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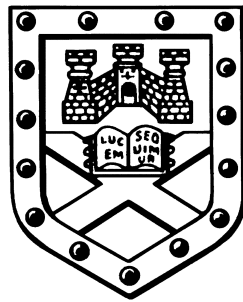
AD SUMMOS IN PHILOSOPHIA HONORES

AB AMPLISSIMO DOCTORUM ORDINE EXONIENSI

RITE IMPETRANDOS

SCRIPSIT

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INTRODUCTION



§ 1. — CIRCUMSTANCES OF COMPOSITION AND GENERAL CHARACTER OF THE WORK.

It is generally agreed that Cicero wrote the *Tusculan Disputations*¹ sometime between July and August of 45B.C.², even if the date of composition cannot be determined precisely. Most of our evidence for its dating is internal. There are some hints in his letters that he could have been working on it as early as May³ but at least we know that Cicero was working on it during June 45B.C. The *De Finibus* had been completed by the end of this month and its fourth book is mentioned in the *Tusc.* as having lately been read.⁴ Additionally, at *Tusc.* 1.8 Cicero recalls Brutus' recent departure from the Tusculan villa, which SCHMIDT (Briefwechsel, p. 53) argued occurred on July 20, 45B.C.,⁵ but there can be no certainty to whether the purported date of the dialogue was true to life. In the later *Div.* 2.3, Cicero states that the three books of the *De Natura Deorum* were finished (*perfectis*) after the publication of the *Tusc.* Cicero had started collecting material for that work on August 5th, and so we can assume the composition of the *Tusc.* was taking place sometime between July 20th and August 5th. However, I do not find that these dates can be accurate since it would mean that Cicero had worked at nearly twice the rate at which he composed the *De Finibus* by writing each book of the *Tusc.* in three days. Cicero was usually at work on more than one philosophical text at a time and it is likely that during this period he had finished his *Consolatio*, was largely finished with the *Fin.*, and was also working on both the *N. D.* and the *Tusc.*, as well as collecting material for his proposed *Sen.* Indeed, as I discuss below, we do see that these works show a remarkable internal resemblance. The eventual publication of the *Tusc.* was not until over a year later, on May 23, 44B.C.⁶

As for the fictional date of the dialogue, Pohlenz has argued that the five days on which these disputations supposedly took place were June 16–20 45B.C., shortly after the departure of Brutus (*nuper discessum*) while Cicero was in the company of several friends.⁷ Because of its close connection with Cicero's *Consolatio*, I favour the earlier dating, at least for the first book. Schmidt, however, placed the dramatic date later, sometime between July 15–20. More recently, scholars have argued that the dates of the letters which Schmidt used to arrive at his own dating were incorrect; the letters which spoke of Brutus' departure were not written in July but in August.⁸ Because of these discrepancies, there still remain some serious difficulties in matching the dates

¹The title comes from Cicero himself who refers to the work in *Div.* 2.3 cited below; for the commonly appended subtitle *de contemnenda morte*, cf. *Att.* 15.4.2, and my n. on 1, 1.

²MARIONE: *Cronological Ciceroniana*, p. 215.

³*Att.* 13.32.2.

⁴*Tusc.* 4.32, *quia legi tuum nuper quartum de Finibus*.

⁵cf. *Att.* 13.1

⁶We read that on May 18, 44B.C. Cicero expressed his pleasure that Atticus enjoyed the first book *Att.* 15.2.4, *quod prima disputatio Tusculana te confirmat sane gaudeo*. Also *Att.* 15.4.2, *redeamus ad Tusculanas disputationes*.

⁷POHLENZ: *Tusculanae disputationes*, p. 24.

⁸See TAYLOR (*Chronology of Cicero's Letters*, p. 231) and my n. to 4, 8.

mentioned in the *Tusc.* to those of the calendar. We are left in some doubt when it was written and the actual time of year in which the dialogue was supposed to take place.

It may seem a small point but the dates of Cicero's fictional dialogues can be significant. For example, Cato had committed suicide in 46B.C., yet in the dramatic dialogue of *Fin.* 3.8, Cicero portrays him as alive and well. He is busy reading Stoic philosophy during a holiday while the public games are being held in Rome, and has gone to the country for relaxation (*ludis commissis ex urbe*). These games were the *ludi uictoriae Caesaris* first held in 45B.C. and such a coincidence invests the text with deep political significance when we hear Cato begin his discussion of the highest Stoic good. But in the *Tusc.*, we are unable to set down firmly the time of year in which it occurs. This obscurity of time was appealing to Gildenhard.⁹ He observed that many of Cicero's dialogues take place during a public holiday, but the *Tusc.* by contrast could take place at any time in the summer or autumn. This fact, he claims, implies that Cicero had plenty of free time to hold these conversations now that he had been removed from his duties of public business by Caesar's reign. So he argued that Pohlenz's earlier dating to June 45B.C. is void of any political significance, whereas the departure of Brutus in July 45B.C. was to meet Caesar returning victorious from Spain.

Gildenhard's position seems attractive but I do not think that we can really attribute our inability to determine the date of the *Tusc.* accurately to Cicero's deliberate design. Scholarly work on the *Tusc.* has, in my opinion, placed far too much emphasis on the broader 'political' context in which it was written. After Caesar's African victory, and his subsequent victory in Spain, Cicero's political position remained relatively unchanged though his attitude towards it did not. In 46B.C., the year previous to the writing of the *Tusc.*, we read in Cicero's correspondence that he is holding 'school' with some of his younger contemporaries, and his description of these seem to be the model which created the dramatic setting for our dialogue.¹⁰ During this time, he was instructing many of this younger contemporaries in the art of speaking, and yet many of these men were firmly in the Caesarian camp, including his son-in-law Dolabella. Though Cicero had 'lost his own public kingdom' he found an outlet for his energies and talent for oratory in these schools.¹¹ Cicero was surrounded by Caesar's men and yet he was able to speak his mind even then quite freely, and though often warned that this looseness of his speech might land him in trouble with the dictator, he said that he had no need to worry since he was quite safely in the hands of a number of men close to Caesar. I do not doubt that the political situation had been bitter in many ways to Cicero, and all the more so because he had lost many friends in the wars. But at this time he did seem to enjoy his new activities.¹²

His new position and all this activity was driven away in the following year by the death of his daughter Tullia. In April of 45B.C., only one month before Cicero wrote his *Consolatio* whose material formed so much of the foundation of the *Tusc.* we read Servius' gentle chastisement during Cicero's deepest period of mourning, *noli committere, ut quisquam te putet non tam filiam quam rei publicae tempora et aliorum victoriam lugere*.¹³ How else can we understand this phrase except that Cicero had placed politics far beneath his own personal grief? The degree to which Cicero had been affected by the loss of this daughter offended the sensibilities of numerous Romans who were beginning to question the reason for his absence from Rome. Cicero even replied to Servius that although he was pained at the loss of his public activities, he had thoroughly started to heal — but then came the loss of his daughter and now all those old wounds were opening up again.¹⁴ He withdrew wholly from politics. He received warnings from Atticus that people were beginning to speak about his noticeable and lengthy retirement to his villa. Cicero felt obliged to respond to this. Not a month later we find Cicero asking Atticus for the books of Dicaearchus' *Κορινθιακοὶ* and the *Λεσβιακοὶ λόγοι*, both of which influenced his *Consolatio* and the *Tusc.*¹⁵ In response to Tullia's death, he wrote the *Consolatio* mostly for himself and this return to philosophy was to help assuage his grief. The activity of writing did much to distract him, but as

⁹GILDENHARD: *Paideia Romana*, p. 280.

¹⁰*Fam.* 9.16.7

¹¹*Fam.* 9.18.1–2, *amisso regno forensi, ludum quasi habere coeperim*.

¹²*op. cit.* *me quoque delectat consilium*.

¹³*Fam.* 4.5

¹⁴*Fam.* 4.6, *nunc autem hoc tam gravi vulnere etiam illa, quae consanuisse videbantur, recrudescunt*.

¹⁵cf. 31, 77 n. and VITELLI (M. Tulli Ciceronis Consolationis Fragmenta, p. 386).

Cicero admits, it did not relieve him of his anguish.¹⁶ Curiously, even though the writing was for his personal benefit, we find that one of the main discussions in the *Consolatio* was a defence of his time spent in writing his self-consolatory material. This defence had *political* form.¹⁷ Cicero justified his emotional grief at the loss of a child (and a daughter no less) to a Roman audience by arguing that he was unique in Roman history: all others had the Republic to retreat to and by which they could console themselves; he had none.¹⁸ Understood in this light, the tone of the preface is not nearly so politically charged as it would seem if read independently from the main body of text. Although there are many scholars¹⁹ who take his statements about politics in the preface of the *Tusc.* to explain the main body of the work, it should be quite clearly the other way around. As I understand it, the preface is couched in political terms — the only ones in which Cicero could defend himself and his private grief to a Roman audience for the time he spent away from politics. All other reasons would be unseemly for a *consularis*.

We may recall as well that Cicero had recourse to a volume of prefaces. These were often pre-composed or could be reworked and then attached to beginning of each dialogue.²⁰ If we examine them, many of these prefaces resemble each other or treat of the same topics. But this is not to say that they are not important to the work in question. I think Douglas argued correctly that not everything Cicero says in his prefaces can be taken at face-value²¹ and in my opinion the preface to the *Tusc.* has been one of those prefaces often misconstrued. Its opening line, *cum defensionum laboribus senatorisque muneribus aut omnino aut magna ex parte essem aliquando liberatus*, has frequently been interpreted as a bitterly ironic statement towards Caesar and as expressing Cicero's own dissatisfaction with his position. But his personal grief ultimately outweighed his concern for politics. When, at the time of writing the *Tusc.*, he was sorely in need of the Republic and his public dignity as a means of comforting himself for his loss. If Cicero attacked Caesar over the destruction of the Republic, he appears to have done so not over political principle, but for the fact that Caesar had taken from him the only refuge he had after Tullia's death. But he could not publically avouch, as Servius implied, that he valued his own daughter over the Republic. As a result, he needed to justify somehow his extended grief and his absence from the public eye: this was easiest to do and most readily intelligible to the Roman aristocracy when he explained in the terms of politics.²²

We can readily see that the preface seems distinctly separate from the main body of the work.²³ It offers only a paltry dramatic setting and does not contain any of the real liveliness we see in the *Fin.* which preceded or in the *N. D.* which followed this work.²⁴ Despite protests by Gildenhard²⁵ that this preface forms an integral part of the work, we can see that it has a far too general character to warrant this interpretation.²⁶ It is written in the same vein and upon the same themes as many of Cicero's prefaces. There is no compelling internal evidence to show that this preface had to be attached to the *Tusc.* and nowhere in the preface does Cicero even

¹⁶*Att.* 12.14.3.

¹⁷WHITE: *The Content of the Form*, 224, n. 7.

¹⁸*Cic. Consol. fr.* 3 (= *Lact. Inst.* 3.28.9–10), *domo pulsus patria caruerit; tum autem cum amiserit carissimam filiam, uictum se a fortuna turpiter confitetur: "cedo — inquit — en, manum tollo."* GILDENHARD (*Paideia Romana*, p. 69) wrongly believes that the *Consolatio* was only for Cicero; but the fragments show it was conscious of its wider readership and its political reception.

¹⁹Most recently GILDENHARD (*ibid.*, p. 64), and see bibliography.

²⁰SCHOFIELD (*CR*, 59), *Att.* 16.6.4.

²¹DOUGLAS (*Form and Content in the Tusculan Disputations*, p. 197).

²²WILCOX (*Sympathetic Rivals: Consolation in Cicero's Letters*, p. 252); ZEHACKER (*Officium consolantis. Le devoir de consolation dans le correspondance de Cicéron, de la bataille de Pharsale à la mort de Tullia*).

²³The schema of the *Tusc.* as presented by SENG (*Aufbau und Argumentation*, p. 342) wholly disconnects the preface completely from the work and I think he is right to do so. DILLON (*The Middle Platonists*, p. 97) thinks of it as 'pasted' onto the front of an essay on Death, as does BRINGMANN (*Untersuchungen zum späten Cicero*, pp. 158–159).

²⁴Though all Cicero's philosophical works are written in dialogue form, the excited and dramatic styles of Plato seem to have died out. Dialogues written in the Hellenistic and Roman period had fewer dramatic scenes and contained less interchange between speakers; they tended to favor a lengthier and continuous exposition. Cicero himself mentions the two forms of dialogue he followed; the first is of Heraclides, who introduced famous men of older generations, and the second is *Aristotelio more* who always appeared as a speaker in the dialogue and took up the leading role, although the correct interpretation of this phrase is disputed, cf. *Att.* 13.19.3–4., *Q. Fr.* 3.5.1; *Fam.* 1.9.23; also WILKINS (*De Oratore*, pp. iii–iv); DOUGLAS (*Brutus*, p. xviii) and HIRZEL: *Der Dialog*, vol. 1, p. 276.

²⁵GILDENHARD (*Paideia Romana*, p. 90).

²⁶DOUGLAS (*Tusculans*, p. 89).

hint at the topic of Book 1; there is an abrupt break²⁷ from the preface into the main body which begins with a simple thesis, *is death an evil?* Despite this lack of connection, many scholars import Cicero's later political stance into this work, most frequently misled by Cicero's grand rhetoric in the preface of the *Div.* 2 which was composed after Caesar's death. We find that the preface of our work contains many closer parallels to the preface of *Fin.* and *Ac.* and was either modelled on it, or on another earlier version which the two share. All three are remarkably similar, particularly *Tusc.* 1.1–5 and *Fin.* 3.3–7.

§ 2. — THE STYLE OF THE TUSCULANS AND PAIDEIA ROMANA.

The dire political situation may have been the reason Cicero withdrew from Rome and occupied himself in writing, but it was not the force behind the topics he chose to write about. We see that none of the works Cicero published between 45B.C. and Caesar's death were political in nature, though in many of them he treated philosophical topics which were readily applicable to his recent personal experiences. When he began to write, philosophical literature in Latin was certainly lacking, and down until Cicero's age, there was a distinct suspicion of teaching philosophy in Latin. But throughout his lifetime, Cicero remained a constant supporter of the use of Latin to teach Roman youth every form of culture.

The *Tusc.* differ significantly enough in style and form from Cicero's other philosophical writings to justify a special type of interpretation. The ideas are expounded with the grace of an orator, rather than the slow and careful progress of a dialectical philosopher in the style we find in his *Ac.* and *Fin.* Cicero's accustomed scepticism appears to fade into the background when he aims at the conviction that death is not to be mourned, but rather welcomed and enjoyed as a reprieve from the injuries and hardships of life. The arguments presented in the *Tusc.* are not reconciled, but adeptly manoeuvred to reinforce each other, and these at the hands of a trained and expert lawyer who aims not for an acquittal of the claim that death is an evil, but for an absolute conviction that it is a positive good. There is a unique blending of the three main categories of oratory, the *praeceptio*, the *suasio* and the *consolatio*.²⁸

The dimension of consolation is quite obvious in a dialogue *de morte*. Cicero presents himself numerous times in the dialogue as a grieving father; and in places, the philosophical topic of the soul is replaced by a *lamentatio uitae*.²⁹ I believe that Cicero has worked in material from his *Consolatio* more broadly than is generally thought and I have indicated this in my notes.³⁰ And this consolation goes hand-in-hand with the rhetoric of education. In many cases, the study with which Cicero busied himself to comfort his own grief could be more widely applied to many who had similarly suffered during the civil war. The suicides of Cato and Scipio, brought to widespread public and political discussion through the publication of Cicero's *Cato* and Caesar's pamphlet *Anticato* had opened the way to a wider discussion of the philosophy of death; additionally, Brutus had earlier attacked Cato's suicide as impious or philosophically unsound and the consolatory philosophy and rhetoric in the *Tusc.* is aimed at countering these attacks.³¹

The style of the *protreptic* is most discernible in the preface. The scene, though set informally, is similar to the situation which Cicero sets out his *Am.*³² As a young man himself, Cicero went to the house of an older statesman to learn the law and be trained in public life, a form of education which Cicero valued highly and one which he felt had been lost or abandoned in his own time.³³ The *scholae* which constitute the *Tusc.* must have resembled or been modelled on this familiar Roman style of education. Cicero admits that such things are in the habits of the Greeks, *Graecorum more*; but I cannot agree with Gildenhard that Cicero therefore, in protest at the political climate, turned himself into a Greek *scholasticus*.³⁴ Scaevola himself, a great Roman figure, set about to discuss philosophical topics at the prompting of young Roman men at such gatherings; these personal connections were important for the initiation into wisdom, and often

²⁷See my nn. on 4, 8.

²⁸cf. 9, 18 n.

²⁹See my nn. on 36, 86.

³⁰Passages can be found throughout chapters 9, 12, 22, 26–27, 31, 35, and 46.

³¹See my nn. 30, 74.

³²*Am.* 2, *tum memini domi in hemicyclo sedentem, ut solebat, cum et ego essem una et pauci admodum familiares.*

³³cf. 4, 7 n.

³⁴GILDENHARD (*Paideia Romana*, p. 64).

education was led by an apprenticeship to an individual — a practice that was lost in Cicero's youth. The pedagogic 'vision' of the *Tusc.* is an attempt to restore this individual and personal form of education through its substitution by literature. The older Roman orders had been terribly thinned through the civil wars and there were no teachers left in the model of education Cicero had himself been trained in, so he sets about to fill this gap.

In the *Tusc.*, however, it is not clear who the teacher and the student are. Scholars feel that the second speaker, whom they assume to be a young man, is a rather clumsy or 'bumbling fool'. In fact, I find that there is no real indication of the ages of the speakers, or of those who participated in the dialogues over these five days at Cicero's villa.³⁵ Nevertheless, the tone of the dialogue does appear to be aimed at a younger generation apparent in the broad instruction in all aspects of Roman history and life. The call to learning and study is everywhere in the preface of *Tusc.*, and even though the focus is on the rather esoteric thesis of death and the soul, Cicero casts a wide net to encompass aspects of Roman history, religion and its martial valour. The main body of the text is, however, entirely philosophical and in many ways carefully structured. It may begin in the style of a dialogue, but the framework quickly fades to the background and we are only infrequently reminded that there is a second speaker; and only once that there were more than two people present at this gathering.

Throughout, Cicero's forensic training shines through and at many points in the *Tusc.* we have graceful touches of the *suasio*. An examination of the style and arrangement of the *Tusc.* will show that there is a marked difference from Cicero's previous philosophical works which sets it apart. Douglas has, I think rightly, claimed that this book is a 'dialogue with a difference,'³⁶ By this he means that unlike Cicero's other dialogues in which each speaker is given a role to play or a position to represent, the main 'speaker' in *Tusc.* noticeably lacks any defining characteristic. The arguments are only superficially arranged in dialogue form; the bulk of the work takes on a form of exposition and conversation only really occurs at natural breaks and is used as a literary device to change topics. The lengthier passages of exposition often seemed to be closer to Cicero's speeches than his other philosophical works. But Douglas argued that to classify this dialogue as 'forensic' dialogue was unjustified particularly since the presence of forensic vocabulary, which heavily pervades Cicero's other writings, is found among his earlier philosophical works and is in no way unique to the *Tusc.* Further, he suggests that the poetic element of the language and the habit of frequent quotation places the dialogue squarely outside the courtroom. But this only shows that *Tusc.* contain elements which Cicero would not have included in his more formal speeches before the austere Roman judges; it does not necessarily mean that the style of writing does not reflect Cicero's talents as an advocate. Cicero himself calls his first book of the *Tusc.* both a *declamatio* and an *oratio*.³⁷ This is an accurate description since the majority of the work is shaped as a continuous speech. There are numerous indications in the language that Cicero approached the *Tusc.* as a case to be made for a jury rather than to provide one as a philosophical debate. He writes at *Tusc.* 1.7, *ut enim antea declamitabam causas, sic haec mihi nunc senilis est declamatio*: a style he is used to (that is, in the style of the court or forum). There is even a stronger evidence for this at *Tusc.* 1.11, *quia disertus esse possem, si contra ista dicerem. quis enim non in eius modi causa?* Here he employs the technical terminology of pleading at the bar. These are more than just passing comments. They are self-referential: Cicero knew that even in his philosophical works there was an advocate making the case. Goldenhard felt that the *declamatio* does not square well with the philosophical material and that the rhetorical exercises were idle time wasted.³⁸ But is this not exactly what Cicero is aiming for in his own form of education? Is this not exactly what he did in his own youth?³⁹ This style of philosophical argument would not itself be employed in the courtroom, but Cicero admits that philosophy for him took the place of forensic oratory, public harangues and politics.⁴⁰ It should not therefore be surprising if we find

³⁵There is perhaps a hint at 4, 7 *Aristoteles dicere docere etiam coepit adulescentes*; but this passage expressed the fact that Aristotle was joining rhetoric to philosophy rather than that he was teaching young men. At any rate, the term *adulescens* can mean any male up to the age of 40. One of the men whom Cicero had as his students, Hirtius, was at this time was aged 45.

³⁶DOUGLAS: *Tusculans*, p. 16.

³⁷*Tusc.* §§5, 7, 16, 60, 73, 108, and 112.

³⁸GILDENHARD (*Paideia Romana*, p. 16), but cf. DOUGLAS (*Form and Content in the Tusculan Disputations*, p. 198).

³⁹See my nn. 4, 7 *senilis declamatio*.

⁴⁰*N. D.* 1.6

traces or tinges of these practical duties which captured so much of Cicero's effort. Nor do I think that the presence of poetic or literary tropes in the *Tusc.* give us sufficient cause to claim that they cannot be in the forensic style. It may be helpful to recall that Cicero's courtroom speeches, as we have them now, were revised into a more literary style; some, like *Phil.* 2, although written in the forensic style, were never spoken. It would be interesting to find out how much of the defence of poetry found in *Arch.* would have been delivered in the courtroom, how much of it appended afterwards. For just as Cicero's forensic speeches were imbued with a literary turn, so too may his philosophical arguments be coloured with a forensic style; and just as in a courtroom with a defendant on trial, Cicero wants the outcome of this trial to be judged by the facts.⁴¹ The language in his closing remarks is strikingly similar to the peroration of a barrister, their presence in the *Tusc.* could encourage it to be viewed as a forensic speech.

There was certainly a standing battle between philosophy and rhetoric contending over who had the proper right to argue on general topics.⁴² In the *Tusc.*, Cicero claims explicitly that philosophy is the greater and wider science (*arte*), and that oratory stands second.⁴³ Aristotle, Cicero says, impelled by the renown of Isocrates, began to join philosophy with eloquence, and to teach his students to speak well. The Isocratean school, and the Greek schools similar to it, would have had sessions to practise the art of declamation, the dominant form being *controversia* of legal matters, a term which could also be applied to prepared discourses by philosophers.⁴⁴ The practice of declamation in the style of Isocrates had become very artificial and on this account had often been criticised.⁴⁵ Moreover, it was held in very little esteem by Romans, who were generally dismissive of these pedantic and contentious philosophical debates. Nonetheless, in Cicero's time, the practice of declamation in Rome was still held in high repute, and considered to be a serious pursuit for the improvement of public speaking.⁴⁶ If the philosophical dialogues were to be aimed at the public in general, and the elite who rejected technical philosophical style eagerly embraced pleading,⁴⁷ then it is not surprising that Cicero should couch his philosophy in this style in order to present it in a more palatable form.

Theoretical philosophy is to determine what is, while practical philosophy is to understand what ought to be. The Academic sceptic in Cicero hesitates to assert with firm conviction anything which cannot be proved true, and there are many instances in the *Tusc.* where Cicero admits that the best he can do is to fix a close approximation of the truth (*ueri simile*). He considers many different theoretical positions on the nature of the soul, its composition, and its destination after death. And like a true New Academic, he will not assert that any one of these positions is the final truth. However, his hesitation to affirm any theoretical position does not hinder him from declaring a firm resolution in the foremost practical problem of the *Tusc.*: we need not have any fear of death. In this, Cicero believes that the absolute truth of this position can be proven, and so he approaches the problem rhetorically. A careful mixture of philosophical and forensic style is an elegant approach toward what ultimately amounts to two different problems in the first book of the *Tusc.* Cicero is aiming at certainty on the practical problem as he would approach a legal case: the questions we have regarding the soul cannot be empirically proven. Though the various philosophies contradict and oppose each other, nevertheless Cicero deftly uses them to mutually reinforce the position common to them all: regardless of whether you accept the arguments of Democritus, Epicurus, Plato, Socrates, the Stoics, Aristotles or any other, they all point to the fact that we do not need to have any fear of death. The physical theories that Cicero expounds in this book may be doubted, but the absolute truth of the practical question is firmly held.⁴⁸ Cicero handles the question in the same manner as Isocrates. As a lawyer and the defendant of a case, he remains a whole hearted orator and makes the strongest argument he can, very unlike the Academic philosopher who still questions his own arguments.

⁴¹See my nn. 48, 116

⁴²For the Roman perspective, cf. *Brut.* 48; *De Or.* 1.52; and *Tusc.* 2.9, where Cicero separates the practice of rhetoric in the mornings, and philosophy in the afternoons.

⁴³Cicero first voices this idea in *Or.* 158

⁴⁴*Tusc.* 1.113, cf. DOUGLAS (*Tusculans*, pp. 93–94)

⁴⁵*Sen. Contr.* 3.12, *Mart.* 6.19.

⁴⁶DOUGLAS: *Tusculans*, p. 93; BONNER: *Roman Declamation*, pp. 1–2; GLUCKER: *Antiochus*, p. 161.

⁴⁷*Ac.* 1.4–6

⁴⁸cf. his conclusion at 46, 109 *hanc excutere opinionem radicitus*, 'fully uprooted the opinion [i.e., the fear of death]'. The *radicitus* is very strong.

§ 3. — CICERO'S TREATMENT OF PHILOSOPHY.

Cicero offers a definition of death (*quid sit mors*) using a method outlined in *Fin.* 2.3 and Pl. *Phdr.* 237B, *περὶ παντός, ὡ παῖ, μία ἀρχὴ τοῖς μέλλουσι καλῶς βουλευέσθαι· εἰδέναι δὲ περὶ οὗ ἂν ἡ ἢ βουλή, ἡ παντὸς ἀμαρτάνειν ἀνάγκη*. The doxography Cicero heavily employs in this work sets out the various opinions of philosophers on the soul in a concise fashion, but not to the same end as in other writers, as Lucr., or Arist. *De An.*, in order to refute them specifically. Cicero rather marshalls such a wide range of arguments to emphasise the *agreement* between them — that in the end, death cannot be considered an evil: it is either physical dissolution or a blessed immortality. Scholars argue that we need to be cautious when dealing with Cicero's reports concerning the views of earlier philosophers, for example FORTENBAUGH (Cicero as Reporter of Aristotelian Rhetoric, p. 38). At times, it seems Cicero had simply not yet mastered the difficulties of a particular philosophy; or had only a partial account of them to work from, as DONALD (Prologue-form in Ancient Historiography, p. 850) suggested; or he has simply erred, perhaps due to the celerity of his compositions. Cicero's own polemical stance towards a philosophy can misconstrue or blur fine distinctions, but this is not a serious problem in the *Tusc.* FESTUGIÈRE (Protreptiques de Platon, pp. 9–10) is correct in suggesting that in many ways like Plato's own *Phaedo*, the *Tusc.* is a protreptic to philosophy (cf. *Tusc.* 5.2.5–5.4.11), a genre well established by the Hellenistic period and which generally avoids rigorous philosophical distinctions, relying more on the elegance, volume, breadth and weight of authority to convince its reader. What makes the *Tusc.* unique in the writings of Cicero is that it blends three distinct rhetorical categories, the *praeceptio*, the *suasio*, and the *consolatio*. Just like Philo's physician (Stob. *Ecl.* 2.7.2), Cicero offers therapy for the disease and refutes the advice of false counsellors by removing our fear of death, and countering those who would argue that it is an evil.⁴⁹

§ 4. — ON THE TEXT.

This philosophical work of Cicero's is one of his most elegant and charming endeavours. It is in this writing that we can see him most wander intellectually⁵⁰ and imaginatively. He draws upon his vast storehouse of learning and oratorical experience, and more than in any other work he indulges himself in mythology, history, poetry and tragedy, both Roman and Greek. Cicero introduces medicine, law, physics, ethics and logic; astronomy and astrology, as well as sculpture, and the plastic arts; and he considers religion, politics and literature — all within the compass of the five books united under the title of the *Tusculan Disputations*.

Despite its attractiveness, this work has received uneven treatment at the hands of scholars, both in terms of philosophical commentary and in textual study. Its first book particularly has largely gone unnoticed over the past century. Perhaps due to the general dismissal of the *Tusc.* as a non-technical piece of philosophical writing, the last comprehensive and critical edition in English of all five books of the *Tusc.* was given to us by Dougan⁵¹ more than a 105 years ago. Despite all the advances in the fields of Hellenistic philosophy, and particularly in the study of the doxographical tradition, his edition still remains the only scholarly examination of the first book of the *Tusc.* in our language. The bulk of Dougan's notes, however, are aimed at the elucidation of textual difficulties, though he does attempt to go somewhat towards providing an explanation of the philosophical content of the work. After his edition, King⁵² published a translation of the text for the Loeb library but in the main it followed the text as established by Dougan. It was not until nearly sixty years later that Douglas⁵³ renewed interest in this work by producing a student edition. He followed King's text quite closely and his notes, while helpful, were cursory; he brought much of his earlier work on Cicero's *Brutus* to bear on the *Tusc.*, and most capably discussed the oratorical aspects of the *Tusc.* However, his commentary in the main drew upon the thorough but terse remarks of Pohlenz⁵⁴ in his Teubner edition, which at the time of Douglas's

⁴⁹See JORDAN (Ancient Philosophic Protreptic, pp. 316–318).

⁵⁰*Tusc.* 1.30.73, *tamquam ratis uehitur oratio*.

⁵¹T. DOUGAN (ed.): *Tusculanarum Disputationum Libri Quinque*, Cambridge: Cambridge University Press, 1905.

⁵²J. KING: *Tusculan Disputations*, Harvard: Loeb, 1927.

⁵³A. E. DOUGLAS (ed.): *Tusculan Disputations I*, Warminster: Aris & Phillips, 1985.

⁵⁴M. POHLENZ (ed.): *Tusculanae disputationes*, Leipzig: Teubner, 1918.

writing was nearly 70 years old. It was not until Graver⁵⁵ produced a lucid translation and squarely philosophical commentary which was, in part, a response to the growing interest at that time in the philosophical study of emotions and therefore incorporated the growing body of academic literature on Hellenistic philosophy. It was unfortunate that her work only encompassed the central books of the *Tusc.*, 3–4. As a result, the first book of the *Tusc.* has been for the most part neglected and there has been no scholarly commentary in English on the work for more than a century.

On the other hand, and despite the fact that the text of the *Tusc.* is widely thought of as being in a good state of repair, it has received a great deal of attention from textual critics over the past fifty years.⁵⁶ It will be useful to summarise briefly the results of their detailed work. Dougan consulted and collated over 80 new mss. for his 1905 edition; his primary contribution to the study of the text was the publication of the readings of E found in the British Library. After him and Pohlenz, Folhen⁵⁷ produced a critical edition for the Budé series which contained a good deal of useful new material. Folhlen, however, followed Pohlenz rather closely and when he did depart from him, his choice of readings were not as judicious as one might wish. A detailed study on the text itself was done by Drexler⁵⁸ during the production of his own text; the edition he produced was both readable and cleanly presented. His method⁵⁹ was to consult the most authoritative mss. and also many and various editors in order to search out what was best in all of them; but in the end he showed a marked preference for the corrector of V over the archetype X. Lundström⁶⁰ responded by producing over a period of twenty years a significant and weighty defence of the better manuscript readings and he warmly supported the archetype. He gave a detailed analysis of it point by point and frequently defended the received readings of the text, accepting only rarely that some were either glosses or errors. Lundström thus was a very conservative critic but his work went a long way to further the understanding of the textual transmission of the *Tusc.* In contrast to him, Giusta⁶¹ was a considerably more liberal editor, and he found more than one thousand errors in the five books of the *Tusc.* He frequently disagrees with Lundström and in doing so is liable (at least in my opinion) to the accusation of going to the opposite extreme.

When I began working on what was intended to be a philosophical commentary on the first book of the *Tusc.*, I did not originally foresee that I would need to engage as closely as I have done with the text itself. I began by adopting Giusta's text; but as I consulted for myself the texts and commentaries of many earlier editors, including Bentley, Davies, Moser, Seyffert, Kühner, Dougan and Pohlenz, I found that I could not accept some of Giusta's decisions. In several places, I felt the weighty judgement of the older editors in certain readings were not sufficiently appreciated, and in some cases I considered that the 'science' of philology had pushed aside good Latinity. I was dissatisfied that Giusta had left cruxes or brackets around faulty text where I thought a good reading was available. He frequently marked up the text with bottom and top tie bars to show where he suspected alternate recensions to have entered the text, but this practice is distracting, and his assumption does not need to be accepted.⁶² At times, I think he strayed from good sense and was distracted too frequently by emendation. This happened when his critical eye was focused more on the possible mss. variants than upon the philosophical sense of each argument in the passage. At some places, he has altered the reading of the best mss. which was, in its own right, acceptable and philosophically sound. For instance, his change to *igitur quibusdam* at 13, 29 would change unjustifiably the drift of Cicero's reasoning. In other places, I believe he did not adopt a better reading of a previous editor which would have improved the sense; as when he prints *possum* in place of *possem* at 25, 60. Nevertheless, in many places, Giusta's critical judgement led him to offer praiseworthy emendations, for instance at 8, 15 *emori*; 10, 22 *animum*

⁵⁵M. GRAVER: *Cicero on the Emotions: Tusculan Disputations 3 and 4*, Chicago: University of Chicago Press, 2002.

⁵⁶The mss. are all fairly closely related, and there are many subsequent copies. DOUGLAS (*Tusculans*, p. 18) noted that the Renaissance editors made an admirable effort in producing a text which contained only few real cruxes.

⁵⁷G. FOHLEN (ed.): *Tusculanae Disputationes*, Paris: Budé, 1931.

⁵⁸H. DREXLER: *Zu Überlieferung und Text der Tusculanen*, Rome: Centro di studi Ciceroniani, 1961.

⁵⁹*Ibid.*, p. 65.

⁶⁰S. LUNDSTRÖM: *Vermeintliche Glosseme in den Tusculanen*, Uppsala: Acta Universitatis Upsaliensis, 1964, p. 379.

⁶¹M. GIUSTA (ed.): *Tusculanae Disputationes*, Turin: Corpus Scriptorum Latinorum Paravianum, 1984.

⁶²See POWELL (CR, 37, p. 31). Giusta believed that our transmitted text of the first book of the *Tusc.* was a conflation of two different versions produced by Cicero. His only evidence, however, is internal and, as Powell expresses it, no one is likely to believe his claim.

for *uerum*; 13, 30 his defence of the mss. *efficit*; 31, 76 *certe sed*; and 35, 86 *miseriis*; in such cases I have accepted his readings.

As a result of a careful study of the philosophical issues raised in the *Tusc.*, I have come to establish my own text. In this endeavour I am heavily indebted to the work of Lundström and Giusta and have learned a good deal from both. My own criticism has been conservative in nature, and I think I have successfully adopted the middle ground between these two scholars. On the whole, I have been inclined to favour the mss. GRKH and V^c (with Giusta), but have on occasions adopted the readings of L (which agrees closely with R) and the older readings of P or M, underestimated by Giusta, which are able (I think) to offer more than just textual conjectures. I have tried to create an *apparatus* that is less cumbersome than Dougan's and Giusta's; it is therefore less exhaustive, but I believe complete and takes into account nearly 40 editions and commentaries. I have given explanatory notes on my choice of readings throughout where I have adopted the reading of previous commentators.

Of commentaries in English, Dougan's was the first. His notes are generally useful and instructive, both for their criticism and explanation; they also contain some valuable notes by Reid. Douglas's later edition was an excellent student edition, but somewhat too general for my purpose. He has much to say on language and style, but the aim of his work did not allow for a more nuanced treatment of the philosophical aspect of the *Tusc.* I have also consulted several early American editions, among which were Nutting (1909); however, I found that they mostly borrow from their European counterparts. In German, the edition of Tischer-Sorof (1879) had only a minimal commentary and little detail; most of it I found to be only a compendium of Seyffert's notes. Pohlenz (1918) had much to say on the Stoic aspects of the work, but offered little in the way of historical, religious or legal interest. Previous to these works, numerous commentaries were published in Latin. I found Verbergius (1724) provided some readings by Beroldus which were not in Giusta. Moser (1836) incorporated a great deal of work from Davies and Manutius and preserved a great deal of learning from some of the earliest editors, Bouhier and Camerarius. Kühner's edition (1874) was perhaps the most thorough commentary of the *Tusc.* to date, and the one to which Dougan owed the most. His notes are exceedingly clear, but too often focused on the finer points of Cicero's Latinity to the exclusion of all else. My own commentary owes a great deal to these editions since I have been able to draw upon a store accumulated by such a long succession of scholars. I have been forced by the limits of space to be more concise than I would have liked, and I have not always found it easy to strike a proper balance between comments on textual readings, language, philosophical interpretation and content; but such is the nature of a commentary that aims to be comprehensive.

On points of orthography, I agree with the principles as laid out by Reid in his edition of the *Academica*, and approved and followed by Sandys in his edition of the *Orator*. In general, I keep the ordinary superlative termination *-imus*, not *-umus* as Giusta, except in 15, 32 where Ennius' form would have been *maxuma*. I have regularly kept *o* after *u* in *uolgo*, *uolt*; I have also accepted the less confusing and more authentic forms *eis* and *eisdem* instead of the forms in *is*, *isdem* as Giusta and Pohlenz. I have also preferred the consonantal character *u* which is normal script in the mss.

CONVENTIONS AND ABBREVIATIONS



Greek authors and works are referred to by the abbreviations used in LIDDELL/SCOTT/JONES (Greek–English Lexicon) or, if not represented in the L.S.J, in LAMPE (A Patristic Greek Lexicon); e.g., *E. Hipp.* 453, *Pl. Rep.* 544b4–546c2. Latin authors and works are referred to by author and work as abbreviated in LEWIS/SHORT (A Latin Dictionary), or, if not represented in L.&S., in the THESAURUS LINGVAE LATINAE (*TLL*), e.g., Verg. *Aen.* 2.21, Varr. *R. R.* 3.17.5; works by Cicero are referred to by name only, e.g., *N. D.* 1.14, *Phil.* 3.10. References to secondary literature have the authors' names in small caps and can be found in the bibliography. My practice has been to refer to the author, e.g. KIRK (Heraclitus, pp. 15–9); or to the publication itself, e.g. (LONG: Hellenistic Philosophy). References to ancient works are kept as short as possible, with book, chapter and section numbers separated by dots; if only two numbers are listed, the chapter has been omitted in favor of the smaller sections, e.g., *N. D.* 2.14, is *N. D.*, second book, (chapter 5), section 14. All references to *Tusc.* book 1, are designated by the section and chapter separated by a comma, e.g., 27, 67. Chapters are listed in the header of each page, and the sections are carefully listed in bold in the margins. With a few exceptions, standard commentaries are cited by the author's name only (e.g., Madvig on *Fin.* 3.4, Reid on *Ac.* 1.20) unless they are abbreviated (e.g., SVF. 2.128). Abbreviations for other works such as lexica, grammars, or standard reference works are as follows:

<i>Antibarb.</i>	J. P. KREBS/J. H. SCHMALZ: <i>Antibarbarus der lateinischen Sprache</i> , Basel: Wissenschaftliche Buchgesellschaft, ⁹ 1984
<i>CIL</i>	<i>Corpus inscriptionum Latinarum</i> , Berlin, 1863–
D.–K.	H. DIELS/W. KRANZ (eds.): <i>Die Fragmente der Vorsokratiker</i> , Berlin: Weidmannsche Bundandlung, 1938
Ed.–Kidd.	L. EDELSTEIN/I. G. KIDD (eds.): <i>The Fragments of Posidonius</i> (Cambridge Classical Texts and Commentaries), Cambridge: Cambridge University Press, 1972
Forcellini	A. FORCELLINI/J. FACCIOLATI/G. FURLANETTO (eds.): <i>Lexicon totius Latinitatis</i> , Bologna: Padua, ⁴ 1864–1926
HAND (Tursellinus)	F. HAND: <i>Tursellinus seu De Particulis Latinis Commentarii</i> , vol. 1–4, Lipsiae 1845
<i>HRR</i>	H. PETER (ed.): <i>Historicorum Romanorum Reliquiae</i> , Leipzig ² 1914
<i>ILLRP</i>	A. DEGRASSI (ed.): <i>Inscriptiones Latinae Liberae rei publicae</i> , Berlin: de Gruyter, ² 1965
<i>ILS</i>	H. DESSAU (ed.): <i>Inscriptiones Latinae selectae</i> , 1856–1931
K.–S.	R. KUHNER/C. STEGMANN: <i>Ausführliche Grammatik der lateinischen Sprache</i> , Hannover: Hahnsche Buchhandlung, 1912
MRR	T. R. S. BROUGHTON: <i>The Magistrates of the Roman Republic</i> (American Philological Association Monographs), Atlanta: Scholars Press, 1986
NEUE–WAGENER	F. NEUE/C. WAGENER: <i>Formenlehre der lateinischen Sprache</i> , Berlin: Berlin, 1892
<i>Non.</i>	W. M. LINDSAY (ed.): <i>Nonii Marcelli De Compendiosa Doctrina Libri</i> , Oxford 1901
L.&S.	C. T. LEWIS/C. SHORT (eds.): <i>A Latin Dictionary</i> , Oxford 1879
<i>RE</i>	A. PAULY et al. (eds.): <i>Realencyclopädie der classischen Altertumswissenschaft</i> , Stuttgart: J. B. Metzler, 1980
<i>Reisig–Hasse</i>	C. K. REISIG/F. HAASE: <i>Vorlesungen über lateinische Sprachwissenschaft</i> , Leipzig 1839
SVF	H. F. A. VON ARNIM (ed.): <i>Stoicorum Veterum Fragmenta</i> , vol. 1–3, Leipzig: Teubner, 1924
<i>TLL</i>	<i>Thesaurus Linguae Latinae</i> , Berlin, 2009

Standard collections of fragments are cited by the ancient author's name only, and have been abbreviated as follows:

- Arist. De Phil. fr.* W. D. ROSS (ed.): *Aristotelis Fragmenta Selecta*, Oxford: Clarendon Press, 1955
- Arist. et Cyren. fr.* E. MANNEBACH (ed.): *Aristippi et Cyrenaicorum Fragmenta*, Leiden: Brill, 1961
- Callim. fr.* R. PFEIFFER (ed.): *The Fragments of Callimachus*, Oxford: Clarendon Press, 1949
- Cic. Consol. fr.* C. VITELLI (ed.): *M. Tulli Ciceronis Consolationis Fragmenta (Opera omnia quae exstant critico apparatu instructa)*, Milano: Mondadori, 1979
- Cic. fr. poet.* A. TRAGLIA (ed.): *M. Tulli Ciceronis Poetica Fragmenta*, Milan: Mondadori, 1963
- Dox. Graec.* H. DIELS (ed.): *Doxographi graeci*, Berlin: Reimer, 1897
- Enn. Ann.* J. VAHLEN (ed.): *Ennianae Poesis Reliquiae*, Lipsiae 1854
- Enn. trag.* H. D. JOCELYN (ed.): *The Tragedies of Ennius: The Fragments*, Cambridge: Cambridge University Press, 1968
- Emped. fr.* M. R. WRIGHT (ed.): *Empedocles: the Extant Fragments*, London: Yale University Press, 1981
- Hortens. fr.* A. GRILLI (ed.): *Hortensius*, 1962
- Ind. Herc.* S. MEKLER: *Academicorum philosophorum Index Herculaneus*, Berlin: Weidmann, 1902
- Menand. fr.* A. KÖRTE (ed.): *Menandrea ex papyris et membranis vetustissimis*, Leipzig: Teubner, 1910
- Or. Graec. fr.* F. BLASS (ed.): *Antiphontis Orationes et Fragmenta adiunctis Gorgiae, Antisthenis, Alcidamantis Declamationibus*, Leipzig: Teubner, 1908
- Panaet. fr.* M. VAN STRAATEN (ed.): *Panaetii Rhodii Fragmenta*, Leiden: Brill, 1962
- Trag. fr. inc.* O. RIBBECK (ed.): *Scenicae Romanorum Poesis Fragmenta*, Leipzig: Teubner, 1897
- fr. Wehrli.* F. WEHRLI: *Die Schule des Aristotles I*, Basel: Schwabe and Co., 1944. The author of each fragment is specified when the reference to WEHRLI is made, e.g., *Dicaearchus fr. Wehrli. 8*, refers to the collection of Dicaearchus, fragment 8.
- Xenocr. fr.* R. HEINZE (ed.): *Xenokrates. Darstellung der Lehre und Sammlung der Fragmente*, Hildesheim: Olms, 1892

EDITIONUM SIGLA



Vel operum omnium vel editiones Tusculanarum qui in apparatu critico et commentario commemorantur:

- BEROALDUS, Philippus: Bononiae 1496
ERASMUS: Basileae 1523
CRATANDER: Basileae 1528
VICTORIUS, Petrus: Venetiis 1534–1537, Parisiis 1538–1539
CAMERARIUS, Joachim: Basileae 1540 sqq.
MANUTIUS P. Aldi filius: 1540 sqq., Venetiis 1543–1555
BOUHIER (Boulierius) Ioannes: Lugduni, apud Frelonium, 1560–1562.
LAMBINUS: Editiones Lambiniana, Lutetiae Parisiorum, apud Ant. Gryphium 1579; Venetiis 1579.
FABRICIUS, Franciscus: Coloniae 1568.
GRONOUUS, Johann Friedrich: Lugduni Bat. 1692 sqq.
DAUSIUS (Davies), Jo. Accedunt emendationes Bentleii: Cantabrigiae 1709 sqq.
VERBURGIUS, I.: Amstelaedami 1724. Opera quae supersunt omnia, cum scholiaste veteri ac notis
Victorii, Camerarii, Ursini; cum notis selectis Manutii, Lambini, Gruteri, Gronoviorum.
LALLEMAND, J. N.: Paris 1768.
ERNESTI, Jo. Aug.: Halis Sax. 1773–1777 sqq.
WOLF, Fr. Aug.: Lipsiae 1792 sqq.
RATH, Rudolf Gotthold ex rec. Dausisii: Halis 1804–1819, Oxonii 1805.
SCHÜTZ, Christ. Godofr.: Lipsiae 1814–1821.
HERMANN, G.: Opuscula, vol. 3 Lipsiae 1828; vol. 4, 1831; vol. 7.
ORELLI, Io. Casp.: Turici 1829. Accedunt Richardi Bentleii Emendationes curis secundis auctae.
Io. Iac. Reiske Libellus uariantium lectionum, Io. Iac. Hottingeri Spicilegi, F. Aug. Wolfii
Scholarum excerpta.
KLOTZ, Reinhold: Lipsiae 1835. 1835–1866.
LECLERC, J. V.: Ed. Lemaire. Paris, 1831.
MOSER, Georg Heinrich, cum commentario Dausisii, Bentleii emendationibus, Lallemani an-
imaduersatibus integris. 3 uol., Hanouerae 1836.
TREGDER, Paul Hagerup: Haunia 1841.
DILLAWAY, C. K.: ex recensio Oliveti et Ernesti, accedent notae Anglicae. Boston 1842.
KOCH, Georg Aenotheus: Hannouerae 1854–1857.
CHASE, Thomas C.: Cantabrigiae, accedunt notae anglicae, 1856.
BAITER, Joh. Georg.: Lipsiae 1860–1869.
SEYFFERT, Moritz: Lipsiae 1864.
MEISSNER, C.: Lipsiae 1872.
KÜHNER, Raphael: 5. ed. Hannouerae 1874.
MÜLLER, C. F. W.: Bibl. Teubn. 1878–1891, cuius apparatus criticus textui praemissus est.
TISCHER, Gustav, *post eum* Sorof, F. G.: 7. ed. Berolini 1878. 9. ed. 1887–1899 (Sor., *aliquando* TS.)
HEINE, O.: Lipsiae quarta editio 1892–1896.
ROCKWOOD, Frank Ernest: Boston, 1903.
SCHICHE, Th.: Lipsiae 1907. 1921³. commentario inst. Viennae 1919.
NUTTING, Herbert C.: Commentarius liberorum I–II, Boston 1909.
DOUGAN, Th. Wil.: Cantabrigiae, uol. I 1905; uol. II cur. Mitchell 1934.
POHLENZ, Max.: Commentarius librorum I.–II, Lipsiae 1912; editio Teubneriana 1918.
KING, J. E.: London, Loeb 1927.
FOHLEN, G.: Paris: ‘Les Belles Lettres’, 1931.
GIGON, O.: München 1951 (uersio Germanica). K. Büchner: Zürich 1952.
DREXLER, H.: Gottingae, 1958.
GIUSTA, M.: in aedibus Io. Bapt. Paraviae et Sociorum. 1984.
DOUGLAS, A. E.: Warminster, Wilts. 1985.

CODICUM SIGLA



codices maiores ex apparatu Dougan, Guista et Drexler afferuntur:

- G** Wolfenbüttel, Bibl. Aug., Gudianus 294, collated by Seyffert (Leipzig, 1864). s. ix. Contains only the *Tusc.*, written quite clearly though not elegantly.
- V** Vatican, lat. 3246. Contains only the *Tusc.* Rivals **R G** in excellence. s. ix.
- V^c** uetus corrector **V**, generally of the same period as **V**, many corrections written carefully in black ink.
- R** Parisinus Regius, Bibl. Nat. lat. 6332, written *σπιχηδόν*, and with great care. Contains the *Tusc.* and *Sen.* s. ix.
- K** Cameracensis, Cambrai, Bibl. Comm., lat. olim 842, nunc 943; contains *Tusc.* only. Agrees closely with **R V G**. s. ix.
- H** Hadoardi excerpta quae leguntur in Vat. Reg. Suec. 1762.
- F** Fragmentum Bodleianum

codices minores praeterea afferuntur:

- P** Palatinus Vaticanus, formerly in Heidelberg. Pal. 1514 (Gruter's Pal. III), described as *antiquissimus*. Altered by several hands, often *in peius*.
- M** Mediolanensis Ambrosianus T. 56 sup., s. xi.
- B** Bruxellensis, olim Gemblacensis, Bibl. Roy. lat. 5351. Often corrected *in melius*. s. xii.
- L** Leyden, Univ. Lib. *Justi Lipsii codex no. 30, membranaceus*. Agrees closely with **R**. s. xii.
- E** London, British Museum. (Bibl. Reg. 15 C xi); s. xii or xiii.
- B²** Brussels, Bibl. Roy. lat. 21957. s. xv.
- S** Berne, Stadt-Bibl. lat. 438. s. xv.
- X** consensus codicum **G V R K** (*et H*)
- Ω** consensus omnium codicum
- s** editores recentiores
- dett. codd.* deteriores codices
- edd. pr.* editores priores

CONSPECTUS EDITORUM



Bou(hier), 1560
Dav(ies), 1709
Doug(an), 1905
Ern(esti), 1773
Giu(sta), 1984

Küh(ner), 1874
Lamb(inus), 1579
Man(utius), 1540
Mo(ser), 1836
Or(elli), 1829

Poh(lenz) 1918
T(ischer)-S(orof), 1887
Verb(ergius), 1724
Vic(torius), 1534
Wo(lf), 1792

ANALYSIS OF BOOK I



The composition of this work was prompted partly by the interest Cicero had in philosophical topics, but more probably the serious thoughts that arose in this work stem from the morose climate in which Cicero was living; many of his friends, both personal and political, had been killed in the civil war, and most recently he was more grievously affected by the death of his daughter Tullia.

Introduction, §§1–9. Cicero's main aim in the preface is to examine the role of eloquence in philosophy, the topic of which immediately distinguishes it from the other prefaces in the *Tusc.*, whose purpose is generally limited to the praise of philosophy itself, for example, *Tusc.* 2.5 and 2.13. Cicero, claiming to be finally liberated from the labours of the forum, aims to show that Romans are capable of improving on Greek philosophy. He complains that their native literature show that Roman philosophers have fine sentiments, but that they are unable to adorn them with sufficient eloquence, either to clarify their thoughts or to attract new readers. Cicero intends to address this error which he finds to be one of the most widespread in Roman philosophy, §§1–6. He has held five days of lectures on five subjects at the suggestion of his friends. The first proposition, and the topic of the first book is the discussion whether *death is an evil*: both to the dead, since they are without life; and to the living, since while they are alive, they forever are doomed to die, and continue afterwards to suffer as the dead already do. But if the dead are not in Tartarus, where are they? They are nowhere at all, they are non-existent; if so, then how can that which does not exist suffer in its wretchedness? The paradox compels admission that the dead are not wretched; but the living remain so, since they must still die, §§7–14.

