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Manipulating the Past: Antiquarian Comments in Cicero's *De Haruspicum responso*[1]

Konstantinos ARAMPAPASLIS[2]

Abstract. *This article identifies antiquarian excerpts in* ***De Haruspicum responso*** *and discusses their function with respect to Cicero's argumentation. The arrangement of the material by subject aptly illustrates how thematically connected passages can serve multiple purposes within individual arguments. The analysis of each passage reveals Cicero's manipulation of antiquarian information with the intention of tarnishing Clodius' image or extoling himself and the senate. Through the implicit comparison with the actions and customs of the ancestors, the orator further achieves a broader goal, i.e. to sketch his opponent as a public enemy and himself as a statesman in defense of the respublica. All these excerpts gradually serve the main purpose of successfully elevating his personal case into a matter of state significance.*

Rezumat. *Acest articol identifică excerptele anticarilor în* ***De Haruspicum responso*** *și discută funcția cestor excerpte în argumentația lui Cicero. Analiza dezvăluie manipularea de către Cicero a excerptelor anticarilor cu intenția de a prezenta negativ imaginea lui Clodius sau de a se evidenția pe sine și Senatul.*

Keywords: antiquarianism, rhetoric, Cicero, *De haruspicum responso*, manipulation, Clodius Pulcher

Introduction

Soon after Cicero's return from self-exile in 57 B.C.E., reports of a loud noise in the *Ager Latiniensis* prompted the Senate, who acknowledged the prodigy, to refer the matter to the haruspices. Clodius Pulcher took advantage of the haruspical response[3] which was open to alternate exegesis and attacked Cicero in a *contio*,[4] claiming that the latter provoked the gods' wrath because he reoccupied his house[5] where Clodius had built a shrine for Libertas.[6] In

[1] The cited text is from Peterson's 1911 edition. Whether the original title used the plural *responsis* (Quint. *Inst.* 5.11.42) instead of the singular *responso* (Asc. 70C), which is adopted throughout this article, is of minimum significance.

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[3] The original response of the haruspices is not preserved, but a reconstruction based on the text of the speech has been proposed by Wissowa 1912, 545 n. 4, and subsequently adopted by scholars. The haruspical college asserted that "expiation must be offered to Jupiter, Saturn, Neptune, Tellus, and the celestial gods" (Cic. *Har. resp.* 20.13–14) for i) "neglect and impiety in the organization of games" (Cic. *Har. resp.* 21.2–3), ii) "the desecration of holy places" (Cic. *Har. resp.* 30.1), iii) "the assassination of foreign ambassadors" (Cic. *Har. resp.* 34.1–2), iv) "violation of oaths" (Cic. *Har. resp.* 36.1–2), as well as v) "sacrilegious conduct during ancient and secret sacrifices" (Cic. *Har. resp.* 37.2–3).

[4] Corbeill 2018 reconstructs Clodius' lost speech based on passages from *De Haruspicum responso*, supplementing it with information from fragmentary speeches attributed to Clodius or other opponents of Cicero, as well as from several other Ciceronian works.

[5] Cic. *Har. resp.* 30.2.

early 56 B.C.E.[7] Cicero delivered *De haruspicum responso* in the senate, countering Clodius' arguments and rebutting claims of responsibility, while redirecting the accusations back to him. The speech is essentially an invective against his opponent, whose vicious personality and misdeeds are presented in such a way that he appears as the source of the grave dangers currently threatening the *respublica*.[8] Most importantly, the nature of the speech –*De haruspicum responso* is a political oration concerned chiefly with an issue of public religion– and the prevailing circumstances (i.e. the crisis of the 50's)[9] afforded Cicero ground to incorporate antiquarian information in his argumentation in order to sketch Clodius as an enemy of the state and, eventually, elevate a personal case into a matter of public interest.

