

In *Divinatio In Caecilium* Cicero suggests some listeners will be surprised that he is suing for the right to prosecute Verres. Prosecution, at this stage of his career, is unseemly: “What does that man want for himself?” they grumble. “To be thought of as *accusator*? Him, who has always pleaded for the defense, and even now that he is old enough to stand for aedile?” At first glance, there seems little reason to doubt the reality of the problem Cicero is acknowledging. We know that “*accusator*” could be a term of derision (*Brutus* 131). We also know young politicians who treated prosecution as a rite of passage, a dangerous experience undergone in their youth before “graduating” to the more noble upstanding work of defense (II *Verr.* 3.1). So Cicero, it would seem, is violating custom and must defend his decision.

Nevertheless, in this paper, I argue that the age issue is something of a rhetorical ploy—a problem that Cicero has raised precisely so that he can solve it. I shall argue further that Cicero is pursuing broader self-presentational goals by calling attention to his breaking of this rule. An examination of *De Officiis* 2.49-50 will show that concern about age is absent from later accounts of trial. Second, a review of prosopographical data will show that prosecuting once while young was a new custom, dating to the late second century BCE, and that it applied only to prosecutors of senatorial backgrounds. Finally, a wider examination of discourse of prosecution in *Divinatio In Caecilium* and the other *Verrine* orations will allow him to construct a tradition of noble mid-career prosecutors and cast himself as heir to it.