The correspondence of M. Tullius Cicero

arranged according to its chronological order

Cicero, Marcus Tullius

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Einleitung

INTRODUCTION.

I.—HISTORICAL.

§ 1. On the Character of Cicero as a Public Man.

In putting forth an edition of the Letters of Cicero in their order as written, one may dispense with the labour of telling over again the oft-told tale of Cicero's life. The salient facts are set down in a short summary prefixed to each year of Cicero's correspondence. But it will be convenient to take a broad view of Cicero's position in public and private life before we enter on the study of a series of letters which present to us the picture of the downfall of the Roman Republic. No picture could be sadder than this. The most tragic of spectacles is the baffled strength of a blind giant, the helplessness of a Hercules Furens or a Samson Agonistes. And it is with feelings not different that we regard that Republic which had developed such great vital forces, such a disciplined subordination of imagination to logic, and of the individual to the State, slipping into a despotism through the unworthiness of an oligarchy who were either unconscious of her decadence, or even indifferent to it.

The present instalment of the correspondence of Cicero includes only eighty-nine letters. But these are of the highest interest, as they follow the fortunes of Cicero from his entrance into public life through his exile to his restoration. We have prefixed to future volumes of this work some estimate of the character of Cicero as it appears in the letters of those volumes. Our observations at present will mainly have reference to the earlier part of Cicero's career.

The gusts which had menaced the Republic from without had died away before the storm began to brew within. The year after Cicero's birth witnessed the conclusion of the Jugurthine War by Marius and his quæstor Sulla—ominous conjunction; and Cicero was only six years of age when Marius and the pro-consul Catulus,* by their victory over the Cimbri, made Rome safe from their Northern foes. Henceforth 'foreign levy' is but a tool in the hands of 'malice domestic.' In the year of the city 666 (88), the tribune P. Sulpicius, in transferring to Marius the command and province of Sulla, first exercised a power which was afterwards fatal to the Republic—a power which was crushed by Sulla, which was restored by Pompey, which made Pompey despot by the Gabinian and Manilian Laws, and which finally ruined him. In 669 (85) we have a definite foretaste of the Empire in the spectacle of two rival Roman generals—Flaccus and Fimbria—opposing, each in his own interest, Mithridates, the common foreign foe.

In 674 (80), at the age of 26 (just ten years before his famous prosecution of Verres, which may be looked on as launching him in public life), Cicero pleaded his first public or criminal cause. As the last words of the Master-Orator were a denunciation of the tyranny of Antony, so the maiden speech of the rising advocate was levelled against the oppression of Sulla.† It is evident that the charge of parricide brought against Sex. Roscius of Ameria was a political charge; yet in this speech, as well as in his defence of a woman of Arretium the following year, Cicero dared to lift up his voice against injustice, even though not only fear, but strong public partisanship, might have sealed the lips of one who describes the *régime* of Sulla in the words *recuperata respublica* (Brut. 311).

* His word was regarded as synonymous with truth, as the common saying, *hoc verum est, dixit enim Q. Lutatius* (De Orat. ii. 173), testified.

† He thus describes its nature in the *De Officiis* (ii. 51): *maxime autem et gloria paritur et gratia defensionibus, eoque maior si quando accidit ut ei subveniatur, qui potentis alicuius opibus circumveniri urgerique videatur: ut nos et saepe alias et adulescentes contra L. Sullae dominantis opes pro S. Roscio Amerino fecimus: quae, ut scis, exstat oratio.* The speech *pro Quinctio* was probably delivered in 673 (81): but it was a civil, not a criminal, case. The remarks in that speech about the proscriptions (§ 70) would seem to prove that the speech was delivered in the latter half of the year, as the proscriptions came to an end in June.

This bold step on the part of Cicero has been reflected on in two different ways. Plutarch (Cic. 3) ascribes to the fear of Sulla's vengeance the departure of Cicero for Greece in the following year, though his nominal plea was bad health. This theory shows clearly how dangerous must have appeared to Plutarch the bold front shown to the powerful dictator, but can hardly be accepted as accounting for the journey to Greece, inasmuch as the tyrant threw down the dagger the very year of Cicero's absence. But again, Cicero has been accused of showing in this proceeding a readiness to coquet with democracy. Now this is an entirely misleading point of view, and rests on a misconception of the Roman Bar in the days of Cicero.

The young Roman of promise seeking to work his way into political eminence was forced to adopt the profession of an advocate. And how does the advocate distinguish himself? By winning his case; and we have seen by the passage from the *De Officiis* just quoted, that the more difficult and dangerous was the case to handle, the more fitted it was to supply to the daring advocate a step on the ladder of promotion. The young Roman aspirant to political distinction looked about for some one to impeach or some one to defend as his only means of gaining public notice. There was hardly a man of eminence at Rome who had not appeared both as prosecutor and as defendant. Plutarch tells us that Cato the Censor was prosecuted nearly fifty times, and he was constantly engaged in the prosecution of others.

In the year 689 (65) Cicero, in a far more democratic speech, defended the tribune Cornelius, against whom the Optimates had trumped up a charge of treason. Cicero spoke in defence of the tribune for four successive days. This speech, embellished as it was with an elaborate eulogy of Pompey, is quoted by Quintilian (iv. 3, 13) as an illustrious instance of the power with which a great orator can wield his digressions.* In another passage (viii. 3, 3), Quintilian again refers to the same speech in these words:—

'Nec fortibus modo sed etiam fulgentibus armis proeliatur in causa Cicero Corneli; qui non† consecutus esset docendo iudicem tantum et

* Cicero seems to call these rhetorical artifices καμπαί in one of his letters, Att. i. 14, 4 (20).

† So the ordinary reading. Halm, after Spalding, reads *nec fortibus modo sed etiam*

utiliter demum ac Latine perspicueque dicendo, ut populus Romanus admirationem suam non acclamatione tantum sed etiam plausu confiteretur. Sublimitas profecto et magnificentia et nitor et auctoritas expressit illum fragorem. Nec tam insolita laus esset prosecuta dicentem, si usitata et ceteris similis fuisset oratio. Atque ego illos credo qui aderant nec sensisse quid facerent nec sponte iudicioque plausisse; sed velut mente captos et quo essent in loco ignaros erupisse in hunc voluptatis affectum.'

Such was the feeling which Cicero desired to evoke. He spoke for Cornelius as he spoke against Verres, as Whiteside spoke for O'Connell, in the pursuit of professional distinction, and to establish his growing fame as an unrivalled speaker and pleader. Quintus, in his *Commentariolum Petitionis*, emphatically urges the vast importance of a reputation as a speaker.* Yet modern historians see in these speeches evidence that Cicero at first attached himself to the democratic party, which he was bribed to abandon by the promised support of the Optimates in his canvass for the consulship. This charge would certainly have been met and rebutted by Cicero in some of his works if it had ever been made against him in his own time. He would doubtless have been astonished if he could have foreseen that this would be one of the 'verdicts of history for which,' as he says,† 'I feel much more reverence than for the chit-chat of the present age.' We may well exclaim, as did the orator himself in this same speech, *O callidos homines, O rem excogitatam, O ingenia metuenda!*

We should not have thought it necessary to refer to the calumnies which beset Cicero on the very threshold of public life, but that it is so very important to show how futile is the appeal to his

fulgentibus armis proeliatur (sc. *is qui dicit*): <*an*> *in causa Corneli Cicero consecutus esset . . . confiteretur?*

* Friedrich Cauer (*Ciceros politisches Denken*, 1893, p. 71) points out that this view hardly does full justice to Cicero. In both the speech for Roscius and for Cornelius, Cicero felt he was supporting justice and right. The Sullan proscriptions were always censured by Cicero (Off. ii. 27; De Orat. iii. 12); and we may add that the courageous opposition to senatorial jobbery by the public-spirited Cornelius must have appealed to Cicero's enthusiasm. Indeed, a branch of that kind of jobbery, for attacking which Cornelius was himself attacked by the senatorial party, was restricted by Cicero's own consular law against *liberae legationes*.

† *Quid vero historiae de nobis ad annos* DC *praedicarint? Quas quidem ego multo magis vereor quam eorum hominum qui hodie vivunt rumusculos*, Att. ii. 5, 1 (32).

forensic speeches as evidence for Cicero's political opinions. For these we must go first to his private letters, and secondly to his philosophical and rhetorical works. That we are not to look in these speeches for his personal opinions, we have his own evidence in a most important passage in his speech for Cluentius (139):—

'Errat vehementer si quis in orationibus nostris, quas in iudiciis habuimus, auctoritates nostras consignatas se habere arbitratur. Omnes enim illae orationes causarum ac temporum sunt, non hominum ipsorum aut patronorum. Nam, si causae ipsae pro se loqui possent, nemo adhiberet oratorem. Nunc adhibemur, ut ea dicamus, non quae nostra auctoritate constituantur, sed quae ex re ipsa causaque ducantur.'

Moreover, we have the same circumstances viewed from opposite, or at least very different, points of view in different speeches, as no one can fail to observe who reads the *pro Sulla* with the speeches *in Catilinam*, or who, after admiring the denunciations hurled on Verres for his oppression of Sicily, takes up the defence of M. Fonteius, charged with malversation in Gaul—a speech delivered the year after the Verrines were written.* And such contrasts, no doubt, would far more frequently appear if Cicero had oftener been a prosecutor. Hence Cicero's personal opinions should never be sought in his forensic speeches. Even in his political speeches one must not expect a too accurate record of his real convictions. Who, for instance, could for a moment believe that in the speech against the wise and moderate Agrarian Law of Rullus† Cicero was speaking otherwise than as an advocate?

* Compare also with the language of the Catilinarian speeches the very temperate portrait of Catiline in the *pro Caelio* (§ 12).

† This Law, in at least one of its aims, was conceived in a spirit of wise and moderate statesmanship. But the principle of drafting off the idle population of Rome as colonists of the public domain was the pet scheme of the Gracchi, and was identified with the democratic programme. Cicero, therefore, as an optimate, was bound to oppose it, the more so as the extensive powers assigned to the Commissioners seemed distinctly menacing to the State; and he has shown amazing adroitness in turning the passions of the people against a scheme with which he must to a great extent have sympathised. Surely the etiquette of party government must have rendered every Englishman familiar with such acts. Afterwards, in 694 (60), when it was not a party question, he spoke strongly in favour of a similar Agrarian Law proposed by Flavius.—Att. i. 19, 4 (25). This passage is well worth reading. It expresses Cicero's real opinions on the Agrarian Question: cp. Addenda to Commentary, Note III., and Friedrich Cauer (*Ciceros politisches Denken*, 1893, pp. 94–105).

And hence we may estimate the priceless value of the private letters and the works on philosophy and rhetoric. As an instance of an unprejudiced expression of his real opinion in his rhetorical treatises, one recalls his high praise* of Sulpicius, whose defection from the ranks of the Optimates must have made him politically very distasteful to one whose ideal statesmen were Metellus Numidicus,† and Q. Lutatius Catulus.‡ That the public letters are by no means so trustworthy might be expected *a priori*; and we have among them letters in which one can hardly believe that the expressed sentiment is sincere—for instance, the letter to Antonius (Att. xiv. 13 *b*, Ep. 717), in which he uses such very temperate expressions to describe his feelings towards his old enemy Clodius.

In his private letters, however, we expect to find his real opinions. But his private letters, though a fountain of light to those who read them with intelligence and without a theory, may be made the source of a formal *acte d'accusation* against the whole character and life of Cicero in the hands of a theorist who insists on reading letters which (never intended to be published) reflect every passing light or shade which falls across the disc of the writer's mind, as so many chapters of a history which registers and stereotypes at each page the political convictions of a statesman. M. Gaston Boissier, in his admirable study of Roman society in the last days of the Republic, called *Cicéron et ses amis*, points out how the man of the world is really more fitted to read the letters of Cicero aright than the German professor. We think we shall not do ill in giving this passage in M. Boissier's own words:—

'Ces faiblesses d'un moment, ces soupçons ridicules qui naissent d'une blessure d'amour-propre, ces courtes violences qui se calment dès qu'on réfléchit, ces injustices qu'arrache le dépit, ces bouffées d'ambition que la raison s'empresse de désavouer, une fois qu'on les a confiées à un ami, ne périssent plus. Un jour, un commentateur curieux étudiera ces confidences trop sincères, et il s'en servira pour tracer de l'imprudent qui les a faites un portrait à effrayer la postérité. Il prouvera, par des citations

* De Orat. i. 131–2, iii. 31. Brut. 183, 203.
† Pro Sest. 101. Pro Planc. 89.
‡ De Orat. iii. 9.

exactes et irréfutables, qu'il était mauvais citoyen et méchant ami, qu'il n'aimait ni son pays ni sa famille, qu'il était jaloux des honnêtes gens, et qu'il a trahi tous les partis. Il n'en est rien cependant, et un esprit sage ne se laisse pas abuser par l'artifice de ces citations perfides. Il sait bien qu'on ne doit pas prendre à la lettre ces gens emportés, ni croire trop à ce qu'ils disent. Il faut les défendre contre eux-mêmes, refuser de les écouter quand la passion les égare, et distinguer surtout leurs sentiments véritables et persistants de toutes ces exagérations qui ne durent pas. Voilà pourquoi tout le monde n'est pas propre à bien comprendre les lettres; tout le monde ne sait pas les lire comme il faut. Je me défie de ces savants qui, sans aucune habitude des hommes, sans aucune expérience de la vie, prétendent juger Cicéron d'après sa correspondance. Le plus souvent ils le jugent mal. Ils cherchent l'expression de sa pensée dans ces politesses banales que la société exige et qui n'engagent pas plus ceux qui les font qu'elles ne trompent ceux qui les reçoivent. Ils traitent de lâches compromis ces concessions qu'il faut bien se faire quand on veut vivre ensemble. Ils voient des contradictions manifestes dans ces couleurs différentes qu'on donne à son opinion suivant les personnes auxquelles on parle. Ils triomphent de l'imprudence de certains aveux ou de la fatuité de certains éloges, parce qu'ils ne saisissent pas la fine ironie qui les tempère. Pour bien apprécier toutes ces nuances, pour rendre aux choses leur importance véritable, pour être bon juge de la portée de ces phrases qui se disent avec un demi-sourire et ne signifient pas toujours tout ce qu'elles semblent dire, il faut avoir plus d'habitude de la vie qu'on n'en prend d'ordinaire dans une université d'Allemagne. S'il faut dire ce que je pense, dans cette appréciation délicate, je me fierais peut-être encore plus à un homme du monde qu'à un savant.'*

* pp. 19–21. We may fitly add here, as connected with this point of view, the same brilliant writer's estimate of the German detractors of Cicero, such as Drumann and Mommsen—'Drumann surtout ne lui passe rien. Il a fouillé ses œuvres et sa vie avec la minutie et la sagacité d'un homme d'affaires qui cherche les éléments d'un procès. C'est dans cet esprit de malveillance consciencieuse qu'il a dépouillé toute sa correspondance. Il a courageusement résisté au charme de ces confidences intimes qui nous font admirer l'écrivain et aimer l'homme malgré ses faiblesses, et, en opposant l'un à l'autre des fragments détachés de ses lettres et de ces discours, il est parvenu à dresser un acte d'accusation en règle où rien n'est omis, et qui tient presque un volume. M. Mommsen n'est guère plus doux, seulement il est moins long. Comme il voit les choses de haut, il ne se perd pas dans le détail. En deux de ces pages serrées et pleines de faits, comme il sait les écrire, il a trouvé moyen d'accumuler plus d'outrages pour Cicéron que n'en contient tout le volume de Drumann. On y voit notamment que ce prétendu homme d'Etat n'était qu'un égoïste et un myope, et que ce grand écrivain ne se compose que d'un feuilletoniste et d'un avocat. Voilà bien la même plume qui vient d'appeler Caton un don Quichotte et Pompée un caporal. Comme il

It is misleading—nay, absolutely false—to say that Cicero made overtures to democracy. He exercised on every cause entrusted to him his unrivalled abilities as a pleader; but he who says that the author of the speech *pro Cornelio* was coquetting with democracy might as well say that the author of the speech *pro Sulla* was intriguing with anarchists. His projected defence of Catiline is put forward as an advance towards the popular party. But on what evidence? Catiline was not, at the time of his trial for his malversation in Africa, in any sense the accredited successor of Gracchus or Saturninus, of Sulpicius or Cinna. It was not till the year 691 (63) that Catiline came forward as a popular champion. The chief charge which Cicero brought against him as his opponent for the consulship was the charge of his murder of M. Marius Gratidianus, a near relation of C. Marius, in the Sullan proscriptions. Cicero, in a passage of the *pro Caelio*, says that Catiline at one time nearly imposed on himself, and that he quite suddenly discovered the desperado's designs, having previously hardly harboured a suspicion of him.* Of course these words are to some extent the pleas of the advocate of Caelius, but they could not have been used to the jury if Catiline had always stood in a menacing attitude.

Cicero never coquetted with democracy, though he accepted the brief of Roscius and Cornelius, and entertained the idea of defending Catiline. He could win his way to distinction in public life only by his position at the Bar; and a high position at the Bar was not to be made by the picking and choosing of briefs. Had he defended Catiline, he would have spoken for him as he did for Fonteius, charged with a similar offence, and his act would not have been looked on as an overture to the democratic party, even if Catiline had been the acknowledged leader of that party—

est toujours préoccupé du présent dans ses études du passé, on dirait qu'il poursuit dans l'aristocratie romaine les hobereaux de la Prusse, et qu'il salue d'avance dans César ce despote populaire dont la main ferme peut seule donner à l'Allemagne son unité.'—pp. 26, 27.

* Or. pro Cael. 14 *Me ipsum, me, inquam, quondam paene ille decepit, cum et civis mihi bonus et optimi cuiusque cupidus et firmus amicus ac fidelis videretur: cuius ego facinora oculis prius quam opinione, manibus ante quam suspicione deprehendi: cuius in magnis catervis amicorum si fuit etiam Caelius, magis est ut ipse moleste ferat errasse se sicuti non numquam in eodem homine me quoque erroris mei paenitet, quam ut istius amicitiae crimen reformidet.*

a position which, we submit, Catiline did not hold, or even claim, at the time of his trial. Cicero might of course have served the interests of his canvass by defending Catiline, who could hardly have acted very strenuously against his own advocate, and who would probably have made common cause with Cicero against Antonius. It is probable, too, that as a matter of fact Cicero did not actually defend Catiline. The *Oratio in toga candida* offers important evidence on that point.

In that speech Cicero reproachfully recalls to the memory of Antonius some slight services done to him when Antonius was candidate for the praetorship, and he upbraids Q. Mucius, a tribune, with his unfriendly conduct, reminding him how he, Cicero, had defended him on a charge of peculation. Is it, then, possible that if Cicero had really defended Catiline, he would have failed to remind him of the fact? Again, if Cicero had really defended Catiline, could he possibly have used the words which are found in the very same oration, *miser qui non sentias illo iudicio te non absolutum verum ad aliquod severius iudicium ac maius supplicium reservatum*? But if Cicero had defended Catiline, his act would have been neither immoral nor unprofessional. Catiline was at this time neither worse nor better than other Roman governors, who, when they were invested with power, as a rule misused it. But the detractors of Cicero speak as if he had thought of defending Catiline, the declared enemy of the State, the character blackened by the denunciations of the Catilinarian invectives—as one might speak of Burke if, after impeaching Warren Hastings, he had undertaken the defence of Sir Elijah Impey. If Cicero, to improve the prospects of his own candidature, had defended Catiline on a charge of extortion, he would not have given greater offence to Roman sentiment than would now be given to English sentiment if a respectable and rising politician, who was also a barrister, defended some young nobleman who had squandered large sums of money on the turf. England, happily for her subjects, does not look on proconsular malversation with the lenient eyes of ancient Rome.*

* The arguments drawn from the *oratio in toga candida* have been urged by Asconius against Fenestella, who maintains that Cicero did defend Catiline. Bücheler (Rhein. Mus., 1879, p. 352) puts forward the theory that Asconius, writing about 60 A.D., cannot

Dio Cassius, a historian who lacks sympathy with great men, and who regards Cicero in particular with distinct disfavour, criticises him thus on the first occasion in which he mentions him :— ἐπημφοτέριζέ τε γάρ (*he was a trimmer*), καὶ ποτὲ μὲν τὰ τούτων ἔστι δ' ὅτε καὶ τὰ ἐκείνων ἵν' ὑπ' ἀμφοτέρων σπουδάζηται ἔπραττε.* This foolish taunt has been echoed by the greatest of modern historians of Rome. Theodor Mommsen so far forgot the high functions of the historian in the self-imposed task of finding in Caesar the perfect man, that in introducing for the first time to his readers one who (however we may regard his character) must ever be among the most prominent figures in the picture of the dying Republic—one who in literature at least must ever be a marvel to the world—he can find no more respectable terms to use than 'the notorious political trimmer, M. Tullius Cicero.'†

have known the passage, Att. i. 2, 1 (11) *hoc tempore Catilinam competitorem nostrum defendere cogitamus.* Hence he argues that the collection of the letters to Atticus which we have could not have been published till after the period of Asconius.

* xxxvi. 43. Dio Cassius seems not to have read the letters at all. See note on Att. ii. 24, 2 (51), where Dio's extraordinary theory about the real nature of the obscure plot of Vettius is given and commented on. In the Clodian episode alone he exhibits a kindly feeling towards Cicero: but he does so, as Professor Gudeman (*The Sources of Plutarch's Life of Cicero*, Philadelphia, 1902, p. 41) has shown, not because he disliked Cicero less, but because he disliked Clodius more. He more than once states that Cicero was censured for his tergiversation and called a 'deserter' (αὐτόμολος: cp. xxxvi. 27; xxxix. 63). And there is no doubt that Cicero incurred ill-report in that respect, as may be shown from the story told by Seneca (Rhet. Controv. vii. 3, 9) of the answer which Laberius made to him. The story runs, *Laberium divus Iulius ludis suis mimum produxit, deinde equestri illum ordini reddidit : iussit ire sessum in equestria : omnes ita se coartaverunt ut venientem non reciperent. Cicero male audiebat tamquam nec Pompeio certus amicus nec Caesari, sed utriusque adulator. Multos tunc in senatum legerat Caesar et ut repleret exhaustum bello civili ordinem et ut eis qui bene de partibus meruerunt gratiam referret. Cicero in utramque rem iocatus est, misit enim ad Laberium transeuntem, 'recepissem te nisi anguste sederem.' Laberius ad Ciceronem remisit, 'atqui soles duabus sellis sedere.' Uterque elegantissime, sed neuter in hoc genere servat modum.* But in an age of violent factions a man of moderation and conscientiousness will always incur the charge of tergiversation.

† In the same spirit Mommsen dismisses Cato with a remark on the irony of fate which had decreed that the epilogue of a great political tragedy should be spoken by the fool. But his choicest flouts and jibes are kept for Pompey, because, when he returned at the head of his army after the Mithridatic War, he did not make himself master of Rome. The theory of the historian seems to be that any general who is strong enough to play successfully the rebel and traitor must be a fool if he refuses the part. To the German historian his refusal is inexplicable, except on the hypothesis that he did not see his chance.

This criticism is not only flippant and altogether inapplicable to a person of the proportions of Cicero, but it rests (as we have endeavoured to show) on a misrepresentation of the position of a Roman advocate.

It is idle to seek to suppress or evade the fact that Cicero was looked on as a great power* by those who had intelligence enough to see that the tongue is as great an instrument of government as the hand. And he who had the strongest hand in those days and the largest brain, the great Julius Caesar, saw best what a power was Cicero. Indeed, one of the most picturesque traits in a very picturesque character is the pertinacity with which Caesar refuses to be repulsed by Cicero. After he had failed to gain the great orator to his own interests, he showed true magnanimity by offering him one of his own lieutenancies to protect him from Clodius, and afterwards by offering him a place among the twenty commissioners. The seventh, eighth, and ninth books of the letters to Atticus record frequently the desire of Caesar, couched in the most manly and respectful terms, to gain over the great Marcus Tullius, or at least to secure his neutrality.† Plutarch (Cic. 39) gives a striking description of the trial of the arch-traitor Q. Ligarius, which, though very highly coloured, tends to show the influence of Cicero over the victor of Pharsalia, Λέγεται δὲ καὶ, Κοΐντου Λιγαρίου δίκην φεύγοντος, ὅτι τῶν Καίσαρος πολεμίων εἷς ἐγεγόνει, καὶ Κικέρωνος αὐτῷ βοηθοῦντος, εἰπεῖν τὸν Καίσαρα πρὸς τοὺς φίλους, "Τί κωλύει διὰ χρόνου Κικέρωνος ἀκοῦσαι λέγοντος, ἐπεὶ πάλαι κέκριται πονηρὸς ὁ ἀνὴρ καὶ πολέμιος;" ἐπεὶ δ' ἀρξάμενος λέγειν ὁ Κικερων ὑπερφυῶς ἐκίνει, καὶ προὔβαινεν αὐτῷ πάθει τε ποικίλος καὶ χάριτι θαυμαστὸς ὁ λόγος, πολλὰς μὲν ἰέναι χρόας ἐπὶ τοῦ προσώπου τὸν Καίσαρα, πάσας δὲ τῆς ψυχῆς τρεπόμενον τροπὰς κατάδηλον εἶναι· τέλος δὲ τῶν κατὰ Φάρσαλον ἁψαμένου τοῦ ῥήτορος ἀγώνων, ἐκπαθῆ γενόμενον τιναχθῆναι τῷ σώματι, καὶ τῆς χειρὸς ἐκβαλεῖν ἔνια τῶν γραμματείων. Τὸν γοῦν

* A strong tribute to the personal reputation of Cicero is preserved in a letter from Cato (a man not likely to misrepresent the state of feeling at Rome), congratulating Cicero on the *supplicatio* which he himself had felt bound to oppose; see Fam. xv. 5, 1 (266).

† The magnanimity of Caesar a few years later sometimes wrings from Cicero an almost involuntary expression of admiration; see Fam. vi. 6, 10 (488); iv. 4, 4 (495).

ἄνθρωπον ἀπέλυσε τῆς αἰτίας βεβιασμένος. Such is the effect produced on Caesar—surely not a man to be caught by varnished superficiality—by the man whom Mommsen flouts as 'a journalist in the worst sense of the term,' a 'thorough dabbler,' who was 'nothing but an advocate, and not a good one.'*

In estimating the character of Cicero, and his relations with the men of his time—especially the man of his time, Caesar—the detractor of Cicero has a great advantage. Whatever tells against Cicero tells against him with damning force, for the witness against Cicero is Cicero himself, his letters being the main authority for much of the history of this period. But when the letters place Cicero in a favourable light—when, for instance, they show us Caesar suing for his adhesion, and regarding his literary works with admiration—then, say the detractors, we have Cicero posing, the literary man conceiving a picturesque position and placing himself therein, elevating himself to a pedestal to be worshipped by the great man of the age. Now, to such a view we can only make this reply. For much that is most admirable and amiable in the character of Cicero, as well

* A letter of Cicero to Paetus shows how much Caesar valued even the lighter efforts of the great consular.—*Sed tamen ipse Caesar habet peracre iudicium, et, ut Servius, frater tuus, quem litteratissimum fuisse iudico, facile diceret,* '*Hic versus Plauti non est, hic est,*' *quod tritas auris haberet notandis generibus poëtarum et consuetudine legendi, sic audio Caesarem, cum volumina iam confecerit* ἀποφθεγμάτων, *si quod adferatur ad eum pro meo, quod meum non sit, reicere solere: quod eo nunc magis facit, quia vivunt mecum fere cotidie illius familiares. Incidunt autem in sermone vario multa, quae fortasse illis cum dixi nec illitterata nec insulsa esse videantur. Haec ad illum cum reliquis actis perferuntur: ita enim ipse mandavit. Sic fit ut, si quid praeterea de me audiat, non audiendum putet.*—Fam. ix. 16, 4 (472).

It is astonishing how the pursuit of a theory may blind a historian to the proper appreciation of things. Here is the comment of Duruy on the relations between Cicero and Caesar described in the words just quoted—'Content de la royauté qu'il avait toujours, celle de l'esprit, il ne laissait percer les regrets qu'en de malignes plaisanteries. Ce rôle de frondeur spirituel plaisait à César; il se délassait d'adulation. Chaque matin on lui apporta les bons mots de Cicéron, et il en faisait un recueil. L'ancien consulaire, le père de la patrie, devenu le bouffon de la tyrannie!' *Hist. des Romains*, ii. 532.

Mommsen has well observed that in the soul of Caesar there was room for much besides the statesman. It is a pity that in his view of the relations between Caesar and Cicero he has so completely forgotten this just and profound remark. If he had remembered it, he might have added some touches, not the least graceful, to the portrait of his ideal man.

as for all that may be made the object of reprehension or contempt, our main authority is his correspondence. This correspondence (of course we refer to the private letters, which form so much the larger part of the collection, not the letters to public characters, which are in every way such as his speeches) to us seems the absolute reflection of the man's mind. He says to Atticus (viii. 14, 2, Ep. 349) *ego tecum tanquam mecum loquor*; and he seems to pour out his inmost thoughts almost as in a soliloquy. We can, however, suppose a reader of the letters honestly to entertain the view that Cicero had anticipated the long lease of life that his letters would have, and deliberately placed his character and position in a favourable though unreal light. We say we can suppose this view to be held honestly, though we cannot conceive it to be held intelligently; for there is reason to believe that Cicero never thought of the chance that his letters might be preserved until the correspondence had nearly reached its close. But the theory which we cannot reconcile with either honesty or intelligence is the theory which supposes Cicero to have written with candour and sincerity when he acknowledges his shortsightedness and deplores his mistakes, but looks on him as a mere romancer when he describes the unexampled position which he held as a wielder of written and spoken words. And akin to this theory is that which speaks of all the greatest of his *Optimate* speeches as a price exacted from him by the nobles for their support in his candidature for the consulship, as if the *optima causa* was not the policy which seemed to him best for the State, and as if any man of Cicero's ability would or could restrain himself from giving all his intellectual resources to the aid of a party of which he was the mainstay, and in a sense the organiser. But, say the detractors, he defended Roscius and Cornelius, and, at any rate, thought of defending Catiline; *ergo* he sought the support of the democrats. Now he gained his object without this support. *Ergo*, say they, nearly all his consular speeches are evidence of the dirty work which he was called on by a vile party to do, that he might earn the wages which he had received in advance.

The fact is that Cicero had set up for himself an idol in the restoration of the Optimate party,* of whom he gives us a full-

* It cannot be denied that his fidelity to the Optimate party wavered in the period

length picture in Sest., §§ 96–102 : his political watchwords are 'senatus auctoritas,' and 'ordinum concordia'; his political triumph was the crushing of the Catilinarian conspiracy without an appeal to the sword, by inducing the wealthy middle class to make common cause with the aristocracy; and his political predecessor is Catulus.* It is by fostering the union between the Senate and knights that he hopes to bring about his cherished scheme; and to do this he was ready to erect the knights, in the words of Pliny, into a *tertium corpus* or 'third estate.' In Pompey† he saw (and

immediately succeeding his restoration. The celebrated letter to Lentulus, Fam. i. 9 (153), is rather an apology than a defence. But he always bitterly reproaches himself for any temporary defections from the *causa optima*; and his letters are never so gloomy as during his *rapprochement* towards Caesar. During the portion of Cicero's life coincident with Parts I.–III. of his correspondence there prevailed a perfect *entente cordiale* between the Senate and the Optimates. This, together with the installation of Pompey as the champion of the *causa optima*, was Cicero's political aspiration. This view of the situation (in which, be it observed, the Optimates were by no means at one, some gravely distrusting Pompey) became obviously Utopian after the year 698 (56). Yet the Optimates finally coalesced with Pompey against Caesar; and here, again, Cicero was in a minority, for he represents his policy before the civil war as having been one of conciliation; see Phil. ii. 24 *Atque idem ego . . . pacis, concordiae, compositionis auctor esse non destiti.* Cicero feared that if Pompey were victorious his sword would drink deep of the blood of Rome. Lucan (i. 330) finely says of Pompey, that he had licked the sword of Sulla, and had never forgotten the taste of blood. (*Sic et Sullanum solito tibi lambere ferrum Durat, Magne, sitis.*) An estimate of Cicero's political position after his return from exile belongs to Part IV. The political position of Cicero at that time is best described in his own words—*Sed ego diaeta curare incipio; chirurgiae taedet.*—Att. iv. 3, 3 (92).

* Att. i. 20, 3 (26). Cicero always emphasizes his attachment to the equites: see Rabir. Post. 15 *Nunc vos, equites Romani, videte. Scitis me ortum e vobis omnia semper sensisse pro vobis. Nihil horum sine magna cura et summa caritate vestri ordinis loquor. Alius alios homines et ordines, ego vos semper complexus sum.* Compare also Cauer (*op. cit.* 82), 'Ciceros Politik ist die der römischen guten Gesellschaft. Sobald die beiden herrschenden Stände, Senat und Ritter, einig sind, ist Cicero ihr gegebener Vorkämpfer. Wo ihre Interessen auseinandergehen, versucht er Vermittelung und zwar vornehmlich zu Gunsten der Ritter.'

† It cannot fail to be observed, that as long as Pompey keeps up friendly relations with the popular leaders, Cicero is never tired of sneering at his vanity and pomposity; Sampsiceramus, Arabarches, Hierosolymarius, &c., are all jibes at the conquering hero who thinks he may be the successor of Sulla. It is only when he has thoroughly broken with the revolutionary party that Cicero speaks of him with sincere respect. We have a strong expression of the belief of Cicero that in Pompey lay the only hope of the State in Att. ix. 1, 4 (353): *Dabimus hoc Pompeio quod debemus. Nam me quidem alius nemo movet: non sermo bonorum qui nulli sunt; non causa quae acta timide est, agetur improbe. Uni, uni hoc damus ne id quidem roganti, nec suam causam (ut ait)*

long refused *not* to see) the instrument of this policy, which in fact was realised for the brief period of Cicero's consulate, and the three succeeding years.*

Mommsen's theory of an ironical, contemptuous deference on the part of Caesar towards Cicero, which even showed itself ready to flatter the weaknesses of an intellect which it despised, is as untrue to history as it is injurious to the character of Caesar himself. It is simply fiction, and inartistic fiction. Caesar saw, as he saw everything, that Cicero was a great power. His speeches not only swayed the assembly, but they discharged the highest work now done by our best newspapers, magazines, and reviews. To gain Cicero was what it would now be to secure the advocacy of the *Times*; or rather what it would be were there no other paper, review, or magazine but the *Times*, and were the leaders of the *Times* written by Burke and Sheridan. He placed the public in

agenti, sed publicam. But Cicero never succeeded in acquiring an affectionate regard for Pompey—a feeling against which in the case of Caesar he had to struggle hard. His comment on the death of Pompey does not speak the language of real grief: *Non possum eius casum non dolere; hominem enim integrum et castum et gravem cognovi.* —Att. xi. 6, 5 (418).

* This ideal period he himself often refers to in the words *nostra tempora*, and describes its duration in Fam. i. 9, 12 (153) *Tenebam memoria nobis consulibus ea fundamenta iacta ex Kalendis Ianuariis confirmandi senatus, ut neminem mirari oporteret Nonis Decembribus tantum vel animi fuisse in illo ordine vel auctoritatis. Idemque memineram nobis privatis usque ad Caesarem et Bibulum consules, cum sententiae nostrae magnum in senatu pondus haberent, unum fere sensum fuisse bonorum omnium.* It is worth mentioning here that the oft-quoted verse—

'O fortunatam natam me consule Romam'

is often misunderstood. Its meaning is fixed by a passage in the *pro Flacco*, 102. The words may be rendered—

'O happy fate of Rome to date
Her birthday from my consulate!'

The birthday was the celebrated December 5, on which he put Lentulus and his accomplices to death: this is the passage from the speech for Flaccus: *O Nonae illae Decembres quae me consule fuistis! Quem ego* DIEM *vere* NATALEM *huius urbis, aut certe salutarem, appellare possum.* The phrase *natam me consule Romam*, for *quae diem natalem me consule habuisti* is like the expression of Horace (Epp. i. 5, 9) *eras nato Caesare festus Dat veniam somnumque dies.* So also Plautus says (Pseud., 243) *hodie nate*, meaning, 'you who are celebrating your birthday to-day.' Seneca (de brev. vit. 5) speaks of Cicero's consulate as praised by him 'justly but interminably' (*non sine causa, sed sine fine laudatus*), and no one can read in an unprejudiced spirit the history of the time without seeing what a very important part the great orator then played in Roman politics.

possession of the political situation. It is true, as Mommsen points out, that he came forward in the trial of Verres against the senatorial *iudicia* when they were already set aside, that he thundered against Catiline when his departure was already an accomplished fact. It is true that the second Philippic was not delivered and was not published till Antony had fled to Cisalpine Gaul. But were these speeches therefore useless, or mere exhibitions of powerful pleading? By no means. They put the public in possession of the circumstances in each of these cases, and taught them to look on these circumstances with the eyes of the speaker and his party; they converted resistance into acceptance, and warmed acceptance into enthusiasm; they provided faith with reasons, doubt with arguments, and triumph with words.*

Professor Beesly,† in a vigorous essay, maintains that the Catilinarian conspiracy (though falsely called a conspiracy according to him) was really an attempt to revolutionize the state—an attempt which was near succeeding, and which was made by the revolutionary party under the leadership of Catiline, who was the political successor of the Gracchi, of Saturninus, of Drusus, of Sulpicius, and of Cinna. That the movement is not to be

* O. E. Schmidt has drawn attention to some political pamphlets which were written at the time of the First Triumvirate (*Flugschriften aus der Zeit des ersten Triumvirats* in the N. Jahrb. für das klass. Altertum, 1901, 620–623). An example was possibly the Ὑπόμνημα τῆς ὑπατείας of Cicero, which was probably something more than mere self-glorification; for if so, why (Schmidt asks) did Cicero not write it till nearly three years after the event? Perhaps people were beginning to talk less about Cicero's exploits in that year, and he wished to turn the attention of the public once more to his great services. A more certain example is perhaps the *Oratio in Clodium et Curionem*, which was written in the summer of 693 (61), cp. 22, 10, but not published then, though it got into circulation in 696 (58), cp. 69, 2; 73, 3. The object of this pamphlet was to rally the party of order, and to castigate the extravagance and licence of the *jeunesse dorée*. The ἀνέκδοτα (= *De consiliis suis*), composed in the style of Theopompus, were also written at this time, but not published till after the death of Caesar: cp. Plut. Crass. 13; Dio Cass. xxxix. 10, 1; Cic. Att. xiv. 17, 6 (724). Varro composed some kind of attack on the triumvirs called Τρικάρανος (Appian, Bell. Civ. ii. 9), which was the title of a work of Anaximenes, attributed to Theopompus, which traced all the woes of Greece to the three towns, Athens, Sparta, Thebes. The *Dialogus in Caesarem* of Curio, referred to in Brut. 218 f., is another example: cp. Suet. Caes. 9, 49, 50, 52. Schmidt thinks that in Att. ii. 9, 1 (36) we should print in inverted commas '*cynico consulari*' ('snarling consul') and '*piscinarum Tritonibus*,' which were possibly expressions contained in pamphlets written by Clodius; cp. p. 26, note.

