

The book starts with an 'Introduction' (1–4), outlining its aim and structure. Ch. 1: 'Judicial Theater in Ancient Rome: Some Basic Considerations' (5–39) sketches the historical and conceptual background. The next three chapters deal with the three selected aspects: ch. 2: 'A Sordid Business: The Use of "Mourning Clothes" in the Courts' (40–63), ch. 3: 'Too Proud to Beg: Appeals and Supplications in the Courts' (64–98), ch. 4: 'Shedding Tears in Court: When Crying is Good' (99–128). Ch. 5 (the final chapter): 'Judicial Theatrics beyond Cicero' (129–54) extends the focus and looks at indications of similar behaviour of orators other than Cicero, so as to place what has emerged for Cicero into context. The book ends with a 'Conclusion' (155–9), followed by a bibliography (161–78) and indexes (179–90).

H. is conscious of the methodological challenges: for instance, almost all the evidence comes from Cicero; understandably, the extant texts mostly only have brief allusions to the theatrics played out. Still, H. is right in compiling the information about existing instances and interpreting it with the appropriate caution since this has the potential of providing a clearer idea of what could happen in Roman courts. This is relevant in particular since, as H. points out, rhetorical handbooks do not give advice on such measures and there are no proper parallels from the Greek world; in his view, these elements are likely to have been developed by exploiting conventions in Roman society.

Accordingly, and also to place a particular stunt within its Roman context, the main chapters start by describing the respective practice in everyday life outside court before proceeding to review examples of its use in court. This approach generally takes the form of a series of case studies for those instances for which there is a decent amount of information with the key passages quoted. H. is able to demonstrate that, for instance, it was acceptable for Roman males to shed tears in certain circumstances to show compassion, and he can then list examples of the successful use of dirtied clothes, display of scars, production of distressed relatives, appeals and tears in court. Since he also provides instances where such strategies went wrong and notes comments in Quintilian suggesting the view that they do not suit all orators, this may have been an effective, but also risky strategy. H. concludes by recalling the methodological difficulties, but highlighting that 'Cicero almost certainly excelled in the business of performance' (157) and that it was not only his 'remarkable mastery of language' (157) that turned him into a successful advocate.

While H. has done a great job in collecting the relevant evidence, he is well aware that there is not a statistically significant sample, so as to determine how frequent such interventions were and to what extent they contributed to the overall success of speeches. Yet, even though these theatrics merely take up a small part of extant speeches, they are often placed in the important peroration, and Cicero sometimes makes a big effort to incorporate them even when the defendant was unwilling, so that he must have counted on their effectiveness. H. points out that 'Roman grandees inhabited a world in which energetic showmanship and public posturing formed a crucial part of political life' (153–4), and therefore doing the same in court was seen as an extension.

Although H. does not make the implications explicit, since his study focuses on the material and does not have much theoretical reflection, this is a significant book, not only for its individual insights, but also, more importantly, for what can be inferred from remaining scripts for the organization of Roman society and the rôle of 'performances' within it. This study proves that a thorough and cautious analysis of surviving texts can unearth some of the social conventions that they may have reflected. This is a salutary reminder of how much we do not know to assess these texts appropriately, but also of how much we can still find out if we ask the right questions of the material at our disposal.

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J. W. ATKINS, *CICERO ON POLITICS AND THE LIMITS OF REASON: THE REPUBLIC AND LAWS* (Cambridge Classical Studies). Cambridge: Cambridge University Press, 2013. Pp. xiv + 270. ISBN 9781107043589. £60.00/US\$95.00.

