Mohamed Reda Kotb Allam

**Greek philosophical Technicalities in Cicero's Pro Sex. Roscio Amerino.**

This paper investigates some Greek philosophical intertextual allusions in Cicero's first criminal speech: Pro Sex. Roscio Amerino, which has been recognized by the linguists and classicists alike as being outstanding and enchanting specimen of Latin dramatic literature; this speech is an excellent exemplar of Cicero's interest in weaving Greek philosophical ideas and doctrines into the dramatic texture of his forensic speeches. Cicero's usage of Greek philosophical technicalities seems to be obvious and evident in this speech held before the elite senatorial jurors who were convoked in the criminal court\(^1\) to examine the murder case of Sex. Roscius Amerinus; who were deeply concerned and enthusiastic with literature and philosophy,\(^2\) and most of them adapted the three various doctrines of Greek philosophy: The Epicurism, the Stoicism and the Academy.

Cicero prided himself when he was old that he as a young man had the courage to plead his first murder case of Sextus Roscius Amerinus (80 B. C.), and won it against Chrysogonus, the most powerful freedman and favourite of the dictator Sulla; in fact, Cicero’s attack on Chrysogonus was a veiled attack on Sulla himself.\(^3\) Moreover, while Cicero was criticizing his oratorical style and its abundance during his youth, he stated that the audience had listened with so great admiration to his combined linguistic structures which he had employed to affect their feelings, especially when

---

\(^1\) Riggsby, A. M., Crime and Community in Ciceronian Rome, p. 64. It is important to cite here that Cicero could expect an audience to respond to the interplay between his own philosophical ideas and those of the Greek philosophers and orators.

\(^2\) Sen. Ep. 49. 12. 115. 14-15; Petron. Satyr. 2; Stat. Sil. 5. 3. 146 ff; Quint. Instit. Orat. 10. 1. 66-8. Greek philosophy, tragedy and literature were always an active and formative ingredient in elite Roman education and culture.

he had spoken of the punishment of a parricide in his defense speech of Sextus Roscius Amerinus, and from which he had delivered a quotation based on the Epicurean effect. (1)

**Philosophical intertextual allusions**

The main target of this paper is to clarify that Cicero intentionally employed in his first forensic speech of Roscius Amerinus some various Greek philosophical views and theories to support his materials and proofs, and to dazzle the elite jurors, especially when he attempted to refute the accusation of parricide cast upon his client Sextus Roscius. (2) Modern scholarship has tended to say that Cicero's qualities such as his artistry, rhetorical schemes, (3) and capable delineation of his persona had enabled him to claim victory (4) in the murder case of Sex. Roscius Amerinus which was weak, (5) and lacking both convincing materials and plausible, strong, legal proofs because it had been argued on grounds of relative probability, (6) and not on facts. (7) As a matter of fact, Cicero plausibly resolved that philosophy should be combined with oratory, and that both orator and lawyer must be acquainted with philosophy because without it they can not speak fluently of the different topics, and deal with them copiously and

(2) Ibid., Pro. Rosc. Amer. 35-82.
(3) Ibid., 72; Ibid., Orat. 107.
Greek philosophical Technicalities in Cicero's Pro Sex. Roscio Amerino

violently.\(^1\) He also mentioned that his orations contain a great deal of different Greek philosophical principles and ideas, and discussed in his rhetorical work (De Nat. Deor.) the three philosophical Greek doctrines: The Epicurism, the Stoicism and the Academy.\(^2\) It is remarkable that more philosophical technicalities were adapted in Cicero's first forensic speech of Sex. Roscius than his other later forensic speeches such as the speech for Milo.\(^3\) The intertextual allusions can be obviously observed in Cicero's Pro Roscio Amerino through his particular philosophical extracts drawn out of ancient Greek texts of both Homer, the tragedians, and the Attic orators.