Doxography, §§ 10–17. In order to answer the question what the soul is, Cicero surveys a wide variety of philosophical schools, from the reputable and well-known, to the less credible and renowned. Strangely however, and quite surprisingly, in this arrangement of philosophers the foremost influences and figureheads of the schools are passed over. Some of those from the major schools are never mentioned by name: of the Academic school Carneades is not mentioned at all in book 1, although Cicero mentions him frequently elsewhere, *Tusc.* 3.54, 59; 4.53; 5.11, 83, 87, 88, 120; of the Stoic school Posidonius, who had significant influence on the *Tusc.* is never once mentioned.⁶³ Zeno is mentioned only once (1.19) and appears only as a source for the idea that the Stoics conceived the soul as fire; Chrysippus (1.118) too is mentioned once in passing, and slightly as a mere story teller. Finally Epicurus (1.82) is mentioned only once, merely in connection to Democritus and atomic physics. However, Socrates, Plato and Aristotle are the most often cited authorities. Cicero himself admits that he has a stronger inclination to the philosophical theories of the older generation of philosophers, such as Plato and Socrates, than he does to the more recent thinkers. Cicero appeals to Socrates more frequently here than in any other work, excepting *De Or.* 3.; Plato is mentioned by name more often than anywhere else in Cicero's writing. From this it should not be surprising to find much that is Platonic in character in this book.⁶⁴

⁶³cf. LONG (Hellenistic Philosophy, p. 255)

⁶⁴DOUGLAS (Tusculans, 110–111, n. 57).

First Argument: The soul is immortal, §28–81. (i) There is a naturally implanted belief in immortality. We have evidence for this in the earliest burial and religious practices of men, §28; and there is no society on earth so barbaric as not to bewail their dead so there is a *consensus omnium* that the soul must survive, §30. And why else would men and woman take any care in their posterity if they knew the soul would not survive? §§31–35. (ii) Philosophy tells us that the very nature of the soul would preclude its death, §§38–71. Plato gave many reasons for it, §38; we know that the fiery material which composes the soul will cause it to rise aloft after death and blend with the warm rarified air far above the earth, §§40–49. They who deny the existence of the soul apart from the body have difficulty imagining what it would be. However there are numerous arguments for its immortality after it leaves the body. (a) There is the self-moving argument from Plato, §§53–55; (b) the argument from the indivisibility of the soul; (c) the argument from the scale of existence based on the gradual ascent from vegetative growth up to the perfection of the divine soul, §56; (d) the powers of the soul, such as memory and invention, §§57–64; (e) the theory of *ἀνάμνησις* as discussed by Plato §71. The soul is superior to the body, and while we are alive, we are in a living death; but when the soul leaves behind all its earthly concerns, then it truly comes alive, §75.

Second Argument: The soul is mortal, §82–116. However, the doctrine of immortality is rejected by many philosophers. Therefore we must prove that when the soul dies, it perishes as completely as the body and that there is no evil in death. (i) In fact, frequently death has removed people from more misery than good in their life, §86. In every case, because there is no feeling in death, we cannot be said to miss anything of our former life nor can we even be conscious of this loss, §90. (ii) Sleep and Death were called brothers by the poets, and rightly so; for in sleep we see that there is no feeling, so it will be with death. (iii) We also have many examples of virtuous men who go to their deaths readily composed, such as Theramenes and Socrates; even lesser men and whole legions go to their death, §95–101. (iv) Concern for burial is really just superstition; we will not have any sense of death, so what does it matter what happens to our bodies?, §102–109. The man who led a virtuous life will have glory accompany him to his grave; therefore, he will meet it with calmness and understanding.

Epilogue. We have many poets who say that the gods granted death to man as the best thing; and dying for one's country will earn both great glory, but also happiness, §§112–16. We must not fear death; for it is either a departure which is greatly to be desired or our liberation from the misfortunes and miseries of life.

I. CUM defensionum laboribus senatoriisque muneribus aut omnino aut magna ex parte essem aliquando liberatus, rettuli me, Brute, te hortante maxime, ad ea studia, quae retenta animo,

2 retuli] retuli X: rettuli B: rettuli s

M. Tulli Ciceronis Tusculanarum Disputationum ad M. Brutum Liber Primus: titled so in GV, while the lesser MSS., and a few older editors read QUAESTIONVM. Cicero himself calls them *disputationes* in *Div.* 2.2, *Fat.* 4, *Att.* 15.2.4, 4.2.; Boëthius *Top.* v, and Lact. *Inst.* 3.13. Most early editions have the words DE CONTEMNENDA MORTE, but they are not Cicero's own, having been introduced from the passage in *Div.* See STARR (Circulation of Texts in Rome); OLIVER (Titulature of Ancient Books); MCDONNELL (Manuscripts in Ancient Rome).

I. §1-9: The proem of the *Tusc.* is intricate, and the studied and lengthy period with which it begins aptly sets the oratorical tone that follows throughout the book. Cicero defends Roman talents against those of the Greeks, Roman poetry is praised, and music; however, in this case, Cicero's main aim is to examine the role of eloquence in philosophy, the topic which immediately distinguishes it from the other prefaces in the *Tusc.*, whose purpose is limited generally to the praise of philosophy itself.

defensionum: Wolf noted *ad loc.* that Cicero deliberately used term *labores defensionum* and not *labores forenses*; there is no mention of the *accusationes*, since the majority of Cicero's extant speeches are for the defence, and he only appears as prosecutor in the court room against Verres, cf. *De Or.* 29.103, *quod igitur in accusationis septem libris non reperitur gentis*. Dougan notes that the speech against Vatinius rose out of the defence of Sestius; those against Piso, Catiline and M. Antonius were for the most part delivered before the Senate, the remainder before the people. His role as a defence lawyer became a humiliating task for Cicero after Luca as he was required to defend some of the more disreputable characters who had the support of the Triumvirate. Cicero preferred the more popular role of a defender of the accused, *Off.* 2.14.49, *laudabilior est defensio*, and Quint. *Inst.* 12.7.1.

magna ex parte: he had defended M. Marcellus and Ligarius in 46B.C., and Deiotarus in 45B.C. The only speeches to come after Cicero's later philosophical works were the Philippics.

cum essem: the subj. is used to emphasise the relationship between cause and effect; however, it is written with the aim of justifying his literary occupations, and is not an ironic statement against Caesar.

aliquando: often in Cicero meaning 'at length', 'at last', sometimes strengthened by *tandem*. Below, 44, 105, *aliquando sapiens Achilles*, which shows that the meaning here is that it was long in coming.

liberatus: 'at last liberated,' a sigh of relief as Cicero is finally freed from the public duties which he has been busy with, often to his chagrin. cf. *Ac.* 1.11, *dum me ambitio dum honores dum causae dum rei publicae non solum cura sed quaedam etiam procuratio multis officiis implicatum et constrictum tenebat*. NUTTING (in his edition of the *Tusculans*) and GILDENHARD (*Paideia Romana*, pp. 91-2) find that this statement is 'bitterly ironic' and directed against Caesar, whose new position in government had deprived all public men of their public offices, and see also MACKENDRICK (*Philosophical Books of Cicero*, p. 164); GAWLICK/GÖRLER (*die Philosophie der Antike*, pp. 1016-19); GOTTER (*Griechenland in Rom*, p. 7.3). However, this phrase fits only the time in which Cicero wrote it; and he expresses different views of his personal and public freedom after the death of Caesar (*Off.* 3.1).

The philosophical language of Cicero rarely speaks

openly against an individual, though his political pamphlets are another matter; and so we must be careful not to invent political tones for this term under the guise of discovering them. Cicero wrote (in May 44B.C., after the assassination, *Fam.* 9.16.3) that it was safer to speak against the dictator during his life than after his death, so why would Cicero need to speak in such guarded tones in the *Tusc.*? It is more natural to read this term philosophically; cf. below 19, 44, *faciemus liberius totosque nos in contemptandis rebus*, where there is no hint of politics.

rettuli, retenta, remissa, reuocauit: Pohlenz points out that these are followed by *intervallo, intermissa*, which gives the sentence a highly wrought oratorical style.

Brute: the dedication is to Marcus Junius Brutus, to whom Cicero previously had dedicated his *Or.*, *Brut.*, and *Parad.* in 46B.C., and the *Fin.* in 45B.C. Unlike Cicero's previous dedications to Brutus, however, the *Tusc.* lacks the same friendly treatment and concern for their addressee, cf. *Or.* 1.1, *ei quem unice diligere me carissimum esse sentirem*. The relationship between Brutus and Cicero was far from close; nevertheless, Brutus had dedicated to Cicero his book *de Virtute* (*Fin.* 1.1; *Tusc.* 5.1 and 30; *Sen. Cons. Helv.* 9.4; *Sen. Ep.* 95.45, entitled *περὶ καθήκοντος*). The topic of *de Virtute* was a study of self-sufficiency focused on virtue, similar in matter to *Tusc.* v. Many scholars are eager to point out the political position Brutus was in at the time of this address. STRASBURGER (Cicero's Spätwerk, p. 30) believes Brutus is addressed either as a confidant of Caesar, or more strangely as the future co-conspirator, or the politician of the coming generation (and see his comments on *Fin.* 2.66, p. 24 where he finds tyrannicide exhorted.) I am not convinced by these arguments and believe that such imputations are anachronistic. This address is only polite.

me Brute te hortante maxime: note the pronounced *homoeoteleuton* which Cicero sometimes employs in his prose and poetry, (MAROUZEAU: *Traité de Stylistique*, pp. 56-65).

GILDENHARD (*Paideia Romana*, p. 95) proposes construing *maxime* with *me retulit*; but Cicero never removes this superlative so far from the its verb (*Tusc.* 33, 75, 108); very often it immediately follows or leads the word it modifies. Douglas' wish to take it with what follows, *ad ea studia*, is not correct either, since it would suggest more than one study to which Cicero returns from a prolonged separation; but in this case, *ea studia* can only mean philosophy. Pohlenz's punctuation is correct, construing *maxime* with *te hortante*; translate, 'you, Brutus, encouraging most of all.'

ad ea studia: cf. *Tusc.* 5.103-105. For a good discussion of Cicero's early activities in philosophy, see BOYANCÉ (*Les méthodes d'histoire littéraire: Cicéron et son oeuvre philosophique*).

retenta animo: 'always in mind'; by the age of twenty, Cicero had become familiar with at least three of the most eminent philosophers of that time, each representing a living and important Greek school. In *Tusc.* 5.2.5, he recalls the time he spent steeped in philosophy as a young man, *Rep.* 1.7; *Off.* 2.3-4; *Fat.* 2. When busied with affairs of the state, Cicero often speaks of his philosophical studies as present in his mind, and often writes to Atticus that he longs for the day when he can return to those studies, *Ac.* 1.11, *haec inclusa* i.e., his philosophical studies kept up in his private hours, *habebam et ne obsolescerent renouabam cum licebat legendo*. The use of *obsolescere*, as Reid notes *ad loc.*, means 'to lose brightness', and this is in elegant contrast to the imagery here of illustration.

remissa temporibus longo interuallo intermissa artium, quae ad rectam uiuendi uiam pertinerent, ratio et disciplina studio sapientiae, quae philosophia dicitur, contineretur, hoc mihi Latinis litteris inlustrandum putauit, non quia philosophia Graecis et litteris et doctoribus percipi non posset, sed meum semper iudicium fuit omnia nostros aut inuenisse per se sapientius quam Graecos aut

2. Lact. *Inst.* 3.14.13

2 litteris] *sic alii*: libris V^c marg. 3 inlustrandum] illustrandum K 3 litteris] libris dett. *codd.*, cf. *Fin.* 1.4.12 4 sed... iudicium fuit] quia mecum s. i. fuit dett. *codd.* 4 semper] semp^h (*h.e.* semper hoc) V^c

remissa temporibus: abl. of cause, because of circumstances, 'Zeitumstände'; not a dative as suggested by Wolf, Klotz and Moser. Beier *ad loc.* points out that use of *tempus* often indicates periods of difficulty, and he offers several examples, *Mil.* 36.100, *bona, fortunas meas ac liberorum meorum in communionem tuorum temporum contuli*; *Planc.* 1.1; *Sest.* 6.14, 58.132, *neque ante hoc tempus neque hoc ipso turbulentissimo die*. Here, it refers to the time spent fulfilling the duties of a statesman, and afterwards as an advocate. For the thought, cf. *Off.* 2.4, *Nihil agere autem cum animus non posset, in his studiis ab initio uersatus aetatis existimauit honestissime molestias posse deponi, si me ad philosophiam retulisset*.

longo interuallo intermissa: his unenjoyable administration of Cilicia in 52B.C., and the civil war.

artium: i.e., *doctrinarum*, as in *Nep. Dion.* 1.2, *ingenium docile, come, aptum ad artes optimas*.

pertinerent...contineretur: subj. on account of *cum* causal, which takes its tense from the following *putauit*; *pertinerentur* is then attracted into the same tense and mood, cf. K.-S. 2.181; *Fin.* 1.5.14, *ego arbitror unum uidisse uerum maximisque erroribus animos hominum liberavisse et omnia tradidisse, quae pertinerent ad bene beateque uiuendum*. The use of a secondary tense of the subj., in connection with a main verb in the past, is used to express ideas corresponding to facts known to be true at the time of speaking, or even universally true (HALE: Sequences of Tenses, p. 53).

ratio et disciplina: 'methodical treatment,' a hendiadys, which betrays the lack of a suitable adjective in Latin. 'ratio respondet Graeco vocabulo μέθοδος, h.e. via qua artes traduntur. disciplina est artis uel doctrinae alicuius σύστημα' (Kühner) The best parallel is *Off.* 3.20, *Stoicorum rationis disciplinaeque*. It signifies a method and system of science, with reference to the influence of culture in education. cf. *Off.* 1.2.7, *omnis enim, quae a ratione suscipitur de aliqua re institutio, which Holden ad loc. translates 'systematically'*. Frequently, *ratio* is coupled with *via* to mean *διαλεκτική*, as in *Fin.* 1.9.29, 2.1.3, and *De Or.* 3.145, *vias rationesque et pro omnibus et contra omnia disputandi percepero*. In addition to this meaning, *ratio* can also denote what which is methodically learned, or a systematic theoretical knowledge, cf. *Arch.* 1.1, *si huiusce rei ratio aliqua ab optimarum artium studiis ac disciplina profecta*, where it means a branch of knowledge.

sapientiae: here, the formal translation of φιλοσοφία, but not expressing any particular form of wisdom; there is a striking resemblance to *Arist. E. N.* 6.7, *τὴν δὲ σοφίαν ἔν τε ταῖς τέχναις τοῖς ἀκριβεστάτοις τὰς τέχνας ἀποδίδομεν... ἐν ταῦθα μὲν οὖν οὐθὲν ἄλλο σημαίνοντες τὴν σοφίαν ἢ ὅτι ἀρετὴ τέχνης ἐστίν· εἶναι δὲ τινὰς σοφούς οἴομεθα ὅλως οὐ κατὰ μέρος οὐδ' ἄλλο τι σοφούς*, though how far Cicero really knew the works of Aristotle directly is questionable, on which see BARNES (Roman Aristotles, pp. 57–9). Cicero speaks similarly at *Off.* 2.2.5, *nec quicquam aliud est philosophia, si interpretari uelis, praeter studium sapientiae*, and *Leg.* 1.58. Below, *sapientius* is also used with this emphasis.

quae philosophia dicitur: Wolf wonders whether this explanatory clause indicates that this word had not yet come into currency; but Plautus uses *philosophus*, and Ennius has *philosophari*; and Pohlenz finds that Cicero used the word previously in *De Or.* 1.9, *Neque enim te fugit omnium laudatarum artium procreatricem quandam et quasi*

parentem eam, quam φιλοσοφίαν Graeci uocant, ab hominibus doctissimis iudicari (where compare 26, 64 below, and *Arist. E. N.* 6.8, ἀρχιτεκτονικὴ φρόνησις.) The term retained an aspect of 'foreignness' to Roman ears, and so was suspect.

dicitur: the indicative is used because these words are introduced simply as an explanation, *Madv. Gram.* 369.

contineretur: = 'consists in', 'depends upon', with the simple ablative *studio*, cf. *Or.* 1.2.10, *semper esse ac ratione et intellegentia contineri*, and Wilkins's n. *ad loc.*

litteris inlustrandum: A common phrase; compare the phrase *mandare litteris*, cf. *Ac.* 1.3, 2.2; *Div.* 2.4; *Fin.* 1.11, 1.13, and *Lucr.* 1.137–138. The language is visually suggestive, see my note on *inlustrandum*, below 3, 6.

non quia...non posset: *non quo, non quod* are more usual with subj. of reported reason, and we could have also expected *sed quod* but often the second sentence is made independent.

litteris et doctoribus: for the thought, cf. *Fam.* 7.19, *cogitare debebis nullam artem litteris sine interprete et sine aliqua exercitatione percipi posse*. Both are ablatives of means, though the use of *doctoribus* is somewhat careless, and would not have been used if *litteris* had not proceeded. *Madvig*, on *Fin.* 1.4.12, *his litteris*, says that the phrase refers not to certain writings, but all the writings on a certain topic, cf. *Div.* 2.5, *Brut.* 205, and *De Or.* 1.192.

non posset: = *non posse estimare*.

meum semper iudicium: *semper* has an almost adjectival force (Reid), like *Ter. And.* 1.2.4, *heri semper lenitas*.

omnia...sapientius quam Graecos: certainly an exaggerated claim, but not unusual for Cicero to make in his philosophical works, cf. *De Or.* 1.4.15, *ingenia uero, ut multis rebus possumus iudicare, nostrorum hominum multum ceteris hominibus omnium gentium praestiterunt*. This sentiment conveys a typical Roman attitude towards the Greeks and is written solely for the purpose of alluring Roman readers to philosophy written in Latin, on which see ZETZEL (Plato with Pillows). Cicero is unlikely sincere in what he wrote; nor can we assume as some that he wrote *amore patriae obcaecatus* — Cicero was never so stringently a nationalist as, say, Juvenal. He is only fighting, though not as openly Scipio had done (*De Or.* 2.154–155), to give the Roman spirit a chance to declare itself in letters. The Greeks, by their terrible dominance, were preventing Roman literature from ever achieving its rightful stature. See GUTTE (Cicero's Attitude to the Greeks, p. 157).

nostros: 'coniuxisse sua scripta cum laude patriae, et quoad potuerunt patriae honores, gloriam et triumphum cohonestasse.' (Manutius). Cicero included among these writers Caesar, Brutus, and particularly the younger Cato, *Fam.* 15.4, *haec igitur, quae mihi tecum communis est, societas studiorum atque artium nostrarum, quibus a pueritia dediti ac devincti soli propemodum nos philosophiam ueram illam et antiquam, quae quibusdam otii esse ac desidia uidetur etc.*

inuenisse: as suggested to me by Professor Fox, this term here used by Cicero does seem to be a curious allusion to the preface of his *Inv.* where men have improved themselves through *ratio et oratio* and have gathered themselves out the fields and into civilian life. It is not so strange to see Cicero choose this word as he proceeds now down a similar argument in the *Tusc.* as regards philosophy.

sapientius: = φιλοσοφικώτερον.

5 accepta ab illis fecisse meliora quae quidem digna statuissent, in quibus elaborarent. nam mores et instituta uitae resque domesticas ac familiaris nos profecto et melius tuemur et lautius, rem uero publicam nostri maiores certe melioribus temperauerunt et institutis et legibus. quid loquar de re militari? in qua cum uirtute nostri multum ualuerunt, tum plus etiam disciplina. iam illa, 2
5 quae natura non litteris adsecuti sunt, neque cum Graecia, neque ulla cum gente sunt conferenda. quae enim tanta grauitas, quae tanta constantia, magnitudo animi, probitas, fides, quae tam

5 cum Graecia] grecis *edd. vett.* 5 ulla cum] cum ulla genta K 6 magnitudo animi] animi magnitudo K

accepta ab illis: for the thought, cf. *Fin.* 2.30 and 68, *sint ista Graecorum; quamquam ab eis philosophiam et omnes ingenuas disciplinas habemus.*

fecisse meliora: Cicero has in mind the antithesis between the two stages of cultural development, the *inuentum* and *perfectum*. cf. below 4, 7.

quae quidem... statuissent: 'those at least which they had deemed' etc.; the subj. is restrictive, limiting to a certain defined class.

elaborarent: subj. of purpose. For the meaning of *elaborare*, ἐκπονεῖν, cf. *Brut.* 7.26, *haec est a Graecis elaborata dicendi vis atque copia*. The force of *elaborata* is intensitive and looks towards the fruit of the labour.

§2. **mores:** can often indicate not 'ethical behavior' but rather 'political usages'; the idea is repeated in *Tusc.* 4.1, cf. *De Or.* 2.16.67.

et... que... ac: *-que* joins the *mores et inst. to res domesticas ac familiares*. Here *ac* does not have its usual intensitive meaning, but simply connects, being used in place of a second *et* for the sake of clearness, cf. 40, 95.

institututa uitae: 'conventions of daily life'

resque domesticas ac familiaris: 'the private interests of the household'

melius... lautius: Neider (in Küh.) explains that *melius* points to the *mores et instituta*, with an eye on the virtues, while *lautius* points towards *res domesticas ac familiares*, with reference to the typical Roman splendour and opulence, 'with greater elegance', cf. *Ter. Ad.* 5.1.2, *lauteque munus administrasti tuum*.

certe: *certe* is always used with an affirmative force, and is a *subiectiua affirmatio ad loquentis iudicium relata* (Küh.); here Cicero intimates that the current administration of Roman state affairs was inferior.

temperauerunt: = 'have shaped', and see below 10, 21. Pohlenz notes that *temperatio* = κράσις, a fashioning, mixing, or forging of the state from democratic, aristocratic and monarchic principles, in Polyb. 6, whom Cicero follows in *Rep.* 2.65.

et institutis et legibus: a possible allusion to the preface of Cato's *Origines*, cf. *Rep.* 2.1, *legibus atque institutis suis*, and CUGUSSI (*Opere di Marco Porcio Catone Censore*, 288ff).

quid loquar: the subj. is used as a form of *praeteritio*, followed by a relative clause (as here, *in qua*) to indicate the line of thought which the writer intends to take.

de re militari: the usual path to glory for a Roman was either the law or the soldiery, cf. *Mur.* 9.22, *multo plus adferat dignitatis rei militaris quam iuris civilis gloria*, and *Nep. Cim.* 2, *magnam prudentiam cum iuris civilis tum rei militaris*.

uirtute... disciplina: *virtus* is the culmination and sum of all the virtues required by a Roman *bonus vir*, such as *aequalitas*, *modestia*, *prudentia*. Cicero here refines the term to include not only moral thinking, but action on behalf of the state. *disciplina* in this passage refers to the old method of education, the whole way of life as something taught, *Enn. Ann* 467, *moribus antiquis res stat Romana*. Cicero not only argues that the Romans have an innate sense of virtue, but he also stresses the role of education

and practical energy in Rome's greatness. An excellent illustration, not noticed by editors, is *Flac.* 63, *spectata ac nobilitata virtus non solum natura corroborata uerum etiam disciplina putatur*, when discussing the system of ἀγωγή in Sparta (*TLL* 1, 1326, 51); their virtues were not theoretical, but were put into daily practice, cf. *Brut.* 40.9; *Rep.* 1.70; *De Or.* 1.196. Nevertheless, we know that the Romans thought they far exceeded all other nations in *virtus*, cf. *Verr.* 2.4.81, *virtutem plurimum posse*, and *Phil.* 10.20. *virtus*, however, is not Cicero's only but is his chief reply to the question first raised by Polybius on Rome's success. See LIND (*Concept, Action, and Character*, pp. 236–242).

iam illa: = δῆ, 'moreover', used to draw attention when adding something fundamental.

natura: for the meaning, Dougan quotes *Verg. Geor.* 2.49, *quippe solo natura subest*; the Romans were quite aware of their own *natura*, an inborn, fundamentally active and productive force; it was often contrasted in literature to the sloth or laziness of foreigners. The theme of native Roman genius is maintained throughout the preface.

litteris: 'culture'

cum Graecia: an abbreviated comparison, (*comparatio compendiaria*) i.e., = *cum eis quae Graecia adsecuta est* (WOPKENS: *Lectiones Tullianae*, p. 135); and Kühner cites many parallel examples for this *ad loc.* This construction is common in Cicero, whereas Silver idiom prefers a genitive.

neque... conferenda: in Cicero, the gerundive always denotes necessity or fitness, never possibility; it stands in place of *conferri possunt*, cf. *Fin.* 1.2.6 and Reid's n.

grauitas: 'moral weight of character', a fundamental requirement for an orator as well as a *bonus*, (CLARKE: *The Roman Mind*, p. 165).

constantia: the resolution to carry through any difficulty to its end, 'exstat in eis rebus quas semel susceperis ad exitum perducendis' (Muretus).

constantia, magnitudo animi: *constantia*, ἀραραξία and *magnitudo animi*, μεγαλοψυχία are paired in meaning and are important for *vita actiua* which the Roman forebears embodied, and these traits are preconditions for men who wish to lead lives in public business. To a lesser extent, though worthy of remark, these virtues are also valuable for men who wish to pursue a *vita contemplatiua*, and must be practised by any man who wishes to avoid *verbera fortunae, insidiae iniquorum*, cf. *Gell. N. A.* 13.28. The quality of *constantia* is characteristic of a μεγαλόψυχος since *Arist. APo.* 97b.15. Cicero later treats of this aspect more fully in *Off.* 1.61–92, with Dyck's n., and ДΥСК (*The Plan of Panaetius' περί τοῦ καθήκοντος*, p. 410).

probitas, fides: also paired; they all go towards forming a list of all the qualities which were expected in a Roman. *De Or.* 2.16.67 has a fuller catalogue of all the virtues which a good orator should be able to speak about with fluency and eloquence, cf. *Sest.* 28.60, *quid grauitas, quid integritas, quid magnitudo animi, quid denique virtus valeret*. It is curious to find that *pietas* is missing (which SYME (*Roman Revolution*, p. 464) called the 'typical Roman virtue'), and *religio*.

- 3 excellens in omni genere uirtus in ullis fuit, ut sit cum maioribus nostris comparanda? doctrina Graecia nos et omni litterarum genere superabat; in quo erat facile uincere non repugnantes. nam cum apud Graecos antiquissimum e doctis genus sit poetarum, si quidem Homerus fuit et Hesiodus ante Romam conditam, Archilochus regnante Romulo, serius poeticam nos accepimus. annis fere DX Liuius fabulam dedit, C. Claudio, Caeci filio, M. Tuditano consulibus, anno ante natum Ennium t̄qui fuit maior natu quam Plautus et Naeuius.†

1 in ullis] in illis *dett. codd.*: ullis *ed. pri.*: in aliis... ut sint VAUCHER (Curae Criticae, p. 59). 1 sit] sint *Reiske, sqq. Or. et Vaucher.* 2 Graecia nos] nos graecia K (*saepe mutata a primo librario*) 4 Archilochus] archilocus V: archilogus g. in ras. V^c 5 annis] enim *ligatura ss. V^c, et leg. Lund., s sed recte? cf. (GIUSTA: Testo, p. 10):* CCCCX X: quadringentis decem MB: CCCCXth GV, *marg. al.* quingentis V^c 6 maior] *sic alii:* minor V^c *marg.*

in omni genere: sc. *rerum*, i.e. preëminent in all things, *De Or.* 2.4, et *nostrorum hominum in omni genere prudentiam Graecis anteferre* (Pohlenz).

§3. doctrina... omni litterarum genere: cf. the famous *Graecia capta*, *Hor. Ep.* 2.1.156, where see BRINK (Horace) *ad loc.* Here, Cicero continues to assert emphasis on the difference between Roman activity and Greek thinking.

Graecia nos superabat non repugnantes: Cicero shows his *πατριδομανία* elsewhere in defence of the burgeoning practice of Roman philosophy and letters, still overwhelmed by the volume of Greek matter, and held in low esteem from Roman prejudice.

cum... sit: subj. expressing a comparison between the leading proposition and its subordinate, *Madv. Gram.* 358, not causal.

doctis: *doctus* is in Latin a common epithet of poets, like *σοφός* in Greek. Dougan is led astray when he claims that it usually denotes a poet influenced by Alexandrine models. Cicero himself uses it to describe Hesiod (*Sen.* 54) and of Lucilius (*De Or.* 2.25); for further examples of this use, see ALLEN (*Doctus Catullus*, p. 222).

si quidem: = *εἰ γέ*, when submitting a statement to be assumed as a fact, as above 1, 1.

Homerus, Hesiodus, Archilochus: see BOWRA (*Tradition and Design in the Iliad*, p. 251) for ancient views on the date of Homer. The date was uncertain for Cicero, who speaks of Homer and Lycurgus as contemporaries at *Brut.* 10.40, *incerta sunt tempora*, etc.; according to *Plu. Lyc.* 1.1, probably sometime before 776B.C.; according to *Hdt.* 2.53, *Ἡδίοδον γὰρ καὶ Ὀμηρον ἡλικιὴν τετρακοσίοισι ἔλπει δοκῶ μεν πρεσβυτέρους γενέσθαι καὶ οὐ πλέοσι*, approximately 850B.C.

Cicero discusses the early Greek poets in an effort to synchronise Greek and Roman history, reflecting the broader interest in these questions by Roman writers, *Rep.* 2.18–19. These kinds of questions of chronology held a keen interest for Romans, and they dominate the whole of Cicero's *Brutus*; Atticus, Cicero's intimate friend wrote a *Liber Annalis* and was an avid lover of antiquarian questions, along with Varro, *Ac.* 1.9; see PURCELL (*Becoming Historical: the Roman Case*).

fuit: 'lived'; *esse* is frequently used to express the bare fact of historical existence, while *uiuere* is used to express manner or length of life.

Hesiodus: in *Fin.* 2.115, Hesiod is replaced by Pindar in this triple set of poets.

Archilochus: of Paros, about 700B.C., according to *Herod.* 1.12, who places him in the reign of the Lydian king Gyges, *Ἀρχιλόχος ὁ Πάριος κατὰ τὸν αὐτὸν χρόνον γενόμενος ἐν ἰάμβῳ πρεμέτρῳ ἐπεμνήσθη*, and cf. *Arist. Rh.* 3.17.1418b. *Gell. N. A.* 17.21.8, who relies on *Nepos* (fr. 7 MARSHALL) makes Archilochus a contemporary of Tullius Hostius, COURTENAY (*Fragmentary Latin Poets*, p. 86).

regnante Romulo: 'at the height of his power', cf. *Brut.* 41.13, *regnante iam Graecia*.

serius: relatively speaking, cf. Varro's comments at

Ac. 1.25, *quod si Gracci faciunt qui in his rebus tot iam saecula uersantur, quanto id nobis magis concedendum est, qui haec nunc primum tractare conamur.* The Greeks have a few centuries head start on the Romans in oratory and poetry, but not for any especial skill; the claim is that the Romans have busied themselves with more practical considerations, and are only now turning their attention to philosophy. For similar phrasing, cf. *Hor. Ep.* 2.1.161–163.

annis fere DX post Roman conditam: Varro's (in *Censor.* 21) calculation of 753B.C. is generally accepted, but for a good discussion of the elasticity of the dates, see SANDERS (*The Chronology of Early Rome*); GRAFTON/SWERDLOW (*Technical Chronology and Astrological History in Varro, Censorinus and Others*, pp. 454–56). Cicero himself was not entirely consistent: *Sol. De Mir. Mund.* 1.27 (MOMMSEN: *De Mirabilibus Mundi*) writes, *Roman placuit conditam olympiadis septimae anno secundo, Pomponio Attico et M. Tullio olympiadis sextae anno tertio*, i.e., 754–753B.C., and see MÜNZER (*Atticus als Geschichtschreiber*, p. 60). However, in *Rep.* 2.18, Cicero follows Polybius' date of 751–750B.C., and this is why Cicero writes *fere* rather than being precise.

Liuius: Liuius Andronicus, generally regarded as the first Latin writer, translated the *Odyssey* into Saturnian metre. Modern scholars put his birth around 285B.C., and the first staging of his adapted Greek plays around 240B.C. For a critical discussion of the dating of Liuius, see MATTINGLY (*The Date of Livius Andronicus*, p. 161); and for the problems facing Romans and their chronology, *Brut.* 72, and Douglas' n.

fabulam dedit: sc. *populo*, but more usually 'fabulam docere', *Tusc.* 4.29.63; *Sen.* 14.50; = *διδάσκειν δράματα*, where cf. *Ar. Ra.* 1026–1027, *εἶτα διδάξας Πέρσας μετὰ τοῦτ' ἐπιθυμῆν ἐξεδίδαξα | νικᾶν αἰεὶ τοὺς ἀντιπάλους, κοσμήσας ἔργον ἀριστον*; *Att.* 6.1.18, *ille post id tempus fabulas docuerit* which is the first the expression (though Shackleton Bailey does not remark upon it). This use does, however, occur in the dramatists, *Ter. Hec. prol.*, *fabulae haec quom datast nova etc.*

C. Claudius, M. Tuditanus: 240B.C., cf. *Brut.* 18.72.

qui... Naeuius: one of the few real difficulties in the text of the *Tusc.* Our evidence for the dates of these poets in Cicero is this: Naeuius died 204B.C., according to *Sen.* 50 and BEARE (*The Date of the Bellum Punicum*, p. 48); Plautus in 184B.C., according to *Brut.* 60, (but Jerome, 200B.C.); Ennius died 169B.C., according to *Gell. N. A.* 17.21.24, who claimed Varro as his authority, however for a critical appraisal see HENDRICKSON (*A Pre-Varronian Chapter of Roman Literary History*, pp. 289–291). The position of *qui* would suggest its antecedent is Ennius, but the dates show that *qui* must point back to Liuius, and so Rath in his edition transposed this phrase to follow immediately after. But we do have examples in Cicero of relative pronouns separated widely from their antecedents, *Tusc.* 1.35.86, *Verr.* 3.33–34, 3.83; *N. D.* 1.23.65. (Pohlenz adds *Plaut. Epid.* 262) Bou. deleted the phrase entirely though I think quite rightly; most previous editors, Ern., Hei., ML., and Sc. only bracket

II. Sero igitur a nostris poëtae uel cogniti uel recepti. quamquam est in Originibus solitos esse in epulis canere ad tibicinem de clarorum hominum uirtutibus, honorem tamen huic generi non fuisse declarat oratio Catonis, in qua obiecit ut probrum M. Nobiliori, quod is in prouinciam

the clause; it is a gloss which crept in from *Brut.* 18.73. An additional cause for suspicion is *primus*, twice used in the *Brut.* *ad loc.* to describe Liuius, but here omitted when it would seem most needed (Bentley reintroduced it here). The point that Cicero is making is that Liuius was the first Roman who could properly be called a poet, though a *semigræcus* one. (Suet. *Gram.* 1).

II. **sero igitur**: *sero igitur* is a collocation not found elsewhere in Cicero, and is inelegant so close to *serius*. Pohlenz's 'also, wie gesagt' glosses over the awkwardness.

uel...uel: both members may be connected, (*partly...partly*), or it is indifferent which of the two is chosen, or it may only be a difference of expression, *Madv. Gram.* 436.

recepti: curiously, nearly all the great names of Latin literature are men who came from outlying areas (WATTS: Birthplaces of Latin Writers, pp. 91-92). Ennius came from Calabria, near Lupiae, as Cicero himself well knew, cf. *De Or.* 3.168, *Sil.* 12.393; Liuius from Tarentum in Apulia; Plautus from Sarsina in Umbria; and Naevius from Capua in Campania. The elder Cato, as far as he could be considered a poet, came from Tusculum; and Juvenal calls the highly regarded Lucilius *magnus Auruncae alumnus*, *Juv.* 1.20.

quamquam: corrective, 'and yet.'

Originibus: M. Porcius Cato Censorius, died 149B.C., wrote this work in seven books, which concerned the history of Roman, Italian cities and nations from Aeneas to the first and second Punic wars. *Fest.* 216 (Lindsay), 20ff, criticised the title, *Originum libros quod inscripsit, Cato non satis plenum titulum propositi sui uidetur amplexus, quando praegravans ea, quae sunt rerum gestarum populi Romani*. Many fragments still survive and have been collected in *HRR* 54-97; Cicero speaks of this work highly in *Brut.* 17.66 and 75, *De Or.* 1.53.227. It is considered to be the first prose historiographical work in Latin, whereas all previous writers employed Greek; its place in Latin literature is discussed by SCIARRINO (Putting Cato the Censor's "Origines" in Its Place). Cicero's citation of Cato's *Originibus* is suggestive of his own role as an author. GRUEN (Culture and National Identity, pp. 116-117) shows Cato wrote to promote Roman national character, and of course Cicero has a similar plan with his philosophical works, a recurrent theme in his prefaces, cf. *Fin.* 1.8ff, SCHMIDT (Cicero's Place in Roman Philosophy, p. 123).

in epulis canere: cf. *Tusc.* 4.3, with nearly identical phrasing, in *Originibus dixit Cato morem apud maiores hunc epularum fuisse, ut deinceps, qui accubarent, canerent ad tibiam clarorum virorum laudes atque virtutes*. This is one of our strongest pieces of evidence for the history of Roman *cantus conuiuiales*, or banquet songs. Greek influence had been at work in Rome since the days of the monarchy, and there is no difficulty in admitting that the Romans — either directly or via Etruria — received this style of performance from the Greeks. Both Cato and Varro (*apud Non.*) say that these 'carmina' had existed. (MOMIGLIANO: Character of Early Roman Tradition, pp. 110-111). We have further attestations of such practices at *De Or.* 3.51.197, *Leg.* 2.24.62, *Brut.* 19.75, as well as in *Val. Max.* 2.1.10, *Quint. Inst.* 1.10.20, *Hor. Carm.* 4.15.29, *Tac. Ann.* 3.5. I also add Sallust's epistle to Caesar 1.2, *quod in carminibus Appius ait, fabrum esse suae quemque fortunae*. For a discussion of other sources, and a brief account of Niebuhr's theory that these songs formed the basis of what was known as the 'History of Kings', see STEUART (Narrative Poetry, pp. 31-33).

ad tibicinem: = *ad tibicinis cantum*, 'accompanied by the flute-player', cf. *Leg.* 2.34.93. Dougan, I think, is wrong in

claiming that *ad tibiam* is more usual.

de clarorum hominum uirtutibus: = the κλέα ἀνδρῶν of the Homer. ZORZETTI (Poetry and Ancient City, p. 314) discusses these hymns, and though they were once considered to be preliterate foundations for epic poetry, are now generally criticised as being only an imposition on archaic Roman culture of the symposiastic σχόλιας of Greek tradition. When Cicero writes that there was a tradition of hymns performed in the *convivia* and devoted to praise of the *virtutes* of famous men, he is thinking in terms of traditional Roman customs, i.e., their *vetus mos*; in this regard, Cicero believed philosophy had left a mark on early Romans in the form of songs, and indeed he knew that Pythagoras and his pupil King Numa sang in verses. For Cicero, *μουσική* was a ritual behaviour of high moral character, and even the old Cato wrote a *carmen de moribus*. (IDEM: The Carmina Conuivalia, p. 320).

huic generi: i.e., *poeticae*, to poets.

declarat oratio Catonis: this oration was supposed to be by Cato against Servius Galba, who was defended by the Fulvii, cf. *Brut.* 23.89; MALCOVATI (ORF), 57, discusses the speech *In M. Fulvium Nobiliorem*, which she dates to about 178B.C., and assigns this fragment to that speech. At the time Cicero was writing, however, over 150 of Cato's speeches had survived, cf. *Brut.* 17.65. We know enough about this speech to know that the citation does not justify Cicero's inference; it only shows that Cato was opposed to the introduction of lyric Greek culture as championed by Ennius. Cato was certainly well educated in Greek literature, *Sen.* 1.3, *litteris Graecis, quarum constat eum perstudiosum fuisse in senectute* and his classical portrayal as a vehement and fierce antihellenist is overly emphasised in *Plu. Cato*; and the excerpt from a letter to his son in *Plin. H. N.* 29.14 denouncing the corrupting influence of Greek literature is certainly not trustworthy. Cato showed an enthusiasm for Greek things, but was keen to separate the culture from the men, on which see SMITH (Cato Censorius, pp. 156-158).

obiecit: following the present *declarat* Bentley wanted to alter *obiecit* to *obicit*, but Küh. explained that the perfect is a more accurate expression and brings the mind of the reader to the moment when Cato gave his speech, i.e. *in qua obiecit* = 'in which (when he delivered it) he reproached' but *in qua obicit* = 'in which (as we have it now) he reproaches', cf. below 18, 42 n. *uolt*.

M. Fulvius Nobilior: consul in 189B.C., took Ambracia, and conquered the Aetolians. Cicero praises him for the fact that he took Ennius with him at *Brut.* 20.80, and *Arch.* 11.27, *qui cum Aetolis Ennio comite bellavit, Fulvius, non dubitavit Martis manubias Musis consecrare*. Cato's criticism has been overlooked by commentators: we must not assume, like Cicero, that Cato is attacking Ennius the poet, a man he called his *familiaris* in *Sen.* 10, and from whom he received great praise (*Arch.* 22). The target is rather his political enemy Fulvius. Ambracia was never taken by storm, but surrendered while under siege, and its citizens soon afterwards sent a delegation to the Senate complaining of Fulvius' pillage of their city (*Liv.* 38.3-10, 43-44). Fulvius tried to improve things by holding lavish games in 186B.C., but Cato continued to taunt him as 'Nobilior mobilior' with the memory of his dubious achievement. Fulvius attempted to elevate the Aetolian campaign with Ennius' poetry (*Enn. Ann.* 391-398), and so it is hardly surprising that Cato criticised Fulvius in the Senate for having taken Ennius with him to Ambracia. See GOLDBERG (Poetry, Politics, and Ennius, pp. 249-250).

poetas duxisset; duxerat autem consul ille in Aetoliam, ut scimus, Ennium. quo minus igitur honoris erat poetis, eo minora studia fuerunt, nec tamen si qui, magnis ingeniis in eo genere exstiterunt, non satis Graecorum gloriae responderunt. an censemus, si Fabio, nobilissimo homini, laudi datum esset, quod pingeret non multos etiam apud nos futuros Polyclitos et Parrhasios

2 si qui] sic qui X: si qui *e corr.* B¹ et s 4 Polyclitos] Polyclitos RVGB: Polycleto KS

poetas: i.e., Ennius, but the plural is contemptuous and reflects Cato's impatience of Nobilior's acts. The use of the plural in this way is common, especially in early Latin, Plaut. *Men.* 321–322, *quas mulieres, quos tu parasitos loquere?*

autem: = δέ, which is often substituted in place of γάρ (*enim*). *autem* therefore has no adversative force, but only serves to add an explanatory fact in the form of a coordinate statement (Hermann), cf. *Tusc.* 3.6, *feri autem potest.*

honoris erat poetis: this phrase is reminiscent of the words of Cato himself; he is quoted in Gell. *N. A.* 11.2.5, *poeticae artis honos non erat. si quis in ea re studebat aut sese ad convivia adplicabat, grassator vocabatur = Carm. de mor. fr. 2J, (PRÉAUX: Cato et l'ars poetica).* The poet for Cato was not what we would take it to mean, but rather his *grassator* was a flatterer more like parasites in comedy. Many of these 'poets' served to do nothing more than manipulate private laudations for public aggrandisement; hence Cato's politically motivated slander of Ennius and his support of Fulvius. The exaggeration of these 'poets' had become problematic to later historical and antiquarian research.

Suet. *Rhet.* 2.3–4 tells us that a certain Q. Vargunteius helped to bring about widespread public attention to Ennius' works. It is strange that such a foundational poem in fact needed any help at all to spread. Cicero here conflates the various levels of witness; we have the fact that Ennius was writing these *carmina* (to whatever degree it is true); and we also have evidence of Cato's speeches against the poet, but these have their own purpose. The association of these ideas to form Cicero's argument that the Romans had largely neglected the art of poetry is somewhat jumbled, and largely unhistorical, on which see GOLDBERG (Ennius after the Banquet, pp. 428–431).

nec tamen si qui: an elegant expression for *ei qui*. Verbergius points out that some of the best mss, including V, have *nec tamen sic* ("haud spernendum"); this is the reading approved of by Gebhard. It cannot be accepted as it would mean *tamen ne sic quidem*, and is wholly incongruous with Cicero's normal usage. Bentley tried to explain the phrase as 'licet in nullo honore tum essent poetae'; but this is not Cicero's meaning here: he says that there were no poets, but if there were, they would have rivalled the Greeks; and so most recent editors read *nec tamen si qui*.

magnis ingeniis: For the phrasing, cf. *Off.* 1.21.71, *qui excellenti ingenio doctrinae sese dederunt.*

exstiterunt: 'made their appearance', *auftraten*.

nec tamen... non: essentially *copula*, but in Cicero these particles serve for connecting statements and are always found with words intervening, cf. *Parad.* 1.8.

non satis... responderunt: 'nor did they fail to measure up': cf. *Cat.* 2.11.24, *urbes coloniarum ac municipiorum respondebunt Catilinae tumulis silvestribus.*

§4. **an censemus:** refers to *eo minora studia fuerunt*. *an* can introduce a simple question of a supplementary kind which is subjoined to a preceding inquiry of what must otherwise be the case, or when the speaker himself appends an answer, which may itself be under the form of a question (Madv. *Gram.* 453, and his note on *Fin.* 1.8.28); it comes close to the meaning of *nonne*. Here, the use is rhetorical or expresses surprise, cf. below 36, 87.

Fabius: Q. Fabius Pictor, grandfather of the famous historian of the same name. Although he was from a noble family, he was employed to paint the temple of *Salus* in 304B.C., and thence (in jest) received his name *Pictor*. The

painting was the representation of the battle in which Cn. Junius Brutus Bubulcus gained victory over the Samnites, (*Liv.* 9.43.25, 10.1.9); the temple was consecrated by Bubulcus while dictator in 302B.C. The painting lasted until the temple burned down during the reign of Claudius (Plin. *H. N.* 35.4.7). That a Fabius should give himself over to a *studium sordidum*, painting, required some explaining, cf. Val. Max. 8.14.6, *id enim demum ornamenti familiae consulatus et sacerdotiis et triumphis celeberrimae deerat*. For Cicero's views that the plastic arts were *leviora* and delights only for children, cf. *Verr.* 2.4.134, and see OLTRAMARE (Idées romaines sur les arts plastiques, 88ff), and TROUARD (Cicero's Attitude towards the Greeks, p. 75)

quod pingeret: *quod* and not *quia* is used in phrases in the subjunctive which signify praise, blame, or complaint in which is stated both the reason and an assertion by another that the fact is so. Madv. *Gram.* 357.

futuros fuisse: made more lively by the use of the fut. part. with *fuisse* than it would have been with a simpler *fuisissent*. Not 'would have been', but rather 'would have been ready to come forward.'

Polyclitos: Polyclitos (or Polycleto) of Sicyon flourished at Argos, around 430B.C. Camerarius and Muretus suggested that Polyclitos, who was a sculptor and not a painter, ought to be changed to Polygnotus. They argue that Cicero had confused the two men, but their point should not be pressed too hard since we have reports that suggest that Polyclitos was in fact a painter (but whether or not they are fully trustworthy is difficult to say), cf. Tz. *Chil.* 12.320, Πολύκλειτος Ἀργεῖος ἦν πλάστης τε καὶ ζωγράφος, πολλὰ καὶ ζωγραφήσας τε καὶ ἀνδριαντουργήσας. Giusta does not adopt the change, but avers that Camerarius is right to suspect an error in the text. All other recent editors follow Neidius in whose opinion Cicero has simply taken names of famous men from other similar or related arts (and his is indeed his practice): for example, Cicero mentions Polyclitos alongside Zeuxis, the famous Greek painter, in *Fin.* 2.115.

We know that Cicero's knowledge of sculpture was greater than his knowledge of painting, and on the whole he displays greater critical knowledge of sculpture: but this is not much. The sum of our evidence shows that Cicero had only a slight appreciation and working knowledge of art, for which see SHOWERMAN (Cicero's Appreciation of Greek Art), who collects artistic mentions found in Cicero's works. Despite the apparent approbation of a 'Polyclitos' here, Cicero shows the typical Roman attitudes elsewhere, *Parad.* 5.2.36–38, where he considers a man to be a slave of foolish things *quem Aëtionis tabula stupidum detinet aut signum aliquod Polycliti*. Curiously, he eschews mention of Phidias as the obvious name in sculpture; he is simply saying that there were no Roman sculptors of equal ability.

Parrhasios: the plurals are generalising, 'many a Polyclitos and Parrhasius'. Parrhasios was a painter who flourished at Athens, who could not have been born after 460B.C. and came to prominence in 430B.C. (STEVEN: Plato and the Art of His Time, p. 150; AUSTIN: Quintilian on Painting, p. 21). He was an artist well known later to Quintilian and Pliny, most notable for his abilities in drawing. Cicero chose him over other Greek artists because Parrhasios excelled in portraying impassioned states of mind, a fact not noticed by any commentator. This included paintings of Philoctetes racked with pain

fuisse? honos alit artes omnesque incenduntur ad studia gloria iacentque ea semper, quae apud quosque inprobantur. summam eruditionem Graeci sitam censebant in neruorum uocumque cantibus; igitur et Epaminondas, princeps meo iudicio Graeciae, fidibus praeclare cecinisse dicitur,

1–2. Aug. C. D. 5.13 et ex eo Seru. Lupus *Ep.* 1 25.3–26.1. Quint. *Inst.* 1.10.19

1 incenduntur] incenduntur RVGPSs: incendimur G, Bent. cf. Arch. 26, Off. 1.18: accenduntur H¹, August. 1 gloria] gloriae H 3 Graeciae] gręcie V^c: graecis (greis) X

and self-pity, τόνδε Φιλοκτήτην ἔγραφε Παρᾶσιος: ἔν τε γὰρ ὀφθαλμοῖς ἐσκλήροσι κωφὸν ὑποκεί δάκρυ, καὶ ὁ τρύχων ἔντος ἔνεστι πόνος (*Anth. Pal.* 2, 348.5); Prometheus' suffering, Sen. *Contr.* 10.34, which was a powerful influence on the *Tusc.*, particularly in *Tusc.* II; and lastly his painting of the 'Feigned Madness of Odysseus', Plut. *de Audiend. Poet.* 3, γράφουσι δὲ καὶ πράξεις ἀτόπους ἔνοι, καθάπερ... καὶ Παρᾶσιος τὴν Ὀδυσσέως προσποίητον μανίαν κτλ. Such perturbations of mind and their artistic representation were censured by Pl. *Rep.* 3.338a and his arguments were elaborated upon by Cicero *Tusc.* when he discusses the concept of pain.

honos alit artes: the very famous phrase which has its origin in Pl. *Rep.* 8.551a, ἀσκέϊται δὲ τὸ ἀεὶ τιμώμενον, ἀμελεῖται δὲ τὸ ἀτιμαζόμενον; *artes* refers both to all aspects of intellectual activity, including the plastic arts. cf. also Sen. *Ep.* 102.16, *antiquus poeta ait, laus alit artis, non laudationem dicit, quae corruptipit artes*. Cicero uses the phrase superficially elsewhere, Arch. 11, Off. 1.6.18; but consider Val. Max. 2.6.5, *virtutes uberrimum alimentum est honos*, Prop. 4.10.3, Ov. *Pont.* 4.2.35.16, and Mart. 8.56.5–6, *sint Maecenates, non derunt Marones*; and I think the elder Pliny elucidates the comment. Plin. *H. N.* 35.36 stressed the Greek artist's prowess in the plastic arts; the names of Zeuxis, Parrhasios and Appelles could be considered stock-in-trade by the third century B.C., and appear frequently in Plautus. Pliny continually stressed the prejudice against Roman successors in these arts, and he often condemned them as mere imitators. He argued that Roman art suffered decline because there was no glory attached to public display of artwork; it seems the majority of painting was done only for private enjoyment. This expression gained great currency among writers and Shorey, in his note on the passage in Plato *op. cit.*, recalls that it was worked into almost every oration by the rhetorician Themistius later in 320AD.

incenduntur: the use of the ablative (*gloria*) is against reading of *acceduntur* in Aug. C. D. 5.13, cf. 19, 44.

gloria: i.e., 'diuturna gloria', cf. *Rep.* 21.23; the idea of an eternal glory for a 'sapiens' and writer is prominent in Cicero's writings after the civil war (JAL: Ciceron et la gloire en temps de guerre civile, p. 47), and cf. 3, 6.

iacentque: = *neglegentur, κείσθαι*, 'lie neglected', cf. 3, 5 *philosophia iacuit*. The *-que* here, as often after negatives, may seem to have an adversative force, but really only develops the clause to which it is attached. For use of *iacere*, cf. *Att.* 11.9.2., *tanto me dolore adfecit ut postea iacuerim*.

summam eruditionem in cantibus: so much so that the Greeks would call *indoctos ἀμούσικους*; the *music* were those who embraced a *doctrinam liberalem*, cf. Ar. *Eq.* 188ff, 'Ἄλλ' ὦ γὰρ, οὐδὲ μουσικὴν ἐπίσταται, | πλὴν γραμμάτων, καὶ ταῦτα μέντοι κακὰ κακῶς. We have similar attestation at Ath. 15, τὸ δὲ ὅλον ἔοικεν ἢ παλαιὰ τῶν Ἑλλήνων σοφία τῇ μουσικῇ μάλιστα εἶναι δεδομένη. καὶ διὰ τοῦτο τῶν μὲν Θεῶν Ἀπόλλων, τῶν δὲ ἡμῶν Ὀρφέα μουσικώτατον καὶ σοφώτατον ἔκρινον καὶ πάντας τοὺς χρωμένους τῇ τέκνῃ τάντη σοφιστὰς ἀπεκάλεν (in the scholia of Muretus), in D. L. 1.8, ἀλλὰ καὶ οἱ ποιηταὶ σοφισταὶ, and Cicero himself at *De Or.* 3.174.

in neruorum uocumque cantibus: a curious turn of phrase, cf. *Rosc. Am.* 134, *animi et aurium causa tot homines habet ut cotidiano cantu uocum et neruorum et tibiarium nocturnisque conuiois tota uicinitas personet*, N. D. 2.146. The connection between music and philosophy was recognised

and appreciated by Cicero. Diodotus, the Stoic philosopher whom Cicero patronised, played the lyre (*Tusc.* 5.113), Socrates learned to composed songs before his death, and Connus, Socrates' teacher, was a famous lyrist (*Fam.* 9.22.3). Even Plato had some proficiency in music (*De Or.* 1.50.217, *Fin.* 1.21.72). See COLEMAN-NORTON (Cicero Musicus).

igitur: cf. Quint. *Inst.* 1.5.39 expresses uncertainty over any rule of its placement in Latin; but in Cicero, it rarely stands first in its clause, and when it does it usually introduces a conclusion to a syllogism, cf. below 6, 11.

et Epaminondas... Themistoclesque: *et...que* generally demarcate an anacolouthon where only two things are mentioned; it is generally avoided by Cicero in prose except when three or more items are enumerated. Here the length of the interval between the items is considerable so that the anacolouthon is not strongly felt: Cicero intended to use a second *et* but on reaching the second clause, felt it was less important than the first; cf. Madvig on *Fin.* 5.64. GILDENHARD (Paideia Romana, pp. 137–138) comments on the 'illogical' order of the words by missing this anacolouthon, and GIUSTA (Testo, pp. 109–111) is certainly wrong to suggest transposition here. Cicero had simply given one example of a man considered talented in singing (Epaminondas); he then remembered an example *e contrario* and added it on loosely.

