qui excellenti tumulo civitatis sedem*

*Capitoli in saxo incolitis constitutam*) ~ Liv. 6, 16, 1, «*Iuppiter – inquit – Optime Maxime Iunoque Regina ac Minerva ceterique di deaque, qui Capitolium arcemque incolitis*»; cfr. *dom.* 144, *te, Capitoline, quem propter beneficia populus Romanus Optimum, propter vim Maximum nominavit, teque, Iuno Regina, et te, custos urbis, Minerva.* DM<sup>21</sup>.

\*24 (*Stator, quem vere huius imperii statorem [...] nominaverunt*) ~ *Catil.* 1, 33, *tu Iuppiter, [...] quem Statorem huius urbis atque imperii vere nominamus.* DM.

\*24 (*a quorum [...] altariis impiam civium manum removi*) ~ *Catil.* 1, 24, *a cuius altaribus saepe istam impiam dexteram ad necem civium transtulisti.* G 1998, 63, 66.

24 (*a quorum templis [...] flammam reppuli*) ~ *dom.* 144, *quorum ego a templis [...] flammam depuli* (both in invocation of Capitoline triad).

25 (*si C. Mario auxilio fuistis, quod in clivo Capitolino improborum civium fecerat caedem*) ~ *Rab. perd.* 31, *si C. Marius [...] quod in clivo Capitolino improborum civium* [lacuna]. Niebuhr 1820, 68-69; G 1997, 337-343.

†\* 25 (Marius, Scipio, Pompeius) ~ *Catil.* 4, 21 (Scipio, [Aemilianus, Paulus,] Marius, Pompeius). DM.

26 (*deinde vos, quorum potestas proxime ad deorum immortalium numen accedit, oro atque opsecro*) ~ *Rab. perd.* 5, *deinde vos [...] quorum potestas proxime ad deorum immortalium numen accedit, oro atque obsecro.* Both addressed to Quirites after a prayer to the gods. G 1997, 337.

26 (*in antiquum statum dignitatis restitui convenire*) ~ *dom.* 9, *ego [...] in meam pristinam dignitatem restitutus* (cfr. *dom.* 86, of other restored exiles: *in suam pristinam dignitatem restituti*)<sup>22</sup>. G 1998, 65.

\*30 (*heu condicionem huius temporis!*) ~ *Catil.* 1, 2, *o tempora, o mores!* Keeline 2018, 169.

## B. Ciceronian language and syntax

8 (*liceat ex hac flamma evolare*) ~ *Verr.* 2, 1, 70, *ex illa flamma periculoque evolavit* (cfr. 2, 1, 82). G 1998, 60.

<sup>21</sup> The lost Liv. 103, covering Cicero's exile, may have been a source for the author; for the popularity of Livy as a literary text in the fourth and fifth centuries see Cameron 2011, 498-516; Sánchez-Ostiz 2013, 145 (papyri). Although the similarities are not close, I include De Marco's citation of *dom.* 144 because of the declaimer's clear use of this text elsewhere. I do not find convincing the suggestion of Gamberale 1997, 337 that *exil.* 24 is indebted to *Rab. perd.* 5.

<sup>22</sup> La Bua 2019, 315-316, citing the frequency of the topic in the scholia, assumes that *exempla* of people returning from exile were popular in the schools.

- 15 (*lingua inciditur ad deplorandam calamitatem*) ~ *div. Caec. 21, cur iis non modo persequendi iuris sui, sed etiam deplorandae calamitatis adimis potestatem?* The collocation with the gerundive also at *Liv. 26, 32, 8; 43, 7, 7*; cfr. *Phil. 11, 6, calamitates [...] deplorare*.
- 18 (*qui perditorum hominum fregi furorem*; also 3, *imperatores [...] hostium fregerunt furorem*;) ~ *Pis. 32, abiecti hominis ac semivivi furorem petulantiamque fregistis* (to senate); see too *Vatin. 6; Mil. 34; Phil. 10, 21; ad Q. fr. 2, 14, 2<sup>23</sup>*.

