I THE ORATOR IN ROMAN SOCIETY

Roman oratory consists of two distinct phenomena. One is the occasions when men – and, very seldom, women – spoke in public.[1] The other is the body of written texts of speeches which survive from antiquity. These are distinct objects of study: not all speeches were written down, not all those which were written down have survived; and even if we had all the speeches ever delivered, the written text can only convey a part of the experience of hearing an orator, in a particular place and time and with all the non-verbal aspects of rhetoric which contributed to an oratorical performance.[2] In this first chapter, I consider the various occasions on which individuals spoke at Rome, reserving until the second chapter the processes by which spoken performances were transferred into written texts.

The organisational structures of political life in Rome during the Republican period made oratory important in a variety of contexts. Political change depended, during most of this time, on the passage of legislation, and legislation in turn arose from meetings in which arguments were articulated orally in front of large groups of men before a vote was held. Political careers were based on success in elections for public office, and the capacity to present oneself effectively in speaking was one factor which might influence voting. And as the legal system permitted the vigorous scrutiny of the behaviour of magistrates, effective forensic oratory could be crucial to political survival. The three most important locations for civilian oratory were the *contio*, or public meeting, the Senate, and the law-courts: each imposed its own demands and constraints upon the orator. In addition, military commanders might expect to address both their troops and foreign powers; diplomatic oratory would also be required of envoys; and military and diplomatic activity were both normal occupations for the small group of elite males who also dominated domestic politics during the Republic.[3]

[1] Hortensia, the daughter of the great Republican orator Hortensius, spoke before the triumvirs in 42 B.C. against the financial demands they were making on married women (Quintilian, *Education of the Orator* 1.1.6; Appian, *Civil Wars* 4.32–34; Valerius Maximus 8.3.3). Valerius, however, knows only two other examples of female orators to use in his chapter on women who pleaded cases (8.3).

[2] On the possibilities of gesture see Aldrete (1999); Cairns (2005).

[3] On the range of tasks which a Roman in public life might find himself doing, see Beard and Crawford (1999: 55–59).

A *contio* was a gathering of the Roman citizen body.[4] It was not a voting assembly and, unlike voting assemblies, there did not need to be a considerable interval between the time when it was announced and the time when it was held. It therefore provided an opportunity to explain events to the people as they happened and to respond immediately to current crises. The auspices were not taken before it opened, and it is sometimes described as 'informal'. However, there were clear rules about its administration: a *contio* could only be summoned by a magistrate, and only those whom the summoner invited could address the crowd. The purpose of *contiones* was information and persuasion. One often followed immediately on the passing of senatorial decrees, at which the presiding magistrate would explain the Senate's decision to a waiting crowd;[5] and meetings were held frequently in the run up to legislative assemblies, in order to persuade the citizen body to support the proposal, culminating usually in one held just before the people voted. It seems, too, that the censors might address the people during the census.[6]

This variety of purposes within the *contio* led, unsurprisingly, to a variety of kinds of speech given at such meetings which reflects, in turn, the wide variation possible in a speaker's level of preparedness, motives in speaking and freedom to participate or not in the meeting. Many speeches at a *contio* would have been the result of considerable preparation and care, despite the seemingly *ad hoc* nature of such meetings, and the fact of their delivery could be known to the speaker weeks or months in advance. Into this category, above all, fall speeches in support of legislation, particularly where the legislation formed part of a magistrate's electoral campaign and when it was promulgated immediately upon entering into office. Much of the most notorious tribunician legislation of the late Republic must fall into this category, and would have been published as soon as tribunes entered office on 10 December. The proposer would thus have had a considerable period of time to prepare his campaign to secure his legislation's passage, should he be successful in gaining election. In

[4] On the *contio* see Pina Polo (1996); Laser (1997: 138–182); Millar (1998); Lintott (1999: 42–46); Mouritsen (2001); Morstein-Marx (2004).

[5] Cicero's *Second* and *Third Catilinarian* and *Fourth* and *Sixth Philippic* record his speeches at such *contiones*.

[6] No such speech survives complete; Cicero never held the censorship. But some fragments survive and these suggest that censors might use the opportunity to hammer home controversial moral messages. Quintus Metellus addressed the people on the subject of having more children in 131 B.C., and the emperor Augustus read out his speech to the Senate when proposing his family legislation (Malcovati 1976: frs. 4–7; Suetonius, *Life of Augustus* 89.2).

the interval between promulgation and voting, too, opponents would have time to prepare the case against, although opposition to contentious legislation frequently involved another tribune's veto or violent disruption as well as, or even instead of, oratory.[7]

A well-documented example of the passage of a law which involved extensive debate is that of the Manilian law in 66 B.C. This law proposed that Pompeius, who had just completed a strikingly fast and successful campaign against pirates in the Mediterranean, should be given extensive powers with which to fight Mithridates of Pontus. The passage of the law and the arguments used for and against it are unusually well documented, largely because Cicero delivered a speech in support of it which he then had disseminated in written form.[8]

Cicero's speech, *On the Command of Gnaeus Pompeius*, was the result of elaborate preparation. It marked the first occasion on which he addressed the people – as he indicates, at some length, at the beginning of the speech. Moreover, he need not have got involved in Manilius' campaign. He was just about to take office as praetor when the law was proposed, but there was no compulsion on magistrates to declare their opinions publicly about proposed legislation.[9] Indeed, Cicero's participation as a praetor is perhaps worth comment: Pina Polo identified only seven other praetors in the period from 133 B.C. to the end of the Republic who addressed *contiones*, and three of those held office in 44 B.C. – an exceptional year by any standards.[10] Cicero, therefore, went out of his way to take part in the campaign for this law, presumably by making an approach to Manilius once it became apparent that he was going to put forward this law and asking for the opportunity to speak at a *contio* that he would summon. Cicero's decision to do so may have been motivated in part by a belief that

[7] So, for example, opponents of Ti. Gracchus' agrarian law in 133 B.C. put up another tribune to veto the proposals and in 122 B.C. Livius Drusus' tactic in opposing Gaius Gracchus was to put forward an alternative legislative programme. The Gracchi were of course killed in office, as were Saturninus and the younger Livius Drusus (tr. pl. 91). Morstein-Marx (2004: 160–203) offers an excellent account of the presentation of opposing views in *contiones*.

