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The correspondence of M. Tullius Cicero

arranged according to its chronological order

Cicero, Marcus Tullius

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Einleitung

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INTRODUCTION.

I.—HISTORICAL.

§ 1. Cicero and the Triumvirate.

The period succeeding Cicero's restoration from exile has been seized on by his detractors as an opportunity for depicting him as a political apostate, or a time-serving trimmer. The whole pack of minor *feuilletonistes* follow in full cry the lead of the sovran *savant*, the prince of historical-epoch-makers, Theodor Mommsen. What may be thought of the outrage which he has perpetrated on the fame of Cicero has been already said. We will now try to trace the career of Cicero in the troublous times at which we have arrived, not in the spirit of the public prosecutor of a somewhat feeble criminal, but as the unbiassed spectator of the conduct of a great and good man under singularly difficult circumstances.

Even his admirers do not care to dwell on this epoch. 'Ce n'est pas,' writes Gaston Boissier, 'une belle époque de sa vie, et ses admirateurs les plus résolus la dissimulent le plus qu'ils le peuvent.' He is generally represented as vacillating between the aristocracy, his old party, and the coalition between Caesar, Pompey, and Crassus, which is commonly spoken of as the first Triumvirate. We will briefly review the relation of Cicero to the chief events of the period covered by Part iv. of the Correspondence, and to the chief actors who took part in this scene of the Tragedy of the Fall of the Roman Republic.

Cicero is said during this epoch to have continually halted between the Optimates and the Triumvirs. But it would be a mistake to suppose that two clearly defined parties presented

themselves to him that he might choose between them. Gaston Boissier well remarks that 'les questions ne se posent pas aux yeux des contemporains avec la même netteté qu'à ceux de la postérité.' The terms *Optimate* and *Triumvirate* have for us a *netteté* which misleads us when we contemplate their relation to the mind of Cicero. A few years before *Optimate* meant for him Pompey, or at least the union of Senate and Equites under the leadership of Pompey, the soldier-chief of a free Republic, another Scipio, to whom Cicero should play Laelius. At this time such a party can hardly be said to exist. When Cicero now speaks of the *boni*, he adds, 'I am not sure that they are not an extinct race,' *qui nescio an nulli sint*. During the coalition the Optimates, if not extinct, were at all events in a state of suspended animation, from which they were not thoroughly aroused but by the fall of Caesar. This is what Cicero deplores. He does not express regret for any defection from a party, though he deeply regrets that he must give up his old political sympathies.* Writing to Lentulus in 699 (55), he complains, 'You are sensible how difficult it is to lay aside one's political sympathies, especially when they are well grounded and deeply seated.'† And then he goes on to declare that the constitutionalists are extinct, and that his esteem for Pompey, and his natural bias toward him, make him regard all his policy as straightforward and fair.

Now, how does the Triumvirate present itself to Cicero? The Triumvirate, too, in the main, spells Pompey. In fact, from the Mithridatic War to Pharsalia, Pompey was the imposing figure to Roman eyes. His opinions, his principles, his relations to the parties, seemed the main factors in the political situation to every Roman—except, perhaps, Pompey himself. Cicero constantly complains that Pompey wrapped himself in mystery; *ut loquebatur*, he says,‡ must be our refrain, like the καὶ τόδε Φωκυλίδου of

* When Cicero tells us that Pompey has in 'the archives of his pocket-book as long a list of future consuls as the State records have of consuls past,' we feel that the Empire has already begun. Adhesion to the Optimate cause would at this time have been looked on as an act of insanity. 'How do you suppose I feel?' he writes (110, § 2); 'I am looked on as a madman if I say what duty bids; as a slave if I follow the dictates of expediency; and if I hold my peace, I am said to be brow-beaten and in thraldom.'

† 119, § 2.

‡ 122, § 1; cp. 90, § 2.

the old gnomic poet, whenever we speak of Pompey: again, *velit nolit scire difficile est* *: and, 'you know how slow and how silent he is.'† To Cicero he seems a perfect treasure-house of *haute politique*, carefully and deliberately shrouded by him in silence. The cynical Caelius takes a much lower view of this sphinx, when he writes to Cicero‡—

'If you have met Pompey, let me know what impression he gave you, how he spoke, what views he expressed—his real feelings are of course quite different from what he expresses; but then he has not sufficient adroitness (*neque tantum valere ingenio*) to conceal his thoughts.'

Probably the real reason why he never disclosed his opinions was that he had no opinions to disclose. But such was not the belief of his contemporaries in general, few of whom were so irreverent as Caelius. To Cicero, as I have said, the Triumvirate mainly meant Pompey. He does not use the words 'Triumvirs' and 'Triumvirate' at all: the nearest approach is Prov. Cons. 41, quoted on p. xii. (note †). Nor have they any consistent solidarity for Cicero. Sometimes he calls them *illi qui tenent*, or *qui tenent omnia*, or *populares*, or *dynastae*; sometimes the primacy of Pompey is more clearly expressed, as when he calls the Triumvirs *dominus* (Pompey) and *advocati* (Caesar and Crassus).§ Anon he speaks of the Triumvirate as if it were the autocracy of Pompey. Writing to Atticus (154, 2), he says: 'I feel no concern at seeing all the powers of the State in the hands of one man. Why? Because it is breaking the hearts of those who could not bear to see any power at all in mine.' Of course in process of time the coalition begins to look more like a party. Cicero speaks of it as *res* in 119, 1, and writes as if it were likely to be indefinitely prolonged, as, indeed, it might have been but for the deaths of two not very eminent people, Julia, the wife of Pompey, and the Triumvir Crassus, than whom, at this crisis, Rome could certainly have better spared a better man. His feelings towards the several members of the coalition are quite different. He speaks of Crassus in his private letters in the language of dislike and

* 159, § 4. † 104, 2 nosti hominis tarditatem et taciturnitatem.
‡ Fam. viii. 1, 3 (192).
§ Att. ii. 19, 3. It is most probable that this is the meaning of the passage.

contempt. *O hominem nequam** are the words which dismiss him on his journey to the province from which he was never to return. We have seen that he professes, at least, to enjoy carrying out the behests of Pompey; but he feels that the *palinode* in praise of Caesar 'looks a little ugly' (*subturpicula*). Yet he is repelled by the unsympathetic arrogance of Pompey, and fascinated by the generous courtesy of Caesar, from whom, however, he recoils as the natural enemy of the Constitutionalists. The coalition had not any such solidarity as would have justified Cicero in looking on it as a permanent Party; it was not much more than a temporary Cave. It was, indeed, a coalition which never fully coalesced. Cicero might himself have made it a Quattuorvirate, as he expressly tells us in the speech *De Provinciis Consularibus*.† The ties which held together the champion of the democracy, the leader of the aristocracy, and the great capitalist, were at different times drawn very tightly and almost entirely relaxed. It was a conspiracy of Genius, Position, and Capital, against the Law, which places bounds to all these three. How the ideal of Cicero became impossible, and how Pompey drifted into the lawless designs of Caesar, is excellently told by a careful student and brilliant exponent of this epoch of Roman history.‡ When Pompey returned, the idol of his victorious army at the conclusion of the Mithridatic War, he might have seized Rome and established a military despotism, as Caesar did afterwards. As we know, he refrained from such a treacherous and criminal act. The sequel is thus described in the essay to which we have referred:—

'Pompey believed that the highest place would be freely granted to him as soon as he had proved his loyalty by refusing to seize on it. He appealed to the honour of his countrymen not at least to refuse that which a few weeks before he could have commanded—the confirmation, namely, of his arrangements respecting his Asiatic conquests, and the redemption of his promise of grants of

* 130, 2. The letter to Crassus (131) is a somewhat official composition, and is not to be taken as a perfectly accurate expression of opinion.

† § 41 *me in tribus sibi coniunctissimis consularibus esse voluit.* Observe the vagueness of the words which mean the Triumvirate. For other proofs leading in this direction, see Att. ii. 1, §§ 6 and 7 (27); ii. 3, 3 (29). See also vol. I^3, p. 29, note ‡.

‡ Mr. J. L. Strachan-Davidson in *The Quarterly Review*, No. 296, October, 1879.

land to his victorious soldiers. With a short-sighted perversity of ingratitude the Senate refused both these requests. Pompey's disappointment was bitter; he was called to act in a situation where right and wrong were no longer so clear, and in which his want of political capacity and political training led him into fatal errors. A year and a half elapsed from Pompey's landing in Italy, and still the confusions of the situation showed no signs of clearing. The union of Senate and Equites under the leadership of Pompey, the ideal combination of which Cicero dreamed, failed to realize itself, owing to the selfishness and impracticability of the parties. At length, about the middle of the year 694 (60), Caesar, who had been absent for some months as pro-praetor in Spain, returned to Rome; and a very different solution presented itself in the famous coalition of Pompey, Crassus, and Caesar. Caesar promised, if he were made consul, and were duly backed up by his confederates, that he would obtain for them, legally or illegally, the measures which each desired. The Equites, with whom Crassus was leagued, were anxious for a remission of their contracts for the collection of the taxes; and this claim was now to be satisfied. Pompey's acts in Asia were to be confirmed, and his soldiers were to have their lands. Caesar in return bargained for a province and an army. The bribe was too tempting to be resisted. The patience of Pompey was worn out. He had not the magnanimity to submit to vexation and discomfiture rather than swerve from the straight path. He had virtue enough not to break the law himself, when he might have reaped all the advantages of the crime; he had not firmness enough to refuse to take advantage of the breach of the law by another, who professed himself willing to act in his behalf. In his short-sightedness he probably hardly recognized that his compact with Caesar was treasonable. This compact is the turning-point of Pompey's life. Henceforth he is no longer master of his own course; he is driven to a succession of forced moves. He, who would fain be the champion of legality, is obliged to defend the illegal acts of Caesar. He, who refused to bear arms against the State, provides with an army a rival who has no such scruple. In the interest of the coalition to which he has bound himself, he is obliged to undertake the task for which he is least fitted, that of guiding the turbulent politics of the city. His warlike achievements grow pale beside the fresh glories of Caesar. His efforts to obtain a compensating power elsewhere fail. In spite of misgivings, he is forced to renew the Triumvirate at the conference of Luca. He is doomed to work at building up, stone by stone, the edifice of his rival's greatness, only to find out too late that he has created a power which aims at the destruction of the Republic, and to perish at last in a desperate effort to undo the work of his own hands.

'Pompey's great fault is, that he aspired to a political career without any political creed or political principle. He belongs to no party; he represents no consistent idea. He never seems to have come to any conclusion on the main question of the day, the alternative of an aristocratical or a despotic government. In his youth his sword had helped Sulla to set up the authority of the Senate; and he drew the sword again in his old age in vain defence of that authority; yet, by

his restoration of the tribunician power in his first consulship, he struck a deadly blow at the polity which Sulla had established; and in his extraordinary commands and offices he traversed every rule of the aristocratic *régime*, and gave precedents for almost all the arrangements of the imperial system. Dean Merivale has some justification for beginning his "History of the Romans under the Empire" with the return of Pompey from the conquest of Mithridates. Throughout a long political life Pompey hardly ever ventured to initiate a policy or to originate a reform. He wished to be the leader of Roman politics, but had not the wit to see that a leader must needs accept responsibility. Because he is virtuous, Rome is to tolerate a physician who has no idea what is the disease of which the State is sickening, or what the remedy which he will prescribe.'

All credit is due to Pompey for refraining from the crime which Caesar committed when he made himself master of Rome by force of arms. Yet it may be doubted whether the face of history would have been greatly changed if Pompey had won the Battle of Pharsalia. The use which he made of his position as the sole remaining Triumvir on the departure of Crassus for Syria (the other, Caesar, being absent in Gaul) was certainly far from constitutional. His first design seems to have been to gain the dictatorship; but his characteristic *tarditas et taciturnitas* made him dissemble his ambition, hoping apparently that the greatness would be thrust on him which his 'flat unraised spirit' forbade him to achieve for himself.* His first act was to seek the support of Cicero. We must take a very brief retrospect, to show in what position the great orator now stood.

When Cicero returned from exile, he enjoyed an unmixed triumph in his reception by Rome and Italy. It is an incident unique in Roman history, and justifies the words in which he speaks of his return as 'an ascent into heaven, rather than a restoration to his country' (Pro Dom. 75). Indeed the glories of his return for a while eclipse in his mind, and supersede in his words, the triumphs of his consulate. Three days after his return

*A fine phrase of Pindar's excellently describes Pompey:—'There is whom, overmuch mistrusting his strength, a faint heart, dragging him back by the hand, hath robbed of his guerdon due'—

τὸν δ' αὖ καταμεμφθέντ' ἄγαν
ἰσχὺν οἰκείων παρέσφαλεν καλῶν
χειρὸς ἕλκων ὀπίσσω θυμὸς ἄτολμος ἐών.—Nem. xi. 30.

he proposed the investment of Pompey with the Commissionership of the corn-supply. This was merely a mark of gratitude for the part which Pompey had taken in his restoration; and no one looked upon it as a bid for the favour of the Triumvirs. The extraordinary warmth of his reception, the acquittal of Sestius, and many other circumstances, made Cicero hope for a revival of the Optimate party. The consuls for the year were *boni*. The Triumvirate seemed to be falling to pieces. Cicero began to think he might resume his old position as champion of the aristocracy. He was bold enough to announce on April 5, 698 (56), his intention of calling on the Senate to review, on May 15, the legislation of Caesar's consulate in 695 (59), especially the allotment of the Campanian land under the agrarian laws of that year. This was a direct challenge to Caesar, and would have revived the Optimate party by giving them a banner round which to rally. But Cicero ought to have perceived that his former position was not to be regained. The attacks made on the workmen who were engaged in rebuilding his house on the Palatine showed him that he had many active and bitter enemies (cp. especially Ep. 92). The aristocracy, for whom he had suffered so much, were offended by the enthusiasm displayed at the restoration of the *novus homo*; and the *scurra consularis* had a biting way of putting a grumbling aristocrat in the wrong. The light of his genius quenched the embers of Optimate enthusiasm, as the rays of the sun seem to extinguish a dying fire. They petted Clodius (153, 19),* and

* Mr. A. C. Clark, in his admirable Introduction to his edition of the *Pro Milone*, has an interesting sketch of Clodius. He says (pp. xvi, xvii):—'The story of Roman anarchy is inseparably connected with the name of Clodius. It is not here to the point to inquire what degree of credence should be given to the various charges brought against his private character. Our information largely comes from Cicero, who is a prejudiced witness. The orator was a good hater; and it was a necessity of his nature to have an enemy. Clodius may not have been so black as he is painted. . . . The Roman nobles, who were always ready to overlook peccadilloes in an aristocrat, petted Clodius, and evidently looked on him as an amusing person, not quite responsible for his actions. However, after making all possible allowances, it cannot be doubted that he was devoid of all conscience, and paraded his contempt for law, order, and morals in an unblushing manner. . . . As a politician his chief object was *s'encanailler*, and so successful was he in this that he is known to history, like his equally famous and more brilliant sister, not by his patrician name of *Claudius*, but by the popular pronunciation of the name. He had no serious end in

cut down to a minimum the sums which had been allowed as indemnification for the losses his fortune had incurred. As Cicero says himself, in his interesting way (153, 15):—

'And I am truly grateful that these men desired my restoration. But I would fain that they paid some attention not merely, like physicians, to my restoration to health, but also, like trainers, to my strength and complexion. Now, just as Apelles elaborated the head and breast of Venus with all the highest finish of art, but left the rest of the body just blocked out (*inchoatam*), so, in respect of my citizenship, certain persons have spent all their efforts on my head, but have left the rest of my body unfinished and in the rough (*rude*).'

And they thought that he should be humble and retiring, and should take no prominent part in affairs. 'Those who had clipped his wings,' as he says himself (91, 5), 'did not care to see them sprouting again.' Though Cicero thought that his conduct could not cause any offence (153, 16, 17), yet he could not escape jealousy (cp. 114, 7). It was bad enough that they should grudge to the *parvenu* consular a house which had belonged to a Catulus, forgetting that it was bought by him from a Vettius: but the treachery and stupidity of his former party reached the climax when they failed to conceal from him their pleasure at the prospect that by his motion of May 15 Cicero would irritate Caesar beyond hope of reconciliation, and probably alienate Pompey as well (153, 10). Accordingly we are not surprised to find that Cicero had not his whole soul in the project of attacking Caesar's legislation, and that he did not resist when Pompey sent him an express order to withdraw his motion (153, 10). About April 11, Pompey, without showing any irritation against Cicero —such was his almost culpable reserve, unless we suppose that he was really indifferent as regards Cicero's motion—had left Rome on a visit to Sardinia and Africa; but, before crossing the water, he met Caesar and Crassus at Luca. There the celebrated conference was held about April 18, when the Triumvirate was put on a firmer and more definite basis than before. It is not needful

view except to amuse himself by making government impossible; while his peculiar delight was to worry his sensitive enemy Cicero, or to reduce to impotence Pompey the Great.'

here to go into the details of the policy adopted by the Triumvirs; but as regards Cicero it was decided that his opposition to Caesar's proposals must be checked. Caesar was, of course, annoyed at Cicero's proposals, and had been further rendered indignant by certain representations, or misrepresentations, made by Crassus. It appeared, too, that Pompey, behind all his reserve, was also somewhat vexed with Cicero (153, 9). Pompey immediately sent one of his subordinates, Vibullius, with a command—the word is Cicero's own, *cum mandatis* (153, 10)—to Cicero to withhold his motion on the Campanian question until Pompey's return; and crossing over to Sardinia he had an interview with Quintus, in which he told Quintus that he must make Marcus desist from this opposition to Caesar. The interview could not be better told than in Cicero's own words (153, 9) when writing to Lentulus:—

'It appears that Pompey was very much annoyed at my proposal, as I heard from others, and learned explicitly from my brother. For when Pompey met him a few days after leaving Luca, he said, "You are the very man I wanted; nothing could have been more opportune; if you do not speak very seriously to your brother Marcus, you will have to pay up the undertaking you made on his behalf." To be brief, he complained bitterly, and recounted his many kindnesses; he reminded Quintus of the frequent discussions he had had with him about Caesar's measures, and the undertakings Quintus had made on my behalf, and called my brother to witness that all his measures for my restoration had been taken with the approval of Caesar; and in recommending to me his interests and position, he begged me at least not to attack them if I found myself unwilling or unable to speak in their defence.'

Acting on the order of Pompey and the representations of Quintus, Cicero dropped the proposal. To the latter he says, a day or two after the Ides of May, 'The debate on the Campanian land, arranged for the Ides and following day, did not come off. In this matter the flow of my plans is obstructed' (*In hac causa mihi aqua haeret*, 117, 2).

In a letter to his brother, Cicero had announced very curtly that the obnoxious motion was made on April 5, not, however, connecting his own name closely with the matter*; and in the

* *Eodem die vehementer actum est de agro Campano clamore Senatus prope contionali* (106, 1). He distinctly refers to himself as the author of the motion in 153, 8. The

allusive fashion noticed above he records that the motion has been dropped (117, 2). Rome's least mortal mind was, after all, but mortal still; and Cicero should have been more than mortal if he had repelled the overtures of the Triumvirs, and ruined himself and his brother by waving a banner which his former allies would not follow (153, 21), though they would fain have encouraged him to wave it still, because they saw that his enthusiasm would be his ruin. Cicero, therefore, can hardly be said to have broken with his party, for there was really no Optimate party now; or, at all events, in Cicero's opinion, its sentiments were entirely different from what they were nine months previously, when he returned (153, 17); but he definitely gave himself to do the bidding of Pompey (cp. 119, 2). He wrote what he calls his *palinode*, which has been supposed to be his speech, *De Provinciis Consularibus*, with the express intention of making his step irrevocable; *ego mehercule*, he writes to Atticus (108, 1),* *mihi necessitatem volui imponere huius novae coniunctionis*. And he was faithful to this *nova coniunctio*. He often bewails the old cause that is lost, but he never contemplates throwing off his allegiance to the Triumvirs. He confesses that he was a 'downright ass' to believe so long in the feeble and treacherous aristocrats who had sacrificed him once, and were now more than ever ready to sacrifice him again.† Of course the charge of inconsistency was raised against

question had been mooted by Rutilius Lupus, a supporter of Pompey, in the previous December; but it had been postponed, as Pompey was absent from Rome at the time (93, 1, 2). Mr. Strachan-Davidson seems to think that Pompey encouraged Cicero to make the motion of April 5 (*Cicero*, p. 264: cp. 260). At all events, he probably never discouraged him.

