

CONTENTS

Preface xi

Acknowledgments xvii

SECTION I. THE STRANGE WORLD OF EDUCATION IN THE ROMAN EMPIRE	1
1 Education in the Roman Empire	3
2 The Social and Historical Significance of Rhetorical Education	14
SECTION II. KILLING JULIUS CAESAR AS THE TYRANT OF RHETORIC	27
3 The Carrion Men	29
4 Puzzles about the Conspiracy	37
5 Who Was Thinking Rhetorically?	51
SECTION III. RHETORIC'S CURIOUS CHILDREN: BUILDING IN THE CITIES OF THE ROMAN EMPIRE	65
6 Monumental Nymphaea	67
7 City Walls, Colonnaded Streets, and the Rhetorical Calculus of Civic Merit	88

SECTION IV. LIZARDING, AND OTHER ADVENTURES IN DECLAMATION AND ROMAN LAW	107
8 Rhetoric and Roman Law	111
9 The Attractions of Declamatory Law	119
10 Legal Puzzles, Familiar Laws, and Laws of Rhetoric Rejected by Roman Law	132
Conclusion: Rhetoric, Maker of Worlds	148
<i>Notes</i>	157
<i>Abbreviations of Some Modern Works</i>	229
<i>Works Cited</i>	231
<i>Index</i>	287

1

Education in the Roman Empire

EDUCATION IN THE ERA of Rome's rule consisted of three main stages: first, for young children, the learning of letters and basic arithmetic in a primary school, the *ludus* in Latin.¹ Then, childish things—such as mathematics—having been laid aside, from the age of seven or thereabouts came language under the “grammarian,” language taught primarily through analysis of poetry, chiefly the *Iliad* in the East and (when it became available) the *Aeneid* in the West.² After the grammarian (at age fourteen or fifteen, perhaps) came several years of instruction under the *rhetor*, the rhetorician, who taught rhetoric and its theory.³ This was accomplished primarily by “declamation,” giving and listening to speeches on imagined topics—topics that were similar or identical East and West and over many centuries.⁴ In the West at least, deliberative topics—*suasoriae* or speeches of advice, often given to or in the character of a famous historical or mythic personage—tended to be taught first, and then *controversiae*, imaginary court-cases.⁵ By the late second century BC, but likely even earlier, an intermediate curriculum, a sequence of *progymnasmata* or *praeexercitamina*, “preliminary exercises” (preliminary to declamation, that is) had evolved between grammar and rhetoric.⁶

Although the curriculum was static, where it was taught and the people who taught it varied considerably.⁷ The children of the rich might take the first, and some the second, stages at home with private tutors; if only the first stage was provided at home they might start at the school of the grammarian at a younger age.⁸ In grand families in the

Latin West much of early education might be given in Greek and through Greek texts, to promote the bilingualism hoped for in young men of rank; the Greek East did not return the compliment by learning Latin, except under the late empire and at a later stage of education.⁹ Whether the *rhetor* or grammarian taught the *progymnasmata*, or how they were divided between those worthies, varied, as did the number and order of those exercises.¹⁰ Slaves and the children of the poor stayed on at the (very cheap) *ludus* until they had the words and numbers necessary for the futures their parents or masters envisioned for them, or until the money ran out (free education being unknown), never advancing to the far more expensive grammarian and *rhetor*—the privilege of the rich and socially ambitious—who taught nothing useful for business, unless it was the business of language itself.¹¹ If their trade needed computational skills beyond those of the *ludus*, poor children and slaves might attend the no less modest school of the *calculator*, the teacher of arithmetic; after that, if there was money left, came apprenticeship.¹²

Rich young men who pursued the course of education under grammarian and *rhetor* to its end would learn much poetry, read much oratory (especially Demosthenes if Greek-speaking or Cicero if Latin-), and incidentally consume some unsystematic history and philosophy if the authors were regarded as good models of style (as Plato and Xenophon were).¹³ Education at the level of grammarian and *rhetor* might be expected to be available in any major town.¹⁴ But systematic instruction in, say, philosophy, was yet a further stage of education beyond the instruction of the *rhetor*, and in most periods was undertaken only by a tiny number of enthusiasts and often required a long and expensive stay in a city far away, ideally violet-crowned Athens. How education in what we anachronistically call the “professions,” architecture and especially medicine, fit in, we must honestly confess that we do not see clearly (for law see section iv).¹⁵ In the case of medicine we know both of schools that taught theory—that at Alexandria being the most famous—and of learning by apprenticeship. A guess is that lower-status aspirants became apprentices, and the sons of the wealthy (medicine being a profession that took in both) had at least some rhetoric before they moved to

medical school and subsequently (we devoutly hope) attached themselves for a period to a practicing doctor.¹⁶ In the education of the doctor we know best, Galen, we see ghostly traces of a parallel course of education, where philosophy replaced rhetoric after grammar.¹⁷ How common this was, other than that it appears to have been far less common than education in rhetoric, we cannot say.

Education through the level of declamation under the *rhetor* was general among the sons of the ruling class of the empire: those of Roman senators, equestrians, and the far more numerous sons of the prosperous class who made up the city councils, the *curiae* or *boulai*, that governed the cities of the empire—and thus, in practice, governed the empire, whose administration was for the most part divided among its cities.¹⁸ These were the boys who would grow up to make the great decisions of town and empire; and, if inclined, they might also read and write literary works, the ruling and writing classes of the empire being for the most part indistinguishable.

The Evolution of Rhetorical Education

The tale of the ascendancy of rhetoric begins in epic Greece, with the predilection even of heroes for taking great decisions after public debate and deliberation.¹⁹ In Homer, among whose bloody-handed barons little trace of democracy can be found, public assemblies are held and the heroes compete in, and admire, eloquence in council.²⁰ In one of Homer's most striking similes we meet Odysseus, standing with his eyes cast down and his staff still, uttering "words like unto the snowflakes of winter, and then no mortal man could vie with him."²¹

About the ultimate origins of formal rhetorical instruction in Greece there is inscrutable controversy; good fortune that it matters little to us.²² But whether they presided over classrooms or not, by the late fifth century BC there were men in Greece—"sophists"—who would teach you public speaking, if you could afford it, of whom the best-known is Gorgias of Leontini, who arrived in Athens—subsequently the center of such instruction—in 427 BC, when the Peloponnesian War was raging.²³ It is natural to associate the demand for training in speaking

with the mass assemblies and lawyerless law courts of the Athenian democracy, and this temptation should not be too much resisted. But every Greek state of which we have knowledge, even where local ways limited the franchise, knew both public deliberation by debate and cases at law decided by weighing the competing speeches of litigants: Gorgias was a success even in rude Thessaly, and such habits existed at Sparta as well, even if Spartan men practiced their famous “laconic” speech, in which they competed in brevity and pith.²⁴ We may perhaps trace this Spartan idiosyncrasy to the same passage of the *Iliad* in which Odysseus’s eloquence was praised: Menelaus, Homer’s king of Sparta, “spoke fluently, in few words but clear, for he was not verbose nor did he speak at random,” and so, in the same way, did his countrymen the Spartans speak for centuries after him.²⁵

Suffice to say that by the second half of the fourth century BC—by the period of the anonymous *Rhetoric to Alexander* and Aristotle’s *Rhetoric*—rhetoric was a mature intellectual discipline divided into three sorts—forensic, for the courts; deliberative, for the assemblies and councils and to give advice to potentates; and finally, demonstrative or display, mostly panegyric, the oratory of praise. There was a teaching curriculum, and one of the two main later theoretical arms of rhetoric, *idea* theory (which taxonomized style and delivery) was already quite developed.²⁶ The period after the death of Alexander is a dark place in our evidence. Very little educational material survives. But it is generally agreed—at least for cities with significant Greek populations—that in this period classroom instruction in rhetoric became generally available, was mostly standardized, and that by the second century BC at the latest, the name we associate with this is Hermagoras, the second great arm of rhetorical theory, *stasis* theory (*status* in Latin, which investigated the fundamental issue at stake in a speech) had also become mature.²⁷ Declamation, the method by which advanced rhetoric was taught, also developed in this period, although it had earlier roots.²⁸ And it is likely that, lost to us in the Captain-Nemo murk of the era, there was fought the titanic battle that by the first century BC left the science of the grammarian—the rule-bound manner of writing and speech at some distance from everyday usage that was taught by

microscopic analysis of poetry, in no way an inevitable preliminary to the study in rhetoric—triumphantly in charge of education at the intermediate stage.²⁹

What we really want to know, of course, is how much time in any era the average Greek or Roman boy from a wealthy family spent learning rhetoric. The traditional education of upper-class Athenians was split between letters, music, and athletics.³⁰ Education in “music” (which included poetry, and its composition, not merely recitation), continued strong in the Greek-speaking Hellenistic world.³¹ So too did athletics thrive: the gymnasium was one of the characteristic institutions of the Hellenistic city, as was the *ephebeia*, a one-to-three year course of military training found in many cities.³² It may, however, be significant that while grave reliefs from Classical Athens had shown departed youths naked, as athletes, by the late second century BC the grave reliefs of young men from Smyrna represent the departed clothed and grasping book-rolls—emphasizing, in other words, their literary education.³³ What of intellectual subjects other than grammar and rhetoric? Plato advocated that boys be taught mathematics beyond the calculations necessary in the vegetable market, to include number theory, geometry, astronomy, and the theory of music.³⁴ After the death of Alexander we come to hear of the *enkyklios paideia*, the “encyclic” or “complete” or “general” education. This included grammar and rhetoric, and also dialectic, arithmetic, music theory, geometry, and astronomy.³⁵ But Ilse-traut Hadot showed as early as 1984 that if this broader education existed at all, it was limited to Athens and to those preparing for further study in philosophy, which most young men had no ambitions to pursue, while the term *enkyklios paideia* (*artes liberales* in Latin) itself was so vague that it could apply to nearly any formal education undertaken by persons of superior social standing, and was frequently applied to the overwhelmingly common narrow education in language and public speaking.³⁶ Reality was apparently more like the *Clouds*, where Aristophanes presents as available a paid education in Socrates’s *phrontisterion*, or “thinking shop,” concerning the nature of the universe, astronomy, geometry, theoretical geography, the theory of grammar, meteorology, biology, and musical theory, but his prospective student

wishes to learn nothing but rhetoric, to help him in court and to allow him to evade his creditors.

