

## TRANSFORMING THE TRIAL INTO A BATTLE: MILITARY LANGUAGE IN THE *EXORDIUM* OF CICERO'S *PRO MILONE*

By

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**ABSTRACT:** In the *exordium* of his *Pro Milone* Cicero employs military language and a number of *topoi* found in *cohortationes*, in order to portray Clodius and his followers as enemies of the *res publica*. By lending a military tone to the judicial confrontation, Cicero underlines the gravity of the particular case and its impact on the salvation of the state, reinforces Milo's favourable portrayal and denigrates that of Clodius. Furthermore, in this way he suggests that since Clodius acted like an enemy of the state, his murder involves no greater ethical conflict than the killing of an enemy of the state. Consequently, Milo's action should be judged according to the unwritten and natural law which justifies homicide when someone has to encounter the violence and weapons of the enemies.

It is a known fact that one of the main characteristics of Cicero's rhetorical speeches is his attempt to universalize the individual case and to place it in a more general framework, in order to emphasize its deeper meaning for the Roman audience as a whole<sup>1</sup>. His famous *Pro Milone* is not an exception, where the great importance of the case at stake is a central topic of the *exordium*<sup>2</sup>. Here, as Michael von Albrecht (2003: 184) underlines, the orator attempts to show "that not only Milo's life is at stake but the very life of the Republic itself".

Cicero tries to intimate this sense in a number of ways. In this paper I argue that one aspect of this pursuit, which to my knowledge has not yet been analyzed by the scholars, is the implicit assimilation of the case under trial with a military confrontation of crucial importance to the state. More particularly, in the *exordium* of the speech Cicero seems to equate the litigants with opposing armies and implicitly compares Clodius' supporters with the enemy and the rest of the Roman people with an army, rallied round Milo, that is called upon to avert the conquest of the city. The general parallelization of battle in the forum and battle on the field facilitates this transformation: the *adversarius* can be paralleled to

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<sup>1</sup> See von Albrecht 1997: 541.

<sup>2</sup> See von Albrecht 2003: 183.