should likewise be open to the possibility that his Greek source came not from the extant text of the *Sibylline Oracles* but from an earlier pagan collection.

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CICERO, *DE DOMO SVA*: THREE TEXTUAL PROBLEMS

§71

quod idem [*sc.* the invalidity of Clodius' legislation] tu, Lentule, uidisti in ea lege quam de me tulisti. nam non est ita latum ut mihi Romam uenire liceret, sed ut uenirem; non enim uoluisti id quod licebat ferre ut liceret, sed me ita esse in re publica magis ut arcessitus imperio populi Romani uiderer quam <ad> administrandam ciuitatem restitutus.

Maslowski's text.[1] In pleading before the *pontifices* for full restoration of his house, Cicero describes his recall as decreed by the Senate on the initiative of the consul Lentulus Spinther, who is said to have been careful to avoid recognizing the legitimacy of Clodius' legislation outlawing Cicero. So he legislated not that it was permitted for Cicero to come to Rome but rather for him to come. This is further explained as meant to give the appearance that Cicero had been 'summoned' rather than 'restored'. According to the text printed above, the false alternative is that he was restored 'for administering the state' (*ad administrandam ciuitatem*). But this can hardly be right, since *administrare ciuitatem* or the like refers to the work of a magistrate, which at this time Cicero, of course, was not.[2] Hence the despair of editors and the deletion of the phrase.[3] The false alternative should, as in the prior case, be something supposed by Clodius and his followers (in that case, that Cicero required permission to return), but that does not in fact apply. Now the *ad* printed by Maslowski within angular brackets is the reading of P^3 alone and must count as a conjecture. I suspect that the original text was *in amissam ciuitatem* ('to the citizenship that had been lost').[4] Cicero thus anticipates the point he will argue at length at §§77–92, viz. that a Roman cannot lose his citizenship involuntarily. The *in* could easily have dropped out by saltation following the *m* of *quam*. In this speech, which is much occupied with questions of public policy and administration, an inattentive scribe, seeing a word beginning with *a* and terminating in *am* with *ciuitatem* following will have fallen unthinkingly into the phrase *administrandam ciuitatem*.[5]

[1] T. Maslowski (ed.), *M. Tullius Cicero, Fasc. 21: Orationes post reditum* (Leipzig, 1981), 60–1.
[2] Cf. *OLD* s.v. *administro* 4, where our passage is cited. Cf. *Arch.* 14: *quas* [*sc. imagines fortissimorum uirorum*] *ego mihi semper in administranda re publica proponens animum et mentem meam ipsa cogitatione hominum excellentium conformabam*, where his action, including governing the state, is placed in the past.
[3] Cf. D.R. Shackleton Bailey (trans.), *Cicero, Back from Exile: Six Speeches Upon his Return* (Chicago, 1991), 229 as well as others previously on other grounds; cf. Maslowski (n. 1), ad loc.
[4] In classical Latin, *in*, not *ad*, is the expected construction for such restitution; cf. *OLD* s.v. *restituo* 6.
[5] Cf. *QFr.* 1.1.25; *Off.* 1.88; its synonym *administrare rem publicam* is even commoner: *Arch.* 14 (above, n. 2); *Fam.* 9.21; *Off.* 1.71, etc.

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§80

tum igitur maiores nostri populares non fuerunt, qui de ciuitate et libertate ea iura sanxerunt quae nec uis temporum nec potentia magistratuum nec †res tum iudicata† nec denique uniuersi populi Romani potestas, quae ceteris in rebus est maxima, labefactare possit.

As part of his argument about the rights that Roman citizens could not lose, Cicero vindicates, as usual, the wisdom of the Roman ancestors, the ironic denial strongly affirming that the *maiores* were the true *populares* (and not, it is implied, Clodius and his ilk). In the list of factors that, it is said, could not erode such rights, editors have struggled with the words printed above in cruces. Wuilleumier follows H in omitting *tum*, which is unclear in its reference;[6] Maslowski adopts Halm's *iam* for *tum*.[7] But it is odd for *res iudicata*, whether qualified or not, to stand on the same level as *uis temporum*, *potentia magistratuum* and *populi Romani potestas*. Peterson's *praetorum decreta* is a desperate conjecture;[8] it ignores that the praetors, too, are magistrates.

Might the transmitted text conceal an original *sententiae iudicum*? In addition to the violence of the times, which he emphasizes,[9] under the constitution, the jurors' votes would be, besides the action of the magistrates[10] or the popular assembly,[11] the third factor that could be held to compromise a Roman's rights as a citizen.[12] Since *r* and *n* are easily confused, an interchange of *res-* and *sen-* would not be difficult; *ten* and *tum* can be hard to distinguish; *t(i)a* could have been added in such a way as to suggest to subsequent copyists that it duplicated the beginning of *iudic*∼. Once *res* had appeared in the text, the 'correction' of *iudicum* to *iudicata* would have been virtually automatic.