* See note there, where the question what the παλινῳδία was is discussed.

† When he makes the confession to Atticus (108, 1) that his 'palinode looked a little ugly,' he goes on to say, *sed valeant recta vera honesta consilia*. This is usually understood to mean 'good-bye to the right, just, and honourable (Optimate) policy.' Thus he is represented as bidding adieu to the policy which he knows to be right. Now, it is surely remarkable that, in Fam. i. 8, 2 (119), he applies two of these three adjectives to the policy of Pompey. The reader, on consulting that passage, may, perhaps, see reason to believe that Cicero is here referring to the policy of the Triumvirs, not of the Optimates. 'But,' he exclaims, 'good luck to the policy which is at least straightforward, fair, and honourable; you could hardly believe in the existence of such treachery as the leading Optimates are guilty of,' *sed valeant recta vera honesta consilia. Non est credibile quae sit perfidia in istis principibus*. In the word *principibus* he certainly refers to the leading Optimates, who had shown such treachery

him—the common charge made against those who engage in politics. Cicero answers it himself; and the passage (Balb. § 61) is one of such quiet dignity, and contains so large an element of general truth, that we make no apology for quoting it. We may contendī (says Cicero) if need be against our political enemies; but we should spare the friends of our enemies:—

'And if my influence should have any weight with them in this matter, especially when they see that I have learned the lesson by a varied experience in life, I would urge them to give up even these more serious contentions. I have always been of opinion that political opposition, when you are defending what you believe to be right, is the course which courageous and great men should adopt; and I never shrunk from this laborious duty and task. But opposition is only wise so long as some good is done the State, or at all events no injury is done her. We desired a certain course, we strove for it, we tried it, but failed to maintain it. To others it was a pain, to me sorrow and desolation. Why do we try to tear in pieces rather than to maintain what we cannot change? The senate honoured C. Caesar with a most complimentary kind of thanksgiving, lasting for an unprecedented number of days. It also, though the public finances were straitened, assigned pay to his victorious troops, appointed ten lieutenants for the General, and voted that he should not be superseded in accordance with the Sempronian law. I was the chief mover of these proposals; and I did not think that I should express agreement with my former divergent view, but should rather act in accordance with the present exigencies of the State, and the prevailing unanimity. Others think differently; they may be more steadfast in their opinions. I blame no one; but I cannot agree with them all; nor do I think it a mark of inconsistency to direct one's opinion like the course of a ship, according to the way the winds of politics may blow. But if there are any who once they have conceived an enmity persist in it to the end—and I see there are some such—let them join issue with the leaders, and not with their retinue and following.'

Devotion to the conquered cause is perhaps the course which the world is most inclined to praise; but it is certainly not the

and jealousy of the reviving eminence of Cicero. The same class are called *principes* in Q. Fr. iii. 9, 3 (160). It is true that in 110, 2, he refers to the Optimate cause as the one to which duty calls him; but he adds that it would be downright madness to embrace it. The Optimates are an extinct race. To espouse the cause one should first revive it. It must, moreover, be observed that, in 110, 2, he speaks of a projected attack on the Optimate policy, *commentor ut ista improbem*; and they are referred to as *isti* in Att. iv. 18, 2 (154): indeed, it would be hard to explain the use of *isti* or *ista* for the Triumvirs and their views in a letter to Atticus. It is maintained in a note on this passage that *ista* can hardly refer to the Triumvirs' policy.

course which it is most ready to adopt; and the gods, too, as the poet says, approve the victor.

But what rankled in the mind of Cicero was the jealousy and treachery of the nobles; and he could not account for it even on the theory that they despised his *novitas*. Writing to Lentulus (114, 8), he says: 'I see that it was not my want of hereditary distinction that made them jealous of my fame, for I perceive that they were as jealous of you, though of the noblest house.' The advice which he says he got from Atticus was, 'That he should enact the politician and play the safe game.'* The safe game was the cause of the Triumvirs. And Cicero, after once espousing it, shows no tendency to relinquish it, though he often deplores the high-handed acts of Pompey† and his colleagues, and 'the untimely work that is done under the sun'; and sighs for the good old times which were gone never to return.‡ 'In a word,' he writes to his brother, 'they are irresistible; *and they want to make this generally felt.*'§ The whole state of things is σκυλμός,‖ 'a piece of *tracasserie*.' Yet there is no choice. The Optimates are not what they were; they are virtually extinct. His sole ambition now is to fling away ambition, to keep out of politics, to turn his back even on his forensic career, and to devote himself to literature and to his family (cp. 160, 2). In this connexion it is interesting to notice the expressions *nostra Urania*, and *nostrum Iovem*, which he sometimes uses, and to remember that the counsel of Urania and Jupiter was probably that he should betake himself to the calm delights of study and literature.¶ His public speeches at this period are models of *finesse*, carefully constructed so as to give offence to nobody (cp. 153, 17). Borrowing a proverbial expression, perhaps from his contemporary Catullus, he calls himself *oricula infima molliorem* (141, 4).** In 153, 17, he writes: *neque vero ego mihi postea* (sc.

* 118, 4, where see note. † See 118, 2.

‡ Writing to Curio (176, 2), he says: 'I am afraid when you come you will find nothing here to interest you; public life is in such a state of syncope—indeed almost complete collapse' (*adflictam et oppressam*).

§ 120, 3. ‖ 130, 1. ¶ See note on 120, 1.

** *Mollior . . . imula oricilla*, Catull. 25, 2. He again seems to borrow a phrase from Catullus (31, 1), in the words *ocellos Italiae villulas*, Att. xvi. 6, 2 (775). But

after my restoration) *quidquam adsumpsi neque hodie adsumo quod quemquam malevolentissimum iure possit offendere.* But Cicero could not rest. In a letter to his brother, he says, 'I must be at something else; I cannot remain quiet.'* Cicero knew not what it was to rest. His nearest approach to rest was a change from one form of mental activity to another. But Cicero was not able to persuade himself to believe what he wished to believe. His eloquence was efficacious only with his hearers—'rather calculated to win the assent of others than of myself.'† That Cicero was not undecided—that he was not hovering between two rival policies—is made very clear not only by the passage we have quoted from the *Pro Balbo* (p. xix, above), but also by a letter to Quintus (152, 2, 3). Some of his friends had urged Cicero to act as prosecutor of Gabinius. He points out how this would have brought on him the hostility of Pompey without securing any good result. It would be like the fight between Pacideianus and Aeserninus—on the one side all the skill, on the other irresistible brute force.

Let us now observe the conduct of Pompey on finding himself the sole representative of the Triumvirate at Rome, and assured of the support of Cicero. In those days to have Cicero on one's side was a great matter. Pompey was in the position of a modern statesman who should have just secured the support of the greatest of the great London daily papers. This was seen by no one so clearly as by Caesar. Herein, as in other matters, he towered above the men of his time. When Cicero showed signs of assuming a hostile attitude, Caesar expressed the gravest concern, and at Luca probably urged the necessity of conciliating, or, if it must be so, crushing Cicero. He was ready for either alternative, though he infinitely preferred the former. Pompey was probably quite Olympian enough to think he could dispense with Cicero. When, on meeting Q. Cicero in Sardinia, he desired him to ask his brother 'not to attack Caesar if he would not or could not support him,'‡ we may be very sure that the appeal was made at the instance of Caesar; but the brusque

Cicero never mentions Catullus, and consistently avoids quoting from contemporary poets.

* 139, 1. † 141, 5. ‡ 153, 9.

wording of it was due solely to Pompey. Contrast with this the lofty courtesy of Caesar, who, on learning, or rather inferring, from a letter which could hardly be deciphered (owing to the action of water, in which it had been accidentally immersed), that Quintus proposed to join him in Gaul, was so overjoyed at the good feeling on the part of Marcus implied in this step, that he writes to a friend, 'I cannot make out for certain what you say about Cicero; my guess at the meaning gives, I am afraid, too good news to be true.'* We are not surprised to find that, in a letter written just after hearing this expression, Cicero says that he grapples Caesar to his soul with hoops of steel,† and declares that he is 'the one plank in the shipwreck of things' to which he clings with a sense of pleasure; while of Pompey, he exclaims, 'Gods! how fatuous he is! how single and concentrated his adoration of himself!‡

In the position in which Pompey now found himself there was much work to be done which could be done only by Cicero. One of the instruments of the Triumvirate was an aggressive but good-humoured rascal named P. Vatinius,§ on whom Cicero had already emptied the vials of his wrath and scorn, when he asserted that Cicero had become Caesar's friend owing to Caesar's extraordinary success and good fortune. This creature had been elected to the praetorship, the typically virtuous Cato being a defeated candidate. And in 700 (54) it became the duty of Cicero to defend Vatinius. He does not seem even to have asked Pompey

'Was it so nominated in the bond?'

He tells us (153, 19) that, in addition to the fact that he had been lately reconciled to Vatinius and had received an urgent appeal from Caesar, he felt a pleasure in defending him, because it galled the aristocrats who were petting 'the other Publius,' his old enemy,

* 133, 4.

† 158, 2 *cum Caesare suavissimam coniunctionem; haec enim me una ex hoc naufragio tabula delectat.*

‡ 159, 4 *O di! quam ineptus! quam se ipse amans sine rivali!*

§ For a full account of Vatinius, see vol. v., pp. xlvii ff. Cicero says (105, 1) *id quod ille (Sestius) maxime cupiebat, Vatinium, a quo palam oppugnabatur, arbitratu nostro concidimus dis hominibusque plaudentibus.*

Clodius. As to Crassus also, Cicero yielded to appeals from Pompey and Caesar, and was further influenced by ill-natured remarks of certain Optimates to the effect that, owing to a vigorous reply of Cicero to certain strictures which Crassus made on his conduct, Cicero and Crassus had irrevocably dissolved friendship. So he became reconciled with Crassus before that general left for the East.* Another client was Scaurus, the brother-in-law of Pompey, who, having spent all his means on the shows of his aedileship, naturally sought to recoup his shattered fortunes in his province. He returned from Sardinia in a position to buy the consulship. Happily for the Sardinians, a young man named Triarius wished to make his *début* in public life, else they might have long waited for a Roman of any position willing to make himself ridiculous by espousing the cause of a plundered province. Scaurus, though Cato was praetor, was acquitted.† Let us hope that the poor

* Yet the reconciliation was hollow. Almost immediately after the departure of Crassus he stigmatised him (130, 2) as a 'bad man' (*o hominem nequam*).

† The trial was held on the 2nd of September, 700 (54), and was a *cause celèbre*. It is such a striking example of the general nature of the trials of the day that it is necessary to speak about it at length. There was a very large bar, a very large number of witnesses to character (*laudatores*), and a very large display of the ordinary forensic mockery of woe. Asconius (pp. 18–29) has given a full account of it, which Mr. Long has thus reproduced (iv. 273, 274): "Scaurus relied on his father's great name, on the fame of his aedileship, and, as Asconius says, on Cn. Pompeius, for the strange reason that, when Pompeius put away his wife Mucia, who was suspected of adultery with C. Caesar, Scaurus married the woman, and now had a son by her. Scaurus was defended by six advocates (though it was hitherto very rare for anyone to be defended by more than four). Among these advocates were P. Clodius, Cicero, and Q. Hortensius. Nine men of consular rank gave Scaurus a character. Many of them were absent, and sent their testimonials in writing. Pompeius being a proconsul was of course not within the walls; and although he did not give Scaurus any aid in his trial, he sent his written testimonial in favour of his former wife's new husband. Scaurus had also the testimonial of his half-brother Faustus Sulla; for Caecilia, the mother of Scaurus, married the dictator Sulla after her husband's death, and had by him Faustus and Fausta. Scaurus also spoke in his own defence, and moved the jury greatly by his tears, his squalid appearance, the remembrance of his aedileship, the favour of the people, and his father's memory. His half-brother Faustus, by his abject behaviour and his tears, produced as great an effect on the audience as Scaurus. When the jury were voting, the scene in the Court was pathetic. The suppliants separated themselves into two parties (*bifariam*), who threw themselves before the knees of the jury. On the one side were Scaurus himself, M. Glabrio, his sister's son, C. Memmius, a son of Scaurus' half-sister Fausta, and others. On the opposite

Sardinians enjoyed the broad humour of the fact that they had come to Rome to look for justice; and that they recovered as wages for battery or murder some of the money of which they had been robbed. The profession of murderer was at this time a flourishing one in Rome; and a few stout Sardinians, derelict in a foreign city, would probably be as cheap as runaway slaves or gladiators. At all events they had this satisfaction: they spoiled the candidature of Scaurus for the consulate. Two of the other candidates, Domitius Calvinus and Memmius, now made a bargain (143, 7; 148, 16; 149, 2; 151, 2) with the existing consuls, Domitius Ahenobarbus and Appius Claudius, whereby the latter were to support the candidature of the former, who bound themselves in return under a fine to produce, if elected, absolutely and demonstrably perjured evidence, on the oath of three Augurs, to the existence of certain arrangements convenient for the outgoing consuls as to the allotment of the provincial governments. This disgraceful compact does not seem to have injured anyone appreciably, when Memmius divulged it. The only person who appears to have been shocked was Caesar, who withdrew his support from Memmius.* Memmius accordingly failed to obtain the consulate, but he had the prospect of something good from Pompey, if he should become Dictator, as seemed likely. His accomplice Domitius Calvinus was elected to the consulate for the following year, and was, no doubt, much respected. Of the outgoing consuls, Appius treated the matter as of no consequence. Domitius was weak enough to take it to heart. Cicero, in a passage in which he disavows complicity in the plot, remarks, however, that he is on very good terms with Memmius and Calvinus.†

side were Faustus Sulla, T. Annius Milo, whom Fausta had married a few months before, after being sent away by her husband, C. Memmius, the father, and C. Cato, who had been just acquitted after trial, with some others. The jury consisted of twenty-two senators, twenty-three equites, and twenty-five tribuni aerarii. Four senators voted against Scaurus, two equites, and two tribuni aerarii; and he was of course acquitted." We have a considerable number of fragments of the speech which Cicero delivered in the defence.

* It is hard to know why Memmius divulged the plot. Mr. Shuckburgh (*The Letters of Cicero*, i., p. 301) thinks it was "perhaps anger on finding his hopes gone, and an idea that anything that humiliated Ahenobarbus would be pleasing to Caesar."

† 148, 16.

A still harder task was imposed on Cicero when he was obliged to defend Gabinius, who, on his return from Syria, found himself confronted with three prosecutions, *de maiestate*, *de vi*, and *de ambitu*.* Gabinius obtained a favourable verdict on the first charge, when Cicero gave evidence against him; but was found guilty on the second, though Cicero, much against his will (cp. 152, 3; 160, 1), undertook his defence. Cicero refers to this transaction in two places. A comparison of the two will put in a very strong light the value of his private letters as a reflection of his real views which he used his speeches to conceal. In his speech for Rabirius Postumus (§ 33) he declares:—

'My reason for defending Gabinius was simply friendship. We had adjusted our difference, and shaken hands. If you think that I did it reluctantly to please Pompey, you are vastly mistaken [yet cp. 152, 2]. He would not have asked such a sacrifice of me, nor would I have given it. I am too clearly the champion of independence to resign it in my own actions.'

Writing to Atticus (154, 2) on the occasion of the acquittal of Gabinius, he says:—

'You will ask me, "And how do you take the matter?" Very easily; and on that I congratulate myself heartily. My dear Pomponius, the State has lost not only the sap and blood of its heart, but the very outward hue and haviour of its visage. There is no State in which to take any delight or with which to feel any satisfaction. "And do you take that so easily?" you will say. Even so. I remember how fair a thing was the Republic for a while when I was at the helm—and what was my reward? I feel no resentment that one man should have all the power; because those are bursting with envy who were sorry to see me with any. I have much to comfort me. And I am not travelling out of my proper sphere. I am going back to letters and research—the life for which I am best fitted by nature. I amuse myself with my house and my farms. I do not think about the height from which I have fallen, but the depth from which I have risen. If I have you and my brother with me, those aristocrats of yours may go to perdition for all I care; I can betake myself to my speculations in your company. I lack the gall now that once made oppression bitter.'

There is another passage (155, 4) in a slightly different tone, though his correspondent is his brother, whom he would not try to deceive:—

'I am dissociating myself completely from politics, and giving myself up to

* We have gone more minutely into the trials of Gabinius in the next section.

letters. But I must tell you one thing which I would fain have kept from you above all men. I am tormented, my dearest brother, tormented by the thought that the Republic is no more; that there is no law; that I who at my time of life ought to be in the zenith of a dignified senatorial career, am harassed with forensic toil, or kept alive by literature; that the darling motto of my whole life from boyhood—

πολλὸν ἀριστεύειν καὶ ὑπείροχον ἔμμεναι ἄλλων,

should be a thing of the past; that my enemies should be unassailed by me, or even defended; that my feelings, that even my indignation, should be held in a leash; that there should be but one—Caesar—to give me the love I want —or perhaps I should say, to want to love me.'

But, again, in writing to his brother (160, 1), he comments on the acquittal of Gabinius in a tone more like that which he had used to Atticus :—

'The shameful and disastrous issue of the trial I view with very little concern. I have one clear gain from it. The wrongs of the State and the effrontery that goes unchecked used to make me burst with rage; now I do not even feel them. Nothing could be more desperate than the state to which society has come.'

The year 701 (53) began without any magistrates. The only resource was an *interregnum*, and this lasted for six months. The government thus changed hands every five days. Everything seemed to point to a dictatorship.* But Pompey would not

* The first account we have of the proposal that Pompey should be dictator—for, of course, Pompey was the only man for the office—was in October, 700 (54). Cicero, writing to Atticus (144, 3), says, 'There is some inkling (*odor*) of a dictatorship, certainly much talk about it, which has helped Gabinius with certain weak-kneed jurymen.' In November Cicero writes to Quintus (159, 4):—'The talk about the dictatorship is displeasing to the aristocrats; but I am still less pleased at what they say. However, the whole matter is viewed with alarm, and is flagging. Pompey declares plainly that he doesn't want it; some time ago he did not, in conversation with me, deny that he wished it. Hirrus is likely to be the proposer. Gods! how fatuous Pompey is! how single and concentrated is his adoration of himself! . . . Whether he really wishes for it or not it is difficult to say. However, if Hirrus makes the proposal, he will not be able to convince people that he does not wish it. No other matter in politics is now being talked about; certainly nothing else is being done.' The matter still was hanging fire in December, when Cicero wrote to Quintus (160, 3):—'*En passant*: nothing has, after all, been done about the dictatorship up to the present. Pompey is away, Appius confusing things, Hirrus preparing, a number of tribunes counted on to veto, the people indifferent, the aristocrats opposed,

declare his desire for it, or rather distinctly affirmed that he did not covet the position, though he had owned privately to Cicero that he did (159, 5). Hirrus made a proposal to confer the dictatorship on Pompey. This was so resolutely opposed by Cato, that Pompey thought it wise to throw over Hirrus, and disavow that he had authorised the proposal. In July Calvinus and Messalla were elected to the consulship. Hardly had the new consuls entered on office when the news came of the disaster at Carrhae, and the death of Crassus. This untoward event must have forced on Pompey the reflection that it behoved him to strengthen his position. And circumstances lent themselves to him, as they often did. The death of Clodius deprived Milo of his chance of the consulate in the following year, and thus was paralyzed a great deal of influence which would have been used against the lawless designs of Pompey.