The selected excerpts provide information about certain aspects of the religious, social, and cultural past of Cicero's time which were also treated by antiquarian authors, thus affirming their peculiarly antiquarian character. By carefully choosing topics whose details are shady at best, Cicero is able to manipulate such material in various ways to fit the framework of individual arguments intending to debase Clodius or exalt himself and the senate, but all together serve his major purpose, that is, to depict his opponent as a public enemy and himself as a statesman in defense of the *respublica* par excellence. When Cicero differentiates his opponent in terms of behavior from the rest of his family members[10], he launches an *ad hominem* attack based on Clodius' unworthiness of his own origin and family tradition. The antiquarian digressions make things worse for Clodius by underlining the customs of the forefathers which are allegedly the views of the audience, leading to his isolation from the rest of the community, at least in the listeners' mind. By contrasting his enemy's actions with the practices of the forefathers whom Romans considered the highest authority in religious matters,[11] Cicero manages to raise the individual case to a matter of public concern. Besides, that is the purpose of the whole *De haruspicum responso* as he mentions at the end of the oration: sed *haec oratio omnis fuit non auctoritatis meae, sed publicae religionis*.[12] In the end, he shows that he rather offers a service to the state's religion than argue for his own case, thus exciting ideas that might have been latent in the mind of his audience.

[6] For the events that took place between the prodigy and the speech's delivery, see LENAGHAN 1969, 22; BELTRÃO DA ROSA 2003, 25–26; BEARD 2012, 20–21.

[7] For issues concerning the dating of the speech see COURTNEY 1963; LENAGHAN 1969, 22–28; BELTRÃO DA ROSA 2003, 25.

[8] CAIRO 2020, 76–78.

[9] For the political situation in Rome before the speech's delivery see LENAGHAN 1969, 11–21.

[10] Cic. *Har. resp*. 26.5–6.

[11] Cic. *Har. resp*. 18.8–9.

[12] Cic. *Har. resp*. 61.12–13.

Cicero and antiquarianism

After Momigliano's seminal study in the 50's, scholars adopted[13] the term 'antiquarianism' to describe Latin prose works which used "original authorities" to gather in non-chronological order information about the political institutions as well as the cultural, religious, and social life of Rome throughout the ages.[14] Elizabeth Rawson traced the foundations of Roman antiquarianism as a distinct genre during the last turbulent decades of the 2nd century B.C.E. in M. Iunius Gracchanus' *De potestatibus*. However, both before and after this development passages with strong antiquarian character were frequently found in works of generic proximity such as *Historiae* and *Annales*.[15] Of course, antiquarianism, like any other genre, kept evolving in the intellectual milieu of Republican Rome, and, when the opportunity arose,[16] authors would avail themselves of antiquarian sources, methods, and material also in other prose genres.

The influence of antiquarianism on Cicero's philosophical works, most notably *De Re Publica* and *De legibus*, has already been noted by Elizabeth Rawson, who also argued that the statesman exploits documentary sources in some speeches; thus his method resembles, at times, that of an antiquarian.[17] The use of antiquarian methods and material was a conscious choice since Cicero seems to have considered antiquarian knowledge an indispensable tool of the good orator as we infer from two passages in *De oratore*.[18] Both list *antiquitas* among those fields, of which a rhetor must have good command (e.g. poetry, history, civil law, senatorial rules, organization of the state, pacts, and treaties). The concept is not further explained, but

[13] Few scholars still reject the idea of antiquarianism as a separate genre arguing, instead, that it is simply one of the different modes of historiographical writing. See, for example, MACRAE 2017, 115–36.

[14] MOMIGLIANO 1950, 286–87. The beginnings of Roman antiquarianism, its generic affiliations, and its classification as a scientific genre were further explored by RAWSON (1972), whose conclusions are now widely accepted among scholars. L. Aelius Stilo Praeconinus, M. Iunius Congus, M. Terentius Varro, Verrius Flaccus, and C. Iulius Hyginus were some of the most notable Roman antiquarians. For a brief history of Roman antiquarianism and its main representatives see BRAVO 2007, 523–24. RAWSON (1985) focuses predominantly on Varro.

