

Cicero's self-stereotyping in *Pro Sulla*, §§18-19
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In the speeches published in the period between the execution of the Catilinarians in December of 63 and his exile in 58, Cicero justifies the executions not only by underlining the manifest evil of the traitors, but also by insisting that his own nature, marked by *clementia*, *miseriordia*, *lenitas*, was subordinated to the demands of his public duty. (Esp. *Sull.* 1, 8, 18-19, 87; *Mur.* 6; *Cat.* 1.4; 2.28; 4.11 [perverse]) The orator's self-depiction as a leader who must act against his own nature for the good of the state is reinforced, in *Pro Sulla* 18-19, by a tactic of self-depiction that is unique in Cicero's orations. This paper will identify, explain, and interpret that tactic.

When Cicero defended P. Sulla in the summer of 62 on a charge of having been a Catilinarian, the orator used his unique position to vouch for the innocence of his client. Torquatus, the prosecutor, attacked Cicero's character as a means of discrediting the orator in his role as de facto witness for the defense (esp. §§2-35). That attack noted that Cicero's testimony had been instrumental in convicting others, including P. Autronius Paetus. Autronius and Sulla had both been convicted earlier for their attempts to buy the consulship of 65; they were linked in the public's perception. Torquatus charged tyrannical caprice in Cicero's support of the conviction of one, the acquittal of the other (esp. §21).

This was not a hard attack to refute. Berry, in his magisterial commentary (1996), is surely correct to assert against the skepticism of Kennedy, Gruen and others that Sulla was innocent, else Cicero would not have undertaken the case. Thus Cicero could answer Torquatus simply by asserting that Autronius was guilty, as Sulla was not.

Remarkably, the orator feels the need to do much more. At the culmination of his first comparison of Autronius and Sulla (§§15-20), Cicero reports (§§18-19) how Autronius had come to him in tears, reminded him of their lifelong association, and begged him to serve as his *patronus*. Although Autronius had plotted to assassinate Cicero, the orator was so swayed by his own *lenitas* that he almost agreed. But then he thought, in lurid and inflammatory terms, of what would have happened to the temples of the gods, to the children, matrons, and virgins of Rome had Autronius succeeded. Despite his gentle nature, Cicero could not defend Autronius. Sulla's case had no such impediments.

While in other speeches the orator represents the reasons that impel him to take or reject a case (Cf. *S. Rosc.* 2; *Div. Caec.* 1-9; *I. Verr.* 1; *Clu.* 50 and 57; *C. Rab.* 1-4; *Mur.* 3 and 6-7; *Arch.* 1; *Flacc.* 1-3; *Sest.* 2; *Planc.* 1), the rationale he offers at *Sull.* 18-19 is unique. Here Cicero portrays his own emotional trajectory in an internal decision-making process driven by the competing feelings of pity and indignation. It is striking that this portrayal recapitulates the *loci* and function of the *indignatio* prescribed by Hellenistic technical rhetoric at the end of a prosecution speech (cf. *Inv.* 1.100-105; 2.48-51). Thus the orator shows himself to the jurors as his own audience, persuaded through a stock argumentative tactic known to all the rhetorically educated members of his jury.

Why this unique approach? By highlighting in himself the predisposition to *lenitas* overcome only by the persuasive power of this stock emotional argument, the orator claims for himself the stereotypical human nature assumed by the rhetorical training that he and his audience share. His decision to help Sulla but not Autronius is thus not only justified, it is made to seem in the most fundamental sense normal. So the orator can use the rhetorical education that he shares with his jury to create a space in which to put forth his *lenitas* as an essential trait even as he justifies his severity.