

# CICERO PRO MILONE

A2 PRESCRIPTION

ANALYSIS BY

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BY ARRANGEMENT WITH

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## Extracts from *Persuasive Language in Cicero's Pro Milone*

### Introduction for Teachers

The material which follows consists of extracts from a 2013 book published by the Institute of Classical Studies, which will soon be available on-line on an Open Access basis. Access is also here provided to those sections of the book pertaining specifically to the selections from the speech on the current OCR syllabus (H043 & H443), in the hope that the linguistic focus of the work may make it useful for teachers guiding AS & A Level students through the complexities of Ciceronian Latin, even though the work was not originally designed with schools in mind.

The main body of the book consists of a sentence-by-sentence analysis of the speech covering grammatical structure and contribution to argument. This analysis is different in several respects from traditional commentaries, but shares with them a focus on language and on small details. It aims for a consistency in providing some information for *every* sentence in the text, specifically:

- Each sentence is printed in such a way that the syntactic structure is to some extent visible on the page.
- The number and type of clauses in each sentence is listed.
- Each sentence is paraphrased and/or its function in terms of contribution to the argument is described.

Similar consistency has not been attempted in providing comments on individual phrases; those that do appear tend to focus on themes important to the overall argument of the book, such as Cicero's use of first- and second-person grammatical elements. The purpose of this tightly-focused analysis of language and content was originally, in research terms, to support an argument about the nature of the text which is outlined below. No attempt has been made to modify the material for pedagogical purposes, as that would have delayed making it available, but the close focus on syntax may also make it useful in the classroom. I would be very interested to hear from teachers – and students! – whether and how it has been used, which aspects of the analysis prove to be the most helpful and why, and what might need to be modified or added in a work actually aimed at a schools readership.

A brief introduction to the original research purpose of this work is given here in order to explain some of its emphases. The book presents a close reading of the *Pro Milone*, ultimately arguing that the extant text can be treated as a single complete – if extraordinarily bold – argument that Milo should be (or have been) acquitted. This reading is opposed to the views of scholars who argue that certain portions of the text belong to the version delivered in court, while others were added during a subsequent process of editing for publication. My description of the structure of the speech takes a 'bottom-up' approach, starting with the analysis of individual sentences and their inter-relationships, in order to build a gradual picture of the content and argument of each passage.

The book therefore also presents the results of a detailed stylistic analysis of the *Pro Milone* which focuses in particular on a) vocabulary distribution and especially verbal repetition as reflective of content; b) varying levels of syntactic complexity throughout the speech. The counting of clause-types and levels of subordination in each sentence, as seen in these extracts, contribute to the attempt to explore whether particular types of syntactic complexity or particular types of variation in complexity characterise stretches of text as individual passages dealing with separate topics. The results of this study of vocabulary and syntax are presented in the introductions to the analysis of each such passage. The results are presented cautiously because of the novelty of the approach and

the need to perform analyses of other texts before drawing conclusions about Cicero's practice. The attempt to justify the structural analysis of the text as a whole has also led to a focus on other linguistic features which might be used by an orator as markers of shifting focus, including: explicit statements that the focus is changing (sometimes referred to as 'topic-sentences'); use of the first and second person and other references to the communication situation, such as judicial vocabulary; changes of voice, such as direct speech, extended *prosopopoiia*, or question-answer sequences.

It is not an easy task to analyse and interpret syntactic complexity or verbal repetition. Many factors contribute to complexity – length in words, number of clauses, amount and degree of subordination, relative position of clauses – which occur in different combinations. The analysis of vocabulary is complicated by the need to decide how to treat words with different kinds of etymological relationship, words with multiple meanings, different words belonging to the same semantic field. In the initial counting of words here some account has been taken of etymological connections but not of purely semantic connections and separations. The methodology used is explained and justified in the introductory essay provided in the book, which I hope will contribute to a debate on the best way to use the quantitative methods made easier by the capabilities of modern computing. Meanwhile I also look forward to learning from teachers whether, in the classroom, the focus on a) factors that make sentences difficult and b) the frequency of occurrence of etymologically related vocabulary-items can prove useful to those learning Latin syntax and vocabulary.

The book contains a frequentative index of all the words in the speech which could be of use to language-learners, and indices of a range of grammatical phenomena. These have *not* been included in these extracts because in their current form they refer to the speech as a whole and therefore contain much material not relevant to the AS & A level prescriptions. Over the summer of 2017 I plan to put together documents containing similar indices for the extracts from the speech prescribed on the syllabus. Please let me know whether you would like to be informed when these are available, by filling in the form on the website from which you downloaded this document.

#### *Note on the text*

The text of speech used in these extracts is identical to that of Clark's 1921 OCT except in some spelling and punctuation. There are also differences of spelling and punctuation between this text and that of the 2016 Bloomsbury edition of the selections on the OCR syllabus. This text uses:

- consonantal 'u' instead of 'v';
- '-is' accusative plural ending of the 3rd declension instead of '-es';
- 'o' instead of 'u' in words like 'vultis', 'vulneribus'.

Other than spelling and punctuation, there are no differences from the Bloomsbury text of the A2 prescription.

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*53-56: The skirmish itself*

The topic which immediately follows the summary is the actual location of the skirmish; its introduction is emphatically marked and its importance stressed (53.1). The discussion that follows, however, soon moves away from location to discuss other aspects of the skirmish: the focus in 54.1 shifts, perhaps mid-sentence, to the protagonists' means of transport and entourage; at 55.4 a clearer break is made, by means of a pseudo-quotation giving a possible objection asking the reason for Clodius' defeat. This movement away from location does not make 53.1 inaccurate as a topic-identifier, since it does not promise a lengthy discussion – but it is not the same as the topic-sentences at 32.1 and 36.1 in that the discussion it announces is so brief and the following discussion is not so clearly separate from what precedes (see further 54.1n.). This passage, then, does not return to the exceptionally clear organization and labelling achieved in the argument about motive and (to a lesser extent) that about violence. The rapid succession of different, if related, issues also has more in common with 44-51 than it has with 32-43.

The number of issues covered could have been emphasized by inserting further paragraph-breaks, *e.g.*, before the generalizations at 53.4 or 54.1 (separating 'location' from 'transport/entourage'), before the shift to focus on Clodius at 54.4 (which reverses the Clodius-Milo sequence used in all the preceding arguments), or before the invitation to direct comparison at 55.1 (which brings Milo back into the picture as Clodius was brought back into the picture at 35.4-5 and 43.2-4). Instead these issues have been printed in a single paragraph, reflecting the smooth movement, achieved by association of ideas, from the strong argument about location to the perhaps rather weaker argument about entourage. This also allows the clearer shift at 55.4 to stand out. If 53-56 are treated as a unit, 'the skirmish itself' is, retrospectively, a more accurate label than 'place'; if 55.4-56.3 are detached, 'place' still does not cover all that precedes. Meanwhile the marked introduction (53.1), along with the interrupting summary which precedes it (52.1), draws attention away somewhat from the fact that there is strong thematic continuity with the discussions of

locations where the skirmish did not take place at 49.4-51.3; continuity is also evident in the return, at 54.3-5, to an argument already made in 48.2-49.3.

The interruption and marked introduction may not have been intended to disguise the continuity so much as simply to draw attention to the new argument at 53.1; the location of the skirmish (at least as presented here – the proximity of the skirmish to Clodius' estate may be being exaggerated) was probably one of the defence's strongest points in the attempt to make it seem more probable that Clodius set the ambush than Milo. The description of Milo's entourage, on the other hand, is misleading, since the presence of gladiators in his train is not mentioned; the reintroduction here of a point already argued may be designed to draw attention away from this weakness. There is a strong concentration of echoes of the *narratio* in this discussion (53.2-55.3), and another in the slightly different argument which follows (56.3); again, no new evidence is provided, only corroborating detail which could probably itself be challenged. But the impression is created that the orator is expanding on the claims made in the *narratio* and, from 55.4 on, answering possible objections. The first objection, which depends on the easily falsifiable assumption that the man who plans an attack always wins, is probably designed to be quickly answered; the answers form the occasion for a reference to the actions of Milo's slaves (56.3) which suggests another objection and leads into another new topic (57.1).

Word group	Frequency	Occurrences
? <i>semper</i>	1.7%	7
<i>locus</i> *	1.5%	6
<i>cogitare</i>	1.2%	5
? <i>umquam/numquam</i>	1.2%	5 (1/4)
<i>Clodius</i>	1.0%	4
<i>comes/comitatu</i>	1.0%	4 (3/1)
<i>Milo</i>	1.0%	4
<i>paratus/imparatus</i>	1.0%	4 (3/1)
<i>uidere</i> *	1.0%	4
<i>uxor</i>	1.0%	4

(402 words)

53.1 is explicit in its identification of the new topic as *locus* and in the identification of this topic as particularly important: *caput*. The sentence-initial verb, *uideamus*, echoes the opening of 52.1, *uideo*; the switch from singular to plural makes the invitation to the *iudices* to agree with the speaker explicitly interactive, and this interactivity continues in the following sentences, which use question-form and repeated vocatives to keep the audience involved. Two of the frequent word groups from the table appear in the sentence: *locus* and *uidere*. Of the six occurrences of *locus*, the four after this sentence are concentrated in 53.3, and the sixth comes in 54.4. The minor topic-shift from place to the way the two men were travelling is relatively unmarked – there is no reason for the audience to take *res loquitur ipsa* in 53.4 or the picture comparison in 54.1 as referring to something other than the location issue: the picture could have depicted the higher ground supposedly held by Clodius (53.3). 55.4 introduces a new sub-topic rather more clearly, and contains two of the four occurrences of *(im)paratus*.

As argued at Approach 4.2.1, the frequent word groups here suggests that the passage deals not only with place (*locus*) but also with a number of other issues, including the question of the two protagonists' travelling companions (*comes*, *uxor*) and the degree to which they had thought about/prepared for the encounter (*cogitare*, *paratus*). As in 44-51, these topics are interlinked, but 'place' is too narrow a label. The passage as a whole is of middling to high repetitiousness, with ten frequent word groups (eight 'interesting') making up 11.7% of the argument (8.7% 'interesting'). This passage is relatively short, meaning that a number of these words only have to occur four times in order to appear in the table; as in the second preliminary argument, this fact alone cannot be taken as explaining repetitiousness, but it should also be noted that the discussion of the skirmish does not contain any word as frequent as *senatus* in that passage. The frequency of six of the eight 'interesting' words in the table is a bare 1.0%. But the words assigned to the 'colourless' category are worth a closer look in this passage: the frequency of *semper* and *numquam* (the one occurrence of *umquam* is accompanied by *nec*) is due to the emphasis on the habitual behaviour of the two protagonists, and this theme unites the sub-topics divided by the pseudo-quotation which acts as a minor topic-sentence at 55.4. Note also that this theme is about time rather than place, albeit a different aspect of time from those treated in 44.3-46.2 and 49.1-51.3.

1st sing.	none
1st plur.	0.2%
2nd sing.	0.7%
2nd plur.	1.5%

After the high frequency of first-person singular references earlier in the Self-Defence Argument, there are none here; perhaps this reinforces the claim that the facts are speaking for themselves. It also creates a strong difference between this passage and the preparations discussion, in which the first-person singular was so prominent; here the presence of the speaker is indicated largely by second-person address and questions (53.2, 53.3, 54.1, 54.2), in which somebody must do the addressing and asking. Question-response sequences include one that involves shift of speaker (54.4). The only first-person plural is the opening verb, *uideamus*, which unites the speaker with his audience, and also unites this passage/argument to the beginning of 52.1 (*uideo*); it may therefore be seen, in a way, as not part of the Skirmish discussion at all, but merely a link with/hangover from what precedes. Second-person plurals are concentrated in 53.1-55.1, and are emphatically addressed to the *iudices*. There are also a number of what are formally second-person singulars, which need not be read as actually involving shifts of addressee: the imperative *age* at 55.1 has effectively become a discourse particle, *diceres* at 55.3 can be read as a 'generic' usage, and even *adde* at 56.3 is found elsewhere to plural audiences (*cf.* notes *ad locc.*). But the concentration here of so many idiomatic expressions involving the second-person singular is striking, especially combined with the absence of explicit second-person plurals; one effect may be to create a link between this argument and the following one, in which there are further, more definitely singular uses, although without definitely identified addressees.

Syntactically the passage is similar to the preceding arguments (omitting 52.1). There is a strong concentration of questions in 54.3-4, including a sequence of questions and responses and a sequence of questions which are responses to suggestions. These may echo

in condensed form the questions and responses in the discussion of preparations, part of which is being recapitulated here; they also create a link with the interrogations argument, which follows.

**53.1.** Videamus nunc id  
           quod caput est:  
           locus ad insidias ille ipse  
           ubi congressi sunt,  
           utri tandem fuerit aptior.

principal clauses – 1

subordinate clauses – 3: *quod*, indir. qu. (*utri*), *ubi*

opening clause – principal clause

levels of subordination – 2 (*ubi congressi sunt*)

53.1 explicitly states that the new topic is the most important of all (*caput*), identifying it as the location of the skirmish. The assertion takes the form of an invitation to the *iudices* to share the vision of the speaker, echoing the opening of 52.1, *uideo*, with a hortatory subjunctive, *videamus*. The topic to be examined is conveyed by ‘introductory pronoun’ *id* plus relative clause (*quod*) and indirect question (postponed *utri*). The first word of the indirect question is *locus*, made more emphatic by *ille ipse*; *ad insidias* specifies the purpose at issue; *utri* ... specifies suitability for the two parties as important. An embedded relative clause (*ubi*) identifies the place in question as where the two men met; such explicitness is probably unnecessary for the sense, but an impression of precision may be important.

**uideamus:** this first-person singular verb unites speaker and audience, who were formally separate at the beginning of 52.1 (*uideo* ..., *iudices*), but who will examine the next point together.

**53.2.** Id uero, iudices, etiam dubitandum et diutius cogitandum est?

principal clauses – 1 [2 gerundives, 1x *est*]

subordinate clauses – 0

53.2 highlights the supposedly new topic in a short rhetorical question, directed at the *iudices*, making a claim that the implications are so obvious that they hardly need to be thought about.

**53.3.** Ante fundum Clodi,  
           quo in fundo  
           propter insanas illas substructiones  
           facile hominum mille uersabatur ualentium,  
           edito aduersarii atque excelso loco,  
           superiorem se fore  
           putabat Milo,  
           et ob eam rem eum locum ad pugnam potissimum elegerat,  
           an in eo loco est potius exspectatus ab eo  
           qui ipsius loci spe facere impetum cogitarat?



principal clauses – 3, in 3 units (*et, an*)

subordinate clauses – 2/0/1: acc.-inf. (*ante fundum Clodi ... superiorem se fore*), *quo in fundo, qui*

participial phrases – 1: *edito aduersarii atque excelso loco* [2 pples.]

opening clause – accusative-infinitive

levels of subordination – 2 (*quo in fundo ... ualentium*)

53.3 supports the claim made in the preceding sentence by listing aspects of the location which would have been disadvantageous to Milo, concluding that it is far more likely that Clodius selected it as a place for an ambush. The location in relation to Clodius' estate (*ante ...*), the fact that this estate was teeming with beefy men (relative clause, *quo*), and its elevated position (*edito ... loco*) are all specified before the accusative-infinitive construction (dependent on following *putabat Milo*) becomes clear. The point is framed as a question about Milo's intelligence: the obvious answer is no, he would not have thought these aspects of the location advantageous to him. The rhetorical question is then extended by a coordinate principal clause (*et*) and the presentation of an alternative, more probable scenario (*an*).

**ante fundum Clodi:** see note on *ante fundum eius* at 29.1, and on *in fundo T. Serti Galli* at 86.1.

**edito ... atque excelso loco:** Colson takes this ablative as either comparative (dependent on the following *superiorem*) or absolute, Clark as local, Poynton as concessive ablative absolute. The local sense seems strong here, making an absolute interpretation unlikely, and the participial adjectives might still be taken as having adverbial force (concessive) if the ablative is local: 'did he think that he would have the advantage in a place so elevated and lofty for his opponent?' Cf. 14.5n.

**53.4.**      Res loquitur ipsa, iudices,  
                  quae semper ualet plurimum.

principal clauses – 1

subordinate clauses – 1: *quae*

opening clause – principal clause

53.4 further supports the claim about the obviousness of the point by asserting a general argumentative principle: *res loquitur ipsa*. The implication that no argument is required is reinforced in a relative clause (*quae*).

**ualet plurimum:** cf. 34.5n. for *plus ualet*; 77.2n. for another occurrence of *plurimum*.

**54.1.**            Si haec non gesta audiretis  
                      sed picta uideretis,  
                  tamen appareret  
                      uter esset insidiator,  
                      uter nihil mali cogitaret,  
                          cum alter ueheretur in raeda paenulatus,  
                          una sederet uxor –  
                  quid horum non impeditissimum: uestitus an uehiculum an comes?

principal clauses – 2, in 2 units (interruption)

subordinate clauses – 6/0: *si ... sed*, indir. qu. x2 (*uter, uter*), *cum* [2 clauses in asyndeton]

opening clauses – conditional clause; principal clause

levels of subordination – 2 (*cum alter ueheretur in raeda paenulatus, una sederet uxor*)

54.1 reiterates the claim that the point is obvious by asserting that a picture of the scene would make it obvious who set the ambush, then turns attention from geographical location to Milo's means of transport, accompanied by impediments which made violent action difficult. The opening conditional protasis, which comes first, posits a situation where the scene could be seen rather than simply described; the apodosis asserts the obviousness of what follows in a double indirect question (*uter ..., uter ...*). An argument is then presented to support the assertion, in a temporal-causal clause (*cum*) with two components which explain the circumstances that make the conclusion obvious: the nature of Milo's travelling gear and the presence of his wife. Milo is referred to as *alter*, suggesting that a contrasting description of Clodius will follow, but the expected sequence is interrupted by a rhetorical question (*quid*): which of the aspects of Milo's method of travelling just mentioned (paraphrased in *uestitus an uehiculum an comes*, which give fuller expression to the introductory *horum*) was the most inconvenient (*i.e.*, for violent action)? The impression that the speaker is suddenly carried away from his planned line of argument, on being suddenly struck by the force of the points that he has just made, may be reinforced by the lack of a finite verb in the question (supply *erat*).