When Greek education spread to Rome, there was nothing left but grammar and rhetoric. Two routes to that end were possible. The disinclination of Romans to exercise naked and the social stigma attaching to theatrical or musical performance at Rome may account for the loss of Greek athletics and music, and the fact that there was no regular training for Roman soldiers until the reign of Augustus, and then only for the lower ranks—the Romans preferring their warriors to learn by experience—may have rendered superfluous organized military training such as the Greek *ephebeia*.³⁷ Alternatively, there may have been little to change. For reasons unclear, inscriptions attesting Greek educational institutions—fees for teachers, honors for visiting lecturers, contests in athletics and poetry—become rarer in the course of the first century BC.³⁸ This might be no more than a matter of epigraphical fashion, and the Hellenistic education system might still have been lively, although less visible to us. Or it could be that Greek education was itself narrowing, and that the Roman curriculum mostly limited to grammar and rhetoric was not the result of Roman philistinism and prudishness, but was the curriculum that contemporary Greek boys were already, for the most part, following.³⁹

When we consider Rome, the question is not when rhetorical training became available—we can see it from 161 BC, when Greek teachers of rhetoric were ordered expelled, and it was probably a good deal older—but, again, how intensively it was pursued in earlier times.⁴⁰ Among the lofty class of which we can see something, military service, potentially starting at seventeen, was obligatory until the late second century BC (and it was best undertaken as early as possible by those intending a political career, ten campaigns being required before election to *quaestor*), while many young men continued to go to war long after such service had ceased to be compulsory.⁴¹ The teaching of rhetoric in the classroom had also to fight for time with what scholars traditionally call the *tirocinium fori*, an apprenticeship in public life of a year or more that involved following a great man around, a practice that was still very much alive in the late 60s BC, probably into the 40s, and

perhaps later as well.⁴² The facts that teachers of Latin rhetoric endured the formal disapproval of the censors in 92 BC and that the 80s saw the first rhetorical treatises in Latin that survive to us (with the same declamatory themes—situations or scenarios—that would be used centuries later) illustrates, again, that such training was available, but not how prevalent it was; nor is there any other direct evidence.⁴³ But perhaps there is a hint. Members of the generation of Roman politicians born around 85 BC (the generation of Brutus and Cassius, about which we know a great deal) and those older than they, were very apt to go to Greece as adults to polish up their rhetorical educations.⁴⁴ But of those born in the 60s, it was mostly teenagers who were sent. Cicero's own experience, going to Greece as an adult, and that of his son and nephew, going as teenagers, stand for many.⁴⁵ The implication of the belated second educations of the older generation is that the rhetorical instruction they had received in Rome before or in the 60s was somehow unsatisfactory, that they felt that they were falling behind younger men, that they felt that their eloquence needed its tires rotated.⁴⁶ Perhaps the most economical interpretation is that in the 50s BC for Romans of the highest classes an education involving much rhetoric but many other calls upon a young man's time as well passed to an education consisting mostly of language and rhetoric, including an early sojourn in Athens.

It might be thought that when in the 40s and 30s BC the Roman Republic was ruled by embattled magnates, rent by civil war, and when peace finally achieved took the form—however well concealed—of the autocratic regime of Augustus, oratory, as far less useful amidst the thud of swords on shields and decisions made privily in the overlord's court than it had been in the free Republic, would have been less valued, and that its decline would be reflected in change and decline in rhetorical education. Not so. Contemporaries certainly complained about the decline of oratory (and would long continue to do so), but they still sent their sons to learn it, and if anything the 40s and 30s, we guess, was a period when rhetorical education strengthened and was further formalized.⁴⁷ For once we arrive in the Roman Empire, a standard set and sequence of primary, grammatical, and rhetorical education is clearly occupying all or almost all of the educational time of most upper-class

boys, and change in education practice—never fast—thereafter becomes even slower. And between the 40s and the reign of Augustus a battle over style in Latin oratory—a group of purists who called themselves “Atticists” accused the more ornamented speeches of some of their contemporaries of “Asianism”—was fought to exhaustion.⁴⁸ Students in the rhetorical schools of that period would presumably have had to tread as carefully through that battlefield as they did through the contemporary battlefields of war and politics. And regardless of how picayune the controversy appears to us, it assures us of the intellectual liveliness of the field of rhetoric in that epoch.

On the Greek side, the late second or early third century AD saw the development of the Hermogenic corpus of three—eventually five—guidebooks for teachers (modern scholars think only two of them are really by Hermogenes; no matter), and the use of these became standard in late antiquity once the rival system of Minucianus had been put to flight.⁴⁹ The role of epideictic (demonstrative) oratory—the display oratory of praise (mostly) and blame—in the curriculum remains a puzzle.⁵⁰ Encomium was certainly taught among the *progymnasmata*, before declamation, but while one author of a work on *progymnasmata* strongly implies that the topic would be returned to later, presumably at a more advanced level, a second insists that it was taught only there.⁵¹ Evidence for epideictic school declamations (at the highest level of teaching, in contrast to the more basic *progymnasmata*), is, moreover, lacking, in both Greek and Latin, although declamations in the other two genres might naturally contain encomiastic passages.⁵² The best solution may be that, under the Empire, over time the progymnasmatic exercise of encomium was simply given a larger and larger proportion of the time at that stage of teaching.⁵³ Perhaps the culmination of this trend is the fourth-century AD sophist Athanasius of Alexandria, who thought encomium should be taught first and that most of the other progymnasmatic exercises should be taught as parts of it.⁵⁴

Still, at its highest levels, and in both Greek and Latin, the curriculum remained dominated by deliberative declamation (*suasoriae*) and especially forensic declamation (*controversiae*).⁵⁵ In the former, the teacher proposed a theme such as “Agamemnon considers whether or not

to sacrifice Iphigenia,” or “Advise Sulla, in a public meeting, whether to resign his dictatorship.”⁵⁶ Here the speaker had both to adjust his tone to the figure he was addressing and the figure he, as speaker, was impersonating (it being difficult for a boy to represent an elder of great deeds and dignity). And he must also master *stasis*, especially whether this was a matter of honor, expediency, or necessity, and know the subcategories of each. Finally, he must also be prepared to arouse the full range of emotions in his listeners.⁵⁷

In a forensic declamation the teacher chose one or several from a set of laws traditional to the practice.⁵⁸ Perhaps, “An action at law shall lie against him who violates a tomb.” The teacher then created a scenario that set this law against another, or against apparent justice: “A hero lost his weapons in combat, so he borrowed a set from the tomb of a dead hero. After fighting valiantly for his city, he returned the weapons. He is charged with violating the tomb.”⁵⁹ The declaimer must then either prosecute or defend the hero. In variations the rules might be implicit (stating the illegality of crimes such as murder being superfluous) and the scenarios posited wonderfully intricate:

A man had a blind son whom he had made his heir. He then married a stepmother [the Roman reader would know that stepmothers are almost invariably wicked] and removed the boy to the secluded part of the house. In the night, when he lay in his bedroom with the stepmother, he was murdered, and the next day his son’s sword was found affixed in the wound, and the wall between his room and that of his son bloodied with palm prints. The blind son and the stepmother accuse each other.⁶⁰

There were rules. The cases were supposed to be balanced enough to allow compelling speeches on both sides. The facts laid down as the basis of the declamation could not be altered: the declaimer could not produce a homicide victim alive. Laws from the real world could not be introduced (although other rhetorical laws could, and many real laws had rhetorical analogues); legal technicalities were usually avoided. “In-artificial” proofs—calling (imaginary) witnesses or proclaiming the existence of a document that settled the case—were not approved. The

contest was in developing a persuasive backstory that set the stated facts in a favorable context (*color* in Latin), in maintaining a verbal style consistent with the nature of the litigant the declaimer was pretending to be (*idea* theory), in grasping the issue or issues at stake (*stasis* theory), in the persuasive argument of plausibilities, in evoking emotion in the hearer, in inventing *sententiae*, or catchy, pithy, memorable phrases. Revolting tortures could be described, but sex, never. Regional accents were scorned, voice and diction were closely watched, and only a confined lexicon of words was allowed: nothing that clanged vulgarly of the new. In the Greek world this patrol of the lexicon would eventually take the form of Atticism—not to be confused with “Atticism” in Latin, mentioned above—trying to use no word that could not be found in Athenian writers before the death of Alexander, or the early poets who were considered Attic by courtesy. Gestures too must be just so.⁶¹