In the early part of the year Bibulus proposed in the Senate that Pompey should be made consul, without a colleague. The proposal was accepted, being supported even by Cato. Pompey was now invested with almost as absolute power as he might have achieved by a crime after the Mithradatic War. His position was altogether unconstitutional. The Senate had no right to confer it. It was a dictatorship in everything except name. But names have great weight with men like Pompey. He seems hardly to have understood the position in which he was placed. The Senate put him there to do the work of Sulla. He used his power merely to punish private enemies. His *senatus consultum* against bribery was made retrospective; and the trials became embarrassing by their number (182, 4). His subsequent acts of folly which provoked the Civil War need not be noticed here; that crisis in the history of the Republic does not come within the scope of the present volume. But when we learn that Pompey, in violation of his own law, procured an enactment which secured to him for five years more the Government of Spain, that he kept a portion of his army in Italy, and took from the State a

myself quiescent.' This is the last we hear in Cicero's letters of the proposal, which was finally carried through to all intents and purposes in 702 (52), when on the 24th of the intercalary month, Pompey, on the motion of Bibulus, seconded by Cato, was elected 'sole consul' (Asconius, 37).

thousand talents for its support, we feel that it was little more than chance which decided whether Caesar or Pompey should give the Republic its *coup de grâce*.

In taking a broad view of Cicero's political attitude during this epoch, we must remember that he was drawn to Pompey by old political sympathies and a kind of 'demonic' force (see note to 49, 2), and to Caesar by consistent courtesy and generosity on his part*; and that the Optimates deliberately effaced themselves, and their leaders tried to efface Cicero. Under these circumstances what Cicero really desired was cultured leisure, *cum dignitate otium* (153, 21). If at this period, through his desire for *otium*, he sacrificed somewhat of his *dignitas*, let us remember that after all he was really not so much a politician as a man of letters, forced to take part in politics by reason of the extraordinary and singular position in which his amazing literary gifts placed him, and at a time when the political atmosphere was terribly overcharged. Let us remember, too, that when the cause of Pompey seemed desperate, Cicero's whole heart went out to him. When Pompey left Brundisium and embarked for Greece, Caesar thought it would be a favourable time to secure the allegiance of Cicero. He hastened to communicate to him the news. But Cicero was not a man to espouse the winning side because it was victorious. It was the ruin of Pompey that drew Cicero to him closer than ever. 'I never wanted to share his prosperity; would that I had shared his downfall,' are his words to Atticus at this crisis.† And, above all, let us not forget, that if in this

* Once Cicero acquiesced in the rule of the Triumvirs, Caesar seems to have shown the utmost courtesy and interest in Cicero and his brother; and Cicero, who was always sensitive to sympathetic kindness, was never tired of 'singing Caesar's praises' (*iam pridem istum canto Caesarem* 135, 1): cp. 133, 4; 140, 1; 141, 1–3; 146, 2; 148, 9, 11, 17; 149, 7, 8; 153, 18, 21; 155, 3, 4 (*unumque ex omnibus Caesarem esse inventum qui me tantum quantum ego vellem amaret, aut etiam, sicut alii putant, hunc unum esse qui vellet* (158, 2; 159, 1–3). Dio Cassius (xliv. 19, 3) notices the courteousness of Caesar εὐπρόσοδος γὰρ καὶ φιλοπροσήγορος ἐν τοῖς μάλιστα ἦν. In addition to Caesar's kindness to Quintus, and to his friendly correspondence with Marcus Cicero, the latter seems to have put himself under obligations to Caesar by accepting loans of money: cp. Att. v. 6, 2 (189), 10, 4 (198); vii. 3, 11 (294), 8, 5 (299); and, possibly, even gifts, Att. vii. 3, 3 (294) *nequaquam satis pro meis officiis, pro ipsius in alios effusione illum in me liberalem fuisse*.

† Att. ix. 12, 4 (368).

period of his anxious and troubled life Cicero seems to have sacrificed honour to tranquillity, the time came when he willingly resigned not only a life of ease, but life itself, to save his honour. Cato was not the only Roman in whose eyes the vanquished found more favour than the victorious cause.

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§ 2. The Egyptian Question.

On the death of Ptolemy Soter II. (Lathyrus) in 673 (81), his eldest daughter, Berenice, ruled for six months. After that time her stepson, Ptolemy Alexander II., the prince who had been captured at Cos by Mithradates, and treated by him with the respect due to his princely position, but who had afterwards escaped to Rome, was sent back by Sulla,* and was associated with her in the government and in marriage.† But the union was opposed to the wishes of Berenice; and the result was that Alexander murdered her nineteen days after his arrival, and was presently murdered himself by the indignant household troops.

Prior to the departure from Rome of this Alexander, he is stated to have made a will bequeathing his country to the Roman people, after the example of Attalus of Pergamus and Ptolemy Apion of Cyrene. That this will was not a regular will we may safely assume, for it was never produced; and Cicero certainly had not much belief in it (see the passage quoted below, p. xxxii).

* Appian Mithr. 23; Bell. Civ. i. 102.

† Doubtless with the approval of the Alexandrians, though against the will of Berenice; for Porphyrius of Tyre (*Frag. Hist. Graec.*, iii., p. 722, ed. Müller) says:—*οὗτος δὲ υἱὸς μὲν ἦν τοῦ νεωτέρου* Πτολεμαίου *τοῦ καὶ* Ἀλεξάνδρου . . . *καταμένων δὲ ἐν* Ῥώμῃ *τῆς ἐν* Αἰγύπτῳ *δυναστείας ἀνδρῶν ἐρήμου γενομένης μετάκλητος ἦλθεν εἰς τὴν* Ἀλεξανδρείαν *καὶ γήμας τὴν προειρημένην* Κλεοπάτραν [he should have said Βερενίκην] *παραλαβών τε παρ' ἀκούσης* [so Letronne corrected *ἑκούσης* of the mss from the Latin version *invitaque muliere*] *τὴν ἐξουσίαν ἐννεακαίδεκα διαγενομένων ἡμερῶν ἀνεῖλεν αὐτὴν καὶ αὐτὸς ὑπὸ τῶν ἐνόπλων ἐν τῷ γυμνασίῳ διὰ τὴν μιαιφονίαν συνεχόμενος ἀπώλετο.* Cp. Cicero, *De Rege Alexandrino*, Frag. 9, ed. C. F. W. Müller. Trogus (xxxix. 5) seems to say he was expelled; but his account is very brief and confused.

M. Bouché-Leclercq* is probably right (p. 245) in supposing that Alexander II. may have signed at Rome, before becoming king, an engagement which the jurists knew well to be invalid in law, if it implied anything more than a promise of money. But whatever the document may have been (if it ever existed), it was useful that the idea should become prevalent that the Romans had a right to occupy Egypt, so that they could intervene when necessary. Meanwhile the optimates at Rome might be able to use it as a means to extort money from the occupant of the Egyptian throne. But the actual treasure which Alexander II. left behind him—it was at Tyre; he had not time to transport it to Alexandria, as he was killed a few weeks after his arrival there—this actual treasure the Romans at once appropriated.†

* In two interesting articles in the *Revue Historique* for 1902, vol. lxxix., pp. 241–265, and vol. lxxx., pp. 1–24, "La Question d'Orient dans le temps de Cicéron."

† It has been argued by some writers, e.g. Clinton (*Fasti Hellenici*, iii. 392), Orelli (ad Schol. Bob., p. 351), and Cless (in Pauly, vi. 226), that the Alexander who bequeathed Egypt to the Romans was not Alexander II., but another Alexander, whom they call Alexander III., a natural son of Alexander I.; and that this Alexander III. was set up as a rival of Ptolemy Auletes about 688 (66), and died at Tyre in 687 (65). This view seems to rest mainly on Suet. Iul. 11 *Conciliato populi favore temptavit per partem tribunorum ut sibi Aegyptus provincia plebi scito daretur, nanctus extraordinarii imperii occasionem, quod Alexandrini regem suum socium atque amicum a senatu appellatum expulerant, resque vulgo improbabatur. Nec obtinuit adversante optimatium factione.* The contention is that we must suppose some other than Auletes to be referred to in this passage, as it deals with the year 690 (64), the date of Caesar's aedileship; and Auletes was not declared a friend and ally of the Roman people until Caesar's consulship in 695 (59). But it is better to suppose that Suetonius made a mistake, and ante-dated the notorious affair of Auletes to the year 690 (64)—especially as, about that time, Egypt was distinctly an object of political interest to the democrats (cp. Cic. Leg. Agr., ii. 44)—rather than assume a king of whom we do not hear elsewhere. Nor need we lay much stress on *nuper* in the Schol. Bob. (p. 350, Orelli) on a Fragment of Cicero's oration *de Rege Alexandrino*, which scholion runs as follows:—*Ac primo quidem illo tempore quo pecunia repetita esse ab Tyro et advecta Romam videbatur, sepositа iam nuper ab Alexa rege*, when we remember what an elastic word *nuper* is. That oration, as far as we can judge from the obscure fragments, is more likely to have been composed in 689 (65), as Mommsen (R. H. iv. 166 Eng. Trans.) holds, than in 698 (56), as Clinton (*l.c.*), Lange (iii. 320), and Rauschen (p. 36) maintain: see esp. Frag. 7, ed. C. F. W. Müller. In Cicero's speeches on the Agrarian Law the king who is stated to have made the will is at one time (i. 1) called *Alexander*, and at another *Alexa* (ii. 41); cp. Schol. Bob. quoted above. But nothing can be argued from this, because *Alexa* was a familiar abbreviation of *Alexander* (see Wilmann's *Exempla*

That satisfied the Romans for the moment. They seized the treasure, and allowed a son of Ptolemy Lathyrus—whether legitimate or not is doubtful: it is possible that he was legitimate*—a Ptolemy who is styled in official language Neos Dionysos, Philopator, and Philadelphos, but who was (and is) popularly known as the Piper (Auletes)—to ascend the throne. His brother, another Ptolemy, became King of Cyprus.† They did not recognise Auletes, but they did not interfere with him. Ruling as he did on sufferance, his bribes furnished, as Mommsen says, a regular income to the political wire-pullers at Rome; and the senatorial leaders had no desire to put the business of annexing Egypt into the hands of any individual. In his settlement of the East, Pompey did not interfere at all in Egypt, whatever may have been the reason.‡ During all the democratical intrigues of 689 to 691 (65 to 63), the idea was rife of using the annexation of Egypt as a means of obtaining a military power for Crassus or Caesar which would counterbalance that of Pompey. Crassus as Censor in 689 (65) tried to have Egypt annexed, but was vehemently opposed by Catulus;§ and probably one of the chief aims of the promoters of the Agrarian Commission proposed by Rullus was to acquire for that Commission the administration of Egypt. This Cicero says very plainly in a passage which has been often quoted (Leg. Agr. ii. 41 ff.), but which is of such capital

Inscriptionum Lat., No. 396, cp. 378), just as *Mena* or *Menas* was of *Menodorus*, and *Artema* of *Artemidorus*; somewhat as our Henrys are at times called Harry or Hal.

* Cp. Mahaffy, *The Empire of the Ptolemies*, p. 427: "I cannot but think that the constant assertion of the illegitimacy of Egyptian princes and princesses was an invention of Hellenistic historians in the interest of the Romans."

† Mithradates (Appian, Mithr. 111) appears to have betrothed two of his daughters to these two kings; it is not certain when. This is a sign of his endeavours to draw Egypt into the net of his policy; cp. his conduct with regard to Alexander II., mentioned above, p. xxix.

‡ Cp. Appian, Mithr. 114 εἴτε δείσας μέγεθος ἀρχῆς ἔτι εὐτυχούσης, εἴτε φυλαξάμενος ἐχθρῶν φθόνον, ἢ χρησμῶν ἀπαγόρευσιν, εἴτε ἑτέροις λογισμοῖς, οὓς ἐξοίσω κατὰ τὰ Αἰγύπτια. Egypt was always a troublesome country to govern; and, as the Alexandrines were a very excitable populace, quite reckless of consequences in case of civil dissensions (cp. Dio Cass. xxxix. 58, 2), and accustomed from time immemorial to monarchical government, they would have made the occupation by the Roman oligarchical government a very arduous business.

§ Plut. Crass. 13 ἀλλά φασιν ἐπὶ δεινὸν ὁρμήσαντι τῷ Κράσσῳ πολίτευμα καὶ βίαιον Αἴγυπτον ποιεῖν ὑποτελῆ Ῥωμαίοις ἀντιβῆναι τὸν Κάτλον ἐρρωμένως.

importance that it must be quoted again. Cicero is describing the extraordinary extent of the authority assigned to the Commissioners; and after showing that all Asia is comprised in the terms of reference, continues:—

'Again, look at Alexandria and all Egypt, in what a corner it lurks, how hidden away, how surreptitiously it is handed over to the Commissioners! There is no one here who is ignorant that it is stated that by the will of King Alexa that kingdom has become the property of the Roman people. On this matter I, as consul of the Roman people, pass no judgment: I do not even state my opinion. The matter seems to me a very important one to settle or even speak about. I see that it may be maintained that the will was made and that the Senate claimed acceptance of the heritage when, on the death of Alexa, we sent officials to Tyre to recover for our state the money deposited by him. I am aware that Lucius Philippus often maintained this in the Senate: I see that almost all are agreed that the present occupant of the throne is neither of royal lineage nor royal dignity. It is stated, on the other hand, that there is no will; that the Roman people ought not to appear eager to appropriate all kingdoms; that Romans will emigrate to Egypt, the land is so fertile and the general abundance so great. On a matter of such vast moment is Rullus with the rest of his Commissioners to adjudicate? and which judgment will he give? For both the alternatives are of such great importance that neither can possibly be granted or tolerated. Suppose he will desire to win the favour of the Roman people; then he will assign them the country; and so in pursuance of his law he will sell Alexandria, he will sell Egypt, he will be found to be the judge, arbitrator, master of a very rich city and a very splendid country—in short, king of a most wealthy kingdom. Suppose he will not take so much upon himself, and will not be eager to appropriate the land: he will decide that Alexandria is the property of Ptolemy, and assign it away from the Roman people. Now, in the first place, are ten men to pass judgment on what is the inheritance of the Roman people when you have chosen that one hundred [the court of the *centumviri*] shall adjudicate upon private inheritances? In the next place, who will plead the case of the Roman people? where will the case be pleaded? who are those Commissioners who will assign the kingdom of Alexandria to Ptolemy without a consideration? But if Alexandria was their object, why did they not take the same course which they took two years ago, in the year of Cotta and Torquatus [689 (65)]? Why did they not openly as before, why did they not straight and plain, make for that country? Or, while those are quiet who formerly were not able to reach that kingdom by a straight course, have these men supposed that they will now arrive at Alexandria in murky gloom and darkness?'*

* The reading of the last clause is uncertain, though the meaning is tolerably plain. We have endeavoured to translate the reading of the mss *an quietis his*, supposing the

It is quite plain from this that Ptolemy's claims were not recognised by the Romans, that he held his throne on sufferance, and the condition was constant bribery. All his efforts* had failed to induce Pompey to protect him against the growing hostility of the Alexandrian people; and his fortunes seemed desperate, indeed, when in 695 (59) the most active leader of the democratic party, Julius Caesar, became consul—a man who had already endeavoured to wrest Egypt from his grasp. Ptolemy was between the upper and the nether millstone—the Romans and the Alexandrians. But Caesar wanted money; and he would require a really substantial consideration if he assigned the Kingdom of Alexandria to Ptolemy. So in concert with Pompey he demanded 6000 talents—about one and a half million of our money—from the king in return for the assignation of the kingdom to him.† It was paid; and in February, 695 (59), Ptolemy was, by a law of Caesar's, declared *socius et amicus populi Romani*, and the treaty was duly ratified in the Capitol.‡ "I thought," said Pompey in his lordly way, "that it was time some settlement was arrived at about the Alexandrine King" (*de rege Alexandrino placuisse sibi aliquando confici* Cic. Att. ii. 16, 2 (43)).§

The agreement was with the King of Alexandria: nothing was said about the King of Cyprus, a country which belonged to Egypt. So next year Clodius brought in and carried his

allusion to be to Crassus and his open proposal in 689 (65) to annex Egypt. But we confess to being attracted by the fine emendation of Gulielmus *an qui etesiis*, 'or have those who could not reach that kingdom with a fair wind and by a straight course supposed that they can now arrive at Alexandria in murky gloom and darkness?' The Etesian winds were favourable for a voyage *to* Alexandria; cp. Caesar, Bell. Civ. iii. 107, 1 *Ipse enim necessario etesiis tenebatur, qui navigantibus Alexandria sunt adversissimi venti.*

* Cp. Plin. H. N. xxxiii. 136 *Congerant excedentis numerum opes, quota tamen portio erunt Ptolemaei quem Varro tradit Pompeio res gerente circa Iudaeam octona milia equitum sua pecunia toleravisse, mille convivas totidem aureis potoriis mutantem ea vasa cum ferculis saginasse?*

† Cp. Suet. Iul. 54 *Societates ac regna pretio dedit, ut qui uni Ptolemaeo prope sex milia talentorum suo Pompeique nomine abstulerit.*

‡ Cp. Cic. Rab. Post. 6: Caes. B. C. iii. 108.

§ The question had been before the Senate at least eleven years before. Cicero in 684 (70) indignantly says: "Well, let Verres (Verr. ii. 76) return to the Senate, let him declare war against the Cretans, let him make Byzantium a free state, let him recognise Ptolemy as king" (*regem appellet Ptolemaeum*).

unscrupulous law which confiscated the property of this king, on the ground of his being a secret enemy of the Romans and of not having ransomed him (Clodius) from the pirates. The upright Cato was sent to carry out the confiscation. We need not delay over this iniquitous measure. Cicero justly attacked it two years later, and after ages branded it as a gross act of greed. Ptolemy of Cyprus committed suicide, his property was seized, and the island occupied by the Romans.*

Ptolemy of Egypt, delighted at his own secure position, did not raise his hand to save his brother, or even make a protest when the rich island was severed from the authority of Egypt. This roused the indignation of the opposing faction of the Alexandrians,† and Ptolemy thought it wise to withdraw. He may not have been actually driven out: Plutarch says he left Alexandria in anger after quarrelling with the citizens: but he was so unpopular that he did not care to go back.‡ In his celebrated

* Cic. Sest. 59–61; Amm. Marc. xiv. 8, 15 *nec piget dicere avidemagis hanc insulam (Cyprum) populum Romanum invasisse quam iuste.* Cyprus was attached to Cilicia until 707 (47), when Caesar (Dio Cass. xlii. 35) gave it to Arsinoe and Ptolemy, the sister and brother of Cleopatra: afterwards Antony gave it to the children of Cleopatra, *ib.* xlix. 32; 41. In 727 (27) it was made an imperial province, probably united with Cilicia; but in 732 (22) it was constituted a regular senatorial province.

† M. Bouché-Leclercq, with excellent learning, refers to Dio Chrysostom Or. xxxii., p. 383 (= 687 R), to show that Ptolemy was assailed by the Σιμαριστοὶ καὶ τοιαῦθ' ἕτερα ἑταιρειῶν (clubs) ὀνόματα. Dr. Mahaffy (*op. cit.* p. 432) thinks that "among the causes of Alexandrian indignation was the debasement of the silver coinage, which sank to a condition quite disgraceful among the issues of the Lagidae. In his second reign, after his return, there is a considerable improvement, in spite of the extortions of Rabirius. This must have been caused by the fear of a new revolt." See Mr. Reginald Stuart Poole, *The Coins of the Ptolemies*, pp. lxxx, lxxxi. Probably a reason why the coins were better during the administration of Rabirius was that they were to be used for foreign exportation to the Roman creditors of Ptolemy; and the financier Rabirius took care that they should be of good quality.

