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The correspondence of M. Tullius Cicero

arranged according to its chronological order

Cicero, Marcus Tullius

Dublin, 1904

Letter of the third year of Cicero's correspondence, ep. 9

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LETTER OF THE THIRD YEAR OF CICERO'S CORRESPONDENCE.

EP. 9.

A. U. C. 688 ; B. C. 66 ; AET. CIC. 40.

COSS. M. AEMILIUS LEPIDUS, L. VOLCATIUS TULLUS.

THIS was the year of Cicero's praetorship. While holding that office he defended A. Cluentius Habitus in a very able speech. But the year of his praetorship is rendered memorable chiefly by his speech in favour of the Manilian Law, which gave to Pompey a commission to carry on the war against Mithridates, with the government of Pontus, Cilicia, and Bithynia. This was his first great political speech. In it he spoke the sentiments of the moderate Optimates, who thought that it was the true policy of the senate to endeavour to make Pompey the champion of their class.

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9. TO ATTICUS AT ATHENS (ATT. I. 4).

ROME; A. U. C. 688 (FIRST HALF); B. C. 66; AET. CIC. 40.

De Attico ad comitia Q. fratris et ad Acutilianam controversiam transigendam exspectato, de condemnatione C. Macri, de signis, ornamentis, libris aut emptis aut emendis.

CICERO ATTICO SAL.

1. Crebras exspectationes nobis tui commoves. Nuper quidem, cum iam te adventare arbitraremur, repente abs te in mensem Quintilem reiecti sumus. Nunc vero sentio, quod commodo tuo facere poteris, venias ad id tempus quod scribis: obieris Q. fratris comitia, nos longo intervallo viseris, Acutilianam controversiam transegeris. Hoc me etiam Peducaeus ut ad te scriberem admonuit: putamus enim utile esse te aliquando iam rem transigere. Mea intercessio parata et est et fuit. 2. Nos hic incredibili ac singulari populi voluntate de C. Macro transegimus. Cui cum aequi fuisset, tamen multo maiorem fructum ex populi existimatione illo damnato cepimus quam ex ipsius, si absolutus esset,

1. *in . . . reiecti*] 'put off till.'
sentio] This is the ms reading, changed by Lambinus to *censeo*. Klotz, in ed. 2nd, rightly restores *sentio*.

Q. fratris comitia] For the curule aedileship to which he was elected the next year.

2. *Nos hic*] 'I have settled the case of C. Macer, and gained thereby such marked approbation as you would hardly have believed possible. *Though I might have taken a lenient view of the case (might have let him down easily)*, I gave sentence against him, and have reaped much greater benefit from the popular approbation thereof, than I could have gained from his good offices had he been acquitted.'

This was the historian, C. Licinius Macer, who, as *repetundarum reus*, came before Cicero as praetor, and was condemned; cp. Val. Max. ix. 12, 7: Plut. Cic. 9. This discreditable sentiment has

been mitigated by the edd. from Manutius to Merivale, by a mistranslation of *aequus*. Merivale renders 'I have done him strict justice, yet,' &c., thus confounding *ius* and *aequum*. *Aequus* means *favourable, friendly*, as in 'uni *aequus* virtuti atque eius amicis,' 'aequa Venus Teucris Pallas *iniqua* fuit,' 'aequi boni facit,' and other places. Casaubon first corrected the mistranslation of *aequi*; but he took *fuisset* as if it were *fuimus*. The subjunctive *fuisset* is both concessive and (elliptically) conditional: 'though I might have taken a lenient view (had I so willed).' We shall have something to say about another form of elliptical conditional sentence on Ep. 27. The view of the passage here given was originated by Tunstall, and is accepted by Boot. But perhaps the subj. is only concessive, 'though I had been favourable to him.'

gratia cepissimus. 3. Quod ad me de Hermathena scribis, per mihi gratum est. Est ornamentum Academiae proprium meae, quod et Hermes commune omnium et Minerva singulare est insigne eius gymnasi. Qua re velim, ut scribis, ceteris quoque rebus quam plurimis eum locum ornes. Quae mihi antea signa misisti, ea nondum vidi. In Formiano sunt, quo ego nunc proficisci cogitabam. Illa omnia in Tusculanum deportabo. Caietam, si quando abundare coepero, ornabo. Libros tuos conserva et noli desperare eos *me* meos facere posse. Quod si adsequor, supero Crassum divitiis atque omnium vicos et prata contemno.

3. *Est ornamentum*] 'It (the Hermathena) is an ornament appropriate to my Academy, because Hermes is the usual decoration of all such places, and Minerva is peculiarly suited to mine.'

A Hermathena is a bust of Athena, superposed on a quadrangular pillar; compare such combinations as Hermeracles (Ep. 6, 3), Hermares, Hermeros, Hermanubis. The prefix *ἑρμ-* signifies the quadrangular pillar (*ἡ τετραγώνος ἐργασία*, Thucyd. vi. 27) on which the bust rested. In Epp. 4 and 5 Cic. speaks of this and other similarly formed pieces of sculpture as *Hermae*. A Hermes-pillar surmounted by the bust of a divinity is (says Cicero) a kind of ornament found in every gymnasium; such a pillar with a bust of Minerva is especially appropriate in my gymnasium, which was to be used solely for mental and not for bodily exercise. It is possible that Hermathena may have signified a double-headed bust of Hermes and Athena: but if so, it is strange that Cic. would not have used Mercurius for Hermes, or Athena for Minerva. But inasmuch as there was no Latin word to express the peculiar kind of ornament which the Greeks called a *Hermes*, Cic. was compelled to use the Greek term. See Roscher, *Lexikon der Mythologie*, 2, p. 2342, and Gurlitt (*Steglitz Programm*, 1898, pp. 1-3). We have not followed Boot in omitting *insigne*,

as he is wrong in saying that it rests *only* on the authority of Bosius. It is not found in M, but is in Z, in the marg. of Lambinus' ed., and also in several members of the Σ class. See Lehmann, 'Att.', p. 134, and Introduction, iii., On the Sources of the Text.

ea nondum vidi] Merely because *nondum* occurs here, Baiter would read *nos ea nondum vidimus* in the preceding letter—a vicious principle; as if because Cicero says 'I have not yet seen them' in one letter, he should not say 'I have not seen them' in another, more especially as *nondum* is quite necessary here, contrasted as it is with two other points of time, in the words 'quae mihi antea misisti,' and 'quo ego nunc proficisci cogitabam.'

Caietam] This is the ms reading, usually changed to *Caietanum*; but Klotz justly observes that Cicero may have preferred rather to call his villa *Caieta* than *Caietanum*. It was the same as the *Formianum*; see O. E. Schmidt, *Ciceros Villen*, p. 27, especially Note 2.

Crassum] Crassus is the typical millionaire of Roman literature; see Fin. iii. 75; Plin. H. N. xxxiii. 134.

vicos et prata] 'I envy no man's manor and demesne.' For *vicos* in this sense, see Horace, Ep. ii. 2, 177, and Fam. xiv. 1, 5 (82). Others translate 'city and country property.'