

## *Alteram loci patriam, alteram iuris*: “Double Fatherlands” and the Role of Italy in Cicero’s Political Discourse

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### 1 We All Have Two Fatherlands—No, Wait: Not All

At the beginning of the second book of Cicero’s *De legibus*, which is dedicated to natural law, Cicero the literary character is presented in a fictional dialogue with his brother Quintus and his friend Atticus. This literary persona makes several statements that have been referenced many times in scholarship, though generally no reference is made to their context. The three figures are gathered, in the literary fiction, at Cicero’s estate in Arpinum; when they reach an island in the river Fibrenus they resume their conversation.<sup>1</sup> Marcus explicitly states that this is one of his favourite spots to relax, think and write. While Atticus agrees that it is a very beautiful place, Cicero insists that the setting holds an additional, personal value for himself, since it is his fatherland, his *patria*.<sup>2</sup> In so doing, it is significant that Cicero adopts a vocabulary whose language is loaded and recalls not only the semantic sphere of love, but also underscores his geopiety and the strong, affective component of such a belonging.<sup>3</sup>

The character of Atticus cannot deny that he is now even fonder of the place, since it is his friend’s cradle, but he also cannot deny that he is baffled, since:

*Atticus*: [...] what do you really mean by the statement you made a while ago, that this place, by which I understand you refer to Arpinum, is your own fatherland? Have you then two fatherlands? Or is our common fatherland the only one? Perhaps you think that the wise Cato’s fatherland was not Rome, but Tusculum?

*Marcus*: Surely I think that he and all natives of Italian towns have two fatherlands, one by nature and the other by citizenship. Cato, for

1 Cic. *Leg.* 2.1.1. See Dyck (2004) 245–247.

2 Cic. *Leg.* 2.2.3.

3 Spagnuolo Vigorita (1996) 15–16; Fletcher (2014) 6–7.

example, though born in Tusculum, received citizenship in Rome, and so, as he was a Tusculan by birth and a Roman by citizenship, had one fatherland which was the place of his birth, and another by law; just as the people of your beloved Attica, before Theseus commanded them all to leave the country and move into the city (the *astu*, as it is called), were at the same time citizens of their own towns and of Attica, so we consider both the place where we were born our fatherland, and also the city in which we have been adopted. But that fatherland must stand first in our affection in which the name of republic signifies the common citizenship of all of us. For her it is our duty to die, to her to give ourselves entirely, to place on her altar, and, as it were, to dedicate to her service, all that we possess. But the fatherland which was our parent is not much less dear to us than the one which adopted us. Thus I shall never deny that my fatherland is here, though my other fatherland is greater and includes this one within it; [and in the same way every native of an Italian town, in my opinion,] has [two] citizenships but thinks of them as one citizenship.<sup>4</sup>

The historical Atticus was born in Rome into the gens *Pomponia*, which surely resided in the city from at least the 3rd century BC; therefore he could appear in the dialogue as someone who might have never thought about what it meant to come from an Italic centre. He agrees with Cicero and the discussion proceeds to the topic of the character and nature of law. The contrast between Cicero the Arpinas and Atticus the Roman on this point is significant, so too is the insistence that what Cicero says applies only to the inhabitants of the *municipia*. In the translation above this is rendered as “Italian towns”, since the *municipia* in this phase of Roman history existed only in Italy. The historical and cultural background of this passage makes clear that the view was shaped by the Social War,<sup>5</sup> an event whose importance as a watershed in Roman history finally has been acknowledged by many scholars.<sup>6</sup>

Indeed, people from the Urbs would not have faced such problems of affiliation. The inhabitants of the colonies might find themselves in a similar position, but the status of the colonies, with their Roman (or, until the Social War, Latin) citizenship, meant that they had never become autonomous centres able to develop, from Cicero’s perspective, a strong local identity. In this sense, and

4 Cic. *Leg.* 2.2.5; transl. C.W. Keyes.

5 Sherwin-White (1973) 154–155; Thomas (1996) 9–10. See also Capogrossi Colognesi (2000) 182–184.

6 E.g. Barchiesi (2008); Dench (2013) 126–127.

in this sense only, the “local fatherland” is connected to the earlier existence of a local citizenship. Surely Cicero is in no way questioning the feeling of belonging that those who do not have Roman citizenship might have, as most inhabitants of the provinces; rather, Cicero simply wants to define his very personal “tension” between Roman and Arpinas identities, which he claims had been, and still was, felt by anyone in his same position.

Nonetheless, it seems very hard to feel the need to stretch this “tension” to a really soul-breaking contradiction, “avec un embarras évident et une tentative désespérée pour justifier l’existence de ces deux patries”, or even to “une position schizophrénique!”, recorded at a particular moment in which the local elites were always more involved in the Roman political game and would, in the end, be supplanted by it, through the birth of the *una patria*.<sup>7</sup> If this is not the desperate cry of a member of the local elite who is losing his local affiliation, that is Cicero’s “essential dilemma”,<sup>8</sup> it would be a mistake also to over-interpret this passage in the opposite way, that is as a sign of a “top-down” political process that began in Rome after the Social War. Through this process the centre of power should have constructed and fostered “double loyalties” as a mechanism which allowed the Roman elite in the end to keep the local, Italic elites at a distance.<sup>9</sup>

Here Cicero does not speak for the community of the Roman citizens, but for Cicero himself. He does so in two ways, first as an author and then as a character in the dialogue. Most of all, though, Cicero is not providing a complete overview of the identity affiliations and self-description possibilities recognized for a Roman of his times, as the definition of “schizophrenia” would lead us to believe. Cicero is not describing what social geographers consider the two necessary territorial contexts when living in modern nations, State and locality,<sup>10</sup> nor is he claiming that these two fatherlands exhaust the entire spectrum of his, or his peers’, segmentary identity. While it is true that between Rome and the single towns there existed few administrative instances, such as the electoral tribes,<sup>11</sup> which did not develop a proper identity, it is Cicero

7 Cébeillac Gervasoni (2008) 55–56.

8 Lomas (2004) 97.

9 So Dyson (1992) 64–65.

10 Paasi (1996) 42.

11 Galsterer (1994) 307–309. Nicolet (1991) 74–75, in particular, refers to the electoral tribes as “intermediate instance” to demonstrate that Cicero’s presentation of the two *patriae* is “limited”, according to his broader idea, that Italy “disappeared” as a political argument between the Social War and the Augustan age. It is one of the aims of this paper to prove this wrong.

himself who, in the later work *De officiis*, highlights the many further possible affiliations that he, or any of his contemporaries, could develop:

Then, too, there are a great many degrees of closeness or remoteness in human society. To proceed beyond the universal bond of our common humanity, there is the closer one of belonging to the same people, tribe, and tongue, by which men are very closely bound together; it is a still closer relation to be citizens of the same city-state; for fellow citizens have much in common—forum, temples, colonnades, streets, statutes, laws, courts, rights of suffrage, to say nothing of social and friendly circles and diverse business relations with many.<sup>12</sup>

Cicero does not claim in either of the two works that such a “classification” exhausts the list of possible affiliations, as I will highlight at many points; additionally, while the model proposed in the *De officiis* in 44 BC appears more abstract and general, *De legibus* is explicitly describing only Italy and Italy as it existed after the Social War; although this point is critical, it has not been stressed enough in scholarship until now.