**54.2.**      Quid minus promptum ad pugnam,  
                 cum paenula inretitus, raeda impeditus, uxore paene constrictus esset?

principal clauses – 1

subordinate clauses – 1: *cum* (3 pples., 1x *esset*)

opening clause – principal clause

54.2 enhances the picture of the unsuitability of Milo's method of travelling by stressing again the impediments which encumbered him. Another rhetorical question (*quid*) rephrases the previous one: 'which was not very X?' → 'what could be less not-X?'; three participles in a temporal-causal clause (*cum*) emphasize the restricting effect of the impediments.

**uxore:** W.44 gives this as an example of 'an unconscious or unwilling agent ... regarded as an instrument'; something similar at 26.1.

**54.3.**      Videte nunc illum,  
                 primum egredientem e uilla,  
                 subito –  
                 cur? –  
                 uesperis –  
                 quid necesse est? –  
                 tarde –  
                 qui conuenit, praesertim id temporis?

principal clauses – 1

subordinate clauses – 0

interruptions (questions): 3 (*cur*; *quid necesse est*; *qui conuenit, praesertim id temporis*)

54.3 turns attention from Milo to Clodius, as if about to compare the latter's means of transport (answering the *alter* in 54.1?), but is distracted from this by returning to an issue already discussed (49.1-3): why he would be leaving his villa at this time. The opening verb, *uidete*, maintains the focus on sight from 54.1; *illum* introduces Clodius. The first point made about Clodius (*primum* suggests that others will follow) is expressed in a present participle focusing on his exit from his villa; an adverb, *subito*, apparently prompts the first of three interruptions in the form of unanswered questions. On earlier occasions where the obvious answer to *cur/quid* was 'he had no reason (to do X)' (e.g., 34.2, 49.1, 51.3), there was a further implication that X had not been done; here the implication is that the reasons offered by the prosecution are implausible. The repeated interruptions maintain the impression of the speaker being carried away by the force of his own arguments.

**egredientem:** this participle has been classified in Syntactic Index 2.2.4.c as predicative, because it specifies the aspect of Clodius that the *iudices* are supposed to notice: 'look at him as one coming out of his villa...'

**quid necesse est:** cf. 14.5n.

**id temporis:** cf. 28.1n.

54.4. 'Deuertit in uillam Pompei' –  
         Pompeium ut uideret?  
                 sciebat  
                 in Alsiensi esse;  
         uillam ut perspiceret?  
                 miliens in ea fuerat.

principal clauses – 1

subordinate clauses – 2: *ut, ut*

interruptions (responses): 2 (*sciebat in Alsiensi esse*; *miliens in ea fuerat*)

subordinate clauses – 1/0 (acc.-inf. (*in Alsiensi esse*))

opening clauses – principal clause; principal clause

opening clause – principal clause

levels of subordination – 1

54.4 suggests and rejects possible reasons for Clodius' departure from his villa. The choppy feeling of the previous sentence, with its interrupting questions, is continued here in a sequence of questions and responses which follow the initial suggestion that Clodius was going to the villa of Pompeius: six clauses are expressed in eighteen words. This suggestion is here punctuated as a pseudo-quotation, although it is unlikely that it was made by the prosecution, whose explanation for Clodius' departure from his villa has already been discussed and dismissed (46.7-49.3); nor is it the defence's explanation, outlined at 48.2-3. The speaker's response to this suggestion is to express as questions, and then dismiss,

possible reasons for Clodius to set out for Pompeius' villa (two alternative final clauses, *ut* ... *ut*, interspersed with the dismissive responses).

- 54.5.** Quid ergo erat?  
mora et tergiuersatio:  
dum hic ueniret,  
locum relinquere noluit.

principal clauses – 3, in 3 units (question-answer, introduction/explanation)

subordinate clauses – 0/0/1 (*dum*)

opening clause – principal clause; principal clause; temporal clause

54.5 gives the defence's preferred explanation of Clodius' late departure from his villa in a question and (elliptical) answer sequence: he had been waiting for Milo's arrival. The answer, two nouns meaning 'delay', is further explained in a second unit which can be seen as 'introduced'; a preceding temporal clause (*dum*) expresses what Clodius was waiting for.

- 55.1.** Age nunc, iter expediti latronis cum Milonis impedimentis compare.

principal clauses – 1

subordinate clauses – 0

55.1 returns to the issue hinted at in 54.3, announcing a comparison between Clodius' means of transport and Milo's, which the *iudices* are invited to make (imperative: *compare*).

**age ... compare:** this combination confirms that *age* does not necessarily suggest a singular addressee.

- 55.2.** Semper ille antea cum uxore,  
tum sine ea;  
numquam nisi in raeda,  
tum in equo;  
comites Graeculi,  
quocumque ibat,  
etiam cum in castra Etrusca properabat,  
tum nugarum in comitatu nihil.

principal clauses – 5, in 5 units (asyndeton)

subordinate clauses – 0/0/0/0/2 (*quocumque*, *etiam cum*)

opening clauses – principal clause; principal clause; principal clause; principal clause;  
principal clause

levels of subordination – 1

55.2 develops the comparison between Clodius and Milo by describing Clodius' gear and entourage as being both different from his usual habits and (implicitly) convenient for violent action. In a sequence of three elliptical comments (supply *erat/ibat*; the only finite verbs are in the subordinate clauses (*quocumque*, *cum*)), Clodius' earlier behaviour is described first (*semper antea*, *numquam nisi*, subordinate clauses), followed in asyndeton by a description of his different behaviour on the occasion of the skirmish (*tum ...*, *tum ...*, *tum ...*).

**numquam nisi:** *uariatio* for *semper antea*; on *nisi* = ‘except’, cf. 22.1n.

55.3. Milo  
       qui numquam,  
       tum casu pueros symphonicos uxoris ducebat et ancillarum greges;  
       ille  
       qui semper secum scorta, semper exoletos, semper lupas duceret,  
       tum neminem nisi  
       ut  
       uirum a uiro lectum esse  
       diceret.

principal clauses – 2, in 2 units (asyndeton)

subordinate clauses – 1/3: *qui, qui, ut*, acc.-inf. (*uirum a uiro lectum esse*)

opening clauses – principal clause; principal clause

levels of subordination – 2 (*uirum a uiro lectum esse*)

55.3 concludes by contrasting Milo and Clodius’ gear and entourages, emphasizing that both were different from usual, and that whereas Milo’s was not conducive to violent action, Clodius’ was. The two asyndetic units focus first on Milo, then on Clodius (*Milo, ille*); each is immediately interrupted by a relative clause (*qui, qui*). The first of these is elliptical: the bulk of the predicate is supplied in the main clause that follows, describing Milo’s unusual (and entirely unwarlike) train; the second unit reverses this sequence, with the predicate supplied in the relative clause. Another subordinate clause (*ut*, usually explained as consecutive after *talem* understood), introduced by *nisi*, pretends to make an exception (for *nisi* = ‘except’, cf. 22.1n.); in fact the emphasis on their manliness in the embedded accusative-infinitive construction repeats the claim that Clodius’ followers here were not the usual sort.

**diceret:** this second-person singular verb, especially in the context of the proverb expressed in the accusative-infinitive construction that depends upon it, may be the equivalent of the generic ‘you’ (= ‘one’) in English: ‘as you might say’; there seems no need to seek a singular addressee.

55.4. ‘Cur igitur uictus est?’  
       quia non semper uiator a latrone, non numquam etiam latro a uiatore occiditur;  
       quia,  
       quamquam paratus in imparatos Clodius,  
       ipse Clodius tamen mulier inciderat in uiros.

principal clauses – 1

subordinate clauses – 3: *quia, quia, quamquam*

opening clause – principal clause

levels of subordination – 2 (*quamquam paratus in imparatos Clodius*)

55.4 supplies a possible objection to the defence argument by suggesting that if Clodius had planned the ambush he should not have suffered defeat, then indicates the defence response by claiming that Clodius’ limitations and Milo’s superiority were more significant than the fact that Clodius was prepared for the skirmish. The new topic is introduced in a question

**56.1.** Nec uero sic erat umquam non paratus Milo contra illum  
ut non satis fere esset paratus.

**56.2.** Semper ipse  
et quantum interesset P. Clodii  
se interire,  
et quanto illi odio esset,  
et quantum ille auderet  
cogitabat;  
quam ob rem uitam suam,  
quam  
maximis praemiis propositam et paene addictam  
sciebat,  
numquam in periculum sine praesidio et sine custodia proiciebat.

**quantum interesset P. Clodi:** *cf.* 34.1n.

**56.3.** Adde casus;  
 adde incertos exitus pugnarum Martemque communem,  
 qui saepe spoliantem iam et exsultantem euerit et perculit ab abiecto;  
 adde inscitiam pransi poti oscitantis ducis  
 qui,  
 cum a tergo hostem interclusum reliquisset,  
 nihil de eius extremis comitibus cogitavit,  
 in quos  
 incensos ira uitamque domini desperantis cum incidisset,  
 haesit in eis poenis  
 quas ab eo serui fideles pro domini uita expetiuerunt.

principal clauses – 3, in 3 units (asyndeton)

subordinate clauses – 0/1/5: *qui* [2 verbs], *qui*, *cum*, *in quos*, *cum*, *quas*

opening clauses – principal clause; principal clause; principal clause

levels of subordination – 3 ((*in quos*) *incensos ira uitamque domini desperantis cum incidisset*; *quas ab eo serui fideles ... expetiuerunt*)

56.3 adds further possible explanations for Clodius' defeat, ending with Clodius' inability to foresee the actions of Milo's slaves. Formally the sentence is composed of three coordinate principal clauses, each opening with the repeated imperative, *adde*; the second is followed by a relative clause (*qui*); the third one by another relative clause (*qui*), with further subordination. The first two units focus on the idea of chance, expressed in different ways, the third on Clodius' inadequacy as *dux*; the slaves are introduced in the subordinate clauses, first as *extremis comitibus*, later as *serui fideles*. Even with a different punctuation, the relative makes this addition into a supplement to what precedes rather than a separate point; the current punctuation emphasizes this, with the action of the slaves buried at a deep level of subordination. Syntactic subordination here coincides with positioning at the end of the sentence, which gives the action a climactic aspect (the sequence of events has been carefully spelled out by the alternating temporal and relative clauses); this is necessary for the transition to the next topic. The phrasing is euphemistic (cf. 29.3): there is no word meaning 'kill'.

**adde ... adde ... adde:** the *OLD* (s.v. *addo* 12b) notes that the singular imperative can be used to plural audiences when used to mean 'take into account as well'. But it could be argued that there is a singular addressee imagined here: the speaker (real or imaginary) of the pseudo-quotation at 55.4, *cur igitur uictus est?*, to whom our speaker now responds.

**ab abiecto:** the commentators and translators are split on the meaning of this prepositional phrase. Most take *abiectus* as referring to the person attacked and apparently defeated, and *ab abiecto* as a kind of agent, although the verb is not passive and one might expect a bare instrumental ablative given that the person is actually being used as a tool in the hand of Mars (cf. 16.4). Yonge's translation 'by some mean agent', does not appear to refer directly to the person attacked. The case against taking *ab abiecto* as an agent is made by Reid *ad loc.*, who prefers taking *ab* as 'on the side of' (parallels cited: *Rosc. Am.* 85, *Cluent.* 93; he is followed by Berry in his translation). W.41(4) explains the usage invoked as a metaphorical extension of the ablative of source meaning "on this or that

side”, “in this or that quarter” ... the Latin expression has an eye on the quarter *from* which a thing presents itself”. Cf. *a tergo*, coincidentally occurring in this sentence as well as at 29.3. This may be the better of the two explanations; Colson’s comment that ‘probably the uniqueness of the phrase is largely due to the peculiarity of the idea’ can be applied to either. As a description of Milo, *abiectus* is not particularly apt, either in the various senses of the verb (*OLD* s.v. gives, among others, ‘hurl to the ground, throw down’ [2] and ‘vanquish’ [3]) or in the senses of the adverbial participle which gives us English ‘abject’ (*OLD* s.v. gives ‘dejected’ [1], ‘humble’/‘unimportant’ [2], ‘sordid’/‘grovelling’ [3]). But the situation described in the relative clause is a generalization (*saepe*), and the use of *abiectus* (which also occurs at 47.3 and 86.2, both referring to the opposition and thus interpretable in the most negative of sense) can be seen as turning it into an implicit argument *a minore*: if Mars can work through/on behalf of someone *abiectus*, how much more readily can victory be won by a Milo, who is not *abiectus*, even when he is the victim of a surprise attack. Alternatively, the word can be seen as hinting at the instrumentality of Milo’s slaves in killing Clodius, in the actual event as pictured by the defence.

**in quos cum incidisset:** a full-stop or semi-colon could have been placed after *cogitavit*, and *in quos* treated as a merely connecting relative, but the fact that this is a prepositional phrase means that there is no syntactic difficulty created by tacking what follows on to the end of the unit as another relative-temporal clause complex following *qui cum a tergo ... reliquisset*, ... *cogitavit*. See note on *quem si uicisset*, 86.3, where *quem* does not follow so easily from the preceding clauses, for the parallel content of the two passages.

#### 57-60: After the skirmish – interrogation of slaves

The introduction of a new topic is clearly indicated by another pseudo-quotation giving a possible objection (57.1; cf. 55.4): that Milo’s manumission of his slaves (who were mentioned in 56.3) could be challenged. He is being accused of evading the proper channels of investigation, since manumitted slaves could not be interrogated. The defence-response takes two slightly different angles (57.3-5, 57.6-58.5); the transition between the two is not heavily marked. The non-interrogation of Milo’s slaves then appears to suggest quite naturally a subsequent, clearly identified issue: the actual interrogations of Clodius’ slaves (59.1-60.6). The defence pours scorn on the idea of questioning the slaves of the deceased, who are in the control of the prosecution, for evidence against the defendant.

56.1 echoes 55.4 verbally (*cur igitur*) as well as in function, introducing a new issue by means of a possible objection; it may have struck a first-time audience as just another related issue rather than as the start of the third chronological phase of the Self-Defence Argument. By choosing this form of transition, and using the idea of the slaves as a conceptual link, the orator here suggests natural association of ideas and a continuity of approach with what precedes. Our table-of-contents analysis here does not reflect the orator’s presentation of his material; a case might perhaps be made for treating 53-60 as a unified passage – it would not be over-long. (As a topic-identifier, 53.1 might start to look more misleading.) In terms of content, however, the shift is substantial, as the issue of Milo’s manumitting his slaves has not even been anticipated in the *narratio*, which eschewed any discussion of what happened after the skirmish (30.2n.).



One reason for not emphasizing the new topic more (and for omitting it from the *narratio* in the first place) may have been that the manumission issue was a weak point for the defence. The arguments used in response to the objection voiced at 57.1 are not strong. The first response (57.2-5) is based on the general claim that interrogation can only settle issues of fact and not issues of law. The conclusion, that interrogation can produce nothing of any interest to this trial, depends on the distinction between fact and law made as early as the first preliminary argument, and conveniently forgets that while the fact of Clodius' being killed is admitted by the defence, the facts about the skirmish – who set the ambush for whom – are hotly contested. There is little real argument in the second response (57.6-58.5), which more or less acknowledges that one reason the slaves were manumitted was to protect them from torture, while attempting to put a noble/humanitarian spin on the reasoning. The attack on the interrogation of Clodius' slaves (59.1-60.6) seems stronger than the defence of the manumission, but is again vitiated by the false assumption that the slaves could provide no other information than that mentioned by the speaker: whether Clodius planned an ambush. The possibility that they might recall details which would support one version or another is not discussed; it is true that it is open to the same objection, that they would be likely to give the answer the prosecution would want to hear.

Word group	Frequency	Occurrences
<i>quaerere/quaestio</i>	3.5%	12 (6/6)
? <i>posse/potius</i>	2.0%	7 (6/1)
? <i>facere</i>	1.4%	5
<i>uerus/uero</i>	1.4%	5 (2/3)
<i>Appius</i> (noun/adjective)	1.2%	4 (3/1)
<i>Clodius</i>	1.2%	4
<i>dominus</i>	1.2%	4
<i>seruus</i>	1.2%	4
<i>tormentum/tortor</i>	1.2%	4 (3/1)
(347 words)		

57.1 introduces the idea of manumission in an interrogative pseudo-quotation; 57.2 provides the answer, and specifically mentions the issue of slave-interrogation, which was only implicit in the question. On the punctuation of these units as two sentences rather than one, cf. 57.2n.; the topic introduction may be seen as extending to both (among earlier topic-introductions, 34.1-4 and 44.1-3 include more than one sentence; perhaps 7.1-2, 23.2-24.1 and 32.1-2 might also be compared). And although 57.1 contains none of the frequent words from the table, 57.2 contains four from 'interesting' groups: *Appius*, *Clodius*, *seruus*, and *tormentum* (also *posse*). The absence of *quaerere/quaestio* here is rather different from that at 12.1, where the importance of establishment of the *quaestio* (official investigation, on this occasion a trial) could not have been predicted from the topic-sentence; here, *quaestio* (interrogation of slaves) is a natural label for the topic already implicit in 57.1. The frequency of *quaerere/quaestio* in 57-60 and the clarity of the topic identification in 57.1(-2) make it no surprise that scholars have attached the label (*locus communis*) *de quaestionibus* to this passage. It is important to notice, however, that the topic-shift is not as explicitly marked as it could have been. Two things in particular contribute to the feeling that this is just another aspect of what has gone before: the verbal similarity of the topic-sentence to the

minor topic-sentence at 55.4, and the mention of *serui fideles* towards the end of 56.3, which means that the shift to the interrogation-of-slaves topic comes across as association of ideas rather than sudden change of topic.

