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CASSIUS DIO THE ORATOR:
APPROACHES TO RHETORIC IN THE *ROMAN HISTORY*, BOOKS 1–53*

Christopher Burden-Strevens

ABSTRACT: This chapter surveys the speeches of Cassius Dio's *Roman History* up to the Augustan Settlement in Book 53. It shows that the historian's approach to the composition and arrangement of his speeches was highly varied. Beginning with an overview of the historian's sources, it argues that Dio had four primary methods in the composition of his speeches, drawing to varying degrees from pre-existing written versions. Then, turning to the distribution and themes of the formal orations, this study demonstrates that we can draw a relatively sharp distinction between the historian's use of speeches in the earlier books compared to the Middle and Late Republican narratives: a significant turning-point appears to be the Second Punic War and the figure of Scipio Africanus. However, even where the length, frequency, and range of topics discussed in Dio's speeches increases from this point, one major historical premise of Dio's is consistent throughout: the dangerous power of rhetoric itself. This theme, introduced from the very beginnings of the Republic in Book 3 with the speech of Brutus, exerts significant historical ramifications in the historian's narrative of the final decades of the *res publica*, alongside other important historical factors and causes discussed in the speeches to be surveyed here.

I. INTRODUCTION: THE PARTS AND THE WHOLE

The use of speech in Cassius Dio's massive third-century *Roman History* is possibly the most rich and distinctive aspect of his entire undertaking. Like all ancient historians, Dio inserted set-piece orations, especially debates (*controversiae*), at points of high drama. But importantly, he also deployed them where the story of Rome's transformation—its bloody journey from monarchy to Republic and back again—demanded extended authorial reflection, a narrative pause for interpretation, and an exposition of those causes and factors which in his view made history happen: not just in Rome, but in all polities.

Cassius Dio was, in other words, the Polybius of rhetoric in historiography. The same perhaps cannot be said for his narrative: certainly, the dense and sophisticated constitutional excursus of Book 6, where Polybius analysed Roman politics in his own narrator-voice and from the perspective of the Greek theory of constitutional cycles (*anacyclosis*), can find no equal in Dio's *Roman History*. The closest our historian comes to such an analysis is the Agrippa–Maecenas debate of Book 52, followed by Octavian–Augustus' cynical pantomime of refusing power (*recusatio imperii*) and then some brief authorial comments on key constitutional principles in the Augustan regime to follow (53.12–19).¹ This is the most

* I wish to express my sincere thanks to Jesper Majbom Madsen (University of Southern Denmark), Carsten Hjort Lange (Aalborg), and Andrew Scott (Villanova) both for extending the invitation to submit a chapter to this volume and for their kind patience. Translations are those of Cary's 1914–1927 *Loeb Classical Library* edition, with minor alterations.

¹ There is, of course, the brief excursus giving Dio's view of 'democracy' (δημοκρατία) which punctuates the narrative of Caesar's assassination at 44.2, but this is noticeably brief in comparison to the account of the Augustan Settlement which occupies most of Books 52 and 53.

expansive locus of political and theoretical reflection in the entirety of the *Roman History*. But, tellingly, it is also the most *rhetorical*. It is revealing of Dio's method—his distinctive approach to the past—that the important narrative of the Augustan Settlement in Books 52–53 contains more words in direct speech than any other of his eighty books. When Polybius bridged the divide between Greece and Rome, using Greek political theory to communicate Roman political practice, he used his own voice for his theoretical reflection. In contrast, three centuries later, Cassius Dio tended to use another's.

This peculiar choice of Dio provokes fundamental questions about the way in which we should use his *Roman History*. As is now acknowledged, his history of Rome from the arrival of Aeneas in Italy up to his second consulship and retirement in 229 CE was the most ambitious project in Roman historiography since Livy's *Ab Urbe Condita*.² Dio may, moreover, have consciously and deliberately envisaged himself as a direct competitor with (and corrector of) Livy, as well as with numerous other branches of the Latin tradition.³ He ranks, as such, among our most important sources for a variety of periods: for early Rome, where he was evidently independent of both Livy and Dionysius of Halicarnassus;⁴ for the last decades of the Republic and Augustus' Principate, where his detailed narrative is exceptionally well-preserved in the direct tradition (69 BCE–14 CE); and for the Severan period, where as a senator and courtier he was an eyewitness source for Rome's decline from an Antonine epoch of gold to an age of iron and rust (182–229 CE).⁵ In all of these portions of these work and indeed throughout, Dio used formal orations not only to enliven his narrative but also to refine his historical thought. No modern study can now ignore them. In seeking to understand Dio as a factual source and literary artist, earlier historians and philologists passed over his speeches impatiently, and for this precise reason formed an over-critical judgement of his quality as an historical interpreter.⁶ This is a mistake. As Dio's fellow Greco-Roman historian Diodorus of Sicily admonishes, where speeches are used moderately and appropriately, they can lend greater coherency to an historical work: for, when composed in this way, “the genius of History is as simple and self-consistent as a whole is like a living organism” (20.1: τὸ γὰρ τῆς ἱστορίας γένος ἀπλοῦν ἐστὶ καὶ συμφυῆς αὐτῷ καὶ τὸ σύνολον ἐμψύχῳ σώματι παραπλήσιον). For Dio perhaps more than any other ancient historian, this maxim rings true: it is the speeches which truly bring together the *Roman History* and make of its broad sweep a coherent whole.

This chapter proposes to survey the bulk of the ‘Republican’ speeches in the *Roman History* from the beginning of the Republican narrative in Book 3 to its end in Book 53, including also some brief comments on the Regal Period. It argues, above all, that the search for a

² Kemezis 2014, 92; cf. Burden-Strevens & Lindholmer 2018, 1–2.

³ On which see most recently Urso 2016; 2018.

⁴ Cornell 1995, 3n.6. See de Franchis 2016; Francois 2016; Fromentin 2016; Urso 2016 for the most recent discussion of Dio's relationship with these sources, with bibliography on the older scholarship.

⁵ Cass. Dio 72[71].36.4. For fuller discussion of Dio's contemporary history (or *Zeitgeschichte*), see Bering-Staschewski 1981; Millar 1964; Kemezis 2014.

⁶ Despite his many criticisms, Millar gave much more serious consideration to the speeches than earlier scholars. See Millar 1961, 14–15; 1964, 82–83. For other modern criticisms, see Gowing 1992, 244; Lintott 1997, 2501–2502; Saylor Rodgers 2008, 297.

single method or approach in Dio's logography is futile: they evince a remarkable flexibility in themes, length, relationship with earlier texts, and interpretative purposes. However, this relatively full survey also seeks to show that some common trends do emerge within Dio's approach.

First, the speeches were the main interpretative locus of the Republican narrative: it is within these that Cassius Dio most fully set out the major factors of history which he will subsequently apply to his causal interpretation of the course of events. These factors include, most importantly of all, the destructive role played by speech itself in the final decades of the Republic—for which the formal orations were naturally essential—in addition to the problems of personal ambition, greed, envy, and the inconstancy of fortune.

Secondly, Dio's use of speeches changed in the course of his Republican narrative. In the first decad, for example, these compositions tend to be brief nods in direct speech to the tradition. Even in the second decad, for example with the First Punic War, Dio seems to have preferred indirect speech. With the Second Punic War, however, there arrives a significant shift. Scipio Africanus is deliberately constructed as a dynastic prototype, foreshadowing the later careers of Marius, Sulla, Pompeius, and Caesar; and with his arrival the richness and length of the formal orations increases. From this point onward until the false refusal of power (*recusatio imperii*) of Book 53, Dio will regularly use speech to focalise the careers of the major dynasts of the Republic and to explore the causes which made their rise to (and fall from) power possible.

Third and finally, the historian structured and arranged his speeches in a conscious and deliberate way in order to exert the maximum interpretative impact, and this appears even as early as the foundation of the Republic in Book 3. Especially striking in his approach is the pairing of multiple *controversiae* to book-end stretches of the narrative or to invite the reader to make meaningful comparisons. The debate between Brutus and the ambassadors of the exiled king Tarquin in Book 3, for example, mirrors the Agrippa-Maecenas exchange of Book 52: both *controversiae*, placed at the beginning and end of the Republican narrative, reflect at length on the pitfalls of Republican government. Elsewhere, Dio seems to have used the structure of the book itself in a deliberate way to make meaningful points, for example by separating the 'philippic' invective of Cicero against Antonius in Book 45 from its immediate response, the 'anti-philippic' speech of Calenus in Book 46. Moreover, the way in which our historian introduced and concluded these addresses, with prefatory or closing remarks on the speaker's private intentions, underscores his most important point of all: that rhetoric had a dangerous and ambiguous power, and played a profound and direct role in the fall of the Republic and the emergence of Augustus' regime.

To understand these approaches, two basic parts are fundamental and will be the focus of this chapter. The first is the historian's use of sources. In the wake of Millar's 1964 *Study of Cassius Dio* this once-familiar topic fell out of fashion; but the study of the sources for Dio's narrative has regained ground in very recent years by focussing on his debt to 'traditions' or

‘models’ rather than to specific or named sources or texts.⁷ On the other hand, attention to the sources for Dio’s speeches has been more limited in recent times.⁸ In the first section, this survey re-opens that question. Part one argues that these compositions emerged from sources of four types: direct consultation of published oratorical materials from the Late Republic; limited use of previous historiographical speeches; development of brief mentions that an act of speech had occurred (*testimonia*) into a freehand set-piece oration; and, finally, the historian’s own imagination, where both content and context appear to have been invented. Though fictional in the truest sense, these compositions furnished the historian with some of his most well-known opportunities to use direct speech to explore his major factors of history and to set out his most important causal themes: strife (*stasis*), conflict and competition, envy, virtue and statecraft, the balance of power, and the moral ambiguity of speech and the danger of the orator’s power.

The second and longer section surveys how Dio used his speeches across the historical diegesis, from the Regal Period and Book 1 to the Augustan Settlement in Book 53, and explores how they set out and explore Dio’s interpretative axis. As mentioned, it is with the Second Punic War and the arrival of Scipio Africanus that a more colourful palette emerges, and a new rhetorical mode. From this point the most significant aspects of Cassius Dio’s explanatory framework for the rise and fall of the Roman Republic appear to take shape—especially the corrosive effects of personal ambition and the deleterious effects of greed and envy on political culture.⁹ Moreover, Dio’s increasing interest in the dangerous power of rhetoric begins to develop from this point. Cassius Dio explored the problem of oratory more fully than any surviving historian of the Republic: this is his distinctive contribution to the historiography of the transition of the *res publica*. He drew carefully on Classical Greek critiques of the moral ambiguity of persuasive speech and the risks posed by it to a political system founded on public debate. This theme, explored from the earliest beginnings of the Republican narrative with the speech of Brutus in Book 3 and even in his account of the Regal Period in Book 1, unfolds with increasing intensity throughout the Republican decads—culminating of course with the *recusatio imperii* of Octavian in Book 53. Here speech was more important than ever to Dio’s argument about the collapse of the Republic and its replacement by a less public and transparent method of decision-making. In Cassius Dio’s *Roman History*, rhetoric was both the lifeblood of a free Republic and yet its fatal weakness.

II. DIO’S SOURCES

⁷ e.g. de Franchis 2016; Francois 2016; Fromentin 2016; Urso 2016; 2018.

⁸ For example Fischer 1870; Straumer 1872; Litsch 1893; Kyhnitzsch 1894; Vlachos 1905. More recently, see Montecalvo 2014; Burden-Strevens 2018.

⁹ For discussion of the importance of covetousness (*ἐπιθυμία*), ambition (*φιλοτιμία*), and greed (*πλεονεξία*) to Dio’s account of the Late Republic, see Sion-Jenkis, 2000, 79–80; Kuhn-Chen 2002, 165–169. For fuller discussion of envy (*φθόνος*), see below and especially Burden-Strevens 2016.

In ancient times as today, the historian's most fundamental task was to gather his sources of information. In the famous programmatic statement in Book 73, our historian gives us a rare glimpse into his generally elusive study: he spent a decade writing up his eighty books, but *twelve* years consulting the evidence.¹⁰ Enormous attention has been given to the sources for Cassius Dio's narrative over the past two-hundred years, but somewhat less so for the formal orations, often dismissed as pure fiction. Yet just as Dio based the basic shape of the *Roman History's* narrative upon earlier texts, so too did he draw from various sources of information and inspiration for drafting his speeches.

