

did not include in his own list of consular orations, or on the *pro Caelio*, given that its relationship with the political manoeuvrings of the 50s B.C. is unclear. More oddly, *pro Rabirio Postumo* is also ignored among the *post reditum* speeches. And the lack of much on the *pro Caecina* or *pro Roscio Comoedo* in Vasaly's chapter, which deals with the huge range of pre-consular speeches, is regrettable. Moreover, the omissions do eliminate whole areas of Cicero's oratory. There is no detailed consideration of any of Cicero's *repetundae* defences to set against the *Verrines*; little on his civil cases apart from the very early *pro Quintio*; and Cicero as a rhetorical humourist is poorly served, given the absence of the *pro Caelio* and *pro Murena*. In terms of the rhetorical treatises the lack of coverage of *de optimo genere oratorum* is odd.

The final chapter, Craig's survey of recent work in the field, along with the excellent bibliography, is likely to be the most used part of the book. Craig provides a clear and reliable guide to the focuses of recent scholarship and the general bibliography is supplemented by separate lists for all of Cicero's speeches and rhetorical works (and here the treatment is comprehensive).

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D. R. SHACKLETON BAILEY, *CICERO: LETTERS TO QUINTUS AND BRUTUS, LETTER FRAGMENTS, LETTER TO OCTAVIAN, INVECTIVES, HANDBOOK OF ELECTIONEERING* (Loeb Classical Library 462 [Cicero XXVIII]). Cambridge, Mass./London: Harvard University Press, 2002. Pp. viii + 483. ISBN 0-674-99599-6. £14.50.

This volume completes Shackleton Bailey's (henceforward 'SB', *more suo*) Loeb edition of Cicero's correspondence (*Att.* 1999, *fam.* 2000). He has now edited the four collections of letters three times — four in the case of *Att.* 9–16 (OCT 1961) — (Cambridge Classical Texts and Commentaries (henceforward 'CCTC') 1965–80; Teubner 1987–9).

The text of *ad Q. fr.* and *ad Brut.* is essentially that of SB's Teubner edition, which itself listed (iii–iv) eleven passages where he had departed from his CCTC text. Further changes, indicated in the apparatus by an asterisk, are now made at *ad Q. fr.* 1.1.3, 1.3.2, 1.3.9, 2.5.3, 2.7.3, 2.15.3, 2.19.1, 3.1.1, 3.1.10, 3.1.18, 3.5.1, 3.7.6, *ad Brut.* 1.2a.2, 1.4a.2, 1.12.1, 1.15.8. The apparatus, as with *Att.* and *fam.*, includes only places where the reading printed is not that of the authoritative manuscripts. The translation, with alterations to take account of these textual decisions, reproduces that which SB included in his Penguin of *fam.* (1978; a translation of *Att.* accompanied the text in CCTC).

The letters to Quintus and Brutus are followed by a selection of the fragments (SB says that he has omitted non-verbatim and 'insignificant and/or unintelligible' ones), which he edited for his Teubner, not having included them in CCTC. The translation appears for the first time. Though SB again says that he has marked changes to his Teubner text with an asterisk, no asterisks in fact appear. Changes will be found at *ad Caesarem* 12 *quid* <*quaeris*> SB for *quid* obelised, *ad Caesarem iuniorem* 2 *Arpini* Weysenhoff (SB calls her 'Weissenhoff') for *Ari(mi)ni* MSS, 20 *heroo* Gurlitt for *hero* obelised and 23A *ad Aquinum cum lacerna* Weysenhoff for *ad hi qui iam claternam* obelised (in his apparatus SB omits *hi* and the fact that the 'second family' of manuscripts of Nonius has *laternam*; in the Teubner *e* before *claternam* in the text is a misprint). Many of the fragments are cited by Nonius; SB prints the lemmata but does not translate them: I would imagine that those who need no help with Nonius' Latin will not consult it in a Loeb.

Next come the forged *epistula ad Octavianum* and exchange of *inuectiuae* attributed to Sallust and Cicero, which SB has not edited or translated before. Watt included the letter to Octavian in volume 3 of the OCT: at p. 340 n. 2 SB thinks that the variants in the margin of Cratander's 1528 edition may, as in *Att.*, derive from a fragmentary Würzburg MS of the eleventh or twelfth century, and not from a fifteenth-century MS, as Watt believed.