The interrogations argument is one of the most repetitious in the speech according to the present measuring technique, with ten frequent word groups (eight ‘interesting’) making up 15.3% of the argument (11.8% ‘interesting’); in terms of percentages it is surpassed only by the second preliminary argument. Like that argument, this one is short, and one of its word groups achieves a remarkably high frequency. It may be suspected that the high numbers here are due to the fact that only four occurrences are needed to put a word group in the ‘frequent’ category, and likewise a group can reach 3.0% or more with relatively few occurrences. When, however, a number of passages of 350 words taken from various points in the speech were examined for comparison, the figures for the second preliminary argument and the interrogations argument still appeared high; *cf.* also note on 61-66. In addition to *quaerere/quaestio*, most of the ‘interesting’ words in the table reflect the topic: references to slaves and masters, torture and rewards are to be expected in a discussion of interrogations; the same also applies to truth, although it must be acknowledged that three of the five occurrences of this word group are the discourse particle *uero*, and none of these has the kind of connection with a direct reference to truth to lead one to suspect *figura etymologica*. These words frequently reflect the general issue, the names reflect the specific situation. Although none of the individual word groups are sufficiently frequent to appear in the table, the semantic field *iudicium-ius-lex* does make a reappearance in this argument (4 words in 57.3-4); this too reflects the topic, which is about an aspect of trial-procedure.

1st sing.	none
1st plur.	0.9%
2nd sing.	2.3%
2nd plur.	0.3%

Personal references and the relationship between speakers and addressees in this passage unite with the preceding one, especially in the appearance of unspecified singular addressees and the use of question-answer sequences; the latter appropriately mimics the topic of interrogation. Some of the second-person singulars may be addressed to an individual member of the prosecution-team (*quaeris* 57.3, *uis* 57.5, *quaeris ... nescis* 57.6), who had handled the question of Milo’s manumission of his slaves; it seems unlikely that the prosecution would *not* have raised this question, although it remains dangerous to assume either that the pseudo-quotation which introduces the topic at 57.1 is in fact an actual quotation, or that any other aspect of Cicero’s handling of the situation gives a real clue as to what the prosecution said or how they said it. If this portion of the speech was delivered, the audience could have been expected to know which of the prosecution-team had handled this issue, and the orator could have used gestures to make it clear who he was addressing; in spite of this, however, there remains a linguistic difference in the way the addressee (if there is only one) is being handled, which deserves comment. In the second half of the argument, the second-person singulars are part of the question-response sequences; the addressees – and some of the speakers – are imaginary. These question-response sequences are also the most striking syntactic feature of this argument. The choppy impression created by them is also found in some of the other sentences, *e.g.*, the antitheses in 57.4-5.

**57.1.** 'Cur igitur eos manu misit?'

principal clauses – 1

subordinate clauses – 0

57.1 introduces a new topic, apparently prompted by the reference to Milo's slaves in the preceding sentence, focusing on the fact that he has freed them. The topic is introduced by a simple rhetorical question, similar in format to 55.4.

**57.2.** Metuebat scilicet

ne indicaretur,

ne dolorem perferre non possent,

ne tormentis cogerentur

occisum esse a seruis Milonis in Appia uia P. Clodium

confiteri.

principal clauses – 1

subordinate clauses – 4: *ne, ne, ne, acc.-inf. (occisum esse ... P. Clodium)*

opening clause – principal clause

levels of subordination – 2 (*occisum esse ... P. Clodium*)

57.2 develops the issue of Milo's having freed his slaves by supplying a possible prosecution explanation, that he feared they would incriminate him under torture. The presence of the irony-marker *scilicet* means that the prosecution suggestion can nevertheless be taken as being expressed by the defence-orator. The opening principal clause asserts that Milo was afraid; three noun-clauses of fear (*ne ...*, *ne ...*, *ne ...*) provide increasingly specific objects: incrimination; that the slaves would not stand up to torture; the admission this might lead to, expressed in terms which the audience is supposed to recognize that the defence accept (embedded accusative-infinitive construction).

**57.3.** Quid opus est terrore?

quid quaeris?

occideritne?

occidit;

iure an iniuria?

nihil ad tortorem.

principal clauses – 2, in 2 units (asyndeton)

subordinate clauses – 0/2: indir. qu. x2 (*-ne; an*)interruptions (responses) – 2 (*occidit; nihil ad tortorem*)

opening clauses – principal clause; principal clause

levels of subordination – 1

57.3 spells out the point implied by the irony at the end of the previous sentence and identifies the defence response by claiming that there is no need for interrogation, since the defence admits the killing of Clodius and its legality cannot be settled by this method. The point is made in a compact series of gradually more specific questions and two answers/retorts. The single perfect subjunctive verb *occideritne* and the two ablatives, *iure*

*an iniuria*, are implicitly indirect questions after *quaeris*; repetition of the same verb in the indicative emphasizes the obviousness of the answer to the first; the response to the second denies that the question can be answered by the means specified (*terrore*, opening question).

**quid quaeris?** like the recent second-person singular verbs (*age* 55.1, *diceres* 55.3, *adde* 56.3), this phrase could be seen as not necessarily invoking a singular addressee; *OLD* s.v. 8c treats it as an idiomatic expression equivalent to ‘what more can I say?’ or ‘in brief’, in a context where it introduces ‘a short, clinching remark’. It is debatable whether the sequence of questions and responses in this sentence provides such a context, and further singular verbs will follow in 57.5-6; it is tempting to see Cicero as addressing one of the prosecutors here.

**nihil ad tortorem:** Reid *ad loc.* states that ‘the clause in which the words [*nihil ad*] occur is always elliptic, without verb’. But *cf. Leg.Ag.* 2.28 *nihil ad me attinet* (*OLD* s.v. *nihil* 11b, which also cites elliptical occurrences). With *attinet* understood, *nihil* is either adverbial, ‘in no way connected’, or perhaps internal accusative, ‘has no connection’.

57.4. Facti enim in eculeo quaestio est,  
iuris in iudicio.

principal clauses – 2, in 2 units (asyndeton)

subordinate clauses – 0

57.4 supports the claim that there is no need for interrogation by making the general claim that slave-interrogation generates answers to issues of fact, not law, in a simple antithetical principal clause.

57.5. Quod igitur in causa quaerendum est,  
id agamus hic;  
quod  
tormentis inueniri  
uis,  
id fatemur.

principal clauses – 2, in 2 units (asyndeton)

subordinate clauses – 1/2: *quod*, *quod*, acc.-inf. (*tormentis inueniri*)

opening clause – relative clause (sentence-particle: *igitur*); relative clause/acc.-inf.

levels of subordination – 1

57.5 particularizes the generalization made in the preceding sentence with reference to the current trial, pointing out that the trial-personnel must decide issues of law, and repeating the claim that the defence admits the issue of fact. The two antithetical units use an identical correlative construction, (*quod* ..., *id* ...; *quod* ..., *id* ...).

**quaerendum est ... agamus ... inueniri uis ... fatemur:** varying use of the first and second persons contributes to the careful balance of the sentence. In the first unit, a neutral expression of what should be happening (gerundive of obligation) is contrasted with a more personalized expression of what should be happening, a first-person plural jussive (hortatory?) subjunctive. The implied *nos* may encompass the entire personnel involved in the trial, rather than just the defence; if so, this can be seen as a reproach to the

prosecution for distracting the trial-personnel from its proper business ('let's get on with it'). In the second unit, a second-person singular is contrasted with a first-person plural which is restricted by its meaning to the defence-team only; the indicative *fatemur* presents a simple fact – which, it is implied, should be simplifying the process, were the prosecution not attempting to complicate it – in contrast to the subjunctive expression of what might/should be. Meanwhile *inueniri uis* picks up on *quaerendum* (in terms of meaning) but simultaneously personalizes it; the wishes of the prosecution (an individual prosecutor?) are contrasted with what should be happening – they are attempting to investigate the wrong thing. This second-person singular is still more difficult to explain away than *quaeris* at 57.3; the best explanation for it is probably that the speaker is now 'button-holing' an individual member of the prosecution-team; the audience at the 'original trial' would have been able to identify which. This 'button-holing' continues in 57.6.

**57.6.**           Manu uero cur miserit,  
                    si id potius quaeris quam  
                    cur parum amplis adfecerit praemiis,  
                    nescis inimici factum reprehendere.

principal clauses – 1

subordinate clauses – 3: indir. qu. x2 (*cur, quam cur*), *si*

opening clause – indirect question (sentence-particle: *uero*)

levels of subordination – 2 (*manu cur miserit; cur parum amplis adfecerit praemiis*)

57.6 returns to the issue of why Milo freed his slaves and shifts the grounds of the defence to a claim that manumission is hardly a sufficient reward for the service performed by the slaves, incorporating an apparent attack on the prosecution's invective skills. The opening indirect question (postponed *cur*) is dependent on the following conditional protasis (*si*); *potius* indicates that a comparison is being made and *quam cur* introduces the question being compared. The first indirect question repeats the direct question from 57.1, restarting the topic as it were. The sentence closes with the apodosis, embodying the rather surprising accusation that the second question would be a better way of attacking Milo.

**58.1.**       Dixit enim hic idem,  
                    qui semper omnia constanter et fortiter,  
                    M. Cato  
                    – et dixit in turbulenta contione  
                    quae tamen huius auctoritate placata est –  
                    non libertate solum sed etiam omnibus praemiis dignissimos fuisse  
                    qui domini caput defendissent.

principal clauses – 1

subordinate clauses – 3: *qui*, acc.-inf. (*non libertate ... dignissimos fuisse*), *qui*

parentheses – 1 (*et dixit ... placata est*)

subordinate clauses – 1 (*quae*)

opening clause – principal clause

opening clause – principal clause

levels of subordination – 2 (*qui domini caput defendisset*)

58.1 supports the claim that the slaves deserve a greater reward by invoking the opinion of Cato, emphasizing the fact that the slaves were defending their master from an attack on his life. Cato's *autoritas* is emphasized by the relative clause which postpones his actual identification, and the repetition of *dixit* with further details about the effect of that *autoritas*. Finally, an accusative-infinitive construction expresses his opinion, with the reason why the slaves are worthy of positive treatment expressed in a sentence-final generic relative clause.

**58.2.** Quod enim praemium satis magnum est  
tam beneuolis, tam bonis, tam fidelibus seruis,  
propter quos uiuit?

principal clauses – 1

subordinate clauses – 1 (*propter quos*)

opening clause – principal clause

58.2 repeats the claim that the slaves who saved Milo's life deserved a reward in the speaker's own voice using a rhetorical question; the slaves' action is again expressed in a relative clause.

**58.3.** Etsi id quidem non tanti est quam  
quod propter eosdem non sanguine et uolneribus suis  
crudelissimi inimici mentem oculosque satiauit.

principal clauses – 1

subordinate clauses – 1: *quod*

opening clause – principal clause

58.3 enhances the picture of the service performed by the slaves by pointing out that the death they prevented would have been a particularly terrible one. Independent *etsi* gives the impression that this is an afterthought (cf. 11.2); the description of the effect of the slaves' action on Milo in 58.2, that he is still alive, suddenly strikes the speaker as inadequate. The comparative construction (*non tanti est quam*) replaces this with an alternative description in a noun clause (*quod* = 'the fact that').

**58.4.** Quos nisi manu misisset,  
tormentis etiam dedendi fuerunt  
conseruatores domini, ultores sceleris, defensores necis.

principal clauses – 1

subordinate clauses – 1: *nisi*

opening clause – conditional clause (connecting relative: *quos*)

58.4 returns to the main issue, why Milo freed his slaves, focusing on what would have happened if he had not freed them, and pointing out the irony of having to hand over the men who saved his life for interrogation by torture. The opening conditional protasis (*nisi*) refers to the manumission, the apodosis to the torture of the slaves; the postponement of the triple subject describing the slaves emphasizes the service they had performed.

**58.5.**     Hic uero nihil habet in his malis  
               quod minus moleste ferat quam,  
                      etiam si quid ipsi accidat,  
               esse tamen illis meritum praemium persolutum.

principal clauses – 1

subordinate clauses – 3: *quod, etiam si, acc.-inf. (esse tamen ... persolutum)*

opening clause – principal clause

levels of subordination – 3 (*etiam si quid ipsi accidat*)

58.5 adds another dimension to the claim that freeing the slaves was the right thing to do, shifting the focus to Milo's personal feelings and suggesting that the knowledge that he has rewarded his slaves appropriately is a consolation to him in his troubles. The opening *hic* identifies Milo as the subject, a relative clause (*quod*) focuses on his feelings, and a comparative construction (*minus ... quam*) stresses his satisfaction at the rewarding of the slaves. This is expressed in an accusative-infinitive construction, preceded by a conditional clause (*etiam si*) implying that nothing that happens will change this satisfaction.

**59.1.**     ‘Sed quaestiones urgent Milonem,  
               quae sunt habitae nunc in atrio Libertatis’ –  
               quibusnam de seruis?  
                      rogas?  
               de P. Clodi.

principal clauses – 2, in 2 units (question-answer)

subordinate clauses – 1/0: *quae*

interruptions (questions) – 1 (*rogas?*)

opening clause – principal clause; principal clause

59.1 introduces a new issue, related to the non-interrogation of Milo's freed slaves, by mentioning the interrogations that have taken place, and indicates the defence response by emphasizing that the slaves who have been interrogated are Clodius' own. The new topic is announced in the opening principal clause, and specified more precisely in a relative clause (*quae*). An elliptical question follows and perhaps interrupts: which slaves have been interrogated? The impression of a dialogue between two speakers is confirmed by the surprised *rogas?* which comes before the (also elliptical) answer: Clodius'. The goal of the sequence is a) to make the point that the slaves who have been interrogated are a surprising and inappropriate choice, and b) to make the point as indignantly as possible. The interchange continues in the next sentence, whose purpose is to reinforce the inappropriateness of the choice before an explicit exclamation to this effect in 59.3.

**rogas?** in the current sequence of comments, questions, and responses, this second-person singular could be interpreted in a variety of ways (see Approach 5.2); inverted commas have not been used because this punctuation would settle points which should perhaps remain ambiguous.

**59.2.** Quis eos postulauit?

Appius;  
 quis produxit?  
 Appius;  
 unde?  
 ab Appio.

principal clauses – 6, in 6 units (question-answer x3, asyndeton)  
 subordinate clauses – 0

59.2 repeats the emphasis on the ironic fact that the slaves interrogated for evidence against the defendant were supplied by the prosecution, reinforcing the implication of corruption created in the preceding sentence. The question and answer sequence continues; the questions become increasingly elliptical, the answers are, emphatically, more or less identical.

**59.3.** Di boni! quid potest agi seuerius?

principal clauses – 1  
 subordinate clauses – 0

59.3 initiates the defence-response by exclaiming indignantly against such an interrogation, through an invocation to the gods and a sarcastic rhetorical question ('what more X than this?'). For the combination of exclamation and question, *cf.* 41.1n.

**59.4.** Proxime deos Clodius accessit,  
 propius quam tum  
 cum ad ipsos penetrarat,  
 cuius de morte tamquam de caerimoniis uiolatis quaeritur!

principal clauses – 1  
 subordinate clauses – 2: *cum*, *cuius*  
 opening clause – principal clause  
 levels of subordination – 1

59.4 reiterates the indignation expressed in the preceding sentence, implying that the only other situations which would be investigated in this way are religious – and that such a parallel between Clodius and the gods is inappropriate. The opening assertion that Clodius has approached the gods is explained by a relative clause (*cuius*): the investigation into his death resembles (*tamquam*) those into *caerimoniis uiolatis*. The sequence is interrupted by a tag to the principal clause followed by a temporal clause (*cum* + indicative) referring – not very precisely – to different kind of Clodian approach to the gods (the *Bona Dea* scandal).

**59.5.** Sed tamen maiores nostri  
 in dominum quaeri  
 noluerunt,  
 non quia non posset uerum inueniri,  
 sed quia uidebatur indignum et dominis morte ipsa tristius.



principal clauses – 1

subordinate clauses – 3: acc.-inf. (*in dominum quaeri*), *non quia*, *sed quia*

opening clause – principal clause

levels of subordination – 1

59.5 criticizes the interrogations which have taken place by comparing a prohibition, established by ancestral custom, against the interrogation of a man's slaves in order to produce evidence against the man himself, explaining the reason for the prohibition as the appalling nature of the procedure rather than the impossibility of finding the truth. An accusative-infinitive construction embedded in the opening principal clause states what the *maiores* were opposed to; two antithetical causal clauses then express the rejected and preferred reasons (*non quia ...*, *sed quia*).

**maiores nostri:** universalizing use of the first-person plural.

**59.6.**            In reum de seruo accusatoris cum quaeritur,  
                      uerum inueniri potest?

principal clauses – 1

subordinate clauses – 1: *cum*

opening clause – *cum*-clause

59.6 returns to the current situation, applying the idea of the impossibility of finding the truth, raised in the preceding sentence, to the interrogation of a prosecutor's slaves to produce evidence against the defendant. A temporal clause characterizing the circumstances (*cum* + indicative) is followed by a rhetorical question.

**60.1.**            Age uero, quae erat aut qualis quaestio?

principal clauses – 1 (taking *age* as a particle)

subordinate clauses – 0

60.1, maintaining the focus on the current situation, suggests exploring what such an interrogation would be like. The answer to the short question is obvious, but is also supplied in the following sentences.

**60.2.**            'Heus tu, Rufio,'  
                      uerbi causa,  
                      'caue, sis, mentiari:  
                      Clodius insidias fecit Miloni?'

principal clauses – 2, in 2 units (introduction)

subordinate clauses – 2/0: conditional (*sis*), noun-clause (*mentiari*)

interruptions – 1 (*uerbi causa*)

opening clauses – principal clause; principal clause

60.2 develops the suggestion made in the preceding sentence, supplying a possible question for an interrogator to ask of Clodius' slaves in a sequence of short, choppy phrases. The question itself is introduced by an address to the slave and a warning not to lie (*mentiari* is a

one-word noun-clause dependent on *caue*; the parenthesis *sis* = *si uis*, ‘please’), which provide atmosphere and contribute to answering the question *qualis* in 60.1. An interrupting parenthesis, explaining that the name of the slave is chosen at random, breaks into the imagined discourse of the interrogator.

