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redazione.pan@unipa.it

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CICERO AND BRUTUS' LOAN TO THE SALAMINIANS:
A CASE FOR (SELF-)PRAISE AND JUSTIFICATION*

For some years after its annexation by the Romans in 58 B.C., the island of Cyprus was part of the province of Cilicia. When M. Tullius Cicero took over the province's governance (51-50 B.C.)¹, one of the issues he was called to resolve was the handling of an illegal loan the Salaminians had received by the Romans M. Scaptius and P. Matinius, friends of M. Junius Brutus. The said loan had been arranged with the extortionately high interest rate of 48%, when the legal annual interest rate at the time was 12%. In three epistles addressed to his friend Atticus (Cic. *Att.* 5, 21, 10-13; 6, 1, 5-7; 6, 2, 7-9; cfr. 6, 3, 5), Cicero expresses his disapproval of the way the Roman lenders have treated the Salaminians and his sympathy for the latter². As we shall see in due course, Cicero approaches the subject in a way that recalls a forensic speech – either against the lenders concerning the injustices they have committed against the inhabitants of Salamis, or in defence of the way he has handled the case – while all the while promoting the image of an effective leader and including elements of self-praise. In his insightful analysis of this account in Cic. *Att.* 5, 21, Hutchinson underlines the legal metaphor of *causa* used by Cicero at 5, 21, 13: *Habes meam causam [...] meditare adversus Brutum causam meam, si haec causa est contra quam nihil honeste dici possit, praesertim cum integram rem et causam reliquerim*³, comments on the style of the narrative and notes «that the ease and unpretentiousness of the writing should not disguise either its elegance or its persuasive force», to conclude that «[t]he narration is as persuasive, and attractive, as any in the speeches»⁴. I believe that this legal metaphor continues in the other two letters that refer to this case. A typical example is that of Cic. *Att.* 6, 1, 7: *sit sane, quoniam ita tu vis, sed tamen cum eo, credo, quod*

* This work was co-funded by the European Regional Development Fund and the Republic of Cyprus through the Research and Innovation Foundation (Project: EXCELLENCE/1216/0525).

¹ For Cicero's governorship of Cilicia, see e.g. J.K. WILKINSON, *Cicero's Governorship of Cilicia*, Diss. University of Birmingham 1959; A.N. PAYNE, *Cicero's Proconsulate*, Diss. Cornell University 1968; T.N. MITCHELL, *Cicero: The Senior Statesman*, New Haven-London 1991, pp. 204-231; J. MUÑIZ COELLO, *Cicerón y Cilicia: Diario de un gobernador romano del siglo I a. de C.*, Huelva 1998; M.D. CAMPANILE, *Provincialis molestia. Note su Cicerone proconsole*, in B. VIRGLIO (ed.), *Studi ellenistici XIII*, Pisa-Roma 2001, pp. 243-274; K. TEMPEST, *Cicero: Politics and Persuasion in Ancient Rome*, London-New York 2011, pp. 151-160; E.W. LEACH, *Cicero's Cilician Correspondence: Space and Auctoritas*, in *Arethusa* 49, 2016, pp. 503-523; F. RUSCHI, *Il proconsole Cicerone. Riflessioni su eunomia e ostilità*, in G. CONTE, S. LANDINI (eds.), *Principi, regole, interpretazione. Contratti e obbligazioni, famiglie e successioni. Scritti in onore di Giovanni Furginole*, Vol. 1, Mantova 2017, pp. 393-415; M. RÜHL, *Ciceros Korrespondenz als Medium literarischen und gesellschaftlichen Handelns*, Leiden-Boston 2018 (Mnemosyne, Suppl. 422), pp. 137-199.

² Cicero's positive view of the Cypriots is also evident in Cic. *Fam.* 13, 48, a letter for which see A.J. MARSHALL, *Cicero's Letter to Cyprus*, in *Phoenix* 18, 1964, pp. 206-215.

³ For the Latin text, I follow the Teubner edition of D.R. SHACKLETON BAILEY, *M. Tulli Ciceronis Epistulae ad Atticum*, Vol. I: *Libri I–VIII*, Stuttgartiae 1987.

⁴ G.O. HUTCHINSON, *Cicero's Correspondence: A Literary Study*, Oxford 1998, pp. 100-107.

sine peccato meo fiat. igitur meo decreto soluta res Scaptio statim. quam id rectum sit tu indicabis; ne ad Catonem quidem provocabo, where the legal intimations of the words *sine peccato meo*, *soluta res*, *rectum*, *indicabis* and *provocabo*⁵ further reinforce Cicero's attempt to lend a legal tone to the manner with which he handled the matter in question, while also adding elements to his account that point to a forensic speech. Thus, building on and extending Hutchinson's view, I argue that in his three letters Cicero absorbs elements of the *genus indicale* and artfully exploits various rhetorical strategies already known from his forensic speeches so as to ensure the moral condemnation of his opposers and justify his choices by presenting himself as an exemplary governor. As a result, by skilfully exploiting this affair on Cyprus, he promotes himself as an ideal ruler according to philosophical views and implicitly suggests that he has a lot to offer at Rome, where he would be more useful.

The epistolographer's account runs as follows⁶: The Romans M. Scaptius and P. Matinius who lent money to the Salaminians have the backing in Rome of a leading political figure, M. Junius Brutus, who intervenes to introduce them to Cicero. In fact, during the course of the events Cicero is informed (Cic. *Att.* 6, 1, 5) that the loan money was actually given by Brutus himself⁷. In order to do the latter a favour, Cicero, as governor of the province, is glad to help Scaptius get the loan back from the Salaminians, but is reluctant to grant him the Prefecture which included the command of cavalry squadrons, as such an act would violate his standard practice of not appointing businessmen to the particular post⁸. Cicero goes to lengths to clarify

⁵ Cfr. also the frequent use of the verb *probo* in all the three letters. The use of the verbs *indicabis* and *provocabo* is particularly interesting, as it creates the impression that Cicero will be content with Atticus' verdict and will not lodge an appeal with Cato. For the use of *provoco* in juridical language, see OLD s.v. *provoco* 6 and 7.

