The Delegitimization of the Hand in the Rhetorical Communication between I BCE and I CE: Some Observations

Alessandro Mandrino
(Department of Classics, University of Turin)

Abstract

The hand, versatile instrument in non-verbal communication, not only contributed to the success of the ancient orators – especially with Cicero – but it also took part to the formation of an autonomous declamatory actio. The second circumstance could only occur through a process of delegitimization of the prehensile organ as an active tool of communication. This fact is evident in the Controversiae of Seneca the Elder with the exception of Asilius Sabinus.

[Key words]: Actio, Cicero, declamatio, eloquentia corporis, manus, Seneca the Elder

1. The maiming of Cicero’s hands: a first step towards an autonomous declamatory actio

With the exception of some fleeting references to vultus and instinctive gestures, according to Aristotle ὑπόκρισις above all concerned the voice.1 However, the ancients did not neglect gestus. Moreover, they were well aware of the fact that human being has a gestural language since babyhood: in particular, Lucretius admitted a preverbal age in which the inability to speak becomes an impulse to the gesture for children who must necessarily

1 Arist., Rhet. 3, 1403b: Ἐστὶ δὲ αὕτη μὲν ἐν τῇ φωνῇ, πῶς αὐτῇ δὲ ἐξῆλθαι πρὸς ἄκουσιν πάθος, [...]“Delivery consists in voice, that is how it should be used in relation with each passion”.
indicate the neighbouring objects.² The Rhetorica ad Herennium, the first entire treatise on Latin rhetoric that came to us,³ looked all its aspects, including motus corporis which became a determining element in the theoretical study of actio.⁴ Although vox remained the main factor in the rhetorical performance,⁵ gestus received great consideration also in Cicero, who called it an eloquentia corporis: the bodily element is decisive because it originates the gesture and, through the phonatory apparatus, the voice.⁶

The communicative possibilities offered by the body contributed to the efficacy of the judicial and political orations pronounced by Cicero and the hand had a great merit, first of all, in writing and, then, in gesturing. It may seem surprising that, at his death, this situation appeared even more evident. In reality, the maiming of Cicero’s corpse with the removal of the prehensile organ represented an indication of the extraordinary communicative power shown over the years and well known to the audience. But the sources differ on how the profanation took place:

Prominenti ex lectica praebentique immotam cervicem caput praecisum est. Nec satis stolidae crudelitati militum fuit: manus quoque scrississe aliquid in Antonium exprobrantes praeciderunt. Ita relatum caput ad Antonium iussuque eius inter duas manus in rostris positum, ubi ille consul, ubi saepe consularis, ubi eo ipso anno adversus Antonium quanta nulla unquam humana vox cum admiratione eloquentiae auditus fuerat.⁷

² Lucr. 5, 1028-1032: At varios linguae sonitus natura subegit / mittere, et utilitas expressit nomina rerum, / non alia longe ratione atque ipsa videtur / protrahere ad gestum pueros infania linguae, / cum facit ut digito quae sint praesentia monstrent. “Nature forced creatures to emit the different sounds of language and the need expressed the name of things in a way not very different from how the inability to speak seems to be the impulse to the gesture of children, when it causes them to show the surrounding objects with their finger”.
⁴ Rhet. Her. 3, 26-27.
⁵ Cic., De or. 3, 224: Ad actionis autem usum atque laudem maximam sine dubio partem vox abinet: [...]. “Voice undoubtedly plays the most important role in an effective and extremely valuable delivery”.
⁶ Cic., Or. 55: Est enim actio quasi corporis quaedam eloquentia, cum constet e voce atque motu.
⁷ Sen., Suet. 6, 17: “Leaning out of the litter and offering his immobile neck, he was decapitated. And this was not enough for the stupid cruelty of the soldiers: they even cut his hands by scolding them for writing something against Antony. Thus, the head was brought to Antony and, by order of him, placed between the two hands on Rostra, where Cicero himself spoke as a consul, where he often spoke as a former consul, where in that same year, against Antony, there had never been a voice so powerful as to receive admiration for eloquence.”
In qua proscriptione plurimi equites R., CXXX senatorum nomina fuerunt, et inter eos L. Pauli, fratris M. Lepidi, et L. Caesaris, Antoni avunculi, et M. Ciceronis. Huius occisi a Popilius, legionario milite, cum haberet annos LXIII, caput quoque cum dextra manu in rostris positum est.8