Epaminondas praeclare... Themistocles habitus indoctor: for the comparative, cf. above 1, 3 n. We have Themistocles' own answer to this accusation in Plu. *Cim.* 9.1 and Plu. *Them.* 2.4, which would certainly have had Roman applause, *ὅτι λύραν μὲν ἀμόσασθαι καὶ μεταχειρίσασθαι ψαλτήριον οὐκ ἐπίσταται, πόλιν δὲ μικρὰν καὶ ἄδοξον παραλαβὼν ἔνδοξον καὶ μεγάλη ἀπεργάσασθαι*. The tactic Cicero is employing here in his argument is the juridical *consessio*. Themistocles readily admitted his ignorance in music and followed it by self-justification. Cicero uses this anecdote in the same way Plutarch later uses it against false intellectuals who only seem educated in the context of urbane entertainment, but cannot apply it to a *πρακτικὸς βίος*. Themistocles' view is perfectly congruous to Cicero's own view of the devaluation of music and arts (ZADOROJNY: Themistocles and the Poets, p. 268). This may however be an anachronistic claim: Themistocles did not have the advantage of the rhetorical training introduced by the sophists, but was a disciple of Mnesiphilos, who represented a tradition of practical political guidance in which older politicians took younger ones in hand — very much as in Cicero's Rome. (RUSSELL: Ancient Education, p. 215). Quint. *Inst.* 1.10.19 quotes this passage with appropriation, and for the thought cf. Philostratus, *Life of Apollonius*, 5.28, "Nero perhaps understood how to tune a lyre, but he disgraced the empire both by letting the strings go too slack and by drawing them too tight."

Epaminondas princeps: cf. *De Or.* 3.139, *Epaminondam, haud scio an summum virum unum omnis Graeciae*, but Cicero expresses different opinions elsewhere, *Off.* 2.60, *Periclem, principem Graeciae*.

fidibus praeclare cecinisse dicitur: *cecuisse* is indifferently used of instrumental and vocal music, cf. *Div.* 2.59.122, *canere vel voce vel fidibus*, and for a subtle treatment of the term *fidibus*, see Madvig's n. on *Fin.* 4.27.75.

Themistoclesque aliquot ante annos cum in epulis recusaret lyram, est habitus indoctor. ergo
in Graecia musici floruerunt, discebantque id omnes, nec qui nesciebat satis excultus doctrina
5 putabatur. in summo apud illos honore geometria fuit, itaque nihil mathematicis inlustrius; at
nos metiendi ratiocinandique utilitate huius artis terminauimus modum.

III. At contra oratorem celeriter complexi sumus, nec eum primo eruditum, aptum tamen ad 5

1 aliquot ante annos] annis *edd. pr., et Bai., Sey., Or., et quoque Reid:* annos RVKSD, *Ern., Küh., et Dou.* 1 recusaret] recusasset V^c, *Ern., Wo.:* recusaret VGKPS, *Küh., Doug., et Reid* 2 excultus] eruditus *detf. codd. ut adfirm. Verb.*

Epaminondas was known as a man of culture and philosophy (Plu. *Ages.* 27.4), and it is a shame that his own *Life* has not survived. Nep. *Epam.* 2.1, writes that Epaminondas, *citharizare et cantare ad chordarum sonum doctus est a Dionysio*; and we have information from the philosopher Aristoxenus who claimed that this military man learned to play the *aulós* from Olympiodorus and Orthagoras, Ath. 4.184d, *Ἀριστοῦξενος δὲ καὶ Ἐπαμινώδαν τὸν Θηβαῖον ἀλφεῖν μαθεῖν παρὰ Ὀλυμπιόδωρον καὶ Ὀρθαγόρα*. This example of Epaminondas was included in Aristoxenus' treatise on music (SHRIMPTON: Plutarch's *Life of Epaminondas*, p. 56) which was a source text in all probability used by Cicero later in the *Tusc.* particularly 10 and 51 below.

aliquot ante annos: the ablative *annis* may be right, since the accusative *annos* in Cicero is rare, and not usual with the adverb *ante* and *post*, cf. below, 13, 29, *multis post annis*. In any case, *ante* here is adverbial, and the accusative (if correct) is due to the imagination going back over a number of years, cf. *Sen.* 6.16, *septem et decem annos post alterum consulatum*. *aliquot* = 'a goodly number', 'many years earlier', in this case more than a century; Themistocles was at Salamis 480B.C., Epaminondas at Leuctra 371B.C.

recusaret: the imperfect is the reading of the majority and earliest mss., but V^c has *recusasset*, a correction contemporary with the main scribe which has stirred debate among critics. STRÖBEL (Vaticanus 3246) advanced a theory on this evidence of a divergent Y-descent for the transmission of the text; DREXLER (Text der Tusculanen, pp. 57–58, 63) defended the theory by evidence found in patristic sources, i.e., Aug. C. D. 5.3 which has *recusasset*. This was rigorously opposed by Lundström as inadequate given August.'s other errors; the reason to reject the theory is founded on the two different meanings of the tenses. GIGON (Gespräche in Tusculum) translated it to mean that Themistocles refused the lyre on only one occasion (as Plu. *Cim.* 9.1), and so understood it as a historical-*cum* clause; however, it is far better as a causal-*cum* as Kühner explained, "imperfectum significat Themistoclem eodem tempore temporis puncto, quo lyram recusabat, indoctiorem habitum esse"; or alternatively, expressing his customary usage, i.e., Themistocles' always refused the lyre. HARMON (*Amousoi* and *Amousia* in *Antiquity*, p. 363) argued that *epulae* above in 1, 3 is a true plural; it would be improbable that Cicero would alter his meaning in this passage. If this is true, then we must rule out the *recusasset*.

lyram: the lyre was passed from hand to hand and each individual was to offer a song, Quint. *Inst.* 1.10.19.

ergo: 'hence', by which word Cicero emphasises the high esteem of music in Greece.

floruerunt, discebantque: the tenses are important; *floruerunt* is aoristic, K.-S. 2.33, 8. Dougan *ad loc.* explained that the use of the perfect here is suitable for expressing the fact that an event has occurred, though it might have a lengthy duration; the imperfect which follows is used to describe the *circumstances* of the event.

id: we are to understand *musica* from *musici*, cf. *N. D.* 1.31.88, *non vestro more, sed dialecticorum, quae funditus gens vestra non novit etc.* and below, 30, 72 n.

§5. **nihil mathematicis inlustrius:** *nihil* (and the interrogative *quid*) often stand idiomatically in place of *nemo*

and persons, and almost always with the ablative of comparison, cf. Ter. *Eun.* 5.8.21, *nihil est Thaide hac tua dignius quod ametur*; Nep. *Alcib.* 1; *Fam.* 4.4; *Tusc.* 3.10.22, *Peripatetici, familiares nostri, quibus nihil est uberius, nihil eruditius, nihil gravius*; and *Brut.* 39.144. Dougan suggested that the *mathematici* hints at Pythagoras and Plato, but Polehnz is more correct in supposing Archimedes (*Tusc.* 5.23.64). Cicero speaks generally here, but in other tracts he does cite the mathematicians by name: Eudoxus (mentioned alongside Archimedes at *Rep.* 1.22, Menaechmus, and Archytas, the last of whom Cicero mentions in the same passage of the *Tusc.* The stress of the passage is on the intellectual and not practical qualities mentioned in these illustrious men of Greece. The latter three men were criticised by Plato as corrupting pure mathematics and geometry (Pl. *Symp.* 8.2.) by engaging in practical applications of their learning; but this was not the case with Archimedes who was reluctant to turn his learning to mechanical employment.

metiendi ... terminauimus modum: translate: 'restricted by the means of (practical) use of measuring and calculating'. For the use of the ablative as means, cf. *Off.* 3.33.17, *qui bona voluptate terminaverit*; and for 'measuring', cf. Hor. *A. P.* 325–332.

III. §6–7: In contrast to the other art forms, Cicero claims that the Romans had a natural inclination and genius towards oratory (*aptum*) and he further stresses this by claiming that their lack of erudition did not impugn the Roman oratorical abilities, though they did eventually come to hold theoretical models. The focus on the great Romans in this area and their abilities is the defense Cicero proposes for his own work on philosophy. The *Tusc.* will be as much a monument for Roman ingenuity as it will be for eloquence. There is a great deal of self-posturing and heroic language in this section as Cicero places himself at the head of Roman eloquence by which he wishes to aid his countrymen. The argument here later shifts to the art not of speaking but of writing; and Cicero claims that his work as a philosophical writer is aimed at fulfilling a deficiency of attractive writings in Latin.

contra: adverbial.

oratore: = 'eloquentiam', Latin prefers the metonymy, and brings the person into prominence, particularly here since the contrast has been hitherto of painters, poets, etc. rather than painting and poetry. Cicero thinks of representatives of the art of eloquence rather than the art itself.

eruditum: Ellendt explains *ad loc.* as = 'qui arte et litteris institutus est', but *eruditus* can mean trained in a speciality (τεχνικός) or more generally (παιδευμένος), which for the Romans was the art of eloquence. It has the same sense as *doctus* below, and usually means educated by Greek teachers in Greek models, as in Gracchus at *Brut.* 104, *doctus et Graecis litteris eruditus*; — but not always, as when applied to M. Brutus, cf. *Brut.* 107, *cum litteris Latinis tum etiam Graecis, ut temporibus illis, eruditus*. The term is used contemptuously and ironically against Piso at *Prov. Cons.* 6.14, *homo doctus et a suis Graecis, subtilius eruditus*.

ad dicendum: Cicero nearly always uses this phrase to render the Greek *ῥητορικὴ*, cf. *Ac.* 1.33. Cato's definition of a *bonus vir* (Quint. *Inst.* 12.1.1) is one who is *dicendi peritus*.

dicendum, post autem etiam eruditum. nam Galbam, Africanum, Laelium doctos fuisse traditum est, studiosum autem eum, qui eis aetate anteibat, Catonem, post uero Lepidum, Carbonem, Gracchos, inde ita magnos nostram ad aetatem, ut non multum aut nihil omnino Graecis cederetur. philosophia iacuit usque ad hanc aetatem nec ullum habuit lumen litterarum Latinarum; quae

1 etiam] *omm.* X, *add.* V^c, LUNDSTRÖM (Textkritik, p. 52). 1-2 traditum est] *memoriae ins. dett. codd.* 2 qui eis] qui his X, *edd. vet.*, Or., *Doug.*: qui iis R⁶, Tre., Sor., Küh., Dre., GIUSTA (Testo, p. 12): hos V^c, s 2 Carbonem] carbonē V^c (cf. Brut. 95, 333): catonem X

Galbam: Servius Sulpicius Galba, consul 144B.C. He is praised for exhibiting traits that distinguished him as an orator, such as his digressions as embellishments, Brut. 21.82, and his forceful delivery *ad loc.* 89, *vim in Galba*; Cicero ranks him above his contemporaries, even Africanus and Laelius; but there Cicero denied he had any great learning, instead relying on his natural ability to speak, *peringeniosus neque satis doctus*. Cicero wrote of his treachery against the Lusitanians when praetor, and we have the story of his prosecution by Cato in *De Or.* 2.65.263, Val. Max. 8.1.2, *quod Lusitanorum magnam manum interposita fide praetor in Hispania interemisset*, and Quint. *Inst.* 2.15.8.

Africanum, Laelium doctos: in contrast to Galba, these two men are always characterised by Cicero in his dialogues as enlightened philhellenes and learned.

Africanum: P. Cornelius Scipio Africanus Minor, son of L. Aemilius Paulus, adopted son of Scipio Africanus Maior; consul 147B.C., and younger than Galba. Cicero treats his oratorical abilities at Brut. 21ff, Off. 1.32.116; cf. Quint. *Inst.* 12.10.30, *non Scipio, Laelius, Cato in loquendo velut Attici Romanorum fuerunt*.

Laelium: Gaius Laelius, surnamed 'Sapiens', consul 140B.C., and intimate friend of Africanus Minor. For his abilities as a speaker and his often archaising style, cf. Brut. 21.82, C. Laelius et P. Africanus in primis eloquentes.

doctos: 'steeped in letters', different from *studiosus*.

studiosum: sc. *doctrinae*, not necessarily implying the same level of culture as *doctus*, but cf. Sen. 1.3, quoted above, and Ac. 2.2.5, *quae autem nemo adhuc docuerat nec erat unde studiosi scire possent etc.* This then explains that the *studiosi* are newcomers to the art.

eum... Catonem: The pronoun can precede its substantive in explanatory clauses (Küh.), cf. below 13, 29, *qui nondum ea quae... physica didicissent etc.*

qui eis: between *his* and *iis* the mss. are inconclusive, though the favoured form is *his*. Kühner has a lengthy note on the difference between the demonstrative *hic* (Prisc. G. L. 17.9.58) and the relative *is*. It is best to take *his* to mean *quos modo dixi* (Moser); this gives a good sense, and so it could be retained here.

aetate anteibat: Cato was born 243B.C., consul 195B.C., censor 184B.C., died 149B.C. *anteire aliquem* is usual, but can also take the dative, cf. Off. 2.10.37, *qui anteire ceteris virtute putantur etc.*; Fin. 5.31.93.

Lepidum: M. Aemilius Lepidus Porcina, consul 137B.C., a younger contemporary of Galba (Brut. 25.96), and the greatest orator of the second *aetas oratorum* (Brut. 333), as Galba was in the first; he introduced smooth periodic structures.

Carbonem: most mss. print *catonem*, which was first corrected by Beroaldus. Papirius Carbo, was a pupil of Lepidus. When praetor in 130 or 131B.C., and for years after, he was a supporter of Ti. Gracchus, MRR 1.526; but he later changed his allegiance to the optimates and, when consul in 120B.C., defended L. Opimius against the partisans of G. Gracchus (ROWLAND: Opposition to C. Gracchus, p. 374). Cicero writes that he had *perpetuam in populari ratione levitatem* (Brut. 27.103), which made him unpopular; he later committed suicide to avoid condemnation after being prosecuted by L. Licinius Crassus, cf. De Or. 2.170, Q. Fr. 2.3.3, Fam. 9.21.3, and see SHACKLETON-BAILEY (No-

biles and Novi, p. 256).

Gracchos: Carbo, Ti. Gracchus (Brut. 27.103-104) and his brother G. Gracchus (Brut. 33.125-126) are considered to be in the third *aetas oratorum*, and for a comparative study of Ti. Gracchus' style, see ALBRECHT (Roman Prose, pp. 40-44). Cicero's portrayal of the Gracchi is not always one of untempered condemnation; at times he is able to praise their virtues (if not their politics) and always their abilities as speakers, Tiberius at De Or. 1.9.38, and Inv. 1.4.5 (if the text is sound), and further Gaius, at Font. 17.39, where he is called *ingeniosissimus atque eloquentissimus*. For a detailed consideration of Cicero's views of the Gracchi, see MURRAY (Cicero and the Gracchi).

inde ita magnos nostram ad aetatem: including the fourth *aetas oratorum*, in which was M. Antonius (consul 99B.C.); L. Licinius Crassus (consul 95B.C., censor 93B.C.) of the fifth, with C. Aurelius Cotta (Brut. 153, 182), and P. Sulpicius Rufus (Brut. 183, 203); of the sixth, Q. Hortensius (consul 69B.C., see Brut. 230, De Or. 2.228), and there can be no doubt Cicero also includes himself. In his introduction, WILKINS (De Oratore) has a discussion of these orators.

non multum aut nihil omnino: for *aut* used only once, see K.-S. 1, 137.2.

cederetur: cf. Cicero's language when he speaks about the writing of history, Leg. 1.5, *ut in hoc etiam genere Graeciae nihil cedamus*. For the tense, see 4, 7 n. It is interesting that Verg. Aen. 6.847-853 has singled out oratory to concede to the Greeks while Cicero has here made it an exception, see WILLIAMS (The Sixth Book of the 'Aeneid', p. 61).

iacuit: cf. 2, 4 n.

usque ad hanc aetatem: if the *aetas* included the previous ten years, he may also be thinking of Lucretius whose work he described, Q. Fr. 2.9.3, *multis luminibus ingenii, multae tamen artis*, and see SIHLER (Lucretius and Cicero). Cicero says that philosophical texts were only available in Greek until his time, Tusc. 2.5, 4.6; Cael. 40-41; N. D. 1.8; Ac. 1.4-12. But it has not been satisfactorily explained why Cicero does not consider Lucretius a writer of philosophy, despite that the fact that he knew the poet's work well, which (as Munro notes *ad loc.*) he clearly echoes at Tusc. 1.48, and 4.75. I suggest that Cicero is thinking broadly about Hellenistic philosophy, not just the study or propagation of a single school.

nec ullum habuit lumen: cf. De Or. 3.6.22, *neque esse ullam sententiam inlustrem sine luce verborum*. Cicero is thinking (as he does below) about the Epicurean 'aemuli', who are incapable of expressing their thoughts. Cicero may be feeling as Aristotle did, ἀισχρὸν σωπᾶν, Ἰσοκράτην δ' εἶν λέγειν. (D. L. 5.3., and not Ἰσοκράτην as Hicks in his edition; see below 4, 7 n. and De Or. 3.141).

lumen litterarum: generally in metaphors, the use of the term *lux* is stronger than *lumen*, but *lumen* is by far the more frequent, cf. Fin. 3.10, *honestum, lumen virtutis* and 5.58; as well as Seyffert's n. on Am. 8.27, *in eo quasi lumen aliquod probitatis et virtutis perspicere videamur*. *lumen* is 'light' generally, *lux* 'sunlight'. The use of the metaphor, *philosophia nullum lumen habuit*, might be compared to the Cimmerians, whose *lux* was taken away by some god or by nature, and who were then required to subsist only on the meagre *lumen* of fire (Ac. 2.61, which Cicero gets from

6 inlustranda et excitanda nobis est, ut, si occupati profuimus aliquid ciuibus nostris, prosimus etiam, si possumus, otiosi. in quo eo magis nobis est elaborandum, quod multi iam esse libri Latini dicuntur scripti inconsiderate ab optimis illis quidem uiris, sed non satis eruditis. fieri autem

2 possumus] *sic s:* possumus B, *dett. codd. et Ern.* 3 fieri] *mallet ferri Verb.*

Hom. *Od.* 11.14ff). Cicero continues to have Prometheus in mind, who brought fire down from the gods for the benefit of man, and was considered one of their greatest friends. (We know Cicero had the Aeschylean version, or Pl. *Prt.* in mind, and not the Hesiodic). The force of the passage ought to be emphasised. The image of *lumen litterarum* is further strengthened in *inlustranda et excitanda*, 'to be lit and kindled', over which Küh. exclaims, 'elegans verborum delectus!' Prometheus underwent great hardships to return the fire to men, and by doing so became their eternal benefactor; he not only brought fire, but wisdom, and arts such as mathematics, music, astronomy, architecture, and philosophy through which mankind would flourish. This is the image that Cicero is aiming at in this subtle passage: philosophy was kept ablaze in Greece while Italy shivered, and he is bringing it to Rome. This *fabella* had a significant impact on the *Tusc.*, cf. *Tusc.* 1.10, and 112–119. In *Tusc.* 2.23, Cicero translates directly from Aeschylus, *eum doctus Prometheus, Clepsisse dolo poenasque Iovi Fato expendisse supremo*. The imagery was used by Cicero before in *Arch.* 6.14, *sed pleni omnes sunt libri, plenae sapientium voces, plena exemplorum vetustas: quae iacerent in tenebris omnia, nisi litterarum lumen accederet*. For the chiasmic order of *lumen* — *inlustranda*, and *iacuit* — *excitanda*, cf. below 25, 63, *inuenta... sonorum*.

excitanda: this verb not only can mean to 'rekindle', but also 'to raise up'; the closest parallel is *Am.* 16.59, *ut amici iacentem animum excitet*; also cf. *Sest.* 1.1, *rem publicam adflictam excitarent*, *De Or.* 2.28.124, and *Liv.* 29.18.

prosimus: There can be no doubt that Cicero was thoroughly committed to rendering his fellow countrymen a true service by bringing them philosophy. Almost ten years before the *Tusc.*, he writes in *Leg.* 1.5, to say that to write history in Latin is a patriotic duty; and *Phil.* 2.20, *me... omni genere monumentorum meorum perfecisse, ut meae vigiliae meaeque litterae et iuventuti utilitatis et nomini Romano laudis aliquid adferrent*. 'But it must never be forgotten that at Rome such studies were merely the amusement of the wealthy; the total devotion of a life to them seemed well enough for Greeks, but for Romans unmanly, unpractical and unstatesmanlike.' (REID: *Academica*, p. xxii; ZETZEL: *Plato with Pillows*), cf. *Off.* 2.3, *Fin.* 1.1, *Tusc.* 2.1.4

otiosi: i.e., in *honestissimo otio*, cf. *Fam.* 7.33.2, *Ac.* 1.11, *Off.* 2.4, and see WIRSZUBSKI (Cicero's *Cum Dignitate Otium*, p. 12). Cicero's comments in *Fam.* 9.2.5 about the *severitatem otiosorum* of those who survived the civil war are not strictly to the point in *Tusc.*; we must not allow this term to become confused with its political equivalent. When Caesar assumed the dictatorship, Cicero fled out of public politics and could not effect much in the midst of the disorganised senate and lawcourts; at this time he turned to philosophy, cf. *Tusc.* 5.5; *Div.* 2.1; *Off.* 2.4; 3.2–4; further, he would not abandon himself to an unmanly and un-Roman idleness, as as early as the *Rep.* this life-style became his established way; cf. *Off.* 1.19, 1.79, 1.53; *Tusc.* 2.1, 2.4; *Fin.* 1.1. The word *otium* does not mean leisure, but rather the freedom to live as one chooses *without* ties to public office or employment. (cf. Shackleton-Bailey n. *Att.* 1.17.5). The precise meaning of *otium* presents difficulties of interpretation since there is a fine distinction between the political and moral meaning of the word. In *Sest.* 139, *otium* is linked politically *cum dignitate*, and if we import those ideas in order to understand Cicero here, we would conclude that he feels himself to be without true glory or dignity in his enforced retirement. But in

speeches of that kind, uppermost in Cicero's mind were the actualities of politics, the *ratio rei publicae capessendae*. However, both RÉMY and WEGEHAUPT observe that *otium* can at times signify a desirable end for the republic, at others a desirable end for the individual, i.e. in moral, and not political terms. Cicero's time devoted to literary pursuits during his retirement was considered a moral activity with its own intrinsic value, though he does feel it was less than he deserved for his accomplishments for the state, e.g., *Off.* 3.3. Many of the comments that BOYANCÉ (*Cum Dignitate Otium*) makes regarding the *Sest.* are more applicable to the meaning Cicero here ascribes to *otium*. His inspiration was the Peripatetic discussion of *σχολή* in connection with the controversy of the *βλοῦν αἰρεσις* between Theophrastus and Dicaearchus, and the contention between the contemplative and active life as espoused by the Epicureans who were champions of the quiet life. Cicero found dignity and true glory by means of writing at leisure, cf. below 15, 33, *magna spe immortalitatis*, *N. D.* 2.3, with Pease's n., BALSDON (*Auctoritas, Dignitas, Otium*). FOLLIET (*Otiosa dignitas*, p. 1) gives a full bibliographical listing on this topic, and for a thorough treatment of the subject, see ANDRÉ (*L'Otium dans la vie romaine*).

§6. elaborandum: 1, 2 n.

libri Latini: on Epicurean theories generally, described at *Tusc.* 4.3 as *pauca admodum Latina monumenta*.

dicuntur: contemptuously, as if Cicero would not deign to read them himself.

inconsiderate: cf. *Off.* 1.103, *ne quid temere ac fortuito, inconsiderate neglegenterque agamus*; i.e., not done without thinking about the product, but without consideration of its consequences.

optimis: = *εὐθύτης*, the expression *optimus vir* or *bonus vir* can carry an ironic or pejorative meaning (Cicero expressed dissatisfaction at being called an *optimus consul*, *Att.* 12.21.1); it can imply a lack of mental abilities. Cicero applies this phrase often to Epicureans, *Tusc.* 2.19.44, *Fin.* 1.7.25, *De Or.* 3.17.64. Dougan notes that *bonus vir* is also used by the comic writers, e.g. *Ter. And.* 3.5.10.

illis quidem uiris: Cicero is referring to the Epicurean writers G. Amafinius (*Ac.* 1.3.5, *Tusc.* 4.3.5–7), Rabirius (*ibid.*), and the Insubrian Catus (*Fam.* 15.9.15–26, 16.16.1). The dates for Amafinius are uncertain; some scholars think it likely he was teaching late second to early first century B.C., others place him as a contemporary of Lucretius, (DEWITT: *Notes on the History of Epicureanism*, p. 170; HOWE: *Amafinius, Lucretius, and Cicero*, p. 62). At first, Amafinius taught orally in Latin, but then published many books which had imitators, and students flocked to him from all over Italy. He was known to have invented the word *corpuscula* (*Ac.* 1.2.6); he did not have any rhetorical flourish or refinement which would be expected by more literate men (*Fam.* 15.19.2), and for this Cicero takes issue, *Fin.* 1.3.8, 3.12.40. C. Catus was a *levis sed non iniucundus auctor* (*Quint. Inst.* 10.1.24), whose writings were popular as well. It is unlikely that Cicero had here in mind the political ideas of Epicureans, though Cicero's later dialogues were guarded attacks on their philosophy as destructive to the Republic. It was during the writing of *Tusc.*, 45 B.C., after Tullia's death, that Cicero became more favorable to Epicureanism; it is in this period that he writes letters to the Epicurean Papirius Paetus, *Att.* 1.1.12.

non satis eruditis: however, compare the portrayal of the Epicurean Torquatus in *Fin.*, described as *homo omni doctrina eruditus*.

potest, ut recte quis sentiat et id quod sentit polite eloqui non possit; sed mandare quemquam litteris cogitationes suas, qui eas nec disponere nec inlustrare possit nec delectatione aliqua allucere lectorem, hominis est intemperanter abutentis et otio et litteris. itaque suos libros ipsi legunt cum suis, nec quisquam attingit praeter eos, qui eandem licentiam scribendi sibi permitti uolunt. 5 quare si aliquid oratoriae laudis nostra attulimus industria, multo studiosius philosophiae fontis aperiemus, e quibus etiam illa manabant.

IV. Sed ut Aristoteles uir summo ingenio, scientia copia, cum motus esset Isocratis rhetoris gloria, dicere docere etiam coepit adulescentes et prudentiam cum eloquentia iungere, sic nobis 7

1–2. *apud Einhard, vita Karoli Magni, praef.*

5 laudis] sic X s. oratoria laus, *De Or.* 1.130, *Brut.* 116: laudi MV^c eras. s, *edd. pr., et Bent.* 7 scientia] scientia V^c et corr. *Lamb. sqq.* Or. s: scientiae RGM: scientiæ BKP 7 cum motus] commotus X: cum motus H: cū ante com- superscript V^c 7 Isocratis] socratis X: isocratis V^c s: 8 docere] decere *supra* et *add.* V^c ex errore per docere: dicere etiam coepit (cepit) X, cf. *GRUSTA*, p. 13: docere etiam coepit (cepit) ML: post dicere *ins.* docere Bai. quem secuti sunt Sff. *Sor. Hei. Küh. Müll. Sc. et s, cf. De Or.* 3.16.61, *dicere docerent.*

et id: = *et tamen*: Latin often leaves the antithesis to the reader; Dougan cites *De Or.* 1.23.86. *Add Tac. Hist.* 2.20, *speciosis et irritis nominibus.*

ut recte...eloqui non possit: e.g., Philost., *Lives of the Sophists*, γνῶναι μὲν περιττός, ἐπιμεύσαι δὲ ἀπέρητος; so Eupolis says of Phaex (*Plut. Alc.* 15), λαλεῖν ἄριστος, ἀδυνατώτατος λέγειν. Somewhat 'catachrestic' use of *eloqui* for *cum eloquentia dicere*. cf. *Or.* 3.2.113.

quemquam: = 'any one at all', the idea of universality; universal negations are more frequent than affirmations, of which this is a rare example, along with *Tusc.* 1.7.13, and *Cat.* 1.2.6; the cognates *usquam, umquam* are similarly used (*Verg. Aen.* 7.311, *Sen. Ep.* 7.1.14); see *Madv. Gram.* 494a. Sometimes *ullus* is so used.

intemperanter: cf. *Ac.* 1.2, *intemperantis enim arbitror esse scribere quod occultari velit*; 'without restraint', or 'unrestrainedly'

cum suis: = 'cum eis sui similibus', 'mit Gleichgesinnten' (Kühner), cf. *Att.* 14.12.2, *Octavius, quem quidem sui Caesarem salutabant*. Dougan remarks that if the *ipsi* are members of the school, then *suis* must be like minded people *outside* the school; however the *ipsi* may mean the writers, and so *suis* will include members of the school.

quare: resumes the argument from *inlustrandum putauit*. *attulimus*: sc. *populo Romano*, or *ciuibus nostris* like *Phil.* 2.20, but the verb *adferre* can be used absolutely, as *Hand* has shown by *Mil.* 28.77, *non queo vetera illa populi Romani gaudia quanta fuerint iudicare: multas tamen iam summorum imperatorum clarissimas victorias aetas nostra vidit, quarum nulla neque tam diuturnam attulit laetitiam nec tantam*. Cicero implies that he has contributed to Roman oratorical renown without claiming that it had none before.

philosophiae fontis aperiemus: COLACLIDES (Ennius and Cicero) has pointed out that this phrase shows a similarity to *Verg. Geor.* 2.175, *ingredior sanctos ausus recludere fontis* (cf. *Off.* 2.55) which Cicero (and Vergil) have drawn from *Enn. Ann.* VII.

illa: *constructio ad sententiam*, i.e., correctly explains *quae in dicendi arte attulimus*. The plural implies Cicero's many successes.

IV. §7. ut...sic: an adversative form, 'conversely', like in *Att.* 4.10.1, *ut a ceteris oblectationibus deseror et voluptatum propter rem publicam, sic litteris sustentor et recreor*.

Aristoteles: the same story is at *De Or.* 3.35.151, *ipse Aristoteles cum florere Isocratem nobilitate discipulorum videret...mutavit repente totam formam prope disciplinae suae...itaque ornavit et inlustravit doctrinam illam omnem rerumque cognitionem cum orationis exercitatione coniunxit*.

summo ingenio, scientia, copia: asyndeton with three terms is common in Cicero; Orelli remarks that "tria omnino sunt ingenium a natura Aristoteli datum, scien-

tia ab ipso comparata, copia siue eloquentia." *summo* goes with all three, *Mur.* 17.36., *Verr.* 2.4.58.131.

scientia: referring to Aristotle's broad learning, cf. *Or.* 1.5, *nec ipse Aristoteles admirabili quadam scientia et copia ceterorum studia restinxit*.

copia: = *flumen orationis aureum*, *Ac.* 2.38.119. A common epithet in Cicero's mouth for Aristotle, and generally for other pupils of Plato, cf. *Val. Max.* 8.7.2, *Platon...ingenii divina instructus abundantia*, and *De Or.* 3.67, *Ac.* 1.18. Cicero claims in *N. D.* 1.7–9 that he has surpassed even the Greeks in this mastery of expression. KNAPP (Some Remarks on Cicero as a Student, pp. 52–53) has an excellent collection of Cicero's opinions on this matter.

cum motus esset Isocratis rhetoris gloria: Isocrates, born 436B.C., and after the battle of Chaeronea in 338B.C. committed suicide; Aristotle, born 384B.C., left Athens in 348B.C., and founded the Peripatetic school in 335B.C. upon his return. We know of their rivalry from Cicero, *Or.* 172, *De Or.* 3.141, *Quint. Inst.* 3.1.14, and *Philodemus, Rhet.* 1967; and though their differences would seem plausible, they are by no means certain. The stories may have stemmed from one which existed between Plato and Isocrates, but this itself is doubted by some scholars, e.g. SHOREY, while accepted by others, VRIES, HOWLAND, BEN-OIT.

Isocrates' strength lay in his application of language to practical problems, specifically in cases where the absolute truth could not be obtained, as here in the *Tusc.* It was a strongly held view of Isocrates that an orator should have a wide liberal education in the arts, particularly in philosophy; his focus was pedagogical, and he believed that by direction and guidance he could develop his students. (*De Or.* 3.35ff, *Brut.* 204, *Quint.* 2.8.11). Isocrates would unite philosophy with rhetoric and it was the latter view which would prevail among the Romans, cf. above 2, 5. In this preface we already find early hints that we should not expect a purely philosophical treatise as much as an oration. For a similar sentiment, compare *Parad.* 2, *nos ea philosophia plus utimur, quae peperit dicendi copiam*, *Fat.* 3, *cum hoc genere philosophiae, quod nos sequimur, magnam habet orator societatem*, *Off.* 1.3.

rhetoris: Pohlenz notes that Cicero is careful to use *rhetor* here, not *orator* since Isocrates was properly a teacher of rhetoric (his ἡ τῶν λογῶν παιδεία), and not himself a speaker since all except six of his speeches were meant for reading, on which see HOOK (Spoken versus the Written Word, p. 89); BENOIT (Isocrates and Aristotle on Rhetoric, p. 252); TOO/LIVINGSTON (Pedagogy And Power: Rhetorics Of Classical Learning).

prudentiam cum eloquentia iungere: *prudentia* = *philosophia*, a rare usage, more usually represented with *sapi-*

placet nec pristinum dicendi studium deponere et in hac maiore et uberiore arte versari. hanc enim perfectam philosophiam semper iudicaui, quae de maximis quaestionibus copiose posset ornateque dicere in quam exercitationem ita non studiose toperam† dedimus, ut iam etiam scholas

3 operam] sic X: operam impendimus Dav.: operam omm. Mur., del. Lamb: operam intendimus Giu. coll. Quint. Inst. 2.11.6, cf. GIUSTA (Testo, pp. 117–119). 3 scholas] scholas X: scholas MB

entia, but cf. Div. 2.4, Aristoteles itemque Theophrastus, excellentes viri cum subtilitate tum copia, cum philosophia dicendi etiam praecepta coniunxerint. Earlier, Cicero had made the same remark as here, in De Or. 3.141, itaque ipse Aristoteles cum florere Isocratem nobilitate discipulorum videret, quod ipse suas disputationes a causis forensibus et civilibus ad inanem sermonis elegantiam transtulisset, mutavit repente totam formam prope disciplinae suae . . . itaque ornavit et inlustravit doctrinam illam omnem rerumque cognitionem cum orationis exercitatione coniunxit. Note the stress again on the relationship between the forensic science and philosophy, whose common ground becomes oratory, while Cicero feels himself able to embody all three. At Off. 1.3 he names his own potential rivals among the Greeks in this ability to excel in both styles, oratorical and philosophical, as Demetrius Phalerus and Theophrastus.

nec...et: an idiom common in both Latin (Sen. 51, De Or. 1.179, Fam. 10.1.4) and Greek, οὔτε . . . τε, where we find it commonly in the orators, cf. Isoc. De Pace. 58, οὐτ' ἂν οδτος ἔσχε τῶν ποιήσασθαι τὴν ἐρώτησιν, ἡμεῖς τ' ἂν ἐγνωμεν, Madv. Gram. 458c.

studium deponere: truthfully, he tells us; in fact, as long as his forensic duties permitted him, Cicero found recreation in his studies, Att. 1.20, nam et Graecis eis libris, quos suspicor, et Latinis, quos scio illum reliquisse, mihi vehementer opus est. ego autem cotidie magis, quod mihi de forensi labore temporis datur, in eis studiis conquiesco. He took them up with even more vigour and found solace in them as well when he was forced to depart from politics.

hac maiore et uberiore arte: compare Cicero's own evaluation of his philosophical works, Off. 1.3, non solum orationes meas, sed hos etiam de philosophia libros, qui iam illis fere se aequarunt, studiose legas, — vis enim maior in illis dicendi; he claims that his oratorical work have even further grandeur to them while his philosophical works have a more temperate pace and a fairer arrangement, *aequabile et temperatum orationis genus*. When he claims here that philosophical writing is *maior et uberior* he means 'grander'; the sense here should be construed as a hendiadys, 'loftier', 'more sublime', probably alluding to the Myth of Er in which Plato's writing reaches great pitches and heights, or his own imitation the 'somnia Scipionis'.

perfectam philosophiam: *perfectus*, in such a context as this, contains approbation in both a technical and a moral sense. The best philosophy seeks both the best answer to the great questions, and also its best expression, cf. Brut. 118 where Cato is described as a *perfectissimus Stoicus*, who is most knowledgeable in its tenets and its best adherent; and Leg. 1.54, where the Academic Antiochus of Ascalon was also 'perfect' in his own field (*in suo genere perfectus*). See STEM (Cicero on Cato the Younger, p. 40).

maximis quaestionibus: a curious pun here; the term *quaestio* could refer to the legal trials or more broadly to simple 'searches', i.e., for the truth in an inquiry. This is one of many elements in the *Tusc.* which uses legal terminology in the preface to this philosophical work.

copiose posset ornateque dicere: the words *copiose* and *ornate* are commonly used by Cicero to describe great oratory, though here applied to philosophy. Cf. De Or. 1.21.48, Brut. 16. DOUGLAS (Cicero, pp. 29–32). This may also be an allusion to the habits of Posidonius, who

thought that the nature of literature was to instruct and that philosophers should make use of poetry to expound doctrine, which he was famous for employing (and as Cicero does in the *Tusc.*), cf. Att. 2.1.2, and Gal. De plac. Hipp. et Plat. 4.399, and Ed.–Kidd T104.

exercitationem: a thoroughly Isocratean idea, though no commentator remarks upon it, most strikingly illustrated at, Isoc. Antid. 183–185, ἐπειδὴν γὰρ λάβωσι μαθητὰς, οἱ μὲν παιδοτρῖβαι τὰ σχήματα τὰ πρὸς τὴν ἀγωνίαν εὐρημένα τοὺς φοιτῶντας διδάσκουσιν, οἱ δὲ περὶ τὴν φιλοσοφίαν ὄντες τὰς ἰδέας ἀπάσας, αἷς ὁ λόγος τυγχάνει χρώμενος, διεξέρχονται τοῖς μαθηταῖς. ἐμπείρους δὲ τούτων ποιήσαντες καὶ διακριβύσαντες ἐν τούτοις πάλιν γυμνάζουσιν αὐτούς, καὶ πονεῖν ἐπιζέουσιν, καὶ συνείρειν καθ' ἕνα ἕνα ὄντων ἐμαθὼν ἀναγκάζουσιν, ἵνα ταῦτα βεβαιώτερον κατὰσχῶσι καὶ τῶν καιρῶν ἐγγυτέρω ταῖς δόξαις γέωνται κτλ. This is particularly pertinent to the *exordium* that Cicero presents to us since it is a process of continual engagement and reflection, closely akin to the Socratic method and the Isocratean theory of education, cf. Isoc. Areo. 37, 47–48, where the Athenians continually correct the young; Isoc. Ad Nic. 4, he laments that princes have no correctors. In his speeches, Isocrates used a good-natured, searching, and engaged criticism which Cicero now uses. Cicero's advocacy of eloquent reasoning closely mirrors Isocrates' own view of *λόγος* at Isoc. Ad Nic. 5–9, Isoc. Antid. 253–257, Isoc. Paneg. 47–49. See also JOHNSON (Isocrates' Methods of Teaching, pp. 29–35).

ita nos studiose toperam† dedimus: for the idiom, Kühner cites De Or. 1.21.95, but says that the phrase *operam dare in aliquid* does not occur in Cicero; Q. Fr. 2.12.2, *opera in illud ipsum mare deiciemus* of course cannot be to the point. Camerarius notes that the Latin idiom *dare nomen in militiam* exists. The idiom may be a Graecism, cf. Dem. De Cor. 179, ἔδωκ' ἑμαυτὸν ὑμῖν ἀπλῶς εἰς τοὺς περιστηκότας τῆ πόλει κινδύνους. LUNDSTRÖM (Glosseme, pp. 84–93) defends the reading at length, but he does not convince WILLIAMS (Gnomon, 37, p. 681), who says that the deletion of *operam* leaves a common clausula. Dav. suggested, and Sof. and Sch. adopted, *operam impendimus*. Polhenz cited De Or. 3.16.60, *quam se cumque in partem dedisset* which is a good parallel and best justifies the deletion of *operam*, and similarly N. D. 1.9, *si me non modo ad legendos libros, sed etiam ad totam philosophiam pertractandam dedissem*. I add Plaut. Cas. prol., *operam detis ad nostrum gregem*.

scholas: cf. 47, 113, σχολή, a hellenistic phrasing meaning 'dissertations' at Fin. 2.1.1, on which see ROSE (The Greek of Cicero, p. 111); but it also had a sense of practising 'declamations', cf. 47, 113 below, and Quint. Inst. 3.1, *pomeridianis scholis*; Kühner also cites Plut. περὶ τοῦ ἀκούειν, in it. τὴν γενομένην μοι σχολὴν περὶ τοῦ ἀκούειν ἀπέσταλκά σοι γράψας, whom he claims first uses the word in which there is no difference between a *schola* and a *disputatio*. It appears that there was a distinction between *scholas* and *disputationes*. The former had a teacher and a student who largely remained silent, gave no particular view and acted to give the *διδάσκαλος* a means to set forth his own view, as in the *Tusc.*; in the latter, philosophers were in turn to give their respective viewpoints in a format represented by works such as the *Ac.*, *Div.*, *Fin.*, and *N. D.* See also BONNER (Roman Declamation, pp. 1–22) and GLUCKER (Antiochus, p. 161).

Graecorum more habere auderemus. ut nuper tuum post discessum in Tusculano cum essent complures mecum familiares, temptavi, quid in eo genere possem. ut enim antea declamitabam

1 auderemus] audeamus V^c 2 complures] cumplures G¹V¹R¹ corr. ipsi, et Or. 2 possem] sic V^c, s: possim X

Graecorum more: no commentator has considered that in 92B.C., Crassus and Domitius closed down the Roman schools of rhetoric (Gell. *Att.* 15.11.2) on account of their betrayal of their Greek exemplars, *De Or.* 3.93–95, yet it is crucial for the understanding of Cicero's meaning here. As a young man he would have gone to L. Plotinus Gallus but was persuaded against it by the opinion of learned men who thought that Greek was a better means of education, Suet. *Rhet.* 2. Cicero certainly benefited from it and later praised his Greek education as the foundation for his success as an orator, *Brut.* 310, *Or.* 12. We have some evidence (though fragmentary) that Cicero was despairing of the slackness of Greek education around 51B.C., *Rep.* 3, *principio disciplinam puerilem ingenuis, de qua Graeci multum frustra laborarunt, et in qua una Polybius noster hospes nostrorum institutorum neglegentiam accusat.* After their disappearance, Cicero may be attempting to re-establish the Roman schools based on Greek models, and it was for this I think that his detractors often called him *Γραικός καὶ σχολαστικός*, Plu. *Cic.* 5.2. In a letter to Paetus, *Fam.* 9.18, he claims that his 'teaching school' was a means of guarding against the times; his students included Hirtius, Cassius, and Pansa (*Fam.* 7.33.1–2). For the style of the Greek *schola*, see DOUGLAS (Form and Content in the Tusculan Disputations, pp. 198–200); HABINEK (Politics of Latin Literature, pp. 64–66); ERSKINE (Cicero and the Expression of Grief, pp. 39–47).

dedimus... auderemus: Küh. notes we should have expected *audeamus*, hence the correction in V^c. Moser remarked that Cicero, as well as other authors, often accommodates the expression not to the idea, but to the form of the proposition, and so an imperfect follows despite the fact that the force of the sentiment is pertinent to the present. Doug. says that the past sequence is more usual, the primary more rare after a perfect in Cicero, cf. below 42, 100, *Rep.* 6.3, *Sen.* 21. Many other examples may be cited.

tuum post discessum: Most editors think that this refers to Brutus' departure as governor to Cisalpine Gaul in 47B.C., cf. *Fam.* 6.6; however, SCHMIDT (Briefwechsel, p. 57) finds a reference here to Brutus' departure from Cicero's *Tusculanum*, July 20, 45B.C. to meet Caesar who was returning victorious after Munda, cf. *Att.* 13.44.1, *Brutus apud me fuit; quoi quidem valde placebat me aliquid ad Caesarem;* Schmidt further maintains that the five *scholae* contained here in the *Tusc.* were conducted on five consecutive days, July 20–24 (*Att.* 13.34.1), but it is unlikely that it is strictly accurate. TAYLOR (Chronology of Cicero's Letters, p. 231) has argued that Brutus' departure was actually August 25.

Tusculano: i.e., *praedio*, Cicero's favourite villa, his chosen spot for retirement, and nowhere was he happier (*Att.* 1.6.2). He writes that it was a place he would forget all his troubles (*Att.* 1.5.7), and in his anguish it was to this place that his feet would almost take him involuntarily (*Att.* 12.46.1; 15.16a.1). For this reason, there can be no doubt that this location has a significant connection with the title and contents of the *Tusc.* I find it remarkable that after Tullia's death, which followed so many others of his friends', Cicero was in such utter despair that not even this villa could assuage his sorrow, and so he retired to seclusion at Astura, *Att.* 12.4.3, and see FORTNER (Cicero's Town and Country Houses, p. 179). Cicero lived here almost without interruption from 46–45B.C., sending from it almost 60 letters.

This Tusculan villa was once the property of Sulla (Plin.

H. N. 22.12), later of Catulus and Vettius, and bought by Cicero in 68B.C.; after its devastation by Clodius in 58B.C., it was restored at great expense. It was distant from the main road (*Att.* 7.5.3), and contained an upper gymnasium called the *Lyceum* (*Div.* 2.8), and a lower gymnasium called the *Academy* (*Tusc.* 2.9, 3.7, 4.7) likely below the house. Vitruvius (*De Arch.* 5.11.2) describes the *palaestrae* of such Roman villas as *constituuntur autem in tribus porticibus exhedrae spatiosae, habentes sedes, in quibus philosophi, rhetores reliquique, qui studiis delectantur, sedentes disputare possint.* When Cicero discusses his villas, very often he uses language reminiscent of scenes by Plato, Xenocrates, and Polemon. (WYCHERLEY: Athenian Philosophical Scene I, p. 152). MERIVALE (History of the Romans under the Empire, pp. 366–369) has a beautiful description of the location, but it does not appear that we can come to any conclusion as to its whereabouts. Flavius Blondus of Forlì, in his *Italia Illustrata*, first suggested that the Badia di Grottaferrata was built on its ruins; his supposition attracted a great quantity of scholarship, but is now dismissed. For a detailed examination of the suggested sites, see McCracken (Cicero's Tusculan Villa); HARRER (Site of Cicero's Tusculanum). Plu. *Cic.* 40 reports that it was from his Tusculanum country-seat that Cicero used to write to his friends that he was 'living a life of Laertes' (cf. Hom. *Od.* 1.189ff, *Λαέρτην ἦρωα... ἀράνευθεν ἐπ' ἀγροῦ πῆματα πάσχειν*; and 24.231ff), which Plutarch presumed was a jest; however, *Fam.* 13.15 seems to be from Astura and not Tusculanum, and in 49B.C., rather from this later period of his suffering.

possem: *possim* is agreed by the best manuscripts, but *possem* accords to Cicero's usage, and cf. above n. on **auderemus**. Cicero feigns modesty, cf. *Off.* 1.3.

declamitabam causas: the *-ito* is iterative, (as *Phil.* 2.16.42 *dictitant*), and suggests that the speaking was for the sake of practice. Commentators adduce *Brut.* 90.310, *commentabar declamitans — sic enim nunc loquuntur — saepe cum M. Pisone et cum Q. Pompeio aut cum aliquo cotidie etc.* Later in imperial times, this practice had become highly artificial. (Mart. 6.19, Petr. *Sat.* 1.2).

I find that there is another possible interpretation: examine Quint. *Inst.* 10.5.2, *θέσεις... quibus Cicero iam princeps in republica exerceri solebat.* Though often cited, few commentators have looked to *Inv.* (or *De Or.* 2.133–35) for comparison. In this work, Cicero followed the Stoic Hermagoras who separated the subject matter of oratory into two parts, the *ὑπόθεσις*, and the *θέσις*, translated by Cicero *causa* and *quaestio* (*Inv.* 1.8) — the former a concrete case with appurtenances of names and places, while the latter was *infinita*, and was an abstract problem from the sphere of philosophy; we have an additional passage in *Q. Fr.* 3.3.4 which further elucidates Cicero's meaning, *Cicero noster summo studio est Paeonii sui rhetoris, hominis valde exercitati et boni; sed nostrum instituendi genus esse paullo eruditius et θετικώτερον non ignoras: quare neque ego impediri Ciceronis iter atque illam disciplinam volo et ipse puer magis illo declamatorio genere duci et delectari videtur, in quo quoniam ipsi quoque fuimus etc.* What did Cicero mean by *θετικώτερον*? Cratander understood this accurately, 'philosophicis quaestionibus magis refertum, aptum'; but Orelli, relying on Ernesti thought he rather meant *genus subtilius*. Now what Cicero surely meant in this letter was that in his youth he practised speaking with a focus on the *θέσις*, and not on *causae* which tended to be favoured in the schools, where see *De Or.* 2.100, and the example given by Quint.

causas, quod nemo me diutius fecit, sic haec mihi nunc senilis est declamatio. ponere iubebam, de quo quis audire uellet; ad id aut sedens aut ambulans disputabam itaque dierum quinque scholas, ut Graeci appellant, in totidem libros contuli. fiebat autem ita ut, cum is qui audire uellet dixisset, quid sibi uideretur, tum ego contra dicerem. haec est enim, ut scis, uetus et Socratica ratio contra alterius opinionem disserendi. nam ita facillime, quid ueri simillimum esset, inueniri posse Socrates arbitrabatur. Sed quo commodius disputationes nostrae explicentur, sic eas exponam, quasi agatur res, non quasi narretur. ergo ita nascetur exordium:

2 audire] audire V^c SME: audiri X 2 ad id] plurimi mss. habent at id: ad id P *adf. Verb.* 4 quid] quod in quid *corr.* VK 7 nascetur] nascatur V^c

Inst. 7.6.6., SIHLER (θετικώτερον, 289ff). The implication is that a *θέσις* must have an answer, whether positively or negatively (Arist. *Top.* 1.11, ἔστι μὲν οὖν καὶ ἡ θέσις πρόβλημα οὐ πᾶν δὲ πρόβλημα θέσις, ἐπειδὴ ἕνια τῶν προβλημάτων τοιαύτ' ἐστὶ περὶ ὧν οὐδετέρως δοξάζομεν). Despite his claim to use the Socratic method, Cicero does in the *Tusc.* set out to find a positive answer to the question of *mors non malum*. Cicero complained in *De Or.* 2.78 that for most teachers of rhetoric, *de altera parte dicendi* [i.e., quaestione infinita] *mirum silentium est*. He remedies this lack of theory in this *Tusc.* by presenting us with an example of what he sees as an excellent method for education.

senilis est declamatio: cf. *Tusc.* 2.11.26, *itaque postquam adamani hanc quasi senilem declamationem, studiose equidem utor nostris poetis*. Dougan is in thinking this is in contrast to his youth; By *senilis*, Cicero means that in his old age he is returning to the practice of his youth.

ponere: = *τιθέναι*, the usual word for proposing a topic for discussion, cf. *Am.* 5.17.

de quo quis: a regular idiom, the attraction of *quis* into the rel. clause, where see Madvig's n. on *Fin.* 3.20.67.

ad id: with *dicere, disputare, etc.*, it means 'with reference to' cf. *Tusc.* 3.9.18, 32.78; 4.21.48 (where it can = *aduersus*); as well as *Mur.* 13.29, *Fin.* 4.25.71, *ad virtutes et ad uitia nihil interesse*. Pohlenz notes that Aristotle uses the phrase *πρὸς θεσιν διαλέγεσθαι*. A few of the lesser manuscripts had *ad id* which is also Ciceronian, *Fam.* 3.8, *idque me arbitror Synnadis pro tribunali multis uerbis disputauisse*.

sedens aut ambulans: HIRZEL (*Der Dialog*, pp. 430–431) discusses the Roman custom of setting the scene in the country houses, as opposed to the Greek custom of the city (though Plato does have a number of dialogues, like the *Parmenides*, which are set in pleasant domestic settings); Hirzel suspects the scene here is the lower gymnasium or Academy, which would be appropriate to the method used in the *Tusc.* Generally, Cicero uses 'sitting' to mark the start of the conversation proper, cf. *De Or.* 3.19, *Rep.* 1.18, *Leg.* 2.7, *Ac.* 1.14, *Div.* 2.8, among others; but this is not a rigid rule, and we cannot wholly declare that sitting was more associated with more formal teaching than walking, cf. *Am.* 1, *memini domi in hemicyclo sedentem, ut solebat, cum et ego essem una et pauci admodum familiares, in eum sermonem illum incidere qui tum forte multis erat in ore*, and see GÖRLER (*From Athens to Tusculum*, p. 216).

disputabam: cf. Crassus' comments where he opposes the idea of leisure and the strain of the *disputatio*, in *De Or.* 2.20, *otium autem quod dicis esse, adsentior; verum oti fructus est non contentio animi, sed relaxatio*.