[15] RAWSON 1985, 234. RÜPKE (2012, 146) traces the generic birth of antiquarianism in the middle of the 2nd century B.C.E. with Sergius Fabius Pictor's work on the pontifical law.

[16] RAWSON 1972, 35: The development of Roman antiquarianism was peculiarly linked to periods of political and social upheaval. It flourished as a result of the Romans' effort to seek answers to institutional crises by turning to the actions of their ancestors. Therefore, apart from its scholarly value, antiquarianism played a significant role towards the stability of the *respublica* by showing contemporary Romans the correct path to restore order.

[17] RAWSON 1972, 33 based on Cic. *Dom.* 138.8–9: "*ex rebus palam per magistratus actis ad conlegiumque delatis, ex senatus consulto, ex lege*"; 35–39 for Cicero's antiquarian interests and methods in his treatises. WISSE (2002, 351–52) briefly discusses some passages from Cicero's rhetorical works which suggest an interest in antiquarianism.

[18] Cic. *De or.* 1.158-9: (Crassus) *Legendi etiam poetae, cognoscendae historiae,* [...] *perdiscendum ius civile, cognoscendae leges, percipienda omnis antiquitas, senatoria consuetudo, disciplina rei publicae, iura sociorum, foedera, pactiones, causa imperi cognoscenda est*; and 1.165: (Scaevola) *etiamne illa neglegere possumus, quae tu oratori cognoscenda esse dixisti, de naturis hominum, de moribus, de rationibus eis, quibus hominum mentes et incitarentur et reprimerentur, de historia, de antiquitate, de administratione rei publicae, denique de nostro ipso iure civili?*

it appears to be somehow distinct from both *historia* and the other fields. But if *historia* deals with past events, and the rest focus on specific, self-evident subjects, then what does *antiquitas* entail? The most plausible answer is that in these passages from *De oratore* Cicero uses *historia* in its strict sense, i.e. a chronologically organized narrative of past military and related political events, while the other branches of knowledge deal with the current status of their titular subjects. Therefore, *omnis antiquitas* probably includes events outside the concern of *historia* strictly construed, and developments which pertain to Roman religious, social, and cultural life. In other words, *antiquitas* is the research field of antiquarianism as it was defined by Momigliano and Rawson, and studied by notable erudites such as Varro, Fulvius and Numerius Fabius Pictor.[19]

Antiquarianism in *De Haruspicum responso*

The following excerpts from *De Haruspisum responso* seem to presuppose, in various ways, Cicero's familiarity with antiquarianism. Instead of grouping the passages together based on each one's function in the context of a single argument, I discuss them by topic to show the versatile role that thematically connected information can have within the orator's argumentation.

i. <u>The Bona Dea cult</u>

The first set of passages in which Cicero exploits antiquarian information concerns the cult of the Bona Dea and, more specifically, the annual sacrifice held at the residence of the highest-ranking official present in Rome.[20] Offering his interpretation of the haruspices' response who claimed profanation of *sacrificia vetusta occultaque*, he argues that the perpetrator of the sacrilege in question was Clodius, who violated the goddess' rituals by being unlawfully present during the sacrifice at the house of Caesar.[21] Cicero underlines the antiquity of the ritual:

> de illo ipso sacrificio quod fit pro salute populi Romani, quod post Romam conditam huius unius casti tutoris religionum scelere violatum est…[22]
> or that very sacrifice which is offered for the welfare of the Roman People and which has never, since the founding of Rome, been violated except by this holy champion of religion.[23]

Its great antiquity is emphatically stressed again later in the speech:

> Etenim quod sacrificium tam vetustum est quam hoc quod a regibus aequale huius urbis accepimus?[24]

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[19] Cicero calls the first *diligentissumus investigator antiquitatis* in *Brut*. 60.10, and the last two *iuris et litterarum et antiquitatis bene peritus* in *Brut*. 81.5.

[20] BROUWER 1989, 359–79 discusses in length this secret ceremony, and the events which took place when it was performed in Cicero's and Caesar's house in December 63 and 62 B.C.E. respectively.