Indeed, in order to attain a better understanding of the passage from *De legibus*, it is necessary to contextualize it with consideration for the frame in which it was written. The *Laws*, composed by Cicero on the Platonic model as a pendant to his *De re publica*, were presumably started around 53 BC. Cicero worked at the text most probably until 51 BC, when he left for his province of Cilicia, but never completed or published it.<sup>13</sup> The political context from which *De legibus* originates is in any case the one characterized by the death of Clodius (mentioned in the work),<sup>14</sup> the sole consulship of Pompey, the fears for the increasing tensions between Caesar and Pompey, who were not yet embroiled in civil war,<sup>15</sup> not by the confrontation with tyranny, a theme that would be dealt with in *De officiis*.

The background against which this assertion must be understood is therefore the identity crisis that characterized the central part of the 1st century BC in the aftermath of the Social War. It was at this stage that the greatest enfran-

12 Cic. *Off.* 1.53; transl. W. Miller. See also Cic. *Off.* 3.17.69. See Behrends (2002) 23–25; Hammer (2014) 87–88.

13 On the dating of the text, see, among many others, Lepore (1954) 274–292; Dyck (2004) 5–7.

14 Cic. *Leg.* 2.42.

15 See Wiseman (2009) 191–192, for a convincing explanation of the fact that the senatorial elite thought until the last moment that the Civil War would be avoided.

chisement of Roman history until the *Constitutio Antoniniana* took place. For, in that moment “all Italians were Romans, but not all Romans were Italians”.<sup>16</sup> Since Arpinum had already received the Roman citizenship *optimo iure* in 188 BC Cicero was no new citizen;<sup>17</sup> nevertheless he clearly felt a deep need to reformulate the criteria for defining a Roman-Italic identity, and he believed strongly in the political necessity of creating a pan-Italic elite. Nonetheless, as Ando correctly underlined, “the Romans regarded the city as the pre-eminent paradigm of the political collectivity; it was, therefore, not obvious what sort of entity a united Italy would be”.<sup>18</sup> Cicero’s theory of the double fatherland was a way of facing, and solving, this problem,<sup>19</sup> and integrates, in this sense, the “anxiety about the nature of Roman identity” which Steel has rightly identified in Cicero’s citizenship and corruption speeches.<sup>20</sup>

When Cicero tried to construct the model of the good statesman in the *pro Sestio* (56 BC) and in *De re publica* (54–51 BC), he was working on possible paradigms for rescuing and improving the State; he does the same in *De legibus*, which also offers a model of the good citizen. Given the topic and the nature of the dialogue, the philosophical undertones cannot be missed. Cicero implicitly refers here to, and twists for his own purposes, the Stoic idea of “double citizenship”, represented by the combination of one’s individual citizenship and the common belonging to the human race; the first was regulated by civic law, the second by natural law, as is clearly stated later in Seneca in a passage whose similarity to the Ciceronian cannot be exaggerated:<sup>21</sup>

Let us grasp the idea that there are two commonwealths—the one, a vast and truly common state, which embraces alike gods and men, in which we look neither to this corner of the earth nor to that, but measure the bonds of our citizenship by the path of the sun; the other, the one to which we have been assigned by the accident of birth. This will be the commonwealth of the Athenians or of the Carthaginians, or of any other city that belongs, not to all, but to some particular race of men. Some yield service to both commonwealths at the same time—to the greater and to the lesser—some only to the lesser, some only to the greater.

16 Ando (2002) 123.

17 Liv. 38.36.7.

18 Ando (2002) 123.

19 Ando (2002) 133–134.

20 Steel (2001) 8.

21 Sen. *Ot.* 4.1. Transl. J.W. Basore. See Schofield (1991) 93–94.

According to this aspect of Stoic philosophy, human communities on earth might not be considered real cities; rather the only real city is the sky, *ouranos*,<sup>22</sup> where common law reigns.<sup>23</sup> Better, as it has been recently demonstrated, from its origins Stoicism conceived of the entire *cosmos* as being “the only city”, and one conceived as “a city that is real rather than ideal”, even if “their notion of the city is still *normative*”.<sup>24</sup> According to Cicero the good Roman citizen surely does not go so far as the Stoics. While Cicero still acknowledges the importance, and even the affective ties, which bind him to his “small” fatherland (where he eventually can exert euergetic activities and also take over local functions),<sup>25</sup> he also appears to derive some of his characteristics from this Stoic concept.

The most relevant of these features is the sense of common belonging to Rome and its *imperium*, which takes the place of the Stoic cosmopolitanism.<sup>26</sup> After an evolution, already visible in the 2nd century BCE, “when Roman rule was increasingly coming under attack from Greek intellectuals, Stoics emerged not as the opponents of empire, but as its defenders”.<sup>27</sup> More precisely, in Cicero, the idea that Rome has a universal vocation, in both space and time, makes its empire also “universal”<sup>28</sup>—Cicero is even the first known author to have developed the idea of Roman *aeternitas* in a systematic and recognizable

22 SVF III, n. 327, p. 80.

23 SVF I, n. 262. On this controversial passage, see Vogt (2008) 86–89.

24 Vogt (2008) 65–66 (italics in the original). Cicero refers to the Stoic theory of the cosmic city also in *De natura deorum*: see Schofield (1991) 65–67.

25 It is important to underline that Stoicism, in general, was compatible with an affection for the “small fatherland”, and it has also been recognized that a Stoic influence justified and supported euergetic activity: see Moretti (1977); Campanile (forthcoming).

