

In the *Pro Sestio* Cicero returns over and over again to metaphorical depictions of a brutalized Republic, a tortured state *in extremis* that has suffered trauma at the hands of Piso, Gabinius and Clodius' gangs. Images of the *res publica adflicta* are introduced in the speech's very first section and occur repeatedly throughout (1, 5, 17, 24, 31), often with a shocking attention to morbid detail (e.g., 24, 78). Although such violent images are not unique to the *Pro Sestio*, and, in fact, recur constantly in late Republican literature (cf. Drexler), their frequency and thematic elaboration in Cicero's defense of Sestius have often seemed to merit additional explanation. Earlier commentators have pointed to the violent character of Roman politics in the early 50s BCE (Fantham) or Cicero's larger ethopoetic (May 1981 and 1988) and rhetorical strategies (Kaster). This paper seeks to add further depth to our appreciation of Cicero's bloody metaphors by considering how Roman legal tropes and categories of crime in the late Republic may have played a part in determining the violent imagery in the *Pro Sestio*. As we shall see, the very charge with which Sestius was accused, that of *vis*, or "public violence," lent itself to the making of such metaphors.

Prior to the *lex Lutatia* of 78 BCE public violence did not exist as a possible indictment; and the earliest attested charges for *vis* under the law with which Sestius was prosecuted, the *lex Plautia*, were those brought against Catiline in 63 BCE (Lintott; Riggsby). Under the charge of *vis*, certain violent acts took on a specifically symbolic dimension if determined to be *contra* (or *adversus*) *rem publicam*, that is, as traditionally rendered, "against the interest of the state." It is worth considering, however, how metaphorically suggestive this language could be. A sensitivity to metaphor's role in influencing the interpretation of Roman law is detectable, according to Cicero at least, in its earliest beginnings (cf. the discussion of *si telum manu fugit*, also concerned with violence, at *de Orat.* 3.158 = *Lex XII tab. Fr.* 8.24 Warmington). Moreover, a famous remark at Cicero's *De Haruspicum Responsis* 15, in which *oppugnare rem publicam* stands as a stylistic variation for the phrase *facere contra rem publicam*, allows us to see how easy it could be—especially in moments of elevated rhetoric—to slip into an interpretation of violence *contra/adversus rem publicam* not simply as "against the interest of the state," but as actually "against the state": to act *contra rem publicam* was to attack (*oppugnare*) the state itself. Coming at the imagery of the *Pro Sestio* from this angle suggests that Cicero's evocations of a brutalized Republic potentially belong to a wider metaphorical discourse connected with charges of *vis*. (At *Pro Sestio* 86-90 and again at 135, Cicero turns various claims of the prosecutor, Albinovanus, on their head to devastating effect; and it is likely that behind descriptions of a butchered state lies hidden a similar rhetorical move.) But more important still are the links this draws between violence, law, and metaphor in the Republic. Early Roman writers tend to avoid metaphorical expressions, which, without much explanation, only come fully into their own in Latin literature in the Augustan age (Corbeill). By connecting the violent images of Cicero's *Pro Sestio* to the inherent tropes of late Republican *vis* legislation, my paper highlights a transitional moment and shows how changes in law lent new boldness to Latin metaphor.