The sources of information Dio drew from when composing his speeches can be divided into four types.¹¹ His approach to these evidently varied depending upon the availability of the information; that is, necessarily, in relation to each period in his ambitious *longue durée*. We should naturally expect a richer use of more detailed oratorical sources in, for example, the Late Republican narrative, for which published testimonies were available. For earlier epochs, like the Regal Period and Early Republic, Dio had to resort either to a general awareness of the tradition concerning what was (mythically) said, or to earlier historiographical versions of the speech he was recrafting; here his education will have played a more important role in shaping the final product.

The first approach was to consult published speeches directly and re-elaborate them in an oratorical context analogous to the setting of the original version. Here Dio probably had the source-text open in front of him, either as he was drafting or compiling his notes (*hypomnemata*) prior to doing so. Dio's direct consultation of a published speech and use of this document as a basis for a composition of his own did not involve simple copying, nor transplanting entire speeches into a faithful reproduction of their original setting. Rather, the historian noted down the arguments and even rhetorical strategies and turns of phrase he found in the published original of a delivered speech, and then refashioned these into a composition of his own in a similar context. He sometimes reallocated the arguments expressed to a different speaker to his source, placed the entire debate in a different year, or even collapsed several different 'genuine' speeches into one.

A surprising proportion of the formal orations in the *Roman History* belong to this type, especially in contexts boasting multiple actors. These include: the three '*lex Gabinia* speeches', which depict Cn. Pompeius Magnus, A. Gabinius, and Q. Lutatius Catulus the Younger debating whether or not to grant Pompeius extraordinary powers to combat the threat of Mediterranean piracy in 67 BCE (36.25–36a); the gargantuan 'philippic' exchange between Cicero and Q. Fufius Calenus, nominally debating the need to declare M. Antonius a public enemy in 43 BCE (45.18–46.28); and, perhaps, the 'imperial clemency' speech of Livia to Augustus, advising him to spare the life of the recently-apprehended conspirator, Cn. Cornelius Cinna Magnus (55.14–21). Respectively, these three occasions of oratory are based upon Cicero's *De Imperio Gnaei Pompei / Pro Lege Manilia* of 66 BCE, Cicero's fourteen

¹⁰ Cass. Dio. 73[72].23.5.

¹¹ In this I restrict myself to written texts, omitting those eyewitness sources which Dio may have consulted in the (very few) speeches of the contemporary history. On these, see Moscovich 2004.

Philippicae written against Antonius in 44–43 BCE, and Seneca’s *De Clementia* addressed to the young emperor Nero in 55–56 CE.¹²

Especially for the ‘Ciceronian’ speeches, the congruencies between Dio’s versions and Cicero’s originals are numerous and striking. This did not, of course, mean that our historian approved of Cicero; his antipathy for the orator is pronounced.¹³ But it was not necessary to like him in order to use him as a source for the speeches, and the latter is clearly in evidence below. While it would be a mistake to suggest that the *Roman History* is so close to Cicero that it is virtually a Greek translation—our historian was by no means that faithful and did not endeavour to be—¹⁴it is difficult to explain the parallels by dint of anything except his direct use of Cicero.¹⁵

In the first of Dio’s two ‘philippic’ speeches against Antonius, for example, the arguments are not only identical to those of Cicero’s *Second Philippic* but even proceed in the same order. Transitions between major points in the argument in Dio’s version are direct Greek translations of Cicero’s original, such as a *paraleipsis* from Antonius’ personal life to his public misdeeds (ταῦτα μὲν οὖν ἐάσω = *sed omitto ea peccata*; Cass. Dio 45.29.1 = Cic. *Phil.* 2.70). When in Cicero the people groan at Antonius’ purchase of Pompeius’ estate at auction, so too in Dio do they groan (πάντες ἔτι καὶ τότε ἐθρηνοῦμεν = *gemitus tamen populi Romani liber fuit*; Cass. Dio 45.28.3 = Cic. *Phil.* 2.64). These examples can be multiplied tenfold. Our historian seems to have crumpled arguments from all fourteen of Cicero’s speeches against Antonius into his own invective,¹⁶ but the closest concordances are evidently with the *Second Philippic*. Notably he takes other liberties: Dio may have taken much of his content from the *Second Philippic*, but his version is actually directed at the addressee of the *Eighth Philippic*—Q. Fufius Calenus—and he even moves the date. So far as its context is concerned, Dio’s speech of Cicero, set in the Senate-meeting of January 1st 43 BCE, takes the setting of the *Fifth Philippic*. In consequence, although the arguments and even the rhetorical packaging of the historian’s attempt might derive directly from a source-text, he could alter the specific scenario quite radically.

Likewise for Dio’s orations on the *lex Gabinia* of 67 BCE, the arguments adduced by the tribune A. Gabinius in favour of Pompeius’ command are all a perfect match with the case made by Cicero in the following year, 66 BCE, to grant Pompeius yet more powers under the *lex Manilia*. Probably this is because Dio was using Cicero’s *De Imperio Gnaei Pompei / Pro Lege Manilia* as a source.¹⁷ Here we note, obviously, that Pompeius’ champion in the *Roman History* is not Cicero—the speaker in Dio’s source-text from 66 BCE—but a different orator

¹² For Dio and the *De Clementia*, see Millar 1964 78–79.

¹³ See e.g. Cass. Dio. 38.12.4–7.

¹⁴ Fischer 1870, 1–28, esp. 27: “for this reason, then, we ought to give Dio praise; for he accords with Cicero on so many points...that one would think one was reading a speech of Cicero translated into Greek” (*deinde autem Dioni hanc tribuere debemus laudem, quod in plurimis rebus optime cum Cicerone congruit...ut in Graecum conversam Ciceronis orationem legere videaris*).

¹⁵ For the full argument, see Burden-Strevens 2018.

¹⁶ Gowing 1992, 238 n.34.

¹⁷ Montecalvo 2014 gives a suite of examples which show that Dio’s version must descend from Cicero, but is equivocal on direct use of Cicero as a source.

and on a different date. But despite their contextual displacement from the original, in Dio's version these arguments are even packaged in the same way as in his source: for example, his Gabinius uses rhetorical techniques such as *anaphora* (beginning consecutive clauses with the same word) and *polyptoton* (repeating the same word in different declension cases) at precisely those points in the argument where Cicero originally deployed them in the *De Imperio Gnaei Pompei / Pro Lege Manilia*.¹⁸ Thus, where available Dio made extensive use of originally published versions of speeches and modelled his own on them, not only in argument and sequence but rhetorically also.

Moreover, in multi-part debates Dio may also have used evidence of this kind in order not only to construct a positive case for a particular individual or law, but also to *reconstruct* the opposing case. To my knowledge this method is wholly new in the development of Latin and Greek historiography, and quite Dio's own. For evidence of this we may turn to Pompeius' and Gabinius' opposite number, Q. Lutatius Catulus the Younger, and to Cicero's interlocutor, Q. Fufius Calenus. Historically, the arguments of Q. Lutatius Catulus the Younger against Pompeius' rising power in the 60s BCE do not seem to have been published; accordingly, over 300 years later Dio can have had no direct access to what Catulus really said. He did, however, have access to Cicero *quoting* Catulus' words. By an exceptional coincidence, all of the arguments of Q. Lutatius Catulus the Younger against Pompeius, delivered in 67–66 BCE and quoted in Cicero's *De Imperio Gnaei Pompei / Pro Lege Manilia*, feature in Cassius Dio's speech of Catulus on the same subject. This coincidence is all the more striking when we consider the invective of Q. Fufius Calenus against Cicero in Book 46. In the *Second Philippic*—Dio's source for the arguments of his Cicero against M. Antonius in Book 45—Cicero paraphrases fourteen arguments marshalled against him by Antonius in reply to his *First Philippic* on 19 September 44 BCE. Of these fourteen, only two do not appear in Dio's version of Calenus' speech on the same subject.¹⁹ If our historian was indeed consulting Cicero's speeches directly as a source and rhetorical model for his 'Ciceronian' speeches in support of the *lex Gabinia* and against Antonius—and the evidence to support this is strong—then he also had in these texts all he needed to reconstruct the opposing side of the debate. Given the richness of the evidence, these are exceptional cases; but they attest, if true, to the arresting ingenuity and sophistication of Dio's compositional art, and suggest intriguing possibilities for the reconstruction of other now-lost oratorical texts.

A second and less complicated approach in the historian's technique was to consult and rework the historiographical speeches of his predecessors. The address of L. Junius Brutus on the foundation of the Republic in 509 BCE, and Julius Caesar's exhortation to his mutinying troops at Vesontio (modern-day Besançon), are both notable examples of this type. Earlier historians had already written up famous versions of these discourses, and these were certainly available.²⁰ Whether Dio became aware of them in oratorical school as a youth or in the course of his historical research as an adult is impossible to confirm, but the latter is more likely.

¹⁸ Cass. Dio. 36.28.2–3 = Cic. *De Imp. Cn. Pomp.* 28.

¹⁹ For the evidence, see Burden-Strevens 2018.

²⁰ Cf. Caes. *B Gall.* 1.40; Dion. Hal. *Ant. Rom.* 4.70.4–71.1; 4.72–75.

When we compare our historian's own compositions with the earlier historiographical 'originals', it is clear that Dio intended to draw only the minimum of information from the existing version and otherwise composed freehand. For example, following the expulsion of Tarquinius Superbus from Rome, Dio inserted a speech of Brutus. Of this only exiguous traces remain—perhaps up to nine fragments, depending on how we attribute them—but these traces are sufficiently well-developed to suggest an original speech of considerable length and reflective intent.²¹ Dio's speech of Brutus fulfilled two purposes: first, to dissuade the Roman people from accepting Tarquin's plea to return; and, secondly, to argue that the powers of the exiled kings should devolve to two annually-elected consuls. In so doing, the new 'Republic' would not introduce new powers into the state, but merely refashion the way in which those (regal) powers were constituted. Both of these arguments had a place in the tradition surrounding the foundation of the Republic: they occur in Dionysius of Halicarnassus' account of the same, here in two separate speech-acts which Dio has telescoped into one (Dion. Hal. *Ant. Rom.* 4.70–75; 5.5).²² Dio evidently did not fabricate the argument of his Brutus, that a system of annual consulships was a compromise to retain the guiding principle of monarchy while avoiding a perilous and sudden change of government (Cass. Dio frg. 12.3a). It is theoretically advanced and not at all obvious. Other points made by Brutus in the *Roman Antiquities*—for example that the new consuls should continue to take the advice of the Senate just as if they were kings—also echo faintly in Dio's fragmentary version (Dion. Hal. *Ant. Rom.* 4.75.4 = Cass. Dio frg. 12.7). Dio perhaps took Dionysius' oration of Brutus as an overall model and then developed it substantially while keeping the predecessor's main thrust.²³

Elsewhere Cassius Dio made more profound changes. His take on Caesar's speech to his mutinying troops at Vesontio (38.36–45) has a special history:²⁴ not only did previous historiographical versions exist,²⁵ but one of these purported to be a transcript by the speaker himself. Caesar's own account of this exhortation early in his *Commentaries on the Gallic War* (*BGall.* 1.40) bears almost no resemblance to Dio's in the *Roman History*. Now, a few arguments adduced by the 'genuine' orator do reappear. For example, the embarrassment of Dio's Caesar at the illegality of his campaign and rumours to that effect among the troops may be inspired by a similar phrase in Caesar's *Commentaries* (38.37.1 = Caes. *BGall.* 1.40.1). Dio's speaker complains of their enemy's hypocrisy in changing face: this may also

²¹ Those fragments which we can confidently ascribe to Brutus' address are: Cass. Dio frg. 12.6; 12.7; 12.10. The other six fragments, all gnomic in character—frgs. 12.1; 12.2; 12.3; 12.8; 12.9; 12.11—have been attributed to the narrator-voice by Boissevain 1895, 35. However, Rich 2018, 237 argues (and I think rightly) that although these fragments make no grammatical indication of direct speech, the developed philosophical and theoretical reflection is more common to Dio's speeches than his narrative, and these too are therefore likely to come from Brutus' *suasoria*.