[21] LENAGHAN 1969, 75–76 (*ad* 8.2 and 8.2–3).

[22] Cic. *Har. resp*. 12.5–7.

[23] This and all subsequent translations of *De Haruspicum responso* are from Shackleton Bailey 1991.

> For what sacrifice is as ancient as this one, which came to us, coeval with this city?

These passages present the sacrifice as part of the religious tradition handed down to the Romans by the earliest kings, and as old as the city itself. Information concerning the origin and purpose of rituals were a favorite topic of antiquarian research, and the introduction of cults by the old kings was among the subjects that Varro would later treat in his *Antiquitates rerum divinarum*[25]. But was the cult and the sacrifice of the Bona Dea as old as Cicero claims? The identity of this goddess as well as the roots of her worship remain a mystery, and modern scholars are still far from reaching a consensus. Some identify her with the Greek Damia, whose cult was imported to Rome during the 3rd century B.C.E. from Magna Graecia, while others regard her as a native Italian goddess, most probably Fauna, whose original cult underwent changes due to the introduction of Damia, and their subsequent assimilation.[26]

These modern uncertainties regarding the nature and cult of the Bona Dea are instructive, if only because they remind us that such thorny questions are precisely the types of problems that ancient antiquarian writers concerned themselves with unraveling.[27] With respect to the Bona Dea specifically, Varro explored several aspects of her worship, including the identity problem, and recognized the goddess as Fatua Fauna[28], while Verrius Flaccus identified her with Damia[29]. In fact, if contemporary scholarly debates about the Bona Dea can be taken as indicative of ancient problems, we might imagine Cicero's claims about the antiquity of the cult as representing one side of an antiquarian debate for which the other side is conveniently suppressed to the advantage of his argument.

The excerpts underline two significant points, that is (1) the ritual was coeval with the foundation of the city, and (2) it had not been violated by anyone since its establishment, except for Clodius. Cicero deliberately disregards other possible explanations for the origin of the Bona Dea, and conveniently attributes the establishment of her cult to the old kings. In any event, all speculations aside, the continual stressing of the antiquity of the sacrifice helps the orator furnish Clodius' crime with more *gravitas* by presenting him as the sole transgressor of a tradition which had remained intact throughout the ages. Clodius is not the personal opponent of Cicero anymore, but since religion was considered the source of social order, the alleged violation of an ancient ritual sketches him first as an enemy of ancestral tradition and, eventually, of the community itself.

ii. The Pontifical college

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[24] Cic. *Har. resp.* 37.11–12.

[25] E.g. fr. 35-39 Cardauns.

[26] For the suggestions on the identity and origin of the Bona Dea in modern scholarship see BROUWER 1989, 231 n.1.

[27] RÜPKE 2014, 253.

[28] Fr. 218 Cardauns; Lactant. *Div. Inst.* 1.22.10

[29] Festus 60L.

Antiquarian influence can be traced also in a set of excerpts concerned with the traditional authority of the Pontiffs. Discussing the identity of the "sacred place" (*locis sacris religiosis*[30]) mentioned in the haruspices' answer, and Clodius' subsequent claim that it refers to Cicero's house, the orator counterargues that the pontifices had already reached a verdict on this issue, absolving him of any wrongdoing:

> ad pontifices reicietur, quorum auctoritati fidei prudentiae maiores nostri sacra religionesque et privatas et publicas commendarunt. quid ergo ii possunt aliud iudicare ac iudicaverunt?[31]
>
> the matter will be referred to the Pontiffs, to whose authority, integrity, and experienced judgment our ancestors have commended rites and cults both public and private. What other reply can they give than the one they have already given?

This statement follows immediately after another claim about the jurisdiction of the Pontiffs, where he refers to their authority as judges, and that the voice of a single member of the college is enough to elucidate questions of religion:

> ita est enim interpretatio illa pontificum, ut eidem potestatem habeant iudicum, religionis explanatio vel ab uno pontifice perito recte fieri potest.[32]
>
> for the Pontiffs' interpretative function is of such a nature that they have the power of judges; whereas in a matter of religious observance an elucidation can properly be given by a single experienced member of the College.