26 Sellars (2007) 1–2. The impact of Stoicism on Cicero’s political thought, as well as his original contribution and distance from the purely Stoic political philosophy, has been underlined many times in scholarship, see e.g. Gabba (1979) 118–122; Wood (1988) 70–72; Erskine (1990) 196–197; Schofield (1991) 65–67; Ferrary (1995) 66–70; Hammer (2014) 35–39. At the same time, Cicero criticized explicitly Stoic political philosophy as too abstract (*Leg.* 3.14), but his re-interpretation in reference to Rome clearly solves this problem. This is independent of Cicero’s adoption of a form of Stoic cosmopolitanism in the period spent away from public affairs, as revealed by *Tusc.* 5.108, on which see Hammer (2014) 87 (see also Lact., *DI* 5.8.10, a fragment probably from a lacuna in the first book of *De legibus*). See also Cic. *Off.* 1.6, where he claims that he will follow here the Stoics not as a translator but, as it has always been his habit, personally adapting and changing their reflections.

27 Erskine (1990) 181.

28 E.g. Cic. *Arch.* 23. In *De legibus*, significantly, Cicero and Atticus discuss about giving laws to “all the civil and stable populations” (*omnibus bonis firmisque populis leges damus*, 2.35), but starting from Roman law.

way.<sup>29</sup> In fact, he makes the Roman *imperium* (or *patrocinium*, as Cicero more positively called it)<sup>30</sup> not into an *Ersatz* of the Stoic “sky”, but rather into its historical fulfilment.<sup>31</sup> For Cicero Roman law is the natural law.<sup>32</sup>

Just as in the Stoic universal city in which, following Vogt’s interpretation, all human beings reside, but only the sages are full citizens,<sup>33</sup> in the universal Roman *imperium* the entire human population is included prospectively, but only the full Roman citizens—and, for Cicero, only the good citizens<sup>34</sup>—have the right and the power to administer political life. After the Social War this included the inhabitants of Italy, who became equated with the philosophical sages of Zeno and Chrysippus. Such full citizens release those laws, which, according to Cicero’s understanding, probably following Panaetius, are “a prescriptive code for the masses”,<sup>35</sup>

As in Stoic philosophy, such a double system implies the idea that the human city must simultaneously protect and defend its own identity and perceive itself as a part and parcel of the universal collective and therefore practice hospitality and be open to other human beings. In this case it is also clear that Cicero translated this Stoic concept in Roman terms when he insists on the practices of *hospitium* and the creation of binding ties between members of different communities within the Roman context which represents his “universe”.<sup>36</sup> This is not inconsistent with the adoption of the other Roman “adaptation” of the

29 Balbuza (2014) 49–50.

30 Cic. *Off.* 2.27—it is necessary to underline that Cicero describes here the Roman Empire “as it was” and “as it should be”, in the context of a very pessimistic comparison with the present time: *itaque illud patrocinium orbis terrae verius quam imperium poterat nominari. Sensim hanc consuetudinem et disciplinam iam antea minuebamur, post vero Sullae victoriam penitus amisimus; desitum est enim videri quicquam in socios iniquum, cum exstitisset in cives tanta crudelitas.* See Gabba (1979) 133–135; Erskine (1990) 182.

31 See Hammer (2014) 88–92.

32 See Cic. *Leg.* 2.23. Costanza (1955) 154–158; Gabba (1979) 134; Erskine (1990) 193–194, attributing the first formulation of the idea that “the rule of the best (i.e. Rome) over the weaker (i.e. Rome’s subjects) is both natural and advantageous” to Panaetius. See also Hammer (2014) 42–43.

33 Vogt (2008) 76–77. See also Schofield (1991) 77–82.

34 Ferrary (1995) 70. Cic. *Rep.* 1.19 has Laelius refer to the cosmopolitan theory. Cic. *Rep.* 1.2 and 1.11 also highlights the moral superiority of those who engage in politics when compared to the “philosophical sages” only engaging in theoretical reflection. Cic. *Rep.* 3.7 explicitly parallels the philosophical sages to those who translated into practice the discoveries and the precepts of the sages.

35 Sellars (2007) 20–24.

36 See Behrends (2002) 26–28.

same Stoic motif in the *De officiis*. There Cicero proposes the existence of three different levels of citizenship: the entire world, the *gens* (ethnic community), and the single city. This corresponds to a re-interpretation of the Stoic idea of the *oikeiosis*, familiarity, which Hierocles explained “as involving concentric circles of relative closeness around each person’s soul”.<sup>37</sup> This justifies the formulation of an ethical stance, according to which, “we positively ought to prefer the near and dear, giving material aid to those outside our borders only when that can be done without any sacrifice to ourselves”.<sup>38</sup> Once again this claim legitimizes and actually fosters direct engagement with one’s “local fatherland”, e.g. in euergetic form. Therefore it seems that Cicero, although starting from Stoic cosmopolitanism, somehow elaborated a deeply anti-cosmopolitan system,<sup>39</sup> even if universal expansion of the Roman *imperium* might have brought this contradiction to be at least partially reabsorbed.

## 2 The Importance of Italy

Going back to the model proposed in *De legibus*, Cicero presents the ideal Roman citizen, his paradigm for the good citizen. He is someone who can exercise his political rights and contribute actively to the life of the *res publica*. In this sense, he is an Italian; this is not only because the detainers of Roman citizenship in the provinces were still too few, too far away, and probably mostly freedmen at that time, but also because this paradigm fits with the political slogans that Cicero developed in the years preceding *De legibus*. What makes a good citizen, Cicero insisted in the *pro Sestio*, is not that he is born into an aristocratic family, but that he contributes on the basis of his own merit; most of all, good citizens must be sought after across the whole of Italy, for, Cicero suggests, it is precisely these virtuous local elites that constituted the real bulk of Roman strength. Cicero had been developing this idea for a long time, at least as early as 63 BC and the *pro Sulla*.<sup>40</sup>

In this speech, which was written for a trial probably held in July 62 BC, it is possible to see the first steps through which Cicero adapted the Stoic motif that became the model for the “double fatherland”. Here Cicero admits that his

37 Vogt (2008) 103, and more generally 99–110. See also Schofield (2008) 761–763.

38 Nussbaum (2004) 216.

39 As highlighted by Nussbaum (2004) 222–223, for Cicero “national borders” are irrelevant when the duties of justice are concerned, but extremely relevant in connection with the duties of material aid.

