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Appius' Indignation: Gossip, Tradition, and Performance in Republican Rome

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Reading the *pro Caelio*'s account of Clodia's vengeful obsession with the young aristocrat Marcus Caelius, we are perhaps always at risk of behaving like those Romans who followed the common talk (*hominum sermo*) about the most scandalous aspects of Caelius' case: believing, that is, in what is said because it accords with Clodia's reputation (cf. Cic. *Cael*. 69). Aware of the pitfalls of credulity, scholars have long been anxious about whether the affair actually happened and was in fact a subject of gossip among Cicero's contemporaries.[1] We are right to wonder, since our doubt may not only determine our view of the speech as persuasion but also help us interrogate Roman misogyny as promulgated through judicial oratory and other types of public performance.[2] A Roman *quaestio* was of course supposed to elicit and divulge true information about a past event; the speeches, however, for both the prosecution and the defense, could be expected to take full advantage of sexual stereotypes and might well involve distortion of the facts. But perhaps our uncertainty about whether or not the affair represented new and reliable information for Caelius' jurors has prevented us from appreciating all that Cicero's *pro Caelio* can tell us about the dissemination of information and the function of performance in Roman society. As many have recognized, it is through the famous *prosopopoeia* of the vener-

[1]Craig 108–9 provides a useful summary of, and a balanced solution to, the debate. As also cited there, Heinze 228, 245–48 and Stroh 269–73 argue for and against general knowledge of the affair respectively, while Austin 86 and Reitzenstein 32 maintain that Cicero could not have been the first to mention in court a circumstance as potentially damaging to Caelius' standing (cf. Drexler 25, Wiseman 1985: 74, Classen 76 n. 74). Craig sees Cicero playing to both informed and uninformed members of the audience, although he admits that embracing either perspective on Cicero's persuasiveness requires a "leap of faith" (109).

[2]For Cicero's manipulation of female stereotypes, see Skinner, Geffcken 27–43, Lefkowitz 32–40.

able Roman censor Appius Claudius Caecus that Cicero first brings forth the key to his defense, namely, the premise that the charges of *aurum* and *venenum* leveled against Caelius arise not from any criminal activity on Caelius' part, but rather from the failed love-affair between Caelius and Clodia.[3] Recent criticism of the Appius passage has centered on the rhetorical significance of Appius' antiquated morality and the comic or stock invective elements of his denunciation of Clodia.[4] Yet, whatever the status of the love-affair, the introduction by Cicero's Appius of gossip about Clodia can shed welcome light for us on the Roman justice system. Indeed, through his performance as Appius, Cicero co-opts the informal and marginal information network of gossip from within the formal information system of Roman judicial procedure.[5]

[3]So already Heinze 232. For the individual charges and their division among Cicero and Crassus, Caelius' other *patronus*, see Austin 152–54. For Cicero's response to the general charge of *vis*, see the illuminating discussion in Riggsby 97–105.

[4]See Vasaly 172–90, esp. 174–75, 181; Geffcken, 18–19, 34. Scholars following Geffcken's emphasis on humor include Skinner, May 105–16, and, recently, Riggsby 97–105 (but cf. Wiseman 1985: 84, May 116). While I depart from the current tendency to describe the Appius passage's dramatic effects primarily in comic and/or trivializing terms, I certainly do not mean to deny the comic qualities of the speech, but rather to follow in a direction suggested in a certain sense by Salzman, for whom the speech's evocation of drama functions also as an attack upon the unconventional religious behavior of the Clodii (a further subject of gossip behind those I discuss here). The broad civic context recalled by Salzman suggests the benefits of widening the horizons of our interpretation beyond the specific festival circumstances of the *Ludi Megalenses*.

[5]Here "system" suggests the organized, even ritual *process* of information transmission in the judicial context, while "network" refers to a *set of interrelations* not necessarily defined by such organization (although, admittedly, views on the informality of gossip differ; cf. Bergmann 139–53, Spacks 13, Haviland 48–66). I assume a common definition of "gossip" as "idle talk or rumor, esp. about the personal or private affairs of others" *(Webster's Unabridged Dictionary*) and so do not adopt a binding distinction between gossip and rumor (cf. Bergmann 70, Rosnow and Fine 81–93). My perspective on the social and cultural function of gossip coincides with that of Schotter and Code (see my conclusions below). I am further indebted to Reumaux for my understanding of rumor and gossip as social phenomena and topics of critical concern. Discussions of Roman gossip are few. Laurence documents the importance of rumor to the overall functioning of the Roman political system. Millar 13–48 discusses a key Roman information network in examining the crowd's experience of the judicio-political system in the Roman forum. Richlin 81–104 describes interchange among the informal discourses of graffiti, gossip, lampoons, and

Cicero co-opts gossip by transforming it. Helped only partially by the teachings of ancient rhetorical theory with regard to *rumores* (about which see below), Cicero backs up his defense of Caelius' character by describing the latter's existence in the closely-monitored elite world of male public life. It is from the perspective of this world, epitomized by the figure of Appius Claudius Caecus, that Cicero launches his attack on the far less public and more vulnerable Clodia. Taking on the *persona* of Appius, Cicero repackages gossip in a manner appropriate to a Roman trial and magnifies Clodia's threat to Rome by allowing the audience to hear, as it were, the ill-report about Clodia through Appius' ears. To guide the audience's perception of the material he presents via Appius, Cicero adapts conventions of Roman public performance. Mime and comedy (emphasized by previous scholars) allow Cicero to represent Clodia's situation as ridiculous and stigmatize the inflammatory rhetoric of Caelius' accusers. But comic allusion alone would do little to make a Roman audience take the gossip about Clodia seriously. Cicero's most significant transformation of gossip in the Appius passage comes through his evocation of other kinds of Roman performance—aristocratic funeral ritual, *carmina*, and historical drama—designed to transmit authoritative (or at least what could be taken as authoritative) information about aristocratic houses and their members. Sponsored and vouched for by the elite, such performance had the advantage of being able to *show* rather than merely *tell* Roman audiences about Rome's illustrious past and about Rome's relationship to that past.[6] And Cicero's own performance as Appius shows us that eliciting solidarity with the dead was an effective rhetorical technique.

But the implications of Cicero's performance extend much further into Roman social, cultural, and ideological domains. Embodying the dependence of

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rhetorical invective (hardly institutionalized in the manner of judicial oratory). For the ethical basis of Roman political invective and its associations with slander, see Corbeill passim.