Jed Atkins has set himself a difficult task: to revise his doctoral thesis on Cicero's *Rep.* and *Leg.* (Cambridge, 2009) into a book that offers these texts as an untapped resource to enrich the

tradition of political thought, while at the same time making them accessible to a broad readership. These are readers pursuing the political regions of philosophy, rather than Latin literature, and the book is careful not to assume too close a familiarity: 'Cicero was not the first to analyze Rome in terms of the theory of the mixed constitution' (80). Nor does it show consistency in dealing at first hand with existing scholarship. What it does provide is a careful and engaging interpretation of both dialogues, beginning with *Rep.*, and then widening the discussion to include *Leg.*, as well as relevant portions of Plato and Polybius. A range of post-Classical thinkers are brought in to show the evolution of the debates: Polybius/Cicero/Machiavelli works particularly well (83–93). The book presents a coherent, shapely argument: Cicero's use of dialogue is determinedly anti-dogmatic. Attentive reading shows that he is careful to give plausible but contrasting opinions to different speakers, and to allow contradictions between them to remain unresolved — even if it is sometimes clear to which view he gives greater weight. The dialogue method expresses a persistent methodological concern, one grounded in anxiety about the applicability of philosophy to questions of government, statecraft and law-making. Cicero uses his exploration of *ratio* to establish that reason can go only so far, and to point to the idea that science can have only a partial effect on the outcome of political affairs. In that way, the *Somnium Scipionis* is effectively integrated into a holistic interpretation of *Rep.* This established, A. explores what these works can contribute to a history of political thought. He finds in Cicero a nuanced view of constitutional change (ch. 3), a sophisticated definition of human rights and natural law (chs 4 and 5), and in ch. 6 discusses Cicero's treatment of the relationship between legislation and philosophical approaches to law (natural and otherwise), and its echoes in a range of later thinkers. In the conclusion, A. turns to evaluate Cicero's contribution to a particular strand of conservative thinking, the tradition of Burke, Oakshott and, to a lesser extent, Scruton. The provisional, exploratory character of Cicero's philosophy chimes with that tradition, though A. presents us with a more cautious Cicero, one who allows a greater rôle for potential utopias in his version of realism.

The discussion of political ideas is dominated by close analysis of particular passages. A. emerges as a well-intentioned and diligent reader, keen to get Cicero's ideas to do as much work as possible. But there are problems. He sticks so closely to the texts that even readers who are familiar with them will need to concentrate hard to follow the explication. Readers unfamiliar will have much more work to do. A clearly defined methodology might have made their lives easier, but A. never explains what his technique of reading will be. The way he moves between text, thematic threads that sometimes seem only tangentially related, the sources for Cicero's ideas and the effect they had on later thinkers, produces a texture that is at times too dense to be illuminating. Then there is the dominance of the idea that for Cicero, 'reason in its pure form is divine' (5). I am not certain this way of describing Cicero's thought is either accurate or helpful, though it is central to understanding what kind of philosophy we think Cicero is producing. There are moments where the presentation of the text in English is distorted by that argument. So, when discussing Scipio's history of Rome in *Rep.* 1, A. comments, 'Scipio has ignored chance and necessity in order to provide a completely rational account of political developments' (59). He does not remind us that the dialogue itself (i.e. Laelius) applies those concepts to Scipio's history, and so to describe it as such a rationalistic production is misleading. Then moving to discuss *Rep.* 2.57 (61), A. has Scipio observe that 'the very nature of public affairs often overcomes reason' (echoing Zetzel's translation). The Latin (not provided) reads 'uincit ipsa rerum publicarum natura saepe rationem'. The sense of the passage is not of reason overcome in the absolute sense, but rather of the turn of events proving superior to reason. The increase in popular power that Scipio is describing (the aftermath of the first plebeian secession) did not occur as a result of a plan, but nevertheless the outcome is one of which Scipio approves. Momentarily, Cicero exposes his aristocratic condescension. The defeat of *ratio* here is not a manifestation of the hopelessness of reason as an absolute concept in face of intractable circumstance, so much as a demonstration that *natura* and *ratio* can often work together in a providential manner. And although keen on the Stoic context for the discussion of natural law in *Leg.*, A. mysteriously neglects Stoic providence, even in his discussion of Polybius' constitutional theory. Could the explanation lie in a failure to respond to moments where less conservative politics are in play?