† *Catiline, Clodius, and Tiberius.* London: Chapman & Hall, 1878.

wholly accounted for by saying that the parties to it were 'dissolute youths,' 'insolvent debtors,' and 'disbanded soldiers,' he has shown very clearly.* Nor has he failed to make it plain that Caesar was at this time in no sense the leader of the popular party. But neither was Catiline. Until he failed in his suit for the consulship of 691 (63), and seemed about to fail for that of 692 (62), he does not seem to have even conceived the idea of an *émeute*; for the rumoured plot to murder Cotta and Torquatus, the consuls of the year 689 (65), was discredited even by the hypothetical victim Torquatus, who appeared as one of Catiline's supporters when he was tried for *repetundae* (Sull. 81). It is here that Mr. Beesly's brilliant picture seems blurred. He confesses that the popular cause might have been in better hands, but he seems blind to the utter incapacity and pitiable stupidity of Catiline and the whole revolutionary party. Catiline drifted into the ranks of the insurgents. After foolishly vapouring in the senate about putting himself at the head of the popular party, he was too weak and undecided to take any step. The feebleness of such a man would have saved him from the fate of the Gracchi and Saturninus had he remained at Rome, but it suited the Optimates that he should show his hand, and Cicero succeeded in forcing Catiline to join the insurgents, and thus to give colour to the stories (mostly exaggerated) about the widespread and terrible Catilinarian conspiracy. Then the gross blunder of Lentulus in making overtures to the Allobroges rendered possible the *coup d'état* of the 5th December. So the dull aristocrat was completely outmanœuvred by the adroit *parvenu*. The situation was no doubt menacing, chiefly on account of the vagueness and the wide area of the suspicion which prevailed. Even the loyalty of Cicero's colleague Antonius was breathed upon. Cicero saw that he must strike a blow, but was determined not to invoke the military power. The people would never brook the abnegation of the right of appeal to the tribes in the case of persons guilty only of a plot to commit assassinations or to abolish debts. But if the conspirators could be proved guilty of complicity with a foreign foe, of an attempt on the commonwealth, these extreme measures

* Yet that the special city following of Catiline was mainly composed of debtors who sought *novae tabulae* is plain from the invariable language of Cicero.

might be adopted. Catiline declared himself a public enemy when he repaired to the camp of Manlius; and Lentulus, by negotiating with the Gallic tribes, twisted for himself the rope which strangled him in the Tullianum.

In short, it seems that Catiline (whose atrocities are probably much exaggerated, and whose chief defect was his stupidity)* finds his political analogue not in Marat or Robespierre, but in Guy Fawkes,† or Smith O'Brien, who, had Fortune called him to die in battle, would have known how to die as well as Catiline, and who did not know much better how to effect the purpose of his life. Of course, in private life, there was all the difference in the world between the high-minded and single-hearted Irish enthusiast and the 'stolid rake' (as Professor Palmer aptly called him) who, even after full allowance is made for the exaggerations of his delineator and destroyer, must be admitted to have earned as bad a character in a bad age as was consistent with his dulness and want of individuality. Indeed, we cannot help thinking that Cicero has done all that could be done to secure a place in history for Catiline.‡ He has manufactured a somewhat imposing stage-villain out of very scanty materials. It is a strong proof of the amazing literary power of the orator. Surely no one would have been more surprised than Catiline himself (who seems to have been but too conscious of his own mediocrity) had he known that the time would come when he should occupy a niche beside Caesar Borgia, that ideal of capacity, when his existence should be reconciled with the Divine supervision of the world only on the theory that

'Plagues or earthquakes break not Heaven's design.'

* Cicero, in his speech *pro Murena* (§§ 50, 51), records some 'wild and whirling words' of Catiline. His whole portrait in this passage is in a more bold and picturesque attitude than we are accustomed to. However, the expressions there attributed to Catiline by Cicero probably derived most of their force and point from the orator himself, who was interested in making his foiled adversary appear as formidable as possible.

† In the Gunpowder Plot there is much that resembles the attempt of Catiline, not only in the crudeness of its conception, but also in the disproportionate alarm excited—a fact to which the Book of Common Prayer recently bore witness.

‡ Cp. Dio Cass. xxxvii. 42 Κατιλῖναν μὲν ταῦτ' ἐποίησε καὶ οὕτω κατελύθη· καὶ ἐπὶ πλεῖόν τε τῆς τῶν πραχθέντων ἀξίας ὄνομα πρὸς τὴν τοῦ Κικέρωνος δόξαν καὶ πρὸς τοὺς λόγους τοὺς κατ' αὐτοῦ λεχθέντας ἔσχε.

We own we can look on Catiline as but a very mild type of epidemic, and only as a sort of make-believe stage earthquake.

Georges Thouret has shown in an excellent paper in the *Leipziger Studien*,* that it is probable that both Plutarch and Dio Cassius in their accounts of the conspiracy of Catiline borrowed from the lost ὑπόμνημα περὶ ὑπατείας which Cicero mentions to Atticus in the words *commentarium consulatus mei Graece scriptum misi ad te* (Att. i. 19, 10, Ep. 25). That Plutarch rested mainly on Cicero's Memoir is unlikely; and cogent reasons have been adduced by Prof. Gudeman to show that the *chief* authority of Plutarch was Suetonius,† who not only wrote a defence of the orator against an attack of Didymus, but also a *Life of Cicero*. The Greek Memoir, as well as the letter to Pompey in Latin, *de rebus suis in consulatu gestis*, has completely perished; and of the third essay on the same subject, the Latin poem also mentioned in Att. i. 19, 10 (25), we have preserved only a few verses, which, however, are a valuable aid in the critical treatment of that passage. Accordingly, if it be allowed that Plutarch and Dio Cassius found in the περὶ ὑπατείας materials for their history of the conspiracy,

* Vol. I., Part ii., pp. 303–360.

† While agreeing with Professor Gudeman (*The Sources of Plutarch's Life of Cicero*) in his main contention that the principal authority used by Plutarch was Suetonius, we cannot help thinking that he has gone too far when he holds that Plutarch did not read the ὑπόμνημα. The passage from the Life of Caesar (c. 8) quoted below in the text surely implies that he read the treatise, and that with some care. Again, in the Life of Crassus (c. 13) he says ὅμως δ' ὁ Κικέρων ἐν τινι λόγῳ [sc. the ἀνέκδοτα] φανερὸς ἦν Κράσσῳ καὶ Καίσαρι τὴν αἰτίαν προστριβόμενος. Ἀλλ' οὗτος μὲν ὁ λόγος ἐξεδόθη μετὰ τὴν ἀμφοῖν τελευτήν. ἐν δὲ τῷ περὶ ὑπατείας ὁ Κικέρων νύκτωρ φησὶ τὸν Κράσσον ἀφικέσθαι πρὸς αὐτὸν ἐπιστολὴν κομίζοντα τὰ περὶ τὸν Κατιλίναν ἐξηγουμένην, ὡς ἤδη βεβαιοῦντα τὴν συνωμοσίαν. ὁ δ' οὖν Κράσσος ἀεὶ μὲν ἐμίσει τὸν Κικέρωνα διὰ τοῦτο, τοῦ δὲ βλάπτειν ἀναφανδὸν ἐμπόδων εἶχε τὸν υἱόν. Why should we suppose that Plutarch had not read the Memoir? Plutarch when setting to work at a Life probably (cp. Thouret, p. 314) read a number of authorities; and when he chose one to be the main foundation of his narrative, he did not forego the advantage he might derive from others. Professor Gudeman rightly lays little stress on the appeal made to the authority of Cicero in Plut. Cic. 20, to prove that Cicero's works were the chief foundation of Plutarch's narrative. The words are ἡ δὲ Τερεντία (καὶ γὰρ οὐδ' ἄλλως ἦν πρᾳεῖά τις οὐδ' ἄτολμος τὴν φύσιν, ἀλλὰ φιλότιμος γυνὴ καὶ μᾶλλον, ὡς αὐτός φησιν ὁ Κικέρων, τῶν πολιτικῶν μεταλαμβάνουσα παρ' ἐκείνου φροντίδων ἢ μεταδιδοῦσα τῶν οἰκιακῶν ἐκείνῳ) ταῦτά τε πρὸς αὐτὸν ἔφρασε κ.τ.λ. It is plain from the position of ὡς αὐτός φησιν ὁ Κικέρων between the comparative and the participle that the authority of Cicero is invoked for nothing more than the epigrammatic remark.

then we may reduce the records of this important episode to two—the Ciceronian and the Sallustian; for Appian and Florus followed Sallust. Now, when Cicero published the *ὑπόμνημα* in 694 (60), two years and a half after the events narrated therein, he did not wish to implicate Caesar in the conspiracy. He was at the time on the best possible terms with Caesar, and expressed hopes that he might convert him from the error of his political ways: cp. Att. ii. 1, 6 (27) *Quid si etiam Caesarem, cuius nunc venti valde sunt secundi, reddo meliorem, num tantum obsum reipublicae?* We may infer from the account of Plutarch that Cicero in his treatise *περὶ ὑπατείας* refused to implicate Caesar, though he did implicate Crassus, and thereby earned his hostility. Again, Plutarch (Caes. 8) tells how Caesar was assailed on leaving the Senate on the famous 5th of December, adding *τοῦτο μὲν οὖν οὐκ οἶδ' ὅπως ὁ Κικέρων, εἴπερ ἦν ἀληθὲς, ἐν τῷ περὶ τῆς ὑπατείας οὐκ ἔγραψεν.* The reason is plain from the consideration just mentioned. The same writer tells us that Cicero did incriminate Caesar after his death, in his *ἀνέκδοτα*.* Knowing, therefore, that Cicero has deliberately suppressed his real opinion on this important question, and that Sallust (though not the mere special pleader that Mommsen would make him) is strongly prejudiced in Caesar's favour, we are bound very carefully to reconsider the almost unanimous verdict of modern historians acquitting Caesar. To the proofs of the guilt of Caesar put forward by Mommsen the following considerations may be added.

We have the unequivocal evidence of Suetonius. He is undoubtedly disposed to embrace views unfavourable to the character of Caesar; and so modern historians think they may neglect his distinct evidence that Caesar was publicly arraigned as one of the

* This treatise, also called apparently *Consilia* (cp. Asconius 83, 21 *in expositione consiliorum suorum*: Charisius i. 146 (ed. Keil) *in ratione consiliorum suorum*), is mentioned in Att. ii. 6, 2 (33); xiv. 17, 6 (724): Plut. Crass. 13 (*ἔν τινι λόγῳ· οὗτος ὁ λόγος ἐξεδόθη μετὰ τὴν ἀμφοῖν τελευτήν* (sc. of Crassus and Caesar): Dio Cass. xxxix. 10, who speaks of it thus *βιβλίον τι ἀπόρρητον συνέθηκε. καὶ ἐπέγραψεν αὐτῷ ὡς καὶ περὶ τῶν ἑαυτοῦ βουλευμάτων ἀπολογισμόν τινα ἔχοντι. πόλλα δὲ δὴ καὶ δεινὰ ἐς αὐτὸ καὶ περὶ ἐκείνων* (sc. Crassus and Caesar) *καὶ περὶ ἄλλων τινῶν συνέγνωσε, καὶ διὰ τοῦτο φοβηθεὶς μὴ καὶ ζῶντος αὐτοῦ ἐκφοιτήσῃ, κατεσημήνατό τε αὐτὸ καὶ παρέδωκε τῷ παιδὶ* (probably Tiro is meant), *προστάξας οἱ μήτ' ἀναγνῶναι μήτε δημοσιεῦσαι τὰ γεγραμμένα πρὶν ἂν μεταλλάξῃ.*

conspirators :—*recidit rursus in discrimen aliud inter socios Catilinae nominatus et apud Novium Nigrum quaestorem a L. Vettio indice, et in senatu a Q. Curio . . . Curius e Catilina se cognovisse dicebat, Vettius etiam chirographum eius Catilinae datum pollicebatur* (Iul. 17). However, in a very similar passage (Iul. 9) Suetonius states that, in the year of the city 688 (66), Caesar entered into a conspiracy with Crassus to make Crassus dictator with himself as *Magister Equitum*, and to secure by a *coup d'état* the consulship for P. Sulla and L. Autronius; and he distinctly gives as his authorities Tanusius Geminus,* M. Actorius Naso, the Edicts of Bibulus, and the speeches of C. Curio senior. Now the two last-named may be discounted as notoriously hostile to Caesar; but who can deny that the testimony of the two first-named writers is unimpeachable? If therefore, as seems probable, Suetonius relied on the same authority in the question of Caesar's complicity with Catiline, surely his evidence is altogether worthy of credence. And indeed what antecedent objection besets the theory that Caesar should eagerly follow the banner on which was inscribed *novae tabulae*? He was now plunged in a sea of debt; he had lavished unheard-of sums in the attempt to climb into popular favour, and he had as yet reaped no reward. Pompey was on the point of returning from the East. When he said to his mother on the Ides of March, 691 (63), after lavishing a fortune on his suit for the Pontificate, *domum se nisi pontificem non reversurum* (Suet. Iul. 13), he spoke the words of a desperate man.†

* If Tanusius is the Volusius of Catullus (xxxvi. 1), which is far from certain (cp. Ellis *ad loc.*), he must have been a far from attractive writer, but not necessarily untrustworthy. There is a possible allusion to the guilt of Caesar in Mur. 84 *non nemo etiam in illo sacrario reip.,in ipsa inquam curia non nemo hostis est.* But this cannot be the passage to which Plutarch refers, as it was written during the lifetime of Caesar. The passage Att. x. 8, 8 (392), does not refer to the Catilinarian conspiracy, but to the Senatusconsultum ultimum passed in January, 705 (49), cp. Fam. xvi. 11, 2 (301).

† There is one argument against the guilt of Caesar which seems to some to be of great weight. 'If,' it is urged, 'Caesar had been a Catilinarian, Cicero must have known it; and it is certain that Cicero would have mentioned it in some of those letters before the outbreak of the civil war, in which he weighs the characters of the rival leaders, and the probable issues of the conflict.' But Cicero had made up his mind about the policy of Caesar. Caesar is to him a *perditus civis*, a *tyrannus;* his action is a *furor*, a *scelus*. He had done of late so many illegal acts that the question what he was fourteen years ago was irrelevant. Besides, we think Cicero *does* hint at Caesar's complicity with Catiline, when he dwells on his *mores*, ANTEFACTA,

As to the argument which has satisfied many, that Caesar would not have stooped to accept a position subordinate to Catiline, we should remember that we moderns are very prone to exaggerate the proportions of Caesar as a historical figure in the eyes of his countrymen, while his contemporaries, on the other hand, were more likely to underrate his dimensions. Looking back on his marvellous career, and reflecting on the momentous issues which followed the civilization of the West, we feel that Caesar still

'doth bestride the narrow world
Like a Colossus,'

and can hardly recall in imagination the time when he was no very imposing personage in the eyes of his contemporaries. On Att. ii. 19, 3 (46), it has been pointed out how the commentators have insisted on making Caesar 'the tyrant,' and Pompey one of his 'supporters,' whereas the whole context shows that it is Pompey who is the *dominus*, and Caesar one of his *advocati*, in the eyes of the people of Rome, though at that time, 695 (59), Caesar no doubt actually did see his way to that supreme position, which cannot have been more than the merest hope in the year 691 (63).* Probably, had the rash attempt of Catiline succeeded, Caesar would have had an earlier opportunity of showing his true greatness—his admirable fitness to use success, and to wield power however absolute.

Next to the consulship, the most interesting episode in this period of the life of Cicero is his exile. Professor Beesly again points out 'the inherent improbabilities in the vulgar account.' 'We are asked to believe,' he says, 'that, stained with the blood of the popular leaders, Cicero was respected and beloved by the

Att. ix. 2*a*, 2 (356). This unproved surmise was a mere drop in the ocean compared with his subsequent acts. The negative evidence which rests on the silence of Cicero concerning this one illegality of Caesar cannot be set against the positive proofs of Mommsen and others.

* Suetonius (Iul. 9) quotes from a letter of Cicero to Axius the words *Caesarem in consulatu confirmasse regnum de quo aedilis cogitarat.* This may have been a hope of Caesar's at the time, but nothing more; cp. Plut. Cic. 20 τότε δὲ νέος ὢν (sc. Καῖσαρ) ἔτι καὶ τὰς πρώτας ἔχων τῆς αὐξήσεως ἀρχὰς, ἤδη δὲ τῇ πολιτείᾳ καὶ ταῖς ἐλπίσι εἰς ἐκείνην τὴν ὁδὸν ἐμβεβηκὼς ᾗ τὰ Ρωμαίων εἰς μοναρχίαν μετέστησε πράγματα, τοὺς μὲν ἄλλους ἐλάνθανε, τῷ δὲ Κικέρωνι πολλὰς μὲν ὑποψίας λαβὴν δ' οὐδεμίαν εἰς ἔλεγχον παρέδωκεν.

vast majority of Roman citizens, and that the troubles which subsequently befell him were simply the result of a personal quarrel with Clodius.' He sees in this account a tendency 'so easy, and to the vulgar mind so agreeable, to attribute the Persian invasion of Greece to a curtain-lecture of Atossa's, or the English Reformation to the pretty face of Anne Boleyn.' There is much that is both new and true in what he has advanced, and we think we may admit that Cicero was not a favourite with the populace after his suppression of the Catilinarian conspiracy. Indeed, he admits as much himself in some passages of his letters—for instance, in that one in which he says that the fact that his deposition in disproof of the *alibi* of Clodius did not avail to procure a conviction has actually been of service to him with the populace. 'The plethora of my unpopularity,' he says, 'has undergone depletion, and the operation has not been painful.'* And it seems probable, too, that the people at Rome were opposed to his restoration, which was procured by a 'whip' of Italian voters. It is certainly true that there was an attempt made to impede the rebuilding of his house, and that he had to walk about the city with a guard of armed men. But here his enemies are the mere mob, whom he calls *sordem urbis et faecem*. With the more respectable elements of the popular party there is evidence that the picturesque career and demeanour of the great *novus homo* were not without their effect on the imagination. When, being prevented by the tribune Metellus Nepos from addressing the people on laying down his office, he swore that he had saved the state, there really was a general burst of responsive enthusiasm, cp. Fam. v. 2, 7 (15). The Catilinarian conspiracy at one time wore a very threatening aspect, made more sinister by the empty vapourings of Catiline, and Cicero had put it down without calling on Pompey to unsheath his sword. No attempt to upset the constituted government by force recommended itself much to the law-abiding Roman who had won his empire by subordination of self to State, of imagination to reason. The Roman citizen presents the strongest contrast to the Parisian, who will die behind his barricade for an idea.

But to return to the circumstances which led to the exile of

* *Missus est sanguis invidiae sine dolore.*—Att. i. 16, 11 (22).

Cicero. Some time in the year 692 (62) Clodius was found in woman's clothes in the house of Caesar, one of the praetors, where the women were celebrating the rites of the Bona Dea, from which all males were rigorously excluded. We find the first notice of this event in a letter of Cicero to Atticus, written on January 1, 693 (61). For this last reason, and because Clodius is spoken of as *quaestor designatus* at the time, which would place the crime in one of the later months of the year, it has generally been inferred that the outrage took place in December, 692 (62). On the other hand, Ovid (Fast. v. 146) assigns May 1st as the date of the festival of the Bona Dea. Hence Mr. Beesly infers that Clodius must have ventured on this daring escapade in May, that seven months were allowed to elapse before any notice was taken of the crime, and that it was then made use of merely as a pretext for venting on Clodius the political rancour of the oligarchy, to whom (he suggests) Clodius must have given some fresh offence, as we should probably find if we had the history of the year 692, of which we are ignorant, owing to a break in the continuity of Cicero's correspondence. But Mr. Beesly's assumption is utterly unwarranted. The Bona Dea, on whose rites Clodius intruded, was worshipped on the night of the 3rd and 4th December, as has been *demonstrated* by Marquardt (iii. 331–2, ed. 1878). Marquardt quotes Plutarch (Cic. 19) to the effect that on the night after Cicero had disclosed the plot of Catiline he was brought home to the house of a neighbour, *because Cicero's own house was occupied by the rites of the Bona Dea*. Cicero, as we know, made his celebrated disclosures on December 3; therefore the rites of the Bona Dea were going on during the night of December 3–4. The Bona Dea to whom Ovid refers was quite different. Her sacrifices were held on May 1st in a temple on the Aventine, whereas the rites which Clodius violated were held in a private house. The latter sacrifice, however, was a public sacrifice (*pro populo*), because it could only be held in the house of an officiating *consul* or *praetor urbanus*. Caesar at the time of Clodius' crime was both *pontifex* and *praetor urbanus* (Marq. iii. 332). Thus vanishes Mr. Beesly's incredible hypothesis that Cicero should have told the whole story of the sacrilege without hinting that the crime was seven months old. But even without this demonstrative proof the evidence of

Cicero is unmistakable. In a letter to Atticus, written on January 1, 693 (6) (Ep. 16, 3), he says:—

'I suppose you must have heard that P. Clodius was detected in the disguise of a woman in C. Caesar's house when the sacrifice was going on, and that he was allowed to escape safe from the house through the aid of a servant maid; and that the outrage has caused immense indignation. I am sure you will be sorry for it.'

On January 25 of the same year, again writing to Atticus, he says (and it will be observed that the accurate rendering of the word *instaurassent* accounts for at least *some* delay):

'I suppose you must have heard that while sacrifice was being offered at the house of Caesar, a man effected an entrance in woman's clothes, and that it was only after the Vestal Virgins had performed the sacrifice afresh, *instaurassent* (the first having been polluted by the intrusion of Clodius), that Cornificius—not one of us consulars, observe—brought the matter before the Senate. The Senate referred the matter to the Pontifices, who pronounced that sacrilege had been done. So the consuls were directed by the Senate to bring in a bill to hold an inquiry into the matter. Caesar has divorced his wife. The consul Piso, through friendship for Clodius, is doing his best to shelve the bill which he is himself obliged to bring forward by order of the Senate. Messalla, the other consul, is in favour of strong measures. The partisans of the good cause, yielding to the prayers of Clodius, are standing aloof. Gangs of bravoes are being got up. I myself, though I had been a perfect Lycurgus at first, am gradually cooling down. Cato is straining every nerve for the prosecution. In a word, I am afraid that this cause, defended by the democrats, while the Optimates stand aloof from the prosecution, will work great mischief to the State.'

Surely this whole passage is completely opposed to the theory that the prosecution of Clodius was the result of spite on the part of the oligarchy, who trumped up an almost forgotten charge against a person who had rendered himself politically obnoxious to them. On the contrary, the Optimates were desirous of standing aloof from the prosecution altogether until pushed into it by the foolish obstinacy of Cato. In the course of the debate, however, Clodius was imprudent enough to try conclusions with 'Tear-'em the ex-consul,'* and found him far too cunning of fence, and

* So may be translated the expression *cynicus consularis* in Att. ii. 9, 1 (36),

keen of thrust. Cicero, true to the programme of his party, which he strongly condemns Cato for neglecting, would have gladly stood apart, but that Clodius brought an odious taunt against his cherished consulship: *me tantum* comperisse *omnia criminabatur* (Att. i. 14, 5, Ep. 20). This was the ill-omened word that began to be bruited about against the Father of his country even during his consulship, that in suppressing the Catilinarian conspiracy he had been wont to declare 'that he had received information' to this or that effect, that he required neither trial nor proof, that 'he had information' which justified his acts. So ill-sounding was this word in his ears, that in a letter to his colleague Antonius (Fam. v. 5, 2, Ep. 18), written but a short time before this, Cicero actually avoids the word *comperi* for this reason, *contra etiam esse aliquid abs te profectum ex multis audivi, nam* comperisse *me non audeo dicere ne forte id ipsum verbum ponam, quod abs te aiunt falso in me conferri*—Clodius had used the hated word, and Cicero (Att. i. 16, 1, Ep. 22)—*cum ille ad conciones confugisset in iisque meo nomine ad invidiam uteretur; di immortales quas ego pugnas et quantas strages edidi!*

It was then that Hortensius, feeling that no panel could fail to convict Clodius, hit on the expedient of facilitating matters, and obviating the hostility of the tribune Fufius, by giving up the consular bill, which empanelled a jury to be chosen by the praetor, and allowing Fufius to propose a bill providing that the jury should be chosen by lot out of the *decuriae*. This was of course the ordinary practice; and it is clear that the consular rogation, in providing a panel chosen by the praetor, proposed an exceptional

borrowing the phrase from the *sobriquet* of Mr. Roebuck. The word refers to Cicero's *biting repartees*. The common rendering of the phrase 'the consular cynic' is not a translation at all. Cicero had nothing in common with the cynic philosophy but his biting tongue, under the lash of which Catiline tottered half stunned and paralysed from the Senate, and Clodius *magnis clamoribus afflictus conticuit et concidit* (Att. i. 16, 10, Ep. 22). The term 'cynical,' in its modern sense, as applied to the cold man of the world, devoid alike of beliefs and enthusiasms, is perhaps, of all words in our language, the one least applicable to the character of Cicero. Perhaps 'snarling consular' would express the idea. O. E. Schmidt (*Flugschriften aus der Zeit des ersten Triumvirats*, in N. Jahrb., 1901, p. 629) holds that we should print '*cynico consulari*' and '*piscinarum Tritonibus*' in inverted commas, as they were probably expressions contained in pamphlets written by Clodius, or perhaps in speeches made by him. The last expression, he thinks, in a special degree evinces youthful extravagance.

measure, which is not made very clear to us. But is it not a most daring assumption to suppose, as Mr. Beesly does, that the oligarchy 'were bent on nothing less than galvanising the *comitia centuriata* into a new life, for the purpose of creating by its instrumentality a Quaestio to try Clodius'? Can anyone suppose that Cicero would leave an attempt so remarkable in such obscurity, and never mention the extraordinary circumstance that the bill was moved in the *comitia centuriata*? 'I presume,' says Mr. Beesly, 'that for a Roman such information was not necessary, because to tell him that a bill was moved by a consul was equivalent to telling him that it was moved in the *comitia centuriata*.' But surely this view is incompatible *omnibus litteris* with the account of Cicero, who invariably speaks as if the projected *Quaestio* could easily have been successful except for the blunder of Hortensius. Moreover, the oligarchy are supposed to have conceived this unprecedented *coup* through their thirst for the blood of a man whose offence against them is in itself a hypothesis. He must have offended them because they thirsted for his blood. And why did they thirst for his blood? Because he had offended them so grievously. Similarly, that Clodius was a 'prominent member of the democratic party' is assumed, because 'there is no other way of accounting for the extraordinary *acharnement* of the nobles, or the interest the people took in his cause.' The fact is, that he had hitherto appeared first as the accuser of Catiline, and afterwards as one of Cicero's body-guard at the execution of Lentulus and his accomplices—not very consistent acts in 'a prominent member of the democratic party.' The violation of the state religion seems to have been resented in a way which we can hardly understand in a nation which certainly was mainly sceptical; but anything is possible in a state where C. Julius Caesar, notorious for scepticism and profligacy in a sceptical and profligate age, was Pontifex Maximus.* The Optimates, as we have seen,

* The curious tenacity of the Romans for traditional usages, and the strange fusion of formalism and scepticism in their character, are strongly illustrated by the history of the prosecution of Rabirius. He, whom the eloquence of Cicero had not availed to save, was rescued by the adroitness of the praetor Metellus Celer, who struck the flag which waved from the Janiculum during the assemblies of the centuries. This was in old times the signal of an Etruscan raid. On seeing the flag struck, the burghers would rush from the debate to repel the foe, Dio Cass. xxxvii. 27, 28. The ruse

would have held aloof but for the quixotism of Cato. Cicero, as a leading Optimate, gave evidence to upset the *alibi* of Clodius.* Clodius was acquitted by thirty-two to twenty-five votes—the second occasion during a period of five years on which the verdict of a Roman jury was *meridie non lucere*—and during the struggle and after it raged the war of words in which Clodius was so notably worsted. Hence arose the enmity between Clodius and Cicero, not from Cicero's deposition, to which the latter never adverts as the source of Clodius' persecution. And hence the adoption of Clodius into a plebeian family, his tribunate, and the exile of Cicero. For it would seem that here, if ever, we have an instance of a political event of some magnitude brought to pass by private animosity and personal *pique*. It is possible to sin in the writing of history by making causes too particular; but it is also possible to sin in making them too general. It is absurd 'to attribute the Persian invasion of Greece to a curtain-lecture of Atossa;' but there is a great temptation, which chiefly besets brilliant writers like Mr. Beesly or Theodor Mommsen, to absolutely discount private influences as a factor in history, to refer every phenomenon to the operation of general laws, and, exaggerating the paradox of Buckle, to speak as if it might have been predicted *à priori* that Caesar would be bald, and Claudius die of eating a mushroom. Yet such historians do not question the Aristotelian apophthegm (Pol. viii. 3, 1 = 1303 b. 17) *γίνονται μὲν οὖν αἱ στάσεις οὐ περὶ μικρῶν ἀλλ' ἐκ μικρῶν, στασιάζουσι δὲ περὶ μεγάλων· μάλιστα δὲ καὶ αἱ μικραὶ ἰσχύουσιν, ὅταν ἐν τοῖς κυρίοις γένωνται.* Nor do they demur to the long list of instances adduced by him, in which private quarrels and jealousies were the *occasions*, though not the *causes*, of public events of great importance.

Moreover, Mr. Beesly's account is inconsistent with itself. If Clodius had really been 'the prominent leader of the popular party,' he needed not to have taken the trouble to become a

succeeded. The populace, who refused the life of Rabirius to the arguments of Cicero, gave it to the observance of an obsolete constitutional fiction.

* Cicero may have been persuaded by Terentia to depose against the *alibi* of Clodius. Terentia hated Clodia, whom she suspected (seemingly without much evidence) of designs on her husband. *Ego illam odi* is Cicero's own description of his feelings towards this *publica cura* of Rome.—Att. ii. 1, 5 (27).

tribune ; he could, on the invitation of Fufius, have addressed the *comitia tributa*, which would have readily given ear to the acknowleged popular leader. Clodius sought the tribunate in the character of an opponent of Caesar,* who seeks to deny for himself and Pompey any participation in bringing about the adoption into a plebeian family. Cicero suspects nothing. He refuses a place among the Vigintiviri and a *legatio* offered by Caesar, who, on failing to gain him as an adherent, generously seeks at least to protect him from molestation.† Pompey assures Cicero of his protection, and Cicero, when it does occur to him that Clodius is his enemy, declares that

'His soul 's in arms and eager for the fray.'

One cannot doubt that, had Cicero chosen, the Triumvirate might have been a Quattuorvirate ‡ ; but he is faithful to his *causa optima*, the defection of Pompey from which he regrets in expressive phrase (Att. ii. 21, 3, 4, Ep. 48). His only comfort is that he has now no rival in Pompey for the plaudits of posterity (Att. ii. 17, 2, Ep. 44). Clodius having gained his tribunate by

* *Inimicissimus Caesaris, et ut omnia ista rescindat.*—Att. ii. 12, 2 (37).

† Att. ii. 18, 1 (45), 19, 4 (46) ; Prov. Cons. 41, 42 : cp. Att. ix. 2*a*, 1 (350). Plutarch (Cic. 30) gives a strange account of these proceedings, which is rightly rejected by modern historians, as it is not confirmed by extant sources, and is inherently improbable ; but it is worth quoting :—*τῶν δὲ πλεῖστον δυναμένων τότε τριῶν ἀνδρῶν, Κράσσου μὲν ἀντικρυς Κικέρωνι πολεμοῦντος, Πομπηΐου δὲ θρυπτομένου πρὸς ἀμφοτέρους, Καίσαρος δὲ μέλλοντος εἰς Γαλατίαν ἐξιέναι μετὰ στρατεύματος, ὑπὸ τοῦτον ὑποδὺς ὁ Κικέρων, καίπερ οὐκ ὄντα φίλον ἀλλ' ὕποπτον ἐκ τῶν περὶ Κατιλίναν, ἠξίωσε πρεσβευτὴς αὐτῷ συστρατεύειν. Δεξαμένου δὲ τοῦ Καίσαρος ὁ Κλώδιος ὁρῶν ἐκφεύγοντα τὴν δημαρχίαν αὐτοῦ τὸν Κικέρωνα προσεποιεῖτο συμβατικῶς ἔχειν καὶ τῇ Τερεντίᾳ τὴν πλείστην ἀνατιθεὶς αἰτίαν, ἐκείνου δὲ μεμνημένος ἐπιεικῶς ἀεὶ καὶ λόγους εὐγνώμονας ἐνδιδούς, ὡς ἄν τις οὐ μισῶν οὐδὲ χαλεπαίνων, ἀλλ' ἐγκαλῶν μέτρια καὶ φιλικά, παντάπασιν αὐτοῦ τὸν φόβον ἀνῆκεν, ὥστ' ἀπειπεῖν τῷ Καίσαρι τὴν πρεσβείαν καὶ πάλιν ἔχεσθαι τῆς πολιτείας.*

‡ This is stated in so many words by Cicero in Prov. Cons., § 41 *me in tribus sibi coniunctissimis consularibus esse voluit.* And this pronouncement is abundantly confirmed by Cicero's private letters of this period. See Att. ii. 1, 6, and 7 (27) to the words *non minus esset probanda medicina quae sanaret vitiosas partis reipublicae quam quae exsecaret* ; also Att. ii. 3, 3 (29) from the words *Nam fuit apud me Cornelius,* where he distinctly says that he might have been a member of the coalition, but that he preferred to adhere to the policy and party which from his boyhood he looked on as the party of patriotism and constitutionalism. In fine, he resolves that his motto shall be *εἷς οἰωνὸς ἄριστος ἀμύνεσθαι περὶ πάτρης.*

concealing his designs against Cicero (a strong proof that Cicero was not the object of popular resentment), at once proceeds to his revenge. After several enactments, having a tendency to conciliate the various classes of Roman society, he proposes a law enacting that anyone who had put Roman citizens to death without trial should be interdicted from fire and water. Caesar having in vain tried to gain Cicero as an adherent—having in vain sought even to afford him an opportunity for retiring from a perilous position with honour—now abandons him to his fate. Indeed, Cicero's presence in Rome as a declared opponent of the Triumvirate might have proved an obstacle to his own departure for Gaul. Pompey betrayed him to whom he had so often pledged his word. The treason of Pompey and the jealousy of Hortensius well-nigh cost the world some of the noblest of the speeches and essays of Cicero; for often during his exile the victim of Clodius was on the point of self-destruction. He often regrets that he had not opposed force to force, even though he should have perished in the employment of it; and still more he deplores the fatal step which he took in leaving Rome before he was directly impeached. But he invariably attributes his fall, first, to the treason of Pompey against the Optimates, and consequently against himself; secondly, to the jealousy felt towards him by the rival aspirants to the leadership of the Optimate party.

The recall of Cicero cannot for a moment be ascribed to a sudden *rapprochement* on the part of Pompey to the nobility. Nor is Mr. Beesly true to the authorities in saying that the terms on which the nobility accepted the overtures of Pompey were 'the re-establishment of the senatorial government and the recall of Cicero.' The exile of Cicero was due to the jealousy of the nobility as much as to the treason of Pompey. But jealousy is a sentiment which, though it grows terribly while its object is still in a position to excite it, yet is capable of being allayed by the humiliation of the once envied rival. Cicero recalled from exile, even with all the honours which attended his recall, was no longer the triumphant *parvenu*, the irresistible *moqueur*, unstained by a humiliation and unabashed by a repulse. And to this must be added the effect of that essentially personal factor in history which is so completely discounted by Mr. Beesly and his school.

A quarrel about the safe keeping of an Armenian princeling brought about an incurable rupture between Pompey and Clodius, and obtained for Cicero the good offices of Pompey in procuring his restoration. Moreover, the people, whose instincts led them to acquiesce in the punishment of a man who had undoubtedly strained the constitution, yet felt that he had amply atoned his *coup d'état*, and welcomed back the saviour of his country. No doubt, the rabble hissed, but the people (especially the Italians) were enthusiastic in the cause of his restoration, and Pompey, through hatred for Clodius, enrolled himself on the same side. The Senate strained every nerve, and there seems to have been an organized 'whip' of Italian voters. Nor were the bravoes of Milo, as would appear, an unimportant factor in the result achieved.* Thus, probably, the restoration of Cicero was brought about mainly by the unconstitutional means by which it might more easily have been averted.

It will be seen, therefore, that neither in his version of the conspiracy of Catiline, nor in his account of the circumstances which led to the exile of Cicero, can the view of Mr. Beesly be accepted, unless by one who has deliberately formed the theory that Cicero has 'cooked' his letters—has given not the record of his own shifting hopes and fears, but a series of simulated reflections, so contrived as to put his own position and character in the best possible light. If anyone so reads these letters, which practically are our only authority for this period, it is impossible to argue with him. We differ on ultimate principles. When Cicero, in no polemical spirit, with no thought of proving anything, calls himself, in playful passages, *vindicem aeris alieni*,† it seems to us to show that he looked on the Catilinarian conspiracy as a struggle on the part of deeply indebted desperadoes, who were prepared, if necessary, to blot out the accounts against them in blood. Now a far more direct attestation to the same effect in one of his speeches would go a very small way towards convincing one of the sincerity of the sentiment expressed. Such is our view of the nature of the letters; and we believe this view will commend itself to every unprejudiced reader of them.

But there is one sentence in which Mr. Beesly sums up the

* Dio Cass. xxxix. 8.

† Fam. v. 6, 2 (16); Att. ii. 1, 11 (27).

character of Cicero, which is interesting as an outspoken statement of much that is generally only implied in other arraignments of this conspicuous personage. 'I protest,' he says, 'that I have a genuine sympathy for all that is amiable and attractive in the character of Cicero. But I cannot forget that he took the wrong side in the politics of his country—nay, that he hired himself to do the work of a vile party.' That he hired himself to do the work of a vile party is not true. He joined a party, and used all his splendid abilities for the support of a party, which some may think it fitting to call vile; but he had never belonged to any other party, and his hire was the honours and influence which his commanding intellect must have won in any civilized society. Except in the case of Burke, never perhaps has such genius reaped so little political reward. Whether Cicero 'took the wrong side in the politics of his country' depends on the other question, Which was the right side? This question is answered against Cicero, first, by theorists who are smitten with an inordinate lust for despotism; or by those who, like Mommsen, gaze upon Caesar with inarticulate rapture.* These speak as if Cicero should have seen that his cherished Republic was no longer possible; that everything had long since been tending to monarchy; that Caesar was the genius destined to erect a great structure, 'to have laid any stone of which would have been enough to have secured the immortality of any man.'† In the work of C. Gracchus, which laid the foundation

* 'As the artist can paint everything except consummate beauty, so the historian, when once in a thousand years he falls in with the perfect, can only be silent regarding it. . . . The secret of Nature, whereby in her most finished manifestations normality and individuality are combined, is beyond expression.'—Mommsen, Hist. Rom. iv. 457.

† It must not be forgotten that the spheres of the historian and of the biographer do not completely coincide. If it is the duty of the historian to seek to solve the question, what was the real character of the Catilinarian conspiracy, it is no less the duty of the biographer to try to discover what was the actual opinion of Cicero about its nature and origin. The conspirators may have been democrats; but if Cicero thought they were anarchists, the biographer is bound to construct his analysis of Cicero's character as if they were anarchists. The Republic, no doubt, was sick of a mortal disease, but Cicero thought it was curable. A dagger was plunged to the heart of the Republic, and Cicero did not apprehend that it would be fatal to pluck the weapon from the wound. Caesar may have come to deliver the people from oppression, but Cicero thought he was coming to establish a despotism. Mommsen has an amazing power of seizing the *Zeitgeist* of an epoch, and of marshalling his facts so as to point out, amid a mass of apparently isolated phenomena, some prevailing and

of the *tyrannis*, Cicero only saw the *seditio* of a turbulent tribune who sought to excite the people against constituted authority. In the Gabinian and Manilian Laws, which established the *tyrannis*, he only saw large honours conferred on one to whom he looked as the champion of the Optimates. Whether Caesar formed or did not form clearly the design of establishing a *tyrannis*, he certainly did not avow it. It is remarkable how, during his whole career, even the most acute of his contemporaries failed to appreciate the colossal proportions of Caesar as a historical figure. They stood too near the canvas to judge of the effect.

But again, the question which we have put has been answered against Cicero by those who are enamoured of liberty, of whom is Mr. Beesly. They argue as if Cicero knew well that the aristocracy were 'a vile party,' who were determined to maintain their privileges of oppression, as if he said to himself, 'Caesar is coming to rescue the people from the tyranny of a dominant class, but he shall not do so; we will resist him, and oppress them still.' Now, it never occurred to Cicero that the people were being oppressed; if he had been told that Caesar was coming to restore them their liberty, he would have asked when had they lost it; * and it would have seemed a strange reflection to him that a gang of ruined aristocrats like Curio, Dolabella, Antony, under the leadership of one who boasted his descent from the heroes of the Iliad, from Venus Aphrodite, from the kings and gods of Rome, were coming to wrest the despoiled liberties of the people from the usurping hands of a Varro, a Cicero, and a Cato—from two burghers of Reate and Arpinum, and the descendant of a Tusculan peasant. But the fact is that Caesar, when once launched in the war, did not claim for himself the character of a liberator. † He spoke of his consulship refused to him, his province taken away, and his army disbanded. We hear nothing about an oppressed people, or himself as a champion of democracy. Cicero saw in the approach of Caesar

characteristic tendency; but he forgets that his Caesars and Ciceros were struggling under a dust of battle which two thousand years have hardly cleared away. He forgets that his estimate of the influence of Caesar on history may still be quite just, though Caesar dreamed not of the fine issues to which his spirit was so finely touched.