[8] Steel (2001: 114–125)

[9] This timetable depends on Manilius' promulgating his law on or shortly after 10 December, with voting then possible from late December or early January, depending on when the market days fell. Tribunes of the people could request anyone's presence at a *contio*, and there are occasions when a tribune might bring an opponent to a public meeting; but there are very few occasions where someone who was not taking a stand on an issue was nonetheless brought forward in this way.

[10] Pina Polo (1996: 189). The others are M. Marius Gratidianus (85); C. Julius Caesar (62); Ap. Claudius (57); and M. Porcius Cato (54). Some occasions may well not be attested in surviving sources, but nonetheless these figures suggest that it was distinctly unusual for a praetor to address the people, even after Sulla's reforms which meant that they were regularly in Rome during their term of office.

Pompeius was indeed needed to fight Mithridates, or it may not; but it was undoubtedly a decision which could have benefits for his own career. Pompeius was very popular with the Roman people at this point, and supporting him offered Cicero – whose eyes were firmly fixed on the election for the consulship of 63, which would be held in the summer of 64, little more than two years' distant – a chance to create a link with the great man which would benefit him in those elections.[11] Cicero's involvement is the result of very careful reflection and planning.

This care and planning are reflected in the written version, and there is no reason to believe that it marks a substantial rewriting of the oral version.[12] The bulk of the speech consists of an encomium of Pompeius' virtues, carefully constructed to emphasise his value to the Roman state.[13] But towards the end of the speech Cicero responds directly to criticisms of Manilius' law which had been made in speeches by Hortensius and Quintus Catulus.[14] Both these men had held the consulship, and Hortensius was one of the most distinguished orators of the day. Their speeches do not survive, and indeed there is no evidence that either disseminated a written version of what they had said. But some record of what they said, independent of Cicero's representation, is likely to have survived, because Plutarch preserves an anecdote about Catulus' speech: 'Catulus . . . ordered the Senate . . . repeatedly to find some hill or crag, like their ancestors, to which it could flee and preserve its freedom'.[15] Cicero's response to Hortensius and Catulus is likely to include some tendentious misrepresentation of the arguments, and it is not easy to distinguish in his speech between the arguments Hortensius and Catulus used to oppose the Gabinian law the previous year (which gave Pompeius an extraordinary command against the pirates) and those employed against the Manilian law. Morstein-Marx suggests that they may have spoken in 66 at a *contio* summoned by Manilius at which he gave his opponents the opportunity to speak in order to demonstrate both to them and, more importantly, to the Roman

[11] Mitchell (1979: 153–165).

[12] See further Chapter 2 below.

[13] Steel (2001: 130–156).

[14] Cicero, *On the Command of Gnaeus Pompeius* 51–68.

[15] Plutarch, *Life of Pompey* 30.4, *Κάτλος . . . ἐκέλευε τὴν βουλὴν . . . πολλάκις ὄρος ζητεῖν ὥσπερ οἱ πρόγονοι καὶ κρημνόν, ὅπου καταφυγοῦσα διασώσει τὴν ἐλευθερίαν*. This fragment sounds very plausible because of its paradoxical use of the idea of the secession of the plebs (Morstein-Marx 2004: 183). Sallust's *Histories* may have continued into 66, in which case it is possible he included versions of Catulus' and Hortensius' speeches; a version of Catulus' speech opposing the Gabinian law appears to survive in the fragments of book 5.

people, that opposition to his proposal was futile.[16] Certainly, neither Hortensius nor Catulus held a magistracy in 66 B.C. and there is no record of any of the tribunes of 66 opposing Manilius' law, so it is not clear who else might have provided them with the opportunity of addressing the people by summoning a *contio*. Nonetheless, even if they were restricted in time and facing a hostile audience, both would have had advance notice of the law and thus the opportunity to formulate arguments with which to oppose it.

Cicero's account of the arguments used by the opponents of the Manilian law may not be strictly accurate but the amount of his own speech which he devotes to them is nonetheless suggestive. The appearance of debate was important. There may have been no doubt that this law would be passed: but it seems that it was rhetorically effective to be heard to counter the opposition's points. Doing so also generated a result of particular interest to Cicero himself: it demonstrated his respect for these two senior figures and thus is a crucial element in the care which *On the Command* as a whole manifests in not alienating the more conservative element within the Senate.

Another example of carefully prepared contional oratory is the speech of thanks Cicero delivered to the people on his return from exile in 57 B.C. This speech, and its companion one delivered immediately beforehand to the Senate, marked his re-entry into Roman public life. He had had plenty of time to consider how best to do this: confident that the law recalling him would be passed, he left Dyrrachium on 4 August, reaching Brundisium the following day. His journey up through Italy took a further month and he entered Rome on 4 September, giving the two public speeches of thanks the following day.[17] The occasion was absolutely crucial to Cicero's continued public career: he needed to consolidate the current of opinion which had allowed the passage of the law recalling him, in order to reintegrate himself into Roman public life and demonstrate that his exile, and the political weaknesses which had led up to it, were now firmly in the past. Saying exactly the right things was extremely important. In fact, the speech in the Senate is the only one which we know Cicero gave with the assistance of written notes, in order that he did not forget to thank any particular individual.[18] Both speeches are short, but each is effectively tailored to its audience and

[16] Morstein-Marx (2004: 179–186).
[17] Marinone (2004: 110–111).
[18] Cicero, *On Behalf of Plancius* 74

attempts to place Cicero back into the community which he is addressing.[19]

However, there were aspects of the delivery of *Thanks to the People on his Return* which Cicero could not be sure of in advance, and these are part of a wider set of uncertainties relating to his return from exile as a whole. He could not be sure of the audience which would greet him as he returned, in terms either of size or of attitude. In a letter to Atticus written shortly afterwards he emphasises mass rejoicing:

> Whilst at Brundisium . . . I gathered, from a letter from my brother Quintus, that the law had been passed by the *comitia centuriata* accompanied by enormous enthusiasm on the part of all classes and ages and with an enormous gathering from all over Italy. I was treated with great pomp by the Brundisians and as I travelled envoys came from all over to congratulate me. My entry into the city was such that no-one whose name is known to a *nomenclator* failed to meet me, except those of my enemies who could not pretend or deny their enmity.[20]

But even with Quintus' encouraging news Cicero could not be completely sure of his welcome: he could not have known for certain how effective his friends and supporters would have been in generating mass enthusiasm and crowds when he entered the city, nor how many might wish to stay and listen to him, and how many supporters of his enemy Clodius might be making their feelings known. To that extent, at least, he would have had to have remained flexible in preparing what he might say to a greater extent than when contributing to the debate on the Manilian law. Indeed, the entire situation was fairly novel. Legislative *contiones* were frequent events: a politician would know, in general terms, what was expected when he spoke. But very few politicians returned from exile. The most recent example, before Cicero, was Metellus Numidicus, who was exiled in 100 and returned in 99. There was no fixed template for what might happen in these circumstances, and whilst in theory this allowed Cicero great freedom to present himself as he wished he also had no conventions to rely on. The contional oratory of his return from exile combined elaborate preparation with a considerable degree of uncertainty.