§8. **fiebat... ita:** 'our means of proceeding was'.

contra dicerem... ratio Socratica: cf. *Ac.* 1.4, 2.7, 1.46; *Div.* 2.150; *N. D.* 1.5.11, *haec in philosophia ratio contra omnia disserendi nullamque rem aperte iudicandi profecta a Socrate, repetita ab Arcesila, confirmata a Carneade usque ad nostram uiguit aetatem*. In *Tusc.* 2.9, Cicero attributes the form of arguing both sides of a problem to Aristotle, and describes it as practised by both the Academics and the Peripatetics. Pohlenz says that Cicero has falsely denoted his method as Socratic, but this only highlights the ancient contro-

versy over the precise method that Socrates used, stemming from the desire of different philosophical schools to make Socrates their own special authority, on which see LONG (*Socrates in Hellenistic Philosophy*, p. 153). We may state that it is not properly the Socratic method as Cicero defines this in *Fin.* 2.2, *is enim percontando atque interrogando elicere solebat eorum opiniones, quibuscum diserebat, ut ad ea, quae ii respondissent, si quid uideretur, diceret*, but rather the New Academic method of arguing against all opinions, which follows from the doctrine of the *ισοθένεια τῶν λόγων*. cf. *De Or.* 1.84, *mos erat patrius Academiae aduersari semper omnibus in disputando*. This practice is called *εἰς ἑκάτερα ἐπιχείρησιν* by Eusebius, 14.7.15, and *ἐπαμφοτερίζειν* in *Gal. De plac. Hipp. et Plat.* 4.365; *Fat.* 1; *Tusc.* 2.9. Cicero, in *N. D.* 2.168, traces the practice back to Aristotle, Plato and Socrates, but this could perhaps be referred further back to the Megarians whom *Pl. Phd.* 90b called *μάλιστα δὴ οἱ περὶ τοὺς ἀντιλογικοὺς λόγους διατρίψαντες οἶσθ' ὅτι τελευτῶντες οἴονται σοφώτατοι γεγονέναι καὶ κατανεοηκέναι μόνοι ὅτι οὔτε τῶν πραγμάτων οὐδενὸς οὐδὲν ὑγιὲς οὐδὲ βέβαιον οὔτε τῶν λόγων, ἀλλὰ πάντα τὰ ὄντα ἀτεχνῶς ὥσπερ ἐν Εὐρίπῳ ἄνω κάτω στρέφεται καὶ χρόνον οὐδένα ἐν οὐδενὶ μένει*.

haec est enim: cf. 27, 66. The expression is compressed. **disserendi:** the habit of Socrates, i.e., *διαλεκτική*, cf. *Ac.* 1.5; Cicero sometimes renders the Greek word by *intelligendum* (*De Or.* 3.73) or by *dialectica*, (*Ac.* 2.91); cf. *Fin.* 1.22, *pars philosophiae quae est quaerendi ac disserendi*.

quid ueri simillimum esset: i.e., the search for *probabilia*, rather than any certain knowledge, representative of the New Academy, but cf. Socrates remarks after describing the underworld in *Pl. Phd.* 114d, *τὸ μὲν οὖν ταῦτα διυχνύσασθαι οὔτως ἔχειν ὡς ἐγὼ διελήλυθα, οὐ πρέπει νοῦν ἔχοντι ἀνδρὶ ὅτι μέντοι ἢ ταῦτ' ἐστὶν ἢ τοιαῦτ' ἅττα κτλ.* The thought is also shared by *Isoc. Antid.* 271.

sed quo... non quasi narretur: Cicero here avoids the use of *inquit* or *inquam* which he employs in his other dialogues. The same method is used by *Pl. Tht.* 143b, *τὸ μὲν δὴ βιβλίον, ὃ Τερψίων, τοῦτ'. ἐγραψάμην δὲ δὴ οὕτως τὸν λόγον, οὐκ ἐμοὶ Σωκράτῃ διηγούμενον ὡς διηγείτο, ἀλλὰ διαλεγόμενον οἷς ἔφη διαλεχθῆναι*. It is unlikely this conversation ever took place, like the *Ac.* In a letter to Varro, Cicero felt he needed to explain the practice of writing works in the form of a dialogue, *Fam.* 9.8, *puto fore, ut, cum legeris, mirere nos id locutos esse inter nos, quod numquam locuti sumus; sed nosti morem dialogorum*. The dialogue later gives way to a lengthy *oratio*, with this 'dialogue' acting as an *exordium*. This structure is unique in Cicero's dialogues.

agatur, narretur: in English, we would use an imperfect or pluperfect, but Latin has subordinate phrases in hypothetical *quasi* comparisons follow the tense of the leading proposition, *Madv. Gram.* 349.

exordium: this is already an early indication in the preface that Cicero intends to use the full force of his eloquence in expounding his philosophical views. Indeed, there are not a few times when the philosophy in the *Tusc.* gives way to the oratory; the difficulty of combining philosophy with eloquence and the snares of sophistry which it entails have often been taken up in Plato's writing.

V. Malum mihi uidetur esse mors.

Eisne, qui mortui sunt, an eis, quibus moriendum est?

Vtrisque.

Est miserum igitur, quoniam malum.

5 Certe.

Ergo et ei, quibus euenit iam ut morentur, et ei, quibus euenturum est, miseri.

Mihi ita uidetur.

Nemo ergo non miser.

Prorsus nemo.

10 Et quidem, si tibi constare uis, omnes, quicumque nati sunt eruntue, non solum miseri, sed etiam semper miseri. nam si solos eos diceres miseros quibus moriendum esset, neminem tu

6. Serv. 4.20

2 eisne] hisne *infra* his RVGB: hiis S: iisne... iis M s

The oratory that Cicero uses quickly finds demonstration in this exordium; but he himself admits the syllogistic reasoning, and fine phrases do not seem to convince. For the Platonic overtones of this arrangement in argument, see *spinosiora* below 8, 16 n. Cicero's friend will complain that he is compelled to admit the defeat, although he remains unconvinced of the conclusions. Cicero is fully conscious of this as he begins.

V.: In later texts, the two speakers are marked with 'M' and 'A', which has given rise to much discussion, and exercised the ingenuity of editors. In the ms. R, the change of speakers is marked with a line; in G¹, with the symbols M and Δ, but irregularly, and only in Books 1 and 2; K does not have them in Book 1 at all; mss. in the Renaissance have both M and A, likely first used by the Byzantine Junilius Africanus (*Patrologia Latina* LXVIII.16) to improve the intelligibility of the text, and retaining the 'form' of a dialogue, for which see POHLENZ (*Die Personenbezeichnungen in Ciceros Tusculanen*, pp. 627–629); GIUSTA (*Tusculanae*, p. xxix). These letters have variously been understood. Lact. *Inst.* 1.15 understood (M)arcus Cicero to be speaking to (A)tticus, but this is unlikely given the characterisations of A in the *Tusc.*, and the introductory passages of book 3, *poposci eorum aliquem, qui aderant*, where surely Cicero would have given a name. It has been suggested that M is *magister*, A *adulescens*, and this was accepted by Tischer, Lambinus, and Davies; Δ = *διδάσκαλος* (easily mistook for A), an interpretation Fohler liked; or A may be simply stand for *auditor*, as Manuntius, and Lallemand. Reid remarks in his introduction to the *Academica* that Cicero always clearly marked his interlocutors, but the *Tusc.* may be an exception to this rule. Lack of names is characteristic of the 'schola', and in this the *Tusc.* differ from Cicero's other dialogues. In those other works, names play an important role and speakers are assigned names of well-respected Roman citizens. This is done to instil some greater status into the dialogue, since in Cicero's time philosophy, which distracted from political or public business, was considered an idle trifle (LEVINE: Cicero and the Literary Dialogue, pp. 148–149; POWELL: *De Senectute*, p. 5). For example, in *N. D.* the sceptical position which had some harsh criticisms of typical Roman religious practices was given to Cotta who was at the time pontiff and was soon to be consul (at least in terms of the setting of the dialogue). His influence and authority endowed the arguments with some respectability. But there are no names given to the speakers in the *Tusc.* and it is never made clear why.

§§9–12: Cicero now puts forth the central thesis of the whole first book which he will approach from a Platonic, Stoic, and Epicurean (i.e., Democritean) standpoint; and despite the competing approaches, he will always reach a positive conclusion that death is not an evil.

eisne: the mss. generally have the relative in the form of *hi* or *his* which most recent editors alter; Pohlenz, whom Drexler and Giusta follow, alter the orthography of *ei* or *ii* to *i*, NEUE-WAGENER. 2.381. I have not followed this practice and retain the more authentic *ei*.

utrisque: The most famous syllogism proffered against the fear of death is Epicur. *Ep. Men.* 125, *ὁ θάνατος οὐθὲν πρὸς ἡμᾶς, ἐπειδήπερ, ὅταν μὲν ἡμεῖς ὄμεν, ὁ θάνατος οὐ πάρεστιν, ὅταν δ' ὁ θάνατος παρῆ, τότε ἡμεῖς οὐχ ἔσμεν*, and cf. Epicur. *Sent.* 2, and ps.-Pl. *Ax.* 369b. The question is phrased as a school thesis, but the idea itself predates the philosophers, cf. Achilles' famous pronouncement Hom. *Od.* 11.489ff, *βουλοίμην κ' ἐπάρουρος ἐὼν θητεύεμεν ἄλλω, | ἀνδρὶ παρ' ἀκλήρω, ᾧ μὴ βλοτος πολὺς εἴη, | ἢ πᾶσιν νεκέσσι καταφθιμένοισιν ἀνάσσειν*. On Cicero's phrasing, Muretus quotes E. I. A. 1251ff, *μαίνεται δ' ὅς εὐχεται θανεῖν· κακῶς ζῆν κρείσσον ἢ καλῶς θανεῖν*. The thought is common in Euripides, cf. *Heraclid.* 595, *τὸ γὰρ θανεῖν κακῶν μέγιστον φάρμακον μονίεται*, and *Med.* 285ff, — but so is its opposite, such as *Hec.* 379, *θανῶν δ' ἂν εἴη μᾶλλον εὐτυχέστερος ἢ ζῶν*, and *Hel.* 298ff.

est miserum quoniam malum est: Cicero has been accused by a few editors of a tautology here, but there is a difference between *malum* and *miserum*. The former, we can say, is an 'objective' evil (*qua natura non bonum*), whereas the latter *miserum* is 'subjective' (*id cuius molestia sentire potest*). The Stoics thought that only moral evil (*κακία*) could make one unhappy; consequently, death was thought to be unable to make unhappy and so classified as an 'indifferent'.

miserum: = 'ein Unglück' (Küh.), the neuter standing as a predicate in opposition to *malum*, but not a substantive as *bonum* and *malum* were, cf. Pl. *Phd.* 105e, *ἀθάνατον ἄρα ψυχῆ*, and *Fin.* 5.28.84.

non miser: sc. *est*; in short sentences expressing a general opinion, Cicero commonly leaves off the concluding copula *esse*, cf. 25, 61, *absurdum id quidem*.

tibi constare: = 'to be consistent with yourself', *ὁμολογεῖν σεαυτῷ*, cf. *Tusc.* 2.2.5, *Off.* 1.33.119.

moriendum esset... uiuerent: for the sequence, Madv. *Gram.* 517; we may have expected the tense and mood of the subordinate clauses to be present indicative, but often they are attracted into the governing conditional, cf. *De Or.* 1.210–212. E. *Tr.* 636, *τὸ μὴ γενέσθαι τῷ θανεῖν ἴσον λέγω*. This is the Epicurean argument that our existence is symmetrical, and our state before birth will be similar to the state after death, Lucr. 3.832–842, and 3.972–5. The distinction which Epicurus and Lucretius make does not consider the fear of dying (*metus mortalitatis*), only the fear of having become dead. Cicero goes on to treat this point particularly in 7, 14. See WARREN (Lucretius, Symmetry Arguments, and Fearing Death); ROSENBAUM (Symmetry Argument).

quidem eorum qui uiuerent exciperes — moriendum est enim omnibus —, esset tamen miseriae finis in morte. quoniam autem etiam mortui miseri sunt, in miseriam nascimur sempiternam. necesse est enim miseros esse eos qui centum milibus annorum ante occiderunt, uel potius omnis, quicumque nati sunt.

Ita prorsus existimo.

10 Dic quaeso: num te illa terrent, triceps apud inferos Cerberus, Cocyti fremitus, trauectio Acherontis,
mentó summam aqúam attfngens enectús siti

8. *Non.* 401, 29.

2 autem] tamen S 6 trauectio] sic VGEL: alii trans V^c marg. in traiectio corr. K 8 aquam] trisyll. Lachmann ad Lucr. 6.552: amnem coniec. Buecheler; hiatusne post aquam in fine dim. iambici? Drex.: inueni in Minerva Francisci Brocensis, 1.8 sic 'attngens siti enectus Tantalus' 8 enectus. . . Tantalus] enecatatus corr. Or. sqq. Küh., et plurimae edd. vett. sed enectus pro enecatatus; cf. Prisc. G. L. 2.470.18; ADAMS (Uses of Neco).

tu quidem: cf. 3, 6 n.

miseriae finis in morte: cf. Luc. 8.395 *sed tua sors leuior, quoniam mors ultima poena est nec metuenda uiris*, and Caesar's famous speech in Sall. *Cat.* 51.

in miseriam: *in* expresses result, rather than purpose.

sempiternam: cf. 47, 118

qui... occiderunt: Cicero assumes a very great antiquity of mankind. The assumption appears to be that the world is neither created or destroyed, and that this cycle of death and birth is eternal: he is likely thinking of the Pythagoreans, on which see above 2, 5 n., and Plin. *H. N.* 2.1.1, *mundum et hoc quodcumque nomine alio caelum appellare libuit, cuius circumflexu degunt cuncta, numen esse credi par est, aeternum, immensum, neque genitum neque interiturum unquam.*

V. §10: Cicero did not concern himself with the survival of the soul until very late in life. He of course knew about the traditional *di manes*; the myths of Plato; the Eleusinian mysteries (he was an initiate if we trust *Leg.* 2.36); as well as the many different philosophies on the soul we read in the doxography which follows below — yet hardly any of these are discussed by Cicero until 45B.C. (SULLIVAN: *Intimations of Immortality*, p. 16). With the death of Tullia, Cicero was brought face to face with the great problem of death, and it woke in him a religious instinct which he described to Atticus when he sought his opinion about a *fanum* for his daughter, *Att.* 12.18, *longumque illud tempus cum non ero magis me mouet quam hoc exiguum* etc. Though he generally derided the notions of Hades and its terrors, he does imply that he believed in them. His daughter was now dead, and their possibility stirred in him an intolerable misery which compelled him to treat the problem philosophically; we find that the whole argument of this first book rests on addressing the question of vulgar religious sentiments, cf. 41, 111, *illa suspicio intolerabili dolore cruciat, si opinamur eos quibus orbat sumus esse cum aliquo sensu in is malis quibus volgo opinantur. hanc excutere opinionem mihimet volui radicitus*, etc. We should then expect, as we have here, that Cicero should begin with the beliefs which were commonly held among the Romans.

num...tum...fortasse etiam: observe the transition from a negative to an affirmative form of the question.

illa: often used to point out celebrity and is responded to by *ista* below. Cicero shows a scorn for the fanciful stories of the underworld and says later (*N. D.* 2.5) that these legends have lost their hold on the mind of the educated despite the endurance of the chthonic myths (CUMONT: *Afterlife in Roman Paganism*, pp. 75–76). Nevertheless, Cicero cannot entirely reject the intellectual tradition, and even Socrates claims to believe the myths in the *Gorgias*. We have references here to the underworld, and again in 21, 48. Both passages constitute an attack on poets, similar

to Plato's criticism in his *Rep.* in 6, 11, *poetarum portenta*, and *Tusc.* 2.34, *ut ferunt poetae* (again about Minos). We have other parallels in *Off.* 3.99, *omittamus... fabulas; ad rem... veniamus; N. D.* 2.66, *ex fabulis*, and *Sen.* 1.3, *parum enim esset auctoritatis in fabula*. Here, however, the tone is quite ironic, playful and is not too be leaned upon too heavily. Cicero draws generally upon the Greek tragedians or Homer (cf. *Off.* 3.97) from whom he often translates freely; or else from Accius (particularly his *Atreus*), or other Roman tragedians. He chooses myths which will be well known to the reader, and though rarely in his other philosophical works, he quotes frequently in the *Tusc.*, where we have some 58 examples. Seneca uses the same stock examples in *Sen. Ep.* 24.18, *dicam vanos esse inferorum metus, nec Ixionem rota volvi nec saxum umeris Sisyphi trudi in adversum nec ullius viscera et renasci posse cotidie et carpi; nemo tam puer est ut Cerberum timeat et tenebras et larvalem habitum nudis ossibus cohaerentium*, and *Sen. Cons. Marc.* 19.4.

Cicero's use of myths is flexible, and he has no qualms about modifying the myths to suit his end (e.g., he attacks Philoctetes in *Tusc.* 2.33, and yet identifies himself with the hero *Fam.* 7.33.1), and cf. opening of the *Leg.* We understand Cicero's purpose when we examine his modification of the Coriolanus story at *Brut.* 41–44, *concessum est rhetoribus ementiri in historiis, ut aliquid dicere possint argutius*, and the remarks of Quint. *Inst.* 5.11.6. It is not so much the 'facts' of the stories that we are invited to entertain, but the visual scenario that Cicero wishes to conjure. See STEINER (Cicero as a Mythologist, p. 196); CANTER (Mythology in Cicero, p. 39). Lact. *Inst.* 3.19.1–3 attacks Cicero for excluding the possibility of the wicked being punished in the afterlife. It must be remembered that Cicero must remove any fears of the punishment of the gods, without removing the gods themselves or impugning the Roman *religio* (SOLMSEN: *Cicero on Religio and Superstitio*, p. 159). It is the discussion here in the *Tusc.* which becomes the seed for *De Natura Deorum*.

triceps Cerberus: also called by Hor. *Carm.* 2.13.34 *belua centiceps*, Verg. *Aen.* 6.417, *latratu trifauci*; Hes. *Theo.* 312, *κύνα πεντηκοντακάρηρον*.

Cocytus: *Κωκυτός*, the river of wailing (hence *fremitus*), mentioned by Cicero only here and in *N. D.* 3.17.43; it occurs in Plato's description of the underworld, *Pl. Rep.* 387c and again with great detail in *Pl. Phd.* 112e, MORRISON (The Shape of the Earth in Plato's "Phaedo", pp. 115–116). In Vergil, souls of the unburied cannot cross it.

trauectio Acherontis: *trauectio* is a *ἄπαξ*, here presumably translating the *ὄχηματα* in Plato; the image may point rather to Charon than the boat itself, cf. A. *Th.* 856. It represents the fearful elements of Hades, cf. Lucr. 3.37, *et metus ille foras praeceps Acheruntis agendus | funditus humanam qui vitam turbat ab imo*.

Tantalus tum illud, quod

Sisyphus uersat

Saxum sudans nitendó neque profícit hílum,

fortasse etiam inexorabiles iudices, Minos et Rhadamanthus? apud quos nec te L. Crassus defendet
 5 nec M. Antonius nec, quoniam apud Graecos iudices res agetur, poteris adhibere Demosthenen;
 tibi ipsi pro te erit maxima corona causa dicenda. haec fortasse metuis et idcirco mortem censes
 esse sempiternum malum.

VI. Adeone me delirare censes, ut ista esse credam?

An tu haec non credis?

10 Minime uero.

Male hercule narras.

Cur? quaeso.

Quia disertus esse possem, si contra ista dicerem.

3. *Non.* 121, 4; 353, 8

1 tantalus] tantulus X *Nonii et Prisciani par codd., corr.* K² 2 sisyphus] sisyphius X 3 profícit] profícit X: profícit H
 3 hílum] *alii:* girum H 3 tum...hílum] *Lucilio assignauit Becker, Drexler et Pohlenz Ennio coniectura, cf. Marx ad Lucil.*
 1375. 5 quoniam] quamquam *Lal. ex duo. codd.* 9 an tu] aⁿ tu. annon credis V^c (*an in rasura V²*): ain tu? haec
Bouhier, cf. GIUSTA (Testo, p. 40)

Tantalus: cf. Hom. *Od.* 9.582–592, and *Tusc.* 4.16.35, where he adduces the alternative myth of Tantalus with the rock hanging over him. Most recent editors take *Tantalus* as not belonging to the verse, in which case *aquam* is trisyllabic, and makes the verse iambic trimeter, cf. *Lucr.* 6.552, 868, and 1072 *aqiui*.

Sisyphus: pronounced *Sisyphu'* (dactyl), the final -s is elided in old Latin, often disregarded in scansion and omitted in inscriptions, as Cicero explains *De Or.* 4.8.161. For the description, we can compare Hom. *Od.* 11.593–600, and *Lucr.* 3.1000, *hoc est aduerso nixantem trudere monte saxum*. Ixion is often included as a third sinner in Hades, cf. *Pl. Grg.* 525e.

hílum: hílum is the root of nihil (= ne hílum), and mostly used with negation, cf. *Lucr.* 3.830, *nil igitur mors est, ad nos neque pertinet hílum*, and 3.22ff, 785; 5.1408; *Enn. apud Varr. L. L.* 4.22.

Minos: brother of Rhadamanthus, and king of Crete, who is said to have founded many useful laws; after his death he became one of the judges of the shades in Hades, Hom. *Il.* 13.450, 14.322, Verg. *Aen.* 6.432.

Rhadamanthus: among the Greeks, *Pi. Od.* 2.76–84 and Hom. *Od.* 4.561ff place Rhadamanthus in the fields of Elysium, rather than the gloomy Hades. With *inexorabiles*, and as shown by 39, 93, *aniles*, Cicero is drawing upon the myth of the last judgement in *Pl. Grg.* 524ff. Aeacus is often considered a third judge.

L. Crassus...M. Antonius: cf. 3, 5 n. Crassus, born 140B.C., Antonius, 143B.C., were the best orators from the preceding generation (*Brut.* 36–40, 43, 44, 53), and could be considered to be in the underworld. Cicero admired them, though this admiration was not shared by others. Antonius left no written speeches, see MALCOVATI (ORF, pp. 221–259). It seems strange that Cicero's conception of the underworld here is filled portrayed mainly through Greek mythology, and both Crassus and Antonius may seem clumsily attached to the image; Cicero furthers his forensic imagery by painting a court in the underworld with sitting judges, presumably to weigh the life of each of the dead and it is an orator who would come to the defense.

quoniam: an ellipse is involved with *poteris*: 'I also add this fact, since', etc.

Graecos iudices: a wry comment by Cicero intended to elicit a smile from the reader. If the Greek are so inferior to the Romans, why do they sit as judges of the dead?

adhibere: in a legal sense, 'retain the services of'; legal language pervades this first half of the *Tusc.*

tibi ipsi pro te: this is in contrast with the Greek practice where defendants normally spoke on their own behalf though speeches could be written for them. Romans very rarely spoke as defendants on their own behalf but there were important exceptions, cf. *Brut.* 127, 304; it seems that their fear would be sincere, *Fin.* 2.74, *si coronam times*, and see ALEXANDER (Trials in the Late Roman Republic).

maxima corona: i.e., listeners who encircle the speaker, in this case the shades of the dead. cf. *N. D.* 2.1.1, *Fin.* 2.22.74, *Brut.* 84.289, *Mil.* 1. Here, it is an ablative absolute defining the circumstance.

VI.: The argument now turns momentarily to the consideration of the Latin verb esse and the meanings of being. Though the sections are playful, and I think are designed to capture readers' attention through paradox. This sets the groundwork for the later discussion of the exact definition of what mori means.

ista: *iste*, the demonstrative pronoun of the second person is often used for that which is referred to the person addressed. It is strongly compared to *haec* which follows (i.e., demonstrative of the first person) and this helps to create a scene of liveliness, cf. *Cat.* 1.6.17. The dramatists offer many sportive illustrations of these pronouns.

esse: here = 'really exist', below 6, 12 n.

male...narras: = *quae dicis non libenter audio*, 'Du sprichst nicht gut. Ei, das ist mir nicht lieb!' (Wolf), 'I'm sorry to hear that.' The language is colloquial, like *Parad.* 3.2.23, *bene hercule narras*, *Att.* 16.14, *male narras de Nepotis filio* (he was dead), *Ter. And.* 5.6.6, *narras probe*, and *Ter. Eun.* 5.3.7, *bene edepol narras*.

disertus esse possem: = 'accomplished speaker', and for the distinction between *disertus* and *eloquens*, cf. *De Or.* 1.21.94. Wilkins compares Quint. *Inst.* 8, *prooem.* 13, *diserto satis dicere quae oporteat; orante autem dicere proprium est eloquentissimi*, and *Or.* 5.18. Grammatically, *Fest.* 75, 15 (Lindsay) connected *disertus* with *disserere*, but the quantity is against it. Wilkins suggested, however, that it contains the same inseparable preposition and with the neglect of the rhotacism, the select element will be *-art*, as in *ars*: the meaning will then be 'accomplished in various directions'. I find further evidence for this in *Mart.* 10.79, where it used of one who speaks also in a calm, smooth manner instead of sneering with acerbity. But against this view, LEUMANN (Lat. *Disertus*, pp. 547–550) derived it from **dis-erctus*, **dis-erceo*; in this case, the adjective would refer exclusively to speech and only secondarily to the speaker (WEISS: An Oscanism in Catullus 53, p. 358).

11 Quis enim non in eius modi causa? aut quid negotii est haec poetarum et pictorum portenta conuincere?

Atqui pleni libri sunt contra ista ipsa disserentium philosophorum.

Inepte sane. quis enim est tam excors, quem ista moueant?

Ergo apud inferos miseri non sunt, si ne sunt quidem apud inferos ulli.

Ita prorsus existimo.

Vbi sunt ergo ii, quos miseros dicis, aut quem locum incolunt? si enim sunt, nusquam esse non possunt.

Ego uero nusquam esse illos puto.

Igitur ne esse quidem?

Prorsus isto modo, et tamen miseros ob id ipsum quidem, quia nulli sint.

1-2. *Non.* 375, 29 7. *Serv.* 4.20

3 disserentium] disserentium V^c: dissenentium G 3 philosophorum] disserentium philosophorum GVR: philosophorum *del. Hand* 4 moueant] ^{co}moueant V^c 5 ergo... si] si ergo... ne sunt quidem Ω, *defendit* LUNDSTRÖM (Glosseme, p. 100): *transponit* GIUSTA (Testo, p. 119) 11 nulli sint] *sic* RVGB: nulli sunt S, *et Or., Mo.*

§11. **quis enim:** *enim* implies an ellipsis (as γάρ commonly does in Greek) such as *facile credo*. Kühner noted that both it and *nam* are used when the reader is expected to supply the reasoning.

aut quid... conuincere: = *redarguere*, i.e., refute, cf. *N. D.* 2.1.3, *conuictis Epicuri erroribus*.

portenta: often used of almost wondrous falsehoods, cf. *N. D.* 1.18, *portenta et miracula non disserentium philosophorum, sed somniantium, Fin.* 4.25.70, *Ac.* 2.123, and *Pl. Hp. Ma.* 283c, *τέρας λέγεις καὶ θαυμαστόν*.

pleni libri: Pohlenz quotes *Fam.* 11.12.1, *tres uno die a te accepi epistulas: unam brevem... duas pleniores*, i.e., rather lengthy or substantial, but this not quite what Cicero means here. Reid's quotation of *Fam.* 9.16.6 is more apt, *cum plena sint monumenta Graecorum, quemadmodum sapientissimi viri regna tulerint vel Athenis vel Syracusis*. It shows that the existence of these 'collections' of sayings or arguments was common enough, cf. *Sen. Ep.* 33.2, *eiusmodi vocibus referta sunt carmina, refertae historiae*. Further, and although they were written down, *Sen. Ep.* 24.6-18 shows that these fables and their counter-arguments were widely current, *decantatae inquis in omnibus scholis fabulae istae sunt*, especially among the Epicureans.

However, I would suggest a different parallel at *Aug. Acad.* 1.2.5, *cum ecce tibi libri quidam pleni*, where Augustine means that Neoplatonic books were 'complete' in the sense that they cover all aspects of Platonic metaphysics and Christian doctrine. If the usage is similar, then Cicero means here that these Epicurean works covered every possible aspect of the underworld and argued against popular superstitions (the underworld looms large in *Lucr.* 3.37-40); Epicurus would have felt betrayed by the Academics and Peripatetics who continued to defend the popular misconceptions of the Gods and underworld with elaborate theories. This of course leads to his rationalisation of myth, and an attack on religion. (Aristotle accused his adversaries of *δεινὴ ἀθεότης*). See SOLMSEN (*Epicurus and Cosmological Heresies*, p. 5); GIGANDET (*Lucrèce et les raisons du myth*, pp. 12-14), and below 39, 93.

philosophorum: *Hand* suspected this as a gloss on *disserentium*, and deleted it; the vulgate reading is *contra ista ipsa philosophorum disserentium*; Verburgius and Davies instead read *philosophorum contra ista ipsa disserentium*. All recent editors follow Orelli's *disserentium philosophorum* which Kühner found 'elegantissimum', as it not only stands in contrast with *poetarum* and *pictorum*, but also last in the clause for emphasis. There is of course some ironic gibing here with *inepte sane*; Cicero is thinking of the Epicureans who are 'tilting at windmills'.

quis enim est: *Or., Mo.*, and others alter the order of the

words to *quis est enim*, which follows Küh.'s rule on their order in his n. on 27, 66. Most recent editors have *quis enim est* which is the usual position of *enim*.

excors: 9, 18 n.

ergo... si: The mss. agree in reading *si ergo... ne sunt quidem*, and many editors have complained about the difficulty and logic of the statement (Pohlenz called it 'unlogisch ausgedrückt'). Cicero seems to be arguing, 'If, therefore, those whom you call miserable are not among the infernal shades [whose existence was just denied], then certainly there could not be anyone there at all.' The assumption is still of course that the *inferos* exist, and so the speaker quickly shifts his position from denying the existence of Hades to denying any existence after death. Giusta rightly points out the phrase *si ergo* is unusual in Cicero (only elsewhere in *Att.* 12.37.2, and 15.15.1), and so the text I think warrants his transposition, which helps clarify the logic. 'If there is no one among the infernal shades at all, then certainly those who are miserable in death cannot be there.' This leads more naturally to the questions which follow.

ne... quidem: = οὐδέ, and so it does have not its usual force of gradation which would give prominence to the object of negation (i.e., 'not even'); with *ulli* at the end it means 'also not', or 'as little as this or something else'. We have other examples at 6, 12; 7, 14; 22, 53; and 25, 63; cf. *Brut.* 199, and *Caes. B. C.* 2.33, *ne Varus quidem dubitat copias producere*. See Mayor on *Phil.* 2.5.10, and Magvid's *Excurs.* III in his *Fin.*

si enim sunt: The Stoics believed that a man was a complete mixture (κρᾶσις δι' ὅλων, SVF. 2.473) of the universal matter ὕλη and a ψυχή which comes from πνεῦμα. The soul, when separated from the body, retained its identity after death at least for a time; because it continued to exist after death, it must therefore exist somewhere, SVF. 2.790, and see SEDLEY (*The Stoic Criterion of Identity*, pp. 260-261); LONG (*Soul and Body in Stoicism*, pp. 38-41); HOVEN (*Stoiciens face au problème de l'au-delà*).

nusquam esse non possunt: i.e., *fieri non potest quin unquam sint* = 'they must be somewhere'; this should not be confused and taken to be a statement by Cicero about 'nothingness'.

igitur: 2, 4 n.

nulli sint: *nullus* rather than *non* is used in colloquial and comic usage, *Att.* 11.24.4, *Ter. And.* 370, *Ter. Eun.* 216, *Ter. Hec.* 79. As here, *Sen. Cons. Marc.* 19.5, *nec potest miser esse qui nullus est* implies a strong negative standing almost adverbially for 'in no way at all', cf. *Cat.* 1.7.16, *miseri cordia, quae tibi nulla debetur, Sen.* 15.51.

quia... sint: subj. because he speaks according to his

5

10

Iam mallem Cerberum metueres quam ista tam inconsiderate diceres.

Quid tandem?

Quem esse negas, eundem esse dicis. ubi est acumen tuum? cum enim miserum esse dicis, tum eum qui non sit dicis esse.

5 Non sum ita hebes, ut istud dicam.

Quid dicis igitur?

Miserum esse uerbi causa M. Crassum, qui illas fortunas morte dimiserit, miserum Cn. Pom-

12

2 quid] quid RVGS: qui tandem *primus Ben. et Or., adp. Wes.*, cf. *Clu.* 70, *Dom.* 24, *N. D.* 3.3. 5 istud] istud X: ista PE 7 M] omittunt X: add. V^c s

own reasoning. Some editors (Or., Küh.) prefer *sunt*, but this reading of course would beg the question now under scrutiny.

§12. iam: the phrase has an energetic force and express surprise, as ἤδη often does in Greek (Xen. *Smp.* 5.5). Translate, 'When you come to say something like that, I could prefer', etc.

tandem: i.e., *quid tam inconsiderate dixi?*, which makes good sense; the singular *quid* is used rather than *quae* to minimise the censure of the previous *ista*.

acumen ... hebes: These two words are carefully correlated to bring out their original meaning.

tum eum: this has given editors difficulties, but without reason. Sey. and Sor., following Bake, strike out *tum*, while Mo. conjectured *tu*. Dougan also questioned its soundness. Kühner, however, saw the sense as *einmal... und dann* which mirrors the antecedent construction. Translate, 'For you not only call him miserable [i.e., and imply his existence], but also says that he doesn't exist.'

qui non sit: not a class subjunctive (as Dougan claims) but a continuation of reported reasoning, following *quia sint*.

esse: can be either copulative in a weak sense, 'to be', or else emphatic in meaning, i.e., 'to exist.' The sophistic reasoning here revolves on the predication of something which does not in fact exist, a problem of attribution which faced philosophers early on. (GUTHRIE: *History of Greek Philosophy*, vol. 5, pp. 147–148). The problem is with the Latin *esse* used to translate the versatile Greek *εἶναι*. Arist. *Metaph.* 1030a dealt with some of the difficulties between predication and existence, *καὶ γὰρ τὸ τί ἐστὶν ἓνα μὲν τρέπον σημαίνει τὴν οὐσίαν καὶ τὸ τόδε τι, ἄλλον δὲ ἕκαστον τῶν κατηγορουμένων, ποσὸν ποιὸν καὶ ὅσα ἄλλα τοιαῦτα*, etc., and he explored other various nuanced understandings of 'to be' further throughout Arist. *Metaph.* 4, and 9.1051a–b: there Aristotle says that the Greek verb can signify predication, potentiality, actuality, and truthhood. Now, though we have some evidence that some early Presocratics argued that 'whatever is, is somewhere; what is nowhere, is not' (D.–K. 29a24), in general Greek notion of 'existence' did not necessarily imply 'location'. The Presocratic concept was argued against by Pl. *Ti.* 52b, *ὄνειροπολοῦμεν βλέποντες καὶ φάμεν ἀναγκαῖον εἶναι πού τὸ ὄν ἅπαν ἐν τινὶ τόπῳ καὶ κατέχον χώραν τινά, τὸ δὲ μήτ' ἐν γῆ μήτε πού κατ' οὐρανὸν οὐδὲν εἶναι* (even though he still places his new Forms in a new 'place'), and see also Pl. *Euthd.* 283e–284e, and Pl. *Rep.* 476e–478e. Nevertheless, the 'locative' association carries on into the Hellenistic cosmologies, and it is very notable in Epicurean and Stoic metaphysics. (KAHN: *The Greek Verb 'To Be' and the Concept of Being*, pp. 257–258).

The Latin *esse* shares with the Greek *εἶναι* a 'locative' property in addition to its normal 'existential' meaning. However, the Greek differs by not necessarily implying existence: strictly, we cannot say that *Crassus est miser* entirely equates to *Κράσσοσ ἐστὶν ἄθλιος*, since the Greek could imply only potentiality. However, the use of *esse* requires us

to understand existence within a space. The interlocutor tries to remove this implication of existence by removing *esse* from his assertion. Here we feel the awkwardness of Latin in such concepts before its medieval elaborations.

Interestingly in Greek, the verb *εἶναι* does not have an aorist or perfect, instead all three of its tenses are formed from present durative stem, where see MEILLET/VENDRYES (*Grammaire Comparée*), 270. For a Greek, *Crassus fuit miser* would be untranslatable (*γενέσθαι* would = *exstitisse*). These squabbling sections 12–17 remind us of the controversies of the Eleatics, and the description in Pl. *Sph.* 216b, *τάχ' ὄν ἂν καὶ σοί τις οὐτος τῶν κρειπτόνων συνέπιπτο, φαύλους ἡμᾶς ὄντας ἐν τοῖς λόγοις ἐποφθόμενός τε καὶ ἐλέγξων, θεὸς ὢν τις ἐλεγκτικός*.

istud: 'plurimi editi habent *ista*, non male', (Kühner); however, I prefer the mss. *istud* which refers then only to the faulty position *eum qui non sit dicis esse*. The plural is too general, but the singular meaning helps to narrow and create focus for the arguments which follow.

igitur: the rarer third position, so placed to emphasise the word preceding, and used often this way in the *Tusc.*, 2.19.45, 3.10.23, 4.18.41.

M. Crassus: M. Licinius Crassus, triumvir, fell along with his son Publius at Carrhae 53B.C. and was a Roman exemplum for the ruling passion of avarice (*Fin.* 3.75). There can be no doubt why Cicero chooses him as the first example of a man who can be called *miser* because his defeat was preceded by dire omens and positive curses, *execrationes, ἀραὶ* (Vell. Pat. 2.46.3; App. B. C. 2.18, D. C. 39.39–40). It was said that Aetius Capito, tribune in 55B.C., uttered imprecations of evil against Crassus as he passed the Roman pomerium, i.e., the augural boundary, Plu. *Crass.* 16, though there may be confusion with Crassus Mucianus, see SIMPSON (*The Departure of Crassus for Parthia*). He suffered ill fortune, perishing himself along with his son, losing the standards and most of his army. Cicero considers Crassus' fate in *Div.* 1.29.

qui dimiserit: the subjunctive gives the reason why. The verb *dimittere* is used in its rarer sense of 'surrendered', 'abandoned', or 'lost', but certainly with no implication of the loss being voluntary which is its more usual meaning. Moser cites *Caecil.* 26.75, *patrimonium unius incommodo dimittetur, ius amitti non potest sine magno incommodo civitatis*, and Dougan adds *Phil.* 2.15.37.

Cicero will later return to this theme in 36, 86 when he analyses more closely the argument that the dead are miserable because they continue to feel the loss of their life. Now, if we have Cato's words in mind at Lucan 9.265, *unum fortuna reliquit iam tribus e dominis*, we may think that Cicero has political reasons for recalling men who were both triumvirs and now dead; but here, Crassus' tragic loss of not only his life, but also his great wealth, his position in Rome, his army, and finally his son would make him the most forceful example of why a soul would be miserable in his loss. They are fresh, poignant Roman names of men who have suffered such great misfortune.

peium, qui tanta dignitate, tanta gloria sit orbatus, omnis denique miseros, qui hac luce careant.

Reuolueris eodem. sint enim oportet, si miseri sunt; tu autem modo negabas eos esse, qui mortui essent. si igitur non sunt, nihil possunt esse; ita ne miseri quidem sunt.

Non dico fortasse etiam, quod sentio; nam istuc ipsum, non esse, cum fueris, miserrimum puto.

13 quid? miserius quam omnino numquam fuisse? ita, qui nondum nati sunt, miseri iam sunt, quia non sunt, et nos, si post mortem miseri futuri sumus, miseri fuimus ante, quam nati. ego autem non commemini, antequam sum natus, me miserum; tu si meliore memoria es, uelim scire, ecquid de te recordere.

VII. Ita iocaris, quasi ego dicam eos miseros, qui nati non sint, et non eos miseros, qui mortui sunt.

Esse ergo eos dicis.

1 tanta dignitate] sic (-ta digni | tate tan- in marg.) S, et habet V^c in marg. excurrens: tanta gloria solum X, sed facilius per haplographiam omitti potuit quam addi, cf. GIUSTA (Testo, p. 14) 3 sunt] del. Bent. 4 etiam] omm. X: habuit V^c 6 §13. quid] quid X: qui id Giu., qui contulit Fin. 2.108, Am. 92, cf. POWELL (CR, 37, p. 30). 6 quam... fuisse] quin... fuisse Bentl. qui haec auditori tribuit. 7 si... sumus] si... sumus X: sic... sumus, <ut> miseri Giu., qui mihi videtur ex his paradoxis errare. 9 recordere] sic s: recordare X 10 eos miseros] X alii: eos V^c 10 sint] sint X: sint PM 10 miseros] miseros V^c 10-11 mortui sunt] mortui sunt X: mortui sint V^c, cf. sunt 7, 14, 40.

tanta dignitate: the mss. V^c adds, and Victorius retained *tanta dignitate*, though most older editors were in disagreement whether it should be excluded. Giusta believes it more likely to fall out than be added: and why would *tanta dignitate* be a gloss upon *tanta gloria*? We have an example of similiar phrasing in the funeral speech, *Laud. Turiae*, CIL 5¹, 1527, 2.65, *tantis talibusque pr<aes>idiis orbatus*. Cicero's language resembles that of a *laudatio funebris* (CRAWFORD: *Laudatio Funebris*), which as Cicero himself says should be a brief testimony, simple and unadorned, *De Or.* 2.84.341, *nostrae laudationes, quibus in foro utimur, aut testimoni breuitatem habent nudam atque inornatam*. Here it is evocative of the fact that Pompey never had a glorious funeral or a funeral speech (Plutarch simply says his ashes were buried by his wife in Alba), which may be why Cicero says that he was bereft of *dignitas*.

reuolueris eodem: the argument is that the verb *careant* implies existence, and so the argument is reduced to a previous (and admittedly untenable) position. For the phrase, cf. *Ac.* 2.18, *hoc cum infirmat tollitque Philo, iudicium tollit incogniti et cogniti; ex quo efficitur nihil posse comprehendi. ita imprudens eo quo minime volt reuoluitur*, and *De Or.* 2.130, *Div.* 2.13 (with Pease's n.); it indicates that this position will eventually be abandoned, cf. MANSFELD (Philo and Antiochus in the Lost Catulus, p. 56), and below 7, 14 n.

oportet: i.e., logical necessity, '*ratio postulat ut*'; on the other hand, when *oportet* signifies duty, it is usually found with accusative and infinitive construction, *Madv. Gram.* 366. This is a deductive mixed hypothetical syllogism; the language (*si, autem, igitur*) recalls the logical structures which Cicero dealt with extensively in his *Inv.*, particularly 1.62-67, for which he drew heavily upon Aristotle and Theophrastus. He follows similar methodology here. After playing with some paradoxes, Cicero begins with the hypothesis that death is an evil; he will in turn assume the truth of both second premises (the *assumptions*) — that either we do exist after death, or that we do not exist after death. He will then go on to prove how either is possible (the *approbationes*). The only logical conclusion (the *complexio*) is that death can be no evil. For an outline of Cicero's use of logical structures, see FORTENBAUGH (Cicero and Hypothetical Syllogistic, pp. 36-37); OCHS (Cicero and Philosophic Inventio). In many ways, the philosophic organisation of the *Tusc.* also reflects or resembles the arrangement of Cicero's juridicial speeches,

which is not surprising given the nature of the *Inv.*

non... etiam: *etiam* = *et-iam*, 'not yet', cf. *Verr.* 3.84.194; Pohlenz adds *Ter. And.* 503, *non satis me pernosti etiam qualis sim*.

cum fueris: = *cum quis fuerint*, subj. for a second person whose existence is assumed, *Madv. Gram.* 370. The argument here is later repeated below, 7, 14, *cum fuerint*.

§13. **quid:** Giusta wanted to alter this to *qui id miserius quam*, thinking that the copyists of mss. GK made the same error as in 48, 116, where *quidem* was read in place of *qui id*; here *quid* was read in place of *qui id*, a simple case of haplography (GIUSTA: Testo, p. 121). Powell approved, but I think LUNDSTRÖM (*Textkritik*, p. 115) is right to think that there is no need to emend. The mss. are in agreement and the reading is quite Ciceronian. Giusta's alteration to *qui id* produces questionable Latin and the parallels he cites (*Am.* 92, *Fin.* 2.108) do not hold good because there the idiom requires a result clause.

ita: = 'consequently', 'what follows is this'

qui nondum... ante quam nati: continued from 5, 9. The argument again is the Epicurean argument of symmetry, that our life after death is similar to our state before death.

commemini: 'in verbis comminisci, commemorasse aliis com- significat secum,' (Kühner). The verb *commemini* is rare in Cicero, used only here, *Or.* 1.227, *De Or.* 3.85, and *Att.* 9.2.1, not noticed by Reid.

antequam sum natus: almost adverbial and loosely attracted to the subject rather than syntactically subordinate. Translate, 'I have, as an unborn, no memories of being miserable.'

me miserum: Lambinus wanted to insert *esse*, but such an ellipse with an adjective after verbs of saying or thinking is Cicero's usual practice when not involving a perfect or future participle, K.-S. 2.5.

VII. **qui nati non sint... qui mortui sunt:** the subjunctive is not oblique but rather defines a class (i.e., all those who are not yet born). Baiter read *mortui sint*, but the clauses are opposed to each other, and *sunt* refers to actual persons. The adversary reasserts confidence in his proposition by the use of the indicative.

et non eos: = *et non eos potius*, 'and — not rather,' as often *ac non* and *neque* are used in this corrective sense, cf. *Tusc.* 3.17.37, *Off.* 1.2.6, *si sibi ipse consentiat et non interdum naturae bonitate vincatur, etc.*

Immo, quia non sint, cum fuerint, eo miseros esse.

Pugnancia te loqui non uides? quid enim tam pugnat, quam non modo miserum, sed omnino quicquam esse, qui non sit? an tu egressus porta Capena cum Calatini, Scipionum, Seruiliorum, Metellorum sepulcra uides, miseros putas illos?

5 Quoniam me uerbo premis posthac non ita dicam, miseros esse, sed tantum miseros, ob id ipsum, quia non sint.

Non dicis igitur: 'miser est M. Crassus,' sed tantum: 'miser M. Crassus'?

Ita plane.

10 Quasi non necesse sit, quidquid isto modo pronunties, id aut esse aut non esse! an tu dialecticis ne inbutus quidem es? in primis enim hoc traditur: omne pronuntiatum (sic enim mihi

10-1. Gell. N. A. 16.8.8 (Hieron. adu. Rufin. 1.486)

1 quia non sint] sint X: sunt, edd. pri. 10 inbutus] imbutus GRK, Küh.: inbutus V

immo: 'on the contrary', *e contrario*, generally a negative adverb used to introduce some stronger expression, and by doing so denies the preceding.

quia non sint: 6, 11 n. *quia nulli sint*.

eo: 'for that reason', in correlation with *quia*.

pugnancia: 'self-contradictory', cf. *Phil.* 2.8.18, *tota in oratione tua tecum ipse pugnares, non modo non cohaerentia inter se diceres, sed maxime disiuncta atque contraria etc.*

non modo... sed: when followed by the adversative *sed*, it may be rendered 'I will not say miserable, but (that he should be) anything whatever', cf. *Fin.* 2.28.92, *Sest.* 50.108.

esse: sc. *eum*

egressus: the laws of the XII tables forbid burial or cremation inside the city, cf. *Leg.* 2.23, *hominem mortuum inquit lex in XII in urbe ne sepelito neve urito*. Great tombs were built therefore along the main roads into Rome so that the public could witness the familial piety of the descendants, cf. *Juv.* 1.158, *quorum Flaminia tegitur cinis atque Latina*.

porta Capena: abl. of route. The *porta Capena* was a celebrated gate of Rome in the Servian wall, out of which issued the Via Appia; it was southwest of the Caelian Hill and carried over it an aqueduct (hence *Juv.* 3.11ff, *madidamque Capenam*, and *Mart.* 3.47, *Capena grandi porta qua pluit gutta*). *Serv.* 7.697 says it took its name from a nearby town, *unde et porta Capena, quae iuxta Camenas est, nomen accepit*; others (Forcellini) says the name was corrupted from *Camena*, 'appellata est una ex portis Urbis Romae, non a Capena, sed a Camena,' and it took its name from the nearby grove of *Camena* (LUGLI: *Fontes ad topographiam*, p. 155), where the Vestal Virgins would gather their holy water, *Plu. Num.* 13.

Calatini: A. Atilius Calatinus, native from Calatia in Campania, consul in the First Punic War, 258B.C., and in 254B.C., dictator 249B.C., MRR 1.208. He dedicated a temple to Fides on the Capitoline (*N. D.* 2.61), and was known for his gravity (*Pis.* 14.). Cicero quotes his epitaph, *Sen.* 61, and *Fin.* 2.35.116: *hunc unum plurimae consentiunt gentes | populi primum fuisse virum* (MOREL/BÜCHNER/BLÄNSDORF: FPL), 7. He was one of Cicero's favorite Roman heroes. Calatinus is mentioned with the Scipios in *Planc.* 20.61 as men who have attained not only the greatest heights of honour (*gradus honorum*), but also unequalled *gloria*. His inscription shares the qualities of primacy and superiority with the inscription of L. f. L. Cornelius Scipio, Barbatus' son. *CIL* 1².8.9., ILLRP 310. The idea of glory continues to be a focus for Cicero's conception of immortality.

Scipionum: *Liv.* 38.56, *utrobique monumenta ostenduntur et statuae; nam et Literni monumentum monumentoque statua superimposita fuit, quam tempestate deiectam nuper uidimus ipsi, et Romae extra portam Capenam in Scipionum monumento tres statuae sunt, quarum duae P. et L. Scipionum dicuntur esse, tertia poetae Q. Ennii*. Cicero is referring to the great tomb

of L. Cornelius Cn. f. Scipio Barbatus, consul 298B.C., and his sons and grandsons, which was rediscovered in 1780 a little beyond the *porta Capena*.

Seruiliorum: the more famous were Cn. Seruilius Caepio, consul 141B.C., and Q. Seruilius Caepio, consul 106B.C.

Metellorum: whose family included the eminent L. Caecilius Metellus who defeated Hasdrubal in 250B.C. (*Polyb.* 1.40, *Liv. Per.* 19, D. S. 23.21) and pontifex maximus, Q. Caecilius Metellus Macedonicus, censor 131B.C., and Q. Caecilius Metellus Numidicus, consul 109, censor 102B.C.; *Vell. Pat.* 2.11.3 says after him, *Caeciliae notanda claritudo est*, and the family celebrated more than twelve consulships, censorships and triumphs in as many years. See *Gell. N. A.* 1.6, and for the family tree see DOUGLAS (*Brutus*, pp. 237-238).

sepulcra: we have various inscriptions from these sepulchers, four elogia in Saturnian verse, and one in elegiacs. *CIL* 1².8.9; 6,7; 11; and 15; ILLRP 310, 309, 312, 316, and for their dating, see KRUSCHWITZ (*Die Datierung der Scipionenelogen*). The tomb contained a number of sarcophagi; the one which belonged to Barbatus was conceived in the form of a great altar, and contained triglyphs and rosettas in metopes across the façade (SICKLE: *The Elogia of the Cornelia Scipiones*, p. 41), and in many ways lacked any contemporary parallel in Rome, which marks a turn in the Roman nobility's cultural interest. (ZEV: II sarcophago di L. Cornelio Scipione Barbato, p. 238). Barbatus was considered a *vir sapiens*, as was his son known for *magna sapientia*. The phrase *cui vita defecit, non honos* appears on his tomb and implies the continued existence of his honours and virtues, a form of immortality Cicero will pick up later in the *Tusc.* in 15, 34, and most forcefully in 38, 91, on which see notes *ad loc.* The visual image that Cicero is appealing to would be powerful for a Roman, who would have seen these tombs frequently. Many of the epigraphical inscriptions would make appeals to their readers and create a feeling that the *manes* were speaking.

me uerbo premis: this is a military metaphor (Focellini), 'you press me hard with that word' (i.e. *esse*).

miseros esse... esse: the quibble continues, and though the interlocutor leaves *esse* unexpressed, it remains implied.