* Gaston Boissier, *Cicéron et ses amis*, p. 64.

† He claimed it at the very commencement of the struggle (De Bell. Civ. i. 22), but dropped the cry afterwards.

nothing but peril to his dear Republic. Nor could he possibly have diagnosed the disease by which the Republic was slowly dying. When a Saturninus or a Catiline was crushed, he thought the Republic was cured. He did not see that these were but recurring symptoms of a deeply-seated and fatal malady. The Republic on which Cicero centred his faith and love, to which he devoted his pen and tongue, and for which he gave his life, was the Commonwealth of the Scipios.* Such a Commonwealth existed now only in an imagination which took memories for hopes. But surely the Commonwealth of the Scipios, which fired the enthusiasm of Virgil under Augustus, and of Lucan under Nero, was no unworthy object of the devotion of Cicero.† There are some who so lust to see 'brute Power increase,' that they can sneer at the struggle of Chaeronea, and smile at the death-pains of Poland; that they can but shout *vae victis* over the defeated, however noble or unequal the struggle. To us it seems that none but such as these ought to be able to view with indifference the fall of the Roman Republic, or to wonder why Cicero clung with such reverential homage to the Commonwealth, and even to the faint, pale ghost of the Commonwealth, which, in the times of the First Triumvirate,

'Did squeak and gibber in the Roman streets.'

And if it be contended that Cicero showed some want of insight in not seeing that monarchy was inevitable, we may reply that his was a blindness which contrasts favourably with the perspicacity which taught Atticus to make his peace with Caesar and Antony so secure.‡

* It is from this period that Cicero loves to take his interlocutors in his dialogues. He professes to Pompey in Fam. v. 7, 3 (13) that his highest aspiration is to play Laelius to the Scipio of Pompey; and, in choosing a fictitious name under which to correspond with Atticus, he calls himself Laelius.

† The benefits of the Empire were of course very great to the world. The provincials especially had good reason to bless it. But we must enter on the *per contra* side of the account the great weakening of the manly fibre of the Roman character. Compare the independent tone of Cicero's letters with the polished subservience of Pliny. Nay, take the Machiavellian letter of Quintus on the tactics of a candidate for consulship (Ep. 12); nothing could be more worldly and politic than its precepts; but what an advantage in dignity it has over some of the epistles of Horace. The one teaches to flatter the public; the other to cringe to the Emperor.

‡ An able and encouraging review of the first edition of this volume in *The Times*

In a word, Cicero, like every politician, was actuated by mixed motives in the line which he took. He desired to achieve the commanding position to which he felt that his powers entitled

would put the matter in a nutshell by asking, Did Cicero sincerely believe Pompey to be the champion of the Republic? We give the whole passage, as it vigorously expresses the reviewer's conception of Cicero's attitude towards Pompey:—

"It is interesting to notice Cicero's estimate of Pompeius at different stages of his career. His real opinion of the man is contained in a curious passage in Att., Bk. i. [13, 4, Ep. 19]: 'He is affectionate towards me openly; but his dislike is sufficiently obvious. He has no courtesy, no candour, no high-mindedness in his public life, no brilliancy, no resolution, no generosity.' Pompeius's behaviour in face of the victorious advance of Caesar in Italy is thus described: 'But our Gnæus—is it not incredible and heart-breaking?—is completely prostrate! He has no heart, no head, no activity, no troops.' [Att. vii. 21, 1, Ep. 319.] It was indeed a cruel disappointment to one who had written [Fam. ii. 8, 2, Ep. 201] to Cælius two years before that Pompeius was 'a great citizen, and of mind and discretion adequate to all possible emergencies.' But Cicero's contempt for the man himself vanishes when he regards him as the representative of the *optima causa*, the champion of the Senate and the ancient constitution. He then thinks only of the dignity of Pompeius's position; of the many ties which bind him to himself: he calls him his dear friend, with whom he stands or falls. But did Cicero sincerely believe Pompeius to be the champion of the Republic? This is the nutshell in which the whole question of this part of Cicero's policy lies. If he did believe it, it was his stern duty to adhere to the Pompeians. If he did not, it was open to him either to remain neutral, or to side with whichever leader was in his opinion best fitted to govern the State. Cicero makes no disguise to Atticus of his opinion on this point. In March of 49 he writes [Att. viii. 11, 2, Ep. 342]:—

"'What both rivals seek is absolute power; they have not cared one jot for the prosperity and honour of the State. Nor, indeed, did Pompeius leave the city because he could not defend it, nor Italy because he was driven thence; but from the beginning his design was to move every land and sea, to incite barbarian kings to bring savage nations against Italy, to assemble the largest armies he could. That is the sort of Sullan dominion which many of his suite have long been thirsting for. Do you think an arrangement might not have been come to between the two? Why, such might be framed even at this moment; but our friend (Pompeius) will have none of it; both rivals, I repeat, wish *to reign*.'

"Thus it is clear that Cicero knew that Pompeius was only using the constitution as a peg on which to hang his pretensions. Possessing this knowledge, Cicero had no justification for the course he took."—*Times*, Monday, Aug. 16, 1880.

To this the answer is that a fair and full examination of Cicero's letters shows that he did look on Pompey as the champion of the Republic, while Caesar was its declared foe; and that it is unfair to set against the prevailing tone of the letters the hasty expression of a momentary fear, the feverish outburst of distracted petulance. Undoubtedly Cicero does speak of Pompey as being actuated, like Caesar, only by personal motives; but it is in the tone in which a good Tory might have sometimes said of Lord Beaconsfield—'I declare he is as bad as Gladstone.'

him; but he did not wish to reach by crooked paths an eminence, however great. He was ambitious to rise, but he was ambitious to rise by inspiring his fellow-countrymen with a strong and abiding sense of those pre-eminent abilities of which he was conscious, and to use his power, when attained, in the honest service of the best interests of the State, as he conceived them. That vanity and self-laudation, which is so repugnant to our sense of fitness, was a vice not only of the man but also of the age, though no doubt he was vain to a degree conspicuous even then. How different from ours was the spirit of the time when even Caesar, on whose 'marvellous serenity' Mommsen dwells so lovingly, could send such a letter to the senate as *veni, vidi, vici.* With what ridicule would such a despatch now be received by Parliament and the Press. Cicero lived in an epoch when pro-consuls sought and found their 'laurels in a must-cake,' and on their return to Rome enjoyed the empty pageantry of a triumph or a *supplicatio,* which was often but a mockery of their demonstrated incompetence. But, in spite of characteristic weaknesses, Cicero was a great power in his age. In the opinion of his contemporaries, he saved Rome in the time of Catiline, and did his best to save it in the time of Antony. When once fairly embarked in politics, Cicero was eminently serviceable to the party of his adoption. For these services he has been condemned by Mommsen, but has won the enthusiastic praise of Pliny, who rightly sees the splendid triumphs of a born orator, not the enforced drudgery of a slighted hireling, in the speeches which persuaded the people to abandon the Agrarian Law, 'that is, their food,'* and to spare Roscius; and which induced the descendants of the Sullan proscripts to relinquish their claim to office. It was the same magic power which extorted from the *iudices* the con-

* Plin. Nat. Hist. vii. 116, 117 *Sed quo te, M. Tulli, piaculo taceam quove maxime excellentem insigni praedicem? quo potius quam universi populi amplissimo testimonio, e tota vita tua consulatus tantum operibus electis? Te dicente legem agrariam, hoc est alimenta sua, abdicarunt tribus, te suadente Roscio theatralis auctori legis ignoverunt notatasque se discrimine sedis aequo animo tulerunt, te orante proscriptorum liberos honores petere puduit, tuum Catilina fugit ingenium, tu M. Antonium proscripsisti. Salve primus omnium parens patriae appellate, primus in toga triumphum linguaeque lauream merite, et facundiae Latiarumque literarum parens atque, ut dictator Caesar hostis quondam tuus de te scripsit, omnium triumphorum laurea maior. Quanto plus est ingenii Romani terminos in tantum promovisse quam imperii.*

demnation of Verres, and which sent Catiline half stunned from the Senate. It would be very easy to add to Pliny a long array of enthusiastic admirers of Cicero among ancient writers. The eloquent eulogy of Velleius Paterculus (ii. 66) has often been quoted; and Quintilian (xii. 1, 15-17) has given a noble testimony to the patriotism of Cicero; Cremutius Cordus, quoted by Seneca (Suas. vi. 23), writes that he was 'conspicuous not only for the greatness but the number of his virtues'; and Livy (Seneca, *ibid.* 22) says that 'to praise him as he deserves we ought to have another Cicero.'* But these witnesses are superfluous to him who reads the letters as they have been read by all historians from Niebuhr to Merivale; while Mommsen and Drumann would, no doubt, dismiss their evidence with a sneer, and again betake themselves to their *acte d'accusation*.†

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§ 2. Cicero in his Private Life.

Cicero is presented to us even at the very commencement of his correspondence as being in easy circumstances. He already possesses his estates at Formiae and Tusculum. We find him in the year 687 (67) looking out for *objets d'art* for his *gymnasium* at Tusculum, and he is in a position to pay some £170 for certain statues made of the κογχίτης λίθος, for which Megara was

* Seneca, Suas. vi. 22 *Si quis tamen virtutibus vitia pensaret, vir magnus ac memorabilis fuit et in cuius laudes exsequendas Cicerone laudatore opus fuerit.* 23 *Civis non solum magnitudine virtutum sed multitudine quoque conspiciendus.*

† We quote here the concluding words of an admirably just and learned account of the life of Cicero in the *Quarterly Review*, by Mr. Strachan-Davidson, of Balliol College, Oxford (cp. his *Cicero*, p. 428):—

"His is one of those characters whose faults lie on the surface; and the preservation of his most secret letters has withdrawn the veil which hides the weakness and the pettiness of most men from the eyes of posterity. His memory has thus been subjected to a test of unprecedented sharpness. Nevertheless, the faithful friends who resolved to present to the world his confidential utterances, unspoiled by editorial garbling, have not only earned our gratitude by the gift of a unique historical monument, but have judged most nobly and most truly what was due to the reputation of Cicero. As it was in his lifetime, so it has been with his memory: those who have known him most intimately have commonly loved him best. He is no demi-god to be set on a pedestal for the worship of the nations, but a man with human virtues and human weaknesses, and withal possessed of a charm of grace and goodness which makes us think of him

famous. He had inherited from his father an estate in Arpinum, in the neighbourhood of the two country houses of his brother Quintus, Arcanum and Laterium; and a house in Rome on the Carinae, which he seems to have made over to his brother Quintus, when he himself, after his consulate, bought for nearly £30,000 the magnificent house of M. Crassus on the Palatine, which brought on him so much envy and misconstruction.* The marriage portion which he received on marrying Terentia, 677 (69), at the age of 29, amounted to about £3400. But even before this time he was in a position, in the years 675, 676 (79, 78), to make a tour through Greece and Asia. What, then, were the sources of Cicero's income, for there is no evidence that he inherited any considerable fortune? The chief source, no doubt, was his practice at the Bar, especially as the advocate of foreign States and Kings. For though the Cincian Law† forbade the

as of some familiar and beloved friend. The calm retrospective judgment of Caesar Augustus, recorded for us by Plutarch (Cic. 49), sums up not unfairly the story of Cicero's life:—

"'It happened many years after, that Caesar once found one of his grandsons with a work of Cicero in his hands. The boy was frightened and hid the book under his gown; but Caesar took it from him, and standing there motionless he read through a great part of the book; then he gave it back to the boy and said, *This was a great orator, my child, a great orator and a man who loved his country well*' (λόγιος ἀνήρ, ὦ παῖ, λόγιος καὶ φιλόπατρις)."

* The reason assigned by Plutarch (Cic. 8) is that those who paid their respects to him should not have to come a great distance. The purchase of the house of Crassus by Cicero seems to have been much talked about at Rome. *Domum emisti* (Ep. 22, 10) says Clodius to him in the Senate, implying that the purchase was beyond Cicero's means, as indeed it was (Ep. 16. 2). Gellius tells a story (xii. 12) in reference to this transaction to show how clever Cicero was to turn aside an accusation by making a joke. *Cum emere vellet in Palatio domum et pecuniam in praesens non haberet, a P. Sulla, qui tum reus erat, mutua sestertium viciens tacita accepit. Ea res tamen priusquam emeret, prodita est et in vulgus exivit obiectumque ei est quod pecuniam domus emendae causa a reo accepisset. Tum Cicero, inopinata obprobratione permotus, accepisse se negavit ac domum quoque se empturum negavit atque 'adeo' inquit 'verum sit, accepisse me pecuniam, si domum emero.' Sed cum postea emisset et hoc mendacium in senatu ei ab inimicis obiceretur, risit satis atque inter ridendum, 'ἀκοινονόητοι' inquit 'homines estis, cum ignoratis, prudentis et cauti patrisfamilias esse, quod emere velit, empturum sese negare propter competitores emptionis.'*

† This law was proposed by M. Cincius Alimentus in 550 (204), and supported by Q. Fabius Maximus (Cic. Sen. 10). It is mostly referred to as forbidding gifts to advocates, cp. Tac. Ann. xi. 5, xv. 20. As the nobles were for the most part the advocates, the object of the law was chiefly to prevent the plebeians from becoming

feeing of advocates, yet there is abundant evidence that the thankfulness of successfully-defended clients generally took a substantial form. We may perhaps infer from Att. i. 20, 7 (26), that the gratitude of L. Papirius Paetus showed itself in the appropriate present of his library; and the tone of this passage leads us to surmise that the Lex Cincia de Muneribus, then nearly 150 years old, had to a great extent become obsolete.* Cicero, then, who devoted himself to the Bar at the early age of 25, must have made a considerable income by his profession. For there seems to have been but one other source of income to him—legacies left by grateful clients or admiring friends. Plutarch (Cic. 8) tells us that early in life he was bequeathed a sum of about £3000; but his receipts under this head are probably much exaggerated.† For instance, we are asked to believe that in 695 (59) the Stoic Diodotus, who had been for some time an inmate of Cicero's house, left him heir to a sum equal to about £85,000! Of a truth—

> 'Sapiens uno minor est Iove, dives,
> Liber, honoratus, pulcher, rex denique regum,'

if he can make such bequests to his friends or hosts. But the grandeur of the legacy is as nothing compared to the coolness of the legatee, *Diodotus mortuus est*; *reliquit nobis HS fortasse centies* (47, 6), and then he passes to other trifling topics. Malaspina is, no doubt, right in reading *sestertia centum*, about £850. At the

impoverished by having to make presents to their patrons (cp. Livy xxxiv. 4. 9 *quid legem Cinciam de donis et muneribus, nisi quia vectigalis iam et stipendiaria plebs esse senatui coeperat?*). But besides this special prohibition, it forbade all gifts above a certain amount, and required full execution of the gift. There was no penalty for violation of the law, but gifts which contravened the enactment could be revoked by the donor: see Roby, *Roman Private Law*, i. 526; Lange, *Röm. Alt.* ii³, 190–192. But though the law was doubtless passed in the interests of the plebeians, as time went on it proved advantageous to the nobles. It shut the career of an advocate to all who did not possess some fortune. It denied the necessities of life to the advocate, while it gave him the luxuries, which came in the form of handsome presents from wealthy clients. The Bar, then, as a political career, until very recent times, was the privilege of the well-to-do.

* It is possible, indeed, that the remark here may be merely playful, as there is no evidence that Cicero ever acted as advocate for Papirius Paetus. But, besides this passage, there is some proof that this law was practically a dead letter.

† Cicero boasts (Phil. ii. 40) that he had received in bequests above £170,000; but this is probably a rhetorical hyperbole. A large list of legacies which Cicero received during his lifetime is given by Drumann, vi. 383.

age of 61, in the year 709 (45), Cicero did receive a very large legacy from Cluvius, who had formerly acted as agent for Pompey (cp. vol. iii. p. xxv.), which he tells us brought in nearly £700 a-year, and afterwards over £800: *vehementer me Cluviana delectant*,* he says to his friend Atticus when he discovers how valuable his legacy is about to prove. Cicero appears† to have been able to serve the interests of this rich Puteolan by using in his favour his influence with Q. Thermus, who governed Asia as pro-praetor in 703 (51). There seems to have existed in Rome a testamentary mania, in consequence of which distinguished public characters often became the heirs of men personally quite unknown to them. The obscure *millionaire* loved at his death to divide his riches between two or three of the most eminent public characters of the day. It was not a tribute to the character or the politics of the legatee. Such bequests were thought to reflect distinction on the testator. Caesar and Cicero were co-heirs of Cluvius; and Cicero was coupled with the detested Clodius in the will of the architect Cyrus. This vagary of human folly ought not to cause much surprise. Are there not now those who during life devote their resources to the entertaining of distinguished persons, whose society they dislike; or the purchase of works of art, the merits of which they cannot appreciate; or who, at their death, apply to ostentatious charity wealth equitably due to dependants or benefactors?

Such, then, were the main sources of Cicero's income, for he refused to avail himself of the ordinary avenues to wealth in Rome. These were, first and chiefly, the plunder of the provinces. Cicero turned his back on this means of enriching himself by waiving his claim to a province after his praetorship and his consulate. When, in the year 703 (51), he did accept the government of Cilicia, he set his face against the illegal practices by which Appius had 'depleted' the province. We may form an estimate of the wealth to be amassed by an unscrupulous governor, when we learn from Cicero himself that, in spite of the rigorous purism of his administration, he laid by in his provincial life

* Att. xiii. 37, 4 (657) note: 46, 3 (663). The *horti Cluviani* were Cicero's Puteolanum; cp. O. E. Schmidt, *Ciceros Villen*, pp. 50–53.

† Fam. xiii. 56 (231).

nearly £19,000. This sum, which was in *cistophori*, the Asiatic currency, he deposited in the hands of certain *publicani* in Ephesus.* Another road to a fortune neglected by Cicero was the practice of usury.† It is a singular feature in the social life of this period, that men of the highest distinction lent money on interest to individuals and corporations. Brutus, though according to Shakspere he condemned Cassius for his itching palm, had large transactions of this kind,‡ and it was thus that Atticus amassed the wealth which he knew so well how to keep. Nor was this trade confined to men. There is some reason to believe that Terentia may have embarrassed her husband by speculations, in which she allowed herself either to be a partner with or to be defrauded by her steward and freedman, Philotimus. Caerellia,§ too, seems to have had extensive business transactions. From these Cicero always held aloof, though we find

* Cicero distinctly tells Rufus, in Fam. v. 20, 9 (302), that Pompey appropriated this money. Yet we read in the early letters of the eleventh book to Atticus of this sum of money apparently still intact. There seems thus to be some reason for the inference of Boot that the statement made by Cicero to Rufus was untrue, and that it was made with the design of comforting Rufus, who had recently sustained a pecuniary loss. Rufus was his quaestor.

† This mode of acquiring wealth was by no means deemed disreputable in Rome. But Cicero does not seem to have sought thus to add to his resources. He uses, in one of his letters to Quintus (66, 6), an expression which seems designedly employed to show that his means were more honourably acquired. Writing from exile, he speaks of himself as one who once was *liberis, coniuge, copiis, genere ipso pecuniae, beatissimus.* Cicero did not look down on trade. In Parad. 46 he writes, *qui honeste rem quaerunt mercaturis faciendis, operis dandis, publicis sumendis;* but he aspires, for himself, to the function which Scipio, in the Republic (i. 35), claims, *cum mihi sit unum opus hoc a parentibus maioribusque meis relictum, procuratio atque administratio reipublicae.*

‡ For details, cp. vol. vi., pp. xcviii, ff.; see also C. Bardt (Programm des A. Joachimsthalischen Gymnasiums, 1898), Mommsen (Hermes, 1899, pp. 145–150), and W. Sternkopf (Dortmund Programm, 1900) on the usury of Brutus in Cilicia. See also Proceedings of Royal Irish Academy, Polite Literature and Antiquities, vol. vi., 400–405.

§ This interesting woman (the loss of whose correspondence with Cicero is much to be regretted) may, perhaps, have afforded to him that intelligent sympathy in his literary labours which he sought in vain from Terentia. She was the Stella of Cicero. That the intimacy partook in no degree of the nature of an intrigue is plain from the friendly relations which subsisted between Caerellia and Terentia: cp. vol. iv., p. lxxi. Yet the rancour of Dio Cassius has not recoiled even from this aspersion. Like Swift, Comte, and Goethe, Cicero felt the charm of a woman's sympathy; but Caerellia never had reason to regret that she had extended it to him. In his respect for the sanctity of domestic life Cicero presents a strong contrast to the manners of his age. Other

him ever ready to lend to a friend, and very frequently obliged to borrow.* His exile and its consequences involved him in difficulties from which he never wholly emerged. Yet he cannot have ever been deeply in debt, for we find him throughout his life in possession of half a dozen country residences in the most delightful parts of Italy,† together with 'lodges,' or *deversoria*, at Tarracina, Sinuessa, Cales, and Anagnia, which the absence of hotels rendered necessary for persons of distinction who would travel in a manner befitting their rank. In the matter of money lent to him, Cicero shows a sense of honour consonant with the sound business principles of the Romans. He feels it incumbent on him to apply to the repayment of his debt to Caesar the money which he had received for the expenses of his triumph, 'because it looks ugly to be in debt to a political opponent.'‡ Again, on leaving Rome after the death of Caesar,§ he writes to Atticus:—'I am owed money enough to satisfy all claims on me; yet it often happens that debtors fail to pay in due time. If anything of this sort should happen, pray consult only my reputation. Borrow afresh to meet the demands of my creditors, or even raise money by selling my property.'

His married life with Terentia‖ was decorous, and for a long time they lived together with kindly feelings one to the other. Cicero's letters from exile are full of tender expressions (e. g.,

traits in his character, too, show an approximation to modern modes of feeling and thought—for example, his refined repugnance to the cruel sports of the amphitheatre. —Fam. vii. 1, 3 (127).

* Cicero walks under his load of difficulties with a light step, which reminds us of Sheridan, with whom, indeed, the *scurra consularis* has other affinities. He says of his country houses at Tusculum and Pompeii, *me, illum ipsum vindicem aeris alieni, aere non Corinthio sed hoc circumforaneo obruerunt* (27, 11); and again (16, 2), *itaque nunc me scito tantum habere aeris alieni, ut cupiam coniurare, si quis me recipiat.*

† For a full discussion of Cicero's villas throughout Italy (*ocellos Italiae villulas meas*, as Cicero calls them, Att. xvi. 6, 2, Ep. 775), see O. E. Schmidt, *Ciceros Villen* in the Neue Jahrbücher für das klassische Altertum, 1899. It is hard to know whether to admire most the feeling for landscape, the human sympathy, or the wide learning of this most attractive dissertation.

‡ *Est enim ἄμορφον ἀντιπολιτευομένου χρεωφειλέτην esse.*—Att. vii. 8, 5 (299).

§ Att. xvi. 2, 2 (772).

‖ There is an interesting and learned monograph on *Cicero und Terentia* by O. E. Schmidt in the Neue Jahrbücher für das Klassische Altertum, 1899, pp. 174–185, to which we are much indebted.

62, 1); and Terentia was exposed to much hardship and persecution by Clodius, who seems to have suspected her of concealing her husband's effects (79, 2; Sest. 54). In all this crisis Terentia seems to have behaved with much resolution, and was affectionately commended by her husband. At the end of 704 (50), Terentia is still *suavissima et optatissima*; and six months later, when Cicero is leaving Italy for the East, he writes with affectionate pride that he would urge her and Tullia to be strong at heart were it not that he knew them to be stronger than any man.* That was at least twenty-eight years after their marriage.† But the next letter, Fam. xiv. 6 (414), dated July 15th, 706 (48), shows an altered tone. None of the remaining letters to Terentia are in the least affectionate;‡ and two years later Cicero divorced her. The reasons seem to have been money difficulties. It would appear that Terentia diverted to her own use part of the money due to Dolabella for Tullia's dowry, though Cicero says that was the least of his wrongs; cp. Att. xi. 2, 2 (407), where allusion is also made to the disappearance of the rents of his real estate. Cicero was, no doubt, careless about money; but we may well suppose that Terentia and her knavish (cf. Att. vi. 9, 2, Ep. 282) agent, Philotimus, were too solicitous to secure their own money, cp. Att. xi. 16, 5 (431). She would appear also to have incurred debts; and there was further a source of contention in a will which Terentia appears to have drawn up, which did not in Cicero's eyes make suitable provision for Tullia and young Marcus.§

* Fam. xiv. 7, 2 (405) *Cohortarer vos quo animo fortiores essetis nisi vos fortiores cognossem quam quemquam virum.*

† Tullia was married to Piso in 63 B.C. (Cat. iv. 3); at which time she cannot have been less than 14, which would place her birth at the latest in 678 (76), and accordingly Cicero's marriage in 677 (77), which was about the time he returned from the East.

‡ The last, dated October 1, 707 (47), indeed is singularly laconic and business-like. Here it is, Fam. xiv. 20, Ep. 449 *In Tusculanum nos venturos putamus aut Nonis aut postridie. Ibi ut sint omnia parata (plures enim fortasse nobiscum erunt et, ut arbitror, diutius ibi commorabimur); labrum si in balineo non est, ut sit, item cetera quae sunt ad victum et ad valetudinem necessaria. Vale. Kal. Oct. de Venusino.* 'A gentleman,' says Mr. Long, 'would write a more civil letter to his housekeeper.' It reminds one of Mr. Pickwick's celebrated letter about 'chops and tomato sauce.'

§ Plut. Cic. 41: Cic. Att. xii. 18*a*. 2 (551). Cicero considered that she acted *scelerate* and that her conduct was *perfidia*, cp. Att. xi. 16, 5 (431), Fam. iv. 14, 3 (535).

He certainly did not find her well-disposed to him (εὐγνώμων, Plut. l. c.) when he returned to Italy in 707 (47), and he does not seem to have ever repented of having divorced her. It is not the least charming and chivalrous trait in Cicero's character, that he was most anxious to act towards Terentia with the utmost fairness in respect to the repayment of her dowry, and that he preferred to submit to sharp practice on her part rather than act with any harshness on his own, cp. Att. xii. 21, 3 (557). O. E. Schmidt well contrasts the *humanitas* of Cicero and the *austeritas* of Terentia (cp. Plut. Cic. 20). It is stated by Jerome that Terentia afterwards married the historian Sallust, and later Messalla Corvinus; but these marriages are not mentioned by Plutarch. She is said to have lived to the age of 103. Cicero has been blamed for his divorce of Terentia, and his re-marriage with the youthful Publilia at the age of 63. But it must be remembered that a politician 63 years of age was not then so old as he would be now. Men began life much later than in modern times. Cicero cannot be said to have begun his political life till he was nearly 40 years of age; and Cæsar began his career as a great general at an age at which Alexander was dead and Napoleon had been conquered. But we do not want wholly to defend Cicero as regards this marriage with his young ward. He might reply to his detractors that 'Anon she'll be a woman' (*Cras mulier erit*, Quintil. vi. 3, 75); but he felt excuses were needed; and the excuse he made was that Publilia's dowry was required by him to extricate him from his financial difficulties, cp. Fam. iv. 14, 3 (535), and Plut. Cic. 41. Terentia, of course, mockingly, said that Cicero was captivated by Publilia's youth and beauty (Plut. *ib.*). Later Cicero seems not to have been able to endure her, cp. Att. xii. 32, 1 (568). Publilia may have been the wife of Cicero whom Vibius Rufus is said to have married (Dio Cass. lvii. 15). It can hardly have been Terentia, even though she did live to the age of 103 (Val. Max., viii. 13, 6).

Nor was the career of his son Marcus* a source of happiness to Cicero. Finding him intractable under the hands of his tutor Dionysius, his father sent him to Athens (as to a University) to complete his education. His allowance seems very ample,

* For a full account of young Marcus see vol. v., p. lvi, ff.

amounting, as it did, to about £850 a-year. Yet the youth squanders this on carousing and entertainments, while his tutor Gorgias abets his extravagances and dissipations, reminding us of Doctor Pangloss in *The Heir-at-Law*. Young Marcus seems never to have thoroughly cast off the vices of his youth. In the letter to Tiro (Fam. xvi. 21, Ep. 786), in which he announces his complete reformation, we cannot help feeling that the young man 'protests too much'; and we hear that, even after Augustus raised him to the consulate, he distinguished himself by his drunken excesses.* It is a sad reflection to think what the consulate was when the great orator had to strain every nerve to gain it, and what it was when, as a late return for the services of the father, the Emperor conferred it, as a piece of patronage, on a brainless profligate.

It is in his daughter Tullia that Cicero finds his solace and pride. Like Francis Atterbury, he found in the society of a daughter his one refuge from the chances and changes of a troublous life. He is never wearied of recounting her virtues. Indeed, he so eulogises her intellectual powers and her acquired knowledge, that he has almost earned for her the unenviable reputation of an *esprit fort*, or even a blue-stocking. Her infatuation for Dolabella, her third husband, is quite consistent with her father's account of her. We often find women of really exceptional intellect yielding to the fascinations of a handsome, shallow, somewhat clever Bohemian. Such in real life was the blind admiration

* Brutus (Brut. ii. 3, 5, Ep. 837) commended his services in the campaign against C. Antonius; and Cicero had the delight of announcing in the senate that 'the legion which was commanded by Lucius Piso, one of the lieutenants of C. Antonius, has put itself at the disposal of my son Cicero' (Phil. x. 13). It is very interesting to observe how, under the profligacy and superficial cultivation of the declining Republic, still we may occasionally catch a glimpse of the old Roman qualities by which *fortis Etruria crevit*. We can still see the iron hand in war. Quintus lays down his bloody axe and well-worn scourge, young Marcus casts the chaplet from his wine-flushed brow, to wield the sword with all the energy of Camillus or Scipio. Plutarch (Cic. 49) remarks that by a singular coincidence Divine justice reserved the completion of the punishment of Antony for the house of Cicero: after the capture of the fleet of Antony, which was immediately followed by his death, it was to the new consul, M. Cicero, that the official despatch announcing the victory was sent; 'and in his consulship the senate threw down the statues of Antony, and annulled all other honours that had been bestowed upon him, and further enacted that no Antony henceforth should bear the name of Marcus' (Plut. Cic. 49).

which the Bronté sisters felt for their worthless brother; such in fiction was the love of George Eliot's Romola for Tito; and such was the strange infatuation which made Tullia cling to Dolabella, in spite of his wicked extravagance, which squandered her dower, and his insulting infidelities with Caecilia Metella, which he hardly took the trouble to conceal. Tullia had lost her first husband, the noble Piso, by death;* she was then married to Crassipes. It was when her father was absent in Cilicia that her hand was sought for the third time. Among her suitors was Tiberius Nero, the father of the Emperor. Thus Cicero might have been the ancestor of an Emperor, as Atticus was of an Empress. Tullia died in child-birth,† at the age of 31, at her father's house in Tusculum, where she had taken refuge from the outrages of Dolabella. Cicero never recovered her loss. He never forgave Publilia, who (he thought) betrayed joy at her death (Plut. Cic. 41), and never again received her into his house, in spite of the girl's earnest entreaties to be allowed to return to her aged husband. One cannot but smile to find Cicero at once preparing to deify his dead daughter, as Hadrian afterwards deified his beloved slave. We owe to the death of Tullia the letter of Sulpicius, written to console the bereaved father (Fam. iv. 5, Ep. 555). This is perhaps the best of the extant letters *to* Cicero, which, as a rule, show an amazing inferiority to the letters of the orator himself. There is a manly letter from Matius (Fam. xi. 28, Ep. 785), and many amusing letters from others; but this is the only great letter, not by Cicero himself, in the whole correspondence. It is sad to see how little real consolation Sulpicius could offer to his friend. He urges him to moderate his grief for his daughter; to see her father so wretched would wound her loving heart were she alive; perhaps it wounds her even now, *si quis etiam inferis sensus est* (cp. Phil. ix. 13).

* This Piso was most active in efforts to prevent the banishment of his father-in-law (Plut. Cic. 31), and worked hard for his restoration (Cic. post red. in Sen. 38; Sest. 68). He declined to go as quaestor to Bithynia in 697 (57), in order that he might devote his energies in Rome on behalf of Cicero. He died in the first half of 697 (57), before Cicero's return (Cic. Sest. 68 *Piso ille, gener meus, cui fructum pietatis suae neque ex me neque a populo Romano ferre licuit*). Cicero speaks warmly of his intellectual powers in Brut. 272.

† She had had no children by her previous marriages.

In his romantic love for his daughter and his indifference to his wife, the character of Cicero presents a trait familiar in modern French life. Again, we have a view very characteristic of the modern Frenchman in the lightness with which he assigns to Terentia religion as her department, while his own business is with men.* Another thoroughly French feature in his disposition is his hatred for provincial life. 'I cannot express to you,' he writes (Att. v. 11, 1, Ep. 200), 'how I am consumed with longing for the town, how intolerably insipid is this provincial life.' A letter to Caelius (Fam. ii. 12, 2, Ep. 263), in the passage beginning *Urbem, urbem, mi Rufe, cole, et in ista luce vive,* breathes the very spirit of the *salon* and *boulevard.*

It is singular that the correspondence of another great letter-writer should be marked by the same overflowing love for a daughter. Madame de Sévigné's love for 'the prettiest girl in France' certainly was not so well placed as the love of Cicero for Tullia. Madame de Grignan seems to have been selfish, extravagant, and cold-hearted—not, indeed, nearly so lovable as her brother Charles de Sévigné. Indeed, we can hardly acquit the clever Frenchwoman of assuming a *rôle,* and posing in the picturesque attitude of the adoring mother.

Cicero speaks in the highest terms of his father and mother. Of the former he writes (De Or. ii. 1) as *optimi ac prudentissimi viri*; and there is some reason to think that the beginning of his

* *Neque Di quos tu castissime coluisti, neque homines quibus ego semper servivi.*—Fam. xiv. 4, 1 (62); cp. also Fam. xiv. 7, 1 (405). We find often in Cicero casual hints at his agnosticism, for instance, in Att. iv. 10, 1 (121) *fors viderit, aut si qui est qui curet Deus;* and in the pro Cluent. 171, we have this remarkable passage:—*nam nunc quidem quid tandem illi mali mors attulit? Nisi forte ineptiis et fabulis ducimur, ut existimemus illum apud inferos impiorum supplicia perferre . . . quae si falsa sunt, id quod omnes intellegunt, quid ei tandem aliud mors eripuit praeter sensum doloris?* (yet cp. Phil. xiv. 32). In the speech for Rabirius (29) Cicero anticipates an eternal existence for the souls of the good, basing it on the instinctive belief of mankind: again, in the De Har. Resp. 19, he affirms his belief in the existence of gods, grounding it on the evidences of design in Nature. But it is strange how lightly his beliefs sit upon him, and how little they influence his conduct: in Tusc. i. 74 he says that the God who holds authority in our breast forbids us to leave our post without his leave; yet we know that during his exile he clearly and deliberately contemplates the commission of this act, and we hear nothing at all about any prohibition of conscience, or even a hint that self-destruction is unworthy of a good man. For more evidences as to Cicero's belief in a future state, cp. vol. v., p. lxxiv.

poem on his consulship was devoted to an elaborate eulogy of his father.* Cicero has often been accused of want of filial feeling, because he has been supposed to have curtly announced the death of his father to Atticus in the words *pater nobis decessit a. d. iiii. Kal. Decembris* (Att. i. 6, 2; Ep. 2). In the notes on that passage we have fully discussed the soundness of the text. It is enough here to observe that even if the text be sound, it is quite probable that Cicero had announced to Atticus in more fitting terms his father's death, and is here (in answer to a question from Atticus) merely reminding his friend of the date—'the date of my poor father's death [for this is the force of *nobis*] was Nov. 24.'†

While acquitting Cicero in this particular instance, one cannot help noticing, even in the most refined of the ancient Romans, an absence of sensibilities which polish, and even sweeten, the intercourse of modern life. In letter 8 (Att. i. 3) Cicero announces to Atticus the death of the grandmother of Atticus in jesting phrase, which good taste must condemn. It seems that the lady was not dear to Atticus, and that he was not at all likely to feel real grief for her; yet there is certainly a coarseness of tone in the letter. A sentiment of reverence should be inspired by the thought of death; and even if it be not felt, it should be assumed. In such a case, if ever, hypocrisy is a homage to good taste.

In connexion with this vindication of Cicero from attributed want of affection, it will be pertinent to examine briefly a few other charges brought against Cicero on the authority of his own letters.

In Att. iii. 12, 2 (69) Cicero says, 'I am shocked that my speech against Curio has become public. I wrote it under the influence of anger, and as a reply to his attack on me. But I thought I had prevented any chance of its getting into circulation. However, inasmuch as I happen never to have had any verbal altercation with him, and inasmuch as it is written with less than my usual care, I think a good case could be made to show it was not by me.' When Cicero wrote this, he was in an agony of suspense about the success or failure of the attempts to bring

* See note on Att. i. 19, 10 (25).

† For strong expressions of real sorrow for the death of a slave, and again, of a mere acquaintance, we have to go no further than Att. i. 12, 4 (17), and iv. 6, 1 (110).

about his restoration. A speech against Curio and Clodius, of the literary execution of which he was ashamed, and which was extremely likely to inflame still more against him the resentment of his enemies, had, in spite of Cicero's efforts to prevent it, somehow got into public circulation. Cicero accordingly wished that it could be represented not to be his. It seems to us that even at the present day, if a public man wrote something which, on reflection, appeared likely to injure him, and also was unworthy of him in style, he would feel a desire to disown the article, or at least would refrain from acknowledging it to be his, which would probably have very much the same effect. It is, however, extremely unlikely that the supposed modern statesman, even in a letter to an intimate friend, would own his real feelings. And this very fact must be placed to the credit of modern society. Christianity and chivalry have made certain acts and sentiments impossible for a gentleman to avow.

One is bound to take into account the different points of view from which an act presents itself to the moral sense at different epochs of society. Cicero did favour his friend Brutus in a dispute with the Salaminians; but Brutus could hardly understand why Cicero should take the Salaminians into account at all. Cicero was in advance of his age in every way, and behind the present age, not in obedience to the dictates of the moral sense, but only in the education and refinement of it. This consideration perhaps entitles Cicero to an acquittal in the two following cases.

We learn (Att. vi. 6, 4, Ep. 276) that Cicero was desirous of securing the good will of Caelius for his friend Atticus; so he dictated to the copyist of Atticus, who happened to be with him, a letter in praise of Caelius Caldus, which he read to Caelius as having come from Atticus. Cicero in all *naïveté* exclaims, *at te apud eum, di boni! quanta in gratia posui, eique legi litteras non tui sed librari tui* (Qu. *mei*). It never occurred to Cicero that it was base to stoop to a fabrication even to serve a friend.

In 707 (47) a packet of letters from Quintus, directed to various friends, fell accidentally into the hands of Marcus. Some of them he forwarded to their destination. But on learning from these persons that the letters forwarded by him were full of atrocious reflections upon himself, he opened the remaining missives,

and sent them to Atticus, leaving it to him to decide whether they should be retained or sent to their destination. 'The fact that they have been opened,' he suggests, 'makes no matter, for I fancy Pomponia has his seal-ring.'* This, of course, strongly conflicts with modern notions about honour, but the writer is supremely unconscious that the act is in any way questionable.† Yet of those who would now look on such an act as worse than a crime, how few would be capable of the high-mindedness with which Cicero acted on his discovery of his brother's treachery! He wrote to Caesar a letter (of which we still preserve the copy which he sent to Atticus, in Att. xi. 12, 2, Ep. 427), completely absolving his brother from the suspicion of having instigated his own hostility against Caesar, or having urged him to fly to Greece, and begging the good offices of Caesar for a brother under the recent sense of whose baseness to him he must have been still smarting. It seems to us that this is an act of large nobleness and truly chivalrous feeling, quite startling when we remember the times in which Cicero lived.