40 Lepore (1954) 117; Gabba (1979) 124.



character is moulded by a double agency, composed by nature and fatherland. This position, which is consistent with Stoic universalism, reveals that such ideas were well-known to him and present both in his mind and in the mind of his listeners and readers.<sup>41</sup> In addition Cicero defends himself against an accusation of tyranny raised by Manlius Torquatus; this was formulated so as to present Cicero as the third “foreign tyrant” after Tarquinius Superbus and Numa Pompilius. According to Cicero, Torquatus claimed that coming from a *municipium* meant that you were a foreigner.<sup>42</sup> Although Cicero’s reply highlights the absurdity of such a position, which was in no sense true, the passage proves extremely relevant; it suggests that even in 62 a Roman from the Urbs could still imagine gaining support among jurors and the wider public by lamenting the consequences of the Social War. According to Plutarch, Crassus used the same argument against Cicero when he observed that none of Cicero’s family had lived in Rome for more than sixty years. After regretting such observation and wondering how he could formulate such a thought, Cicero answered, according to Plutarch, that Crassus was aware of the fact that many Romans thought it.<sup>43</sup>

Recall that, according to Sallust, Catiline’s reaction to Cicero’s accusations in the *First Catilinarian Speech* was to ask the Senate “not to believe rashly anything concerning him: he was sprung from such a family, he said, and had so ordered his life from youth up, that he had nothing but the best prospects, they must not suppose that he, a patrician, who like his forefathers had rendered a great many good services to the commons of Rome, had any need for the overthrow of the government, while its saviour was Marcus Tullius, a resident alien in the city of Rome (*inquinus civis urbis Romae*)”.<sup>44</sup>

Recent scholarship has demonstrated that the Social War represented a much greater, and much more relevant, trauma for Rome than was thought previously, but the full extent of the war and its aftermath remain underappreciated. In particular it required a complete reshaping and renegotiation of

41 Cic. *Sull.* 8: *Me natura misericordem, patria severum, crudelem nec patria nec natura esse voluit.*

42 Cic. *Sull.* 22: *At hic etiam, id quod tibi necesse minime fuit, facetus esse voluisti, cum Tarquinium et Numam et me tertium peregrinum regem esse dixisti. Mitto iam de rege quaerere; illud quaero peregrinum cur me esse dixeris. Nam si ita sum, non tam est admirandum regem esse me, quoniam, ut tu ais, duo iam peregrini reges Romae fuerunt, quam consulem Romae fuisse peregrinum. “Hoc dico” inquit “te esse ex municipio”.*

43 Plut. *Cic.* 25.3.

44 Sall. *Cat.* 31.7; transl. J.C. Rolfe. See also Cic. *Att.* 1.16.10 (61BC), recording how Clodius ironized on Cicero as a *homo Arpinas*. See Dench (2013) 125.

the structures and concepts of identity throughout Italy.<sup>45</sup> As Kathryn Lomas has observed, the Social War “created an intense debate amongst the Italian nobility about the nature of regional identity and how to reconcile this with the profound changes in the relationship of Italian states to Rome”.<sup>46</sup> Cicero’s generation (and Cicero himself fought in the war)<sup>47</sup> proposed new, alternative, forms of identity; these were designed to help bring peace to the civic body and offer assurances through a new, and clearly defined, allegiance.

The ensuing tensions, such as those evident in the accusations of Torquatus twenty years later, still could be invoked in political and judicial debate. Cicero implies in the *Philippics* that even forty years after the end of the Social War Antony had used such an argument against Octavian (and probably Cicero himself).<sup>48</sup> Awareness of this *topos* affords a better understanding of Cicero’s statements on citizenship and identity. In his reply to Torquatus Cicero not only emphasises that Torquatus himself came from Picenum on his mother’s side;<sup>49</sup> more provocatively, however, he offers a passive-aggressive retort that stresses the role of the Italic elites, and their electoral power which became recognizable after the inclusion of the Italics in the census lists with the censorship of 70 BC:

If in your eyes we whose name and position have become familiar to this city and a common topic of men’s talk and conversation are foreigners, how much more will be those fellow-candidates of yours who are the elite of the whole of Italy and are now going to contend with you for office and every position of importance! Take care that you do not call any of them a foreigner or you will be swamped by your foreigners’ votes! If they bring to the election vigour and drive, believe me, they will knock your boastful talk out of you and make you wake up; the only way in which they will let you defeat them for office is by merit.<sup>50</sup>

Through this juxtaposition of the Stoic model, and his elaboration on the integration of the Italics, Cicero assumes the role of the “good municipal”; indeed the majority of the dialogue with Atticus repeatedly stresses that the members of the Italic elites are full citizens, who, showing their merit and their

45 Carlà-Uhink (forthcoming). See also Gabba (1986) 656–657; Dench (2013) 125–126.

46 Lomas (2004) 97–98.

47 Cic. *Phil.* 12.27.

48 Cic. *Phil.* 3.15. See D’Arms (1984) 442–444.

49 Cic. *Sull.* 25.

50 Cic. *Sull.* 24; transl. C. Macdonald.

moral fibre, deserve full integration, which will enrich Rome and enhance its strength. Regardless of what individual members of the Italic elites might have thought or wanted,<sup>51</sup> Cicero consistently presents the role that he imagines, or rather wishes, the Italic elites performed in Rome, and how he expects these people to feel about their “double belonging”.

The *pro Sestio*, composed in 56 BC as part of the defence of Publius Sestius, accused *de vi*, reveals this in the clearest way possible.<sup>52</sup> Cicero once again underlines the importance of the local fatherland by highlighting that he and Marius came “from the same roots”. In so doing he curiously emphasises their ties to the same town rather than their connection deriving from the inter-marriage between the Marii and the Tullii.<sup>53</sup> In this way Cicero stresses that one’s local origin constitutes an important element of identity construction and of identification. When he defines who the *optimates* were, i.e. the “good people” who should be followed, Cicero explicitly states that they were: both old and new citizens, members of the Senate and their followers, and also “Romans from the *municipia* and from the countryside” (*sunt municipales rusticique Romani*).<sup>54</sup> This suggests that the integration of the Italic elites into the civic body was a central part of Cicero’s agenda. Finally, Cicero argues that even before the Social War nothing was harder for the Latins and the allies than the occasions when they were forced to leave Rome.<sup>55</sup> The force of this claim suggests that the affective structure of the two fatherlands was not a recent creation, or even still *in fieri*, but almost a given for the Italics. The *pro Sestio* is thus a particularly good example of the continuous deployment of this *topos* as the basis for supporting Cicero (and his good people).<sup>56</sup>

51 See Lomas (2004) 110–111: “It is all too easy, given the bias of our evidence towards the Roman viewpoint, to think of the history of the first century BC as a linear process of convergence, by which the Italian nobility sought entry en masse into the senatorial order, but it is clear that political integration was only one of several paths open to Italian nobles. Their response to Rome was not uniform, and could be influenced by a wide range of factors”.