At the *contiones* so far considered, orators gave speeches which they had prepared. Other *contiones* were very carefully stage-managed, but

[19] Mack (1937); Nicholson (1992).

[20] Cicero, *Letters to Atticus* 4.1.4–5, *cognoui, cum Brundisi essem, litteris Quinti fratris mirifico studio omnium aetatum atque ordinum, incredibili concursu Italiae, legem comitiis centuriatis esse perlatam. inde a Brundisinis honestissime ornatus iter ita feci ut undique ad me cum gratulatione legati conuenerint. ad urbem ita ueni ut nemo ullius ordinis homo nomenclatori notus fuerit qui mihi obuiam non uenerit, praeter eos inimicos quibus id ipsum, se inimicos esse, non liceret aut dissimulare aut negare.*

the essential information was conveyed by witnesses who were themselves not the central political figures. In the aftermath of the death of Clodius in 52 B.C., one of his supporters, T. Munatius Plancus, 'brought forward in a public meeting M. Aemilius Philemon, a well-known man and freedman of M. Lepidus, who said that he along with four free men had happened to be passing while Clodius was being killed, and when they cried out at it were seized and taken to Milo's villa, where they were kept shut up for two months'.[21] Munatius Plancus would not have taken any chances on what Philemon would say: Philemon may have been telling the truth, but Plancus will have briefed him carefully on what to say. Comparable is the appearance of Vettius at a *contio* in 59. This man, whom Cicero describes as a well-known informer, testified in the Senate about an alleged plot to assassinate Pompeius.[22] Immediately after this meeting of the Senate its decree was read out to a *contio*; the following day Caesar, one of the consuls, called a *contio* at which he gave Vettius the opportunity to speak. According to Cicero, Vettius 'said everything about the state which he wished to; he was thoroughly prepared for the task'.[23] Cicero's letter also suggests that Vettius gave a full-scale speech, rather than simply answering questions put to him by the presiding magistrate, which was probably the case at the *contio* at which Philemon gave his evidence.[24] Certainly Cicero's description of the meeting indicates his own sense of the impropriety of Vettius' getting such an opportunity to speak, since he compares him first to the senior consular Catulus, whom Caesar forced to speak at a meeting from the ground rather than the platform, and then to Bibulus, Caesar's colleague as consul during 59 who was at this point confined to his house in fear of violence.

Another point of interest about this *contio* is that everything seems not to have gone to plan, despite the careful preparation. After the meeting had been dismissed the tribune Vatinius summoned it back for Vettius to make one last observation, implicating two more men in the plot against Pompeius. This manoeuvre suggests either that

[21] Asc. 38C, *T. Munatius Plancus tribunus plebis produxerat in contionem M. Aemilium Philemonem, notum hominem, libertum M. Lepidi, qui se dicebat pariterque secum quattuor liberos homines iter facientes superuenisse, cum Clodius occideretur, et ob id cum proclamassent, abreptos et perductos in uillam Milonis per duos mensis praeclusos fuisse*.

[22] Cicero, *Letters to Atticus* 2.24.2–4; Taylor (1950).

[23] Cicero, *Letters to Atticus* 2.24.3, *hic ille omnia quae uoluit de re publica dixit, ut qui illuc factus institutusque uenisset*.

[24] Question and answer seems to have been the usual method when private individuals were introduced at public meetings, insofar as one can generalise from a very small number of attested cases: cf. Valerius Maximus 3.8.6.

Vettius had been briefed to include them, and forgot, or that it had belatedly occurred to Caesar, or Vatinius, that it would be advantageous to include them. Even carefully orchestrated public meetings might not run entirely according to plan.

There were also occasions when a politician had to be able to address the people on the spur of the moment. Speaking to the people after a senatorial debate falls into this category, inasmuch as the outcome of a debate could not be known with certainty in advance. But the oratorical challenge of this kind of speech need not have been great if the presiding magistrate was simply providing information: indeed, little more may have been needed than that the senatorial resolution be read aloud. More impromptu, and more demanding, were occasions when popular feelings needed immediate assuaging. Cicero's career provides two particularly striking instances where he spoke at a *contio* without preparation. Towards the end of 66 B.C., when Cicero was praetor in charge of the extortion court, Manilius – who had on 9 December come to the end of his period as tribune of the people – was charged in front of this court.[25] Cicero apparently resisted Manilius' attempt to have his trial postponed, granting him only one day's adjournement; the people protested, and the tribunes summoned Cicero to a hastily gathered *contio* where they questioned him as to his actions. He defended himself by claiming that he had wished to ensure that Manilius faced trial with a sympathetic praetor, that is himself, in charge of the court. This mollified the people, who then demanded that he defend Manilius when he did come to trial; and Cicero agreed to do this. Although the eventual outcome seems not to have been harmful to Cicero – Quintus Cicero refers to this episode as one of those which built Cicero's reputation and popularity – it is implausible to imagine that he had set up the whole sequence of events in advance. Rather, this is an instance of Cicero fumbling, however briefly, in his attempt to maintain his universal appeal; and being forced to resort to his oratorical skills to attempt to retrieve the situation.

The second example is from 63 B.C., when Cicero was consul. At a theatrical performance during the year, Roscius Otho was hissed by the crowd; the cause of their hostility was the fact that when Otho had been tribune in 67 B.C. he had proposed a law which re-established privileged seating in the theatre for the equestrian class.[26] Cicero

[25] Plutarch, *Life of Cicero* 9.4–7; Dio 36.44; Quintus Cicero, *Notes on Electioneering* 51; Ramsay (1980); J. Crawford (1984: 64–69, 1994: 33–41).