²² Fromentin 2016 gives an excellent modern comparison of the speeches on the foundation of the Republic in Dionysius of Halicarnassus and those of the *Roman History*.

²³ Livy and Plutarch both also record that decisions were reached on these occasions but do not draft direct speeches. Cf. Livy 2.3.5; Plut. *Publ.* 2.3–3.3.

²⁴ See Kemezis 2016.

²⁵ In addition to Caesar's commentaries, see also Plut. *Caes.* 19, although this is brief and only a reportage in *oratio obliqua*.

come from the original (38.42.2-3 = Caes. *BGall.* 1.40.2–3). Similarly, the range of historical *exempla* are identical, though this is not in itself especially telling (38.40.7 = Caes. *BGall.* 1.40.5). Beyond these overlaps, however, Dio drew very little from Caesar’s published Vesontio speech, expanding it dramatically in length and intention. We do not, of course, need to ask ourselves whether Cassius Dio had access to a copy of the *Commentaries on the Gallic War*.²⁶ As a general rule, where an earlier historiographical version of a speech existed Dio consulted it and drew from it the context and some points in the argument, but otherwise reworked it deliberately to reflect his explanatory aims.

Our historian’s third approach to earlier source-material was to elaborate reports that a speech had happened (*testimonia*) into a set-piece oration of his own. Here we can imagine that Dio based the speech on two things: first, his overall impression of the persona of the speaker, gleaned from years of careful research and study;²⁷ and, secondly, his estimation of what such a speaker might have said in the given scenario. In such a case we have to conceive of ‘the source’ very broadly: it was not a single document, but rather a collection of fact(oid)s about the orator’s manner of speaking; his aims in the depicted context; and certainly stock arguments or figures, much drawn of course from the Imperial rhetorical schools,²⁸ but some also from genuine Republican oratory. Of all Dio’s approaches this most closely accords with ancient theories of rhetoric in historiography, for example the oft-repeated guidance of Quintilian and Lucian that everything said should be *cum rebus tum personis accommodata*: that is, it should reflect the nature of the speaker and the circumstances (Quint. *Inst. Or.* 10.1.101; cf. Luc. *Hist. Consc.* 58).

This category boasts many of Dio’s most excitingly inventive productions, some of which were genuine firsts in ancient historiography. The funeral oration (*laudatio funebris*) of Marcus Antonius for Julius Caesar on the evening of the Ides of March, for example, appears for the first time as an extended set-piece in direct discourse in Cassius Dio’s *Roman History*. Earlier authors had been equivocal about its existence: Suetonius insists that Antony did *not* give an encomium for the deceased dictator, instead merely promulgating the Senate’s decree honouring his memory (Suet. *Iul.* 84.2: *laudationis loco*). Appian, on the other hand, gives Antonius a few sentences of direct and indirect speech (App. *B Civ.* 2.144). For Dio the *testimonium* in Appian was enough. He took the tradition that such a speech happened and then expanded it into the weighty and emotive funeral oration of Book 44 (44.36–49).

It is important to note that in the *Roman History*, this speech has genuine historical importance and significant causal ramifications in the course of events. The *laudatio funebris* of Marcus Antonius follows directly on from the so-called ‘amnesty-speech’ of Cicero, attempting to reconcile the Caesarian and Tyrannicide factions and so resolve the discord (*stasis*) which has gripped the city. The two speeches thus function as a pair. Initially, Cicero

²⁶ See McDougall 1991 for discussion of Dio’s use of Caesar’s *commentarii*, with accompanying references to earlier studies; cf. also Micallella 1986.

²⁷ See Burden-Strevens 2018 for further brief comments on Dio’s presentation of Republican oratorical personas, for example that of Pompeius, for which cf. also van der Blom 2011.

²⁸ On which see Fomin 2015; 2016.

succeeds in his object: he persuades the Senate to vote to restore harmony (44.34.1–4). Genuine oratory in the public interest leads to cohesion and reconciliation. But Antonius’ panegyric for Caesar follows a few chapters later, with catastrophic consequences. “Antonius enraged the people by stupidly bringing the body into the Forum, just as it was, covered in blood and open wounds, and even more by then delivering a speech to them which was ornate and brilliant, but not at all appropriate to the situation” (44.35.4: τὸν τε νεκρὸν ἐς τὴν ἀγορὰν ἀνοητότατα κομίσας, καὶ προθέμενος ἡματωμένον τε, ὅσπερ εἶχε, καὶ τραύματα ἐκφαίνοντα, καὶ τινα καὶ λόγον ἐπ’ αὐτῷ, ἄλλως μὲν περικαλλῆ καὶ λαμπρὸν, οὐ μέντοι καὶ συμφέροντα τοῖς τότε παροῦσιν, εἰπὼν). *Cum rebus tum personis accommodata* indeed. This diptych evinces not only Dio’s distinctive fondness for paring speeches, but also the (sometimes dramatic) causal relationship between speech and action in his *Roman History*.

As with the funeral oration of Antonius that preceded it, Dio again appears to have extrapolated the ‘amnesty-speech’ of Cicero from a *testimonium* in his sources that such a speech did indeed take place. The historical existence of this oration, urging harmony and peace between Caesar’s adherents and his assassins, is quite clear: the date was March 17th 44 BCE and the source for its existence is Cicero himself. Cicero records that in this speech, he had “done his best to lay down the foundations of peace and revived the ancient example of the Athenians, even using the Greek phrase which that state used to employ in settling their dissensions” (Cic. *Phil.* 1.1: *quantum in me fuit, ieci fundamenta pacis Atheniensiumque renovavi vetus exemplum; Graecum etiam verbum usurpavi quo tum in sedandis discordiis usa erat civitas illa*; cf. *Att.* 14.10; 14.14). If we take Cicero at his word, then shortly after the Ideas of March he used the *exemplum* of the Athenian Amnesty of 403 BCE, in order to persuade the Romans of 44 BCE to settle their differences. It just so happens that this is precisely what Dio’s ‘amnesty-speech’ of Cicero does, using the same examples. Earlier historians, such as Plutarch and Velleius Paterculus, were aware of this tradition (Vell. *Pat.* 2.58.4; Plut. *Cic.* 42). But Dio, uniquely, took the *testimonium* in his source—possibly Cicero’s mention of it in the *Philippics*—and turned it into a set-piece historiographical speech. Tantalisingly, the version in Dio is the closest we will ever come to Cicero’s real words on March 17th 44 BCE, and may indeed be more of a reflection of the historical reality of what was said than has been suggested here.²⁹

Cassius Dio’s fourth method was to compose absolutely freehand without the remotest inspiration from a source of any kind. In such cases both the content and context of the speech are entirely fictitious. This does not mean that these compositions are mere moralising diatribes without function in the *Roman History* as a whole; speech was integral to Dio’s method as an interpreter of historical events. But the choice to include a speech at this point in the narrative—seemingly the historian’s own entirely—and the liberty to invent all the words of the depicted orator make these compositions some of the best examples we have of Dio’s use of speech to explain the past. These ‘invented’ set-pieces give us by far the cleanest

²⁹ This is the old suggestion of Schwartz 1899, 1719, who posits that in writing an amnesty-speech of Cicero, Dio was indeed replicating a now-lost Ciceronian oration on that subject. More equivocal conclusions in Burden-Stevens 2018.

window into their author's interpretative axis and the clearest indication of what he considered the major factors of history.

Rightly, the enormous discourse of Maecenas in Book 52 (52.14–40) is the most famous example of this type. Speaking in private to Octavian after the latter's success at the Battle of Actium against M. Antonius and Cleopatra, Dio's Maecenas exhorts the future *princeps* to assume the mantle of monarchical rule. There is evidently much within Maecenas' oration which reflects the realities of Dio's own time and the historian's own third-century concerns.³⁰ It would be a mistake, however, to view these words as divorced from their narrative context. Its most obvious diegetic function is to set out the steps that, in Cassius Dio's (and therefore Maecenas') opinion, would be necessary for Octavian to cement his power and to stabilise the state; these are precisely the steps that the young *trivumvir* will go on to take in the ensuing narrative itself. But in addition to looking forward to and thereby explaining the success of the Augustan Principate (*viz.* in *prolepsis*), the discourse looks back also on the political history of the Republic (in *analepsis*). It thus represents a final opportunity for our author to set out his interpretation of those causes which rendered republican government unviable and brought affairs to this point. Note, for example, the consistency between Maecenas' arguments and modern explanations of the 'fall' of the Republic that are now widely accepted. First, the young Octavian should secure the centre by engineering the periphery: he should cleanse the Senate of fractious figures and install loyal new senators in their place (52.19.3). Secondly, he should appoint all magistrates and provincial governors himself; this, Maecenas argues, will prevent "the same things from happening all over again" (52.20.3), and will give no opportunity for ambitious commanders to repeat the precedents of Marius, Sulla, Pompeius, Caesar, and (of course) Octavian himself. Moreover, his speaker insists on a long hiatus between a magistrate's term at home and his position as governor abroad (52.20.4); the corrosive effect of extended periods of command upon republican traditions was a particular interest of Dio's.³¹ How can one read all this as anything but a final recapitulation on those historical causes which emasculated the *libera res publica*?³²

Several other speeches illuminate Cassius Dio's freehand approach in similar ways, evidently unmediated by any source and apparently new in the tradition. The address of Tanaquil (Zon. 7.9), the mytho-historical queen of Rome and wife of Tarquinius Priscus, appears to have been our historian's first attempt in the *Roman History* to explore a theme of fundamental importance to his story: the moral ambiguity of rhetoric, especially its deceptive power in

³⁰ The bibliography on the Agrippa-Maecenas debate is enormous, and will not be surveyed here. For Maecenas (especially as a reflection of Dio's political views, usually about the Severan period), see Hammond 1932, 88–102; Beicken 1962, 444–467; Millar 1964, 102–118; Usher 1969, 252; Dalheim 1984, 216; Dorandi 1985, 56–60; Fechner 1986, 71–86; Reinhold 1988 179; Rich 1989, 99; and Kuhlmann 2010. Agrippa has generally received less attention. Adler 2012, 477–520 has recently applied operational code analysis to both the speeches of Agrippa and Maecenas to determine their concordance with Dio's views on government throughout the history, and argues that Agrippa's 'democracy' speech is by no means the weaker party, as was suggested by Gabba 1955, 316; 1984, 72; Strasburger 1977, 48; McKechnie 1981, 151–153; Fechner 1986, 71–86. For a balanced view, see Kemezis 2014, 130–131.

³¹ e.g. Cass. Dio 36.31.3–4; 36.34.3–4; 43.25.3; 44.51.3.

³² See Burden-Strevens 2016 for a fuller discussion of this argument.

political decision-making.³³ There will be more to say on this distinctly Classical Greek idea and its significance to Dio's project in the next section; for the moment it merely evinces Dio's tendency to introduce speeches into the tradition—seemingly without any source—to explore his most important historical premises. The rather short oration of Caesar before the Senate following his victory over Pompeius in the civil war (43.15–18) is a further notable expression of that tendency. As Urso has recently suggested,³⁴ the oration underlines several of our historian's major approaches, especially his oft-repeated view that excessive good fortune leads to reversal and decline (so Sulla, Marius, Pompeius, and Caesar himself). In sum, where Dio appears to have no written evidence as the basis for a speech-act, he freely invented not only the content but also the context of set-pieces which were entirely new to the tradition. Dio often made especial use of these 'freehand' compositions to set out his political and philosophical thought at its most expansive.

Cassius Dio's approach to the raw material was therefore highly varied. Few of these compositions were ever, in fact, pure invention: Dio drew from numerous sources in the long process of compiling his notes. Dio could evidently refashion existing speeches in Latin, for example, into Greek versions of his own on a similar topic or historical situation. Similarly, contact with earlier speeches in Roman historiography inspired both the occasion for, say, an oration of Brutus to the *Quirites* or of Caesar to his mutinying troops, and the basic outline of the argumentative thrust. The bare report of a public address or debate having happened, such as the *testimonia* of Cicero and Antonius having spoken after the Ides of March, could also be elaborated into the first full set-pieces of their kind in Roman historiography. However, our historian was most at liberty to explore major historical themes where he invented wholesale both the content and the context of the speech. It is important (and surprising) to note that examples of this type do not preponderate; Dio preferred to work with some pre-existing source or testimony, where available, rather than none. The sheer variety of his methods frustrates the search for a definitive approach.