Although the attestations are both attributed to Livy, however there is no accord on mutilation: in the first case the removal contemplates both hands – a fact which would justify the unconscious fear of Ciceronian excellence on preparation and execution of speeches – in the second one, instead, only the right hand. The two different accounts of the event convinced scholars that the ancient opinions must be considered in two distinct groups.9 Even Plutarch would have belonged to both sides, supporting the mutilation of the hand dedicated to writing in Ant 20, perhaps, on the basis of more recent beliefs.10

The numerical superiority of the right hand supporters as an essential element in the clarification of that event is not as certain as one might think. On the other side, the second version, handed down to us by a late-ancient epitomist, probably came after the quotation from Livy in Suas. 6, 16-17 and, therefore, there is no reason to exclude the possibility that both testimonies are reliable.11 At any rate, whatever its course, this gruesome death symbolically represented the complete dissolution of the ancient Republican order and, in terms of education, significantly influenced the learning of Cicero’s speeches. Until that moment, schools had constantly used his orations which had all been conceived – even those not delivered – for an exposition: in fact, Quintilian advised students to learn passages even from the Philippica Secunda.12 This situation had contributed to the diffusion not

8 Liv., Perioch. 120: “And in this proscription there were several Roman knights, one hundred and thirty names of senators, including those of Lucius Paulus, his brother Marcus Lepidus, Lucius Caesar – Mark Antony’s maternal uncle – and Marcus Cicero. Popilus was involved in his death, when Cicero was sixty-three years old, and Cicero’s head was placed on Rostra with his right hand.”

9 The Livian periochae, Cremutius Cordus (Sen., Suas. 6, 19), Valerius Maximus (1, 4, 6; 5, 3, 4), Juvenal (10, 120), Plutarch (Ant. 20), Appian (4, 19-20), Dio Cassius (47, 8, 3-4; 11, 1-2), Jerome (ad Rufin. 3, 42) affirm that only one hand remained involved. Instead, the passage of Livy transmitted by Seneca the Elder, Cornelius Severus (Sen., Suas. 6, 26), Bruttedius Niger (Sen., Suas. 6, 20-21) and Plutarch (Cic. 48, 6) report that both hands were cut off.


12 Quint. 11, 3, 39: Ut enim illa “in coetu vero populi Romani negotium publicum gerens
only of the Ciceronian works but also, in our specific case, of his *gestus*. The literary output, increased during his forced retreat and ready, in due time, to strengthen the Anti-Caesarians, exacerbated Mark Antony’s fears concerning the potential of this resource.14

In the Augustan Age, this tragic event gave rise to a studied mythicization of Cicero whose effects manifested most prominently among *declamatores*. With the exception of the pro-Republican Albucius Silus who counted Augustus among the assassins of Cicero through a strong allusion,15 many of his colleagues preferred to fall into line with Augustus’ new course. On the other hand, the constant presence of *Princeps* in the declamatory milieu should not be the only reason for their submission: we should consider that, starting from the Augustan period, the *curriculum* guaranteed in the declamation schools marked a first step towards a career in political administration. All this naturally took place under the aegis of the emperors who, in order to create an absolutely loyal ruling class, intervened with severe sentences, although counterbalanced by prestigious appointments.16

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15 Sen., *Suas.* 6, 9: *Et solus <ex> declamatoribus temptavit dicere non unum illi esse Antonium infestum.* “He was the only one among the declamatores who tried to say that Antony was not alone in being hostile to him.” Despite the great admiration felt by Seneca for him, Albucius Silus is mentioned only in two circumstances in the *Suasoriae* and just more often in the *Controversiae*. This situation could be explained by the understandable embarrassment of Seneca towards such a marked intolerance towards the Principate. Migliario (2007), 129 note 47; Lentano (2016), 381. On Albucius Silus, Balbo (2007a), 48-70; Echavarren (2007), 50-54. For further details on his figure, cfr. infra 13 note 52.