The character of Quintus is very remarkable. One is familiar with the domestic bully, who in the world is an obsequious sycophant. But in Quintus we have the exactly opposite type. With his friends he is

'Jealous in honour, sudden and quick in quarrel':

the violence of his expressions‡ makes us feel that in his tragedies he must have 'torn the passion to tatters': in his province he is a wild beast in ferocity, though he seems to have sought to be just, and he certainly was not rapacious; he returned from Asia as poor as he left Rome; but woe to the luckless provincial who was caught tripping; the scourge was not cruel enough for Quintus, nor the axe sufficiently expeditious. Not Shakspere's Richard was more ready to cry 'Off with his head!' But in private life he was the humblest of men. *Haec ego patior quotidie* is his plaintive ejaculation when Pomponia insults him in presence of his brother Marcus,

* Att. xi. 9, 2 (423).

† The same observations apply to a practice which Cicero acknowledges that he adopts in giving introductory letters to friends: see Fam. xiii. 6*a* (115).

‡ For examples of the violence of Quintus, see Ep. 53, § 6, where Cicero speaks with some asperity of the *invidiosa atrocitas* of his language.

and refuses to sit at table because Quintus had sent his slave Statius on before to see if dinner were ready, cp. Att. v. 1 (182). No doubt, the undue influence accorded to Statius in domestic matters was resented by the mistress of the household; but the paramount position of that slave seems to show that (in his private life), had Quintus been emancipated from the tyranny of Pomponia, he would have experienced but a change of rulers. The letters of Marcus are full of affection towards his brother Quintus. Nor does he fail in solicitude for him and his son even after he has discovered their base treachery in seeking to prejudice him with Caesar.

T. Pomponius Atticus, who stood to Cicero in the relation which Sir Horace Mann occupied to the Cicero of English letter-writing, Sir Horace Walpole, is not a pleasing person. His persistent neutrality in politics* was a course which, though nowise reprehensible in our own times, must have been regarded with disfavour in the days of Cicero. Yet he seems to have escaped to a great extent from adverse criticism, probably, as Mr. Strachan-Davidson (*Cicero*, p. 70) observes, because the Roman knight and man of business was not expected to regulate his conduct by the same high standard as was demanded of the consular; and, though connected with the unfortunate Sulpicius, he succeeded in living uninjured by Cinnan or Sullan, and in affording pecuniary assistance to Marius in his flight.† He was intimate with the best Romans, from Sulla to Augustus; he was on good terms with both Caesar and Pompey; he had the warm friendship of Brutus, Hortensius, and Cicero, and excited the enthusiastic admiration of Cornelius Nepos, the friend of Catullus. This he accomplished partly by availing himself of the shelter of his philosophic opinions, which, as Nepos says (Att. 17), he used for the purpose of regulating his life, and not for ostentatious

* As regards actions at least. He had, it appears, political feelings of some strength. We are told that he exclaimed *periisse causam si* [Caesar] *funere elatus esset*: see Att. xiv. 10, 1 (713).

† He was always ready to help his friends when in distress. Thus he assisted Terentia during Cicero's exile, and Fulvia and her children after Antony's defeat at Mutina. In return for this, Antony removed the name of Atticus from the proscription-list, and also that of his friend Gellius Canus (Nep. Att. 9, 10). Antony appears to have arranged the marriage between Attica and Agrippa (*ib.* 12).

display of learning. The Epicurean was speculatively bound to prefer the life of thought to the life of action. But he could not have preserved his complete tranquillity had he not early migrated to Athens, and there remained for about twenty years. In Athens we find him leading the life of a cultured gentleman, a recognised patron of literature and the fine arts, and recommending himself to his adopted fellow-citizens by gifts of corn, grown, no doubt, on his Epirote estate—a Roman practice which Cicero seems disposed to condemn.* As a thorough man of business,† a ready lender of money, and a literary critic of a high order—Cicero professed himself afraid of his 'red-pencil marks,' see Att. xvi. 11, 1 (799)—Atticus was, of course, very useful to Cicero; but, no doubt, the keen *negotiator* found not a little that was negotiable in his relations with the great *littérateur*. Atticus kept large numbers of *librarii*, or slaves who acted as copyists (Nepos, Att. 13). These executed many copies of the masterpieces of Cicero, and thus, no doubt, contributed not a little to fill the coffers of their master. We have here an insight into the elementary form of publishing practised during the last century of the Republic.‡ Atticus seems to have neglected none of the avenues to wealth, and even to have discovered some new ones for himself. Not only do we find him practising money-lending on a large scale, but we even read of his buying and training bands of gladiators, to be hired out to the Aediles for their public shows.§ And the wealth thus accumulated was preserved by a consistent parsimony in his household *ménage*, on which Cicero often rallies him. In Att. vi. 1, 13 (252) he takes him to task for serving up cheap vegetables on expensive plate, and asks what would be his fare if his service were of earthenware; and in Att. xvi. 3, 1 (773) he sends Atticus his treatise *de Gloria*, which he asks him to have copied on large

* Att. vi. 6, 2 (276) *Heus tu πυρούς εἰς δῆμον Athenis! Placet hoc tibi?*

† Nepos tells us (Att. 6) *nullius rei neque praes neque manceps factus est.* See note on Ep. 25, 9. He used not to take interest from friends to whom he lent money; but he was particular to demand the principal from them on the day fixed for repayment, *quod utrumque iis salutare fuit*, says Nepos (Att. 2).

‡ On the publication by Atticus of the *De Oratore*, the *Academica*, the *De Finibus*, and *Pro Ligario*, see Att. iv. 13, 2 (130); xiii. 13, 1 (627); 19, 5 (631); 21*a*, 2 (632); 44, 3 (646).

§ Att. iv. 4*b*, 2 (107); iv. 8*a*, 2 (112).

paper, and, in suggesting that he should read it for his guests at a dinner which he was about to give, Cicero adds: 'but give them a decent entertainment, an you love me; else they will vent on my treatise their indignation against you.' Nepos (Att. 13) says that he knows as a fact that the amount allowed by Atticus for household expenses was 3000 *asses*, or about six guineas of our money, per month.

Nothing seemed more important to Atticus than to conceal as much as possible his business relations, and to appear before the world as a literary gentleman living on his estates in Epirus and elsewhere. When we find that his uncle, the odious Caecilius, from whom, Cicero tells us, even his own relations could not get a farthing under twelve per cent., adopted Atticus, and left him heir to a large fortune, one is a little tempted to think that the usurer Caecilius was in reality a secret partner of Atticus, taking much of the profits and all the obloquy, and not unwilling on those terms to play Jorkins to the Spenloe of his influential nephew.

One cannot much admire the character of the man who was on terms of intimate friendship with Clodius during his persecution of Cicero, and who, after the murder of Cicero, was the friend and entertainer of Fulvia, the wife of Antony. His knowledge of business was, no doubt, of much service to Cicero; but we find that Cicero even here was able to repay him in kind. In the efforts of Atticus in respect to the people of Buthrotum we see the keen interest which Cicero took in the material interests of his friend.* And there can be no doubt that his moderate and unemotional nature was of great advantage to the impulsive and impetuous Cicero, who in all his troubles and difficulties solicits his advice; and it is certain that the sober counsels of Atticus often afforded Cicero much comfort.†

A short account of the movements of Atticus between Greece

* Att. xvi. 16.

† See, for example, Att. ix. 10, 10 (365); xiii. 13, 3 (627). Yet at times Cicero complains of the instability of the opinions of Atticus; as an instance may be quoted his rapid change of opinion as regards Cicero's projected journey into Greece in the autumn of 710 (44); cp. Att. xvi. 7, 2, ff. (783). In Att. ix. 10 (365) there are several quotations from letters of Atticus, and we thus get a glimpse of his literary style. He uses at least one fine expression, cp. § 3, '*Sol*' *ut est in tua quadam epistula* '*excidisse mihi e mundo videtur*.'

and Rome will be found in the Introduction to Parts II., III. He married Pilia in Feb. 698 (56), at the age of 53. Of this marriage the only issue was a daughter, born 703 (51), who was married to M. Agrippa, and whose daughter, Vipsania Agrippina, was the wife of the Emperor Tiberius. We are told that at the age of 77, in 722 (32), believing that he was suffering from an incurable disease, he destroyed himself by abstaining from food for five days (Nepos, Att. 22).

No summing-up of the character of Atticus could be better than that of Mr. Strachan-Davidson (*Cicero*, p. 76). 'Atticus,' he says, 'cannot have been a selfish man, for he spent his life in doing good to his friends, at the cost of unceasing trouble, and sometimes of serious danger. He must have been a lovable man, for everyone loved him; and such affection is not to be gained except by a kindly and tender heart. But he was "void of noble rage"; he never knew that there are some wrongs which it is degradation to forgive: he could love, but his love was never strong enough to cause him to hate; and a man without the capacity of hatred is but half a man.' That he was the lifelong friend of Cicero is the best title which Atticus has to remembrance. As a man he was kindly, careful, and shrewd, but nothing more: there was never anything grand or noble in his character. He was the quintessence of prudent mediocrity.

II.—LITERARY.

§ 1. On the Letters themselves.*

In the time of Cicero a letter was written either (1) on thin tablets (*codicilli*) of wood or ivory covered with wax, in which the letters were cut in uncial characters by the *stilus*, the characters being protected from defacement by the projecting rim of the tablets; or

* We have made much use of the learned and interesting treatise of Hermann Peter, *Der Brief in der römischen Litteratur*, No. 3 des xx Bandes der Abhandlungen der philologisch-historischen Klasse der K. Sächsischen Gesellschaft der Wissenschaften, 1901.

(2) they were written on paper or parchment with a reed pen and ink. Almost all the letters of Cicero were written in the second fashion. We have frequent allusions to *charta* in the letters: for instance, in Fam. vii. 18 (173), Cicero asks Trebatius why he wrote on a palimpsest, and what could have been the writing so worthless as to make way for the letter. So in Q. Fr. ii. 14, 1 (142), it is plain that *charta*, *calamus*, and *atramentum* were used. The same inference is to be drawn from Att. v. 4, 4 (187), and perhaps from the passage already adverted to above, Att. vi. 6, 4 (276), where Cicero avails himself of the services of the copying slave of Atticus to pass off on Caelius the letter which was written by himself, but purported to come from Atticus: for Cicero's writing on *charta* with a pen would have been much more easily recognised than what would be carved with a *stilus* on wax. Moreover, the use of pen and paper would be so obviously more suitable for long letters that we can hardly doubt that it was the vehicle used by Cicero for his correspondence.

On rare occasions, however, *codicilli* were used. They were also called *tabellae* or *pugillares* ('hand note-books'), of which there were different sorts, according as they consisted of two, three, five, or more tablets (*duplices* δίπτυχα: *triplices*, cp. Att. xiii. 8 (618); *quinquiplices*; *multiplices*).* They would appear to have been carried about the person, and used for writing down anything which the moment required (cp. Ellis on Catull. 42, 11). It was by *codicilli* that Acidinus informed Servius Sulpicius that Marcellus was dead; cp. Fam. iv. 12, 2 (613). Cicero sent *codicilli* to Balbus when he wanted immediate information about a law; see Fam. vi. 18, 2 (534); compare also Att. xii. 7, 1 (500), Q. Fr. ii. 9, 1 (132). Rectina sent *codicilli* to the elder Pliny when she was alarmed at the sudden eruption of Vesuvius (Plin. Ep. vi. 16, 8). *Codicilli* were specially used for writing to those who were near at hand; cp. Seneca, Ep. 55. 11.

When a letter was finished, the *tabellae* or *chartae* were bound

* It is to be noted that parchment *pugillares* were also known (cp. Mart. xiv. 7), wherein the parchment was so prepared that the writing could be rubbed out: and we find C. I. L. x. 6, *pugillares membranaceos operculis eboreis*. It was the fact that the writing could be easily rubbed out which made *codicilli* so useful for rough copies of anything; cp. Marquardt, iv[1], 780 ff.

together by a thread, which was sealed at the knot; cp. Cic. Cat. iii. 10.*

The seal was looked on as the formal guaranty of genuineness; for the handwriting was generally that of a slave, if the writer possessed sufficient means to keep a *servus a manu* or *ab epistulis*. Up to July, 695 (59), Cicero appears to have always written to Atticus with his own hand, and not to have used an amanuensis; see Att. ii. 23. 1 (50) : but subsequently he, in most cases, dictated his letters, except when secrecy was required; cp., for example, Att. xi. 24, 2 (441), and often.

The outside address was brief. In Att. viii. 5. 2 (336), Cicero speaks of a packet with the superscription, *M'. Curio*, or *Des M. Curio*; and in a fresco at Pompeii there is a letter directed *M. Lucretio* (C. I. L. iv. 879).†

A letter began with simple greeting, *M. Cicero s. d.* (*salutem dicit*) *M. Caelio*, or *s. p. d.* (*salutem plurimam dicit*); and it seems that in a very frequent or familiar correspondence even this form was dispensed with. It has been supposed by Boot that *Cicero Attico sal.* as a heading to each letter to Atticus is not genuine; for Cicero never uses the name of *Atticus* in the body of a letter until the year 704 (50), see Att. vi. i, 20 (252); *mi Pomponi* is the nearly invariable form of address: and this view is, on the whole, probable. But when we consider that Atticus went to reside in Athens in 669 (85), it is possible that he had received the surname *Atticus* before Cicero's extant correspondence began: and Cicero may have used the superscription found in the MSS., though he uses a considerable diversity of forms of address in the body of the letters.‡

* For legal documents the thread had to pass three times through perforations in the *tabellae*; cp. Suet. Nero, 17.

† Similarly, in the Egyptian papyri, repeatedly we find the address either the simple dative, *e.g.* Ἐπαγάθῳ, or ἀπόδος Ἐπαγάθῳ, Fayum Documents, cxi and cx. The latter seems most common.

‡ Becher has noticed that whereas in the 397 letters to Atticus such addresses are found only twenty-two times, in the eleven letters of Brut. i. there are fifteen instances; and he considers this an argument against the genuineness of the correspondence with Brutus. Ruete answers this objection by pointing out that in the fourteen letters to D. Brutus such addresses are found eleven times; in the thirteen letters to Plancus, nine times; and in one letter to Dolabella, viz. Fam. ix. 14 (722), three times. The fact is that Cicero used these addresses with different degrees of frequency according to the character of his correspondent: thus only one such vocative occurs in the ten letters to Cassius in Fam. xii.

Thus Cicero occasionally calls Atticus *mi Attice*; cp. vi. 1, 20 (252); xiv. 12, 1 (715); sometimes, but rarely, *mi Tite*, ix. 6, 5 (360), and *mi T. Pomponi*, iv. 2, 5 (91). In dedicating the *De Senectute* to him, he writes O TITE; but in this passage he is quoting from Ennius. Cicero addresses Trebatius as *mi Trebati*; *mi Testa*, *Testa mi*; and in one place, Fam. vii. 16, 1 (157), as *mi vetule*. He calls him *C. Trebati* in Top. i. 1, as he is dedicating his work to Trebatius; but to address an intimate friend thus in a letter would be somewhat stiff and formal. The omission of the *praenomen* was a mark of close intimacy in the time of Cicero, as is distinctly proved by Fam. vii. 32, 1 (229) *quod sine praenomine familiariter, ut debebas, ad me epistulam misisti, primum addubitavi an a Volumnio senatore esset quocum mihi est magnus usus.** Compare also Fam. xvi. 18, 1 (692), where Cicero addresses a letter to Tiro with the greeting *Tullius Tironi sal.*, and Tiro seems to have taken exception to the form as unsuited to their respective positions. Words which indicated close familiarity were scarcely suitable between Cicero and a manumitted slave. Cicero in reply suggests even a more familiar form of address: *Quid etiam? non sic oportet? Equidem censeo sic; addendum etiam* SVO? But he adds *Sed si placet invidia vitetur, quam quidem ego semper contempsi.* The omission of the *praenomen* would have provoked unfavourable comment.†

S. V. B. E. (*si vales bene est*), as well as S. V. B. E. E. Q. V.

* Cp. Cic. pro Domo, 22.

† This is probably the real interpretation of Hor. Sat. ii. 5, 32 *Quinte, puta, aut Publi, gaudent praenomine molles Auriculae.* Fastidious Romans wished to be addressed with distant and formal respect. The places which Orelli cites in support of his view, which is the contradictory of mine (as he holds, without evidence, that the use of the *praenomen* was a mark of intimacy), are not relevant. The passage from De Petit. Cons. (Ep. 12, 28) has no reference to the *praenomen* as distinguished from the *nomen* or *cognomen*; and that quoted from Fam. i. 9, 19 (153), is utterly irrelevant, for Cicero does not even hint that it was by calling Clodius Publius that the senators sought to flatter him: the point of the passage is wholly and solely that Clodius and Vatinius both had the *praenomen* Publius. Again, it seems to be somewhat far-fetched to explain the Horatian passage by supposing that the poet is thinking especially of the freedman Dama, who would be proud of the *praenomen* which he received on his manumission. [I cannot help thinking that this is the meaning of the Horatian passage. It is certainly the meaning of Persius, v. 74–82.—L. C. P.] The context does not warrant this supposition. Now, my explanation is very simple, and is quite in keeping with the passage in Cicero.

(*si vales bene est ego quoque valeo*), seems to have been a formal mode of address, and by Cicero is used only to distant acquaintances, dignitaries, and women.*

Frequently at the end of a letter we find *Cura ut valeas*, or some similar expression. That, too, is of old date.†

There being no postal arrangements in the time of Cicero, it was necessary to employ private messengers, either one's own or those of one's friends; or to avail oneself of the services of the *tabellarii* of the *publicani*, who were constantly travelling between Rome and the provinces. The average rate approximately at which *tabellarii* travelled was from forty to fifty Roman miles a day.‡

In Fam. ix. 26, 1 (479), Cicero says: *Accubueram hora nona cum ad te harum exemplum in codicillis exaravi. Dices, ubi? Apud Volumnium Eutrapelum.* Besides the custom, hardly allowable with us, of writing letters during meals,§ two words in this passage are noticeable, *exaravi* and *exemplum*. The word *exarare* is used of jotting down a hasty composition, cp. Fam. xii. 20 (930), a very short letter, *Haec cum essem in senatu exaravi.*‖ The other

* It would appear to have been a survival of a mode of address which was previously common. It is constantly found in the Egyptian papyri of the early centuries before Christ. Our friends Dr. Mahaffy and Mr. Smyly have given us numerous examples, of which we may quote the following three:—

(*a*) Πολυκρατης τωι πατρι χαιρειν καλως ποεις ει ερρωσαι και τα λοιπα σοι κατα γνωμην εστιν ερρωμεθα δε και ημεις.—*Petrie Papyri*, II. xi. 1.

(*b*) Απολλωνιωι Αμμωνιος ει ερρωσαι και ταλλα σοι κατα λογον εστιν ειη αν ως βουλομαι καγω δ ικανως ειχον.—*Ib.* III. 53 (*n*).

(*c*) Βαρχαῖος καὶ Ἀπολλώνιος Ἀπολλωνίῳ τῷ ἀδελφῷ χαίρειν· εἰ ἐρρωμένως σοι καὶ τἄλλα κατὰ λόγον ἐστὶν τὸ δέον ἂν εἴη καὐτοὶ δὲ ὑγιαίνομεν.—*Paris Papyri*, 42.

† E. g., Tebtunis Papyri, 55, 9—τὰ δὲ ἄλλα ἐπιμέλου σεαυτοῦ ἵν' ὑγιαίνῃς, cp. 12, 26; 19, 14; 20, 10. Mr. Smyly has also referred us to the introductory letter to Book ii. of the work on Conic Sections by Apollonius of Perga († circ. 190 B.C.), which begins—Ἀπολλώνιος Εὐδήμῳ χαίρειν. Εἰ ὑγιαίνεις ἔχοι ἂν καλῶς. καὶ αὐτὸς δέ μετρίως ἔχω; and ends—καὶ σεαυτοῦ ἐπιμελοῦ ἵνα ὑγιαίνῃς· εὐτύχει.

‡ See on this subject Bardt, *Quaestiones Tullianae*, Berlin, 1866: and Ruete, *Die Correspondenz Ciceros in den Jahren* 44 *und* 43, Marburg, 1883.

§ Cp. for other examples Q. Fr. iii. 1, 19 (148); Att. xiv. 21, 4 (728). A hard-working man like Caesar was accustomed to sign documents while at dinner, cp. Plut. Caes. 63.

‖ Add Att. xii. 1 (505): xiii. 38, 1 (690): xv. 1 b. (731): xvi. 6, 4 (775): Frag. viii. incert. 8, Tum Flavius '*Cras*' *inquit* '*tabellarii, et ego ibidem hos inter cenam*

word, *exemplum*, suggests the idea that the letter written in *codicilli* would be afterwards copied out fair, probably by an amanuensis, and the fair copy either despatched to the correspondent or retained by the sender.* For there seems considerable evidence that the senders of letters, or, at all events, Cicero and Tiro, were accustomed to keep copies of letters, even, perhaps, letters which might seem to us of no great importance; and this is probably one of the reasons why we have such a rich collection of the correspondence of Cicero. In Q. Fr. ii. 10, 5 (133), we hear that a packet of letters (*fasciculum epistularum*) sent to Caesar in Gaul, which contained letters from Balbus and Cicero, got so soaked with wet that Caesar said they were totally illegible. "Accordingly," says Cicero, "I am sending Caesar an exact copy of the letter" (*eodem illo exemplo litteras*). The copy of a letter to Brutus which Atticus asks for, Cicero says, in Att. xiii. 6, 3 (554), he cannot send at the moment; *sed tamen salvum est et ait Tiro te habere oportere et, ut recordor, una cum illius obiurgatoria tibi meam quoque quam ad eum rescripseram misi.* Fadius Gallus had torn up a letter of Cicero, and spoke with regret of having done so; Cicero, replying in Fam. vii. 25, 1 (668), tells him not to distress himself, *salva est*: *domo petes cum libebit.* The letter which Fadius had destroyed was Fam. vii. 24 (665). Of course there is nothing remarkable that in the case of letters of importance rough copies should be made, and copies of the letter despatched should be kept. An interesting example of this has been given by Bardt.† He has shown that the letter to Crassus, Fam. v. 8 (131), which Cicero wrote to him in 700 (54), after their reconciliation, is really composed of two original drafts which have got tacked on to one

exaravi.' Such words as *exarare* and *tabellae* are probably a survival from the ancient usage according to which letters were engraved on wax tablets with a *stilus*. We have all the materials enumerated together, the *stilus*, the wax, the thread, the tablets, and the signet-ring in Plaut. Bacch. 728–748.

* Often, too, more than one copy of a letter was made and despatched, as the dangers of loss during transmission were considerable; cp. Fam. iv. 4, 1 (495): x. 5, 1 (810): xi. 11, 1 (855): xii. 12, 1 (856). See also introductory notes to Epp. 881 and 889. Important letters which were of a public nature, and which were designed for publication, were of course copied out many times; cp. Att. viii. 9, 1 (340), *Epistulam meam quod pervulgatam scribis esse non fero moleste. Quin etiam ipse multis dedi describendam.*

† *Briefe aus Ciceronischer Zeit.*, No. 21, pp. 75, 76.

another: or perhaps they were different versions of the same letter, given to different *tabellarii*.

This leads us to the consideration of the manner in which letters were kept. Letters were not preserved in books, as in our business houses, but in rolls (*volumina*). Each letter which was deemed worthy of being preserved was pasted on to the previously received letter; and the whole formed a roll, like the rolls which formed the books of the ancients. Atticus kept Cicero's letters in *volumina* (Nepos, Att. 16); and Cicero also kept those of Atticus in a similar way, as we may gather from Att. ix. 10, 4 (365). Cicero says to Tiro in Fam. xvi. 17, 1 (653), *Video quid agas: tuas quoque epistulas vis referri in volumina.* The enemies of Quintus made *volumina* of his injudicious letters, Q. Fr. i. 2, 8 (53). And as *liber* and *volumen* are virtually the same (cp. Gell. xiv. 6, 1, *liber grandi volumine*), we are not to suppose that business houses did differently because Cicero uses the word *libri* of collections of business letters in Verr. iii. 167.

Letters were generally written on separate sheets or pages (*paginae*) of *charta*; and if the communication, as was usually the case, extended to more than one sheet, each succeeding sheet used to be fastened to the preceding, in the same way as was done in the case of a book; that is, not *under* the preceding sheet, but *beside* it. The original practice, however, was to fasten the sheets one *under* the other; but this practice had fallen out of use in Cicero's time, except in the case of official letters to the Senate; and even this custom Caesar broke through, and wrote official letters to the Senate in the same way as ordinary letters.* The amount written on a *pagina* varied. Peter (p. 33, note 3) points out that in Fam. xi. 25, 2 (903) we find that a *pagella* there contained about 450 letters of the alphabet, while in Att. vi. 2, 3 (256) a *pagina* contained somewhat more than double that amount.

As regards the preservation and publication of the *Epistulae ad Atticum* the most important passage is Nepos, Att. 16: *Eum [Atticum] praecipue dilexit Cicero, ut ne frater quidem ei*

* Suet. Caes. 56 *Epistulae quoque eius ad senatum extant quas primus videtur ad paginas et formam memorialis libelli convertisse, cum antea consules et duces nonnisi transversa charta scriptas mitterent.*

*Quintus carior fuerit aut familiarior. Ei rei sunt indicio praeter eos libros, in quibus de eo facit mentionem, qui in vulgus sunt editi, undecim volumina epistularum ab consulatu eius usque ad extremum tempus ad Atticum missarum: quae qui legat, non multum desideret historiam contextam eorum temporum. Sic enim omnia de studiis principum, vitiis ducum, mutationibus reipublicae perscripta sunt, ut nihil in his non appareat et facile existimari possit prudentiam quodam modo esse divinationem: non enim Cicero ea solum quae vivo se acciderunt futura praedixit, sed etiam quae nunc usu veniunt cecinit ut vates.** Yet it is certain that Atticus did not publish the collection—whether it was that he thought that the taste of the public would not welcome letters which had a historical rather than a stylistic interest, or that he thought that Cicero's reputation would suffer by the publication, or that he did not wish, by interesting himself with Cicero's memory, to impair his good relations with Augustus, with whom, as we know (Nepos, Att. 20), he was most intimate. He appears to have handed on the collection of letters to his executors, who were probably Balbus and Peducaeus (cp. Nepos, Att. 21), both valued friends of Cicero's. It is possible that they may have cut out the letters of the last part of Cicero's life, from August, 711 (43), and some few others in which he probably spoke with real bitterness of Augustus.† But no such reason as this can be assigned for the suppression of any letters which may have been written to Atticus during the early part of 711 (43), for during that period Cicero had the highest hopes of Octavian. It is quite possible that the letters written to Atticus in 711 (43) were few in number, as both Atticus and Cicero appear to have been in Rome

* Pliny the younger, in a well-known passage, contrasts the meagre subjects he has to write about compared with the important subjects of which Cicero's epistles treat (Ep. ix. 2, 2). *Praeterea nec materia plura scribendi dabatur. Neque enim eadem nostra condicio quae M. Tulli ad cuius exemplum nos vocas. Illi enim et copiosissimum ingenium et ingenio qua varietas rerum qua magnitudo largissime suppetebat. Nos quam angustis terminis claudamur etiam tacente me perspicis, nisi forte volumus scholasticas tibi atque, ut ita dicam, umbraticas litteras mittere.*

† But the letters which were suppressed can only have been those in which the tone is exceptionally bitter; for somewhat contemptuous remarks are made about Octavian here and there in the correspondence which is extant, e. g. Att. xv. 12, 2 (745)—*In Octaviano, ut perspexi, satis ingeni, satis animi. . . . Sed quid nomini, quid hereditati, quid* κατηχήσει, *magni consili est. Vitricus quidem nihil censebat.*

all the time;* and we think that there were not many more letters in the collection which Atticus preserved than in the collection which we actually possess; and that the loss of these is due to the fact that a few leaves of the archetype were lost, and not to any suppression of letters on an extensive scale by the original editor or editors of the correspondence.

But be that as it may, the actual publication most probably did not take place until about 60 A.D., nearly a hundred years after Cicero's death; and doubtless the editor at that time divided the collection of letters as he found them into the sixteen books which we have; and he appears to have arranged all except xii. and xiii. in a chronological order which is loose indeed, but which perhaps may be regarded as tolerable, if we consider that a literary rather than a historical interest was hoped to be served by the publication. Some of the books are divided off by fairly definite limits, and between several books a pause in the correspondence is apparent. Thus between ii. and iii. there is a lapse of six months, between iii. and iv. nine months, between iv. and v. two and a half years, between x. and xi., and between xi. and xii. seven months each. Such clearly defined aggregates of letters as iii., iv., and xi. may have fixed the normal length of a book, and the editor possibly divided up the rest in books of about the same length. At any rate, all the definite quotations from the *Epistles to Atticus* in ancient times presuppose the division into books such as we have.†

The earliest quotation from the *Epistles to Atticus* is in Seneca,

* There are only ten letters—and those short ones—extant from Cicero to Atticus which were written in 708 (46), one of which was written during the absence of Atticus from the city, eight from Tusculum, where Cicero went for two short visits in June and in the second intercalary month, and one from Arpinum. So that it would appear that Cicero and Atticus wrote little to one another when at Rome, except, perhaps, on *codicilli*, which did not lend themselves to binding in *volumina*. Peter (pp. 46 ff.) ingeniously suggests that this is a possible reason why the order of letters in xii. and xiii. became so confused. The little letters of those books, dashed off on *codicilli*, may have not been fastened together, but laid one on top of another, with the result that on any handling of them the order would probably be altered; and, as they were undated, the editor simply took them as he found them, and did not trouble himself about investigating, even approximately, their actual chronological sequence, the more so as the contents were not such as to seem worth the expenditure of much labour in editing them.

† Seneca (Ep. 97, 4) quotes *Ciceronis epistolarum ad Atticum liber i.*, and the reference is to i. 16, 5: Gellius (iv. 9, 6) *in libro epistolarum nono ad Atticum*, referring

Ep. 97, 4, written about 66 A.D., where he quotes Att. i. 16, 5 (22): for in the passage in the earlier treatise *De Brevitate Vitae*, 5, 2— *Quam flebiles voces exprimit in quadam ad Atticum epistula iam victo patre Pompeio, adhuc filio in Hispania fracta arma refovente! "Quid agam" inquit "hic quaeris. Moror in Tusculano semiliber"*— the word *Atticum* is probably to be emended into *Axium*.*

Again, Bücheler† and Leo‡ have noticed that Asconius, who published his commentary about 54 A.D., never mentions the Letters, though such a careful and minute investigator as he was would hardly have failed to use Att. i. 2, 1 (11), in his interesting historical criticism on the question whether or not Cicero defended Catiline (Asconius, 85, 10, Or.); and would probably not have overlooked Att. iv. 3, 3 (92), in his endeavours to justify Cicero's veracity, and find out on what day Clodius nearly killed Milo at the Regia (Ascon. 48, 9). If this is so, the date of publication would be fixed to about 60 A.D.; and this is the date generally accepted. But it is very doubtful if we can fix this date with any degree of certainty on such evidence as the silence of Asconius;§ however, it

to ix. 5, 2: Nonius (p. 90) *M. Tullius ad Atticum lib. iiii.* to iv. 16, 10: (p. 214) *M. Tullius ad Atticum lib. ii.* to ii. 7, 5: (p. 479) *Cicero ad Atticum lib. xv.* to xv. 4, 2.

* The names *Atticus* and *Axius* are confused elsewhere: see notes in vol. vi., p. 308. Although the word *semiliber* occurs in Att. xiii. 31, 3 (607), the context is not the same as the passage quoted by Seneca. Both letters were written in 708 (45), and Cicero could not have chosen a better word than *semiliber* to express his position at the time.

† *Rheinisches Museum*, 34, 352 ff.

‡ *Nachrichten der phil.-hist. Kl. der K. Gesellschaft der Wissenchaften zu Göttingen*, 1895, 442 ff.

§ In a very able and elaborate essay (*Ciceros Briefschaften und ihre Verbreitung unter Augustus*, Jahrb., 1894, pp. 209–224) Gurlitt argues that publication of the *Epistles to Atticus* took place during the reign of Augustus. He does not lay much stress on the argument 'ex silentio Asconii.' He observes that Cicero's letters were not read in the ancient world as historical documents (cp. the principle on which Fronto 107, 7, made his excerpts, *Memini me excerpsisse ex Ciceronis epistulis ea dumtaxat quibus inesset aliqua de eloquentia vel philosophia vel de republica disputatio: praeterea si quid eleganti aut verbo notabili dictum videretur excerpsi*), and so we can readily suppose that a 'scriptor historicus,' as St. Jerome called Asconius, used Tiro's Life of Cicero and not Cicero's Letters, especially too when there were (relatively) so few letters belonging to the period at which Cicero composed most of the Orations on which Asconius commented. This seems a good argument; and we may add that Asconius might have known and yet have omitted both the passages which have been

is somewhat more probable than any other date: for about this time there was a reaction in the more important literary circles in favour of Ciceronian style, which became more marked in the next

adduced. In Att. i. 2, 1 (11) Cicero only says *Hoc tempore Catilinam competitorem nostrum defendere cogitamus* ('I am *thinking* of defending'): it does not follow that he actually did defend Catiline, though it makes in that direction. And the affray of which Cicero gives a description in Att. iv. 3, 3 (92), occurred on November 11th, 697 (57), four and a half years before the delivery of the *Pro Milone*, which, when we consider the many riots and exciting incidents which happened in Rome during that period, was somewhat ancient history, and is certainly stretching to its extreme limits the very elastic word *nuper* in Mil. 37. If Cicero's story is not apocryphal (see Mr. A. C. Clark's note on Mil. 37), the occurrence to which he refers is more probably that indicated by Asconius as having taken place in 701 (53) than the affray of November, 697 (57). But Gurlitt's other arguments do not seem so satisfactory. He rightly considers that there is no reason to suppose that Augustus would have objected to the publication of the Letters; but we cannot agree with the reason assigned, viz. that he encouraged Nicolaus of Damascus, who wrote with a certain contempt of Julius (see chapters 19, 23, and 24 of that writer's Βίος Καίσαρος). For there is nothing very contemptuous in those chapters. They say (c. 19) that Julius very justly plumed himself on his victories, and thought himself more than human; but that is only an incidental remark: and (c. 23) that Julius was afflicted with fits (νόσος σκοτώδης): and in c. 24 Julius appears somewhat irresolute and dominated by the influence of Decimus Brutus; but the whole tone of the description is sympathetic towards Caesar. Gurlitt holds too that there is not a hard word of Octavian in the Correspondence of Cicero with Atticus. Yet surely Att. xv. 12, 2 (745) and xvi. 14, 1 (805) are censorious, and there are frequent references to his being a mere boy, e.g. xiv. 12, 2 (715), xvi. 8, 1 (797), xvi. 9, 1 (798). The story told at the end of Plutarch's Life of Cicero of the fear exhibited by one of the grandsons of Augustus when the Emperor discovered him reading a work of Cicero's would seem to imply that there was an opinion abroad that any recognition of Cicero's excellences would not be taken in good part by Augustus, and may have deterred those who were in possession of Cicero's Epistles to Atticus (probably Balbus and Peducaeus, both Caesarians) from publishing them. And thus, even though we suppose that no great danger would have attended their publication, any more than danger attended the publication of Tiro's Life of Cicero or of Cicero's Correspondence as far as it was issued by Tiro, yet it is quite possible that Atticus, owing to his friendship with Augustus (Nepos, Att. 20), left injunctions that the letters of Cicero to him were not to be published during the Emperor's lifetime. If the letters were published long before 60 A.D., it is certainly strange that there are no quotations from them before Seneca; so that there is some probability, though not certainty, that the accepted date of publication, viz. 60 A.D., is approximately accurate. Gurlitt also urges that there would have been no reason in Nero's time to suppress the letters of the last part of Cicero's life. This is true, but is hardly applicable to the letters to Atticus; for it is doubtful if there were many letters from Cicero to Atticus after his return to Rome in September, 710 (44), and probably such as he did write disappeared owing to the loss of a leaf of some early archetype: see above, p. 62.

generations in Quintilian, Suetonius, and Tacitus (*De Oratoribus*);* and under the reign of Nero there was much less likelihood of causing offence by publishing severe criticisms on the founder of the Caesarian monarchy than there would have been during the reigns of Augustus and Tiberius.†

It is generally allowed that the rest of Cicero's correspondence‡ was arranged by Tiro and for the most part published by him in separate books. It is possible that some books which show a strong anti-Caesarian bias may have been withheld until after the deaths of Augustus and Tiberius: yet it is doubtful if Augustus would have severely resented the publication of even such harsh expressions against Julius Caesar as are contained in a letter to Cassius in Fam. xii. 1, 1 (723), where he is called *hominis impuri*, if they were published after the authority of Augustus was fully established. Cicero's political opposition to Caesarism was well known; the cause which he defended was irretrievably ruined; and if Livy was allowed to praise Cicero highly, it is difficult to suppose that any official opposition would have been made to the publication of letters which contained here and there a bitter word against the great dictator. Atticus may have refrained from publishing Cicero's correspondence with him, as he was on terms of close intimacy with Augustus (see above, p. 61); but Tiro had no such reason to refrain from publishing the correspondence which he had

* References to the Epp. ad Att. are found in Quintilian (vi. 3, 109; viii. 3, 32; and perhaps v. 11, 21) and Suetonius (Tib. 7; De Gramm. 14, 16).

† Peter (p. 52*n*.) has an ingenious, if somewhat far-fetched, theory that family considerations may have caused the publication in the early part of Nero's reign. Vipsania, daughter of Pomponia Attica and Agrippa, when she was compelled to separate from Tiberius, married Asinius Gallus, and bore him several sons who attained high rank, cp. Tac. Ann. vi. 23. After the death of Claudius some one of the Galli may have published the letters of Cicero to Atticus in order to show the importance of the ancestor of this much-persecuted family. Seneca (Ep. 21, 4) considers, and rightly considers, that the fame of Atticus rests wholly on his correspondence with Cicero; he says, *Nomen Attici perire Ciceronis epistulae non sinunt: nihil illi profuisset gener Agrippa et Tiberius progener et Drusus Caesar pronepos: inter tam magna nomina taceretur nisi Cicero illum adplicuisset.*

‡ Two letters which appear in *Fam.* afterwards appeared in *Att.*—viz. Fam. viii. 16, ix. 14 (= Att. x. 9A, xiv. 17A), Epp. 383, 722. These were important letters, of which probably Tiro kept copies and Atticus the originals, Tiro possibly in each case having fastened them on to the covering letter of Cicero. Hence their publication in both collections.

at his disposal; and he was doubtless actuated solely by the consideration as to what would most redound to the literary and political honour of the master to whom he was so faithfully attached. Yet he probably omitted some letters, especially letters to Brutus and Cassius, written after Aug. 17, 711 (43), as it is impossible to believe that Cicero did not, after that date, express himself to some of his correspondents with fierce and righteous indignation at the treachery of Octavian.

The letters were, as stated, published in separate books. This is proved from the manner in which they are quoted. Gellius (xii. 13, 21) quotes a passage as *in libro M. Tullii Epistularum ad Servium Sulpicium*, i.e. Fam. iv. 4, 4 (495): again (i. 22, 19), *in libro epistularum M. Ciceronis ad L. Plancum et in epistula Asini Pollionis ad Ciceronem*, i.e. x. 33, 5 (890). Nonius similarly makes such references as (83, 25) *Cicero ad Varronem epistola Paeti*, i.e. Fam. ix. 20, 3 (475); and (278, 5) *M. Tullius ad Cassium lib. i.*, i.e. Fam. xv. 16, 3 (531). Further, it is proved from the way in which the beginning and ending of each book are indicated in the *codices*: for example, Fam. ix. in M and H has at the beginning *Incip. ad M. Varronem feliciter liber I.*,* and at the end *M. Tulli Ciceronis Epistularum ad Varronem et ceteros expli.* The separate books were styled after the person to whom the first letter was addressed, even though letters addressed to others were comprised in the book, just as a volume of tales with us generally bears the name of the first tale. When a writer wishing to be careful quoted from a letter addressed to a person different from the addressee of the first letter, he indicated both in his reference; thus, *Cicero ad Varronem epistola Paeti*† signifies that Fam. ix. is referred to (for the first letter of that book is addressed to Varro), and the quotation is to be found in one of the letters to Paetus, i.e. 20, 3 (475), which form the greater part of that book.