Although I can make no claim that this list accounts for every reminiscence of earlier works, it nevertheless gives an indication of compositional tendencies. Our author, predictably, uses as an intertext two of the more well-known collections of Ciceronian speeches – *Catilinarians* and *Philippics*. At the same time, a number of orations that are less well-attested in schools also receive notice, and are even quoted verbatim, in particular *Pro C. Rabirio perduellionis reo* and *De domo sua*. The choice of both accords well with the declamatory theme, considering that Rabirius’s trial stemmed from the murder of a violent tribune, Saturninus, and the *De domo sua* centered on Cicero’s confrontation with another tribune, Clodius, who was responsible for Cicero’s exile<sup>24</sup>. Nevertheless, the tendency for the declaimer to use less canonical texts attracts notice. Three reasons for this mismatch between Tables 2 and 3 suggest themselves. One is simply chance. A second is that the *Pridie* was produced at a different period from the authors that I used to compile the list at Table 2, but this is of little help since these authors range in date from the first to the sixth centuries. The third option, I think, is the most compelling: namely, that our author is being intentionally obscure in his choice of influence. Gamberale has suggested that our author constructed *Pridie* as a patchwork (*centone*) of Ciceronian ideas and motifs, and these tables certainly support that notion<sup>25</sup>. I would like to pursue further the hypothesis of a self-conscious *cento* by considering aspects of the text other than Ciceronian reminiscences that seem to indicate an inde-

<sup>23</sup> *ThLL* 6, 1, 1246, 68-72 (M. Bacherler) lists the earliest occurrence of this collocation outside Cicero as *Sen. Ag. 775 (se fregit furor)*; cfr. *Phil. 3, 2, Hominis amentis fregissemus audaciam*.

<sup>24</sup> Cicero was in fact particularly proud of *dom.*, and anxious to have it available during his lifetime as a rhetorical model for Rome’s youth (*Att. 4, 2, 2* [SB 74], *Doloris magnitudo vim quandam nobis dicendi dedit. Itaque oratio iuventuti nostrae deberi non potest*). I have been unable to discover close correspondence with any of Cicero’s other speeches *post reditum*.

<sup>25</sup> Gamberale 1998, esp. 70-75.

pendent, and in certain ways a contrary, mind at work<sup>26</sup>. I will conclude by positing possible reasons for the many oddities that one encounters in reading this text.

To support the hypothesis of a willful declaimer, let us turn to three other atypical features of *Pridie*: these are the addressees, the use of proper names, and a notable attraction to the figure of hyperbaton.

At the beginning of every extant speech of Cicero, in most cases immediately following the first colon of the speech, Cicero addresses his principal audience in the vocative – be it an individual, a panel of judges, the senate, or the assembled people<sup>27</sup>. This practice also characterizes every other declamation that is spoken in Cicero’s voice<sup>28</sup>. In *Pridie*, by contrast, there does not occur an addressee in the vocative until the ninth section, where the *di immortales* are addressed – interestingly, in a syntax reminiscent of Cicero’s post-exilic speeches<sup>29</sup>. For a non-divine addressee, the reader must wait for the eleventh and twelfth of its thirty sections – over one-third of the way through –, where the *Quirites*, the Roman citizens, are finally addressed. This caprice continues in the final two sections of the speech, including the very last sentence, where for no apparent reason the *equites Romani* become the addressees<sup>30</sup>. (Ironically, the title provided by the eleventh-century codex G mentions yet another addressee, designating the speech as delivered *in senatu*, for which the text offers no evidence.) Gamberale attributes these variations to the au-

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<sup>26</sup> Keeline 2018, 147 notes on declamations in Cicero’s voice: «nothing else shows so clearly how and what ancient audiences thought about him» (cfr. 194, on the correspondence with Brutus). I will pursue this suggestion regarding the author of *Pridie* in particular.