16 Secundus Carrinas and Curiatius Maternus were condemned for their anti-tyrannical
In a context of government censorship, most of all the declamatores would have preserved his figure but would not have guaranteed the survival of Ciceronian eloquence and, in our specific case, of its gestus.\footnote{Kaster (1998) describes the declamatores’ Cicero as “cultural icon” (248) and “cultural hero” (254). We can find similar positions in Berti (2007), 214; Migliario (2009), 518-521; Gowing (2013), 234-239; Lentano (2016), 376.} Votienus Montanus was perfectly aware of this:

\textit{Quid quod laudationibus crebris sustinentur, et memoria illorum adsuevit certis intervallis quiescere? Cum ventum est in forum et desiit illos ad omnem gestum plausus excipere, aut deficiunt aut labant.}\footnote{Sen., \textit{Contr.} 9, \textit{praef.} 2: “And what about the fact that declamatores are supported by frequent approvals and that their memory has become accustomed to certain intervals? When a declamator has arrived in forum and, then, failed to arouse the applause of every gesture, they either lose heart or falter.” Born at the end of I BCE, Votienus Montanus was heard by Seneca the Elder himself and clashed with Publius Vincius. After being tried for lese majesty against Tiberius around 25 CE, he died four years later in exile. Balbo (2007a), 294-295; Echavarren (2007), 276-278.}

\textit{Declamatores} always preferred pleasure than winning both at compositional and executive level. And yet, when they delivered in forum as orators, they did not found the same interaction with the audience, which, instead, remained silent in front of an \textit{eloquentia corporis} foreign to the context with serious consequences for the performer himself. Different performative fields must necessarily imply different styles.

2.

1) The delegitimization of the hand in Seneca the Elder

| Seneca the Elder \textit{Controversiae} |
|------------------|---------------------------------|
| 1, 4, 12:        | \textit{[...], dum hanc sententiam imitari vult, [...] reliqui in acie pugnantes manus.} |
| 1, 5, 3:         | \textit{[... supplices summisit manus, [...].} |
First of all, we have to start with an important assumption. In Latin antiquity, the hand itself indicated authority in its many shades: taking possession by placing a hand on an object (\textit{manum inicere}); the surrender of a daughter in the hands of her husband;\textsuperscript{19} the end of the submission (\textit{manu mittere}) of a son (or a servant) to a father (or an owner).\textsuperscript{20} However, we should not investigate its anthropological importance but the rhetorical one. \textit{Quintilian}\textsuperscript{21} would guarantee us a technical explanation not only for the great

\begin{table}
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1, 6, 2: & \textit{[...] inutiles manus [...]}. \\
1, 7, 9: & \textit{[...] manus praecide. Exibeo tibi: [...]}. \\
1, 7, 10: & \textit{[...] has interponerit manus [...]}. \\
1, 7, 17: & \textit{[...] si manus praecidissent, [...]}. \\
3, 4, 5: & \textit{[...] hic has manus, [...] dedit}. \\
4, 6, 8: & \textit{[...] et nondum indicavi}. \\
4, 7, 28: & \textit{[...] sed mea manus est, [...]}. \\
4, 8, 21: & \textit{[...] manu misisti}. \\
7, 1, 5: & \textit{Utrasque ad caelum manus sustulit: [...]}. \\
7, 1, 6: & \textit{[...] torpens manus, [...]}. \\
7, 1, 25: & \textit{[...] manibus levatis [...]}. \\
7, 5, 14: & \textit{[...] digitum multa significantem!} \\
8, 5, 22: & \textit{[...] istae manus meae sunt, [...]}. \\
9, 4, 4: & \textit{Nemo ius habet in istas manus; meae sunt}. \\
9, 4, 19: & \textit{[...] et silentium manu fecit, [...]}. \\
10, 2, 5: & \textit{Non est, quod ostendas istam manum [...]}. \\
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\textsuperscript{19} According to Roman law, marriage was effectively an adoption. Crook (1967), 103-104.
\textsuperscript{20} Gunderson (2003), 60.
\textsuperscript{21} Some scholars have recently considered \textit{Quintilian}'s precepts as a complex system and, therefore, distant from everyday life. If Maier Eichhorn describes the Quintillian case record as “ein ausgeklügeltes Gebärdensystem”, Graf believes that the precision and completeness within the \textit{Institutio} are not at all familiar to the average Roman. Maier Eichhorn (1989), 62; Graf (1991), 38. Furthermore, the proposed signs would have a meaning in the rhetorical
consideration that *manus* enjoyed in the implementation of *motus corporis* but also for the considerable number of its attestations in the Senecan *Controversiae*:

> Manus vero, sine quibus trunca esset actio ac debilis, vix dici potest quot motus habeant, cum paene ipsam verborum copiam persequantur. Nam ceterae partes loquentem adiuvant, haes, prope est ut dicam, ipsae locuntur.\textsuperscript{22}