‡ The authorities nearly all speak of Ptolemy as being expelled; cp. Cic. Rab. Post. 4: Livy Epit. 104: Strabo 558, 796: Dio Cass. xxxix. 12. But M. Bouché-Leclercq (lxxix., p. 263) thinks that, as he left his family behind him, we should rather believe that he left Alexandria without any definite plan, thinking himself at liberty to return when he pleased; and that he conceived the idea of returning by force only when he found Alexandria shut against him; cp. Porphyry, p. 723, ἡ δ' ἐξῆς . . . διετία ἐς μόνην τὴν Βερενίκην ἕνεκα τοῦ τὸν μὲν Πτολεμαῖον εἰς Ῥωμην ἀπηρκέναι καὶ τοῦτον ἐκεῖ διατετριφέναι τὸν χρόνον, τὰς δὲ θυγατέρας [This is an error. Cleopatra Tryphaena was wife, not daughter, of Ptolemy; see the careful discussion

interview with Cato at Rhodes (Plut. Cato, 35), Cato reminded him of the happy and independent position he held, and warned him of the humiliations he would have to endure at Rome in cringing to the Optimates, and advised him to return home to Alexandria and be reconciled with his subjects, promising his own good offices in helping to arrange the differences. Ptolemy was inclined to follow his advice, but was over-persuaded by his friends, and passed on to Rome.

According to Dio Cassius (xxxix. 13, 1), the Alexandrians did not know where Ptolemy had gone to, and thought that he was dead. The government was carried on by Ptolemy's wife, Cleopatra Tryphaena, for a portion of the year succeeding his departure; and then his eldest daughter Berenice, who was about twenty years of age, assumed the government, as both Ptolemy's sons were too young to succeed. With the early efforts of the Alexandrians to get from the Seleucids a consort for Berenice we are not much concerned.* When these efforts failed, she associated herself with a man of vigour—Archelaus, the high priest of Comana. He was ambitious, and desired to share in the expedition which Gabinius was meditating against the Parthians. He was with the Roman army in Syria when Berenice's offer reached him.† He accepted the offer, and, about the early autumn of 698 (56), hastened to Egypt, it is not quite clear whether with or without the knowledge of Gabinius.‡ Under Berenice and Archelaus,

of M. Bouché-Leclercq (79, pp. 263-265). The famous Cleopatra was only about eleven or twelve at this time.] *ὡς οὐκέτ' ἐπανήξοντος τοῦ πατρὸς ἀντειλῆφθαι τῶν πραγμάτων συνεπισπωμένης ἑαυτῇ κατὰ τούτους τοὺς χρόνους τῆς* Βερενίκης *ἀνδράς τινὰς συγγενεῖς τοὺς συνάρξαντας.*

* We hear from the account of Porphyry (p. 716) of an Antiochus—probably the young prince whom Verres robbed (Cic. Verr. iv. 61–71)—who was solicited by the Alexandrians to share her throne, but he died before he reached Egypt. Also of a Philippus, to whom Gabinius, 'Pompey's prefect' (*ἔπαρχος ὢν τοῦ* Πομπηίου), refused permission to essay the task. Also of another reputed Seleucid with whom Berenice did share the throne; but he was a low, vulgar fellow—the Alexandrians called him the 'Fish-packer' (*κυβιοσάκτης*)—an abusive epithet which they rather affected, for they applied it to Vespasian in later times (Suet. Vesp. 19)—and Berenice strangled him after a few days.

† It was here that he formed a friendship with the famous M. Antonius, then a young man of about twenty-seven, in command of the cavalry of Gabinius (Plut. Ant. 3).

‡ Strabo (p. 796) says without the knowledge (*λαθὼν*) of Gabinius; but Dio Cassius

then, the Alexandrians determined to face the attack of the Romans, in case they should be hired by the wages of Ptolemy to restore him to his kingdom.

Ptolemy arrived at Rome probably during the first half of 697 (57), and was lodged by Pompey in his Alban villa. Here Ptolemy negotiated the loan of large sums of money. This was 'to bribe the Senate,' as the prosecutors of Rabirius Postumus roundly stated.* It seemed incumbent on the Roman Senate to restore a king who was 'an ally and friend'; and accordingly they decreed (about September) that Ptolemy should be restored by Lentulus Spinther, consul of the year, when, at the expiry of his office, he went to his province of Cilicia. Meanwhile the Alexandrians, learning that Ptolemy was in Rome, sent a very imposing embassy of no less than one hundred men, headed by Dio, the eminent Academician, to set before the Roman Government their complaints against Ptolemy and to answer his charges. Ptolemy appears to have hired bravoes and assassins to meet them even when they landed at Puteoli.† He bribed some, murdered others, and intimidated the rest.‡ The violence was so wholesale, notorious, and scandalous, that upright men like Favonius, who led the cause of honesty during the absence of Cato, clamoured for an inquiry; so that the Senate ordered that Dio should appear before them, to let them know the truth. But Dio was afraid to appear, and no mention was made of the murder of the ambassadors. Nothing could be more disgraceful. Anon Dio himself was murdered at the house of his host, L. Lucceius. Suspicion fell at first on P. Asicius, who, accused by Calvus and defended by Cicero, was acquitted. Then it was held that Caelius had instigated the slaves of Lucceius to

(xxxix. 57) says that Gabinius connived at his escape, as he knew Archelaus would cause trouble to Ptolemy; and thus he, Gabinius, would be able to exact heavier sums from Ptolemy for his aid in restoring him.

* Rab. Post. 6 *senatum corruptum esse dicunt.*

† Cp. Cic. Cael. 23 *de Alexandrinorum pulsatione Puteolana.*

‡ Strabo (p. 796) speaks very strongly: *τὸν Αὐλητὴν ἀφικόμενον εἰς Ῥώμην δεξάμενος Πομπήιος Μάγνος συνίστησι τῇ συγκλήτῳ καὶ διαπράττεται κάθοδον μὲν τούτῳ, τῶν δὲ πρέσβεων τῶν πλείστων, ἑκατὸν ὄντων, ὄλεθρον τῶν καταπρεσβευσάντων αὐτοῦ.*

do the deed; but in the trial of Caelius next year he was adjudged not guilty.* The scandal, however, became so alarming that Ptolemy left Rome towards the end of 697 (57), and took up his abode at Ephesus, to wait for developments, leaving his agent, Hammonius, to continue his dealings with the heads of the Roman Government (Dio Cass. xxxix. 16, 3).

The developments were interesting. The restoration of Ptolemy looked as if it would be a lucrative business, so that there was much competition for it. Pompey undoubtedly wished to get it; but he said he did not, for he wanted to be pressed to take it, to have it apparently forced upon him.† Crassus also may have desired to be appointed to effect the restoration. Pompey said he believed that Crassus was at the back of the aggressive and headstrong young tribune, C. Cato,‡ who had entered on his office in December, and the other leaders of the democratic opposition. No one except the extreme Optimates wished that Lentulus should have the business. C. Cato was especially opposed to him. Cicero was in favour of Lentulus, and acted with a certain amount of zeal on his behalf, from feelings of gratitude for the kindness of Lentulus in effecting his restoration from exile; but we think his heart was not in the business.

This was the state of affairs at the beginning of 698 (56), when suddenly it was announced that a statue of Jupiter Latiaris on the Alban Mount had been struck by lightning. The Sibylline books were consulted. According to Dio Cassius (xxxix. 15, 2), they declared: "If the King of Egypt comes to you for help, do not refuse him your friendship; but do not assist him with a multitude (*μὴ μέντοι καὶ πλήθει τινὶ ἐπικουρήσητε*), for if you do

* Cp. Cic. Cael. 23, 24, 51–55. Lucceius was the historian to whom Cicero wrote Fam. v. 12 (109). Dio had previously been the guest of Titus Coponius: see Mr. A. C. Clark's admirable restoration of Cael. § 24.

† Cp. 95, 3; 96, 3; 100, 3; Plut. Pomp. 49.

‡ For this C. Cato, cp. Q. Fr. i. 2, 15 (53) *adulescens nullius consili, sed tamen civis Romanus et Cato . . . in contionem escendit et Pompeium privatum dictatorem appellavit.* We are not at all sure that Pompey's surmise was right. We think that Cato was simply opposing the gross senatorial jobbery, and that that arch-intriguer Pompey could not or would not appreciate disinterested conduct.

you will have trouble and danger."* Contrary to all precedent, C. Cato published this oracle without the consent of the Senate; and, what was more, compelled the *quindecimviri* to recite the oracle to the people; and the oracle was translated into Latin, and publicly proclaimed. "In wonder at the appositeness of the oracle," says Dio Cassius,† "they rescinded all the resolutions which had been passed about Ptolemy, persuaded thereto by the tribune Gaius Cato." It is not apparent what those resolutions were: in point of fact, no such resolutions were ever passed;‡ but, at any rate, we may take it that the people expressed disapproval of the view that Lentulus, or, indeed, anyone else (cp. 98, 2), should forcibly restore Ptolemy.

As M. Bouché-Leclercq (80, p. 5) says, "The precision and rapidity of these manœuvres made it quite plain that they were premeditated." No one—at least no politician—was deceived. Cicero speaks plainly of it (98, 2) as 'the trumped-up appeal to religion' (*ficta religio*). Yet the *religio* had to be counted with. No one ventured to declare publicly and officially that it was a sham—a proof how strong formal respect for religion was still in the community. It was generally agreed that if Ptolemy was to be restored, force must not be used (95, 3). The question remained, Who (if anyone) was to restore him?

* This oracle became famous, and was regarded as not unworthy of the Cumean shrine: cp. Lucan, viii. 823-826:—

> Noxia civili tellus Aegyptia fato,
> Haud equidem immerito Cumanae carmine vatis
> Cautum, ne Nili Pelusia tangeret ora
> Hesperius miles ripasque aestate tumentis.

† xxxix. 15, 3 κἀκ τούτου τὴν συντυχίαν τῶν ἐπῶν πρὸς τὰ τότε γενόμενα θαυμάσαντες ἀπεψηφίσαντο πάντα τὰ περὶ αὐτοῦ (Ptolemy) ἐγνωσμένα, Γαΐῳ Κάτωνι πεισθέντες δημάρχῳ.

‡ Similarly, Dio Cassius (xxxix. 55, 2) says that Gabinius, by restoring Ptolemy, violated τὰ ψηφίσματα τὰ τοῦ δήμου; and (56, 4) ἀπειρηκότος τοῦ δήμου τῆς τε Σιβύλλης μὴ καταχθῆναι τὸν ἄνδρα. But he has, as M. Bouché-Leclercq (lxxx., p. 9) has pointed out, probably taken seriously the *iussa populi* of Cicero Pis. 49. There Cicero, speaking "oratorie," as Long says, declares that Gabinius sold to the Egyptian King *se ipsum, fascis suos, exercitum populi Romani, numen interdictumque deorum immortalium, responsa sacerdotum, auctoritatem senatus, iussa populi, nomen et dignitatem imperi.* But the extravagance of this language renders it unnecessary that we should understand the words literally.

Such was the state of affairs when Cicero's correspondence with Lentulus begins in January, 698 (56). Lentulus had gone to Cilicia at the end of the previous year; and Cicero wrote him reports of the phases of the Egyptian Question during the first half of 698 (56). The first letter (95), written on January 13, gives an account of the meeting of the Senate held on January 12. The question was, Who was to restore Ptolemy without an army? Hortensius, Lucullus, and Cicero urged that the business should be given to Lentulus, as had been already arranged. But several senators thought that such an important affair ought not to be put into the hands of a single man; and so Crassus proposed that three Commissioners, chosen from among those who had the *imperium*, should be sent. Thus Pompey was not excluded; but his importance in the undertaking would by this arrangement be considerably less than if he were appointed alone. Bibulus thought it would be more advisable to send three Commissioners who had no *imperium*, and most of the consulars agreed with him. Servilius Isauricus was against restoring Ptolemy at all. Volcacius, Afranius, and the tribune Rutilius Lupus were for Pompey; and this view was, of course, backed by all the regular partisans of Pompey, such as Libo and Hypsaeus. "The affair," says Cicero (95, 4), "like a sore, has been inflamed by the King and the partisans of Pompey, and has been further irritated by the consuls, so that it has become in the highest degree odious to the people."

The sitting of January 13 was mostly wasted by an altercation between the consul Marcellinus and the tribune Caninius, who was in favour of Pompey. Cicero says he spoke in favour of Lentulus. On the 14th, when the motion of Bibulus came on, a demand was made that it be put as two separate motions (*ut Bibuli sententia divideretur*)—1°, That on force be used; 2°, That three Commissioners be sent. The first was formally agreed to; the latter negatived by a large majority. The motion of Hortensius was next brought forward; but Lupus, the tribune, claimed priority, and the rest of the sitting was spent in this wrangle about precedence.* The consuls were pleased; for they

* It is not very plain on what grounds Lupus, the tribune, claimed precedence. Cicero says (96, 2) *quod ipse de Pompeio rettulisset intendere coepit ante se oportere*

wanted the matter shelved, as the motion of Bibulus, which they favoured, had been negatived. Cicero tells us (96, 2) that the majority of the Senate were prepared to support by speech the proposal of Volcacius that Pompey should be appointed, but would, if a division were taken, vote with Hortensius in favour of Lentulus. We presume that they would have said: "Of course Pompey is the right man for the business; but it is not clear that he will take it (cp. 96, 3), and we can hardly spare him (cp. Plut. Pomp. 49); so we vote for the next best man, Lentulus."* The

discessionem facere quam consules. Mr. Watson suggests that Lupus may have made his proposal at the end of the previous year before Hortensius: but surely Cicero would have added some word like *prius* to indicate this? Mr. Watson also quotes Ross as urging that Lupus claimed that his question as that of a magistrate should be put before the motion of Hortensius, a private senator. But Bibulus was a private senator, and his motion came first of all. We think the view of Mommsen, advocated in our note on the passage, the least unsatisfactory explanation. It gives some reason why *trib. pl.* is added; and we must remember that the claim of Lupus was considered unfair and unprecedented, but not illegal. If this view, which accentuates *ipse*, is not accepted, perhaps it might be suggested that we should accentuate *Pompeio*. 'The question' (Lupus might say) 'now is, what individual person is to restore Ptolemy without an army? The names, as the meeting is aware, are Lentulus and Pompey. Both are equally eligible, for both have the *imperium*; but plainly Pompey is the greater man, and the discussion of his claims which I support ought to have precedence of those of Lentulus, which are advanced by certain eminent consulars, and will accordingly be put to the meeting by the consuls.'

* It was not until the early part of our Commentary was printed off that we became aware of the very able treatment of this passage by Sternkopf in *Hermes*, xxxviii. (1903), pp. 28–37. He punctuates and reads the passage thus *Consules neque concedebant neque valde repugnabant: diem consumi volebant, id quod est factum. Perspiciebant enim in Hortensi sententiam multis partibus pluris ituros, quamquam aperte, <ut> Volcacio adsentirentur, multi rogabantur, atque id ipsum consulibus invitis, nam ii Bibuli sententiam valere cupierunt.* By this arrangement *rogabantur* is not to be taken technically of the *perrogatio sententiarum*, but means simply that many were openly solicited by the partisans of Pompey to support Volcacius; and their open advocacy of Pompey is strongly insisted on in the previous letter (95, 3 *non obscura concursatio*). Though it is a little awkward that *consulibus* should be used when *consules* is the nominative to the sentence (we should have expected *atque id ipsis invitis, nam ii*, &c.), still this arrangement of Sternkopf's gets rid of the necessity of inserting *non*, and explains the appearance of the corrupt *vi* which appears in M after *aperte* (see Adn. Crit.). Sternkopf seems to take *id ipsum* as referring to the open and barefaced way (*aperte*) in which the supporters of Pompey solicited support; but even on this view *ipsum* is hardly required. Yet Sternkopf's arrangement of the passage is certainly masterly, and may well be right: but on the whole we think that the view advocated in our notes is preferable, viz., either to insert *non* before *invitis* (the omission of *non* being a frequent occurrence in the *codices*), or to read *neque id ipsum*.

Senate further passed a resolution that the question should not be brought before the people;* but this resolution was vetoed by C. Cato and Caninius, and so could only be published as an expression of opinion (*senatus auctoritas*, 96, 4). The next day these two tribunes declared that they would allow no law to pass until the elections for Aediles and Quaestors were completed. All this conduct of the tribunes Cicero stigmatizes as 'most infamous villainy' (*sceleratissimo tribunorum latrocinio*, 98, 2). But the main point was that the matter was postponed, and the popular party were virtually victorious.

Early in February Cicero wrote again to Lentulus to tell him of an 'atrocious proposal' (*nefaria promulgatio*) made by C. Cato to the people—to wit, that Lentulus be superseded in the government of Cilicia (99, 2); also of a motion of Caninius that Pompey, with two lictors, should restore Ptolemy.† Neither of these bills was carried by the end of March; for the consul Marcellinus nullified all comitial days by 'observing the heavens,' and using other devices for delay suggested by the State religion (105, 4); and he was supported by the tribune Racilius (114, 2). A resolution of the Senate was passed that no one should restore Ptolemy, and, as it was vetoed, could only be published as an *auctoritas*. By July the whole business had ceased to interest the public; and Cicero, in a long letter (114), gives Lentulus his own, and what he states was Pompey's, advice:—

'That whereas no decree of the Senate exists taking the restoration of the King of Alexandria out of your hands, and whereas the expression of opinion (*auctoritas*) drawn up on that subject (which, as you know, was vetoed), that no one at all should restore him, is of trifling importance, being dictated by angry party spirit rather than deliberate judgment, you, as governor of Cilicia and Cyprus, have it in your power to consider carefully what you can effect and accomplish; and, if circumstances seem likely to enable you to hold Alexandria and Egypt, the dignity of yourself and of our Empire admits of your placing the King at Ptolemais or some neighbouring place, while you proceed with fleet and army to Alexandria; so that when you have secured that city by establishing

* We presume that this means that, if anyone brought the matter before the people, the Senate would approve of a tribune's vetoing the proceedings, or another magistrate "observing the heavens": cp. note to 96, 4.

† Plutarch, Pomp. 49, calls the tribune Canidius.

peace and garrisons (*eam cum pace praesidiisque firmaris*), Ptolemy may return to his throne. Thus he will be restored by you as the Senate originally voted, and will be brought back without a "multitude," as scrupulous men say is the will of the Sibyl.' *

And then Cicero goes on to say that, however, the utmost care must be taken that the expedition, if attempted, should prove a success; that it should not be attempted if there is the least chance of failure; that a failure would be full of danger on account of the Senate's expression of opinion and the Sibylline oracle; and that Lentulus must remember that men will judge his whole action, not by the nature of his designs, but by the success of the undertaking (114, 5). But Lentulus had not the enterprise to take this shrewd, if somewhat Machiavellian, advice. He doubtless held that the decree of January 14 (see above, p. xxxix), formally forbidding the use of force, superseded the decree of the previous autumn; and he did not want to act unconstitutionally. When afterwards Gabinius acted as Cicero had advised Lentulus to act, and was successful, then Cicero, in righteous indignation, contrasts the upright and religious conduct of Lentulus with the unscrupulous insanity of Gabinius.†

During the remainder of the year this Egyptian Question rested. Affairs at Rome and in Gaul were too pressing for

* We wonder was this very carefully-worded paragraph actually drawn up by Cicero and Pompey in consultation.