⁶ On this affair and its background, an extensive bibliography is given by HUTCHINSON, *Cicero's Correspondence*, cit., pp. 100-101, n. 36. See also, more recently, CAMPANILE, *Provincialis molestia*, cit., pp. 263-269; C. ROSILLO LÓPEZ, *La gestión des profits illégaux par les magistrats pendant la République romaine (II-ler siècle av. J.-C.)*, in *Latomus* 69, 2010, pp. 981-999: pp. 988-991; A. ARNESE, *Usura e modus: Il problema del sovraindebitamento dal mondo antico all'attualità*, Bari 2013, pp. 52-54; J.-J. AUBERT, *Commerce*, in D. JOHNSTON (ed.), *The Cambridge Companion to Roman Law*, Cambridge 2015, pp. 213-245: pp. 231-232.

⁷ For Brutus as money lender in Cicero's epistolary corpus, see G. ALLEGRI, *Bruto usuraio nell'epistolario ciceroniano*, Parma 1977. Brutus' relations with Cyprus date back to the time when he accompanied his uncle Cato the Younger on his campaign against Ptolemy, King of Cyprus, which led to the Roman conquest of the island; cfr. Plut. *Brut.* 3, 1 and see D. POTTER, *Η Κύπρος επαρχία της ρωμαϊκής αυτοκρατορίας*, in T. Papadopoullos (ed.), *Ιστορία της Κύπρου*, Vol. II, Part 2: *Αρχαία Κύπρος*, Nicosia 2000, pp. 763-864: p. 779. At Cic. *Att.* 6, 1, 5 it is clearly stated that Salamis was under Cato's and Brutus' patronage: *nam ab edicto meo recessissem et civitatem in Catonis et in ipsius Bruti fide locatam meisque beneficiis ornatam funditus perdidissem*. As D.R. SHACKLETON BAILEY, *Cicero's Letters to Atticus*, Vol. III: 51-50 B.C., 94-132 (*Books V-VII.9*), Cambridge 1968 (Cambridge Classical Texts and Commentaries), p. 241 notes, given that Cato and Brutus had supervised the annexation of Cyprus in 58-56 B.C., it follows that they would have become the island's *patroni*. See also R.Y. TYRRELL, L.C. PURSER, *The Correspondence of M. Tullius Cicero, Arranged According to its Chronological Order, with a Revision of the Text, a Commentary, and Introductory Essays*, Vol. III, Dublin-London 1890 (Dublin University Press Series), p. 173.

⁸ For Cicero's attempt to strike a balance between his desire to be polite to powerful fellow-citizens and his intention to stop them from causing serious problems to the local population of his province, cfr. C.E.W. STEEL, *Cicero, Rhetoric, and Empire*, Oxford 2001, pp. 200-201 and J. HALL, *Politeness and Politics in Cicero's Letters*, Oxford 2009, pp. 86-87, where similar instances to the one described here are discussed. More generally, for the character of Cicero's proconsulship, see J. ZARECKI, *The Cypriot Exemption from Evocatio and the Character of Cicero's Proconsulship*, in *G&R* 59, 2012, pp. 46-55.

that the reason why Scaptius requested the post was so that he could impose the harsh conditions of the loan on the Salaminians. This he has done before, when Appius Claudius Pulcher, the former governor of the province and father-in-law of Brutus, had granted him some squadrons of cavalry⁹, which ravaged Salamis and even caused the death by starvation of five senators during the siege of the Salaminian senate. Describing his meeting with representatives of the two sides, Cicero makes it clear that the right is on the side of the Salaminians who are willing to pay back the loan, which they estimate at 106 talents, while Scaptius estimates it at 200. To his great surprise, Cicero discovers that, according to the contract, Scaptius has been estimating the sum according to the extortionately high interest rate of 48%¹⁰, while Cicero himself in his edict did not allow more than 12% annually compounded interest¹¹. His surprise grows ever greater when he realises that behind the scenes and with the help of Brutus, Scaptius has even secured a senatorial decree declaring his contract legal, even though it violates Roman law. Cicero is pressured by Scaptius not to accept the Salaminians' proposal to deposit the money at the temple; in addition, Brutus and Atticus ask him to protect the lenders' interests. Cicero tries to convince the addressee of his epistle that in his handling of the case he followed nothing but the law and his principles¹², at times even favouring the side of Scaptius and Brutus at the expense of the Salaminians; thus, claims Cicero, Brutus has no cause to be displeased with him. Cicero is also surprised by Atticus' stance¹³, and accuses him of being biased towards Brutus. No further information is provided as to the outcome of the particular case, neither by Cicero nor by any other source¹⁴, and it is very likely that Cicero left the matter to be resolved by the next governor, even though he never once hid the fact that he was concerned about what might befall the Salaminians if this were the case¹⁵.

⁹ Within this framework, it is worth noting that one of the first measures Cicero took when he took command of the province was to order the departure of the cavalry from Cyprus. According to Cicero's own words, SHACKLETON BAILEY, *Cicero's Letters to Atticus*, cit., p. 237 estimates the date of this order to have been July 31st of 51 B.C., the very day Cicero arrived in the province.

¹⁰ Cfr. G. VIVENZA, *Il 48% del "virtuoso" Bruto*, in *Economia e storia* 5, 1984, pp. 211-225.

¹¹ This was the normal rate of interest according to the Roman law; see e.g. J.A. CROOK, *Law and Life of Rome*, London-Southampton 1967 (Aspects of Greek and Roman Life), pp. 209-211. For the *anatocismus anniversarius*, see A. WATSON, *Cicero, Select Letters, with English Introductions, Notes, and Appendices*, Oxford 1891⁴ (Clarendon Press Series), p. 258; W.W. HOW, *Cicero, Select Letters, with Historical Introductions, Notes, and Appendices*, A New Edition Based upon that of Watson, Revised and Annotated by W.W. How, Together with a Critical Introduction by A.C. Clark, Vol. II: *Notes*, Oxford 1934², p. 282; K. WILLE, *Die Versur: Eine rechtshistorische Abhandlung über die Zinskapitalisierung im alten Rom*, Berlin 1984 (Schriften zur Rechtsgeschichte 33), pp. 33-55.

¹² Cfr. MITCHELL, *Cicero: The Senior Statesman*, cit., pp. 223-224; HUTCHINSON, *Cicero's Correspondence*, cit., p. 103; A. WILCOX, *The Gift of Correspondence in Classical Rome: Friendship in Cicero's Ad Familiares and Seneca's Moral Epistles*, Madison-London 2012 (Wisconsin Studies in Classics), p. 95.