Therefore, the reason for its frequency lies in the communicative versatility and completeness but in Seneca this non-verbal modality turns out to be very problematic, starting with a balance of *gestus* that is not very constant with *declamatores*:

> Utrasque ad caelum manus sustulit: [...]\textsuperscript{23}

> [...]: tandem ad caelum manibus levatis “quidquid est” inquam “quod terris imperat, quod regnat profundo, quidquid est, quod ex sublimi res spectat humanas, invoco: [...]\textsuperscript{24}

This kind of postures of the human body was absolutely normal in Antiquity and, in general, reveals itself in all communities and human groups characterized by a deep-rooted religious feeling. Recent studies have connected the cognitive and affective dimensions of human religiousness with kinesics, giving rise, first of all, to a scale of religious aptitude in individuals. The results achieved reveal a greater accentuation of ritual movements towards the top or the bottom – we must naturally consider the differences between religions and different confessions – in individuals more...
related to the divine than those who are superficially interested in religion.\textsuperscript{25} Therefore, we should not be surprised by the widespread adoption of such gestures but, in the oratory field, the common expectations were very different.

Raising hands in a very pronounced manner – as we can see in these two passages – is one of the gestures that Quintilian would have enumerated – in connection with the \textit{declamatores} of his own time – with contempt, recognizing the lack of measure and the consequent loss of \textit{dignitas}.\textsuperscript{26} Therefore, he recommended not to raise arms above our eyes.\textsuperscript{27} Elsewhere, however, gestures can be found in step with the Quintilian’s sobriety: this is the case, in fact, of indication that can be addressed to oneself, towards objects, places or people around whom one speaks. Roman people, as today, indicated by extending their index with the other fingers enclosed under the thumb.\textsuperscript{28} They also attributed to this kind of gesture the merit of substituting adverbs and pronouns. In this sense, therefore, a pointing finger expresses a lot.\textsuperscript{29}

As a matter of fact, we believe that in Senecan \textit{Controversiae} the communicative abilities of the hand are very reduced and, at the same time, that a delegitimization of the prehensile organ has taken place. First of all, the hand in Seneca does not seem to confirm its \textit{status} of active and versatile medium of communication since it, in many cases, manifests itself as a mere object of exhibition by the \textit{declamator}. Moreover, he amplifies this condition through the deictic \textit{hae} referred to the prehensile organ.\textsuperscript{30} This is an evident symptom of the crisis but not the only one. The hands are sometimes unable to aid verbal communication because of a sense of numbness which, extended to the entire body and to the motivational processes, could be caused by a protracted \textit{otium}\textsuperscript{31} or by a wider cultural degeneration concerning the new generation, as Seneca himself reports about school

\textsuperscript{25} Fuller, Montgomery (2015), 233-234.
\textsuperscript{26} \textit{Dignitas} was a public recognition that a person, within his own system of belonging, possessed. Hellegouarc’h (1963), 388-412.
\textsuperscript{27} Nocchi (2013), 120.
\textsuperscript{28} Quint. 11, 3, 94.
\textsuperscript{29} Sen., \textit{Contr.} 7, 5, 14: [...] \textit{digitum multa significantem!} Aldrete (1999), 17-18. The use of thumb is to be excluded: although it is widespread, Quintilian spurns it. Quint. 11, 3, 104: \textit{Averso pollice demonstrare aliquid receptum magis puto quam oratori decorum.}
\textsuperscript{30} Stramaglia (2013), 89. On this point, we have to take into consideration Sen., \textit{Contr.} 1, 7, 10; 3, 4, 5; 9, 4, 4; 10, 2, 5. However, I exclude a case (Sen., \textit{Contr.} 9, 4, 19) which I will consider in 2.2.
\textsuperscript{31} Sall., \textit{Cat.} 16, 3: [...] \textit{scilicet, ne per oitium torpescerent manus aut animus, [...].}
rhetoric and, similarly, Persius with reference to poetic delivering. However, the malaise has a psychological origin in Sen. *Contr.* 7, 1, 6: the realization of the terrible order received by a father causes inaction. Inertia, then, triggers a vicious circle by prolonging its dangerous effects – including the loss of touch – on the subject.