Cicero's discreet insertion of Greek philosophical technicalities

Cicero seemed to be a philosophical orator\(^4\) and his earliest forensic approach to a philosophical theme occurs in our present speech (Pro Roscio Amerino) implied in the virtues of the Roman ancestors\(^5\) when he reinterpreted the prosecution's characterization of the defendant by quoting the relation of father and sons from Caecilius' Hypobolimaeus to reassure the jurors that the prosecution's picture of the relations among Roscius Amerinus and his two sons\(^6\) was dark and incorrect. Cicero hinted to this play because it referred to the nature of the people of the countryside and

---

\(^1\) Cic. Orat. 14: Nam nec latius atque copiosius de magnis variis rebus sine philosophia potest quisquam dicere.

\(^2\) Ibid., De Nat. Deor. I. 6.


\(^4\) Cic. Orat. 12: fateor me oratorem, si modo sum aut etiam quicumque sum, non ex rhetorum officinis, sed ex Academiae spatiis exstitisse.

\(^5\) Ibid., Pro Rosc. Amer. 50-3.

\(^6\) Ibid., Vasaly, A., Representations: Images of the World in Ciceronian Oratory, pp. 136-136-72; Boyle, A. J., Roman Tragedy, p. 71. Boyle records that "Cicero had no problem in reading second century Roman comedy (Rosc. Amer. 46-7), and tragedy as a mirror of his Roman world"; Caecilius was a celebrated Roman comic playwright. Boyle, op. cit., p. 166; Horat. Ep. 2. 1. 60-1: "ediscit et hos arto stipata theatro, spectat Roma potens". Horatius lists Pacuvius, Accius, Afranius, Plautus, Caecilius and Terentius as playwright whom mighty Rome learns by heart and watches, crowded in the narrow theatre.
their good manners which were favourite to the Romans. He employed here both Epicurean and Stoic doctrines (1) represented by the vices of the inhabitants of the city of Rome such as "libido" and "audacia" (of Roscius Magnus, Roscius Capito and Chrysogonus) when contrasted with the virtues of the people of the countryside (2) such as "diligentia" and "parsimonia" (of Sex. Roscius Amerinus, the accused son). It is noteworthy to mention here that Cicero's praise and comparison of the Roman "mores mairoum", i.e., the virtues that had made Rome great, can be considered as a helpful prologue to the most well-known passage of the whole speech implied in the discussion of the punishment of the parricide under the Roman law (3).

Cicero, while refuting the charge of parricide cast upon his client, Sextus Roscius Amerinus in the part of his defense, recorded the Epicurean view (4) which imply that the heart is the source of thought when he mentioned the following fact: "the blood of a father and mother has great power, restraining force and sanctity; a single drop of this blood produces a stain, which can not only be washed out, but penetrates even to the heart, to be succeeded by the height of frenzy and madness". (5)

Cicero quoted from the Attic orator Aischines, the Stoic idea implied in the state of mind of the parricides, (6) and described it in his fantastic style by

(4) Ibid., 66.
by stating that those parricides can neither rest peacefully nor breathe without fear, and their evil thoughts and the stings of conscience terrify them because the mythical Erinnyes (Furiae), the representatives of divine justice\(^1\) pursue them to avenge their murders by harassing and driving them to complete madness, and never leave them because they dwell in their hearts night and day, and exact expiation for the parents from the sons stained with guilt:

Aisch. Tim. 190- 191:

\[
\text{"μή γὰρ οἴεσθε, ώ ἄνδρες Ἀθηναῖοι, τάς τῶν}
\text{ἀδικημάτων ὀρχάς ἀπὸ θεῶν, ἀλλ’ οὐκ ἄπ’}
\text{ἀνθρώπων ἁσέλγειας γίγνεσθαι, μηδὲ τοὺς}
\text{ησυχικότας, καθάπερ ἐν ταῖς}
\text{τραγῳδίαις. Ποινὰς ἔλαινειν καὶ}
\text{κολάξειν δασὶν ἡμέναις. ἀλλ’ αἰ πρὸπετεῖς τοῦ}
\text{σώματος ἡδοναί καὶ τὸ μηδὲν ἱκανόν ἤγείσθαι, ταῦτα}
\text{πληροῖ τὰ ληστηρία, ταῦτ’ εἰς τὸν ἐπακτ’ ῥοκέλητα}
\text{ἐμβιβάξει, ταῦτα ἐκτὸς ἐκάστῳ Ποινή, ταῦτα}
\text{παρακελεύειν σφάττειν τοὺς πολίτας, ὑπηρετεῖν}
\text{τοῖς τυράννοις, συγκαταλεύειν τὸν δήμον."}
\]

