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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