The extent of the correspondence of Cicero with his friends

* This *liber I.* may perhaps point to the fact that Book ix. originally formed the beginning of a volume in M and H; see below, p. 94.

† Cp. Nonius, who (259, 22) speaks of *Epistola Cassi*, meaning *ad Cassium*, viz. Fam. xv. 14, 5 (241), where, however, we must not with Quicherat and L. Müller alter to *ad Cassium*.

(excluding that with Atticus and his brother Quintus) which was known to the ancients appears to have been very large. Besides the collection *ad Fam.* which we possess, we have evidence of letters or books of letters to the following:—Four books to Pompey,* two books to Cornelius Nepos (Macrob. ii. 1, 14, cp. Suet. Caes. 55), three books *ad Caesarem*, three books *ad Caesarem iuniorem* (Nonius)—if both these collections are not to be referred to Octavian,†—three books to Pansa (Nonius), nine‡ books to Hirtius (Nonius), nine books to Brutus (Nonius), two books to his son Marcus (Nonius), a book to Calvus (Priscian), two books to Axius (Nonius), letters to Cato (Nonius), Caerellia (Quintilian), Titinnius (Suetonius), Hostilius (Charisius), not to mention his Greek epistles (Plut. Cic. 34). From all this collection of Latin letters we have nearly 90 fragments remaining, the most numerous being from the correspondence with Octavian, which has 41 fragments,§ and that with Brutus, which has 17.§

It is very probable that Tiro‖ was the editor of all the *libelli* of

* That is, if Nonius (293, 37) is right, *M. Tullius ad Pompeium lib. iiii.* The letter referred to (Ep. 343, 3) is that enclosed (D) with Att. viii. 11. It is an important document, and, if Nonius has not blundered, we must suppose that it found its way into the collection *ad Pompeium* from Tiro's copy, and into the collection *ad Atticum* in the same way as Fam. viii. 16 and ix. 17; see above, p. 65*n*.

† We agree with Gurlitt (*Nonius Marcellus und die Cicerobriefe*, pp. 4 ff.) in thinking that they are identical: cp. vol. vi. pp. 292, 293.

‡ The number seems excessive for a correspondence which began in 708 (46) and ended in 711 (43), during which period both correspondents were for a considerable time in Rome: see Gurlitt, p. 23, note 1. So that when Nonius (450, 2) quotes the ninth book to Hirtius, we should probably hold the statement to be a mistake of that inaccurate compiler.

§ Assuming *Caesar* and *Caesar iunior* of Nonius to be identical.

‖ That the editor was Atticus, though not impossible, is improbable. It is, of course, true that Atticus published works of Cicero during his lifetime, e.g., the work on his consulship, cp. Att. ii. 1, 2 (27), and the *De Finibus*, Att. xiii. 21, 5 (632). But it is certain that Atticus did not publish the correspondence addressed to himself. Why, then, should he have published all the rest of Cicero's correspondence? And why should he have taken out of the hands of Tiro a work which Tiro himself had planned, and which Cicero had entrusted to Tiro? In doing so he would have had to ask Tiro for copies of the letters which he (Tiro) had received, e. g. Fam. xvi: and is it likely that he would have published the contemptuous judgment on himself contained in Fam. xvi. 23, 2 (754):—*Atticus noster, quia quondam me commoveri* πανικοῖς *intellexit, idem semper putat, nec videt quibus praesidiis philosophiae saeptus sim, et hercle, quod timidus ipse est,* θορυβοποιεῖ?

the correspondence except the *Epistles to Atticus*.* We know that even in Cicero's lifetime a publication of some sort was projected. In a letter written on July 9, 710 (44), Att. xvi. 5, 5 (770), this is distinctly stated: *Mearum epistularum nulla est συναγωγή, sed habet Tiro instar septuaginta. Et quidem sunt a te quaedam sumendae: eas ego oportet perspiciam, corrigam.* But we know neither whether this συναγωγή with the additions from Atticus was ever published, nor, even if it was, what those seventy letters were. The view of Gurlitt,† that they were those comprising Fam. xiii., has met with much approval. Peter, in his elaborate discussion (pp. 36 ff.), accepts it: but we are unable to concur with this opinion. That book, Fam. xiii., is composed of letters written at the request of others, in order to gain some favour; and they are mostly *epistulae commendaticiae*—letters of introduction to provincial governors, asking that they should do what they can in each case for the interest of the bearer. Gurlitt urges, in support of his view, that no letters are found in Fam. xiii. which are later than July, 710 (44), any recommendatory letters which were written subsequently being attached to other books.‡ He supposes that the reason for the publication was a desire to exhibit Cicero's great skill in treating a commonplace subject with infinite variety. But is it probable that when he proposed to issue a collection of epistles, Cicero would have, in the first instance, put forth a

* Peter (*op. cit.*, pp. 81, 82, 94) supposes that Fam. x., xi., xii. 1–16, and probably the correspondence with Brutus, were not published until after the death of Tiberius, and that they may have appeared simultaneously with the Epp. ad Att. But this view seems to be based on the ground that Augustus and Tiberius would not have tolerated the publication of such anti-Caesarian documents—a view which, in our opinion, supposes a more rigorous censorship than probably existed. See above, p. 65.

† See his article, *Genera usitata Epistularum*, in Jahrbuch, 1888, pp. 863–866. In this he shows, by a comparison of Fam. iv. 13 (483) and ii. 4 (175), the different classes of letters besides *epistulae commendaticiae*, viz.:—

1. Epistulae quibus certiores facimus absentis.
2. Genus familiare et iocosum quo secundis rebus uti solemus.
3. Genus severum et grave, triste et miserum, comprising—(*a*) promissio auxili, cohortatio, and (*b*) consolatio doloris, rationes quibus a molestiis quis abducatur.

‡ For example, Fam. xii. 21 (698) is put with the other letters to Cornificius, and xi. 22 (912) with the letters to Decimus Brutus.

volume which was so utterly dreary and uninteresting in matter? Would a distinguished politician and literary man to-day desire that the first instalment of his correspondence should be a collection of testimonials which he gave to applicants for posts? We cannot think so; nor do we think that Cicero's variety of treatment is so strikingly marked as to overcome the weariness arising from the great poverty of ideas which is manifested in the letters of this book. Most probably, when Tiro determined definitely on the publication of the letters, he bound up a large number of copies of these recommendatory letters, prefixing to the volume the long and important and carefully-written letter to Memnius: but we cannot think that they are the seventy letters referred to in Att. xvi. 5, 5 (770), which Cicero intended to correct and publish. Just as a writer of tales puts forth the best work at his disposal first, and afterwards, when he has made his name, publishes inferior compositions; so we can well suppose that, after Tiro had issued several books of Cicero's more valuable epistles, when the demand persisted for more letters of Cicero, he may have published Fam. xiii., so that nothing which was written by the great stylist should, as Cicero said himself of another work,* remain an unpaid debt to the youth of his country. Accordingly we agree with those scholars who think that the seventy letters which Cicero intended to revise and publish were the choicest flowers of his correspondence, such letters as Fam. i. 9 (153); iii. 10 (261); iv. 4 (495); v. 7 (15); v. 12 (109); vii. 1 (127), &c. We have seen that some letters were to be obtained from Atticus, possibly some of the enclosures which appeared afterwards in Att. viii. and ix. Our own impression is that the volume which Cicero projected was never revised by him or published, owing to the storm and stress in which the remainder of his life was passed, but that Tiro did not abandon the idea, and devoted the remainder of a long life to the issue of what has proved one of the greatest and most valued memorials of his master's mind and art.†

* Att. iv. 2, 1 (91) *Itaque oratio iuventuti nostrae deberi non potest.*

† The view of Nake (*Historia critica Ciceronis epistularum*, 1861, pp. 13 ff.), that the Epp. ad Fam. were 'excerpta' from the whole mass of the correspondence, is improbable. For (1) surely the 'excerptor' would have had more letters from

Tiro does not appear to have observed any one principle in making up his various *libelli*. We have seen that Fam. xiii. is a collection of recommendatory letters. No other book seems to have been formed exclusively on the ground of subject-matter, except, probably,* vii., which exemplifies for the most part Cicero's powers in the lighter strain of *urbanitas*. The other books are mostly collections of letters addressed to definite people, often with a few stray letters added at the end, in order to make the volume of normal size. Thus, Fam. i. consists of letters to Lentulus Spinther, Governor of Cilicia;† ii., of letters chiefly to Curio and Caelius—that interesting pair of young politicians—with a few additions; iii., wholly of letters to Appius Claudius Pulcher, Cicero's predecessor in the government of Cilicia;‡ viii., wholly of letters from Caelius to Cicero; x., of letters touching Gallic and Spanish affairs, principally to and from L. Munatius Plancus, with a few letters to Furnius, who was with Plancus, and some letters to and from Lepidus and Pollio; xi., of letters to and from Decimus Brutus, with a few additions; xii., of letters to or from Cassius Longinus and other officers commanding in the east, and letters to Cornificius, who was Governor of Africa, with a few additions; xiv., of letters to Cicero's family; xvi., of letters to Tiro. Book iv. consists mostly of consolatory or encouraging letters to Servius Sulpicius and M. Marcellus, the consuls of

Pompey, Caesar, Brutus, Octavian, and other great men; and many trivial letters which we have would have been omitted; (2) certain groups of our collection give one the impression, arranged, as they are, in fair chronological order, that we have therein no selection, but every letter in possession of the editor which was written within the period to each correspondent; e. g. Fam. i.; iii. 1–9; viii.; x. 1–24; xi. 4–26. We must rather suppose that the sixteen books which we possess are those that survived the ravages of time, though it is most difficult to ascertain what were the causes which brought it to pass that just those *libelli* were bound in larger volumes, and thus escaped destruction.

* The third epistle is an exception; but it owes its place to a desire to put together the few letters addressed to M. Marius.

† Fam. i. 10 (162), to Valerius, was probably despatched with one of the letters to Lentulus.

‡ There is a curious excision in iii. 10, 11 (261), of Cicero's provincial regulations—a loss which we must deeply regret. Possibly the editor thought the letter was already too long, and that a reader might enjoy Cicero's criticism of Appius, but would regard a list of Cicero's own regulations as tedious.

703 (51),* one containing the account given by the former of the murder of the latter. Book vi. consists also of consolatory letters, with a few of miscellaneous import. Books v. and xv. are somewhat heterogeneous: v. refers mostly to certain periods of Cicero's public life, though there are a few consolatory letters ;† xv., to Cicero's provincial administration, including a letter written in 703 (51) to Cassius Longinus, who was in command of the army in Syria, which caused the addition of a portion of the rest of Cicero's correspondence with Cassius up to 709 (45).‡ Within most of these books a kind of chronological order is more or less observed in the letters addressed to the same correspondent; but in some of the books, e. g. v., vii., xiii., xv., xvi., no chronological arrangement can be said to exist.

Some time about the fifth century the scattered *libelli* were bound into larger volumes—possibly at first four books were bound together, and afterwards eight. That there were volumes consisting of eight books is quite plain from the two Harleian manuscripts 2773 (G) and 2682 (H), see § III. The Medicean (M)

* It was because xv. 9 (216), addressed to Marcellus, was not consolatory, and was written from Cilicia, that it appears in xv. and not in iv. Similarly, vii. 5 (134), though a recommendatory letter, and one to Caesar, appears, not in xiii., but at the beginning of the correspondence with Trebatius in Gaul, as it introduced Trebatius to Caesar. Conversely, xiii. 17–28 (512–524), as purely recommendatory, appear in xiii., and not with the other correspondence with Servius Sulpicius in iv.; for the epistles in iv. are of a consolatory nature. The recommendatory letter, xiii. 29 (457), to Plancus, written in 708 (46), remains where it does, as the correspondence with Plancus in x. comprises only letters written after Caesar's death, when Plancus was in command in Gaul.

† As no letter in v. or vi. was written after 710 (44), Gurlitt (*Genera usitata epistularum*, in Jahrbuch, 1888, p. 864 f.) thinks that probably these books were published immediately after xiii., as further exemplifications of Cicero's great mastery of style in the *genus grave et severum* of consolation, where 'common is the commonplace,' and where the greatest art is required to write in good taste, and to avoid wounding the susceptibilities of the recipients. The same objections (though in a less degree) rest against this view as against that which supposes the first volume published to have been xiii., viz. the uninteresting and dismal nature of the subject-matter.

‡ Nonius (278, 5) prefaces his quotation from xv. 16, 3 (531) with *M. Tullius ad Cassium lib. i.* This was probably a brief and convenient way of indicating that the quotation was in xv. and not in xii.; but if he had wished to express himself with strict accuracy, he should have said *M. Tullius ad senatum epistula ad Cassium* (or *Cassi*) : see above, p. 66.

has the whole sixteen books bound up together. The title of the collection in the Parisinus 17812 (R) is *M. Tullii Ciceronis epistolarum liber primus incipit*, and in G it is *Incipiunt epistolae Ciceronis*. There is no heading in M. So, strictly speaking, the title of the collection ought to be *Epistulae*, not *Epistulae ad familiares*; but the latter is the title which use has consecrated. It first appeared, as far as we know, in the edition of Rob. Stephanus, in 1526. The earliest editors, however, call the collection *Epistolae familiares*. In a Gryphius edition of 1540, according to Sternkopf, the title runs thus: *Epistolarum M. T. C. ad diversos missarum quae hactenus familiares dictae libri quindecim ex Petri Victorii castigatione*. The title *ad diversos* is bad Latin. The title *ad familiares* is, on the whole, satisfactory, though some very few of Cicero's correspondents are not what could be strictly called *familiares*.

The Epistles *ad Quintum fratrem* extend over but a brief period. They consist of two letters of admonition written in 694 (60), two letters written from exile, and two books written between December, 697 (57) and December, 700 (54). Marcus Cicero must have written many letters to his brother before 694 (60)* and after 700 (54): so that we have only a portion of the correspondence between the brothers; and even within these six years we most probably have not by any means all the letters which passed between them. Peter (p. 91) has pointed out that between February, 699 (55) and January, 700 (54) we have only three letters remaining, though Cicero alludes to a daily letter in Q. Fr. ii. 9, 2 (132). Several of the letters sent to Quintus in Gaul may have miscarried or have been destroyed by Quintus himself: but it is strange that we have no letters of later date than 700 (54). But Quintus was with Marcus in Cilicia; and during the Civil War the relations between the brothers were so strained that an editor who was devoted to the family might well suppress letters which were doubtless in many cases *parum fraterne scriptas*, cp. Q. Fr. i. 2, 12 (53). The letters to Quintus are interesting, though not written with that complete freedom which characterises the letters to Atticus. Indeed, one is greatly struck and somewhat puzzled by the stately and respectful courtesy of the great con-

* For this we have direct evidence, cp. Q. Fr. i. 1, 1 (30).

sular to his younger and comparatively undistinguished brother in the first letter of this correspondence (Ep. 30). It is, however, rather a formal Essay on Provincial Government than a letter, and was intended as a return for the letter of Quintus *De Petitione Consulatus* (Ep. 12).

The *Epistulae ad Brutum*, as we have them, consist of one book and a portion of another, which alone remain from a collection which contained at least nine* books. They comprise most of a correspondence extending from the end of March to July 27, 711 (43). For a long time it was supposed that this collection was a forgery; but it is now almost universally allowed that, with the possible exception of i. 16, 17, the rest of the correspondence is genuine. We believe in the genuineness of the whole, including i. 16, 17: see vol. VI., pp. cxi.–cxvii., and Introductory Note to Brut. i. 16 (864). Whether it is probable or not that they were published by Tiro during the lifetime of Augustus depends on the question how far Augustus was inclined to restrain the publication of the works of the political opponents of his early years. He may well have winced at Brut. i. 18, 4 (915);† but he was in our opinion too great a man to resent in any practical manner such expressions of honest opinion, though contrary to his own, as Cicero delivers in his letters. As far as we know, the first quotation from the *Epistles to Brutus* is in Ammianus Marcellinus (xxix. 5, 24), *agebat autem haec Tullianum illud advertens quod* '*salutaris rigor vincit inanem speciem clementiae*,' which passage (with *severitas* for *rigor*) is found in Brut. i. 2, 5 (843).

We have not hesitated to include the treatise called *De Petitione Consulatus* in this correspondence, as it deserves a place there, as well as Q. Fr. i. 1 (30), which is an Essay on Provincial Government rather than a letter. Many views have been taken of the nature of the treatise *De Petitione Consulatus*: but one (that of Eussner) would clearly deny to it a place in the volume. We feel

* If Nonius (421, 31) is right. It is probable that he is right in this case, as Cicero corresponded with Brutus even so far back as the time of his provincial administration: cp. O. E. Schmidt in *Philologus*, 1890, pp. 38–48.

† *Quanquam et hunc, ut spero, tenebo multis repugnantibus; videtur enim esse in eo indoles, sed flexibilis aetas multique ad depravandum parati, qui splendore falsi honoris obiecto aciem boni ingeni praestringi posse confidunt. . . . Magis enim illum pro quo spopondi quam me ipsum obligavi.*

bound, therefore, to show that this theory is untenable. Here, however, is not the best place to discuss the question. The reader will find a full statement of the case in an Appendix to the Introduction.

§ 2. On the Style of the Letters.

We have in the letters of Cicero an almost unique literary monument. The history of one of the most interesting epochs in the annals of the world is unfolded to us in a series of cabinet pictures by a master-hand. We contemplate, passed in review before us, a procession of those Roman nobles who in the last few decades of the Republic wielded a greater power than is now given to kings, and lived with greater splendour. The Senate has been called a mob of kings. Most of its members had held, or would at some time hold, governments more irresponsible and hardly less important than the Governor-General of India now administers. And all these we see in the letters in the aspect which they presented to their friends and associates, not in the aspect which they presented to the world and to the historian. We see Pompey, with his embroidered toga and with his chalked bandages on his legs, sulking because no one would thrust on him that greatness which he might have grasped if he had but put forth his hand. We hear how Lucullus thought more about teaching his bearded mullets to eat out of his hand than about the interests of the *causa optima* so dear to Cicero. We have a distinct portrait even of such an obscure figure as Piso (consul in 693, b.c. 61), in whose caustic words and supercilious visage we fancy we can detect a likeness to the late Lord Westbury. In Caelius and Dolabella we have a type of the *jeunesse dorée* of Rome; in Trebatius, of the genial professional man. To each of these Cicero writes in a tone suitable to his correspondent's years and views. Whether he exchanges *rumusculi* with Caelius, jokes with Paetus, or politics with Lentulus—whether he complains or apologises, congratulates or condoles—whether he lectures his brother Quintus on his violence of temper, or addresses himself to the kindly task of bantering Trebatius out of his discontent with the camp of Caesar in Gaul—we never miss

the sustained brilliancy and fertility of thought and language. It is most interesting to observe the superiority of his letters to those of his correspondents. For instance (to confine ourselves to the present instalment), observe in the letter of Quintus (Ep. xii.) the forcible-feeble rhetoric, the constant employment of the word *ratione*, which reminds us how vaguely indefinite words like *relation, attitude, element,* are used by slipshod writers in the present day to conceal inaccuracy of thought. And compare the letter from Q. Metellus Celer (Ep. 13) with Cicero's reply (Ep. 14). The one is the almost inarticulate grumble of a man labouring under a sense of injury; it is vague and indefinite: though very short, the writer repeats the same sentiment twice, and he finishes with an obscure menace which seems to have escaped from him involuntarily. It is, in short, such a letter as would be written by the average colonel of the present day. The reply is a masterpiece of ingenious defence, which, if necessary, Cicero might afterwards describe as an apology, but which really puts the aggrieved Proconsul completely in the wrong; and it concludes with a quiet smile at the stupid threat—a smile which Metellus would not see, but which would be enjoyed by the intelligent. We have, it is true, many charming letters from Caelius and others of Cicero's correspondents, notably the exquisite letter of Sulpicius and the manly letter of Matius before referred to. These, however, are quite exceptional, and the net result of the comparison of the letters of Cicero with those of his contemporaries is a greatly strengthened belief in the amazing literary endowments of Cicero.* But the quality in Cicero's letters† which makes them most valuable is that they were not (like the letters of Pliny, and Seneca, and Madame de Sévigné) written

* For a few points of difference between the letters of Cicero and his correspondents, see pp. 91–93.

† Of course we here refer to the private letters, and especially to the letters to Atticus. The public letters have not this quality. For an instance of the degree to which Cicero disguises his real feelings in his public letters, see Att. xiv. 13*b* (717), where he sends to Atticus a copy of a letter to Antony. For the confidential and trustworthy nature of the Epp. ad Atticum cp. Att. xii. 36, 1 (643) *nam habeo ne me quidem ipsum quicum tam audacter communicem quam tecum.* In these letters, as Meyer says, referring to a passage of Horace, 'omnis Ciceronis vita votiva patet veluti descripta tabella.'

to be published. The letters are absolutely trustworthy; they set forth the failures and foibles of their writer, as well as his virtues and his triumphs. The portraits with which they abound were never to be shown to his involuntary sitters, so there was no reason why they should not be faithful. In his speeches this is not so: according to the requirements of his brief, his subjects are glorified or caricatured beyond recognition.

As a motto for the whole correspondence may be taken his own words* in which he exalts the letter of Atticus over the oral description of Curio. He should be a good talker who could surpass the vivacity of Cicero's letters. But it is a serious error to ascribe carelessness to them. His style is colloquial, but thoroughly accurate. Cicero is the most precise of writers. Every sentence corresponds to a definite thought, and each word gives its aid to the adequate expression of the whole. Those who think that the speeches are a mere effusion of rhetoric, a piling up of superlatives for most of which another superlative might easily be substituted without any injury to the meaning or effect of the passage, have (it seems to us) not read Cicero aright. Every adjective is set down with as careful a pen as ever was plied by a master-hand; each is almost as essential to the sentence as the principal verb. We have an amusing testimony to the carefulness—one might say purism—of his letters in Att. vii. 3, 10 (294), where he so earnestly defends his use of *in* before *Piraeum* (while he avows with shame that he should have written *Piraeum*, not *Piraeea*), on the ground that Piraeus cannot be regarded as a *town*; citing in defence of his usage Dionysius and Nicias Cous, and quoting a passage in point from Caecilius, whom he candidly allows to be but a poor authority, as well as one from Terence, whose *elegantia* he considers to be beyond dispute. All this, too, at a time when one might have supposed that he would have been more concerned in deciding on the political position to be assumed by him on his return to Rome, which he was fast approaching, and from which were constantly reaching him *miri terrores Caesariani*, and reports which he describes as *falsa, spero, sed certe horribilia*. We should, therefore, never admit the theory of carelessness in the writer to

* Ubi sunt qui aiunt *ζώσης φωνῆς*, Att. ii. 12, 2 (37).

influence our opinion about the soundness or unsoundness of a phrase or construction.*

In treating of the Latinity of these letters, one must, of course, in an Introduction dwell mainly on the general aspects of the style, for details referring the student to the notes and to special treatises on the style of the letters, such as Stinner's and Paul Meyer's, afterwards to be mentioned; as well as to elaborate histories of Latin style, such as Nägelsbach's *Stylistik*, and Dräger's *Historische Syntax*. Having pointed out, therefore, what seem to be the distinctive characteristics of the correspondence as a whole, we shall give a general sketch of the broad peculiarities of this branch of literature as regards the *use* of words, and offer a few observations on the distinctions which may be observed between the letters of Cicero and those of his correspondents.

A.

There is a very remarkable characteristic of the style of these letters† which is deserving of most careful consideration—a very close parallelism between their diction and the diction of the comic drama.‡ It is, indeed, to be expected *a priori* that the language

* The letters from exile are not marked by the carefulness and accuracy of his other letters. He tells us himself that this is so. We find a remarkable statement in Ep. 63, 3, ego et saepius ad te et plura scriberem, nisi mihi dolor meus cum omnis partis mentis, *tum maxime huius generis facultatem ademerit;* and we do find a carelessness and inaccuracy which contrast strongly with the style of his happier days. Like Hamlet, he has not 'skill to reckon his grouns.' Hence expressions and constructions which in Parts I. and II. would call for the knife, in Part III. may often be regarded as genuine. The great stylist no longer feels the energy to achieve, or the pride in achieving, that precision and grace of expression in which he so vastly outstripped his contemporaries. Remarkable examples of this *pigritia* (to use Cicero's own word for his 'listlessness,' his 'unstrung condition' during exile, 66, 2) may be found twice in 63, 1 (the very letter in which he owns his feeling of literary impotence); twice in 64, 4; as well as in other letters written during his exile.

† Stinner, A. (*de eo quo Cicero in Epistolis usus est sermone*, Oppeln, 1879), notices this feature in the letters, but does not pursue the subject. It is dwelt upon with more detail by Paul Meyer, *De Ciceronis in epistulis ad Atticum sermone*, Bayreuth, 1887, and *Beiträge zu Ciceros Briefen an Atticus*, 1900. See also Landgraf, G., *Bemerkungen zum sermo cotidianus in den Briefen Ciceros und an Cicero*, in the "Blätter für das bayerische Gymnasialwesen," 1880, pp. 274–280; 317–331.

‡ Cicero has in a passage already quoted expressed his high opinion of the *elegantia* of Terence: in Off. i. 104, he lays down that there are two kinds of humour—*unum illiberale, petulans, flagitiosum, obscaenum; alterum elegans, urbanum, ingeniosum,*

of familiar letter-writing would closely resemble the language of familiar dialogue. In both cases the language may be expected to be largely tinged with the idiom of the *sermo volgaris*, or *colloquialism*.* Cicero, in an important passage,† recognises the *colloquial* character of his letters, referring, no doubt, especially to those which we have spoken of as his more private letters, namely, those to Atticus, Trebatius, Caelius, and his brother Quintus. It would be impossible here to enter into an elaborate comparison between the language of Cicero's letters and that of the comic stage. But in order to show that the subject well deserves a full treatment (as has been suggested by Iwan Müller, the able reviewer of the first edition of this volume in Bursian's *Jahresbericht*), we may here point out some of the coincidences which have struck us. We may first take one play, the *Miles Gloriosus*, and note the coincidences, adding such general resemblances as have not been touched upon.

(1). In the following examples it is not contended that in every case the usage adduced is *confined* to Cic. Epp. and the comic drama; but it is contended that it is far more prevalent there, and that this circumstance is not fortuitous, but arises from the fact that the usage referred to partakes of that *colloquial* character which the Germans call *Vulgarismus*.

Mil. 11, *tam bellatorem*: for *tam* with predic. subst., cp. *tam Lynceus*, Fam. ix. 2, 2 (461); *tam matula*, Plaut. Pers. 533; *parum leno*, Ter. Phorm. 508.

Mil. 44, *sic memini tamen*: for *sic* = 'as things now stand,' cp. *sed sic . . . me privas*, Fam. v. 20, 4 (302); *sic vero fallaces sunt*, Q. Fr. i. 1, 16 (30). See under *sic* v. 3 in Lewis and Short.

Mil. 67, *dare operam*, 'to attend to': see L. S., *opera*, ii. A 1.

facetum; and of the latter he makes Plautus a type, in this judgment differing from the verdict of Horace (Ars Poet. 270; Epp. ii. 1, 170) and of Quintilian (x. 1, 99); but afterwards corroborated by Gellius (vi. (vii.) 17, 4), who pronounces Plautus *homo linguae atque elegantiae in verbis Latinae princeps*.

* It must be borne in mind that *archaism* is a large ingredient in *colloquialism*, as has been pointed out (p. 127) by Paul Meyer, *Untersuchung über die Frage der Echtheit des Briefwechsels* Cicero ad Brutum. Stuttgart, 1881.

† Quid enim simile habet epistula aut iudicio aut contioni? Quin ipsa iudicia non solemus omnia tractare uno modo; privatas causas et eas tenuis agimus subtilius, capitis aut famae ornatius. *Epistulas vero cotidianis verbis texere solemus.*—Fam. ix. 21, 1 (497).

Mil. 217, *tibi ego dico*: cp. *narro tibi* in Cic. Epp. See n. on Ep. 22, 10.

Mil. 250, *quid agimus?* For this emphatic use of pres. indic. instead of delib. subjunc., cp. *nunc quid respondemus?* Att. xvi. 7, 4 (783).

Mil. 273, *certo . . . scio*: *certo* is rarely found except in comic poets and in Cic., nearly always in his letters.

Mil. 581, *nassa*: cp. *ex hac nassa exire constitui*, Att. xv. 20, 2 (752); Juvenal, 12, 123.

Mil. 583, *irae*: for abstract substantives in plural, cp. in Plaut. *opulentiae*, Trin. 490; *parsimoniae*, ib. 1028; *perfidiae*, Capt. 522; *industriae*, Most. 348; *paces*, Pers. 753; *superbiae*, Stich, 300. In Cic. Epp. we find *iracundiae*, Q. Fr. i. 1, 39 (30); *admurmurationes*, Q. Fr. ii. 1, 3 (93); *aestimationes*, Fam. ix. 18, 4 (473); *apparitiones*, Q. Fr. i. 1, 12 (30); *compellationes*, Fam. xii. 25, 2 (825); *compotationes* and *concenationes*, Fam. ix. 24, 3 (820); *desperationes*, Fam. ii. 16, 6 (394); *iocationes*, Fam. ix. 16, 7 (472); *avaritiae*, Q. Fr. i. 1, 40 (30); *iucunditates*, Att. x. 8, 9 (392); *tranquillitates*, Att. vi. 8, 4 (281); *urbanitates*, Fam. xvi. 21, 7 (786).

Mil. 636, *nota noscere*: cp. *actum agere*, Ter. Phorm. 419; *inventum inveni*, Capt. 441; *perditum perdamus*, Fam. xiv. 1, 5 (82).

Mil. 642, *cavillator*: cp. *cavillator genere illo moroso*, Att. i. 13, 2 (19): Plaut. Truc. 683.

Mil. 743, *odiorum Ilias*: cp. *malorum impendet* Ἰλιάς, Att. viii. 11, 3 (342).

Mil. 852, *loculi*: Plaut. affects strange diminutives, like this from *locus*; e. g. *recula*, from *res*; *specula*, from *spes*; *ralla*, for *rarula*; *celocula*; *nepotulus*; *uxorcula*. See below, pp. 88, 89, for a list of dimin. in Cic. Epp.

Mil. 1092, *tago*; old form of *tango*: cp. *tagax*, Att. vi. 3, 1 (264).

Mil. 1153, *nihil huius*: cp. *quod huius*, *quod eius*, &c., in Cic. Epp., *passim*. This expression is also common in official formulæ.

Mil. 1256, *hariolatur*: used in Att. viii. 11, 3 (342); very frequent in comic poets; elsewhere only, as far as we know, in Cic. De Div. i. 132. The dialogues of Cic. naturally present points of contact with the letters; for instance, the *tmesis* of *per* with

adjectives and verbs is common to the letters and dialogues of Cic. and the comic drama, but does not occur elsewhere in classical Latin.

(2). Thus the examination of one play of Plautus yields a dozen coincidences between the drama and the letters. We now add such general stylistic resemblances as have not been necessarily suggested by the *Miles*.

(*a*) The prevalence of such interjections as *hui; sodes; amabo te; absque* for *sine; mi* for *mihi*.

(*b*) Such phrases as *nullus venit*, 'not a bit of him came'; *ab armis nullus discedere*, 'not to move an inch from one's post'; *Corumbus nullus adhuc*, 'not a sign of Corumbus yet'; *nullus tu quidem domum*, 'don't stir a foot to visit him.'*

(*c*) *Teneo, habeo* in sense of *scio*, especially in imperative, *sic habeto, tantum habeto* with accus. and infin.; and *habeo* = *possum* with infin.

(*d*) Copious use of ejaculatory phrases: *at te Romae non fore!* Att. v. 20, 7 (228); *O tempora! fore cum dubitet*, Att. xii. 49, 1 (597); *facinus indignum! epistulam . . . neminem reddidisse*, Att. ii. 13, 1 (40); *esse locum tam prope Romam ubi*, Att. ii. 6, 2 (33); *hui! totiensne me dedisse*, Att. v. 11, 1 (200); *me miserum! te . . . incidisse*, Fam. xiv. 1, 1 (82); *te nunc, mea Terentia, sic vexari, sic iacere in lacrimis*; Fam. xiv. 2, 2 (79).

(*e*) Isolated agreements in the employment of a peculiar word (or phrase), as *susque deque est*, which is found only in Plautus and Cic. Epp. among classical writers. Paul Meyer (*Untersuchung*, p. 127) defends *expedire* = *narrare* in Epp. ad Brut. i. 15, 1 (914), on the ground that it is an archaism. The use of *vereri* with a genitive in Att. viii. 4, 1 (335) is an archaism found in Accius, Pacuvius (see Ribbeck's Index), Terence Phorm. 971, and Apuleius, Met. ii. 2—a writer who affects archaism. On similar grounds one might introduce *accuderim* in Att. i. 1, 2 (10) as a Plautine word, and PIPULO *ac convicio* for *populi convicio* in Q. Fr. ii. 10 (12), 1 (133). On a like principle Meyer (p. 134) vindicates *tardare* intrans. in Att. vi. 7 (270), 2 by *durare* intrans. in Plautus,

* Att. xi. 24, 4 (441); xv. 22, 1 (755); xiv. 3, 1 (705); xv. 29, 1 (768). For similar usage in the comic poets, Ter. Eun. 216; Hec. 79; Andr. 370; Plaut. Trin. 606.

where, however, it is doubtful if *tardare* is used intransitively. Such cases as these will be noticed in the notes where they occur.

(*f*) A very striking coincidence with the diction of the comic stage is illustrated by the phrase *quid mi auctor es*, Att. xiii. 40, 2 (660); *quid sim tibi auctor*, Fam. vi. 8, 2 (527), where *auctor es* is treated as a verb, and takes an object in the accusative. This construction is very common in Plautus, e. g. *ubi quadruplator quempiam iniexit manum*, Pers. i. 70; *sitis gnarures hanc rem*, Most. 100; *quod gravida est*, Amph. 878, where see Ussing's note.

(*g*) In Plautus, words like *videlicet*, *scilicet*, *ilicet*, are, as it were, resolved into their component elements and govern a case, as if (e. g.) *videlicet* were *videre licet*. A very good example of this is found in Plautus Stich. 555, 557 :—

> *videlicet* parcum fuisse illum senem . . .
> *videlicet* fuisse illum nequam adolescentem.

Hence, we hold it is unsound criticism to change *tum videlicet datas*, the ms reading in Att. v. 11, 7 (200), to *datae*, which, indeed, would not stand without *sunt*, as Boot observes. A similar construction is found in Att. xiii. 5, 1 (615).

(*h*) Another use of the accus., which the letters and the *comici* have in common, is illustrated by *scelus hominis*, 'a villain,' Att. xi. 9, 2 (423). This usage is pushed very far by Plautus, who not only has *scelus viri*, Mil. 1434, but even *hallex viri*, Poen. 1310; *hominum mendicabula* = *mendicos*, Aul. 703.

(*i*) The use of the *ethical dative* is far more common in the letters and in comedy than elsewhere in classical literature. In fact, the ethical dative without *en* or *ecce* is very rare in the other writings of Cicero. For this reason we would defend TIBI of the mss in Att. iv. 2, 4 (91) *vix tandem* TIBI *de mea voluntate concessum est*, 'after all, at last, *lo and behold you with my consent*, the point was conceded.' The vigorous exclamation is justified by the *unexpected* announcement that Cicero himself was for conceding the request of Serranus, which was so adverse to his interests. It seems most unscientific to read *illi*, or *id ei*, or *homini* for *tibi*. Surely no copyist, however stupid, finding any of these readings, all of which yield an obvious sense, would have written *tibi*, which at first sight seems to give no sense at all.

(*k*) A passage in the letters *ad Fam.* affords an example, in our opinion, of a characteristic idiom borrowed from the comic stage. The passage, Fam. vii. 1, 1 (127) runs thus :—

'Neque tamen dubito quin tu *ex* illo cubiculo tuo, ex quo tibi Stabianum perforasti et patefecisti sinum, per eos dies matutina tempora *lectiunculis* consumpseris.'

All editors have either changed *ex* to *in* or changed *lectiunculis* to *spectiunculis*. But the ms reading as given above is right. What Cicero means is this: he had said above that the leisure of Marius (gained by absenting himself from the games) would not be rightly employed unless he did something useful. Now to take 'little dips into books' might fairly be called useful as compared with dozing over hackneyed farces. *Spectiunculis*, 'taking little peeps' at the beauties of the bay of Naples, would hardly satisfy this condition; again, *spectiunculis* is against the mss; finally, the word *spectarent* would not have been used after *spectiunculis*. Accordingly, nearly all the edd., retaining *lectiunculis*, change *ex* to *in* before *illo cubiculo*. But if Cicero wrote the easy *in illo cubiculo*, why do *all* the mss give us the difficult *ex illo cubiculo*? The fact is, that in *ex illo cubiculo tuo ex quo* we have an example of that *inverse attraction* which is common in Plautus; cp. :—

indidem unde oritur facito ut facias stultitiam sepelibilem.
Cist. 63.

ego te hodie reddam madidum si vivo probe
tibi quoi decretumst bibere aquam.
Aul. 574.

quid illum ferre vis qui, *tibi quoi* divitiae domi maximae sunt,
amicis numum nullum habes.
Epid. 329.

The familiar example in Greek of this *inverse attraction* is βῆναι κεῖθεν ὅθενπερ ἥκει.—Soph. O. C. 1226: but see Jebb's note. [I confess to thinking that *ex illo* arose from *ex quo*, and that it should be altered to *in illo*. For an immense collection of examples wherein corruption has been caused by the influence of adjoining words or syllables, see C. F. W. Müller's edition of the Epp. ad Fam., p. xvi of the Introduction, note on p. 32, l. 26.—L. C. P.]

From the few instances given above, there would seem to be

sufficient reason for regarding the usage of the comic stage as having an important bearing on the criticism of the letters. We have adopted this view as a principle in our recension of the text. In the criticism of Tacitus a parallelism from Virgil is almost as decisive in favour of a disputed reading as a parallel passage from the works of Tacitus himself; for it is certain that the prose of Tacitus is often influenced by imitation of the verse of Virgil. In the criticism of Cicero's letters we may go further, and say that to quote an analogous usage in Plautus or Terence is far more relevant than to quote an analogous usage from the Oratory or Philosophy of Cicero himself.*

B.

This coincidence between the letters and the stage might, as has been said, have been expected *a priori*, and we might also expect to find an extremely *delicate use of language*. When a writer has to treat of very delicate subjects at a time when there exists no secure postal transmission, he must express himself with caution; and this Cicero does with consummate skill. The difficulty of the letters is often thus greatly increased. The merest hint of the writer's thought must be confided to paper. Cicero often couches his meaning in riddles, which he fears that even Atticus may be unable to decipher. It is amazing that the cases are so few in which the ingenuity of scholars has not arrived at a solution at least plausible.

(1). Perhaps in no part of Latin literature is there such a delicate usage of the subjunctive as may be found in these letters. We have not neglected in our notes to call the attention of readers to such cases. Here we shall only quote one passage in which the joke depends altogether on the use of the subjunctive, and would vanish were the indicative substituted. He is telling in Att. vi. 1, 25 (252), how among the goods of Vedius (which were accidentally included among the assets of Pompeius Vindullus deceased) were found images or

* We have seen that the dialogues, as might be expected, have far greater affinities with the letters, as regards the diction, than have the speeches and rhetorical essays of Cicero.

portrait models of certain Roman ladies. This compromised the characters of these ladies, for Vedius was a notorious profligate. Among these models was one of Junia, sister of Brutus, and wife of Lepidus. Neither Brutus nor Lepidus took any notice of the matter, and Brutus still kept up his intimacy with Vedius. This is Cicero's way of telling it—*in his* (*sc.* rebus Vedii) *inventae sunt quinque imagunculae matronarum, in quibus una sororis amici tui hominis Bruti qui hoc utatur, et illius Lepidi qui haec tam neglegenter ferat*, 'among which was a model of the sister of your friend Brutus (a brute part,* indeed, to keep up the fellow's acquaintance), and wife of Lepidus (funny, indeed, to take the matter so coolly).' Here, but for the subjunctive, there would be no play on the words *Brutus* and *Lepidus*.