† Cp. Cic. Pis. 50 *ille* (*Gabinius*) *si non acerrime fureret, auderet, quam provinciam P. Lentulus, amicissimus huic ordini, cum et auctoritate senatus et sorte haberet, interposita religione sine ulla dubitatione deposuisset, eam sibi adsciscere, cum, etiamsi religio non impediret, mos maiorum tamen et exempla et gravissimae legum poenae vetarent?* We owe this contrast to M. Bouché-Leclercq (lxxx, p. 11), who also reminds us (p. 20), as Lange also does (iii. 357), that during this deplorable time of Cicero's life he was composing the *De Republica*. We cannot, however, follow that eminent scholar (p. 17) in censuring Cicero for not having in the *Or. de Prov. Cons.* attacked Gabinius for his unconstitutional expedition to Alexandria. Cicero could not have done so, because the expedition had not occurred. The oration *de Prov. Cons.* was delivered about June, 698 (56), and Gabinius did not invade Egypt until the ensuing spring. And we think M. Bouché-Leclercq is also in error in his chronology (p. 18) in supposing with Dio Cassius (xxxix. 61, 1–3) that the inundation of the Tiber preceded the trials of Gabinius. Cicero's epistle to Quintus (156, 1) is decisive that the inundation was subsequent to the trial of Gabinius for *maiestas*, in which he was acquitted; and the inundation is regarded by Cicero as a token of divine indignation for this grievous miscarriage of justice.

Pompey and Caesar (who were principally interested in Egypt) to take active steps in reference to that country. They waited until they had been elected consuls in January, 699 (55). Then we hear* that Ptolemy arrived in the camp of Gabinius with letters from Pompey ordering Gabinius to effect his restoration. A pretext was easily obtained that Archelaus had prepared a fleet and assisted, or at least countenanced, the pirates.† The real reason was a promise of 10,000 talents, about two and a half millions of our money.‡ About the end of March or the beginning of April Gabinius proceeded down through Palestine to Egypt. He had settled Palestine the previous year with considerable success, and now received help from the philo-Roman party in that country, and especially from the Idumean Antipater.§ The march along the desert from the borders of Palestine to Pelusium was dangerous; but it was effected with success and vigour by Marcus Antonius—the celebrated Mark Antony—who was then in command of the cavalry of Gabinius.‖ The Jewish garrison before Pelusium allowed him to pass, and a battle was fought at Pelusium in which the Egyptians were defeated. Here, according to Plutarch, Ptolemy wished to commence his vengeance on his enemies, but Antony would not allow it. Afterwards on the Nile itself the Egyptians were again defeated both on land and water. Archelaus fell in the battle, and received a soldier's burial from his friend Antony.¶ This was about May.** The

* Dio Cass. xxxix. 56, 3.

† Cic. Rab. Post. 20. We hear a good deal about pirates in connexion with Gabinius, and may presume that there was a recrudescence of piracy in the Eastern Levant at this time. The enemies of Gabinius, the *publicani*, accused him of allowing piracy to gain such power that the taxes could not be collected.

‡ Cic. Rab. Post. 21: Plutarch, Ant. 3. Dio Cassius (xxxix. 57, 1) adds what we may consider a further reason, that Berenice, though fearing the Romans, did not act reasonably (ἐπιεικὲς μὲν οὐδὲν πρὸς αὐτὸν . . . ἔπραξε) towards Gabinius—which may mean that she did not bribe him.

§ Josephus, Bell. Iud. i. 8, 7.

‖ Plut. Ant. 3. Antony generally did well when called on to face the hardships of a soldier's life: cp. Plut. Ant. 17.

¶ Plut. Ant. 3. It was during this visit that Antony, who was then about twenty-eight, first saw Cleopatra, who was about fourteen; and, as Appian says, his eyes received the sting of desire (B.C. v. 8 λεγόμενος δ' ἐς ταύτην καὶ πάλαι παῖδα ἔτι οὖσαν ἐρέθισμά τι τῆς ὄψεως λαβεῖν).

** Cp. 121, 1. *Puteolis magnus est rumor Ptolemaeum esse in regno*, writes Cicero on

country was secured by the establishment of peace and garrisons, as Cicero would have said (114, 4). A body of Roman infantry with Celtic and German cavalry was located in the city; and these *Gabiniani milites*, to use the words of Mommsen, "took the place of the native praetorians, and otherwise emulated them not unsuccessfully."* Ptolemy executed his daughter Berenice and many of the richer Alexandrians: and as he was deeply indebted to Gabinius and to the superiors of Gabinius, Pompey and Caesar, doubtless at their order he put the management of his revenues into the hands of a Roman financier, one Rabirius Postumus.

We know a good deal about this Rabirius Postumus from a speech of Cicero's on his behalf. But we must first relate the story of the trials of Gabinius, as there is no subject in Cicero's correspondence during 700 (54) to which reference is more frequently made.

Gabinius had restored Ptolemy by May, 699 (55), but is stated to have sent home no despatch dealing with the expedition.† However, by the autumn all about it was well known, as we may gather from Cicero's invective, *In Pisonem*. In addition to the odium which attached to Gabinius owing to the Egyptian expedition, complaints were laid against him by the *publicani* that they had been hampered in the collection of taxes by the attacks of pirates, which could not be repulsed, because he had withdrawn all his forces for the invasion of Egypt. In the debates in the Senate on the subject, Crassus seems to have defended Gabinius, and, in the course of the defence, to have made an attack on Cicero, to which Cicero replied with warmth and vigour (153, 20). But nothing important resulted, except that the Triumvirs urged Cicero to become reconciled with Crassus; and he did so before November, when Crassus left for Syria. The *publicani* returned to the attack on February 13 of 700 (54).‡ L. Lamia, who had been 'relegated'

May 22. News could come from Egypt in about ten days. Gabinius seems to have sent home no official report of the Egyptian expedition (Dio Cass. xxxix. 59, 1).

* Cp. Caes. B.C. iii. 4, 4; 110, 2; Dio Cass. xlii. 38, 1; Val. Max. iv. 1, 15.

† Dio Cass. xxxix. 59, 1.

‡ Cp. 135, 2. The *publicani* themselves were accused by the Tyrians of harsh dealing. (If *Tyriis* is the correct reading, and we do not alter with M^2 to *Syriis*, we must suppose that the *publicani* had somehow extended their extortions even to the

by Gabinius in 696 (58), at their head (135, 2). The matter was postponed until March by certain points of constitutional law raised by Appius Claudius the consul (135, 3). About that month it was announced that Gabinius had refused to give up the province to a lieutenant of Crassus, and it was agreed that the Sibylline books should be consulted as to what punishment should be inflicted on Gabinius. No punishment was found specified; however, indignation was so keen against Gabinius that it was decided that the severest penalties should be meted out to him.*

On September 19 Gabinius approached the city, and after some days, finding that it was futile to expect a triumph, entered Rome by night on the 27th. On October 7 he appeared in the Senate to give his report, and was assailed by Cicero.† Gabinius was accused of *maiestas* under Sulla's law, for leaving his province and waging war on the Egyptians. The accuser was L. Lentulus, son of the flamen Martialis;‡ and in the very first steps of the case the unpopularity of Gabinius was clearly evinced (148, 24). He was also arraigned for extortion by several accusers, and there was much competition as to who should have the privilege of prosecution. The selection of accuser (*divinatio*) was tried before Cato, and C. Memmius was chosen (148, 15; 150, 1, 2).§ Further, Gabinius was accused of bribery: again a *divinatio* ensued, and P. Sulla (the Sulla who had previously been defended by Cicero) was chosen (151, 3; 154, 3).

About October 23 the trial for *maiestas* was held before C. Alfius, who was a firm man (151, 3); and Gabinius was acquitted by six votes in a panel of seventy jurors (152, 1). Cicero attributes this flagrant miscarriage of justice, which amounted,

free city of Tyre.) We can thus see a good reason for the hostility of the *publicani* to Gabinius—viz., that the latter had protected the provincials from their extortions.

* Dio Cass. xxxix. 60, 61.

† 150, 2 *cum a me maxime vulneraretur*. For the unpopularity of Gabinius cp. 148, 15, 24. On what occasion Cicero delivered his speech *In Gabinium*, which was known to the ancients (cp. Quintil. xi. 1, 73; Trebell. Poll. xxx. Tyr. 22, 11; Serv. ad Verg. Georg. i. 120), is doubtful—whether at the meeting in 699 (55), in which he replied to Crassus, or at the meeting in March, 700 (54), or at this meeting on October 7th. We incline to think the latter is the most probable occasion.

‡ Cp. Att. ii. 24, 2 (51), and Philippic iii. 25.

§ We have a story of extravagant harshness exhibited by Memmius in this connexion, related by Val. Max. viii. 1, 3.

he said, to an Amnesty Act for all crimes (160, 3 *Gabini absolutio lex impunitatis putatur*), to the incompetence of the accuser,* the corruption of the jurors, the fear of a dictatorship, and the influence of Pompey (151, 3; 152, 1; 154, 1–3).† Cicero gave evidence against Gabinius,‡ but otherwise he did not take any prominent part in the trial. The people were wildly indignant at the result of the case, and, according to Dio Cassius (xxxix. 63, 1), nearly slew the jurors. Anon followed grievous floods, owing to an overflow of the Tiber. Cicero professed to regard them as a divine vengeance for the acquittal of Gabinius; and, with a fine literary reminiscence, quoted Homer's view (Il. xvi. 385) that the heavy autumn rains were the punishment of those "who judge crooked judgments forcefully in the assembly, and drive justice out, and reck not of the vengeance of the gods." Cicero says he was delighted at the middle course which he adopted (*Ego vero hac mediocritate delector*); but it was severely criticised by his friends, such as the outspoken Cn. Sallustius, who thought Cicero ought to have either accused or defended Gabinius (152, 2, 3; cp. 150, 2 fin.): and, indeed, Cicero himself seems to have been sorely vexed that he did not accuse him.§ He gives the reasons (150, 2) which impelled him to the course he adopted —unwillingness to quarrel with Pompey, especially as Milo's canvass for the consulship would soon be beginning; the worthlessness of the jurors, the ill-feeling of certain men, and the general fear of a *fiasco*.

The trial for extortion did not take place until December. Even in December Cicero spoke with repugnance of the idea of

* This was so glaring that he was suspected of collusion (154, 1).

† Lange (iii. 301) notices that Gabinius appears to have had an *imperium* conferred upon him by the law of Clodius, which exempted him from the provisions of the Lex Cornelia and the Lex Julia de Repetundis, and allowed him to wage war outside his province (cp. De Domo 55, 60, 124), and that this legal point may have told in his favour.

‡ He does not state what the nature of that evidence was, but it cannot have been very serious or bitter; for Gabinius asked him no questions, and said he would always feel gratitude to Cicero for his action on the occasion (152, 3). Possibly, too, Gabinius wished to conciliate Cicero, knowing that Pompey would urge Cicero to defend him if a subsequent trial should take place.

§ 155, 4 *angor . . . inimicos a me partim non oppugnatos* (Gabinius), *partim etiam esse defensos* (Vatinius).

defending Gabinius;* but when the trial came on, he was persuaded by Pompey and Caesar, and undertook the defence. Cicero does not appear to have published his oration; but an interesting fragment is recorded from the notes (*commentarii*) which he made for that speech.† This action of Cicero's is hard to justify. He declares that he defended Gabinius because he had been reconciled with him, and not because Pompey put pressure on him. "I am never sorry," he says finely, "that my enmities are mortal, my friendships undying."‡ But there is no doubt that the defence of Gabinius (as Dio Cassius says, xxxix. 63, 5; cp. xxxvi. 44, 2, and xlvi. 8) made more marked the application of the term 'deserter' to Cicero. However, Valerius Maximus (iv. 2, 4) mentions this reconciliation with, and defence of, an old enemy as a signal instance of right feeling (*humanitas*). Pompey appears to have held a meeting outside the walls, in which he spoke in favour of Gabinius, and read a letter of Caesar's to the same effect (Dio Cass. xxxix. 63, 2–4). At the trial evidence from Pompey was read (for, as holding the *imperium*, he could not enter the city), which stated that the King of Egypt had informed him by letter that he had given no money to Gabinius except for military purposes (Rab. Post. 34). Gabinius was condemned;§ and at the *litis aestimatio* he was fined 10,000 talents (about two and a half millions of our money), the amount which he was stated to have received from Ptolemy (cp. above, p. xliii). As Gabinius could not pay it, he went into exile; and he did not return till 705 (49), when all

* 160, 1 τότε μοι χάνοι. In September Cicero had said to Quintus (148, 15) *Pompeius a me valde contendit de reditu in gratiam* [sc. cum Gabinio] *sed adhuc nihil profecit nec, si ullam partem libertatis tenebo, proficiet*; and in October he declared (152, 3) his defending Gabinius would be a *sempiterna infamia.*

† See the *Fragments of Cicero*, p. 291, ed. C. F. W. Müller: *Ego cum omnis amicitias tuendas semper putavi summa religione et fide, tum eas maxime quae essent ex inimicitiis revocatae in gratiam, propterea quod integris amicitiis officium praetermissum imprudentiae vel, ut gravius interpretemur, neglegentiae excusatione defenditur, post reditum autem in gratiam si quid est commissum, id non neglectum sed violatum putatur nec imprudentiae sed perfidiae assignari solet.*

‡ Rab. Post. 32 *neque me vero paenitet mortalis inimicitias, sempiternas amicitias habere.*

§ Owing, says Dio Cassius (*l. c.*), to popular indignation, and to his not bribing sufficiently; but, as Mr. Long (iv. 281) says, it is possible that the judges considered the evidence sufficient.

the exiles (except Milo) were restored by Caesar. The trial for bribery (cp. above, p. xlv) was, of course, dropped.*

The trial of Rabirius Postumus (see above, p. xliv) forms the Epilogue or Appendix (*appendicula*), as Cicero calls it (Rab. Post. 8), to the trial of Gabinius for extortion. When Gabinius had been condemned, and was unable to pay the fine assessed against him, it was supposed that some of the extorted money had found its way into the pockets of Rabirius; and he was accordingly accused, by the C. Memmius who had also accused Gabinius, on this ground—*quo ea pecunia pervenerit*, as the formula ran.† He had endeavoured to extract from the Egyptian taxpayers some of the two and a half millions promised by Ptolemy to Gabinius, and, doubtless, some of the vast sums which Ptolemy had borrowed from himself and other Roman financiers. Cicero spoke in defence of Rabirius, as he had done in defence of Gabinius. Rabirius had stood by Cicero and his family during his banishment; so that Cicero, who hardly ever was wanting in gratitude, was willing enough to do what he could on his behalf, thus acting as well for personal reasons as because Pompey wished it. Cicero argues that, on certain legal grounds, Rabirius, a Roman knight, was not amenable to the charge of extortion; but, passing by that plea, he takes the case on its merits. Rabirius, he says, was a financier who lent money to Ptolemy in the first instance, and then kept on advancing money in hopes of recovering his original loan; but he has not succeeded, and is now a ruined man. He was very reckless, very foolish, to lend money to the king; but business speculations do fail at times. He was appointed Superintendent (διοικητής) of the Alexandrian Exchequer, and in that capacity certainly did assume Alexandrian dress: otherwise he would not have been able to do his business at all.‡ Ptolemy treated him

* As far as we know, there is only one more mention of Gabinius. After the Battle of Pharsalia he was sent by Caesar to Illyricum to reinforce Q. Cornificius. Near Salona, at a place called Synodium, he suffered a very severe defeat from the natives, and had to throw himself into Salona. Here he defended himself for some time against M. Octavius; but finally, worn out by hardships and difficulties, was seized by a fatal illness, which carried him off about the end of 706 (48); cp. Bell. Alex. 42, 4; 43; Dio Cass. xlii. 11: Appian. Illyr. 12, 27.

† Rab. Post. 8: cp. Cluent. 116; Caelius ad Fam. viii. 8, 2 (223).

‡ This adoption of Alexandrian dress seems to have brought much odium on Rabirius,

very badly. He put him in prison, and finally Rabirius had to disguise himself and fly for his life.* At any rate, says Cicero, Rabirius is ruined, and could not appear in Roman business circles were it not for the extraordinary liberality and generosity of his friend Julius Caesar; and then follows a long panegyric on Caesar's virtues.† Rabirius is but a shadow and a phantom of what he was; and he owes his preservation to the loyal assistance of Caesar. So far Cicero. Caesar always stood by his business friends, and, doubtless, did stand by Rabirius; for the money lent by Rabirius to Ptolemy, we may be very sure, passed in a great measure over to Caesar. That the two and a half millions promised to Gabinius by Ptolemy were really promised to Caesar and Pompey, we may perhaps infer from what Caesar is reported to have said when he went to Alexandria in 707 (47), that Ptolemy Auletes owed him a vast sum (it was equal to £1,700,000 of our money); that he remitted the £700,000, but required the million for the support of his army (Plut. Caes. 48). The other creditors of Pompey appear to have fared with signal ill-success. In October, 700 (54), Cicero consoles Trebatius (146, 1) for not having made a rapid fortune by telling him that others, who had Egyptian bonds, though they went to Alexandria, have not been able to get a penny of their money so far. We do not know what was the end of the trial of Rabirius; but as the case of Rabirius was obviously a poor one, and as Cato was the president of the

and Cicero is at great pains to exonerate him in the matter (cp. § 25). "He wore the pallium at Alexandria in order that he might afterwards wear his toga at Rome; if he retained his toga, he would have had to renounce all his fortunes." Roman dignity appears to have required that the Romans should be not only *rerum dominos*, but *gentemque togatam* (cp. Verg. Æn. i. 282).

* Rab. Post. 39. Dr. Mahaffy (*The Empire of the Ptolemies*, p. 438) rightly suggests that the extortions of Rabirius roused the quick-tempered and reckless Alexandrians to acts of violence, and that his life was saved only by his being put under some kind of police protection by the King. Further, touching the appointment of Rabirius as Superintendent of the Exchequer, Dr. Mahaffy remarks: "I do not think the real significance of this curious concession has been appreciated by historians. It was then without precedent, but has in recent times its parallel in the cession of Turkish taxes made by the Sultan to secure the interest of their loans to his foreign creditors."

† Rab. Post. 41–44: *Verum autem, iudices, si scire voltis, nisi C. Caesaris summa in omnis, incredibilis in hunc eadem liberalitas extitisset, nos hunc Postumum iam pridem in foro non haberemus. . . . Umbram equitis Romani et imaginem videtis, iudices, unius amici conservatam auxilio et fide.*

court, and as we hear no more of Rabirius until after the restoration of the exiles in 705 (49),* we may consider it in a measure probable that Rabirius met the same fate as Gabinius, and was condemned; but we cannot be certain, for Cicero tells us (Cluent. 116) that juries were sometimes very lax in subsidiary cases of this kind, after having shown great severity in the principal case.

Such was the end of the Egyptian business, which was a rather disgraceful one. Ptolemy reigned until May, 703 (51), and died of disease at the age of about forty-five.† No one has a good word for him.‡ He may be described in the words with which Tacitus (Hist. v. 9) has branded Felix, as one who, "practising every kind of cruelty and lust, exercised the powers of a king with the mind of a slave" (*per omnem saevitiam et libidinem ius regium servili ingenio exercuit*). Cicero, indeed, speaks of him as *blandus* and *benignus* (Rab. Post. 5), but that was only when Ptolemy wanted to raise a loan. Egypt does not appear again in any prominence in Roman history until after the Battle of Pharsalia.

II.—LITERARY.

§ 1. Cicero and his Correspondents.

Whatever may be said about the political aspect of Cicero during the years between his restoration and his departure for his province, Cilicia, it cannot be denied that as a *littérateur* his charm is irresistible. Amidst all his political anxieties we are constantly finding the happy quotation, the epigrammatic phrase, the apt literary and historical allusion. The heavy rains that followed the acquittal of Gabinius remind him (156) of the sublime passage of Homer (Il. xvi. 385), when he tells how Zeus 'sendeth down exceeding great rain on men, for that he

* In the Bell. Afr. 8, 1 we hear that Caesar in 707 (47) sent Rabirius Postumus to Sicily to bring over a second convoy of troops into Africa.