The final item is the *commentariolum petitionis*, which SB included in his Teubner edition. He retains the posthumous introduction by Isobel Henderson, with added material by E. H. Warmington, which appeared in the volume's predecessor (1972), and largely reproduces the translation, which represented a revision by Warmington of the material left by Henderson. He departs from his earlier text at 10 *magis contemnam siquid commouerit quam ut timeam etiam si quierit* SB (describing himself as *sero sapiens*) for the transmitted *magis timeat etiam si quierit quam ut contemnat si quid commouerit*, 18 del. *ex illa* Watt and 46 add. *eius* before *fuisse* B (Oxford, Bodl. Canon. Class. Lat. 210) after *fuisse*.

Even if much of the material in this volume is not new, the Harvard Press are indeed fortunate that scholars of the calibre of SB are willing to contribute to their series.

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T. REINHARDT (ED.), *CICERO, TOPICA WITH TRANSLATION, INTRODUCTION AND COMMENTARY*. Oxford: Oxford University Press, 2003. Pp. xvi + 435. ISBN 0-19-926346-9. £70.00.

‘A marginal work . . . not usually found in an undergraduate syllabus.’ While modestly conceding that syllabus content is unlikely to be affected by his book, Tobias Reinhardt’s magisterial edition of this hitherto neglected work reasserts its centrality to Cicero’s thought (vii–ix). The *Topica* expresses Cicero’s thoughts on how an orator should focus his argument on fundamentals; the techniques of ‘topical’ argumentation; and, in tribute to the legal expertise of his dedicatee, C. Trebatius Testa, the applications of ‘rhetorical’ techniques to juristic discourse. This last gives the treatise an important place in the history of the evolution of Republican jurisprudence and legal science as well as contributing to the theory of rhetoric.

R.’s comprehensive analysis of this complex text is scholarly and accessible. The Introduction is complemented in the Commentary by substantial essays on major points raised by the text. The *Topica* is set in the context of Cicero’s mature thought on oratory (*De Oratore*, *Orator*, *Brutus*) and the philosophical ideas of Philo of Larisa (Introduction, ch. 1). Chs 2–3, on the *topos*, trace its history back to Aristotle and forward to Boethius and, more importantly, the Anonymous Seguerianus, a Greek rhetoric treatise of the imperial period, which shared a source with Cicero. Ch. 4 is a sound treatment of the ‘legal aspect’, with comments on Roman legal science (53–9), Cicero’s project to systematize and make more accessible the *ius civile* (59–66), the difficulties of applying *locus*-theory to jurisprudence (66–8), cautionary remarks on the use of the *Topica* as a ‘legal’ source (68–71), and a final note on the *Topica* and modern developments in ‘legal semiotics’. Finally, ch. 5 examines the transmission of the text.

Unlike Trebatius, a jurist to the exclusion of virtually all else, R. as editor is required to comment on matters rhetorical, philosophical, legal, linguistic, and textual. The task is performed with distinction, profound scholarship, and good judgement. His solution to the long-running dispute about the relationship of Cicero’s book to Aristotle’s work of the same name, which supposedly inspired Trebatius’ request, is simple; there were two books, the book in Cicero’s library (Aristotle) and the ‘source of the *Topica*’ (177–80). The translation reads well and while the translation of *locus* (*topos*) as ‘Place’ may read oddly, it is effective as signalling the technical application of the term.

The observations on detail, which follow, are not intended to detract from a notable achievement. It would have been helpful to have in the Introduction a separate summary of Trebatius’ career, from his service with Caesar in Gaul to his long career as occasional legal adviser to Maecenas (on his divorce) and Augustus. A survey of Trebatius’ literary work, as far as it can be ascertained, would also have been relevant to the *Topica*, as Cicero may well have drawn on Trebatius’ existing writings, in compliment to his addressee (as he did on those of Servius). A wider difficulty, which R. is not alone in having to confront, is how we should discuss Roman law, a far from homogeneous entity with a bewildering number of what in modern jargon might be termed ‘stakeholders’. Fairness (*aequitas*), in particular, was, and is, disputed territory between orators, philosophers, and jurists. R. offers a judicious discussion of the *ius civile* and *aequitas* (203–4); but, while it is true that extant juristic writings from the late Republic employ the adjective *aequus* but not the noun, the young Cicero himself conceded to the jurists that their province was ‘custom and *aequitas*’ (*Inv.* 1.11.14). R. also, sometimes, is aware that contemporaries themselves may not have known ‘what the law was’. Interpretation, a recognized activity of jurists, like that of the priesthoods (cf. *Dom.* 1.2; *Phil.* 13.5.12), was authoritative, but not an absolute science; as jurists disagreed with each other as well, certainty as to ‘what the law was’ (cf. 71) must often have proved elusive.

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