¹³ For Cicero's shock at Atticus' stance, see e.g. MITCHELL, *Cicero: The Senior Statesman*, cit., pp. 223; O. CAPPELLO, *Everything You Wanted to Know About Atticus (But Were Afraid to Ask Cicero): Looking for Atticus in Cicero's ad Atticum*, in *Arethusa* 49, 2016, pp. 463-487: p. 468, n. 10.

¹⁴ See K. CHATZIOANNOU, *Η Αρχαία Κύπρος εις τας Ελληνικάς πηγάς*, Vol. 4 – Part 2: *Προλεγόμενα και σημειώσεις εις τας Ελληνικάς επιγραφάς και τα Λατινικά κείμενα*, Nicosia 1980, p. 217.

¹⁵ Cfr. Cic. *Att.* 6, 1, 7: *impetravi a Salaminis ut silerent. veniam illi quidem mihi dederunt, sed quid iis fiet si huc Paulus venerit?* and see e.g. POTTER, *Η Κύπρος*, cit., p. 782 and more recently J. TAN, *Power and Public Finance at Rome, 264-49 BCE*, Oxford 2017, p. 69.

In the particular epistles, Cicero structures his arguments based on the three modes of persuasion according to the principles of ancient rhetoric: *logos*, *ethos* and *pathos*¹⁶. Within the framework of *logos*, he lays special emphasis on the matter of legality. He stresses that the lenders' contract cannot be valid legally, as it clearly violates all Cicero had stipulated in his traditional edict concerning the interest rate¹⁷. When Scaptius presents a senatorial decree supporting his contract, which he acquired thanks to Brutus' influence, Cicero embarks on a thorough legal investigation of the matter¹⁸ and discovers that the said contract violated the *lex Gabinia*¹⁹, which forbade Romans to lend money to provincials at Rome. Another senatorial decree which grants Scaptius' contract equal validity to other contracts also fails to justify the lenders' demands, as, in this case too, even though the contract was exempt from the provisions of the *lex Gabinia*, it could not be treated differently to any other contract and, consequently, could not exceed an interest rate of 12%²⁰. Thus, following a rather professional resolution of a case which could have been seen to present a conflict of laws, the lenders' request, at least from a legal perspective, is shown to be violating the law. The verbatim quotation of the senatorial decrees at Cic. *Att.* 5, 21, 11-12 lends Cicero's words a formal tone and reinforces the similarity with his epistolary narrative and that of a forensic speech.

Using reasoned arguments, Cicero rejects Scaptius' other request, namely that he be appointed as Prefect and have some squadrons of cavalry at his disposal. Here, the epistolographer focuses on what we would today call a conflict of interest and presents, in lieu of an argument, his principle that the particular position is never to be given to businessmen. He takes the thought even further and supports his decision by, on the one hand, expressing his fears that Scaptius wants the particular position because it will allow him to impose his demands forcefully upon the citizens of Cyprus and, on the other, by recalling the actions Scaptius has been guilty of in the past, when given the position by Appius, the former governor²¹. This final point seems to fall within the context of precedent, leading to the conclusion that similar behaviour to that demonstrated previously can be expected in future²². In order to

¹⁶ On these modes, see e.g. J. WISSE, *Ethos and Pathos: From Aristotle to Cicero*, Amsterdam 1989.

¹⁷ Cic. *Att.* 5, 21, 11; cfr. Cic. *Att.* 6, 1, 6; 6, 2, 7.

¹⁸ For the legal aspects of this affair, see e.g. M. BIANCHINI, *Cicerone e le singrafì*, in *BIDR* 12, 1970, pp. 229-287, esp. pp. 253-277; ARNESE, *Usura e modus*, cit., pp. 52-54. On Cicero's edict, see also G. PUGLIESE, *Riflessioni sull'editto di Cicerone in Cilicia*, in A. GUARINO, L. LABRUNA (eds.), *Synteletia V. Arangio-Ruiz. Raccolta di studi di diritto romano, di filologia classica e di vario diritto*, Napoli 1964, vol. 2, pp. 972-986; A.J. MARSHALL, *The Structure of Cicero's Edict*, in *AJPb* 85, 1964, pp. 185-191; R. MARTINI, *Ricerche in tema di editto provinciale*, Milano 1969, pp. 11-102; A. TORRENT, *Syngraphae cum Salaminiis*, in *Iura* 24, 1973, pp. 90-111; L. PEPPE, *Note sull'editto di Cicerone in Cilicia*, in *Labeo* 37, 1991, pp. 13-93; MUÑIZ COELLO, *Cicerón y Cilicia*, cit., pp. 117-119.

¹⁹ See esp. Cic. *Att.* 5, 21, 11-12; 6, 2, 7. For the *lex Gabinia de versura Romae provincialibus non facienda* and its content, see e.g. G. ROTONDI, *Leges publicae populi romani: Elenco cronologico con una introduzione sull'attività legislativa dei comizi romani*, Milano 1912, pp. 373-374; SHACKLETON BAILEY, *Cicero's Letters to Atticus*, cit., p. 237; M. BONNEFOND, *La lex Gabinia sur les ambassades*, in C. NICOLET (ed.), *Des ordres à Rome*, Paris 1984 (*Histoire Ancienne et Médiévale* 13), pp. 61-99; RUSCHI, *Il proconsole Cicerone*, cit., p. 398, n. 26.

²⁰ See TYRRELL, PURSER, *The Correspondence*, cit., pp. 165-166; HOW, *Cicero, Select Letters*, cit., p. 282.

²¹ Cic. *Att.* 5, 21, 10; 6, 1, 6; 6, 2, 8.

²² For a parallel, cfr. e.g. the use of the *probabile ex vita* argument at Cic. *Mil.* 36-44, where Cicero mentions that Clodius attempted to murder a number of Romans in the past and was therefore more likely to have set up an ambush against Milo.

render his rejection even clearer and more convincing, Cicero presents himself as consistent in his adherence to his own principles and recalls various instances when even eminent figures, such as Gnaeus Pompey, showed understanding upon receiving a negative response from Cicero to similar requests²³, thus attempting to compel Scaptius to respond in a similar manner. The use of similar, past examples constitutes a typical rhetorical technique which is often found in Cicero's forensic speeches²⁴.