(2). The phrase *ita . . . ut* is very delicately employed in the letters, and it is often hard to find an exact equivalent in English for this Latin idiom. For instance, 10, 1 *ita negant vulgo ut mihi se debere dicant*, 'their refusal generally takes the form of a statement that they are pledged to me'; 25, 8 *ita tamen his novis amicitiis implicati sumus ut vafer ille Siculus insusurret cantilenam illam suam*, 'involved as I am in many new acquaintanceships, yet I do not let them prevent me from having constantly in my ears the refrain of the astute Sicilian'; 30, 10 *quem scio ita laborare de existimatione sua ut . . . etiam de nostra laboret*, 'in whom I know a keen regard for his own reputation is yet compatible with as keen a regard for ours'; 31, 7 *magni aestimo . . . fructum palaestrae Palatinae, sed ita tamen ut nihil minus velim quam Pomponiam versari in timore ruinae*, 'I greatly value the enjoyment of my *palaestra* on the Palatine, not, however, so much as to prevent my feeling that anything is better than to keep Pomponia in constant fear of the falling of the wall.' There are other good instances in 48, 1; 73, 2; and in the letter of Quintus, Ep. 12, § 13.

(3). Caution often compels Cicero to use covert language when dealing with dangerous topics. Hence the enigmatic Greek in which he refers to the dishonesty of Philotimus in some letters

* Cp. Hamlet, iii. 2, 109: '*Polonius*. I did enact Julius Caesar. I was killed in the Capitol. Brutus killed me. *Ham*. It was a brute part of him to kill so capital a calf there.'

of the 6th book to Atticus. This caution has left its impression on the *diction* of the letters in the use of the *plural* when only one person is meant, e.g. *veteres hostis*, *novos amicos* in referring to Caesar, 13, 1; and in 23, 3 *meos* probably means Quintus, *tuos*, Pomponia; *invidorum* refers to Hortensius in 63, 2. So Pompey is often referred to by a plural attribute. Somewhat like this is the *pluralis modestiae* (as Draeger calls it, Hist. Synt. i. 25), whereby a man speaking of himself in a somewhat boastful tone softens the arrogance by the use of the plural: see on 89, 2: again, in that same letter *tuorum* refers to Clodius alone, but is made plural *invidiae minuendae causa*.

(4). The use of epistolary tenses is familiar to readers of the letters, and is commented on in the notes. For the emphatic *ego vero*, pointing to the fact that the sentence in which it occurs is an answer to a question, see 62, § 1.

C.

(1). A very interesting feature in these letters is Cicero's use of *Greek words and phrases*. They were the *argot* of literary Rome. We have so treated them in translating passages in which they occur. We have done so even when forced to introduce a metaphor not even hinted at in the Greek word. For instance, in 10, 2, where Cicero says *ut mihi videatur non esse* ἀδύνατον, *Curium obducere*, the Greek word may be rendered 'that it seems to me *on the cards* to carry Curius against them'; or perhaps, as the word seems to belong to the schools of philosophy —cp. Fam. ix. 4 (466),—we might render 'outside the category of possibility.' If Cicero uses a Greek word where he could quite as easily have used a Latin, we must take this circumstance into account in translating. Greek words are also frequently used as part of the terminology of rhetoric and politics; but the most interesting point connected with this feature in the style of the letters is the fact that very often Greek words are called in to supply a deficiency in the Latin language, and that in those very cases in a number of instances our own language fails, and we are obliged to borrow from the French; so that a French word is not merely the best, but the only, word to express the meaning of the Greek term in the letter. This fact is always taken notice of in

the notes; but the following list may be given here of Greek words *naturalised* by Cicero to supply a want in Latin, and translatable by us only in naturalised French words:—ἀκηδία, *ennui*; ἀδιαφορία, *nonchalance*; δυσωπία, *mauvaise honte*; ὁδοῦ πάρεργον, *en passant*; μετέωρος, *distrait*; μείλιγμα, *douceur*; νεωτερισμός, *bouleversement*; ῥοιζόθεμις (?), *fracas*; σκυλμός, *tracasserie*; μαλ' ἀριστοκρατικῶς, *en grand seigneur*; καχέκτης, *mauvais sujet*; ἀπρακτότατος, *maladroit, fainéant*; ἀφελής, *ingénu, naïf*; ὑποσόλοικον, a *bêtise*; σφάλμα, a *faux pas*; ἀπροσδιόνυσον, ἄκυρον, *mal à propos*; ὑπόμνημα, *mémoire*; περίστασις, *entourage*; πρόσνευσις, *penchant*; δύσχρηστα, *désagrémens*; σύγχυσις τῆς πολιτείας, *coup d'état*; λέσχη, *causerie*; ἀνεμοφόρητα, *canards*; ἀποφθέγματα, *bons mots*; πρόπλασμα, *pochade*; λάπισμα, *gasconade*; ἀμφιλαφία, *embarras de richesse*; while ἀπότευγμα corresponds very nearly to the Italian *fiasco*. In all or very nearly all of these the Latin language actually wants a word, and has borrowed it from the Greek, while we, to supply a like *lacuna* in our own tongue, have recourse to the French.

(2). Sometimes, as has been observed above, the Greek word answers rather to our slang or cant phrases: of this we have examples in ἀτισία, 'impecuniosity'; ἄμορφον, 'bad form'; πολίτευμα, 'platform'; τρισαρειοπαγίτης, 'a bigwig'; ἐξοχή, 'a lead'; ἄνω κάτω, 'topsy-turvey'; ἐκτένεια, 'gush'; ἐξακανθίζειν, 'to pick holes'; ἐπίτηκτα, 'veneering'; ὀξύπεινος, 'sharpset'; θορυβοποιεῖ, 'he is an alarmist.'* And often we find that, by a curious coinci-

* Modern physicians still write their prescriptions in Latin, and affect the use of Latin terms in hygienic or sanitary matters. The letters affect Greek terms in these cases. 'An attack' (of ague) is λῆψις; 'paralysis' is παράλυσις; 'depletion' is ἀφαίρεσις; 'sweating' is διαφόρησις; 'a defluxion of humours' is ἐπιφορά. In Fam. xvi. 18, 1 (692), Cicero gives Tiro a little prescription—*ea* (valetudo tua) *quid postulet non ignoras; πέψιν, ἀκοπίαν, περίπατον σύμμετρον, τέρψιν, εὐλυσίαν κοιλίας.* So ἀκίνδυνα, 'symptoms not serious,' in Att. xiii. 19, 1 (631); Fam. xiv. 7, 1 (405) χολὴν ἄκρατον *noctu eieci*: Att. xiv. 5, 1 (707) ἠσίτησας, 'you have knocked off food'; and Att. x. 18, 1 (404) ηὐτόκησεν, 'mother and child are doing well.' Again, λιτότης is 'a low diet'; προσανατρέφειν is 'to feed up' after blood-letting; and ἐμετικὴν *agere* is 'to be under a *régime* of daily emetics,' cp. Att. iv. 3, 3 (92) *ego diaeta curare incipio, chirurgiae taedet.*

We find Greek words connected with financial and business matters, e.g. *anatocismus*, 'compound interest,' Att. v. 21, 11 (250); ἀρχέτυπον, 'a ledger,' xii. 5, 4 (467); *collubus*, 'agio' 'exchange,' xii. 6, 1 (499); διάγραμμα, 'schedule,' ix. 9, 4 (364);

dence, Cicero borrows an expression from the Greek where we have recourse, not to French or to any vernacular *argot*, but to Latin. Where we should say *de mortuis nil nisi bonum*, or more briefly *de mortuis*, Cicero has οὐχ ὁσίη φθιμένοισιν,* and the proverb *ne sutor supra crepidam* (often wrongly quoted *ultra*)† appears in Cicero in its Greek dress as ἔρδοι τις.‡ Again, μηδὲ δίκην§ is *audi alteram partem*; a *lapsus memoriae* is a μνημονικὸν ἁμάρτημα; *viva voce* is ζῶσα φωνή; *seriatim* is κατὰ μίτον or κατὰ λεπτόν; *corpus* (in the sense in which we use the word in the phrase *Corpus Poetarum*) is σῶμα; and *muta persona* is κωφὸν πρόσωπον. But Cicero often uses Greek words just for variety: cp. Q. Fr. iii. 4, 6 (152) Ἄρη πνέων, yet he says *Martem spirare* in Att. xv. 11, 1 (744); Att. xvi. 11, 1 (799) Εἷς ἐμοὶ μύριοι, yet in Att. ii. 5, 1 (32) *Cato mihi unus est pro centum millibus*; Att. xiii. 21, 4 (632) *ne et* ἀδιόρθωτα *habeat Balbus* et ἕωλα *Brutus*, yet in xiii. 22, 3 (635) *tantum nolebam aut obsoletum Bruto aut Balbo incohatum dari*. In 17, 1 Cicero might very well have used *tergiversationes et dilationes* for σκήψεις *atque* ἀναβολαί, as Meyer has pointed out.

D.

The following are the most characteristic uses of words:—

(1). Strange words coined to suit a momentary need, such as *Pseudo-Cato* ('Cato's ape'); *Pseudo-damasippus*; the curious verbal *facteon* formed on the analogy of φιλοσοφητέον which immediately

δυσχρηστία, 'tightness of money,' xvi. 7, 6 (783); *emporium* 'bazaar,' 'arcade,' v. 2, 2 (185); *syngrapha*, 'bond,' v. 21, 10 (250); *tocullio*, 'a bit of a usurer,' ii. 1, 2 (27). Also we find Greek words used in reference to navigation: e.g., *aphracta*, 'unscreened boats,' Att. v. 11, 4 (200); *dicrotum*, 'two-banked galley,' xvi. 4, 4 (771): *etesiae*, 'the midsummer north winds,' vi. 7, 2 (270); *phaselus epicopus*, 'a row-boat,' xiv. 16, 1 (721); *prodromi*, 'north-winds,' xvi. 6, 1 (775).

* The verse is οὐχ ὁσίη κταμένοισιν ἐπ' ἀνδράσιν εὐχετάασθαι, Hom. Od. xxii. 412. But Cicero writes φθιμένοισιν: see Att. iv. 7, 2 (111). He makes a similar μνημονικὸν ἁμάρτημα in writing *Agamemno* for *Ulixes*, in de Div. ii. 63.

† The proverb is derived from the story of Apelles, who accepted the cobbler's criticism when it referred to the loop (*ansa*) of a sandal (*crepida*); but when, elated by his success, the cobbler began to criticise the leg of the statue (*cavillante circa crus*), Apelles warned him *ne super crepidam iudicaret*, 'you must not criticise *higher up than* the sandal,' Plin. H. N. xxxv. 85. *Supra* is the word used by Valerius Maximus also in telling the same story; *ultra* has no authority, and, indeed, no meaning.

‡ ἔρδοι τις ἣν ἕκαστος εἰδείη τέχνην.—Ar. Vesp. 1431.

§ μηδὲ δίκην δικάσῃς πρὶν ἂν ἀμφοῖν μῦθον ἀκούσῃς.—Phocylides.

precedes it; *Fulviaster* or *Fulviniaster* (which is often regarded as corrupt, but is defended by *Antoniaster*, Fragm. Or., p. 232, ed. C. F. W. Müller); desideratives like *petiturit*, 'he is keen about standing'; *Sullaturit*, 'he is bent on a *coup d'état*'; *proscripturit*, 'he is eager for a proscription': we have also *baro*, 'a duffer'; *salaco*, 'a swaggerer'; *tucullio*, 'a bit of a usurer'; and, strangest of all, the singular substantives *Appietas* and *Lentulitas*, meaning, 'your mere possession of the name Appius or Lentulus,' in a very manly and dignified letter, Fam. iii. 7, 5 (244).

Like these are strange words arising directly from the context, such as *agripeta*,* *consponsor*, *convector*, *inhibitio* (remigum), *propagator* (provinciae), *traductor* (ad plebem), *breviloquens*, *levidensis*, *tagax*; and from the fact that things are spoken of in the letters which are not likely to be mentioned elsewhere, such as *glutinator* (applied to a certain class of bookbinders), *apparitio* (the office of an *apparitor*), *praediator*; to which may be added strangely-formed words, such as *inconsiderantia*, *obviamitio*, which is the Latin for ἀπάντησις, cp. Att. xi. 16, 1 (431).

(2). A great prevalence of diminutives, such as the following, of which those printed in italics are not found amongst classical writers save in Cicero: *actuariola*, *aedificatiuncula*, *ambulatiuncula*, animula, assentatiuncula, *atriolum*, auricula, *captiuncula*, *cerula*, *chartula*, *classicula*, *commotiuncula*, *contiuncula*, *deliciolae*, *deversoriolum*, *dextella*, diecula, febricula, filiolus, furcilla, *gloriola*, *laureola*, *imagunculae*, *lectiunculae*, *lintriculus*, litterulae, *membranula*, *memoriola*, *nauseola*, negotiolum, *nervuli*, *nummuli*, ocelli, olusculum, oppidulum, oratiuncula, *pagella*, *paginula*, *planguncula* (probably a corruption of *imagunculae*), plebecula, *porticula*, *possessiuncula*, *pratulum*, *raudusculum*, *ripula*, rumusculi, *rutula*, *sedecula*, *servula*, *simiolus*, *sportella*, *tectoriolum*, tocullio, villula, *vindemiola*, *vocula*, *vulticulus*; to which add the proper names *Atticula*, *Tulliola*, and (possibly in 27, 8) *Romula*.†

* Cp. N. D. i. 72, and Prof. Mayor's note; also such forms as *turpilucricupidos*, Plaut. Trin. 100; *lucripetas damnicupidos*, Pseud. 1114; and *honoripeta* in Apuleius (Dogm. Plat. ii. 15); and *heredipeta* in Petronius 124. Cicero uses *agrarii* in the Orations, as Meyer has pointed out.

† This list and the following are chiefly taken from A. Stinner *De eo quo Cicero in Epistolis usus est sermone*, Oppeln, 1879. The classification is our own.

To these must be added the following adjectival diminutives:—*argutulus*, *barbatulus*, bellus, *hilarulus*, integellus, *lentulus*, *ligneolus*, *limatulus*, longulus, maiusculus, minusculus, *miniatulus*, misellus, *pulchellus*, *putidiusculus*, *rabiosulus*, *refractariolus*, *subturpiculus*, *tenuiculus*, and the adverbial diminutive meliuscule.

(3). There are many ἅπαξ εἰρημένα in the letters which we may hold to be due to chance, that is, we feel that, had we larger remains from antiquity, we should probably have other instances of their employment. It would be uninstructive to supply any list of such words (not elsewhere found in *classical* Latin) as *peregrinator*, *adiunctor*,* *corruptrix*, *aberratio*, *remigatio*, *consolabilis*, *petasatus*, *candidatorius*, consolatorius, legatorius, objurgatorius, sumptuarius (with a word other than *lex*), *sanguinarius* (if this is right); but the following adverbs, though to many of them what has just been said is applicable, may be set down:—*assentatorie*, *desperanter*, *furenter*, *immortaliter* (gaudeo), *impendio*, *inhumaniter*, *pervesperi*, *turbulenter*, *vulgariter*, and *utique*, which occurs about twenty times in the letters, and only thrice in all the other works of Cicero.

(4). Moreover, a great number of adjectives and adverbs in the language are intensified by the prefix *per-*,† and mitigated by the prefix *sub-*. This is to be expected, owing to the need arising in letters for conveying delicate shades of meaning. This need demands also that minute graduation of the force of a word which the use of the comparative and superlative can so well supply in Latin. Hence the extraordinary richness of the letters in comparative and superlative forms both in adjectives and adverbs, for which see Stinner, pp. 12–15. These prefixes are rarer in the case of verbs, but we have the following: *pergaudere*, *perplacere*, *pertaedet*, *pervincere*, perfrui, perpurgare, pervelle, *subaccusare*, subauscultare, *subdiffidere*, *subdocere*, *subdubitare*, *subinvidere*, *subinvitare*, *subnegare*, *suboffendere*, *subringi* (= διαμυλλαίνειν), *subvereri*, suppaenitet, *suppudet*. Of other verbs, the most strange are *cenitare*, *dilaudare*, *demitigare*, *flaccere*, *fruticari* (deponent), *itare*, *muginari*,

* Cicero in his letter affects words in *-tor*. We have beside those already quoted the following rare examples:—*approbator*, *convector*, *ioculator* (?), *expilator*, *propagator*.

† *Tmesis* of *per* with adjectives and verbs is found only in the comic poets and the letters and dialogues of Cicero.

pigrari, *suppetiari*, *tricari*, tinnire, *edolare*, *repungere*, *restillare*, *oblanguescere*. Cicero in his letters also affects rare compositions with *e*, *ex*, as: *eblandiri*, *effligere*, *elugere*, *emonere*, *exhilarare*.

(5). The following very rare words cannot be brought under any of the above classes. They are simply due to the caprice of the moment: *combibo*, 'a boon companion' (though we have *compotor* in Phil. ii. 42); *obiratio; involatus* (of a bird); *itus* (for *abitus*); *reflatus* ('a contrary wind'); *sponsus* (gen. *-us* for *sponsum*); *noctuabundus* (if this is right); *involgare* (?); incommoditas; suspiratus; invitatus. In all these cases there were other terms quite as suitable to express the exact shade of meaning; it was merely a whim to use these very rare words.

(6). There is nothing more characteristic of the style of the letters than the extremely bold use of *ellipse*. Some commentators strain this figure in the most violent manner, and understand words which it would require not an Atticus or Caelius, but an Oedipus or Teiresias to supply. The following, however, are undoubtedly instances of *ellipse*, and are in some cases very bold indeed*:—

De illo domestico scrupulum quem non ignoras (*sc.* tolle), Att. v. 13, 3 (203). *Illa fefellerunt, facilem quod putaramus* (*sc.* fore), Att. ix. 18, 1 (376). *At ille adiurans nusquam se unquam libentius* (*sc.* fuisse), Fam. ix. 19, 1 (478). *De Caesaris adventu, scripsit ad me Balbus non ante Kalendas Sextilis* (*sc.* futurum), Att. xiii. 21, 6 (632, 3). *Quintus enim altero die se aiebat* (*sc.* profecturum Romam esse), Att. xvi. 4, 1 (771). *Quod Tullia te non putabat hoc tempore ex Italia* (*sc.* abiturum esse), Att. x. 8, 10 (392). *Atticam doleo tamdiu* (*sc.* aegrotare), Att. xii. 6, 4 (499). *Natio me hominis impulit, ut ei recte putarem* (*sc.* me commendare), Fam. xv. 20, 1 (702). *Miror te nihildum cum Tigellio* (*sc.* locutum esse), Att. xiii. 50, 3 (667). *Illud accuso, non te, sed illam, ne salutem quidem* (*sc.* adscripsisse), Att. xiii. 22, 5 (635). *Quintus filius mihi pollicetur se Catonem* (*sc.* futurum), Att. xvi. 1, 6 (769). *Nec mirabamur nihil a te litterarum* (*sc.* ad nos missum esse), Fam. xvi. 7, 1 (291). *Video te bona perdidisse; spero idem istuc familiaris tuos* (*sc.* passos esse), Fam. ix. 18, 4 (473).

* See also Index Volume to *The Correspondence of Cicero*, s. v. Ellipse; and Heidemann (A.), *De Ciceronis in Epistulis verborum Ellipsis usu*, Berlin, 1893.

(7). *Esse* with adverbs is justly pointed to by Paul Meyer as a characteristic feature in the style of the letters. The following are examples:—*sic esse et sumus*, Fam. xvi. 12, 4 (312); *Lucreti poemata ita sunt*, Q. Fr. ii. 9 (11), 4 (132).

So we find *esse* with *recte*, Att. vii. 17, 1 (315); *commodissime*, Fam. xiv. 7, 2 (405); *tuto*, Att. xiv. 20, 3 (727); *honeste*, Fam. xiv. 14, 1 (309); *flagitiose et turpiter*, Att. vi. 3, 9 (264); *hilare et libenter*, Fam. xvi. 10, 2 (926); *libenter et sat diu*, Att. xv. 3, 2 (733).

A stranger use of *esse* with adverbs is where the adverb is predicative, and takes the place, as it were, of an adj.: e.g., *haec tam esse quam audio non puto*, Q. Fr. i. 2, 9 (53); *utinam tam* (*sc.* integra mens), *in periculo fuisset*, Att. iii. 13, 2 (71). See also Q. Fr. ii. 13 (15*a*), 4 (141) *quemadmodum me censes oportere esse . . . ita et esse et fore, auricula infima scito molliorem.*

E.

In treating of the style of the letters of Cicero, in nearly every case the examples are taken from the letters of Cicero himself; but the same views are broadly applicable to the ninety letters of his correspondents. It has been already pointed out how inferior they are, as a rule, in style to the great master with whom it was their privilege to correspond.* But even in the syntax and in the use of words—in dealing with the raw material of literature—they show themselves not to be by any means so careful or exact as Cicero himself. Subjoined are examples of words and phrases

* The language of the principal correspondents of Cicero has been very fully discussed in many monographs by German scholars, of whose learning we have availed ourselves in the notes. Among these monographs may be mentioned the following:—

Becher, Ferd. *Ueber den Sprachgebrauch des Cälius*, Ilfeld, 1888. (See vol. iii. ci–cix.)

,, *Ueber die Sprache der Briefe ad Brutum.* Rhein. Mus., xxxvii. (1882), 576–597.

,, *Die sprachliche Eigenart der Briefe ad Brutum.* Philologus xliv. (1885), 471–501.

Schmalz, J. H. *Ueber den Sprachgebrauch der nicht-Ciceronischen Briefe* (viz. Servius

not to be found in Cicero, but occurring in the letters of his correspondents* :—

(1). In the careful manifesto of Brutus and Cassius, Fam. xi. 2, we find xi. 2, 2 (740) *aliud libertate*, 'different from (other than) liberty.' This abl. of comparison is found only in Varro, R. R. iii. 16, 23 *aliud melle*; Hor. Sat. ii. 3, 208 *alias veris*; id. Ep. i. 16, 20 *alium sapiente*; and in Phaedrus and Apuleius.

Ibid. *facultatem decipiendi nos*; cf. *spatium confirmandi sese*, Asinius Pollio, Fam. x. 33, 5 (890).

(2). Balbus, Att. viii. (15*a*), 1 (346), writes *dignissimam tuae virtutis*; for *dignus* with gen. (which is un-Ciceronian) compare Plaut. Trin. 1153.

(3). Bithynicus, Fam. vi. 16 (701), uses *intermoriturum*; no part of *intermori*, except *intermortuus* is found in Cicero.

(4). Caelius, in Fam. viii. 10, 3 (226), has the remarkable Graecism *nosti Marcellum quam tardus et parum efficax sit*.

(5). Galba, Fam. x. 30, 3, 4 (841), has *dexterius* and *sinisterius*.

(6). Plancus, Fam. x. 8, 4 (833), has *diffiteri*; Fam. x. 15, 4 (860), *praecognoscere*, both un-Ciceronian words; Fam. x. 18, 3 (870), *sollicitiorem*, for which Cicero would have said *magis sollicitum*; and in Fam. x. 11, 1 (848), *ut . . me civem dignum . . . praestem*; whereas Cicero uses *se praestare* with a predicative accusative only in the case of a pronoun or adjective.

(7). Quintus Cicero, Fam. xvi. 27, 2 (815), has *dissuaviabor*.

Sulpicius, M. Marcellus, P. Dolabella, M. Curius) in Zeitschrift f. das Gymnasialwesen, 1881, pp. 87–141.

Schmalz, J. H. *Ueber die Latinität des P. Vatinius*, Mannheim, 1881.

,, *Ueber den Sprachgebrauch des Asinius Pollio* (Ed. 2), Munich, 1890.

Rhodius, A. *De L. Munati Planci sermone*, Bautzen, 1896.

Hellmuth, H. *Ueber die Sprache der Epistolographen S. Sulpicius Galba und L. Cornelius Balbus*, Würzburg, 1888.

Gebhard, E. *De D. Junii Bruti genere dicendi*, Jena, 1891.

Köhler, A. *Ueber die Sprache der Briefe des P. Cornelius Lentulus Spinther*, Nürnberg, 1890.

Meyer, Paul. *Untersuchung über die Frage der Echtheit des Briefwechsels Cicero ad Brutum*, Stuttgart, 1881.

Schirmer, K. *Ueber die Sprache des M. Brutus*, Metz, 1884.

Ruete, E. *Die Correspondenz Ciceros in den Jahren 44 und 43*, Marburg, 1883, pp. 115–120.

* We do not take into account the letter of Quintus, *de petitione consulatus*, as being really rather a rhetorical treatise than a letter.

(8). Servius Sulpicius, Fam. iv. 5, 2 (555), has *existimare* with genitive of price.

The examples here adduced may seem hardly to warrant the assertion that the letters of Cicero's correspondents display a laxity as compared with those of Cicero. Yet when we remember what a large body of literature Cicero's extant works afford,* it is strange that Brutus, for instance, in one of the most carefully written of the extant letters, should twice hit on an un-Ciceronian usage, and that in one of these violations there should be associated with him another of Cicero's correspondents, Asinius Pollio. Again, Cicero, we may suppose, must have had some reason for not using *dignus* with the genitive, or *existimare* with the genitive of price; this reason must have been unknown to Balbus and Sulpicius, or else deliberately rejected by them. Finally, we may be surprised not to find in the seven hundred and fifty letters of Cicero more words ἅπαξ εἰρημένα in classical Latin, when in the two letters of Quintus Cicero we find one, and in the twelve letters of Plancus three.

The conclusion seems to be that the correspondents of Cicero are even less careful than he is to avoid the vulgarisms and laxities which beset the speech of daily life. A confirmation of this is to be found in their respective usage (pointed out by Lieberkühn) with regard to a phrase which occurs repeatedly in the letters. Cicero always—except in two places, Att. v. 10, 1 (198); viii. 14, 1 (349)—writes *mihi crede*. On the other hand, *crede mihi* is the phrase of Decimus Brutus, Fam. xi. 26 (892); Cassius, Fam. xii. 12, 4 (856); Caelius, Fam. viii. 17, 1 (408). According to Böckel (*Epistulae selectae*, 10th ed., p. 385), *crede mihi* is a vulgarism, or, at least, belongs especially to familiar speech. Such distinctions, however, are perhaps too fine-drawn to carry general conviction. Among such may be classed the acute observation of Wölfflin (Philologus, xxxiv., p. 134) that, while in his earliest speeches and letters Cicero prefers *abs te*, he gradually seems to show a growing preference for the form *a te*, which is the only form found after the year 700 (54).

* Not far from two-thirds of our Latin Dictionaries are extracts from Cicero.

III. CRITICAL.

As regards criticism, the letters of Cicero are divided into two great groups: 1°, that of the *Epp. ad Familiares*; 2°, that of the *Epp. ad Brutum Quintum fratrem, Atticum.* These two groups must be discussed separately.

§ 1. Epistulae ad Familiares.

M.

Our oldest and best ms of this group is the *Medicean* 49, 9 (M), now in the Laurentian Library, at Florence. It contains the whole sixteen books, though the fact that Book ix. is called Book i. in this codex (as in Harl. 2682) is proof that the letters previously consisted of two volumes of eight books each (see above, p. 71). This codex Mediceus 49, 9 is a ms of the ninth or tenth century. It was believed to have been discovered by Petrarch, and the copy of it, now Med. 49, 7 (P), to have been actually made by Petrarch himself. But this view was completely refuted in 1879 by Dr. Anton Viertel (*Die Wiederauffindung von Ciceros Briefen durch Petrarcha*, Konigsberg, 1879).*

* Cp. also G. Voigt, *Ueber die handschriftliche Ueberlieferung von Ciceros Briefen* in the "Verhandlungen der sächsischen Gesellschaft der Wissenschaften," 1879. Dr. Viertel maintains that not only did Petrarch not discover the ms containing the letters *ad Fam.*, but that he did not even know of the existence of these letters. The grounds on which he rests his argument are these:—

(*a*) Petrarch never refers to the *Epp. ad Fam.*, though he constantly quotes from *Epp. ad Att., Quint., Brut.*

(*b*) He never mentions a second discovery in his extant letters.

(*c*) In the preface to his own letters, 1359, he contrasts the number of his own correspondents with the fewness of the correspondents of ancient letter-writers, referring to Brutus, Atticus, Quintus, and Cicero's son as the correspondents of Cicero.

(*d*) In 1372 he speaks of the letters of Cicero as comprising *tria volumina*, plainly those to Atticus, Quintus, and Brutus.

The strongest positive argument against the theory of Viertel is the statement of Blondus that Petrarch *epistolas Ciceronis Lentulo inscriptas* [i.e. the *Epp. ad Fam.*] *Vercellis reperisse se gloriatus est.* But it is not hard to believe that Blondus was in error, and ascribed the finding of the two collections to the finder of one. The words *reperisse se gloriatus est* probably refer to the first words of the celebrated letter of Petrarch to Cicero (cp. Viertel, p. 7). Blondus probably had not this letter before him, and confused the two finds.

Petrarch had something to do with the discovery of the group which contained the *Epp. ad Atticum*, as he found a ms (now lost) of that group at Verona in 1345; but he had no part whatever in the discovery of the *Epp. ad Familiares*. The circumstances of their discovery were these:—Having learned that there were volumes of Cicero's Epistles in North Italy, which he probably expected to be those already discovered by Petrarch, Coluccio Salutato, the Florentine chancellor, wrote in 1389 to Pasquino de Capellis, the chancellor at Milan, requesting him to have a copy made and despatched to him. The request was granted; a copy was made of a manuscript of Cicero's Epistles originally at Vercelli, which had been transferred by Gian Galeazzo Visconti to Milan, and despatched to Florence. To his great delight Coluccio discovered that the letters contained in the copy he had received were an entirely different collection from the one he had expected. He had expected the group containing the *Epp. ad Att.* which Petrarch had discovered in 1345, but he had received from his Milan colleague the *Epp. ad Fam.** Both the copy received by Coluccio and the original from which it was made still remain. The copy is Med. 49, 7 (P), and the original is the celebrated Med. 49, 9 (M). Some time before the death of Coluccio, in 1406, M was transferred to Florence, and Coluccio used it in correcting P. During the next century it was religiously guarded in the private library of the Medici. It appears to have been seen by Politian, but did not emerge into publicity until, in 1536, Victorius made it the basis of his edition. The numerous manuscripts of the *Epp. ad Fam.* which were propagated in Italy during the fifteenth century, are ultimately to be traced to P and not to M.† The corrections in M are numerous. They have been carefully examined by Mendelssohn,‡ p. xv; and he notices corrections made by the original copyist (M^1), those made by several hands from the tenth to the twelfth century (M^c),

* Coluccio's letter of thanks is given in full by Viertel, pp. 39–41.

† Mendelssohn, p. xvi, note.

‡ The stately critical edition of *Epp. ad Fam.* by L. Mendelssohn (*M. Tulli Ciceronis Epistularum libri sedecim* edidit Ludovicus Mendelssohn, Lipsiae, Teubner, 1893), with its most learned and careful Praefatio, must form the basis of any discussion on the criticism of these Epistles. We here gladly acknowledge our large obligations to this important work.

and, lastly, recent corrections made after 1389, when the copy (P) had been taken (M^r). The first class are naturally of great importance; the second should be carefully considered in each case; but the corrections made after 1389 are no more than conjectures.

The remaining manuscripts, which are of first-rate importance, contain only one or other of the divisions (*a*) Books i.–viii., (*b*) Books ix.–xvi.

G.

The *Codex Harleianus* 2773 (G), in the British Museum.* It is a parchment folio, and in double columns. It belongs to the twelfth century. There are many corrections, both of that date and later. It contains a Latin-Greek lexicon of Servius, Diomedes' *Ars Grammatica*, Cicero's Epistles, and some mediæval Latin poems. The portion of Cicero's Epistles which it comprises runs from the beginning of Fam. i. 1 to the words *puto etiam si ullam spem*, viii. 9, 3. It is certainly independent of M. It wants from Fam. i. 9, 20 (*non solum praesenti*) to ii. 1, 2 (*consecutus*). There is no distinction made between the first and second books. Accordingly, Book iii. is in G called Book ii., Book iv. is Book iii., and so on. There are no indices to the several books.†

R.

The *Codex Parisinus* 17812 (R), in the Bibliothèque Nationale, is a parchment ms written in two columns by several hands. It belongs to the twelfth century, and has many corrections. It contains the Academica priora ii., the De Nat. Deorum, De Fato, Ad Fam. i.–viii. 8, 6 (*moram*), Dares De Historia Troiae. G R have been elaborately discussed by O. Streicher, *Commentationes Philologae Ienenses*, vol. iii., pp. 106–120.

* It was called G because it belonged to Graevius, who valued it highly and styled it his 'primus.' Graevius says he bought it with his own money in a shop in Cologne, probably, as Mendelssohn (p. xviii, note) says, the 'vilissima taberna' near the Pfaffenport, where, as Graevius states in a letter to Heinsius, manuscripts were sold by the pound weight.

† We made some remarks on this manuscript in *Hermathena*, vol. v. (1885), pp. 277–304.

That GR are closely connected may be seen from a glance at the Adn. Critica. That they are independent of M may be shown from the fact that they supply some lacunæ found in the latter, e.g. iv. 12, 2 (613), *ei mitterem itaque medicos*; v. 7, 2 (13), *scio*.

T.

The *Codex Turonensis* (T) 688, in the Library of Tours. It is a parchment quarto of apparently the twelfth or thirteenth century. It contains some of Cicero's philosophical works, and the Epp. ad Fam. i. to vii. 32, 1 (*ne conferri*), omitting ii. 16, 4 (*hac orbis terrarum*) to iv. 3, 4 (*appareat cum me eo*). It has been proved by Mendelssohn (*Mélanges Graux*, 169–173) to have been derived, either directly or through a copy, from the Parisinus (R), and to have no independent value. There is no lacuna in P that can be filled up from T; all the errors of T can be explained from P; and P could not have been copied from T, as it continues much further, and has not the large hiatus which T exhibits from ii. 16, 4 to iv. 3, 4.

Turning to the other division *b*, Books ix.–xvi., we find three principal manuscripts:—

H.

The *Codex Harleianus* 2682 (H), in the British Museum. It is a parchment folio, written by several hands, and belongs to the eleventh century. It contains Fam. ix.–xvi., ad Octavianum, De Petitione Consulatus,* Laelius, Cato maior, many speeches of Cicero's, notably the Pro Milone, and the Caesarian speeches (which latter occur twice),† the De Imperio Cn. Pompei, some excerpts from the Verrines iii. and iv., De Officiis i., ii. (to § 34), and two other treatises. Each book of the *ad Fam.* has a separate index. The Epistles, and some of the speeches, are corrected by two hands throughout. The ms was formerly in the Cathedral

* Bährens has used this ms in his discussion on this treatise in his *Miscellanea Critica*, pp. 23–32.

† The high value of this ms for the Caesarian speeches, and especially for the Pro Milone, has been shown by Mr. A. C. Clark, of Queen's College, Oxford, in the *Anecdota Oxoniensia*, Class. Ser. vii., and in his editions of the Pro Milone and of the Caesarian speeches.

Library at Cologne. Here, by aid of Melchior Hittorp, Gulielmius collated it, and gave his collation to Graevius, whence it appears in Graevius' notes as the 'Hittorpianus.'*

F.

The *Codex Erfurtensis*,† now *Berolinensis* 252 (F), a parchment manuscript of the twelfth or thirteenth century, in double columns. It probably came originally from the Rhine district.‡ It contains De Officiis i. (to § 118), rhetorical works attributed to Cicero, a large number of his Orations, Fam. xii. 29, 2 (from *deinde*); 21; xiii. 78, 79; xiv.–xvi. (but the order in xv. is 1–6, 9, 7, 8, 10–21), Laelius, and Cato maior. It bears the closest relation to H, but is somewhat inferior, as there are some omissions in F which are not found in H.§ Gurlitt (*op. cit.* 536–541) thinks that probably H and F were made from a copy of the Lorsch ms No. 2.‖

* We felt some doubt as to the identity of H and Hittorpianus in a paper on H published in the *Proceedings of the Royal Irish Academy*, ii. 2 (1885), pp. 366–408 (reprinted in our second volume (ed. 1), lxvi–xc), owing to the many divergences which exist between what was stated to be in the Hittorpianus and the readings of H (see the list, *op. cit.*, pp. 377, 378 = lxxx, lxxxi). But it is universally held now that these divergences are due to carelessness on the part of Gulielmius.

† A collation and learned disquisition on this manuscript, by E. Wunder, is to be found in his volume, *Variae lectiones librorum aliquot M. T. Ciceronis ex codice Erfurtensi* enotatae ab Eduardo Wundero, Lipsiae, 1827.

‡ See the very able treatise by L. Gurlitt, *Zur Ueberlieferungs-Geschichte von Ciceros Epistularum libri xvi.* (Leipzig, Teubner, 1896), Sonderabdruck aus dem 22 Supplementband der Jahrb. für Klass. Philologie, 1896, p. 541.

§ See Vol. II. (ed. 1), p. lxxxiv.

‖ In a catalogue of the tenth century, of the Monastery of St. Nazarius, at Lorsch, the following manuscripts are noticed (Lehmann, *De Epp. ad Att. recensendis*, p. 131; Gurlitt, *op. cit.*, p. 512):—

Epistolarum ciceronis lib. xvi in uno codice.
Epistolae ciceronis in quaternionibus.
Below this Epistolae ciceronis diversae.
item epistolae ciceronis diversae. Item marcii tullii
ciceronis epistolarum lib. IIII in uno cod.

If we call these 1, 2, 3, 4—No. 1 is the Epp. ad Atticum; No. 4 is ad Brutum and the three books ad Quintum. Probably No. 3 is Fam. i.–viii., and No. 2 Fam. ix.–xvi.

D.

The *Codex Palatinus* (D) 598, originally at Heidelberg, now in the Vatican Library. It is a parchment ms of the fifteenth or sixteenth century, which, among many miscellaneous works, contains the Epp. ad Fam. ix.–xvi., but in an arrangement which is very disordered. The arrangement is as follows:— xi. 1–27; xii. 1–16; ix. 1–26; x. 1–17; x. 20, 3–25, 3; x. 29; xii. 17–30; xi. 28; xiii.–xvi. Thus there are wanting x. 18, 19, 20 §§ 1–3; xi. 29. It is much corrected, but is a ms of the highest value. While at Heidelberg it was used by Gruter, and was his *Palatinus Sextus* ('laudatissimus codex Palatinus Sextus,' as it is called by Gebhard in Graevius' ed., p. 71). Gurlitt (*op. cit.* 516–521) has given very probable reasons for holding that D was a direct copy of the Lorsch ms No. 2 (see above, p. 98); and the fact that this latter ms was 'in quaternionibus' (i.e. unbound) will account for the disorder of the letters in D. Whether the several quaternions corresponded with the several *libelli* as they issued from Tiro's hands (see above, pp. 66–70) is possible, but uncertain.

If we consider these three codices HFD together, we find a relation between them so close that they point to a descent from a lost ms which Mendelssohn (p. xxv) calls Y, and which was independent of M. This can be proved at once by simply noting some of the clauses omitted in M, which are found in Y, e.g.:—

ix. 15,	1 (481),	curam . . . quam tibi.
16,	7 (472),	apud me . . . illos.
x. 18,	2 (870),	exercitu . . . sentiente.
23,	5 (895),	numeroque hostis habueram.
xi. 13,	1 (859),	Aquilam perisse nesciebam.
xii. 14,	3 (883),	quam re vera . . . scripsi.
xiii. 28*a*,	3 (523),	tibi confirmo.
xv. 2,	5 (219),	et tamen adulescentem essem.