§14. **an tu**: 2, 4 n. 'What, have you not learned even the first principles of dialectic?'

inbutus: as opposed to *eruditus*. *inbuere* can mean giving the first taste to anything. Dougan quotes *Hor. Ep.* 1.2.69, *quo semel est inbuta recens seruiabit odorem testa diu*, and cf. *Tac. Dial.* 19, *elementis studiorum esti non instructus, ad certe inbutus*.

in primis: i.e., 'in elementis, fundamento dialecticorum' (Kühner), as among the first subjects that dialectic teaches. Cicero is referring to his work in the *Ac*.

omne pronuntiatum... ἀξιωμα: for Aristotle, this was a

in praesentia occurrit ut appellarem ἀξιῶμα; utar post alio, si inuenero melius) — id ergo est pronuntiatum, quod est uerum aut falsum. cum igitur dicis: ‘miser M. Crassus,’ aut hoc dicis: ‘miser est Crassus,’ ut possit iudicari, uerum id falsumne sit, aut nihil dicis omnino.

Age, iam concedo non esse miseros, qui mortui sint, quoniam extorsisti, ut faterer, qui omnino non essent, eos ne miseros quidem esse posse. quid? qui uiuimus, cum moriendum sit, nonne miseri sumus? quae enim potest in uita esse iucunditas, cum dies et noctes cogitandum sit iam iamque esse moriendum?

15 VIII. Ecquid ergo intellegis, quantum mali de humana condicione deieceris?
Quonam modo?

Quia, si mori etiam mortuis miserum esset, infinitum quoddam et sempiternum malum

1 appellarem] appellarem RGP: apellarem V 1 ἀξιῶμα] αξιωμα e corr. V^c: αζωμα fere X 1 alio] alios et RGEL: alio si S: alio f V: alio si 3 G³ (= alio si et) 4 sint] sint X: si⁴nt B: sunt V 8 ecqui] ecqui X, Treg., Küh., TS. et alii: ecquid s: et quid R⁶ 10 mori] mori X, recte serauit Giu. cui mori et mortuis inter se opposita esse uidentur ut in sententia infra Epicharmi. GIUSTA (Testo, p. 122). cf. §93: si mor f V^c, suspicatus Doug. mori in mor f (mors) esse mutatum; corr. Bent., adprob. Küh., sqq. s, cf. 28, 68.

self-evident proposition, but in Stoic terms it was a proposition which is ‘assertible’ (ἀποφάντων) rather than asserted. Here, Cicero is following Chrysippean logic which expresses connections between natural objects as logical implications (as he reproduces in *Fat.* 12, SVF. 2.954). cf. *conclusum*, below 32, 78. The term is translated differently at *Ac.* 29.95, *nempe fundamentum dialecticae est quidquid enuntietur — id autem appellant ἀξιῶμα quod est quasi ecfatum — aut uerum esse aut falsum*. At that point in the *Ac.*, Cicero is arguing that dialectic produces uncertainty, and does not lead to absolute knowledge. Cicero’s use of *effatum* in the *Ac.* was a technical term already in use, and not coined by him. However, after the *Ac.*, Cicero does not use a *fari*-based term to translate this idea again, preferring instead a form of *nuntiare*. The use of *quasi* in the passage quoted further suggests that the term did not for Cicero satisfactorily represent his concept of ἀξιῶμα, and notice that here his translation is straightforward. The tone of the passage suggests that Cicero is attempting his first own translation of ἀξιῶμα (Gell. *N. A.* 16.8.8 misinterprets what Cicero means by *si inuenero melius*) and he wishes to leave his options open. (JOHANSON/LONDEY: Cicero on Propositions, p. 329). This translation is only short-lived, and Cicero refines the term at *Fat.* 20, *enuntiatio, quod ἀξιῶμα dialectici appellant*.

in praesentia: i.e., *nunc*, as opposed to *post* which follows.

occurit ut appellarem: this is the logical perfect, since Cicero had already finished the thought before he should give utterance (Moser). Kühner cites *Fin.* 3.16.33, *quod illi ἀδιδόφορον dicunt, id mihi ita occurit ut indifferens dicerem*.

id ergo est: *igitur*, rather than *ergo* is more often employed for this purpose; we should have expected *omne pronuntiatum aut uerum est aut falsum*, but the anacoluthon, employed rather commonly in the *Tusc.*, changed the construction, on which see Madvig on *Fin.* 1.21.72, 2.8.23.

uerum aut falsum: cf. ἀξιῶμα δέ ἐστιν ἀληθές ἢ ψευδός, SVF. 2.193 (= D. L. 7.65)

miser est Crassus: every proposition must have a logical subject or predicate, otherwise the statement is meaningless.

age iam: cf. HAND: Tursellinus, vol. 1, p. 209. This phrase is used when the speaker at first wishes to concede some point while he is about to bring up some new objection; and so it calls attention less to *iam concedo* than to the following objection phrased as a question *quid? qui... sumus?*

ne miseros quidem: ‘not wretched either’, cf. 23, 54.

dies et noctes cogitandum sit: cf. *Tusc.* 5.70, *noctes et dies cogitanti*.

iam iamque: ‘very soon’, more pressing than *iam*.

VIII.: The lament of the misery we suffer in life has been a common theme in philosophy across all traditions, and has been scrutinised by many philosophers and philosophies. I think it has been Lucretius who has most touchingly painted such a mournful picture of life: *tum porro puer, ut saeuis proiectus ab undis | nauita, nudus humi iacet infans indigus omni | uitali auxilio, cum primum in luminis oras | nixibus ex aluo matris natura profudit, | uagituque locum lugubri complet, ut aequumst | cui tantum in uita restet transire malorum*, Lucr. 5.223-225, a sentiment possibly copied from Rabirius(?), Ind. Herc. 2.5, *omne uagabatur leti genus, omne timoris*; Pliny, in his usual manner, also takes a very dim view, cf. Plin. *Ep.* 2, *hominem tantum nudum et in nuda humo natali die abicit ad uagitus statim et ploratum, nullumque tot animalium aliud ad lacrimas et has protinus uitae principio*, etc.; and see below on Silenus §114 and my n. there. Cicero had seen some terrible abuses throughout his forensic career, had faced exile, revolution, civil disorder and war, as well as many personal losses including divorce, death of his beloved daughter and many close friends throughout his lifetime. This is a pithy statement, frequent in works of consolation, and likely repeated from Cicero’s earlier work; understood this way can be as much aimed at his interlocutor as the author himself.

ecqui: acc. of reference, used adverbially, ‘Is it at all clear to you?’, like Hor. *Ep.* 1.18.82ff, *ecquid ad te post paulo uentura pericula sentis?* Kühner did not want to depart from the authority of the manuscripts and retained *ecqui* (‘rarissimum uocabulum’) which he thought meant *ecquo modo*; he felt vindicated by Tregder’s adoption. But this is doubtful Latin and all recent editors read *ecquid*.

deieceris: ‘How much evil have you cast aside’, cf. *Tusc.* 2.5.14, *quantum de doloris terrore deieceris?*

mori: is the reading *mors* or *mori*? Kühner supported Bentley’s alteration to *mors* (‘coniectura palmaris’). He thought that it was not the act of dying which was so troublesome to the dead but the end itself, ‘death’ (i.e., *statum mortuorum*), and hence his desired change. Nauck tried to explain *mori* as *quod morimur uel est moriendi necessitas*, but this is not what Cicero means and he is simply not expressing himself carefully. If we take *mori* to mean not only death, but its resulting state, ‘auch in Bezug auf unsern Zustand nach dem Tode’, (TS.) = ‘in relation to our state after death’, then Cicero’s meaning is clear. Giusta showed, and I agree, that the best evidence for reading *mori* is the parallel *emori* of Epicharmus, on which see below n.

malum haberemus: cf. *Att.* 7.2, *Leg.* 1.41.41.

haberemus in uita; nunc uideo calcem, ad quam cum sit decursum, nihil sit praeterea extimescendum. sed tu mihi uideris Epicharmi, acuti nec insulsi hominis ut Siculi, sententiam sequi.

Quam? non enim noui.

5 Dicam, si potero, Latine. scis enim me Graece loqui in Latino sermone non plus solere quam in Graeco Latine.

Et recte quidem. sed quae tandem est Epicharmi ista sententia?

Émori noló, sed me esse mórtuum nihil aéstimo.

Iam adgnosco Graecum. sed quoniam coegisti, ut concederem, qui mortui essent, eos miseros non esse, perforce, si potes, ut ne moriendum quidem esse miserum putem.

10 Iam istuc quidem nihil negotii est, sed ego maiora molior.

Quo modo hoc nihil negotii est? aut quae sunt tandem ista maiora?

Quia, quoniam post mortem mali nihil est, ne mors quidem est malum, cui proximum tempus

16

1 in uita] *del. Bai. Po. retinet in editione, 'sed uita hic non opponitur mortis tempori'. 7 nihil] nihil X: nihili coniect. ML, Sch., sed Giu. inuenit ex officina Hervagiana 1534 8 sed quoniam] et quoniam X: sed P, Man. 10 ego maiora molior] omm. X: sed (vel sed etiam) maiora molior dett. codd. et habent s: alio atram. superscripta sunt sed ego maiora molior V^c, Giu. 12 nihil est] omm. X: habet V^c, sub uerbis post mortem*

in uita: it is not clear exactly what *in uita* means here. Most recent editors follow this punctuation of Müller, and try to explain it as *cum uitam acciperemus*, (or *cum uitam haberemus*), but this is contrary to what Cicero just said in 6, 13. Bai., Hei., TS. bracket the words following Bentley; Chase finds them inadmissible, and suspects a gloss on *calcem*; Davies deleted them. Kühner instead takes the words with what follows and places a semicolon after *haberemus* which seems to improve the sense but ruins the prose rhythm (NISBET: CR, 16, p. 58). We have a very close parallel below in 42, 100, and rather than delete the text we should understand *in uita* to mean *in uita misera*. Such a life will be an eternal misery since sorrow will not cease even in death, though perhaps we may find some reprieve from death in life, like Sen. *Cons. Marc.* 11.1, *tota flebilis uita est*, and 19.5, where he thinks the situation reversed, that death is a state of tranquillity, and life of sorrow. But if death is a state of sorrow, as is suspected here, then a miserable life offers nothing but unbroken (i.e., *infinitum*) misfortune. Cicero of course will deny this.

nunc: there is no consensus among editors where to place the punctuation; some place it after *haberemus* and take *in uita* with what follows, while others place the punctuation instead after *in uita*. As I understand the phrase to mean *malum in uita haberemus*, I have placed it after. With this punctuation however, *nunc* = *vōv δέ*, which is to Kühner's distaste.

calcem: the goal, a line drawn with lime (*calx*), and later with chalk (*creta*) (Sen. *Ep.* 108) across the floor of the of the circus to mark the finishing point, hence the common phrase *ad calcem peruenire*, cf. *Am.* 27.101, *Sen.* 23.83. *decursum* finishes the metaphor of the race, cf. Gell. *N. A.* 14.4.

Epicharmus: the Pythagorean philosopher and comic poet whose plays often contained philosophical point. He was born on Cos, 540B.C., but moved to Sicily at a young age where he spent the remainder of his life. We have a number of fragments remaining, and a few scholars believe he had influence on later Attic drama. For his life and influence, see BERK (Epicharmus); CASSIO (Epicharmus and His Influence). Cicero quotes him in Greek in *Att.* 1.19.8, and *Q. Fr.* 3.1.23.

ut Siculi: *ut* = *ὡς*, 'as usual for a Sicilian', cf. 43, 104, *ut Cynicus*. Cicero frequently referred to the Sicilians as keen and witty, *Verr.* 4.43.95, *Brut.* 12.46, *De Or.* 2.54.217, *Caecil.* 9.28.

dicam Latine: the idea in these works is to avoid the use of Greek since Cicero is aiming for a Latin readership, as proclaimed in the preface. Up to the time of Cicero, Greek philosophy had been conducted only in Greek, and

compare Atticus' thoughts on the deficiency of treating difficult philosophical problems in Latin, *Ac.* 1.25, *quin etiam Graecis licebit utare cum uoles, si te Latina forte deficient. Bene sane facis; sed enitar ut Latine loquar*. Cicero's purpose is different in the letters, and so he introduces Greek freely in his writings to Atticus and others.

in Graeco Latine: Cicero's fluency and ease in switching between both languages is attested in *Plu. Cic.* 4.6, but compare his statement in *Off.* 1.111, *ut enim sermone eo debemus uti, qui innatus est nobis, ne, ut quidam, Graeca uerba inculcantes iure optimo rideamur*. *Juv.* 6.187 mocks the habit of *omnia Graece*.

emori... aestimo: the Latin is trochaic tetrameter catalectic, KAIBEL (Comitorum Graecorum Fragmenta), 247 (cf. *E. Heracl.* 1016 sqq.). *S. E. M.* 1.273, quotes thusly *ἀποθανεῖν ἢ τεθνάναι οὐ μοι διαφέρει*, of which H. Sauppe conjectured a metrical restoration,

ἀποθανεῖν οὐχ ἀνδάνει μοι τεθνάναι δ' οὐ διαφέρει.

If this is the Greek parallel, then *emori* and *mori* above should be understood aoristically, i.e., not 'I do not want to die', but 'I do not want to have died' and looking forward towards the state of death. This is the force of the prefix *ex-* (*TLL* 5, 1873 31) and ERNOUT (*Exsto et les composés latins en ex-*). The Greek is clearer in meaning.

nihil: The acc. of price (*nihil*) with *aestimo* is unusual, and *ML* and *Sch.* may be right in modifying to *nihili*.

adgnosco Graecum: i.e., *Graecum uersum*, = 'ex uerbis Latinis iam in mentem uenit uersum Graecum', 'I recall the Greek verse from those Latin words.' I doubt Douglas is right in thinking the reference could be to the author himself. cf. *Tusc.* 2.11.26, *unde isti uersus? non enim agnosco*.

coegisti ut concederem: the construction with *cogo* is more usual with an infinitive in Cicero, but 8, 16 below, and *Mil.* 26.71.

moriendum: = 'the act of dying'

§16: 'Now in view of what has been said from your side', etc. Note the force of *istuc* to designate the interlocutor, and again *ista maiora* below.

ego maiora molior: 'I am striving after greater things', cf. below 38, 91, *aeterna moliri*, and famously Verg. *Ecl.* 4.1, *Sicelides Musae, paulo maiora canamus*. The better mss. generally omit these words, though S has added it in the margin. V^c has *ego maiora molior*, which Guista retains.

quia quoniam: *quia* = *ὅτι*, *quoniam* = *ἐπειδή*

cui: sc. [*morti*] *proximum tempus est [tempus] post mortem, in quo etc.*, Wolf. The tautology is awkward, intentional, and almost comic, as in Plaut. *Capt.* 4.5.83, *post mortem in morte nihil est quod metuam mali*. Socrates says of such lines of reasoning, *Pl. Phdr.* 262c *λόγων ἄρα τέχνην, ὧ ἐταίρε,*

est post mortem, in quo mali nihil esse concedis: ita ne moriendum quidem esse malum est; id est enim perueniendum esse ad id, quod non esse malum confitemur.

Vberius ista, quaeso. haec enim spinosiora, prius ut confitear me cogunt quam ut adsentiar. sed quae sunt ea, quae dicis te maiora moliri?

Vt doceam, si possim, non modo malum non esse, sed bonum etiam esse mortem

Non postulo id quidem, aueo tamen audire. ut enim non efficias quod uis, tamen, mors ut malum non sit, efficias. sed nihil te interpellabo; continentem orationem audire malo.

17 Quid, si te rogauero aliquid, non respondebis?

Superbum id quidem est, sed, nisi quid necesse erit, malo non roges.

6 aueo] habeo BKE: ἔχω^ueo B *alia manu*: ἔχω V^c: ἔχω S, *marg.* aueo: aueo s 8 non] non s, Küh: nonne RVBSE: nonne G: ἴνε P: ἴνε K: non E 9 est] esset Erhardus, *adprob. Giu.* cf. *Tusc.* 4.64, *sed perperam puto*: est X 9 non] non X: ne R5 *ed. Jensoniana*: malo ἴ roges K

ὁ τὴν ἀλήθειαν μὴ εἰδώς, δόξας δὲ τεθηρευκώς, γελῶσαν τινά, ὡς ἔοικε, καὶ ἄτεχνον παρέξεται. Cicero is saying that dying itself is a *punctum temporis* which should be considered an immediate state of death, a thing which was just admitted not to hold any evil or sorrow.

confitemur: = Plato's *ὁμολογοῦμεν, convenit inter nos.*

uberius ista: sc. *expone.*

spinosiora: Cicero is fond of the term *spinosus*, 'thorny', which is generally used in contempt of Stoic phrasing which was considered unpolished and crabbed. For a similar sentiment, cf. *Or.* 32.114, *Tusc.* 4.5-9, and *Fin.* 3.3, *Stoicorum autem non ignoras quam sit subtile vel spinosum potius disserendi genus.*

prius: = 'potius' or 'magis', cf. *Tusc.* 5.27-77, *cum examinentur prius quam victos se faterentur*, and *Lig.* 12.34.

ut confitear... ut adsentiar: alludes to the progression of the argument, where *confiteri* = *concedere*, i.e., to have nothing to urge against an opponent (different from *confitemur* above); while *adsentiri* is the result of conviction, *perspecta veritate*, as explained by Neidius and Moser. There are strong allusions to Plato, when Socrates confutes someone without convincing; cf. *Pl. Men.* 79e-80c, and particularly *Pl. Hp. Mi.* 369b-c, *ἀεὶ σὺ τινὰς τοιούτους πλέκεις λόγους, καὶ ἀπολαμβάνων ὃ ἂν ἦ δυσχερέστατον τοῦ λόγου*, where Hippias counts each successive step as true, but cannot abide the conclusion; again in the *Pl. Lg.* 10.903, *Pl. Hipparch.* 232b, *ἡνάγκακε γὰρ ὁ Σώκρατες, μᾶλλον ἐμέ γε ἢ πέπεικεν*, and famously in the *Pl. Ion.* 533c, where Ion finds himself in a spot where he is still unconvinced, but is unable to offer any conclusive counter-arguments. The idea again recurs again in *Pl. Rep.* 6.487c, where dialectic is compared to a game of draughts; even the words may compel assent, but they surely do not affect the truth of the matter. Compare the proverb *οὐ γὰρ πείσεις, οὐδ' ἢν πείσης*, *Ar. Pl.* 600, and cf. *Fin.* 4.3.

non modo malum non esse, sed bonum etiam esse mortem: Victorius printed *non modo malum non esse mortem, sed bonum etiam esse*, which is a more elegant collocation, but without mss. authority.

aueo: *habeo* is found in the older mss., but for the confusion between *aueo* and *habeo*, see *Sall. Cat.* 35, the letter from Catiline to Q. Catullus, *eam ab iniuria defendas per liberos tuos rogatus. haveto*. Most recent editors read *aueo*, and cf. the use of *auidus*. Pease in his n. on *Div.* 1.6.11 shows that, in his philosophical works, Cicero prefers this verb to *cupere* with verbs of knowing and hearing, cf. below 47, 112, and *Off.* 1.4.13.

ut enim non efficias: 'haec male luxata sunt, ego non intelligo', so Verbergius who wanted to delete the *non*; but *ut* is concessive, 'even if you do not bring about', *Madv. Gram.* 440a obs. 4., cf. below 11, 23, *ut ista non disserantur*, and 21, 49, *ut enim rationem Plato nullam adferret.*

mors ut malum non sit: *mors* is emphatic before *ut*, a collocation common throughout the *Tusc.*; at 17 *certa ut*

sint et fixa, 32 *iisdemne ut finibus nomen suum quibus vita terminaretur*, 76 *ulla uti ratione mors tibi videri malum possit*, and 99 *sed suum illud, nihil ut adfirmet, tenet ad extemum* (of Socrates). The brevity of the expression is against strict logic: *mors ut malum non sit* really should mean *mortem ut malum non esse credam* where the thing believed and not the belief itself comes to the foreground, cf. 77, *me nemo de immortalitate depellet* which really means *de opinione immortalitatis*, and for this use see *Madvig* on *Fin.* 1.5.15.

Dougan showed that Cicero uses *efficio* in the sense of *probare*, such as in 77 *in quibus volt efficere animos esse mortalis*, where Dicaearchus strives to prove his position.

continentem orationem: Cicero has hitherto adopted the 'Socratic' mode of arguing against another's opinion, in a 'pseudo'-dialogue form, but now turns to a fuller oratorical, and Aristotelian mode to continue, cf. *Fin.* 1.29, *sed uti oratione perpetua malo quam interrogare aut interrogari.*

§17. **nonne respondebis**: The better mss. have *nonne*. Dougan argued that the reading of *non* came about through a copyist misunderstanding the abbreviations rather than the interrogative force of *non*, as Küh., 'particula *non* in tritum illud ac pervagatum *nonne* mutaretur.' *Madvig's* n. on *Fin.* 2.3.10 is misleading on this passage. I find that the most forceful parallel is *Ter. Eun.* 46, *Non eam ne nunc quidem quom accersor ultro?*; the doubt expressed is more emotional and expresses incredulity as here ('cum affectu quodam vel impatientiae vel admirationis'); there can be no doubt both here, and above, 6, 13, *pugnantis te loqui non vides*, that *non* is the reading. See MURPHY (Non and Nonne, p. 226)

superbum id quidem: = ὑβριστικόν, sc. *non respondere roganti*, cf. *Ac.* 2.22.94, and *Fam.* 1.10, *partim te superbum esse dicunt, quod nihil respondeas, partim contumeliosum, quod male respondeas*, *Att.* 4.18.3; also in *Liv.* 1.54 (of Tarquin), *seu ira seu odio seu superbia insita ingenio nullam eum vocem emisisse*, and (of Hanno), *si reticeam, aut superbus aut obnoxius uidear*. Reid *ad loc.* I think is right in finding that Roman feeling on this point was rather strong, and the refusal to answer questions was considered rude and haughty. He quotes (among other examples), *Suet. Tib.* 68, *plerumque tacitus, nullo aut rarissimo etiam cum proximis sermone eoque tardissimo*, whose silence led to accusations of arrogance.

est: Giusta, following Erhardus, wished to alter the mss. reading of *est* to *esset*; Kühner thought this was an interpolation, though it is retained by Davies and Lallemand. *esset* would be based on the idea that the reply involves an ellipse, i.e., *si non respondebo*; but where we prefer the imperfect potential in English, the Romans preferred the present indicative, as in other expressions involving *difficile*, *longum*, *magnum*, such as below 11, 23, *sed est difficile confundere*, and 48, 116 *quos enumerare magnum est*. *Madv. Gram.* 348e, obs. 1.

malo non roges: Moser, Orelli, and Hand thought *non* abhorrent to good Latinity as *ne* and not *non* is used fol-

IX. Geram tibi morem et ea quae uis, ut potero, explicabo, nec tamen quasi Pythius Apollo, certa ut sint et fixa, quae dixerō, sed ut homunculus unus e multis probabilia coniectura sequens. ultra enim quo progrediar, quam ut ueri similia uideam, non habeo; certa dicent ii, qui et percipi ea posse dicunt et se sapientes esse profitentur.

5 Tu, ut uidetur; nos ad audiendum parati sumus.

3 ueri similia uideam] ueri uidem similia Gebhard, Ernesti 3 ii] hi X 4 sapientes] -is in -es corr. V^c

lowing verbs of wishing in implied prohibitions, cf. Madv. Gram. 456. Kühner explains that *non roges* is opposed to *si te rogauero*, and = ‘*abstineas rogando*’, and compares *De Or.* 1.62.265, *uellem non constituissim*. I am not quite convinced of his logic, against which Reid compares *Fin.* 1.26, *uellem... ne deterruisset*, and *Phil.* 8.31. Nevertheless, I think the reading of the mss. should be retained. We have many examples of dependent volitional clauses which, in the Ciceronian period, were starting to take *non*, and many which are not questioned, cf. *Inv.* 2.19, *Manil.* 44, *Ac.* 2.54, *Off.* 2.54, 84, *Att.* 4.1.8, again used by Luceius in *Fam.* 5.14.3 and by Varr. *R. R.* 1.51.1. It was quite natural that *non* should enter a stage of progression and encroach further on *ne*. Such cases as, *Inv.* 2.19, *Off.* 2.54 and here, have probably no special ground, but merely illustrate the increasing inclination to employ this form of the negative. The fact that in the literary remains of the Republican period *non* with the volitive is still rare indicates the slowness of the development which culminated in Silver preference of it (KIRK: Ne and Non, pp. 268–272).

IX. geram morem: ‘indulge’

quasi Pythius Apollo: ὡς ἐκ τρίποδος, said of confident speakers or those with authority. In *Div.* 1.38, Cicero speaks of the Pythian oracle as having lost its divine ‘adflatus’, *ut igitur nunc minore gloria est, quia minus oraculorum ueritas excellit, sic tum, nisi summa ueritate, in tanta gloria non fuisset*. Lucretius speaks of it very contemptuously at 1.738–739, and cf. *Juv.* 6.554. Cicero recounts the story of Trophonius and Agamedes, the builders of the fourth temple, below in 47, 114.

homunculus unus e multis: εἷς ἐν πολλοῖς, ‘one of many’, Cicero speaks of himself with mock humility in an undigested attack on the Stoic position, cf. *Brut.* 79.274, *non fuit orator unus e multis*, *Hor. Sat.* 1.9.71, *sum paulor infirmior, unus multorum*, *De Or.* 1.24.111, *unus e togatorum numero*.

probabilia coniectura sequens: Cicero is following the principle set out by Carneades who, diverging from Stoic logic, thought that there was no criterion by which to judge the truth of any sense perception but avoided the position of extreme scepticism by introducing a doctrine of ‘probability’, cf. *Ac.* 1.12.45, and 2.98–99. Carneades is said to have identified two ways of classifying these impressions: (i) as either cognitive or non-cognitive (*quae percipi possint = καταληπτικά, & quae percipi non possint = ἀκατάληπτοι*), and (ii) as either plausible or implausible, (*probabilia = πιθανά & non probabilia = ἀπιθανοί*). Cicero carefully lays out at the beginning of the *Tusc.* that he will be following the method of the New Academy. In addition, we would do well to recall the oratorical force of Carneades which Cicero will also bring to bear, *De Or.* 2.38.161, *Carneadi uero uis incredibilis illa dicendi et uarietas perquam esset optanda nobis, qui nullam umquam in illis suis disputationibus rem defendit quam non probarit, nullam oppugnavit quam non euerterit*.

certa dicent: Zeno, and the Stoics professed that the wise man would obtain certainty in regard to the objects of knowledge.

percipi: percipere = καταλαμβάνειν, ‘grasp’, a term employed by the Stoics. Impressions which are considered *καταληπτικά* appear so clearly true as to compel assent, *adsensio, adprobatio*, (SVF. 2.90, S. E. M. 7.151). The fullest definition is ἡ ἀπὸ ὑπάρχοντος καὶ κατ’ αὐτὸ τὸ ὑπάρχον ἐνα-

πομαγαγμένη καὶ ἐναπεσφραγισμένη, ὅποια οὐκ ἂν γένοιτο ἀπὸ μὴ ὑπάρχοντος. D. L. 7.60 (= SVF. 2.60), S. E. M. 7.248 (= SVF. 2.65). Whether these so-called *percepta* enabled the mind itself to seize firmly upon the truth of external objects through faithful and accurate representations, or only elicited belief in the truth of these objects, a belief which must then be weighed and considered, is still a matter of scholarly debate (GÖRLER: Zur stoischen Erkenntnistheorie; ARTHUR: Stoic Analysis of the Mind’s Reactions to Presentations; SORABJI: Perceptual Content in the Stoics, p. 307). SANDBACH (Phantasia Katalēptike, p. 14) argued that the exact nature of the *percepta* were left deliberately ambiguous. The Academic sceptics maintained that a presentation from a non-existent object could be indistinguishable from a presentation from an existent object and the Stoics were at pains to refute them. Cicero’s opposition of *uere similia* and *certa* in the preface lays out his approach to the problem of the soul’s existence; no exact solution can be found for its problems. Nevertheless, he later enumerates the difficulties of perception which bear on the soul’s existence within the body, and on the question whether the soul can ‘perceive’ itself.

se sapientes: the term *sapiens*, σοφός, was an ideal philosopher or person, and though each school postulated the existence of a perfect exponent of their doctrines, the Stoics were the most persistent in positing the *sapiens* as a norm. If Cicero is speaking here against the Stoics, as Pohlenz and JONES (Posidonius and Cicero’s *Tusc.*, p. 203) think, then he does them some injustice as no Stoic claimed to be a *sapiens*. Possibly the reference is to Epicurus who took for himself the title of *sapiens*, and assigned it to Metrodorus, *Fin.* 2.3.7, *nec est quod te pudeat sapienti adsentiri, qui se unus* [i.e., Epicurus], *quod sciam, sapientem profiteri sit ausus*. The Epicureans were sometimes even mocked for their so-called ‘certain knowledge’, as N. D. 1.8.18, *Velleius tamquam ex deorum concilio descendisset*, and *Fin.* 1.21.71, *qui hac exaudita quasi uoce naturae firme graviterque comprehenderit*.

tu ut uidetur: i.e., ‘tu expone, ut tibi uidetur’, for the ellipse, Moser cites *Off.* 3.11.49, *itaque Athenienses... eam rem, quam ne audierant quidem, auctore Aristide repudiauerunt. Melius hi quam nos, qui piratas immunes, socios uectigales habemus*, and cf. K.–S. 161a.

§§18–25: Doxography of various philosophies on the soul. Cicero offers a definition of death (*quid sit mors*) using a method outlined in *Fin.* 2.3 and *Pl. Phdr.* 237B, *περὶ παντός, ὃ παῖ, μία ἀρχὴ τοῖς μέλλουσι καλῶς βουλευέσθαι εἶδέναι δεῖ περὶ οὗ ἂν ἢ ἡ βουλή, ἢ παντός ἀμαρτάνει ἀνάγκη*. The doxography that follows sets out the various opinions of philosophers on the soul in a concise fashion, but not to the same end as in other writers, as Lucr., or Arist. *De An.*, in order to refute them specifically. Cicero rather marshalls such a wide range of arguments to emphasise the agreement between them — that in the end, death cannot be considered an evil: it is either physical dissolution or a blessed immortality. Scholars argue that we need to be cautious when dealing with Cicero’s reports concerning the views of earlier philosophers (FORTENBAUGH: Cicero as Reporter of Aristotelian Rhetoric, 38, n. 5). At times, it seems Cicero had simply not yet mastered the difficulties of a particular philosophy; or had only a partial account of them to work from, as DONALD (Prologue-form in Ancient

18 Mors igitur ipsa, quae uidetur notissima res esse, quid sit, primum est uidendum. sunt enim qui discessum animi a corpore putent esse mortem; sunt qui nullum censeant fieri discessum, sed una animum et corpus occidere, animumque in corpore extingui. qui discedere animum censerent, alii statim dissipari, alii diu permanere, alii semper. quid sit porro ipse animus, aut ubi, aut unde, magna dissensio est. aliis cor ipsum animus uidetur, ex quo 'excordes', 'uaecordes', 'concordes' dicuntur, et Nasica ille prudens bis consul 'Corculum' et,

5. Non. 66, 5-7

2 putent] putant X, def. Gaffiot p. 52: putent s, cf. Küh. ad 3.76. 5 ex quo] ex quo X: e Non. 5 uaecordes] uaecordes X: uecordes s 5 concordēs] concordēque X: -que deleui spurcum, et om. Non.

Historiography, p. 850) suggested; or he has simply erred, perhaps due to the celerity of his compositions. Cicero's own polemical stance towards a philosophy can misconstrue or blur fine distinctions, but this is not a serious problem in the *Tusc.* FESTUGIÈRE (Protreptiques de Platon, pp. 9-10) is correct in suggesting that in many ways like Plato's own *Phaedo*, this work is a protreptic to philosophy (cf. *Tusc.* 5.2.5-5.4.11), a genre well established by the Hellenistic period and which generally avoids rigorous philosophical distinctions, relying more on the elegance, volume, breadth and weight of authority to convince its reader. What makes the *Tusc.* unique in the writings of Cicero is that it blends three distinct rhetorical categories, the *praecipitio*, the *suasio*, and the *consolatio*. Just like Philo's physician (Stob. *Ecl.* 2.7.2), Cicero offers therapy for the disease and refutes the advice of false counsellors by removing our fear of death, and countering those who would argue that it is an evil. See JORDAN (Ancient Philosophic Protreptic, pp. 316-318).

igitur: = *τόνυν*, resumptive, in the sense 'now then', 'well then', HAND: Tursellinus, vol. 2, p. 352; an ellipse needs to be supplied by the reader, *quia te ad audiendum paratum esse dicis* or the like, cf. *Am.* 10.33.

discessum animi: Pl. *Grig.* 524, *ὁ θάνατος τυγχάνει ὧν, ὡς ἐμοὶ δοκεῖ, οὐδὲν ἄλλο ἢ δυοῖν πραγμάτων διάλυσις, τῆς ψυχῆς καὶ τοῦ σώματος, ἀπ' ἀλλήλων*, Pl. *Phd.* 64C, *καὶ εἶναι τοῦτο τὸ τεθνάναι, χωρὶς μὲν ἀπὸ τῆς ψυχῆς ἀπαλλαγέν αὐτὸ καθ' αὐτὸ τὸ σῶμα γεγόνεσθαι, χωρὶς δὲ τὴν ψυχὴν ἀπὸ τοῦ σώματος ἀπαλλαγείσαν αὐτὴν καθ' αὐτὴν εἶναι*, but the Stoics use similar language, cf. SVF. 2.790, 2.604, Chrysippus, *ὁ θάνατος ἐστὶν χωρισμὸς ψυχῆς ἀπὸ σώματος*; Tert. *Anim.* 5 Zeno, *constitutum spiritum, definiens animam hoc modo instruit, quo, inquit, digressio, animal emoritur*.

putent: cf. Madv. *Gram.* 365. Wolf explains the subjunctive as qualitative by considering *qui* = *tales qui*.

una animum et corpus occidere: cf. 11, 24, *si cor aut sanguis aut cerebrum est animus, certe, quoniam est corpus, interibit cum reliquo corpore*. To this school belong Aristoxenus, Dicaearchus and the Atomists.

animumque in corpore extingui: Ursinus did not find these words in any of his oldest mss., and deleted them as a gloss on the preceding sentiment. Such elaborations, however, are natural in Cicero's philosophical works, and recent editors are right to retain the words. For the thought, cf. Claudianus, *iv Pan. Hon. Aug.*, 226-233, *illae cum corpore lapsae intereunt, haec sola manet bustoque superstes evolat*.

alii statim dissipari: the Epicureans, cf. below 21, 49, cf. S. E. M. 9.72, *ἀπολυθεῖσαι (αἱ ψυχαὶ) τῶν σωμάτων καπνοῦ δίκην σκίδνανται*, and Lucr. 3.437, *et nebula ac fumus quoniam discedit in auras, crede animam quoque diffundi multoque perire ocius et citius dissolvi in corpora prima*.

diu permanere: as most of the Stoics taught, cf. D. L. 7.156, *(ψυχὴν) εἶναι τὸ συμφυῆς ἡμῖν πνεῦμα, διὸ καὶ σῶμα εἶναι, καὶ μετὰ θάνατον ἐπιμένειν, φθαρτὴν δὲ εἶναι*, and below 31, 77, *Stoici autem ... diu mansuros aiunt animos, semper negant* and the quote there. The Stoics believed that due to the gradual exhaustion of the supply of water

(SVF. 2.593) by the *αἰθήρ*, there were periodic conflagrations of the universe (*ἐκπύρωσις*) which restored things to a primordial condition and in which souls were absorbed into the 'universal' soul. SVF. 2.596, and LAPIDGE (Stoic Cosmology, p. 182); LONG (Scepticism about Gods in Hellenistic Philosophy, p. 286); ΜΕΙΞΕΡ (Stoic Theology, p. 150). How long the souls last was a matter of some disagreement among the school. Cleanthes (D. L. 7.157) held that all souls survive until the general conflagration, while Chrysippus believed only the souls of the wise would survive such a lengthy duration (the souls of wicked men dissipating much earlier on account of their weakness, SVF. 2.809). HOVEN (Stoïciens face au problème de l'au-delà, pp. 60-64) shows that even the later Stoics Panaetius and Posidonius (below, 42, 79, n. *Div.* 1.115, 131) believed that souls survived.

alii semper: a doctrine held by Pl. *Phd.*, *passim*, but not necessarily in Pl. *Men.*; it is not quite clear in Pl. *Ap.* 40C, *δυοῖν γὰρ θάτερόν ἐστιν τὸ τεθνάναι· ἢ γὰρ οἶον μηδὲν εἶναι μηδὲ αἰσθησὶν μηδεμίαν μηδενὸς ἔχειν τὸν θεωνεῶτα, ἢ κατὰ τὰ λεγόμενα μεταβολὴ τις τυγχάνει οὐσα καὶ μετοίκησις τῆ ψυχῆ τοῦ τόπου τοῦ ἐνθένδε εἰς ἄλλον τόπον*, but this is the very thesis Cicero explores in the *Tusc.* However, in Pl. *Rep.* 608d, Socrates says with surprise to Glaucon, *οὐκ ἤσθησαι, ἦν δ' ἐγώ, ὅτι ἀθάνατος ἡμῶν ἡ ψυχὴ καὶ οὐδέποτε ἀπόλλυται*. The theory of the immortality of the soul is also held by Pythagoreans, Porph. *VP.* 19, *ὡς ἀθάνατον εἶναι φησι τὴν ψυχὴν* who believe in the transmigration of the soul.

cor ipsum animus: the more popular notion, as it was in the Homer who placed the understanding in the *κραδίη* or the *κῆρ*. Muretus cites Arist. *P. A.* 3.3, *ἐν τῆ καρδίᾳ τὴν ἀρχὴν φάμεν τῆς ζωῆς καὶ πάσης κινήσεως καὶ αἰσθήσεως*. We have the same in the older Latin poets where *cor* was understood to mean 'soul', or faculty of comprehension, cf. Ennius' *esse meum cor suasorem summum et studiosum robore belli* quoted in Gell. *N. A.* 7.2.9 and see Madvig's n. on *Fin.* 2.8.24, *cui cor sapiat*. Varr. *L. L.* 6.6 explains the term *recordari*, *rursus in cor revocare*, which further shows that *cor* was a mental activity.

excordes: 'out of mind' or 'senseless' which is frequently opposed to *cordatus*. **uaecordes:** 'faulty in the mind', cf. *Pis.* 47, *non uaecordem, non furiosum, non mente captum*, and *Fest.* 372 (Lindsay), *uecors uesanus mali cordis maleque sanus*. Pohlenz remarks that the orthography *uae-* probably came about through the misunderstanding that *uae* (the interjection) was prefixed. **concordes:** 'of one frame of mind'. For the three, cf. SVF. 2.899, *εὐκάρδιος, ἀκάρδιος, καρδιαν*.

Nasica ille: P. Cornelius Scipio Nasica Corculum, twice consul (162, 155B.C.), once censor (159B.C.) *Brut.* 20.79, was son of the famous P. Cornelius Scipio Nasica who received the statue of Cybele at Ostia when it was brought to Rome from Pessinus in 204BC. He was a famous jurisconsult, and is here called *prudens* for his knowledge of the law and general wisdom, cf. *Att.* 6.1.17, *Aur. Vic. Vir. Ill.* 44.5; MÜNZER (Atticus als Geschichtschreiber, p. 96); DOUGLAS (Brutus, pp. 153-154).

Corculum: 'wise-head', 'brainy', Plin. *H. N.* 7.31.118,

egregie cordatus homo, catus Aeliu' Sextus.

Empedocles animus esse censet cordi suffusum sanguinem; aliis pars quaedam cerebri uisa est animi principatum tenere; aliis nec cor ipsum placet nec cerebri quandam partem esse animum, 19

1. Enn. Ann. 335, cf. De Or. 1.45.198, Rep. 1.18.30. 2. D.-K. B105, Emped. fr. 94.

1 aelius] aelius VGB: Ielius S

reliquis animi bonis praestitere ceteros mortales: sapientia ob id Cati, Corculi apud Romanos cognominati, but used by Plaut. Cas. 826 as a term of endearment. As regards the family of the Cornelii, we find many acquired such cognomina in order to distinguish between them (DOUGLAS: Roman 'Cognomina', p. 66). The antonym of *corculus* is *bambalius*, (from the Greek βαμβάλεω), to stutter, i.e., to have a *stuporem cordis*. It was the nickname given to M. Fulvius, father-in-law of M. Antonius, Phil. 3.16, nihil illo contemptius, qui propter haesitantiam linguae stuporemque cordis cognomen ex contumelia traxerit.

catus: cf. Leg. 1.16.45, quis igitur prudentem et, ut ita dicam, catum non ex ipsius habitu sed ex aliqua re externa iudicet? Originally, the term belongs to the Sabine vernacular used to describe a farmer's cunning and cleverness, and was a term no longer used in Cicero's day, cf. Varr. L. L. 7.46, = *acutus*, Fest. 53 (Lindsay), and see KLIMA (Untersuchungen zu dem Begriff Sapientia, pp. 69–70); WHEELER (Sapiens and Stratagems, p. 189), MRR 2.524–626. Both the cognomina *Catus* and *Corculus* were very rare among Republic magistrates, and were possessed only by these two men. It is difficult to say how they acquired such names; most scholars suggest they acquired them from their knowledge of jurisprudence, but it is not clear how *catus* or *corculus* relate particularly to the law.

Aelius Sextus: Sextus Aelius Q. F. P. N. Paetus Catus (note the reversal to form a hexameter); he was consul 198B.C., censor 184B.C., (RE. Aelius 105), an eminent jurist and prompt speaker, De Or. 1.198, 212, Rep. 1.30; he wrote a commentary on the XII tables in three columns which consisted first of the law, then its interpretation, and finally the relevant *actiones*, cf. Justin. Dig. 1.2.2.39, Sextus Aelius maximam scientiam in profitendo habuerunt... Sextum Aelium etiam Ennius laudavit et exstat illius liber qui inscribitur 'tripertita', qui liber veluti cunabula iuris continet.

Empedocles: Empedocles of Agrigentum, Sicily, was a poet and philosopher who lived about 490–430B.C. His poem *περί φύσεως* has survived in fragments. The representation of Empedocles' doctrines by Cicero, at least those which were *peruulgata et nota*, here, Ac. 1.44 and again at N. D. 2.66 seems to indicate that he received most of his knowledge through Stoic philosophy rather than at first hand (KINGSLEY: Empedocles and His Interpreters, pp. 241–242). Though he calls Empedocles *maximus et doctus* (Rep. 3.19), it does not seem likely Cicero knew his philosophy in any great detail.

cordi suffusum sanguinem: Cicero had in mind the famous verses of Empedocles, found in Porphyry's *de Styge* in Stob. Ecl. 1.49.53, who says αἷματος ἐν πελάγεσσι τετραμένη ἀντιβροῶντος | τῆ τε (= ubi, the καρδίη, cf. D.-K. A86) νόημα μάλιστα κυκλήσκειται ἀνθρώποισιν | αἷμα γὰρ ἀνθρώποις περικάρδιον ἐστὶ νόημα (WRIGHT: Empedocles, pp. 250–251), and D.-K. B105.3. It was often paraphrased as it is here, and in Macr. Somn. Scip. 1.14, Tert. Anim. 5, a sanguine animam, Gal. De plac. Hipp. et Plat. 2.8, and Lucr. 3.43, where see Munro's n. It is, however, a curious fact that Empedocles never uses the term ψυχή in his work *περί φύσεως*, nor is there any word which might stand for ψυχή in the Καθαρμοί (LONG: Thinking and Sense-Perception in Empedocles, p. 257). We should be more accurate in translating Empedocles as 'for the blood around the heart is thinking for men', and Cicero assumes that thinking = soul (νόημα = *animus*). The phrase *cordi suffusum* here used by Cicero would suggest that Empedocles thought that the soul was

only found in that blood which bathed the heart; but the Greek suggests otherwise. In 5th century Greek medicine, opinion was divided on whether it was the heart or the brain which was the center of intelligence, on which see HARRIS (Heart in Ancient Greek Medicine, pp. 238–241), and cf. Pl. Phd. 96B, πότερον τὸ αἷμα ἐστὶν ἢ φρονούμεν, ἢ ὁ ἀἷρ ἢ τὸ πῦρ ἢ τούτων μὲν οὐδέν. It seems that the more tangible parts of the body, such as the brain, liver, heart, did not seem to provide Empedocles with a sufficiently volatile seat for the 'soul'. However, the Empedoclean doctrine, as far as it can be known, does not amount to the simple equation, mind = blood, and for this we have the authority of both Aristotle and Theophrastus. His particular innovation was to place the soul not in the heart, but the blood coursing around it. Briefly, Empedocles' thought centered on the principles of ὁμοιον ὁμοίω, the agency of Love and Strife, and the familiar doctrine of the 'elements' (earth, water, fire, air), which he held to be fundamental to sensation as well as to the intellect. These elements would enter into the composition of the soul and by this process we would perceive each external object, Arist. *Metaph.* 4, 1000b5; Arist. *De An.* 1.2, 404b8; Thphr. *Sens.* 10, διὸ καὶ τῷ αἵματι μάλιστα φρονεῖν, ἐν τούτῳ γὰρ μάλιστα τῶν μερῶν κακρᾶσθαι τὰ στοιχεῖα. Since the blood's activity is most pronounced at the heart, we may place the soul there. This would make Empedocles a materialist, but I think it quite right that there are some allusions to a possible life which survives dissolution, D.-K. B15, οὐκ ἂν ἀνὴρ τοιαῦτα σοφὸς φρεσὶ μαντεύσαστο | ὡς ὄφρα μὲν τε βιωσῶσι, τὸ δὲ βίον καλέουσι | τόφρα μὲν οὐκ εἰσὶν, καὶ σφιν πάρα δεῖλά καὶ ἐσθλά | πρὶν δὲ πάγειν τε βροτοὶ καὶ <ἐπεὶ> λύθην οὐδὲν ἄρ' εἰσὶν. and KAHN (Religion and Natural Philosophy in Empedocles' Doctrine of the Soul).

Cicero speaks more accurately later in 17, 41, in *Empedocleo sanguine demersa* (*mens*). Vergil seems to follow the Empedoclean account at Verg. *Aen.* 9.349, *purpuream vomit ille animam*; and a parallel not noticed by commentators is Verg. *Geor.* 2.484, *frigidus obstiterit circum praecordia sanguis*, which was later imitated by Lucan at 2.557–558. We also have Hor. *A. P.* 465–466, where Empedocles threw himself into Aetna; ps.-Acro's scholium on this passage is *Empedocles enim dicebat tarda ingenia frigido circa praecordia sanguine impediri*. All this would seem to show that Cicero's phrasing is not wholly incorrect. It might simply have been that the matter itself was at the time still open or ambiguous. Neither Diels and Wright mention this scholium on Horace in their edition of Empedocles' fragments. For further discussion, see SOLMSEN (Tissues and the Soul, p. 467); BRINK (Fragment of Empedocles, pp. 139–140).

Among others who held that the blood was indeed the soul, we may also include Critias who was a pupil of Socrates, Arist. *De An.* 1.2, 405b6 (= Critias, D.-K. a23).

pars quaedam cerebri uisa est animi: a broad statement, since the 'brain' is often used for *mens*. Older editors cite Phaedr. 1.7.2, *o quanta species, inquit, cerebrum non habet!*, and Plaut. *Men.* 3.2.40, *non tibi sanum est, adulescens, sinciput* [i.e., ἡμικέφαλον], *intellego*.

principatum tenere: 'to hold the ruling over over the soul' = τὸ ἡγεμονικόν, SVF. 3.75, N. D. 2.29; and N. D. 1.15.39, *animi principatum, qui in mente et ratione uersetur*; D. L. 7.138 gives the view of Chrysippus, τὸν ὄλον κόσμον ζῶον ὄντα καὶ ἔμφυχον καὶ λογικόν, ἔχειν ἡγεμονικόν κλτ.

sed alii in corde, alii in cerebro dixerunt animi esse sedem et locum; animum autem alii animam, ut fere nostri — declarat nomen, nam et ‘agere animam’ et ‘efflare’ dicimus et ‘animosos’ et ‘bene animatos’ et ‘ex animi sententia’; ipse autem animus ab anima dictus est —; Zenoni Stoico animus ignis uidetur.

X. Sed haec quidem quae dixi, cor, <sanguinem>, cerebrum, animam, ignem uolgo; reliqua 5

1. Lact. *Opi. Dei*. 17, Serv. 8.403. 2. *Non.* 233, 19–20

2 ut fere... nomen nam] ut fere... nomen nam *Q*, corr. *Dav.*: nostri declarant nomen X: declarant nom̄ K: ^ declara t nomen S *marg.* ipsum: nostri. Declarant nomina *Sev.*: ut fere... nomen *del. Fabricius*: nostri: <id> declarant nomina *Koenighoff*, quod *Dou. accepit.* 2 nam... sententia] nam... sententia *secl. Dav.*: et agere... ipse autem *del. Bent.*: et animos... sententia *secl. Schue.*: et bene animatos *del. Küh.* 3 ex animi sententia] ex animi sententia X: exanimis[ententia], *coniec. Halm*, cf. *GIUSTA*: Testo, p. 126, *POWELL*: CR, 37, p. 30, et *TLL*. 1172. 3 autem] autem X: enim *Dav.* 5 sanguinem] *add. dett. codd., et Manutius.* cf. §§24, 41, 60. *Küh.* *reiecit, sed Empedoclis esset propria*, cf. *Lucr.* 3.43, et *GIUSTA* (Testo, p. 127).

alii in corde: thought so by Arist. *P. A.* 3–4, Praxagoras of Cos, and generally the Stoics, *D. L.* 7.159, ἡγεμονικὸν δ’ εἶναι τὸ κυριώτατον τῆς ψυχῆς, ἐν ᾗ αἱ φαντασίαι καὶ αἱ ὄρμαι γίνονται καὶ ὅθεν ὁ λόγος ἀναπέμπεται ὅπερ εἶναι ἐν καρδίᾳ. Chrysippus argued that articulate speech proved that the commanding faculties were located in the heart, *Gal. De plac. Hipp. et Plat.* 3.1, λέγουσι δὲ, ὅτι ὁ Χρῆσιππος κατὰ τὸν πρῶτον αὐτοῦ περὶ ψυχῆς λόγον τῶν μερῶν αὐτῆς τοῦ ἡγεμονικοῦ μνημονεύειν ἀρχόμενος, ἔνθα δεικνύται περῶναι τὴν ἀρχὴν τῆς ψυχῆς ἐν τῇ καρδίᾳ μόνῃ περιέχεσθαι κτλ. A few Stoics did not share this view, cf. Philodemus SVF. 2.910 (HENRICHS: Die Kritik der stoische Theologie in PHerc. 1428), who says that some Stoics place τὸ ἡγεμονικὸν in the head, Chrysippus in the chest, cf. Aët. 4.5.

alii in cerebro: as some anatomists, such as Alcmeon of Croton (*Alcmeon*. D.–K. A8.10, ἐν τῷ ἐγκεφάλῳ εἶναι τὸ ἡγεμονικόν), and cf. Aët. 4.5, Theod. *Graec. affect. cur.* 5.22 for Herophilus (335–280B.C.) Ἡρόφιλος ἐν τῇ τοῦ ἐγκεφάλου κοιλίᾳ, ἣτις ἐστὶ καὶ βάσις and see STADEN (Herophilus, 155ff, 247ff), particularly p. 247 where he argues that Herophilus put the regent part in the fourth ventricle (in the hindbrain) or in what we now would call the cerebellum; Erasistratus (300–260B.C.), and see MANSFELD (Chrysippus and the ‘Placita’, pp. 314–315); this theory was also adopted by Democritus and the Pythagoreans. Plato, in his three-fold division of the soul, placed the rational faculty in the head.

animus autem alii animam: *animam* = ‘air’, ‘breath’, *ἄνεμος*. See below 11, 27 n.

ut fere nostri... animi sententia: there is a difficulty with the text here. The best mss., as RPVS, read *ut fere nostri declarant nomen*. Wolf was first to conjecture *ut f. n. declarant nomine*, and Orelli and Kühner follow; Bentley altered to *declarat*, a reading which has the support of S; he is followed by TS. who notes that the singular and plural are confused frequently in mss. R (cf. *Tusc.* 3.27.64, *res declarat*). Koenighoff conjectured *id declarant nomina*, and he is followed silently by Dougan. Several editors excise the whole phrase *nomen... ipse autem animus* as a gloss, but Moser has shown that the words are indeed Ciceronian; *autem* is not adversative, but clinches the argument, as paralleled below in 18, 42, *is autem animus... ex anima constat*, (FAY: Note to Cic. *Tusc.* I 18–19). Giusta frustratingly prints a garbled text. I have thought it best to retain Bentley’s emendation and have punctuated accordingly. Cicero’s argument is, ‘Some think that the soul is air, as we do generally — the [Latin] name itself (*ipsum* in S) declares it; for we have various phrases in which the word *anima* has the signification of *animus*.’ cf. *Lucr.* 3.422–423, *atque animam verbi causa cum dicere pergam, mortalem esse docens, animum quoque dicere credas*.

agere animam: ‘to give up the ghost’, cf. *Sen. Apocol.* 3.1, *animam agere*, and Shakespeare, *Rich.* III, i.4, “and often I did strive to yield the ghost; but still the envious flood

stopt in my soul, and would not let it forth.”

ex animi sententia: Giusta wished to read *exanimis* in place of *ex animi sententia*, reviving an anonymous conjecture by Halm, but this is both unnecessary and incongruous with the meaning of *animosos* (from ‘animus’) and *animatos* (from ‘anima’) as regards the *will* and not the state of *life*. I think it better to stay with the mss. reading. The phrase is well known, and similar to *Plaut. Bacch.* 416, *est libido homini suo animo obsequi*.

animus ab anima dictus est: undoubtedly both are from one origin meaning ‘air’, and only later came to mean ‘soul’ — the principle being that the physical precedes the psychical. The same evolution occurs in Greek, where see CUMONT (*Lux perpetua*, p. 89).

animus ignis: the concept of a ‘vital heat’ (θερμόν alone) has taken on many permutations. Among the Presocratics, Parmenides (D.–K. 18a28) correlated death with cold, and life with warmth; Empedocles held that death came about when the heat of the blood became cold (D.–K. 31A85); and the Hippocratics assigned a divinity to a θερμόν, and made this heat their cosmic principle. In contradistinction to this ‘vital warmth’, philosophers also posited a ‘spiritual fire’ which itself had several nuances. By *ignis*, Cicero does not intend to signify fire proper, i.e., πῦρ; we may assume this since he reports Panaetius’ view more accurately by *inflammata anima* below in 18, 42, where it means warm breath, i.e., a mix of both fire and air, not simply fire alone (SVF. 1.137, 138, 139, and 141), and cf. *N. D.* 2.15.41, *Ac.* 1.39, *Fin.* 4.12. *ignis* therefore more accurately translates the Greek πνεῦμα ἔνθερμον εἶναι τὴν ψυχὴν, *D. L.* 7.157 (= SVF. 1.135).