A further similarity to forensic speeches is also found in the accumulation of questions at Cic. *Att.* 6, 2, 7-9, where Cicero refutes the opposing side's arguments and statements, especially those of Atticus, recalling a practice often found in the *argumentatio* or *refutatio* of a forensic speech. Thus, he refutes Atticus' claim that Brutus is willing to lose something, as he insists on the 48% interest rate of the contract, even though it has been shown to be illegal. Cicero, in fact, exposes Atticus morally, when he mentions that he is certain that he will convince Cato as to the appositeness of his actions, perhaps even Brutus, but is doubtful about Atticus²⁵. Then, with a profusion of questions and remarks, Cicero rejects Atticus' request that cavalry be given to Scaptius for the collection of the money. He states that such a request is neither in keeping with Atticus' praise of Cicero's integrity and decency, nor with the close, affectionate relationship between the two men. The suggestion that the number of mounted men need not exceed 50 was also not satisfactory, as it is a number more than sufficient to cause serious harm to the weak island²⁶, especially when one considers the damage caused by Scaptius' cavalry under the governance of Appius. Furthermore, such a decision violates Cicero's principle never to give the position of Prefect to any businessman and it is then stressed that this has been accepted by Brutus. Additionally, Cicero rejects the likelihood that the leading people of Salamis would be positively disposed to the presence of the cavalry and states that the latter serve no purpose other than to force the locals to repay the debt at a 48% interest rate. Finally, Cicero wonders how, if he were to commit such an act, he would ever be able to touch his books again, as he would have been shown to be disloyal to the ideas of his philosophical writings, so highly praised by Atticus²⁷. By mentioning towards the end of the section that with regards to the particular case Atticus' friendliness towards Brutus was rather excessive, while markedly lacking towards himself, Cicero skilfully implies that Atticus' proposal that Scaptius be granted some troops of horse was a matter of expediency and not the result of objective judgement. On the contrary, at the same time it is implied that Cicero tends to act as he deems just and not as dictated by the interventions of powerful political figures.

²³ It is worth noting that Cicero refers twice to this matter: Cic. *Att.* 5, 21, 10: *negavi me cuiquam negotiantium dare, quod idem tibi ostenderam (Cn. Pompeio petenti probaram institutum meum, quid dicam Torquato de M. Laenio tuo, multis aliis?)*; 6, 1, 6: *si praefecturam negotiatori denegatam queretur, quod ego Torquato nostro in tuo Laenio, Pompeio ipsi in Sex. Statio negavi et iis probavi.*

²⁴ Cfr. e.g. Cic. *Mil.* 16-20.

²⁵ Cic. *Att.* 6, 2, 8: *haec a me ordine facta puto me Bruto probaturum, tibi nescio, Catoni certe probabo.*

²⁶ To demonstrate that even 50 mounted men could be dangerous, Cicero exploits the example of Spartacus who began his slave rebellion with no more than 50 followers: *'non amplius' inquis 'quingenta.'* *cum Spartaco minus multi primo fuerunt* (Cic. *Att.* 6, 2, 8).

²⁷ Most scholars (e.g. TYRRELL, PURSER, *The Correspondence*, cit., p. 192, WATSON, *Cicero, Select Letters*, cit., p. 271, HOW, *Cicero, Select Letters*, cit., p. 291, SHACKLETON BAILEY, *Cicero's Letters to Atticus*, cit., p. 261 and RUSCHI, *Il proconsole Cicerone*, cit., pp. 398-399) suggest that here Cicero alludes to his *De republica*.

As is known, one of the predominant traits of Cicero's peculiar rhetorical art is the emotional nuance that runs through his speeches, which further reinforces his reasoned argumentation by making it more emotive and suggestive²⁸. In Cic. *Att.* 6, 2, 7-9, where Cicero's account of this case is concluded, we discover that this strategy is fully applied. Here we see that another purpose behind the technique of successive questions is the creation of a pathetic atmosphere, which is further reinforced by the intense emotional tone of the passage²⁹ and recalls the *pathos* we customarily observe towards the close and especially at the *peroratio* of a forensic speech. As is known, in this particular part of a speech, the predominant elements are a 'higher' style and an emotive tone, a language rich in passion and imagery, personifications, lively or even abrupt syntax, religious vocabulary and formulas³⁰. Most of these stylistic features are also found in Cic. *Att.* 6, 2, 7-9, where we also observe the two typical functions of a *peroratio*: the recapitulation of the main arguments (*rerum repetitio* or *enumeratio*) and the writer's attempt to evoke an emotional response (*tractare animos, permovere*) in the addressee of the epistle³¹, who can be likened to a judge trying the case³².

Another rhetorical strategy peculiar to Cicero's speeches is the orator's tendency to present the implications of each case very clearly and emphasise its deeper meaning for the Roman public life and the audience as a whole. Thus, each particular case is elevated from the merely symptomatic, is placed in a greater context and is presented as a matter crucial to the state³³. The same strategy is also found in the narration of the case in question. Cicero seizes the opportunity to digress briefly³⁴ (Cic. *Att.* 5, 21, 13) in order to stress the danger posed to Rome's credit system if the lenders' demands are tolerated: *in quo quidem, ὁδοῦ πάρεργον, <L.> Lucceius M. f. queritur apud me per litteras summum esse periculum ne culpa senatus his decretis res ad tabulas novas perveniat; commemorat quid olim mali C. Iulius fecerit cum dieculam duxerit; numquam rei publicae plus. sed ad rem redeo*. Thus, Scaptius is presented as a threatening figure to the state, a figure with whom the addressee of the epistle should not side, while Cicero appears to be defending the public interest. Meanwhile, it is implied that the case is far from unimportant and should not be approached lightly, while Cicero's insistence that the law be respected and observed to the letter is justified. Here too we observe that the use of examples makes Cicero's claims even more convincing with regards to the dangerousness of the situation and reinforces his argument.

²⁸ See especially M. VON ALBRECHT, *A History of Roman Literature: From Livius Andronicus to Boethius, with Special Regard to its Influence on World Literature*, Revised by Gareth Schmeling and by the author, Vol. I, Translated with the Assistance of Frances and Kevin Newman, Leiden-New York-Cologne 1997 (Mnemosyne, suppl. 165), pp. 540-541.