**heus tu, Rufio, ... caue, sis, mentiare:** this remarkable concentration of second-person singular words (one pronoun, one vocative, three verbs – *sis* is a contraction of *si uis*, as ‘please’ is of ‘if you please’ in English) represents the interrogator haranguing a slave.

**60.3.**     ‘Fecit’ –  
               certa crux;  
               ‘nullas fecit’ –  
               sperata libertas.

principal clauses – 4, in 4 units (suggestion-reaction x2, asyndeton)  
 subordinate clauses – 0

60.3 responds to the proposed question by supplying the two possible answers and stating the natural consequence of each. The choppy sequence continues as the two answers alternate with their results. All four items are elliptical: the two alternative answers assume the words *insidias* and *Miloni* from the question; while the results lack verbs (something like *sequitur* can be supplied).

**60.4.**     Quid hac quaestione certius?

principal clauses – 1  
 subordinate clauses – 0

60.4 spells out the implication of the preceding sentence by implying, through a rhetorical question (obvious answer: ‘nothing’), that the answer given by the slave would be a foregone conclusion. Cf. 60.1, 59.3.

**60.5.**     Subito adrepti in quaestionem  
               tamen separantur ceteri  
               et in arcas coniciuntur  
               ne quis cum eis conloqui possit;  
               hi centum dies penes accusatorem cum fuissent  
               ab eo ipso accusatore producti sunt.

principal clauses – 3, in 3 units (*et*, asyndeton)  
 subordinate clauses – 0/1/1: *ne*, *cum*  
 participial phrases – 1: *subito adrepti in quaestionem*  
 opening clause – principal clause; principal clause/*cum*-clause (shared nominative: *hi*)

60.5 adds a new point emphasizing the inappropriateness of the recent interrogation, by contrasting the way the slaves were treated with the usual procedure: incarceration and separation. The contrast is expressed in two antithetical units, the first focusing on *ceteri* (the subject is postponed so the focus is not at first clear), the second on *hi*. The chiasmic positioning of the subordinate clauses (indefinite final clause (*ne quis*) explaining why slaves to be interrogated are usually treated this way; temporal-concessive clause (*cum*) identifying the recent location of the Clodian slaves) leaves the emphasis on the prosecution's presentation of their own slaves in the sentence-final principal clause.

**subito adrepti in quaestionem:** this participial phrase could perhaps be taken as substantive, 'those who have been suddenly taken up for interrogation', but it seems slightly preferable to take it as adverbial: 'others, when taken up suddenly for interrogation, ...'.

**60.6.** Quid hac quaestione dici potest integrius, quid incorruptius?

principal clauses – 1

subordinate clauses – 0

60.6 passes a concluding ironic comment on the reliability of the interrogation, closely echoing but reversing the rhetorical question at 60.4: rather than certain, the procedure is described – sarcastically – as untainted.

*61-66: After the skirmish – return to Rome and rumours*

The sequence of arguments is partially interrupted by a claim that Milo's innocence has already been demonstrated, which cleverly also manages to identify new evidence of that innocence: his demeanour on his return to Rome (61.1). A reference to foolish predictions that he would not return at all leads into a lengthy discussion of anti-Milonian rumours which the defence wishes to discredit. A shift of focus appears to be marked at 65.1, when Pompeius is mentioned, but the list of rumours continues after this point, alternating with explanations of Pompeius' response to them.

The question of Milo's demeanour is not abandoned once the theme of rumours is introduced, recurring at 64.2 and 66.6. As a topic-identifier for 61-66, however, 61.1 is at least incomplete, as the passage unites several themes. The chronological focus remains 'after the skirmish': the earliest point mentioned is when the news of Clodius' death has just reached the city (62.2), and 64.2 explicitly indicates that the focus is once again on the period identified by the references to Milo's return and to the burning of the *curia* (61.1). To this period, too, belongs the question of Pompeius' reaction (65.1 on; *cf.* 32-71n.). This issue itself maintains the focus on reaction to Milo's actions introduced by a comment on the senate at 62.1 and developed in the subsequent analysis of rumours.

The mixed subject-matter and the alternation between examples of rumours and responses to them makes possible a variety of paragraphing decisions. Here the introduction of the theme of rumours (62.2) has been kept together with the approval of the senate to which the foolish rumours are contrasted; a break has instead been placed after the long sentence detailing these rumours (63.1), before the dramatic mention of Catilina (*cf.* 63.2n.). It would be possible instead to break before 62.2 (giving a paragraph beginning with *recordamini* followed by one beginning with *obliti estis*), and again before the chronological

shift at 64.2 (where the tense in verbs referring to the rumour-mongers shifts from imperfect – *arbitrabantur* 63.1, *loquebantur* 63.2 – to perfect – *sunt congesta*, 64.2). The break before the reference to Pompeius at 65.1 is justifiable despite the fact that 65.3-5 return immediately to the listing of individual rumours; the importance of the topic introduced is unquestionable, and there is a slight shift in presentation after it: considerably more detail is given about the *popa*'s story than about the rumours in 63.2-64.3 (see also above on shift of focus).

The argument from Milo's demeanour is not a particularly strong one – it is easy to imagine the opposition describing the same actions in terms akin to 'brazening it out'. It both depends upon and makes a powerful contribution to the picture of Milo's fortitude painted throughout the speech (especially 1.1, and recently 56.2, 58.5). The claim that the senate supports Milo (62.1) is no more corroborated than it was in the second preliminary argument; the fact that his behaviour contradicted popular predictions (62.2) is striking, but it does not prove his innocence. Many of the rumours which follow are simply declared to be false without argument (64.1, 64.4), and these declarations are reinforced by interspersed lamentations, exclamations and generalizations (63.3, 64.2, 65.2, 66.7); something more like argument or evidence is presented in the stories of the *popa* and of Caesar's house (65.4, 66.2), but the only example in which the falsity of the accusation is immediately proven (by demonstration) is saved for the climax (66.5-6).

The issue of Pompeius' reaction will have been the most dangerous to the defence, and it may be no accident that it is surrounded by all this bluster about anti-Milonian rumours. Having presented as many arguments for Milo's innocence as possible, the speaker here finally comes close to admitting the possibility that could not be taken seriously earlier in the speech (*exordium*, preliminary argument 3): that Pompeius could be opposed to Milo. Here it is only suggested by the implication that the *iudices* are likely to be surprised at Cicero's praise of Pompeius' behaviour during this period (65.1). No evidence against the possibility can be offered; the best that can be done is to mitigate the appearance of hostility created by the great man's hard-line attitude with high-sounding platitudes about the need to ensure the safety of the state (65.2, 66.1, 66.3).

Word-group	Frequency	Occurrences
<i>Milo</i> *	1.3%	8
<i>populus/publicus</i>	1.3%	8 (3/5)
? <i>res</i>	1.3%	8
<i>uerus/uere/uerum/uero</i>	1.3%	8 (1/1/2/4)
? <i>nullus</i>	1.3%	8
? <i>magnus/magnitudo/magis/maximus</i> *	1.1%	7 (3/1/1/2)
? <i>posse/potestas</i>	1.1%	7 (6/1)
<i>senatus/senator</i>	1.1%	7 (6/1)
<i>animus</i> *	1.0%	6
<i>audire</i>	1.0%	6
? <i>facere</i>	1.0%	6
<i>uir/uirtus</i>	1.0%	6 (5/1)
		(609 words)

61.1 is longer than most topic-sentences in the speech, but not longer than some of the sequences of sentences which form topic-introductions. It contains two words from the ‘interesting’ groups in the table: *Milo*, *animus*; also *res*, *magnus*, and *nullus* (x3). The phrase *magnitudo animi* brings *magnus* and *animus* into conjunction for the first time since the *exordium* (1.1, 3.1); the conjunction recurs as *maximo animo* in 64.2, which moves the argument on in terms of time-frame if not in terms of topic. If the phrase can be seen, because of this echo of the opening sentence of the speech, as marking the start of something new here, the association is lost afterwards (69.2, 80.3, 81.3; *cf.* also references to Milo’s *animus* at 92.3, 99.1, 101.1, 104.4). The phrase suggests that the new topic is Milo’s demeanour after the skirmish; as we have seen, this is only part of what follows.

The passage is one of the most repetitious in the speech if both more and less ‘interesting’ word groups are counted, and still in the top half if the latter are omitted: there are twelve frequent word groups (seven ‘interesting’) making up 14.0% of the argument (8.0% ‘interesting’). The percentage for all the words in the table is not far behind that for the interrogations argument, although this passage is almost twice as long (347/609 words). Much of it is due to the more ‘colourless’ words, but a case might be made that the frequency of *magnus* and *nullus* is a sign that the orator is beginning to be more bold in his claims: things are either great/large or non-existent. Some of these occurrences fall in clusters (*nullus* x3 in 61.1, x2 in 64.3; *magnus* x2 in 61.3); this use of anaphora/repetition may also be seen as a sign of an increased emotional level – but this hypothesis would have to be tested by checking the use of such repetitions throughout the speech.

Two of the more ‘interesting’ frequent word-groups, *populus* and *senatus*, reflect the emphatic return of the political aspect. There are four occurrences of *res publica*, two of *populus Romanus*, one more each of *publicus* and *populus* alone; four are clustered in 61.2 alone. In addition, the occurrences of *Roma* and *urbs* have strong political symbolism. Milo’s return to Rome (*Romam reuertisse*, 61.1; *Romam esse rediturum*, 62.3) may have a political dimension as well as a geographical (*cf.* note on *Roma*, 39.2); in 64.3 the two occurrences of *urbs* are also politically symbolic (*cf.* note on *faces* ..., 36.2). From here until the first half of the *peroratio* these indicators of the political nature of the discourse will be frequent – more so than they were in 1-60. Most of the occurrences of *animus* describe Milo’s courage or clear conscience; *uir(tus)* can be associated with *Milo* and with *magnus animus*: it is used of Milo, Caesar, and Pompeius, its frequency creates another lexical link with the *exordium*. Only *audire* in the table reflects the focus on rumours; it occurs first in 61.2 as if to anticipate what is to come, but this part of the topic only comes to prominence in 62.2, and is at first still tied to the issue of Milo’s demeanour/return to Rome. Apart from vocatives, there is only one occurrence of *iudicium-ius-lex*, *legibus* in 63.1.

1st sing.	1.9%
1st plur.	none
2nd sing.	none
2nd plur.	1.6%

After the multiplicity of voices in the interrogations argument, this passage is predominantly delivered in Cicero’s own voice, with attributed pseudo-quotations at 63.2 and 64.3 (along with several passages of indirect speech, some of them substantial *e.g.*, 63.1); the addressee is the *iudices*. The return to the basic communication-situation is

signalled by the concentration of second-person plurals in the opening sentence; first-person singulars are at first absent, with Cicero represented by the fact that he is addressing someone and asking questions. First-person singulars are reintroduced along with the minor topic-shift at 64.1, as Cicero's own political experience is brought into play to support the analysis of Pompeius' behaviour being presented here (*cf.* value implicitly placed on Cicero's opinion elsewhere). There are perhaps slightly fewer questions than in the preceding argument. Syntactically, the introductory sentences 61.1 and 63.1 stand out in terms of complexity.

**61.1.** Quod si nondum satis cernitis,  
                   cum res ipsa tot tam claris argumentis signisque luceat,  
                   pura mente atque integra Milonem,  
                   nullo scelere imbutum,  
                   nullo metu perterritum,  
                   nulla conscientia exanimatum  
                   Romam reuertisse,  
 recordamini, per deos immortalis,  
                   quae fuerit celeritas reditus eius,  
                   qui ingressus in forum  
                   ardente curia,  
                   quae magnitudo animi,  
                   qui uoltus,  
                   quae oratio!

principal clauses – 1

subordinate clauses – 9: *si*, *cum*, acc.-inf. (*pura mente ... reuertisse*), indir. qu. x 5 (*quae*, *qui*, *quae*, *qui*, *quae*), abl. abs. (*ardente curia*)

opening clause – conditional clause (sentence-particle: *quod*)

levels of subordination – 2 (*pura mente ... Romam reuertisse*)

61.1 states explicitly that Milo's innocence should be obvious by now, and introduces a new proof of that innocence by referring to the rapidity and demeanour of his return to Rome. This sentence, the longest single unit to appear in some time, contrasts strongly with the short, choppy sequences immediately preceding; it is addressed to the *iudices* (second-person plural verb). The opening conditional clause complex (*si*, concessive *cum*, accusative-infinitive construction) implies that they should already perceive Milo's innocence; the concessive clause claims that that innocence is obvious (*res ipsa*) and well-supported (*tot ... signisque*); the predicate in the accusative-infinitive refers to his return to Rome. The apodosis urges the *iudices* (addressed with a vocative) to remember aspects of that return, expressed in a quintuple indirect question (*quae ...*, *qui ...*, *quae ...*, *qui ...*, *quae ...*) sharing a single verb (after the first, the verb *fuerit* is in ellipse; *cf.* 69.1n.); an ablative absolute attached to the second item specifies the occasion of his return as while the *curia* was burning.

**cernitis ... recordamini:** the questions closing the interrogations argument (60.4, 60.5) could be imagined as addressed either to the prosecution (invited to feel ashamed) or to the *iudices* (invited to agree with the implied answer); only here, at the point of topic-shift – and

early in the topic-sentence, for the sake of clarity – is the fact that the speaker has turned back to the *iudices* made explicit. It is explicit not only in the second-person plural but also in the content: it is whether the *iudices* ‘see’ or grasp the speaker’s argument for Milo’s innocence that matters, and it is they who are to use what they remember to back up what they should already perceive.

- 61.2.** Neque uero se populo solum sed etiam senatui commisit,  
 neque senatui modo sed etiam publicis praesidiis et armis,  
 neque his tantum uerum etiam eius potestati  
     cui senatus totam rem publicam,  
         omnem Italiae pubem,  
         cuncta populi Romani arma  
 commiserat,  
 cui numquam se hic profecto tradidisset,  
     nisi causae suae confideret,  
 praesertim omnia audienti,  
 magna metuenti,  
 multa suspicanti,  
 non nulla credenti.

principal clauses – 3, in 3 units (*neque ... neque ... neque*)

subordinate clauses – 0/0/3: *cui* x2, *nisi*)

participial phrases – 4: *omnia audienti*; *magna metuenti*; *multa suspicanti*; *non nulla credenti*

opening clauses – principal clause; principal clause; principal clause

levels of subordination – 3 (*nisi causae suae confideret*)

61.2 supports the claim that Milo’s behaviour on his return demonstrates his innocence (and his law-abiding nature in general), by pointing out that he has thereby put his fate in other people’s hands. The expansive, additive feel continues in a coordinate sentence which describes Milo entrusting himself to four separate entities (*neque solum/modo/tantum ... sed/uerum etiam*). The repeated *neque solum* creates the impression that they are being listed in ascending order of importance and/or likely severe treatment of Milo; the fourth, referred to by *eius*, is explained by a relative clause (*cui*) identifying the person to whom the senate have entrusted absolute power, *i.e.*, Pompeius. A second relative clause (*cui*), which turns out to be the apodosis of a conditional structure (*nisi*), adds not further description of Pompeius but an argument about Milo’s actions: his submitting himself to Pompeius’ power is an indication of his innocence. A final point is added by *praesertim*: four present participles (each with a neuter plural object), agreeing with/in apposition to the second *cui*, describe Pompeius’ apparently suspicious attitude.

**praesertim omnia audienti, ...:** these four participial phrases feel ‘tacked on’ at the end of the sentence, substantially separated as they are from the word they refer back to, *cui*. This fact contributes to the feeling that they, like ablative absolutes, are the equivalent of clauses, perhaps causal: ‘he would never have handed himself over to Pompeius, especially given that Pompeius was hearing all the rumours, ...’ The decision not treat them as such in

calculating the complexity of the sentence is made for conformity (see Introduction to Syntactic Index), and may be wrong.

- 61.3.** Magna uis est conscientiae, iudices, et magna in utramque partem,  
 ut neque timeant  
 qui nihil commiserint,  
 et poenam semper ante oculos uersari  
 putent  
 qui peccarint.

principal clauses – 1

subordinate clauses – 5: *ut neque ... et, qui*, acc.-inf. (*poenam ... uersari*), *qui*

opening clause – principal clause

levels of subordination – 2 (*qui nihil commiserint; poenam semper ante oculos uersari; qui peccarint*)

61.3 further supports the claim that Milo's behaviour demonstrates his innocence by generalizing about the effect of conscience on the feelings (and behaviour) of both the innocent and the guilty. The initial assertion of the power of conscience is repeated and enhanced by *et magna in utramque partem*; this is explained in the bipartite consecutive clause which follows (*ut neque ..., et ...*), describing the mental state first of the innocent (*qui*), then of the guilty (*qui*). The former are unafraid; the second have visions, expressed in an embedded accusative-infinitive construction.

- 62.1.** Neque uero sine ratione certa causa Milonis semper a senatu probata est;  
 uidebant sapientissimi homines  
 facti rationem, praesentiam animi, defensionis constantiam.

principal clauses – 2, in 2 units (asyndeton/explanation)

subordinate clauses – 0

62.1 enlists the senate as witnesses to Milo's innocence, claiming that they were able to interpret his actions correctly. The first unit, asserting that the senate approved Milo's cause, is partly explained by the second, explaining what they saw to make them do so.