The history, deeds, and role of the priestly colleges in Roman life were among the favorite topics of antiquarian research. It appears that Varro also dealt with the powers and duties of the pontifical college in Book 2 (*De pontificibus*) of his *Antiquitates rerum divinarum* just as he did with the *sacra privata* (Book 12), and the *sacra publica* (Book 13).[33]

Cicero's discussions of the traditional powers of the Pontiffs form part of a broader argument underscoring the authority invested in the decision that the priests had recently made about his house, i.e. that his property could be restored without further religious offence, while simultaneously undercutting and automatically discrediting Clodius' allegations that Cicero had caused divine displeasure because he had reoccupied his house. Just as Junius Gracchanus who wrote a work *De Potestatibus* to set straight the powers of Rome's magistrates at a time when social upheavals had made them uncertain, the orator's claims here function in a similar fashion.[34] In other words, while Clodius questions the

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[30] Cic. *Har. resp*. 11.12.

[31] Cic. *Har. resp*. 14.9–12.

[32] Cic. *Har. resp*. 13.6–8.

[33] See the reconstruction in *Rüpke 2001, 64-65, and the commentary in Cardauns 1976: 161-62 (de pontificibus); 181 (de sacris privatis); 182 (de sacris publicis).*

[34] Rankov 1987, 90: Marcus Junius Congus the Gracchan wrote his *De potestatibus* as a response to Gaius Sempronius Tuditanus' *Libri magistratuum* (Macrob. *Sat*. 1.13.21; Gell. *NA* 13.15.4). Both works were politically motivated as

legality of reoccupying the house, Cicero reminds his audience that it is not up to his opponent (at the time an aedile), but the priests, who should and have already decided, based on the authority granted to them by their position.

Moreover, the reference to the ancestors' trust in the pontiffs concerning religious matters[35] should be viewed as an effort to indirectly influence the senators on his favor by exciting their sense of duty and stirring feelings of pleasure at his view of their conduct. Having already adopted the priestly decision which affirmed that Cicero could reoccupy his house, the senate, the orator alleges, took the right decision because their ancestors would have dealt with the matter in the same way, i.e. by accepting the recommendation of the priests. Concomitantly, Clodius' motion to re-introduce the matter in the senate is presented as an action which does not comply with the *mos maiorum* and should be denied exactly because of the lack of ancestral precedent.

In the context of the pontifical decree regarding his house Cicero makes another comment, claiming that the college had never convened before in such numbers for any matter, even the most serious ones:

> nego umquam post sacra constituta, quorum eadem est antiquitas quae ipsius urbis, ulla de re, ne de capite quidem virginum Vestalium, tam frequens conlegium iudicasse. [...] tamen sic reperietis, frequentiores pontifices de mea domo quam umquam de caerimoniis virginum iudicasse.[36]
>
> I declare that never since rituals were instituted, and they are coeval with Rome herself—on no subject, not even on capital charges against Vestal Virgins, has the College made a ruling in such numbers. [...] And yet you will find that the Pontiffs ruled on my house in larger numbers than have ever ruled on the rites of the Virgins.

Even if Cicero's claim about the great number of the priests who decided his case cannot be disputed, it is certainly misleading. The members of the pontifical college were three until the 3rd century B.C.E. when their number was raised to nine, and subsequently to fifteen under Sulla.[37] Therefore, it would have been impossible for any previous college to consist of more members than the current one, and Cicero's statement should be considered an exaggeration. This overstatement, however, would not have raised any objections among the audience since Cicero is, at least in absolute numbers, right.

Tuditanus was an Optimate and sworn anti-Gracchan, while Congus was a fervent supporter of the 'democratic' fraction, and the proposed Gracchan reforms. For a detailed discussion on these two authors and their respective works see SEHLMEYER 2003, 157–71.

[35] Cic. *Har. resp.* 14.9–12.