† Cael. ap. Fam. viii. 4, 5 (206); Strabo, 796.

‡ Mahaffy, op. cit., p. 439.

is wroth because they judge crooked judgments forcefully in the assembly, and put righteousness utterly away, and reck not of the vengeance of the gods.' The reserve of Pompey makes it necessary to qualify every statement about his views with *ut loquebatur*, which suggests to him the refrain of Phocylides, καὶ τόδε Φωκυλίδου. In arguing Trebatius out of his home-keeping proclivities he refers to a celebrated speech of Medea to the dames of Corinth, 214 ff., and gives a strange interpretation to the Euripidean passage, or rather the Ennian version of it. Some of his quotations from lost plays are quite unintelligible to us now, as, for instance, his allusion to the Σύνδειπνοι Σοφοκλέους in 147, 3; but no doubt they are as apt as those which we understand. In telling how he played off his Publius (Vatinius) against the senate's Publius (Clodius), he makes a most happy use of Gnatho's advice in the *Eunuchus*; and he defends his conduct by clever, but rather strained, appeals to Plato. His quotations from Homer and the old Roman poets are very numerous, and always singularly appropriate.

Many happy phrases of this chief of phrase-mongers have already been quoted, or will be quoted in the sequel. The following are good examples of his lighter vein—we refer to the pages of this edition to promote facility of reference:—

'I am tired of surgery; I am beginning a treatment by *régime*,' p. 16. 'A letter does not blush,' 61. 'He was so attached to his country, that I think it was the mercy of God which spared him the sight of its holocaust,' 67. 'Since Tyrannio arranged my books my house seems to be no longer chaos,' 73. 'Pompey has in the archives of his pocket-book as long a list of consuls to be as of consuls that have been,' 86. 'The Sicilian is a writer of the first rank, terse, sagacious, concise, almost a Thucydides in little,' 136. 'If the election comes off without bribery, it will show that the influence of Cato outweighs the Statute Book and the Bench together,' 147. 'You are too impatient. You want to make your fortune, and return from Gaul at once. One would think my letter of introduction to Caesar was a draft on him payable at sight,' 160. 'The house, in its present unadorned state, is like some sober moralist placed there to reproach the other villas for their frivolity,' 168. 'The place is so clothed with ivy that the statues between the columns seem to have taken to fancy gardening, and to be telling us to admire the ivy,' 168. 'The acquittal of Gabinius is regarded as a general Amnesty Act,' 226. 'Your most formidable rival is the magnificence of the hopes formed of your future,' 253.

For whole letters of rare finish and skill we would recommend especially those to Lucceius (109), to Marius (127), to Caesar (134); and for the more jocose vein all the letters to Trebatius, though the constant play on judicial terms, such as *cavere*, *respondere*, *sapere*, and the facetious references to Britain, become tiresome.

The letters of Part IV. present to us a most vivid picture of Roman life during the closing scenes of the Republic. This was an epoch at which there began to exist something like what we now call society. The old Roman lived at home, or in the Forum. Now we begin to see the dawn of the *beau monde*. It is an era of *salons*, dinner-parties, *bons mots*, intrigues. At the same time the streets are the arena of daily conflicts,* one might almost say massacres, which would seem incompatible with even the rudest form of civilization. 'You remember,' says Cicero (*pro Sest.* § 77), 'how the Tiber was full of corpses, and the public sewers choked, and how the blood had to be swabbed up with sponges (*spongiis effingi*) in the Forum'; and much more to the same effect. Not only a gay Curio or Caelius, on his way to an evening of gambling or drinking at the house of Clodia, or her lover Catullus, but a staid consular, on his way to the Senate, would, if he valued his life, arm himself to the teeth, and call out his gang of gladiators (*operae*, *manus*, λόχος), to force his passage through the streets. A man would seem to have to take as much precaution about his arms and his bodyguard in going from the Forum to the Palatine as would now be needed in preparing for an expedition into the interior of Africa. On November 11, 697 (57), as Cicero was walking along the *Via Sacra*, an attack was made on him, which might have proved fatal to him had he

* As regards rioting at Rome, there is a learned and interesting account in Mr. A. C. Clark's Introduction to his edition of the *Pro Milone* (pp. xiv, ff.). For examples of riots and violence we may add to that quoted from the *pro Sestio* Epp. 92, 2, 3 : 102, 2 : also Asconius *in Mil.*, pp. 47, 48 Or. Mr. Clark thinks the reason why more stringent measures were not taken to suppress this mob-law was the exaggerated respect for the freedom of the Roman citizen and the consequent enfeeblement of the executive. Roman anarchy is chiefly associated with the name of Clodius. His gangs (*operae*) were composed of (1) freedmen, whom he constantly proposed to enrol in all the tribes; (2) slaves, especially those enrolled in the *Collegia Compitalicia* (see vol. iii., pp. 293, 294), which were legalized in 696 (58), and soon became splendidly organized.

not been attended by an unusually strong gang of ruffians. Cicero observes (92, 3) that his followers, without difficulty, repelled the roughs of Clodius, adding 'Clodius might easily have been killed, but I am tired of surgical treatment; I am beginning to try *régime*.' He seems to think it necessary to explain why he did not let his followers proceed to extremities. In the same letter he prophesies that Clodius will fall by the hand of Milo, as he afterwards did in the fray which he merrily calls 'the battle of Bovillae' and 'the battle of Leuctra.'* Clodius, we are told, when he goes about the streets, has with him 'picked troops of runaway slaves' (92, 4). On one occasion they raised such a tumult on the steps of the *Curia* that the Senate was obliged to adjourn (93, 3). On another the Clodian gang 'began to spit on our followers' (102, 2). In the same letter (§ 3) we find Pompey hinting pretty broadly in the Senate that Crassus had formed a plan to take his life. Indeed, such an act seemed at this time a very natural way of emphasizing a difference of opinion. When Talleyrand was told of the assassination of the Emperor Paul, he said, 'I understand that is the constitutional mode of abdicating in Russia.' And at Rome at this period to assassinate a political opponent seemed a far simpler method than to endeavour to convert him to one's views. Cicero speaks (102, 4) of the operations against Clodius in words which would be suitable to the description of a regular campaign—'Pompey is getting hands from the country. Clodius is strengthening his gangs too. A force is being organized for the struggle of the 17th. But we are much better prepared for it than he is; and we are expecting a strong reinforcement from Picenum and Gaul, to resist Cato's motions about Lentulus and Milo.' Under these circumstances it is not surprising that the wordy warfare in the Senate ran high. No one seems to have thought it indecorous in Cicero to use such terms as 'swine,' 'ordure,' 'carrion,' about his political opponents, as, for example, Piso.

And the pastimes of the people furnished but a *replica* of the

* Att. v. 13, 1 (203): vi. 1, 26 (252). For more than two years Milo had been 'looking for Clodius,' as they say in Texas: 92, 5.

bloody scenes of the Forum. Bloodshed was the play, as well as the work, of Rome. Pliny tells us (viii. 20, 21) that Pompey, in the dedication of his theatre and the temple of Venus Victrix, delighted the people with spectacles on a scale of more than common magnificence. The most interesting feature was, as usual, the *venatio*, or man and beast fight. On this occasion five hundred lions and twenty elephants were killed. It seems that the courage and skill of the elephants, and then their piteous bearing and terrified trumpeting, when they found escape impossible, touched even the callous mob in the circus so much, that 'forgetful of the *Imperator* and the great munificence of the show, they rose up in a body, and, with streaming eyes, cursed Pompey.' Cicero, in a remarkable letter to Marius (117),* condemns and sneers at these performances. He commends his friend for preferring the country.

'You, in your study, with your books about you, enjoyed the distant view of Misenum, and all the beauties of the Bay of Naples; those who came to Rome for the show had a very near view indeed of farces that they nodded over. We are at the mercy of Lord Chamberlain Tarpa, and have to put up with any rubbish that he calls a play. Then, as to the beast-baiting, what pleasure can a man of any culture feel in seeing a helpless human being mangled by a mighty beast, or a fine brute spitted on a lance. The show, whatever may be one's opinion about the *morale* of such spectacles, at all events had no novelty about it. The last day was reserved for the elephants. The mob were greatly astonished, but did not enjoy it. Indeed, a sense of the pathetic character of the scene prevailed, and a feeling that the huge beast has a kind of kinship with man.'

Writing of the same event, Dio Cassius (xxxix. 38) says:—

'In five days five hundred lions were used up (ἀναλώθησαν), and eighteen elephants were put to fight with armed soldiers. Some of the elephants were butchered on the spot, but some were spared to die of their wounds. For, much to the surprise of Pompey, some of them touched the hearts of the spectators. When they were wounded so badly that they had to give up the fight, they went round the arena, raising their trunks to heaven, and uttering cries so piteous as to make it seem that they were not without meaning, but were intended as appeals to the gods for vengence for the broken vows, on the

* The other letter in this volume which Cicero wrote to Marius (182) is merely an explosion of joy at the condemnation of Cicero's enemy T. Munatius Plancus Bursa.

faith of which they had crossed over from Libya. The story is, that they would not embark without a pledge on oath from their drivers that they should not be ill-treated. Whether this is true or not I cannot say. It has been stated before now, that they not only understand the language of their native country, but are so cognizant of the movements of the heavenly bodies, that at the time of the new moon, before the crescent becomes visible, they betake themselves to running water, and there perform a solemn ablution.'

Perhaps it was some such ignorant superstition that moved the mob, usually so callous to scenes of blood. We cannot fail to call to mind the extravagant sentiment which was many years ago evoked among the lower classes in London by the rational-seeming demeanour of a huge elephant called Jumbo which appeared loth to leave England for America, and the romantic tales that were told of the creature's constancy and affection. Cicero has been commended for his condemnation of these brutalizing spectacles—and justly, though we previously held that we should regard the letter merely as a piece of clever rhetoric on a thesis propounded to him, rather than as the expression of his real opinion, owing to its concluding words :—

'I have made this a longer letter than usual, not because I have plenty of leisure, but by reason of my love for you. You gave me a kind of challenge (*subinvitaras*) if you remember, in a letter of yours, to write you something to make you not regret having missed the games. If I have succeeded in this, I am glad of it; if I have failed, then I have at least this consolation: you will come to the games next time, and then you will see me, and not leave your chance of getting amusement out of the games at the mercy of a communication from me.'

But the letter is probably both an essay and a true expression of Cicero's opinion. He never shows interest in the games of the Circus; and his high culture and love of refinement must have rendered the brutal sports distasteful to him. But we fancy that it was the vulgarity and brutality which influenced Cicero in his repugnance to the sports rather than humanitarian considerations.

The letters to Quintus, the two remaining books of which are included in this instalment of the correspondence, are full of interest, and are not so familiar to most readers as those to Atticus and to his friends at large. He says he likes to let his letters to his brother ramble on (*alucinari*), just as their talk did when

they were together. We read, for instance, in 132, 2, that the people of Tenedos petitioned for Home Rule. The refusal of the Senate was peremptory. 'Tenedian Home Rule,' says Cicero, 'was cut down by a Tenedian axe.' The 'Tenedian axe,' which in that island was immediately applied to the condemned, was proverbial for any 'short, sharp, and decisive' measure. Every little piece of gossip which may serve as a peg on which to hang a joke or a smart phrase finds a place in his correspondence with his brother and his more intimate friends. Hence great difficulties encounter us in these epistles. We need not be surprised that some of these puzzles still defy the sagacity of commentators, when we know that Cicero himself sometimes failed to interpret a dark saying in a missive from Atticus, and sometimes has to own that he had himself employed such a covert phrase that he could hardly have expected his correspondent to decipher his meaning. This caution is especially observable in his correspondence with his brother and Atticus. In 143, 7, in hinting at the infamous compact in which the candidate consuls and existing consuls engaged in the end of the year 700 (54), he writes, 'What the compact is I dare not trust a letter to tell.' He says to his brother (148, 21): 'My letters to you as a rule contain nothing which could cause us any embarrassment if they fell into the hands of anyone else.' In 159, 2, he writes:—

> 'Again I must warn you not to trust to a letter any communication which might make trouble for us. Many and many a thing I would rather not hear of at all than risk a danger in order to hear of it.'

And he also hints to Curio (176, 2) the danger of entrusting to letters details of political affairs. Accordingly, when he deals with delicate matters, Cicero often clothes his thoughts in enigmatic phrase, which we know sometimes puzzled even those to whom his letters were addressed. It is really amazing that there are so few absolutely inexplicable passages in them, when we remember that we have to interpret them almost always without even possessing the letters which replied to them, or to which they were replies.

In a very interesting letter to his brother (141, 5), in which he assures him that things 'are in a condition of profound calm, but

it is the calm of decrepitude, not repose' (*summum otium forense sed senescentis magis civitatis quam acquiescentis*), he shows how, in the hopeless condition of public affairs, he finds his only consolation in his correspondence with Caesar:—

'I have received,' he writes to his brother (141, 1), 'a letter from Caesar full up of (*refertis*) courtesy, sympathy, and kindness, in which he assures me that he is delighted to have you with him in Gaul, and that it will be his business to make me, in all my regret for being parted from you, feel glad that, as you are away, you are with him rather than with anyone else.' 'Perhaps,' Cicero goes on to say, 'my case will be like that of the traveller who, having overslept himself, makes such good speed that he reaches his destination before those who were up betimes.'

It is amusing to read (147, 4) how he fears the dangers which may await his brother in attempting to effect a landing on the 'rampired' (cp. *muratos*, 149, 7) coast of savage Britain,* and how he tells Atticus (149, 7) that 'there is not a scruple of silver in the whole island, and no prospect of booty except in the way of slaves, and these quite illiterate, and ignorant of music.' Not a chance of a Dionysius or a Phemius—mere savages! And the whirligig of time has so brought in his revenges that the remote descendants of these savages now feel perhaps a greater interest in these very letters than was felt even by Quintus, Atticus, or Trebatius, when they received them.

During a portion of the period embraced in this part of the correspondence Quintus was in Sardinia, but for most of the time he was with Caesar in Gaul. His splendid defence of his camp against an apparently irresistible force is a notable incident in Roman history. The disaster which overtook Cotta and Sabinus, and the heroism of the troops under Quintus Cicero, remind the reader forcibly of Isandula and Rorke's Drift. We quote the narrative of Mr. Froude, which is characteristically powerful as a piece of writing, and would indeed be perfect if he could have resisted the unworthy sneer at Marcus conveyed in the last words:—

'If one Roman camp was taken, Induciomarus calculated that the country would rise; the others could be separately surrounded, and Gaul would be

* Quintus appears to have spoken very sensibly about the expedition into Britain. 148, 10 *De Britannicis rebus cognovi ex tuis litteris nihil esse nec quod metuamus nec quod gaudeamus.*

free. The plot was well laid. An entrenched camp being difficult to storm, the confederates decided to begin by treachery. Ambiorix was personally known to many of the Roman officers. He sent to Sabinus to say that he wished to communicate with him on a matter of the greatest consequence. An interview being granted, he stated that a general conspiracy had been formed through the whole of Gaul to surprise and destroy the legions. Each station was to be attacked on the same day, that they might be unable to support each other. He pretended himself to have remonstrated; but his tribe, he said, had been carried away by the general enthusiasm for liberty, and he could not keep them back. Vast bodies of Germans had crossed the Rhine to join in the war. In two days at the furthest they would arrive. He was under private obligations to Caesar, who had rescued his son and nephew in the fight with the Aduatuci, and out of gratitude he wished to save Sabinus from destruction, which was otherwise inevitable. He urged him to escape while there was still time, and to join either Labienus or Cicero, giving a solemn promise that he should not be molested on the road.

'A council of officers was held on the receipt of this unwelcome information. It was thought unlikely that the Eburones would rise by themselves. It was probable enough, therefore, that the conspiracy was more extensive. Cotta, who was second in command, was of opinion that it would be rash and wrong to leave the camp without Caesar's orders. They had abundant provisions. They could hold their own lines against any force which the Germans could bring upon them, and help would not be long in reaching them. It would be preposterous to take so grave a step on the advice of an enemy. Sabinus unfortunately thought differently. He had been over-cautious in Brittany, though he had afterwards redeemed his fault. Caesar, he persuaded himself, had left the country; each commander therefore must act on his own responsibility. The story told by Ambiorix was likely in itself. The Germans were known to be furious at the passage of the Rhine, the destruction of Ariovistus, and their other defeats. Gaul resented the loss of its independence. Ambiorix was acting like a true friend, and it would be madness to refuse his offer. Two days' march would bring them to their friends. If the alarm was false, they could return. If there was to be a general insurrection, the legions could not be too speedily brought together. If they waited, as Cotta advised, they would be surrounded, and in the end would be starved into surrender.

'Cotta was not convinced, and the majority of officers supported him. The first duty of a Roman army, he said, was obedience to orders. Their business was to hold the post which had been committed to them, till they were otherwise directed. The officers were consulting in the midst of the camp, surrounded by the legionaries. "Have it as you wish," Sabinus exclaimed, in a tone which the men could hear; "I am not afraid of being killed. If things go amiss, the troops will understand where to lay the blame. If you allowed it, they might in forty-eight hours be at the next quarters, facing the chances of war with their comrades, instead of perishing here alone by sword or hunger."

'Neither party would give way. The troops joined in the discussion.

They were willing either to go or to stay, if their commanders would agree; but they said that it must be one thing or the other; disputes would be certain ruin. The discussion lasted till midnight. Sabinus was obstinate; Cotta at last withdrew his opposition, and the fatal resolution was formed to march at dawn. The remaining hours of the night were passed by the men in collecting such valuables as they wished to take with them. Everything seemed ingeniously done to increase the difficulty of remaining, and to add to the perils of the march by the exhaustion of the troops. The Meuse lay between them and Labienus, so they had selected to go to Cicero at Charleroy. Their course lay up the left bank of the little river *Geer*. Trusting to the promises of Ambiorix, they started in loose order, followed by a long train of carts and wagons. The Eburones lay, waiting for them, in a large valley, two miles from the camp. When most of the cohorts were entangled in the middle of the hollow, the enemy appeared suddenly, some in front, some on both sides of the valley, some behind, threatening the baggage. Wise men, as Caesar says, anticipate possible difficulties, and decide beforehand what they will do if occasions arise. Sabinus had foreseen nothing, and arranged nothing. Cotta, who had expected what might happen, was better prepared, and did the best that was possible. The men had scattered among the wagons, each to save or protect what he could. Cotta ordered them back, bade them leave the carts to their fate, and form together in a ring. He did right, Caesar thought; but the effect was unfortunate. The troops lost heart, and the enemy was encouraged, knowing that the baggage would only be abandoned when the position was desperate. The Eburones were under good command. They did not, as might have been expected, fly upon the plunder. They stood to their work, well aware that the carts would not escape them. They were not in great numbers. Caesar specially says that the Romans were as numerous as they. But everything else was against the Romans. Sabinus could give no directions. They were in a narrow meadow, with wooded hills on each side of them filled with enemies whom they could not reach. When they charged, the light-footed barbarians ran back; when they retired, they closed in upon them again, and not a dart, an arrow, or a stone missed its mark among the crowded cohorts. Bravely as the Romans fought, they were in a trap where their courage was useless to them. The battle lasted from dawn till the afternoon, and though they were falling fast, there was no flinching and no cowardice. Caesar, who inquired particularly into the minutest circumstances of the disaster, records by name the officers who distinguished themselves; he mentions one whose courage he had marked before, who was struck down with a lance through his thighs, and another who was killed in rescuing his son. The brave Cotta was hit in the mouth by a stone as he was cheering on his men. The end came at last. Sabinus, helpless and distracted, caught sight of Ambiorix in the confusion, and sent an interpreter to implore him to spare the remainder of the army. Ambiorix answered, that Sabinus might come to him, if he pleased; he hoped he might persuade his tribe to be merciful; he promised that Sabinus himself should suffer no injury. Sabinus asked

Cotta to accompany him. Cotta said he would never surrender to an armed enemy; and, wounded as he was, he stayed with the legion. Sabinus, followed by the rest of the surviving officers, whom he ordered to attend him, proceeded to the spot where the chief was standing. They were commanded to lay down their arms. They obeyed, and were immediately killed; and with one wild yell the barbarians then rushed in a mass on the deserted cohorts. Cotta fell, and most of the others with him. The survivors, with the eagle of the legion, which they had still faithfully guarded, struggled back in the dusk to their deserted camp. The standard-bearer, surrounded by enemies, reached the fosse, flung the eagle over the rampart, and fell with the last effort. Those that were left fought on till night, and then, seeing that hope was gone, died like Romans on each other's swords—a signal illustration of the Roman greatness of mind, which had died out among the degenerate patricians, but was living in all its force in Caesar's legions. A few stragglers, who had been ut off during the battle from their comrades, escaped in the night through the woods, and carried the news to Labienus. Cicero, at Charleroy, was left in ignorance. The roads were beset, and no messenger could reach him.