The final act of this degenerative spiral is the complete loss of the prehensile organs: in some passages of the *Controversiae*, cutting the hands is inflicted so they become foreign bodies:

* [...] dum hanc sententiam imitari vult, stultissimam dixit: reliqui in acie pugnantes manus.*

The person in question is a brave veteran who paid his courage in battle with the amputation of his hands which, nevertheless, pursued the fight replacing their ancient “owner”. The principle of alternation concerns the

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32 Sen., *Contr.* 1, praef. 8: *Tortent ecce ingenia desidiosae iuventutis, nec in unius honestae rei labore vigilatur: somnus lagoaque ac somno et languore turpior malorum rerum industria invasit animos*; [...] “Behold, the intellects of inactive youth become dull and do not wake up in any honourable activity: sleep, faintness and, more shameful than sleep and faintness, zeal in morally debatable activities pervade souls”.


34 Sen., *Contr.* 7, 1, 6: *Subito mihi non sentienti ferrum cum animo pariter excidit: torpent manus, et nescio qua perturbatione tenebrae stupentibus affunduntur oculis. Intellexi, quam difficile esset parricidium facere, etiam quod imperaret pater.* “Suddenly the sword and my soul fall together but I don’t perceive it: my hands become enervated and I don’t know for what uneasiness the darkness covers my lost eyes. I realized how it was difficult to commit a fratricide, even if the father ordered it.”

35 The importance of this sensory experience was not fully understood before Aristotle. As Theophrastus recalls, (Theophr., *Sens.* 7) Empedocles believes that perception occurs when an emanation coming from an object meets our sensory organ. Every sensation depends on a contact. And yet, true and proper contact is a crude modality of sensation and, therefore, not worthy of interest. When it comes to sensation, Plato excludes sensory organs by focusing on properties determined by objects and bodies that touch those objects, such as divisibility, compressibility and strength (Plat., *Tim.* 62a-65a. Modrak (2006), 133-145). The first philosophical treatise capable of making touch rise to the rank of a specific sense is the Aristotelian *Περὶ ψυχῆς*. Yet even Aristotle finds himself in difficulty when it is necessary to identify the organ of touch, which escapes us or is not entirely manifest. He traces the relationship between sentient and sensitive in the skin itself, whose vulnerability pushes him to conceive a link between tactile and motor power. At the root of this connection, then, we can find desire. Arist., *An.* 3, 7, 431a, 10-15. Steiner Goldner (2018), 50-63.

36 Sen., *Contr.* 1, 4, 12: “At the same time as he wanted to imitate this concept, he uttered a very ridiculous one: I left my hands to fight on the battlefield.”
hands also on the gladiatorial sphere: a *pauperis filius*, who wants to ransom a *divitis filius* enslaved and forced to the *ludii gladiatorii*, offers himself as *vicarius* by facing, therefore, his fate of death. Drawing up a “rescue contract” which leads him to become a substitute in the gladiatory fight, the noble *iuvenis* does not hesitate to offer his hands:

“*si dives essem*” inquit, “*pecuniam pro te attulissem. Quod unum pauperibus praesidium est, manus habeo. Has piratis daturus fui, has pro te in pugnam vicarias dabo.*”

In both circumstances, it is manifest that the hands are different elements in the same context of replacement: if in Ps. Quintilian they are fully part in a process of critical distancing from the *status* of *gladiator*, in the color proposed by the rhetorician Muredius, instead, the perception of otherness clearly reveals a ridiculous purpose.

Some studies, related to kinesics and conducted on samples of individuals for whom hand inhibition was established during their conversations, showed interesting results. Frick-Horbury and Guttentag considered the possibilities offered by the prehensile organ in recalling individual terms. The results that emerged from their experimental activity revealed that the participants who could not use their hands had more difficulty in recalling words in comparison with a condition of gestural freedom. The two scholars hypothesized that the gesture provides the necessary starting point for recalling words, taking into consideration, however, two phases of the gestural action, that is a very brief stage that introduces immediately after a second, marked by a complete gestural production. It is precisely in the first – defined of “motoric anticipation” – in which the recall of terms takes place, but it was hindered, during the experimentation, by the grip of an object.

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37 Ps. Quint., *Decl. Maior.* 9, 182, 4-7: “If I had been rich” – he said – “I would have brought the money to ransom you. I have the only certainty for poor people, the hands. I wanted to offer them to the pirates but now I will offer them in place of yours in this fight.”