[26] J. Crawford (1994: 209–214).

interrupted the festival, called an impromptu meeting in front of the temple of Bellona, and spoke with such force that the people returned to the theatre and applauded Roscius. It is possible that Cicero had picked up some advance warning that a disturbance might take place, and hence had a chance at least to reflect upon the sorts of arguments he might wish to use; but that is supposition, and even if he was not taken entirely unawares, the circumstances were unpredictable and rapidly developing. Cicero's securing an outcome he would regard as successful was largely due to his capacity to speak to the people in an impromptu setting. It is worth noting that he chose to have a version of what he had said disseminated.[27]

Cicero's surviving speeches at *contiones* apart from the Manilian law speech are rather different from these impromptu situations. They were all delivered after senatorial meetings and as summaries of those debates for the benefit of the waiting people: there is reasonable evidence that a crowd would gather outside the Senate house towards the end of contentious debates in order to hear the outcome as soon as possible. The speaker's job on such occasions was primarily to provide an accurate summary. Indeed, the person delivering such a speech would not necessarily be someone who regularly addressed the people: the task was likely to devolve upon the magistrate who had presided over the session of the Senate, or one of his senior colleagues. It is interesting to note that there are relatively few examples of this kind of speech being disseminated in written form, which would suggest that it was not regarded as offering a particular good showcase for oratorical talent.

There is one more type of oratory in front of the people to be considered: funeral oratory.[28] The funerals of members of famous families at Rome were public events, with a procession to the Rostra where a speech was delivered in praise of the deceased; the procession included men impersonating office-holders from earlier generations of the family, wearing the robes of the highest position they had obtained, and the speech included a rehearsal of the deeds of these men.[29] It is unclear whether or not these gatherings were formally *contiones* or not, nor is the mechanism whereby someone was deemed eligible for a funeral of this sort absolutely transparent. Nonetheless, this was another category of oratory where the audience was the

[27] Cicero, *Letters to Atticus* 2.1.3; one fragment of the speech survives.
[28] Kierdorf (1980); Flower (1996: 128–158).
[29] Polybius 6.53–54.

citizen body as a whole.[30] The speaker seems to have been the eldest son, where that was possible; and a written version of the speech was often disseminated.

The second major forum for oratory in the Republic was the Senate, whose deliberations were structured around the exchange of oral opinions. Although the Senate's decisions were never, during the Republic, legally binding in formal terms they had the force of law if they were not vetoed; and matters of urgent importance to the *res publica*, particularly though not exclusively in the field of foreign affairs, were regularly decided by this body. The format of debates appears to have followed a clear set of conventions: the presiding magistrate stated the proposal, and may have indicated his opinion on it; he then asked the opinion of those present, starting with the most senior figures.[31] The order in which men were asked to contribute was fixed at the first meeting of the year, when the newly elected consul who held the *fasces* in January conducted his first meeting.[32] As the presiding officer moved through his list, the responses seem to have become briefer and briefer as the speakers merely indicated their agreement with one or other of the positions previously articulated. Nonetheless, it seems that all senators present had to be asked their opinion before the matter could be put to the vote. As meetings had to be concluded by nightfall this opened up the possibility of filibustering; and even when filibustering was not the aim, a senator was free to raise matters outside the scope of the proposal which was formally under discussion.[33] One peculiarity of the Republican Senate was that it did not have a single location for its meetings: although there was a Senate House, at the edge of the Forum, the Senate itself could meet in any consecrated space.[34] Its first meeting of the year was, by tradition, held in the temple of Jupiter on the Capitoline; it could meet outside the city boundaries when it wished to allow an

[30] Polybius, whose detailed description is surely based on being present at such a funeral himself, treats such funerals as devices to inspire courage and emulation among its men: 'the most important result is that young men are inspired to endure extremes on behalf of the common good in order to win the glory which accompanies brave men' (*τὸ δὲ μέγιστον, οἱ νέοι παρορμῶνται πρὸς τὸ πᾶν ὑπομένειν ὑπὲρ τῶν κοινῶν πραγμάτων χάριν τοῦ τύχειν τῆς συνακολουθούσης τοῖς ἄγαθοῖς τῶν ἀνδρῶν εὐκλείας*. I discuss the delivery of funeral speeches in more detail in Chapter 2.

[31] Lintott (1999: 77–78).

[32] See, for example, Cicero, *Letters to Atticus* 1.13.2, in which Cicero gives the order in which the consul Piso asked the first four consulars in 61 B.C.

[33] Lintott (1999: 78).

[34] Bonnefond-Coudry (1989: 25–160).

imperium-holder to attend; and a number of other temples were used on occasion for meetings. The choice of location lay with the presiding consul; in 63 B.C. Cicero seems to have chosen the temple of Jupiter Stator with particular care to be the place where he revealed Catilina's designs to the Senate, since it enabled him to appeal for protection for the state to a deity associated with a successful counter-attack during a battle.[35]

This highly formalised structure of debate would thus seem to offer to all members of the Senate the opportunity to speak on a regular basis. However, in practice it was extremely unusually for junior senators to offer substantial contributions. Indeed, those senators who had held only the quaestorship – and in the post-Sullan Senate they formed the vast majority – were nicknamed *pedarii*, those who voted with their feet. Very few substantial speeches are recorded as having being delivered to the Senate by men who had not reached the praetorship.[36]

The debate on the fate of the Catilinarian conspirators in December 63 B.C. is an exception worth consideration. This meeting of the Senate was notable not only for the gravity of the subject; important contributions were also made by the relatively junior.[37] Julius Caesar – then praetor-elect – argued for life imprisonment for the conspirators, after Cicero had opened the debate and Dec. Junius Silanus, one of the consuls-elect, had spoken strongly in favour of the death penalty. Everyone who had spoken before Caesar had supported Silanus' proposal, a group which included fourteen ex-consuls.[38] After Caesar spoke, opinion was apparently divided between the two proposals until the younger Cato restated the case for execution and proposed a new motion, including praise of Cicero. It was Cato's proposal which was the one eventually passed. Cato was at that point only a tribune-elect, having held the quaestorship the previous year; yet his speech is presented as crucial in bringing the Senate back to support of the death penalty.[39]

The way in which Cato's contribution to this debate was perceived seems to have been affected by his subsequent career: Cicero complains, on reading Brutus' life of Cato in 45 B.C., that he has misunderstood the course of the debate because he seems not to