52 Lepore (1954) 159–175.

53 Cic. *Sest.* 50. See Kaster (2006) 233–234.

54 Cic. *Sest.* 97. It is therefore a huge mistake to consider the *optimates* as “conservatives”, as done e.g. by Wood (1988) 44–45, as he, on the contrary, is “presenting the distinction between ‘popular’ and ‘optimiate’ only to collapse it almost immediately” (Kaster [2006] 31–37).

55 Cic. *Sest.* 30. On the legitimacy of the Italic request for enfranchisement, see also the already mentioned Cic. *Phil.* 12.27. On this, see also Isayev in this volume.

56 Cic. *Sest.* 12; 25–26; 32 (*nullum erat in Italia municipium, nulla colonia, nulla praefectura ...*

In the same year, Cicero deployed this notion of Italy in his defence of Marcus Caelius. The prosecution probably tried to use Caelius's municipal (and equestrian) origins against him in continuity with Torquatus' strategy in 62 BC; this suggests that tension still existed between the "old" and the "new" citizens, and yet Cicero overturned the argument by praising Caelius' origins and highlighting that a respectable political career required the continued support of the town of one's birth. To do so Cicero emphasised how representatives of Caelius's hometown, Interamnia, came to support him in the trial.<sup>57</sup> This too reflects a *topos* that will require additional consideration below.

Consistent with this picture, and with his political biography as *homo novus* from Arpinum, Cicero frequently invoked the concept of *Italia* as a benchmark of his self-representation. This is evident as early as the trial against Verres (70 BC),<sup>58</sup> though he did so more consistently from 63 BC; for example he claims that his handling the Catilinarian conspiracy not only rescued Italy but also was welcomed by the entirety of Italy.<sup>59</sup> This rhetorical element, which was later adopted by Octavian and deployed to great effect before Actium, emerges even more forcefully after Cicero's return from exile in 57 BC, claiming that the entire peninsula wanted him back, welcomed him, and almost escorted him to Rome.<sup>60</sup> After 57 Cicero also retrospectively applied this idea to the Catilinarian conspiracy.<sup>61</sup>

Cicero's consistency when dealing with this subject, and the consistency between the "theory of the double fatherland" and his portraits of the "good statesmen" becomes completely evident if we consider the *pro Milone*. The speech, as is well known, had been written for the trial of 52 BC against Milo, who had killed Clodius. The trial was a failure for Cicero, who rewrote and published the speech shortly after the trial. The context of the publication was therefore the precise moment in which Cicero was writing *De legibus*. Milo was the representative of a municipal elite from Lanuvium. By birth Milo was a Papius who was later adopted by his maternal grandfather, Titus Annius. Following the model presented in the *pro Sestio* Milo represented Cicero's good municipal. Cicero's Milo was the *optimus* who deserved the curulian

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*quod tum non honorificentissime de mea salute decrevisset*); 35–36; 38; 72; 83; 87; 107; 128; 130–131; 145. See Gabba (1986) 658.

57 Cic. *Cael.* 5. See Lomas (2004) 99.

58 Dench (2013) 131–132.

59 Cic. *Sull.* 33; *Att.* 1.14.4 (61 BC).

60 E.g. Cic. *Red. Sen.* 24; 39; *Red. Pop.* 1; 16; *Dom.* 142; *Pis.* 34; *Fam.* 1.9 (54 BC); *Leg.* 3.45. See Lepore (1954) 177–179.

61 E.g. Cic. *Fam.* 1.9 (54 BC).

honours through his own honesty and career.<sup>62</sup> It therefore should not be considered chance that Cicero represents Milo in a way that immediately recalls the dialogue with Atticus from *De legibus*. Even if Milo is a citizen from Lanuvium who maintained strong affective, institutional, and energetic contact to his hometown, in which he was also *dictator*,<sup>63</sup> Cicero claims that Milo saw and loved Rome as the fatherland that gave him birth. In this way Milo represents Cicero's normative ideal of the good politician.<sup>64</sup> Thus, all of Italy rose to defend Milo in order to demonstrate its appreciation for good deeds, just as it had for Cicero.<sup>65</sup>

It is therefore wrong to claim that Cicero introduces the two *patriae* in the passage from *De legibus* but “forgets” to mention Italy as an important source of identity thereafter.<sup>66</sup> In actuality the passage is all about Italy or, more accurately, it is about the Italics.

### 3 You Might Very Well Have Two Fatherlands—And Still No Dual Citizenship

The double fatherland is surely not dual citizenship,<sup>67</sup> famously forbidden by Roman law. Cicero knew this well; he stresses it e.g. when defending Caecina (in 69–68 BC) and argues that citizenship cannot be taken away, if not together with freedom, and can only be surrendered voluntarily as in the case of exiles.<sup>68</sup> Therefore, “their citizenship is not taken away from them, but it is by them abandoned and discarded. For as no one under our law can be a citizen of two states, citizenship of Rome is actually lost at the moment when the runaway becomes an exile, that is, a member of another state”.<sup>69</sup> Here Cicero reminds the Italics that they have acquired a right that can never be again taken away from them, regardless of what other members of the urban elite, such as Torquatus, might claim. He observes:

62 Lepore (1954) 319. Milo had already been presented as exemplary e.g. in Cic. *Red. Sen.* 19; *Har. Resp.* 6; *Sest.* 86–87.

63 Cic. *Mil.* 27.

64 Cic. *Mil.* 101. Praise for Milo as a hero, born to rescue Rome, can be found at *Har. Resp.* 6, too, but without any reference to his Italic and municipal origin.

65 Cic. *Mil.* 38; 92.

66 Keaveney (1987) 27.

67 In no way, therefore, can it be said that the object of his reflection is the question of “double citizenship”, as claimed by Toynbee (1965), vol. 1, 179.