§118

hanc tu igitur dedicationem appellas, ad quam non conlegium, non honoribus populi Romani ornatum pontificem, non denique †adulescentem quemquam†, cum haberes in conlegio familiarissimos, adhibere potuisti?

In addition to claims about the intent of the Senate's decree and his own undiminished status, Cicero also sought to discredit Clodius' dedication of the temple of Libertas on the site of his house on formal grounds, with the claim in this passage that the priest who took part in the ceremony, L. Pinarius Natta, had insufficient standing and that senior members of the *collegium* had been passed over. None of the previous attempts to restore the corrupt text (listed in Maslowski's apparatus) is convincing. I suspect that

[6] P. Wuilleumier (ed., trans.), *Cicéron, Discours*, tome xiii: *Au sénat, Au peuple, Sur sa maison* (Paris, 1952), 134.

[7] Maslowski (n. 1), 64.

[8] G. Peterson (ed.), *M. Tulli Ciceronis Orationes: Cum senatui gratias egit*, etc. (Oxford, 1912), ad loc.

[9] He has just argued the point at length: §§54–71.

[10] Cf. Cicero's complaint of abuse of magisterial power in the relegation of L. Aelius Lamia (*Red. sen.* 12; *Pis.* 23 and 64) as well as in depriving Cicero of the protection he should have enjoyed (cf. *Red. sen.* 9–10; *Red. pop.* 21; *Dom.* 91).

[11] Which, of course, had passed Clodius' anti-Ciceronian laws.

[12] Cf. the similar list of factors at *Parad.* 28, where the consul stands for the magistrates in general and, perhaps under the influence of *Rep.* 1.39, the *consensus populi liber* replaces the *populi Romani potestas*, and *iuris et aequitatis … memoria* covers the judicial element.

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Cicero wrote something along these lines: *non denique quemquam alium quam adulescentem adfinem*.[13] This would capture both of Cicero's points of criticism, the youth and inexperience of the priest on the one hand and his connection by marriage to Clodius on the other.[14] The corruption could have arisen this way: *quemquam alium quam* reduced to *quemquam* by saltation; and likewise *adfinem* lost by saltation after *adulescentem*; then in further copying a scribe omits *quemquam* after *denique*; the error is noticed, the missing word added, perhaps in the margin, but then falsely reinserted, perhaps in subsequent copying, after *adulescentem.*[15]

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HERCVLIS RITV: CAESAR AS HERCULES IN CICERO'S *PRO MARCELLO*[1]

Cicero's praise of Caesar in the *Pro Marcello* of September 46 B.C.E.[2] has been much discussed for its sincerity or otherwise.[3] Here I would like to point out some unobserved literary colour which may make some contribution to the argument, namely Cicero's subtle evocation of Hercules in describing the achievements of the victorious Caesar. Such an analogy is not unlikely in the context of Roman military image-making: Sulla in 78 B.C.E. and Crassus and Pompey in 70 B.C.E. had earlier encouraged connections with Hercules in analogous victorious contexts,[4] and similar comparisons are later made between the foreign conquests of Augustus and those of Hercules in both Virgil (*Aen.* 6.801) and Horace (*Carm.* 3.14.1–4).[5]

Early on in the speech, Cicero points to Caesar's remarkable series of wars successfully concluded worldwide, no doubt with a glance at the unparalleled quadruple

[13] *quemquam* <*alium*> was already proposed by Mueller.
[14] He was the brother of Clodius' wife Pinaria: §§117–18.
[15] I would like to thank this journal's reader for helpful advice.
[1] I am most grateful to the anonymous referee for *CQ* and to Bruce Gibson for helpful comments.
[2] For the date, see Cic. *Fam.* 4.4.
[3] See e.g. R.R. Dyer, 'Rhetoric and intention in Cicero's *Pro Marcello*', *JRS* 80 (1990), 17–30 and the reply by M. Winterbottom, 'Believing the *Pro Marcello*', in J.F. Miller, C. Damon and K.S. Myers (edd.), *Vertis in Vsum: Studies in Honor of Edward Courtney* (Berlin, 2002), 24–38. For a more theoretical treatment, which regards the issue as pointless, see J. Connolly, *The Life of Roman Republicanism* (Princeton, 2015), 173–200, and for two further important recent accounts of the speech, which touch on this issue, see S. Cole, *Cicero and the Rise of Deification at Rome* (Cambridge, 2013) and I. Gildenhard, *Creative Eloquence: The Construction of Reality in Cicero's Speeches* (Oxford, 2011), 358–63.
[4] Cf. E. Stafford, *Herakles* (London, 2012), 151–2, T.S. Luke, *Ushering in a New Republic: Theologies of Arrival at Rome in the First Century BCE* (Ann Arbor, 2014), 80–4.
[5] See G.K. Galinsky, *The Herakles Theme* (Oxford, 1972), 132–49.

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