There is a much-loved body of ancient complaint about declamation as a mode of teaching—a body to which Quintilian himself, by far our best known teacher of Latin rhetoric, was happy to contribute—complaining of the fancifulness of the themes, their impracticality as training for actual pleading in the courts, and the overwrought style sometimes encouraged in the schools.⁶² But these are all internal critiques: suggestions about how the teaching of rhetoric could achieve its agreed-upon aims better, rather than proposals for significantly different educational aims—math perhaps? home economics?—or different institutional arrangements. The triviality of traceable changes over time in this education—astonishing to us, given the complete lack of central or official regulation, legal requirements to send children to school, or a system of public examinations that would tend to hold teachers to the same material and methods—also suggests that parents were quite content with it, it being in their power to move or remove their sons at an instant.⁶³ The third and fourth centuries AD did bring in new institutions and courses of study: now it was possible to take formal instruction in Roman law (at Beirut, Rome, and eventually elsewhere), to learn Latin (if one was a speaker of Greek), or to take instruction in shorthand writing, which last seemed for a short period to promise high preferment in imperial service. Libanius of Antioch, the

fourth-century teacher of Greek rhetoric, naturally inveighed against such newfangled teaching, which is why we know about it. But careful examination of his writings reveals that he does not fear primarily that students might abandon the *rhetor* for such education, merely that they might curtail their time in his school or, more likely, undertake these studies—as they would philosophy—after their rhetorical training was done, and his writings suggest that only a small minority even did that.⁶⁴ In other words, despite the contemporary carping, and despite our own wonderment, education in grammar and rhetoric appears to have been, judging by its longevity, the most successful form of education in the history of the West.

INDEX

- abdicatio*, 141, 143–147; and Greek term *apokēruxis*, 143; legality of, 144–145; as metaphorical term, 145; as a term in declamation only, 143–144. *See also* law, declamatory; law, Roman
- About Rivers and Mountains and Things Found in Them* [Ps.-Plutarch], 78
- Academy, Old (Platonic), 40
- accusatio ingrati liberti*, 125–126, 128. *See also* freedman; law, Roman, and children, ungrateful
- accuser, false. *See delator; talio*
- Achaean League, 49
- Achilles, xii, 18, 103–104, 153
- acropolis. *See* Capitoline; citadel
- actio dementiae*, 135, 141–142. *See also* law, declamatory, on madness; law, Roman, on madness; madness
- actio malae tractationis*, 141, 143–147. *See also* law, declamatory, and wife; law, Roman, and wife
- actio rei uxoriae*, 142. *See also* dowry
- actor, punishment of, 123
- Adrianople, battle of, 23
- adultery, laws about. *See* law, Roman
- advice, speeches of. *See* declamation, deliberative; *suasoriae*
- Aelius Aristides, 74, 84, 90–91
- Aeneid*, 3
- Agamemnon, 10–11
- Agesilaus, 93
- Agrippa Postumus, 145
- Albucius Silus, C., 136
- Alcaeus, 93
- Alexamenus, 49
- Alexander the Great, xii, 80
- Alexandria (Egypt): colonnaded streets at, 97; medical school at, 4; remarkable structures of, 103; Serapeum in, 99
- Alföldi, Andreas, 23–24
- Amadis de Gaulia*, xii
- Amazons, xi–xii
- Ammianus Marcellinus, 86
- amphitheater, games in, 60
- andreaia*, 73, 100. *See also* city, praise of, topics for; declamation, demonstrative, of cities
- Antigoneia, 81
- Antioch: city walls of, 82, 91–92, 97; colonnaded streets of, 97, 99–101; history of, 91–92; mythical history of, 80; New City, district of, 92; nymphaeum at, 81; physical description of, 81–82; praise of, 80–83, 104; *thesis* of, 80–81; water supply of, 80–83
- Antoninus Pius (Roman emperor), 123, 137–138
- Antony, Mark (Marcus Antonius), 29, 31–36, 37–38, 40–41, 48, 54–56; as consul, 31, 38–39
- Aphrodisias, 90–91
- Aphthonius, 99
- apokēruxis*. *See* *abdicatio*
- Apollo *Sminthiakos*, 75
- Appian, 51, 54
- apprenticeship, 4–5, 8–9
- aqueduct, 69, 83. *See also* nymphaea, monumental
- Argos, 76–77
- Aristophanes, 7–8
- Aristotle, 28; *Politics* of, 41; *Rhetoric* of, 6
- arithmetic. *See* mathematics

- armed forces. *See* Caesar, veterans of;
military training; soldiers
- artes liberales*. *See* general education
- arx*. *See* Capitoline; citadel
- Ascra, 104
- Asia Minor, competitive benefactions in,
153
- Asianism (style of oratory), 10
- assassins of Caesar. *See* conspirators against
Caesar
- astronomy, 7
- Athanasius of Alexandria, 10
- Athens: buildings at, 156; Hadrianic fountain
at, 190n10; Herodes Atticus, accused of
being tyrant at, 149; Odeon at, 148; place
for further education, 4, 9; plague at, 149;
ruling class in, 6; sophists at, 5–6, 148–149;
water supply of, 77
- athletics, 7–8, 154, 162n39
- Atlas Shrugged*, xii
- Atticism: as Greek vocabulary choice, 12, 18;
as style of Latin oratory, 10
- Atticus, friend of Cicero, 45
- augury, 29, 63
- Augustus (Roman emperor), 36, 39, 124, 145
- Aulus Gellius, 129
- Aurelian Wall (Rome), 200n49
- basilica, 70
- baths: in Antioch, 91; in Asia Minor, 86;
complex, development of, 70, 85–86;
in North Africa, 86; public and private,
79, 81–83
- bees, 138, 146–147. *See also* law, declamatory,
on bees; law, Roman, on bees
- benefactor. *See* nymphaea, monumental
- Beirut, 12
- Bibulus (son of Porcia), 53
- bilingualism, 4, 12, 45, 149
- biology, 7
- Bloomer, W. Martin, 19–20, 167n29
- bodyguard: Caesar's Spanish, 55, 62–63; of a
tyrant, 55
- Boeotia, 77–78
- book-rolls. *See* scrolls
- boulē*. *See* city council
- Bourdieu, Pierre, 20
- Britain, walls in, 94
- Brundisium, 133–134
- brutalism (architectural style), 67
- Brutus, Decimus Junius (conspirator against
Caesar), 29–31, 35, 41–42, 183n71; age of,
44–45. *See also* conspirators against Caesar
- Brutus, Lucius Junius, 42–43
- Brutus, Marcus Junius (conspirator against
Caesar), 9, 30–33, 49–50, 52, 54; age of,
44–45; family tradition of, 42–43; as legal
and constitutional rigorist, 38–39, 175n14;
as orator, 44; philosophy of, 31, 37, 39–41,
44, 48; rhetorical education of, 44–50
(*see also* tyrannicide; tyrant); speech of
after assassination of Caesar, 31, 33, 37,
49–50, 51, 56 (*see also* conspirators against
Caesar); and wife Porcia, 52–53
- Bucolianus (conspirator against Caesar),
171n7
- Butler, Judith, 20
- Caesar, Gaius Julius: assassination of, xiii–xiv,
29–36, 55, 154; assassins of (*see* conspira-
tors against Caesar); bodyguard of (*see*
bodyguard); campaign against Parthians,
62; clemency of, 53; funeral of, 36, 54;
inaction of before assassination, 62–63;
influence of rhetorical education on, 62–63;
last words of, 171n9; modern writings on
assassination of, 169n1; mother of, 17;
official will of, 36; supporters of, 29–31,
34, 37, 40–41, 48; veterans of, 33–34, 38;
viewed as king, 42; viewed as tyrant,
32–33, 45–46, 62–63
- calculator*, 4, 160n12
- California, xi–xii
- Caligula (Roman emperor), 14–15, 60, 126
- Callipus of Athens, 40
- Calpurnius Flaccus, 158n4

