ABSTRACT

A State of Eternal Rest: Roman *Memoria* and Ciceronian *Otium*

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This thesis situates Cicero's discussion of o*tium* in his *De Oratore* within the Roman understanding of *memoria*. Cicero's presentation of *otium,* often translated as "leisure," offers the promise of a nation state that thrives without being at war. Chapter One discusses the link between the Roman moral system, the *mos maiorum*, and a narrative of self-understanding presented through *exempla*. This chapter defines Roman *memoria* as the holding place of *exempla*. Chapter Two will address Cicero's discussion of *memoria* in the introduction of his philosophical work, the *de Oratore*. Finally, Chapter Three will address the type of *otium* that Cicero models in this dialogue and its influence upon Roman *memoria*.

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A STATE OF ETERNAL REST:

ROMAN *MEMORIA* AND CICERONIAN *OTIUM*

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DEDICATION

For the Spirit,
  Secret Fire
    Inspiration
      Guide
For Our Lady
  Intercessor
    Ever-helping
      Wise
May these chapters
  Aid those after
    In pursuit of
      Life
Find the kingdom
  In the places
    Hidden from our
      Sight

PREFACE

The primary catalyst of this thesis was an exploration of the rhetorical effects of direct discourse. By direct discourse I refer to the written or spoken dialogue of characters in a narrative. I include in this definition characters speaking alone since the audience, the reader of book or audience of a drama, serves as the receiver of the speech.

When I began my class on Livy's *Ab Urbe Condita* I did not realize my final paper would suggest that the historian used theater as one of its sources. However, Livy's decision to put words into the mouths of those long dead baffled me, especially because he himself had stated in the introduction to the work that one could not really be certain about the details of historical events and should therefore make no definitive statements about historicity (Livy, *Ab Urbe Condita*, 1.6). Nevertheless, at multiple points in the first book of his history which recorded the oldest and surely the most uncertain events in Rome's past, Livy creates episodes of extended dialogue between characters. In my own modern sensibility, for a writer to quote someone would imply a level of certainty about had happened.

During this same semester, however, I had the opportunity to participate in a production of Plautus' *Mostellaria*. With theatre on the mind, I turned to an examination Livy's account of the Horatii and Curatii. I was struck by how dramatic the scene appeared to be, that is how much the scene appeared more like a description of a scene played out on stage rather than a historical event. The most revealing feature of the

narrative was Livy's description of the onlookers of the battle who gasped and cheered like an attentive audience of play. It occurred to me that if Livy, who was famously unforthcoming with his sources, used plays to inform his narrative, the inclusion of direct discourse would be a natural result, despite the lack of historical verifiability.

While the archeological record indicates that theatre and dramatic reenactments were central to Roman culture, the modern scholar's ability to examine these features of Roman life is stunted for a variety of reasons. The first stone Roman theatre appears not to have been constructed until around 55 BC. Until then, Romans seem to have constructed wooden stages which could easily be deconstructed and reassembled and have undoubtedly rotted away since their use. Furthermore, these performances appear to have been happening for centuries before the first stone theater was built. The Romans claimed their first proper playwright to be Livius Andronicus who lived about 250 BC, but Livius himself inherited a tradition of farce and mimicry that pre-dates his compositions.

Despite this long tradition of written plays, many of the pre-imperial texts have been lost, and of the remaining works, the tragic plays survive only in a few fragments. These tragedies would have consisted of narratives from both the mythological tradition and Roman history.[1] In a mostly illiterate society, as the Romans were, the public performance of these narratives would have been a source of education for the general populace, not in the modern sense of education which aspires to standardization, but rather as means of inheriting the narratives handed down from generation to generation

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[1] For a history of Roman theater see Wiseman (2016) and Goldberg (2018). For Roman tragedy specifically see Erasmo (2004)

that have shaped their self-perception and cultural identity. To have these plays would been hugely informative for the way that Romans understood their duties and dreams as Romans.

The means of Roman self-identity, however, was not exclusive to theatre, and in the year following my examination of Livy, I worked with Dr. Meghen DiLuzio on examining Roman self-identity through religious ritual. My work from this project appears in the first chapter of this thesis. As I researched the central role of *exempla* and the *mos mairoum* in Roman self-understanding, I recognized again the central role of direct discourse in Roman moral formation. *Exempla* hinge upon narratives. Horatius Cocles, a commonly used *exemplum*, by himself did not warrant remembering. Rather, his single-handed defense of a bridge against encroaching invaders, his selfless bravery in the face of death for the safely of the Roman people, inspired the Romans to remember him. While this story could be retold without spoken dialogue, at some point it must be understood that Horatius exclaimed, "Go on without me! I will hold the bridge alone!"

The narrative character of *exempla* evokes giving voice to the figures of the past. In my examination of Roman religious ritual, I recognized the potential to reembody the very *maiores*, "elders," who compose the *exempla*, and, in a sense, practice the behavior expected by the *mos maiorum*, "customs of the ancients." By reenacting the past, the past is given a voice in the present via the speech of the reenactor. Such an activity bears remarkable resemblance to theatrical performance, giving voice and form to character who now exist only in the mind of the Roman people.

During my study of Roman religion, I took a class on Cicero's *de Amicitia*, and, yet once more, became aware of the use of direct discourse as a means of instruction. I

was familiar with tradition of dialogues in Greek philosophy, and the need to distinguish between the claims of the author dialogue and the claims of the interlocutors within the dialogue. The lack of philosophical tradition in the Latin world inhibited my connection between philosophical discourse and the direct discourse of theatre and religious ritual, but, upon reflection, I was stunned to realize again that, in writing his philosophical dialogues, Cicero was putting words into the mouths of others. The *de Amicitia,* then, became to me a dramatic work, the playing out of conversation before the reader, which would admittedly consist of an incredibly dull play, but nonetheless shared the performative character of stage actors.

Thus, began my examination of Cicero's *de Oratore*. As a text ostensively about the education of orators, it offers much by way of conversation about direct discourse and performance. However, my research instead began to focus again on Cicero's discussion of the power of *exempla* in shaping Roman morality. Cicero wrote the *de Oratore* during his first proper foray into writing philosophy and the rise of first triumvirate in the 50s BC. While not yet entirely lost, the republic of Cicero's prime was fading. Yet, Cicero's descriptions of memory as the task of the orator reveals that Cicero put his hope for Rome in the unseen world of *exempla*, which this thesis will call *memoria*. This first chapter defines *memoria*, building on my research with Dr. DiLuzio. Because of the intangible character of Roman religious ritual, the topic lends itself to discussing the difficulties and advantages of examining Roman self-understanding through their own narratives. The rituals themselves cannot be accessed through firsthand experience, so the usual means of accessing these rites is through written texts. The translations of these and all other quotations of primary sources throughout this thesis will be mine.

Chapter two will turn to Cicero's *de Oratore*. It will argue that Cicero perceives his own philosophical dialogues as narratives entered into Roman *memoria*. The third chapter of this thesis will discuss what the *de Oratore*, and Cicero's dialogic world generally, functions as an *exemplum*. In this chapter, the discussion of direct discourse will at last make an appearance, for Cicero's goal for a republic, *otium*, is a redefinition in opposition to the usual depictions of *otium* that appears in Roman comedy. As demonstrated by and through the writing of philosophical dialogues, Cicero shows that the preservation of *memoria* should be of paramount concern for the Roman people.

CHAPTER ONE

A Lasting Memory: On the Longevity of Roman *Exempla*

This chapter will argue that because the Romans founded their ethics upon *exempla*, their cultural stability arose not from some uniform morality but from their narrative memory. This discussion begins by explaining how *exempla* formed the basis for the Roman moral system, the *mos maiorum*. Then we will examine the application of *exempla* in the case of a Roman festival, the Poplifugia. Finally, we will establish Roman *memoria* as a holding place for *exempla* that can outlast moral expectations.

Roman authors cite the *mos maiorum* as the source for their ethical framework. Sometimes abbreviated to *mores*, the *mos maiorum* can be translated the "custom of the ancients." The Romans believed that by remembering what has or has not worked in the past, they can properly make decisions about the present. While the *mores*, "customs," referred to how the Romans ought to live their lives, the customs themselves were gleaned from stories about the past, which were sometimes called *exempla*.[2]

Modern scholars usually access Roman *exempla* through written texts. A typical use of an *exemplum* appears in book one of Livy's *Ab Urbe Condita*:

> Tulit enim et Romana regia sceleris tragici exemplum, ut taedio regum maturior veniret libertas ultimumque regnum esset quod scelere partum foret.
> (Liv. *Ab Urbe*, 1.46)

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[2] For a summary of Roman moral understanding see chapter one of van der Blom (2010) and Bettini (2000).

> The Roman kingdom bore an example of tragic wickedness, so that, by the grief of a king, a more mature liberty may come, and the kingdom may be the last that was born from wickedness.