III. DISTRIBUTION AND THEMES

Just as Dio's approach to his sources differed depending upon the specific scenario and especially the specific period, so too did the frequency and length of his speeches vary in relation to the timeline of his story. Dio deployed set-piece speeches in all portions of his *Roman History*. Those books in the direct tradition which treat the decline of the Late Republic and the transition to a monarchical Empire obviously contain the longest and most elaborate examples (Books 36–56: 67 BCE–14 CE). But elsewhere in the text, some orations—such a short plea for clemency from the aptly-named Cassius Clemens to the emperor Septimius Severus, or Caligula's harangue of the Senate shortly after his mysterious 'illness'—may run to only a paragraph of Greek.³⁵

³³ For this theme see especially Kemezis 2014; 2016; Burden-Strevens 2015; forthcoming 2020.

³⁴ Urso 2016, 16–19.

³⁵ e.g. Cass. Dio 59.16, 75[74].9.

This disparity is striking, but invites caution. The decline of the Republic and emergence of Augustus is certainly the centrepiece of the *Roman History*: this section boasts Dio's narrative style at its most decompressed, with fewer years per book and more detailed treatment of each year than elsewhere in the text.³⁶ We naturally expect fuller and more frequent set-pieces, including involved debates which reflect the quality of the evidence and the high political drama of the period. But the speeches of Books 36–56 are also greater in length and number because the text has passed down to us virtually intact. We cannot say the same for other portions, where epitomators and excerptors evidently did much editorial work: abbreviating, paraphrasing, or even deleting Dio's speeches altogether.³⁷ Dio used set-piece speeches throughout his Republican narrative. These are certainly at their richest and most detailed from the Second Punic War, up to and including Augustus' reign. Nevertheless, longer addresses do occur at a couple of points in the first decad, usually to mark points of major historical interest.

Dio clearly treated Rome's foundation and the Regal Period in scant detail: it took him only two books to cover several hundred years of Rome's history (Books 1–2). Yet the fragments suggest that he found room to include at least three set-pieces in direct speech, and perhaps more. These survive now in a mixture of direct fragments preserved in the 10th-century Byzantine *Excerpta Constantiniana*,³⁸ in the abbreviation (*epitome*) of Dio composed by John Zonaras, and in John of Antioch's chronicle. An especially striking feature of this portion of the narrative, as recently noted by Rich (2018, 231–233), is the preponderance of female speakers. The mythical nature of the material gave the historian creative license to involve women in the world of public and political oratory. This section boasts several such types, all preserved in direct speech: the impassioned address of Romulus' mother Hersilia, begging the Romans and their Sabine neighbours to set aside their contention (frg. 5.5–7);³⁹ the queen Tanaquil's specious attempt to conceal the assassination of her husband Tarquinius Priscus from the people, so smoothing over the accession of her preferred candidate Servius Tullius (Zon. 7.9); and, famously, Lucretia's words to her husband and father, prior to her suicide (frg. 11.18–19).⁴⁰ Even where complete these are noticeably shorter than Dio's later compositions; nevertheless, this section of the narrative includes more female orators than any other point in the *Roman History*.

Dio's use of speeches in the Regal Period was thus noticeably different to the later portions of his work. This suggests that Dio's approach to speech-writing developed over the course of his writing. For Books 1–2 our historian used not only set-piece orations but also mixed small

³⁶ For discussion of the distribution of years relative to books in the *Roman History* see Swan 1987; 1997.

³⁷ Good recent surveys of the methods of the epitomators are given in Simons 2009; Mallan 2013; Berbessousou-Broustet 2016; Bellissime & Berbessou-Broustet 2016. Especially important for our understanding of Zonaras' approach to Dio's speeches is Fromentin 2018, who argues that, although Zonaras drastically abbreviated, he was generally faithful to his source on the context and performativity of speech-acts. He can thus be used as a reliable source for the presence of direct speeches in the original text of the *Roman History*. Cf. also Fromentin 2013.

³⁸ On the aims and methods of the Byzantine excerptors, see recently Mallan 2013; 2018.

³⁹ Other versions of this oration are: Livy 1.13.2–3; Plut. *Rom.* 19.4–7. In other authors the women address the Sabine king in a different context (Dion. Hal. *Ant. Rom.* 2.45; App. *Reg.* 5).

⁴⁰ The best modern discussion of this latter is Mallan 2014.

excerpts of direct speech (*oratio recta*) with brief summaries. Hence in a summary of Romulus' response to the complaints of the Senate at his actions, Dio writes that he “*made a number of unpleasant remarks*, and finally said: I have chosen you, fathers, not that you may rule me, but that I might have you to command” (frg. 5.11: ἐγὼ ὑμᾶς, ὦ πατέρες, ἐξελεξάμην οὐχ ἵνα ὑμεῖς ἐμοῦ ἄρχητε, ἀλλ’ ἵνα ἐγὼ ὑμῖν ἐπιτάττοιμι). Here what could have been a set-piece monologue is abbreviated, leaving only a short reportage and a direct statement for the point on which Dio wished to lay the most emphasis. Likewise, another fragment of uncertain reference (but probably a speech of Tarquinius Superbus) is entirely indirect, merely reporting in the narrator-voice what was allegedly said—although the full version may, again, have been mixed with small phrases in *oratio recta* (frg. 11.7).

Dio's approach to the foundation of the Republic is noticeably different. He devoted all of Book 3 to the year 509 BCE (Rich 2018, 234). This book evidently contained at least two speeches: the address of Brutus mentioned earlier, arguing for a Republican system founded on the diarchy of consuls; and a speech from the ambassadors of the now-exiled king Tarquinius Superbus, asking the citizens to allow the king's return or, *faute de mieux*, the restoration of his ancestral property. The possible content of these two is now preserved in twelve fragments: at least six of these are unquestionably from speech-acts (frgs. 12.4, 12.5a, 12.5b, 12.6, 12.7, 12.10) although the attribution of the remaining six is less clear.

The insertion of this debate is significant for several reasons. First, this is the first of Dio's 'paired' set-piece altercations (*controversiae*). As we have already seen, pairings of this type will become a common feature of the historian's compositional practice later—especially in the Late Republican books. Secondly, if we are not too conservative with the attribution of the other six fragments then the oration of Brutus must originally have been long and involved. The fragments are rich in universal moral statements (*sententiae*) of the type regularly deployed in Dio's speeches. Mirroring distinctly his major historical and interpretative premises, they especially focus his interest in: the dangers of political changes (μεταβολαί) and the harms they pose to citizens and states;⁴¹ the moral danger of success, leading to reversal and disaster—a key aspect of his explanation of Sulla, Marius, Pompeius, and Caesar's careers;⁴² and the dangerous power of speech to mislead audiences into poor political decisions, again a major theme in the Late Republican books.⁴³

Brutus' speech accordingly seems to have been the first extended formal oration used to articulate the historian's reflection on government, human nature, and politics. This 'reflective' use of speeches—which contrasts sharply with the rather concise compositions of the Regal narrative immediately prior—will be a key characteristic of Dio's speeches from the beginning of the Second Punic War onward, and this technique owes its first origins to Book 3. Additionally, the Brutus-Ambassador exchange of Book 3 opens the history of the *libera res publica* just as the Agrippa-Maecenas controversy of Book 52 closes it. This seems to have been a conscious and deliberate choice on the historian's part to move into a different

⁴¹ Cass. Dio frgs. 12.2; 12.3a.

⁴² Cass. Dio frg. 12.9.

⁴³ Cass. Dio frg. 12.10.

rhetorical mode to fit his subject-matter: as the decision-making process moved into the public sphere with the collapse of monarchy and the emergence of Republican government, so too did public and political oratory proliferate.⁴⁴ This decision of the author to move into a new rhetorical mode to fit the subject was not only common sense, but also fitted his interpretative purposes. The speeches of Book 3 and Book 52 clearly book-end the history of the Republic by staging major debates on the fragility of a ‘democratic’ constitution and summarising the various historical problems that led eventually to its collapse.

After the extended episodes on the foundation of the Republic in Book 3, Dio devoted a further seven books (Books 4–10) to the Roman conquest of Italy up to the outbreak of the Punic Wars. 264 BCE opened his second decad (Rich 2018, 257). Again, the historian’s use of speech across these seven books reflects a development in his practice. We begin with highly ‘mythologised’ but brief set-pieces of high drama including female orators (so akin to his account of the Regal Period). This is followed by a more abridged stretch where little use appears to have been made of developed *oratio recta* at all. And, finally, the first decad draws to a close with the elaborate philosophical discussion between the invading king of Epirus, Pyrrhus, and the Roman commander Gaius Fabricius Luscinus in Book 9. This latter is the best-preserved example of Dio’s speechwriting in his account of the Early Republic. Alongside the discourse of Brutus in Book 3, it shows the historian’s tendency in the early books to mix highly lengthy and theoretical compositions—routinely his later practice—with shorter acts of speech that will generally disappear from the text later.

As Rich has already pointed out (2018, 242), after the foundation of the Republic Dio appears to have made no discernible use of developed speech-episodes until Book 7. For the mid-fifth to mid-fourth centuries his coverage was brief and may have furnished few opportunities for such material. Prior to this compression, however, the historian’s use of *oratio recta* has much in common with his approach to the Regal Period, including short and highly dramatised addresses which were already well-established in Roman literature. These addresses signify little more than a nod to the tradition on Dio’s part and are highly mythologised in nature. The speech of Menenius Agrippa, for example (Cass. Dio frg. 17.10–11), uses the Aesopic fable of *The Belly and the Members* to convince the masses of the plebeians to reconcile themselves with the patricians. As with the earlier versions of Livy (2.32.9) and Plutarch (*Cor.* 6), the purpose of the address is simply to explain the means by which the patricians and plebeians were allegedly reconciled for a time in 494 BCE and otherwise has no interpretative or thematic significance. The impassioned plea of Veturia to her son Coriolanus has much the same function, as does Coriolanus’ brief response (Cass. Dio frg. 18.8–11). The tradition was again well-established in Livy (2.39) and Valerius Maximus (5.2.1) and aside from signifying our historian’s awareness of that tradition the exchange shows also his recurring interest in female speakers in the earlier parts of his work.

⁴⁴ As Mallan 2016 has pointed out, Cassius Dio equated the Republican system of government with openness of speech (*παρρησία*). Here his approach is similar to that of Polybius, who presented *παρρησία* as the hallmark of democratic government (Polyb. 2.38.6; 6.9.4–5). Dio accordingly made political oratory a main feature of his Republican narrative. See Cass. Dio 53.19.2–3 on the disappearance of *παρρησία* after Actium.

On the other hand, certain of the longer formal orations in the first decad clearly reflect Dio's tendency to use speech to fulfil major thematic and interpretative functions. They therefore approximate more closely with what will become Dio's routine practice later. The grand multi-part discussion between Pyrrhus of Epirus and Gaius Fabricius Luscinus (frg. 40.31–38) best evinces Dio's method of using long speeches to explore his major historical premises, still rare in this portion of the *Roman History*. The setting is a series of peace negotiations between Rome and the kingdom of Epirus, perhaps at the end of Pyrrhus' campaign season of 280 BCE. Having won some initial successes against the Romans and taken many captives, Pyrrhus was now awaiting the arrival of a Roman embassy to discuss terms of peace, headed by Fabricius. There appear in fact to have been four speakers in Dio's account. The first two, Pyrrhus' advisors Cineas and Milo, argue for and against peace with Rome; of this very little now survives (Cass. Dio frg. 40.31). This was evidently followed by the arrival of the Roman embassy—also lost—and a few phrases in *oratio recta* from Pyrrhus: in the first he offers peace and the return of captives, and in the second begs Fabricius to join his entourage and become his trusted friend and advisor, in exchange for magnificent gifts.⁴⁵

Fabricius' weighty response (Cass. Dio 9 frg. 40.34–38) elaborates the historian's vision of Republican political culture at its best,⁴⁶ and stands in arresting contrast with the moral turpitude of the later books. Rejecting the proffered gifts, the speaker warns Pyrrhus of the evils of acquisitive desire (ἐπιθυμία) and the dangers of greed.⁴⁷ The corrosive effect of ἐπιθυμία upon Roman politics forms one of our historian's principal explanations for the decline of the Republic—drawing from Latin historiographical critiques of *luxuria*—⁴⁸and the speech of Fabricius provides the most emphatic underscoring, at an early stage, of the problems to come. His argument that men ruin themselves through their own ambition basically foreshadows Dio's later explanation of all the dynasts of the Late Republic.⁴⁹ Other aspects of the historian's interpretative skeleton, such as the destructive impact of envy (φθόνος) upon political life, also figure here.⁵⁰ Dio's speech of Fabricius is substantially longer than other versions in the tradition (Plut. *Pyrrh.* 20.9; App. *Sam.* 10.14) and it clearly foreshadows moral arguments which will be essential to Dio's explanation of the decline of the Republic later.