[6]On the centrality of elite-sponsored spectacle within Roman society, cf. Feldherr, Kyle, Dupont 1985. The ambiguity of the Latin term *fama* suggests that evocation of the illustrious dead was a especially effective way to manage gossip at Rome. *Sermo* and *rumor* regularly signify gossip as a means of information transmission as well as specific topics gossiped about (*OLD sermo* 4, 5; *rumor* 2); *opinio* and *fama* commonly refer to reputation, with *fama* used in particular for rumor, hearsay, and public opinion (*OLD opinio* 5; *fama* 2, 4, 5, 6). *Fama* however, can also be synonymous with *gloria*, and so stands at once for the vagaries of informal speech and its transformation into the institutionalized reputation of the dead (*OLD fama* 7). As does Cicero's Appius Claudius Caecus.

the formal on the informal, the elite on the marginal, Appius illustrates Roman gossip's creative social role in addition to its policing function. Appius represents the apotheosis, so to speak, of many different traditions of elite-sponsored performance within Rome, traditions whose essential part in both reproducing *and* re-creating Roman culture emerges powerfully through him.[7]

With scandalous gossip a key element in the attacks on Caelius as well as in Cicero's own speech, Cicero's strategy in the *pro Caelio* is two-fold: on the one hand, to de-legitimize outright the stories about his client, and, on the other, to re-focus opprobrium onto Clodia, the gossip about whom he seeks to transform and co-opt. These two operations are to some degree temporally distinct, since defusing the gossip about Caelius is among the first tasks Cicero takes up in the speech. A famous distinction between *accusatio* "formal accusation" and *maledictio* "slander" occupies a prominent place early in the *pro Caelio*'s *praemunitio*.[8] Outlining the difference between proper courtroom procedure and the tactics of his opponents, Cicero here insists that *accusatio* demands a charge, the definition of facts, the close consideration of a man's character, and the support of argumentation and witnesses. *Maledictio*, on the other hand, has no other purpose than to insult (6). Cicero later specifies that Caelius' prosecutors have spoken at length of lust, love-affairs, wild parties and the like (35), all material, Cicero implies, that is designed to capture the attention of a curious audience rather than build a solid case. Such techniques, he suggests, are not only misleading but dangerous, since at the most general and unmoderated level of discourse lurks *sermo*, which can proceed from arbitrary sources and attach to people simply by association, as Cicero suggests it has in the case of Caelius himself (18).

Cicero notes that the atmosphere of Caelius' trial has been tainted by the verbal license of the prosecutors and declares his own adherence to the rules of evidence-based procedure.[9] He claims to observe, for example, the discomfort of

[7]In this, Cicero's Appius is illustrative of the broader phenomenon of Roman elite representation of the dead, further aspects of which (in both the late republic and early principate) I address in the larger project from which this essay is drawn. For my understanding of the social function of performance, I am indebted especially to Roach (see p. 135 below).

[8]On the importance of *pro Caelio* 6 for our understanding of republican political invective, see recently Corbeill 17–18.

[9]Cicero's claim may strike us as odd in light of the fact that the republican judicial system did not have formal rules of evidence (Strachan-Davidson 121–24,

his youthful opponent Atratinus with *male dicendi licentia* "freedom of slander" and *libertas verborum* "licence with words" and expresses his mock-sympathetic wish that some more experienced orator had been asked to introduce such material (7–8). Clodia herself is portrayed as both a subject and a purveyor of uninhibited speech—she is *nota* "notorious," she delights in *libertas sermonum* (31, 49)—but Cicero insists that he will say nothing unless for the sake of refuting charges (31). In this way, Cicero claims, he will not be felt to engage in the promotion of hostility (32). Matching matter with matter, cause with cause, reason with reason, he will stick to *argumenta* and *signa* "arguments" and "proofs" (22). As a corollary to this delimitation of his own comportment, Cicero declares that of the various charges leveled against Caelius, only those pertaining to the gold and the poison are legitimate *crimina*; all the rest is slander (30).

Ancient rhetorical theory would have offered Cicero guidelines for stigmatizing and rejecting informal speech in this way, and Cicero is particularly close to theory when he dismisses what is said about Caelius as mere slander.[10] Following theory's directives, Cicero characterizes loose talk as both a basis of false charges and something capable of moving otherwise impartial parties to believe such charges, thereby eroding the very fabric of the judicial system. Rome itself, Cicero asserts, is already a *maledica civitas* "a slanderous state"

Greenidge 274, Zumpt 245–46). Rhetorical topoi governing Cicero's claim are discussed below.

[10]*Rhet. Her.* 2.12: *Contra rumores dicemus ... si ... aut iniquos nostros aut homines natura malivolos et maledicos confinxisse dicemus ... aut verum rumorem proferemus qui* (sc. *adversariis*) *aliquid turpitudinis adferat, neque tamen ei rumori nos fidem habere dicemus, ideo quod quivis unus homo possit quamvis turpem de quolibet rumorem proferre et confictam fabulam dissipare* "We will speak against rumors ... if ... we say that our enemies or men by nature malevolent and slanderous invented them ... or produce a true report carrying some disgrace [to our adversaries] and yet say that we have no faith in it because any person at all can produce and spread any disgraceful rumor or fictitious story about any other person." The same passage offers arguments for *rumores* in separate circumstances. See further Quint. *Inst*. 5.1.1, which locates *rumores* among the proofs not invented by the orator (cf. Arist. *Rh.* 1355b35–38). *Rhet. Her.* 4.47 describes the duty of a witness as to say "what he knows or what he has heard" and *opinio* is one of the *adiuncta* to the trial that can be useful as a prooimial *locus* (Quint. *Inst*. 4.1.31 referencing Cic. *Ver.* 1). Cicero frequently claims to reproduce the common gossip about individuals as a means of stigmatizing his enemies and opponents (above all, Clodius); cf. Richlin 83–86, Laurence 64. For my discussion of rhetorical theory I have relied especially on Lausberg.

(38), where citizens can be put at judicial peril on the basis of unsubstantiated incriminations, a place where everyone is at risk.