68 Cic. *Caec.* 98–102.

69 Cic. *Caec.* 100; transl. H. Grose Hodge.

But I have done so, not because I thought that in this case you would look for this particular defence, but in order to bring it home to everybody that citizenship has never been and can never be taken away from any man. I wished all men to know this—both those whom Sulla intended to injure and all other citizens as well, whether the old or the new [i.e. the Italics after the Social War]. For if it has been possible to take away his citizenship from any newly created citizen, no argument can be advanced to show why it should not be taken away from all patricians, all the citizens of oldest creation.<sup>70</sup>

The idea of such a double fatherland, therefore, can apply only when the local community detains the same citizenship as the “overarching” one, i.e. the Roman one. As a consequence, this is true only of people coming from Italy. In this sense, Cicero’s “interpretation” and adaptation of Stoic cosmopolitan ideals is far removed from the original. Whereas Stoicism conceived of common law as being common to all human beings,<sup>71</sup> Cicero claims a universal rule for the Roman Empire as ruled by a selected group of its inhabitants—the Italics. He does not advocate the progressive extension of citizenship or the progressive integration of all the provinces so that they would be on a par with Rome and Italy.

Indeed, the extent to which the situation described is tailored exclusively to the Italics enfranchised in the Social War is revealed by Cicero’s attitude towards any proposal of extending Roman citizenship beyond the Italian peninsula. During his consulship in 63 BC Cicero showed his opposition to the idea of founding colonies in the provinces while fighting the agrarian law proposed by Publius Servilius Rullus.<sup>72</sup> The proposal obviously would have extended Roman citizenship beyond the borders of Italy. Towards the end of his life Cicero makes this view even more explicit in the *Second Philippic* where he comments on Caesar’s project of extending citizenship to the provinces.<sup>73</sup> It was an effort which Cicero (rightly, with the benefit of hindsight) saw as just the first step towards a progressive extension of citizenship to the entire Empire, and Cicero characterized the move as extremely dangerous. Therefore, in spite of his special relationship with Sicily, where Cicero had been quaestor in 75 BC, he labels Caesar’s project of awarding the Sicilians with Latin citizenship “intolerable”; even worse, however, was Antony’s proposal to give them Roman cit-

70 Cic. *Caec.* 101; transl. H. Grose Hodge.

71 Vogt (2008) 161.

72 Cic. *Agr.* 2.56. See Ando (2002) 131.

73 Cic. *Phil.* 2.95.

izenship directly.<sup>74</sup> When discussing just war in *De officiis* Cicero remembers how the ancestors accepted into Roman citizenship the city of Tusculum, the Aequi, the Volsci, the Sabini and the Hernici—all Italic communities—while they destroyed (justly) Carthage and Numantia, as well as (less justly) Corinth.<sup>75</sup> In the *Third Philippic* Cicero replies to Antony who, as already mentioned, had attacked Octavian because of his municipal origin. Cicero reveals the extent of his “racism” towards the provinces by claiming: “A mother from Aricia’: you would think he was saying ‘from Tralles’ or ‘from Ephesus!’”<sup>76</sup>

As already underlined by Lepore, Italy unmistakably underpins every Ciceronian project of reform and reconstruction of the *res publica*.<sup>77</sup> Italy is the centre of Roman power and must be distinguished from the rest juridically and not only symbolically: Cicero shivers at the idea that the Romans could start to see future mass enfranchisements as a possibility,<sup>78</sup> for Cicero the only legitimate mass enfranchisement was achieved with the Social War. It is important to emphasise that this does not apply to the enfranchisement of Cisalpina, which happened through the concession of Roman citizenship in 49 BC and with the following deprovincialization in 42 BC after Cicero’s death. In this case Cicero defines the region as the *flos Italiae* and the struggle of its inhabitants for citizenship as just;<sup>79</sup> he consistently follows the dominant Roman tradition, according to which Cisalpina was part of Italy at least since the early second century BC, and its provincialization was probably perceived as a provisional, “necessary evil” for military reasons.<sup>80</sup>

Indeed when it comes to the provincials, as Steel highlighted, Cicero clearly sees “citizenship as a reward for services rendered to the Roman state: it bestows status, but does not result in participation, and is granted within the context of some form of patron-client relationship”.<sup>81</sup> This becomes clear when one analyzes the “citizenship trials” against Archias and against Balbus. It is convenient to start with the defence of Balbus of 56 BC, which proves to be a more straightforward case.<sup>82</sup> Balbus, a provincial from the Spanish town of Gades, had been awarded Roman citizenship by Pompey because of his services

74 Cic. *Att.* 14.21.

75 Cic. *Off.* 1.35.

76 Cic. *Phil.* 3.15.

77 Lepore (1954) 344–345.

78 Steel (2001) 111.

79 Cic. *Phil.* 3.13; *Off.* 3.88.

80 See Carlà-Uhink (forthcoming).

81 Steel (2001) 111.

82 On the legal aspects of the case, see still Brunt (1982).

to the Roman army. By accepting it, he automatically ceased being a citizen of Gades and now had *hospitium* with his town of origin, as dual citizenship was impossible under Roman law.<sup>83</sup>

This award is strictly individual, and it does not open the door to the enfranchisement of entire communities in any way but, as has been highlighted, Balbus appears to be extremely passive in the entire speech<sup>84</sup>—Rome is said to benefit from the services of Balbus, but Balbus actually does not seem to have a voice. What is highlighted is not the assimilation of Balbus to Rome, but his difference—and his service to the *imperium*. As will become evident with the case of Archias, his service is indeed motivated through that difference, which enables him to have competences and possibilities which are not the same as the ones afforded to Roman citizens. The difference between the provincials individually achieving citizenship and the Italians, enfranchised collectively, rests entirely on this point—the former are “Other”, useful eventually, but surely unable to ever achieve Sameness; the latter are the Same (or, to formulate it more cautiously, a Relative very near to the Same),<sup>85</sup> and deserved the juridical recognition of this fact.