[35] Cicero, *First Catilinarian*; Vasaly (1993: 49–59).
[36] Bonnefond-Coudry (1989: 655–682).
[37] Sallust's *Conspiracy of Catiline* 50–53 offers versions of both speeches; on the complexity of the debate, not reflected in Sallust, see Drummond (1995: 23–77).
[38] Cicero, *Letters to Atticus* 12.21.1.
[39] Sallust, *Catiline* 53.1; Dio 37.36.3.

know that all the consulars, who spoke much earlier, supported the death penalty.[40] Sallust's account is structured to pit Caesar against Cato, foreshadowing future events and neglecting other speakers. But even allowing for subsequent distortions, it is clear that the course of this particular debate was not firmly fixed by the initial speakers. The contributions of Caesar and, even more, Cato, demonstrate that a more junior man of vigour and courage could contribute to senatorial debate, even if, most of the time, convention and the norms of orderly debate privileged the senior. But one should be slightly wary of underestimating Cato's position at this time: he had already joined the minority of senators who would hold office beyond the quaestorship as well as beginning the creation of his reputation as a public servant of formidable, and even repulsive, integrity; and he had a distinguished family history to appeal to.[41] He was not, even in 63, a humble foot-soldier.

The evidence on the speeches of Cato and Caesar suggest that they were carefully crafted pieces of oratory. And evidence from Cicero's letters shows that he too regarded the Senate as an appropriate audience for oratorical fireworks. Early in 61 B.C., soon after Pompeius returned to Rome, there was a meeting of the Senate at which the presiding consul asked Pompeius what his views were on the Senate's response to alleged sacrilege at the Bona Dea ceremony the previous December.[42] Pompeius' reply was brief, but when Crassus' turn came he apparently gave an elaborate speech praising Cicero for the very continuation of his civic existence; and later in the same debate Cicero too gave a polished speech about the contemporary situation, which he describes with a string of Greek rhetorical terms. Many contributions to senatorial debate may have been brief and unelaborate, but orators could display the full range of their talents.

The third major occasion for oratory in the Republic was offered by the law-courts.[43] Ultimate judicial authority in criminal cases lay with the Roman people, but increasingly during the Republic this authority was delegated to juries who tried cases under a variety of statutes. The administration of civil law was the responsibility of the *praetor urbanus*. Both types of case involved advocacy.

Civil law was the subject of intense intellectual effort in the last decades of the Republic and a distinct category of legal experts

[40] Cicero, *Letters to Atticus* 12.21.1.
[41] On Cato's conduct as quaestor, see Plutarch, *Life of the Younger Cato* 16–18.
[42] Cicero, *Letters to Atticus* 1.14.2–4.
[43] Fantham (2004: 102–130); Lintott (2005).

arose.[44] Civil cases provided opportunities for oratory, despite the much smaller audience than in criminal cases, and could attract very distinguished advocates. One case at least achieved enduring notoriety: the so-called *causa Curiana*, which pitted L. Licinius Crassus against Q. Mucius Scaevola in the centumviral court (which dealt with inheritance).[45] Cicero discusses this case at length in both *On the Orator* and *Brutus*, and quotes some of Crassus' speech in the former, strongly suggesting that Crassus did disseminate a written version.[46] Cicero himself was active in civil cases and published a number of them.[47] Interestingly, however, the latest written version is from 69 B.C., which suggests that once he had established a reputation as an orator and was being asked to appear in criminal cases it was no longer necessary to spend time in disseminating civil cases.[48]

The oratorical opportunities provided by criminal law were more exciting.[49] The audience was bigger: there was a large jury as well as interested bystanders. The facts were more enticing: not dry legal discussion but murder, assault and treason. And the political implications were often considerable. Roman criminal law, particularly in the period after Sulla's reorganisation of the courts, was concerned primarily with threats to the state.[50] As well, therefore, as murder and assault, treason, electoral bribery and provincial extortion were all covered by standing courts. The last three were by definition political crimes, and in the increasingly violent atmosphere of the 60s and 50s the law on violence was used against the politically active. The legal system was, indeed, one of the most effective ways of controlling senior magistrates in the exercise of their *imperium* as the penalties (capital, but always at this period avoidable by exile) put an end permanently to the guilty individual's political activity.

There was no public prosecution service: criminal charges were brought by individuals. Engaging in a prosecution seems to have been something which required careful consideration: given that the

[44] Frier (1985); Harries (2004).

[45] Scaevola argued for a strict interpretation in accordance with the exact words of Curius' will; Crassus successfully argued for the intention of the will to be honoured. See Cicero, *On the Orator* 1.180–182; *Brutus* 194–198; Fantham (2004: 117–121).

[46] Strongly, but not conclusively; Cicero was very likely present at this trial, given his family's contacts with Crassus (Rawson 1971) and may have made notes at the time.

[47] Of these, *On Behalf of Publius Quinctius*, *On Behalf of Quintus Roscius the Actor*, and *On Behalf of Aulus Caecina* survive largely intact and *On Behalf of Tullius* in a much more fragmentary state.

[48] See further below, Chapter 2.

[49] See Tacitus, *Dialogus* 20 on the limited attractions of reading civil cases.

[50] Riggsby (1999).

penalties were so severe, the habitual prosecutor could gain a reputation for cruelty and this impression was strengthened by the benefits which a successful prosecution conferred on the prosecutor.[51] Furthermore, an unsuccessful prosecution often led to lasting hostility between prosecutor and accused. Some people did occupy themselves regularly with prosecution, but among those engaged in or aspiring towards an office-holding career prosecution was engaged in, if at all, only once and at the start of one's career.[52] Cicero's prosecution of Verres in 70 B.C. might seem to fit into this category, but some caution is required. He had made his debut as an orator ten years earlier, and by 70 was not a novice but a man of thirty-six seeking election to the aedileship. It is possible that his decision to engage in a prosecution was motivated by the slow development of his forensic practice as a defender and the consequent lack of opportunities to display his talents as a speaker.[53] And he is very careful to present his prosecution of Verres as though it were a defence of his Sicilian and Roman victims. Prosecution was not something which senior politicians undertook regularly.

Acting for the defence carried with it none of the potential stigma of prosecution. 'It is defending, above all, which creates glory and gratitude, and all the more so when the person defended seems to be harassed and threatened by the resources of a powerful man.'[54] The problem with defence, however, was that the orator had to be asked. That meant having already acquired a reputation. Starting one's public career with a prosecution was thus a way of breaking this vicious circle.