But the handbooks, which offered arguments for and against the use of *rumores* in separate circumstances, could be only partially helpful to Cicero once he had decided, in effect, to accept some rumors (those on Clodia) and reject others (those on Caelius). Cicero's discussion of Caelius' participation in Roman political life, for example, shifts attention away from gossip to Caelius' public *persona*, with the result that the sexual gossip about Caelius is discussed as, on the one hand, that which is said baselessly about any prominent, good-looking young man and, on the other hand, stories of youthful peccadilloes of the sort that are soon outgrown under the tutelage of upstanding public men. Cicero begins this process early in the *praemunitio*, when he suggests that Caelius is being slandered simply for being handsome (6). He goes on to recall that in his own youth, the public's perception that one was, like Caelius, a *vir inter viros* "man among men" ensured the stability of one's *fama* and a reputation for *pudicitia*. Assiduous attention to public comportment was the only way a young man could make certain that *nemo loquebatur* "no one was talking" (11). Cicero points to Caelius' public association with particular upstanding men, such as Caelius' own father and Cicero himself (9), and uses this as the basis of his retort to the charge of Caelius' having been an acquaintance of Catiline (10–15).[11] Cicero insists, in other words, that Caelius has lived in the most closely-monitored arena of elite male political activity and ought to be assessed according to its rules rather than according to the vagaries of gossip over trivial matters.

An emphasis on public life also helps his attack on Clodia because, as a woman, she possesses virtually no public *persona* other than that ascribed to her by word-of-mouth. Any ill-report about Clodia is particularly shocking given the illustrious family of her birth. She is thus far more vulnerable than Caelius to judicial manipulation of gossip about her.[12] Not surprisingly, Clodia's *gens*

[11]Cicero admits to having himself been taken in by Catiline before he achieved an unobstructed perception of Catiline's true nature—before he could rely, that is, on his own eyes to confirm the *opinio* surrounding Catiline's acts (*Cael.* 14). On the importance of a young man's public associations, cf. Vasaly 184.

[12]Indeed, in a notorious sexual double-standard, the example of Roman public figures helps Cicero excuse Caelius' involvement in the affair with Clodia while holding Clodia morally accountable for the same affair. Many, Cicero insists, of the most illustrious Roman men, even in the times of the ancestors, fell victim to *cupiditas* and *libido* in youth, only to have their *virtus* emerge in full force during their

and *fama* figure prominently in the *prosopopoeia* of Appius Claudius Caecus that inaugurates Cicero's attack (*Cael*. 33–34):

> Sed tamen ex ipsa quaeram prius utrum me secum severe et graviter et prisce agere malit, an remisse et leniter et urbane. Si illo austero more ac modo, aliquis mihi ab inferis excitandus est ex barbatis illis, non hac barbula qua ista delectatur sed illa horrida quam in statuis antiquis atque imaginibus videmus, qui obiurget mulierem et qui pro me loquatur ne mihi ista forte suscenseat. Exsistat igitur ex hac ipsa familia aliquis ac potissimum Caecus ille; minimum enim dolorem capiet qui istam non videbit. Qui profecto, si exstiterit, sic aget ac sic loquetur: 'Mulier, quid tibi cum Caelio, quid cum homine adulescentulo, quid cum alieno? Cur aut tam familiaris fuisti ut aurum commodares, aut tam inimica ut venenum timeres? Non patrem tuum videras, non patruum, non avum, non proavum, non abavum, non atavum audieras consules fuisse; non denique modo te Q. Metelli matrimonium tenuisse sciebas, clarissimi ac fortissimi viri patriaeque amantissimi, qui simul ac pedem limine extulerat, omnis prope civis virtute, gloria, dignitate superabat? Cum ex amplissimo genere in familiam clarissimam nupsisses, cur tibi Caelius tam coniunctus fuit? cognatus, adfinis, viri tui familiaris? Nihil eorum. Quid igitur fuit nisi quaedam temeritas ac libido? Nonne te, si nostrae imagines viriles non commovebant, ne progenies quidem mea, Q. illa Claudia, aemulam domesticae laudis in gloria muliebri esse admonebat, non virgo illa Vestalis Claudia quae patrem complexa triumphantem ab inimico tribuno plebei de curru detrahi passa non est? Cur te fraterna vitia potius quam bona paterna et avita et usque a nobis cum in viris tum etiam in feminis repetita moverunt? Ideone ego pacem Pyrrhi diremi ut tu amorum turpissimorum cotidie foedera ferires, ideo aquam adduxi ut ea tu inceste uterere, ideo viam munivi ut eam tu alienis viris comitata celebrares?'

> But I would first inquire of the woman herself whether she would prefer me to deal with her in a stern, solemn, antique manner or in a light-hearted, playful, modern way. If in the austere manner, I must conjure up from the underworld one of those bearded men—not wearing a little beard like the one she delights in, but that unkempt beard which we see on antique statues and masks—a man who will upbraid the woman and will speak in my place so

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careers as adults (43). Clodia's virtue as a woman is not subject to a similar recuperation once undermined.

> that she does not happen to become angry at me. Let there rise up someone from this very family—and best of all the famous Caecus. For he will be the least pained since he will not see her. If he arises he will act and speak like this: 'Woman, what business do you have with Caelius, what business with a young man, with a stranger? Why were you either so familiar with him that you would lend him money or so inimical to him that you would fear poison? Had you not seen that your father was a consul, and heard that your uncle, grandfather, great-grandfather, great-great-grandfather, and great-great-great-grandfather were consuls? Were you not, finally, aware, that you had lately been married to Q. Metellus, a man most illustrious and brave and patriotic, who, the moment he set foot out of doors, outdid nearly all other citizens in valor, glory, and esteem? Since you had married from a most distinguished clan into a most illustrious household, why was Caelius so intimate with you? Was he related directly or by marriage, or a close acquaintance of your husband? He was nothing of the kind. What, therefore, was the reason, if not a certain impetuosity and lust? But, I ask, if the masks of our male line did not move you, did not even Q. Claudia, my own descendant, compel you to emulate the achievements of our clan in the renown that is appropriate to a woman? Or the famous Claudia, the Vestal Virgin, who, embracing her father when he was riding in his triumphal procession, prevented him from being dragged from the chariot by his enemy, a tribune of the plebs? Why did the vices of your brother influence you rather than the good traits of your father and grandfather, qualities found since my own time in both our men and particularly our women? Was it for this that I dissolved the peace treaty with Pyrrhus: so that you might daily strike amorous bargains of the most shameful sort? Was it for this that I built an aqueduct to bring water to Rome: so that you might use it for unchaste purposes? Was it for this that I built a road: so that you might frequent it accompanied by strange men?'

Though in effect a public shaming of Clodia, Cicero's performance as Appius nonetheless suggests a private scene of reproof in which Appius has been moved to indignation by what he has heard of his descendant. This suggestion of a private scene helps make the passage especially trenchant as a co-optation of gossip in the circumstances of judicial procedure. Appius' candid *response* to Clodia distances Cicero from the act of *promulgating* gossip about her, while Cicero nevertheless proceeds to do just that.

