THREE NOTES ON CICERO, *IN VERREM*

I

Dic, quaeso, cetera; delectat enim me hominis grauitas scientia iuris PR auctoritas. (2.1.106)

This sentence occurs within Cicero's criticism of Verres' urban praetorship, in particular his innovation in the praetor's edict so as to exclude P. Annius Asellus' sole child, a daughter, from inheriting his estate, as provided for in his will, namely by making the case fall within the scope of the *lex Voconia* by which females were excluded from inheriting property above a certain value.[1] Cicero claims that Verres' policy here was influenced by receipt of a bribe from the second heirs (§110). The letters 'PR' are transmitted only in the 3rd–4th century Vatican palimpsest (Reginensis 2077). They have been taken by R. Klotz (followed by A. Klotz) to be an abbreviation for *praetoris* limiting *auctoritas*; *pr.*, in fact, stands for *praetoris* in O (the 15th century codex Lagomarsinianus 42) at 2.3.17. But a second genitival limitation beside *hominis* disturbs the parallelism of the three members. Koch (followed by Peterson and Mitchell) thought the letters stand for *praetorii*, to be taken with *iuris*. Certainly the *ius praetorium* is a set phrase (§114 is compared). But Cicero's argument here is not just about Verres' knowledge of the *ius praetorium* (though that is implicated) but of *ius* or *ius ciuile* in general, including the way that *leges* such as the *lex Voconia* are framed (viz. so as to be prospective, rather than retrospective) and the relation of the praetor's edict to them. Now 'PR' can stand not only for *praetor* but also for *populus Romanus* (in the appropriate case).[2] Surely Cicero's ironic reference is to Verres' *scientia iuris populi Romani*, a *uariatio* for the *ius ciuile*, as at *Div. Caec.* 37 (cf. also the reference to the *iura populi Romani* at *Phil.* 2.105), but a *uariatio* with a particular point. Cicero later elaborates: *nunc est eiusmodi edictum ut quiuis intellegat non populo esse scriptum sed P. Anni secundis heredibus* (§110), i.e. Verres in his ignorance has destroyed the public character of the law and made it the tool of private interests.[3]

II

nihil possum reperire quam ob rem te in istam amentiam incidisse arbitrer, nisi forte id egisti ut hominibus ne obliuisci quidem rerum tuarum male gestarum liceret. (2.3.186).

[1] The figure is variously transmitted in the sources; cf. in general A. Weishaupt, *Die Lex Voconia* (Cologne, Weimar and Vienna, 1999).

[2] Cf. A. Cappelli (ed.), *Dizionario di abbreviature* (Milan, 1929[6]), 288.

[3] It might be objected that the rhythm of the restored text is contrary to the 'law of increasing members', sometimes called 'Behagel's Law', often observed in Cicero and Caesar; cf. e.g. M. von Albrecht, *Meister römischer Prosa von Cato bis Apuleius* (Heidelberg, 1983[2]), 76–7 = *Masters of Roman Prose from Cato to Apuleius*, tr. N. Adkin (Leeds, 1989), 55. The same problem arises, however, if one reads *praetorii*; perhaps the final cretic of *auctoritas* was felt to lend sufficient weight.

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Verres' putative defence against charges of failing to provide cities with proper compensation for their corn is that he did in fact do so in the cases of Centuripa and Agrigentum. Cicero denies, however, that they received the full amount and excoriates Verres for deducting various fees, including one under the heading 'clerk' (*scriba*). This topic leads Cicero to digress at length on inappropriate, quasi-military honours Verres publicly awarded his clerk and other subalterns. He contrasts these with the disastrous neglect of the defences of Syracuse with resulting incursion by pirates (narrated in full at 2.5.86–100). Our sentence rounds off this topic. The words *male gestarum* were omitted from later manuscripts from which the lost parts of the Cluniacensis were reconstructed as well as the Lagomarsinianus 42; they have been bracketed by Halm and Peterson (but not A. Klotz). But surely an ironic reference to Verres' *res gestae* is to the point in denouncing the award of quasi-military honours, less so the rather vague and colourless *tuae res*; even the scribe of the Cluniacensis will have been subject to occasional inattention and entailed saltation error. *male*, on the other hand, was surely inserted, with the intent of clarification, by a reader lacking an appreciation for Ciceronian irony.