This passage describes the Tarquins' tyrannical rule. The simplest translation of *exemplum* as "example" suits this context, with the Tarquins being an example of "tragic wickedness." However, Livy's use of *exempla* are not always so explicit. When retelling the story of Lucretia, Livy never directly mentions her exemplarity, but rather describes a drunken conversation in which Roman aristocrats discussed whose wife was the most praiseworthy. Livy writes, "Praise in the competition of women was belonging to Lucretia," (*Muliebris certaminis laus penes Lucretiam fuit.* Livy, *Ab Urbe*, 1.57.10). While not explicitly naming her as an *exemplum*, her excellence as a woman makes her a model of Roman womanhood. Both figures appear as *exempla* in other ancient texts as well.[3]

To identify *exempla* is one issue, but to determine what moral implication the Romans believed arose from a given *exemplum* is another matter. In the Tarquin example above, Livy simply states the cruelty of the Tarquins inspired the Romans to pursue better governance. It seems apparent that Livy believes that Romans ought not to imitate the Tarquin rule in their governance. However, many allusions to *exempla* existed in the material culture of ancient Rome from statues to the running of a household,[4] and

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[3] For other accounts of Lucretia see Diodorus Siculus 9.20-21 and Ovid, *Fasti* 2.725-852, for her exemplarity see Seneca, *De Consolatione ad Marciam* 16.2 and Silius Italicus, *Punica* 13.821-822. For a study on Lucretia's exemplarity see Mallan (2014). For Tarquin see Baraz (2018).

[4]For the house as *exemplum* see Bergmann (1994) and Roller (2010). For the memorial power of Roman architecture and sculpture see Popkin (2016), as well as the

understanding the implications of these *exempla* can prove difficult for those outside the ancient context.

A crucial step in interpreting *exempla* is understanding how the Romans themselves determined how an *exemplum* ought to be morally understood. Matthew Roller, in his definitive book on Roman *exemplum*, describes their creation and solidification in four steps. First, an individual performs an act. Then an audience, present at the event and internal to a narrative, assigns some quality to the deed, good or bad. Then, the action is retold to people who, in turn, make their own ethical judgment about the narrative, and the people publicly commemorate the narrative through monuments, books, rituals and similar narrative means. Finally, hearing the story motivates the people to accept or reject the *exemplum* as a precedent for future behavior in a process Roller calls norm setting.[5] Roller argues that as the people commemorate the action, the story becomes morally determinative, and the ethics become incorporated into the *mos maiorum*. Thus, understanding the stability of Roman moral practice requires examining how the Romans interacted with their *exempla*.

As mentioned earlier, *exempla* appeared throughout Roman daily life, and one of the little explored sources for *exempla* is Roman religious ritual. In recent years, scholarship on Roman religion has shifted from simply determining the nature and purpose of specific rites themselves to considering the Roman mindset behind practicing them. Mary Beard's influential article, "A Complex of Times: No More Sheep on Romulus' Birthday," addresses the "memory network" of the Roman calendar, which she

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volume edited by Karl Galinsky (Galinsky (2016)), especially chapters one, three, six, eight, and nine.

[5] See Roller (2018), 4-6.

calls a "historical pageant," an ever-growing web of Roman religious celebrations which recalled to the participants their own history. More than simply an aid to memory, Beard claims that these stories and etiologies created an image of Romanness that grew *ad infinitum* as Rome continued through time. This image is accessible not only to modern scholars but to the Romans themselves. Such a claim becomes even more plausible when one realizes that many rituals commemorated the very deeds of the *maiores*, "ancestors," invoked in the *mos maiorum*. Unlike written narratives, however, participation in religious rites allowed for the re-embodiment of the actions that initially dictated the *mores*. The roles that religious participants played in the rites they performed offer insight into who the Romans saw themselves to be, and what behavior was expected of them. A festival in early July, called the Poplifugia, is particularly rich for analysis in this respect because of its competing origin myths. It has largely been unexplored in recent years. The two major articles concerning its celebration, while thorough in addressing issues of dating and details about practice, do not discuss the rituals through the lens of Roman self-knowledge. The ancient literary sources clearly indicate an overlap of the Poplifugia with another festival in early July: the Caprotine Nones. If the myths and dates associated with these festivals are considered, how these two festivals are connected becomes apparent.

Much of the scholarship on the Poplifugia and the Caprotine Nones has been devoted to determining their respective dates. In fact, the two articles just mentioned take opposite sides on this debate: Rene Pfeilschifter believes that the festivals were separate holidays celebrated independently, while Noel Robertson argues that a whole program of

events occurred only on the fifth of July.[6] While both make compelling cases, it is equally likely that the festivals were celebrated separately at one time and later became conflated both in practice and in the Roman memory. The ancient stone *fasti* list the Poplifugia as occurring on July 5th.[7] In *On the Latin Language*, Varro does not give a specific date for the Poplifugia, but he appears to indicate that it occurred shortly before the Caprotine Nones on July 7th. His discussion of the Poplifugia does not rest upon his account of the Nones of July, or vice versa. Rather, his discussion of the Nones begins as if it were a new topic. The remaining textual sources offer a more complicated dating issue. Plutarch uses the Nones of July (formerly Quintilis), the People's Flight, and Caprotine Nones to refer to the same celebration. Macrobius also refers to the Nones of July and the Caprotine Nones as occurring on the same day and then quotes a lost Piso text that mentions the Poplifugia as taking place on July 8th. These texts demonstrate a confusion of the Caprotine Nones with the Poplifugia in Roman memory. The stone calendars and Varro, the earliest literary reference to the Poplifugia, appear to confirm that the Poplifugia and the Caprotine Nones fell on separate days. Nonetheless, Plutarch and Macrobius' comments show that at some point, the Romans themselves began to conflate these festivals to the point of confusing their dates. How and when this happened is unclear, but the ways that Romans remembered and interacted with *exempla* of the past are better understood by focusing on the etiological myths.

[6] See Pfeilschifter (2008) and Robertson (1987).

[7] *Fasti Antiates Maiores* (c. 84-55 BC), the *Fasti Amiternini* (c. AD 14-37), and the *Fasti Maffeiani* (after AD 8) list the Poplifugia on the fifth. For the Fasti see Degrassi (1963).

Varro is also the earliest source for understanding what rituals the Romans celebrated in early July. In *On the Latin Language*, Varro provides an explanation for the feast's name:

> Dies Poplifugia videtur nominatus, quod eo die tumultu repente fugerit populus: non multo enim post hic dies quam decessus Gallorum ex Urbe, et qui tum sub Urbe populi, ut Ficuleates ac Fidenates et finitimi alii, contra nos coniurarunt.
> (Varro, *On the Latin Language,* 6.18)
>
> The Poplifugia 'People's Flight' seems to have been named such because on that day the people fled from a sudden tumult: for not much after this was the day when there was a departure of the Gauls from the city, and then the people within the city like the Ficulians and Fidentians and other neighbors, conspired against us.

Thus, according to Varro, the Poplifugia was named after the Roman people's flight from their threatening neighbors after the Gauls were driven from the city. Then, Varro provides an etymology for The Nones of July or the Caprotine Nones:

> Nonae Caprotinae, quod eo die in Latio Iunoni Caprotinae mulieres sacrificant et sub caprifico faciunt.
> (Varro, *On the Latin Language,* 6.18)
>
> Caprotine Nones are called such because on this day, in Latium, women sacrifice to Juno Caprotina, and they do it under a fig-tree.

This explanation clearly connects specific sacrificial rites under a fig tree to a festival other than the Poplifugia. Thus, Varro keeps the festivals separate. Unfortunately, the other ancient authors, most of whom this chapter will discuss subsequently, either describe the Caprotine Nones and the Poplifugia as explicitly connected either to the maid servant Philotis orchestrating the defeat of the Gauls or to the disappearance of Romulus, neither of which appear anywhere in Varro's descriptions of the Roman festivals of early July.

The myth of Philotis is set during the same period as Varro's description of the Poplifugia. Plutarch discusses Philotis in his *Life of Camillus*, to whom the victory of the Gallic siege is commonly attributed. In the discussion of Camillus' third dictatorship, during which he suppressed the surrounding Latins, Plutarch offers an alternate explanation for the Gallic defeat led not by Camillus, but the maidservant Philotis. In the second version, the Latin neighbors demand that Romans give free-born virgins to them in marriage. With Roman magistrates at a loss, Philotis, a slave woman, suggests they send over Roman maidservants over instead and promises that "she would attend to the rest." Plutarch writes that as the enemy slept, she signaled the Romans with a fig branch who then attacked, securing a victory. Much the same story appears in the writings of Macrobius and Polyaenus but with no mention of Camillus at all (Macrob. *Sat*. 1.11.36-40; Poly. *Strat*. 8.30). Most significantly, Macrobius, rather than claiming that this victory was celebrated on the Poplifugia, writes that it occurred on the Caprotine Nones:

> diemque ipsum Nonas Caprotinas nuncupavit ab illa caprifico ex qua signum victoriae
> (Macrobius *Sat*. 1.11.40)
>
> [The senate] called the day itself the "Caprotine Nones," from that fig tree from which [they received] the sign of victory.