Appius' lack of ceremony is especially important in this regard. Having arisen, as it were, from the underworld (*ab inferis*), Appius does not state how

he has come to know of Clodia's situation, but gruffly asks her, *Mulier, quid tibi cum Caelio, quid cum homine adulescentulo, quid cum alieno?* The mixture of a colloquial, even conversational tone into the high-flown rhetoric of Appius' diatribe may illustrate, as Geffcken asserts, the "comic principle of incongruity,"[13] but it also serves to transport Appius momentarily out of his public role as censor into a more private context in which he plays the role of an indignant *paterfamilias* anxious about his family's good name in the community at large. Yet, again: for all that Cicero suggests a private scene, he has Appius respond to the story being told about Clodia in court. Why, Appius asks, was Clodia either so familiar with Caelius that she would lend him gold or on such unfriendly terms that she would fear poison?

Wilfried Stroh observed that Appius' apparent "belief" in the personal basis for the charges of *aurum et venenum* allows Cicero to characterize her as the type of woman about whom such things could be believed, before Cicero himself goes on to dismiss these charges, like all the others, as baseless.[14] Inference and hearsay, Cicero thus implies, may be a valid source of information in Clodia's case. But "calling up" the dead Appius from the underworld in which he resides does not only demonstrate his "belief"; the technique also (somewhat humorously) lends weight to the stories about Clodia by suggesting that her ancestor Appius, the personification of the *gens*, has *heard* of Clodia's involvement in Caelius' persecution and is concerned about its implications for the entire family. Appius' concern is evident in his immediate demand as to whether Clodia herself has not *heard* (33 *non ... audieras*) that so many of her ancestors were consuls.[15] His subsequent insistence on the *gloria* achieved by Clodia's husband, Q. Metellus, and her illustrious ancestor Quinta Claudia likewise help frame the report circulating about Clodia as a threat to the good name of the *gens*. Appius' very blindness, which Cicero suggests will prevent him from being "pained" at the sight of Clodia, supports the passage's suggestion that Clodia's *fama* threatens that of the Claudian *gens* itself: deprived of the power of sight, we are to believe, Appius relies on what he hears—and draws ominous conclusions from the ill-report.

Through Appius, Clodia's rampant *libido* appears to threaten not only the Claudii but elite male authority in general. Appius speaks from the heights of such authority: from the perspective, that is, of his brilliant career as a Roman

[13]Geffcken 18.

[14]Stroh 281.

[15]Although he first asks whether she has not *seen* that her father was a consul (*Cael*. 33).

statesman and civic benefactor. Appius demands ironically whether he dissolved the (proposed) peace treaty with Pyrrhus so that Clodia might daily strike "the bargains of her most shameful loves" (34). Did he build an aqueduct to bring water to Rome so that Clodia might use it for "unchaste" purposes?[16] Did he build a road so that she might frequent it accompanied by strange men?[17] Appius thus recasts a set of incriminations based on the hearsay of sexual gossip as evidence of disregard for noble *fama* and disrespect for aristocratic achievement. He presents Clodia's reputation as a detriment to these fundamental elements of institutional authority.

But Cicero's ultimate claim to speak truth about Clodia arises not simply from the concern he has the aristocratic Appius express. Appius evokes elite-sponsored performances with their own claim to "truth" and Cicero benefits from his audience's knowledge of this context. Since previous scholars' emphasis on comic drama is both an essential background to my interpretation of Appius and a perspective whose limitations I hope to reveal, I review it here in offering some additional observations about this aspect of Appius' role. Linking my approach to this earlier perspective is an understanding of performance as a venue for the transmission of social meaning and an essential arena in which such meaning is produced. I diverge, however, from the previous view in that I do not see the primary rhetorical goal of the passage as humor, but as a legitimation of (admittedly, humorous) information about Clodia in the judicial arena.

The conventions of mime and comedy, emphasized first by Katherine Geffcken, help Cicero both to represent Clodia's situation as ridiculous and to undercut the inflammatory techniques of his opponents. Appius' sarcastic humor is his most evident borrowing from the comic stage. But the very act of "conjuring" Appius from the underworld (33 *ab inferis excitandus est*) suggests the para-tragedy upon which mime and comedy depended for so many of their humorous effects. Cicero's own contemporary Decimus Laberius wrote mimes called *Necyomantia* ("*Conjuring*") and *Lacus Avernus*, and ghosts are a memorable feature of Plautine comedy as well.[18] The para-tragic quality of such drama becomes especially evident when one considers the long history of the conjur-

[16]On the scurrilous connotations of Clodia's "unchaste" use of water, see Butrica and Bruun.

[17]On Appius and the via Appia, see MacBain.

[18]For Laberius, see Ribbeck 2: 349, 351; for comic ghosts cf. Pl. *Mos*. 454–531, Riggsby 101.

ing-scene in Greco-Roman tragedy.[19] In Aeschylus' *Choephori*, for example, Orestes and Electra call upon their dead father, Agamemnon, to rise from the ground (e.g., at 138–44). In his *Persians*, the Persians actually succeed in summoning Darius from his grave (623–851). Seneca draws on this technique in the *Oedipus*, with its elaborate description of Tiresias' necromancy of the ghost of Laius, and Medea's invocation of both the supernal and infernal powers, including the *manes*, opens Seneca's *Medea* (Sen. *Oed*. 548–658; *Med*. 10–16). In the *Tusculan Disputations*, Cicero himself quotes lines of ostensibly tragic verse that refer to the Italian Lake Avernus as a place where the spirits of the dead *excitantur* "are summoned up" (*Inc. trag.* 39 R^3 *ap.* Cic. *Tusc*. 1.37). Like a scene from mime or comedy, Clodia's situation becomes ridiculous in part because of its contrast with serious situations in which the dead might be "called up" onstage.[20]

But just as comedy parodies tragedy, so Cicero's Appius also parodies the moralizing rhetoric of Caelius' accusers, and in this way prevents Appius' example from reflecting negatively on Caelius, a possibility about which Cicero himself expresses his concern (*Cael*. 35).[21] Scholars have not failed to remark similarities between Cicero's characterization of his opponent L. Herennius and that of Appius. Cicero claims to have noticed in particular the jury's close attention to Herennius' prosecution speech devoted to the themes of luxury, lust, and the faults characteristic of youth (25), which he suggests held the jurors' attention for its flamboyant invective rather than the applicability of the

[19]See Johnston 85 on tragic necromancy.

