

This paper contends not only that a close study of the language of “witnessing” introduced at *DRP* 1.56 (*multique testes*) and continued at 1.58 (*testes nec nimis antiquos nec ullo modo barbaros; neque perantiquis neque inhumanis ac feris testibus*), 1.59 (*testimoniis*), and 1.61 (*testibus meis; te teste*) may enrich our understanding of the rhetorical strategy that Scipio deploys in his argument for the preferability of monarchy, but also that such an investigation may point to and intersect with the larger question of the connection between cosmology and politics, providing in effect a miniature window for gazing upon one (quite central) metaphorical association within the *DRP* (at least within current reconstructions of the larger work).

The particular exchange under discussion (between Scipio and Laelius, *DRP* 1.54-64) addresses the question of which of the three pure constitutions (monarchy, aristocracy, democracy) is the best (although Scipio acknowledges at the outset that none of the individual constitutions should be preferred to a “conflation” (*conflatum*, 1.54) of all of them). In making his case that monarchy is best, Scipio initially (and rather hesitantly) introduces the language of witnessing as a complement to his assertion that Zeus, understood as a single ruler over all gods and men, provides an ideal model for monarchy, an ideal which is relevant to “what is before our eyes” (*quod est ante oculos*, 1.56, cf. 1.31), in other words, to the rule of the sublunary world. As the conversation progresses, Scipio and Laelius both extend the metaphor of witnessing in an attempt to position themselves argumentatively within the dialogue: Scipio, whose first “witnesses” (to the supremacy of Zeus and therefore to the priority of monarchy) are both Greek and ancient, protests repeatedly that he will provide witnesses which are closer to home, both temporally and geographically (cf. 1.58). Laelius, on the other hand, tries to separate himself from these witnesses, positioning himself as a *bonus iudex* (1.59), who values arguments more than witnesses. In a stroke that seems to sway Laelius, however, Scipio dislodges his companion from the seat of judgment, instead calling Laelius as his own witness (*non desinam te uti teste*, 1.61); he reminds him that a single individual, the *vilicus*, presides over his very own villa.

Locating this rhetorical strategy – moving one’s opponent from *iudex* to *testis* – within a larger discourse on witnessing (Quintilian 5.7, Agamben 1999) provides a means to link it to a larger concern of the *DRP*, articulated most recently by Gallagher 2001 (with relevant bibliography), namely the connection between the cosmological concerns of the dialogue (found most prominently in Book 1 and the *Somnium Scipionis*) and its examination of political constitutions. To be clear: by turning Laelius into a witness rather than a judge, Scipio no longer allows him any neutrality; by taking Laelius as a witness, Scipio builds his case *upon* Laelius rather than *before* him; Laelius no longer stands *outside* in judgment. This act of inscribing and incorporating the arbiter into the argument mimics the larger movement of the dialogue which attempts to incorporate the cosmological into the political (or to construct the political upon the cosmological), at least in part by asserting that what is outside is not in fact outside.

Agamben, G. 1999. *Remnants of Auschwitz: The Witness and the Archive*. New York.

Gallagher, R. L. 2001. “Metaphor in Cicero’s *De re publica*.” *CQ* 51.2: 509-19.