The first decad of the *Roman History* thus suggests a shift in the historian's approach to the use of speeches. For the Regal Period, the historian restricted himself to shorter orations in

⁴⁵ Cass. Dio frg. 40.32–33.

⁴⁶ In her recent study of this speech, Coudry 2018, 148–153 describes Dio's Fabricius as a “schematic and positive figure” who embodies the virtues of incorruptibility and commands consensus in the city.

⁴⁷ Cass. Dio frg. 40.36.

⁴⁸ Rees 2011, 21: “[Cassius Dio] sees ἐπιθυμία as an integral, if corrupt, part of human nature, but believes that it can be sublimated”; for further on ἐπιθυμία see also Sion-Jenkis 2000, 80. The problem of greed is especially acute in Dio's Late Republican books and a major cause of political change in its own right: for discussion and examples, see Burden-Strevens 2015, 193–199.

⁴⁹ Cass. Dio frg. 40.37. For similar explorations of this theme in Dio's speeches of the Late Republic, cf. frgs. 109.1; 36.35.1; 37.50.5–6; 44.3.4.

⁵⁰ frg. 40.36. See Burden-Strevens 2016 for fuller discussion of the historical importance of envy to Dio's account of the decline of the Republic.

direct discourse, usually following the tradition. Interestingly, for this period Dio gave far greater room to female orators than male: this reflects the autocratic nature of the regal system, with decision-making centred around the person of the monarch rather than the spaces of the Forum. At Book 3 and the foundation of the Republic came the long and theoretical discourse of Brutus on the nature of Republican government and the realities of power—assuredly the first of its kind in the work—and so the first attempt at a more elaborative and reflective compositional practice. This practice Dio dropped for much of the remainder of the decad, contenting himself with brief and informal *oratio recta* or indirect summaries. With the Samnite Wars and Pyrrhus' invasion, however, he began to emphasise lengthy set-pieces with high explanatory value and a focus on his major historical interests. Compositions of this type, whose purpose is not only to excite but also to interpret, will be more common from this point onward.

The three wars against Carthage commanded the bulk of Dio's attention for the second decad (Books 11–21), although the historian's approach in these books was again rather mixed. For the First Punic War, the remaining fragments and Zonaras' epitome show that Dio seemed to prefer indirect speech, and passed over opportunities for lengthy debates which had already been tackled by his predecessors. In describing the period immediately prior to the First Punic War, for example, the historian evidently provided an extended authorial reflection on the causes of the conflict and on its significance (frg. 43.1–4), but did not, unlike Polybius or Livy (Polyb. 1.10.3–11.3; Livy, *Per.* 16), make even mention of a debate at Carthage or at Rome on whether to enter the war or how to conduct it. Partly this can be explained by his later choices: it is for the Second Punic War, not the First, that Dio will put his rhetorical training most to work with multi-part debates and, planning in advance to do so, he may therefore have passed up this opportunity here. Yet the remainder of the narrative of this conflict also suggests that in general the historian refrained from long direct speeches. Within the fragments there are traces of several addresses: a speech of the consul Appius Claudius' military tribune Gaius Claudius to the assembly of the Mamertines (frg. 43.5–6; Zon. 8.8.7–9); a threat from the Carthaginian general Hanno to the Romans (frg. 43.9; Zon. 8.9.1); a further address to the Mamertines, this time of the consul himself (frg. 43.10; Zon. 8.9.3), followed by an exhortation to the troops of the same (frg. 43.11). But these are almost completely in indirect statement, and these excerpts from Dio's original (now in fragments) show that indirect statement, rather than lengthy set-pieces, was the historian's preferred method for the First Punic War.

Having said that, Dio does appear to have inserted at least one major rhetorical moment of high drama; and this will, in the author's increasingly familiar manner, have served as an opportunity to explore recurring historical and interpretative themes in the *Roman History*. This was the speech of Regulus, which appeared in Republican Latin historians such as Sempronius Tuditanus and Aelius Tubero (*FRHist* 10 [F8], 38 [F12]), although Dio is our only other known historian whose attempt at it survives in fragments. According to the tradition, Regulus was taken prisoner by Carthage and then sent back to Rome on their behalf to negotiate terms of peace. The epitomator Zonaras gives Regulus a direct speech, urging his fellow Romans to reject the terms and continue the war—even though he knows that he will

therefore have to return and face execution (Zon. 8.15.4–5). Rich convincingly argues that Dio himself must have deployed a lengthy formal oration at this point—⁵¹Zonaras certainly abbreviated speeches he found in the original, but never inserted new ones—⁵²and several direct fragments also survive which may be attributed to the extended version. The impassioned address of Dio’s Regulus serves as an example of Republican *virtus* at its staunchest: he asserts that, having lived a Roman, he will go to his death as a Roman, and encourages his countrymen to fight on tenaciously. His self-sacrifice for the public good will frequently recur as an *exemplum*, cited by the historian’s speakers, at later points in the *Roman History*, and especially in the Late Republican narrative.⁵³ This invites the reader to make a direct and explicit comparison between the Rome that nourished Regulus and the Rome that spawned Caesar and Pompeius—a comparison which Dio did not intend to be flattering.

On the other hand, for the Second Punic War the historian’s use of formal orations was much fuller. As from this point the treatment becomes richer, so too do extended set-pieces become the predominant interpretative technique. The extended narrative of this conflict (covering seventeen years) hosted speeches that were not only numerous and evidently lengthy, but also highly rich and varied in their subject-matter. These five books (Books 13–17) consequently seem to have been the most rhetorically developed portion of Dio’s narrative to this point, and this was probably a conscious and deliberate choice on the historian’s part.

With the Second Punic War the historian seems to have introduced new types of speech hitherto unexplored within the *Roman History*. The most striking of these are the multi-part dissensions on whether or not to go to war (Cass. Dio frgs. 52, 54–56; Zon. 8.21–22), which Dio inserted into his narrative shortly after the siege of Saguntum by Hannibal. As John Rich has very convincingly shown,⁵⁴ Dio seems in fact to have inserted three different debates, so breaking new ground in the tradition of writing the origins of the war: previous historians had only included two. Moreover, this rich suite of compositions contrasts sharply with the historian’s more laconic treatment of the origins of the First Punic War discussed earlier. Zonaras’ relatively detailed epitome of this section of the *Roman History* suggests that the first of these debates was held at Carthage (Zon. 8.21.9): here he briefly summarises the arguments adduced by the Carthaginians for and against war with Rome. The tradition for a dispute at Carthage on this topic following a Roman embassy to protest the treatment of the Saguntines was by Dio’s time well-established,⁵⁵ and it is unlikely that he passed over it in silence. The decision to wage war being reached, Zonaras moves on to a second debate, now in the Roman Senate, on how to respond (Zon. 8.22.1–3). Here the treatment is so precise that it can only have been a full *controversia* in the original text. In particular, the epitomator

⁵¹ Rich 2018, 258–260.

⁵² See Fromentin 2018 for an excellent and up-to-date discussion of Zonaras’ approach to the speeches he found in the *Roman History*.

⁵³ e.g. Cass. Dio 45.32.4; 53.8.3; 64.13.2.

⁵⁴ Rich 2018, 260–267.

⁵⁵ Cic. *Phil.* 5.27; Livy 21.9.3–11.2; App. *Iber.* 11.

notes not only what was said, but identifies the orators involved: Lentulus demands war and proposes a possible strategy; Fabius argues the opposite, suggesting a diplomatic approach.

The historicity of the Lentulus-Fabius exchange has been much debated:⁵⁶ not only does it not feature in Polybius, but he even criticises earlier historians who had included such a *controversia* (Polyb. 3.20). This need not concern us here, except insofar as it implies that Dio must have followed one of two routes. Either he found mention of the tradition in Polybius and decided to elaborate this *testimonium* into a full set-piece of his own devising, filling in the blanks left by a prestigious predecessor. This practice we have seen earlier, for example with the *laudatio funebris* of Marcus Antonius or the ‘amnesty-speech’ of Cicero. Alternatively, Dio was consulting earlier sources, now lost to us, which included complete versions of Lentulus and Fabius’ arguments. If so, it is safe to assume that Dio took the bare minimum of the existing argumentation and fleshed out this skeleton with his own invention, as was his usual practice with pre-existing historiographical speeches.

Finally, following the second debate Dio appears to have inserted a third, again in the Carthaginian senate-house: the dramatic context is the Carthaginian response to the Romans’ demand for the surrender of the renegade Hannibal. Again, the reportage in Zonaras’ epitome (8.22.5–6) retains substantial detail about the speakers and their points, in this case Hasdrubal and Hanno suggesting responses to Rome’s demands. A brief extract of direct speech must come from Dio’s original *suasoria* of Hasdrubal (“if you permit Hannibal on his own to act as he wishes, what is needed will be done without your taking any trouble”; *κὰν τῷ Ἀννίβῳ μόνῳ ὅσα βούλεται πράξει ἐπιτρέψητε, καὶ τὰ προσήκοντα ἔσται καὶ οὐδὲν αὐτοὶ πονήσετε*). Thus, this suite of three debates on the outbreak of the Second Punic War was Dio’s most ambitious rhetorical undertaking to this point. It seems likely to have been the first major multi-part composition in the *Roman History*, and the developed, deliberative arguments have far more in common with later compositions such as the Pompeius-Gabinius-Catulus altercation of Book 36 than with the briefer addresses of most of the first decad.

The high drama of the Second Punic War also invited another obvious first: battle exhortations and rallies to mutinying troops. Battle exhortations occupy only a small proportion of Dio’s set-pieces. The genre was by the historian’s time so formulaic—and its conventional arguments so deeply-rooted—⁵⁷that it appealed little to his marked interest in oratory as an instrument of interpretation, explanation, and reflection. They are therefore of particular interest when rarely inserted.

The first appears to have been the tandem addresses of Hannibal and Scipio Africanus prior to the Battle of Ticinus. Zonaras gives only the briefest *testimonium* (Zon. 8.23.8). But four direct fragments of Dio assuredly derive from Hannibal’s oration and, probably, Scipio’s response (frgs. 57.4; 57.5; 57.6a; 57.6b). Significantly, this is the only *cohortatio* ‘paired’ in

⁵⁶ Harris 1979, 204, 269–270; Hoyos 1998, 226–232; Rich 1996, 12–13, 30–33. Harris argues that the Lentulus-Fabius debate is a fiction. Hoyos and Rich accept the tradition, the former dating it to the time of the siege of Saguntum and the latter to the period after the end of the siege.

⁵⁷ For an overview of these formulae see e.g. Hansen 1993; Ehrhardt 1995; Anson 2010

the traditional manner—with commanders on both sides giving a full rallying set-piece—to feature in the *Roman History* until the Battle of Actium in Book 50. Did Dio envisage that the reader of Antonius and Octavian’s words to their soldiers would recall the orations of Hannibal and Scipio? If so, it was an effective means of underscoring the shifting nature of conflict between 218 and 31 BCE: so far from conquering its enemies, the Republic had made a shameful conquest of itself. The coupling of the Hannibal-Scipio exchange with the Antonius-Octavian diptych also perhaps reflects the coupling of the Brutus-Ambassador dialogue in Book 3 with Agrippa-Maecenas in Book 52. This again suggests that one aspect of Dio’s approach was not only to pair speeches within books, but to pair *controversiae* across books, as a method of opening and closing major narrative developments: for example the beginning and end of the Republic, or the highest and lowest points in Roman warfare.