[20]Direct reference to tragedy also has a place in Cicero's denunciation of Clodia, since it is very much in keeping with the nature of Roman moralizing to treat the chastisement of an errant member of the *familia* as a solemn event, worthy of the pathos of tragedy even if open to the humor intrinsic in blame and invective. The *pro Caelio* as a whole is not without serious, even tragic, effects, as memorably in Cicero's digression on the death of Q. Metellus (*Cael*. 59).

[21]Cf. Gaffney 428. On Cicero's use of the prosecution's arguments more generally, see Gotoff. Appius shields Cicero from the kind of criticisms Cicero directs at Herennius because Cicero can transfer some of the responsibility for what he says to Appius (cf. *Cael*. 33, where Cicero ironically suggests that Appius will speak for him so that Clodia won't become angry with him). Part of Cicero's effectiveness is in distinguishing between those who act like stern fathers in disciplining someone else's child (i.e., the prosecution) and paternal figures who appropriately discipline their own offspring (Appius, and the *lenis* father from comedy in *Cael*. 38) or someone for whom they have a responsibility (Cicero himself as he disciplines Caelius in *Cael.* 37).

individual charges to Caelius (27). Herennius, Cicero maintains, had in contrast to his accustomed personality become *pertristis quidam patruus, censor, magister* "some gloomy uncle, censor, teacher." *Obiurgavit M. Caelium*, Cicero continues, *sicut neminem umquam parens* "he reproached M. Caelius as even a parent has never reproached anyone" (25). It is of course significant that Herennius is said to have acted like a censor, the office Appius actually held, and to have dwelt on the theme of *libido*, a term Appius also employs.[22] Likewise, the verb *obiurgare* signifies both Herennius' and Appius' reproach. The adjective *gravis* and the adverb *graviter* further link the prosecution's treatment of Caelius to Appius' treatment of Clodia: the prosecutor P. Clodius, Cicero claims, spoke *gravissime* in inveighing against Caelius; Appius' *persona* is *gravis* (27; 35).

Cicero's direct references to comedy in the sections of the *pro Caelio* that follow enforce the parallels between the Appius passage and the rhetoric of Cicero's opponents. Such references thus help with Cicero's rejection of what is *too* severe and old-fashioned in Appius' manner by allowing Cicero to present such qualities as an object of derision. Thus Cicero describes the harsh type of father from the comedies of Caecilius as *durus* (37), an adjective he also applies to Appius. Like the *pertristis persona* adopted by Herennius, the Caecilianic father is *tristis* (38) and *ferreus* (37). The lines of Caecilius which Cicero actually quotes create additional parallels. One of Caecilius' fathers says his mind *ardet* "burns"; similarly, Cicero describes the prosecutor P. Clodius as *inflammatus* "inflamed" (27). It is perhaps the same father who asks why his son has chosen to have dealings with a *mulier aliena*; Appius, too, demands what business Clodia has with an *alienus*. Cicero makes his most direct jab at such parental behavior in declaring that fathers like those in Caecilius are *vix ferendi* "scarcely tolerable" (37). The same might be said, Cicero suggests, about the attacks on his client's morals.

Conversely, the *pater lenis* from the comedies of Terence meets with Cicero's approval, while eliciting an imagined reproach that further undermines the moralizing of Cicero's opponents. Cicero quotes from Terence's *Adelphoe*, in which Micio advocates an accepting attitude toward the transgressions of youth. Has a young man, Micio queries, broken down doors? They will be repaired. Has he torn someone's clothing? It will be mended (Ter. *Ad.* 120–21 *ap.* Cic. *Cael.* 38). From the perspective of this kind of father, Cicero insists, Caelius' case poses no problems. For who can blame Caelius for familiarity with a woman like Clodia, who lives in open disregard for societal norms? In anticipation of objections, Cicero notes the rarity of pure devotion to virtue,

[22]Vasaly 181 n. 39.

again contrasting the morals of the past with those of the present. Roman forefathers like Camillus, Fabricius, and Curius may have been capable of high moral standards, but such behavior is scarcely ever found among the present generation. Those who now preach Stoic self-denial and laborious striving after *laus* "renown" have been left *prope soli ... in scholis* "nearly alone in their lecture halls" (38–41).[23] Through such means, Cicero stigmatizes moral rigidity like that advocated by Caelius' accusers as hopelessly outdated, the product of a dry and isolated scholasticism rather than a reflection of contemporary life. Yet, significantly, Appius Claudius Caecus is not among those invoked as *exempla* in this purely negative comparison: *his* speech is far more than an academic lecture.

Or indeed a comic diatribe: evocation of Hellenized comedy alone would hardly make a Roman audience view Appius' presentation of the gossip about Clodia in a serious light.[24] Cicero, further, cannot afford to have gossip degenerate into merely a laughing matter, since a superabundance of laughter might dissolve the distinction he has attempted to make between the stories about Caelius and those about Clodia. Thus, while previous scholars' emphasis on a Roman performance-context has been well-placed, we need to understand how Cicero's Appius evokes other kinds of performance—aristocratic funeral ritual, *carmina*, and historical drama—designed to transmit authoritative "truth" about aristocratic houses and their members. While gossip carried a stigma as an informal and arbitrary type of information-transmission, public performance of the Roman past was a means by which Roman elites hoped to stabilize and fix popular opinion about their families and themselves.[25] Appius enhances Cicero's own claim to be telling the "truth" about Clodia by his very reference to this context, which had the advantage of being able to show rather than merely tell Roman audiences how to think and feel about *fama* and related issues.

[23]For the identification of these persons as Stoics, see Austin 104. The passage as a whole divides attitudes toward pleasure into Epicurean, Academic/Peripatetic, and Stoic camps.

[24]Gossiping old men, we may observe, are a paradigmatic butt of Greco-Roman comedy generally.

[25]Nicolet treats the various formal and informal venues, including the theater, funerals, *contiones*, and more casual meeting-places, available for the expression of popular opinion at the close of the republic. See especially "Escorts and demonstrations" (356–61), "Games, festivals, and theatres" (361–73, detailing Cicero's sensitivity to the responses of theater crowds), and "Trials and lawsuits" (373–81).