Such an approach to the case, it has been claimed, “can be a sign that his jury, and readers, felt uneasy at the prospect of non-Romans becoming Roman”.<sup>86</sup> While this is indeed very possible, it surely is a sign that Cicero himself felt very uneasy at that prospect. The case of Archias further enriches, and complicates, this picture. The poet Archias, whose right to Roman citizenship was challenged in 62 BC,<sup>87</sup> was indeed a provincial, from Antioch in Syria, but based his claims on having received the honorary citizenship of various Italic towns (Tarentum, Naples, Rhegium and Locris), most importantly Heraclea,<sup>88</sup> and therefore on having been enfranchised as a result of the Social War.<sup>89</sup>

Interestingly, Cicero barely mentions the Social War in the speech, in spite of the fact that the legal issue revolved entirely around it and that it would have helped his case to stress this. In fact, the only reference is to the fire which supposedly destroyed the archive of Heraclea.<sup>90</sup> The reason for this

83 Ando (2002) 124. See also Brunt (1982) 143.

84 Steel (2001) 104.

85 See Carlà-Uhink (forthcoming).

86 Steel (2001) 75.

87 Bellemore (2002) tried to argue that this trial also took place in 56 BC, but her argument is not convincing: see Coşkun (2010) 27.

88 Cic. *Arch.* 5–6.

89 On the juridical aspects of the case, see Coşkun (2010) 43–50.

90 Cic. *Arch.* 8.



apparently awkward silence might very well have been a distinct unwillingness to place Archias “within the context of a mass enfranchisement of men who were from a similar cultural background”,<sup>91</sup> as his Syrian origin was known to everyone. From a Greek perspective, Heraclea and Antioch probably were, because of their “Greekness”, much more similar than Heraclea and Rome, but highlighting this in front of the Roman jury assigning the case would have been very inconvenient.

And Cicero is too good a lawyer not to exploit this ambiguity—Archias is simultaneously, and paradoxically, a complete Other just as Balbus (his merit to the Romans rests with his Greek poetic ability), and an Italic, whose devotion to his new fatherland of Heraclea (in the sense of the “small” and “local” fatherland, therefore automatically meaning also devotion to Rome) is explicitly praised and highlighted as worthy,<sup>92</sup> even if the “provincial portrait” again immediately dominates. In this sense, it is interesting to highlight—as it has not been done sufficiently until now—that Cicero exploits Ennius as a parallel to Archias, whose background was actually very different. Steel argues that “Cicero is here using well-established arguments for enfranchisement, with reminiscences, at least in the case of Archias, of Ennius, which allows him to draw attention away from the fundamental changes in the composition of the citizen body which followed the Social War, and the increasing demand for citizenship which could follow the Romanization of the provinces, and thus avoid radical questions about who should be a Roman citizen”.<sup>93</sup> I would instead stress that Cicero is here reshuffling the cards of his deck, claiming the existence of a similarity based on the poetic achievements,<sup>94</sup> and thus hiding that Ennius was Italic (Archias only legally so) and that Ennius was brought to Rome by Cato,<sup>95</sup> whose stance towards Greek culture was well known and who, originating from Tusculum, was himself a perfect model of Cicero’s good citizen. Ennius was awarded citizenship by his aristocratic friends in the context of a colonial foundation, while Archias was part of a mass enfranchisement. Establishing a “false” parallel also allows Cicero to assimilate the two on the basis of their poetic production, which honoured Rome and its aristocracy, and to “veil” the fact that Ennius, whose Italic origin in Rudiae

91 Steel (2001) 96–97.

92 Steel (2001) 92.

93 Steel (2001) 18.

94 Steel (2001) 87, interprets this parallel, as the one to Homer, as a way to redefine “the traditional relationship between poet and individual aristocratic patron into a relationship between poet and the state”.

95 *Nep. Cat.* 1.4.

is explicitly mentioned in the speech, was not Greek, but Oscan, therefore Italic—even if he, according to Gellius, used to claim that he had “three hearts”, a Latin, a Greek and an Oscan one.<sup>96</sup> It was well known that Ennius himself, in his *Annales*, had written about his condition in the verse *nos sumus Romani, qui fuimus ante Rudini*.<sup>97</sup> Cicero would have approved: these words did not mean that Ennius now “rejected” his previous hometown—he was simply emphasizing his new citizenship. As expressed by Sherwin-White, “the upshot of this was that while a man was a member of only one sovereign state, he was attached as a *municeps* to a secondary community, his municipal *patria*, which, though not on the same scale as the state, imposed its obligations and offered its honours to him”.<sup>98</sup>

In this way, the attention of Cicero’s audience could be driven away from the idea that masses of provincials could be “indirectly” enfranchised via the Greek towns of Southern Italy. In the defence of Archias, Cicero clearly feels at unease—and expects his public to feel it—when observing that such Magnograecian *poleis* had given their citizenship to many individuals over the years, who could then claim Roman citizenship if they resided in Italy in 89 BC according to the *lex Plautia Papiria*:<sup>99</sup>

Citizens of the ancient Greek states often went out of their way to associate with themselves in their civic privileges undistinguished men, of unimportant attainments, or of no attainment at all; and you would have me believe that the citizens of Rhegium or Locri, Neapolis or Tarentum, withheld from a brilliant genius as my client an honour which was commonly bestowed by them on play-actors. Others have found some ways of creeping into the rolls of the cities I have mentioned, not merely after they had received the citizenship, but even after the passing of the law of Papius; my client does not even avail himself of the presence of his name on these lists in which he is enrolled, because he has always desired to belong to Heraclea; and shall he therefore be rejected?<sup>100</sup>

96 Gell. 17.17.1. On this expression, see, among many others, Dench (2005) 167–168; Gowers (2007) 28–30; Yntema (2009). See also Carlà-Uhink (forthcoming).

97 Enn. *Ann. fr.* 525 Skutsch. See Yntema (2009) 160.

98 Sherwin-White (1973) 154.

99 Cic. *Arch.* 7; transl. N.H. Watts. On the *lex Plautia Papiria*, see, among many others, Sherwin-White (1973) 152–153; Luraschi (1978) 339–344; Brunt (1988) 107–108; Thomas (1996) 103–117; Elster (2014) 204–205. See also Carlà-Uhink (forthcoming) for further literature.

100 Cic. *Arch.* 10.

Archias' awkward—and probably very unsettling—juridical position, as a Syrian, who is also an Italic, but a Greek Italic, is revealing. It is suggestive of what Cicero, and perhaps the wider Roman public, thought about the extension of citizenship. It is not coincidence that he is called Aulus Licinius only at the very beginning of the speech<sup>101</sup> and Archias throughout the rest of the text. This, it has been emphasised, suggests that Cicero consciously presents him as Greek,<sup>102</sup> and absolutely not as a “naturalized” Roman, as Cicero views the Italics. A single Greek receiving citizenship because of his merits, as had happened in other cases,<sup>103</sup> was less problematic than enfranchising an entire community through the Greek *poleis* of Southern Italy.