Of a few other battle exhortations only vestiges now survive, chiefly preserved in Zonaras. Whether they were fully developed in direct speech in Dio’s original is difficult to discern, since we have no fragments to complement the epitome and its reportage is brief. A short notice at the field of Zama with reference to Scipio, Hannibal, and Masinissa suggests that “each commander addressed his army, inciting it to battle” (Zon. 9.14.2); but Dio was not in the habit of exploring the same theme twice through speeches in short succession,⁵⁸ and it is doubtful that he deployed a *cohortatio* here. Scipio may also have been given a direct address to his troops shortly after his landing in Africa (Zon. 9.12.2), in which he is made to mislead and deceive them regarding the movements and preparedness of the enemy. This deception in some ways reflects the mendacity of Caesar toward his troops at Vesontio (38.36–46), and Dio’s interest in the ambiguous power of rhetoric may have inspired him to draft a full set-piece at this point. The fundamental difference between the two, of course, is intention. Scipio misleads his troops out of strategic necessity, ensuring their progress and victory; Caesar is presented as a scheming Charybdis motivated purely by self-interest.⁵⁹

Books 18–21 deal with the five decades following the close of the Second Punic War and the final defeat of Carthage in 146 BCE. It is immediately apparent that Dio compressed the material: he took five books to cover the seventeen-year era of Rome’s conflict with Hannibal, but afterward, he then took a only fifth of that space to narrate a period three times as long. He probably did not therefore plan for this portion of the work to be rhetorically elaborate, and this is reflected in the reduced attention given to public speeches by Zonaras, as well as the severe paucity of the fragments. A couple of speech fragments (frgs. 58.1a; 62.1a) cannot be attributed to a specific context and do not match the content of the epitome. Nevertheless, Dio found room for at least two extended speech episodes, both *controversiae*, in this trimmed-down part of the story.

The first of these is the debate between Marcus Porcius Cato and a tribune of the plebs, Lucius Valerius, on the repeal of the *lex Oppia*. Passed shortly after the catastrophe at Cannae

⁵⁸ Note for example the collapsing of the debates of the *lex Gabinia* and *lex Manilia* into a single speech-act in Book 36. Having explored Pompeius’ rising power and the risks it posed to the Republic in the Pompeius-Gabinius-Catulus episode, there was no need to reiterate this theme in elaborate speeches in the following book.

⁵⁹ See especially Kemezis 2016 for this characterisation.

in 216 BCE, this law served to curtail female adornment and to channel the funds saved into a *tributum* to propagate the war. Livy (34.1–8) had already staged a lengthy altercation between Valerius and Cato on its proposed repeal in his entry for 195 BCE, and an abridgement of Dio’s version survives in Zonaras (9.17.1–4), with a summary of the points raised. According to his usual practice, our historian seems to have taken very little from the previous historiographical version except the basic argumentative thrust of both sides. In Livy’s sober version, the debate reflects moralistic interpretations of the decline of the Republic. For Dio, on the other hand, the *lex Oppia* debate was more a *jeu d’esprit* than a war of words. Valerius’ satire of Cato’s piety is caustic, and remarkably funny. Again, Dio’s speeches of the second decad are much richer than those of the first: the *controversia* on the Oppian Law evinces the historian’s occasional (but sparing) use of satire in his speeches, for example in the invective of Calenus against Cicero in Book 46 and even the self-pitying words of Cicero himself in his exchange with Philiscus in Book 38.

More soberly, the second episode from this concluding portion of the *Roman History* on the era of the Punic Wars was, probably, a speech from an anonymous senator. The address advises the Senate—deliberating over the fate of its capitulated rival, Carthage—not to exterminate its old enemy. It is attested only in Zonaras’ copy (Zon. 9.30.7–8), but the summary is sufficiently full to suggest a highly developed version in the original text:

καὶ ὁ μὲν Κάτων κατασκάψαι τὴν πόλιν καὶ τοὺς Καρχηδονίους ἐξαφανίσαι δεῖν ἐγνωμάτευσεν, ὁ δὲ Νασικᾶς φείσασθαι τῶν Καρχηδονίων καὶ ἔτι συνεβούλευε. κἀντεῦθεν εἰς ἀντιλογία πολλὴν προήχθη καὶ ἀμφισβήτησιν τὸ συνέδριον, ἕως ἔφη τις ὅτι εἰ καὶ δι’ οὐδὲν ἕτερον, ἀλλὰ γε ἑαυτῶν ἕνεκα φείσασθαι αὐτῶν ἀναγκαῖον νομίζοιτο ἂν, ἵν’ ἀνταγωνιστὰς αὐτοὺς ἔχοντες ἀρετὴν ἀσκῶσι, καὶ μὴ πρὸς ἡδονὰς καὶ τρυφήν τράπωνται, τῶν δυναμένων αὐτοὺς καταναγκάζειν εἰς ἄσκησιν τῶν πολεμικῶν περιαιρεθέντων, καὶ χεῖρους ὑπ’ ἀνασκησίας γένωνται, ἀξιοχρέους ἀντιπολέμους μὴ ἔχοντες.

Cato expressed the opinion that they ought to raze the city and blot out the Carthaginians, whereas Scipio Nasica still advised sparing them. And thereupon the Senate became involved in a great dispute and contention, until someone declared that “for the Romans' own sake, if for no other reason, it must be considered necessary to spare them. With this nation for antagonists they would be sure to practise valour instead of turning aside to pleasures and luxury; whereas, if those who were able to compel them to practise warlike pursuits should be removed from the scene, they might deteriorate from want of practice, through a lack of worthy competitors.”

This was evidently an oration of some import, both in historiographical terms and in the overall economy of Dio’s narrative. The arguments of this ‘anonymous senator’ clearly belong within the Sallustian-Tacitean tradition of *metus hostilis*, attributing the beginnings of

Rome's decline to the disappearance of capable threats to its power.⁶⁰ The historian here nods to that tradition, although it is necessary to note that in general he rejected it;⁶¹ his theory of the rise and decline of the Republic is less schematic than Sallust's. More importantly, however, this oration marks a turning-point in Dio's history of the Republic, foreshadowing the proliferation of historical problems to come: especially greed, envy, and ambition. It is telling that, although a debate between specific individuals is mentioned here (Cato and Scipio Nasica), the emphatic advice comes from an unnamed orator. So far as we know from what survives, this is the only set-piece speech delivered by an anonymous individual in the *Roman History*: the voice might as well be that of Dio himself. As Coudry has pointed out, the deployment of speeches to demarcate points of major political transition is common in the *Roman History*:⁶² were we not convinced by the importance of Agrippa-Maecenas in Book 52, we might also think of Brutus on the foundation of the *res publica* in Book 3, the debates on the eve of the Second Punic War in Book 17, and numerous such compositions in the Late Republican portions. It is to these that we now turn.

The twenty Late Republican books to survive in the direct tradition, which recount the last generation of the Roman Republic (Books 36–56, 69 BCE–14 CE), should not be seen as a radical shift in Dio's rhetorical approach. There is a temptation to do so: this part clearly contains the longest and most involved compositions, and the most oft-discussed examples. But the above survey has suggested that many of Dio's now well-known techniques were already at play in the earlier sections. While many of the set-pieces of the first decad may have been merely brief nods to the tradition, Brutus in Book 3 was an evident exception, mirroring the Agrippa-Maecenas debate. Similarly, the exchange between Pyrrhus and Fabricius in Book 9 reflects Dio's especial interest in the deleterious effects of covetousness upon the ruling class. Others dissect human nature as a major dimension of his explanatory framework, although in general the first decad does not seem to have been rhetorically elaborate.

Then, by the Second Punic War and Books 13–17, Dio appears to have in place the full range of his most important themes and his methods for exploring them. Note, for example, that Dio's Scipio Africanus in particular is constructed with deliberate care as a Caesarian prototype: the first ambitious commander to use oratory to rally his troops, convince them to fight for him and, where necessary, deceive his audience.⁶³ Additionally, he was almost certainly Dio's first highly developed reflection on the dangers of promoting ambitious young commanders beyond the boundaries of constitutional norms, as two fragments of a direct speech in the third decad show (frg. 70.2–3).⁶⁴ And the Lentulus-Fabius *controversia* clearly

⁶⁰ cf. Sall. *Cat.* 10.1–6; Tac. *Hist.* 2.38.

⁶¹ For rich discussion of the ways in which Dio rejected a schematic portrayal of earlier Rome as a 'golden' age, followed by decline, see Libourel 1974; Lindholmer 2018; Lange 2018.

⁶² Coudry 2016, especially with reference to the *lex Gabinia* episode.

⁶³ Coudry 2018 gives excellent discussion of the use of Scipio Africanus as a foreshadowing of the Late Republican dynasts of the *Roman History*.

⁶⁴ Boissevain 1895, 313–314 initially attributed these two fragments to a speech of Scipio Aemilianus on his appointment to the consulship of 147 BCE. But Rich 2018, 269–270 convincingly argues that these probably derive from an address of Scipio Africanus.

prefigures Dio's later important discussions on the destructive impact of Roman expansion in the books to follow. The second decad was therefore rich in lengthy philosophical discourses and *controversiae*, exploring the historian's most important themes and causal interpretations for the rise and fall of the *res publica*. The Late Republican books are accordingly a development and continuation of that approach, and not a new rhetorical 'mode'.

That said, these portions of the *Roman History* do present several exceptional examples of the innovativeness of Dio's technique in the deployment of formal orations. The Late Republican speeches have been extensively discussed elsewhere,⁶⁵ and so only a few cases will suffice here for our purposes. In particular, three approaches seem distinctive to the Late Republican books: first, the organisation of entire books around formal orations; secondly, the use of book-division itself as a way to lend explanatory force to the use of speeches; and thirdly, the deployment of narrative 'prefaces' immediately prior to a speech-act, deliberately providing a lens through which to view the discourse to follow. Dio used all three approaches in order to make the formal orations the main interpretative instrument of Books 36–56.

Turning to the first of these, it is clear that with the final decades of the *res publica* our historian regularly made speeches the central feature of entire books. This seems to have only seldom been his practice in earlier portions (e.g. Brutus in Book 3, the debates at Carthage and Rome in Book 13). But it now becomes a familiar aspect of his technique. Book 36, for example, opens with a straight diegesis of the military events of the Third Mithridatic War (36.1–19) before signalling a point of transition: "the narrative will now turn to the progress of Pompeius' career" (36.20.1). This remains the dominant theme for the remainder of the book and indeed the one afterward, leading up to the formation of the First Triumvirate and (in consequence) Caesar's first consulship. Central to this exploration is the long debate between Pompeius, Gabinius, and Catulus on the former's exceptional career and the risks it poses to a free Republic (36.25–36).

All three speakers raise several points which are clearly direct predictions of the actual course of events to come and explain the causes of those events in advance. Note, for example, Catulus' prediction that Pompeius' meteoric rise will ruin his character and therefore destroy him ("great honours and excessive powers excite and ruin even such persons", 36.35.1). The corrosive effect of power—leading to complacency and, eventually, self-destruction—is one of Dio's characteristic interpretations, and here foreshadows precisely Dio's explanation for the eventual demise of Pompeius at Pharsalus.⁶⁶ Similarly, Pompeius' disingenuous claim to refuse the prestigious command against Mithridates because "all positions of power arouse envy and hatred" (36.26.1: ἀλλ' ὁρᾶτε ὅτι καὶ ἐπίφθονα καὶ μισητὰ πάντα τὰ τοιαῦτά ἐστιν) is basically Dio's own view. Following his defeat of Mithridates and triumphant return, Pompeius' finds his successes so envied that the aristocracy refuse to co-operate with him, so

⁶⁵ For overviews of Dio's Late Republican speeches, see: Millar 1961; 1964; Stekelenburg 1971; Ruiz 1982; Fechner 1986; Lintott 1997; Saylor Rodgers 2008; Fomin 2015; 2016; Kemezis 2014; 2016; Coudry 2016; Burden-Strevens 2015; 2016; forthcoming 2020.