²⁹ Cfr. especially Cic. *Att.* 6, 2, 8: *an tu si mecum esses, qui scribis morderi te interdum quod non simul sis, patere me id facere si vellem? ... id me igitur tu, cuius mebercule os mihi ante oculos solet versari cum de aliquo officio ac laude cogito, tu me, inquam, rogas praefectus ut Scaptius sit?*

³⁰ See VON ALBRECHT, *A History of Roman Literature*, cit., p. 543.

³¹ For the typical structure of a *peroratio*, see M. WINTERBOTTOM, *Perorations*, in J. POWELL, J. PATERSON (eds.), *Cicero the Advocate*, Oxford 2004, pp. 215-230; cfr. S. TZOUNAKAS, *The Peroration of Cicero's Pro Milone*, in *CW* 102, 2009, pp. 129-141; S. TZOUNAKAS, *The Gladiatorial Exemplum in the Peroration of Cicero's Pro Milone*, in *Mediterranean Chronicle* 2, 2012, pp. 51-60.

³² Cfr. Cic. *Att.* 6, 1, 7: *quam id rectum sit tu indicabis; ne ad Catonem quidem provocabo*.

³³ See VON ALBRECHT, *A History of Roman Literature*, cit., p. 541.

³⁴ The use of the phrases *ὁδοῦ πάρεργον* and *ad rem redeo* which mark the beginning and end of the digression respectively is characteristic of this tactic.

Scaptius' indifference for the law is highlighted even more when juxtaposed with the Salaminian stance on the matter. The latter seem more than willing to pay back the loan by depositing the entire amount at the temple estimated according to the legal rate of interest, and demonstrate exemplary obedience to the Roman governor and his instructions, even though Cicero himself implies that he has not been entirely fair to them³⁵, and as a result expresses praise for them³⁶. The Salaminians have suffered much harm and injustice in the hands of Scaptius and his mounted men in the past, all of which they have tearfully described to Cicero. They express their gratitude for having been saved by him from the cavalry and extol him with public resolutions³⁷. Thus, the depiction of the Salaminians is not all that different to what Cicero theoretically describes in the *De oratore*, where he stresses the need for a defendant to come across as a good person (*bonum virum*), superior and selfless (*liberalem*), unfortunate (*calamitosum*) and, finally, worthy of the judges' sympathy (*miseriordia dignum*)³⁸. What in this scheme is not covered by the Salaminians, is covered by Cicero himself, who, in his account, perfectly fits to the image of *bonus vir* and *liberalis*.

The comparison of the moral calibre of the opponents is a strategy frequently found in Cicero's forensic speeches, where he often attempts to denigrate the opponent's image³⁹. Here, both Scaptius and Brutus are presented as having considerable moral shortcomings. While the Salaminians appear to be nothing but genuinely grateful for everything Cicero has done for them, Scaptius and Brutus are presented as hypocritical in their expression of thanks towards the Roman governor⁴⁰; furthermore, they unashamedly go back on what has been agreed, a fact that shows that they lack the necessary *fides*⁴¹. In Brutus' case especially, there is the clear implication that he aims to conceal and deceive, as it appears that he has concealed the fact from Cicero that the loan money was his own and has pretended that it came from friends of his⁴².

³⁵ Cic. *Att.* 6, 1, 7: *addo etiam illud, quod vereor tibi ipsi ut probem: consistere usura debuit, quae erat in edicto meo; deponere volebant: impetravi a Salaminis ut silerent. veniam illi quidem mihi dederunt, sed quid iis fiet si huc Paulus venerit?*

³⁶ Cic. *Att.* 5, 21, 11: *collaudavi homines.*

³⁷ Cic. *Att.* 6, 2, 9: *ad me Ephesum usque venerunt flentesque equitum scelera et miseras suas detulerunt. itaque statim dedi litteras ut ex Cyprio equites ante certam diem decederent, ob eamque causam tum ob ceteras Salaminis nos in caelum decretis suis sustulerunt.*

³⁸ Cic. *De orat.* 2, 321: *Ex reo (reos appello, quorum res est), quae significant bonum virum, quae liberalem, quae calamitosum, quae misericordia dignum.*

³⁹ Cfr. e.g. J.M. MAY, *The Ethica Digressio and Cicero's Pro Milone: A Progression of Intensity from Logos to Ethos to Pathos*, in *CJ* 74, 1978-79, pp. 240-246.

⁴⁰ Cic. *Att.* 5, 21, 10: *Scaptius ad me in castra venit. pollicitus ei sum curaturum me Bruti causa ut ei Salaminis pecuniam solverent. egit gratias ... sin praefectus vellet esse syngraphae causa, me curaturum ut exigeret. gratias egit, discessit ... moleste tulit Scaptius; 6, 1, 7: sed totum hoc Bruto dedi; qui de me ad te humanissimas litteras scripsit, ad me autem, etiam cum rogat aliquid, contumaciter, adroganter, ἀκοινονοήτως solet scribere. Cfr. also Cic. *Att.* 6, 1, 6: *his de causis credo Scaptium iniquius de me aliquid ad Brutum scripsisse*, where we learn that although Scaptius had thanked Cicero, later on he wrote somewhat bitterly about him to Brutus.*

⁴¹ Cfr. Cic. *Att.* 6, 2, 8: *tu me, inquam, rogas praefectus ut Scaptius sit? at hoc statueramus, ut negotiatorem neminem, idque Bruto probamus.*

⁴² Cic. *Att.* 6, 1, 5: *Nunc cognosce de Salaminis, quod video tibi etiam novum accidisse, tamquam mihi. numquam enim ex illo audivi illam pecuniam esse suam; quin etiam libellum ipsius habeo in quo est 'Salaminis pecuniam debent M. Scaptio et P. Matinio, familiaribus meis'; 6, 1, 6: *Atque hoc tempore ipso impingit mihi epistulam Scaptius <a> Bruto rem illam suo periculo esse, quod nec mihi umquam Brutus dixerat nec tibi.* Cfr. also Cicero's realisation that Brutus is not the man he took him for at Cic. *Att.* 6, 1, 6.*