[36] Cic. *Har. resp.* 13.1–4, and 13.9–11.

[37] WISSOWA 1912, 503 and note 4 on the same page.

The repeated, indirect comparison between his case and that concerning a Vestal virgin invites the audience to regard the former as one of equal significance, not in the religious level but in the social sphere. Relying on an argument which is based on 'strength in numbers', Cicero implicitly elevates his case to one of public interest in the audience's mind: since cases involving a Vestal virgin had serious repercussions for the Roman society,[38] and even in these instances the college never convened in such numbers, but an unprecedent number of pontiffs decided on the issue regarding Cicero's house, then the college deemed the matter as important as a case of a Vestal's violation. Thus, Clodius' attempt to refer the matter back to the senate for discussion in an effort to overturn the original decision is sketched as an attack against the religious institution, and in turn, the community itself. Finally, by highlighting once again the traditional powers of the Pontiffs, Cicero contests his opponent's claims and casts him as an outsider who goes against an old and well-established procedure.

iii. P. Valerius Publicola, the first consul of the republic

The point regarding the almost unanimous decision of the Pontiffs in favor of Cicero becomes clearer, when he compares his own public benefits with those gained by Publius Valerius Publicola:

> P. Valerio pro maximis in rem publicam beneficiis data domus est in Velia publice, at mihi in Palatio restituta; illi locus, at mihi etiam parietes atque tectum; illi quam ipse privato iure tueretur, mihi quam publice magistratus omnes defenderent.[39]
>
> Publius Valerius was publicly granted a house on Velia Hill in recognition of his signal services to the Commonwealth; my house on the Palatine has been publicly restored. He was given a site; I have been granted walls and roof. He had to maintain his title himself under private law, mine is under public protection by all magistrates.

Consul suffectus in 509 B.C.E., Publicola is one of the legendary figures of Roman history. He was provided with a house on the Velian Hill at public expense for his services to the republic. Considering that his figure moved between myth and reality, it is no surprise that the events surrounding his life were explored by biographers (Plutarch), annalists (Livy), and most certainly antiquarians. Q. Asconius Pedianus' commentary on *In Pisonem* attests that Varro had also dealt with the honor bestowed upon Publicola by the state.[40] Perhaps Cicero

[38] Takács 2008, 83: "The Vestals were anomalies in regard to womanhood, but as if to compensate for their state-ordered asexuality, the state's prosperity and continuity were in their care. These female individuals, severed from their socially determined role, were sub-ordinated to the state for which they were the guarantors of prosperity and continuation, a most extraordinary inversion".

[39] Cic. *Har. resp.* 16.5–9.

[40] Asc. 13C.

became aware of this story through literary or antiquarian sources. Or again he might have learnt about it through some monumental inscription[41] which would have commemorated certain events of Publicola's life, thus bringing his method closer to that of an antiquarian as Rawson argued.[42] In any case, information concerning Rome's 'prehistory' always had a peculiarly antiquarian character, even if it was included as a digression in chroniclers or historians.[43]

Cicero's reference to the ancestral conduct in the case of Publicola should be viewed as an attempt to influence the emotions of the audience. Since the ancestors had made an identical judgment based on their customs, the senate's current verdict is also on the right path, that of the *mos maiorum*. Such an allusion would have stirred the feeling of delightfulness at Cicero's view of the senate. At the same time, it would have also excited a feeling of duty, urging the senators not to deviate from the ancestral tradition by allowing Clodius' motion to move forward.