Macrobius find the similar appearance of *caprificus* and "Caprotine" to be sufficient for the etymological affiliation. Plutarch, possibly Macrobius' source, makes the same linguistic connection:

> καὶ τὴν ἡμέραν νώνας Καπρατίνας καλοῦσιν, ὡς οἴονται διὰ τὸν ἐρινεόν, ἀφ᾽ οὗ τὴν παιδίσκην τὸν πυρσὸν ἆραι
> (Plutarch, *Life of Cam*. 33.6).
>
> And they call the day Caprotine Nones, thanks to the fig tree from which, as they think, the maid servant raised the torch.

For these authors, the Caprotine Nones became associated with remembering the aftermath of the Gallic invasion and the maid servant who saved Rome.

Plutarch discusses the deeds of Philotis twice, once in the *Life of Camillus* because the story is chronologically relevant, and once in the *Life of Romulus* because, in a complete departure from Varro, the Nones of July and the Poplifugia also became synonymous with the disappearance of Romulus at the Goat Swamp. This location provides an alternative etymology for the Caprotine Nones, since goat is *capra* in Latin. Several other ancient sources refer to the Nones of July as the day when Romulus disappeared, and Dionysius of Halicarnassus, making no mention of a specific date, reports that Romulus disappeared on the Poplifugia (Dion. of Hal., *Rom. Ant*. 2.56.1-7). The traditional story of Romulus' disappearance states that while Romulus was holding an assembly at the Goat Swamp near Rome, a storm arose and, in the darkness and confusion of the storm, the people fled. When the light returned, Romulus had disappeared, having either been apotheosized by his father Mars or murdered by a disgruntled group of his subjects. Dionysius claims that the name, Poplifugia, comes from the people's flight on account of the weather:

> διὰ τοῦτο γοῦν φασι τὴν ἡμέραν ἐν ᾗ τὸ πάθος ἐγένετο τῆς τροπῆς τοῦ πλήθους ἐπώνυμον εἶναι καὶ μέχρι τῶν καθ᾽ ἡμᾶς χρόνων ὄχλου φυγὴν καλεῖσθαι (Dionysius of Hal. *Roman Anti*. 2.56.5)
>
> For this reason at least, it is said that the day on which this incident happened was named by the routing of the multitude and is called flight of the people as far as the time according to us.

Plutarch, on the other hand, attests to a similar reason for calling the day of this event "the Flight of the People" in his descriptions of the rites practiced.

Plutarch also describes the rites practiced at the festival in both the *Life of Romulus* and the *Life of Camillus*. In *Romulus*, he speaks of participants "going to the Goat Marsh to sacrifice," while in both accounts, he describes, "calling out loudly of customary names like Marcus and Lucius, and Gaius" (ἐξιόντες δὲ πρὸς τὴν θυσίαν πολλὰ τῶν ἐπιχωρίων ὀνομάτων φθέγγονται μετὰ βοῆς, οἷον Μάρκου, Λουκίου, Γαΐου, Plutarch, *Life of Rom*. 29.2; κοινῶν ὀνομάτων βοῇ φθέγγονται, Γάϊον, Μάρκον, Λούκιον καὶ τὰ τούτοις ὅμοια, Plutarch, *Life of Cam*. 33.5). Plutarch gives conflicting reasons for this rite. In *Romulus*, he reports that the calling out of local names was "mimicking the way in which they turned around and called on each other in alarm and tumult," (μιμούμενοι τὴν τότε τροπὴν καὶ ἀνάκλησιν ἀλλήλων μετὰ δέους καὶ ταραχῆς, Plutarch, *Life of Rom*. 29.2), but in *Camillus* the people call out common names "mimicking the way they called on each other in their haste" as they went to battle in the Philotis myth, (μιμούμενοι τὴν τότε γενομένην μετὰ σπουδῆς ἀλλήλων ἀνάκλησιν, Plutarch, *Life of Cam*. 33.5). Meanwhile, again in *Romulus*, Plutarch claims that the ritual is called "the People's flight" because of the event it commemorates and Caprotine Nones because of the location where the event took place (Plutarch, *Life of Rom*. 29.2). Thus, Plutarch appears willing to attribute the rites to either myth.

Notably, except for the sacrifice, which Marcobius and Varro also mention, Plutarch alone records the other rites associated with the festival. The additional descriptions of the sacrifice suggest that it was performed specifically by women to Juno Caprotina, and Macrobius claims that it was instituted in response to the help given by Philotis in defeating the Roman neighbors. This shows that while Plutarch was certain the

sacrifice seemed more consonant with Romulus'’disappearance, other Romans were not so sure. These discrepancies bear witness to the fact that the Roman people remembered multiple etiological stories and their implicit *exempla* for the religious practices in early July.

The existence of overlapping *exempla* in the celebration of the Poplifugia allowed for distinct moral conclusions to be drawn from the same rites. For the Roman people performing the rituals in early July and reenacting the historical events associated with them, this layering of etiological myths dramatized questions of political authority in their own lives. Remember that by participating in their religious calendar, their historical pageant, Romans could recall their own history and identity as it was first laid out by their *maiores*. The rituals of the Poplifugia, described by Plutarch, when viewed through either mythical lens, concern the Roman people's reaction to a crisis. According to one version, when Romulus disappeared, the people were confused and frightened, and ran about calling out the names of their neighbors. However, in the story of the Gallic invasion, the Romans did not need a leader, like Camillus or Romulus, to come to their aid. On the contrary, they defeated their enemy inspired by one of the lowest members of their society, the maid servant Philotis, working together as a community, calling out each other's name as they get ready for battle. These practices are not mutually exclusive. The literary sources attest that both stories remain active though the course of Roman history, so either story could have been more popular among different groups of people at different times. For example, the disappearance of Romulus is referenced more frequently than Philotis during the dawn of Augustan Rome, suggesting an increased

emphasis that people become lost without a leader.[8] Nonetheless, the Philotis myth persisted as part of the Roman historical pageant in quiet assurance of the Roman people's capacity to act in their own defense without a strong ruler. Living in the Roman world meant engaging in Roman politics, thus a part of Roman identity dealt with how to respond to the evolving political terrain around them. The Poplifugia and Caprotine Nones provided Romans with the opportunity to reflect upon and decide how they may engage with crises when they arise.

Difficulty arises when imagining an individual participating in these rites. Scholars cannot establish with certainty whether the average Roman remembered Romulus or Philotis during any specific year's rituals. As just shown, however, it can be understood that both were a possibility among the Roman people. In an article on memory in antiquity, Simon Price addresses this very issue. Along with ritual behavior and their associated myths, he lists objects and representations, places, and textual narratives among the contexts in which a people group may form what he calls a memory network.[9] Price does not claim that the ancients deliberately built this network, but that it describes "the self-understanding of particular peoples," which comes about as a natural result of remembering their own history. This virtue-determining historical recollection can be identified with the Roman notion of *memoria*. As mentioned, such recollection occurs primarily through the means of *exempla*, stories about figures from the past retold

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[8] Macrobius, writing around AD 400 is the latest mention Philotis, also calling her Tutela at *Sat*. 1.36, Solinus 1.20 and the *Historia Augusta* 7.2, appearing around the late 2nd and 3rd century, mention the Nones of July as the day in which Romulus disappeared.

[9] See Price (2012).

to aid Romans in understanding how to behave in their present. The Roman *memoria* serves as a holding place for Roman *exempla*.

Memoria does not refer to the acts or physical objects that inspire recollection. Roller posits that commemoration is a necessary step in creating an *exemplum*. These means of commemoration, through myths, rites, and similar cultural fixtures, form the basis of Price's memory network. However, the sum of the commemorations concerning an *exemplum*, does not compose the substance of *memoria*. Furthermore, *memoria* does not simply refer to an individual's personal knowledge. The learned information from life experience or formal education is not the memory being referred to. Likewise, *memoria* does not simply indicate a person's ability to recall information. The foremost issue with the latter two understandings of *memoria* is that they depend upon an individual. Rather, the term *memoria* ought to be understood as a collective memory consisting of *exempla*.

Roman *memoria* appears to be a more stable source for cultural identity than the *mos maiorum*. As the case of the Poplifugia indicates, the moral expectations impressed upon the Romans could vary widely, but the narratives nevertheless remained in the Roman *memoria*. Admittedly, new *exempla* could be added, while old narratives fade from prominence, but commemoration ties *exempla* to the Roman people, the longevity of the stories themselves can well outlive the *mores* behind them.

