manuscripts and who are keen for their codicological work to make a difference (granted, more serious problems can arise when editors, overconfident in their own *ratio*, fail to take due account of the facts of what is transmitted). Hence I have to admit to some reservations about this book as a critical edition, but that is not in the least to detract from its value as a study of the medieval history of a Ciceronian text.

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CICERO'S *LAWS*

A. R. DYCK: *A Commentary on Cicero,* De legibus. Pp. l + 645. Ann Arbor: The University of Michigan Press, 2004. Cased, US$69.50, £44. ISBN: 0-472-11324-0.

De legibus has long been one of the most neglected of Cicero's works. A difficult and peculiar text, combining Stoic natural law theory with pseudo-archaizing legal codes in what Cicero thought was the style of the Twelve Tables, requiring of its reader knowledge of Roman burial customs as well as constitutional law, *Leg.* is not only hard to read, but incomplete in two senses: Cicero never finished it, and we have only part of what he wrote. Commentary is needed; and to have a commentator as careful, learned, and responsible as Andrew Dyck is very welcome.

Readers of D.'s commentary on *De officiis* will find no surprises. D.'s major interests are in the elucidation of philosophical argument and in tracing Cicero's ideas back to their sources. In the case of *Off.*, this involved much *Quellenforschung* conducted with considerable tact; in the case of *Leg.*, D. rightly recognizes that there is proportionally more of Cicero and less of any putative models, and hence he more frequently compares Stoic arguments to Cicero's than claiming them as direct sources. And, as with *Off.*, D. offers extensive annotation on whatever needs explanation: he explains historical, legal, and religious details; he discusses the dramatic form of the dialogue; he examines text, idiom, and clausulae. The range of his learning is broad and impressive, and perhaps the most admirable feature of the commentary (as with *Off.*) is D.'s careful attention to explaining argument and structure: he is exemplary in never forgetting that each sentence is part of a larger unit, and that a commentary must explain the whole as well as the parts.

As a commentator, D. concentrates on particulars, and his work makes *Leg.* more comprehensible in its details and in its philosophical argumentation and sources than it has ever been. At times he might have been briefer: many of his parallels do not merit full citation; a certain amount of material is interesting, but not strictly relevant. Indicative of D.'s strengths and weaknesses when he moves outside the realm of philosophical argumentation or strict philology is a note on 1.54, where Atticus remarks that Antiochus 'almost uprooted me from my little garden and brought me *perpauculis passibus* to the Academy'. D. takes more than a page to explain this sentence, including (i) a brief identification of Antiochus; (ii) telling us (as also in the Introduction) that this is a joke using the language of gardening to play on the familiar identification of Epicurus' school; and (iii) a discussion of the syntactical function of *perpauculis passibus*, including a detailed examination of the relative distance of Atticus' house and Epicurus' garden from the Academy. But the actual topography can add little to understanding Atticus' joke. In the first place, D. began the note by saying

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that when Antiochus broke with Philo he began to teach at the Ptolomaeum, not in the Academy itself—so, if Antiochus is leading Atticus, he is taking him down the garden path. In the second place, although D. knows that this is a joke, he still judges it by the standard of literal truth and geography. The real joke here is that D. seems to imagine Cicero's readers getting out their Ordnance Survey maps to follow Antiochus and Atticus around Athens. Dublin on Bloomsday, certainly; but did Cicero really expect—or want—that degree of attention?

In notes like this, and indeed fairly often, one finds a degree of uncertainty in D. as to Cicero's imagined audience. In terms of the work itself, D. recognizes both its incompleteness and its inconsistencies, but still judges it by his own very high standards of argument, and he is disappointed when Cicero's arguments are less than compelling (e.g. p. 199: 'In revision he surely would have wanted to clarify the premises and scope of the argument, if not eliminate this section altogether'). More generally, D. judges Cicero's work, particularly Book 1, by a standard of philosophical argumentation that one may well doubt Cicero was even trying to attain: *Leg.* is a remarkable and experimental amalgam of relatively technical argument (on law and right reason) and broad political interests; if it does not work—and I do not think it does—it must still be accepted on its own terms.