Despite these links between politics and criminal prosecution, by no means all of Cicero's activity as a criminal advocate had political significance. His practice varied over time: perhaps unsurprisingly, as he became better known as an advocate and more prominent himself politically, his forensic practice came more and more to include the defence of prominent politicians.

Thus far I have considered oratory at Rome during the Republic. Roman officials had occasion to speak outside Rome as well. In rhetorical terms, this kind of oratory is deliberative: but the

[51] Cicero, *On Duties* 2.49–51 discusses the circumstances in which prosecution is acceptable.

[52] See Tacitus, *Dialogus* 34.7, though Tacitus appears to underestimate the ages of some of those involved: see Mayer (2001) *ad loc*. On prosecutors, see further Chapter 3.

[53] Steel (2005: 25).

[54] Cicero, *On Duties* 2.51, *maxime autem et gloria paritur et gratia defensionibus, eoque maior si quando accidit ut ei subueniatur qui potentis alicuius opibus circumueniri urgerique uideatur.*

circumstances of performance in terms of audience and aims make these occasions distinctly different from speeches within the Senate. Moreover, the concern within Roman culture with the concept of a just war and the need to establish that Roman wars were justified led to the development of exemplary narratives in which the oral communication of Rome's policy is crucial.[55]

An example is the meeting between the Illyrian queen Teuta and two Roman envoys in 230 B.C. Illyrian pirates had been attacking Italian shipping; the Italians complained to Rome, and the Senate sent envoys to ask the Illyrian ruler to desist. In Polybius' account, the ruler was a woman, Teuta; and at the meeting between her and the envoys, the two Romans made their complaint and Teuta replied that, whilst the Illyrian state did not have hostile intentions towards Rome, the private actions of individual Illyrian sailors was not something with which the rulers of Illyria had traditionally interfered.[56] There follows the reply of the younger of the envoys: 'The Romans, Teuta, have a very fine custom of punishing wrongs committed privately by public action and of helping those who have been injured. We shall endeavour, with God's help, vigorously and swiftly to compel you to correct your royal behaviour towards the Illyrians.'[57] And Teuta was so enraged by this reply that she arranged for the envoys to be assassinated, thus precipitating the first Illyrian war. Polybius' account is very clearly drawn from a pro-Roman source – perhaps that of Fabius Pictor – which sought to justify Roman behaviour by positing insult and then assassination.[58] The envoy's actual words must be conjectural and indeed the meeting itself may well never have happened. But its importance in the subsequent historical tradition shows that what was said during diplomatic exchanges was regarded as important; and so, in turn, the Romans who were likely to find themselves in such a situation had good reason to value the skills which would make them effective diplomatic orators.

The Illyrian episode shows us a Roman envoy responding in an impromptu fashion to what must be understood as an insult, without consideration for how his words will be received. Indeed, this is

[55] On the concept of the just war, see Albert (1980); Ramage (2001: 145–148).

[56] Polybius 2.8.6–13; Appian's account (*Illyrian War* 7) has no record of any meeting between the envoys and Illyrians, as they are killed before they can land.

[57] Polybius 2.8.10–11, *'Ρωμαίοις μέν, ὦ Τεύτα, κάλλιστον ἔθος ἐστὶ τὰ κατ' ἰδίαν ἀδικήματα κοινῇ μεταπορεύεσθαι καὶ βοηθεῖν τοῖς ἀδικουμένοις· πειρασόμεθα δὴ θεοῦ βουλομένου σφόδρα καὶ ταχέως ἀναγκάσαι σε τὰ βασιλικὰ νόμιμα διορθώσασθαι πρὸς 'Ιλλυριούς.*

[58] Walbank (1957: 153, 158–160).

central to how Polybius – and presumably his source – set up the story: a young man, responding without premeditation to provocation and thereby showing the virtue of Rome compared to untrustworthy foreigners.[59] Other episodes – and ones which are based on rather more secure evidence – indicate Romans fully conscious of the opportunities which speech abroad gave them both to promote Rome, and their own reputations. Two examples which took place relatively early in Rome's encounter with the Greek world show these possibilities and also suggest that divergent views on how best to speak as a Roman abroad were current from the outset of Rome's history as a Mediterranean power.

In 196 B.C. Ti. Quinctius Flamininus, the Roman commander in Greece, recently successful over the armies of Philip V of Macedon, made an announcement to the crowds gathered to celebrate the Isthmian games. His audience were anxious. The Romans' military victories had established them now as the dominant force in mainland Greece; the question was what sort of rulers they would prove to be. In particular, there was doubt over the status of a number of cities of crucial strategic value, including Corinth. If the Romans kept garrisons in these cities, then the statements that the Roman commission, which had been sent out to establish the new form of government, had made indicating that the Greeks would be free to use their own laws would be largely undermined. Flamininus had a herald read out a proclamation which provided the answer in a single sentence: 'The Senate of Rome and Titus Quinctius Flamininus the pro-consul, having defeated king Philip and the Macedonians in war, leave free, ungarrisoned, untaxed and able to use their ancestral laws Corinth; Phocis; Locri; Euboea; Phthiotic Achaea; Magnesia; Thessaly; and Perrhaebia.'[60]

Flamininus' address conveyed to his audience reassurance and a promise of independence from Roman interference: attractive messages, of which the Greeks were in practice to be disappointed. But, setting aside the question of Flamininus' sincerity, his desire to be seen as a philhellene is unmistakable. Other Romans took steps to project a different character. Five years after the Isthmian pronouncement, the elder Cato found himself in Athens as a military tribune in

[59] It is the younger envoy who speaks; and what he says is 'fitting, but not opportune'. An extra frisson is added to the narrative by Teuta's gender.