III

ubi eorum dolorum ex illius iniuriis non modo non minorem sed prope maiorem quam Siculorum ceterorum esse cognoui, tum meum animum in illos, tum mei consili negotique totius suscepti causam rationemque proposui, tum eos hortatus sum ut causae communi salutique ne deessent, ut illam laudationem quam se ui ac metu coactos paucis illis diebus decresse dicebant tollerent. (2.4.140)

When he undertook his *inquisitio* of Verres' crimes in Sicily, Cicero tells us that he at first avoided any appeal to the public authorities of Syracuse: he believed that Verres had them in his pocket in view of their having been allowed to siphon off (some of) Heraclius' inheritance (2.2.35 ff.), the influence of some attractive and noble ladies (and their husbands) who had enjoyed Verres' favour (2.4.136),[4] and since the Syracusans failed to join with the other Sicilian communities in the request for advocacy they made to Cicero at Rome (ibid. 138). When, however, at the request of Heraclius, priest of Zeus, Cicero and his cousin Lucius appeared before the Syracusan senate and saw their reactions to his speech, including mention of Verres' golden statue standing in the senate chamber, he came to an altogether different view of the matter. Our passage describes that change. The problem is that it is precisely the element of change that is missing from the Latin text. I suggest that, beginning with the first *tum*, what we need is the following:

tum meum animum in illos, tum mei consili negotique totius suscepti causam rationemque <quam> proposui <mutaui> …

If this solution is accepted, we have a suitable verb to govern *meum animum*, namely *mutaui*, which will also govern *causam rationemque* (by hendiadys 'the plan of the case'). Though it is true that two errors must be assumed, they are

[4] The reference is to Pipa and Tertia and their husbands, respectively Aeschrio and Docimus (2.3.77 and 78); cf. S. Pittia, 'La cohorte du gouverneur Verrès', in J. Dubouloz and S. Pittia (edd.), *La Sicile de Cicéron. Lectures des Verrines* (Besançon, 2007), 65.

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both easy: *quam* following *-que*, an error possibly facilitated by abbreviation of one or both, and the saltation error from *-ui* to *-ui*.[5]

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[5] I would like to thank the journal's anonymous reader for a helpful suggestion.

PYRRHUS AND PRIAM IN SUETONIUS' *TIBERIUS*

In a brief note, Turner recognized the similarity of an anecdote reported by both Suetonius (*Tib*. 57.2) and Dio (57.14.1–2) on the emperor Tiberius' treatment of a jester, who was complaining that Augustus' legacies had not yet been paid, to the final moments of Priam's slaughter at the hands of Pyrrhus in the *Aeneid* (2.535–50).[1] However, she commented merely on the contextual parallel of Tiberius' command that the jester personally carry his message to Augustus. Her conclusion reads as follows: 'It is impossible (I think) to say whether Suetonius or Dio or some earlier source consciously reproduced Vergil's story'.[2]

There is, in fact, more to this possible allusion in Suetonius, where a unique variation contains a strong verbal and contextual similarity to Virgil's passage that has previously gone unnoticed (*Tib*. 57.2):

scurram, qui praetereunte funere clare mortuo mandarat, ut nuntiaret Augusto nondum reddi legata quae plebei reliquisset, adtractum ad se *recipere debitum* ducique ad supplicium imperauit et patri suo uerum referre.

When a jester during a funeral procession loudly advised the corpse to report to Augustus that the legacies he had left the people had not yet been rendered, he [Tiberius] ordered that he be brought to him to *receive his due* and be executed, and that he report the truth to his father.

Of these two joking remarks of Tiberius recorded by Suetonius, Dio contains only the second, that the jester himself should carry the message to Augustus

[1] A. Turner, 'A Vergilian anecdote in Suetonius and Dio', *CPh* 38 (1943), 261. I use the text of U.P. Boissevain for Dio (Berlin, 1955[2]). All translations in this paper are my own. I thank the anonymous reader of *CQ* for helpful comments on an earlier draft.

[2] Turner was anticipated by J.L. de la Cerda, *P. Vergilii Maronis priores sex libri Aeneidos argumentis, explicationibus notis illustrati* (Lyon, 1612), 237 (on 2.547–50), who noted the Suetonian parallel to Virgil's scene: 'similem huic historiam et atrocitatem Suetonius narrat de Tiberio in illius vita cap. 57'. R.G. Austin (ed.), *P. Vergili Maronis Aeneidos liber secundus* (Oxford, 1964), 211 (on 550) adds the parallel of Odysseus, who is also a messenger to Achilles about Neoptolemus (Hom. *Od*. 11.505–37); cf. N. Horsfall, *Virgil, Aeneid 2: A Commentary*, Mnemosyne Suppl. 299 (Leiden, 2008), 413–14.

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