At this point we move on to the rhetorical works of the 50s and 40s. Wisse starts with an account of the intellectual background of these works, attempting to recover Roman attitudes to things Greek and steering a mid-course between the extreme positions of Jocelyn and Gruen (I would, however, dispute his argument that *Mur.* presupposes knowledge of Stoicism [p. 331], and that the speech suggests that acceptance of Greek culture was dominant [p. 336]); we are then given stimulating accounts of rhetorical theory, the quarrel between rhetoricians and philosophers, and Atticism. Wisse also provides the following chapter on *de Orat.* This covers the same ground as the introduction to his and May's translation of this work: we are encouraged to see *de Orat.* as its original readership would have seen it, as idiosyncratic and surprising. Next comes E. Narducci, with a penetrating chapter on *Brutus* and a more perfunctory one on *Orator* (both notably well translated from the Italian by May). Finally, there is a chapter by R. N. Gaines on *Part.* and *Top.*, the first of which is taken to represent rhetorical philosophy and the second philosophical rhetoric; *Part.* is plausibly seen as an Academic philosophical enquiry into the nature of rhetoric rather than as instruction in rhetoric for Cicero junior.

At the end of the volume G. A. Kennedy gives a quick survey of Cicero's oratorical and rhetorical legacy to the nineteenth century (it is good to see W. Guthrie's eighteenth-century translations being appreciated on p. 497)—then at last we come to the great asset of this collection, C. P. Craig's bibliographies. What we have is (i) a quite brilliant survey of all the work done on Cicero's speeches and rhetorica between 1974 and 1999 (the previous such survey, by R. J. Rowland Jr, terminated in 1974); (ii) a fifty-eight-page bibliography covering everything published during this period, and many important works from before and after; and (iii) complete bibliographies for every relevant work of Cicero, keyed to (ii). (i) gives an intelligent summary of every significant book and article, summarizes important debates like that over the publication of Cicero's speeches (pp. 515–17), and gives useful suggestions for the future direction of research in the several areas. (ii) and (iii) together, on the other hand, will save scholars the task of working through twenty-six volumes of *l'Année philologique* every time they wish to undertake research on a particular speech or rhetorical work of Cicero. These sections alone make this Companion indispensable. But for the whole volume, publisher, editor, and contributors are to be heartily thanked.

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THE CASE AGAINST CICERO

M. C. Alexander: *The Case for the Prosecution in the Ciceronian Era*. Pp. xii + 370. Ann Arbor: The University of Michigan Press, 2002. Cased, US$70/£44. ISBN: 0-472-11261-9.

Cicero's well-known preference in the law courts for speaking on behalf of the defence, rather than the prosecution, has unfortunate consequences for our view of Roman judicial cases: we know a good deal about the kind of oratory employed by the defence, but far less about the typical tactics of the prosecution. Michael C. Alexander's new study sets out to redress this imbalance by exploring a selection of Late Republican legal cases from the point of view of the prosecutor.

The book consists of thirteen chapters, eleven of which focus on individual cases in which Cicero spoke on behalf of the defence. In each of these eleven, A. examines the legal basis for the prosecution and tries to establish what we can deduce about the

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prosecutor's rhetorical line of attack. The discussions are usefully grouped together according to the legal charge involved. Thus the four chapters in Part One consider accusations of extortion (corresponding to Cicero's *Pro Fonteio*, *Pro Flacco*, *Pro Scauro*, and *Pro Rabirio Postumo*); in Part Two, there are two chapters on electoral malpractice (based on *Pro Murena* and *Pro Plancio*); and in Part Three, five chapters on homicide and violence (*Pro Roscio Amerino*, *Pro Cluentio*, *Pro Sulla*, *Pro Sestio*, and *Pro Caelio*). The opening chapter, by contrast, examines what we can learn about the prosecutor's techniques from Cicero's own most celebrated success in this rôle, his prosecution of Verres; and this first chapter also lays out the methodological principles that A. applies throughout his study.

This question of methodology is an important one. As A. acknowledges, trying to reconstruct the prosecution's case from what Cicero argues for the defence is nothing new (virtually all modern commentaries on these speeches attempt to do the same). And the central problem involved in this procedure is essentially an intractable one: a Ciceronian speech represents only a relatively small portion of the court proceedings overall and offers a deliberately distorted version of events; without supplementary evidence to fill out the picture, modern discussions can quickly end up highly speculative. A.'s response to this problem is a reasonable one: he aims to stretch the available evidence as far as it will allow, but lays out explicitly at the outset (pp. 28–30) the typical assumptions that he will apply in doing so. This approach certainly gives his study an admirable rigour and transparency. The important question then becomes: do his hypothetical reconstructions actually help us to understand the case for the prosecution any better?