<sup>27</sup> In a few speeches the vocative is postponed, but at most for a few sentences (*Balb.* 2; *Verr.* 2, 4, 1; *Caec.* 3).

<sup>28</sup> Gamberale 1998, 53 n. 1.

<sup>29</sup> Although it is formulaic in Plautus to follow an interjection to the gods with direct address (e.g., *Amph.* 455, *Di immortales, obsecro vostram fidem*), Cicero first uses this construction only in the speeches after exile, where he does so several times (*red. sen.* 9, *Di immortales, quantum mihi beneficium dedisse videmini; dom.* 104, *O di immortales! – vos enim haec audire cupio – P. Clodius vestra sacra curat*, etc.; *har. resp.* 25; *Cael.* 59; *Sest.* 93, *O di immortales! quemnam ostenditis exitum nobis?*). The sole remaining example in the Ciceronian corpus occurs at *Phil.* 4, 9, *O di immortales! avertite et detestamini, quaeso, hoc omen!*

<sup>30</sup> It is possible that the declaimer wishes to recall here the support from the *equites* that Cicero received before leaving Rome (Plut. *Cic.* 31, 1). Even if this were so, the appeal to them in *Pridie* still sits oddly with an address to the assembled *Quirites*.

thor not wishing to specify his audience<sup>31</sup>. It is difficult to see why he should choose to do this, especially since all uses of second-person plural verbs from the very outset of the speech make the most sense as referring to the assembled citizenry, that is, the *Quirites*, as he further clarifies at 19 (*in contione mea*). If we assume that the issue does not involve transmission of the text, and there is no reason that it should, it would seem that the decision to delay mention and to change the identity of the addressee is enigmatic and idiosyncratic.

Other of the author's idiosyncrasies reveal themselves. On rare occasions in his speeches, the genuine Cicero refers to himself as «Marcus Tullius». These uses fall into three distinct and natural categories. On three occasions the proper name occurs in marked contrast with another Roman name: he asks, for example, in *Pro Tullio* «why should I, a Tullius, act on behalf of a Tullius?»<sup>32</sup>. The second type, also found three times, occurs during a feigned address to himself by another figure. Most familiar is the instance in the *First Catilinarian* when the Republic asks «Marcus Tullius, what are you doing?»<sup>33</sup>. A third category, restricted interestingly enough to the favored speech *De domo sua*, names *Marcus Tullius* six times, but always as part of the text of a law or edict: «that Marcus Tullius be forbidden water and fire»<sup>34</sup>.

These three categories contain nothing remarkable; and yet none of these contexts exists in the no fewer than seven times that the name *Marcus Tullius* occurs in *Pridie*, in forms such as «Tullius is being cast into exile»<sup>35</sup>. In each instance, the author refers to Cicero only in the third person, as if he were an entirely different person from the speech's speaker, who nevertheless consistently employs first-person verbs to refer to the actions of this purported «Cicero». This practice of distinguishing oneself from the historical Cicero resembles that in the fragments of

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<sup>31</sup> Gamberale 1998, 64.

<sup>32</sup> *Tull.* 4, *Quid me oportet Tullium pro Tullio facere*. See too *Verr.* 2, 4, 79, *Cur M. Tullius Publi Africani monumenta requirit?*; *dom.* 102, *Ut domus M. Tulli Ciceronis cum domo Fulvi Flacci [...] coniuncta esse videatur* (this could also be a paraphrase of an edict, and so belong to the third category).

<sup>33</sup> *Catil.* 1, 27, «*M. Tulli, quid agis?*» (also *div. Caec.* 51; *Mil.* 94).

<sup>34</sup> *Dom.* 47, *VELITIS IVBEATIS VT M. TVLLIO AQVA ET IGNI INTERDICATVR* (also *dom.* 44; 50; 85; in paraphrase at 85; 102).