'Induciomarus understood his countrymen. The conspiracy with which he had frightened Sabinus had not as yet extended beyond a few northern chiefs; but the success of Ambiorix produced the effect which he desired. As soon as it was known that two Roman generals had been cut off, the remnants of the Aduatuci and the Nervii were in arms for their own revenge. The smaller tribes along the Meuse and Sambre rose with them; and Cicero, taken by surprise, found himself surrounded before he had a thought of danger. The Gauls, knowing that their chances depended on the capture of the second camp before assistance could arrive, flung themselves so desperately on the entrenchments that the legionaries were barely able to repel the first assault. The assailants were driven back at last; and Cicero despatched messengers to Caesar to Amiens, to give him notice of the rising; but not a man was able to penetrate through the multitude of enemies which now swarmed in the woods. The troops worked gallantly, strengthening the weak points of their fortifications. In one night they raised a hundred and twenty towers on their walls. Again the Gauls tried a storm, and, though they failed a second time, they left the garrison no rest either by day or night. There was no leisure for sleep; not a hand could be spared from the lines to care for the sick or wounded. Cicero was in bad health; but he clung to his work till the men carried him by force to his tent and obliged him to lie down. The first surprise not having succeeded, the Nervian chiefs, who knew Cicero, desired a parley. They told the same story which Ambiorix had told, that the Germans had crossed the Rhine, and that all Gaul was in arms. They informed him of the destruction of Sabinus; they warned him that the same fate was hanging over himself, and that his only hope was in surrender. They did not wish, they said, to hurt either him or the Roman people; he and his troops would be free to go where they pleased, but they were determined to prevent the legions from quartering themselves permanently in their country.

'There was but one Sabinus in the Roman army. Cicero answered, with a spirit worthy of his country, that Romans accepted no conditions from enemies in arms. The Gauls might, if they pleased, send a deputation to Caesar, and hear what he would say to them. For himself, he had no authority to listen to them. Force and treachery being alike unavailing, they resolved to starve Cicero out. They had watched the Roman strategy. They had seen and felt the value of the entrenchments. They made a bank and ditch all round the camp, and, though they had no tools but their swords with which to dig turf and cut trees, so many there were of them that the work was completed in three hours. Having thus pinned the Romans in, they slung red-hot balls and flung darts carrying lighted straw over the ramparts of the camp on the thatched roofs of the soldiers' huts. The wind was high, the fire spread, and amidst the smoke and the blaze the Gauls again rushed on from all sides to the assault. Roman discipline was never more severely tried, and never showed its excellence more signally. The houses and stores of the soldiers were in flames behind them. The enemy were pressing on the walls in front, covered by a storm of javelins and stones and arrows, but not a man left his post to save his property or to extinguish the fire. They fought as they stood, striking down rank after rank of the Gauls, who still crowded on, trampling on the bodies of their companions, as the foremost lines fell dead into the ditch. Such as reached the wall never left it alive, for they were driven forward by the throng behind on the swords of the legionaries. Thousands of them had fallen before: in desperation, they drew back at last.

'But Cicero's situation was almost desperate too. The huts were destroyed. The majority of the men were wounded, and those able to bear arms were daily growing weaker in number. Caesar was 120 miles distant, and no word had reached him of the danger. Messengers were again sent off, but they were caught one after another, and were tortured to death in front of the ramparts, and the boldest men shrank from risking their lives on so hopeless an enterprise. At length a Nervian slave was found to make another adventure. He was a Gaul, and could easily disguise himself. A letter to Caesar was enclosed in the shaft of his javelin. He glided out of the camp in the dark, passed undetected among the enemies as one of themselves, and, escaping from their lines, made his way to Amiens.

'Swiftness of movement was Caesar's distinguishing excellence. The legions were kept ready to march at an hour's notice. He sent an order to Crassus to join him instantly from Montdidier. He sent to Fabius at St. Pol to meet him at Arras. He wrote to Labienus, telling him the situation, and leaving him to his discretion to advance or to remain on his guard at Lavacherie, as might seem most prudent. Not caring to wait for the rest of his army, and leaving Crassus to take care of Amiens, he started himself, the morning after the information reached him, with Trebonius's legion to Cicero's relief. Fabius joined him, as he had been directed, at Arras. He had hoped for Labienus's presence also; but Labienus sent to say that he was surrounded by the Treveri, and dared not stir. Caesar approved his hesitation, and with but

two legions, amounting in all to only 7,000 men, he hurried forward to the Nervian border. Learning that Cicero was still holding out, he wrote a letter to him in Greek, that it might be unintelligible if intercepted, to tell him that help was near. A Gaul carried the letter, and fastened it by a line to his javelin, which he flung over Cicero's rampart. The javelin stuck in the side of one of the towers, and was unobserved for several days. The besiegers were better informed. They learnt that Caesar was at hand; that he had but a handful of men with him. By that time their own numbers had risen to 60,000, and, leaving Cicero to be dealt with at leisure, they moved off to envelop and destroy their great enemy. Caesar was well served by spies. He knew that Cicero was no longer in immediate danger, and there was thus no occasion for him to risk a battle at a disadvantage to relieve him. When he found the Gauls near him, he encamped, drawing his lines as narrowly as he could, that from the small show which he made they might imagine his troops to be even fewer than they were. He invited attack by an ostentation of timidity, and having tempted the Gauls to become the assailants, he flung open his gates, rushed out upon them with his whole force, and all but annihilated them. The patriot army was broken to pieces, and the unfortunate Nervii and Aduatuci never rallied from this second blow. Caesar could then go at his leisure to Cicero and his comrades, who had fought so nobly against such desperate odds. In every ten men he found that there was but one unwounded. He inquired with minute curiosity into every detail of the siege. In a general address he thanked Cicero and the whole legion. He thanked the officers man by man for their gallantry and fidelity. Now for the first time (and that he could have remained ignorant of it so long speaks for the passionate unanimity with which the Gauls had risen) he learnt from prisoners the fate of Sabinus. He did not underrate the greatness of the catastrophe. The soldiers in the army he treated always as friends and comrades in arms; and the loss of so many of them was as personally grievous to him as the effects of it might be politically mischievous. He made it the subject of a second speech to his own and to Cicero's troops, but he spoke to encourage and to console. A serious misfortune had happened, he said, through the fault of one of his generals, but it must be borne with equanimity, and had already been heroically expiated. The meeting with Cicero must have been an interesting one. He and the two Ciceros had been friends and companions in youth. It would have been well if Marcus Tullius could have remembered in the coming years the personal exertion with which Caesar had rescued a brother to whom he was so warmly attached.'

Two other interesting correspondents of Cicero make their first appearance in Part IV.* These are Trebatius and Curio.

*Publius Sittius was an exceptionally interesting man; see Introd. Note to 179. But that epistle is a most commonplace example of the common *consolatio*.

Trebatius was a rising young jurisconsult.* But, as *responsa* were given gratuitously in Rome, the profession of a jurisconsult was not a royal road to fortune. Cicero, whose interest in young men of promise is not the least pleasing among many charming qualities, thought that he could not do better for his friend than send him to Caesar. The unknown countries which Caesar was opening up seemed to his contemporaries an El Dorado, and appealed to the imagination of young Romans as America did to the more enterprising spirits of the sixteenth century. Trebatius seems, from certain hints dropped by Cicero, to have been by no means of a martial temperament (173, 1); so we are not surprised to find that he was not enamoured of his experiences in the camp of Caesar, and that he wrote very snappy and foolish letters at first (157, 1, *rabiosulas sat fatuas*).† We have already referred to the admirable letter in which Cicero puts Trebatius out of his hand into the hand of Caesar, that hand 'unrivalled whether it is heavy on the foe, or firm in the clasp of friendship' (134, 3). This

'Truest friend and noblest foe'

was not unmindful of him whom Cicero recommended. There is reason to believe that Trebatius returned to Rome a rich man (167, 1), though it required all the resources of Cicero, in persuasion and bantering, to induce him at first (cp. 136, 1; 140, 1; 146, 1) to stay in that cold country which the Atrebates and Nervii were so very well disposed to make warm enough for him (161, 2); though later on Trebatius appears to have been very well content to stay (171, 2; 173, 1; 174, 1). Cicero was destined soon to learn for himself how hard it was for a Roman to act on the advice which he gives his friend, 'Do conquer that weak hankering after the city and its life.' Cicero, in Cilicia, pines for Rome, as a modern Frenchman for Paris. 'I cannot express to you,' he writes to Atticus (v. 11, 1 (200)), 'how I am consumed with

* Trebatius was about thirty-five years of age. When Cicero calls him *vetule* in 157, 16, the expression is playful, like 'old boy'; or perhaps it is designed to convey that he had an old head on young shoulders—a view which the context seems to favour; and perhaps he was somewhat of a weakling physically.

† We owe the translation 'snappy' to Mr. Shuckburgh.

longing for the town, and how intolerably insipid is this provincial life.'

The burthen of his advice to Trebatius is—

'Home-keeping youth have ever homely wits';

but he does not fail to impress on him how necessary it was that he should make the best of his opportunities, if they are at all lucrative; and how very ignominious it would be to stay away for a long time, and to return empty-handed—Laberius would make a farce on the *British Barrister*, and Trebatius' rival Valerius would crow over him. It must, indeed, be confessed that one gets wearied with Cicero's chaff on Trebatius' learning, or want of learning, in the law; but it seems to have amused Cicero, for he directs exactly the same sort of chaff against Valerius also (162). Trebatius lived through the troublous times of the Civil War, and afterwards enjoyed the friendship of Horace (Sat. ii. 1), who addresses to him one of his Satires. He forms, as M. Gaston Boissier remarks, a sort of link between the Ciceronian and Augustan age. 'Il pouvait parler de Lucrèce à Virgile, de Cicéron à Tite-Live, de Catulle à Properce.'

C. Scribonius Curio was at this time Quaestor to C. Claudius in Asia. He was a young man of great brilliancy and promise—a Roman Alcibiades. 'You have a serious rival,' says Cicero to him (175, 2; cp. 176, 2; 166, 2), 'in the magnificence of the hopes formed about your future.' We read in a former letter (Att. i. 14, 5 (20)) that Curio was the mainstay of the Optimates. It is strange that his conspicuous profligacy (Cicero nicknames him *filiola Curionis*) does not prevent the future author of the *De Officiis* from addressing him in the language of esteem and affection. He is to be the saviour of society (176, 2). Velleius Paterculus (ii. 48) says that with Curio profligacy was a fine art (*ingeniosissime nequam*). Lucan, on the other hand, writes of him (iv. 814)—

Haud alium tanta civem tulit indole Roma
Aut cui plus leges deberent recta sequenti;

and again,

Momentumque fuit mutatus Curio rerum.

He lavished such vast sums of money on public spectacles—from

which we find Cicero earnestly dissuading him (169, 1)*—that he plunged himself in hopeless difficulties, from which he emerged only by selling his support to Caesar, who paid his debts. He died in 705 (49), in an engagement with the troops of Juba and P. Attius Varus in Africa.

§ 2. M. Lebreton's Studies on Cicero's Language.

We regret exceedingly that the most able and learned work of M. Jules Lebreton, S.J. (*Études sur la langue et la grammaire de Cicéron*, Paris, 1901) has only comparatively recently come into our hands: for his wealth of learning, lucid exposition, and wise judgment are helpful at every turn. In this section we propose to give a few remarks taken from M. Lebreton's work, which have especially interested us, and which exhibit some of the minute and subtle points of Ciceronian style and grammar, which the unwearied labour of the author and his fine feeling for language have enabled him to establish.

At the outset of his work the author strongly deprecates the view we have taken as to the appearance of the language of the comic stage in the epistolary language of Cicero and his correspondents. But we think that while M. Lebreton has shown that some few usages which we considered to belong wholly to conversational language can be as abundantly paralleled from the more formal language of the Orations and Philosophical works, still the main difference between us is one of degree; and we are not unwilling to allow that it is only in the more familiar letters—those to Atticus, to Quintus, Tiro, Paetus, &c.—that the more familiar style of ordinary conversation, such as we know it in Terence and Plautus, should be appealed to rather than the more literary language of Cicero's other works. So that in the passage (vol. i., p. 64, ed. 2; p. 83, ed. 3) which M. Lebreton criticises severely—'In the criticism of Cicero's letters, we may go further and say that to quote an analogous usage in Plautus or

* Compare Cicero's remarks on Milo's extravagance in respect of games (159, 5; 160, 2). Cicero says of the shows *quorum neque facultatem quisquam admiratur—est enim copiarum, non virtutis—neque quisquam est quin satietate iam defessus sit* (169, 1).

Terence is far more relevant than to quote an analogous usage from the Oratory or Philosophy of Cicero himself'—if we add the words 'more familiar' before 'letters', we shall not be much at variance with M. Lebreton's own views. Thus, on p. 345, after adducing all the examples of *cum . . . tum* marking successive actions (a fine collection), he says that this usage seems frequent only in the 'familiar style'; out of twenty-eight examples, eighteen he says are taken from the Correspondence. Again, p. 305, he notices that prohibitions of the form *ne feceris* (as being somewhat more absolute than *noli facere*) are more frequent in the 'familiar style'; thus out of forty-three examples in Cicero, twenty-six he says are found in the Correspondence: cp. also p. 248, where the 'epistolary style' is made responsible for some slightly unusual alternations of tenses. And of course we agree with M. Lebreton that the Correspondence is far from homogeneous. The letters to Lentulus, to Appius, to Plancus, for example, are written in most literary language; formal works like the first epistle to Quintus, the celebrated letter to Lucceius, Fam. v. 12 (109), the various letters of consolation, are hardly (if at all) written in a more familiar style than the speeches and dialogues in which now and then colloquialisms occur (e.g. Tusc. iii. 77 *eum nihil hominis esse*, quoted by M. Lebreton).*

*M. Lebreton appeals once or twice to metrical considerations (Introd., p. x: cp. p. 313) based on M. Bornecque's work (*La Prose métrique dans la Correspondance de Cicéron*, 1898). This earnest and laborious, but somewhat arbitrary, treatise has been criticised elsewhere (*Hermathena*, 1905, pp. 289, ff.), and is at present overshadowed by the famous law of the clause-endings in Cicero's Orations, which has been recently set forth with such remarkable vigour and ingenuity by M. Zielinski (*Das Clauselgesetz in Ciceros Reden*, 1904); see also Mr. A. C. Clark in the *Classical Review*, 1905, pp. 164–172. The results in this book are almost universally allowed to be the highest point to which studies in Ciceronian rhythm have yet attained. It is worth noticing that the more formal and carefully composed letters of Cicero seem, in a remarkable manner, to conform to this law; and we think that the law deserves, in parts of the Correspondence, to be made an instrument of criticism. We have endeavoured to compile some statistics as to the working of this law in the Correspondence; and we give the results in the subjoined table. But we cannot feel sure that we have always selected such clausulae as would have been chosen by M. Zielinski; or that we have not at times, from uncertainty as to the extent to which accent should play a part, erroneously classified certain clausulae. In such cases we have almost always given the decision in favour of the better kind of clause-endings (i.e. to V or L); especially so in Q. Fr. i. 1 (30), the rhythm of which,

But that is no reason why emphasis should not be laid on the utility of appealing to Plautus and Terence for support in the criticism of the letters of less formal and more unstudied cast.

We allow that M. Lebreton (p. xi) has shown that *tam* with an adjectival substantive is common in all the writings of Cicero (cp. Orat. 161 *tam artifex*; Rep. iii. 45 *tam tyrannus*); but we still think that the use of the present indicative in place of the deliberative subjunctive is hardly met in Cicero's more formal compositions, except in such common expressions as *quid ago? quid dicimus? ecquos ... arbitramur?* N.D. i. 80; *quid loquor?* Fin. v. 63. We do not know of any such case as, e.g., Att. xiii. 40, 2 (660) *Etsi quid mi auctor es? Advolone an maneo?* which is surely an example of the vividness of the familiar style, not unlike Juvenal's (iii. 296) in qua te *quaero* proseucha? and (iv. 130) quidnam igitur censes? *conciditur?* There cannot be any doubt that *quid mi auctor es* is a colloquialism when one considers how often it occurs in comedy (Plaut. Cist. 249, Poen. 410, 721, Pseud. 1166). This phrase *auctor esse* is used by Atticus (Att. ix. 10, 5 (365)), with the unusual construction of the infinitive ego quidem tibi non

on the whole, hardly seems to us as good as it looks from the statistics of the clause-endings which we have collected. We cannot hope, however, to give more than *an indication* of the extent to which the law of the clause-endings seems to be observed in certain portions of the Correspondence: but it certainly seems to us very striking.

	Fam. i. 1–10, including 9.	Fam. i. 9.	Fam. ii. 1–6.	Fam. v. 12.	Fam. v. 16–18.	Fam. vii. 1.	Fam. viii. 1–2, Caelius.	Q. Fr. i. 1.	Cicero to Plancus.	Plancus to Cicero, and the Senate.	Fam. xvi. 1–7.	Cicero to Caecina, Fam. vi. 6.	Caecina to Cicero, Fam. vi. 7.	Att. iv. 1–10.
V(erae) Clausulae,	112	58	28	20	23	9	4	57	66	42	10	13	3	62
L(icitae) ,,	60	36	7	13	6	3	2	32	21	27	6	7	3	22
	172	94	35	33	29	12	6	89	87	69	16	20	6	84
M(alae) S(electae) and P(essimae) Clausulae,	29	7	7	5	1	2	14	7	23	56	18	8	12	49
TOTAL, .	201	101	42	38	30	14	20	96	110	125	34	28	18	133

sim auctor, si Pompeius Italiam relinquit, *te quoque profugere*. Something similar is Att. vi. 1, 8 (252) nec vero pauci *sunt auctores* Cn. Flavium scribam fastos *protulisse*.

As to the use of abstract substantives in the plural, the exhaustive collection of them in Cicero is one of M. Lebreton's finest efforts in his book (421–427). We assent to his conclusion that this usage is more extended in the Philosophical works than in the Epistles. But in the former their employment is natural, owing to the nature of the subject treated; whereas in the familiar style of the letters their use is rather dictated by the same reasons as it was dictated to the comic writers, in whom, especially Plautus (as M. Lebreton, with a long array of passages (p. 33), proves), this usage is very frequently found.

The phrase *ne puerum perditum perdamus* (Fam. xiv. 1, 5 (82)) is much less usual than such ordinary examples of the 'figura etymologica' as *dicta dicere* 'to make jokes,' *facinora facere* 'to do a deed' (whether good or bad). It is analogous to the *actum agere* of common language, and is to be paralleled by such usages as Plaut. Curc. 540 nec tu me quidem umquam subiges *redditum* ut *reddam* tibi; Capt. 441 Serva tibi in perpetuom amicum me atque hunc *inventum inveni*.