⁶⁶ Cass. Dio 42.1.

driving him into the hands of Caesar and Crassus.⁶⁷ Though specious, Pompeius' words are thus a direct prediction of the unintended consequences of the *lex Gabinia*: in Dio's view it was the envy aroused by Pompeius' triumph over Mithridates which precipitated the formation of the so-called first triumvirate and so catastrophic political consequences in the longer term.

Similarly, oratory takes centre-stage in Book 38: here are placed on the one hand the long *consolatio* between the exiled Cicero in Macedonia and the sage Philiscus (38.18–29),⁶⁸ and on the other the highly significant exhortation of Caesar to his mutinying troops at Vesontio (38.36–46). Together these two speech-acts occupy half of the entirety of the book. It is a mistake to dismiss the Cicero-Philiscus dialogue as a mere moralising fiction with no function in the history,⁶⁹ just as it is a mistake to view Caesar as the historian's justification of 'defensive' imperialism.⁷⁰ In these two large set-pieces, the narrative of the rise of Caesar pauses to explore competing visions of the Republican statesman. Dio nowhere explains in his narrative the cause of Cicero's downfall and exile in 58 BCE; that causal interpretation he reserves for the *consolatio* of Philiscus alone,⁷¹ again underlining the importance of speeches to his explanatory method. Moreover, despite the historian's profound antipathy for Cicero, the praise offered to him by his interlocutor—as a well-meaning but misguided statesman, zealous in the public interest—fully reflects his positive characterisation in the 'amnesty-speech' of Book 44. Book 38 therefore offers a re-evaluation of Cicero as a Republican statesman. But importantly, this is followed almost immediately by Caesar's mendacious address to his troops. Exhorting them to undertake an unjust and illegal war, Caesar speaks entirely out of self-interest. In consequence, the very first sentence of his *cohortatio* is all the more satisfyingly ironic: the general piously states that "we ought not, I think, to deliberate about public interests in the same way as about private interests" (38.36.1: οὐ τὸν αὐτόν, ὃ ἄνδρες φίλοι, τρόπον ἡγοῦμαι δεῖν ἡμᾶς περὶ τε τῶν ἰδίων καὶ περὶ τῶν κοινῶν βουλευέσθαι). Treating matters of state as one's private dominion is of course precisely what Caesar is doing. Significantly, the (hopeless) argument to separate the two spheres returns in other speeches from the Late Republican narrative.⁷² The seizure of public life by private interests, so problematic in Dio's story of the last decades of the Republic, is a recurring theme in the orations of this period and a major point of interpretative interest.

⁶⁷ Cass. Dio 37.50.4–6.

⁶⁸ For the identity of Philiscus, see Millar 1961 16; 1964, 50; Stekelenburg 1971, 22; Letta 1979, 158.

⁶⁹ Pace Millar 1964, 51.

⁷⁰ Gabba 1955, 303–308 has argued on the basis of Caesar's mendacious address at Vesontio that Cassius Dio was an advocate of 'defensive' imperialism, a term coined by Frank 1914 and later refined by Badian 1968, 18–52. This reading of the historian's philosophy of empire and its evidence in Caesar's speech has been accepted elsewhere (e.g. Christ 1974, 275, 279; Zecchini 1978, 33 n.60). But Dio takes pains to make the reader distrust Caesar and his arguments; he is hardly a suitable voice for the historian's personal opinions.

⁷¹ Cass. Dio 38.20.3–4.

⁷² 44.23.2 (Cicero); 44.36.1–2 and 44.42.3 (Antonius); 53.10.3–4 (Octavian). Note the striking contrast here with the speech of the incorruptible Fabricius earlier, who argued that the good of the community is more important than the good of the individual (frg. 36.3). The pleas of Cicero, Antonius, and Octavian to separate public business from private ambitions are too little too late, and in the case at least of Antonius and Octavian they are not in any case sincere.

In contrast to the earlier decads, speeches thus become in and of themselves an integral part of the economy of the Late Republican books: to the above we may add the Agrippa-Maecenas debate of Book 52, the *recusatio imperii* of Octavian in Book 53, and the ‘philippic’ invectives of Books 45–46. In connection with these, a second distinctive feature of Dio’s deployment of these compositions becomes apparent: the arrangement of speeches across books, including creative use of book-division, to underline interpretative points about the political culture of the Late Republic. The ‘philippic’ of Cicero, addressed to Q. Fufius Calenus (45.18–47), and the latter’s response (46.1–28), are especially striking in this regard. The two are evidently a pair, and yet unusually the *controversia* straddles two consecutive books rather than occupying a single one. This is all the more peculiar since both happen on the same day, in the context of the Senate meeting of January 1st 43 BCE. This is certainly the only *controversia* to be arranged in this way in the *Roman History* and probably therefore a deliberate choice—but to what end?

Mallan has recently proposed that these invectives serve to exemplify Late Republican political culture at its worst.⁷³ They transform *παρρησία*, or freedom of speech, from a necessary vehicle for the functioning of the body politic into the clearest expression of its collapse. Certainly the speeches are pure polemic, achieving no fruitful outcome and failing utterly to direct the course of events; and that is precisely Dio’s point. With the end of Cicero’s attack on Antonius comes the abrupt end of the book. There is no room afterwards for positive action, because the orator’s words guide none. The reader perhaps expects this to arrive with the unfurling of the next scroll, but he will be disappointed: like the previous book, Book 46 opens with renewed invective, leading to a total absence of effective action. The main political instrument of a free Republic—oratory—can no longer operate, because the Republic itself has ceased to do so.⁷⁴ This evinces the flexibility of Dio’s use of speeches, but also the care of his planning: the regular paring of *controversiae* within books is deliberately interrupted to exert the maximum interpretative impact.

A third and final distinctive aspect of the Late Republican speeches of the *Roman History* is the historian’s use of narrative ‘prefaces’. These consist of a long phrase, sometimes a paragraph, explaining not only the setting of the oration, but also the private thoughts and personal intentions of the speaker. This technique is not in itself surprising; in the earlier decads Dio regularly provides a few words to explain the context or setting of a debate. Yet in the Late Republican narrative, these prefatory remarks are much fuller and give a detailed window into the orator’s aims. This is so because Dio inserted them in order to explore one of his most important historical themes: the moral ambiguity and misleading power of rhetoric. By providing a lens through which the audience are to read the speech to follow, the historian is better able to lay open the hypocrisy of his speakers and, in so doing, to illustrate the destructive historical consequences of mendacious political oratory. Perhaps taking his cue

⁷³ Mallan 2016.

⁷⁴ This interpretation arose in discussion with Dr Estelle Bertrand (Université du Maine) at the preliminary seminar held at the University of Southern Denmark (Odense) on December 10–12 2018. I am indebted to Dr Bertrand for pointing this out to me.

from Demosthenes,⁷⁵ Cassius Dio absolutely accepted the view that the greatest danger to a political system founded on oratory is the misleading orator. By arranging his Late Republican speeches in this way, Dio explored the corrosive impact of public speech on the political system more fully than any other surviving ancient historian of that period.

A few examples will serve to elucidate Dio's approach, although this selection is not exhaustive. Pompeius' deception in the false *recusatio imperii* of Book 36 we have already seen: begging the *Quirites* to nominate someone else to the prestigious command against the Mediterranean pirates, Pompeius insists that he has no need of further honours and offices, and pleads infirmity and old age after a lifetime of fighting. This latter point is an exceptionally nice touch, since in the depicted context the general is only 39. Dio's introduction or 'narrative preface' to the *recusatio* is entirely consistent with the irony of this plea (36.24.5–6):

ὁ Πομπήιος ἐπιθυμῶν μὲν πάνυ ἄρξαι, καὶ ἤδη γε ὑπὸ τε τῆς ἑαυτοῦ φιλοτιμίας καὶ ὑπὸ τῆς τοῦ δήμου σπουδῆς οὐδὲ τιμὴν ἔτι τοῦτο, ἀλλ' ἀτιμίαν τὸ μὴ τυχεῖν αὐτοῦ νομίζων εἶναι, τὴν δὲ ἀντίταξιν τῶν δυνατῶν ὁρῶν, ἠβουλήθη δοκεῖν ἀναγκάζεσθαι. ἦν μὲν γὰρ καὶ ἄλλως ὡς ἤκιστα προσποιούμενος ἐπιθυμεῖν ὧν ἤθελε: τότε δὲ καὶ μᾶλλον, διὰ τε τὸ ἐπίφθονον ἂν γε ἐκῶν τῆς ἀρχῆς ἀντιποιήσεται, καὶ διὰ τὸ εὐκλεές ἂν γε καὶ ἄκων ὡς γε καὶ ἀξιοστρατηγητότατος ὧν ἀποδειχθῆ, ἐπλάττετο.

Pompey, who was very eager to command, and because of his own ambition and the zeal of the populace no longer now so much regarded this commission as an honour as the failure to win it a disgrace, desired to appear forced to accept when he saw the opposition of the *optimates*. He was always in the habit of pretending as far as possible not to desire the things he really wished, and on this occasion did so more than ever, because of the jealousy that would follow, should he of his own accord lay claim to the leadership, and because of the glory, if he should be appointed against his will as the one most worthy to command.

All the speaker's subsequent statements are thus filtered through a layer of irony. The artificial construction of this episode is not only meant to delight the ear. In addition to this satisfying display of literary effect, Dio's use of prefatory remarks in this manner underscores a wider and more significant historical problem. In Dio's account of the Late Republic, all public oratory is either corrupt or ineffective, and arguments for the preservation of the *res publica* always fail.⁷⁶ Genuine statesmen, speaking out of a zealous desire to advance the cause of the outgoing Republic, never succeed in their goals. Catulus' arguments against

⁷⁵ Dem. *F.L.* 184: "there is no greater wrong a man can do you than to lie; for as our political system is based upon speeches, how can it be safely administered if the speeches are false?" (οὐδὲν γὰρ ἔσθ' ὅ τι μείζον ἂν ὑμᾶς ἀδικήσειέ τις ἢ ψευδῆ λέγων. οἷς γὰρ ἔστ' ἐν λόγοις ἢ πολιτεία, πῶς, ἂν οὗτοι μὴ ἀληθεῖς ὦσιν, ἀσφαλῶς ἔστι πολιτεύεσθαι;)

⁷⁶ For fuller explorations of this especially important aspect of the formal orations in Books 36–53 of the *Roman History*, see recently Kemezis 2014, 104–126; Burden-Strevens 2015, 133–226.

Pompeius and the *lex Gabinia* do not persuade; the general is awarded the command. Cicero's bravura display, advocating for the reconciliation of the Caesarian and tyrannicide factions, similarly fails; Antonius saw to that. Agrippa's last attempt to convince the future *princeps* to preserve the Republic is similarly doomed; like Catulus and Cicero before him, Agrippa praises a vision of the democratic state that simply does not exist in Dio's narrative.

On the other hand, deceptive and self-interested orators always succeed in their ambitions. To perceive this, we need the historian's narrative prefaces, which lay bare their true intentions in speaking. Dio's lengthy prefatory marks immediately prior to Caesar's *cohortatio* at Vesontio (38.34–35) are identical in function to those appended to Pompeius' speech. Dio insists that the general had deliberately provoked a conflict with Ariovistus, the ruler of the Suebi, for no other reason than his personal ambition. Desirous of prestige and military glory, Caesar deliberately attacked a friend and ally of Rome.⁷⁷ Interestingly, of the accounts of this episode only Dio and Caesar himself in the *commentarii* suggest that Rome's forces in Gaul were troubled by the illegality of this move (38.35.2: “the talk was that they were undertaking a war which was none of their business and had not been decreed, merely on account of Caesar's personal ambition”; καὶ ἐθρύλουν ὅτι πόλεμον οὔτε προσήκοντα οὔτε ἐψηφισμένον διὰ τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν ἀναίροϊντο). Again, having set out these facts at length in the narrative, Dio then launches into the formal oration itself with a reader primed to accept his interpretation of the events. Like Pompeius, Caesar succeeds in persuading his listeners where staunch republicans consistently fail to.