Cic. Pro Rosc. Amer. 67:

"Nolite enim putare, quem ad modum in fabulis saepenumero videtis, eos, qui aliquid impie scelerateque commiserunt agitari et perterreri Furiarum taedis ardentibus. Sua quemque fraus et suus terror maxime vexat, suum quemque scelus agitat ameniatique adfit, suae malae cogitationes conscientiaeque animi terrent; hae sunt impis assiduae domesticaeque Furiae, quae dies noctesque parentium poenas a consceleratissimis filiis repetant".

---

\(^1\) Aeschyl. Agam. 747; Ibid., Eum. 334-340; Pausanias I. 28. 6; Braun, M., Die Eumeniden des Aischylos und der Areopag., p. 15ff. It is remarkable that in the Eumenides Aeschylus definitely glorified the Areopagus at a time when Ephilates and Pericles were removing most of its jurisdiction. Moreover, in the trilogy of Aeschylus 'Oresteia the avenging Erinnyes were unseen in the first two dramas and visible in the third.

37
Greek philosophical Technicalities in Cicero's Pro Sex. Roscio Amerino

The theory of the origin of the universe and all existing things attributed to both greatest Greek philosophers: Empedocles and Epicurus,\(^1\) was woven into the dramatic texture of Cicero's following passage concerning the deprivation of a parricide of the four elements of life: earth, fire, air and water:

Cic. Pro Rosc. Amer. 71.

"Nonne videntur hunc hominem ex rerum natura sustulisse et eripuiisse, cui repente caelum, solem, aquam terrarumque ademerint, ut, qui eum necasset, unde ipse natus esset, careret iis rebus omnibus, ex quibus omnia nata esse dicuntur?"

What needs to be noted, is the punishment of the crime of parricide, of which Sex. Roscius Amerinus was accused, was very cruel and severe. The ancient legal sources\(^2\) had recorded to us that the parricide should be beaten with blood rods, sewn in a sack together with a dog, a cock, a serpent and monkey,\(^3\) and that the sack should be thrown into the sea or the river to deprive the parricide of the four essential elements of life. The ancient Romans had believed that both the dog and cock were sacred animals and a symbol of the good in contrast with both the serpent and monkey which were bad animals and a symbol of the bad; accordingly, the union of the two pairs in the sack represented the struggle between the good and the bad.\(^4\)

Though Cicero loathed the dictator Sulla,\(^5\) he sought to find out an excuse to defend him in both charges: Sex. Roscius Amerinus' murder and the proscription of his properties; therefore, he adapted the Stoic defense of divine providence as we shall see. Above all, he isolated him from Chrysogonus and others involved in those crimes when stating that "it seemed right that anything

---

\(^1\) Taylor, C. C. W., The Atomists: Leucippus and Democritus, Fragments 15, 22.


\(^3\) Egmond, E., "The cock, the dog, the serpent and the monkey: reception and transmission of a Roman punishment, or historiography as history". IJCT2 (1995), pp. 159-92.

\(^4\) Landgraf, G., Kommentar zu Ciceros Rede Pro Sex. Rosc. Amer. 14; Egmond, op. cit., 159-92.

\(^5\) Cic. In Verr. 3. 81, De Agr. 3.5, De Leg. 1. 42; Diehl, H., Sulla und seine Zeit im Urteil Ciceros, pp. 149-50.
Greek philosophical Technicalities in Cicero's Pro Sex. Roscio Amerino

should be overlooked through inattention in the time of the proscription since many crimes were committed, of which Sulla partly disapproved, and partly he was ignorant because of his undertakings. Cicero's Stoic defense of divine providence can be clarified when he compared Sulla, as a dictator ruling alone the Roman republic and swaying the world, with "Jupiter, the greatest and supreme god, who has often done grievous harm to men by his furious winds, violent storms, excessive heat or unbearable cold, and we do not attribute any of these disasters to the divine will and a desire for causing destruction, but to mere force, and the mighty agency of nature".