This ‘fire’ was not nutritive in any sense, but understood in the fullest sense as ‘spiritual’ (*spiritus*, *Verg. Aen.* 7.6.747), and from Empedocles, to Plato and Aristotle, this πνεῦμα was one of the four elements of which composed all living beings. MANSFELD (Zeno and Aristotle on Mixture, p. 309); SOLMSEN (The Vital Heat, the Inborn Pneuma and the Aether). For the relation between πνεῦμα and πῦρ, see POHLENZ: *Die Stoa*, vol. 1, 73ff, and on θερμόν and πνεῦμα JAEGER (Das Pneuma im Lykeion, 50, n. 1).

X. <sanguinem>: *sanguinem* was added by P. Manutius (which he found in a *uctus liber*) and one Oxford mss., but it is not found in any of the better mss. Kühner, believing it a gloss by a copyist who recalled *sanguinem* above, excised the word; Davies, however, retained it and argued that Cicero frequently listed *sanguis* with the others, as he does in §§24, 41, 60 below.

uolgo: sc. *opinantur*, cf. 45, 109 *in iis malis quibus uolgo opinantur*. Wolf thought by *uolgo* is meant *integrae scholae*, and that Cicero meant to contrast whole schools to those of opinions of individual philosophers, which Dougan objected to as an unparalleled use of *uolgo*. Here it simply

fere singuli, ut multi ante ueteres, proxime autem Aristoxenus, musicus idemque philosophus, ipsius corporis intentionem quandam, uelut in cantu et fidibus quae ἀρμονία dicitur: sic ex corporis totius natura et figura uarios motus cieri tamquam in cantu sonos. hic ab artificio suo non recessit et tamen dixit aliquid, quod ipsum quale esset erat multo ante et dictum et explanatum a Platone. Xenocrates animi figuram et quasi corpus negauit esse; uerum numerum

2. Aristoxenus, 2 fr. Wehrli. 118–121; Dicaearchus, 1 fr. Wehrli. 5–12; et libere reddit Lact. *Opi. Dei.* 16.13–14, Lact. *Inst.* 7.13.9. 3–4. Aristoxenus fr. Wehrli. 120b. 5. *Xenocr.* fr. 67

1 ut multi] ut multi X, cf. 22, 50: ut multo Bent., Müll: at multi Wytttenbach ad *Platonis Phaed.* p. 248, *retinuit* Giusta: nonnulli (ñnulli) Sey. 2 uelut] uelut X: uel ut Wolf: et ut Ern. 2 harmonia] harmonia S: armonia X 2 sic] sic Ω: sic <enim> add. Giu. 5 uerum] uerum *post esse et ante numerum* PE: uerum S *in marg.* illū: ullum V^c, s, cf. Ac. 2.124: *animum, emendauit Lundström, app. Giusta*

means ‘as widely accepted’. Camerarius believed that Cicero meant to oppose the philosophical position of a corporeal soul against those of the more enlightened belief in the incorporeal soul, an interpretation which cannot be excluded. But we know that near the end of the Roman Republic, faith in a future life was not strongly believed, not only in the literary and philosophical circles, but as Cicero says here, even among the general population who thought that in the end all were to be but *puluis et umbra*. (CUMONT: *Afterlife in Roman Paganism*, p. 17; NOCK: *Religious Development in Roman Republic*, p. 506). Dougan is certainly right to interpret this as an indication that it was common among Romans at this time to believe in a physical and mortal soul, reserving immortality for the name only.

ut multi: GIUSTA (Testo, p. 127), following Wytttenbach, wished to change this to *at multi*, but this had already found criticism in Baiter. The doxography that follows is a decidedly *quot homines, tot sententiae* survey of individual philosophers and their positions, as Kühner rightly sees; as such, we certainly do not want an opposition here, as Giusta would have, between *singuli* and *multi* because it would then imply that Aristoxenus peddled a view that had many followers: but we know this not to be true. The mss. reading of *ut* can be explained as *ueluti* which expands on *reliqua fere singuli*. Translate, ‘generally regarding the remaining philosophical views, they had only individual exponents, as was the case of many older philosophers, but most recently with Aristoxenus’, etc.

ueteres: here, = the pre-Socratics.

Aristoxenus: a philosopher and celebrated musician of Tarentum who flourished around 318B.C. He studied with the Pythagorean Xenophilus, and afterwards with Dicaearchus a pupil of Aristotle. He wrote numerous works on music, philosophy and history, and fragments of his work *Ἀρμονικὰ Στοιχεῖα* are still extant.

intentionem quandam: ‘a sort of musical sound of the body itself’. Our earliest account of the idea of the soul as harmony of the body is placed in the mouth of Simmias in *Pl. Phd.* 85e–86e, 92a–b, and *Arist. De Phil.* fr. 7, *Arist. De An.* 407b30, *Arist. Pol.* 1340b19. In these two authors, although they spend much time refuting the theory, *harmonia* is defined as the ‘attunement’ of the soul, that is, a blending of physical states, and a combination of the elementary opposites, *κρᾶσιν καὶ σύνθεσιν ἐναντίων*, of hot, cold, dry and wet. But as Cicero tells us, Aristoxenus understood the term *ἀρμονία* as metaphorical, as a principle in the same sense that the tension of a string, in its physical state, may be said to be a principle which controls the pitch of its note when plucked (as the body and soul). The four elementary opposites had no place in his theory (as far as we can tell), but he thought it was the arrangement of the body’s organs and constituent members which produced an ‘epiphenomenal’ music from the body’s activity, and this he called the soul. Cicero, however, does not seem to

differentiate this view from the Platonic one. Manutius’ conjecture of *incentio* in place of *intentionem* (which is closer to *τάσις*) is intriguing, but not what Cicero wrote though it does have curious support from Gell. *N. A.* 4.13.3: there, Democritus seems to have claimed that *plurimis hominum morbidis medicinae fuisse intentiones tibiarum*. We should understand Aristoxenus to have meant that the soul is ‘a sound produced if the body were played as an instrument.’ The view here attributed to Aristoxenus has also been attributed to another member of Aristotle’s school, Clearchus (3, fr. Wehrli. 9), but this is in error. At any rate, all philosophers who hold any theory of *harmonia* agree that it entails the mortality and destruction of the soul, cf. *Lucr.* 3.100–119. For a full treatment, see MOVIA (*Anima e intelletto*), particularly p. 91, and GOTTSCHALK (*Soul as Harmonia*).

uelut in cantu et fidibus: sc. *ciatur*

quae: by attraction.

uelut... sic... tamquam: GIUSTA (Testo, p. 128) felt that there was a difficulty with these three adverbs in determining their logical relationship (as did Reiske and Nissen before him) and so wished to insert *enim* in order to smooth the reading. But this ruins the two parallel comparisons which are in anaphoric arrangement. I find that Cicero uses *uelut* with an indefinite pronoun in *Or.* 184, *similia sunt quaedam etiam apud nostros, uelut illa in Thyeste*; and so we should understand *quendam intentionem* = *similem intentionem*. The arrangement is then ‘there is the same sort of attunement in the body itself as is in singing and the lyre; and so an assortment of vibrations arise from the conformation of the body in the same way as sound does in singing.’

natura et figura: = *σχήμα*, ‘natural configuration’, cf. 22, 52, *ut membra nostra aut staturam figuramue noscamus*.

motus: ‘vibrations’, *N. D.* 3.27, *naturae omnia cientis et agitantis motibus et mutationibus suis*, and *N. D.* 2.135, *agitatione et motibus linguae*.

cantu: 2, 4 n. *cecinnisse*

dixit aliquid: ‘nevertheless, he did put forth an important view’

multo ante: i.e., more than fifty years, Plato having died around 347B.C.

et dictum et explanatum a Platone: *Pl. Phd.* 85e–86d, 92a–95a, where the exact nature of it (*quod ipsum quale esset*) is disputed by Socrates.

Xenocrates: of Chalcedon, born 393B.C., pupil of Plato and later the third president of the Academy after Speusippus, a position he held until his death in 315B.C.

figuram et quasi corpus: *figura* translates the *εἶδος* of *Arist. Metaph.* 6, 1035b29–30 which is the form that is predicated of the matter; *corpus* is the Stoic *σῶμα*, the underlying matter.

uerum: LUNDSTRÖM (*Glosseme*, p. 279), with the support of GIUSTA (Testo, p. 129) read *animum*, and so punctuated

dixit esse, cuius uis, ut iam ante Pythagorae uisum erat, in natura maxima esset. eius doctor Plato triplicem finxit animum, cuius principatum, id est rationem, in capite sicut in arce posuit, et duas partes ei parere uoluit, iram et cupiditatem, quas locis disclusit, iram in pectore, cupiditatem

1. Macr. *Somm. Scip.* 2.13

1 iam ante] iam ante *dett. codd.* 1 in] *omm. dett. codd.* 2 animum] animam X, cf. 39, 91: animam^u V^c 3 ei] *Dav., retinuit Dou., Pohl., et Giu, sed non habuit Drex.* 3 parere] se parare GPE: separare K: ~~separare~~ re V^c: separe S 3 locis disclusit] locis ^ iram X, *alia manu disclusit addunt RS:* locis suis s: locis disclusit *edd. pr.:* locis^{disclusit} V^c: locis disclusis *callide emend. Gui.*

after *negauit esse*. The mss. reading *uerum*, if *uerum* were an adjective, would have Xenocrates mean a 'true number', an interpretation for which only faint evidence can be found in *Nem. De Nat. Hom.* (as cited by Davies). However, better testimony shows he called it simply 'number', ἀριθμὸν, so it seems right to understand *uerum* here as a conjunction, on which see K.-S. 2.564 for the treatment of the brachylogy *eum animum* in the second clause. The direction of the thought, here the change from the figure and body of the soul to the lack of body, makes Lundström's correction, I think, unnecessary, see WILLIAMS (*Gnomon*, 37, p. 686). Bentley conjectured *merum numerum*, ψιλὸν ἀριθμὸν, i.e. 'a number, and nothing more', but I cannot find any external evidence to support this reading.

numerus dixit esse: more accurately, he called it 'self-moving' number, ἀριθμὸς ἑαυτὸν κινῶν. We have evidence for this in *Macr. Somm. Scip.* 1.14, *Theod. Graec. affect. cur.* 5.72; *Arist. De An.* 1.5, 404b27, and cf. *Plut. de Anim. Procreat. in Tim.*, (= *Plu. Mor.* 13.70) *Χενοκράτης... τῆς ψυχῆς τὴν οὐσίαν ἀριθμὸν αὐτὸν ὑφ' ἑαυτοῦ κινούμενον ἀποφηνάμενος... ἀμέριστον μὲν γὰρ εἶναι τὸ ἐν μεριστῶν δὲ τὸ πλήθος, ἐκ δὲ τούτων γίνεσθαι τὸν ἀριθμὸν τοῦ ἐνὸς ὀρίζοντος τὸ πλήθος καὶ τῆ ἀπειρία πέρας ἐπιθέντος... τοῦ δὲ ταυτοῦ καὶ τοῦ ἑτέρου συμμεινόμενων ὧν τὸ μὲν ἐστὶ κινήσεως ἀρχὴ καὶ μεταβολῆς, τὸ δὲ μονῆς, ψυχὴν γεγενῆσθαι, μηδὲν ἦττον τοῦ ἰσάναυ καὶ ἰσασθαι δύναμιν ἢ τοῦ κινεῖσθαι καὶ κινεῖν οὐσαν, a view criticised by *Arist. De An.* 1.2.4, *Arist. APo.* 2.4, *Arist. Metaph.* 985b31–986a2. (CHERNISS: *Aristotle's Criticism of Pre-Socratic Philosophy*, p. 386). The least that can be said is that Xenocrates upheld the immortality of the soul, as would be expected, *Xenocr. fr.* 73–75.*

Pythagoras: GIGON (*Der Ursprung der griechischen Philosophie*, p. 142) claims that the teaching about number does not, in fact, belong to ancient Pythagoreanism.

The earliest evidence we have for such a doctrine is Philolaus (D.-K. 44B3–4), late in the 5th centry, who was a proponent of number in an epistemological, but not an ontological context. We have no evidence of any claims by the Pythagoreans that 'all is number' until Aristotle, who relied on the eclectic Ephraim who, according to Aëtius (D.-K. 51A2), was the first to believe the numerical monads (units) were corporeal. Cicero probably acquired his knowledge of Pythagoreanism through Aristotle whose portrayal is often generalised and at times incorrect. Aristotle cites four quite different Pythagorean views on the soul, and does not offer any explanation. As regards the Pythagoreans' theory of number, Aristotle gives us three contradictory variants. Firstly, they are the basis of the material world, *Arist. Metaph.* 986a16, ἀριθμὸν... ἀρχὴν εἶναι καὶ ὡς ὕλην τοῖς οὐδοῖς καὶ πάθῃ τε καὶ ἕξει; 987b28, ἀριθμοὺς εἶναι αὐτὰ τὰ πράγματα; 1083b11, τὰ σώματα ἐξ ἀριθμῶν εἶναι συγκείμενα; secondly, in contradiction to this, Pythagoreans *liken* things to numbers, *Arist. Metaph.* 985b27, 987b11, and thirdly the elements of numbers are the elements of things (so here in Cicero), *Arist. Metaph.* 986a2, τὰ τῶν ἀριθμῶν στοιχεῖα τῶν ὄντων στοιχεῖα πάντων ὑπέλαβον εἶναι, and again at 986a18. For criticism of Aristotle's attribution, see KIRK/RAVEN/SCHOFIELD (*Presocratic Philosophers*, p. 333); ZHMUD (*All Is Number*, p. 285).

in natura maxima esset: *Xenocr. fr.* 23, Πυθαγόρας

... πάντα τὰ πράγματα ἀπεικάζων τοῖς ἀριθμοῖς.

eius: i.e. Xenocrates

Plato: *Pl. Ti.* 69c, *Pl. Rep.* 439d, and *Pl. Phdr.* 246a–b.

triplicem animum: cf. *Tusc.* 4.5.10, *Platonis descriptionem sequar, qui animum in duas partes diuidunt: alteram rationis participem faciunt, alteram expertem*, which Plato called the τὸ λογιστικόν, and the τὸ ἄλογον. The second irrational part is further subdivided, as *ira*, τὸ θυμοειδές and *cupiditas*, τὸ ἐπιθυμητικόν, cf. *Div.* 1.29.61, Aët. 4.4.1, (who says says Plato had a διμερῆ ψυχὴν), *Theod. Graec. affect. cur.* 5.19, and for an examination on the double or triple division of Plato's soul, see REES (*Bipartition of the Soul*).

Although Plato makes the soul tripartite in the *Timaeus* and the *Republic*, in *Pl. Phd.* 77c–80c, Socrates asserts the soul is uncompounded and undivided.

principatum: = 'chief place' as often with verbs such as *dare* and *obtinerere*. For the thought, cf. *N. D.* 2.11.29, *omnem enim naturam necesse est... habere aliquem in se principatum, ut in homine mentem; principatus = the Platonic ἡγεμονικόν.*

in capite sicut in arce: a common piece of rhetoric found among the philosophers. Longin. 32 calls the metaphor divine, τὴν κεφαλὴν αὐτοῦ ἀκρόπολιν. We find it here, and in *N. D.* 2.56.140; *Pl. Ti.* 69d, 74a (where Plato also calls the neck the 'isthmus'); *Plin. H. N.* 11.134; (ed. HENSE) *Muson.* p. 87, [διάνοιαν]. . . ἐν ὀχυρωτάτῳ ἴδρυσεν ὁ θεὸς ὥστε ἀόρατον εἶναι (for the idea of the ἀόρατον, cf. 20, 46 below); *Minuc. Felix Oct.* 17.11; *Lact. Opi. Dei.* 8.3; *Euseb. Praep. Euang.* 14.26.5; *Aug. C. D.* 14.19. JAEGER (*Nemesios von Emesa*, p. 22) has argued that Cicero took the metaphor from Posidonius, who in turn had taken it from Plato. But our evidence shows that Posidonius had an opinion peculiar to him (and not normal Stoic doctrine); he saw the ἡγεμονικόν as diffused throughout the whole body, including its very bones, *D. L.* 7.138 (= *Ed.–Kidd.* 21); and *Schol.* in *Hom.* 12.386 (= *Ed.–Kidd.* 28a–b); *Philo Quod Deus sit immut.* 35 (= *SVF.* 2.458) ἐν τῷ σώματι ἡγεμονικόν.

For the repetition of the preposition, cf. below 24, *in caelum quasi in domicilium suum*, and *N. D.* 2.56.140, *sensus autem interpretes ac nuntii rerum in capite tamquam in arce mirifice ad usus necessarios et facti et conlocati sunt.*

parere uoluit: 'portrayed as obedient'. The mss. reading *separere uoluit* of GPE is contradicted, I think rightly, by the second hand of V; that the reading should *ei parere* (the correction *ei* first made by Davies) is supported by *Tusc.* 2.47 *alter imperet, alter pareat*, *Off.* 1.13, *Sen. Ep.* 92, and *Nem. De Nat. Hom.* 16.177, τὰ ἄλογα μέρη τῆς ψυχῆς πέφυκε πείθεισθαι λογῶν καὶ ὑποτάσσεσθαι κλιτ.

iram: = θυμὸς

locis disclusit: a curious difficulty in the text. The vulgar reading *quas locis suis locauit* is not too peculiar, cf. *Brut.* 62, *membra suo quaeque loco locata* (Davies), and we have a similar phrase in the English with 'to put him in his place'. The corrector of mss. R and S added *disclusit* which Ernesti and later Moser restored. The argument of course is that such a rare word as *disclusit* is unlikely to be added by copyist. Bentley gave *quas locis disclusas* thinking that *suis* was superfluous. GIUSTA (*Testo*, pp. 15, 129) suggested *locis disclusis* but this goes against the parallel use of this verb below at 33, 80 *iras disclusas*; anger itself is separated, not its location.

supter praecordia collocavit. Dicaearchus autem in eo sermone, quem Corinthi habitum tribus 21
libris exponit, doctorum hominum disputantium primo libro multos loquentes facit; duobus
Pherecraten quendam Pthiotam senem, quem ait a Deucalione ortum, disserentem inducit nihil
esse omnino animum, et hoc esse nomen totum inane, frustra animalia et animantis appellari,
5 neque in homine inesse animum uel animam nec in bestia, uimque omnem eam, qua uel agamus
quid uel sentiamus, in omnibus corporibus uiuis aequabiliter esse fusam nec separabilem a
corpore esse, quippe quae nulla sit, nec sit quicquam nisi corpus unum et simplex, ita figuratum
ut temperatione naturae uigeat et sentiat. Aristoteles, longe omnibus — Platonem semper excipio 22

1. Dicaearch. *fr. Wehrli*. 7.

1 collocavit] locavit X: collocavit V^c 2 doctorum] dictorum X: doctorum *corr. VK, PE* 3 pherecraten] pherecraten
GBS: pherecratem RV 4 omnino animum] animum omnino K 4 frustra] frustra et *det. codd., Orelli, Moser*
4 animalia] animalia X: et animalia V^c *recte?* 4 animantis] animantis X: animantes V^c 5 uel animam] *del. Lamb.*
6 aequabiliter] aequaliter V^c

praecordia: placed in the diaphragm, Pl. *Ti.* 70d–e.

collocavit: GIUSTA (*ibid.*, p. 15) notes that Cicero always end a cola with *collocavit*, and not *locavit*, cf. *Rep.* 1.17, 2.12, *Ac.* 2.6, *Parad.* 25, *Phil.* 2.44, 3.3.

§21. **Dicaearchus**: Dicaearchus of Messana of Sicily was a Peripatetic philosopher, a disciple of Aristotle, and wrote widely on geography, history, the antiquities, and philosophy. He wrote three books *Περὶ Ψυχῆς* which probably are the same as the *Κορινθιακοί*, three books of the *Λεσβιακοί* (below, 31, 77), one book on death, and his most important work, *Βίος τῆς Ἑλλάδος* also in three books. Two doxographers ps.-Plutarch 4.2.5 (= *fr. Wehrli*. 12a), and Stob. *Ecl.* 1.49.1 (= *fr. Wehrli*. 12b) attribute to Dicaearchus the view that the soul is a *harmonia* of the four elements (Nem. *De Nat. Hom.* 2, 17.5–9, *ψυχὴν τῶν τεσσάρων στοιχείων*, Aët. 4.2). Cicero, however, who certainly knew his writings first-hand (*Att.* 13.32.2), gives us here a slightly different account of his view. Dicaearchus agreed with Aristoxenus in denying the immortality of the soul, §§21, 41, 51, 77, and *Ac.* 2.124 (= *fr. Wehrli*. 8c–f, 9); but he held that the soul was in no way distinct from the body, and that consciousness is a function of the body which arises from the structure of its parts — a theory quite distinct from other major Hellenistic schools, though it shows some resemblance to one attributed to Xenocrates by Lact. *Opi. Dei.* 16.12 (= *Xenocr. fr.* 71). The soul for Dicaearchus as *harmonia* consisted in a certain condition of the body, S. E. M. 1.349 (= *fr. Wehrli*. 8a), *οἱ μὲν μηδὲν φασιν εἶναι αὐτὴν* (sc. *τὴν διάνοιαν*) *παρὰ τὸ πῶς ἔχον σῶμα, καθάπερ ὁ Δ*; curiously, in these fragments the term *ἁρμονία* does not occur, though Cicero expresses it twice, as does Lactantius.

duobus: sc. *reliquis*, ‘in the other two’

Deucalion: a son of Prometheus, he survived the ancient flood and became king of Phthia, *RE* 5.263. He is mentioned by Dicaearchus because he was said to have re-created the human race from stones and wood, i.e., lifeless matter.

inducit: the term indicates a work of a dramatic nature, cf. *Div.* 1.131, *Pacuvianus, qui in Chryse physicus inducitur*.

frustra: = *sine causa*, cf. *Fin.* 2.12.36, *in quo frustra iudices solent*, and Madvig’s n. Moser, following Orelli, inserted <et> before *animalia* found in a few of the lesser MSS.; I am inclined to agree but hesitant to depart from recent editors. Nevertheless, I find a good parallel to support Moser at *Off.* 1.20, *vel benignitatem vel liberalitatem appellari*. Here, where we have two words submitted as separate examples demonstrating the vanity of the terminology, we would expect a construction of ‘both... and’.

animalia et animantis: cf. *Ac.* 2.32; *N. D.* 1.26 and 3.36, where the word *animal* is generally derived from *animus* (i.e., spiritual) which Cicero allows to all creatures, i.e., both beasts and man, ζῶα, not just an *anima* or animating vital force, cf. Sen. *Ep.* 113.2, *animum constat animal esse*,

cum ipse efficiat ut simus animalia, cum ab illo animalia nomen hoc traxerint. The antithetical term *animantes* includes plants, encompassing anything with an ‘animating vital force’, *ἔμφυχα*. Simplicius tells us that Dicaearchus denied the existence of a cause of living creatures, i.e., their soul, *Simpl. In Cat.* 216.12 (= *fr. Wehrli*. 8g), *οἱ ἀπὸ τῆς Ἐπιερετίας ἀνηρουν τὰς ποιότητας ὡς οὐδαμῶς ἐχούσας τι κοινὸν οὐσιῶδες, ἐν δὲ τοῖς καθ’ ἕκαστα καὶ συνθέτοις ὑπαρχούσας. καὶ Δικαίαρχος δὲ ἀπὸ τῆς αὐτῆς αἰτίας τὸ μὲν ζῶον συνεχῶσαι εἶναι, τὴν δὲ αἰτίαν αὐτοῦ ψυχὴν ἀνῆρει.*, cf. *Iamb. ap. Stob. Flor.* 1.49.32, 363.20 and 367.6 (= *fr. Wehrli*. 8k). For a good overview, see SHARPLES (Dicaearchus on the Soul and on Divination, pp. 148–150).

uel animam: Lambinus wanted to delete *animam*, but here Cicero is bringing out the etymological connection between *animus* and *animam*; Pherecrates undertakes to show that there is no life principle, to say nothing of the soul. Davies cites *Juv.* 15.148, *indulsit communis conditor illis tantum animas, nobis animum quoque*, and see CASTON (Epiphenomenalisms, pp. 342–344).

in omnibus corporibus uiuis aequabiliter esse fusam: Atticus (the Platonist) argued that Dicaearchus denied the substantiality of the soul, which for him was the logical conclusion to draw from Aristotle’s argument that the soul belongs to the whole man and not a certain part (Arist. *De An.* 408b5–15), Atticus ap. Euseb. *Praep. Euang.* 15.9.10 (= *fr. Wehrli*. 8i), *τούτῳ τοιγαροῦν ἐπόμενος Δ.*, *καὶ τὰκόλουθον ἱκανός, ὃν θεωρεῖν, ἀνήρηκε τὴν δλην ὑπόστασιν τῆς ψυχῆς* and cf. Nem. *De Nat. Hom.* 2 (= *fr. Wehrli*. 11), *Ἀριστοτέλης δὲ καὶ Δικαίαρχος ἀνούσιον (τὴν ψυχὴν εἶναι λέγουσιν)*.

nec separabilem a corpore: because the soul is thought of as the form of an organic body, Arist. *De An.* 1.4, and CHERNISS (Aristotle’s Criticism of Pre-Socratic Philosophy, 352ff).

quippe quae nulla sit: *Madv. Gram.* 366, obs. 2, the use of the relative with the subjunctive here to assign the reason, strengthened with *quippe*. Cicero means that such a force cannot exist *separately* from the body.

uim... temperatione naturae: the power by which we act or are aware comes about through a ‘tempering of the nature of the body’, τὸ σῶμα κεκραμένον, *Plut. in Col.* 1119a–b, and not the ‘soul’, as its separate existence is denied — there is often confusion on this point, as in *Iamb. ap. Stob.*, quoted above. The term *temperacione naturae* is a clear allusion to the theory of *harmonia*; cf. below 28, 68, *ad temperacionem corporum aptas*; *Tusc.* 4.13.30, *corporis temperatio, cum ea congruunt inter se et quibus constamus, sanitas, sic animi dicitur, cum eius iudicia opinionisque concordant*.

uigeat: cf. 17, 41 n. *uegeta*

§22. **Aristoteles**: out of chronological order, so placed here to make him the climax, cf. *Minuc. Felix Oct.* 19.14.

Platonem semper excipio: as he often does in the *Tusc.*, cf. 21, 49 below.

— praestans et ingenio et diligentia, cum quattuor nota illa genera principiorum esset complexus, e quibus omnia orerentur, quintam quandam naturam censet esse, e qua sit mens; cogitare enim et prouidere et discere et docere et inuenire aliquid et tam multa meminisse, amare odisse, cupere timere, angi laetari, haec et similia eorum in horum quattuor generum inesse nullo putat; quintum genus adhibet uacans nomine et sic ipsum animum ἐνδελέχεια appellat nouo nomine quasi quandam continuatam motionem et perennem.

5. *Arist. De Phil. fr. 27*

2 e qua] equa X: esse/quæsit V^c 3 tam multa] tam multa ἄλῖα V^c, *Giusta et Sor.*, cf. 24, 59: et tam multa alia, meminisse *Lamb.* 5 et sic] et sic X: ὅς V^c: etsi scripsit *Giusta* 5 ἐνδελέχεια] endelechian X: ἐΝδελεΧε'αNS, in marg. ἐμλελεχειαμ: entelechian ed. *Jensonsiana*. 5 appellat] appellat RKV^c: appellat G

quattuor genera principiorum: the doctrine of the four elements, water fire earth and air, as first established by Empedocles, *Arist. G. C. 2.1, 328b–329b*, and cf. *Ac. 1.7.26, e Graeco uertam elementa dicuntur; e quibus aer et ignis mouendi vim habent et efficiendi*, etc.

principiorum: *Lucr.* uses the term *elementa* to represent the Greek στοιχεῖον.

quintam quandam naturam: there are a many references to a 'fifth body' (σῶμα πέμπτον), or a 'body moving in a circle' (κυκλοφορητικὸν σῶμα) in later literature, many of which are assigned to Aristotle, though to no particular work. A few say explicitly that he called such a body the 'fifth body' (*Aët. 1.7.32, 2.30.6; Stob. Ecl. 1.502*) but such testimony is not entirely reliable. Nevertheless, the term had currency among doxographers and commentators as suitable to the celestial element in *Arist. Cael.*, cf. *Xenarchus* and *Nicolaus ap. Simpl. In Cael. 13.18, 20.12, 21.33*. If this fifth element is in fact incorporeal, what Cicero claims here is then not in keeping with *Arist. Cael. 2.3, 286a11–12, b66–7*; if it is corporeal and material, then it conflicts with his earlier claim of an incorporeal soul at *Arist. De Phil. fr. 8*. These difficulties have raised much debate about whether Aristotle held any belief in a soul composed of a fifth element; cf. *Reid on Ac. 1.11.39, MARIOTTI (La quinta essentia); GIGON (Cicero und Aristoteles, pp. 153–156); EASTERLING (Quinta Natura); SETAIOLI (El destino del alma, p. 507); CHROUST: Aristotle, vol. 2, pp. 194–205, and Moraux in RE. 24, 1171–1263, 1430–1432*.

e qua sit mens: in §§41, 65–66; *Ac.*, 1.7.26, and *Fin. 4.5.12*, Cicero makes a similar claim that Aristotle derived νοῦς from a fifth element, but this is not quite true. *D. L. 5.32, εἶναι δὲ παρὰ τέσσαρα στοιχεῖα καὶ ἄλλο πέμπτον, ἐξ οὗ τὰ αἰθέρια συνεστάναι. ἄλλοίαν δ' αὐτοῦ τὴν κίνησιν εἶναι, κυκλοφορητικὴν γὰρ καὶ τὴν ψυχὴν δὲ ἀσώματον*, and cf. *Arist. Cael. 1.2–3, 2.7; S. E. M. 10.316, Plu. De Plac. Phil. 1.3.38, Stob. Ecl. 308; Simplicius* says that Xenocrates openly recounted the theory at *Arist. Ph. 8, 268a*. cf. *Ac. 1.39, quintam naturam, 1.26, quintum genus*. The confusion is brought about by a conflation of Aristotle's and Stoic dogma. Aristotle claimed the fifth element to be τῶν αἰθερίων, of the stars and heavenly bodies; and according to the Stoics, these bodies were divine, and considered either mind or spirit. In this way, Cicero came to the conclusion that the fifth element formed mind.

prouidere: the ability of foresight is distinct and prominent in man, cf. *Off. 1.13*.

tam multa: *GIUSTA (Testo, p. 30)* argued for the deletion of *alia* which results in a superior rhythm *mūltā mēmīnīsse*. However, that this is also done by the second corrector of V^c, is to my mind is strongest evidence that the word should be deleted.

quintum genus: cf. *Arist. G. A. 2.4, 736b29, πάσης μὲν οὖν ψυχῆς δύναμις ἑτέρου σώματος ἔοικε κεκοινωνηκέναι καὶ θεϊοτέρου τῶν καλουμένων στοιχείων*.

uacans nomine: though normally thought to be named αἰθήρ as deduced from Cicero's terminology *ardor caeli* at *N. D. 1.37, 2.41, 91–92*, which most scholars had assumed is Aristotle's fifth element, but this has been largely dis-

missed. *Arist. Cael. 1.3, 270b20–4, Arist. Mete. 1.3, 339b21–7 approved* of the term αἰθήρ, because it suggested the eternal movement of the celestial elements (ἀεὶ θεῖν) but he himself never used the phrase. He calls it variously τὸ πρῶτον σῶμα, τὸ ἄνω σῶμα, τὸ ἐγκύκλιον σῶμα, or other such terms which usually refer to its position or movement. Its application to both 'air' and 'upper fire' made it rather indistinct and this is the reason why Aristotle refrained from using αἰθήρ; and probably why Cicero claimed it did not have a name. Although later called ἀκατονόμαστον, Aristotle in his extant works never claims it is without name, cf. *Clem. Rom. Recog. 8.15 (= Arist. De Phil. fr. 27), Psell. De Omnif. Doct. 131, and see ΗΑΗΜ (Fifth Element in Aristotle's De Philosophia, pp. 62–66); CHROUST (Aristotelian Akatonomaston)*.

et sic: *GIUSTA (Testo, p. 129)* wished to read *etsi*, but cf. *N. D. 1.91, seminane deorum decidisse de caelo putamus in terras et sic homines patrum similes extitisse*, a parallel which supports the reading of the mss.

animum: = 'mind', not soul, though Democritus conflates the two in *Arist. De An. 1.5, 404a, cf. Fin. 5.36*.

ἐνδελέχεια: = 'continuity', 'persistence', for which we have the proverb of Choerilus (ed. Naeke), *πέτρην κοιλαίνει βάνις ὕδατος ἐνδελείη* (cf. *Lucr. 3, ad fin.*) which signifies a continual motion (here, in wearing down the stone). But is this what Cicero wrote? The witness of *Macr. Somn. Scip. 2.13* has *Aristoteles ἐντελέχεια*, which goes a way to highlighting how much confusion there was between the two terms ἐνδελέχεια and ἐντελέχεια = 'having the end within itself' (*GRAHAM: The Etymology of Entecheia; BLAIR: Aristotle on Entecheia*). The former term was widespread enough, but the latter was a neologism by Aristotle; therefore, the words *nouo nomine* must surely point to the fact that Cicero wrote ἐντελέχεια. Nevertheless, most recent editors have preferred to read ἐνδελέχεια and thus charge Cicero with a blunder — and so Lucianus rightly joked that Cicero 'abstulit δ et sic effere postulat contra fas et ius omne'. *Arist. De An. 2.1, 412b5* defined the soul as ἐντελέχεια ἢ πρώτη σώματος φυσικοῦ ὀργανικοῦ and denied that it had any movement in 1.3, 406a; but he also writes in *Arist. De An. 1.3, 402a–b* that it is no small matter to discern whether the soul be a power or an actuality, ἔτι δὲ πότερον τῶν ἐν δυνάμει ὄντων ἢ μᾶλλον ἐντελέχεια τις διαφέρει γὰρ οὐ τι μικρόν, and where it would seem most appropriate to do so, Aristotle nowhere tells us what the difference is. Otherwise in 3, 427a17–19, he calls the soul τὸ αἰσθητικὸν ἢ ὀρεκτικόν, an 'appetitive' thing; and this implies movement, though it still is in keeping with Aristotle's denial of the soul as self-moving. As such, it is hardly too dissonant with Cicero's phrasing here. If Cicero conceived of Aristotle's fifth element as a physical, but non-substantial, a sort of 'weak-physicalist' position, neither then does he not stray far from *Arist. Cael. 1.9, 279a15*, where Aristotle says that motion is proper to such bodies. In general, the interpretation of Aristotle's theory on the soul is fraught with difficulty, and for a full discussion, see *BARNES (Aristotle's Concept of Mind); SORABJI (Body and Soul in Aristotle); CHARLTON (Aristotle's Definition of Soul)*.

XI. Nisi quae me forte fugiunt, haec sunt sunt fere de animo sententiae. Democritum enim, magnum illum quidem uirum, sed leuibus et rotundis corpusculis efficientem animum concursu quodam fortuito, omittamus; nihil est enim apud istos, quod non atomorum turba conficiat. harum sententiarum quae uera sit, deus aliqui uiderit; quae ueri simillima, magna quaestio est. 23
5 utrum igitur inter has sententias diiudicare malumus an ad propositum redire?

Cuperem equidem utrumque, si posset, sed est difficile confundere. quare si, ut ista non disserantur, liberari mortis metu possumus, id agamus; sin id non potest nisi hac quaestione animorum explicata, nunc, si uidetur, hoc, illud alias.

Quod malle te intellego, id puto esse commodius; efficiet enim ratio ut, quaecumque uera sit

4. Lact. *Inst.* 7.8.9.

1 haec sunt] haec sunt RVG: h' sunt K: hae P, *Küh.* 1 fere de] fere de X: fere V 3 nihil...conficiat] *Non.* 269, 12-14. 3 atomorum] eorum *Non.* 3 turba] turba X, *Non.* 269: turbo *Gustafsson* 4 aliqui] aliqui X: aliqui^s VP *alio atram.* *superscr.*: aliquis S at s alio atram.

XI. nisi quae me...: 'Unless I am mistaken, these are nearly all the opinions regarding the soul.'

haec sunt: a rare form of the feminine plural, for which see HAND: Tursellinus, vol. 2, p. 700, Munro on *Lucr.* 6.456, and NEUE-WAGENER 2, 417, cf. *haec* at *Tusc.* 3.84, 4.36, 5.84; but Cicero writes *hae* below, 17, 40.

Democritus: Democritus, the atomistic philosopher, born at Abdera, 460B.C., more fully carried out the system of his master Leucippus. *N. D.* 1.24.66, KIRK/RAVEN/SCHOFIELD (*Presocratics Philosophers*, pp. 427-429). Cicero seems to have felt a kindly disposition towards Democritus, *Div.* 2.30, and seems to love opposing him to Epicurus, cf. *Madvig* on *Fin.* 1.20.

leuibus et rotundis corpusculis: not *leuibus*, but *leuibus* = λείος, smooth, here opposed to *aspera*, cf. *N. D.* 1.24.66, *corpuscula quaedam leuia, alia aspera, rotunda alia, partim autem angulata et hamata, curuata quaedam et quasi adunca.* For the reason why Democritus held that the atoms of the soul were smooth and round, see below 18, 42, and cf. *Lucr.* 2.402, *e leuibus atque rotundis esse ea quae sensus iucunde tangere possunt*, and 465, *quod fluidus est, e leuibus atque rotundis est.* Democritus claimed that the sun and the moon were formed by revolutions of smooth atoms, and in a similar fashion so the mind and the soul, (*D. L.* 9.44), and also see *Arist. De An.* 1.3, ἀπείρων γὰρ ὄντων σχημάτων καὶ ἀτόμων τὰ σφαιροειδῆ πῦρ καὶ ψυχὴν λέγει (sc. Δημόκριτος), and *Stob. Ecl.* 1.52.

corpusculis: The term *corpusculis* is used by Lucretius, inter alia, for 'atoms', where see Munro n. on *Lucr.* 1.55. Cicero is inconsistent with his terminology, immediately using *atomus*.

concursum quodam fortuito: such 'chance' collusions were properly Epicurean, not Democritean, and although Cicero often identified Epicurean and Democritean teachings for polemical reasons, as he does in *Ac.* 1.6, he very well knew the difference between them. The collusion 'by chance', his famous 'swerve', was introduced by Epicurus into the atomic theory in order to provide a basis for freewill. Democritus however accepted it was fate (ἀνάγκη, εἰμαρμένη) that held sway over the continual downward rain of atoms through the void, that in a whirl the heavy atoms would eventually overtake the lighter atoms (*atomus gravitate ferretur naturali ac necessaria*) and bring about collisions (σύγκρισις, συμπλοκή = *concursum*) from which worlds would arise, *D.-K.* 68B167, and cf. *Fat.* 23, and 39, where Cicero more accurately distinguishes their theories.

apud istos: = the Atomists, whom Epicurus followed; for the plural, see above 6, 12 n.

turba: GUSTAFSSON (*Coniecturae*, p. 169) suggested *turbo* for the Democritean δυνή, from *Fat.* 42, though he admits Cicero is not clear here; cf. *Fin.* 1.20, *turbulenta concursio*. The term *turba* is derogatory.

§23. deus aliqui: so the best mss., but see Reid's n.

on *Ac.* 2.19.61; *aliquis* is substantival, *aliqui* adjectival. In *Tusc.* 4.16.35, and 5.21.61, *aliqui terror*; but *aliquis dolor* at *Tusc.* 1.34.82, and 2.20.46, *dolor aliquis*, and this double use of *aliquis* as both a substantive and adjective becomes more frequent in later writers.

uiderit: not subjunctive, but fut. perf.; 'Some god will decide it'. This use of *uidero* (*uideris*, etc.) is employed to postpone the discussion of a subject, or to leave it to another's consideration, cf. *Tusc.* 2.18, *Sitne malum dolor necne, Stoici uiderint*, *Ac.* 2.44, and see *Madv. Gram.* 340, obs. 4.

inter has sententias diiudicare: the use here of *inter* with a form of *iudicare* was suspected by Lambinus, the usage nowhere else attested. Moser explains by suggesting we need to supply *litem* or *rem*, cf. *Leg.* 1.20.53, *arbitrum inter antiquam Academiam et Zenonem*; *De Or.* 1.39.176, *inter Marcellus et Claudius iudicantur*.

si posset: as Pohlenz notes, *potest* here = *pote est*, denoting possibility, not ability. We have common ellipse of *fieri*, often with *solet*. Other examples are *Catullus* 42.16, *Att.* 12.40.2, *ne doleam? qui potest?*, and *Ac.* 2.121, *negas sine deo posse quicquam*.

difficile confundere: here = 'to disregard logical rules of definition'. *confudere* = *coniungere, consociare*, in combining and mixing things together, a metaphor taken from metallurgy, cf. *N. D.* 3.8.19, *agere confuse*, *Off.* 1.27.95, *Fin.* 5.23.67 and see *Ac.* 2.47 with Reid's n.

ut: here, the *ut* concessive; but note that the subjunctive has nothing to do with this, itself being one of result, cf. *Madv. Gram.* 440a, obs. 4.

disserantur: the verb *dissero* is often used often with an accusative, sometimes with pronouns in relative clauses. However, it is used only rarely in the passive with a substantive, both here and *Ac.* 1.46, *multa disseruntur*.

quaestione animorum: gen. of remoter object = *quaestione de animis*, cf. below 12, 27 n. *excessu uitae*.

hunc hoc, illud alias: *hoc* is the discussion on the question of the soul, which generally continues until 33, 81, *cum satis de aeternitate dixissemus, ne si interirent quidem animi, quicquam mali esse in morte*. Throughout this discussion, reasons are brought forward why we ought not to fear death. *illud* refers to the further historical and philosophical exempla Cicero marshalled later in 82-119, and done so in order to drive away any remaining fear of death regardless of the state of the soul. In this way, the first book of *Tusc.* finds its model in the *Phaedo*, where Plato faces similar difficulties when Simmias and Cebes raise objections; for when Simmias continues to express doubts over the arguments for immortality, Socrates attributes these doubts to *fear* rather than shortcomings in the argument, *Pl. Phd.* 107a-b, and thus ends his argument by introducing myths about the soul.

efficiet... ut: 8, 16 n.

24 earum sententiarum quas exposui, mors aut malum non sit aut sit bonum potius. nam si cor aut sanguis aut cerebrum est animus, certe, quoniam est corpus, interibit cum reliquo corpore; si anima est, foras dissipabitur; si ignis, extinguetur; si est Aristoxeni harmonia, dissoluetur. quid de Dicaearcho dicam, qui nihil omnino animum dicat esse? his sententiis omnibus nihil post mortem pertinere ad quemquam potest; pariter enim cum uita sensus amittitur; non sentientis autem nihil est ullam in partem quod intersit. reliquorum sententiae spem adferunt, si te hoc forte delectat, posse animos, cum e corporibus excesserint, in caelum quasi in domicilium suum peruenire.

Me uero delectat, idque primum ita esse uelim, deinde, etiamsi non sit, mihi persuaderi tamen

2 corpore] tempore RGL: tēpore K: temp̄ P: tp̄'e E: corpore B: cor pore V, -cor in rasura V^c: corpore S 3 foras] fortasse X: foras mihi recte Giusta 3 si est] si ex dett. codd.: si est ut Ursinus

aut malum non sit aut sit bonum: for *sit* repeated, Klotz compares *Sen.* 8.26, *senectus non modo languida atque iners non sit, verum etiam sit operosa et semper agens aliquid et moliens*. The subjunctive is found in all mss., and can be justified as standing in a relative clause dependent on a subjunctive clause, and so attracted into the subject, cf. 5, 9 n. and *Ac.* 2.20. A better parallel I think is *Flac.* 8.19, *mirandum uero est homines eos... libenter adripere facultatem laedendi quaecumque detur*, where all the mss. read *detur*.

§24.: An overview of the two possibilities of death; either entire dissolution, or the soul rises to heaven if it continues to exist after separation from the body. JONES (Posidonius and Cicero's *Tusc.*, p. 205) felt that there was an incongruity here where Cicero claims that if the soul is either air or fire, it will dissipate; later in §§40–43, 60, and 65, he claims that these philosophies are compatible with the soul's survival. He believes Cicero has copied this section from a previous work, quite possibly his *Consol.*, and placed it here where appropriate; and if we compare it to the section explicitly taken from his *Consol.*, (31, 78–79), we find that in both cases the immortality of the soul is affirmed along with a denial that the soul could be either fire or air; there are also verbal echoes in describing the faculties, *meminisse, inuenire* both in 10, 22 and again in 22, 65. But this is mere speculation; in a work as vast as the *Tusc.*, we find many striking echoes, even from Cicero's much earlier works, such as *Rep.*, where see 19, 42 n.

sanguis: 10, 19 n.

corpus: i.e., corporeal, as *σῶμα* often in Greek.

anima: the Latin form of the Greek *ἀήρ*, cf. *N. D.* 2.91, *itaque aer (hoc quoque utimur enim pro Latino) et ignis et aqua et terra prima sunt*. Verbergius also compares *Tim.* 12, *quod tum eveniet cum illa quae ex igni anima aqua terra turbulenta et rationis expertia insederint ratione depulerit*, where it cannot be doubted that *animam* stands in place of *aēr* in the four elements; and not much further down we read *ignis et terrae et atque et animae a mundo, quas rursus redderent, mutuabantur*.

foras: Bentley noticed the dissonance between *certe* and the mss. reading *fortasse*, and so punctuated *si anima est fortasse, dissipabitur*, which I think is against Ciceronian usage. GRUSTA (Testo, p. 130) alters to *foras*, which LUNDSTRÖM (Textkritik, p. 33) thinks hardly possible paleographically, but nevertheless a change which to my mind is undoubtedly right. He compares *Div.* 1.114, *animi evolvant atque excurrant foras*, and *Lucr.* 2.951 *dispersam foras*. I also add *Rep.* 6.29, *animus... eminebat foras*.

quid de Dicaearcho: rhetorically disparaging, the reader is meant to assume that the weaknesses of Dicaearchus' position is obvious: 'what need I say about Dicaearchus?'

quid dicat: the subjunctive of quality, 'the kind of man who asserts'.

his sententiis omnibus: i.e., *ex his sententiis omnibus*, the ablative here used in the same manner as *meo iudicio, mea sententia*, etc.

nihil post mortem pertinere ad quemquam: cf. *Epicur. Sent.* 2, *ὁ θάνατος, οὐδὲν πρὸς ἡμᾶς, τὸ γὰρ διαλυθὲν ἀναισθητεῖ,*

τὸ δ' ἀναισθητοῦν οὐδὲν πρὸς ἡμᾶς, a position the Epicureans were eager to maintain, but one which focuses on the state of being dead, and not the process of dying. *Plin. H. N.* 7.55 maintains the same.

cum uita sensus amittitur: though generally true of the other theories mentioned, curiously we have several pieces of evidence that Democritus argued the soul lingered on for a while in a corpse, and even retained some degree of perception, D.–K. 117A160, with TAYLOR (Leucippus and Democritus), and below 47, 112; cf. *Plu. De Plac. Phil.* 4.4.7, *ὁ Δημόκριτος πάντα μετέχειν φησὶ ψυχῆς ποιᾶς, καὶ τὰ νεκρὰ τῶν σωμάτων*; and *Alex. Aphrod. in Arist. Top.* 21.21, *τὰ νεκρὰ τῶν σωμάτων αἰσθάνεται, ὡς ὤϊστο Δημόκριτος*; for Democritus, whose atoms of body and soul are dispersed throughout the body, death may be a more protracted event. But Epicurus opposed this view, cf. *Epicur. Ep. Hdt.* 64–65, where he argues that as soon as the soul leaves the body (death), all perception is lost, *ἀπαλλαγείσης τῆς ψυχῆς οὐκ ἔχει τὴν αἰσθησιν*, cf. *Lucr.* 3.870–5. Either the body has the soul and is alive, or the soul departs, and died, and so no longer perceives — there is no intermediate position as in Democritus. See WARREN (Democritus, the Epicureans, Death, and Dying, pp. 199–200); KERFERD (Epicurus' Doctrine of the Soul, pp. 83–84), and below 34, 82.

sensus...sentientis: It seems we have two meanings of *αἰσθησις*, as applied to the organs of sense themselves, and to the impressions we receive from them. In the Greek sources, the words *αἰσθησις* and *φαντασία* are often interchanged, cf. *Sen. Ep.* 124.6, *aliquid manifestum sensuque comprehensum*. *Stob. Flor.* 1.41.25 applies the term *αἰσθησις* to *φαντασία*. See Reid's n. on *Ac.* 1.41, *quod autem erat sensu comprehensum, id ipsum sensum appellabat*.

ullam in partem quod: the position of the relative after *ullam* emphasises these words, cf. *Tusc.* 3.15.32, *isdem de rebus quod dici possit subtilius*.

nihil intersit: = *Epicurus' ἀδιάφορον*.

in caelum quasi in domicilium suum: the metaphor that in death we have an escape to heaven, as if we were returning to our own home is a common one throughout philosophy, see CUMONT (*Lux perpetua*, p. 167), 22, 51 and 49, 118 below; *Sen.* 23.84, *ex vita ita discedo tamquam ex hospitio, non tamquam e domo. commemorandi enim natura devorsorium nobis, non habitandi dedit*; as well as Cicero's *Hortens. fr.* 115, *ex hac in aliam haud paulo meliorem domum demigrare*; *Rep.* 6.25, and 29; [*Plu.*] *Consol. ad Apoll.* 117f calls life an *ἐπιδημία*, and 120b; *ps.-Pl. Ax.* 365b; *Epict. Gnom.* 2.23; *Sen. Ep.* 70.16; 65.21; 66.3; and MOREL/BÜCHNER/BLÄNSDORF (FPL), Hadrian fr. 3, *animula... hospes comesque corporis*; *Pl. Phd.* 117, *τὴν μετοίκησιν τὴν ἐνθὲνδε ἐκέισε*.

The preposition (*in*) is usually omitted in these appositional clauses with *quasi*; its repetition here, therefore, is used to heighten the comparison, see Kühner's n. on *Tusc.* 3.15.33.

uero: affirmative, as often when attached to pronouns, cf. *ego uero*, 78, *mihi uero*, 25. Many examples occur in Terence, *K.–S.* 133, 2a.

uelim.

Quid tibi ergo opera nostra opus est? num eloquentia Platonem superare possumus? euolue diligenter eius eum librum, qui est de animo: amplius quod desideres nihil erit.

Feci mehercule, et quidem saepius; sed nescio quo modo, dum lego, adsentior, cum posui
5 librum et mecum ipse de immortalitate animorum coepi cogitare, adsensio omnis illa elabitur.

Quid hoc? dasne aut manere animos post mortem aut morte ipsa interire? 25

Do uero.

Quid, si maneant?

Beatos esse concedo.

10 Sin intereant? Non esse miseros, quoniam ne sint quidem; iam istuc coacti a te paulo ante concessimus.

Quo modo igitur aut cur mortem malum tibi uideri dicis? quae aut beatos nos efficiet, animis manentibus, aut non miseros sensu carentis.