<sup>35</sup> *Exil.* 30 (*proicitur Tullius in exilium*); also at 6; 7; 8 (*bis*); 19; 27. A reader for this journal observes that 30 (and perhaps 6) may allude to a formal edict.

the declaimers preserved by Seneca in *Suasoriae* 6 and 7. The difference is that these speakers frequently interchange the third person with second-person addresses to Cicero himself and so their renderings, despite their self-consciousness (e.g., *suas.* 7, 1, *Quod ad me quidem pertinet, multum a Cicerone absum* – «As for me, I am hardly Cicero»), become lively and personal, even urgent. The declaimers are not Cicero, but Cicero is always present. Our declaimer, by contrast, distances himself from the speech's historical context by refusing identification with Cicero in the very act of impersonating him; in other words, to call this speech an example of prosopopoeia is a mischaracterization. Rather, the recurrence of the third person flattens out the credibility of the other attempts at mimesis. Why does the speaker favor this peculiar construction, one that is especially notable on account of its frequency? One possible explanation is that these instances suggest not non-identification but the speaker focalizing Cicero in order to represent the audience's point of view<sup>36</sup>. If so, this is not a device that I have found in the extant speeches, and it would provide additional evidence of the declaimer dissociating himself from Ciceronian technique. A simpler explanation for this unmistakable un-Ciceronianism suggests itself: the author is telling the truth. «I», he seems to be saying, «am not Cicero». I promise to return to this point, to this assertion of non-identity.

A second use of a proper name is also marked, this time by its absence. Although throughout the speech the author seems to be referring to Publius Clodius Pulcher as the tribune – or, metonymically, as the «tribunician madness» – that led to Cicero's exile, nowhere is Clodius the object of a direct address. In fact, no form of his name is used at any point in the speech<sup>37</sup>. Ignorance cannot be the reason for the omission, as declamations involving Clodius seem well attested in the schools<sup>38</sup>. The declaimer's willingness to include names of historical figures from the exemplary tradition and from Cicero's own history makes this silence all the more remarkable (see Table 3, 19, 25 (*bis*); also *exil.* 27-28). Since the author shows close familiarity with *De domo sua*, a speech in which Cicero frequently names Clodius in his invective – twelve times in fact –, the

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<sup>36</sup> I owe this suggestion to a reader for this journal.

<sup>37</sup> Steel 2007, 105 notes that in speeches involving Clodius forms of his name occur in 0,9% of the sentences (contrast «Verres» with 4,9%, «Catilina» with 11,4%, «Antonius» with 10,2%).

<sup>38</sup> La Bua 2001, 173-177.



avoidance of Clodius's name would seem to be intentional<sup>39</sup>. And what would be that intention? I confess that here I am at a loss for a convincing explanation. The best I can say is that the declaimer's choice not to name Clodius, or even address him anonymously, represents another instance of his idiosyncratic rhetoric.

The final feature that I will consider is the declaimer's use of hyperbaton, the figure in which two words that are grammatically or syntactically dependent are separated by other words that, in grammatical terms, are less closely related. Powell's recent article on hyperbaton in Cicero has significantly advanced our understanding of the types of hyperbaton that the orator uses as well as their intended effects. I will summarize his conclusions by using examples from *Pridie* for illustration. Powell distinguishes between two types, long-range and short-range hyperbaton. He notes that long-range hyperbaton is «relatively common in all genres of Cicero's prose», although oratory has the most extreme examples<sup>40</sup>. *Pridie* 11 offers a clear example of the long-range type: *si, Quirites, eundem in ceterorum periculis haberemus animum* (*exil.* 11, «If, citizens, we were to have the same frame of mind about everyone else's dangers»). In this sentence, the Latin pair *eundem* [...] *animum* is divided by more than one sentence constituent – in this case a prepositional phrase and finite verb form – hence the term «long-range» hyperbaton. In other words, here the adjective *eundem* («same») is separated from its noun *animum* («frame of mind») by Latin words that do not have a close grammatical relationship to either half of the pair.