The wax *imagines* worn by actors in the aristocratic funeral procession fixed the reputation of the aristocratic dead through their very materiality: they affirmed the dead's exemplary status and were seen as tokens of aristocratic power and prestige.[26] Cicero recalls the *imagines* when he describes Appius' rough, unkempt beard as "that bristling one we see on ancient statues and masks [*imagines*]" (33) and Appius, too, refers to the *imagines* of the Claudian *gens* (34). To evoke the funeral *pompa* with its *imagines* is not simply to create an aura of ethical *gravitas*, although, as recognized already by ancient critics, *gravitas* is one of Cicero's rhetorical goals at this point in the *pro Caelio*. Through Appius, Cicero speaks (perhaps startlingly[27]) as an *imago*.[28] Cicero thereby prepares his audience to regard what he will say as far more than mere gossip but rather as the voice of the aristocratic tradition and of publicly recognized "truth."

Appius' eulogy of Claudian *gens* is similarly transformative in echoing the *laudatio funebris* that formed the climax of aristocratic funeral.[29] Verbalized "truth," in addition to the authoritative imagery of the *pompa*, is thus emphatically signaled as Appius' medium.[30] In the *laudatio*, a member of the family praised the *gens* and presented a list of the deceased's achievements, such as the holding of high office or conspicuous acts of bravery, that would already have been known to many. Cicero's Appius recalls such events in his own life and those of his descendants. Indeed, with its emphasis on images, reputation, and achievements, Cicero's performance collapses the two most public aspects of the aristocratic funeral, the *pompa* and the *laudatio*.

Such clear recollections of aristocratic funerals were also likely to remind a Roman audience of the broader cultural tradition of *carmina*, of which Appius

[26]On the *imagines*, see Flower 1996, Dupont 1987, Lucrezi, Lahusen, Drerup. The ancient *locus classicus* is Plb. 6.52–54.

[27]Diodorus Siculus (31.25.2) suggests the actors' imitation of the dead's bearing and appearance, but neither he nor any of our other sources mention verbal imitations as a part of the republican *pompa*. But cf. Flower 1996: 104 on the speaking actor who played the part of the emperor Vespasian at the latter's funeral.

[28]Cf. Flower (1996: 129 n. 5), who observes that it is possible to interpret Appius' address as "a reversal of the dramatic action of the eulogy," in which a family member addressed an audience of actors wearing the *imagines*.

[29]On the *laudatio funebris*, see Flower 1996: 128–50, Kierdorf, Durry, Vollmer.

[30]Although Cicero himself doubted the credibility of Roman *laudationes* (*Brut.* 62). His vehement expression of such doubt, however, suggests the extent to which funeral eulogy *was* in fact regarded as truth.

himself was remembered as an author.[31] Funeral *laudationes* shared both their purpose and aspects of their presentation with the eulogistic "songs" inscribed on Roman funeral monuments. If inscription ensured the fixity, visibility, and endurance of the *fama* thus transmitted, the *carmen* itself presupposed emphatic performance like that we "see" Appius putting on.[32] Although no eulogistic verse can be associated with Appius' name, the three attributed fragments of Appius' *carmina* deal with ethical issues closely related to reputation: mental discipline as a key to right behavior, social ties as a balm for misery, and self-determination of one's own *fortuna*.[33] The sententiousness, furthermore, of Cicero's Appius' recalls the very nature of his work, described as *sententiae* by Festus.[34] Appius' denunciation of Clodia's behavior can thus be taken to reflect not only aristocratic interests, but also a larger concern with aspects of personal and social comportment on which Appius was regarded as an authority. The tradition of *carmina*, another important means of transmitting aristocratic "truth," lends as well this broader cultural authority to Cicero's words.

The elite-sponsored historical drama of the *fabula praetexta* brought the full resources of theatrical staging to the fixing and perpetuation of aristocratic

[31]Cf. Cic. *Tusc.* 4.4 and [Sal.] *Rep.* 1.1.2. On the fragments of Appius' *carmina*, see below.

[32]Ancient texts were commonly meant to be read aloud, but the stylistic features of *carmina*, including alliteration, assonance, and the *figura etymologica*, made them particularly suitable for oral delivery (see Williams 693). The association of epitaphs with performed *carmina* is underscored by their early adoption of the Saturnian verse form, used likewise for hymns and epic poetry. On the scope of Saturnians, cf. West 175. On the association of epitaphs and *laudationes*, see Flower 1996 passim.

[33]Appius Claudius Caecus, fr. 1–3 Blänsdorf. For interpretation and commentary, including the metrical debate, cf. Marini, Stoessl, Giardina, Tar, Ballaira.

[34]Fest. 317 M. We do not know, of course, whether Appius' work was actually performed in public. Performance, however, attaches to him as a public figure and author of *carmina*. Appius' reputation as a persuasive orator adds further to the authority he is able to bestow on Cicero's own speech. The *pro Caelio* alludes to a specific speech of Appius, his argument against the peace with Pyrrhus, that helped establish Appius' reputation as a persuasive public speaker (cf. *Cael*. 34). A version of this speech was circulating in Cicero's day and available for him to consult. In spite of his skepticism about the charm of Appius' oratory, Cicero concludes that Appius must have been *disertus* "a ready speaker" because he was able to sway the opinion of a Senate leaning toward peace (cf. Cic. *Brut*. 55, 61; *Sen.* 15–16).

fama.[35] In mimicking Appius, Cicero resembles not only an actor wearing an *imago* in procession or the inspired performer of *carmina*, but a stage actor in a *praetexta*, who might have been said, in his own way, to "call up" an illustrious figure from Roman history.[36] Cicero suggests his own similarity to a stage actor when he describes his performance as Appius by saying, *gravem personam induxi* (35 "I have brought a grave character onstage").[37] Quintilian understood the Appius episode as a bravado piece of acting on Cicero's part, and modern critics, following him, have of course been justified in grouping Appius together with the actor-like portrayals of Clodius and of two different types of fathers from Roman comedy that immediately follow.[38] Yet, while Cicero's later allusions to and even quotations from comedy make it tempting to read the Appius passage as primarily an adaptation of comic norms, Appius differs from the *pro Caelio*'s other *prosopopoeiae* in that Cicero explicitly identifies him as a figure from Rome's illustrious past. This is essential to *his* role in the *pro Caelio*, as opposed to the roles of the others.