In that respect, the thoroughness of D.'s exegesis of particulars might have led him to a sharper analysis of some of the larger problems of the dialogue. In the first place, the vexed question of its date. *Leg.* is absent from the catalogue of Cicero's works in *De divinatione* 2, and there is no unambiguous reference to it in the correspondence. If it is traditionally linked to *De re publica*, that is because Cicero himself makes the connections. But that does not mean that they were written together (Plato's *Republic* and *Laws* were not), and the obvious incompleteness of *Leg.* makes it hard to be firm about chronology. D. accepts Schmidt's conclusions: that *Leg.* was severed from *Rep.* in the course of Cicero's revision of the latter work, was composed (to the extent that it was completed) in 52–51, and that he never returned to it. Repeatedly in the commentary on Book 1, however, D. makes it very evident that Cicero's language and argumentation are close to the dialogues of 45–44, particularly the *Tusculans* and *De natura deorum*: there is nothing like the technical Stoic argumentation of the latter part of Book 1 in anything Cicero wrote before the Civil War. In his introduction, and in the introduction to Book 2, D. rehearses the standard arguments, particularly the letter to Quintus (3.5.1–2) of late 54 about the revision of *De re publica*, and they have never seemed less convincing. D. more than once uses the absence of any mention of Cicero's governorship of Cilicia at 2.33 as evidence that Cicero finished work on *Leg.* before 50—but that is to confuse the dramatic date (which is clearly in the late 50s) with the date of writing. D. also fails to mention the problem that there is no time in the late 50s when the three interlocutors could in fact have been in Arpinum together. The vitriolic attacks on Clodius and the general harmony of Cicero's political ideas in *Leg*. with the speeches of the 50s do not mean that *Leg.* was written then: there is little in *Leg.*'s political attitudes that does not match *De officiis* just as well. There is no reason to believe that Cicero did not continue to work on it after the civil war, indeed after the Ides of March. It is striking that D. draws parallels between *Leg.* and *Rep.* far less frequently than he does between *Leg.* and the later dialogues: one wishes that he had pursued the implications of his own evidence.

Another area where D. seems unclear is the relationship of the law code of Books 2 and 3 to the natural law of Book 1. That is perhaps the central problem of *Leg.*, and D. sets out the difficulties clearly in the introduction to Book 2. He seems (pp. 103–4, 185) to subscribe to Girardet's view that the law code of Books 2–3 is natural law, not

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positive law. And yet at 3.33, in connection with oral and written voting, Cicero makes it clear that the code he presents is tailored to human (and Roman) circumstances—and hence can not possibly be equated with the natural law which is unchangeable and identical to right reason. D. (pp. 426–7) recognizes that the code of Book 3 is not ideal, but he fails to draw the obvious conclusion—which is, unfortunately, that *Leg*. does not attain the level of philosophical or logical consistency that he demands. *Leg.* is in many respects anomalous in the corpus of Cicero's philosophical writings: it is the most technical of the dialogues modelled on Plato—or the most rhetorical of the technical dialogues. It belongs both to the period of *De oratore* and *De re publica* and to the dialogues of 45–44. D. often seems to want it to be one thing, and one thing only, and perhaps Cicero would have liked that too. As it stands, it is an uncomfortable and unfinished project, the goals of which are, and are likely to remain, unclear.

D.'s commentary has so much, however, that it is perhaps ungrateful to ask for more. Throughout, he treats difficult problems judiciously and with exemplary clarity and learning. What he says is to the point, and where interpretation is difficult, he sets out the problems and possible solutions with patience and tact. If reading his work straight through—something few commentaries can survive—gives one the impression of watching a powerful piece of earth-moving equipment working slowly and relentlessly across the landscape, it is also true that he creates a straighter and clearer path for others to follow.

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CICERO'S THIRD PHILIPPIC

C. MONTELEONE: *La 'Terza Filippica' di Cicerone. Retorica e regolamento del Senato, legalità e rapporti di forza.* (Biblioteca della Ricerca, Philologica 4.) Pp. 553, b/w and colour maps, ills. Fasano: Schena Editore, 2003. Paper, €32. ISBN: 88-8229-390-4.

Running to over 500 pages, this study offers a good deal more than a linguistic commentary on Cicero's *Third Philippic*. In addition to a Latin text of the speech, facing Italian translation, and explanatory notes, M. provides four substantial essays addressing the oration's political and ideological background. The first (pp. 107–322) examines Cicero's literary works from 46 to 44 B.C. and attempts to identify within them elements of anti-Caesarian propaganda. The second (pp. 323–400) presents a survey of the political developments following the Ides of March, and the events that ultimately led to the coalition against Antony in which Cicero was a leading figure. The third and fourth essays offer respectively a rhetorical analysis of the *Third Philippic* (pp. 401–36) and a discussion of the relationship between our extant version of the speech and the debate that actually took place in the senate (pp. 437–59). There are also some seventy pages of indices and a bibliography.

M.'s explanatory notes to the speech perform well the task of helping the reader to appreciate its historical background, linguistic style and persuasive techniques (the Latin text used is that of Fedeli). The erudition displayed is formidable, and M. shows an outstanding grasp of the extensive primary sources for the period, providing discussions that are often impressively detailed and nuanced (see, for example, the

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