CHAPTER TWO

The Treasury of All Things: Cicero's use of Roman *Memoria* in the *De Oratore*

Having defined Roman *memoria* in the last chapter, this chapter will treat Cicero's discussion of *memoria* in the introduction to *de Oratore*. As an orator, Cicero would have studied memory as a part of his education, but in this introduction, his discussion concerns the role of *memoria* in Roman identity. This chapter argues that Cicero attempts to enter his philosophical works into the exemplary world of *memoria*. This chapter begins by examining Cicero's *de Oratore*, proving that the memory to which Cicero refers in *de Oratore's* introduction is the *memoria* defined in the last chapter. Then this chapter will show that Cicero sets up the *de Oratore* as exemplary in the introduction to dialogue, and then confirms this method of instruction in the dialogue itself, indicating that Cicero deliberately enters this dialogue into *memoria*. Finally, this chapter will show that this insertion applies to all of Cicero's dialogic world.

In Cicero's *de Oratore*, several Roman politicians meet at a country villa and discuss the nature and ideals of the Roman orator. About a decade later, Cicero composed a treatise on the rhetoric focusing the importance of style, simply called the *Orator*, which may be more expected of an accomplished orator like himself. In *de Oratore*, however, he wrote a text similar to a Platonic dialogue discussing the nature of the orator

as a whole.[10] Diverging slightly from the philosophical tradition however, Cicero begins the work with a preface addressing his brother, Quintus. It is in this preface that Cicero presents the entire subsequent dialogue as an act of recollection. Cicero claims that the most suitable way to teach Quintus about oratory is by remembering things of the past:

> Ac mihi repetenda est veteris cuiusdam memoriae non sane satis explicata recordatio, sed, ut arbitror, apta ad id, quod requiris;
> (*de Oratore* 1.4)
>
> And for me the recollection of certain old memories not satisfactorily explicit enough must be recalled, but, as I judge, it is suited to what you ask about;

Cicero identifies recollection as the means by which he plans to instruct his brother about oratory. The execution of this intention is not subtle. Cicero transitions to the dialogue itself by introducing the characters of Crassus, Antonius, and Quintus, saying, "I say that it was recalled by me, on the days of the Roman games…" (*dici mihi memini, ludorum Romanorum diebus*, *de Oratore* 1.24). By saying this he contextualizes the dialogue as personal recollection about particular people in particular places. Thus, the entire work occurs in Cicero's professed memory.

About a century ago, scholars theorized that Cicero's philosophical dialogues were based on Cicero's historical recollection as he suggests. Scholars theorized that an elite group of ancient Roman men, termed the Scipionic Circle, met to discuss issues of government and philosophy.[11] This idea has been largely abandoned in the past decades, but its core observation, that Cicero claims to be remembering these dialogues, remains

[10] See Brittain (2021) for Cicero's Platonic imitation. See Narducci (2002) for a summary discussion of the *Orator*, and Wisse (2022) for *de Orator*e.

[11] To trace the disproval of this theory into recent years see Forsythe, (1991), Zetzel, (1972), Brown (1934), and Hanchey (2013).

significant. In the *de Oratore*, Cicero writes as though he remembers the dialogue that follows, and his discussion of memory appears both in the prologue and the text. These factors indicate a richer definition of memory than simply forensic recollection.

Memory is one of the five tasks of the orator handed down in rhetorical tradition. Rhetorical memory usually referred to the ability to recall a prepared speech. As a discipline, it involved the careful systemization of thoughts and mental tricks that an orator could practice improving his recollection.[12] In the introduction to *de Oratore*, however, Cicero grants memory pride of place in his list of skills required of the best orators:

> Quid dicam de thesauro rerum omnium, memoria? quae nisi custos inventis cogitatisque rebus et verbis adhibeatur, intellegimus, omnia, etiam si praeclarissima fuerint in oratore, peritura.
> (*de Oratore* 1.18)
>
> What will I say about the treasury of all things, the memory? Unless it be employed as a guardian for things and words both discovered and thought, we understand, all will be destroyed, even if it was most beautiful in the orator.

Cicero starts this description of memory at the end of an extensive explanation of the skills necessary to be a good orator. The skill set he lists includes knowledge of all other disciplines, the ability to speak clearly and winsomely, and the ability to control one's behavior like an actor. All these proposed skills fit neatly into the other four orator's tasks: invention, arrangement, style, and delivery. At the conclusion, Cicero finally turns to memory. He claims that without the "treasury of all things" and "guardian of thought," memory, rhetoric would be useless because all the discipline worked to build would be destroyed. This elevation of memory appears in stark contrast to the *Orator* where

[12] Kennedy (1963), Kennedy (1994), 123.

memory is merely mentioned (*Orator* 54). Such a difference of treatment can be owed to Cicero's distinct definition used for memory in the introduction of *de Oratore*, not as a rhetorical task, but rather as *memoria* as discussed in the first chapter. Cicero deliberately exemplifies the characters in the *de Oratore* indicating the author's intention to engage with the world of *memoria*. If *memoria* refers to the *exempla* held in common by Romans from which they extrapolated their moral code, then, for the *de Oratore* to be included in *memoria*, Cicero must coax his readers into treating the interlocutors he has written as exemplary.

For Cicero's text to be entered into *memoria*, the dialogue must contain authoritative figures of highest virtue, that is, figures seen as *exempla* by those receiving the work. Authority, *auctoritas*, enabled orators to speak persuasively in public meetings.[13] Likewise *exempla* needed to wield *auctoritas* to hold sway of the Roman people. Recalling Roller's requirements for exemplification (see chapter 1) besides simply establishing some past action and past audience to judge the action, a present audience must also make an ethical judgement of the action. In the *de Oratore*, two young orators ask their elders, Crassus, Scaevola, and Antonius to explain the nature of an excellent orator. By nature of appearing to be a recorded conversation, this event necessarily occurs before the reader hears about it, placing the dialogue in past. The attentive and listening young orators function as the past audience. The remaining task for the author Cicero is to encourage his reading audience to accept the figures presented as *exempla*. Cicero's primary method for doing this is by affording to his interlocutors

[13] See Polo (2011) for *autoritas* in public speaking.

authority, *auctoritas*.[14] Because the figures lack the natural authority granted to the *mos maiorum* by their antiquity, Cicero creates *auctoritas* for them internal to his works. Hanchey observes that Cicero creates *auctoritas* for the interlocutors by referencing them authoritatively in other dialogues.[15] This self-referential character of Cicero's philosophical dialogues produces the perception of authority for his *exempla* to be taken as such.

Another method Cicero uses to make his interlocutors appear to be exemplary is to point out the lack of other suitable options for imitation. At most the interlocutors of *de Oratore* existed two generation before Cicero,[16] but the severe lack of model orators begs remedying:

> cum boni senatoris prudentia comparandam putet, convertat animum ad ea ipsa artium genera, circumspiciatque, qui in eis floruerint, quamque multi: sic facillime, quanta oratorum sit semperque fuerit paucitas, iudicabit.
> (*de Oratore* 1.8)
>
> When one thinks to compare the wisdom of a good senator, he turns his mind to this sort of art, and let him looks around at how many there are who flourish among these things: this most easily he will judge how many there is of orators and that there were always few.

In this passage, he compares the number of orators to the number of senators. The abundant number of senators overshadows the number of orators. Cicero also sees disparity in the number of orators compared to the number of poets:

[14] See chapter 6 of Blom (2010) and Fox (2007) discuss how Cicero manipulates *exempla* for his own ends. However, this paper aims to discuss what Cicero claims to be doing.

[15] Hanchey (2014), 66.

[16] See chapter 3 of van der Blom (2010) (here and passim) for the men Cicero uses as *exempla*. See Hanchey (2013), 187 for a discussion of both the recentness and significance of the dialogue s setting.

> copiam poetarum et oratorum egregiorum exstitisse, atque in hoc ipso numero, in quo perraro exoritur aliquis excellens, si diligenter, et ex nostrorum, et ex Graecorum copia comparare voles, multo tamen pauciores oratores, quam poetae boni reperientur.
> (*de Oratore* 1.11)
>
> A supply of excellent poets and orators has existed, and in this number, in which rarely anyone excellent arises, if you wish to diligently compare not only out of the number us, but from the number of the Greeks, nevertheless, muchly, rather fewer orators will be found than good poets.

While Cicero concedes that some excellent orators exist, he makes careful note that compared to excellent poets there are fewer orators. This observation creates the expectation that there ought to be more orators. Furthermore, Cicero expresses discomfort at the absence of orators also compared to the number of excellent political leaders Rome produced:

> Iam vero, consilio ac sapientia qui regere ac gubernare rempublicam possent, multi nostra, plures patrum memoria, atque etiam maiorum exstiterunt, cum boni perdiu nulli, vix autem singulis aetatibus singuli tolerabiles oratores invenirentur.
> (*de Oratore* 1.8)
>
> But now, those who are able to rule and govern the republic with counsel and wisdom, many exist in our memory, more in the memory of the fathers and even more of the *maiores*, however for a long time no good ones and hardly any tolerable orators were discovered on a singular basis in each time.