The comparison with P. Valerius also reveals an indirect effort to exalt Cicero's services to the republic, thus upgrading his personal case into a public matter. As Lenaghan marks, the orator's claims bear a "certain elusive honesty" since other notable Romans were equally honored, but Cicero's case is "less honorific" since the senate simply restored what was previously his property.[44] Nonetheless, he places himself in the same level with Publicola, not so much because he wants to be assimilated with him, but mostly in order to underline the significance of the senate's decision regarding his house. By mentioning the honor granted to Publicola for his *maximis in rem publicam beneficiis*, Cicero invites the senators to view their own decree to restore his house at public expense not only as a rectification of injustice, but a reward for his services to the state, though less great than those of Publicola.

iv. The origin of the Megalesian games

Cicero's claims about the Magna Mater and the Megalesian games also seem to presuppose, in various ways, a familiarity with antiquarian sources, information, and methods. Since these passages form part of a single attack against Clodius, it is appropriate to treat them together. First let us consider Cicero's introduction of the *ludi Megalesis* as the probable games which were violated according to the haruspices:

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[41] E.g. CIL I^2 2832 a: Dating back to the 6th century B.C.E., the inscription on the *Lapis Satricanus* reads: - - *-iei steterai Popliosio Valesiosio/suodales Mamartei*. Some scholars have identified the name with the first consul of the Roman republic: Cornell 1995, 144; Raaflaub 2005, 8; Wiseman 2008, 311. *CIL* I^2 1327 which reads *P. Valesius Valesi f. Poplicola* was excavated in the area of the Velian Hill where the house of Publicola probably stood.

[42] RAWSON 1972, 33.

[43] The survey of the 'ancient past' in ancient Greece was the subject of *archaeologia* which MOMIGLIANO (1950, 288) found to be in proximity with Roman antiquarianism; see also MOATTI 2015, 94–95. BRAVO 2008, 517: "The notion of erudition or of antiquarian literature allows us to group, in order to situate them historically and to understand them, all works that (1) refer to a period in the past their authors considered as 'ancient'...".

[44] LENAGHAN 1969, 102 (*ad* 16.19).

> Eos (sc. ludos) quorum ipsi di immortales atque illa mater Idaea te, – te, Cn. Lentule, cuius abavi manibus esset accepta, – spectatorem esse voluit.[45]
> Those at which the Immortal Gods themselves and the Mother from Mount Ida ordained that you, Gnaeus Lentulus, whose ancestor's hands welcomed her to Rome, should be a spectator.

Although the original answer of the haruspices included only the names of Juppiter, Saturn, Neptune, and Tellus as the offended deities, Cicero decides to introduce the Magna Mater as another goddess to whom sacrifice is due. But this attempt would have raised objections on behalf of the audience, unless there was some link between the response and Cicero's interpretation. Thus, Bruwaene has rightly claimed that the orator equates the Magna Mater with Tellus through religious syncretism.[46] This kind of connection presupposes familiarity with the religious history which was an appropriate topic for antiquarian research. Information on the identity of gods, and their different names and faces were included in Varro's *Antiquitates rerum divinarum* (*sic pater magnus, mater <mag>na, hi sunt Caelus <Tellus>*).[47]

Cicero introduced intentionally the *Ludi Megalesis* as a possible interpretation of the haruspices' response. The identification of the offended goddess with the Magna Mater would not raise any objections from the audience since she was considered another face of Tellus. Most important though is that the Megalesia, during which Clodius had made uproar, took place quite recently (April 4-9), and hence the orator's claim would have been received without further explanation.[48] Apart from this, the reminiscence of Clodius' actions was still vivid in the mind of the senators who attended the Megalesia from the front seats of the theatre. The image of slaves' presence during the games[49] which only freemen were allowed to attend would have caused greater displeasure for Clodius, and the senators would be more favorable towards Cicero's cause.

The origin and the specific circumstances under which the rituals of the Magna Mater were introduced to Rome are described in two other excerpts:

> Ne hoc quidem tibi in mentem veniebat, Sibyllino sacerdoti, haec sacra maiores nostros ex vestris libris expetisse?[50]
> Did it not enter your mind, as a priest of the Sibyl, that our forebears were prompted to seek those rites by the books of your College?
>
> ...sacra ista nostri maiores adscita ex Phrygia Romae conlocarunt;[51]

[45] Cic. *Har. resp*. 22.2–4.

[46] Bruwaene 1948, 87. Of course, the original response need not be hostile to Cicero for him to introduce the Megalesia as a possible interpretation (Lenaghan 1969, 115 [*ad* 22.25]).