- 62.2.** An uero obliti estis, iudices,  
 recenti illo nuntio necis Clodianaе,  
 non modo inimicorum Milonis sermones et opiniones  
 sed non nullorum etiam imperitorum?

principal clauses – 1

subordinate clauses – 1: abl. abs. (*recenti ... Clodianaе*)

opening clause – principal clause

62.2 contrasts the senate's correct interpretations of Milo's behaviour with an alternative view of his return, expressed in rumours circulated by Milo's enemies – and by fools – immediately after Clodius' death. The rhetorical question is a personalized form related to the 'who does not know?'-type, asking the *iudices* if they have forgotten something.



**an uero obliti estis, iudices:** the question-format here echoes such earlier questions as *an uero, iudices, uos soli ignoratis ...* (33.1); the focus on memory picks up on the use of *recordamini* at 61.1.

### 62.3. Negabant

eum Romam esse rediturum.

principal clauses – 1

subordinate clauses – 1: acc.-inf. (*eum ... rediturum*)

opening clause – principal clause

62.3 specifies the content of the rumours mentioned in the previous sentence: they claimed (*negabant*) that Milo would not return to Rome (accusative-infinitive construction).

### 63.1.

Siue enim illud animo irato ac percito fecisset,  
 ut incensus odio trucidaret inimicum,  
 arbitrabantur  
 eum tanti mortem P. Clodi putasse,  
 ut aequo animo patria careret  
 cum sanguine inimici explesset odium suum;  
 siue etiam illius morte patriam liberare uoluisset,  
 non dubitaturum fortem uirum  
 quin,  
 cum suo periculo salutem populo Romano attulisset,  
 cederet aequo animo legibus,  
 secum auferret gloriam sempiternam,  
 uobis haec fruenda relinqueret  
 quae ipse seruasset.

principal clauses – 1

subordinate clauses – 12: *siue, ut*, acc.-inf. (*eum ... putasse*), *ut, cum, siue*, acc.-inf. (*non dubitaturum ... uirum*), *quin* [3 clauses in asyndeton], *cum, quae*

opening clause – conditional clause (sentence-particle: *enim*)

levels of subordination – 3 (*ut ... trucidaret inimicum*; *cum ... explesset odium suum*; *cum ... salutem populo Romano attulisset*; *quae ipse seruasset*)

63.1 expands on the content of the rumours, supplying two suggested interpretations of Milo's behaviour, both of which predicted, for different reasons, that he would not return to Rome. The syntax is complex. The sentence opens with a conditional protasis, marked as the first of two by *siue*, indicating that alternatives will be presented; the first is the possibility that Milo acted in anger, further specified in an *ut*-clause (consecutive following [*tam*] *irato ac percito*, or noun-clause explaining *illud*) which mentions hatred and enmity. This is followed by the one-word principal clause, *arbitrantur*, referring to the rumour-mongers, which indicates that everything so far has been in *o.o.* What they thought is expressed in an accusative-infinitive construction (Milo will leave the country); *tanti* indicates a following consecutive clause (*ut*); an embedded temporal-causal clause (*cum*) refers again to hatred and enmity. The appearance of the second *siue* confirms that the first alternative is complete;

the second alternative is the possibility that Milo chose to kill Clodius for the sake of the country, expressed in another temporal-causal clause (*cum*) interrupting the noun-clause (*quin*) that follows the second accusative-infinitive (*non dubitaturum ...*). This alternative belief depends on Milo's fortitude (*fortem uirum*); the noun-clause gives three interpretations of his leaving the country in asyndeton: obeying the laws (*i.e.*, taking his punishment); carrying away glory; leaving his fellow-citizens (*uobis*) happy – expressed as enjoying what he had provided (relative clause, *quae*).

**suo periculo:** 'at his own risk' (*OLD* s.v. *periculum* 4b); danger to Milo would have been a factor in the plan to free the state by getting rid of Clodius. The phrase could also be seen as referring to the danger of prosecution/conviction which was the result of the skirmish (*cf. inuidia ... gloria*, 40.4).

**uobis haec fruenda relinqueret:** the second-person plural here may be due to a slippage between the voice of the rumour-mongers and the voice of the speaker himself, addressing the *iudices*.

**63.2.** Multi etiam Catilinam atque illa portenta loquebantur:  
                   'erumpet,  
                   occupabit aliquem locum,  
                   bellum patriae faciet.'

principal clauses – 4, in 4 units (introduction, asyndeton x2)

subordinate clauses – 0

63.2 develops the discussion of rumours beyond its initial focus, on whether Milo would return to Rome, by adding others, including the suggestion that Milo might become a second Catiline. An opening statement introduces examples of what people said in direct speech (pseudo-quotations): three statements about what Milo might do, which are supposed to ring immediately false.

**63.3.** Miseros interdum ciuis  
                   optime de re publica meritos,  
                   in quibus homines non modo res praeclarissimas obliuiscuntur,  
                   sed etiam nefarias suspicantur!

principal clauses – 1

subordinate clauses – 2: *in quibus ... non modo ... sed etiam*

participial phrase – 1: *optime de re publica meritos*

opening clause – principal clause

levels of subordination – 1

63.3 responds to these further rumours with a generalized lament about the fact that the populace can be so suspicious of men who have served the state. The principal clause consists of an exclamatory accusative; a relative clause (*in quibus*) provides an explanation for *miseros*, listing two ungrateful actions of the populace in a *non modo ... sed etiam ...* sequence.

**ciuis optime de re publica meritos:** *meriti de* is sometimes translated ‘having deserved [well/badly] of’, sometimes ‘having behaved [well/badly] towards’ (or just ‘treated [well/badly]’). The connection between the two meanings is obvious, and there seems little to choose between them; see *OLD* s.v. *mereo* 6. The same expression occurs at 82.5, 93.3, 99.3.

**64.1.** Ergo illa falsa fuerunt,  
               quae certe uera exstitissent,  
               si Milo admisisset aliquid  
               quod non posset honeste uereque defendere.

principal clauses – 1

subordinate clauses – 3: *quae, si, quod*

opening clause – principal clause

levels of subordination – 3 (*quod non posset honeste uereque defendere*)

64.1 appears to sum up by asserting that the rumours were false and that Milo has done nothing improper. The opening *ergo* suggests an inference, but the new point does not logically follow from what precedes. The assertion that the rumours are false is followed by a relative clause (*quae*) which turns out to be the apodosis of a conditional construction. The argument is that the false rumours would have been true if Milo had admitted any wrongdoing (something which (*quod*) could not be defended).

...

*72-91: The public-good argument*

The shift in focus away from self-defence has been prepared for by hints that the defence case has already been proven (61.1) and that the prosecution case can be dismissed (67.1); recapitulation of these suggestions in 72.1-2 is followed by an indicator of what is to come, a hypothetical proclamation of Clodius' death accompanied by a long list of his crimes, which imply that that death was a Good Thing. The transition to the Public-Good Argument is thus clearly signalled in the manner that was employed so frequently in the first half of the speech – although there is nothing like a label for what follows, no equivalent of *uter utri insidias fecerit* (23.1, 31.6). The lack of such a competing label may be intended to ensure that the Public-Good Argument does not provide any single theme which competes with the ambush issue for the position of the 'real business of the trial'. A gradual reduction in clear signalling of content can be seen throughout the Self-Defence Argument (*cf.* 32-71n.); from this point on, clear signals become the exception rather than the rule. It has already been suggested (Approach 2.1) that this shift in the way the arguments are presented is appropriate to the beginning of a gradual emotional *crescendo* which will reach its height in the *peroratio*: the orator who is firmly in control of his logically organized material is no longer needed, as the defence case has been proven; the mode of presentation thus implicitly underlines the claim to have proven that case.

The shift is also appropriate to the subject-matter, the threat posed by Clodius to the state, which justifies the claim that his assassination (had it taken place) would have benefitted the public good. The threat has been mentioned before, sometimes accompanied

by the same impression that the orator is being carried away by his feelings (33.2, 37.1, 39.1) or overwhelmed by the examples of Clodius' bad behaviour which have occurred to him (38.4-7, 40.2-41.1). Earlier these tendencies had to be checked by returning to the systematic presentation of logical argument; here both the topic and the mode of presentation take over completely: lists of crimes mingle with emotive repetitions of the claim that Milo would have nothing to fear if he *had* set out to rid the state of Clodius. There are many first-person singular references, and an overall increase in the number of direct addresses to the *iudices*, in exclamations, and in emotional rhetorical questions which go unanswered (contrast the question-response sequences in the Self-Defence Argument). These increases are maintained or increased still further in the *peroratio*.

In the absence of clear signalling, the analysis of content and structure is dependent on more disputable markers and, especially, on the analyst's sense of shifting topic. It could be said that the only substantial point of topic-shift in the Public-Good Argument is at 83.2, which claims that Clodius' death was brought about by divine intervention; this argument is entirely unprepared for in what precedes, looking back rather to the end of the *exordium* (7.2) and perhaps the end of the *narratio* (30.2). The shift is so abrupt that it can hardly fail to be noticed, though it is unmarked by any of the self-referential comments which imply that the orator is in control of his material. Elsewhere, it could be argued that a better sense of the audience's impression of this part of the speech would be given by refusing to subdivide 72-91 at all, however daunting this might be for a reader who has become accustomed to seeing the text divided into paragraphs comprising four to six of the traditional sections. Three articulation points, dividing the Argument into four parts, have nevertheless been identified to structure the following discussion; the importance of the individual break-points is open to challenge, and it should not be assumed that I believe they would have been emphasized by the orator in delivery or particularly noticed by the audience of speech, whether delivered or published.

The first comes at the end of what is usually treated as the lengthy *prosopopoiia* of Milo at 72.3-75.3, and thus appears to depend on the formal transition between the voice of the defendant and the voice of his advocate; there are, in fact, reasons to doubt the clarity of this transition (*cf.* 72-75n.), but 76.1 provides the first syntactic break after the *prosopopoiia* begins, and the end of this long list of Clodius' crimes is a reasonable point at which to consider the introduction to the Self-Defence Argument completed. The second articulation point is the introduction of the divine-intervention argument at 83.2; verbal repetition with the preceding sentence may suggest an association of ideas which is supposed to have led the orator to the new topic. The third articulation point identified here is at 87.1, where a noticeable change in the handling of the divine power's role is accompanied by a reversion to a focus on Clodius' crimes which echoes the opening of the Argument as a whole; this recapitulation may serve to indicate the beginning of the end.

The second of the three resulting passages is rather longer than the others, but it is difficult to subdivide. Other points which could have been emphasized instead include: 78.1, where the speaker addresses the *iudices* directly and shifts focus from the past to the future; 81.2, where the theme of *gratia* is introduced; 88.4, where attention is brought back to Clodius' impending praetorship.

72-75: *Prosopopoiia*

A two-sentence transitional passage (72.1-2) combines a repetition of the claim that Milo's innocence has been demonstrated already, made at 61.1, with the shift away from the judicial question, announced at 67.1. The transition places more emphasis on the end (and the completeness) of the Self-Defence Argument than on describing the new topic, introduced by a counterfactual conditional and defined as a 'glorious lie'. This leads into a dramatic *prosopopoiia* of Milo, beginning with the boast that he has killed Clodius and incorporating a lengthy catalogue of the latter's crimes.

There is no explicit argument here, but the new direction that the speech is about to take emerges clearly. The careful use of the counterfactual conditional, and the lack of a clear description of what follows (other than 'glorious lie'), may indicate the delicacy which the orator had to use when suggesting that killing Clodius was a meritorious act; the counterfactual note continues to be sounded throughout the Public-Good Argument, although it is put to various different uses. The catalogue of Clodius' crimes implicitly argues that Rome is better off without him and justifies the suggestion that (under other circumstances – including 'if he had done so [which he did not]') Milo could openly proclaim that he had deliberately assassinated him. This fulfills to some extent the suggestion made in the *exordium*: *ut, quia mors P. Clodi salus uestra fuerit, idcirco eam uirtuti Milonis ... adsignetis* (6.2).

Can the *prosopopoiia* be subdivided? Syntactically, the boast and the catalogue form a single run-on sentence, consisting largely of an insistent sequence of relative clauses describing Clodius' enormities (the individual relative clause-complexes have been numbered, for ease of reference). But it seems likely that Milo's voice gives way to Cicero's before the end of this sentence. It opens with strong first-person verbs which clearly belong to Milo, and the first reference to Clodius (*eum*) is followed by an interruption from the orator which confirms that Milo is speaking (72.3). After this there is a long sequence without first-person references to pin-point the speaker; they recur in 74.3, 75.1, and 75.2. The last most plausibly refers to Cicero; the others are dubious (*cf.* notes *ad locc.*, and 73.3n.). It seems likely that somewhere in the catalogue the subject-matter simply becomes more important than the identification of who is delivering it, allowing Cicero to emerge as the speaker at the end. It would be misleading to insert a break, even if the syntax allowed it, because the shift in speaker cannot be pin-pointed. The resulting long paragraph may convey on the page some of the same effect as the relentless sequence of relative clauses would have on the ear.<sup>1</sup>

Word-group	Frequency	Occurrences
<i>ciuis/ciuilis</i>	1.3%	5 (4/1)
<i>possessio</i>	1.3%	5
<i>dicere</i>	1.0%	4
<i>mors/mortuus/immortalis</i>	1.0%	4 (2/1/1)
		(399 words)

<sup>1</sup> Some editors do not use inverted commas on the *prosopopoiia*: are they avoiding a decision about where Cicero's voice takes over, or have they some other reason for the punctuation?

72.1 repeats the claim made at 67.1, that the *Clodianum crimen* is no longer relevant, and also shifts focus away from Pompeius' *suspiciones* to the *iudices*' feelings *de morte Clodi*. This phrase could be used as a label for the Public-Good argument as a whole, although the fact that I have used a different label will already be indicating to my readers that I consider 'On Clodius' Death' to be an inadequate summary of the next twenty sections of the text. 72.1 can count as a topic-sentence in that it signals a change in topic, but while the new topic is less nebulous than at 41.1, it is not clearly described/labelled. Of the frequent word-groups in this passage consisting of the transition and the *prosopopoiia*, only *mors* appears here – and none of the other three occurrences of *mors/mortuus/immortalis* refers to Clodius' death in any case.

Comparing this passage with the rest of the speech in terms of repetitiousness is made slightly complicated by the fact that it has no 'colourless' words with a frequency of 1.0% or higher at all. When the percentages for the other passages are calculated including the 'colourless' words, this is the least repetitious passage in the speech; when they are calculated without the 'colourless' words, the *prosopopoiia* (4.5%) manages to be more repetitious than the first half of the *peroratio* (2.1%), the violence argument (2.6%), the second half of the *peroratio* (3.6%) and – just – what I have called the core of the Public-Good Argument, 76-83.1 (4.4%). The figure is in any case low, and demonstrates that short passages are not always the most repetitious. The variety of vocabulary may be due to the variety of different crimes with which Clodius is charged.

The words in the table here, although not classified as 'colourless', are not particularly informative as to topic, although the appearance of *possessio*, which is entirely new to the speech, indicates the arrival of a theme which will continue important in what follows as the orator appeals to the personal as well as the public-spirited interests of the *iudices*, emphasizing: the threat Clodius posed to private property. At the same time, *ciui(li)s* may be seen as suggesting a political element; individuals such as Cicero (73.3), Pompeius (73.5), and one P. Varius (74.3) are described as *ciuis* rather than *uir* or *homo*, but if the frequency of this word hints that Clodius' acts put him outside the pale of citizenship, the theme is not explicitly developed. Although *iudex*, etc. does not reach a frequency of 1.0% in the *prosopopoiia*, there are five occurrences of *iudex-ius-lex*. And although *res publica* does not appear, there are two occurrences of *publicus* (73.7 x2), one each of *populus Romanus* and *urbs* (both 73.3), and one more of *Romanus* (74.6).

1st sing.	2.3%
1st plur.	0.3%
2nd sing.	none
2nd plur.	0.8%

First-person singular references here reach their highest frequency since the preparations argument, but they are concentrated in the sentences introducing the *prosopopoiia*, and refer to Cicero. The *prosopopoiia* itself opens with the bold *occidi, occidi* (72.3), but then there are no references to the speaker until 75.1, at which point the identity of the *ego* is not clear; in 75.2, as already mentioned, it is probably Cicero. The last reminder that Milo is speaking comes in 72.3 itself, in the form of an interruption by the person under the mask, not identified by any first-person reference to Cicero, rather by a third-person reference to Milo. Cf. also on *nostrum* 74.3. Although first-person references are not necessary to indicate a

change of speaker, their scarcity must nevertheless contribute to the ease with which Cicero here slips out from under Milo's mask.

Figures for the syntax of the passage as a whole (three sentences, four units, and three parentheses) are dominated by the fact that the *prosopopoiia* is the longest and most complex sentence in the speech. 72.1-2 are not remarkable, nor does 72.2 give any indication of the length of the direct speech it introduces.

**72.1.**      Nec uero me, iudices, Clodianum crimen mouet,  
               nec tam sum demens, tamque uestri sensus ignarus atque expers,  
               ut nesciam  
               quid de morte Clodi sentiatis.

principal clauses – 2, in 2 units (*nec*; taking the first *nec* as retrospective)

subordinate clauses – 0/2 : *ut*, indir. qu. (*quid*)

opening clause – principal clause

levels of subordination – 2 (*quid de morte Clodi sentiatis*)

72.1 confirms the shift in the argument signalled at 67.1 by repeating the dismissal of the *Clodianum crimen*, expressed in terms of the speaker's not needing to worry about *iudices'* opinion on the death of Clodius. Two coordinate units first reject the *Clodianum crimen*, then assert the speaker's knowledge (deny his lack of knowledge) of the *iudices*; *tam* signals a result clause (*ut*) introducing what he knows: the opinion of the *iudices* (accusative-infinitive).

**nec uero me ... Clodianum crimen mouet:** the claim about the unimportance of the *Clodianum crimen* made at 67.1 is here recast in the first-person singular, but this cannot be taken as certain evidence that the earlier plural was *not* 'editorial'.