Good rulers appeared all throughout Rome's history, especially among the *maiores*. By marking the absence of orators even among the *maiores*, Cicero creates the void into which he can provide *exempla*.[17] Though explicit in this last case, the opportunity for more rhetorical *exempla* to be added also lies implicit in the comments on poets and politicians also discussed. Given the need for *exempla*, the interlocutors' relative recentness may be waived.

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[17] van der Blom (2010) and Fox (2007) discuss how Cicero manipulates exempla for his own ends. However, this paper aims to discuss what Cicero claims to be doing.

In addition to creating authority for them and noting the need for *exempla*, Cicero makes it clear that the older men of his dialogue are the best orators in the best state. The first sentence of the *de Oratore* declares as much:

> Cogitanti mihi saepe numero, et memoria vetera repetenti, perbeati fuisse, Quinte frater, illi videri solent, qui in optima republica
> (*de Oratore* 1.1)
>
> As I frequently think over and recall old memories, brother Quintus, those men usually seemed to have been the most blessed, those who were in the best republic…

The objects of Cicero's memory are the "best republic" and the "most blessed men," (*optima republica*, *perbeati*). Later, Cicero further identifies the men within this dialogue as the best orators:

> sed, ut arbitror, apta ad id, quod requiris, ut cognoscas quae viri omnium eloquentissimi clarissimique senserint de omni ratione dicendi.
> (*de Oratore*, 1.4)
>
> as I judge, it's suited to it, which you seek, so that you know the things concerning all reason of rhetoric that the most eloquent and most famous men knew.

The clear use of superlative (*eloquentissimi clarissimique*) identifies the subject of Cicero's recollection as exemplary figures. By claiming that the following dialogue consists of *exempla* Cicero establishes his work within the Roman *memoria* according to its definition in chapter one.

By placing his dialogue within *memoria*, Cicero not only performs what he has described to be the most important task of the orator, but also provides his readers with a model for how to do it themselves. As discussed, Cicero claims that without *memoria*, the entire discipline of rhetoric would be worthless. So, for an orator, cultivating and maintaining *memoria* is one of most necessary skills required by the discipline. This is the very deed which Cicero performs by recounting and recollecting this dialogue to his

brother Quintus. Not only does Cicero himself profess to be contemplating *exempla* within *memoria*, but the *exempla* he contemplates are themselves the best orators, one of whose highest obligations is to maintain *memoria*, thus providing a model for the education of orators.

The importance of the education of orators will be discussed more thoroughly in the following chapter, and the remainder of this chapter will show that Cicero treats *memoria* with such gravity because it serves as an intangible reality that bears consequences in the physical world in which he lived. The discussion of memory, at the end of book two of *de Oratore*, and the proem of the *de Legibus*, show Cicero's treatment of *memoria* as intangible space.

Near the end of book 2 of *de Oratore*, with the second morning's dialogue coming to a close, Antonius offers some remarks on the role of memory for the orator. He recounts the birth of the art of memory, first discovered by the fifth-century Greek poet, Simonides. Antonius claims that shorty after Simonides exited a party, the house he left collapsed crushing the remaining partygoers. The poet discovered that he could identify the mangled corpses by reconstructing the party in his mind, and then he realized that this method of picturing memory could be applied to more abstract recollection. Thus, Antonius claims that orators can practice creating the image of places in their minds:

> Itaque eis qui hanc partem ingeni exercerent locos esse capiendos et ea quae memoria tenere vellent effingenda animo atque in eis locis collocanda: sic fore ut ordinem rerum locorum ordo conservaret, res autem ipsas rerum effigies notaret, atque ut locis pro cera, simulacris pro litteris uteremur.
> (*de Oratore* 2.354)
>
> And so for those who train this part of their character, places must be seized upon, and for those who wish to hold things in memory they must be molded in their mind and collected in these very places: thus it should be so that the arrangement of the places of things preserves the order, however, it records the likenesses

> themselves of the things, and so that as we put letter in wax places so likenesses into places.

Unlike the reconstruction of the party before the collapse of the building, the places that Antonius refers to in this passage do not have to be direct referents to historical events. Rather, he means that if an orator desires to remember anything it can be conflated with an image in his mind. That image must occur in some imagined context or place. The image that an orator recalls, he claims, must coincide with a context. Simonides' process of discovering the art of memory reveals that contextualization, to an extent, is a natural result of recollection. In the *de Oratore*, Antonius gives the impression that the orator must work to produce the place that he holds in his mind. However, Simonides' recollection of the party had a place that it already occurred. On the one hand, ridiculous images are more easily recalled, so an orator must create images that seem bizarre. However, Antonius' use of Simonides shows that recalling the location of an image bears as much weight as the image itself. Thus, these aspects of recollection, place and object of an image, are linked together in the mind.

Place memory is a common method of memorization described by orator's handbooks in antiquity. As such, this method of remembering is not unique to the preservation of *memoria*, since *memoria* refers specifically to exemplary narratives, but it describes the idea of mental places to which an orator could have access. Thus, when Cicero enters his dialogues into *memoria*, he submits images of particular people in a particular place (in the case of the *de Oratore*, several famous Roman orators talking at Crassus' Tusculan Villa). This contextualization was facilitated by writing his philosophy in a dialogue form. Through the narrative structure of dialogue, Cicero constructs a place for *exempla* to occur and be remembered.

Based on Simonides' description of place memory and the connection between memory and *exempla*, one of the key features of *exempla* must be their tie to physical place, be it real or imagined. *Exempla* provide tangible manifestations of the Romans' less than tangible ethical framework, the *mos maiorum.* Cicero describes this link between the tangible and intangible worlds in his *de Legibus*. In the *de Legibus*, the interlocutors begin with a discussion about whether an oak they are walking by is the same oak referenced in one of Cicero's poems. In Hanchey's discussion of the "Marian Oak" issue, he argues, "The proem of *de Legibus* cautions its audience against the assumption that cited examples have historical referents."[18] That is to say that Cicero's goal in writing is not historicity, but another definition of veracity. Hanchey's article goes on to discuss how Cicero's ahistorical truthfulness facilitates his creation of *exempla*. The further implication of this insight is that the truthfulness of *exempla* does not lie in historical accuracy but in an *exemplum*'s moral integrity.[19] Does the *exemplum* show virtue to be virtue and vice to be vice? Even if the image that exists in *memoria* differs from that in reality, the preserved *exempla* can be true with respect to Roman moral judgment.

The character Atticus struggles with truthfulness apart from the physical world in *de Legibus*. He asks if the oak from Cicero's poem still exists, and Cicero claims, "It

[18] Hanchey (2014), 65. Hanchey s discussions of the Marian Oak passage in this essay and in his class on *de Amicitia* (fall 2020) proved hugely influential for my own analysis in the follow paragraphs.

[19] For a sociological perspective on conflation of history and memory that breaks down a cultural perception of myth as falsehood, see Assmann (2008).

remains, my Atticus, and will always remain; for it is situated in *ingenium*," (*Manet vero, Attice noster, et semper mane bit; sata est enim ingenio*, *de Legibus*, 1.1). Clinton Keys translated *ingenio* in the Loeb as "imagination," but the usual translation of this word refers to a person's character or natural ability and, less commonly, general cleverness ("ingenium," Lewis & Short). The quality of something being within *ingenium* connotes some place occurring in the nature of man that can hold images. Although the oak in *ingenium* is intangible, Cicero does not indicate that it ought to be regarded with any less sincerity than if it were growing beside them. The physical oak beside the interlocutors acts as a reminder of the unseen oak that resides in *ingenium*.

In the discussion of place, *ingenium* appears to be a subset of the spatial memorization described by Antonius in *de Oratore* book 3. The space of *ingenium* does not appear to be merely imagined alternate realities. It contains images whose veracity depends on their congruency with moral veracity. Thus, the space called *ingenium* in this passage is closely akin to *memoria*. Again, *memoria* holds *exempla*, whose nature requires that the images they consist of reveal Roman ethics. The character Cicero, of the *de Legibus*, however, does not treat this intangible place like as a meaningless fantasy but like a true story. Likewise, Cicero, the author, cares to develop the images in *memoria*, that is, he takes the time to create exemplary dialogues, historically unverifiable narratives, because *memoria* preserves truth outside of the destructible world.