- Campus Martius, 29, 32, 34
canal, ornamental, 67, 102–103. *See also*
 colonnaded street; nymphaea, monumental
cap of liberty, 32. *See also* coinage
Capitolias (Jordan), 90
Capitoline Hill: as fortification, inadequacy
 of, 57; as meeting place after Caesar's
 assassination, 32, 38, 46, 49; as refuge for
 Caesar's assassins, 32–33, 35, 37–38; siege
 of, 34, 55, 57; speech of Brutus on, 54;
 tyrannicides process down from, 52.
 See also citadel
Caracalla (Roman emperor), 140
carcer, 134
Carthage, 96
Casca, Servilius (conspirator against Caesar),
 30, 38, 43
Cassius Dio, 51–55; on Porcia (Brutus's wife),
 52–53
Cassius Longinus (conspirator against
 Caesar), 9, 30, 32–33, 38, 40, 43, 54; age of,
 44–45, 49–50; Epicureanism of, 176n22
Cassius, Lucius (brother of Cassius
 Longinus), 38
Cassius Severus, joke of, 108–109, 136
Catiline, 44
Cato the Younger, 52–53
Celsus (jurist), 138, 146
centumviri, court of, 135, 141
centuriate assembly, 43
centurions, 126
Cervantes, xi
children, and ingratitude, 126–128. *See also*
 law, declamatory, and children, ungrateful;
 law, Roman, and children, ungrateful; *talio*
Chion, 40
chōra (region in which a city lies), 73. *See also*
 city, praise of, for physical position;
 declamation, demonstrative, of cities
Christianity, 124, 154
chronology, March 15–17, 44 BC, 172–173n22
Cicero: and assassination of Caesar, 32,
 37–38, 44, 49–50, 52, 55; *Brutus* of, 44;
 education of, 9, 16–17; oratory of, 4; and
 praise for Marcus Brutus, 44; and Roman
 law, 112, 135; and *senatus consultum ultimum*,
 44; speech after Caesar's assassination,
 54; and *theses*, 45; *Topica* of, 114; *Verrines* of,
 77; writings justifying murder of Caesar,
 179–180n55. *See also* *theses*
Cimber, Tillius (conspirator against
 Caesar), 29–30, 38–39
Cincinnatus, 43
Cinna, Cornelius (conspirator against Caesar),
 32–33, 35–36, 38; speech of, 45–46, 50
Cinna, Helvius (unfortunate poet), 36
circus, 61
citadel (acropolis or *arx*): as an admirable
 building in a town, 91; as residence for a
 tyrant, 54–55, 56–60, 62, 182n64; seized by
 a tyrant, 47–48; site for tyrannicide, 54–55,
 185n12; tyrannicide escorted down from,
 47–48, 52. *See also* Capitoline; Palatine Hill
cities, comparisons of, 101–105. *See also* decla-
 mation, demonstrative, and ranking cities
citizenship, fictive, 146, 223–224n40
city, praise of, 71–76, 87, 92; for age, 90; for
 climate, 103; in coinage, 101, 150; for colon-
 naded streets, 98–101; for constitution, 73;
 competition in, 74, 80–83, 92, 103–105;
 inscriptions with, 102; and laws of inheri-
 tance, 73; for noises found in, 104–105; for
 nymphaea, 83–87; for origin, 72, 76, 103;
 for physical position, 72–76; and rankings
 with other cities, 103–104; rules for, 71–73,
 103–104; and similarity to people, 72–76,
 87; for size and growth, 90–91, 97, 100–101,
 103–104; topics for, 72–73, 100, 103–104; in
 treatises, 104–105; and treatment of dead,
 73; for its virtues, 73, 103–104; for walls,
 198n17 (*see also* city walls); for water supply,
 74–85, 87, 90, 155; and women, 73. *See also*
 laudantur urbes similiter atque homines
city council: administration of, 150–151;
 composition of, 5–6, 150–151; praise of,
 81; and rhetorical education, 153–154

- city walls: in Africa, 94, 199n30; of Antioch, 91; in Asia Minor, 94; benefactors of, 90; in Britain, 94, 199n30; building of during Roman peace, 93–95; building techniques for, 91; in Carthage, lack of, 96; on coinage, 95; colonial status, associated with, 96; competition in, 66, 94, 96; of Cyzicus, 91; dates, 90, 196n4; dignity of, 95; discouragement of, 65–66, 88–89, 93, 96–97, 155; expansion of city beyond, 95; expense of, 89, 93; in fifth century AD, 96–97; in Gaul, 90, 93–95; in Germania, 94; in Greek-speaking East, 90, 196n4; Greek tradition of, 95; ideological motives for building of, 95–96; impracticality of, 89–90, 94, 195–196n2; lack of, in most western cities, 94; in the Latin West, 90, 93–95; in the Levant, 94; neglect of, 94; neglected in demonstrative declamation, 91–92; and ornamental gates, 94–95; oversized circuit of, 90; praise of, 72, 91; private structures built on, 94–95; rationale for building of, 66, 88–90, 93–95, 97; as a reflection of virtues of a city, 91, 198n17; as a refuge for cowards, 93; repair and renovation of, 90, 94; in Roman culture, 95–96; as sacred boundaries, 95–96; size of, 90, 92; of Smyrna, 91; in Spain 93–95; in Sparta, lack of, 93; in Thucydides, 93; in Trier, 89fig.4, 94; virtues of, 91, 95. *See also* declamation, deliberative; declamation, demonstrative, and cities
- Claudius (Roman emperor), 125
- Clearchus, 40
- clothing, social standing evident in, 16, 133
- cognitio extra ordinem*, 108–109, 140. *See also* *stellionatus*
- coinage: of Alexandria, 78; of Brutus, 39 (and Cassius), 42, 44; and city walls, 95; and competition between cities, 101, 150; of Ephesus, 78–79; local rivers on, 78–79; marked with an alpha, 101; nymphaea on, 85; of Perge, 101; of Side, 101; of Smyrna, 78; and water supply, 78–79, 83, 85
- colonies, city walls of, 96
- colonnade, 91, 97, 99, 201n53
- colonnaded street: in Alexandria, 97; in Antioch, 92, 97, 99–101; in Asia Minor, 97, 102, 105; benefactors of, 98; building of compared to nymphaea, 97–99; and climate, 99–100; competition between cities in, 99–105; contemporaneous building of, 98; dates of, 97; definition of, 201n54; demonstrating size of city, 92, 100; development of, 70; distribution throughout city of, 100; in encomia on cities, 99; funding of, 98; to gain respect of Roman authorities, 99; in Greece, 97–98, 201–202n54; in Greek-speaking East, 97–98; inscriptions on, 98; lack of, 97–98; in the Levant, 97, 99; location of, 97, 99–100; modern literature on, 200nn51–52; and monumental nymphaea, similar influences on, 97–98; nymphaea, associated with, 67, 79; in North Africa, 97–99; in the northwestern provinces, 97, 201–202n54; with ornamental canal, 67, 102–103; in Perge, 102, 105; in Prusa, 99, 101; in Rome, 97, 99; in Side, 102, 105; in Syria, 97–98; and *thesis*, 99–101; in treatises, 99, 105; in Tyre, 98; usefulness of, 100–101; value of, 102; and virtues of a city, 100–101
- color* (imagined circumstances of a declamation), 12, 114, 135–136, 141, 183n71, 208–209n31
- columns: in colonnaded streets, 98 (*see also* colonnaded street); on nymphaea, 69–70 (*see also* nymphaea, monumental)
- Commodus (Roman emperor), 123
- comparatio*, 104–105. *See also* cities, comparison of; declamation, demonstrative, and ranking cities
- competition in oratory. *See* rhetorical competition

- complaints about declamation, 12–13, 20–21, 154
- complete education. *See* general education
- comportment in speeches, 16
- conspirators against Caesar, 30, 35–36, 38–39; ages of, 45; as followers of Pompey, 38, 53; influence of rhetorical education on, 44–51, 55–56, 149; number of, 175–176n19; plans of, 31, 37–38, 40, 43–44, 48–50, 55–56, 172–173n22; as would-be regicides, 42, 178n46; speeches of, 32–33, 37–38, 45–46, 50, 55–56; as would-be tyrannicides, 45–46, 48; vengeance against, 34–35
- Constantine (Roman emperor), 120–121, 124–125, 129–130, 139
- Constantinople: city walls of, 82
- Constantius (Roman emperor), 120–121
- consul, 31, 33–36, 38–39, 44, 148. *See also* Antony, Mark, as consul
- controversiae*, 3, 10–11, 17, 45. *See also* declamation, forensic
- Corinth, 77, 85
- Cornelia, mother of Gracchi, 17
- crime, nameless. *See* nameless crime
- crime, novel. *See* nameless crime
- crudelitas*, 185n15, 186n19
- Cuicul, 86
- Cujas, Jacques, 108
- curator*, 141–142, 156
- curia*. *See* city council; Pompey, Senate House of
- Cyzicus, 91
- dagger: concealed in document boxes, 52; used to assassinate Caesar, 30, 32, 48, 52; as weapon of assassination, 43, 48, 184n2. *See also* Servilius Ahala; Spurius Maelius
- Daphne (springs), 81
- Darius, 80
- declamation, 6, 54, 66, 153–154; complaints about, 12; educational value of, 15–24, 151; humanistic interpretation of, 19–21; modern interpretation of as academic accident, 19–21; as reinforcing social hierarchy, 15–22, 167–168nn29–30; as subversive, 14–15, 20–22, 60, 168n33; unreality of, 116–117, 124, 144, 154–156 (*see also* Sophistopolis). *See also* declamation, deliberative; declamation, demonstrative; declamation, forensic; role-playing
- declamation, deliberative, 3, 10–11, 17, 54, 151, 163n56; as countercurrent to praise of walls, 88–89, 93, 96. *See also* *suasoriae*
- declamation, demonstrative, 10, 71; of cities, 71–76, 80–83, 97, 99–101, 103–104 (*see also* cities, praise of); and city walls, encouraging the building of, 88–90, 96; and city walls, reluctance in mentioning, 88, 91–92; at civic festivals, 71; and colonnaded streets, 97, 99–101; competition in (*see* rhetorical competition); and emperor, in praise of, 71; at funerals, 71; and governor, in praise of, 71; monarchs and potentates, in praise of, 151; of public buildings, 74, 90 (*see also* city walls; colonnaded street; nymphaea, monumental); and ranking cities, 103–104; and size of a city, 97; of sophists, 72; on water supply, 80–83, 88, 155 (*see also* Antioch; water supply); at weddings, 71, 75
- declamation, forensic, 3, 10–11, 17, 45, 54, 153; family situations in, 116–117; and litigation, 151–153; modern literature on, 164n58; *patria potestas*, scarcity of in, 116–117, 210n48; of sophists, 5; stock characters in (*see* role-playing); on tyrannicide (*see* tyrannicide). *See also* *controversiae*
- declamation, laws of. *See* law, declamatory
- delator*, punishment of, 129–130, 147. *See also* law, declamatory, on false accusations; reciprocity, and Roman morals
- dementiae actio*. *See* *actio dementiae*
- Demosthenes, 4
- dictator, 11, 29, 36, 38, 43, 62. *See also* Caesar, Gaius Julius
- diction, 12, 17