Powell has shown that this long-range type follows consistent rules in Ciceronian oratory<sup>41</sup>. First, the opening element is always adjectival, and acts as either a determiner as in the example just cited (that is, a pronominal or demonstrative adjective such as *eundem*, or a neuter noun with a partitive genitive) – or a quantifier such as *magnus*, *omnis*, or their opposites, for which *exil.* 22 offers an example: *cum praesertim non nullam hae poenae habeant in se consolationem*. Second, the final word in the hyperbaton, the noun, in the instances cited *animum* and *consolationem*, is also

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<sup>39</sup> Compare the shorter *De haruspicum responsis* (sixty-three sections), where the name appears nine times.

<sup>40</sup> Powell 2010, 179.

<sup>41</sup> Powell 2010, 174-175.

the last word in its clause. Third and finally, the hyperbaton always brackets a verb form, in these cases *haberemus* and *habeant*. This ordering has remarkably consistent semantic consequences in Cicero: in long-range hyperbaton it is the first member that receives focus – in our first example, for instance, *eundem* is immediately detailed in the relative clause that follows, while for the example from *exil.* 22 the next sentence elaborates the character of the sort of consolation that can derive from exile.

Long-range hyperbaton contrasts with short-range, in which only one, unfocalized, element intervenes between adjective and noun. In this type, however, either noun or adjective can introduce the hyperbaton and it is the word that occurs first that receives focus. *Pridie* contains numerous examples of both types. At *exil.* 12 the adjective precedes: *qui [...] non sibi ac suis diffidat fortunis*. As Powell's model predicts, the pronominal adjective *suis* («his own») does indeed receive focus as its position distinguishes it from two instances of *noster* («our») in the previous sentence. By contrast, at *exil.* 27 the noun introduces the hyperbaton: *oppressa est res publica armis, metu debilitata servili*. Again, the context makes clear the reason for focusing the noun: *metu* («fear») contrasts with *armis* («weapons»), that is, the opposing means by which the republic has been affected.

The statistical preference of our author for this rhetorical figure of hyperbaton is remarkable when compared with Ciceronian practice. I have counted fifty-three examples of hyperbaton in *Pridie*, a number that averages to more than 1,5 per section. Contrast the mere five or six examples that occur in a sample of equal length drawn from the *exordium* and *peroratio* of *De domo sua*<sup>42</sup>. Since, as we have seen, our author does not favor those oratorical clausulae preferred by Cicero, the cases of hyperbaton in *Pridie* must be employed for semantic and rhetorical effect, rather than as a concession to achieving a desirable clausula. Of the fifty-three instances of hyperbaton, approximately four-fifths, or forty-one,

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<sup>42</sup> Sample is from *dom.* 1-20 and 142-147 (c. 2,600 words, the approximate total length of *Pridie*). Long-range: *dom.* 4 (*impudentiae primum respondebo tuae*); 12 (*hanc istum oti et pacis hostem causam*); 142 (*centuriarumque una vox omnium*). Short-range: *dom.* 8 (*puto suo quemque arbitrato timere oportere*); 12 (*nonne fuit eo maior adhibenda medicina?*); 144 (*haec mihi est proposita contentio*). I use in my calculations Powell's descriptions of what does and does not constitute hyperbaton; so, for instance, I include separation of noun from genitive modifier (e.g., *exil.* 16, *Multorum infirmabit incolumitatem*).

are of the short-range type, and their ubiquity is noticeable when one reads the speech, so that it is likely that the cumulative effect is meant to make an impression. Powell notes that this short-range type is not particularly ornate but is intended primarily for stress. He adds, however, that short-range hyperbaton also connotes the speaker's «real or purported personal involvement, rather than any increased ornateness of his rhetoric»<sup>43</sup>. We seem to have an example of our imitator out-Cicerioing Cicero, as he does with other rhetorical features not examined here, such as alliteration, *tricola*, antithesis, and chiasmus. In the case of hyperbaton, however, Powell's remark may offer an additional nuance: perhaps by using such a subjective figure of rhetoric, the declaimer emphatically inserts his own involvement in the text.