This might be one of the reasons that forced Cicero to move beyond the juridical case and investigate why Archias would have deserved citizenship even if it had been assigned to him on as an individual on the basis of merit. Cicero brings home his points by assimilating Archias to Ennius, an Italic who did achieve citizenship, but at the beginning of the second century BC on the basis of his individual merits. The problem continued to be the “intrinsic Alterity” that the Romans attributed to the Greeks, even when they came from Italy:<sup>104</sup> that the Greek cities of Southern Italy could still represent a strong Alterity is demonstrated once again by the *Pro Balbo*. The Greek priestess of Ceres, generally coming from Neapolis or Velia, received Roman citizenship before the Social War in order to accomplish their “foreign” rites, is presented as a relevant parallel to the Spanish military engineer.<sup>105</sup> Archias, as Balbus, receives his citizenship exactly because he is a foreigner and he remains such, while rendering good service to the Roman State,<sup>106</sup> and, in this sense, he is a provincial rather than an Italic. The distinction between Italy and “the rest” is once again clear-cut and undoubtable.

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101 Cic. *Arch.* 1.

102 Steel (2001) 91.

103 Ferrary (2005) 51–56.

104 The general, and widespread, “hostility” towards the Greeks (in general, and not only of Southern Italy) is also instrumentally exploited by Cicero when it is useful to his case, as in *Flacc.* 9. On the Roman “negative” attitude towards the Greeks, a far too big topic to be dealt with here, see, among others, Dubuisson (1983) 38–39; Griffin (1994) 697–698; Henrichs (1995). In particular, on Roman stereotypes on the Greeks from Southern Italy, see Simon (2011); Carlà-Uhink (forthcoming). The topic of “Hellenization”, or better of the “renegotiation” of the boundaries between the Greek and the Roman identity in the age of Cicero widely escapes the limits of this chapter. See, among many other, Wallace-Hadrill (1998).

105 Cic. *Balb.* 55. On the priestess of Ceres and their relevance for this topic, see Isayev (2011).

106 Isayev (2011) 375–376. On Archias, see also Coşkun (2010) 73–77.

#### 4 Simply the Best

The provincials are thus simply excluded from belonging, if not under fortunate and strictly individual circumstances, to the community of the “elected” represented by the Roman citizens. This is formed by the members of the traditional urban aristocracy, men such as Atticus and Torquatus, and by the Italics, both those enfranchised after the Social War and those belonging to communities, as Arpinum, which had been awarded the *civitas optimo iure* before the Social War.

But is there a hierarchy between these two groups? The answer to this question must be yes. First of all, Cicero deploys in many occasions the argument that “rustic”, or rather municipal, life, is morally superior to the life in the city, conceived as a place of luxury and corruption (especially for those who already have a propensity to debauchery).<sup>107</sup> This is surely a *topos*, particularly relevant in trials in which the defendant comes from a *municipium*, as Cicero often highlights that the affection for one’s hometown or region served as a mark of honest and correct behaviour. Indeed, Cicero represents on many occasions the kind of solidarity which exists in the *municipia*, and the support offered by the entire communities when one of their members is put on trial—be it the embassy of Heraclea coming to help Archias,<sup>108</sup> or the conspicuous (in the words of the advocate) presence of members of Larinum at the trial of Cluentius.<sup>109</sup> The “small fatherland” can influence, through the demonstration of its love, the judgements of the “big fatherland”.<sup>110</sup> Such a *topos* surely partially contradicts Cicero’s statement, in *De republica*, according to which Romulus founded Rome on the perfect spots to avoid an excess of corruption caused, e.g., by the sea;<sup>111</sup> nonetheless it is consistent with other moralistic stances of the same kind.

Maybe more significantly, Cicero, consistently with the image of the “good citizen” presented above, does frequently characterize the Roman aristocrats, as Torquatus, through an unacceptable form of arrogance, which leads them to discriminate the municipals.<sup>112</sup> Once again, this might depend on a case-by-case basis or the social extraction of his “clients”, but highlighting the moral stance of the Italic elite against the biased and discriminating Roman aristoc-

107 E.g. Cic. *Rosc. Am.* 75; *Cluent.* 36; 46; *Cael.* 5. See Lomas (2004) 115; Dench (2013) 128.

108 Cic. *Arch.* 8.

109 Cic. *Cluent.* 195.

110 Lomas (2004) 111–112.

111 Cic. *Rep.* 2.5–10.

112 On this, see e.g. Cic. *Mur.* 16; *Rep.* 1.51–52. On this passage, see also D’Arms (1984) 457.

racy—and most of all counting on the fact that such a dichotomy will be approved by the public and the judges—is a clear product of the ongoing tension between “old” and “new” citizens. It fits very well with Cicero’s consistent and continuous insistence on portraying an aristocracy of merit, and not of blood, and with his aim of “pushing” the Italic elites to involve more in Roman politics,<sup>113</sup> just as he praised Cato the Elder in *De republica* for not remaining quietly in Tusculum but engaging personally in politics at Rome.<sup>114</sup>

Summing up, it seems necessary to conclude that Cicero’s writings, and particularly his famous passage on the “two fatherlands” do not show any kind of schizophrenia. On the contrary, they reveal a consistent and persistent political ideal, which is deployed in the speeches as in the more theoretical and philosophical works. This political ideal, very far away from “excluding” or “hiding” Italy, instead relies completely and solely on the peninsula, on its society, on its integration and involvement in the political life at the centre, in Rome.

The Social War left an extremely deep and sorely felt *vulnus* in Roman society—a *vulnus* that required a complete restructuring of the civic body, able to close the gap between the old and new citizens and their mutual suspicions. This is the project in which Cicero personally engaged, with his activity as a writer, as an advocate and as a politician. The idea and ideal of Italy—and of the necessary engagement of the Italian elites in the Roman imperial project—that he developed in this context was one of the most relevant products of his entire life and activity. His *tota Italia*, and his system of juridical and affective citizenship were indeed extremely successful, as reflected by their successive life, and especially by their adoption by Caesar and later by Augustus in the form of the *coniuratio Italiae*.

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113 Dench (2005) 132. See also Cic. *Leg.* 3.36, where Cicero comments on the political activity of his grandfather, “criticized” by M. Scaurus because he never wanted to get involved in politics at Rome.

114 Cic. *Rep.* 1.1.

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