The answer is yes, in at least two important respects. First, A.'s application of this approach across a range of court cases affords us a broader perspective on typical prosecutorial strategies than a commentary's more limited assessment usually allows. Thus A. usefully highlights, for example, some of the rhetorical strategies repeatedly used in the prosecutions of provincial governors (Chapters 2–5); and this in turn allows him to identify a tactical error (probably) committed by the prosecutor of M. Fonteius, an error that Cicero himself astutely avoids in his case against Verres (pp. 75–6). Secondly, although A.'s reconstructions of the prosecution are necessarily speculative to some degree, they are valuable for helping to loosen the grip that Cicero's distorted depiction of events can all too often exert on our assessment of events. On pp. 167–8, for example, A. considers the evidence for Chrysogonus' involvement in the trial of Roscius of Ameria. Certainly his suggested scenario involves a number of hypothetical leaps (e.g. '*If* [Roscius junior] had done so, [Magnus and Capito] *may* have reasoned that . . .' [emphasis added]). But his final claim—that Cicero significantly overstates Chrysogonus' relevance to the main charges—is plausible and thought-provoking, and has important implications for our understanding both of the background to the trial and Cicero's skill in managing the case for the defence. Here, as elsewhere in the book, the result is a fresh and invigorating perspective on familiar Ciceronian material.

The book also contains much useful material on Roman legal procedure. In order to understand the prosecution's case overall, we need to know exactly what charge is being laid against the defendant and on the basis of which law. These fundamental points are often contentious, and A. displays an impressive expertise in sifting through the various interpretations that have been put forward. (He is, of course, a leading authority on the criminal law of the Late Republic; see his *Trials in the Late Roman Republic, 149BC–50BC* [Toronto, 1990].) A.'s summaries of the relevant issues are admirably clear and even-handed, and he has a sharp eye for the inconsistent or unpersuasive argument. The book thus provides a judicious overview of the legal

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issues connected with Republican prosecutions, and will need to be consulted as a matter of course by those writing on the judicial procedure of the time.

There are a few topics on which A. could perhaps have offered more comment. He rightly draws attention, for example, to the Roman prosecutor's sparing use of material evidence in Republican court cases. But it is interesting that Quintilian (*Inst*. 6.1.30–2) refers to a number of prosecutors of his own day employing quasi-material evidence in a highly theatrical and manipulative way: jurors, for instance, are shown bloodied swords, pieces of bone from a victim's wounds, even luridly drawn pictures of the alleged events. And we know that the defence in Cicero's time regularly used similarly manipulative devices (best known perhaps is the parading of the accused and his family *veste sordida*). Did the Republican prosecutor have similar tricks up his toga to try to counter these theatrical elements of the defence? And if not, does the later development of such techniques tell us anything significant about the expectations and general approach of the Republican courts?

Overall, A.'s study advances significantly our understanding of the Roman prosecutor and his methods. Scholars interested in Roman legal procedure will find much to engage them here. And the book will prove profitable reading for those concerned with Cicero's rhetorical strategies. By shining a light on the rôle and function of the prosecutor, A. also allows us to appreciate all the more clearly Cicero's own astuteness and skill as speaker for the defence.

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AN INTRODUCTION TO SALLUST

S. SCHMAL: *Sallust*. Pp. 216. Hildesheim, Zürich, and New York: Georg Olms Verlag, 2001. Paper, €15.80. ISBN: 3-487-11442-9.

Schmal in his preface (p. 7) claims that his book is not intended to offer a comprehensive summary of scholarly knowledge about Sallust, but rather to set up a signpost to guide readers through the historian's writings, his historical and literary context, and the most important aspects of the secondary literature. In so doing, he proposes to use bold, concise strokes and to give his readers an incentive to read more broadly. In these respects, S. has similar aims to C. S. Kraus and A. J. Woodman, *Latin Historians* (Oxford, 1997), preface; cf. p. 120 'A good general book on Sallust in English is badly needed, although there is much characteristic perception and apt comment in Syme (1964)'. His approach, however, is rather different. Critical tools such as narratology do not feature, although the book would certainly provide useful anchorage for anyone wanting to construct a reading of Sallust along these lines, and caution is a keynote (e.g. p. 17 on why Caesar chose to appoint Sallust as first proconsular governor of Africa Nova).

S. succeeds in producing a narrative which is sensibly embedded in contemporary scholarship and in the ancient sources, but which is also lively, engaging and accessible. There are eleven chapters: (1) 'Sallust's Life and Times', (2) 'Disputed Early-Writings', (3) '*Coniuratio Catilinae*', (4) '*Bellum Iugurthinum*', (5) '*Historiae*', (6) 'Geography and Ethnography', (7) 'Philosophy and Historical Thinking', (8) 'Language and Style', (9) 'Predecessors and Models', (10) 'Reception', and (11) 'Research'. In addition, S. provides an *index locorum* from Sallust and an extensive bibliography. One item which should be added, since it is relevant to S.'s discussion on pp. 145–6, is D. S. Levene's

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