XII. Expone igitur, nisi molestum est, primum, si potes, animos remanere post mortem, tum, 26

10. cf. below 50, 97; Sen. Ep. 25; Lact. Inst. 3.19; Sen. Cons. Polyb. 27; Sen. Cons. Marc. 19.

3 animo] animo KPE: anima V^c 8 quid] quod R 10 sint] sint X: sunt dett. codd. 10 iam] nam Lambinus
13 carentis] carentis X: carentes S, V^c alia manu

euolue: cf. the term *uolumen*; here, *euolue* implies that the work was written on papyrus in the form of a roll as described by Plin. *H. N.* 13.74–82, the length of which did not normally exceed 35 feet, the reader unfolding it with his right hand, and rolling it up with his left. See ΚΕΝΥΟΝ (Books and Readers in Ancient Greece and Rome), and the engraving found in the *Antichità di Ercolano*, VIII, Tav. 55.

librum qui est de: a collocation usual for Cicero (considered formally correct), rather than *de* simply, cf. *Tusc.* 4.34.72, and *Planc.* 36, *nomine legis Liciniae, quae est de sodalicis*; but in more informal contexts, Cicero does use the shorter form, *Att.* 9.9.2, *Demetri librum de concordia*; cf. *N. D.* 1.41, and *K.–S.* 1.215. Cicero seems to call the book by the title of *de animo* (i.e., *περὶ ψυχῆς*), a curious indication that Plato's dialogues seem to have gone by their subtitles in Cicero's time. See HIRZEL: *Der Dialog*, vol. 1, pp. 293, 329, 544.

eum librum: the *Phaedo*.

feci: i.e., *euolui*, 'I have done so', a common use of the verb *facere*, like the Greek *ποιεῖν*, to avoid a repetition, see L.&S, s. v.

nescio quo modo: the literal force has practically faded away. Like the Greek *οὐκ οἶδ' ὅπως*, it is often used as a *formula dolentis* to express puzzlement or regret. 'For some reason, while I read that book, I agree, but as soon as I lay it aside and begin to reflect myself on the immortality of the soul, all my assent slips away.' Beier lists many examples of this use in his n. on *Off.* 1.41.146, including this passage here; 31, 77 below, and *Mil.* 28.76.

dum lego, adsentior: Socrates claims certainty about the immortality of the soul at Pl. *Phd.* 106e, *παντὸς μᾶλλον ἄρα, εἴη, ὃ Κέρβης, ψυχὴ ἀθάνατον καὶ ἀνώλεθρον, καὶ τῷ ὄντι ἔσσονται ἡμῶν αἱ ψυχαὶ ἐν Αἰδου*, and compelled the assent of both Simmias and Cebes. The arguments in this work elicited much scrutiny on account of Plato's expressed certainty. Their earliest critic, Strato of Lampsacus, accused Plato of begging the question which he claimed to answer; others have defended the final argument in the work as formally correct, but still admit that the premises may not be accepted by everyone. For a critical examination of some of the arguments in the *Phaedo*, see BLUCK (*Phaedo*, 18ff); FREDE (Final Proof in the *Phaedo*). HACKFORTH (Plato's *Phaedo*, 159, 161ff) argued that Plato was simply undecided over the exact nature of the soul.

§25. **quid hoc?**: sc. *est*. Pohlenz, however, argued that

hoc does not belong with *quid* but with the alternative question that follows and so placed it at the beginning for the sake of emphasis, citing §§32, 34, 56, 61 below. Drexler and Giusta follow him printing *quid? hoc dasne* etc. However, the parallel at 32 constitutes a different idiom; and all the other passages cited by Pohlenz refer to a *preceding* idea which has been made explicit, whereas here his punctuation leaves *hoc* hopelessly vague. If we follow earlier editors, we find there is gentle surprise and mock chastisement in the Latin, 'What is this? Do you grant that', etc. Note the repetition of the interrogatives *quid hoc... quid... quomodo* where there is a nice parallel in Plaut. *Poen.* 1296, *sed quid hoc est? quid est? quid hoc est?*

dasne: = *concedisne*. *das* is used often in philosophical language to mean 'grant', or 'concede', cf. *Tusc.* 2.12.28, *quare satis mihi dedisti, cum respondisti maius tibi videri malum dedecus quam dolorem*, and *Fin.* 5.28.83.

quoniam ne sint quidem: a few of the lesser mss. read *sunt* incorrectly. We have the subjunctive here after *quoniam* = *ἐπειδὴ* since we have reported speech (i.e., a statement which does not accord to his own position, but one which is he forced to adopt).

quo modo igitur: 'In what sense?', cf. *Off.* 3.27.101, *at stulte, qui non modo non censuerit captivos remittendos, verum etiam dissuaserit. quo modo stulte?*

aut beatos... aut non miseros: to the exclusion of an unhappy immortality; Cicero will completely dismiss any tales of torment from the lower world. That there was any other possibility hardly enters his mind.

XII. §26. **expone igitur...**: this section begins the central portion of the *Tusc.* and the bulk of its argument to show that the soul is immortal and that death is a good rather than an evil; that there is a naturally implanted belief in immortality as evidenced by ancient customs and practices (21–35); the argument for the immortal soul, having been set forth in 18–24, is now resumed and various views of philosophers are proffered about what the soul is, where it resides, and the superstition of Hades is exploded (36–52); Platonic arguments for the immortality of the soul (53–55); additional arguments for immortality are presented which are less clearly expressed, such as from the simplicity of the soul, from the *scala naturae*, from its faculty of memory (56–71); a treatment of Socrates and Cato, and arguments against suicide (72–75); finally, a dismissal of philosophical arguments against immortality (76–81).

si minus id obtinebis — est enim arduum — docebis carere omni malo mortem.

Ego enim istuc ipsum uereor ne malum sit non dico carere sensu, sed carendum esse.

Auctoribus quidem ad istam sententiam, quam uis obtineri, uti optimis possumus, quod in omnibus causis et debet et solet ualere plurimum, et primum quidem omni antiquitate, quae quo propius aberat ab ortu et diuina progenie, hoc melius ea fortasse quae erant uera cernebat. 5
27 Itaque unum illud erat insitum priscis illis, quos ‘cascos’ appellat Ennius, esse in morte sensum

6. Enn. Ann. 24. Hieronymus Ep. ad Nitiam, 8.

1 obtinebis] obtinebis PK: obti^enebis R: obtenebis GV 3 auctoribus] auctoritatibus dett. codd. 3 obtineri] obtineri RPKS, quod adp. Küh. et Doug.: optineri VBEG, quod scripsit Giusta: obtinere M², quinque Oxx. et complures edd. pr. habent sed male, vide 5.41.118. 5 cernebat] cercebant R: cern^hebant G ead. manu superscr: cerneba t VBP littera post a erasa: cernebant KEL

obtinebis: ‘establish’, or show something to be true, as often, cf. *Tusc.* 5.30.85. Ernesti notes that it is a term used both for orators (and Cicero frequently uses it in his pleadings) as well as for philosophers, cf. *Fin.* 2.33, *illud autem ipsum qui obtineri potest, quod dicitis* etc.

docebis: a polite imperative, cf. *expone* above. The future used in such a way often conveys a forceful desire, as if the author had also written *ut spero et opto*.

carere omni malo: cf. *Tusc.* 5.36.88, *de morte enim ita sentit, ut dissoluto animante sensum extinctum putet, quod autem sensu careat, nihil ad nos id iudicet pertinere*.

auctoribus uti optimis: here Cicero expresses an inclination to follow authorities in matters where they have a greater understanding (and greater ability), but faith in such testimony is less trusted later in *N. D.* 1.5.10, *non enim tam auctoritatis in disputando quam rationis momenta quaerenda sunt*; cf. *Div.* 2.11.27, *ego philosophi non esse arbitror, testibus uti... argumentis et rationibus oportet quare quidque ita sit docere*; and below 27, 49 n. where Cicero claims great authority for the opinion of Plato; even his own scepticism is placed under the lense of scrutiny.

obtineri: cf. *Tusc.* 5.41.118, where we have *lex obtinetur = lex ualet*, where Kühner shows in his n. *ad loc.* that the usual idiom is passive. Davies preferred the reading *obtineri*, with early editors, understanding *auctoribus ad istam sententiam, quam uis obtinere, obtinendam uti*, and this does have a Ciceronian touch. But we must go with *obtineri* (with the best mss.), and is the more likely reading.

omni antiquitate quae... uera cernebat: not the argument from *consensus omnium*, as Dougan states, but an appeal to the authority of antiquity. I find a striking parallel to Pl. *Ep.* 7, 334e, *πειθεσθαι δὲ ὄντως αἰεὶ χρὴ τοῖς παλαιοῖς τε καὶ ἱεροῖς λόγοις, οἳ δὴ μνηύουσιν ἡμῖν ἀθάνατον ψυχὴν εἶναι, though there the ancient opinion was also that the souls of wicked men would suffer torment after their judgement. (We know that Cicero had read Plato’s seventh epistle from *Tusc.* 5.100, and *Fin.* 2.92.) Antiquity held a special authority since the ancients were considered the sons of gods, and held far less corrupt opinions than the moderns — and this was often said with a tinge of old world romanticism, such as Polyb. 6.56.12, *οἱ παλαιοὶ δοκοῦσιν μοι τὰς περὶ θεῶν ἐννοίας καὶ τὰς ὑπὲρ τῶν ἐν ἄδου διαλήψεις οὐκ εἰκῆ καὶ ὡς ἔτυχεν εἰς τὰ πλήθη παρεισαγαγεῖν, πολὺ δὲ μᾶλλον οἱ νῦν εἰκῆ καὶ ἀλόγως ἐκβάλλειν αὐτά*, Pl. *Phlb.* 16c, *καὶ οἱ μὲν παλαιοί, κρείττους ἡμῶν καὶ ἐγγυτέρω θεῶν οἰκοῦντες, ταύτην φήμην παρέδοσαν*, where Plato is speaking of Prometheus, and Pl. *Rep.* 3.388b. Editors quote S. E. M. 9.23 to show that this argument had an especial appeal to the Stoics, cf. *N. D.* 2.11.27, *quoniam antiquitas proxime accedit ad deos*; and we know from Sen. *Ep.* 90 that Posidonius glorified primitive man. But it certainly is not limited to them: *Arist. De Phil. fr.* 44, as quoted by [Plu]. *Consol. ad Apoll.* 115b–c, speaks of the happiness of men after the departure from life, and he represents it as an ancient doctrine, so an-*

cient that no man knows when it began, who the author of it was; only that it had been handed down by tradition, and cf. Pl. *Ti.* 40d–e, Pl. *Phlb.* 16c, and BOYS-STONES (Post-Hellenistic Philosophy).

quo propius aberat: literally, ‘in proportion as it was nearer from’, but no more illogical than the English ‘different to’ which arose by an analogy from ‘similar to.’ For the Latin idiom, cf. Sen. 21.77, *quod eo cernere mihi melius uideor, quo ab ea propius absum*.

ab ortu: sc. *generis humani*, ‘from its beginning’.

diuina progenie: *progenies* is not said of the originators, but of the descendents, cf. 35, 85 below, *Priamum tanta progenie orbatum*; ‘from the sons of gods’, i.e., heros.

§27. **unum illud:** = *illud potissimum*, ‘that most importantly’, so Wolf who remarks that *unus* is often added to words to show a superiority, either, as Orelli teaches, in a good or bad quality, cf. *De Or.* 1.29.132, and *homunculus unus*, above 9, 17 n.

insitum: ἐμφυτον ἐννοίαν, Epict. *Gnom.* 2.11.3.

cascos: a very old word, and for its meaning cf. Varr. *L. L.* 7.28, *primum cascum significat uetus; secundo eius origo Sabina, quae usque radices in Oscam linguam egit. Cascum uetus esse significat Ennius quod ait: quam Prisci casci populi tenuere Latini*, and ADAMS (Oscan Fragment). We also have the testimony of Gell. *N. A.* 1.10, *adolescens casce nimis et uetuste loquens*, and Fest. 33 (Lindsay) (46–48).

in morte sensum neque...: Cicero claims that the traditional customs of the Romans, like their pontifical and funeral rites, are sure evidence that men believed that the soul lived on after death; and we do have evidence that there was a deep-seated belief among the early Romans, probably adopted from the Etruscans, that the soul survived after death. Though scepticism about this developed over time with the adoption by some of the Epicurean and Stoic systems, nevertheless we find that the belief of the souls’ complete destruction was in fact held by some people who were outside the committed adherents of the schools, as is shown by several funerary epitaphs, *CIL* 9.856 *mortales sumus, immortales non sumus*; BÜCHELER/LOMMATZSCH: *CLE*, vol. 1, 420. *omnia cum uita pereunt et inania fiunt*; *ibid.*, vol. 2, 1495, *in nihil a nihilo quam cito recidimus*; and a phrase that was recurrent *non fui, fui, non sum, non curo*. However, such statements were rare. Many other epitaphs, if they do not affirm a future life, certainly do not deny it. Unfortunately, most of the evidence we possess for the Romans’ conception of the afterlife is for the earlier period. Plautus and Ennius are our chief literary authorities: Ennius here, Plaut. *Most.* 46, who implies the shades of the dead haunt the living; and Plaut. *Capt.* 998–999, where he describes paintings of tortures that await in Hades. See CUMONT (Recherches sur le symbolisme funéraire des Romains); TOYNBEE (Death in the Roman world, pp. 33–43).

neque excessu uitae sic deleri hominem, ut funditus interiret; idque cum multis aliis rebus, tum e pontificio iure et e caerimoniis sepulcrorum intellegi licet, quas maximis ingeniis praediti nec tanta cura coluissent nec uiolatas tam inexpiabili religione sanxissent, nisi haereret in eorum mentibus

3. Prudent. *Cathem. Hymn.* 10.53; Phaedr. 1.27, and Theoc. *Id.* 22.207.

1 uitae] uitae X, cf. Val. Max. 8.2 ext. 1: ex vita *Lamb.*, cf. *Fin.* 3.60, Val. Max. 1.8 ext. 10 1 cum multis] cum multis X: cum <e> multis *add. Lamb.*, *retinuit Giusta* 2 et e] et *omisso e R*⁶: et cum e *superscr. K* 2 caerimoniis] caerimoniis B: ceemoniis S: cerimoniis X

excessu uitae: = 'excessu e uita', as Cicero usually writes, cf. *Fin.* 1.49, *animo aequo e uita, cum ea non placeat, tamquam e theatro exeamus.*

cum multis: GIUSTA (Testo, p. 131) retained Lambinus' insertion of <e> before *multis*, but this has no mss. authority and is against Cicero's usage. I defend the idiom with *Fam.* 6.10, *neque enim ipse Caesar, ut multis rebus intelligere potui, est alienus a nobis*, a parallel editors have not noticed.

e pontificio iure et e caerimoniis: when two ideas, which are so similar as to be the same are coordinated, often the preposition is not repeated, as *Tusc.* 4.20.46, *ad opem ferendam et calamitates subleuandas*; but when, as here, the ideas are distinct enough to have individual prominence, the preposition is repeated, on which see Kühner *ad loc.*

pontificio iure: the college of pontiffs, presided over by the *pontifex maximus*, had jurisdiction over religious ceremonies and superintendence over the observance of ancient customs; and while we have evidence of disputes over the ritual procedure used to conduct the ceremonies, and jurisdictional arguments over who could control the procedure, we have no example of any religious figure putting forth a creed which was to be adopted by Romans. This shows that that pontifical law was more focused on 'orthopraxy' than 'orthodoxy', i.e., the correctness of its rituals than its dogma. (BEARD/NORTH/PRICE: *Religions of Rome: A History*, vol. 1, pp. 99–108, 211–44). The college of pontiffs regulated the form of private rituals, such as funerals, rites for the deified dead, and the way the *manes* were to be appeased. cf. *Liv.* 1.20.5–7, *Leg.* 2.48–57, and for a general discussion of the role of the pontiffs, see BEARD/NORTH (Pagan Priests. Religion and Power in the Ancient World, pp. 17–71, 177–255); SZEMLER (Religio in the Roman Republic); KING (Organization of Roman Religious Beliefs).

caerimoniis: for the almost tautological meaning with *religione* below, see WAGENVOORT (Caerimonia).

sepulcrorum: a burial and anything left to the *dii manes* were *religiosa*, even if the burial belonged to a slave (BERGER: *Dictionary of Roman Law*, p. 701), *sub uoce*. So far as is known in early Roman law, only civil actions were granted for the violations of sepulchers, and the penalty was pecuniary. But BROWN (Violation of Sepulture) discusses an edict of an emperor, sometime between 32B.C. and 54A.D. (thought to be by Augustus) which condemns those who remove corpses *nomine sepulchri violati* with the penalty being death. (COLEMAN-NORTON/JOHNSON/BOURNE: *Ancient Roman Statutes*, vol. 2), Doc. 133 (R414), and 244.93, cf. *Justin. Dig.* 47.12.3. For the laws concerning the *manes*, cf. *Leg.* 2.22, and *Phil.* 9.14. Cicero later argues against attaching any importance to the body's disposal.

maximis ingeniis praediti: cf. *Dom.* 1.1–1, *amplissimi et clarissimi cives rem publicam bene gerendo religiones*. Cicero, despite his own religious disbelief, always speaks of religion with the deepest respect and in his political speeches

frequently appeals to the religious feelings of his hearers. In *N. D.* 1.9.22, he expresses doubt about the existence of the gods, but declares that in religious matters, he will always obey the chief pontiff, as religion is subservient to the welfare of the state.

tanta cura coluissent: Romans placed a great deal of importance on the continuation of worship. Val. Max. 1.1.8–15 insisted that the gods favoured the Roman because their rituals were never neglected, and their performance was dearer than other obligations, *omnia namque post religionem ponenda semper nostra ciuitas duxit*. The Romans continued to maintain that their religious rituals were created at the very beginning of the Republic by Numa (*Liv.* 1.19–20) or Aeneas (*Ov. Fast.* 2.543–46), and though there was no solid historical basis for this claim, they asserted that the gods had not been neglected since the establishment of the state. And we do have some archeological evidence that the Capitoline Jupiter was worshipped for over a thousand years in nearly the same location (CORNELL: *Beginnings of Rome*, p. 102). There was a decline of faith in the traditional religion among the larger part of the intellectuals in the first century BC, but the rites were still retained and this led to absurdities perpetuated for the sake of political gain, most notably in the case of M. Bibulus in 59B.C., and the event which occasioned *Har. Resp.* See FOWLER (Religious Experience, pp. 306–307); PEASE (de *Divinatione*, pp. x–xi); BURRIS (Cicero and the Religion of His Day).

nec uiolatas tam inexpiabili religione sanxissent: 'nor would they have put their violation under so inexpiable guilt', cf. *Inv.* 2.53.160–1, *postea res et ab natura profectas et ab consuetudine probatas legum metus et religio sanxit. . . religio est, quae superioris cuiusdam naturae, quam diuinam uocant, curam caerimoniamque affert*. This passage shows that the term *religio* has a range of meanings from 'scruples of conscience' (as a form of guilt), but can also come to mean *culpa*, as religious error; cf. *N. D.* 2.4, *peccatum suum, quod celari posset, confiteri maluit quam haerere in re publica religionem*; *Am.* 4.13, and the fragment of *Rep.*, quote in *Non.* 174, *sic pontificio iure sanctitudo sepulturae*; and we have the bitter sarcasm Cicero uses against P. Clodius at *Har. Resp.* 9.

nisi haereret: after *coluisset* and *sanxisset*, we would have expected the pluperfect *haesisset*; but the use of this tense is common in the protasis of past contrary to fact conditional sentences when the fact implied in the apodosis is adduced to prove what is implied in the condition, *Madv. Gram.* 347b2. As Kühner explains, the imperfect denotes contemporaneous action, referring the idea back to the time in which ancient Romans attached such sanctity to the funeral rites, and their carefulness was taken as proof of their belief in the soul. In such cases where the imperfect is found, its action always involves duration, cf. *Mil.* 17.56, *nisi cogitatum facinus approperearet, numquam reliquisset*; *Sall. Jug.* 49.3, and cf. the Greek ὁ οὐκ ἄν ἐπόθησαν, εἰ μὴ ἐνόμιζον.

mortem non interitum esse omnia tollentem atque delentem, sed quandam quasi migrationem
 28 commutationemque uitae, quae in claris uiris et feminis dux in caelum soleret esse, in ceteris
 humi retineretur et permaneret tamen. ex hoc et nostrorum opinione,

Romulus in caelo cum dis agit aeuum,

4. Enn. Ann. 115–116, cf. Aug. C. D. 8.20, 24.

2 in ceteris] *hic lacunam suspicatus Guista fere desiderat*: “in ceteris <hominibus efficeret ut animus> humi etc. in ceteris
 humi retineretur et permaneret X 3 retineretur] & retineretur V^c 3 permaneret] permaneret *dett. codd., et legunt Sff.,
 Küh., Lambinus*: cum ceteri humi retinerentur et permaneret *Ern.*: et in ut *mut. Wolf, sqq. Küh.*

interitum: eloquently expressed by Plaut. *Capt.* 686, *qui per uirtutem perierit non interit*.

quasi migrationem commutationemque: *quasi*, as often, marks a translation, cf. below 20, 46 n.; 24, 57 n. *quasi consignatus*; 22, 52, *quasi uas aut receptaculus*; and there are many other examples. Here, the vagueness is used in apology for the combination of the terms *migratio* (which is quite rare, used only twice in the *Tusc.*, and once else in *Fam.* 16.17) and *commutatio*. It was Cicero’s usual practice to translate one Greek with two Latin words, and the hendiadys probably renders the Greek *μετεμψύχωσις*. I find a curious story at *Verr.* 5.45.118, *matresque miserae pernoctabant ad ostium carceris ab extremo conspectu liberum exclusae; quae nihil aliud orabant nisi ut filiorum suorum postremum spiritum ore excipere liceret*. This seems to imply that the Romans held the belief that the soul would escape the body through the mouth (see *LECLERC’S* n. *ad loc.* in his Lemaire edition); and *Sen. Herc. Fur.* 1308–1310. The superstition existed that a dying spirit could be taken in with a kiss of the final breath, on which see *DUNCAN* (Transfer of the Soul at Death).

quandam quasi: cf. *Ac.* 1.2.40, *quandam quasi impulsione*. The order *quasi quandam* would have been more normal when it is often used to modify metaphors (Reid on *Ac.* 1.5.21). Dougan notes four distinct uses of *quidam* in his note on this passage, though they involve a degree of *vagueness* with its effect.

migrationem: cf. 41, 98 n.

mortem migrationem commutationemque: Reid suspected the reading. However, the Latin *mors* is used ambiguously and can denote several meanings: (i) *ipso tempore*, the very moment the person dies, (ii) ‘dying’, or the time leading up to death, the soul leaving the body, (iii) the state of being dead (*mortuus*) after the separation of soul from body. Hippolytus’ doxography (SVF. 2.806) would suggest that the Stoics also believed in the transmigration of the soul; but the first Stoic to speak of it favorably was *Sen. Ep.* 75.20, 76.10–11, 78.34, 108.17–22, largely through the influence of his Pythagorean teacher Sotion, *HOVEN* (Stoiciens face au problème de l’au-delà, pp. 91, 158); *MANSFELD* (Resurrection Added, pp. 218–220).

uitae quae ... et permaneret tamen: cf. Milton, *Comus*, 470–475, “Such are those thick and gloomy shadows damp, Oft seen in charnel-vaults and sepulchres, Lingering and sitting by a new-made grave, As loth to leave the body that it loved, And linked itself by carnal sensuality, To a degenerate and degraded state.” I have printed the common mss. reading, but this passage is difficult. It is made somewhat intelligible by understanding *quae* to point to *uitae* with Heine; but then what is it to say that *uita* is a *dux in caelum*? Orelli takes the abstract for the concrete, *commutatio uitae = uita commutata*, which I think gives the most sense, though the construction is harsh. Pohlenz cites *Rep.* 6.16, *ea uita uia est in caelum*, and I think this shows a good parallel. Some old editors read *retineret*, without mss. authority; *Lambinus*, in his edition of 1566 read in *ceteris eos humi retineret, ut permaneret tamen*, and understood *quae* as *mors*. Whatever the reading, the idea is evident

enough: the life which is led by illustrious men and women, dedicated to virtue, when thus changed in death, will act as a pathway to heaven; but the life led by others, who indulge in pleasure or vice, will be trapped by the earth and there remain. This is what Cicero must have meant by *in ceteris*. The rapid change of subjects and the ambiguity of *retinerentur* feels to me like a gloss (but this is by no means certain) and I would prefer to delete the clause *in ceteris*... *tamen*. But we may look to *Rep.* 6.26 where Cicero expresses himself more clearly, *animi, qui se voluptatibus dediderunt, corporibus elapsi circum terram ipsam uolitantur*, based on *Pl. Phd.* 81d, and *Pl. Phd.* 69–70, *ὅς ἂν ἀμήτορος καὶ ἀτέλεστος εἰς Ἄιδου ἀφίκηται, ἐν βορβόρω κείσεται, ὁ δὲ κεκαθαυμένος τε καὶ τετελεσμένος ἐκέισε ἀφικόμενος μετὰ θεῶν οἰκήσει.*, and 131; and compare *Pl. Rep.* 363d5. The *βόρβορος = humi* is also referred to by *Ar. Ra.* 145, *εἴτα βόρβορον πολλὸν | καὶ σκῶρ αἰένων, ἐν δὲ τούτῳ κειμένους | εἴ που ξένον τις ἤδικησε κλτ.*, which Olympiodorus is right to say *παρωδεῖ ἔπος Ὀρφικόν*; *Diogenes* the Cynic laughed (*D. L.* 6.39) at the thought of Agesilaus or Epaminondas, neither initiates of the Mysteries, conducting their afterlife in the muck and the earth. Precisely what kind of transmigration Cicero is thinking of is not clear. Plato describes them in various ways in *Pl. Phd.* 108b, and *Pl. Cra.* 400c. The phrase *permanere* may imply eternity, or just a long time. There is a similarity in this passage to *Pl. Men.* 81b–c, where a fragment of Pindar is quoted, showing influences of Pythagoreanism and reincarnation, something Cicero hints at below 13, 29, but never expressly discusses in the *Tusc.* *BLUCK* (Plato, Pindar, and Metempsychosis).

in claris uiris et feminis: for the idiom, cf. *Sen.* 22, *in claris et honoratis uiris*, = ‘in the case of’; many examples are found *Am.* 9, with Seyffert’s n.

dux in caelum: the metaphor is quite strong and the absence of *quasi* is noticeable, cf. *Ac.* 1.32, *post argumentis et quasi rerum notis ducibus utebantur ad probandum*.

§28. **ex hoc**: this section largely deals with men and women who have earned immortality for the sake of their benefits rendered to mankind and who deserve our worship, a topic which Cicero treated earlier in his *Consolatio*, cf. *Cic. Consol. fr.* 11 (= *Lact. Inst.* 1.15.4), *quorum ingeniis et inventis omnem vitam legibus et institutis excultam constitutamque habemus*. This whole passage greatly resembles *N. D.* 2.62 as noticed by *JONES* (Posidonius and Cicero’s *Tusc.*, p. 207), in which Cicero takes a Euhemeristic approach to the deification of men, on which cf. 13, 29 below.

et nostrorum opinione: *Ernesti* wanted to delete *et*, but *Nissen* correctly understood it as not connecting *hoc* with *opinione*, but balanced by *et apud Graecos* below.

Romulus in caelo: deified as *Quirinus*. *Servius* gives the line more correctly on *Verg. Aen.* 6.764, *Romulus in caelo cum dis genitalibus aeuom degit*. *SKUTSCH* (Enniania, pp. 109–112) argued that Cicero omitted *genitalibus* in his quotation to avoid any hint at *Romulus’* half-divine descent from *Mars*. This passage in Cicero has been taken to suggest that the *carmina* upon which *Ennius* drew had reference to *Romulus* in particular; and I think we can be sure that *Ennius* did not originate his deification but

ut famae adsentiens dixit Ennius, et apud Graecos indeque perlapsus ad nos et usque ad Oceanum Hercules tantus et tam praesens habetur deus; hinc Liber, Semela natus, eademque famae celebritate Tyndaridae fratres, qui non modo adiutores in proeliis uictoriae populi Romani sed etiam nuntii fuisse perhibentur. quid? Ino, Cadmi filia, nonne Λευκοθέα nominata a Graecis

4. *Non.* 66, 12–14

2 semela] semela X: semel^a P: semele S 4 Λευκοθέα] ΛΕΥΚΟΘΕΑ K: ΛΕΥΚΟΘ ea V^cG: ΛΕΥΚΘΕΑ P

rather established it in literature (ANDERSON: Heracles and His Successors, pp. 30–31). Most importantly in such cases, we have outside Greek authority: there is a passage overlooked by all editors, D. H. 1.79, οἱ δὲ ἀνδρωθέντες γίγονται κατὰ τε ἀξίωσιν μορφῆς καὶ φρονήματος ὄγκον οὐ σοφορβοῖς καὶ βουκόλοις ἐοικότες, ἀλλ' οἷους ἂν τις ἀξιώσει τοὺς ἐκ βασιλείου τε φύντας γένους καὶ ἀπὸ δαιμόνων σπορᾶς γενέσθαι νομιζομένους, ὡς ἐν τοῖς πατρίοις ἕμνοις ὑπὸ Ῥωμαίων ἔτι καὶ νῦν ἄδεται; similarly in *Plu. Num.* 5. It confirms that Ennius had had a body of material on the native legendary history which he could draw upon, and a good portion death with Romulus as hero. These histories existed at least into Imperial times (STUART: Narrative Poetry, p. 33).

indeque perlapsus ad nos: i.e., the myth concerning Hercules and his combat with Cacus. The origin of his worship at Rome is discussed by *Liv* 1.7, *Verg. Aen.* 8.190; *Ov. Fast.* 1.543; *Prop.* 3.9.

perlapsus: the rare *perlabendi* used by Cicero only here.

Oceanum: i.e., Atlanticum. *Suet. Caes.* 7, *Gadisque uenisset, animaduersa apud Herculis templum Magni Alexandri imagine ingenuit*; *Theod. Graec. affect. cur.* 7.113, *Sil.* 3.3, *limina Gades*, (on which Lemaire *ad loc.* quotes ἐσχατόωντα Γάδειρα, and cf. *Pl. Criti.* 114b, *Verg. Aen.* 4.361, 5.629), *D. C.* 37.52, 43.39.4. Hercules brought the oxen of Geryon from the island of Erythea, near Gaderia (Gadir, Gades) on the southern coast of Spain, beyond the the Ἡρακλέους στῆλαι, which were the promontories of Calpe and Abyla, but called by his name. The temple of Hercules, built probably around the eighth century B.C., was still during the Roman period an important sanctuary and its position at the end of the Mediterranean gave it special prominence in mythic typography. There is little of the temple remaining, see BELLIDO (Hércules Gaditanus); MIERSE (Temple of Hercules Gaditanus). Noteworthy are the number of benefits conferred by Hercules on mankind; he often saved them from ravaging animals, or kept men safe from barbaric peoples (Cacus, Nessus, etc.). He also appears to have built roads, founded cities, and destroyed tyrannies, *D. H.* 1.41.1. For his resolution to pain, and acceptance of his fate, the Stoics labelled him a philosopher.

Hercules, Tyndaridae, Ino: along with Romulus, this list of individuals is almost formulaic, used in *Cic. Consol. fr.* 14 (= *Lact. Inst.* 1.15.16); *Leg.* 2.19, *N. D.* 2.62. In each case, they have benefitted mankind in some way.

praesens habetur deus: *praesens* = 'propitious', not only present but at hand to help, as applied often to the older gods, cf. of Ceres at *Verr.* 2.4.109, *multis saepe in difficillimis rebus praesens auxilium eius oblatum est*, *Hor. Carm.* 3.5.2, *Verg. Ecl.* 1.40–41, and *Hor. Carm.* 1.35.2, *O diua, gratum quae regis Antium, praesens*. Cicero held various views regarding the idea of apotheosis, and plays with the idea in particular contexts to make a point (COLE: Cicero, Ennius, and the Concept of Apotheosis at Rome, p. 27). In 63B.C., he publicly admits the deification of Romulus (*Cat.* 3.1); and he is philosophically of the same belief in 54B.C. (*Rep.* 2.2.4); but in 44B.C., he claims that the vision of Romulus was false (*Leg.* 1.1.3–4). We also find on the one hand that apotheosis to the stars was one of his tenets in 54B.C., (*Rep.* 6.13.13), but not ten years later he declares the whole idea madness (*Div.* 2.89). Cicero declares below 14, 32 n. that deification is the proper due to those who bring safety to mankind, and privately confides the same to Atticus (*Att.* 14.14.3). But in

Phil. 1.13, he refuses their deification. I think it noticeable that from Tullia's death, Cicero began staunchly to favour apotheosis and considered a shrine to her which occupied his thoughts (*Att.* 12.41.2; 12.23.2; 13.1.2; 13.29.2; among others). He regained his more conservative religious sentiments late in 44B.C., through his immense philosophical output. He largely dismisses apotheosis in *N. D.* 1.43.119, and particularly that of Hercules at *N. D.* 3.16.41, and cf. *Hom. Il.* 18.117, where even Homer claims Hercules could not escape death, οὐδὲ γὰρ οὐδὲ βίη Ἡρακλήος φύγε κῆρα, ὅς περ φίλτατος ἔσκε Διὶ Κρονίῳ ἀνακτι· ἀλλὰ ἐμοῖρα δάμασσε καὶ ἀργαλέος χόλος Ἡρῆς.

Liber: the Italic 'Liber Pater', the god of fertility; he originally had no genealogy, but after having come to be identified with the god Dionysus was said to be the son of Zeus and Semele, who after her destruction became a goddess herself. (*Hes. Theog.* 940–942, *Pi. Od.* 11.1, *N. D.* 2.62). In these passages, we have numerous examples of such religious syncretism.

Semela: the best mss. have this Latin form of the ablative instead of the Greek form *Semele*, which did not come into common use in prose until the Augustan age.

Tyndaridae fratres: Castor and Pollux, the sons of Tyndareus by his wife Leda, brothers of Helen, at least in *Hom. Od.* 9.299, but cf. *Hor. A. P.* 147, *Hor. Carm.* 1.3.2. Traditional accounts say that only Castor was son of Tyndareus, Pollux being the son of Zeus, on which see Mayor n. *N. D.* 3.5.11.

adiutores... etiam nuntii: according to *N. D.* 2.2.6, and 3.5.11–13, Castor and Pollux were visible at the battle of Lake Regillus (496B.C.) assisting the dictator A. Postumius against the Tarquins. In 186B.C., somewhere on the road between Reate and Rome, they announced the victory of Aemilius Paulus over Perseus to P. Vatinius on the very same day the victory occurred, cf. *Minuc. Felix Oct.* 7; *Pacat. Panegyry.* 12.39.4. Their beneficence is also noted in battle by *D. S.* 6.6.1, πολλοῖς δὲ δεομένοις ἐπικουρίας βέβοηθκέναι... ἐπιφανεῖς βοηθοὶ τοῖς παρὰ λόγον κινδυνεύουσι γινόμενοι.

adiutores uictoriae populi Romani: for the two genitives, see *Madv. Gram.* 283, obs. 3. The construction is similar to *Ter. Ad.* 1.1.66, *adiutor iracundiae*, and *Flac.* 1.1, *honoris adiutorem*.

perhibentur: the use here of *perhibere* in the sense of *celebrare* is archaic and poetic (Dougan), cf. *Rep.* 2.2.4, *Romulus perhibetur et corporis uiribus et animi ferocitate tantum ceteris praestitisse* etc.

Ino: Ino cared for her nephew Bacchus after the destruction of his mother Semele. This angered Hera and she drove both Ino and her husband Amanthas mad. After murdering her own son Melicertes, the woman threw herself into the sea whereupon Zeus pitied her and transformed her (*Ov. Met.* 4.416–562), and she was afterwards called Λευκοθέα. Ino was indentified already in *Hom. Od.* 5.333, τὸν δὲ ἴδεν Κάδμου θυγάτηρ, καλλίσφυρος Ἰνώ, Λευκοθέη, ἣ πρὶν μὲν ἔην βροτὸς ἀδῆεσσα, νῦν δ' ἄλδς ἐν πελάγεσσι θεῶν ἐξ ἔμμορε τιμῆς, cf. *N. D.* 3.15.39, *iam vero in Graecia multos habent ex hominibus deos, Alabandum Alabandis, Tenedi Tenen, Leucotheam, quae fuit Ino*; and also *Arist. Rh.* 2.23.27. Ino was worshipped at Tenedos and considered sister of Tennes.

Matuta habetur a nostris? quid? totum prope caelum, ne pluris persequar, nonne humano genere completum est?

29

XIII. Si uero scrutari uetera et ex eis ea quae scriptores Graeciae prodiderunt eruere coner, ipsi illi maiorum gentium di qui habentur hic a nobis profecti in caelum reperientur. quaere, quorum demonstrantur sepulcra in Graecia; reminiscere, quoniam es initiatus, quae tradantur mysteriis:

5

3-4. Lact. *Inst.* 1.15.24-25; Aug. *Cons. Evang.* 1.23.32

3 ex eis] iis *dett. codd.*: his X: eis *August.*: illis *Lact.* 4 di] dii X 4 qui habentur] *omm. August.* 4 a nobis] nobis X: hinc^a nobis V, *sed a alio atram. inculcato V^c, August., Lact.*: hinc^a nobis BP *alio atram. superscr.*: hinc^d nobis S *incertum an alio atram. superscr.* 5 demonstrantur] demonstrantur VKS, *et Lact., retinuit Küh., Doug.*: demonstrantur G *ead. manu ex demonstrentur mut.*: demonstrentur *August., retinuit Ern. Tre, Poh., King, Drexler, Giusta* 5 tradantur] tradantur X, *Kühner, s:* tradantur *dett. codd., et Orelli, Moser.*

Mater Matuta: the only generally known temple to Mater Matuta is the one in the Forum Boarium just inside the porta Carmentalis. It was first ascribed to Servius Tullius, but later restored and dedicated by M. Furius Camillus, cf. Liv. 5.19.6. PLATNER (Topographical Dictionary, p. 330). We now have further evidence from BÜCHELER/LOMMATZSCH (CLE) 1961 (= DESSAU (ILS) 9346) of a temple to Mater Matuta which existed in the VI *regio* of Rome (BRUNN: Temple of Mater Matuta).

matuta, evidently connected with *mane*, *matutinus*, signifies the god who precedes the *mane*, from *manus*, which originally meant 'bright, shining', and then metaphorically 'good, propitious', on which Munro's n. on Lucr. 5.521.

humano genere: = *diis ab hominum genere oriundis*. The comments is jokingly sarcastic.

XIII. §29. si coner... for the future construction with an implied incomplete condition, cf. *Or.* 1.14.61, *Off.* 3.5.23, *Fin.* 3.21.70, *poterunt... nisi expetantur* with Madvig's n., and K.-S. 154, 3.

uetera: 'uetus carries with it the notion of time, *antiquus* generally involves some notion of praise' (Seyffert on *Am.* 1.4); here it means *παλαιός*, which is generally applied to things which have existed for a long time, rather than that which existed long ago (DOEDERLEIN: Lat. Syn. et Etym. vol. 4, p. 82); see Mayor on Juv. 15.33 and Wilkins' n. on *De Or.* 1.1.

maiorum gentium di: for the term, cf. *Ac.* 2.41.126, *Cleantes, qui quasi maiorum est gentium Stoicus*. The hundred senators chosen by Romulus to found the original patriciate were classed as the *maiorum gentium* (Livy, 1.8.7), including those houses which supposedly came in with the Sabines under Tatius (D. H. 2.8); those chosen by Tarquinius Priscus were *minorum gentium*, (Livy, 1.35.6, Furneaux on Tac. *Ann.* 11.25, and *Rep.* 2.20.35). When the *lectisternium* was first brought to Rome in 399B.C., it was comprised of only six gods, Apollo, Latona, Hercules, Diana, Mercury and Neptune. In 217B.C., after the disaster of Trasimene, the ceremony of the *lectisternium* underwent a change, and in imitation of the Greek pantheon expanded to twelve gods who became known as the *dii consentes*, Liv 22.10. These were the twelve gods who later had their statues in the forum, as they had in the agora at Athens and elsewhere in Greece: whence the distich *Enn. Ann.* 62ff (= Aug. C. D. 8.5), *Iuno, Vesta, Minerua, Ceres, Diana, Venus, Mars, Mercurius, Ioui, Neptunus, Volcanus, Apollo*. Pride of place is given to Juno. Rome's divine ancestors, Venus and Mars, are placed together, cf. (LATTE: *Römische Religionsgeschichte*, p. 253; SKUTSCH: *Enniana VI*), *Apu. Deo Socr.* 2, *Ov. Met.* 6.72.

a nobis: i.e., *a terra*

quaere, quorum demonstrantur sepulchra in Graecia: cf. the euhemeristic (Lact. *Inst.* 1.11.46, Minuc. Felix *Oct.* 21.1, and above 12, 28 n.) approach seeks to rationalise the deification of men to gods, as rewarded for their virtue. Zeus had a sepulcher on Crete (*N. D.* 3.21.53); Callim.

Hym. 1.9 elaborates by saying Zeus *Δικταίος* was buried there by the Kouretes, *Κρητες δει ψεδονται και γαρ τάφον, ὃ ἄνα, σείο, Κρητες ἐτεκτῆραντο· σὺ δ' οὐ θάνες, ἐσσι γὰρ αἰεὶ* — but this Zeus was probably confused with Zagreus, the Cretan Dionysus who is killed by the Titans, for which see CSAPO (Theories of Mythology, p. 146); and the many passages collected by PFISTER (Der Reliquienkult im Altertum, pp. 385-387); Ennius (Lact. *Inst. ibid.*) placed the tomb in Cnossus; Varro (ap. Sol. *De Mir. Mund.* 11.6) and Porph. *VP.* 17 on Mount Ida. There is also the tomb of Uranus (near Oceania?); of Asclepius in Arcadia, near Lusius (*Rep.* 3.22.57, *Ov. Met.* 2.620ff, Pausanias 2.26.1) or Epidaurus; of Cronus in Sicily; of Poseidon in Tenus; of Aphrodite in Cyprus; of Ares in Thrace; of Ceres of Eleusia, and of Dionysus at Delphi, Cic. *op. cit.*, and DÖLLINGER: *Gentile and the Jew*, vol. 1, p. 135; ROHDE (Psyche, pp. 131-143); PFISTER (Der Reliquienkult im Altertum, pp. 387-391). The tomb of Dionysus was said to be under the *omphalos* or near the tripod (BÖTTICHER: *Das Grab des Dionysos*; MIDDLETON: *Temple of Apollo*, p. 302). We have a fragment of Philochorus that says the golden statue of Apollo was inscribed with *ἐνθάδε κείται θανὼν Διονυσος ὁ ἐκ Σεμέλης*. I cannot find any archeological material to corroborate this. Cicero's own source may possibly have been Aristotle, cf. *Clem. Al. Protr.* 2.28, and *Ampelius Lib. Mem.* 9.6.

demonstrantur... traduntur: Dougan notes that the letters *a* and *u* are easily confused in the mss., as are *a* and *e*; and so it is not easy to assert that here the subj. should be preferred over the indic. We could have expected the same mood in each of these two parallel clauses (I assume this why Giusta says nothing on it), but there is no reason why it must be so. Moser understood *adi sepulcra deorum quae hodie demonstrantur in Graecia, quaere* as = 'seek out' or 'find' rather than 'inquire', in which case the indicative necessarily follows; *quae* before *tradantur* is most naturally understood as a relative, but Cicero switched to the subj. (*oratio obliqua*) due to the intervening *quoniam es initiatus*.

quoniam es initiatus: this phrase has frequently been used to assert that Atticus, who was an initiate of the mysteries, was in fact an interlocutor: Atticus in *Leg.* 2.1, says *excipis credo illa quibus ipsi initiati sumus*. However, the tone with which Cicero seems to treat 'Atticus' in this work makes it unlikely that it is in fact Atticus who represents the second speaker.

quae tradantur mysteriis: Cicero himself was an initiate and esteemed the Eleusian mysteries and their society highly, if we trust *Leg.* 2.14.36. They were so prominent that they were often simply spoken of as *the mysteries*. Isoc. *Paneg.* 4.28, *καὶ πρὸς τοὺς προγόνους ἡμῶν εὐμενῶς διατεθείσης ἐκ τῶν ἐργεσιῶν ἃς οὐχ οἶόν τ' ἄλλοις ἢ τοῖς μεμνημένοις ἀκούειν* intimates that the practice originated in mythical times. Attributed by some writers to Eumolpus, by others to Erechtheus, Isocrates assigned them to Demeter (Ceres) herself, cf. D. S. 5.77. Whatever their origin, they were cel-

tum denique, quam hoc late pateat, intelleges. sed qui nondum ea quae multis post annis tractari coepta sunt physica didicissent, tantum sibi persuaserant, quantum natura admonente cognouerant, rationes et causas rerum non tenebant, uisis quibusdam saepe mouebantur, eisque maxime nocturnis, ut uiderentur ei, qui uita excesserant, uiuere. ut porro firmissimum hoc adferri 30

2 tractari] tractare BKPS: tractari *dett. codd.* 2 coepta sunt] coepissent VBKP, mss. *defendit Poh. qui inserit* <homines> tractare coepissent: cepissent S: cepisset L: coepta sunt *Keil, Madvig, Küh.*: tractari cooperunt *Ern.* 2 physica] phisica X 2 tantum... tenebant] *distinxit Fuchs* 3 cognouerant] cognouerunt PSL: cognouef K: cognouerunt V: cognouerant V^c, *ex u mut.* a 3 uisis quibusdam] uisis quibus X: uisis <igitur> quibusdam *Giu., quod mihi perperam.* 3 eisque] hisque X: iisque S 4 ut porro] at porro *Lambinus*

ebreated with vigorous devotion, which is why they find their place here as an argument for *omnis antiquitas*. We have only glimpses of the religious doctrine which was to give initiates hope *περί τε τῆς τοῦ βίου τελευτῆς καὶ τοῦ σύμπαντος αἰῶνος ἡδύλου*, and promised immortality of the soul, cf. *Pl. Phd.* 69c, and *Cicero Hortens. fr.* 90.

tum denique: = ‘then you will realise’. This signifies a result of action and is more earnest in feeling than *tum demum* which only means something has happened later than expected, cf. *Seyffert on Am.* 22.84, and below 31, 75.

quam late pateat: ‘how wide the application is’

qui ... didicissent: *qui* = *cum hi*, the subj. introduces the cause of the statement which follows. Translate: ‘But since they [i.e., the older generations] had not yet become acquainted with those physical principles that began to be investigated only many years after, they came to know only as much as nature herself taught by her phenomena...’

multis post annis: ablative of measure, cf. 1, 3 n. Here, **post** is adverbial.

tractari coepta sunt: the best mss. read *tractare coepissent*, and a few of the lesser mss. *tractari coepissent*. *Keil* and *Madv.* conjectured *coepta sunt*, and have been followed by most editors. *Pohlenz* defended the mss. but wrote <homines> (cf. *Div.* 1.5); but the subj. there can be defended on the grounds of doubt, not attraction and so his example is unconvincing. *Div.* 2.20.117 defends the idiom with the indic. and goes some way (I think) to confirm the suspicion that something has perhaps fallen out after *sed* and *coeperunt* (as *Ernesti* thought). In any case, the subj. is wholly out of place here in the argument. *Kühner* seems right to explain the mss. reading COEPISSENT as a corruption by a copyist of COEPTASUNT.

physica: i.e., natural philosophy, cf. *Fin.* 1.6.19, *nihil turpius physico, quam fieri quicquam sine causa dicere*, the study of cause and effect. The Stoics believed knowledge of it necessary to live in harmony with nature, and to judge and understand goods and evils, *Fin.* 3.21.72–22.73; *Chrysippus*, *οὐ γὰρ ἔστιν ἄλλως οὐδ’ οἰκειότερον ἐπελθεῖν ἐπὶ τῶν τῶν ἀγαθῶν καὶ κακῶν λόγων οὐδ’ ἐπὶ τὰς ἀρετὰς οὐδ’ ἐπὶ εὐδαιμονίαν, ἀλλ’ ἢ ἀπὸ τῆς κοινῆς φύσεως*.

tantum... quantum: ‘only so much... as’, with the idea of limitation left unexpressed in the Latin but to be inferred (quite like the Greek *τοσοῦτον*), cf. *Fin.* 2.6.21, *plane dicit quod intelligit*, (*Epicurus*) says only what he thinks’ (and no more), and 2.19.44.

rationes: ‘underlying principles’, as *Dougan*.

uisis quibusdam: *GIUSTA* (*Testo*, pp. 132–133) felt the logic faulty here and thought *igitur* should be inserted before *quibusdam*. But this would wrongly imply that *Cicero* held that the ancients were affected by certain (false) waking visions because they did not understand the nature of things. But the argument is not that the ancients were therefore without any good reason afraid of these dreams, but that nature hinted at life after death (*natura admonente*), though the form the ancients took it to be was incorrect because they did not yet understand the physics of nature. Therefore, we need to take the three clauses *cognouerant*, *tenebant* and *mouebant* as coöordinate, and not dependent, cf. *Div.* 2.128, *is [sc. animus] cum languore corporis nec mem-*

bris uti nec sensibus potest, incidit in visa varia et incerta ex reliquiis... inhaerentibus earum rerum quas vigilans gesserit aut cogitaverit, *Arist. Pr.* 30.14 (957a9–15); and compare the Epicurean sentiment as set forth by *Brutus* to *Cassius*, *Plu. Brut.* 37, *δηλοῦσι δὲ αἱ κατὰ τοὺς ὕπνους τροπαὶ τῶν ὀνείρων, ἃς τρέπεται τὸ φανταστικὸν ἐξ ἀρχῆς βραχείας παντοδαπὰ καὶ πάθη καὶ εἶδωλα γινόμενον. κινεῖσθαι δ’ αἰεὶ πέφυκε κίνησις αὐτῷ φαντασία τις ἢ νόησις*. This line of reasoning is more harmonious with the arguments which follow about the gods.

mouebantur: i.e., *commouebantur*.

uisis nocturnibus: ‘dreams’, which *Cicero* seems to imply are inane; but cf. *Div.* 1.2, where he claims that the Roman senate itself had taken the more serious dreams as credible when it brought public benefit. This argument seems to be a blend of antiquity and general consent, cf. *Arist. Div. somn.* 462b, *τὸ μὲν γὰρ πάντας ἢ πολλοὺς ὑπολαμβάνειν ἔχειν τι σημεῖωδες τὰ ἐνύπνια παρέχεται πίστιν ὡς ἐξ ἐμπειρίας λεγόμενον, καὶ τὸ περὶ ἐνίων εἶναι τὴν μαντικὴν ἐν τοῖς ἐνυπνίοις οὐκ ἄπιστον*; though the ancients may not have understood the causes or reasons of things, still their belief in such dreams assumed a belief in the gods, and souls that were immortal. (And, of course, for the Epicureans, dreams were one of the sources of man’s knowledge of the gods by analogy and transfer, *N. D.* 1.19.49; *Epicur. Ep. Hdt.* 59, and fr. 49 in *Bailey*.) However, many Hellenistic and Roman writers followed the view attributed to *Empedocles* (*D.–K.* 31b108) that our dreams are only made up of our waking activities. For a good discussion, see *HARRIS* (*Roman Opinions of Dreams*).

uiderentur: here, meaning physically ‘seen’.