Cicero quoted from the Attic orator Demosthenes the usage of the termus (architectus) referring to the Greek philosophy when he directly attacked Chrysogonus and charged him of being the author (architectus) and contriver of all crimes:

Dem. Πίπος βοιωτών περὶ προικὸς μητρώας 32:
"οὗτος δὲ ἐμοὶ μετὰ μενελέους τοῦ πάντων τούτων ἀρχιτέκτον ὦς ἐπιβουλεύσας ..... εἶς Ἀρείων πάγων με προσεκαλέσατο, ὡς φυγαδεύσων ἐκ τῆς πόλεως"

Cic. Pro Rosc. Amer. 132:
"Verum ut haec missa faciam, quae iam facta sunt, ex iis quae nunc cum maxime fiunt, nonne quivis potest intelligere omnium architectum et machinatorum unum esse Chrysogonom?"


(3) Cic. Pro Rosc. Amer. 130.

It is noteworthy to cite here that the Greek terminus (architectus) as an “inventor” or “author” conveys the idea of both doctrines of Greek philosophy: the Stoicism and the Academy which had its echo in Plautus ‘Amph’\(^{(1)}\) and Cicero's De Nat. Deor.;\(^{(2)}\) it also refers to the Epicurism which had its evident traces in Cicero's De Fin. and Brutus.\(^{(3)}\)

**Conclusion:**

In fact, Cicero purposely used to employ Greek philosophical ideas and theories more intensively in his forensic speeches, especially his early speeches as a rhetorical weapon to support his views and proofs. He could discreetly insert in his first forensic speech (Pro Rosc. Amer.) some philosophical technicalities which originate to the three doctrines of Greek philosophy (The Epicurism, the Stoicism and the Academy); his main aim was to dazzle his elite senatorial jurors in the murder case of Sex. Roscius Amerinus which was rather weak and lacking strong legal proofs.

Our forensic speech (Pro Rosc. Amer.) reflects the intertextuality implied in Cicero's adaptation of the Greek philosophical ideas and theories existed in the ancient texts of both the most illustrious Greek orators and tragedians. The following items dealt with in this paper represent the three doctrines of Greek philosophy as follows: the vices of the inhabitants of the city, and the virtues of the dwellers in the countryside (the contrast of the Epicurism and the Stoicism); the sanctity and greatness of the blood of a father and mother (Epicurism); the evil thoughts and stings of conscience that terrify the parricides night and day (Epicurism); the deprivation of parricides of the four essential elements of life (Epicurism); Sulla's rule alone of the Roman republic and his sway of the world (Stoicism); the terminus (architectus) as an inventor and author conveys the view of both (the Stoicism and the Academy).

\(^{(1)}\) Plaut. Amph. 41-45: Prolog. of Mercurius: nam quid ego memorem ... quis benefactis meu' pater, deorum regnator, architectust omnibus.  
\(^{(2)}\) Cic. De Nat. Deor. 1, 19: quem ad modum autem oboedire et parere voluntati architecti aer ignis aqua terra potuerunt; Ibid., 2. 90.  
\(^{(3)}\) Ibid., De Fin. 1, 32: quasi architecto beatae vitae; Ibid., Brut. 118: architecti paene verborum.
Greek philosophical Technicalities in Cicero's Pro Sex. Roscio Amerino

References:
- Egmond (F) (1995), "The cock, the dog, the serpent and the monkey: reception and transmission of a Roman punishment, or historiography as history". IJCT, pp. 159-92.
Greek philosophical Technicalities in Cicero's Pro Sex. Roscio Amerino

- Weische (A) (1972), Nachahmung der attischen Redner. Heidelberg.
- White (N. P) (1979), The Basis or Stoic Ethics, GSPH 83, pp. 143-178.