As to *absque* for *sine*, we can only refer our readers to our note on the passage Att. i. 19, 1 (25), from which it would appear that scholars of eminence are divided as to whether it should be retained or not. But we cannot help seeing in such a use of *nullus* as *Corumbus nullus adhuc* in Att. xiv. 3, 1 (705) a much more colloquial note (cp. Plaut. Asin. 408; Rud. 143, 323) than in such a phrase as Rosc. Am. 128 haec bona in tabulas publicas *nulla redierunt* ('did not revert at all'); and in *scelus hominis* in Att. xi. 9, 2 (423), if we take it in the sense of *pestes hominum* in Fam. v. 8, 2 (131), there is surely a comic vigour more analogous to the examples quoted by our note on 131, 2 than to such a sedate phrase as Sest. 88 huic *gravitati hominis* videbat ille gladiator se . . . parem esse non posse, though formally they are much the same.

We still adhere to our view of retaining the ms reading in

*The dictionaries compare Ovid Met. x. 83, so that perhaps the construction belongs to poetical language.

Att. v. 11, 7 (200) Quae tibi epistulae redditae sunt sine mea, tum *videlicet* datas—a colloquialism found also in Lucretius i. 210, as is a similar use of *scilicet* in Sallust, Jug. 4, 6; 113, 3. But we are prepared to admit that we made an overstatement in saying that the ethical dative is far more common in the letters and in comedy than elsewhere in classical literature. It occurs very frequently in the Orations, where the language becomes vivid and familiar. Four out of the ten passages quoted by M. Lebreton are taken from the *Pro Murena*. And we now consider that the example of inverse attraction in Fam. vii. 1, 1 (127) is doubtful; see Introd. to Vol. I. (ed. 3), p. 82, and note on the passage itself.

As regards M. Lebreton's converse proposition, that there are many archaic constructions in Plautus and Terence which are not found in the Epistles, of course we readily allow it. Cicero's colloquialisms may be defended from the comic writers; and when we find the same construction in both, we may infer that the usage had not varied between the ages of the comic writers and Cicero; but that does not prove that no variation occurred in the interval, or that some archaic constructions may not have failed to commend themselves to Cicero, even in familiar prose, though they were retained by other authors. One cannot expect an author to use every kind of colloquialism. Thus Cicero does not appear to use *quippe qui* with the indic., though it is often used by Livy (see Weissenborn on iii. 6, 6); nor does he use the inf. after a verb of motion, as Vergil, Æn. i. 527, and Horace, Carm. i. 2, 8.* For the use of substantives and adjectives such as *ratio*, *occasio*, *copia*, *consilium*, *avidus*, *audax*, *memor*, with the infinitive in classical authors, especially poets; compare Madvig, Lat. Gram., 417, Obs. 2 and 419, and Dr. Kennedy's remarks on the 'Prolative' infinitive (Lat. Gram., § 180). These Greek constructions, natural to writers closely modelling their style on Greek originals, did not impress themselves so strongly on the more independent and Latin style of Cicero. But that Cicero, in his more intimate and less studied letters, largely availed himself of the ordinary language of conversation we still hold; and as that language of

* See a vast number of instances of this construction in the 4th ed. of Munro's *Lucretius*, note on iii. 895. In that collection, Mr. Duff quotes Wilmann's Inscriptions, 2566, *Vade in Apolinis lavari.*

conversation is mainly to be found in Plautus and Terence, reference to those authors must frequently be made in the criticism of Cicero's familiar Letters, rather than to the more elaborate and literary works of Cicero himself.

The following points of Ciceronian usage, especially as found in the Letters, we owe to M. Lebreton's book, which is undoubtedly one of the most learned, judicious, and attractive works on Latin style we have ever read.

When the names of things and the names of persons have a common attribute, the agreement is generally made with the nearest subject, e.g. Q. Fr. 1, 1, 1 (30) Non dubitabam quin epistulam multi *nuntii*, *fama* denique esset ipsa sua celeritate *superatura*: ib. 13 Tibi omnium *salutem*, *liberos*, *famam fortunas* esse *carissimas*. Add Fam. iii. 10, 10 (261), xvi. 12, 1 (312); Att. ix. 7, 5 (362), ix. 10, 3 (365). But there are two exceptions in the Correspondence—Att. iv. 15, 7 (143) *Coitio* consulum et *Pompeius* obsunt (but there *coitio consulum* virtually means *consules coniuncti*); and Fam. x. 11, 2 (848) a letter of Plancus, De proelio facto *Brutoque* et *Mutina* obsidione liberatis, where *Mutina* virtually means *Mutinensibus*.

In Att. i. 16, 12 (22) we find *Catone et Domitio postulante*. This concord is elsewhere found in the nom., e.g. Att. iv. 17, 3 (149) *Messalla* noster et eius *Domitius* competitor liberalis in populo valde fuit: cp. § 2 and Att. vii. 3, 10 (294); but the use in the abl. is rare. M. Lebreton (p. 16) compares Phil. xiii. 37 *Nucula et Lentone collega*.

It is very rare to find two subjects acting separately having the verb in the plural. M. Lebreton (p. 20) quotes two—Att. xv. 9, 1 (742) Ut *Brutus* in Asia, *Cassius* in Sicilia frumentum emendum et ad urbem mittendum curarent; and Tusc. i. 89 *pater Decius . . . filius . . . nepos . . . obiecissent*.

There are two examples in Cicero's Letters of agreement of the attribute with the more remote subject—Fam. x. 25, 1 (880) Istam *operam* tuam, *navitatem*, *animum* in remp. celeritati praeturae *anteponendam* censeo; and Fam. v. 21, 5 (458) Praeter *culpam* ac *peccatum*, *qua* semper caruisti—though perhaps here *ac peccatum* is a later addition.

M. Lebreton's fine chapter (pp. 32–74) on abstract substantives calls for little remark. We do not feel sure that *Chresti compilationem* in (Fam. ii. 8, 1 (201)) can mean 'compilation'—a sense which we have not found elsewhere in classical authors. It rather points to some actual robbery. In Q. Fr. i. 1, 12 (30) Ex domesticis *convictionibus* aut ex necessariis *apparitionibus*, the abstracts must be retained, though the early editions altered to *convictoribus* and *apparitoribus*.* He rightly says that *negotia et lenta et inania* in Att. v. 18, 4 (218) is not necessarily to be reckoned as an example of *negotium* applied to a person. For the use of *honor* = 'honorarium' in Fam. xvi. 9, 3 (292) Landgraf refers to Verr. i. 38 *habuit honorem* ut proditori, non ut amico fidem; also Rosc. Am. 108, 137. It seems to be generally used with *habere*. For *fortuna* in the singular used for 'goods,' 'property,' reference is made to Fam. xiii. 5, 2 (673), where see our note; and to 13 (454). For the use of *salus* (= 'saviour') found in Att. i. 16, 5 (22) cum ego sic ab iis ut *salus* patriae defenderer, M. Lebreton quotes an interesting parallel, Verr. v. 129 Me suam *salutem* appellans, te suum carnificem nominans.

In reference to the possessive pronoun taking the place of an objective genitive, among a number of examples, M. Lebreton quotes (p. 99) Habe *meam* rationem. Habe tu *nostram*: cp. Fam. xvi. 12, 3; Off. i. 139; Verr. i. 126, which seem to show that this usage is common (if not constant) in the special phrase. A very good parallel he adduces from Att. i. 14, 3 (20) in *Pompeiana* laude. In Fam. v. 12, 3 (109) amorique *nostro* plusculum etiam quam concedet veritas largiare, he thinks we should translate 'to our mutual affection' rather than 'to your affection for me'—perhaps rightly.

As regards the substitution of the demonstrative for the relative in such a case as Fam. xii. 23, 2 (792) legionibus . . . *quas* sibi conciliare pecunia cogitabat *easque* ad urbem adducere (see our note), M. Lebreton institutes a most careful induction (pp. 100–

* The reading in this passage is a correction of Victorius. The mss give *coniunctionibus* . . . *apparationibus*. The new Thesaurus (s.v. apparitio) gives *conventionibus* for the former word, we do not know in what sense. This use of *apparitio* does not appear to be found again until the third century. We have both *convictio* and *convictor* in young Cicero's letter, Fam. xvi. 21, 4, 5 (786), but in their normal significations.

105), and establishes these three conditions for such a usage—(1) the co-ordinate relatives must be united by a conjunction; (2) the antecedent must precede; (3) the two pronouns must refer logically to the same subject. There appear to be only twenty examples in Cicero (four from the Epistles), and none in Caesar or Sallust. In Cicero the relative is repeated eighty-four times (about ten times in the Epistles).

In the difficult passage Att. xii. 28, 3 (564) Si Castricius pro mancipiis pecuniam accipere volet eamque *ei* solvi ut nunc solvitur, *ei* is undoubtedly an error, and probably should be altered into *ita*; or *dissolvi* should be read for *ei solvi*.

We believe now—see our note on Fam. xiii. 70 (509)—that *tribuere* can be used absolutely; and in Fam. xiii. 9, 2 (237), we should not have followed Kayser in adding *plurimum*. M. Lebreton quotes (p. 165) Caes. B. G. i. 13, 5 ne ob eam rem suae magnopere virtuti *tribueret*. Somewhat similar omissions of the object are to be found in Cael. 2 and Prov. Cons. 47.

For the use of *intercedere pro* ('to go security for a person'), governing the accusative of the thing (e.g. *pecuniam*), in addition to Att. vi. 1, 5 (252), we may refer to Phil. 2, 45 tantum enim se pro te *intercessisse* dicebat.

In Att. xvi. 7, 8 (783) cum Pompeianum *accederem*, perhaps *Pompeianum* is regarded as a town, like *accedere Rhodum* (Fam. ii. 17, 2 (272)). In other writers of the Ciceronian age, we find the preposition omitted—e.g. Varro R. R. i. 7, 8 aliquot *regiones accessi*; and Sall. Frag. 3, 92 *radicem montis accessit*. In Att. i. 14, 5 (20) Hic tibi rostra Cato *advolat*, we might perhaps justify the omission of the preposition by the poetical and vivid rush of the language: cp. Claudian, Cons. Olyb. et Prob. 174 velox iam nuntius *advolat* urbem.

M. Lebreton (pp. 194–200) vindicates the future signification in the imperative in *-to* by twenty-seven examples from the Orations, twenty-four from the Letters, and eight from the other writings of Cicero, in which that form is found with a subordinate future—e.g. Q. Fr. ii. 15 (16), 1 (147) cum acceperis, *iudicato*; Att. iv. 8*b*, 4 (118) ubi nihil erit, id ipsum *scribito*; viii. 2, 4 (332)

animadvertito . . . ubi erit; xi. 25, 3 (436) si videbitur, *loquitor*. These fifty-nine examples stand against eleven cases (four from the Epistles) in which the present imperative is found—e.g. Att. vii. 10 (303) Crebro ad me *scribe* vel quod in buccam venerit; Fam. iii. 12, 2 (275) Si facile inveneris quid dicas, *noli* ignoscere haesitationi meae; xvi. 7 (291) Cum commode navigare poteris, ad nos *veni*; Att. viii. 2, 2 (332) Si qua erunt, *doce* me quomodo μέμψιν effugere possim. The use of this form in *-to* in laws and maxims is well known, and points to an original future signification.

Yet, on the other hand, when there are two imperatives marking two successive actions, such as Att. x. 14, 2 (400) Quidquid habes ad consolandum *collige* et illa *scribe*, we do not seem to find the form in *-to* unless *tum* precedes—e.g. Cluent. 124; Fam. xvi. 17, 2 (653) Valetudo tua me valde sollicitat: sed *inservi* et *fac* omnia. Tum te mecum esse, tum mihi cumulatissime satis facere *putato*. This latter example, however, is not very conclusive; for *putato* and such terms as *tecum habeto*,* *scito*, and *facito*† are generally used in a command to be executed immediately. Yet, even allowing these exceptions, there is little doubt that the future signification, though becoming weak in classical times, had not disappeared, except in a few words of very common usage.

The use of the future-perfect indicative for the simple future has often been noticed as an example of familiar style—e.g. Madvig, § 340, obs. 4, and Palmer on Amph. Prol. 53.‡ It is extremely common in *videro*, a note of familiar language which has established itself in the most correct style. M. Lebreton (pp. 201, 202) quotes from Cicero some twenty examples of other future perfects used for the future simple, nine of which come from the Epistles, generally where the tone is somewhat *empressé*. See also our Index, s.v. 'future tense.'

In discussing the consecution of tenses in subordinate propositions, M. Lebreton (p. 227) makes this interesting remark:—"Especial note is to be taken of negative relative clauses which

* Fam. vii. 25, 2 (668); Att. iv. 15, 6 (143). † Att. ii. 20, 5 (47).

‡ Cp. Prof. Dougan on Tusc. i. 74 vir sapiens . . . in illam lucem *excesserit*, "The idiom arises from an exaggerated mode of speaking: if the deity gives the order, the wise man will have departed—i.e. will instantly depart, 'no sooner said than done.' And from this comes the notion of *assurance*."

depend on a principal verb which is itself negative or interrogative: in such clauses the use of the perfect tense is well-nigh obligatory"; and he adduces these passages among others:—Fam. xii. 19, 3 (671) Litteras ad te nunquam habui cui *darem*, quin *dederim*. (The clause *cui darem*, being affirmative, has the ordinary consecution; but the clause *quin dederim*, being negative, takes the perfect.) Similarly, Fam. iii. 10, 8 (261) Quid in consulatu tuo frustra mecum egisti quod me aut facere aut sentire *voluisses*? (affirmative clause): quid mihi mandasti in quo non exspectationem tuam *vicerim*? (negative clause). He notices one example of the imperfect—De Div. i. 95 Quis rex umquam fuit qui non *uteretur* praedictione? We may add Verr. i. 19, v. 121.

The consecution, at first sight strange, in Fam. xiii. 5, 2 (673) Is *habet* in Volaterrano possessionem, cum in eam tamquam e naufragio reliquias *contulisset*, is to be explained from the past idea in the substantive *possessionem*, 'he holds land of which he took possession (*quo potitus est*) after sinking in it all that he saved from the shipwreck of his fortunes.' M. Lebreton (p. 247) gives other illustrations of this use, such as Fam. ii. 16, 2 (394) Quod est igitur meum triste *consilium*? Ut *discederem* fortasse in aliquas solitudines ('the plan I formed'); Att. xv. 15, 2 (748) *Superbiam* autem ipsius reginae, cum *esset* trans Tiberim in hortis, commemorare sine magno dolore non possum ('the pride Cleopatra displayed').

He mentions (p. 248) some other passages from the Letters in which the consecution of tenses deserves notice—e.g. Att. viii. 12, 1 (345) Huius autem epistulae non ea causa *est* ut ne quis a me dies *intermittatur*, sed etiam haec iustior ut a te *impetrarem* ut *sumeres* aliquid temporis, where we have explained the latter clauses as a reversion to the 'epistolary'* style, which projects the writer into the time at which the letter will be read. It is possible, perhaps, also to interpret *haec iustior* by a kind of sense-construction as virtually meaning, 'but I had also this better reason when I determined to write to you.' Somewhat similar

* We wish M. Lebreton would write a monograph on the so-called 'epistolary' use of the perfect (e.g. *misi*, 'I am sending') for the immediate present, and the analogous uses of past tenses, and endeavour to discover the conditions of its employment. There is no scholar more eminently competent to do so.

would be Fam. xiii. 47 (928) sed tamen ut *scires* eum a me non diligi solum verum etiam amari, ob eam rem tibi haec *scribo* ('my object in writing was'); Fam. x. 25, 2 (880) *Video* Planco consule, etsi etiam sine eo rationes expeditas *haberes*, tamen splendidiorem fore petitionem tuam, si modo ista ex sententia confecta *essent*, where *video* = 'the course of events has led me to the view'; Att. iv. 16, 1 (144) Paccio . . . *ostendi* quid tua commendatio ponderis haberet: itaque in intimis *est* meis, cum antea notus non *fuisset*, where *in intimis est meis* = 'I treated him from that time as a close friend,' the past signification being assisted by *ostendi* in the preceding clause. In Att. xiii. 19, 4 (631) Puero me hic sermo *inducitur* ut nullae esse *possent* partes meae, M. Lebreton well explains the imperfect ("ita ut *cum scriberem* nullas mihi partes tribuere possem").

In maintaining against Elmer that the ordinary rule about prohibitions (viz., that you can say *ne feceris* and *noli facere*, but not *ne facias*), M. Lebreton (p. 305) notices that *noli facere* is the more polite form; so that we are not surprised to find in the familiar style of the letters *ne feceris* the more common form. There are forty-three examples of *ne* with the perfect subjunctive in Cicero; of these twenty-six are in the Letters, six in the Orations (three in Muren. 65), ten from the Philosophical works, and one from the Brutus.

Almost the only cases in which the indicative is found with restrictive relatives are those in which either the verb *posse* occurs, or the verb *attinere*—e.g. Fam. xiv. 4, 6 (62) Cura, *quod potes*, ut valeas; Att. i. 4, 1 (9) Nunc vero censeo, *quod* commodo tuo facere *poteris*, venias; Rosc. Am. 90 omnes, *quod* ad me *attinet*, vellem viverent. There is no certain example of the subjunctive with these verbs. In Q. Fr. i. 1, 45 (30) the subjunctive is due to the oratio obliqua.

One of the most interesting chapters in M. Lebreton's book is that on the use of the indicative in subordinate clauses of the oratio obliqua. Though he does not profess to set forth all the examples in Cicero of this usage, yet the five pages (367-372) of closely printed illustrations show the frequency of this usage, and are a fine monument of M. Lebreton's research. Perhaps the

most interesting passages from the Letters which he quotes are those in which he produces exactly similar sentences in which the subjunctive is found. Thus, Att. vii. 5, 5 (296) Ego is sum, qui illi concedi *putem* utilius esse quod *postulat* quam signa conferri may be contrasted with Att. vii. 6, 2 (297) Nec adhuc fere inveni qui non concedendum *putaret* Caesari quod *postularet* potius quam depugnandum. Again, Att. vi. 3, 7 (264) Eum futurum esse *puto* qui esse *debet* may be contrasted with Att. i. 5, 2 (1) Testis erit tibi ipsa quantae mihi curae *fuerit* ut Quinti fratris animus in eam esset is qui esse *deberet*. With a further reference to De Div. ii. 19, M. Lebreton notes that the indicative is more frequently used after a principal verb in the present than after one in the past. The variety in the usage of the moods without any variety in signification may be seen from Att. i. 10, 5 (6) De fratre confido ita esse ut semper *volui* et *elaboravi*; and Att. i. 5, 2 (1) Confido ita esse omnia ut et *oporteat* et *velimus*.

The following are the examples from the Letters given by M. Lebreton:—Relative clauses—Brut. i. 3, 3 (844) *ceperunt*; Fam. ix. 8, 1 (641) *locuti sumus*. Temporal clauses—Fam. xvi. 24, 2 (806) *est dictum*. Comparative clauses—Fam. v. 12, 3 (109) *sentis . . . concedet*; Att. xiv. 5, 1 (707) *volumus*, cp. vi. 7, 1 (270). Conditional clauses—Fam. vii. 3, 5 (464) *fuerunt . . . est*; Att. vii. 9, 3 (300) *obtinet*; Fam. xii. 17, 2 (493) *probabis*; ii. 6, 5 (177) *impetraro*; iii. 2, 2 (183) *intellexero* (see our note, where many passages are quoted); xvi. 1, 2 (285) *intellegis*; 2 (286) *videro*; Att. vii. 3, 11 (294) *dixero*; viii. 12c, 2 (329) *veniet*.

These are only a few of the many interesting points which M. Lebreton discusses. Almost every one of his 'Studies' is deserving of careful attention.