As Michele Salzman reminds us, the *Ludi Megalenses* during which Caelius' trial took place are known to have involved the perpetuation of aristocratic *fama* through historical drama—an instance that Cicero himself indirectly recalls.[39] The games included a staging of the exploits of Appius' descendant Q. Claudia, famous for having conveyed the Great Mother to Rome in the form of a black stone.[40] Cicero has Appius refer to this Claudia in his eulogy of the *gens* (34 *Q. illa Claudia*) and Claudia's achievement contrasts emphatically with the behavior of Clodia, who, Appius suggests, was unmoved by Claudia's good example. Recollection of the play about Claudia distances Cicero further

[35]On the *praetexta* see Wiseman 1998, Zehnacker, Feldherr 172. The frequency which these plays were actually produced is debated by scholars. For the controversy, see Wiseman 1998: 1–16, Flower 1995.

[36]Cic. *Brut.* 322 recommends a knowledge of Roman history, *ex qua* ... (sc. *orator*) *ab inferis locupletissimos testis excitaret* "from which ... [the orator] may call up the most reliable witnesses from the underworld."

[37]Cf. Geffcken 17 following Austin 94–95.

[38]Cf., e.g., Geffcken 17–18 on Quint. *Inst.* 11.1.39.

[39]Cf. Salzman 301.

[40]Cf. Ov. *Fast.* 4.326, Prop. 4.11.51–52, Wiseman 1985: 36, Bömer. Wiseman 1998: 3 adds this play to the list of *fabulae praetextae* in Ribbeck's catalogue of the remains of Roman drama (1: 319–31, 335); cf. Flower 1995: 175. Salzman 302–3 reveals further how the myth of the Great Mother and her consort Attis humorously informs Cicero's portrayal of Clodia and her lover, Caelius.

from the perpetuation of common gossip by reminding his audience in still another way of the extent to which the activities of the Claudians are bound up with the history, well-being, and public functions of the Roman state. It is all the more legitimate to consider even casual talk about Clodia as a serious matter in light of the formal staging of Q. Claudia's *fama* that takes place during the Megalensian games. But, still more importantly, the temporally proximate performance of institutionalized "truth" about the *gens Claudia* affords Cicero perhaps his best claim to speak "truth" through Appius. When the Claudians speak from "onstage," they do not relate trivia or falsehood. The existence of the Claudia *praetexta* is especially trenchant proof of the inadequacy of comic paradigms to account for Appius as an aspect of elite strategy.

The diversity of performance traditions embodied by Cicero's Appius suggests an intrinsic affinity between performance and Roman cultural memory, an affinity through which we may understand Appius' function in the broadest socio-cultural terms. Surveying the views of Turner, Bauman, and Schechner, Joseph Roach describes what he sees as their common assumption about the role of "surrogation" in culture's self-perpetuation. "Performance," for Roach, "stands in for an elusive entity that it is not but that it must vainly aspire both to embody and to replace. Hence flourish the abiding yet vexed affinities between performance and memory."[41] The fact that Cicero self-consciously seeks to embody the long-dead Appius while simultaneously attempting to replace him (he is Appius' "surrogate," in Roach's terms) is one of the aspects of the passage with which I have been most concerned here. What is important, finally, is not that Appius speaks, but that Cicero speaks as Appius and seeks to use Appius' *persona* to re-position himself, his opponents, Clodia, and Caelius within the matrix of Roman power relations. The attempt exposes the ambiguous substitution that a scholar such as Roach would see at the heart of performance's social function. In Appius, we observe a process of surrogation enabling the reproduction *and* re-creation of Roman culture. Cicero reproduces many of the cultural values that Appius embodies at the same time that he re-creates gossip as "truth" and these values themselves as open to a newly selective application rather than rigid imitation.

It is from this broad socio-cultural perspective that we can best assess the interaction of Cicero's Appius with another, still more immediate performance-context in which the passage has been read since antiquity: oratory itself and the rhetorical topos of "conjuring" the dead. The Appius passage was regarded as a textbook example of *mortuos ab inferis excitare* by ancient critics (cf. 33 *mihi*

[41]Roach 3.

ab inferis excitandus est).[42] Both Cicero and others use the topos elsewhere in its conventional form, namely, for solemn effects of the grand style especially suitable for the pathetic conclusion of a speech.[43] And yet a survey of surviving examples suggests that Cicero's exploitation of the topos in the *pro Caelio* is decidedly unconventional. The emphasis is usually on Romans who have died fairly recently and whose memory is potentially all the more affecting for being fresh in the minds of audience members. The *pro Caelio*'s use of a figure from more than 200 years earlier indicates the extent to which Appius is a surrogation of all that the Roman past, as embodied by him, represents.

Cicero exploits the solemnity of the topos to illustrate the institutional "truths" of common bloodline and familial *gloria*. In the (now fragmentary) conclusion of the *pro Scauro*, for example, Cicero claims to "see" his client's dead father and calls pathetically upon the dead man to make himself present in the jurors' minds (*Scaur*. 49). The passage apparently included a detailed physical description of the deceased, through which Cicero encouraged his audience to imagine the elder Scaurus present and recalled Scaurus' high standing. It does include the word *species* "appearance" and the proposition *etiam si forte non nosset, tamen principem civitatis esse diceret* "even someone who did not know him would nevertheless have said that he was the leading citizen of the state." In the speeches *pro Sestio* and *post Reditum in senatu habita* Cicero ascribes a similar technique to his contemporary P. Servilius Vatia Isauricus.[44] Having come forward in support of Cicero's restitution from exile, Servilius evoked none other than Clodia's former husband, Q. Caecilius Metellus Celer, as well as other members of the Metellan *gens*. Cicero reports that Q. Metellus Nepos, his old enemy, put aside all his private antipathies when Servilius, speaking *divina quadam gravitate* "with a kind of divine solemnity," reminded him of the deeds and outstanding qualities of their family line and common blood. Servilius, Cicero insists, had Metellus' dead brother, "as it were, back from the underworld (*ab inferis*) and present at the debate"; he had all the Metelli "practi-

[42]Cf. Quint. *Inst.* 12.10.61; Aquila Romanus 3.

[43]On the figure see Cic. *Orat.* 85; Quint. *Inst*. 4.1.28, 9.2.31, 12.10.61; Aquila Romanus 3; Rutilius Lupus 2.6; cf. Quint. *Inst.* 9.2.36. Cic. *de Orat.* 1.245 suggests that either visualization or speech (or both) might be the goal: *patrem eius, ut soles, dicendo a mortuis excitasses; statuisses ante oculos; complexus esset filium, flensque eum centumviris commendasset* "through your eloquence, as you are accustomed, you would have conjured his father up from the underworld, you would have set him before the eyes of all; he would have embraced his son and, weeping, have commended him to the *centumviri*."