[60] Polybius 18.46.5, "*Ἡ σύγκλητος ἡ Ῥωμαίων καὶ Τίτος Κοΐντιος στρατηγὸς ὕπατος, καταπολεμήσαντες βασιλέα Φίλιππον καὶ Μακεδόνας, ἀφιᾶσιν ἐλευθέρους, ἀφρουρήτους, ἀφορολογήτους, νόμοις χρωμένους τοῖς πατρίοις, Κορινθίους, Φωκέας, Λοκρούς, Εὐβοεῖς, Ἀχαιοὺς τοὺς Φθίωτας, Μάγνητας, Θετταλούς, Περραιβούς.*'

the aftermath of the Roman defeat of Antiochus. According to Plutarch, whose ultimate source must here be Cato himself, he addressed the Athenian assembly in Latin, and then his words were translated. The interpreter spoke at much greater length than Cato had done, leading to admiration among the Athenian audience, and allowing Cato to conclude that 'Greeks speak with their lips, but Romans from the heart'.[61] The episode set up a contrast between wordy, insincere Greeks and laconic, honest Romans, with the added suggestion that the two languages themselves contributed to these characteristics. And as Gruen points out, the incident, if it did indeed take place, could only have done so as a result of Cato's consciously stage-managing the scene: his interpreter would only have inflated his translation if Cato had instructed him so to do.[62] Cato was attempting to reinforce the superiority of Rome through the nature of his oratorical performance as well as the content of his speech. And although the initial audience was the gathered Athenians, the telling of the episode in the *Origines* was surely intended to reassure Romans both of Cato's integrity as a Roman speaker, even when operating far from Rome, and of the capacity of the Latin language itself to withstand the pressures of overseas rule. Latin is indeed the proper language of empire.[63]

Neither Flamininus nor Cato spoke in Greek. Later, some Roman officials did. The evidence for such occasions suggests that some Romans were conscious of benefits in being seen to be fluent, during the conduct of official business, in Greek. Crassus Mucianus, when proconsul in Asia Minor in 131 B.C., was able to conduct judicial business in five separate dialects of Greek, taking his cue from the language spoken by the plaintiff.[64] The central point of the anecdote, for Quintilian and Valerius Maximus, is Mucianus' intellectual capacity; but the story also shows us a Roman official demonstrating his authority through knowing Greek better than the Greeks themselves. Over fifty years later Cicero addressed the Syracusan senate in Greek during the course of his evidence-gathering against Verres; we know this because Cicero tells his audience so in the fourth *Verrine*, ostensibly in response to criticism from L. Caecilius Metellus, Verres' successor as governor of Sicily, that it was not in keeping with the

[61] Plutarch, *Cato the Elder* 12.5, *τὰ ῥήματα τοῖς μὲν Ἕλλησιν ἀπὸ χειλέων, τοῖς δὲ Ῥωμαίοις ἀπὸ καρδίας φέρεσθαι.*

[62] Gruen (1992: 64–65).

[63] On the Romans' construction of Latin as morally superior to Greek, see Farrell (2001: 30–32).

[64] Quintilian, *Education of the Orator* 11.2.50; cf. Valerius Maximus 8.7.6.

dignity of a Roman official to use Greek.[65] In the *Verrines* this anecdote is part of a sustained comparison of Cicero and Verres in which Verres' ignorance of Greek culture is paraded as a cause for shame. From the perspective, however, of Roman diplomatic oratory, it can be used as an example of one Roman's sensitivity to the value of speaking in relation to securing local good-will, and to the added effectiveness which could arise from speaking to the audience in their own language.[66]

Oratory was a matter of crucial importance in the political life of Rome, and a highly useful skill for any politician. So much, at least, can be accepted without difficulty for the Republican period, where popular election, the potential for vigorous legal scrutiny of public behaviour and senatorial government combined to make addressing an audience effectively a significant activity, be that audience citizens, jurors or senators. The situation from the principate of Augustus onwards was rather different: many decisions were made behind closed doors among small groups whose deliberations were not recorded, and from the reign of Tiberius onwards the capacity to elect magistrates was removed from the citizen body and given to the Senate.[67] From this point onwards, the emperor had a decisive role in controlling entry to the Senate. It is reasonable, therefore, to expect that the orator's position in Roman society should change as oratory itself took on different roles.

One of the curious aspects, however, of oratory at Rome is how much continuity there is in the functions of oratory between Republic and Empire. Public meetings, it is true, largely cease to be relevant to the tasks of the orator from the reign of Augustus onwards.[68] But the Senate and the law-courts remain locations for skilled public speaking and the capacity to speak well remains a valuable asset for a politician. Moreover, in formal terms the mechanics of senatorial debate remain remarkably unchanged.[69] The presiding officer determined which items were for discussion, and debate proceeded by his calling members present in order of seniority. In theory, then, even junior senators would have an opportunity to speak and there is a reasonable amount of evidence to suggest that on occasion some of them did. However, the practicalities of getting through business suggest that

[65] Cicero, *Verrines* 4.147.

[66] As Adams points out (2003: 9–14) such anecdotes are of little use in determining bilingualism.

[67] Tacitus, *Annals* 1.15.

[68] Mayer (2001: 193).

[69] Talbert (1984: 221–289).

debates could be brought to a close before all had contributed, particularly if they were not controversial; and presumably many senators will have given their opinion simply by indicating that they agreed with an earlier speaker.

Nonetheless, the dynamics of these locations for speaking are changed utterly by the presence, or potential presence, of the emperor.[70] The Senate House becomes one of the chief locations for the emperor to articulate the nature of his rule: how he handles the Senate and the debates in it are now a major index of the kind of emperor he wishes to be.[71] Moreover, it is a truism of imperial history that decision-making is transferred from public areas to private ones: emperors made decisions in consultation with close advisers, who were not necessarily themselves members of the senatorial elite.[72] Oratory's relationship with power and authority becomes oblique.

Against this background of severely restricted freedom as a deliberative body, the Senate did, in fact, expand the scope of its activities during the first century A.D. to include forensic matters on a regular basis.[73] In particular, it judged cases where the defendant was a member of the Senate, so *repetundae* and *maiestas* cases came increasingly under its jurisdiction; and it could judge other cases where the defendant was a senator. It also intervened in matters where there were serious implications for the state as a whole: an example of such a case is the collapse of an amphitheatre at Fidenae in A.D. 27. The Senate not only exiled the builder responsible, but also drafted regulations concerning the construction of such buildings to apply thereafter across the Empire.[74] This expansion of the Senate's scope into forensic matters brought with it many more opportunities for senators to speak, and indeed, on occasion, obligations to do so. Both prosecutors and defenders could be assigned by the Senate, by choice or through the lot, and those chosen could not refuse the job unless they had been exempted.[75] Thus the change in senatorial function in the imperial period brought with it a new obligation on senators to be competent speakers. By no means all senators in the Republic engaged in forensic activity or spoke much in public: Cicero's *Brutus* makes this clear, even with his very inclusive set of criteria for what

[70] Talbert (1984: 163–184).
[71] Millar (1977: 341–355); Wallace-Hadrill (1982).
[72] Crook (1955: 31–55). Many more decisions were also transmitted in written rather than spoken form: for some of the implications of this, see further Chapter 2.
[73] Tarrant (1984: 460–487); Garnsey (1970: 13–100).
[74] Tacitus, *Annals* 4.62–63.
[75] See Pliny, *Letters* 10.3a.

makes a man liable to be considered an orator.[76] Military activity was a feasible, and highly respected, alternate route for public service. But as the equestrian order began to take on some of the activities of senators during the first century A.D. the Senate became a more distinctively civilian organisation and oratory became correspondingly more important for individual senators. This is a change which took a very long time to become clearly established, and in the first century A.D. in particular there were many exceptions. But it is clear that although the status and role of oratory itself was very much the object of scrutiny during this period, and the conclusions drawn about it often pessimistic, the skill of speaking well lost none of its importance for individual members of the elite.