- Digest* of Justinian. *See* Justinian, *Digest of dikaiosunē* (justness), 73. *See also* city, praise of, for its virtues; declamation, demonstrative, of cities
- dikē paranoias*. *See* madness
- Dio Chrysostom, 73, 75, 99–101
- Diocletian (Roman emperor), legal constitution of, 126, 143–144
- Diodorus Siculus, 103
- Dion of Syracuse, 40
- Dionysius the Younger, 40
- disinheritance. *See* *abdicatio*; law, declamatory, and disinheritance of a child; law, Roman, and disinheritance of a child
- divorce. *See* law, declamatory, on divorce; law, Roman, on divorce; *raptarum lex*
- doctors, as tyrannicides, 180n58
- Dolabella, Cornelius (conspirator against Caesar), 33–34, 36, 39, 50
- dolus*, 108
- Domitian (Roman emperor), 14–15, 126; as tyrant, 56–62
- domus Domitiana*. *See* Palatine Hill, as citadel
- Don Quixote*, xi
- donatio*, 127
- donor. *See* *nymphaea*, monumental, benefactors of
- dowry, 121, 124, 138, 142, 147
- Dr. Seuss, 22
- economics, xv, 24
- ecphrasis*, 99
- Egypt, 82, 103, 143, 149
- education, ancient: in architecture, 4; in Latin, and shorthand-writing, 12–13; in medicine, 4; in music, 7–8; in Roman law, 13, 206n6. *See also* education, rhetorical
- education, rhetorical: ancient theories of value of, 15; like athletic coaching, 22; authors read in, 160n13; as competition, 17–19; demonstrative remains secondary to deliberative and forensic oratory in, 163n55; evolution of, 6–10; of jurists, 205n5; as legitimation of social rank, 166n14; modern histories of, 157–158n1; modern theories of function of, 14–22; origins of, 5–6; as preventing ways of thinking, 23–25; as role-playing (*see* role-playing); as reaffirming social roles, 19–20; as subversive, 14–15, 20–22; as social marker, 16
- eloquence, 5–6, 15; expected in ruling class, 17, 19
- enceinte. *See* city walls
- encomium. *See* declamation, demonstrative
- enkyklios paideia*. *See* general education
- ephebeia*, 7–8, 161n32, 199–200n35. *See also* athletics; military training
- Ephesus, 69, 79, 85, 140, 156
- Epicureanism, 40, 176n22
- epideictic. *See* declamation, demonstrative
- epitēdeumata* (upbringing/way of life), 73. *See also* city, praise of; declamation, demonstrative, of cities
- equites*, 55, 57, 126
- erga* (deeds), 73. *See also* city, praise of; declamation, demonstrative, of cities
- Eugenius, rebellion of, 100
- Euripides, 211n49
- examinations in education, 22, 169n37
- exempla*, 17, 141
- exercises, rhetorical. *See* declamation; *progymnasmata*; *theses*
- exhereditatio*, 143–145. *See also* *abdicatio*; law, declamatory, and disinheritance of a child; law, Roman, and disinheritance of a child
- exile, punishment of, 129–130, 143. *See also* island, relegation to
- falsum*, 204n2
- fathers as stock characters in declamation. *See* role-playing, Father
- favor dotis*. *See* dowry
- fictio civitatis*, 223–224n40
- figured speech, 21, 148–149. *See also* declamation, as subversive

- fortifications, city. *See* city walls
Forum, in Rome, 31–34, 36, 37, 45, 116
Foucault, Michel, 20–21
fountain, 67–70, 85, 91–92. *See also* nymphaea, monumental; springs
fraud, 107, 109. *See also* lizarding; *stellionatus*
fresco, of city-walls, Jordan, 90
freedman: inferior status of, 133–134; punishment of for adultery, 123; punishment of for ingratitude, 125–127; trial of those of Herodes Atticus, 148–149. *See also* *revocatio in servitutem*; role-playing
Fronto, 186n28
Frontinus, 156
Fuficius Fango, 31
funeral oration, 54
furiosus. *See* madness

Galen, his education, 5
games, Roman. *See* amphitheatre, games in; circus
gardens, 92
gates, city: in city walls, 92; nymphaea placed near, 84; ornamental, 94–95; at Trier, 89fig.4
Geertz, Clifford, 20
general education, 7–8
genos (origins), 72, 76. *See also* city, praise of, for origin; declamation, demonstrative, of cities
geography, education in, 23
geometry, 7. *See also* mathematics
Georgias of Leontini, 5–6
gesture, education in, 12, 16
Gilbert and Sullivan, 130
giuridicizzazione dell'etica, 115, 118, 128. *See also* law, declamatory, and everyday ethics
gladiators: Decimus Brutus's, 29–33, 35, 37, 46, 54; as a profession, 139, 153
 Gordian III (Roman emperor), 87
governor, Roman, 71, 121, 140–141; and *stellionatus*, 108
Gracchi brothers, 17, 44
grammarians. *See* *grammaticus*
grammaticus, 3–4, 6–7, 17, 71
Gramsci, Antonio, 20–21
Gratian (Roman emperor), 23, 121, 127
grave reliefs, 7
Greece: place for further education, 4, 9, 36.
See also Athens
guardian. *See* *curator*
guidebooks, for teachers. *See* treatises
gymnasium. *See* athletics; baths; *ephebeia*

Hadot, Ilsetraut, 7
Hadrian (Roman emperor), 137
Hammurabi, Code of, 130
handbook. *See* treatises
harbor, 72, 82, 91
harenarius, 17
Harmodius and Aristogeiton, 44, 185n12
Hector, 104, 153
Heracleides Criticus, 77
Heracles, sons of, 80
Hermagoras, 6
Hermogenic corpus, 10, 145
Hero (*vir fortis*). *See* role-playing, Hero (*vir fortis*)
Herod the Great, 97
Herodes Atticus, 84, 148–149, 226n2
Herodotus, 103
Hierapolis, 84–85
Hipparchus (grandfather of Herodes Atticus), 149
Hipparchus (tyrant), 44
Hippias, 44
Hippocrene, 77
history, education in, 23, 155
Homer: and city walls, 95; description of water supply in Argos in, 76–77; *Iliad*, xii, 3, 5–6
homicide, 11, 123, 129, 134–136
Honorius (Roman emperor), 129
hot springs, 84
humanitas (legal doctrine), 114
Huns, 23
Hydrekdoscheion, of C. Laecanius Bassus, 79
hypaeathral basin, 67

- idea* theory, 6, 12
Ides of March, 33, 39, 62–63
Iliad. See Homer
imperial cult, 102
imprisonment: for ingratitude, 127–128. See also law, declamatory, and imprisonment of children
Inachus, 80
inartificial proofs, 11–12
indemnatos liberos liceat occidere, 117. See also declamation, forensic; *patria potestas*; *potestas vitae necisque*
ingrati sit actio, 125, 128
ingratitude, 125–126. See also law, declamatory, on gratitude and ingratitude; law, Roman, on gratitude and ingratitude; *talio*
ingratus. See ingratitude
iniuria, 120, 132–133, 142, 211–212n4
inscripti maleficii sit actio, 108–109, 116, 147. See also nameless crime; *stellionatus*
inscriptio, 218–219n62
inscriptions: about benefactors, 98; about city status, 102; on colonnaded streets, 98; about competition between cities, 102; about Greek education, 8; about nymphaea, 68, 84–85; about Perge, 102; about rhetorical qualities, 18; about Side, 102; about water supply, 79–80, 83
Io, 80
Iphigenia, 11
island, relegation to, 123–124, 129. See also *lex Iulia de adulteriis coercendis*; *lex Iulia de vi*
Italica, 156
iudicium domesticum, 210n48
iurisconsulti. See jurist
iurisprudentes. See jurist
ius occidendi, 214–215nn21–23
ius respondendi, 205n9
ius vitae necisque. See *patria potestas*; *potestas vitae necisque*
iusiurandum. See oaths
Ivanhoe, xi
James Bond, 47
John Malalas, 83, 189n7
Julian (Roman emperor), xii
Julius Caesar. See Caesar, Gaius Julius
Julius Eurycles, C., 149
Junian Latins, 133
jurisprudence, Athenian, 108, 125, 142
jurisprudence, Islamic, 130
jurisprudence, post-classical, 112–114, 120–121
jurist, 112, 114–115, 118, 125, 129–130, 132–136, 138–141, 145–147. See also Celsus; Justinian; Labeo; Marcellus; Marcian; Modestinus; Paul; Pomponius; Ulpian; Ulpian Marcellus
Justinian (Roman emperor), classicizing revival of, 112–113. See also jurisprudence, post-classical
Justinian, *Codex* of, 120, 122, 127, 206n1
Justinian, *Digest* of, 109, 111, 113, 115, 143, 206n1, 206n3
Justinian, *Novella* of, 122
Juvenal, 15, 165n4
king: in Asia Minor, 151; in the Middle Ages, 151; at Rome, 31, 35, 42–44, 178n46
Labeo (jurist), 133
Laecanius Bassus, C., 79
Lambaesis, 86
Laodicea, 84
Lars Porsenna, 43
laudantur urbes similiter atque homines, 72–73, 86, 91, 95. See also city, praise of, and similarity to people; city walls, dignity of
law, declamatory, 108–109; 111–118; on adultery, 123–125; allure of, 111; on bees, 138, 146–147; and children, ungrateful, 126–128, 140; dates of, 115; on disinheritance of a child, 141, 143–147, 225n52 (see also *abdcatio*; law, Roman); on divorce, 119, 126, 141–142; and everyday ethics, 115, 118; on exposure of children, 128, 147; on false accusations, 129–131,