Although separate from the tangible world, Cicero does not claim *memoria* is untethered to the physical world. In fact, his dealings with *memoria* are predicated upon its effects on the living out of Roman identity. The memorialization of *exempla* by the present audience, the final step required by Roller for exemplification, occurs in the

tangible world. *Memoria* is "stoked up" by statues or rituals or the retelling of stories in dramas and verbal narratives. In the oak tree example above, *memoria* is "stoked up" by the physical presence of an oak tree beside the interlocutors. Similarly, at the beginning of book five of another of Cicero's dialogues, the *de Finibus*, Piso describes how visiting the Academy in Athens stirs up memories of Plato's dialogues and subsequent philosophical discussions through the ages. Piso could not have personally attended the ancient platonic dialogues, so his memories of these events are in fact memories of images whose truth value rests outside historicity. The crucial matter for both these examples is that neither of these events themselves occurs in the tangible world, but in Cicero's written account of these remembered dialogues. For the reader of the dialogues, the memorialization of these dialogues is the very text being read. The object in the physical world which the present audience make a moral judgement upon are the works that Cicero has written. This link between the tangible world and the intangible space *memoria*, creates the bridge by which the *exempla* can inform the Roman ethics, and by which Roman morality can be called to a higher good.

Chapter one showed that Roman interpretation of *exempla,* and even the *exempla* to which certain memorializations are attached, do not remain consistent over Roman history. Nonetheless, *memoria* remains parallel to tangible reality. Even if the interpretation of an *exemplum* changes in one era, its previous meaning remains accessible from the existing images in *memoria*. Cicero's belief in *memoria* as an intangible and indestructible reality parallel to the physical world is evidenced by the very writing of his philosophical works. Remember that in his account of memory in the *de Oratore's* preface, Cicero claims that without *memoria*, oratory would be worthless

because otherwise the efforts of oratory would fade to oblivion. This is quite an intense claim since his political efforts had largely consisted of a career in oratory. As such Cicero's transition to philosophy in the face of rising political tensions is surprising especially considering his unfavorable opinion of the aimless philosophizing of the Greeks. Yet, if his philosophical texts are perceived as entrants into *memoria*, as he suggests his efforts in oratory were, his behavior remains consistent. This returns the discussion to the purpose of oratory. Or rather, what does Cicero aspire to preserve by entering his philosophical dialogues into *memoria*? To answer this question, the next chapter will discuss Cicero's vision of the orator's education and the goal of a republic. This discussion hinges upon understanding that Cicero's philosophical dialogues as a whole function as memorializations of *exempla* to which Romans will have access for generations.

CHAPTER THREE

An Exemplary Dialogue:
The Role of *Otium* in an Orator's Education

In the introduction of the *de Oratore* Cicero indicated that he wanted to submit his dialogic world into *memoria* as an *exemplum*. As mentioned in chapter two, the dialogue itself is an image of the education of an orator, but Cicero himself points out in the preface of this work that numerous handbooks on the art of rhetoric have already been written by the Greeks (*de Oratore* 1.23). Cicero's goal appears to go beyond a simple demonstration of methodology. Rather, because the whole work, as a narrative, occurs in a context, Cicero can show his hope for the Roman republic as a whole, what he calls *otium*. Furthermore, he demonstrates that Romans can pave the way for bringing about this ideal republic through the preservation of *memoria*. This chapter argues that the introduction to *de Oratore* shows *otium* to be a pre-requisite for rhetorical education, and that the *otium* modeled in the *de Oratore* is the *otium* Cicero claims to be the goal of republicanism in his speech *Pro Sestio.* By inserting this *exemplum* into *memoria,* Cicero provides an image of productive *otium*, that is, the cultivation of *memoria*.

In the preface to *de Oratore*, Cicero maintains that when surveying history, even the Greek orators do not usually meet his high standard of rhetorical excellence. This stance comes as a shock since Cicero's own writings show a practiced familiarity with a well-established Greek rhetorical tradition. He was clearly influenced by and well-studied

in the works of many Greek orators including Pericles, Isocrates, and Demosthenes.[20] He even refers to Athens as the source and perfecter of teachings on the discipline of rhetoric:

> Atque ut omittam Graeciam, quae semper eloquentiae princeps esse voluit, atque illas omnium doctrinarum inventrices Athenas, in quibus summa dicendi vis et inventa est et perfecta:
> (*de Oratore* 1.13)
>
> And as I will omit Greece, which wished to be the head of eloquence, and Athens, that inventor of all teachings, in which the greatest force of speaking was both discovered and perfected.

While it is clear that Cicero respects the efforts by which Athens strove to perfect the art of rhetoric, his standards for rhetorical excellence are self-admittedly high. Even the Greek orators did not reach Cicero's expectation.[21] As discussed in last chapter, Cicero claims the rhetorical discipline included many skills that all had to be perfected. To make the practice of oratory more manageable, Cicero claims many orators divide the discipline into discrete parts. He explicitly says that the Greeks used this technique:

> quod Graecos homines non solum ingenio et doctrina, sed etiam otio studioque abundantes, partitionem quamdam artium fecisse video,
> (*de Oratore* 1.22)
>
> But I see that the Greek men, abounding not only in brilliance and teaching, but even in leisure and zeal, had made certain divisions of the arts.

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[20] See Pernot (2005) to see a distinct presence of rhetorical *exempla*. Raschieri (2017) discusses *De Inventione* more than *De Oratore*, but it shows the closeness with which Cicero worked amid Greek oratory and Philosophy. See Laughton (1961) for a summary of Cicero s engagement with the Greek orators. In the *de Oratore's* introduction, Cicero claims that he does not approve of their methods either (See *de Oratore* 1.23), but this may be understood as Cicero working to create a uniquely Latin philosophical tradition.

[21] While this paper will argue that Cicero indicates this in the preface of *de Oratore*, he appears to make an exception for Demosthenes. The *de Oratore* itself mentions him in high praise, and Cicero parallels his own life to Demosthenes in the *Brutus*. See Bishop (2016).

Cicero understands such division to be a weakness in an orator's education. Thus, even the Greek culture with their advantages could not achieve the high educational standard that Cicero expected from exemplary orators. Besides once again further demonstrating the need for more rhetorical *exempla*, this last passage reveals the features of a community Cicero perceives as poised to educate orators. Of the four features listed (*ingenio et doctrina, sed etiam otio studioque*, "character and teaching, but even leisure and zeal"), Cicero's discussion of *otium*, spills into the rest of the preface and into his philosophical corpus. This chapter will examine Cicero's use of *otium* throughout his works, then focus on his use of it within the introduction to *de Oratore*, finally broadening this chapter's scope to understand the implication of Cicero's use of this *exemplum* upon the greater Roman *memoria*.

Translators usually render the word *otium* as "leisure," and the term enjoyed use by ancient authors in both public and private contexts. Cicero inherited this twofold lexicographical tradition. With respect to the public sphere, Cicero commonly used *otium* almost synonymously with forms of *pax*, "peace," and in opposition to *bellum*,"war," throughout his works.[22] In the private sphere, *otium* appears in elegiac and theatrical contexts to refer to "free time" usually used for self-indulgence.[23] In his letters

[22] For a sampling of its occurrences with *pax* see *De Domo sua*, 12.25; *De lege agraria*, 1.23.19, 1.24.25, 2.102.11; *De re publica*, 2.26.6. Also see Bragova (2016). For opposition to *bellum* see *De Oratore* 3.211.5.

[23] See chapters 4 and 8 in Gold (2012) for its use in elegy. For its use in theater see Starks (2013). For *otium* as simply self-indulgence see Leach (2003).

especially, Cicero appears to treat personal *otium* as a time filled with slothful inactivity, and, as such, he did not see this state as something to which he aspired.

In his speech the *Pro Sestio*, however, Cicero appears to use the term *otium* with reference to something greater. Cicero gave the *Pro Sestio* after his return from exile. (It was during this same time that he began working on his philosophical corpus in earnest.) Going beyond the demands of a simple legal defense, Cicero uses the trial to lay out his vision for a flourishing republic.[24] During this speech he claims that *otium* is the political goal for the state and for those governing the state:

> Id quod est praestantissimum maximeque optabile omnibus sanis et bonis et beatis, cum dignitate otium. Hoc qui volunt, omnes optimates, qui efficiunt, summi viri et conservatores civitatis putantur. Neque enim rerum gerendarum dignitate homines efferri ita convenit, ut otio non prospiciant, neque ullum amplexari otium, quod abhorreat a dignitate.
> (*Pro Sestio* 98)
>
> This is what is most excellent and most desirable for the healthy and good and blessed, *otium* with dignity. Those who wish this, who do it, are considered all the best, greatest men and preservers of the state. For it is inappropriate that men be so carried away by the dignity of governance, that they do not look forward to *otium*, nor embrace any *otium*, which is abhorred without dignity.

In this passage, Cicero claims the state ought to be oriented by its leaders toward *otium*. Although initially qualifying *otium* with the phrase *cum dignitate*, it could be imagined that Cicero refers here simply to a political state in peace.[25] However, Cicero clarifies in the following sentences. The *otium* he envisions consists of more than simply the cessation of war but includes the active practice of religion and customs, the running of a

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[24] See Notari (2016) for a thorough discussion of Cicero s use of *Pro Sestio*.