**72.2.**      De qua si iam nollem ita diluere crimen  
               ut dilui,  
               tamen impune Miloni palam clamare ac mentiri gloriose liceret:

principal clauses – 1

subordinate clauses – 2: *si*, *ut*

opening clause – conditional clause (connecting relative: *de qua*)

levels of subordination – 2 (*ut dilui*)

72.2 establishes a substantial new direction for the *tractatio* by claiming both that the charge has been adequately answered, and that if it had not been, Milo would have been able to utter a glorious lie. The first claim is presented as factual in a comparative clause (*ut*) with indicative verb, attached to the protasis of a conditional construction with verbs in the subjunctive establishing everything that follows as counterfactual. The apodosis emphasises the allowability through the adverb *impune* and the verb *liceret*; the infinitive *mentiri* adds another layer of unreality: if Milo were to do what he is not in fact doing, it would still be a lie. The speech verbs introduce the lengthy *prosopopoiia*.



**si iam nollem ita diluere crimen ut dilui:** these words simultaneously assert that the *crimen* has been dealt with in its own terms and make way for an alternative approach which would ignore it entirely.

**72.3-75.3** constitute the lie mentioned at the end of the preceding sentence, expressed as a lengthy *prosopopoiia* of Milo in which he proclaims that he has killed Clodius and lists the latter's crimes at great length. The great *prosopopoiia* is by far the longest unit in the speech, with over forty clauses using over three hundred words.<sup>1</sup> The opening verb, *occidi, occidi*, is followed by three objects of which the first two are rejected (*non ... non ..., sed ...*); the 'priamel' structure focuses attention on the third. The rejected objects are historical figures, Spurius Maelius and Tiberius Gracchus (*cf.* 8.3, 83.1 for both; Ti. Gracchus is also mentioned at 8.2 and 14.2), who were killed (by somebody) on the grounds that they were a threat to the state; these act as foils for the actual object, Clodius – who is not named. The obvious implication of the comparison is that Clodius was an even greater threat to the state. To reinforce this implication, each object is accompanied by a relative clause or clauses: one each for Maelius and Gracchus, summing up the activity which made them a threat to the state (plus one for both Maelius *and* Gracchus, claiming that their killers are universally praised); seventeen for Clodius, identifying the person referred to by listing a wide range of his wicked deeds.

Within the twenty relative clause-complexes there is a variety of subordination in terms of both amount and complexity, but the repetition of the basic structure, the relative clause, provides consistency: no matter how many levels of subordination have been reached since the last relative pronoun, the next one returns to the same old starting-point. This consistent element of repetition renders the sentence far easier to follow.<sup>2</sup> As the sentence progresses and the principal clause recedes into the distance, the relative clause-complexes begin to have an effect very similar to the one which would have been created by separate sentence-units: Clodius did X; he did Y; he did Z; .... Overall, however, this structure has a very different effect from that of a sequence of independent sentence-units, especially given the variety of subordination used; the repeated relative pronoun gives the list some unity.<sup>3</sup>

The parallel between the relative clause-complexes and individual sentence-units justifies numbering them separately, which is also convenient for purposes of reference. The first nine (end of 72.3-74.1) open with a repeated *eum*, followed by the relative pronoun in a variety of cases. After this there is a slight shift in the expression of the repeated element, coinciding with a shift in subject-matter from political to property-related crimes (the key word *possessionum* appears at the end of 74.1). There are no further accusatives, but continuity of structure is signalled instead by the relative pronoun, consistently the nominative *qui*. The shift is not otherwise marked by syntactical variation, which seems

<sup>1</sup> The next longest unit, 52.1, has just over twenty clauses in just over one hundred words.

<sup>2</sup> There is a similar use of repeated structures in other long sentences in the speech, *e.g.*, 52.1, 67.2, 96.2-97.0.

<sup>3</sup> Elsewhere, lists of events are made noticeable by the stringing together of coordinate principal clauses without any subordination at all, *e.g.*, at 20.5 and 87.2 – the latter is another list of Clodius' crimes. A long string of these is sufficiently unusual to stand out.

primarily designed to create variety amidst the consistency, although it may also draw attention to particular ideas and create effects of climax. The most complex segments are 73.1-2 and 74.6-75.1. The first two involve interlacing; 73.2 is particularly complex. These are followed by three relative clauses containing a single embedded subordinate clause/ablative absolute (73.3-5), then six further relatives with no additional subordination (73.6-74.5). Many of these relatively simple structures are made more elaborate by the use of lists and contrasted pairs, sometimes with anaphora; most are longer in terms of words than the compact complex segment 73.1. 74.3 stands out for length and because it includes a parenthesis; after it two of the shortest and simplest segments create a lull before the two most complex sentences of all. These form a climax of sorts, presenting two of Clodius' most daring actions (the latter contains an anacoluthon as well as several levels of subordination), but the climax in this case is not closural: they are followed by two more clauses (one with only one level of subordination, one with two) topping these daring actions with actions directed against Clodius' own family – a different kind of climax, expressed in relatively simple syntax.

**72.3.**    'Occidi, occidi,  
           non Sp. Maelium,  
               qui annona leuanda iacturisque rei familiaris,  
               quia nimis amplecti plebem uidebatur,  
               in suspicionem incidit regni appetendi,  
           non Ti. Gracchum,  
               qui conlegae magistratum per seditionem abrogauit,  
               quorum interfectores impleverunt orbem terrarum nominis sui gloria,  
           sed eum'  
                                   (auderet enim dicere,  
                                   cum patriam periculo suo liberasset)  
           'cuius nefandum adulterium in pulvinaribus sanctissimis  
           nobilissimae feminae comprehenderunt;

principal clauses – 1

subordinate clauses – 5: *qui, quia, qui, quorum, cuius*

nominative-infinitive – 1: *nimis amplecti plebem*

interruptions – 1 (*auderet ... liberasset*)

subordinate clauses – 1: *cum*

opening clause – principal clause

opening clause – principal clause

levels of subordination – 2 (*quia nimis amplecti plebem uidebatur*)

72.3. The long opening segment of the sentence establishes a basis for what follows, the priamel-structure and the relative clauses. The relative clause-complexes describing the crimes of Maelius and Gracchus are expressed in relatively mild terms, allowing some doubt about whether Maelius deserved his fate (*uidebatur, suspicionem*), and giving very little detail of Gracchus's activity and programme (*per seditionem*). The effect is to play down their crimes in order to create a contrast with the terrible deeds of Clodius. The introduction of the *actual* object of *occidi, occidi (sed eum)* is marked by an interruption, a parenthesis in the

voice of the orator, referring to Milo in the third person (*auderet, liberasset*). The subjunctive verbs constitute a reminder that all of this is counterfactual; the focus on what Milo would dare to do echoes the theme of allowability prominent at the end of 72.2; a temporal-causal clause (*cum*) justifies this allowability by praising his deed. The relative clause (*cuius*), which contains no further subordination, refers obliquely to the Bona Dea scandal by describing Clodius being caught by noble women as he was committing *adulterium* on divine couches. At this point the sense is complete; the subsequent relative clauses are additive.

**occidi, occidi:** the direct speech opens with a geminated first-person singular verb, which simultaneously indicates the boldness of the false claim being made and crystallizes the change of speaker, already made explicit in the previous sentence (*Miloni palam clamare ac mentiri*). But after this point the supposed speaker is not a prominent presence in the *prosopopoiia*: the next first-person references are in 74.3 (*nostrum*), 75.1 (*ego ... dicam*), and 75.2 (*ego*). All of these may refer to Cicero rather than Milo, especially the last.

**auderet enim dicere ...:** this reminder of the true communication-situation, in which Cicero is speaking about Milo, relies purely on content to identify the change of speaker: there is no first person, but the third-person subject of *auderet* and *liberasset* must be Milo, so the speaker must be Cicero.

**suo periculo:** cf. 63.1n.

73.1. eum  
       cuius supplicio  
       senatus  
       sollemnis religiones expiandas  
       saepe censuit;

subordinate clauses – 2: *cuius*, acc.-inf. (*cuius supplicio ... sollemnis religiones expiandas*)  
 levels of subordination – 2 (*cuius supplicio ... sollemnis religiones expiandas*)

73.1. The relative clause (*cuius*) is interlaced with an accusative-infinitive construction giving the senate's opinion (cf. a similar use of interlacing at 12.1, 13.1, 13.4, and especially 13.3, which also involves a relative). The description of an occasion of disagreement between Clodius and the senate is probably another reference to the Bona Dea scandal (and trial).

73.2. eum  
       quem  
       cum sorore germana nefarium stuprum fecisse  
       L. Lucullus iuratus  
       se,  
       quaestionibus habitis,  
       dixit  
       comperisse;

subordinate clauses – 4: *quem*, acc.-inf. x2 (*cum sorore ... fecisse*; *se ... comperisse*), abl. abs. (*quaestionibus habitis*)  
 levels of subordination – 3 (*cum sorore germana nefarium stuprum fecisse*; *quaestionibus habitis*)

73.2. The relative *quem* introduces a complex sequence of clauses on three levels of subordination. The first thing referred to, Clodius' supposed incestuous relations with his sister, Clodia Luculli, is expressed in an accusative-infinitive construction which requires an introduction of some kind. The nominative *L. Lucullus* suggests that this statesman, Clodia's husband, is the source of the information about the incest, and leads to the expectation of a speech-verb. Before it comes (*dixit*), the pronoun *se* indicates that there is another accusative-infinitive at an intermediate level of subordination: Lucullus not only said X, he said that he had discovered X. *Se comperisse* is interlaced with *Lucullus dixit*, and the complex has an ablative absolute embedded within it. The structure is relatively clear by the word *se*, but the complexity is substantial. Several of the elements included in the second half of the structure (*iuratus, quaestionibus, comperisse*) are designed to indicate that the accusation of incest is not wild invective but based on real evidence; the complexity may heighten the awfulness of the charge, with the speaker repeatedly interrupting himself to add the further corroboration necessary for such an accusation.

### 73.3. eum

qui ciuem

quem senatus, quem populus Romanus, quem omnes gentes

urbis ac uitae ciuium conseruatorem iudicant,

seruorum armis exterminauit;

subordinate clauses – 2: *qui, quem* [*quem* x3, 1 verb]

levels of subordination – 2 (*quem senatus .... conseruatorem iudicant*)

73.3. The fourth relative clause (*qui*) is interrupted by a second level relative clause (*quem*) which describes (without naming) Cicero himself, in glowing terms; the superordinate, when it is resumed, narrates his expulsion from Rome by Clodian violence.

**ciuem quem ....** it is tempting to link this oblique third-person reference to Cicero to the fact that it is supposedly Milo speaking, which may make the implicit self-praise more palatable. But is that self-praise any more egregious than that present in 39.2, which also focuses on widespread support for Cicero, and is unabashed in its use of the first person? Contrast the boldness with which Milo apparently describes himself as *grauissimi hominis ... fortissimi uiri* in 69.2; unless the apparent lack of modesty indicates that by the end of *that* sentence the supposed speaker has definitely 'slipped' from Milo back to Cicero, the phrasing *here* cannot be taken as confirming definitely that such slippage has *not yet* taken place. Cf. also 89.2.

### 73.4. eum

qui regna dedit, ademit,

orbem terrarum

quibuscum uoluit

partitus est;

subordinate clauses – 3: *qui* [2 clauses in asyndeton, first with 2 verbs], *quibuscum*

levels of subordination – 2 (*quibuscum uoluit*)

73.4. The fifth relative clause (*qui*), has three verbs with two objects, and an embedded relative clause (*quibuscum*); it describes Clodius' acting as if he owned the world.

73.5. eum  
       qui,  
           plurimis caedibus in foro factis,  
       singulari uirtute et gloria ciuem domum ui et armis compulit;

subordinate clauses – 2: *qui*, abl. abs. (*plurimis ... factis*)

levels of subordination – 2 (*plurimis caedibus in foro factis*)

73.5. The sixth relative clause (*qui*), with embedded ablative absolute (murder in the forum), refers allusively to Clodius' confining Pompeius to his house.

73.6. eum  
       cui nihil umquam nefas fuit nec in facinore nec in libidine;

subordinate clauses – 1: *cui*

73.6. The next relative clause (*cui*) claims that Clodius saw nothing wrong in criminal or lustful behaviour.

73.7. eum  
       qui aedem Nympharum incendit,  
           ut memoriam publicam recensionis,  
           tabulis publicis impressam,  
       exstingeret;

subordinate clauses – 2: *qui*, *ut*

participial phrases – 1: *tabulis publicis impressam*

levels of subordination – 2 (*ut memoriam publicam ... exstingeret*)

73.7. The next relative clause (*qui*) narrates Clodius' burning of the shrine of the Nymphs, followed by his purpose (*ut*): to destroy the records kept there.

74.1. eum denique  
       cui iam nulla lex erat, nullum ciuile ius, nulli possessionum termini,

subordinate clauses – 1: *cui*

74.1. The ninth relative clause (*cui*) claims that Clodius acknowledged no law or legality (cf. 73.6), and in this context introduces the idea of property (*possessionum termini*);

**denique:** this adverb usually indicates the last item in a series; this is not the last crime to be listed – although it is the last to be preceded by *eum*.

**cui ... termini:** the structure is *esse* + dative = 'X has', with three subjects introduced by polypoton of the adjective *nullus*, which creates an emphatic denial.

- 74.2. qui non calumnia litium, non iniustis iudiciis ac sacramentis alienos fundos,  
sed castris, exercitu, signis inferendis petebat;

subordinate clauses – 1: *qui*

74.2. The tenth relative, *qui*, is not preceded by an *eum*. The clause contrasts two methods of improperly obtaining other people's property, of which Clodius rejects the more peaceful in favour of the more violent (*non ... non ..., sed ...*).

- 74.3. qui non solum Etruscos  
(eos enim penitus contempserat)  
sed hunc P. Varium, fortissimum atque optimum ciuem, iudicem nostrum,  
pellere possessionibus armis castrisque conatus est;

subordinate clauses – 1: *qui*

parentheses – 1 (*eos ... contempserat*)

74.3. The next relative clause (*qui*) contrasts two of Clodius' victims (*non solum ... sed ...*) in his rapacious search for property; a parenthesis underlines his scorn for the first victim.

**iudicem nostrum:** this identification of Varius' role at the trial indicates that the communication-situation imagined at the current moment is the trial itself. As argued above, however, the glorious lie of Milo is not *certainly* presented as being delivered anywhere other than the trial; nevertheless, it may be that the slippage between speakers has already begun here.

- 74.4. qui cum architectis et decempedis uillas multorum hortosque peragrabat;

subordinate clauses – 1: *qui*

74.4. The twelfth relative clause (*qui*) continues to focus on property, describing one way in which Clodius would treat other people's properties as already his own: making plans for remodelling them.

- 74.5. qui Ianiculo et Alpibus spem possessionum terminarat suarum;

subordinate clauses – 1: *qui*

74.5. The next relative clause (*qui*) expresses the limits of Clodius' property ambitions in terms of a substantial portion of Italy.

- 74.6. qui,  
cum ab equite Romano splendido et forti, M. Paconio, non impetrasset  
ut sibi insulam in lacu Prilio uenderet,  
repente lintribus in eam insulam  
materiem, calcem, caementa, harenam conuexit,  
dominoque trans ripam inspectante  
non dubitauit aedificium exstruere in alieno;

subordinate clauses – 5: *qui ... -que, cum, ut*, abl. abs. (*dominoque ... inspectante*)

levels of subordination – 3 (*ut sibi insulam in lacu Prilio uenderet*)

74.6. The next relative clause-complex stands out after a series of points expressed with little or no subordination (cf. 72.3-75.3n.). The *qui* is immediately followed by a temporal-causal clause (*cum*), whose subject is also Clodius; this, with its dependent noun-clause (*ut*, indirect command after *impetrasset*), narrates the event which preceded/caused Clodius' action. The resumed relative clause has two components: his moving of building-materials on to another man's property, and then actual building. An ablative absolute preceding the second component stresses the real owner's helpless witnessing of the act.

75.1.       qui huic T. Furfanio,  
               cui uiro, di immortales!  
                   – quid enim ego de muliercula Scantia,  
                   quid de adolescente P. Aponio dicam?  
                   quorum utrique mortem est minatus,  
                   nisi sibi hortorum possessione cessissent –  
       sed ausum esse T. Furfanio dicere,  
               si sibi pecuniam  
               quantam posceret  
               non dedisset,  
               mortuum se in domum eius inlaturum,  
               qua inuidia huic esset tali uiro conflagrandum;

subordinate clauses – 7: *qui*, *cui*, acc.-inf. x2 (*ausum esse ... dicere*; *mortuum ... inlaturum*),  
*si*, *quantam*, *qua*

parentheses – 1 (*quid enim ... cessissent*) [*quid enim* x2, 1 verb]

subordinate clauses – 2: *quorum*, *nisi*

opening clause – principal clause

levels of subordination – 2 (*nisi sibi hortorum possessione cessissent*)

levels of subordination – 5 (*quantam posceret*)

75.1. The next relative clause (*qui*) begins by identifying Clodius' next victim, Furfanius; a second relative clause referring to this man (*cui*) is interrupted by an invocation of the gods and a double rhetorical question (*quid* x2 + deliberative subjunctive) listing yet other victims (with explanatory relative-conditional clause-complex, *quorum ... nisi* – for the combination of exclamation and question, cf. 41.1n.). The interrupted relative construction is never resumed; when the speaker returns to Furfanius the construction is accusative-infinitive, apparently influenced by *dicam* in the parenthetical question. In combination with the exclamatory parenthesis, this anacoluthon is probably designed to indicate a high level of emotion, such that the speaker actually loses track of his syntax. Clodius' action is itself a speech-act (*dicere*); what he says is a conditional construction with the protasis (*si*) preceding the apodosis (accusative-infinitive), which is then followed by a final relative clause (*qua* + subjunctive).

**quid enim ego ... dicam?** there is no way of determining with certainty whether *ego* here is Milo or Cicero, but the combination of self-interruption, question (even if it is the sort of question aimed at oneself, the self-questioning is here dramatized for an audience) and explicit first person constitute a dramatic return of the person of the speaker to the forefront of the sentence. A *mihi* which probably refers to Cicero follows shortly afterwards (75.2).