Thus the forms and locations of forensic and deliberative oratory remained very largely in the early Empire as they had been during the Republic, however much the pressures on individual orators in terms of their relationship with their audience may have changed. However, the role of epideictic oratory, the third category of speaking, was fundamentally transformed. Epideictic oratory had a very restricted range of uses during the Republic: only funeral speeches could really be classified as such, though epideictic passages could be used in other kinds of speech.[77] The converse of epideictic, invective, was more widely used, though neither mode of speaking receives much attention in the surviving rhetorical handbooks.[78] However, in the imperial period epideictic has an obvious and compelling object in the form of the emperor.

The first example of panegyric in praise of a sole ruler in Latin is just prior to the imperial period: Cicero's speech *On Behalf of Marcellus*, delivered in 46 B.C.[79] The title, with its suggestion of a forensic case, is misleading. Cicero gave the speech in the Senate without preparation in response to the unexpected agreement of Julius Caesar to allow the return of Gaius Marcellus from exile in Mytilene, where he had been since the battle of Pharsalus. It is not an argument in favour of Marcellus, which would be otiose in the light of Caesar's announcement, and indeed Marcellus is barely mentioned. The speech is concerned rather with the nature of Caesar's rule, particularly his quality of mercy, of which his behaviour towards

[76] Steel (2003).

[77] So, for example, the extended praise of Pompeius in Cicero's *On the Command of Gnaeus Pompeius*.

[78] On the uses of invective during the Republic, see further Chapter 3 below.

[79] Dyer (1990); Levene (1997); Winterbottom (2002).

Marcellus is one example; and as well as praising what Caesar has already accomplished Cicero also indicates what he hopes Caesar can be praised for in the future. The speech thus establishes in a remarkably short compass a model of how epideictic oratory can be used programmatically. It also makes Cicero himself as the speaker an important element in the advice which the speech gives: he starts from the fact that Caesar's action has encouraged him to speak because it cannot be allowed to pass in silence, and concludes with emphasising his position both as a spokesman for the assembled Senate and as one who has a personal relationship with both Marcellus and Caesar. The relationship between the speaker of panegyric and the emperor praised continues to be an important aspect of the dynamics of imperial epideictic.[80]

Having delivered this speech Cicero chose also to disseminate a written version. And in the subsequent development of the genre of advice to emperors, oral delivery does not seem essential. Seneca's treatise on Mercy has no pretensions to be a speech, for example; its literary antecedents are rather Hellenistic manuals of advice to kings.[81] Pliny's *Panegyricus* did have an oral outing, but it is quite clear from one of his letters that the written version was an expanded version of what he had said in the Senate.[82] And epideictic oratory receives surprisingly little attention in Quintilian's treatise, a work with clear encyclopaedic aspirations in terms of the coverage of all that Quintilian considers relevant to the orator's task. Morgan has argued that Quintilian's very brief treatment of epideictic should be read as a manifestation of an underlying argument within the *Education of the Orator* about the nature of the orator's political engagement: the essential element is the orator's own moral disposition, and consequently the precise form of government becomes less important.[83] The success of any political system, on this view, is dependent on the virtue of its officers and not on its inherent qualities. From this perspective, Quintilian's reluctance to consider epideictic makes sense as a sign that the particular forms of oratory relevant to an imperial system are not inherent to the job of orator as properly understood. More generally, one could conclude that the relative importance of writing in the dissemination of imperial epideictic is an indication of

[80] Braund (1998).
[81] On Seneca's *On Mercy*, see Griffin (1976: 133–171).
[82] *Letters* 3.18.1.
[83] Morgan (1998).

the marginalisation of occasions of speech as opportunities to articulate the beliefs which underpin the emperor's position.

I have already mentioned in passing some references to Romans using Greek as a medium for oratory outside Rome, though the main focus of this chapter has been on speeches in Latin, delivered in Rome, by members of the Roman elite. In considering epideictic oratory in particular, however, it is arguable that the broadest interpretation of 'Roman oratory', by at least the first century A.D., should also include works written in Greek: the products of a developing Greco-Roman culture in which, increasingly, Greeks are entering the Senate and holding high office whilst maintaining a cultural identity in which the Greek language is paramount. Nonetheless – in addition to inexorable considerations of space – two factors may explain the absence of consideration of the orators of the second sophistic from this book. One is that its impact upon oratory as an element within the government of the Roman state is limited. Latin remains the language of the Roman Senate and of the law-courts in Rome.[84] Four orations on kingship, addressed to Trajan, survive among Dio Chrysostom's speeches; but, unlike Pliny's *Panegyricus*, no delivery in the Senate could be contemplated for them.[85] And secondly, the orators of the second sophistic did not look to Rome for their technical skills, however much Rome and Roman power was a preoccupation in their works.

This survey of oratorical performance at Rome has concentrated on the Republican period because the main forms of oratory are established then, and there is striking continuity, given the massive political changes, in the uses of oratory from the Republican to the Imperial period. The vast majority of our surviving oratorical texts in Latin also date from the Republican period. In the next chapter, I turn to the issues of how and why speeches make the transition from oral delivery to written form.

[84] Latin is the language, too, of forensic activity in the western part of the Empire. A remarkable example of forensic oratory from north Africa survives from the middle of the second century A.D.: Apuleius' *Apologia*. This speech is so remarkable, indeed, in its written form that one may wonder how helpful it can be as a guide to forensic practice. Fascinating evidence about the day-to-day level of pleading in Egyptian courts during the period of Roman rule can be found in Heath (2004); see also Crook (1995).

[85] On Dio's kingship orations, see Moles (1983); Konstan (1997); Whitmarsh (2005: 60–63).