As they come across as desiring to gain illegally large profits with the extortionate interest rate they set in their contract with the Salaminians, the lenders are shown to be avaricious and immoral, indifferent to the fact that their behaviour could cause great harm to a city which was, after all, under Brutus' and Cato's patronage⁴³. Their greed becomes even more obvious when Scaptius refuses to accept the money – estimated according to the legal interest rate – deposited by the Salaminians, concerned that by accepting it they risk losing the profits that would be gained if the 48% interest rate were approved. Cicero is pressured by Scaptius, who is presented as impertinent and foolish⁴⁴, to leave the case open. The depiction of Scaptius' impertinence is one of the main purposes of Cicero's account⁴⁵, while Brutus' demanding manner is also presented as insolent, arrogant and uncivil⁴⁶. Thus, the lenders are shown to possess traits that could potentially prove dangerous to society⁴⁷. Moreover, another criticism aimed at Brutus' morality, or lack thereof, concerns his inability to observe the principles of *amicitia*⁴⁸, which also enjoys a central position in the moral, political and social life of Rome. The moral corruption of the lenders is further highlighted by the references to Scaptius' earlier life, when, during Appius' governance of the province, he is shown to have exhibited great brutality towards the island's inhabitants and to have caused much harm. The overall picture concerning the moral paucity of his opponents is completed with Cicero's statement that there are no fair arguments on the other side, since in this way his opponents are dissociated from the notion of *honestum*⁴⁹.

Moving in the opposite direction of the lenders' *ethos* in the narrative is that of Cicero⁵⁰, who comes across as a model of virtuous governance. Thus, Cicero not only manages very skilfully to justify his stance in the case in question and tries to preempt Brutus' likely dissatisfaction, but also presents himself in a favourable light as a good leader, lauding his administrative abilities, as well as his moral virtues, without resorting to offensive self-praise⁵¹.

⁴³ See above, n. 7.

⁴⁴ Cic. *Att.* 5, 21, 12: *illi se numerare velle, urgere ut acciperet. Scaptius me rursus seducit, rogat ut rem sic relinquam. dedi veniam homini impudenter petenti; Graecis querentibus, ut in fano deponerent postulantibus non concessi. clamare omnes qui aderant nihil impudentius Scaptio, qui centesimis cum anatocismo contentus non esset, alii nihil stultius. mihi autem impudens magis quam stultus videbatur; nam aut bono nomine centesimis contentus <non> erat aut non bono quaternas centesimas sperabat.*

⁴⁵ For Scaptius' *impudentia*, see HUTCHINSON, *Cicero's Correspondence*, cit., pp. 101-107.

⁴⁶ Cic. *Att.* 6, 1, 7: *sed totum hoc Bruto dedi; qui de me ad te humanissimas litteras scripsit, ad me autem, etiam cum rogat aliquid, contumaciter, adroganter, ἀκοινονοήτως solet scribere.*

⁴⁷ Generally, for *impudentia* and *contumacia* as significant vices in Cicero's ethics, see A. BRAGOVA, *Cicero on Vices*, in *Studia Antiqua et Archaeologica* 24, 2018, pp. 253-277, who includes them among the vices that form «the core of Cicero's ethical, philosophical, political and juridical conceptual apparatus» (the quotation from p. 253).

⁴⁸ Cic. *Att.* 5, 21, 13: *Habes meam causam. quae si Bruto non probatur, nescio cur illum amemus.* For an exploration of the concept and practice of *amicitia* in Cicero's work, see recently S. CITRONI MARCHETTI, *Cicerone alla ricerca dell'amicizia: dalla domus alla res publica*, in *Ciceroniana on line* 1, 2017, pp. 235-260.

⁴⁹ Cic. *Att.* 5, 21, 13: *meditare adversus Brutum causam meam, si haec causa est contra quam nihil honeste dici possit, praesertim cum integram rem et causam reliquerim.*

⁵⁰ For this contrast, cfr. HUTCHINSON, *Cicero's Correspondence*, cit., pp. 102-103.

⁵¹ Generally, for Cicero's self-praise, see e.g. W. ALLEN, Jr., *Cicero's Conceit*, *TAPhA* 85, 1954, pp. 121-144; N. RUDD, *Stratagems of Vanity: Cicero, Ad familiares 5.12 and Pliny's Letters*, in T. WOODMAN, J. POWELL (eds.), *Author and Audience in Latin Literature*, Cambridge 1992, pp. 18-32, esp. pp. 18-26; K. TEMPEST, *Combating the Odium of Self-praise: Cicero's Divinatio in Caecilium*, in C.J. SMITH, R.J. COVINO (eds.),

One of the ways in which Cicero attempts to further improve his image is by drawing a connection between himself and leading figures of his time, who are presented as approving of his positions. More specifically, his claims that he convinced Pompey and other prominent Romans as to the principles of his administration (Cic. *Att.* 5, 21, 10; 6, 1, 6), or his conviction that the manner in which he handled the particular case would meet with Cato's approval (Cic. *Att.* 5, 21, 13; 6, 2, 8), a politician known for his moral calibre, all contribute to the recognition of Cicero's moral standing, provide him with even greater *auctoritas* and preempt any reproof aimed at his person. At the same time, the inevitable comparison between Cicero and Appius also proves to be favourable for the promotion of the former's image, as the previous governor of the province is charged with tolerating illegal activities and corruption⁵², making the virtuous governance of his successor appear all the more impressive. The greater contrast is, of course, between Cicero and the lenders, who are portrayed as his opponents in this imaginary legal case. Thus, while Scaptius oppressed the Salaminians, Cicero is repeatedly presented as their benefactor⁵³, implying, all the while, that that is the proper attitude of an ideal leader, and that Cicero is a man of *beneficia*. In contrast to the lenders' greed, Cicero is shown to be generous and indifferent to personal gain⁵⁴, as he refused to accept the large sum of money the city's inhabitants customarily gave the Roman proconsul, a sum which would have sufficed to pay off the original debt⁵⁵ and would consequently have contributed to the resolution of the problem, even if that came at a personal financial cost. Furthermore, Cicero comes across as possessing an excellent legal mind, capable of solving complex legal issues, while he himself proves to be professionally proficient in matters of administration and committed to legality and integrity, with no tolerance for corruption. He is capable of seeing the broader possible implications of any case and is committed to defending the public interest, as when ensuring that Rome's credit system does not collapse. He has established sound principles for his governance which aim to avoid conflict of interest, and remains true to these principles even when requests to violate them come from prominent figures of Rome's political scene, or personal friends of his. He is consistent in his words and deeds and shows that what he writes in his philosophical works he truly means and applies. Thus, he perfectly combines theoretical grounding with practical application. Equipped with

Praise and Blame in Roman Republican Rhetoric, Swansea 2011, pp. 145-163; I. DELIGIANNIS, *Historiography, Autobiography and Self-praise in Cicero's Political Dialogues (Rep. & Leg.) and his epist.*, 5, 12, in *RCCM* 60, 2018, pp. 141-154. For his self-fashioning (with emphasis on his treatises on rhetorical theory), see mainly J. DUGAN, *Making a New Man: Ciceronian Self-Fashioning in the Rhetorical Works*, Oxford 2005.