And, conversely, by taking the clauses omitted in Y, which are found in M, e.g.:—

x. 32,	4 (896),	si uno loco habuissem.
xii. 4,	1 (818),	reliquiarum nihil fuisset.
26,	2 (829),	Quod . . . rogo.
xiii. 7,	1 (674),	mihique coniunctissimi.
xv. 4,	14 (238),	aut non habendis.
xvi. 15,	2 (925),	et te visus est.

Thus we seem to have two classes of manuscript authorities for Fam. ix.–xvi.; and it is difficult to say which is to be preferred to which. But, on the whole, where the reading of either M or Y will meet all the requirements of the case, it will be wise to adhere to the sober judgment of Mendelssohn, that M, which has hitherto held the foremost position, should continue to be preferred; and that accordingly that great manuscript should remain the basis of our criticism.*

To these principal authorities may be added a '*vetustus*' *codex of Cratander* (now lost), which he used in the latter half of his edition of Epp. ad Fam., both in the text and margin. But as all the good readings of this ms are found in HF or D, it need not be considered in the Adn. Critica. While having the additional clauses found in Y at ix. 15, 1; 23, 5; xii. 14, 3; xv. 2, 5 (see above), either it apparently had not, or Cratander failed to note, the additions at ix. 16, 7; x. 18, 2; xi. 13, 1; xiii. 28*a*, 3. What the exact ms was which Cratander used is doubtful; whether it was one of the 'contaminati' (see below), as Mendelssohn is inclined to think (p. xxiv); or the Lorsch ms No 2, as Gurlitt (*op. cit.* pp. 522–536) with most interesting learning maintains, must for the present be considered undecided.†

There is yet one more class of manuscripts of ix.–xvi. to which a passing allusion must be made; a series of fifteenth-century manuscripts—the so-called *contaminati*—which contain the diverse excellences of M and Y, and which appear to have arisen from a blending (*contaminatio*) of P (or a copy of P) and some ms of the Y class. All these manuscripts seem to have arisen from a single source, as is proved by a disorder (common to all, as it appears) in

* See Mendelssohn, pp. xxv, xxvi. 'Iam cum restent loci haud pauci qui et diverse utrobique conformati sint et ita comparati ut per se spectata et M scriptura possit admitti et Y, equidem rebus omnibus quae momentum faciant saepe ponderatis eo adductus sum ut dubia ubi res esset et incerta, M, veterem ducem, sequi mallem quam Y. Sic factum ut altera quoque pars, quamvis saepe emendata ex Y, summa in re conformata sit ex Medicei libri auctoritate. Nec dubito quin idem sensuri sint alii qui non soleant arripere nova propter novitatem quique accuratam habeant sermonis epistularis notitiam.'

† It is interesting to note that Cratander has not any note on x. 18, 19, 20, §§ 1–3, the epistles omitted in D_1 and so presumably omitted also in the Lorsch ms No. 2: cp. Gurlitt, *op. cit.*, p. 522, 3.

the arrangement of the letters of the thirteenth book (Mendelssohn, xxvii, note; cp. Gurlitt, p. 544, note), which was due probably to an inversion of leaves. What ms of the Y class was used to effect this 'contaminatio' cannot be ascertained with certainty. Gurlitt (p. 545) thinks it may have been a copy of the Lorsch ms No. 2, made for Poggio or one of his contemporaries. The chief mss of this class are, according to Mendelssohn, Dresdensis 112 (= the 'Dresdensis tertius' of Benedictus), Guelferbytani 226 and 228, Parisini 14761 and 7783, Oxonienses Canoniciani 210, 244 (in the Bodleian), cod. Corp. Christi 283.

§ 2. Epistulae ad Brutum, Quintum, et Atticum.

It is established and held by all scholars that Petrarch discovered a manuscript of these epistles at Verona in 1345; that this ms contained the epistles to Brutus, to Octavianus, to Quintus, and to Atticus; that Petrarch made a copy of this Verona ms; and that both copy and original have disappeared. The celebrated Mediceus 49, 18 (M) is neither the one nor the other, but is a copy of some manuscript made by Pasquino de Capellis, for Coluccio Salutato, about 1391. Coluccio had previously (see above, p. 95) asked Pasquino for a copy of Cicero's letters, expecting, doubtless, those to which Petrarch had made reference in his writings, viz. the Epistles to Brutus, Quintus, and Atticus; but he received instead the *Epp. ad Fam.* In a letter of warm thanks to Pasquino,* he says that he understands that there is another volume of Cicero's letters at Verona, as the quotations from Petrarch are not to be found in the volume which he had received, and begs for a copy of that volume. In reply, Pasquino sent him a copy (apparently from the Veronensis)† of the Epistles to Brutus, Quintus, Octavian, and Atticus; and this copy is the Mediceus 49, 18 (M).

M.

Till comparatively recent times, it has been generally held that M was the sole basis on which to rest the criticism of the

* See Viertel, *op. cit.*, pp. 39 ff.

† Compare what Coluccio says in a letter to Pasquino in 1392 (Viertel, p. 43), "Nunc autem quanto perceperim gaudio Deus testis, te Ciceronis epistolas de Verona meo nomine exemplari iussisse."

Correspondence; and to-day this opinion has a most able and learned defender.

Dr. O. E. Schmidt, in his paper, *Die handschriftliche Ueberlieferung der Briefe Ciceros an Att., Q. Cic., M. Brutus in Italien*, read before the Königliche Sächsische Gesellschaft der Wissenschaften in 1887, considers that M is the source from which nearly all our mss are derived;* and in a further discussion on the question in "Philologus," 1896, pp. 695–726, *Die handschriftliche Ueberlieferung der Briefe Ciceros an Atticus*, while acknowledging that there is an Italian tradition independent of M, maintains that M, as an un-interpolated manuscript, must remain the basis of our criticism; while Karl Lehmann, in his book *De Ciceronis ad Atticum epistulis recensendis et emendandis* (1892), urges the claims of several other mss to a position at least as important as M in respect of the establishment of the text. We will briefly mention a few of the arguments of these eminent scholars, urging all readers to supplement what is here given by a study of the works above cited.

* Except the Dresdensis (D) and the Guelferbytanus (G), which are derived from the Veronensis, but not through M. Schmidt's statement of his position in the latter treatise should be given in his own words (pp. 724, 725, notes):—"M. Rothstein erklärt allerdings in einer Besprechung meines Buches (Wochenschrift f. klass. Phil. 1894, S. 297), dass ‚Lehmann in der Hauptsache zweifellos im Rechte ist,' denn damit, dass ich zugebe, dass die Lesarten von ϰ [see below, p. 107], wenigstens zum Theil auf den Archetypus des Mediceus zurückgehen, sei die Frage der selbständigen Bedeutung dieser Hdn. neben dem Mediceus entschieden. Eine selbständige ital. Textesüberlieferung neben M habe ich in der That niemals geleugnet. Aber die ‚Hauptsache' bleibt doch die praktische Textesgestaltung. Und für diese ist ein himmelweiter Unterschied, ob ihr interpolierte, wie es Lehmann thut, oder unverfälschte Hdn. wie M zu Grunde gelegt werden. Also: in manchen Einzelheiten hat Lehmann Recht, aber gerade in der Hauptsache nicht. . . . . Um nicht missverstanden zu werden, erkläre ich ausdrücklich, dass ich natürlich W [the Würzburg fragments; see below, p. 112] und neben M jedes C und auch die von Lehmann ermittelten c [new readings of Cratander in his text], ferner ZL und ZB [the Tornesianus as testified by Lambinus and Bosius; see below, p. 115] sowie die wichtigeren Lesarten einer Hd. aus ϰ [see below, pp. 107, 108], etwa von O, in den kritischen Apparat aufgenommen wissen will. Nur müssen C, c, ZL, ZB, O vorsichtig gebraucht werden. Auch hier müssen wir wieder das richtige Urtheil des Victorius bewundern, der im Hinblick auf die Ausgabe Cratanders — die Ausgabe Lambins war noch nicht erschienen — folgendes sagt: Miscuerunt enim illi <sc. Germani> multa, quae a recentioribus acceperunt interpretibus et castigatoribus, cum eis, quae ex antiquo et probo exemplari (W) eruerunt nulla distinctione facta, ut periculum sit, ne quorundam commenta et coniecturas saepe pro sinceris et veris emendationibus capias."

Schmidt has elaborately studied M. By a careful examination of the handwritings of the different possessors of that ms,* and a comparison with the various corrections made, he has satisfied himself which corrections should be attributed to each of the different possessors, the first of whom was Coluccio Salutato. To this ms Coluccio added certain notes (M^2). They are of three kinds :—

1. Those marked *al*, which were probably derived from a selection of sixty letters which he had received some time before 1383, from Broaspini, a friend of his at Verona. The text of this was apparently based on the Veronensis.†

2. Those marked c^s, which Schmidt considers to be an abbreviation of *Coluccius*, though this is doubtful.‡ These he considers to be conjectures of Coluccio, e.g. Att. xiv. 17 *a*, 8 (722) *liberas. Tu igitur* M^1 ; above the line c^s *Liberasti igitur*—a correct alteration ; Att. ix. 2 *a*, 1 (356) *ut honorem quidem a se accipere vellem* M^1. Over *vellem* appears c^s *nollem* ; afterwards this was erased, and *ne* added after *ut*. This shows that Coluccio recalled his conjecture when he found a satisfactory reading in another manuscript, perhaps the Veronensis.

3. Unmarked corrections in Coluccio's handwriting (cp. Schmidt, pp. 35-7). These are the most numerous and important of all, inasmuch as, in addition to many other kinds of correc-

* Examples of documents undoubtedly in the handwriting of Coluccio, Niccoli, and Bruni are found in the archives of Florence. Schmidt gives specimens, and a facsimile of a portion of M, with corrections by all three scholars.

† By his careful study of the different handwritings, Schmidt is able to show that the corrections marked *al* do not all come from Coluccio. Some fifteen are in the handwriting of the original scribe. These extend only to Att. viii., which tends to show that they come from a ms which contained Brut. i., Q. Fr., Oct., and half of Att. Perhaps they are the remains of critical annotations by a Middle-Age scholar, like Lupus of Ferrières (Schmidt, p. 31 ; Mendelssohn, pp. v, vi), e.g. Att. vi. 6, 2 (276), *defleu sine* M^1, *al* (m. 1) *de eleusine*.

Coluccio's *al* appears somewhat more than seventy times, and in about fifty letters. In Q. Fr. ii. 14 (142) we find it four times. This tends to justify the derivation of these corrections from Broaspini's excerpts. For an example cp. Brut. i. 6, 3 (867), *legato g. tribuno* M^1 ; *al* (of Coluccio) *C. Trebonii*.

‡ Lehmann (p. 158) found the same symbol in N : cp. p. 107, below.

tions, several large gaps in M^1 are thus filled up, e.g. Q. Fr. ii. 11, 3 (135) *omnia colligo ut novi scribam aliquid ad te : sed ut vides res me ipsa deficit* ; Att. i. 20, 2 (26) *et a spe* down to *existimassem*. It is quite certain that Coluccio compared M throughout with another manuscript, possibly (though this is uncertain) with the archetype itself, the Veronensis. Schmidt, however, warns us (pp. 40–41) that Coluccio's unmarked alterations are in some cases conjectures, as the reading of M^1 is confirmed by the Dresdensis (D), Guelferbytanus (G), and the Würzburg fragments (W).

Coluccio died in 1406, and M was bought by his friend, Niccolo Niccoli. Niccoli also added corrections to the ms (M^3), many on minute points of orthography. These are marked sometimes † (= *vel*), sometimes ÷. None of Niccoli's alterations are conjectures. Several give no sense, e.g. Att. i. 1, 4 (10) *amicis* for *animum* ; others reproduce M^1, e.g. Q. Fr. i. 3, 2 (66) *dolor* M^{13}, *dolorum* M^2. Others are confirmed by other mss, e.g. Att. v. 15, 3 (207) *redditu ire* M^3, *redditu iri* Zl (= the Tornesianus, as testified by Lambinus). The mss he used were, in all probability, for Att. ix.–xvi., No. 622 of the Library of the Visconti at Pavia (see below) ; and for Att. i.–viii., a ms belonging to Bartolomeo Capra, Bishop of Cremona.

In the Catalogue of the Library of the Visconti at Pavia, made in 1426, three mss of Att. are found :—

No. 610. *Tullii Epistole ad Atticum coperte corio rubeo albicato Incipiunt Quam contemplationem et finiuntur atque etiam rogo*

—i.e. Brut. ii. 5 fin. to the end of Att. This shows that Cratander was speaking the truth when he said that he found Brut. ii. in an old codex.* Here we have the last few words of that book, and

* Cratander's words are " Hanc et sequentes quinque epistolas ad Brutum, quod a Ciceroniana dictione abhorrere non videbantur, et in vetusto codice primum locum obtinerent, nos haudquaquam praetermittendas existimavimus." This manuscript is, according to Gurlitt (*Handschriftliches und Textkritisches zu Ciceros Epistulae ad M. Brutum* in 'Philologus,' 1896, pp. 318–340 ; cp. p. 331), one of the Lorsch mss, No. 4 (cp. Gurlitt's *Zur Ueberlieferungs-Geschichte von Ciceros Epistularum libri xvi.* p. 513 ; see above, p. 98). It is a testimony to the excellence of this ms that Cratander does not give any marginal notes on Brut. ii., but has apparently simply transcribed the ms, and that, with the exception of the transposition of leaves, the text of Brut. ii. is in a very good condition.

evidence that the book was lost.* Schmidt thinks that this ms, No. 610, may have been Petrarch's copy of the Veronensis, and that the Veronensis had lost the conclusion of Att. before M was copied from it.

No. 622. *Bruti Epistole ad Ciceronem voluminis parvi coperti assidibus sine corio, cum certis Alexandri gestis. Incipit Cesar opio Cornellio salutem et finitur oblitus est dei.*

This begins with Att. ix. 7 *c* (347). It doubtless contained to the end of Att. But that it was a portion of a larger collection, which contained Brut., Q. Fr., Oct., Att., is proved by the fact that the letters are styled *Bruti epistole*, the collection being called after the correspondent to whom the first letter is addressed, just as the *Epp. ad Fam.* are sometimes called the Epistles to Lentulus.

No. 857. *Liber unus epistolarum ad Ciceronem brutum in carta et littera notarina, qui incipit in textu Clodius tribus plebis designatus, et finitur tertio nonas martias*

—i.e. Brut. i. 1 to end of Att. viii. Schmidt thinks that perhaps it was a copy of part of the Veronensis.

When Louis XII. got possession of the Duchy of Milan, in 1500, he carried away the contents of the Library of Pavia to Blois. Possibly some of these mss may yet be found in the middle and south of France.

Capra's codex contained Brut., Q. Fr., and Att. i.–vii. : cp. the letter of Lionardo Bruni quoted by Schmidt, p. 60. Lehmann (p. 145) thinks that possibly this codex was the parent of the mss which he calls N and H (see below, pp. 107, 108).

When Niccoli died in 1437, Lionardo Bruni obtained M. He also added corrections (M^4) ; but they are mainly conjectures, though often correct ones. Even certain additions† Schmidt

* Brut. ii. and i. perhaps formed Book ix. of the collection of Cic. ad Brutum, as Gurlitt has pointed out.

† We confess to some doubt as to whether these additions do not rest on mss authority. However, interpolations are so frequent in Italian mss that Bruni might have taken these additions from a ms, and yet they might be interpolations. In one interesting case, as Schmidt (p. 75) points out, Bruni's correction, though adopted by

thinks due to conjecture, e.g. Att. iii. 15, 4 (73), *aut occubuissem honeste*. Sometimes alterations which Schmidt holds to be conjectures of Poggio's, are inserted in Bruni's handwriting, e.g. the addition of *summum medicum* in Att. xv. 1, 1 (730).

On Bruni's death, in 1444, Donato Acciaiuoli obtained M, and added a few insignificant notes. The Greek in the text of M is the usual mechanically-copied uncial Greek of a scribe who was ignorant of the language; but in the margin the Greek words are generally written over again in minuscules, with a Latin translation superscribed. This was done by Manuel Chrysoloras.

A very interesting ms is that which was copied by Poggio in 1408. It is now at Berlin, but previously belonged to the Hamilton Library (H-B). According to Schmidt, it is a copy of M, and represents that codex in the condition in which it was left by Coluccio. None of the corrections of Niccoli or Bruni appears, except in the margin and by another hand. It has the large lacuna in Att. i. 18–19; but the conclusion of Att. xvi. is found. Possibly Poggio obtained this conclusion from Nos. 610, 622, of the Pavia Library, or from copies of these mss. The passage omitted in Att. i., which first appears in a Paris ms of 1415, was probably derived from Capra's ms (cp. p. 104).*

The Dresdensis (D) was, Schmidt thinks (pp. 97–105), probably derived from Petrarch's copy of the Veronensis, and the Guelferbytanus (G) from the Veronensis itself.

On the whole, Schmidt (p. 105) sums up his results as follows:—The whole collection which appears in M originally fell into three groups—

1. Brut. ix. (= ii. + i.) + Q. Fr. + Oct.
2. Att. i.–viii.
3. Att. ix.–xvi.

all editors, is probably wrong, Att. i. 14, 5 (20) *Hic tibi Cato rostra advolat: convicium* (M^4 *commulticium* M^1) *Pisoni consuli mirificum facit, si id est convicium* (M^4; *commultium* M^1) *vox plena gravitatis*, &c. Schmidt thinks that perhaps *commulcium* (from *commulco*) was a colloquial word for a 'thrashing,' and should be read here.

* Yet the lacuna does not appear in Lehmann's E (see below, p. 107), which is probably older than M or H-B.

3 appears in Pavia ms No. 622; 1 + 2 in Capra's; 1 + 2 + 3 in Petrarch's copy from the Veronensis, which probably consisted of three separate mss. 1 seems to appear in the Lorsch ms No. 4, referred to above, p. 98. Coluccio used the Veronensis in his corrections. From M in this state H-B was copied. Niccoli used Capra's and the Pavia mss. The propagation of Italian mss began after Coluccio's death. They fall into two classes—

1°. Those in which the text of Poggio's copy (H-B) is further developed by conjecture, e.g. Med. 49, 19; Balliolensis; Helmstadtiensis; and the ed. Romana.*

2°. Those whose text has been influenced by the mss used by Niccoli, as well as by conjecture, e.g. the Ravenna ms, Jenson's ed., Malaspina's Ant. and F.†

Σ.

We thus see that M has been most thoroughly examined. But what if there are other mss extant demonstrably independent of M? This is what Lehmann had already maintained; and in the *Wochenschrift für Klassische Philologie*, 1887 and 1890, he gave some indications of the grounds he had for this view. But the full and wide-reaching importance of his discoveries was not properly appreciated until he published, in 1892, his arguments in full in a most important work, *De Ciceronis ad Atticum epistulis recensendis et emendandis*.

He claimed to have discovered seven mss independent of M, viz.:—

E = Cod. Ambrosianus (or rather it should be styled Excerpta Ambrosiana) E 14, of the fourteenth century, containing, among other works of Cicero, about two-fifths of the Epp. ad Q. Fr. and Att., arranged in ten books, with Brut. i. as an eleventh.

N = Cod. ex abbatia Florentina, now in the Laurentian Library, n. 49. It belongs to the end of the fourteenth or beginning of the fifteenth century, and contains Brut. i., Q. Fr., Att. i.–vii. 21, 1 (*conquisitores*). It is carelessly written, but free from serious conjectures.

* Add, perhaps, Harl. 2491: cp. *Hermathena*, viii. (1891), p. 359.

† These mss belong, according to Lehmann, to the Σ class (see below, p. 110). So also the Ravenna ms, of which there is a collation in Boot's second edition.

H = Codex Landianus in the Landi-Passerini Library at Piacenza, n. 8, of same date as N, contains Brut. i., Q. Fr., Oct., Att. i.–viii. 22, 2, Caesar's Ep. to Cicero, Att. x. 8*b* (385). There are many omissions of considerable length, e.g. Att. ii. 3, 2 (29) *Fenestrarum . . .* § 3 *in libro tertio.* [Mr. A. C. Clark, of Queen's College, Oxford, in *The Classical Review* (1896), pp. 321–3, has drawn attention to a Paris ms (Nouv. Fonds. 16. 248) which he has proved to be closely connected with H, and to be a better specimen of the tradition represented by that ms. He thinks that a close relationship exists between this ms, N, H, and E, and that a careful study of it will go far to establish the family history and alliances of the Σ family.]

Lehmann (p. 145) thinks that N and H are derived from the Pistoia ms, which Capra discovered, or else from a very similar ms.

O = Codex Taurinensis i. v. 34, in the University Library at Turin, belongs to the fifteenth century, and contains Brut. i., Q. Fr., Oct., Att. i.–xvi. It is corrected and corrupted by many hands. We trust that the recent fire has not consumed it.

P = Cod. Parisinus, in the Bibliothèque Nationale 8536, belongs to the beginning of the fifteenth century, and contains Q. Fr., Att. i.–xvi., Brut. i., Oct., in this order.

R = Codex Parisinus 8538, written in 1419, contains Brut. i., Q. Fr., Oct., Att. i.–xvi. It is a brother of P. It is carelessly written.

P and R are closely related to one another, and are full of interpolations which were probably written on the margin of their parent (Φ).

s = Cod. Urbinas 322, in the Vatican Library, belongs to the fifteenth century, and contains Brut. i., Q. Fr., Oct., Att. i.–xvi.

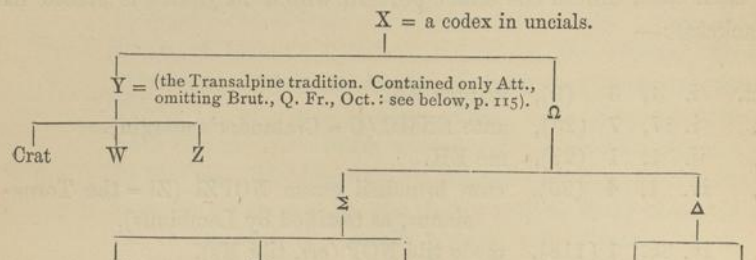
None of these mss has the great lacuna which M has in Att. i.; and such as have Att. xvi. contain the concluding passage (16, 8 to end), which M omits.

The following list of readings found in these mss, but omitted in M, will show that they are independent of M; for the view that the archetype of these mss was a copy from M, and that

these readings are conjectures and interpolations, cannot be accepted without very clear and definite proof. (In the subjoined list it is to be understood that M omits the whole reading given in each case, unless the exact portion which M omits is stated in brackets) :—

Att.	i. 4, 3 (9),	insigne EN.
,,	i. 17, 7 (23),	ante ENHC (C = Cratander's margin).
,,	ii. 1, 1 (27),	me EH.
,,	iv. 1, 4 (90),	cum brundisii essem NOPZl (Zl = the Tornesianus, as testified by Lambinus).
,,	iv. 8b, 1 (118),	modo tibi NOP (*om.* tibi Ms).
,,	iv. 12, (125),	idibus OPZl.
,,	v. 1, 3 (184),	ego ipsa EHNORPs (*om.* ipsa M).
,,	v. 13, 1 (203),	in modum HNORPs.
,,	v. 20, 3 (228),	interim ENOP.
,,	vi. 1, 14 (252),	in magna EHCNOP (*om.* in M).
,,	vi. 1, 22 (252),	dies NOHW (W = Würzburg fragments).
,,	vi. 2, 7 (256),	triduum NCO.
,,	vii. 1, 4 (284),	illa ultum EP, illa ultima C.
,,	vii. 13, 7 (308),	quae tua coniectura EHNORPs (*om.* tua M).
,,	vii. 18, 3 (316),	scio NOPCZl.
,,	viii. 5, 1 (336),	dyonisio RZb (Zb = Tornesianus as testified by Bosius).
,,	viii. 7, 1 (338),	Domitius EHORPs.
,,	xi. 15, 4 (430),	malle OC.
,,	xii. 12, 1 (556),	Sed vereor ne minorem *τιμὴν* ORPC Ant F.
,,	xii. 13, 1 (545),	idem OC.
,,	xiii. 3, 1 (611),	nihil gererem OPZlZb.
,,	xiii. 9, 1 (623),	Dolabella quibus verbis secum egissem exposuit : commodum enim egeram diligentissimequae ORP.
,,	xiii. 10, 3 (624),	egerit ORZl.
,,	xiii. 14, 2 (627),	si quid erit EORCZb.
,,	xiii. 20, 4 (634),	ad Ligarianam ORPCZb.
,,	xiv. 12, 2 (715),	peramice ECOR (*om.* per- M).
,,	xv. 3, 1 (733),	accepi nati ORZlb accepi, nacti P (*om.* nati M).
,,	xvi. 5, 3 (770),	antequam ORPC (*om.* quam Ms).
,,	xvi. 6, 3 (775),	reliqua RCZb.

It would lead us too far to follow Lehmann into the cautious, elaborate, and convincing reasoning by which he fixes his 'stemma codicum.' He finds that it stands as follows :—



The mss represented by X, Y, and by the Greek letters ΩΣΠΦΔ are not extant, but are postulated by the nature of the extant codices.

That one of the mss used by Cratander in the establishment of his text was a German ms of the Lorsch library Lehmann (pp. 127 ff.) considers almost certain, for—1°. Cratander says he obtained mss from Joh. Sichardt. 2°. Beatus Rhenanus was in correspondence with Sichardt, and obtained through him other mss from the Lorsch library, and one of Cic. ad Att. 3°. In an extant catalogue of that library there is an entry which must refer to a collection of the Epp. ad Att. (without Brut. i., Q. Fr., Oct.) See above, p. 98, note. 4°. Another entry in that catalogue is *Ciceronis epistolarum libr. iiii. in uno codice*, which Gurlitt accurately considers to be a volume containing Brut. ii. i., Q. Fr., Oct., and which possibly formed the source from which Cratander obtained Brut. ii. (cp. No. 610 of the Pavia library referred to above, p. 104).

Lehmann thinks that Δ has not any exceptional value, and is not to be rated above Σ. He is of opinion that the discrimination of the different handwritings of M is too delicate a work to admit of the attainment of perfectly solid results; and he thinks that it is quite uncertain what weight should be attached to the readings in M which come from any other hand except the first. For we cannot

be sure whether those readings came from mss, and even if they did, whether the value of those mss was not impaired by the presence in them of conjectures. He proves, by a treatment at once careful and exhaustive (pp. 163–173), that Petrarch's copy of the Veronensis belongs to the Σ class; and, with praiseworthy caution, he refuses to speculate on the nature of the Veronensis. Further, Lehmann specially enters a caveat (p. 160) against the supposition that H-B (cp. p. 106, above) is the parent of all the mss which depend on M. It is very unlikely, he contends, that Poggio should have made such alterations as vi. 1, 25 (252), *haec ego* H-B, *hoc ego* M; x. 10, 4 (382), *mihi tuae* H-B, *tuae mihi* M; xv. 27, 1 (764), *persequitur* H-B, *prosequitur* M; and these happen to be found in Σ, a class which also exhibits such readings as—

vi. 2, 5 (256), inambulabam (inambulando M).
vii. 13b, 3 (308), tua coniectura (*om.* tua M).
viii. 7, 1 (338), Domitius (*om.* M).
xiii. 29, 2 (605), noli (nil M).
xvi. 2, 6 (772), domo mittito (dum omittito M).

which are also found in H-B. Schmidt (Briefwechsel, p. 445), indeed, supposes that these are conjectures of Poggio's; and that Σ was a ms 'contaminated' of Petrarch's copy of the Veronensis and of H-B. This is a contention which, if proved, would save in a measure Schmidt's views as to M; but he must adduce proof of a cogent and detailed nature before assent can be given to it; and, above all, a definite agreement must be arrived at as to the age of E. Lehmann (p. 135), who has carefully studied it, is of opinion that it is the oldest of the descendants of Ω which we possess, and, accordingly, older than M.

On the whole, as matters stand at present, the views of Lehmann on the essential point, that a large class of mss exists which is independent of M, and that M is not to be taken as the principal basis of the criticism of the Epistles to Atticus, appear to us well founded. We had hoped that that eminent scholar would have been able to give us a complete critical edition of the

Epistles to Atticus;* but that hope has been frustrated by his untimely death, which has carried away his genius and all the records of his vast labours.

There are three other manuscripts mentioned in Lehmann's stemma (given above, p. 110) which are now unfortunately lost, but to which careful attention must be paid, viz.:—(1) the *Würzburg* fragments (W); (2) the manuscript which *Cratander* used in making his edition (1528); (3) the *Tornesianus* (Z).

W.

(1) The Würzburg fragments are four in number, consisting of two leaves each, viz.:—

(*a*)	Att. vi. 1, 17 (ipsa)	to	vi. 2, 2 (venisset);	
	and vi. 3, 4 (doleo)	to	vi. 4, 1 (ex).	
(*b*)	x. 11, 1 ([scri]bis)	to	x. 15, 4 (his in).	
(*c*)	xi. 4, 1 (Hic tua)	to	xi. 6, 2 (adimi).	
(*d*)	xi. 7, 4 (tamen)	to	xi. 12, 1 (dixerat).†	

There are also a few short passages of five lines each from xv., viz. from 2. 4: 4. 1: 16: 18. 1, 2. The manuscript of which these fragments survive belongs to the eleventh or twelfth century, and is thus the oldest manuscript of which we know. As it further seems to be free from interpolations, it must be regarded as of the highest importance. It was broken up about the middle of the sixteenth century, and was used to bind account-books belonging to a monastery near Würzburg.

* We are unable to assent to Schmidt's view (Briefwechsel, pp. 438–441) that, as the Σ class has been discovered, no further account need be taken of the Tornesianus, as it is, in Schmidt's opinion, just on a par with Σ. This arbitrary and unsatisfactory theory has been rightly rejected by Gurlitt in Bursian's Jahresbericht, lxxxiv., p. 108.

In *Hermathena* viii. (1893), pp. 358 ff., we have written a few notes on the mss of the Epp. ad Att. which are in the British Museum. They have been further discussed by Mr. Samuel Ball Platner in the American Journal of Philology, xx. (N. 3), pp. 292–315.

† (*a*) and (*d*) have been discussed by Spengel in *Gelehrte Anzeige der K. bayerischer Academie*, 1846, pp. 926 ff. 916 ff.; (*b*) by Schepss in *Blätter für das bayerische Gymnasialschulwesen*, xx., p. 7; (*c*) by Halm in *Rheinisches Museum*, 1863, p. 406.

C. Crat.

(2) Cratander prepared his edition (1528) with considerable care. He says in his Preface:—

> Imprimis usus sum codicibus haud mediocriter vetustis: quorum alii haud non parvis impendiis neque vulgari peregrinatione conquisiti: alii vero amicorum beneficio tam in me quam in omnes eloquentiae studiosos perquam officioso exhibiti sunt: inter quos non paucos neque poenitendos nobis communicavit Io. Sichardus, veterum monumentorum conservator diligentissimus. Unde factum est ut coeptum negocium, principio difficillimum, paulo minori negocio confecerim: quod libenter et ingenue et fatemur et cognoscimus, amicisque acceptum ferimus: multas enim inde mendas sustulimus quae priores aeditiones occuparant: atque id ante omnia in epistolis ad Atticum. Attamen sicubi forte propter mendarum diversitatem eliciendae sententiae difficultas suboriebatur, reliquimus tum ibi eos locos, praefixis literarum formis, signi vice, lectori acutoris iudicii excutiendos et coniectura colligendos.

Now it is well ascertained that Cratander used as the basis of his recension the second edition of Ascensius (A^2), which itself rests on the first edition (A^1), and it again on the Roman edition (Rom.) and Jenson's edition* (I), both of 1470. But Cratander introduced many new readings into his text (Crat), and many others into the margin (C). It depends on what view one takes as to the carefulness or carelessness which Cratander displayed in making his edition as to the value to be assigned to these readings. We incline to the belief that he displayed great care, and that his new readings in the text (Crat) and marginal notes (C) are for the most part derived from manuscripts—an opinion which is confirmed when we find both Crat and C agreeing with W or with Z (the Tornesianus). That Crat and C are closely connected with these two mss, and differ from the Italian codices ($\Sigma\Delta$), may be proved from examples of cases in which these Italian codices have lost words which are found in C or Crat or W or Z; and it is very

* Jenson's edition was based on a codex independent of M, as was long ago seen by Wesenberg: cp. Lehmann *De epp. ad Att. recensendis*, p. 49.

difficult to believe that these words are to be regarded generally as interpolations.*

The following is a list of the principal examples :—

ii.	25, 1 (52),	non quo faceret Cz.
v.	20, 10 (228),	honestum Crat Zb.
ix.	15, 5 (373),	curasti Crat Zb.
x.	11, 3 (396),	tempora sunt ut W Crat Zb.
	11, 5 (396),	iocatus Crat, codices Bosii : locatus W.
xi.	5, 1 (416),	subita re quasi CW : subi M.
	7, 5 (420),	esse W Crat.
	8, 1 (422),	est W Crat.
	12, 1 (427),	me W Crat.
xii.	21, 2 (557),	aliquid Crat Zb.
	22, 3 (558),	et cur velim Crat Zb.
	35, 2 (577),	a te Crat Zb.
xiii.	6, 4 (617),	coniunctissimos Crat, codices Bosii.
	45, 3 (662),	nec mehercule nostri studiosiorem, Crat Zb.
	46, 3 (663),	Cluvi (o Vestorium negligentem) liberam cretionem Crat Zb.
	47 (664),	auris nuntius extemplo instituta CZ.
	52, 1 (679),	vultum Crat Z.
xiv.	20, 5 (727),	Antoni Crat Zb.
xvi.	1, 1 (769),	Postridie CZ.
	3, 6 (773),	absentem Crat Zb.
	8, 1 (797),	a Capua Crat Zb.

Gurlitt (*Handschriftliches und Textkritisches zu Ciceros Epistulæ ad M. Brutum* in 'Philologus,' 1896, pp. 318–340) has admirably shown, in the case of the Epistles to Brutus, that Cratander carefully corrected A^2 by the help of the Lorsch ms, No. 4 (see above, p. 98, note), and that Crat truly represents that manuscript. He thinks that Cratander used no other mss than

* This seems be the view of Dr. O. E. Schmidt (*Die handschriftliche Ueberlieferung der Briefe Ciceros an Atticus*) in 'Philologus,' 1896, pp. 695–726; but he acknowledges that here and there Cratander may have obtained true readings from W, e.g. xiii. 46, 3 (663). (We are convinced now that the arguments which we adduced on that passage in favour of the words being genuine ought to have kept us from bracketing them: see, too, Roby, *Roman Private Law* i. 397 ff.) Lehmann (*op. cit.*, p. 127) thinks it doubtful whether Cratander used W.

the Lorsch mss, which he got from Sichardt,* in preparing the text of Fam. xi.–xvi. as well as the Epistles to Atticus, to Quintus, and to Brutus: cp. pp. 328, 329.

Z.

(3) The Tornesianus (Z)—so called from Io. Tornesius or De Tournes, a Lyons printer who died in 1564—is known from the notes of Turnebus, Lambinus, and Bosius. The ms contained only the Epistles to Atticus, but these Epistles complete, without the gap in Att. i. or the lacuna at the end of xvi. What we learn of this ms from specific references of Turnebus and Lambinus may be thoroughly trusted. (See Mr. A. C. Clark, *Anecdota Parisiensia ad libros epistularum ad Atticum Tornaesianum et Crusellinum*, in 'Philologus,' 1901, pp. 195–216: and *The Fictitious Manuscripts of Bosius*, in *The Classical Review*, 1895, pp. 241–247.) Less certain are the references of Lambinus to a *v. c.* (vetus codex) though it is probable that the *v. c.* is in many cases the Tornesianus. Though Bosius pretended to have discovered two codices which he styled Crusellinus and Decurtatus (codices which never existed), and is justly stigmatised as 'mendacissimus' (Lehmann, p. 104), yet Mr. Clark (*op. cit.*, p. 198) and Lehmann (p. 112) have shown, especially Mr. Clark, that in what Bosius stated as having come from the Tornesianus his word may be fully trusted; and further that he and Lambinus have between them brought forward nearly all the important readings of Z. In some places it agrees with W as against the Italian codices (ΣΔ),† and in many places it and Crat and C have a fuller reading than those codices. See the examples given above, p. 114.‡

Accordingly these three manuscripts, W, Crat C, Z, all belong to a Germanic or Gallic family which is independent of the Italian tradition. See Lehmann's stemma given above, p. 110.

* See also Lehmann, *op. cit.*, p. 128 ff., for some account of the mss which Sichardt obtained from the Lorsch library.

† For example, vi. 3, 6 (264) praefecti WZ profecto ΣΔ Crat: xi. 10, 2 (425) Italia CWZ alia ΣΔ. See also x. 11, 3, 5 (396), above.

‡ Dr. O. E. Schmidt (*op. cit.*, pp. 710–719) considers that Z was a manuscript which contained many conjectures and interpolations of the Italian family, and that it is accordingly of little value; but we are unable to feel convinced by his arguments.

APPENDIX TO THE INTRODUCTION.

The Commentariolum Petitionis.

The *brochure* on the duties of a candidate for the consulship, usually styled the *De petitione Consulatus Liber*, is not so called by any writer before the date of the mss in which it is preserved. The author of the Essay himself seems to have wished it to be known by the title *Commentariolum Petitionis* (by which name we shall therefore designate it), and to have hoped that his work, though primarily intended for the guidance of one particular candidate, would be regarded as a compact and convenient handbook of electioneering tactics by future aspirants to office in Rome. It takes the form of a letter. In no ms has it an inscription inconsistent with the character of a letter; the epigraph of perhaps the best ms, the *Codex Erfurtensis* (F)—see above, p. 98—is *Q. M. Fratri S.D.*; that of the Harleian ms (H) is *Quintus M. fr. sal. dic.* The Italian mss collated by Lagomarsini, and the *Parisini* of Voss, are (with perhaps unnecessary warmth) designated as a *sterquilinium* by Bücheler. One of these unsavoury mss (L 38 of Lagomarsini) strangely ascribes the authorship to the great Marcus, and makes the treatise a letter to his brother Quintus: other Lagomarsinian mss take the ordinary view, and ascribe the letter to Quintus; while one (L 117) has this inscription:—*De petitione Consulatus ad Q. aut M. Ciceronem Fratrem. Quod opusculum pars M. Ciceronis, pars Quinti esse volunt. Phrasis autem et ratio Quinto adiudicant, nam solus Marcus consulatum gessit. At cuiuscunque est poenitendum certe non est, et quia orationis saltem paraeneticae formam habet, caeteris apposuimus.* Another of these Lagomarsinian mss (No. 50), which was used by Lambinus, appears to be of exceptional excellence, and deserves careful attention.

That the *Commentariolum* was a letter written by Quintus to his brother Marcus during his candidature for the consulship is the verdict of every editor from Valerius Palermus to Bücheler. But Eussner not only refuses it the name of a letter, but holds that it is a *cento* from certain works of Cicero, compiled by some learned man, much given to

logical division, but quite destitute of grace or force of style, who, on account of his accurate familiarity with the details of the period of Cicero's candidature, and by reason of his considerable acquaintance with the style of the Ciceronian age, must be held to have flourished about the end of that period.*

One cannot but agree, to some extent, with Eussner's view as to the lack of literary merit in the *brochure*. It derives its interest neither from grace of style nor from its matter and contents. It owes its interest chiefly, if not altogether, to one circumstance—the very circumstance on which Eussner grounds his view. It is this. The *Commentariolum* has two or three vigorous attacks on the competitors of Cicero, clothed (notably in one instance) in powerful and original phrase. These reappear almost word for word in the fragments of Marcus Cicero's *Oratio in Toga Candida* preserved in the Commentary of Asconius. To account for this phenomenon only two theories are possible (for the coincidence cannot be accidental): either (1) M. Cicero borrowed from the author of the *Commentariolum*, or (2) the author of the *Commentariolum* borrowed from M. Cicero. The latter is the opinion of Eussner, who fancies that he can detect in the *Commentariolum* plagiarisms not only from the *Oratio in Toga Candida*, but from the *pro Plancio*, the *pro Murena*, and the first letter of Marcus to his brother Quintus on the Duties of a Provincial Governor (Q. Fr. i. 1, Ep. 30). As the speech *pro Plancio* was written A. U. C. 700 (B. C. 54), the *Commentariolum* must, on this hypothesis, be posterior to the consulship of Cicero by about ten years. The theory is, of course, at the very outset, confronted by the difficulty (which Eussner does not attempt to meet) that it represents the author of the *Commentariolum* as keeping up an elaborate parade of ignorance, and carefully concealing his knowledge of the issue of the contest and other such matters, of which knowledge not a vestige appears in the *Commentariolum*. For instance, the author speaks of Catiline, not Antonius, as Cicero's most formidable opponent. Now, surely, the compiler postulated by Eussner would not thus have neglected the chances of the ultimately successful candidate, and in so doing depreciated his counsel by betraying his want of political foresight; the more especially as he might have estimated never so highly the chances of Antonius' success without at all betraying his knowledge of the issue. When the author of the *Commentariolum* speaks of Catiline as Cicero's most formidable opponent, surely the natural inference is that the tract was written in the beginning of the year 690 (B. C. 64), when

* "Qui, cum et earum rerum, quae Cicerone petente consulatum agebantur, admodum gnarus sit, et ab eo, qui illa aetate vigebat, sermone non alienus esse videatur, tempore ab ipsa Ciceronis aetate proximo floruisse putandus est."—*Eussner*, p. 22.