- 147; familiarity of, 111, 115, 118, 134, 139–141; on gratitude and ingratitude, 125–131; and Greek law, influence of upon, 116–117, 122, 125, 127, 136, 142–144, 146; historical origins of, 116; imagined legal environment of, 117–118, 119, 124, 139, 144, 154; on imprisonment of children, 127–128; and *iniuria*, 132–133; and jurisprudence, Roman, 111, 115, 135, 146; and lack of influence on Roman law, 111, 135–147, 155–156; on madness, 135–136, 141–142 (see also *actio dementiae*; law, Roman, on madness); and manumission, 133–134, 147; and marriage, 119–122, 144; as a moot court, 139; and mutilation, 130–131, 147; number of, 147; and parallels between Roman law, 116–117, 133–134, 137–141; on poisoning, 124–125; on ravishment, 119–123 (see also *raptarum lex*); and Roman law, influence of on, 116–117, 132–134; and Roman moral sensibility, 111, 118, 121, 123–124, 127–128, 132–133, 139–141; on shameful actions, 139; stock characters in, 116–117 (see also role-playing); on suicide, 136–137, 147; and technicalities, impatience with, 142–143; and the theater, 139; and wife, mistreatment of, 141–143 (see also *actio malae tractationis*). See also declamation, forensic law, rhetorical. See law, declamatory law, Roman: on adultery, 119–125 (see also *lex Iulia de adulteriis coercendis*; *lex Iulia de vi*); appeals in, 124; autonomy of, 111; on bees, 138, 146–147; and children, ungrateful, 126–128; dates of, 115; declamatory laws, influence of on, 119–147; and disinheritance of children, 141, 143–147, 225n52 (see also *abdicatio*; law, declamatory, on disinheritance of a child); on divorce, 141–142; and emperor's influence on, 144–145; external influences on, 113–114, 132–134; evolution of, 112; on executions, 122, 124, 140, 142; and family situations, 115; on gratitude and ingratitude, 111, 125–131; and Greek law, 115, 142–143; history of, conventional, 111–113; ignorance of, 109, 111, 136, 140; influence of education in declamation on, 111, 114–115, 151; interpretation of by jurists, 112, 139–141; on legacy size, 143; as literature, 113; and local laws, influence of on, 114, 140, 146, 149–153; on madness, 135–136, 141–142 (see also *actio dementiae*; law, declamatory, on madness); and manumission, 133–134, 147; on marriage, 120–121, 144; and mutilation, 130–131, 147; and pardons, 122–123; and parricide, punishment of, 134–136, 139–140, 147; and *patria potestas*, 142, 145 (see also *patria potestas*); on poisoning, 124–125; on property, 122–124, 134–135, 137; on ravishment, 111, 118, 120, 146–147 (see also *raptarum lex*; *raptus*); and Republican law, 115, 133–134; resistance of to external influence, 111–112, 155–156; on revenge, 111; rhetorical jargon in, 112; and Roman moral sensibility, 121, 127–128, 130, 132–133; on sexual violence, 120; stylistic independence of, 155–156; on suicide, 136–138, 147; on upbringing of children, 128; and wife, mistreatment of, 141–143 (see also *actio malae tractationis*; law, declamatory, and wife, mistreatment of); on wills and ingratitude, 126–127; on wills and madness, 133–134; on wills and suicide, 136–138; writers of, 111. See also *lex law of the ravished*. See law, declamatory, on ravishment; law, Roman, on ravishment; *raptarum lex* law, vulgar. See jurisprudence, post-classical legal profession, Roman, 206n6 legal writing, relationship of to rhetoric, 111–118 *leges*. See law, Roman; *lex* Lepcis Magna, 86, 99 Lepidus, Marcus Aemilius, 31–36, 37–38, 40–41, 48, 54–56, 63; *telos*, Lepidus's troops on Tiber island, 171–172n17 *lex*, 112, 116

- lex Aelia Sentia*, 125
lex Cornelia de sicariis et veneficis, 210n45, 215n24, 216n32
lex Iulia de adulteris coercendis: penalty for violation of, 120, 123–124, 215n24. *See also* law, Roman, on adultery; *raptarum lex*; *raptus*
lex Iulia de vi, 120, 123–124
lex Iulia et Papia, 143
lex Iunia, 133
lex raptarum. *See* *raptarum lex*
Lex Romana Burgundionum, 206n1
Lex Romana Visigothorum, 206n1
lex Roscia theatralis, 139
lex Voconia, 116
Libanius (of Antioch), 12–13, 16–17, 22, 80–83, 86, 91–93, 97, 99–101, 193n58, 193n64, 193–194n68
liberal arts. *See* general education
libertas, 39. *See also* cap of liberty; coinage
Library of Celsus, 69
Life on the Mississippi, xi
literature, education in, 7
litigation, prevalence of, 152–153
Livius Drusus, 44
Livy, 49, 55, 117
lizard, 107. *See also* *stellio*, *stellionatus*
lizarding: definitions of, 107–109. *See also* *stellionatus*; Ulpian
longi temporis praescriptio, 121–122. *See also* *raptarum lex*
Lucan, 155
Lucian, 48–49
ludus, 3–4, 17, 158n1, 159–160n11
luxuriosus (profligate), 145
Lycia-Pamphylia. *See* Perge; Side

Macedonia, 125
MacMullen, Ramsay, 23–24
madness, 135–136, 141–142. *See also* *actio dementiae*; law, declamatory, on madness; law, Roman, on madness
maiestas, 129, 137
Majorian (Roman emperor), 123

Major Declamations [Ps.-Quintilian], 138; dates, 158n4
Malleolus, 134–136, 139–140. *See also* *querela inofficiosi testamenti*
Manlius Capitolinus, Marcus, 43, 55, 185n12
mannerisms, physical. *See* gesture
Mantovani, Dario, 138
manumission, 126, 133–134, 147; revoked, 125. *See also* law, declamatory, and manumission; law, Roman, and manumission
manus, 117
Marathon, battle of, 18
Marcellus (jurist): and *stellionatus*, use of, 108
Marcian (jurist), 146; on suicide, 137; and use of *color insaniae*, 135; and use of the word *exorare*, 122–123; and use of the word *raptus*, 120–122; and use of the word *veneficium*, 125
Marcus Aurelius (Roman emperor), 86, 123; and celebrated trial of Herodes Atticus, 148–149
Marnas (river), 78–79
marriage, in laws on abduction. *See* law, declamatory, on ravishment; law, Roman, on ravishment; *raptarum lex*
Marrou, Henri-Irénée, 23
mathematics, 3–4, 7, 23
Mattern, Susan, 24
Maximian (Roman emperor), legal constitution of, 143–144
medicine, education in, 4–5, 155, 160n16
Menander Rhetor, 74–75, 91, 103–104
Menelaus, 6
Meta Sudans, 70
metaphors, in speeches, 82–83
meteorology, 7
metropolis, city-title of, 101–102
Mikado, 130
Miletus, nymphaeum at, 68fig.3, 87
military training, 7–8, 128. *See also* *ephebeia*
Miltiades, 18
Minerva, 77
Minor Declamations [Ps.-Quintilian]: dates, 158n4