⁵² Cfr. LEACH, *Cicero's Cilician Correspondence*, cit., esp. pp. 505, 513; more generally, for Cicero's intent to contrast himself with his predecessor, during his proconsulship, see TEMPEST, *Cicero: Politics and Persuasion*, cit., pp. 153-155.

⁵³ Cfr. Cic. *Att.* 5, 21, 11: *petivi etiam pro meis in civitatem beneficiis ut negotium conficerent*; 6, 1, 5: *nam ab edicto meo recessissem et civitatem in Catonis et in ipsius Bruti fide locatam meisque beneficiis ornatam funditus perdidissem*.

⁵⁴ For a contrast with Scaptius on this point, cfr. Cic. *Att.* 6, 2, 8: *habeat is turmas? cur potius quam cohortis? sumptu iam nepos evadit Scaptius*.

⁵⁵ Cic. *Att.* 5, 21, 11: *homines non modo non recusare sed etiam hoc dicere, se a me solvere; quod enim praetori dare consuissent quoniam ego non acceperam, se a me quodam modo dare, atque etiam minus esse aliquanto in Scapti nomine quam in vectigali praetorio*. For the use of the term *praetor* for the Roman governor here, see WATSON, *Cicero, Select Letters*, cit., p. 258; HOW, *Cicero, Select Letters*, cit., p. 281.

moral values, he adopts a humanitarian approach in his method of governance and expresses his sympathy to all those who have suffered unjustly, thus proving that his emotional world is healthy and balanced. He has a sound understanding of the concept of friendship⁵⁶, which he considers to be very important, but would never allow his personal feelings to cloud his judgement.

Apart from this information, which justifiably presents Cicero's stance in a very favourable light, at least as this is described in his account of events⁵⁷, the praise for his person is also achieved through the actions and responses of others. The intention of the Salaminians to pay back the loan with money they were initially going to give to Cicero, as he refused to accept it, makes the latter praise them (Cic. *Att.* 5, 21, 11: *collaudavi homines*), which praise is then skilfully accompanied by self-praise. This self-praise, however, is expressed in this instance through the words of the tormented citizens, who were prepared to offer him a considerable sum of money as a show of appreciation for his many benefactions⁵⁸. Even more impressive to read is Cicero's instance of self-praise through the words of the Salaminians at Cic. *Att.* 6, 2, 9, where we are informed that by their public resolutions they have exalted him to the sky for freeing them from the cavalry, as well as for other reasons: *ob eamque causam tum ob ceteras Salamini nos in caelum decretis suis sustulerunt*. Another instance of self-praise can be noted in the reference to Atticus' words at Cic. *Att.* 6, 2, 8: *ain tandem, Attice, laudator integritatis et elegantiae nostrae? ... an tu si mecum esses, qui scribis morderi te interdum quod non simul sis, paterere me id facere si vellem?*, where Atticus extols Cicero's *integritas* and *elegantia* and describes how painful it is to be far from such a dear friend. By quoting the opinion of others about his person (*iudicia aliena*), someone finds an effective way to practice inoffensive self-praise⁵⁹ that lessens the impression of arrogance. In this way the positive remarks are attributed to the speaker without directly involving the praised person. Thus, it is possible for the *laudatus* to mention things about himself that would otherwise be very difficult to express. Cicero seems to be fully aware of the potential offered by this technique and exploits it very effectively, as it would be difficult for him to mention his own *integritas* or *elegantia*, or, even more so, claim to have been exalted to the sky.

⁵⁶ Cfr. Cic. *Att.* 5, 21, 13: *quae si Bruto non probatur, nescio cur illum amemus*; 6, 1, 5: *metui, si impetrasset, ne tu ipse me amare desineres*; 6, 2, 9: *nimis, nimis inquam, in isto Brutum amasti, dulcissime Attice, nos vereor ne parum*.

⁵⁷ At Cic. *Att.* 6, 3, 3 Cicero takes care to underline the praise and gratitude he has earned from his administration and gives an overview of his achievements during his proconsulship: *Reliqua plena adhuc et laudis et gratiae, digna iis libris quos dilaudas: conservatae civitates, cumulate publicanis satis factum; offensus contumelia nemo, decreto iusto et severo perpauci, nec tamen quisquam ut queri audeat; res gestae dignae triumpho, de quo ipso nihil cupide agemus, sine tuo quidem consilio certe nihil. clausula est difficilis in tradenda provincia; sed haec deus aliquis gubernabit*.

⁵⁸ Cfr. HUTCHINSON, *Cicero's Correspondence*, cit., p. 104, who notes that at Cic. *Att.* 5, 21, 11 Cicero praises his own deeds through the voice of the Salaminians.

⁵⁹ On this technique of inoffensive self-praise at Plin. *Ep.* 9, 23, see R.K. GIBSON, *Pliny and the Art of (In)offensive Self-Praise*, in *Aethusa* 36, 2003, pp. 235-254: pp. 245-246 and S. TZOUNAKAS, *Self-Presentation in Pliny's Epistle 9.23*, in A. GAVRIELATOS (ed.), *Self-Presentation and Identity in the Roman World*, Newcastle upon Tyne 2017, pp. 82-92.