38 Brescia (2009), 296-298.


2) The gesture of silence: the only concrete example of active communication of the hand in Seneca

*Duas eius urbanas res praeterire non possum. Secutus erat in provinciam Cretam Occium Flammam proconsulem. Graeci coeperunt in theatru postulare, ut Sabinus maximum magistratum gereret. Mos autem est barbam et capillum magistrati Cretensisium summittere.*

Surrexit Sabinus et silentium manu fecit, deinde ait: hunc magistratum ego Romae bis gessi.\(^{41}\)

The origins of Asilius Sabinus, a *declamator* who worked in Rome, remain unknown to us. His humor was appreciated, minus the taste for excess, which makes him unpopular in the eyes of Seneca.\(^{42}\) Probably held in high regard by Tiberius, he was, however, following the proconsul Occius Flamma\(^{43}\) in Crete when he became the protagonist of a curious episode that occurred in a theatre. The local population would have elected Sabinus to the rank of κρητάρχης\(^{44}\) but he explained, with one of his usual jokes, that he had already been in the past. The Cretans did not understand his witticism: in fact,

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\(^{41}\) Sen., *Contr*. 9, 4, 19: “I cannot omit two of his witty behavior. He had followed the proconsul Occius Flamma in the province of Crete. The Greeks began to demand in a theater that Sabinus held the most important magistracy. Cretan magistrates usually let their hair and beard grow. Sabinus got up and asked for silence with a wave of his hand. Then he said: “In Rome I have exercised this magistracy on two occasions”.

\(^{42}\) Sen., *Contr*. 9, 4, 17.

\(^{43}\) Orth (1973), 256 note 5.

\(^{44}\) Crete entered the Roman orbit relatively late. If the first diplomatic contacts took place in 195 BCE (Liv. 34, 35. Sanders (1982), 3; Luzzatto (1985), 152-153), only with Q. Cecilius Metellus Crete succumbed to Rome. Initially linked to Achaia – Metellus was, moreover, proconsul Cretae et Achaiae (Cic., *ad Brut*. 1, 8; Plut., *Pomp*. 29, 2; Val. Max. 7, 6, ext. 1; Flor. 1, 42, 4; App., *Sic*. 6, 2) – became a province in association with Cyrenaica in 74 BCE. (Sall., *Hist. Reliquae* 2, 43; App. 1, 111. Luzzatto (1985), 146-149). Mark Antony began to reorganize the regions, restoring the κοινό and the assembly headed by a κρητάρχης who probably had a military power. Rouanet-Liesenfelt (1994), 9. Under the κρητάρχης Kydas, the Cretans obtained a considerable level of freedom. Baldwin (1983), 4. After the battle of Actium, the island was entrusted to a proconsul – M. Nonius Balbus – in 29/28 BCE. Octavian’s choice for Nonius Balbus is due to three reasons: the proconsul’s loyalty to the new master of Rome; the attachment of the local population towards Mark Antony; an insufficient number of Roman citizens among the local notables. Lefebvre (2013), 83-84. Although decades had passed, the local population continued to show a subversive attitude towards the Roman government.
they insisted on their intent by demanding that honor for the third time.⁴⁵

However, we should come to the element of *actio* that emerges from this passage. In order to gain the attention of his audience, this *declamator* asks the crowd to be silent with a wave of his hand: an action carried out by the performer follows a certain audience reaction. In oratory, the request for silence prepares the ground for the presentation of orator’s arguments, thus resulting connected on the figure of the προπαρασκευή or προκατασκευή.⁴⁶

All this happens, of course, even by voice and can be combined with some elements that generate an effective captatio benevolentiae.⁴⁷ In Quintilian this method becomes structural, a circumstance possible with an audience that, in I CE, predisposes itself to a silence not found at the time of Cicero.⁴⁸

Then, we can find an embryonic form of interaction – although destined to die in the bud – elsewhere defined as a *call response-speech*.⁴⁹ The case