[47] Fr. 64 Cardauns.

[48] Lenaghan 1969, 114–15 (*ad* 22.25).

[49] Cic. *Har. resp*. 22.27–28.

[50] Cic. *Har. resp*. 26.12–14.

[51] Cic. *Har. resp*. 27.2–3.

our forebears adopted these rites from Phrygia and established them in Rome.

These traditional stories about the introduction of foreign cults would be included in Book 2 (*De feriis*) of Varro's *Antiquitates rerum divinarum*. An account identical to that of Cicero concerning the advent of the Magna Mater in Rome and the Megalesia is found in Varro's *De Lingua Latina*.[52]

The references to the history and introduction of the Megalesia are part of the greater argument which intends to debase Clodius on account of his violation of the rules of the rituals. However, each excerpt narrows down the accusation: Clodius not only profaned the games in the presence of the goddess[53], but also broke the continuation of the ancestral tradition.[54] The repetition of the words *sacra* and *maiores* are representative of Cicero's point of focus: the practice of religion according to the *mos maiorum*. Furthermore, Clodius committed the sacrilege while he held the office of the Sibylline priest[55], and thus, by mentioning the role of the sibylline books in the importation of the cult of the Magna Mater, Cicero adds even more to the seriousness of his opponent's crime.

The reference to Phrygia is also worth discussing because it reveals another form of Ciceronian manipulation of antiquarian information. There were two different stories in antiquity concerning the place from where the cult was transferred to Rome: Varro claims that the Romans brought the deity from Pergama with permission from king Attalus[56], while Livy's account places this event in Pessinus, which was the center of Cybele's worship[57]. Cicero was probably aware that the correct version was that of Varro, but he deliberately chose to leave the location vague (Phrygia) in order to allow the audience to connect the event with Pessinus.[58] This implicit suggestion will serve him conveniently in the next paragraph where he mentions Clodius' activities in Pessinus, ravaging the seat of the Magna Mater and installing Brogitarus as high priest of her temple and king of Galatia in exchange for money.[59] Given that Rome had been in good terms with Pessinus, and that Deiotarus[60], Brogitarus' father in law and by the time king of Galatia, was a staunch ally of the Romans, the elevation of Brogitarus to the kingship would be viewed by Cicero's audience as an act undermining the interests of the state. By avoiding naming specifically Pergama, the orator allows the audience to connect the advent of the Magna Mater in Rome with Pessinus, thus

[52] Varro, *Ling*. 6.15: *Megalesia dicta* a *Graecis*, *quod ex Libris Sibyllinis arcessita ab Attalo rege Pergama* ; *ibi prope murum Megalesion* , *id est templum eius deae* , *unde advecta Romam.*

[53] Cic. *Har. resp*. 24.7–9.

[54] Cic. *Har. resp*. 26.12–14 and 27.2–3.

[55] Cic. *Har. resp*. 26.12–14.

[56] Varro, *Ling*. 6.15.

[57] Livy, *Epit*. 34.3.8.

[58] Lenaghan 1969, 130 (*ad* 27.5).

[59] Cic. *Har. resp*. 28.1–9. The events surrounding the Pessinus affair are discussed in detail in Coşkun 2018.

[60] *OCD* s.v. Deiotarus.

sketching Clodius as a theomach and an enemy of Rome simultaneously, a person who did not hesitate to harm his own country for his personal gain.

Conclusions

Using *De Haruspicum responso* as a case study, I hope to add a small piece to the puzzle of Roman intellectual life of the 1st century B.C.E. by elucidating some ways in which antiquarianism interacts with Ciceronian oratory. The discussion of each passage's thematic connection with later antiquarian works, most notably Varro's *Antiquitates rerum divinarum*, establishes their peculiarly antiquarian character. The analysis of individual excerpts illustrates clearly and in a compelling manner how the orator manipulates antiquarian knowledge to simultaneously enhance his position and escalate the invective against Clodius. At the same time, all these comments function cumulatively to turn his personal case into a state affair.

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