There is much to learn here, and many moments of impressive philosophical dissection. But I am not convinced that A. has as tight a control over his own arguments as the 'political thought'

approach would suggest, and I was often uneasy about how (as in the example above) he pressed concepts in an excerpted translation in the interests of getting his argument to the next stage.

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P. VESPERINI, *LA PHILOSOPHIA ET SES PRATIQUES D'ENNIUS À CICÉRON* (Bibliothèque des Écoles Françaises d'Athènes et de Rome 348). Rome: École Française de Rome, 2012. Pp. 615. ISBN 9782728309382. €50.00.

To be clear from the outset: this is a very strange book. The author has an axe to grind, and his primary target appears to be philosophy as 'a way of life', a notion developed primarily by Pierre Hadot. Vesperini leaves *philosophia* untranslated to avoid connotations that, from his point of view, would be anachronistic. In a Roman context, he argues throughout the book, *philosophia* covers an encyclopedic range of many Greek forms of knowledge. As *ornamentum*, *philosophia* has a primarily esthetic function, as can be seen too in the decorations and libraries of Roman villas, and it is meant both to provide high-level entertainment (*delectatio*) and to enhance the cultural status as well as the socio-political capital (*gloria-virtus*) of its bearers.

V.'s study treats Ennius' *Annals* in connection with the temple of the Muses erected by M. Fulvius Nobilior; the so-called books of Numa; the embassy to Rome of the Athenian philosophers; the relation between philosophers such as Blossius and Panaetius and their patrons; Roman Epicureans, and especially the relation between Piso and Philodemus; and, finally, the authors of the Roman Republic who could be seen as philosophers themselves, namely Lucretius and Cicero. The range of material covered is impressive. As such, the study serves as a powerful testimony to the socio-cultural aspects of *philosophia* in Rome. If the author had stopped there, the work would have been a valuable contribution. Unfortunately, V. is also intent on proving that the impact of the philosophical ideas themselves on the outlook and life of these famous Romans was negligible.

A first considerable problem for this thesis arises with the sources. We have very limited evidence dating back to the actual cultural context of the earliest manifestations of *philosophia* in Rome. It is striking, for instance, how much V. relies on accounts such as Plutarch's *Lives*, written in Greek, early in the second century A.D. At the very least, one should take into account Plutarch's own socio-cultural context, and his own emphases in the treatment of his material. Similarly, one of V.'s main sources for Scipio Aemilianus' interest in *philosophia* primarily as an elegant pastime is none other than Cicero (208ff.). And by V.'s own admission, Cicero is writing a very distinct 'history' of *philosophia* in Rome in order to underscore the significance of his own contributions. Only in Cicero's case, then, do we have the kind of evidence, in his correspondence, that allows us to see, parallel to his other writings, how he construed his position in Roman society.

The more 'philosophical' V.'s material becomes, the more his method leads his readers astray. Thus one is rather surprised to learn that the debates and controversies around the embassy in 155 B.C. to Rome of the three Athenian philosophers Carneades (Academic), Diogenes (Stoic) and Critolaus (Peripatetic) had little to do with philosophical ideas, but rather with styles of oratory (143). But as Cicero, one of the main sources on this embassy with his own distinct interest in oratory, makes abundantly clear, there is a direct correlation between the *style* of speech adopted by the representatives of the different philosophical schools and the philosophical *content*.

Matters do not improve when readers are told that Lucretius' *De rerum natura* was really not meant to convey philosophical ideas. V. has shown how the bravura aspects of the work would have been received. But when he tries to argue away the philosophical aspects of the poem, his argument derails. It is not true that Epicurus is not mentioned by name (see 3.1042). But even if that were the case, the Prefaces of Books 3, 5 and 6 leave no doubt in the audience's minds who is meant. Whereas the poem does not pay much explicit attention to the key Epicurean theme of friendship (but there is the rôle Lucretius assumes *vis-à-vis* Memmius, grafted onto the traditional patron-client relationship), other therapeutic Epicurean aims do pervade the text, namely to rid human beings of the suffering that results from fear of the gods, fear of death and the passions. On the standard Epicurean account, absence of pain is the highest type of pleasure.