[44]Cicero describes Servilius' performance at *Red. Sen.* 25–26 and *Sest.* 130–31.

cally summoned up from Acheron (*ex Acheronte excitatos*)."[45] Such tactics helped ensure that Cicero himself was resurrected from the living death of exile.

Still another republican orator is known to have exploited the topos for solemn purposes in expressing a rather different sort of solidarity with the dead.[46] Valerius Maximus records an especially memorable evocation of the dead by Helvius Mancia Formianus, a freedman's son who in 55 B.C.E. accused the annalist L. Scribonius Libo before the Roman censors.[47] Speaking in Libo's defense, Cn. Pompeius Magnus had remarked that Mancia had been let out of the underworld (*ab inferis remissum*) in order to bring the accusation—a biting commentary on Mancia's low social status. Mancia, however, turned the insult against his attacker in describing his visions *in* the underworld of the ghosts of Cn. Domitius Ahenobarbus, M. Brutus, Cn. Carbo, and Perpenna the praetor, illustrious Romans who died in the civil war of the late 80s B.C.E. in which Pompeius served as one of Sulla's commanders. Apart from the fact that the dead men Mancia describes are emphatically located *in* the underworld (part of their pathos), this is essentially the topos in its conventional form. Mancia puts before his audience's eyes solemn images of the dead, whose appearance and speech he describes in detail: they are in this sense *excitati*. Mancia claims, for example, to have seen Brutus "maimed by the sword, and protesting that it happened to him first by your (i.e., Pompeius') treachery, then by your cruelty."[48] In a twist, however, on the conventional topos, Mancia declares that *he* has indeed come from the underworld as Pompeius insultingly proposed.[49] Yet rather than the lowly, ineffectual ghost of Pompeius' insult, Mancia thus presents himself, as it were, as an avenging spirit of the men for whose deaths Pompeius was responsible.[50]

Cicero's long-dead Appius does far more culturally transformative work than any of the passages just cited; it goes beyond convention in suggesting that the values of the past are open to selection and not merely imitation. And yet the comparanda suggest that the conventions of oratory itself, its reliance on the

[45]Cic. *Red. Sen.* 25; cf. Cic. *Sest.* 130: *omnes prope ab inferis evocasset Metellos.*

[46]Cf. Cic. *de Orat.* 1.245, where Antonius attributes the technique to Crassus.

[47]V. Max. 6.2.8. On the incident, see Gruen 314.

[48]V. Max. 6.2.8: *vidi ... M. Brutum ferro laceratum, querentem id sibi prius perfidia, deinde etiam crudeliate tua accidisse.*

[49]V. Max. 6.2.8: *venio enim ab inferis, in L. Libonem accusator venio*.

[50]Mancia's entire speech thus becomes, in a sense, a *prosopopoeia* of a dead man (himself)!

institutional "truths" of solidarity with the dead, endowed Cicero's Appius with institutional gravity.[51] Oratory itself prepares a Roman audience to hear Appius' words as far more than scurrilous gossip.[52]

Cicero's *pro Caelio* poses gossip as a problem for the orator himself, for his audience, and for Roman society at large. The social aspects of gossip, however, that have often been emphasized by scholars of Greco-Roman antiquity—namely, the definition and enforcement of societal norms—are not the only ones relevant to a full appreciation of the *pro Caelio* in its socio-cultural context.[53] While helping to police society in this way, gossip may also have a more creative function, in that formal societal institutions such as judicial oratory feed off informal practices and draw their strength partly from their ability to co-opt them without seeming to. Indeed, for John Schotter, "humanly *adequate* social orders ... can only be created, sustained, and transformed" by "drawing upon" activities such as gossip, "usually dismissed as a waste of time."[54] Formal institutions, in other words, may explicitly deny the power of the informal practices they co-opt; they betray, however, their dependence on the informal in their attempt to redefine practices such as gossip into a shape that is amenable to their own ends, namely, the support of the existing power structure.

[51]Although Mancia's speech was delivered in 55, his technique suggests a wider use of the topos, as do Cicero's references in *Red. Sen.* and *Sest.* to Servilius' earlier speech (see above). Cicero had previously compared Clodius to Appius Claudius Caecus in his invective *in Clodium et Curionem*. For attestations, fragments, and commentary, see Geffcken 57–89, Crawford 233–69. Crawford 261 also compares Cic. *Dom.* 105, 129.

[52]In the circumstances of Caelius' trial, Cicero's unconventional, self-conscious exploitation of the topos could also generate a useful ambivalence. If the audience regards Cicero as an experienced orator employing a rhetorical topos in its known form, this will help them view Appius as a feature of oratorical *gravitas* and institutional "truth." If, however, the audience is listening more closely for rhetorical parody (Cicero has by this point already described Caelius' accusers as overly "censorious"), then Cicero's signaling of Appius as an irregular example of the topos adds to the sense of parody in his remarks. Of course, both effects are simultaneously possible and beneficial to Cicero's case. Given Cicero's use of the topos elsewhere in his speeches, we may even hear mild self-parody in his introduction of Appius as *ab inferis excitandus*. The benefit of such self-parody would be further to distance Cicero from his opponents' type of censure, delivered in full seriousness (and, apparently, *in propria persona*) against Caelius.

[53]For a full discussion, see Hunter 96–119 with bibliography.

[54]Schotter 150.

Both Schotter and Lorraine Code have called our attention to the way that informal, disorderly social activities are not only threatening but also valuable because of their "resistance to paradigmatic summing-up,"[55] their dissociation from an answerable source. It is this very resistance, we may observe, that allows Cicero to benefit from the "creative" potential of gossip to such a remarkable degree in the *pro Caelio*. In the place of an anonymous *vox populi*, Cicero easily substitutes Appius Claudius Caecus, an arresting figure from Rome's public world of traditional aristocratic spectacle and display.

Faced with the threat of gossip, Cicero turns it to his advantage through the transformative evocation of tradition, a performance that all right-thinking Romans can applaud.[56]

[55]Code 104; cf. Schotter 150.

[56]An earlier version of this paper was delivered at the 131st Annual Meeting of the American Philological Association in Dallas (December 1999). My special thanks to Ron Cluett, who organized, and Andrew Riggsby, who acted as respondent for the APA panel; to Thomas Habinek, who read and commented on an early draft; and to Cynthia Damon. The anonymous readers of *TAPA* will recognize my indebtedness to their many helpful comments and suggestions.

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