[25] The implications of *cum dignitate otium* has received notable analysis by both Wirszubski (1954) and Bragova (2016). For a robust of Cicero s *otium* as the goal of the state see Lintott (2008).

military and a government, and the accumulation of wealth. Thus, Cicero seems to be giving civil *otium* more than simply a negative definition, that is the absence of conflict.[26] When carefully read, Cicero's statements in this passage appear to apply to private *otium* as well. The second sentence suggests that the "preservers of the state" ought to look toward and embrace *otium* themselves.[27] Again, it is difficult to imagine that Cicero is referring to the idleness and sloth normally expected from private *otium*, since Cicero himself disdains such an existence. Cicero does not intricately elucidate the exact character of this ideal republic that appears in *otium*, but in seems to include both the pubic and private spheres and through this active *otium* a republic flourishes.

Cicero's opinions about personal *otium* are especially significant for his life after returning from exile in 57 BC. As the triumvirate continued to maintain its grip on political power, Cicero found himself increasingly resigned to an otiose lifestyle.[28] During this time, he turned to writing philosophy. This occupation also seemed far from Cicero's ideal life, having made his desire to participate actively in the political affairs of Rome abundantly clear. The Roman culture was largely public, and Cicero understood

[26] For more on Cicero republicanism observing a more than negative liberty, see Nicgorski (2021).

[27] Cicero's description of a republic here to many would read more like an aristocracy. His emphasis upon the leadership of the optimates does not negate that the vision of *otium* put forth here is with reference to an entire community. For more on the privileged role of optimates' Cicero's republic see Wiseman (2009) and Kennedy (2014). See Morstein-Marx (2004) for Cicero undermining the social structures.

[28] For a timeline of Cicero s works and personal life see Wood (1988).

that guiding the ship of state required public action in the forum.[29] Nonetheless, Cicero appears to have had a general interest in philosophy for most of his life, though he frowned upon an inactive and aimless philosophical discussion, again, believing that his was duty to guide the state.[30] Considering his concerns about both participating in private *otium* and studying philosophy, Cicero's writing use of *otium* to write philosophical texts ought to be surprising.[31] However, as his words in the *Pro Sestio* indicate, Cicero believes some healthy and politically fruitful *otium* exists.

Cicero's discussion of *otium* within the preface of *de Oratore* identifies the study of rhetoric as a fruitful use of *otium*. Early in this introduction, Cicero yearns for the day that he and Quintus can rest and return to their study of rhetoric again:

> cum mihi quoque initium requiescendi, atque animum ad utriusque nostrum praeclara studia referendi, fore iustum et prope ab omnibus concessum (d*e Oratore* 1.1)
>
> when it would be just and permitted by nearly all, for [him] to begin resting and return his mind to the study famous to each of them.

While both brothers wanted to devote their minds to studying rhetoric, the "weights of the current time" and their own misfortunes stopped them (*graves communium temporum,*

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[29] For the public Roman culture see Steel (2013). For Cicero s understanding of the individual s role in the state see Zetzel (2013). As Cicero s career progress he increasingly saw the collapse of the Roman republic, see Walters (2020), which would have contributed to his need for other means of influencing the public. Furthermore, Cicero use of the ship of state metaphor with himself at the helm has recently been thoroughly examine by Julia Mebane (2022).

[30] See Moatti (2021) for Cicero s engagement with Philosophy outside of his own works. For Cicero s misgiving about practicing philosophy apart from action see Stem (2006).

[31] See Baraz (2012) for a discussion of Cicero s hesitancy both toward philosophy and *otium*.

tum varii nostri casus fefellerunt, *de Oartor*e 1.2). Cicero describes this as an issue of timing. He claims that he began his political career just after a period of governmental stability, so that political distress characterized his life and career:

> Nam prima aetate incidimus in ipsam perturbationem disciplinae veteris; et consulatu devenimus in medium rerum omnium certamen atque discrimen; et hoc tempus omne post consulatum obiecimus eis fluctibus, qui, per nos a communi peste depulsi, in nosmet ipsos redundarunt.
> (*de Oratore* 1.3)
>
> For from the first age, we began in the disturbance of the old discipline; and we came to the consulship in the struggle and crisis of the whole state; and from this time after the consulship, we were entirely thrown about in these waves, which, having been driven by us from the common disturbance, over poured us.

Cicero describes his life as though he is trying to keep the ship of state afloat with little success. He describes this struggle as occurring after the destruction of" the old discipline" (*disciplinae veteris*). This same word for "old" describes the memories that Cicero looks back upon in the opening line of the preface (*memoria vetera*, *de Oratore* 1.1). Recall, from the previous chapter, that in these memories, Cicero remembers the *optima republica*. Cicero describes himself as being robbed of the *optima republica* that existed during the generation just before his own. Thus, Cicero equates the *optima republica* and the *memoria vetera* in this preface. The recollections that make up the substance of the *de Oratore* occur during what Cicero claims to be ideal republic. Furthermore, Cicero claims that the context of the *optima republica* provided the basis for him and his brother to return to their former rhetorical studies:

> Neque vero nobis cupientibus atque exoptantibus fructus otii datus est ad eas artes, quibus a pueris dediti fuimus, celebrandas, inter nosque recolendas.
> (*de Oratore* 1.2)
>
> But the fruit of *otium* was not given to us desiring and longing to discuss these arts, to which we had been devoted from boyhood, and to re-cultivate of them between us.

Here again, as when he praises the Greeks, Cicero identifies *otium* as a key component to the study of rhetoric. In this quotation, he refers to the pursuit of the rhetorical arts as "the fruit of *otium*" (*fructus otii*). Cicero seems to believe that the presence of *otium* is a prerequisite for the study of rhetoric. He identifies *otium* as present in the *optima republica* at the beginning of his introduction:

> cum vitae cursum tenere potuerunt, ut vel in negotio sine periculo, vel in otio cum dignitate esse possent.
> (*de Oratore* 1.1)
>
> Since they were able to hold the course of life, so that either they were able to be in *negotium* without danger, or *otium* with dignity.

Those living in the *optima republica* exist with the potential both to flourish in *otium* or in *negotium*. These terms usually get translated as "leisure" and "business." Thus, *otium* would be a necessary aspect of the *optima republica* in which the dialogue occurs.

Not only does the *optima republica* require *otium*, but Cicero's account of his own life also indicates the presence of *otium* for the undertaking of the composition of the *de Oratore*. It would be tempting to argue that the loss of the *optima republica* which Cicero blames for his initial separation from the study of rhetoric, also facilitated the additional loss of *otium*. Despite Cicero's political and personal difficulties, however, he identifies for himself enough *otium* to teach his brother about the art of rhetoric:

> Sed tamen in his vel asperitatibus rerum, vel angustiis temporis, obsequar studiis nostris; et, quantum mihi vel fraus inimicorum, vel causae amicorum, vel republica tribuet otii, ad scribendum potissimum conferam.
> (*de Oratore* 1.3)
>
> But nevertheless, I yielded to our studies in either the harshness of the state or in the difficulties of the times; and how much of leisure is for me, either distributed by the fraud of enemies, or the causes of friends, or the republic, I will confer chiefly to writing.

Cicero plans to write in "how much of *otium* is attributed to him." Despite the *optima republica* having passed away, some form of *otium* remains even in political turmoil which Cicero uses for teaching rhetoric.

As argued in the previous chapter, the *de Oratore* itself serves as a depiction of an orator's education. Cicero goes out of his way to display exemplary orators teaching oratory. Thus, a prerequisite for the dialogues to occur is the interlocutors existing within *otium*. In his article on the *otium* of Cicero's dialogues, Hanchey shows that Cicero creates in his dialogues both a setting of public and private *otium* for the interlocutors.[32] Remember that these men reside in the *optima republica*, thus, given Cicero's perception of the ideal Roman state put forth in the *Pro Sestio*, these *exempla* would necessarily exist in depictions of *otium* not in accordance with idleness, but the leisure that brings about a flourishing republic. As such, the *de Oratore* serves as an *exemplum* of the *otium* Cicero considers to be the ideal goal of politicians and the state.

Reflecting again on this *exemplum* of *otium*, and Cicero's own modeling of well used *otium* upon his return from exile, the focus of both these depictions is the orator's education. Recall, from chapter two, that the work of an orator would be worthless without the preservation of *memoria*. Unsurprisingly, then, Cicero frames his dialogue as an act of recollection (again, see chapter two). The foremost concern of an orator's education is the fostering of *memoria*, but, thus, the most beneficial use of one's *otium* is also the fostering and preservation of *memoria*. Again, the depiction of *otium* which

[32] Hanchey (2013), 187.