In his recent review of *Pridie* in the context of imperial *prosopopoeiae* of Cicero, Keeline notes that «there is a lot of Cicero in our non-[Cicero]»<sup>44</sup>. A glance at Table 3 shows that this claim is indisputable. At the same time, however, other features of the text indicate that there is also a lot of *non*-Cicero in our non-Cicero, and the cumulative effect leads me to believe that its presence cannot be accidental. Gowing observes in his account of a much earlier period of Ciceronian reception that «Cicero could never simply be ignored»<sup>45</sup>. Dressler has discussed further the ways in which the first- and second-century reception of Cicero discards the historical baggage of the man until he becomes «pure form», one that Quintilian famously identifies as the name of eloquence<sup>46</sup>. Indeed, under Quintilian, «Cicero becomes the paradigm for what constitutes a good education»<sup>47</sup>. Another recent study of Ciceronian reception argues convincingly that the weight of this influence was felt in late antiquity even more emphatically than in these earlier periods: «Roman students viewed Cicero as the only authoritative voice upon which they could rely to become accomplished orators and politicians. They loved and imitated him, trying to gain advantage from his teachings»<sup>48</sup>. And yet, if Cicero did indeed constitute the supreme authority,

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<sup>43</sup> Powell 2010, 181.

<sup>44</sup> Keeline 2018, 167 (following Gamberale 1998).

<sup>45</sup> Gowing 2013, 233. Kennedy 2002 offers a concise survey of scholarly reactions to Cicero from his lifetime on through to the end of the twentieth century.

<sup>46</sup> Quint. *inst.* 10, 1, 122; Dressler 2015, esp. 147-148.

<sup>47</sup> Gowing 2013, 246-249.

<sup>48</sup> La Bua 2019, 15.

why would a student imitator undercut a deep experience of Ciceronian language and themes with traits that are so clearly non-Ciceronian?

*Pridie*, I suggest, offers a corrective to this notion that students across the board «loved and imitated» Cicero. Gamberale closes the most comprehensive examination of this speech – a close study of its language, syntax, and allusions – with a call to compare *Pridie* with other products of the schools<sup>49</sup>. In fact, a possible parallel for the type of rebellious student that I hypothesize here does lie elsewhere in the declamatory tradition. I have recently argued that one of the minor declamations attributed to Quintilian represents the product of a precocious student who intentionally wished to go counter to the normal values espoused in declamation by questioning the importance of wealth and the absolute power of the father, two values which are otherwise held by all declaimers in high esteem<sup>50</sup>. A student, in other words, uses the classroom to speak out against injustice in the system. I envision an analogous student reaction at work for *Pridie*; rather than raising an ethical objection, however, our declaimer wishes to assert his independence as a rhetorician and stylist. He self-consciously breaks from simply «becoming CICERO», wishing instead to present a smidgen of his own personality in competition with the man whom some will have viewed as «the cultural father who must be displaced»<sup>51</sup>. In other words, *Pridie* presents us with a student who slyly wishes to demonstrate that he knows how *not* to write like Cicero. As a study of anonymity in Latin texts has recently shown, the lack of a named author can have the effect of giving a text an air of universality, lending it authority that stems not from an individual, but from a collective consciousness<sup>52</sup>. In an analogous fashion, perhaps our anonymous author has indeed had the last laugh. In the twenty-first century, you cannot consult a codex of the genuine speeches that Cicero composed after exile without finding this impressively flawed model gracing the opening pages.

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<sup>49</sup> Gamberale 1998, 74-75.

<sup>50</sup> Corbeill 2016.

<sup>51</sup> Kaster 1998, 258.

<sup>52</sup> Geue 2019, esp. 1-20.

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