- Minucianus (grammarian), 10
Minucius Basilus (conspirator against Caesar), 30
Modestinus (jurist): and *stellionatus*, use of, 108
Mommsen, Theodor, 39, 175n17
Monody on Nicomedia, 97. *See also* Libanius
Morgan, Teresa, 16
mosaics, 83
murder. *See* conspirators against Caesar; homicide
Muses, structures devoted to, 91
music, education in, 7–8, 162n39
mutilation, 130–131. *See also* law, declamatory, and mutilation; law, Roman, and mutilation; *talio*
myths, use of in speeches, 10–11, 18, 80, 93
Nabis, 49
nameless crime, 108–109, 147. *See also* *inscripti maleficii sit actio*; *stellionatus*
Naso, Publius (conspirator against Caesar), 38
Natural History (Pliny the Elder), 77
New City, district of Antioch, 92, 100
neokoros (temple-warden to the emperor), 102
Nero (Roman emperor), 126
Nicolaus of Damascus, 51
Nile, 78, 82
Novara, 136
noverca (step mother). *See* role-playing, Step-mother
nymphaea, monumental: adaptation of other buildings into, 69; in Antioch, 81; and aqueducts, 67, 69; in Asia Minor, 68–70, 78–79, 83–87; benefactors of, 68–71, 85, 148; and climate, influence of, 85–86, 155; competition in among cities, 71, 83–87, 102, 105; competition in among ruling class, 70–71, 85; and colonnaded streets, 97–98, 100; and culture of *philotimia*, 85; definition of, 189n1; development of, 69–70; in Ephesus, 78; funding of, 68–69; in Gaul, 85–86; in Greece, 69, 85; of Herodes Atticus, 84, 148; imitation of, 86–87; on inscriptions, 84–85; in late antiquity, 68; in the Latin West, 69, 85–86; as legitimate public buildings, 84; in the Levant, 69, 83, 85; location of, 68, 84; modern scholarship on, 189n1, 189n6; motivation for building an academic accident, 70–71, 76; in North Africa, 69, 85–87, 99; in Perge, 102, 105; popularity of in certain parts of the Empire, 85–87, 155; rationale for, 68; repairs to, 69, 85; Roman prototypes of, 70; in Rome, 69, 85–86; sculptures on, 79; and the Septizodium 86–87; in Side, 102, 105; standard design of, 67–68; in Syria, 69, 83, 85; value of, 102; and water supply, 67–68, 70–71, 85–86, 90, 155; and water technology, 69–70
Nymphaeum of the Tritons (Hierapolis), 84
oaths, 136–137
Octavian. *See* Augustus
Odeon, at Athens, 148
Odysseus, xii, 5
Old Testament, 130
Olympia, nymphaeum at, 84, 148
Olympias (spring at Antioch), 80–81
oratory, decline of, 9–10, 23; theories of, 6–7, 114. *See also* *idea*-theory; *stasis*-theory
Orcistus, 79–80, 83, 85–86
Orontes, 81–82, 92
Ovid, 144, 155
Oxford Handbook of Roman Law and Society, 207n11, 209n33
Palace, of Domitian. *See* Palatine Hill, as citadel
Palatine Hill, as citadel, 56–57, 58–60fig.1–2; 62. *See also* Capitoline; citadel
Palmyra, colonnaded street of, 98, 98fig.5
Panathenaic Way, 44
panegyric. *See* declamation, demonstrative *Panegyric* (of Pliny the Younger), 56

- Pannonia, 148–149
papyrus: about fountains, 84; petitions, 149, 152–153
parricide, 134–136, 139–140, 147; in declamation, modern literature on, 223n34
Parthians, 62
patria potestas, 19, 21, 43, 116–117, 127, 140, 142, 145, 210n48
Paul (jurist): and *stellionatus*, definition of, 108
Pausanias, 77
peculium, 117; *castrense*, 128
Peirene fountain, 77, 85
Perge: and competition with Side, 101–105; statue on nymphaeum at, 79
Pernot, Laurent 73
Persians, 93
personae in declamation. *See* role-playing
Petra, 156
Petronius, 154
Philippi, battle of, 39
Philopoemen, 49
philosophy, education in, 5, 23, 155; popularity of with the Roman ruling class, 40–41
Philostratus, 84
philotimia (love of honor), 85
phronēsis (wisdom), 73. *See also* city, praise of, for its virtues; declamation, demonstrative, of cities
phrontisterion, 7. *See also* Aristophanes; Socrates
physical education. *See* athletics
pietas, 19, 128
pignora, 107
pirates, 45, 117, 127–128, 144
Plato: advice of, 7; as model of good style, 4; students of, 40; on tyrants, 40–41
Platonism: and “philosopher-king,” 40; and tyranny, 40–41
Pliny the Elder, 77, 107, 145
Pliny the Younger, 56, 126, 129
Plutarch: *Brutus* of, 51–53; *Caesar* of, 51–52, 62; corpus of, 78; on Sparta’s lack of walls, 93
poena cullei. *See* Malleolus
poetry, 3, 6–7, 93, 155
poisoning, 124–125. *See also* law, declamatory, on poisoning; law, Roman, on poisoning
polis. *See* republics, constitutional
Polyaenus, 53
pomerium, 95
Pompeii, 67
Pompey (Gnaeus Pompeius Magnus), xii; Portico of, 29, 32; Senate House of, 29–32, 37, 39, 54–55, 62–63; Theater of, 31
Pomponius (jurist), 133–134
Pomponius Mela, 77
poor man as stock character in declamation. *See* role-playing, Poor Man
Porcia (wife of Marcus Junius Brutus), 52–53. *See also* Cassius Dio; Plutarch; Polyaenus; suicide; torture; Valerius Maximus
Porta Nigra (Trier), 89fig.4, 94
portico. *See* colonnade; colonnaded street; columns
Portico of Pompey. *See* Pompey
potestas vitae necisque, 117, 140. *See also* *indemnatos liberos liceat occidere*; *patria potestas*
Prefect of Egypt, 152
praetor, 32, 49, 109, 132–133; duties of, 38–39, 152; *tuitio* (over freedmen) of, 220n7
Praetor’s Edict, 112, 132–133
Praetorian Prefect, 149
praise, rhetoric of. *See* declamation, demonstrative
praxeis (deeds), 73. *See also* city, praise of, for its virtues; declamation, demonstrative, of cities
preliminary exercises. *See* *progymnasmata praexercitamina*. *See* *progymnasmata*
primary school. *See* *ludus*
privatum (type of legal case), 108
progymnasmata (preliminary rhetorical exercises), 3–4, 10, 71, 93, 99, 159n6, 190n18
propaganda, rhetorical education as, 152
Prusa, 99, 101
publicum (type of legal case), 108

- quaestor, 8, 43; late-antique, 207n10
querela inofficiosi testamenti, 134–136, 141;
modern literature on, 221n12. *See also*
madness
- Quintilian, 12, 22, 57; on *abdicatio*, 141, 143;
on *actio dementiae*, 141–142; on *actio*
malae tractationis, 141–143; authors cited
in, 160n13; on city walls, 88, 90–91; on
declamatory laws, 141–143; *Minor Declama-*
tions ascribed to, *see Minor Declama-*
tions; *Major Declamations* ascribed to, *see*
Major Declamations; on praising cities and
people, 72–74, 88, 90
- rape, laws about. *See* law, declamatory, on
ravishment; law, Roman, on ravishment;
raptarum lex
- raptarum lex*, 119–123; familiarity with, 121;
penalty for, 121; time limit for legal
complaint about, 121–122. *See also*
law, declamatory, on ravishment; law,
Roman, on ravishment; *raptor*; *raptus*
- raptor*, 119; 121–123, 213n11. *See also* law,
Roman, on ravishment; *raptarum lex*
raptus, 118, 120, 213n11; as a term in Roman
law, 120–122, 146–147; uncertainty about in
Roman law, 120, 211–212n4. *See also* law,
Roman; *raptarum lex*; *raptor*
- ravishment, laws about. *See* law, Roman, on
ravishment; *raptarum lex*; *raptor*
- reading, influence on life of, xi–xii
- reciprocity, and Roman morals, 127–131, 147.
See also talio
- Regifugium*, 42
- regulae*, 114
- regulation, in education system, 12
- relegatio*, 143. *See also abdicatio*; *exhereditio*;
exile; island, relegation to
- republics, cities of Empire as constitutional,
150–151
- revocatio in servitatem*, 216n36
- rhetor*, 3–5, 71–73, 75–76, 80, 99, 108, 148;
execution of, 60; expulsion of, 8, 12–13
- rhetoric: influence on Greco-Roman litera-
ture, xiii; limitations on such influence,
157nn10–11; modern histories of, 158n2
- Rhetoric to Alexander*, 6
- Rhetorica ad Herennium*, 135
- rhetorical competition: exploitation of, 153; in
Greece, 18–19; regarding water supply,
76–83 (*see also* city, praise of, for water
supply; Libanius; nymphaea, monumental;
water supply); among ruling class, 17–20,
22–23, 153–154; among sophists, 18–19
- rhetorical education. *See* education, rhetorical
- rhetorical exercises. *See* declamation; *pro-*
gymnasmata; *theses*
- rhetorician. *See rhetor*
- rich man as stock character in declamation.
See role-playing, Rich Man
- rivers, 76–78; in Antioch, 91; on coinage,
78–79. *See also* coinage, water supply
- roads: important in location of nymphaea, 84
- role-playing, 11, 19, 22; in deliberative decla-
mation, 93, 115–117; Father, 21, 45, 116,
127–128, 131, 135, 137, 144; in forensic dec-
lamation, 45; freedman, 19, 127, 133–134;
from Greek New Comedy, 117; Hero (*vir*
fortis), 45, 47, 117 (in war), 124; modern
literature on, 167n27, 168n30; Poor Man,
21, 45, 117, 126, 132, 138; Rich Man, 21, 45, 47,
117, 126, 132, 138; Son, 21, 116, 117 (Profligate),
124, 127–128, 131, 135, 137, 144; Step-mother
(*noverca*), 11, 19, 21, 117; slave, 19, 133–134;
Tyrannicide, 45–50; woman, 19, 21, 144
- Rome: fire at in AD 80, 57; water supply of, 82
- Romulus, 178n46, 184n1
- root paradigm, xii–xiii
- Rubrius Ruga (conspirator against Caesar), 30
- Russell, Donald, 154–156. *See also*
Sophistopolis
- rustic praedial servitudes, 115
- saevitia*, 185n15, 186n19
- Saturninus, 44
- Schmidt, Dr. Wilhelm Adolf, 14–15