Apart from his other aims, by describing the particular case Cicero promotes his own image and presents the reader⁶⁰ with a model of the ideal governor⁶¹, which seems to consist of the practical manifestation of the theory he proclaims in his philosophical works⁶². Thus, in Cicero, we are presented with the ideal combination of philosopher and ruler, highly praised not only by Plato⁶³ and other philosophers, but also by Cicero himself in his *De republica*⁶⁴. The fact that Cicero alludes to this work at Cic. *Att.* 6, 2, 9, which bears the same title as Plato's *Republic* and was influenced by it, makes it even more likely that he wants to appear as the embodiment of these philosophical proclamations. At Cic. *Att.* 6, 1, 7 Cicero reminds Atticus that he has not forgotten his advice that even if all he gains from this province is Brutus' favour, then that will be enough⁶⁵. He goes on to correct Atticus subtly, however, since, more than Brutus' favour, Cicero values a man whose actions are consistent with his words and who offers a model of exemplary governance for subsequent generations. We know that Cicero was quite reluctant to take on the governance of Cilicia, and that he saw his mission there as marginally better than 'a second exile' at a juncture crucial for Roman politics⁶⁶. Thus, the manner in which he describes the affair of the Salaminian loan, which reminds those concerned of his

⁶⁰ Probably, Cicero does not expect his thoughts to remain private between him and Atticus, but believes that the latter will communicate the content of the epistles to a broader circle of Romans; cfr. TEMPEST, *Cicero: Politics and Persuasion*, cit., pp. 152-153. Generally, for Cicero's letters as a means of maintaining his political influence, cultivating his social networks and exercising his authority when face-to-face contact was impossible, see P. WHITE, *Cicero in Letters: Epistolary Relations of the Late Republic*, Oxford-New York 2010, esp. pp. 3-29, 137-165.

⁶¹ This thought is consistent with Cicero's general tendency to present himself as a model, for which see H. VAN DER BLOM, *Cicero's Role Models: The Political Strategy of a Newcomer*, Oxford 2010 (Oxford Classical Monographs), esp. pp. 287-324; cfr. M. LOWRIE, *Making an Exemplum of Yourself: Cicero and Augustus*, in S. HEYWORTH (ed.), *Classical Constructions: Papers in Memory of Don Fowler, Classicist and Epicurean*, Oxford 2007, pp. 91-112. Of course, the letters that describe his treatment of this affair on Cyprus are not the only case of Cicero's attempt to present himself as an exemplary governor in his *Epistulae ad Atticum*. Another example is the set of letters sent to Atticus on his way to Cilicia (Cic. *Att.* 5, 1-15). For Cicero's epistolary self-fashioning strategies there, see S. CORREA, *Cicero imperator: estrategias de autofiguración epistolar en el viaje a Cilicia* (Cic., *Att.* 5, 1-15), in *Revista de Estudios Sociales* 44, 2012, pp. 48-61.

⁶² Similar thoughts are repeated at Cic. *Att.* 6, 3, 3: *reliqua plena adhuc et laudis et gratiae, digna iis libris quos dilaudas*, where the epistolographer highlights the praise and gratitude he earned from his administration and once again associates it with his philosophical works, much eulogised by Atticus. For a broad discussion of Cicero's views on the relationship between philosophy and politics in his epistolary corpus, see S. MCCONNELL, *Philosophical Life in Cicero's Letters*, Cambridge 2014, where Plato's influence is underlined; cfr. also Y. BARAZ, *A Written Republic: Cicero's Philosophical Politics*, Princeton-Oxford 2012, esp. pp. 44-95.

⁶³ On Plato's idea of the philosopher-kings, see e.g. C.D.C. REEVE, *Philosopher-Kings: The Argument of Plato's Republic*, Princeton 1988, repr. Indianapolis 2006.

⁶⁴ On Cicero's rector-ideal in his *De republica*, see e.g. J. ZARECKI, *Cicero's Ideal Statesman in Theory and Practice*, London-New York 2014. More generally, for Plato's influence on Cicero's thought, especially in his late works, see recently W.H.F. ALTMAN, *The Revival of Platonism in Cicero's Late Philosophy: Platonism aemulus and the Invention of Cicero*, Lanham 2016.

⁶⁵ Cic. *Att.* 6, 1, 7: *plane te intellegere volui mihi non excidisse illud quod tu ad me quibusdam litteris scripsisses, si nihil aliud de hac provincia nisi illius benevolentiam deportassem, mihi id satis esse.*

⁶⁶ Cfr. e.g. C. SAUNDERS, *ἡ πολιτεία of Cicero*, in *CPh* 19, 1919, pp. 201-215: p. 211; BARAZ, *A Written Republic*, cit., p. 63; LEACH, *Cicero's Cilician Correspondence*, cit., pp. 503-504.

legal abilities and effectiveness, as well as promotes his leadership skills and moral virtues, could all cause his fellow citizens to consider how useful such a figure would be in Rome and, as a result, expedite the process of his return.

ABSTRACT

During his proconsulship in Cilicia, Cicero describes to Atticus (*Cic. Att.* 5, 21, 10-13; 6, 1, 5-7; 6, 2, 7-9) his handling of the matter of Brutus' loan to the Salaminians in a way that recalls a forensic speech. He artfully exploits various rhetorical strategies already known from his forensic speeches so as to ensure the moral condemnation of the lenders and justify his own tactics, while all the while presenting himself as a model of an effective governor, without excluding elements of self-praise. By reminding those concerned of his legal abilities and effectiveness, promoting his leadership skills and moral virtues, and presenting himself as an example of the wise ruler who is lauded in philosophical works, Cicero aims to improve his chances of returning to Rome.

Au cours de son proconsulat en Cilicie, Cicéron décrit à Atticus (*Cic. Att.* 5, 21, 10-13; 6, 1, 5-7; 6, 2, 7-9) comment il a traité l'affaire de l'emprunt de Brutus aux Salamiens d'une manière qui rappelle un discours juridique. Il déploie habilement diverses stratégies rhétoriques déjà connues de ses discours juridiques pour assurer la condamnation morale des prêteurs et justifier sa propre tactique, en se présentant comme un modèle de gouverneur efficace, sans même manquer d'éléments d'éloge de soi. Rappelant sa capacité et son efficacité judiciaires, projetant ses compétences à diriger et ses vertus morales, en se présentant selon l'idéal du sage gouverneur tel qu'il est loué dans des œuvres philosophiques, Cicéron vise à renforcer ses chances de revenir à Rome.

KEYWORDS: Cicero; Brutus; Salamis of Cyprus; rhetorical strategies; self-praise.

Spyridon Tzounakas
University of Cyprus
stzoun@ucy.ac.cy