

## The Guilt or Innocence of Cicero's First Client: How We Read *Pro Roscio Amerino*

Cicero's first preserved pleading in the criminal courts, his speech in defense of Sex. Roscius of America on a charge of murdering his own father, has regularly been seen as the eloquent defense of an innocent man against the machinations of those thought to be influential with Sulla. While the political significance of the case may be variously nuanced, Cicero's acceptance and pleading of the case have been generally seen as an act of courage in defense of one wrongly accused (e.g. J.M. May [1988]; D. H. Berry [2000]). But in the last decade, scholarly direction has begun a radical shift, as historians have opened the possibility that Roscius did in fact kill his father (Alexander [2002]; Hinard&Benferhat [2006]) and one distinguished rhetorical critic (A.R. Dyck [2003]) has argued that Roscius' guilt is the most efficient hypothesis to account for the problems presented by the speech. Robin Seager (2007) has recently set out to refute this hypothesis, with mixed results. This paper will characterize the principal arguments on both sides of the issue, then will resolve the question in favor of Roscius' innocence by asserting that Cicero's intentions for the published document should also be weighed; one does not pave the way to a public career and an eventual consulship by leaving a literary monument that demonstrates how one has secured the acquittal of a parricide. Finally, the paper will speculate upon the reasons why both historians and rhetorical critics have heretofore declined to use this decisive argument.

15 minutes. Handout.