- scientific learning, 23
Scott, James C., 20–21
Scott, Sir Walter, xi
scrolls, 7
sculptures, on nymphaea, 79. *See also*
 nymphaea, monumental, sculptures on
Second Sophistic, 84
Seleucus, 81, 92
Senate House of Pompey. *See* Pompey,
 Senate House of
senators, and assassination of Caesar, 29–30,
 32. *See also* conspirators against Caesar
 senatus consultum ultimum, 44
Seneca the Elder, 23, 132–133, 136–137, 153
Seneca the Younger, 125–127
sententia, 12
Septimius Severus (Roman emperor), 86–87,
 98–99
Septizodium, 86–87, 99. *See also* nymphaea,
 monumental, and the Septizodium
Serapeum at Alexandria, 99
Sergas de Esplandián, xi–xii
Servilia (mother of Marcus Brutus), 43
Servilius Ahala, 43, 185n10
Sestos, 103
Severus Alexander (Roman emperor), 124
sewer, 67
sex: absence of in declamation, 12; as
 violence (see *raptarum lex*; *raptus*)
Shakespeare, 36
Sicily, 77
Side: and competition with Perge, 101–105;
 three-storied nymphaeum at, 87
Sillyon, 104
Simithus, 86
Sirmium, trial of Herodes Atticus at, 148–149
slave: accompanies a boy to school, 166n13;
 punishment of for adultery, 123; punish-
 ment of for fleeing, 130; status of, 16–17,
 133–134, 138; suicide of, 137; as a supporter
 of assassins of Caesar, 32; torture of, 125
Smyrna, 7, 78, 91
snails, Lusinian, 103
social class: as evidenced in clothing, 16.
 See also freedman; slave
Socrates, 7–8
soldiers: arrival of at Antioch, 83; of Lepidus,
 35, 48, 56; protecting borders, 94; in
 Rome, 31–33; as walls of Sparta, 93. *See also*
 Caesar, veterans of; military training
Solinus, 77–78
son as stock character in declamation.
 See role-playing, Son
Sopater, 46
sophia (wisdom), 73. *See also* city, praise of,
 for its virtues; declamation, demonstrative,
 of cities
Sophistopolis, 154–156. *See also* declamation,
 unreality of
sophists, 18–19, 72, 148–149
Sophocles, 135
sōphrosunē (self-control), 73. *See also* city,
 praise of, for its virtues; declamation,
 demonstrative, of cities
sorcery, 124
Sparta, 6, 49, 149
springs, 76–78, 80–81. *See also* water supply
Spurius Cassius, 35, 43, 184n1
Spurius Maelius, 43, 184n1, 185n10
stasis (state of civil unrest), 41–42
stasis theory, 6, 11–12, 114
Statius, 155
statues, 79, 91, 98
status theory. *See* *stasis* theory
strangulation, punishment by, 130
stellatura, 205n4
stellio, 107. *See also* lizard; *stellionatus*
stellionatus, 139; definitions of, 107–109,
 204n2; modern confusion about, 108,
 204n2, 205n4. *See also* larding; Ulpian
stoa. *See* colonnade; colonnaded street;
 columns
stock characters in oratory. *See* role-playing
Stoicism, 40
Strabo, 77
Stroux, Johannes, 114, 209n33

- stuprum*, 120
- suasoriae*, 3, 17, 227n12. *See also* declamation, deliberative
- Suetonius, 39, 51, 56–57, 62–63, 133, 145
- suicide: of Cato the Younger, 52–53; as a confession of guilt (or not), 136–138; in declamation, 144, 147; by Porcia, contemplated, 53
- Sulla, 11
- swindling, financial, 107. *See also* *stellionatus*
- symbolic. *See* declamation, deliberative
- synkrisis* (comparison), 104–105. *See also* cities, comparison of; declamation, demonstrative, and ranking cities
- syntaktikos* (oration of farewell), 75
- Tacitus, 137, 156
- talis*, 128–131, 218n54. *See also* reciprocity, and Roman morals
- Tarquin the Proud, 42–44, 184n1. *See also* king
- Tearos, 80
- Tellus, Temple of, 35, 54
- temple: 35, 54, 99; in city planning, 81, 91; development of, 70; praise of, 72, 91; robbers of, tyrants as, 187
- textbooks. *See* treatises
- The Lord of the Rings*, xii
- theater: building design of, 67; in city planning, 81, 91; inscription on at Hierapolis, 84–85; of Pompey, 31; Roman stigma at performing in, 8; seating at, 139, 147; value of, 102
- Theodosian Code*, 206n1; style of, 113, 127, 129
- thesis* (situation of a city), 72–76, 80–81, 84. *See also* city, praise of; declamation, demonstrative, of cities
- theses* (philosophical or rhetorical simulated arguments), 45, 179–180n55
- Thesprotia, 82
- Thessaly, 6
- Thrace, 81
- Thracian Chersonese, 103
- Thucydides, 76–77, 93
- Tiber Island, 31–33, 48, 171–172n17
- Tiberius (Roman emperor), xii, 61, 126
- Timgad, 86
- tirocinium fori*, 8–9, 162n42
- titulus criminis deficit*. *See* nameless crime
- tomb, 99; violation of, 11
- topics, theory of, 114
- torture: Caesar's distaste for, 52–53; in declamation, 52–53, 125, 168n19; fear of, 52–53; of a slave, 125; in treason cases, 129; of women, 52–53, 126
- Trajan (Roman emperor), 56
- treason, 129
- treatises, legal: under the Antonines, 137, 142; of Ulpian, 109
- treatises, rhetorical, 9–10, 21, 24, 71, 74, 104–105, 114, 140–141, 155; neglect of city walls in, 91; on rivers and mountains, 78
- tribunal, imperial, 148–149
- tribune, 38
- Trier, 89fig.4, 94
- triumvir monetalis*, 42
- Trojans, 18
- trophē* (upbringing), 73. *See also* city, praise of, for its virtues; declamation, demonstrative, of cities
- Turner, Victor, xii–xiii, 188n49
- tutor, 3–4, 159n8
- Twain, Mark, xi
- Twelve Tables, 112, 128
- tyrannicide (act and person): assassination of Caesar as, 32–33, 35, 41, 45–46; in declamation, forensic, 14–15, 44–50, 57, 151; escorted down from citadel, 47–48, 52; events following, 47–50, 54–56, 183n70; Greek tradition of, 44, 46; happy consequences of, 55–56; in philosophy, 40–42, 61; proper conduct in, 45, 54–55, 178n46; 179–180n55; qualities of, 47–48; reward for, 45–49, 54, 116, 151, 179n54; speeches after, 49–50, 54–56

- tyrant, 46; as abusive term, 149; Caesar as, 32–33, 35; as a criminal, 41; expulsion of, 40, 44; Greek views of, 41, 149; guards of, 52, 55, 62, 183n77; Herodes Atticus as, 149; in philosophy, 40–42, 46–48, 181n61, 181n63, 182–183nn67–68; legal charges of, 149; pressure on ruling class about, 42; Roman emperors as, 56–57, 60–62; supporters of, 41, 48
- tyrant, rhetorical: arrogance of, 186n20; avarice of, 186n18; citadel (acropolis or *arx*), lives in (*see* citadel); cruelty of, 186n19; in declamation, forensic, 14–15, 44–50, 57, 165n4, 179n53, 181n61, 181n63, 182–183nn67–68; dreads living in fear, 188n43; fearful, 185–186n16; hated and feared, 186n22; happy, 182n67; lustful, 186n21; luxury of, 47; murdered, 47, 182n68; rich and well-born, 47; secluded, 186n17; stock elements of, 47–50, 52–53, 56, 61–62; as temple-robber, 187n32; tortures, 53, 126, 186n19; weapons, collects to seize tyranny, 47
- Tyre, 99
- Ulpian (jurist), 111, 139–140; *de Officio Proconsulis* of, 109; and *stellionatus*, 108–109, 139; on validity of wills, 137
- Ulpian Marcellus (jurist), 135
- usufruct, 115
- Utica, 52–53
- Valentinian (Roman emperor), 23, 121, 127
- Valens (Roman emperor), 121, 127
- Valerius Maximus, 53
- Varro, 78
- veneficium*, 124–125. *See also* law, declamatory, on poisoning; law, Roman, on poisoning
- Via Nova*, 99
- Via Sacra*, 44
- villas, 92
- vis*, 39, 120, 129–130; *vis privata* versus *vis publica*, 211n4
- violence, sexual. *See raptarum lex*; *raptus*
- Vitellius (Roman emperor), 57
- Volubilis, 86, 156
- voluntas*, 133–134. *See also* law, declamatory, and manumission; law, Roman, and manumission; manumission
- vulgar law. *See* jurisprudence, post-classical
- walls, fortification. *See* city walls
- water supply: benefactors of, 78, 83–85; and civic identity, 83–87; competition in, 76–85; increased interest in, 76–83, 194n69; on inscription, 79–80, 83–84; in literature, 76–77; and municipal status, 79–80; in poetry, 77–78; praise of in papyrus, 84; representation of on coinage, 78–79, 83, 85 (*see also* coinage); as required topic in speeches, 76, 96; rhetorical use of, 74–83; and ruling class, 83–87; in travel guides, ancient, 77–78. *See also* city, praise of; nymphaea, monumental; springs; rivers
- wax tablets, 134
- Wilde, Oscar, xi
- wills, 126, 128, 133–134. *See also* law, Roman, and wills
- witnesses, 11; in parricide case, 133
- Xenophon: model of good style, 4
- Xerxes, 81
- Zeus, 79, 104; (Zeus) Bottiaeus, 80–81