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⁴⁶ Rowe (1997), 146.
⁴⁷ Consider, for example, thanksgiving and pleas: Cic., *Verr.* 2, 3, 10: *Superiore omni oratione peratentos vestros animos habuimus; id fuit nobis gratum admodum. Sed mitto erit gratius si reliqua voletis attendere* [...]. Cic., *Phil.* 1, 15: *Deinde a vobis, patres, peto, ut, etiam si sequis minus audibilis orationem atque auctoritatem meam, benigne me tamen, ut adhuc fecistis, audiatis. “Secondly, I ask you, senators, to listen to me with kindness, as you have done so far, even if you don't really want to follow my speech and my example.”
⁴⁸ Cic., *Var.* Fr. 4, p. 19 Puccioni. Quint. 4, 1, 73-74; 9, 2, 56: [...] *nam iudices et in narratione nonnunquam et in argumentis ut attendant et ut faveant rogamus, quo Prodicus velut dormitantia eos excitari putabat, as est: “tum C. Varenus, qui a familia Anchariana occisus est hoc queso, iudices, diligenter expect”. “In fact, sometimes, in narration and exposition of the evidence, we ask the judges both to pay attention to us and to show their favor, a stratagem by which Prodicus believed that judges, as intent to sleep, should wake up. This is the following case: “Then Varenus, who was killed by Ancarius’s servants - judges, I ask you to listen with great attention.” With regard to the measures taken in a interruption, Quint. 4, 2, 37 places the emphasis on *digressio* to evade possible grievances. On the other hand, there was not the same attendance of the past. Tac, *Dial.* 39: *Unus inter haec dicenti aut alter adsistit et res velut in solitudine agitur. Oratorem autem clamore plausuque opus est et velut quodam theatro; qualia cotidie antiquis oratoribus contingebant, cum tot pariter tam nobles forum courtarent, cum clientela sua quaque ac tribus et municipiis etiam legationes ac pars Italiæ pericitimthibus adsisteret, cum in plerisque iudiciis crederet populus Romanus hit interest quid iudicaretur. “These discussions are assisted by one or two people and the case unfolds like in the desert. The speaker instead needs cries, applause and, as it were, a theater; as it happened every day to the ancient orators, when so many and noble people crowded into the forum, when also clientele, tribes, delegations of the municipalities and people from all over Italy came to the aid of those who found themselves in difficulty; when, in several trials, the Roman people judged of their interest what was subjected to judgment.”
⁴⁹ Aldrete (1999), 118. Balbo (2007b), 2-3 identifies, however, two weaknesses in Aldrete: the
histories of the public-speaking dialogue were very varied in antiquity: it was sometimes necessary to proceed with the discourse even in front of spectators who threatened to take over or one could face an audience so fearful as to appear dominated by the orator and not to utter a word. And yet, the latter case is only partly comparable to the suggested passage, since the prompt reaction of an audience like that of Crete who, after having briefly remained silent, vigorously resumed the initiative.

3. Conclusions

As we have seen in the present article, the violent death of Cicero and the subsequent profanation of his remains marked, on the one hand, the authentic conclusion of the republican regime but, on the other, contributed to a mythicization of the subject with no practical outcome for the subsequent generations. The figure of Cicero appeared, from the beginning of the Principate, a question to be solved through a plurality of strategies. Not only...
Augustus did indirectly distort his subversive republican vis by describing Cicero as a generic “patriot”\textsuperscript{53} but he also moderated his political merits, for example, by granting, with apparent largesse, the publication of the correspondence.\textsuperscript{54} This collection of letters, an extraordinary repository of public and private information, brought out once again his political greatness but, in some situations, it showed his frailties such as hesitations and, above all, the omnipresent vanity. In addition Livy, a further pawn in Augustus’ hands, described the death of the great orator by toning down as much as possible every pathos and, at the same time, by attributing to Cicero the merit of having saved Rome in such a marked manner – with the adoption of saepe – to bring out his boastfulness.\textsuperscript{55}

In terms of eloquentia, we could find a substantial inability to reproduce the gestus that marked Cicero during his forensic career. Maiming his hands – or just one of the two – is an indication of their effective use which, evidently, generated considerable fear in the depths of Cicero’s political enemies. However, this was only the beginning of what we have defined as delegitimization of the hand as an instrument of active communication, a fact that is manifested in an unquestionable manner in Senecan Controversiae, with the sole exception of Asilicus Sabinus in Crete.

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\textsuperscript{53} In front of his nephew intent on reading a Cicero’s work, Augustus purposely generalizes his figure to neutralize any threats deriving from his adoration: in fact, the first emperor simply calls him φιλόπατρις, thus removing Cicero from his historical-political context. Plut., Cic. 49, 5. Lentano (2011), 142.

\textsuperscript{54} This reasonable hypothesis was, for the first time, formulated in Carcopino (1947), 347 and, then, taken up in Canfora (2015), 394-436. Lentano (2019), 38, note 23 confutes Bailey (1965), 59-76 by considering the Livian debt to the Ciceronian correspondence too great to fix its publication in the Neronian Age.

\textsuperscript{55} Lentano (2019), 37.
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