This characteristic approach of Dio's to the speeches of the Late Republican books can, moreover, have genuinely amusing effect. After exposing the young Octavian's secret intentions (53.2) in the short narrative at the start of Book 53—his *recusatio imperii*, like Pompeius', was a sham designed to acquire rather than reject power—⁷⁸the historian laces the speech itself with protestations of the opposite. “Caesar thrust power aside when it was offered to him; but I return it to you after it has already been given to me. What could be more super-human of me than this!...Who is there more magnanimous than I—not to mention my father—and who more nearly divine?” (53.7.3–4). Here as so often in Dio's account of the last generation of the Roman Republic, lies prevail where patriotism fails. The problem of public speech is one of Dio's most arresting interpretations of the decline of the *res publica* into autocracy, and it is distinctively his own.

Following the constitutional settlement of Book 53, the arrival of Augustus' Principate heralds a shift in Cassius Dio's use of speeches. These compositions by no means disappear entirely from the work, and Xiphilinus' epitome may have much to do with the apparently reduced role of the formal orations. But unsurprisingly, the orator in the remaining decads of Dio's history becomes the monarch; and his is a quieter voice. Gone are the multi-part *controversiae* and weighty philosophical set-pieces which, as shown above, Dio deployed throughout his Republican account from its very beginning, albeit with increasing frequency

⁷⁷ Cass. Dio 38.34.3.

⁷⁸ Cass. Dio 53.2.6.

and length from the Second Punic War. Speeches remain, but even leaving aside the question of Xiphilinus' alterations, the role envisaged was evidently a reduced one. There are addresses from Caligula to the Senate, in which the young *princeps* performs a *protopoeia* of Tiberius during his speech—another first in the *Roman History*. Battle exhortations continue to reappear: those of Boudicca and Paulinus (62.3–6, 62.9–11) are of especial interest for the characterisation provided of Nero.⁷⁹ The later *cohortatio* of Marcus Aurelius, discussing the rebellion of Avidius Cassius (72.24–26), richly explores Dio's interest in imperial clemency, although it investigates the theme much less fully than the speech of Livia in Book 55.⁸⁰ It is difficult to escape the sense of a teleology: that with Augustus the text enters a new phase, and speech becomes less an interpretative vehicle than a welcome passenger. As Madsen has recently argued, Cassius Dio's *Roman History* was (partly) propelled by the historian's profound interest in forms of government.⁸¹ The story of Rome's transition from monarchy to Republic and back again, with all its bloody permutations, gave Dio ample opportunities for interpretative speeches. Having resolved that story, other modes of speech would now take centre stage, such as short anecdotes and quips (*dicta*) revealing the character of the emperor. The high drama of the Republican Forum had given way to the private chambers of the Imperial Palace.

III. CONCLUSION: DIO & THE WORLD OF REPUBLICAN ORATORY

Cassius Dio was an historian who believed that public speech had dramatic and far-reaching consequences in the fall of the Republic. The moral ambiguity of rhetoric had an important significance not only in Dio's history, but in his life. In one sense, rhetoric had put the historian in real danger at least once. On the accession of the short-lived usurper of 193 CE, Didius Julianus, Dio expresses acute anxiety. He had, it seems, made several appearances against Julianus in court, "and as an advocate proved him guilty of numerous offences many times";⁸² with his rise to power, Dio expected revenge. In another sense, rhetoric also secured the historian from danger during his long political career too. To linger on 193 CE a moment longer, our historian tells us that his *Roman History* had its origins in a laudatory pamphlet he wrote to the newly-enthroned Septimius Severus, detailing the omens that portended his accession to the throne. The new emperor, only too happy to have his legitimacy confirmed by the divine, complimented Dio on his composition.⁸³ It is perhaps Severus' pleasure at the historian's compositional art (and, obviously, the subject-matter to which he applied it) that led him to confirm his arranged praetorship for the following year, rather than any particular

⁷⁹ On which see especially Gowing 1997; Adler 2008.

⁸⁰ Adler 2011 provides an especially rich discussion of the speech of Livia.

⁸¹ See Madsen forthcoming 2020.

⁸² Cass. Dio. 73[72].12.2: καὶ ἐκεῖνον πολλὰ πολλάκις ἐν δίκαις συναγορεύων τισὶν ἀδικοῦντα ἐπέδειξε. The precise nature of this trial is unclear. Although Dio reveals no clues regarding the date, he treats his prosecution in connection with the reign of Pertinax and being offered the praetorship by him. This suggests around 193 CE, during which time the historian was in Rome. Outside of the *Roman History* we only hear of Didius Julianus being prosecuted in court once (see *HA, Did. Jul.* 2.1): in the early 180s CE he returned to Italy after numerous provincial commands, was made *praefectus alimentorum* there, and was then implicated in an assassination plot against Commodus. He was prosecuted and acquitted.

⁸³ Cass. Dio 73[72].23.

admiration for his skills as an administrator. In Dio's life, rhetoric had a dangerous power and an ambiguous significance.

This study has attempted to show that the same may be said for the place of rhetoric in Dio's work as well. There are several reasons to support this description. Most evidently, the *Roman History* was acutely concerned with the moral ambiguity of rhetoric in general, and in exploring the impact of that ambiguity on the actual course of historical events. This is not merely a question of emulation or imitation of Thucydides, inspirational though Dio must have found his great predecessor's interest in the relationship between words and deeds. Rather, it is structural. Cassius Dio sincerely believed in the power of oratory. This much at least can be gathered from the coda he provides in the narrator-voice to the speech of Appius Claudius Caudex, the famous censor of 312 BCE, who successfully persuaded the Romans to reject King Pyrrhus' gifts and to wage implacable war upon him: "such is the nature of oratory and so great is its power that it led even them to change, causing courage and hatred to take the place respectively of the fear inspired by Pyrrhus and the change of heart his gifts had wrought" (frg. 40.40: τοιαύτη μὲν ἢ τοῦ λόγου φύσις ἐστὶ καὶ τοσαύτην ἰσχὺν ἔχει ὥστε καὶ ἐκείνους ὑπ' αὐτοῦ τότε μεταβαλεῖν καὶ ἐς ἀντίπαλον καὶ μῖσος καὶ θάρσος τοῦ τε δέουτος τοῦ Πύρρου καὶ τῆς ἐκ τῶν δώρων αὐτοῦ ἀλλοιώσεως περιστῆναι).

He accordingly shaped the historical narrative of the Republic's permutations, from its beginning to its end, to reflect that power. That is a story which begins in Book 3, with the speech of Brutus in response to the overtures of the exiled Tarquins. As the first orator of Dio's Republican narrative, Brutus is made to warn the *Quirites* of the dangers of a persuasive tongue (frg. 12.10):

καὶ περὶ τῶν μελλόντων ἐξ ὧν ἔπραξαν τεκμήρασθε, ἀλλὰ μὴ ἐξ ὧν πλάττονται ἰκετεύοντες ἀπατηθῆτε: τὰ μὲν γὰρ ἀνόσια ἔργα ἀπὸ γνώμης ἀληθοῦς ἐκάστω γίγνεται, συλλαβὰς δ' ἂν τις εὐπρεπεῖς συμπλάσειεν: καὶ διὰ τοῦτ' ἀφ' ὧν ἐποίησέ τις, ἀλλ' οὐκ ἀφ' ὧν φησι ποιήσειεν, κρίνετε.

As for the future, base your judgement upon what they have actually done, rather than being deceived by the false professions they make to you in supplication. Horrible deeds emerge from the actual purposes of men, even if all the while they concoct attractive phrases. Judge, therefore, by what a man has done, not by what he says he will do.

Does it credit the historian with too much subtlety to suggest that this is a deliberate foreshadowing of all to come? It may be more than a neat coincidence that, where the Republican decads open in Book 3 with Brutus' warning on the misleading power of rhetoric, they close in Book 53, exactly five decads later, with Dio's most elaborate and ironic *recusatio imperii*. In the interval, the reader will continually see statesmen misdirecting the public interest, with oratory as their weapon: the Tarquins, Tanaquil, Scipio Aemilianus, Caesar, Pompeius, Gabinius, Antonius, and even Cicero and Octavian, to name only those

many examples to have survived. There will certainly have been more. It was speech, as much as anything else, that killed Dio's *res publica* stone dead in the end.

Yet the historian's approach to the composition of this material can be just as slippery as its actual content. We have seen the remarkable flexibility with which Dio drafted the formal orations of the *Roman History*; the search for a single method is futile. The basic framework was evidently constituted of a rich and varied array of primary materials which the historian selected depending not only the availability of this information but also, it would seem, on his own interpretative purposes. Of previous historiographical speeches he took only the bare minimum of the 'original' argumentative thrust, and for the rest re-elaborated entirely to reflect his special historical interests: comparing the speech of Caesar at Vesontio in the *Roman History* with the somewhat terser notice in Caesar's *commentarii* is the best expression of that tendency (38.36–46; *B Gall.* 1.40). Elsewhere he may take, so far as we can now discern, the briefest *testimonium* of a public speech taking place in his sources and then expand this into one of the first (securely) known attempts in Roman historiography: Cicero's speech on the amnesty in the wake of the Ides raises some tantalising questions, especially given Dio's clear interest in consulting and re-elaborating Cicero's speeches directly for himself. This latter practice, too, evinces the remarkable innovativeness of the historian's approach where the source material was sufficiently rich. If the theory proposed above (and elsewhere) is correct that Cassius Dio could use a single speech of Cicero to compose not only the 'Ciceronian' case for a question but also to reconstruct the case made by the opposing side, quoted in his source, then this either represents another of Roman historiography's genuine firsts, or a profound challenge to what we think we know about rhetoric in Roman history-writing.

The fragmentary state of the text notwithstanding, it also appears that it took some time for Dio's practice to evolve into its most developed and recognisably 'Dionean' state: that is, to reach long and involved set-pieces exploring topics of major importance for the workings of Republican politics, usually through the lens of moral argument. The reasons for this are not entirely clear. It is quite possible—as suggested here—that the first decad was deliberately trimmed down in this regard. It seems to have included a smaller number of much shorter speeches, mainly intended as acknowledgements of the tradition. Dio expanded only where a real mark could be made on that tradition: with, for example, the speech of Brutus in Book 3 reflecting the historian's conception of the dangers and vices of a democratic system of government, or Fabricius' (loaded) warnings against greed and ambition in Book 9. Then, the Second Punic War symbolises a turning-point in the deployment and use of these compositions in the *Roman History*. The arrival of Scipio Africanus on the scene may be a deciding factor in the historian's change of approach. To reiterate Marianne Coudry's view, the 'great men' of the Middle Republic in Dio's work are consciously moulded as dynastic prototypes of the Late Republican ilk (Coudry 2018). They may have provided the historian with his first opportunities to elucidate the most major of his historical themes and premises, and to set out, for the first time, his overall causal framework for the eventual decline of the Republic and the emergence of Augustus' Principate. In such a case, the increased frequency of set-piece speeches from this point onward comes as no surprise: these were Dio most

important explanatory instruments. With the Principate and Book 53, he had a different palette of historical questions in mind, and different methods of addressing them.

It has been said that Cassius Dio's presentation of Republican oratory has more to do with the republic of Plato than the cesspit of Romulus.⁸⁴ From this critique we are to infer that the speeches in the *Roman History* are belletristic in the worst sense: artificial, inserted merely to impress with a bravura display of classicising *paideia*, and self-consciously recherché in the sophistic manner. On such a reading they have little to do with their actual context: the history of the Republic. Yet this critique is grossly mistaken even on its own terms. "Speaking as if he were in the republic of Plato rather than the sink of Romulus" is, in fact, the recorded criticism of one Late Republican orator against the statecraft of another: in this case, Cicero against Cato the Younger (Cic. *Att.* 2.1.8: *dicit enim tamquam in Platonis πολιτεία, non tamquam in Romuli faece sententiam*). Catulus, Cicero, Agrippa: all these praise a vision of a Republic that would not have seemed foreign to Cato, and are made to speak in the fitting manner. The case they make is unconvincing—thanks to the historian's deliberate pairing of the content of the speech with its undercutting in the narrative—but then, no amount of oratory could save the Republic in actual fact. Cato would have clapped. Dio may have believed fervently in the power of oratory, but words alone never sufficed to remedy the major historical problems set out in such detail in his speeches: ambition, envy, greed, the collapse of traditional institutions, and, finally, the very problem of rhetoric itself.

⁸⁴ Greenhalgh 1980, 88.

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