

This paper seeks to discover the legal precedent for Cicero's comment at *Att.* 5.21.6 that *nam evocari ex insula Cyprios non licet*, "it is not permitted for Cypriotes to be summoned from the island." This ban on *evocatio* is not presented by Cicero as anything more than a condition of his governorship, and he does not explain further.

Several explanations have been put forth, but all are unsatisfactory. Badian (1965, 155) believed that Cicero was referencing one of the provisions of the *lex provinciae* for Cilicia of Lentulus Spinther, yet Cyprus, and indeed Cilicia, had been organized prior to Lentulus' governorship. Marshall (1964, 212), had previously argued that since there is no record of any law relating to provincial administration during Lentulus' consulship in 57, Lentulus' *lex provinciae*, presumably referenced at *Att.* 6.1.15, must have had the force of a *lex data*, given as a supplement to a provision of the *lex Porcia* of 58. To Marshall, the relevant *lex Porcia* is the one which is assumed to have been passed by M. Porcius Cato Uticensis during his commission in 58 to abrogate Ptolemy's treasure for the Roman treasury. Lintott (1993, 29) believes it to be an imitation of Scaevola's edict for Asia, and Shackleton Bailey (1968, 235) sees nothing exceptional in this stipulation, citing evidence from Cicero's prosecution of Verres (*Verr.* 2.2.32, 3.38) for a similar law for Sicily.

That the Cypriotes enjoyed a measure of judicial freedom is, I believe, attributable to a *lex Porcia*, but not the one promulgated by Cato Uticensis in 58. Rather it was a continuing provision of the *lex de Cilicia Macedoniaeque provinciis* of 100 BCE. This law, copies of which have been found at Delphi and more recently on Cnidos, was presumably carried by a M. Porcius Cato of uncertain identity (on his identity, see Hassall et al. 1974, 210). A section of the Cnidean inscription (III.16-261) preserves the rights of allied peoples and kings over their dependants, presumably, as Hassall et al. (1974, 211) have noted, in areas newly annexed or in the area nearby. If Marshall is correct, and the law of Lentulus mentioned at *Att.* 6.1.15 was indeed a *lex data*, it would have chartered the cities on Cyprus as *civitates liberae*, and therefore subject to their own laws and allowed the use of their own judges (see Berger 1953, 545). The king of Cyprus had long been considered a friend and ally of the Roman people, which seems to be the force of col. III.8-11, and Cicero makes the same claim about Ptolemy (*Cic. Sest.* 59).

Once Cyprus was designated as part of Cilicia, it would be subject to the edicts of the governors but also to the original *lex provinciae*. There is no evidence that suggests the *lex de Cilicia Macedoniaeque provinciis* was ever repealed, in spite of Morstein-Marx's (1995, 240) suggestion that it may have been repealed with the corpus of Saturninus' legislation. It would still have been necessary for Cicero to send a legate to hear cases involving Roman citizens, but since the freedom of the *civitates liberae* of the *provincia Cilicia* had been guaranteed since 100, it should be no surprise that Cicero was unable to call Cypriotes to the mainland for judicial proceedings.