**in domum:** the grammars tell us that *domus* does not require a preposition when expressing place at/from/to which; W.9 gives this as an example of the accusative *domum* requiring/following the preposition *in* ‘When the actual building or place is meant’: *domum ferre* = ‘to bring home’: *in domum ferre* = ‘to bring into the house’.

**quantam posceret:** this relative clause (5/4) qualifies *pecuniam* in the conditional clause (4/3), which is dependent on the subsequent accusative-infinitive construction, *mortuum se ... inlaturum* (3/2), which is the object of the preceding accusative-infinitive construction, *ausum esse ...* (2/1). The level of subordination of this accusative-infinitive is debatable, due to the anacoluthon: if the resumed clauses are seen as subordinate to the unfinished relative clause, *qui huic T. Furfanio*, then *quantam posceret* is at the highest level of subordination in the speech (5). Cf. note on *nullis armis datis*, 70.1.

**75.2.**        *qui Appium fratrem, hominem mihi coniunctum fidissima gratia,  
absentem de possessione fundi deiecit;*

subordinate clauses – 1: *qui*  
participles – 1: *absentem*

75.2. A far shorter relative clause (*qui*) identifies his own brother Appius as another victim of Clodius’ property-lust.

**hominem mihi coniunctum fidissima gratia:** *mihi* here is presumably Cicero, whose sometimes rather rocky friendship with Clodius’ elder brother is attested in numerous letters (*Ad fam.* 3.1-13, to Appius; to others, e.g., *Ad Att.* 3.17, 4.23, 5.16, 6.1, *Ad Q. fr.* 2.10, *Ad fam.* 8.12). The commentators make this identification *ad loc.*, but only Reid and Colson comment on the slippage between speakers: ‘Cic. forgot that all this string of clauses began as a direct speech placed in Milo’s mouth’ (Reid); ‘Even in reporting real conversations, it is not unusual for the reporter to drift away into his own thoughts’ (Colson).

**75.3.**        *qui parietem sic per uestibulum sororis instituit ducere,  
sic agere fundamenta,  
ut sororem non modo uestibulo priuaret, sed omni aditu et limine.’*

subordinate clauses – 2: *qui, ut*  
levels of subordination – 2 (*ut sororem ... priuaret ... limine*)

75.3. The seventeenth, and last, relative clause (*qui*) maintains the focus on both property and family, describing a building-project of Clodius and its result (*sic ... sic ... ut*), his sister losing light and access to her *uestibulum*.

#### 76-83.1: The public good

After a summary of the victims of Clodius’ past crimes, attention is shifted to the future that has been averted by his death (76.1). In what follows, the focus is sometimes on that hypothetical future, sometimes on the real, positive future made possible by that death, and sometimes on the present, in which everyone rejoices at the death of Clodius but Milo may yet be punished for killing him; this in turn produces another imagined future. There are many topic-shifts but no explicit discussions of the progress of the argument to mark them



(cf. 78.5n.); frequent repetitions and recapitulations contribute further to the sense that this Argument is not being as strictly organized as the material on Self-Defence. Several passages are very emotional (e.g., 76.2, 79.1-5, 80.1-3, 81.4).

There can be no single correct way to paragraph this sequence of arguments; here the following passages have been separated out: discussion of what would have been yet to come from Clodius (76.1-3); possible and actual reactions to Milo's deed (77.1-3); hope for the future which would have been impossible had Clodius lived, leading into a remarkable thought-experiment and incorporating a claim that Cicero's personal hatred of Clodius is not excessively colouring his attack (78.1-79.5); comparison of Milo to Greek tyrannicides, and proclamation of its glory (79.6-80.3); discussion of the statesmanship, introduced by a reflection on what Milo might have thought pleasing to his fellow-citizens, centring on the concepts of *gratia* and the *uir fortis* (81.1-83.1). Several of these breaks have been placed before counterfactual conditionals which act as transitional points; sometimes the break could equally well have been placed after the conditional.

One function of these counterfactual conditionals seems to be to serve as reminders of the hypothetical status of much of the argument. 77.1 resembles a stronger version of the introductory counterfactual at 72.2, repeated again at 79.6; 80.3, and 81.1 (one counterfactual, one mixed) make the argument that Milo's willingness to admit killing in self-defence means that he would admit the more glorious deed of political assassination if he had performed it. Several of these conditionals themselves express arguments; all the arguments, whether general or specific to Clodius/Milo, depend on the exploitation of emotion and on a black-and-white picture of Roman politics rather than on real evidence; much of what is provided as evidence (e.g., the claims of universal rejoicing) is questionable to say the least.

Word-group	Frequency	Occurrences
? <i>posse/potius</i> *	1.5%	13 (11/2)
<i>populus/publicus</i> *	1.4%	12 (4/8)
? <i>res</i> *	1.4%	12
<i>ciuis/ciuitas</i> *	1.1%	9 (4/5)
<i>gratus/ingratus</i>	1.0%	8 (5/3)
<i>uir/uirtus</i>	1.0%	8 (6/2)
(842 words)		

76.1 shifts attention from the past crimes of Clodius, which are summarized, to the ones which he was threatening to commit when he was providentially removed from the scene. There is a shift in terms of time-frame, but not perhaps in terms of overall topic, although the rhetorical question is phrased in such a way as to suggest the impending disaster would have been greater than ever before. Since this break-point has been chosen largely because it is the point where the long syntactic unit of the *prosopopoiia* has come to an end, and because of a feeling that the Public-Good Argument should be sub-divided *somehow*, there is no strong pressure to find topic-sentence features here. The fact that the sentence points both backwards and forwards might be counted as a topic-sentence feature, although other sentences which are not particularly strong candidates for topic-sentences do the same. The sentence does contain two 'interesting' and two 'colourless' words from the frequently

occurring groups listed in the table: *publicus* and *ciuitas*; *res* and *posse*. This is neither a particularly strong concentration nor a particularly informative group of words.

The passage is relatively lacking in repetition: six frequent word-groups (four ‘interesting’) make up 7.4% of the argument (4.4% ‘interesting’); cf. note on 72-75 for the five lowest percentages without ‘interesting’ words. It must be pointed out that the passage is the longest one examined here, and dividing it roughly in two does produce rather higher figures for the two shorter passages, with the second half displaying more repetition than the first (11.8%/7.6% for 76.1-78.7 [382 words]; 12.1%/9.3% for 79.1-83.1 [460 words]). Of the six word-groups in the table above, three (*res*, *posse*, etc., and *populus/publicus*) are ‘frequent’ – and about equally so – in both passages; five of the occurrences of *ciui(ta)s* are in the first ‘half’, while all of the occurrences of *(in)gratus* and seven of the occurrences of *uir(tus)* are in the second. The other word-groups reaching a frequency of 1.0% or more in the first half are *iudex/iudicium/iudicare* (5), *uidere* (5), *modus* (4), *omnis* (4), and *uerus/uere/uero* (4); in the second they are: *confiteri/confessio* (6), *facere* (6), *mors/mortuus/immortalitas* (5), and *putare* (5). These data suggest that while the passage as a whole has a strong political element, the first ‘half’ may place some emphasis on trials/judgement, citizen(ship)/the state, see(m)ing, the way things are done, universalizing, and truth, the second on *gratia* (difficult to translate), admitting one’s actions, death, and thought.

This experiment was only designed to question the low repetitiousness apparently displayed by 76.1-83.1 as a whole, and is not supposed to indicate that 79.1 is an important topic-shift, although it is perhaps a minor one: it has close connections with (is carefully prepared for by?) 76.2 and 78.1-3. This passage, and to some extent the Public-Good Argument as a whole, is made up of a sequence of closely interrelated topics, with much revisiting of themes after they have apparently been dealt with. The results of the experiment do not show a particularly *high* level of repetition in the short passages, but they do perhaps call into question the original *low* percentages, one of which made 76.1-83.1 look no more repetitious than the *prosopopoiia*. The results also raise the possibility that 842 words is too long a passage to measure by the current technique. To confirm or deny this would require further comparative work, preferably including other texts.

Some brief notes on the words appearing in the table above, and other themes being tracked through the speech. There are eight occurrences of *res publica*, two of *populus Romanus*, two more of *populus*, nine of *ciui(ta)s*, and two of *urbs*. Both *(in)gratus* and *uir(tus)* are also highly political; *uir* is used of Pompeius, Milo, tyrannicides, and unspecified statesmen. The semantic field represented by *iudex-ius-lex* is prominent in 77-79, with ten occurrences (3/2/5).

1st sing.	3.1%
1st plur.	1.5%
2nd sing.	none
2nd plur.	4.3%

The frequency of first-person singulars and second-person plurals goes up again after the great *prosopopoiia*, and the speaker is generally Cicero; a brief passage of direct speech given to Milo at 77.1 (including three first-person forms) rounds off the first sequence of *prosopopoiiai*, which have formed a bridge from the address to Pompeius into the Public-

Good Argument. References are made about equally to Cicero-the-orator and Cicero-the-politician, perhaps signifying that these two personae are merging more and more as the speech reaches its climax. First-person plural references also go up to a higher frequency than they have achieved since the first preliminary argument; they refer to various entities, and several are universalizing: the Roman people (77.1, 78.2), Cicero and the *iudices*/all humanity (79.1), the defence-team (79.1 – note the swiftness with which the referent can change), Cicero and other statesmen (82.1), possibly Cicero alone (83.1n.). Many of the second-person plurals may also be universalizing.

Syntactically, the sentences in the passage are largely lacking in noteworthy complexity factors, possibly giving the audience a rest after the endless relative clauses of the great *prosopopoiia*.

- 76.1.** Quamquam haec quidem iam tolerabilia uidebantur,  
           etsi aequabiliter in rem publicam, in priuatos, in longinquos, in propinquos,  
           in alienos, in suos inruebat,  
       sed nescio quo modo  
       usu iam obduruerat et percalluerat ciuitatis incredibilis patientia;  
           quae uero aderant iam et impendebant,  
       quonam modo ea aut depellere potuissetis aut ferre?

principal clauses – 3, in 3 units (*sed, uero*) [2 verbs in second]

subordinate clauses – 1/0/1: *etsi, quae*

opening clauses – principal clause; principal clause; relative clause (sentence-adverb: *uero*)

76.1 moves the argument on by contrasting the populace's remarkable tolerance of Clodius' past crimes, as listed in the *prosopopoiia*, with the claim that, if he had lived, it would have been impossible to bear the crimes he would have committed in the future. The surprising opening claim is followed by a concessive clause (*etsi*) providing further reason to be surprised; the second unit provides an explanation: *ciuitatis incredibilis patientia*. What is here punctuated as a third coordinate unit (relative clause, *quae*; question, *quodam modo*) introduces the imagined future, in contrast to the past.

- 76.2.** Imperium ille si nactus esset,  
       omitto socios, exteras nationes, reges, tetrarchas,  
       uota enim faceretis  
           ut in eos se potius immitteret  
       quam in uestras possessiones, uestra tecta, uestras pecunias  
           – pecunias dico?  
           a liberis, me dius fidius, et a coniugibus uestris  
           numquam ille effrenatas suas libidines cohibuisset!

principal clauses – 4, in 4 units (*enim*, interruption, asyndeton)

subordinate clauses – 1/1/0/0: *si, ut*

opening clause – conditional clause; principal clause; principal clause; principal clause

76.2 enhances the picture of the hypothetical future mentioned in the preceding sentence by describing the universal threat Clodius would have posed as praetor in a counterfactual

conditional construction. The opening counterfactual protasis (postponed *si*, subjunctive verb) expresses the idea of Clodius' election to the praetorship (acquisition of *imperium*), and is followed by an indicative verb, *omitto*, giving the initial impression of a self-referential parenthesis, specifically a *praeteritio*, rather than the apodosis. The next unit could be the protasis, but *enim* suggests it is a tag following the parenthesis, explaining the speaker's omission. It is followed by a noun-clause (*ut*, indirect command) whose sense is potentially complete when it is interrupted by a self-referential question (*dico*), after which another principal clause with its verb in the subjunctive has the same possible double function (explanation of interruption/apodosis). The effect is not so much anacoluthon as multiple interruptions that never quite derail the syntax (polyacoluthon?).

**uota enim faceretis:** in accordance with the interpretation of this clause as a tag attached to the *omitto*-clause rather than the apodosis of the opening conditional clause, this subjunctive has been listed as potential outside a conditional sentence in Syntactic Index 2.4.3. The same treatment could be applied to the last clause of the sentence, but the fact that this clause *can* logically act as the apodosis to the opening conditional makes an important contribution to the effect described: the feeling that the syntax of the sentence remains intact. For this reason *a liberis ... cohibuisset* has not been listed beside *uota enim faceretis*.

76.3.       Fingi haec  
              putatis

              quae patent,  
              quae nota sunt omnibus,  
              quae tenentur:

              seruorum exercitus illum in urbe conscripturum fuisse,  
              per quos totam rem publicam resque priuatas omnium possideret?

principal clauses – 1

subordinate clauses – 6: acc.-inf. (*fingi haec*), *quae*, *quae*, *quae*, acc.-inf. (*seruorum ... fuisse*), *per quos*

opening clause – accusative-infinitive

levels of subordination – 3 (*per quos ... possideret*)

76.3 narrows the focus on Clodius' praetorship to the laws that he intended to pass, in a question related to the 'do you not know?'-type: 'do you think that these things are made up, i.e., not true?' (cf. the first mention of his laws at 33.1). The idea of invention comes first, in an accusative-infinitive construction dependent on the following *putatis*; three short relative-clauses (*quae* x3) assert that *haec* are not invented, but widely known. A second accusative-infinitive construction (plus dependent relative clause, *per quos*) then explains *haec*; this explanation gives the first hint in the speech as to the *content* of the laws.

77.1.       Quam ob rem si cruentum gladium tenens clamaret T. Annius:  
              'adeste,

              quaeso,  
              atque audite, ciues!  
              P. Clodium interfeci;  
              eius furores,

quos nullis iam legibus, nullis iudiciis frenare poteramus,  
 hoc ferro et hac dextera a ceruicibus uestris reppuli,  
 per me ut unum ius aequitas, leges libertas,  
 pudor pudicitia maneret in ciuitate!’,  
 esset uero timendum  
 quonam modo id ferret ciuitas?

principal clauses – 1

subordinate clauses – 2: *si*, indir. qu. (*quonam modo*)

participial phrases – 1: *cruentem gladium tenens*

embedded *oratio recta* – 1 (*adeste ... maneret in ciuitate*)

principal clauses – 3, in 3 units (asyndeton x2) [2 verbs in first]

subordinate clauses – 0/0/2: *quos, ut*

parentheses – 1 (*quaeso*)

opening clauses – principal clause; principal clause; principal clause

levels of subordination – 1

opening clause – conditional clause (connecting relative: *quam ob rem*)

levels of subordination – 1

77.1 deduces (*quam ob rem* – from the threat posed by Clodius in the future, if he had lived) that Milo would not need to fear the reaction of the populace in the present, if he had deliberately set out to abolish this threat by killing Clodius (which he did not). The counterfactual conditional frame (*si*) encloses another, shorter *prosopopoiia* of Milo; the clause introducing the direct speech here is subordinate, and an apodosis must follow.

**si ... clamaret:** the verb echoes 72.2. Given that the opening clause is an unreal conditional, a subjunctive will probably have been expected in the apodosis, and the early appearance of *esset* in the apodosis may be intended to confirm that the direct speech is complete. (The last verb in the direct speech is also an imperfect subjunctive, but it is heralded by *ut* and cannot have been taken as belonging to the apodosis.)

**adeste, quaeso, ... ciues:** like the great *prosopopoiia*, this shorter one opens with emphatic reference to speaker and addressee, which establishes the new communication-situation firmly in the mind of the external audience. First- and second-person references continue through the short passage of direct speech (*interfeci, reppuli, me; poteramus; audite, vestris*).

**poteramus:** this first-person plural inside the direct speech is universalizing: the *ciues* addressed by Milo, it is implied, have shared in his wish (and his failure) to restrain Milo.

**a cervicibus uestris:** Milo’s supposed words echo Cicero’s above in their claim that Clodius was a threat to his addressees (*in uestras possessiones, ..., 76.2*).

77.2. Nunc enim quis est

qui non probet,

qui non laudet,

qui non

unum post hominum memoriam T. Annium

plurimum rei publicae profuisse,

maxima laetitia  
populum Romanum, cunctam Italiam, nationes omnis adfecisse,  
et dicat et sentiat?

principal clauses – 1

subordinate clauses – 5: *qui, qui, qui* (2 verbs), acc.-inf. x2 (*unum ... profuisse; maxima ... adfecisse*)

opening clause – principal clause

levels of subordination – 2 (*unum ... profuisse; maxima ... adfecisse*)

77.2 presents a contrast to the rejected possibility of a negative reaction by claiming that the actual response to Milo's deed is universally positive. A rhetorical question expecting the answer 'nobody' is followed by three relative clauses with four verbs (*qui non* x3, *et ... et*); the third contains embedded direct speech expressing the universal opinion.

**plurimum rei publicae profuisse:** *plurimum* is either adverbial or internal accusative; cf. *nihil prosit* 30.2n., *plus ualet* 34.5n.

77.3. Non queo

uetera illa populi Romani gaudia quanta fuerint  
iudicare;  
multas tamen iam summorum imperatorum clarissimas uictorias aetas nostra uidit,  
quarum nulla neque tam diuturnam laetitiam attulit nec tantam.

principal clauses – 2, in 2 units (*tamen*)

subordinate clauses – 1/1: indir. qu. (*quanta*); *quarum*

opening clause – principal clause

levels of subordination – 1

77.3 develops the theme of the positive response to Milo's deed by claiming that no other event in living memory has brought about such rejoicing. The two antithetical units (the first with embedded indirect question, *quanta*; the second with following relative clause, *quarum*) imply a comparison between the communal joys of the past, which the orator cannot judge, and those of his own lifetime, which he can.