Cicero provides by the writing of and through the image of his dialogue, is the education of the orator whose success depends on the maintenance of Roman *memoria*.

The key to understanding Cicero's conviction that orators must be properly trained is the realization that to be a Roman political leader meant being an orator.[33] Because orators were the leaders of the republic, Cicero understood that their education could inspire them to guide the state to virtue or to vice. As discussed, Cicero's vision of the ideal state was a state flourishing in *otium*. Thus, Cicero nested this goal inside as an *exemplum* in *memoria*. In his discussion of *otium,* Hanchey reminds his readers that this image of *otium* created by the dialogues is not the world in which Cicero lives, but the place to which he aspires to go. Like a container, Hanchey says, the dialogues hold *otium*, to which the politician steers the ship of state. Hanchey refers to Cicero's dialogic *otium* as a trans-temporal location accessible to those in any time.[34] Cicero creates this accessibility by locating *otium* within the realm of *memoria* so that it could be referenced at any time.

The space provided by this trans-temporal *otium*, because of its placement within *memoria*, functions as more than a useless fiction. By using his personal *otium* to preserve in *memoria* an *exemplum* of *otium* for others, he encourages a fruitful use of *otium* among all Romans. While Cicero memorializes this *exemplum* as a written text, upon its entrance into *memoria*, this image of *otium* theoretically become accessible to all Romans.

[33] See Morstein-Marx (2013) and Remer (2021) for the conflation of oratory and politics in ancient Rome.
[34] Hanchey (2013), 195-197.

Otium was not exclusive to the wealthy. One of the stereotypical depictions of *otium* before Cicero occurred in Roman comedy. The works of Plautus and Terence, by virtue of being comedies, occur in times of public *otium*, and depict characters from a variety of social levels using their personal *otium* in slothful ways.[35] Through the very writing of the dialogues, Cicero seems to indicate that a worthy use of one's private *otium* is preservation of *memoria*, an activity necessary for the practice of oratory but that any Roman can participate in. Romans who live in a time of *otium*, like those depicted in Roman comedy, would be able to foster *memoria* themselves. Remember from the first chapter that a crucial aspect of making *exempla* official is commemoration by the present Roman audience.[36] As discussed in the first chapter, once *exempla* have entered *memoria*, it may have different interpretations at different times, but the image remains. By commemorating the Poplifugia, Romans sustain Roman *memoria* regardless of their present judgement of the action. But by exemplifying the preservation of *memoria* within *memoria* itself, through the image of the orator's education, Cicero leaves an interpretive clue for future generations of commemorators. The orator's education requires *otium*. Because the existence of *otium* preempts that of education orators, whether the present Roman people judge it to be virtuous or vicious activity, the depict an orator's education remains intside of the place called *otium*. Recall from chapter two that *exempla* are tied to the contexts they are imagined in. To describe the orator's education in a context apart

[35] For the explicit connection between Roman comedy and *otium* again see Hanchey (2013), 174-178. More commonly scholars discuss Roman comedy as a mirror of Roman society in everyday life, which fulfills the condition of *otium*, again described in Hanchey's article, see Leigh (2004) and Gruen (2014).

[36] Again, see Matthew Roller's definitive book on *exempla*, Roller (2018).

from *otium* would be to create a different *exemplum*. Any preservation of *memoria*, facilitating the preservation of all the *exempla* within it, would maintain the picture of *otium* that Cicero has molded as the context in which he himself constructed his dialogues.

The everyman's fruitful use of *otium* is the preservation of *memoria* through commemoration. Commemoration occurs through a wide variety of activities in Roman daily life catalyzed by the spaces they lived in, the stories they told, and rituals the practiced. When participating in these activities, every Roman participates in a healthy *otium* by the preservation of *memoria*, in which Cicero preserved what he understood to be the necessary education of Rome's greatest statesmen. *Memoria*, the guardian, and treasury of all things, keeps Cicero vision of the ideal republic safe.

CHAPTER FOUR

Conclusion:
The Future of Commemoration

This thesis began by examining Roman memory. Chapter one proposed that there existed a holding place of Roman *exempla* called *memoria*. Chapter two argued that Cicero actively engages with *memoria* as an intangible reality in his philosophical dialogue the *de Oratore*. And chapter three argued that the *exemplum* which Cicero entered into *memoria* was set inside of *otium*, his goal for the republic. The final paragraphs of this thesis will discuss the cultural richness nourished by the intangible world of *memoria,* and finish by observing that the cultivation of *memoria* is fundamentally a forward-thinking activity.

The world of Roman *memoria* grew constantly. Chapter one showed that *memoria* holds Roman *exempla*. By their nature, *exempla* are re-examined and re-evaluated at every commemoration. At each commemoration, the intangible world of *memoria* encounters a different time in Rome's history. The evolution of Roman culture appears subtly if examined from year to year but comparing the Rome of the late republic to that of the empire reveals a shift in the life of the Roman people. During both these times, however, the world of *exempla* remained consistent. *Exempla* might be added to *memoria*. For example, as imperial Rome progressed, emperors would add their own victories and birthdays to the religious calendar. Nonetheless, the changing Roman culture continued to encounter the exemplary narratives of *memoria* through

commemoration, so that this intangible reality remained a consistent influence upon Roman life.

For scholars in the twenty-first century, literature functions as an obvious source for knowledge about commemoration. Scholars become acquainted with the Roman *exempla* through the narratives that appear in surviving ancient texts. It requires some imagination to consider how *exempla* could be commemorated otherwise. As discussed in chapter two, however, Cicero himself uses written text to function as the primary opportunity for commemoration of his dialogic *exempla*. Furthermore, as chapter three argued, the *exemplum* Cicero preserved in *memoria* held the image of *otium*, the goal of republicanism. Given the importance of this *exemplum*, in limiting its commemoration to the literate Roman elite, modern scholars might think Cicero limited the influence of his *exemplum*. However, considering the world of *memoria* as parallel reality to tangible world resolves this issue.

Acts of commemoration necessarily concern a particular *exemplum*, but each *exemplum* exists within the whole *memoria*. The world of *memoria*, while tethered to the tangible world via commemoration, exists as a continuous reality apart from the physical realm. Remember that the appearance of historicity is a crucial aspect of all *exempla*, and consequently *memoria*. With the boundary between myth and history bleeding through (recall Cicero's discussion of the Marian oak), if a Roman were to collect all the *exempla* residing in Roman *memoria*, they could be arranged in some chronological order. In fact, several Roman texts can be interpreted as attempts at such a feat, including Ovid's *Metamorphoses* and Livy's *Ab Urbe Condita*. The writing down of this recalled narrative post-dates the presence of this world as a whole. To have access to some of the narrative

reveals that there exists more of the narrative, and Romans have the opportunity to consider what stories "fill in the gaps" of their recollection.

Reflecting again on the discussion of the Poplifugia from chapter one sheds light on the Roman capacity to engage with the world of *memoria*. The Poplifugia possessed two etiologies: the events tale of Philotis and of the disappearance of Romulus. It seems likely that the disappearance of Romulus was the second myth added. On the one hand, considering the importance of Romulus to Roman identity, rumors about his death probably circulated widely. On the other hand, its official commemoration appears to have been of secondary importance. Modern scholars cannot determine which Romans remembered Philotis on the Poplifugia and which remembered Romulus. Nonetheless, both narratives existed within and informed Roman *memoria*. This means that allusions to both myths could appear in other places throughout Roman life. One subtle instance of this has recently come to light. An article published in 2018 identifies the figures on a coin from the late Roman republic as depicting Romulus' apotheosis.[37] The coin shows a man being helped onto a chariot. This version of the myth is briefly alluded to in the texts of Ennius and Ovid, but the coin (as well as other references in material culture) shows that the apotheosis of Romulus existed in the Roman *memoria* outside written works and deliberate ritual commemoration. In a sense, Romulus' apotheosis transition from private knowledge to public narrative. Thus, in the same way, despite Cicero's philosophical dialogues being first and primarily commemorated in the written word, the *exemplum* they depict has the potential to affect the Roman public narrative by its presence in *memoria*.

[37] See Yarrow (2018).

Although *memoria* often appears to be recollection, Cicero acted as though the true value of this intangible world was in its ability to imagine the future. His explicit purpose in the preface of the *de Oratore* for writing the dialogue was the rhetorical education of his brother, Quintus. This act anticipates the future. Cicero acted as though his brother would read his brother's work and learn about oratory at some later point. The education consisted of a recollected dialogue, but this was supposed to teach Quintus how to be an orator for himself. This model fits within the Roman moral framework, the *mos maiorum*. When Romans considered how they ought to behave in the future, they looked for guidance from the past, to the "customs of the ancients." Cicero planted an *exemplum* of *otium* in his dialogues because he anticipated someone, in the future, learning from the *memoria*. Until then, commemoration would keep the Cicero's hope of a future *otium* alive in *memoria*.

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