Catiline's prospects actually did look bright, or at least before the month of June, when his excesses had begun to swell the ranks of Antonius' supporters; unless Eussner is prepared to maintain that his compiler of set purpose introduced statements falsified by the issue, so as to conceal the posterior origin of the *brochure* and to impart to it the appearance of having been the work of Quintus, under whose name he wished to recommend to posterity his own Essay. But it will not be necessary to apply such tests to demonstrate the unsoundness of Eussner's theory, if it can be shown that he has altogether failed to establish any such coincidences between the *Commentariolum* and any work of Cicero (save the *Oratio in Toga Candida*), except merely fortuitous coincidences in words, such as might exist between any two works of the same period.

Before, therefore, any examination is made of these supposed plagiarisms from the *pro Plancio*, *pro Murena*, and the first letter to Quintus, a brief notice may be taken of the *positive* arguments for the authorship of Quintus, and of Eussner's objections against the same.

The *Commentariolum* cannot have been written before 690 (64), as Bücheler has shown, because, of the six candidates mentioned by Asconius as competing with Cicero, only two are deemed worthy of consideration. Now, we know from Att. i. 1 (10), that in July, 689 (65), it was not certain even who would come to the poll; so that we must allow some time for the waxing and waning of the candidature of four other competitors. Moreover, the verdict in the trial of Catiline, which took place probably about November of 689 (65), is spoken of as not a very recent event. The date of the Essay, therefore, cannot have been earlier than the beginning of 690 (64). But it must have been written before June, 690 (64), for Catiline's chances are preferred to those of Antonius; but we know that about June the supporters of Catiline began signally to fall away. Therefore the date of the Essay may be placed in the beginning of 690 (64). The positive arguments, then, for the authorship of Quintus are these:

(1). At this period Quintus would have had abundant leisure for the composition of his Essay, for he had just laid down his aedileship. And now, too, the treatise would have been particularly well timed, if looked on in the proper light, namely, as an attempt to point out the tactics of a really able canvass, which, however, should in nowise conflict with the law; for the five years immediately preceding the candidature of Cicero were singularly fertile in laws regulating the procedure at elections, and in prosecutions for infringement of the same. Now, the *Commentariolum* preaches a rigorous purism in keeping within the letter of the law: for instance, *nomenclatores* are not recommended, as they were forbidden by a

recent, but universally neglected, enactment.* Quintus, therefore, might have conferred on his brother a really solid benefit in mastering the recent legislation on the subject of *ambitio*, and pointing out how far he could avail himself of the arts of electioneering without coming into collision with the law. This task would have demanded the leisure which Quintus had and Marcus lacked.

(2). This Essay is a *libellus isagogicus* on the model of the treatise in which Varro had recently, 684 (70), given instructions to Pompey how to hold a senate as Consul. We are told by Gellius (xiv. 7) that this treatise was afterwards lost, and that Varro subsequently treated the same subject in a letter to Oppianus. May not the *Commentarium isagogicum* of Varro have suggested to Quintus his *Commentariolum petitionis*? and may not the form chosen by Quintus have suggested to Varro, in the second edition, the idea of throwing his tractate into the shape of a letter?

(3). From Q. Fr. iii. 1, 23 (148) we may infer that Quintus was familiar with the precepts of Epicharmus. Now, in Comm. 39 we have the words *quamobrem* 'Επιχάρμειον *illud teneto* '*nervos atque artus esse sapientiae non temere credere*'—a maxim afterwards quoted by Marcus (Att. i. 19, 8, Ep. 25) in its Greek and metrical form,

νᾶφε καὶ μέμνασ' ἀπιστεῖν· ἄρθρα ταῦτα τᾶν φρενῶν.

(4). In Att. ii. 3, 3 (29) Cicero says to Atticus, '*Θεοφράστου περὶ φιλοτιμίας* affer mihi de libris Quinti fratris': Quintus, therefore, had in his library a work which may have suggested to him the treatise, or at least aided him materially in its execution.

(5). The whole letter of Marcus to Quintus on the subject of the Duties of a Provincial Governor (Q. Fr. i. 1, Ep. 30) reads as a companion essay to the *Commentariolum;* it is a practical expression of the degree to which Marcus appreciated the sympathy of his brother at a critical time; and probably would never have been written but for the *Commentariolum*, with which it about coincides in length. Moreover, it contains many expressions which seem directly to refer to the Essay of Quintus: for instance, *Quod si ut amplissimum nomen consequeremur unus praeter ceteros adiuvisti* (Q. Fr. i. 1, 43); and again, *idcirco et tua longissima quaque epistula maxime delector, et ipse in scribendo sum saepe*

* Lange, *Röm. Alt.* ii.[3] 666. It was possibly a clause in the law of Aurelius Cotta, 684 (b. c. 70). Καὶ *νόμου γραφέντος ὅπως τοῖς παραγγέλλουσι εἰς ἀρχὴν ὀνοματολόγοι μὴ παρῶσι, χιλιαρχίαν* (*tribunatum militum*) *μετιὼν μόνος ἐπείθετο τῷ νόμῳ.*—Plut. Cat. Min. ch. 8.

longior (*ibid.* 45). To this be it added, that we learn from the letters of Marcus to Quintus *passim*, that Marcus habitually in all important affairs sought from his younger brother and gratefully acknowledged such practical counsels as form the staple of the *Commentariolum*. Other arguments which might be adduced as positive evidence for the authorship of Quintus will more fitly fall under the answers to Eussner's objections against the same, which we now proceed to consider.

(1). The first objection of Eussner to the belief in Quintus's authorship is, that the author of the *Commentariolum* begins not with the very beginning of Cicero's *petitio*, in the middle of July, 689 (65), when Cicero *prensandi initium facere cogitarat in campo comitiis tribuniciis* (Att. i. 1, 1, Ep. 10), but at a considerably later period, when his only formidable rivals were Antonius and Catiline. Now, this circumstance seems to point unmistakably to an inference directly contrary to that which Eussner draws. Surely the compiler postulated by Eussner would have begun from the very beginning, and thus given artistic completeness to his Essay; Quintus, on the other hand, writing in the beginning of 690 (64), omits the past, for which counsel is now unavailing, and addresses himself to the task of advising his brother under the circumstances which actually surround him.

(2). Again, Eussner argues that Quintus, who had held no office but aedileship, must have been quite unqualified to instruct his brother, who had already distinguished himself as praetor, quaestor, and curule aedile. The coincidences between the *Oratio in Toga Candida* and the *Commentariolum*—coincidences which we fully admit—would, in the mind of Eussner, show Marcus in the light of a base plagiarist, if Quintus were the author; 'fac' (says Eussner) 'tam humilis atque abiecti animi fuisse Marcum hominem eloquentissimum, ut quod ipsi emendandum esset commendatum fratris opusculum expilaret.' But this is an utterly false point of view on the part of Eussner. The letter was written by Quintus in order to bring together under the view of his brother, and in an organized shape, maxims of procedure which were, no doubt, familiar to him, but which it might be convenient to have by him reduced to a system, *non ut aliquid ex iis novi addisceres, sed ut ea quae in re dispersa atque infinita viderentur esse, ratione et distributione sub uno aspectu ponerentur* (*Comm.* 1). This Quintus had abundant leisure to do, having just laid down his aedileship; *haec sunt quae putavi non melius scire me quam te, sed facilius his tuis occupationibus colligere unum in locum posse et ad te perscripta mittere* (*Comm.* 58). Marcus was at liberty to use (as he did in his *Oratio in Toga Candida*) some vigorous expressions taken from his brother's letter in denunciation of his rivals, as much as he was at

liberty to act on the practical precepts therein enjoined; nor is he open to the charge of undue appropriation in the one case more than in the other. Nay, more; suppose it to be granted for a moment that it would have been a dishonest act to have made use in his speech of these expressions found in his brother's letter, not even so would the character of Marcus suffer, for we learn from *Comm.* 58* that Quintus submitted his work to the criticism of Marcus, requesting him to curtail, enlarge, and modify it as he thought fit, and hinting that if it met with his brother's approval, he might publish it as a guide to future candidates, though an incomplete one (he owns), as having primary reference only to Marcus and his election. These expressions, then, in which the *Oratio in Toga Candida* and the *Commentariolum* coincide, *may have been inserted by Marcus*, in accordance with his brother's request.†

As to the unfitness of Quintus to offer counsel to Marcus, we need only observe that such unfitness was not felt by Marcus. He says afterwards of Quintus, *ut amplissimum nomen consequeremur unus praeter ceteros adiuvisti* (Q. Fr. i. 1, 43, Ep. 30); and in the same letter, *quid enim ei praecipiam quem ego in hoc praesertim genere intellegam prudentia non esse inferiorem quam me, usu vero etiam superiorem?* (Q. Fr. i. 1, 18). Moreover, all the letters of Marcus to Quintus afford everywhere proofs that Marcus sought and found a valuable counsellor in Quintus in all the most important of his affairs, and fully appreciated his worth as an adviser. Nor did Marcus despise his brother's literary gifts; afterwards, in speaking of a poem, probably the *Annales* referred to above, which Quintus submitted to him, just as he submitted the *Commentariolum*, for correction and revision, the prince of stylists did not think it humiliating to say, *sine ulla mehercule ironia loquor; tibi istius generis in scribendo*

* *Quae tametsi ita sunt scripta ut non ad omnis qui honores petant, sed ad te proprie et ad hanc petitionem tuam valeant, tamen tu, si quid mutandum esse videbitur aut omnino tollendum aut si quid erit praeteritum velim hoc mihi dicas.* From these words Tydeman argues that Quintus cannot have been at Rome when he wrote the *Commentariolum*, as in that case he would in a personal interview have asked his brother to criticise his Essay, instead of embodying the request in the Essay itself. Bücheler draws the opposite inference because Quintus writes *velim hoc mihi dicas* instead of *velim hoc mihi scribas*. Tydeman is probably right; *dicere* is used constantly for a communication made by letter. Eussner sees in the absence of date and address an argument for the fictitious character of the letter. So Sergeant Buzfuz maintained that it was a circumstance 'in itself suspicious' that the second communication of Mr. Pickwick to Mrs. Bardell bore no date. There is not any date to Q. Fr. i. 1 (30).

† So afterwards Quintus requests his brother to correct and edit his *Annales*, *Q. frater me rogat ut Annalis suos emendem et edam* (Att. ii. 16, 4, Ep. 43). Marcus readily complied with his brother's request.

priores partis tribuo quam mihi (Q. Fr. iii. 4, 4, Ep. 152). In truth, that it would be undignified in the great and distinguished Marcus to ask or accept literary aid from the humble Quintus, is a point of view far more likely to occur to a modern *savant* than to an ancient Roman, especially such a Roman as the gentle, refined, and high-minded M. Cicero.*

(3). The *Commentariolum* is, according to Eussner, below the style of Quintus, as described by his brother, and unlike the four letters from Quintus found in the correspondence of Cicero, Fam. xvi. 8, 16, 26, 27 (314, 927, 814, 815). But Eussner does not allow for the kindliness so strongly characteristic of Cicero, which led him to overstate his brother's merits. We have seen above that Marcus pronounces his brother superior to himself in poetry. Now, it seems to us that Cicero's *Aratea*, and other poetical fragments, not excepting the much-decried *O fortunatum*, &c., will well bear comparison with the twenty hexameters of Quintus, *De* XII *signis*, which may be taken as typical of the poetry of Quintus, if the four surviving letters may be looked on as sufficient basis for a judgment on his prose style. To us it seems that the *Commentariolum* is worthy of the letters; nor does it differ from them in tone and style more than a practical treatise cast in an epistolary mould would naturally differ from a familiar letter—than the letter of Marcus on the duties of a Provincial Governor (Q. Fr. i. 1, Ep. 30) differs from those jocular letters of gossip and chit-chat which we meet so often in his private correspondence.

Eussner and Bücheler greatly exaggerate the imperfection of the style of the *Commentariolum*, though, of course, both it and the letters of Quintus are incomparably below the standard of Marcus. Many of these supposed defects would pass quite unnoticed if the work had been attributed to Marcus; indeed, many of them can actually be paralleled in the writings of the great orator. For instance, the frequent use of *quoniam* in the *Commentariolum* is severely animadverted on by Bücheler and Eussner; this conjunction is used seven times in Q. Fr. i. 1, Ep. 30, and but eight times in the *Commentariolum*. That *anaphora* that is so offensive to Bücheler and Eussner in the *Commentariolum* passes unnoticed, or is a pleasing figure in the hands of Marcus, when he writes *nullum te signum, nulla pictura, nullum vas, nulla vestis, nullum mancipium, nulla forma cuiusquam, nulla condicio pecuniae* (Q. Fr. i. 1, 8); and at least half a dozen other instances of *anaphora* may be found in that letter. The

* For other expressions of Marcus, eulogistic of the literary merit of his brother, see, for example, Q. Fr. iii. 1. 19 (148); De Orat. ii. 10.

writer of the *Comm.* is guilty of vile taste in allowing the *v* sound to recur so often in a sentence (*Comm.* 54), *in tot hominum cuiusque modi vitiis tantisque versantem vitare offensionem, vitare fabulam, vitare insidias*; but Marcus goes unreproved when he writes *vix videmur summam vituperationem posse vitare* (Q. Fr. i. 1, 41). Again, the frequent use of the phrases *cura ut, cogita ut, fac ut*, is condemned in the *Comm.*, but passes unnoticed in Q. Fr. i. 1. In both letters these phrases occur with unusual frequency; but this is because both letters are didactic expositions addressed to a single individual. But everywhere what would be called happy boldness in Marcus is tasteless affectation in Quintus.

> "That in the *Consul's* but a choleric word,
> Which in the *Aedile* is flat blasphemy."

Eussner even ascribes a post-Ciceronian origin to the *Commentariolum*, because we find in *suffragatorius*, § 26, a ἅπαξ εἰρημένον. Not to mention ἅπαξ εἰρημένα in Marcus, we have only to turn to one of the four admittedly genuine letters of Quintus to find *dissaviabor* (Fam. xvi. 27, 2, Ep. 815). If in four short letters we find a ἅπαξ εἰρημένον, we need not be startled at finding another in an Essay about ten times as long as the four letters together.

(4). The *Commentariolum* does not reflect the character of Quintus, as described by Marcus. We find no traces of the *iracundia* which was his besetting sin. This, in our mind, strongly *disproves* the authorship of Eussner's supposed compiler, who would most certainly have attempted to make his work seem an authentic letter by introducing some traits or expressions in keeping with the character of Quintus, as described by his brother in many places, and especially in that very letter which was supposed to be one of the sources of the compiler's *cento*, namely, the letter (Q. Fr. i. 1) on the Duties of a Provincial Governor. Here it may be observed that Eussner was unfortunate in selecting the works of Marcus from which was patched up the forged letter. Among them, it will be remembered, was the *Oratio pro Murena*, which (as we shall see), in Eussner's opinion, the compiler must have studied very closely. Now, in this speech (Mur. 30), Cicero expressly says, *duae sunt artes quae possint locare homines in amplissimo gradu dignitatis, una imperatoris, altera oratoris boni.* Is it not strange that, though in this speech, so closely studied by the compiler, it is laid down that there are two roads to the highest office, military distinction and forensic preëminence, yet he should have dwelt on the latter alone in the *Commentariolum*, and completely passed over the former?

These are the main supports of Eussner's argument, which chiefly rests on the supposed plagiarisms in the *Commentariolum*, not only from

the *Orat. in Tog. Cand.*, but from the *Orat. pro Plancio* and *pro Murena*, and from Q. Fr. i. 1 (30)—plagiarisms which, in his opinion, show the treatise to be a mere piece of patchwork from the writings of M. Cicero.

We shall now point out the remarkable coincidences between the *Commentariolum* and the *Oratio in Toga Candida*, and then examine the grounds on which the author of the *Commentariolum* is deemed by Eussner to have availed himself, not only of the *Oratio in Toga Candida* in framing his literary forgery, but also of the letter of Marcus to Quintus on the Duties of a Provincial Governor, the *Oratio pro Murena*, and the *Oratio pro Plancio*. The coincidences between the *Comment.* and the *Or. in Toga Candida** are found only in the part of the *Comment.* which deals with the denunciation of Cicero's rivals. These are as follow :—

Writing of *Antonius*, Quintus says :—

(a). Vocem denique audivimus iurantis se Romae iudicio aequo cum homine Graeco certare non posse. (*Comm.* 8.)

Of the same, Marcus says :—

(*a*). In sua civitate cum peregrino negavit se iudicio aequo certare posse. (*Orat. in Tog. Cand.*, § 2, ed. Müller.)

In describing the murder of Marius Gratidianus by Catiline, Quintus says :—

(b). Quid ego nunc dicam petere eum consulatum qui hominem carissimum populo Romano, M. Marium, inspectante populo Romano . . . ceciderit . . . collum . . . secuerit. (*Comm.* 10.)

Marcus says of the same deed :—

(*b*). Populum vero, cum inspectante populo collum secuerit hominis maxime popularis, quanti fecerit ostendit. (*Or. in Tog. Cand.*, § 9.)

Again, Quintus :—

(c). Vivo spiranti collum gladio sua dextera secuerit . . . caput sua manu tulerit. (*Comm.* 10.)

Marcus :—

(*c*). Quod caput etiam tum plenum animae et spiritus . . . manibus ipse suis detulit. (*Or. in Tog. Cand.*, § 19.)

In touching on the incest of Catiline with Fabia, a Vestal virgin, Quintus says :—

(d). Qui nullum in locum tam sanctum et tam religiosum accessit, in quo non, etiam si alia culpa non esset, tamen ex sua nequitia dedecoris suspicionem relinqueret. (*Comm.* 10.)

* It may be useful here to observe that Asconius never mentions the *Commentariolum*, and seems not to have been aware of its existence.

Marcus:—

(*d*). Cum ita vixisti ut non esset locus tam sanctus quo non adventus tuus, etiam cum culpa nulla subesset, crimen adferret. (*Or. in Tog. Cand.*, § 22.)

Quintus, in speaking of the chances of the election of Antonius and Catiline, says:—

(e). Quis enim reperiri potest tam improbus civis qui velit uno suffragio duas in rempublicam sicas destringere. (*Comm.* 12.)

Marcus:—

(*e*). Qui posteaquam illo quo conati erant Hispaniensi pugiunculo nervos incidere civium Romanorum non poterant, duas uno tempore conantur in rempublicam sicas destringere. (*Or. in Tog. Cand.*, § 27.)

In addition to these remarkable coincidences of expression, we find a marked coincidence of treatment; we learn from Asconius that, in denouncing Catiline, Marcus dwelt on his having put to death certain Roman knights, especially Q. Caecilius; adverted to his profligacies, his malversation of Africa, the depositions at the trial, and the verdict; and we learn that he upbraided Antonius with the public sale of his goods: now all these topics find place, and in the same order, in the *Commentariolum*. But, of course, coincidences of treatment might be accidental: not so the remarkable coincidences of expression just adduced. We may observe, too, how Marcus, in adopting the topic or the expression of his brother, adds some additional force or point to the words adopted. This is especially observable in (*b*) and (*e*), while in (*d*) the same subject is treated by each writer exactly as befits the case of each. The allusion in the passage is to the case of Fabia, a Vestal, who was accused of an intrigue with Catiline, tried for unchastity, and acquitted. This Fabia was the sister of Terentia, the wife of Marcus, and Terentia took refuge with her afterwards in the Temple of Vesta when Cicero fled from Rome (Fam. xiv. 2, 2, Ep. 79). It is this connexion with his own family that makes Marcus careful to add *etiam cum culpa nulla subesset*; Quintus, in the words *etiam si alia culpa non esset*, does not quite so emphatically acquit Fabia.

In the face of these remarkable coincidences, it is strange that Eussner should persuade himself that he has made out his case that the pseudo-Quintus had availed himself of the *Orat. pro Murena* and *Pro Plancio*.

It would occupy too much space were a full list of the supposed plagiarisms from the *Orat. pro Mur.* and from Q. Fr. i. 1 (30) given. There are fifteen imputed coincidences between the *Commentariolum* and the *pro Mur.*, and seventeen between the *Comment.* and Q. Fr. i. 1. If

anyone desires to see the whole list set out in full, he may consult *Hermathena*, No. v., pp. 53–57, where there is a Paper of which the above remarks are an abstract. The fact is that between the *Comm.* and the *pro Mur.* there is not a single real coincidence but one; and in this case it is probable, though not at all certain, that Marcus in his speech availed himself of a reminiscence of his brother's Essay, which he, perhaps, may have been recently editing. It is this:—pro Mur. 43 *nescio quo pacto semper hoc fit (neque in uno aut altero animadversum est, sed iam in pluribus), simul atque candidatus accusationem meditari visus est, ut honorem desperasse videatur*; Comm. 56 *atque haec ita volo te illis proponere non ut videare accusationem iam meditari.* Even here we have not a very striking coincidence. It was possibly as much a general and acknowledged feature of electioneering good taste and wisdom at Rome not to meditate an accusation against your opponents, as it would be with us not to criticise an opponent's personal and private affairs: and thus to both writers in treating of similar circumstances the same consideration occurred independently. But what is to be said of this:—pro Mur. 48 *cum populum Romanum in eum metum adduxisti*; Comm. 23 *adducenda amicitia in spem?* Surely it is an insult to the understanding of his readers, when Eussner quotes a sentence as a plagiarism because it has a word or a construction in common with another sentence. And here are some of the plagiarisms which prove that the *Comment.* was patched up out of bits of Q. Fr. i. 1, Ep. 30:—Ep. 7 *cuius natura talis est ut . . . videatur moderata esse potuisse*; Comm. 9 *quum semper natura tum etiam aetate iam quietum.* Ep. 10 *quid ego de Gratidio dicam*; Comm. 10 *quid ego nunc dicam?* Ep. 37 *praetermittendum esse non puto*; Comm. 10 *mihi non praetermittendum videtur.* Ep. 38 *nihil . . . te fieri posse iucundius.* Comm. 16 *carum et iucundum esse maxime prodest.*

The *Orat. pro Plancio* Eussner omits to examine in detail, 'cum non ita multi loci cum Commentariolo consentiant.' It would be easy to construct a large list of coincidences as close as those cited from Q. Fr. i. 1, and the *Orat. pro Murena.*

So much for Eussner's attempt to disprove the authorship of Quintus. If coincidences such as those which he adduces were really sufficient basis for such a theory, one would have very little hesitation in undertaking to prove that Macaulay's History was the work (let us say) of Mr. Gladstone. But what would be sufficient ground on which to base the disproof of the authorship of Quintus? It would be sufficient to point to some event mentioned in the Essay which occurred after the death of Quintus, or to show that ignorance is betrayed of some fact of which Quintus must have been cognizant. No attempt has been made to allege

the existence of any allusion in the letter to any event subsequent to the time of Quintus. On one point, however, Eussner has attempted to fix an inaccuracy on the author of the *Commentariolum*. It is this—*Nam hoc biennio* (says Quintus), *quattuor sodalitates hominum ad ambitionem gratiosissimorum tibi obligasti, C. Fundani, Q. Galli, C. Corneli, C. Orchivi* (*Comm.* 19). On the words of Cicero, *alter induxit eum quem potuit ut repente gladiatores populo non debitos polliceretur* (*Orat. in Tog. Cand.*, § 12), Asconius has this note: *Q. Gallium, quem postea reum ambitus defendit, significare videtur. Hic enim, cum esset praeturae candidatus, quod in aedilitate quam ante annum gesserat bestias non habuerat, dedit gladiatores sub titulo patri se id dare.* Asconius, therefore, places the trial of Q. Gallius subsequent (*postea*) to the *Oratio in Toga Candida*, therefore in 690 (64) at the earliest: on the other hand, the author of the *Commentariolum* (as understood by Bücheler and Eussner) places the trial two years back, that is in 688 (66). Now be it remarked, in the first place, that it is by no means necessary that we should understand *hoc biennio* to mean *two years ago:* the words might as well mean that all those trials by which Marcus had won so much influence had occurred *in the course of the last two years.** But even granting that *hoc biennio* should be understood to mean *two years ago*, there is not the least ground for charging Quintus with inaccuracy. Quintus is probably right, and Asconius wrong. Such is the view of Bücheler, who shows that, in the matter of the gladiators at least, Asconius has blundered, in ascribing to Gallius what was the act of Catiline, as we know from the distinct testimony of Cicero himself. If, then, Asconius erred about the gladiators, may he not have erred about the date of the trial of Gallius? Bücheler says *yes*; Eussner says *no*; however, Eussner offers no reason for his belief, but will not give up the only inaccuracy which he has been able to allege against his fancied compiler, who, writing at least ten years after the time of Cicero's candidature, has not (if this allegation be abandoned) incurred even the suspicion of a mistake.

In our opinion, therefore, the *Commentariolum petitionis* was written about the beginning of 690 (64); the author was Q. Cicero; it was intended primarily to be of practical service to M. Cicero in his candidature, but the author hoped that after it had undergone the revision of his eminent brother, it might be deemed to have a substantive value as a manual of electioneering tactics. Whether Marcus ever actually did undertake the work of revising his brother's Essay we cannot be certain. We know that in the case of the *Annales* Marcus promptly complied with a like request; *ego te libenter, ut rogas, quibus*

* For other examples, see Roby, § 1182.

rebus vis adiuvabo, et tibi versus quos rogas, 'Athenas noctuam,' mittam (Q. Fr. ii. 15 (16), 4, Ep. 147). On the other hand, we see that the Essay still labours under that incompleteness which its author owns, *ita sunt scripta ut non ad omnis qui honores petant, sed ad te proprie et ad petitionem hanc valeant* (*Comm.* 58). Marcus, however, would hardly have employed his editorial authority in divesting the letter of its primary and special application to his glorious consulship. The letter did not, probably, find its way into the earliest collections of the correspondence of Cicero made immediately after his death, for Asconius seems to have been ignorant of the existence of the *Commentariolum*.

We have left the above criticism of Eussner remain in virtually the same state as it appeared in our second edition: for Eussner was until comparatively recently the only scholar of repute who attacked the authenticity of the *Commentariolum*. It is held to be genuine by Teuffel (*Roman Literature*, § 190), by Leo (*Nachrichten der k. Gesellschaft der Wissenschaften zu Göttingen, Phil.-Hist. Klasse*, 1895, pp. 447–450),* and by Schanz (*Geschichte der röm. Litteratur*, § 179, in I. Müller's Handbuch, vol. viii.). However, recently Mommsen (*St. R.* iii. 484, 3 and 497, 3) has explicitly indicated that he considers that the work was not by Quintus.† Gurlitt also, in Bursian's *Jahresbericht* (1898, No. 2, p. 4), and Gudeman (*Transactions of the American Philological Association*, xxv., p. 154, 2) seem to regard the work as one composed by a rhetorician of the first century A.D., who modelled this Essay on Q. Fr. i. 1 (Ep. 30), and worked into it passages from Marcus Cicero's speeches *in Toga Candida* and *pro Murena*, and possibly some others. In this they have followed Mr. George Lincoln Hendrickson, who, in the *American Journal of Philology* (xiii. (1892), pp. 200–212), had in a most scholarly manner attacked the authenticity of the treatise. Recently Mr. Hendrickson has written a more elaborate monograph on the subject, entitled *The Commentariolum Petitionis attributed to Quintus Cicero* (in the Decennial Publications of the University of Chicago, 1902), reiterating his views, and supporting them with additional learned arguments.

We cordially acknowledge the ability and erudition in these two treatises, and the excellence of some of the alterations in the text

* Leo considers that the work is a real letter rather than a *commentariolum*, not intended for publication in the form in which it now stands (see Comm. *ad fin.*). It was, he thinks, not published until after the time of Asconius. Thus Asconius (p. 84) adduces the names of men murdered at Catiline's instigation: if he had known Comm. § 9, he might have added at least one more name, Titinius.

† Yet at p. 114, 5 he seems tacitly to allow that Quintus was the author.

proposed therein; but as to the main thesis we confess that we are not convinced. The burden of proof of course rests on those who deny the authenticity, as the external authority of the mss virtually agrees in assigning it to Quintus. Now, it is not any argument against the authorship of Quintus to point out that the *Commentariolum* is written according to scholastic rules,* nor to show how very laboured and wooden the divisions and subdivisions of the treatise are.† Indeed, Prof. Leo, as Mr. Hendrickson (p. 18) points out, considers that the elaborate *partitio* is an archaic feature and characteristic of the Stoical philosophy, to which Quintus inclined,‡ and is thus a mark of genuineness. We may be sure that there were plenty of laboured essays produced in the schools in Cicero's time; even the *De Inventione* of Cicero himself is somewhat wire-drawn in its divisions; though it was Cicero's merit in his later rhetorical treatises to have abandoned what Teuffel (§ 181) calls the "barren schematism of the scholastic rhetoric" for a more attractive style. Nor is it surprising that the heads of the discourse are somewhat similar to those recommended by Quintilian, and in a measure actually exemplified in two *suasoriae* attributed to Sallust, and addressed *ad Caesarem senem de republica*. In any case where advice or information is given,§ it is almost essential that, in case a methodical plan is adopted, the consideration must turn on the subject-matter of the advice or information, and on the powers and circumstances of the person addressed: and if the pseudo-Sallustian treatises, as well as the *Commentariolum*, explicitly state that the person addressed cannot be ignorant of the points which are urged, but that possibly he may be too busy to see at once all the sides of the question, such a statement is no more than an ordinary expression of politeness, and would naturally occur to independent writers, especially when the person addressed in each case was an active man of affairs.

* This will cover the arguments, from rhythmical considerations, adduced by Mr. Hendrickson, pp. 18–21.

† Leo (p. 448) refers to Brut. 302, which shows the great ability Hortensius possessed as regards elaborate divisions of his speeches into heads; and he compares Pro Quinctio 35 *totam causae meae dictionem certas in partis dividam. Tu* (sc. Hortensius) *id semper facis quia semper potes.*

‡ In De Div. i. Quintus is introduced defending the Stoical view of divination.

§ It has been noticed above (p. 119) that the work which Varro addressed to Pompey was of a similar nature to the *Commentariolum*: cp. Gellius xiv. 7, 1 (*Consulatum*) *Pompeius cum inturus foret, quoniam per militiae tempora senatus habendi consulendique, rerum expers urbanarum fuit, M. Varronem, familiarem suum, rogavit uti commentarium faceret* εἰσαγωγικόν*—sic enim Varro ipse appellat—ex quo disceret quid facere dicereque deberet cum senatum consuleret. Eum librum commentarium, quem super ea re Pompeio fecerat, perisse Varro ait in litteris quas ad Oppianum dedit.*

The special cases in which there is a correspondence between the *Or. in Toga Candida* and the *Commentariolum* do not admit of deciding the priority between the two treatises. Thus in (*e*), quoted above, p. *125, even supposing that the treatment of the idea by Marcus is superior to that of Quintus—a point urged by Mr. Hendrickson*—it does not necessarily prove more than that Marcus was a greater artist than Quintus: he may have improved the setting of an idea supplied by his brother. It is *a priori* probable that a point would be improved and not spoiled by repetition, especially in the hands of a competent stylist. That *video esse* in Comm., § 54, introduces a quotation or appeal to authority, and thus probably refers to Horace Sat. i. 3, 58, is unlikely.† Most interesting is the correspondence noted by Mr. Hendrickson between Comm. 45 *illud difficilius . . . quod facere non possis ut id aut . . . iucunde neges. . . . Nam cum id petitur quod honeste aut sine detrimento nostro promittere non possumus, quo modo si qui roget ut contra amicum aliquem causam recipiamus belle negandum est*, and Publilius Syrus in Gellius xvii. 14 fin. *Pars beneficii est quod petitur si belle neges*, owing to the somewhat unusual expression *belle negare*, and the fact that Publilius Syrus appears to have been admired by the young men of the rhetor Seneca's time;‡ and thus it may be argued that the author of the Comm. probably adopted these very words from Publilius. But the expression is one that would naturally occur to both writers, when they came upon the topic of courteous refusals: and it is not probable that the author would have drawn upon Publilius Syrus for just one expression, and not availed himself of many other of the wise sayings of that interesting author.

Mr. Hendrickson, with excellent judgment, lays no great stress on the discrepancy between Asconius 88 and Comm. 19 as regards the time at which Cicero defended Gallius. It is probable that Asconius is in error (cp. Leo, p. 450, note 1). Mommsen (St. R. iii. 484, 3) notices that in Comm. 33, "in der in früher Zeit dem Q. Cicero untergeschobenen

* P. 5. "But it will hardly be questioned, I imagine, that, looked at *per se*, the place where the metaphor is most natural and in most organic relation to the context is most likely to be the original place of its occurrence."

† The passages quoted by Mr. Hendrickson in support of this view—De Leg. ii. 8 *hanc video sapientissimorum fuisse sententiam*: Orat. 67 *video visum esse nonnullis*—are not quite parallel: because the essential words which make those passages appeals to authority are *sapientissimorum* and *nonnullis*; and no such words are found in Comm. 54. The appeal is merely to experience, as in Comm. 56 *Video nulla esse comitia tam inquinata largitione quibus non gratis aliquae centuriae renuntient suos magno opere necessarios.*

‡ Cp. Controv. vii. 3 (18), 8, p. 325, ed. Kiessling *Memini Oscum cum loqueretur de hoc genere sententiarum quo infecta iam erant adulescentulorum omnium ingenia, queri de Publilio, quasi ille iam hanc insaniam introduxisset.*

Bewerbungsschrift,"* Marcus Cicero would not have spoken of the *adulescentuli*, who were the *ordo equester* proper, as a mere section of that *ordo*. But that does not preclude the supposition that a less accurate writer like Quintus may have done so; and from the close of the fifth century of the city the *ordo equester* had a much wider signification than the *equites equo publico*. Quintus may have differentiated the *equites* proper and the *ordo equester*, as Livy would seem to have done.†

These points, however, even supposing that they were to be regarded as mistakes, are rather slight ones. Far more striking, on the other hand, is the vivid and accurate view that the treatise gives of Cicero's position towards the different parties and factions in the active world of politics at Rome about the time of his consulship. This point is well insisted on by Cauer (*Ciceros politisches Denken*, p. 77, note), whose remarks are well worth quoting:—

> Die politische Lage der Jahre 64 und 63 und Ciceros Stellung dazu tritt uns in der Schrift seines Bruders Quintus de petitione consulatus sprechend entgegen: Darin liegt ein Beweis für die Echtheit dieses Werkchens, neben dem alle Bedenken nicht ins Gewicht fallen. Es würde einem späteren Rhetor unmöglich gewesen sein, ein Augensblicksbild aus einer schnelllebigen Zeit so scharf zu erfassen und Ciceros politische Haltung so bis in alle Feinheiten zu verstehen. Auf den ersten Blick sehen wir freilich nur einen Politiker, der, unbekümmert um alle sachlichen Fragen, aus berechnendem Ehrgeiz sich mit allen gut zu stellen sucht. Bei genauerer Betrachtung aber

* He makes a similar remark at p. 497, 3. In this latter note Mommsen suggests two good emendations in Comm. 33 *et inde habes tecum* for *deinde habes tecum:* and in the next sentence he reads *tum autem memini* (*tum autem emi* MSS.) *quod equester ordo tuus est: sequuntur autem* (the Erf. MS. gives this *autem*, but the Harleian omits it) *illi auctoritatem*, &c. Unfortunately we did not know of this emendation before the text was printed off, otherwise we should have accepted it. Nor did we know of Mommsen's almost certain correction (St. R. iii. 114–5) of Comm. 30 *habeto rationem urbis totius, collegiorum, montium* (for *collegiorum omnium*), *pagorum, vicinitatum*, with which he compares Cic. De Domo 74 *nullum est in hac urbe collegium, nulli pagani aut montani* (*quoniam plebes quoque urbanae maiores nostri conventicula et quasi concilia quaedam esse voluerunt*) *qui non amplissime non modo de salute mea sed etiam de dignitate decreverunt.* The contrast of *montani* and *pagani* is not infrequently found, cp. Varro L.L. vi. 24 *Dies Septimontium nominatus ab his septem montibus in quis sita Urbs est: feriae non populi, sed montanorum modo; ut Paganalia qui sunt aliquoius pagi*; and Festus 340, 15 *montani paganive sifis* ('pipes') *aquam dividunto.*

† Livy xxi. 59, 9, *ab neutra parte sescentis plus peditibus et dimidium eius equitum cecidit: sed maior Romanis quam pro numero iactura fuit, quia equestris ordinis aliquot et tribuni militum quinque et praefecti sociorum tres sunt interfeti*; cp. Greenidge, *Roman Public Life*, p. 224: "The word *equites* primarily and properly applied only to the citizen cavalry of 1800 men, serving on horses supplied by the State. These formed the *centuriae equitum equo publico*; and this class was the *ordo equester* in the

zeigt sich doch, wie verschieden Cicero zu den verschiedenen Parteien und Gruppen steht. Mit den Rittern ist er eng verbunden, dem Senat hat er durch sein bisheriges Tun eine Bürgschaft für seine konservative Gesinnung gegeben, das Volk soll er mit demokratischen Redensarten und Huldigunden gegen Pompeius abspeisen. Vgl. besonders 53: *Atque etiam in hac petitione maxime videndum est, ut spes rei publicae bona de te sit et honesta opinio; nec tamen in petendo res publica capessenda est neque in senatu reque in concione, sed haec tibi sunt retinenda, ut senatus te existimet ex eo, quod ita vixeris, defensorem auctoritatis suae fore, equites et viri boni ac locupletes ex vita acta te studiosum otii et rerum tranquillarum, multitudo ex eo, quod dumtaxat oratione in concionibus et iudicio popularis fuisti, te a suis commodis non alienum futurum.*

Mr. Hendrickson concludes his paper with some good suggestions. Thus, he is undoubtedly right in reading *sororum* for *sororis* in § 9. F has *sororum* (according to Mr. Hendrickson, who has himself consulted the ms), and H *sorore*, with correction to *sororum* by the original hand. He also, in § 41, advocates the reading of Lag. 50 *speciem* instead of *spem*, as *spem in republica* ought to mean Cicero's own hope or confidence in the State, not the expectation entertained by the State of the line he would take in politics, which would have to be the meaning if § 53 referred to *spes in republica* here. Mr. Hendrickson holds that we should read *speciem in publico* (comparing Tacitus Dial. 6 *quae in publico species!*), and that the treatment of this head is contained in § 52, a section introduced in *Postremo*. This is an excellent suggestion, and probably right.

In conclusion, we wish again to draw attention to Mommsen's (St. R. iii. 114, 5) brilliant correction of *collegiorum omnium*, *pagorum* to *collegiorum*, MONTIUM, *pagorum*, mentioned above, p. *131, note.

strict sense. It is true that *equites* had come to have a wider meaning than this. About the close of the fifth century, individuals possessing a certain census, and not included in the equestrian centuries, were permitted to serve as cavalry with their own horses. They were no definite body, but were selected for a particular service by the commander, if the censors had admitted their pecuniary qualification. The consequence was that the terms *eques* and even *ordo equester* were transferred to these potential knights, and came to specify all who possessed a certain census, which, in the Principate and probably in the later Republic, was 400,000 sesterces."