**non queo ... aetas nostra:** the downbeat first-person singular is replaced by a universalizing plural in the second half of the antithesis.

78.1. Mandate hoc memoriae, iudices:

spero  
multa uos liberosque uestros in re publica bona esse uisuros;  
in eis singulis ita semper existimabitis:  
uiuio P. Clodio  
nihil eorum uos uisuros fuisse.

principal clauses – 3, in 3 units (introduction; asyndeton)

subordinate clauses – 0/1/2: acc.-inf. (*multa ... uisuros*), abl. abs. (*uiuio P. Clodio*), acc.-inf. (*nihil ... fuisse*)

opening clause – principal clause; principal clause; principal clause

levels of subordination – 2 (*uiuio P. Clodio*)

78.1 shifts focus to the actual future by inviting the *iudices* to hope and claiming that this future would have been impossible if Clodius had lived. The pronoun *hoc* in the opening instruction to the *iudices* (imperative *mandate*) introduces a second unit expressing the orator's hope (*spero* + accusative-infinitive), followed by a third expressing the thoughts that will accompany the hoped-for state of affairs (*existimabitis* + accusative-infinitive, with preceding ablative absolute expressing hypothetical circumstances).

**spero:** this first-person verb might be taken as simply involving the speaker in what he is saying, regardless of his identity, but since the hope expressed is based on a political viewpoint it could be argued that Cicero the politician is also invoked here; *cf.* also *confido* in the next sentence. The close proximity of *spero* to the second-person plurals that precede and follow it unites the speaker with his addressees – his hopes are for them; in the second unit of the sentence their own opinion is confidently stated.

**uos liberosque uestros:** another reference to children echoes *a liberis ... uestris* above (76.2), as the speaker continues his attempt to involve the *iudices* (and the orders they represent) in the blessings following Clodius' death.

78.2. In spem maximam et,  
       quem ad modum confido,  
 uerissimam sumus adducti,  
       hunc ipsum annum,  
       hoc summo uiro consule,  
       compressa hominum licentia,  
       cupiditatibus confractis,  
       legibus et iudiciis constitutis,  
 salutarem ciuitati fore.

principal clauses – 1

subordinate clauses – 6: *quem*, acc.-inf. (*hunc ... fore*), abl. abs. x4 (*hoc ... consule*; *compressa ... licentia*; *cupiditatibus confractis*; *legibus ... constitutis*)

opening clause – principal clause

levels of subordination – 2 (*hoc summo uiro consule*; *compressa hominum licentia*; *cupiditatibus confractis*; *legibus et iudiciis constitutis*)

78.2 develops the theme of hope for the future by identifying reasons for that hope inherent in current circumstances. The structure echoes elements of 78.1: principal clause referring to a hope expressed in an accusative-infinitive construction; the embedded ablative absolutes here refer to actual rather than hypothetical circumstances.

78.3. Num quis igitur est tam demens  
       qui  
       hoc  
       P. Clodio uiuo  
       contingere potuisse  
 arbitretur?

principal clauses – 1

subordinate clauses – 3: *qui*, acc.-inf. (*hoc ... potuisse*), abl. abs. (*P. Clodio uiuo*)

opening clause – principal clause

levels of subordination – 3 (*P. Clodio uiuo*)

78.3 repeats the claim made in the second half of 78.1, that a better future would have been impossible if Clodius had lived, in another question related to the ‘do you not know’-type (cf. 77.2): ‘who is so mad as to think X?’ The opening *num quis* indicates that the expected answer is, again, ‘nobody’; a consecutive relative clause (*qui* + subjunctive, heralded by *tam*) contains the accusative-infinitive construction expressing X. An embedded ablative absolute expresses the same hypothetical circumstances as in 78.1.

#### 78.4. Quid? ea

quae tenetis priuata atque uestra,  
dominante homine furioso,  
quod ius perpetuae possessionis habere potuissent?

principal clauses – 1

subordinate clauses – 2: *quae*, abl. abs. (*dominante ... furioso*)

opening clause – principal clause

levels of subordination – 2 (*dominante ... furioso*)

78.4 shifts focus from the future which is now possible to the hypothetical future referred to in 76.2-3, imagining what would have happened if Clodius had lived and acquired power. Another rhetorical question (with opening marker, *quid?*) invites the audience to supply the answer ‘none’; a focus on private property is indicated in the embedded relative clause (*quae*). An ablative absolute again expresses the circumstance of Clodius being alive; *dominante* and *furioso* together suggest *why* there would be no private property rights.

#### 78.5. Non timeo, iudices,

ne odio mearum inimicitiarum inflammatus  
libentius haec in illum euomere uidear  
quam uerius.

principal clauses – 1

subordinate clauses – 1: *ne*

opening clause – principal clause

78.5 introduces the issue of Cicero’s personal enmity with Clodius, claiming that it does not affect the truth-value of his attacks made on the latter in the preceding sentences. The opening declaration that the orator is not afraid (of seeming to exaggerate the threat posed by Clodius, noun-clause of fear, *ne*) echoes substantial topic-sentences at 67.1 and 72.1, as well as, further away, the opening of the speech. Perhaps this point is supposed to seem like a topic-shift; it comes a little under halfway through 77-83.1, which has not otherwise been subdivided in my analysis of the speech. But the justification which follows is brief – this is *not* a substantial topic-sentence – and the discussion which follows is very similar in focus to what precedes.



**non timeo ... mearum inimicitiarum:** *non timeo* need not necessarily evoke Cicero the politician rather than Cicero the speaker, but it is swiftly followed by one of the most explicit comments on Cicero's political position vis-à-vis Clodius in the entire speech.

78.6. Etenim si praecipuum esse debebat,  
tamen ita communis erat omnium ille hostis  
ut in communi odio paene aequaliter uersaretur odium meum.

principal clauses – 1

subordinate clauses – 2: *etenim si, ut*

opening clause – conditional clause (sentence-particle: *etenim*)

levels of subordination – 1

78.6 defends the claim made in the preceding sentence by arguing that Cicero's personal enmity is only barely greater than the universal hatred of Clodius. The opening protasis (*etenim si*) is conditional-concessive (note *tamen* in the apodosis): 'even if X, still Y'; a consecutive clause (*ita ... ut*) gives the result of universal hatred: Cicero's personal enmity hardly stands out.

**communis ... omnium ille hostis:** one of the most explicit universalizing comments in the speech, this echoes 35.3 in the motive argument.

78.7. Non potest dici satis, ne cogitari quidem,  
quantum in illo sceleris, quantum exiti fuerit.

principal clauses – 1

subordinate clauses – 1: indir. qu. (*quantum (quantum x2, 1 verb)*)

opening clause – principal clause

78.7 reinforces the claim that everybody hated Clodius by asserting that neither words nor thoughts can express the extent of his wickedness and destructive power, in a double indirect question (*quantum x2*) following *dici* and *cogitari*.

79.1. Quin sic attendite, iudices,  
fingite animis  
(liberae sunt enim nostrae cogitationes,  
et quae uolunt  
sic intuentur  
ut ea cernimus  
quae uidemus),  
fingite igitur cogitatione imaginem huius condicionis meae:  
si possimus efficere  
Milonem ut absoluatis,  
sed ita  
si P. Clodius reuixerit –  
quid uoltu extimuistis?

principal clauses – 4, in 5 units (introduction, recapitulation, [missing apodosis], interruption)

subordinate clauses – 0/0/0/4/0: *si ... sed, ut, si*

parentheses – 1 (*liberae ...uidimus*)

principal clauses – 2, in 2 units (*et*)

subordinate clauses – 0/3: *quae, ut, quae*

opening clauses – principal clause; relative clause (sentence-conjunction, *et*)

levels of subordination – 2 (*quae uidemus*)

opening clause – principal clause; principal clause; principal clause; conditional clause; principal clause

levels of subordination – 3 (*si P. Clodius reuixerit*)

79.1 introduces a thought-experiment in which Clodius is imagined as brought back to life, by inviting the *iudices* to attempt this impossible task; the experiment is apparently interrupted when the speaker notes the horror on the faces of his audience at the very idea, but the interruption is the whole point: to corroborate the claim that everybody hated Clodius. The instructions to the *iudices* have to be recapitulated after a lengthy parenthesis asserting the power of thought (two principal clauses and three subordinate clauses). The words *imaginem huius condicionis meae* act as an ‘introducing’ phrase, and the thought-experiment follows, opening with a conditional protasis (*si*). A noun-clause (*ut*, object of *efficere*) expresses the idea of Milo’s acquittal; a second conditional (*si*, protasis to the *ut*-clause) expresses the idea of that acquittal being dependent on Clodius’ resurrection. No apodosis for the first conditional, ‘if this were possible’, is expressed, but this does not impair the sense as it is easy to imagine that something along the lines of ‘what would you do?’ was intended to follow. Instead, the answer to ‘what would you do?’ is in a way supplied by the interrupting question which draws attention to the audience’s supposed reaction to the mere suggestion. The anacoluthon here vividly represents the reaction described.

**attendite ... fingite ... fingite:** these three verbs, following *adeste ... atque audite* in the short *prosopopoiia* at 77.1 and *mandate hoc memoriae* at 78.1, bring to a close one of the strongest concentrations of imperatives in the speech; the closest parallel is at 54.3-56.3 (*uidete, age, compare, adde, adde, adde*). The imperative can be read as creating even closer involvement between speaker and addressee than second-person verbs in the other moods.

**79.2.** Quonam modo ille uos uiuus adficeret,  
quos mortuus inani cogitatione percussit?

principal clauses – 1

subordinate clauses – 1: *quos*

opening clause – principal clause

79.2 reinforces the audience’s supposed reaction to the idea of Clodius’ resurrection by contrasting the effect he would have had if he had lived (hypothetical present) with the effect he still has now, even though dead (actual present). An answer to the opening rhetorical question is suggested by information presented in the following relative clause (*quos*): if an imaginary resurrected Clodius can strike fear into the *iudices*, a real one ...

- 79.3. Quid? si ipse Cn. Pompeius,  
       qui ea uirtute ac fortuna est  
       ut ea potuerit semper  
       quae nemo praeter illum,  
 si is,  
       inquam,  
 potuisset aut quaestionem de morte P. Clodi ferre aut ipsum ab inferis excitare,  
 utrum putatis  
 potius facturum fuisse?

principal clauses – 1

subordinate clauses – 5: *si* [*si* x2, interrupted/resumed], *qui*, *ut*, *quae*, acc.-inf. (*utrum potius facturum fuisse*)

parentheses – 1 (*inquam*)

opening clause – conditional clause (question-indicator: *quid?*)

levels of subordination – 4 (*quae nemo praeter illum*)

79.3 repeats the thought-experiment of 79.1 with a variation, focusing on whether Pompeius would bring Clodius back to life if he could. Another counterfactual conditional (introduced by an emotive *quid?*) is quickly interrupted by three further levels of subordination describing Pompeius' power (relative, *qui*; consecutive, *ut*; relative, *quae*), after which it must be recapitulated (*si is*; the recapitulation emphasized by parenthetical *inquam*, cf. 67.1). The interrogative apodosis (*utrum*) focuses on what the audience *think* would happen, and therefore has its verb in the indicative (*putatis*), followed by an accusative-infinitive construction.

**quae nemo praeter illum:** this elliptical relative clause (4) qualifies *ea* in the preceding consecutive clause (3), which answers *ea uirtute ac fortuna* in the preceding relative clause (2), qualifying *Cn. Pompeius* in the opening conditional clause (1). The high level of subordination reached in this clause-complex, which necessitates the marked resumption of the conditional clause halfway through the sentence (*si is, inquam*), is very similar to another sentence reading Pompeius' mind at 70.1, where the resumed accusative-infinitive construction needed a new accusative, *hunc*.

- 79.4. Etiam si propter amicitiam uellet illum ab inferis euocare,  
 propter rem publicam non fecisset.

principal clauses – 1

subordinate clauses – 1: *etiam si*

opening clause – conditional clause

79.4 develops the variation on the thought-experiment by claiming that, for the sake of the state, Pompeius would not wish to resurrect Clodius, answering the preceding question with a conditional construction of the concessive 'even if'-type (*etiam si*). The counterfactual implies that Pompeius would not want to resurrect Clodius for personal reasons either.

- 79.5.** Eius igitur mortis sedetis ultores  
           cuius uitam,  
           si putetis  
               per uos restitui posse,  
           nolitis,  
       et de eius nece lata quaestio est,  
           qui si lege eadem reuiviscere posset,  
           ista lex lata numquam esset.

principal clauses – 2, in 2 units (*et*)

subordinate clauses – 3/2: *cuius*, *si*, acc.-inf. (*per uos ... posse*), *qui*, *si*

opening clause – principal clause; principal clause

levels of subordination – 3 (*per uos restitui posse*)

79.5 concludes the thought-experiment by pointing out the irony of those who prefer Clodius dead nevertheless creating and participating in a *quaestio* apparently intended to avenge that death, in two repetitive correlative constructions (*eius ... cuius ...*; *eius ... qui ...*) with conditional protases embedded in the relative clauses (*si*, *si*); the first is further complicated by an interlaced accusative-infinitive construction. The conditionals are mixed: the protases express the ironized facts, that the *iudices* are in a position to avenge, and that a *quaestio* has been established to investigate (indicative verbs), a death which neither the *iudices* nor the sponsors of the law creating the *quaestio* would wish to undo if they could (subjunctive verbs).

- 79.6.** Huius ergo interfector si esset,  
           in confitendo ab eisne poenam timeret  
           quos liberauisset?

principal clauses – 1

subordinate clauses – 2: *si*, *quos*

opening clause – conditional clause (sentence-particle, *ergo*; shared nominative, *huius interfector*)

levels of subordination – 1

79.6 draws the general conclusion (*ergo*) that the killer of a man everyone prefers to be dead would not need to fear punishment, in another counterfactual conditional question (*cf.* 77.1).

- 80.1.** Graeci homines deorum honores tribuunt eis uiris  
           qui tyrannos necauerunt  
                           – quae ego uidi Athenis,  
                           quae in aliis urbibus Graeciae!  
                           quas res diuinas talibus institutas uiris,  
                           quos cantus,  
                           quae carmina!

principal clauses – 6, in 6 units (interruption, asyndeton x4)

subordinate clauses – 1/0/0/0/0/0: *qui*

opening clause – principal clause; principal clause; principal clause; principal clause;  
           principal clause; principal clause

80.1 implicitly shifts focus to the issue of how Clodius' killer should be treated by pointing out that those who dispose of tyrants in the Greek world are rewarded. The shift is signalled immediately by the opening nominative, *Graeci homines*, which has no connection with what precedes; who it is that the Greeks honour is reasonably obvious from context even before the following relative clause (*qui*) specifies tyrannicides. The subsequent emotive exclamations have here been punctuated as interruptions to the more sober opening construction; focusing on the orator himself as a witness to these honours, they also provide corroboration of the opening claim.

**80.2.** Prope ad immortalitatis et religionem et memoriam consecrantur;  
 uos tanti conseruatorem populi,  
 tanti sceleris ultorem non modo honoribus nullis adficietis,  
 sed etiam  
     ad supplicium rapi  
 patiemini?

principal clauses – 3, in 2 units (1/2: asyndeton; *non modo ... sed etiam*)

subordinate clauses – 0/0/1: acc.-inf. (*ad supplicium rapi*)

opening clause – principal clause; principal clause; principal clause

80.2 repeats the contrast between the divinization of Greek tyrannicides and the possible punishment of Milo (who has carried out a similarly praiseworthy deed) in two antithetical units. The first sums up the Greek custom; the second asks the *iudices* 'will you do X?', implying that they should not. An embedded accusative-infinitive construction expresses the idea of punishing Milo.

**conseruatorem ... non modo honoribus nullis adficietis, sed etiam ad supplicium rapi patiemini:** the construction changes in the middle of the *non modo ... sed etiam ...* sequence. The accusative *conseruatorem* is first the direct object of *adficietis*, then the subject of the infinitive *rapi* in an accusative-infinitive construction dependent on *patiemini*. Cf. 100.4n.

**80.3.** Confiteretur, confiteretur,  
     inquam,  
 si fecisset,  
 et magno animo et libenter,  
     se fecisse, libertatis omnium causa,  
     quod esset non confitendum modo sed etiam uere praedicandum.

principal clauses – 1 [geminated verb]

subordinate clauses – 3: *si*, acc.-inf. (*se fecisse ...*), *quod* [2 gerundives, 1x *esset*]

parentheses – 1 (*inquam*)

opening clause – principal clause

levels of subordination – 2 (*quod ... praedicandum*)

80.3 builds on the positive description of Milo's deed in the preceding sentence in order to claim that he would admit killing Clodius for the sake of the public good if he had done so. The opening subjunctive verb is emphatically geminated (further marked by parenthetical

*inquam*), then followed by a conditional protasis, *si fecisset*. As by this point in the speech everyone knows what it is Milo would admit doing, the sentence could end here; the phrases and clauses which follow are additive. The indirect speech dependent on *confiteretur*, along with its dependent double relative clause (*quod ... non ... sed ...*), takes the opportunity of describing the deed in glowing terms.

**magno animo:** ‘courageously’; comparison with 3.1 and parallels quoted there demonstrates how close this ‘abl. of Manner’ is in meaning to the ‘abl. of Quality’ – the former acts as an adverb, accompanying a verb (here *confiteretur*), while the latter acts as an adjective, accompanying a noun or acting as the complement of *esse*. There are seventeen in the speech (including two relative pronouns: 95.1, 101.3n.), almost all dealing with aspects of the mental state: 16.1 *sponte*, 20.4/29.3/35.5/63.1(3x)/80.3/81.3 *animo*, 26.3/53.3 *spe*, 47.2 *consilio*, 61.1 *mente*, 95.1 *uoltu*, 99.1 *dolore*. All the abl. nouns are accompanied either by an adj., even if only pronominal, or a dependent genitive (see W.48).