§30–36: There is further evidence that the belief within us that the soul is immortal is implanted by *natura*, for there is a universal practice in which all mankind shares. The lamentation of the dead shows that all people recognise that the dead are believed to be conscious of their loss of life. Further, the finest men and women work and care for their posterity and do so because their souls are conscious of those whom they leave will behind.

ut porro: *Lambinus* and *Ernesti* though it best to emend to *at porro*, but the force of sentence is to elaborate the thought, not set out an adversative; additionally, the constructive *at porro* (or *et porro*) are both unexemplified in *Cicero*. I had independently thought that we should perhaps read *uideatur* but in this I was anticipated by an anonymous critic in *H. Wolf*. Nevertheless, I have found that *De Or.* 3.25.96, *ut porro conspersa sit quasi verborum sententiarumque floribus* (a passage not noticed by editors) offers a good defence of the reading which gives tolerable sense, ‘And further, as a result it would seem this is the strongest reason why we should believe in the gods, the fact that...’ This construction connects it to the foregoing demonstration. A much freer translation is required to give an English turn to the statement, ‘Further, this appears a very strong argument why we should believe in the gods —: now, the fact that...’

firmissimum: this ‘foundational’ argument is used by *Cicero* in *passim*, *Leg.* 1.8.24, *N. D.* 1.16.43.

uidetur cur deos esse credamus, quod nulla gens tam fera, nemo omnium tam sit inmanis, cuius mentem non inbuerit deorum opinio (multi de dis praua sentiunt — id enim uitioso more efficit solet — omnes tamen esse uim et naturam diuinam arbitrantur, nec uero id conlocutio hominum aut consessus efficit, non institutis opinio est confirmata, non legibus; omni autem in re consensio omnium gentium lex naturae putanda est) — quis est igitur, qui suorum mortem primum non

5

1 uidetur] uidetur RGPS: vid& K: videtur V^c, alio atram. supersc. 1 omnium] hominum antiquissimus liber habet, et ita paulo post religione hominum ut adfirmat Verbergius 1 tam sit] tam sit BPS: tam fit G: tam est Madvig 4 consessus] consensus X: consessus Bouhier, cf. Leg. 2.13; Hei., Sc., Giu. 4 efficit] efficit X: effecit dett. codd., Küh., Giu., sed cf. D.-K 25B16, τὸ θεῖον εἰσηγήσατο.

nulla gens tam fera: cf. N. D. 1.43, *quae est enim gens aut quod genus hominum, quod non habeat sine doctrina anticipationem quandam deorum* etc.

tam sit: subj. of reported reason. Reid on Ac. 2.26.83, *quam in paruo* notes that Cicero and other authors often separate *tam*, *quam*, *tantus*, *quantus* from the words they modify by inserting another small word, preposition, or *sit* and the like.

inbuerit: 7, 13 n. Douglas quotes Tac. Hist. 5.5, *nec quicquam prius inbuiuntur quam contemnere deos*, which suggests first expressions or instruction by first examples. See L.&S. II B1, *sub uoce*.

deorum opinio: = *opinio aut persuasio de diis*, K.-S. 111.9. This recalls the Epicurean argument that every man is capable of grasping the concept of the gods by the intellect. Compare Velleius in N. D. 1.43, *quae est enim gens aut quod genus hominum, quod non habeat sine doctrina anticipationem quandam deorum, quam appellat προληψίν Epicurus*, and POHLENZ: Die Stoa, vol. 1, p. 60, “wird dort diese Beweisführung als Gemeingut der Philosophen bezeichnet”; see LONG (Hellenistic Philosophy, pp. 14–69); RIST (The Stoics, pp. 2–10); KERFERD (Sophistic Movement, pp. 80–96).

multi de dis... putanda est: for the various views, see L.-S. 23. This entire phrase is a paranthetical statement brought in to meet the possible objection, ‘why, if all agree that there are gods, do they not all agree in the belief?’; but after this remark is made, we would have expected, if Cicero had bound himself by formal rules of construction, a clause which corresponds to *ut porro* such as *ita immortalitatem animorum eadem ratione confirmari potest: nemo enim fere est qui*, etc. The anacolouthon is not harsh, and as Kühner remarks, it represents a deliberate negligence by the author in imitation of the freedom of conversational language, and demonstrates that Latin is capable of ease in style, cf. Or. 23.78 with Sandys’s n. Cicero discusses this ‘low-style’ of oratory and defines its main feature as its *neglegentia diligens*, or art in the very absence of art, the Attic style as perfected by Lysias.

id enim: sc. ‘neque id mirandum’, ‘we need not be surprised, for’ etc.

uitioso more: cf. D. L. 7.89, *διαστρέφεσθαι δὲ τὸ λογικὸν ζῶον ποτὲ διὰ τὰς τῶν ἕξωθεν πραγμάτων πιθανότητας, ποτὲ δὲ διὰ τὴν κατήχησιν τῶν συνόντων, ἐπεὶ ἡ φύσις ἀφορμὰς δίδωσιν ἀδιαστρόφους*. The Stoics called this a perversion of reason, *διαστρόφή*, see SVF. 3.228–236, which includes Leg. 1.11.31, and 17.47.

nec uero: GIUSTA (Testo, p. 134) wished to insert, <*sic permanere animos omnes opinantur*>, *nero vero*, placing a full stop after *putanda est*. He complains “nisi suppleas, non modo hiat oratio, sed verba institutis... legibus contra veritatem regunt; et quo spectat igitur [infra] frustra quaeras.” But he has been led astray by following Hei. and Sch. who read *consessus* (in place of *consensus*), comparing 16, 37 ‘consesses theatri’; they refer it and *conlocutio* to casual meetings, which is in contrast to *institutis* and *legibus* —

hence Giusta’s desire for this reading. However, the parenthetical comments which Cicero has here are not repugnant to the point he is trying to make.

consessus: Bouhier and Nissen read *consessus*. Observe that the mss. which have *consensus* wrongly here, also read below in 17, 37 *consensu* for *consessus*. Heine and TS. constrast the informal casual meetings of *conlocutio* and *consessus* with the more formal *institutis* and *legibus*, which is supported by N. D. 1.61, *in sermone et in consessu*. Reid cites, Leg. 2.13, *an ea non magis legis nomen attingunt, quam si latrones aliqua consessu suo sanxerint*, but the mss. of that work are also not in agreement; the Teubner edition of Leg. reads *consensu suo*, perhaps incorrectly.

efficit: the present is in all the best mss., which Dougan defended by explaining that the question of such a view was not one merely formed in the past, but one constantly brought about. Kühner and Giusta retain the perfect.

non institutis opinio est confirmata, non legibus: οὐ νόμῳ ἀλλὰ φύσει; cf. N. D. 1.17.44, *cum enim non instituto aliquo aut more aut lege sit opinio constituta*; D. L. 10.123, *θεοὶ μὲν γὰρ εἰσιν· ἐναργῆς μὲν γὰρ ἔστω αὐτῶν ἡ γνώσις*.

consensio omnium gentium: = ἡ γνώμη κοινή; such a thing is curiously defined in S. E. M. 8.8 where the friends of Aenesidemus claim that those propositions which do not escape common opinion (τὸ μὴ λῆθον) are by a change of the negative prefix called true (ἀληθές); of course such arguments that the definition of true can be founded on common opinion was a means of ridiculing the Stoic claim.

lex naturae: This is the only occurrence of the phrase *lex naturae* I can find in the entire corpus of Cicero; elsewhere Cicero writes *vera lex recta ratio, naturae congruens*, which implies ‘according to nature’, ‘found in everything’, ‘firm’, and ‘eternal’. A different expression is *ius naturae*, found at N. D. 3.45, where Cicero formulates his conception of a natural law strongly in accordance with the Stoic conception, BÜCHNER (De re publica, pp. 315–316); BRÉGUET (La République, p. 67). When we further compare Cicero’s Leg., he writes, *lex est ratio summa, insita in natura, ... eadem ratio, cum est in hominis mente confirmata et perfecta, lex est*, we find an even fuller definition of how Cicero conceives natural law — a law of the highest reason, anchored (*insita*) in *natura*, the same reason found in the minds of men; this definition is wholly Stoic in temperament, POHLENZ: Die Stoa, vol. 2; cf. below 15, 35, and SVF. 3.4, where Chrysippus defines *κοινὸς νόμος* as *ὀρθὸς λόγος διὰ πάντων ἐρχόμενος*. Both the Epicureans and Stoics maintained that the general law governing nature is knowable, and then tried to erect their systems upon this, cf. Rep. 3.33 = Lact. Inst. 6.8.6–9.

quis est igitur: resumptive after a digression, cf. 7, 17.

primum: no *deinde* clause follows, and this is instead resumed below by *maximum uero* due to the interrupted construction, here with the imperative *tolle*, cf. below 24, 57 n. Often *etiam, uero* (27, 78), *autem, sin* (40, 117) take up *primum* again after such interruptions.

eo lugeat, quod eos orbatos uitae commodis arbitretur? tolle hanc opinionem, luctum sustuleris. nemo enim maeret suo incommodo: dolent fortasse et anguntur, sed illa lugubris lamentatio fletusque maerens ex eo est, quod eum, quem dileximus, uitae commodis priuatum arbitramur idque sentire. atque haec ita sentimus, natura duce, nulla ratione nullaque doctrina.

5 XIV. Maximum uero argumentum est naturam ipsam de immortalitate animorum tacitam 31 iudicare, quod omnibus curae sunt, et maximae quidem, quae post mortem futura sint,

— Serit

árbores, quae álteri saéclo prósiēnt,
ut ait in Synephebis, quid spectans nisi etiam postera saecula ad se pertinere? ergo arbores

7–8. Caecil. *Com.* 210, *Sen.* 24

4 idque sentire] *insunt uerba* idque sentire K: *lacunam cum rasura habet* V^c, cf. §108 4 haec] haec X: hoc *Davies, Moser*
5 Maximum] maximum K 5 argumentum] argumentum⁴⁴⁰ V^c 6 maximae quidem] maxime quidem G: maxime quidem VKPS: maximae *dett. codd.* 6 sint] sint RVPS: si⁴⁴nt K *alio atram. superscr.* 8 saeclo] saeclo RVG: seculo K: secl⁴⁰o S: saeculo in *Sen.* 24. 8 prosient] prosint GRV^c: prosient *Sen. codd., et P².* 9 ait] ut ait insinephebis K: ut
^{Ennius}
ait in sinephebis P *alio atram. superscr.*: ut ait S, Ennius in *marg. addito*: ut ait in sine phebis G: ut est *Dav.* GIUSTA (Testo, p. 134): ut ait <Staius>, *dett. codd., Drex.*

lugere: refers to the outward signs of mourning, such as dress; **maerere** (Forcellini) is to show sadness through lamenting, dress, and complaint; **dolere** and **angi** are used of grief and feeling of pain at heart, less so of its expression, cf. *Am.* 3.11 (with Seyffert's note); *Tusc.* 4.8.18, and *Att.* 12.28.

quod eos orbatos... arbitretur: Reid notes *quod arbitretur = quod, ut arbitretur*, cf. *Fin.* 1.4, and 1.24, *Madv. Gram.* 357a. Not attraction (as Dougan), but reported reason of the person mourning.

tolle... sustuleris: 22, 57, *reputent... uidebunt* similarly; the imperative in place of a conditional clause is rhetorical, and often in Classical Latin does not have a joining *et*. For the future tense of *sustuleris*, see *Madv. Gram.* 340.

fortasse: 'perhaps', for those who have not been trained in philosophy to condemn misfortune.

atque haec...: as noted by Heine, the argument can of course be used both ways; if the *consensio* can be used to argue for the immortality of the soul, so can the common practice of mourning be used as proof that the dead suffer their deprivation of life — which Cicero strives to deny.

haec ita sentimus: a common form of expression, cf. *Ac.* 1.11, *si haec ita non sunt*, etc. Other examples include *Tusc.* 5.18; *Am.* 16; *Verg. Aen.* 10.623; see *Madvig* on *Fin.* 2.17. The plural encompasses all such views.

nulla ratione nullaque doctrina: cf. *Off.* 1.26.90, *homines secundis rebus effrenatos sibi que praefidentes tamquam in gyrum rationis et doctrinae duci oportere*; the *gyrum = γῶπος* was properly the ring (*uolte*) in which colts were made to step in training, here = 'the stable of reason and learning', like the Greek *λόγος καὶ παιδεία*. The two words are often joined.

XIV. §31. **tacitam iudicare**: more solemn than *tacite* (Wolf), and cf. K.–S. 109, 5. The indirect speech is based on *argumentum*, whose verbal origin comes forth.

quod omnibus: the substantive clause which is subject of *est*, corresponding as if Cicero had written *illud maximum argumentum est*.

maximae quidem: i.e., *curae*; though the mss. read *maxime*, Kühner shows that this is against Cicero's usual practice who prefers the adjective over the adverb in the phrase *aliquid cuique curae esse*; cf. *Verr.* 4.33.73, *magnae curae sibi fore*; *Fam.* 10.1, *mihi maximae curae est*; *Att.* 1.1, *summae curae esse*, etc.

quae post mortem futura sint: a few inferior mss. read *sunt*, but men are worried not about *that which* happens (*ea quae futura sunt*), but *what may* happen (*ea quae futura esse vel sperant vel metuunt*), and so the subjunctive is required.

prosiēnt: This passage is also quoted in *Sen.* 24, though there the mss. favour the reading *saeculo*; all mss. read

prosiēnt, though the reading *prosiēnt* from its P² ms. of the *Sen.* is more likely. There is difficulty with the meter. Dougan asserts that these lines are composed of bacchics (based on Ribbeck's judgement); Grotefend, with Kühner, scans them as an iambic senarius, changing to [alter] *prosiēnt saeculo <alteri>*; Hermann reads them as cretics; I have followed him, as did POWELL (*De Senectute*, p. 155) who believes that they present the more natural reading; see his discussion of the meterical scheme *ad loc.* There can be no definitive conclusion, but rhythm the seems to be *ārbōrēs qu(ae) āltērī sāeclō prōsiēnt* (*saeclo* here is replaced by a spondee as paralleled in *Plaut. Most.* 108 and *Plaut. Truc.* 589.) As Powell notes on the relevant passage in his *Sen.*, the idea of planting trees for posterity is ubiquitous in literature: *Verg. Ecl.* 9.50, *carpent tua poma nepotes*; *Verg. Geor.* 2.58, 2.294; *Hor. Carm.* 2.14.22; it also exists numerous times in Jewish and Arabic literature (JACOBSON: *Trees in Caecilius Staius*); cf. Addison, *Spectator*, no. 538 (August 20, 1714), "When a man considers that the putting a few twigs into the ground is doing good to one who will make his appearance in the world about fifty years hence, or that he is perhaps making of his own descendents easy or rich, by so inconsiderable an expense, if he finds himself averse to it, he must conclude that he has a poor and base heart, void of all generous principles and love to mankind."

ait: All mss. agree in reading *ait*, and the better omit the author's name. (I believe Reid is correct in asserting that no subject is necessary when the quotation is well known that any reader could supply it, where see his n. on *Ac.* 2.79). Davies reads *ut est in*, comparing *Tusc.* 3.20, *ut est in Melanippo*, which Kühner and Giusta follow, but the parallel does not hold since here we want the quote itself to be subject of *spectans*; this could not happen if we alter *ait* to *est*.

Synephebis: Caecilius Staius, a close contemporary of Ennius, adapted his *Synephebi* upon Menander's *Συνεφεῖβος*; cf. *Fin.* 1.4; this play is also quoted *N. D.* 1.13, where see Mayor's n. *ad loc.*

quid spectans: the participle following an interrogative Klotz compares to the Greek *τί ζητῶν = quo consilio*, cf. *Fin.* 5.29.87, *quid quaerens aliud nisi uitam beatam* (with *Madvig's n. ad loc.*) and *Phil.* 2.86, *quid petens?*; for other examples, see LAUGHTON (*The Participle in Cicero*, p. 44).

ad se: sc. *etiam mortuum*

ergo arbores seret...rem publicam non seret: cf. *Tusc.* 2.14.34, *ergo hoc pueri possunt... uiri non poterunt*; 17.39, *ergo haec... miles facere potuerit, doctur uir non poterit*; an is sometimes used to introduce in like manner, but here the

seret diligens agricola, quarum aspiciet bacam ipse numquam, uir magnus leges, instituta, rem publicam non seret? quid procreatio liberorum, quid propagatio nominis, quid adoptiones filiorum, quid testamentorum diligentia, quid ipsa sepulcrorum monumenta, elogia, significant nisi nos futura etiam cogitare? quid? illud num dubitas, quin specimen naturae capi deceat ex optima quaque natura? quae est melior igitur in hominum genere natura quam eorum, qui se natos ad homines iuuandos, tutandos, conseruandos, arbitrantur? abiit ad deos Hercules: numquam abisset, nisi, cum inter homines esset, eam sibi uiam muniuisset.

XV. Vetera iam ista et religione omnium consecrata. quid in hac re publica tot tantosque uiros ob rem publicam interfectos cogitasse arbitramur? eisdemne ut finibus nomen suum quibus uita

1 bacam] bacam RGKL: baca B: bacam S *alia manu*: baccam P 2 adoptiones] adoptiones VGSK: adoptiones P 3 monumenta, elogia] sic RV: monumenta <et> elogia *addit Dav. in adnot.*: “nam et ante litteras el facile omitti potuit”, et Giusta: <quid> elogia Küh. 4 deceat] deceat X: doceat P: debeat *dett. codd., Lamb., Dav.* 5 melior igitur] melior igitur RVP

clauses are coördinate rather than dependent for effect. KNAPP (Classical Weekly, 10, p. 11) places a colon after *ergo*. The form of argumentation, known as *argumentum a minore ad maius*, is discussed by Cicero in *Top.* 55, where see the edition of REINHARDT, p. 145, his n. *ad loc.*, and HAND: Tursellinus, vol. 2, p. 460, 2.

bacam: cf. 28, 69 n.

ipse numquam: note the emphasis in the arrangement.

leges seret: for the image, cf. *Leg.* 1.6.20, *serendi etiam mores nec scriptis omnia sancienda*. Most editors have said that this metaphor is a happy one; Kühner shows that it does have some philosophical significance, *Pl. Phdr.* 276e, ὅταν τις τῇ διαλεκτικῇ τέχνῃ χρώμενος, λαβὼν ψυχὴν προσήκουσαν, φυτεύῃ τε καὶ σπεύρῃ μετ’ ἐπιστήμης λόγους. The comparison between argiculture and politics was one strong in the ancient world (Xenophon tells us Cyrus, for instance, was reported to have a keen interest in his gardens), and it had particular resonance with the Romans.

adoptiones: the best mss. have *adoptiones*, the earlier form than *adoptio*, which is frequently obliterated, cf. *Balb.* 25, 57. But Reid notes that the insertion of a common syllable occurs often in the mss. and the passage in the *Balb.* is not above suspicion (which Klotz restored). The same phenomenon occurs with *sector*, *sectator*, *Fam.* 15.19.3. Adoption was an important matter for the family in order to keep the name alive (Gell. *N. A.* 5.19, Justin. *Dig.* 1.11), and for the propogation of kingship or inheritance, Sall. *Jug.* 11, *adoptione in regnum peruénisse*. One of the more famous Roman examples was Scipio Aemilianus Africanus, mentioned below 35, 81 *Africani fratris nepos*.

testamentorum diligentia: each *gens* at Rome had its own ceremonies *cui praeter cognatos et adfines nemo interponebatur* (Val. Max. 2.8). The *heres* was responsible for seeing that the *testator* was buried with all proper rites, and in many cases he was religiously obligated to maintain private sacrifices (*sacra privata*) to the *manes*, hence the expression *sine sacris hereditas* (Plaut. *Capt.* 4.1.8, Plaut. *Trin.* 2.4.83, and Festus s. v.), cf. *Off.* 1.17.55, *Verr.* 4.7, *Har. Resp.* 32, *Leg.* 2.19, and see WATSON (Roman Private Law, pp. 93–94).

monumenta, elogia: this is the reading of the best mss., but as Kühner notes, the asyndeton is *durissimum* (but unlikely a gloss) and he wished to repeat *quid*. LUNDSTRÖM (Glosseme, p. 101), however, gives a few examples where such bimember asyndetons occur, *Fam.* 7.5.1, *meis omnibus studiis, beneficiis*, 12.10.3, *tua uirtute, magnitudine animi*. Pohlenz cites *Parad.* 26, and *Att.* 16.5.5 in his n. *ad loc.* Giusta asserts that Cicero never uses an asyndeton when the pronoun *ipse* is common between more than one noun; but here we can understand *ipsa monumenta cum elogiis* as one unified idea and therefore as only one subject.

elogia: the *elogia* were the inscriptions on tombs, ad-

ded to amplify *monumenta*, cf. 7, 14 n. above on **Calatinus**, *Fin.* 2.116 *elogia monumentorum*, and Douglas’ n. on *Brut.* 61. Orelli thought that *elogia* came as a corruption by ear from ἐλεγείον out of Magna Graecia or Sicily; and WÖLFFLIN (Die Dichter der Scipionenelogen) thought that Ennius and Pacuvius both helped to bring Greek literary culture to Rome, but this view has been largely revised. For a discussion, see SICKLE (Stile ellenistico romano e origini dell’epigramma a Roma); MEYER (Explaining the Epigraphic Habit in the Roman Empire: The Evidence of Epitaphs); WOOLF (Monumental Writing and the Expansion of Roman Society in the Early Empire).

§32. **quid? illud**: cf. 11, 25 n.

specimen ex optima natura: cf. n. on *uitoso more* above, but here the theory that the genus (*ιδέα*) can be discovered from the examination of its most perfect specimen is Aristotelian, Arist. *E. N.* 1.6.1096b, τὸ δὲ καθ’ αὐτὸ καὶ ἡ οὐσία πρότερον τῆ φύσει τοῦ πρὸς τι παραφύαδι γὰρ τοῦτ’ ἔοικε καὶ συμβεβηκότι τοῦ ὄντος. We should look for the foundation, archetype, or *exemplum* of human nature in the best human natures; those which seek to protect and preserve society.

capi deceat: so Orelli, with the best mss., though Wolf, Lambinus and Davies adopted *debeat*. We want to say ‘it is proper to take’, not ‘we are obligated to take’, cf. *Leg.* 1.8.24. Kühner notes that with *licet*, *decet*, *oportet*, the passive infinitive is often used when speaking universally, an active infinitive when of an individual, K.–S. 129, 7.

quae est melior igitur: for the late position of *igitur* (in place of the vulgate *igitur melior*), cf. *enim* below 32, 77, *Div.* 1.13.26, K.–S. 138, 4 and *Madv. Gram.* 471.

uiam muniuisset: as Dougan notes, the expression is aptly applied to Hercules, as both *uia* and *moenia* = *munera* were often constructed by those to whom it had been given as task work.

XV. **uetera religione consecrata**: cf. 13, 29 n.

cogitasse...ut terminaretur: here, *cogitasse* does not have its usual meaning, ‘considering’ (in which we would have expected *eisdem finibus terminatum iri*), but ‘planning’, ‘designing’ or ‘purposing’ (i.e., *consilium habere ut*), as Caes. *B. G.* 7.59, *ut aliquid adquireret proelioque hostes lacesseret, sed ut incolumem exercitum Agedincum reduceret, cogitabat*, and Nep. 10.9.2. The thought that a name could survive death through glory was immensely powerful to the Roman mind; cf. *Sen.* 23.82, *Arch.* 29, *Rab. Perd.* 29, *Phil.* 14.32. Polybius attributes this motivation as one of the factors that lead to Rome’s prevalence in the Punic wars. When relating the practice of Roman funerary practices, Polyb. 6.54.2–3 states that the *imagines* were carried to inspire young Roman men to endure almost all sufferings to earn renown and an everlasting glory, ἀθανατίζεται μὲν ἢ τῶν καλὸν τι διαπραξαμένων εὐκλεια, γνῶριμος δὲ τοῖς πολλοῖς καὶ παραδόσιμος τοῖς ἐπιγινομένοις ἢ τῶν εὐεργετησάντων τὴν πατρίδα γίνεται δόξα. τὸ δὲ μέγιστον, οἱ νέοι παρορμῶνται

terminaretur? nemo umquam sine magna spe immortalitatis se pro patria offerret ad mortem. licuit esse otioso Themistocli, licuit Epaminondae, licuit, ne et uetera et externa quaeram, mihi; 33
sed nescio quo modo inhaeret in mentibus quasi saeculorum quoddam augurium futurorum, idque
in maximis ingeniis altissimisque animis et existit maxime et apparet facillime. quo quidem
5 dempto, quis tam esset amens, qui semper in laboribus et periculis uiueret? loquor de principibus; 34
quid? poëtae nonne post mortem nobilitari uolunt? unde ergo illud?

aspícite, o cíues, sénis Énni imáginis fórmam,
hic uéstrum pánxit máxuma fácta pátrum.

mercedem gloriae flagitat ab eis quorum patres adfecerat gloria, idemque:

7–8. Enn. *Ann.* 15–16

1 offerret] offer& K, *Reiske*: offert *Bake* 4 existit] existit VKPE: existit G 4 quo] quod (*ante* quidem dempto)
RVK: quod G: qđ E (*h. e.* quod in quo mut.): quo PS 7 o cíues] o cíueis *Moser* 8 panxit] pinxit X: pinsit *Hahn*,
principes editio: panxit *Victor.*, sic legitur *Or. in G.*, sed *Doug.* non inuenit; s

πρὸς τὸ πᾶν ὑπομένειν ὑπὲρ τῶν κοινῶν πραγμάτων χάριν τοῦ τυχεῖν τῆς συνακολουθούσης τοῖς ἀγαθοῖς τῶν ἀνδρῶν εὐκλείας. Of course Cicero is ungracious to the vast majority of the soldiers who were immensely patriotic, loyal and virtuous, and who undertook great travails for the sake of Rome; many died without any thought of immortality since the performance of their duty gave sufficient cause to lead them to their death, *eis sunt optima cura de salute patriae*, though Cicero calls this madness. Posthumous fame was reserved for only the most conspicuous leaders. (LITCHFIELD: *Exempla Virtutis*; ROLLER: *Exemplarity in Roman Culture*; FOX: *Phil. Hist.* Pp. 156–157).

nemo umquam: Pohlenz cites *ad loc.*, Pl. *Symp.* 208d, ἐπεὶ οἱ σὺ, ἔφη, Ἀλκίστῳ ὑπὲρ Ἀδμήτου ἀποθανεῖν ἂν, ἢ Ἀχιλλέα Πατρόκλῳ ἐπαποθανεῖν, ἢ προαποθανεῖν τὸν ὑμέτερον Κόδρον ὑπὲρ τῆς βασιλείας τῶν παίδων, μὴ οἰομένους ἀθάνατον μνήμην ἀρετῆς πέρι ἑαυτῶν ἔσεσθαι, though strangely he misses the portion which mentions Codrus by name, and to whom Cicero later alludes below 48, 116. He is undoubtedly right in spotting the parallel.

se offeret ad mortem: contrary to fact, the protasis *sine spe = nisi spes esset*; the imperfect refers to Themistocles and Epaminondas that follow. *Reiske* defends the future *offeret* without success. cf. *Sest.* 1.1, and below 25, 63 n.

§33. **otioso**: for the attraction, cf. *Att.* 1.17.16, *quo in genere mihi neglegenti esse non licet*.

ne et uetera et externa: translate ‘so that we don’t seek further examples which are at the same time both ancient and foreign’; i.e., understood not individually as if *aut... aut*, but *et... et*, which in Latin after a negative is negated as a combination. *Dougan* cites *Off.* 1.14.42, and see below 30, 74 *uetera et a Graecis*.

mihi: Cicero returns again to the theme of leisure, and he no doubt considers himself to be the same sort who underwent great *labores et pericula* for the sake of his city. We must remember that such self-regard was a vice of the age, though Cicero was perhaps more conspicuous among his contemporaries, cf. below 31, 91 n.

nescio quo modo: cf. 11, 24 n.

maxime... facillime: the adverbs so placed after their verb makes them especially emphatic, cf. below *naturae uim maxime*.

quis tam esset amens: cf. 13, 30 n.

§34. **principibus**: ‘distinguished statesmen’, οἱ κατ’ ἐξοχήν, cf. 42, 101.

illud: the substantive is often omitted in making quotations, cf. *illud Accii, Tusc.* 2.5.13. The epitaph written by Ennius shows off the conceit and self-approbation which was said to be one of the flaws of his character. The story that a bust of Ennius was buried with Scipio (*Arch.* 22, Liv 38.56.4) was rejected by Vahlen, but it is possible that had a memorial been demanded by Scipio, such a wish might have still have carried weight in his family and been

honoured, though Ennius died over 18 years later.

o cíues: Ennius had been granted citizenship through the influences of the Nobiliores around 184B.C., making the *Annales* the work of the full *ciuis Romanus*.

aspícite o cíues...: the lines are elegiacs. For the shortened final syllable in the hiatus, cf. Verg. *Aen.* 3.211 and Juv. 12.32; there is an ecthipsis of the final -s in *imagini*’ similar to *uiuo*’ below, as often in Plautus and Terence. GUEDEMAN (*Literary Frauds among the Romans*, pp. 158–159), who discusses at length epitaphic elegies of the old Roman poets, maintains that the elegiac form of these lines is sufficient to reject them as Ennius’ own. For the thought, cf. Hor. *Carm.* 20.21–24 and Callim. *Ep.* 35.

panxit: mss. generally have *pinxit*, and the reading has been defended by older editors who compare the Greek ποικίλλειν, δαιδάλλειν, as if poetry were pictures, and poets painters; cf. Ter. *Phorm.* 267, *probe horum facta inprudens depinxit senex*; and Davies cites Euseb. *Hist. Eccl.* 7.12, τὰς πολυτρόπους αἰκίας ἀναζωγραφεῖν τῶν θαυμασίων Χριστοῦ μαρτύρων. But Bentley objected to this understanding of *pingere*: “si nude dixeris *pingere*, neminem nisi pictorem intelligo. Repudietur ergo illud *pinxit*, ne aduenae qui spectatum ueniant non poetae structum monumentum sed pictori arbitrentur.” But surely no one would be so fooled as to think Ennius a painter. He argued that in order for us to understand the verb *pingere* to mean *carmen scribere*, we would need some other word to indicate the phrase is used μεταφορικῶς, such as *calamo pingere*, or *uersibus pingere*. As such, Orelli, in his edition, restored *panxit*, which he said he found in six lesser Oxford mss., though *Dougan* denied this was true. Nevertheless, he accepted the emendation as do most editors, including *Giusta* who is silent on the matter. We have parallel for the use *pangere = componere* in Val. Max. 2.1, and *Fam.* 16.18.3, *an pangis aliquid Sophocleum?* The verb *pangere* is also often used with *poemata*, as Hor. *Ep.* 1.18.40, and *carmina*, Lucr. 4.8. Vahlen accepts the emendation in his edition of Ennius’ works. Both COURTENAY (*Fragmentary Latin Poets*, pp. 42–43) and GOLDBERG (*Epic in Republican Rome*, pp. 16–18) also accept the reading *panxit*, but unlike *Moser* who asserts ‘nemo quin videat hos ipsos *Annales*’, they are doubtful that these lines are in fact Ennius’; they argue that Cicero’s possible source was Varro’s *de Poet.*

mercedem gloriae: ‘glory as a reward’, gen. of contents. For Cicero’s views on true *gloria*, cf. *Rab. Perd.* 29, *Arch.* 26, *Sest.* 47, *Marcell.* 8, *Off.* 2.9.31, below 15, 34, and *Tusc.* 2.32. For a discussion on glory as a form of immortality, cf. 38, 91 n.

adfecerat gloria: a rare construction in Cicero of this verb with the ablative *gloria*, the only parallel I can find is *Fam.* 13.8, *magna me affeceris gloria*.

idemque: i.e., *idem* as the subject, a verb of speaking supplied.

nemó me lácrumis —

cúr? úolito úiuos per óra úirum

Sed quid poëtas? opifices post mortem nobilitari uolunt. quid enim Phidias, sui similem speciem

1–2. Enn. *Ann.* 17–18

1–2 lacrumis cur] lacrumis cur GE: lacrimet cur V: lacrumis cur P, *alia manu superscr.* decoret ne funera faxit: lacrumis cur S *marg. alia manu* decoret neque fletu funera faxit 1 lacrumis] lacrumis X 3 poetas] putas RKGSP (cf. *Div.* 129.55): ποῦε V^c, -oetae in *litura*: poetas s

nemo me...: the words *decoret nec funera fletu faxit* normally follow *lacramis* in the quotation, but these words are not found in the better mss. Older editors follow the mss. P² and S which quote them fully, though inaccurately; or else see fit to restore them 49, 117. But in spite of the authority of the mss., their restoration is approved by Wesenberg, who argued that Cicero would be unlikely to repeat this quotation more fully (as he does) in 49, 117 if he does not also quote them fully here. He attempted to defend his position by giving examples of Cicero's consistency in quotations; *Tusc.* 3.28–29 to 3.58; and 3.45 to 3.53, where see remarks of VAHLEN: *Opuscula academica*, vol. 1, p. 88, *ibid.*, vol. 2, p. 135. Not many recent editors have agreed with Wesenberg, though Guista partially conceded by restoring *decoret* only. He argued that a verb could hardly be omitted in the phrase, but this is weak. Davies is clearly correct to remark that it is not unusual for Cicero to bring in only half-verses. Further, the words he omits are not essential to his meaning. If we have gained any insight from Cicero's letters, we must conclude that when we find any deviations from an accepted text, they are either made with a purpose in mind, or else that they were simply proverbial enough that even partial quotations are understandable and acceptable; on this matter see HENDRICKSON (*Technique of Citation in Dialogue*). The practice of quotation in these philosophical works does not follow such strict rules as Wesenberg believes. In many cases, Roman literature had simply not yet amassed any significant quantity of 'quotable' material on which to draw, mainly because such works of literature came to exist either through translation or through imitation, and as such smacked of foreignness. What little there was worthy of quotation, it is reasonable to assume that it was easily recognisable. Given this, the mss. should not be abandoned, cf. 49, 117 n.

lacrumis: Ennius, as in general Old Latin, used alliteration liberally, which prompted BERGK (*Quaestiones Ennianae*, p. 187) to suggest we should emend *lacrumis* to *dacrumis* before *decoret*. Müller later pointed out that Andronicus, *Fest.* 60, 5 (Lindsay), is the only poet to use the form, whereas Ennius, who was a thorough moderniser, would have been unlikely to employ it. Reid, on *Sen.* 20.73, also expressed his doubt and believed that had Ennius in fact used such a rare spelling, the ancient grammarians would have taken notice. Powell *ad loc.* pointed out that it may be plausibly restored at Plaut. *Ps.* 100–1, where there may be a pun on *drachimae|dacrumae* (which has been accepted in some modern editors of Plautus.) WARMINGTON (*Remains of Old Latin*) in the Loeb collection retained Bergk's emendation. In any case, the mss. are unanimous in reading *lacrumis* here.

cur: for the question *cur*, which suggests an audience, cf. Catull. 72.7, *qui potis est, inquis?* and 85, *quare id faciam, fortasse requiris*. That his poetic renown would ensure his immortality is Ennius' obvious message; but the address to an audience would suggest their own ephemeral existence. It would not soften but rather accentuate the fear and worry of those who have no such glory to immortalise their spirit.

uolito uiuos per ora uirum: cf. below 49, 117 n. and *Sen.* 73. It is usually taken to mean 'I flutter still living

upon the lips of men', but HENRY (*Aeneidea*) on Verg. *Aen.* 12.235, *uiuusque per ora feretur* first noticed that Vergil there and at Verg. *Geor.* 3.8–9, *uictorque uirum uolitare per ora* had this epigram in mind, but altered it to mean 'before the faces' which would more aptly suit his image of a victorius chariot speeding past spectators, cf. *Ov. Tr.* 4.2.47–48 among others in Henry; and see COURTENAY (*Fragmentary Latin Poets*, p. 43); LUNDSTRÖM (*Eingang des Proömiums zum Dritten Buche der Georgica*, p. 184). Dougan cites Verg. *Aen.* 11.296, *uariusque per ora cucurrit turbata fremor* to show how it can mean 'through' or 'among mouths'; this interpretation is preferable since Ennius' lines refer to posthumous fame and his ἔπεα πτερόεντα, and not his life after death as "a bird of song" (Henry).

uolito uiuos: for the imagery, cf. Mart. 6.18, *sed lugere nefas: nam qui te reliquit, uiuit qua uoluit uiuere parte magis*.

sed quid poëtas?: sc. *profero, prosequor, commemoro*, an ellipsis in transitions from one subject to another, cf. *Tusc.* 2.17.41, *sed quid hos? (gladiatores)*, *Or.* 31.109, *Nep. Att.* 11.3. Bentley read *quid putas?* with the better mss. GRB but this cannot be right: the idiom is too well attested to disregard it here, cf. Madvig on *Fin.* 1.3.9, and K.–S. 161b.

Cicero is attempting to reason backwards; with the establishment of so many *exempla* which range from artisans, to poets, to princes, he is making an inquiry first into *effects*, and then traces it back to its universal *cause*, the soul itself. The methodology which Cicero uses to search for the cause of a Roman funerary ritual was generally accepted as a sound form of philosophising by the Stoics, cf. *Div.* 1.11–12. S. E. M. 9.132, ἄτοπον δέ γε τοσοῦτον πλῆθος πραγμάτων ἀναρεῖν πεπιστευμένων ἤδη παρὰ πᾶσιν ἀνθρώποις; *Sen. Ep.* 117.6, *Lact. Inst.* 1.2.5. Nevertheless, it was ridiculed by Luc. *JTr.* 51, εἰ γὰρ εἰσι βωμοί, εἰσι καὶ θεοί: ἀλλὰ μὴν εἰσι βωμοί, εἰσὶν ἄρα καὶ θεοί.

opifices: 'handicraftsmen', 'artisan', also called *sellularii*, cf. the Greek χειρότεχναι, χειρώνακτες, βάνουσοι. The Romans thought only military and argiculture worthy of the freeborn, and the tone of the word here is less dignified than *artifex*, by which Cicero translates the Platonic δημιουργός. For the contemptuous use, cf. *Tusc.* 5.12.34, *Zeno ignobilis uerborum opifex*, *Off.* 1.42.150, *opifices omnes in sordida arte uersantur*, *Plu. De Plac. Phil.* 1.7 (=Dox. *Graec.* 300) τέκτονος ἀχθοφορῶν; and see Mayor's n. on *N. D.* 1.8.18.

Phidias: the famous sculptor of the chryselephantine Zeus for the temple of Zeus at Olympia, and of Athena Παρθένος, finished around 434B.C. Phidias was allegedly prosecuted for blasphemy by his enemies as a result of portraying himself and his patron Pericles on Athena's shield. He is degraded here by Cicero to a mere 'craftsman'. In *Or.* 2.5, Cicero lists Phidias alongside the other renowned artists Protogenes, Apelles, and Polyclitus, all called *opifices*, where see Sandys's n. *ad loc.*

sui similem: *Madv. Gram.* 219, obs. 2; 247b, obs. 2, and his note on *Fin.* 5.5.12, has shown that Cicero and in general older writers prefer to use the genitive with *similis* when it relates to living beings, particularly gods or men, but use both the dative and genitive indifferently when it concerns inanimate objects, cf. below 33, 81, *facie uel patris, uita omnium perditorum ita similis*, and K.–S. 2.238, and JONES (*Constructions of similis*).

inclusit in clupeo Mineruae, cum inscribere nomen non liceret? quid? nostri philosophi nonne in
eis libris ipsis, quos scribunt de contemnenda gloria, sua nomina inscribunt? quodsi omnium
consensus naturae uox est, omnesque qui ubique sunt consentiunt esse aliquid, quod ad eos
pertineat qui uita cesserint, nobis quoque idem existimandum est, et si, quorum aut ingenio aut
uirtute animus excellit, eos arbitrabimur, quia natura optima sint, cernere naturae uim maxime,
ueri simile est, cum optimus quisque maxime posteritati seruiat, esse aliquid, cuius is post mortem
sensum sit habiturus.

XVI. Sed ut deos esse natura opinamur, qualesque sint, ratione cognoscimus, sic permanere
animos arbitramur consensu nationum omnium, qua in sede maneant qualesque sint, ratione
discendum est. cuius ignoratio finxit inferos easque formidines, quas tu contemnere non sine
causa uidebare. in terram enim cadentibus corporibus eisque humo tectis (e quo dictum est
'humari'), sub terra censebant reliquam uitam agi mortuorum; quam eorum opinionem magni

1 inscribere non] inscribere non VPSE: inscribere ñ K 4 cesserint] excesserint *Ursinus*. 5 arbitrabimur] arbitrabimur
Vc: arbitrabimur X 8 qualesque] *sic X*: <ubi> qualesque *Giu., cf. N. D. 1.65* 10 ignoratio] ignorantia *dett. codd.*
11 uidebare] uidere *dett. codd.*

clupeo Mineruae: refers to the chryselephantine image of Athena in the Parthenon, of which copies of the concave side exist, notably on the 'Lenormant Athena' statuette, and the Strangford fragment in the British Museum, where see LEIPEN (Athena Parthenos), figs. 23, and 26–27, and OVERBECK (Die Antiken Schriftquellen, 122ff). We have numerous literary references to the work, *De Or.* 2.17.73, in his operibus si quis illam artem comprehenderit, ut tamquam Phidias Mineruae signum efficere possit, non sane, quem ad modum, ut in clipeo idem artifex, minora illa opera facere discat, 'laborabit.'; *Or.* 71.234, *Plin. H. N.* 37.18, in scuto eius Amazonum proelium celauit in tumescente ambitu, in parmae eiusdem concava parte deorum et Gigantum dimicationes; *Plu. Per.* 31, τὴν πρὸς Ἀμαζόνας μάχην ἐν τῇ ἀσπίδι ποιῶν αὐτοῦ τινα μορφήν ἐνετύπωσε πρὸς βύτου φαλακροῦ πέτρον ἐπηρμένον δι' ἀμφοτέρων τῶν χειρῶν, καὶ τοῦ Περικλέους εἰκόνα παγκάλην ἐνέθηκε μαχομένου πρὸς Ἀμαζόνας. τὸ δὲ σχῆμα τῆς χειρὸς, ἀναιτιμολογίας δόρυ πρὸ τῆς ὄψεως τοῦ Περικλέους, πεποιημένον εὐμηχανῶς οἷον ἐπικρύπτειν βούλεται τὴν ὁμοιότητα παραφαίνουμένην ἑκατέρωθεν; *Chrysost. Orat.* 12.6, Περικλέα δὲ καὶ αὐτὸν λαθὼν ἐποίησεν, ὡς φασι, ἐπὶ τῆς ἀσπίδος; *cf. Th.* 2.13, *Val. Max.* 8.14.6, clipeo Mineruae effigiem suam inclusit, qua conuulsa tota operis conligato solueretur; [*Arist.* *Mu.* 399b31 reports that Phidias constructed the shield in such a way that his image could not be removed without destroying the whole shield. In the Stragford fragment, we have the head of the Medusa in the centre, below it a Greek warrior who raises with hands over his head his battle axe; this bald-headed individual is thought to correspond to the figure of Phidias in the original.

cum inscribere nomen non liceret: so Kühner, Seyffert, and all recent editors. *nomen* is not in the mss., having first been restored by Ernesti in his notes, *nom̄* i.e., *nomen* fell out before *non*, likely, as GIUSTA (Tusculanae, p. xl) suggested, from haplography of *nō ñ, nomen non*. But sculptors in fact often did inscribe their names on their works as Phidias himself was said to have done at the base of Zeus Olympias, *Paus.* 5.10.2, Φειδίας Χαρμίδου υἱὸς Ἀθηναῖος μ' ἐποίησε, and for a list of recent inscriptions found on bases, including Phradmon of Argos, one of Phidias' competitors, see ZEVİ (Tre iscrizioni con firme di artisti greci, p. 110); RICHTER (New Signatures of Greek Sculptors, p. 434). As we have much evidence in this vein, some editors wish to read here *cum inscribere nomen liceret*; on the other hand, we do have some evidence to the contrary, though not as ample. Cicero, in *Verr.* 2.4.5, relates that Myron, a famous sculptor, immortalised his own name by writing it in almost imperceptible letters on the thigh of Apollo. We also have a curious but apocryphal story in *Plin. H. N.* 36.4.42 about the temple of Iuppiter Stator, built by Q. Caecilius Metellus Macedonicus after his triumph in 146 B.C. It

seems that the two Spartan architects, Saurus and Batarachus, were forbidden to inscribe their own names so they took it upon themselves instead to carve from silver a lizard (*σαῦρος*) and a frog (*βάτρακος*) on the base of the temple's columns. It is impossible to say whether or not this later invention was itself based on this earlier story of Phidias.

sua nomina inscribunt: *cf. Arch.* 26, ipsi illi philosophi, etiam in eis libellis quos de contemnenda gloria scribunt, nomen suum inscribunt.

§35. uita: for the ablative without the preposition, we can compare *Hor. Sat.* 1.1.118–119, but *cf. Brut.* 4.

arbitrabimur: Kühner and LUNDSTRÖM (Textkritik, p. 60) have defended the future, as Dougan who cites a similar fut. below at 23, 53 *nesciet*; often the future is used where we should expect the present in colloquial Latin to denote both what is, and what will prove to be true. The idiom is also English, *cf. Ter. Phorm.* 801, *sic erit*, and Bentley's n. on *Ter. Eun.* 4.5.6, *verbum hercle hoc verum erit, 'sine Cerere et Libero friget Venus.'* GIUSTA (Testo, p. 136) defends the present *arbitramur* in vain.

cernere naturae uim maxime: again emphatic; Kühner cites *Verr.* 2.3.15, *consistere in re frumentaria maxime*; and *Leg.* 2.69, *quod constituta religione rem publicam continere maxime*; add *Off.* 1.2.4, *ab eo exordiri uolui maxime*.

posteritati seruiat: *cf. Tusc.* 5.3.9, *alios gloriae seruire, alios pecuniae*; *Q. Fr.* 1.1, *ualetudini tuae seruias* (Küh).

XVI. §36. ignoratio: pregnant use, = *ratio non culta*, *cf. Fin.* 1.65, *e physicis sumitur constantia contra metum religionis ignoratione sublata* etc.

formidines: 'schreckbilder' (Küh.), images of terrors, the plural used as abstract for concrete: and so those things which inspire fear and not the fear itself, *cf. Fin.* 5.11, *quia quasdam post mortem formidines extimescant*; the term is generally only applied to that which has been accepted as fearful by custom, or held to be so in the opinions of the ancients and later confirmed by superstition, such as are previously listed at 5, 10 above; Cerberus, Cocytus, Archeron, Tantalus, Sisyphus, Minos, etc. A fragment of Lucilius, preserved in *Lact. Inst.* 1.22, calls them *terrículas, Lamias, Fauni quas Pompiliique instituire Numae* etc.; *cf. Verg. Aen.* 12.335, *atrae Formidinis ora* as personified; and *Verg. Geor.* 4.468; *Stat. Theb.* 5.68. Philosophy is to 'learn how to die' and the liberation it brings a *metu mortis* is one of its central roles, *cf. Pl. Phd.* 64a–69e.

uidebare: for the orthography, *cf. Quint. Inst.* 1.5.42, *euītanda 'male mereris', 'male merere'*.

e quo dictum est 'humari': *cf.* and the word *homines*, which finds its root in *humo*, the earth, *N. D.* 2.140, *homines humo excitatos, celsos et erectos*.

37 errores consecuti sunt, quos auxerunt poetae. frequens enim consessus theatri, in quo sunt mulierculae et pueri, mouetur audiens tam grande carmen,

ádsum atque aduenio Ácherunte uíx uia alta atque árdua
pér speluncas sáxis structas áspéris pendéntibus,
máxumis, ubi rígida constat crássa caligo ínferum,

tantumque ualuit error, qui mihi quidem iam sublatus uidetur, ut, corpora cremata cum scirent, tamen ea fieri apud inferos fingerent, quae sine corporibus nec fieri possent nec intellegi. animos enim per se ipsos uiuentis non poterant mente complecti, formam aliquam figuramque quaerebant.

3-5. *Trag. fr. inc. 73* 5. *Non. 272, 39-40.*

1 errores] terrores *in marg. ed. Crat.* 1 consessus] consensu RGEL: consensu *in conse*ff^h *mut. P.* consensu^f *V manu antiqua* 3 acherunte] acherunte VGPEL: acheronte S: acher^h nte K *alio atram. superscr.* 8 uiuentis] uiuentis RGBKPEL: uigentis V^c, u *in g mut; retin. Giu.*

errores: a few editors, on the strength of *formidines*, and below, *mouetur*, have thought the reading should be *terrores*; cf. Pl. *Ti.* 40C, ἔκαστοι κατακαλύπτονται καὶ πάλιν ἀναφανόμενοι φόβους, where fears follow dire portents; but this is over-subtle reasoning, and *error* is more naturally connected with a false *opinio* than fear; in any case, the mss. are unanimous. Cicero is trying to emphasise that those without philosophy (*rationis expertes*) are led astray by the vivid imaginations of artisans and poets.

consecuti sunt: the prefix *con-* in *consequi* suggests a cause and effect relationship, i.e., magni errores cum hac opinione coniuncti secuti sunt (Küh.) and see Dougan's n. *ad loc.* on the cognate force of this verb, where he cites 39, 91 below, *uirtutis quam necessario gloria...consequatur.*

Cicero's argument is a *non causa pro causa* fallacy by suggesting that the Romans' superstition of Hades found its origin in their practice of burial. But we know that both cremation and burial were common in the Republic according to the XII tablets. Though burial was considered the older practice (as suggested here, and at *Leg.* 2.56, *et quod nunc communiter in omnibus sepultis uenit usu ut humati dicantur, id erat proprium tum in iis quos humus iniecta contexerat*) — and though there is also evidence of embalming, it is quite clear that cremation was their normal practice, *Lucr.* 3.888, *ILS* 6087, 73, *TOYNBEE* (Death in the Roman world, p. 39). However, Pythagoreanism, a philosophy which forbade cremation, was exercising a growing influence at this time and reached its peak in the period Cicero was writing. Even Varro himself was buried according to the Pythagorean fashion of an earthen coffin, with olive and myrtle leaves, *Plin. H. N.* 35.160, *quin et defunctos sese multi fictilibus solis condi maluere, sicut M. Varro, Pythagorico modo in myrti et oleae atque populi nigrae foliis. maior pars hominum terrenis utitur uasis, and cf. Serv.* 3.68, *Romani contra faciebant, comburentes cadavera.* As Pythagoreanism also stressed that the soul survived after death, it seems natural then that the two notions of burial and the soul's survival would become enjoined. But we cannot with any certainty attribute this growing superstition to the Pythagoreans alone as there were many other similar influences. It seems, therefore, that Cicero is not attacking any particular philosophy, but is only resisting a growing Greek/Eastern influence.

poetae: as chastised by *Pl. Rep.* books 2-3; the Stoics too blamed the old poets, as false witnesses to *σοφία*, for spreading misconceptions, cf. *Chrysippus, Sen. Ben.* 1.3.10, *poetae non putant ad rem pertinere uerum dicere, sed aut necessitate coacti aut decoro corrupti.*

§37. **consessus theatri:** concrete for abstract, Dougan cites *Att.* 1.16.3, *in ludo talario consessus.*

mulierculae: the diminutive is disparaging, 'silly women'; the fact that Roman women were allowed into the theatre is shown here, and at *Vitr. De Arch.* 5.3.1, *per ludos enim cum coniugibus et liberis persedentes.* The *lex Julia theatralis* later introduced by Augustus placed woman at the

back of the auditorium, and banned them altogether from athletic competitions. Men and woman continued to sit together in the circus, *Suet. Aug.* 44, *Ov. Tr.* 2.283, *Juv.* 11.201, and see *RAWSON* (*Discrimina Ordinum*, p. 86).

grande: 'hochtönend' (Wolf), considered poetically 'lofty' from the accumulations of *a* in the first line, and *s* in the second (Manutius).

carmen: for *carmen* applied to only a partial excerpt of a poem, cf. *Tusc.* 3.25.59, *Euripideum carmen.*

adsum atque...: the meter is trochaic tetrameter catalectic, *Trag. fr. inc. 73.* Originally thought to be Ennius' (Gell. *N. A.* 11.4), Ribbeck assigned them to Accius' *Troades*, and compared *Soph. Polyxena*, fr. 480, where the soul of Achilles says, Ἀκτὰς ἀπαίωνας τε καὶ μελαμβαθεῖς | λιποῦσα λίμνης ἦλθον, ἄρενας χόας | Ἀχέροντος δέζυπλήγας ἠχούσας γόους. *JOCELYN* (*Tragedies of Ennius*), 133, 421-422 thinks on the other hand that it is from Accius' *Hecuba*, after Euripides own in which Polydorus' spirit says, Ἦκω νεκρῶν κευθμῶνα καὶ σκότου πύλας | λιπῶν, ἔν' Ἀδης χωρὶς ὄκισται θεῶν. This would agree with the testament of *Tz. Chil.* 10.162, οὐτως κατ' ἔπος λέγει δὲ διὰ τοῦ Εὐριπίδου, | ἦκω νεκρῶν κευθμῶνα τε καὶ πύλας ἀφείς σκότου | ἐκ τότε τοῖς φηγοῦσι δὲ δευηῆς ἐξ ἀρρωστίας. Moser objected to the attribution, arguing that only one word in the Latin is in common with the Greek (*adsum* = ἦκω), and that Polydorus' body is as yet still unburied. Asyndeton in the final two lines is a feature of the archaic poets in magical and religious language. (*TIMPANARO: Gnomon* 42, p. 157).

Acherunte: earlier editors wished to insert *ab* which is found in mss. H, as did Giusta recently, who asserted that *poetae tragici constantissime 'acheruns'*; but might not this be a counter example? The grammar certainly does not warrant the preposition, *Madv. Gram.* 275, obs. 4. Dictionaries continue to give it only as short, despite the abundant examples of *acheruns* with a long *a*, *Plaut. Bacch.* 196; *Plaut. Mil.* 627; *Plaut. Capt.* 695, 995; *Plaut. Trin.* 494. The term, though strictly a river, is used of the underworld in general.

uix: not *statim, modo* as Wolf and Dougan. Pohlenz understood it correctly in his n. *ad loc.* 'mit Mühe', μόγεις.

constat: = συνίσταται, with thick consistency, cf. *Parm. De Nat.* 4.1, τὸ ἐὸν τοῦ ἐόντος ἔχεισθαι οὔτε σκιδνάμενον πάντη πάντως κατὰ κόσμον οὔτε συνιστάμενον. Pohlenz compared *Liv* 33.18, *ueluti stipata phalanx constabat.*

error qui iam sublatus: i.e., *uetus error*, the misunderstanding which was held in older times, but now generally exploded (*sublatus*) as it seemed to Cicero, at least among the more learned.

quae sine corporibus nec fieri possent: for the attraction of both mood and tense, cf. below 5, 9 n.

uiuentis: Giusta reads *vigentis* on the parallel of *Div.* 1.70, *pars animi rationis atque intelligentiae sit particeps, eam tum maxime vigere*, but this does not seem sufficient to abandon the consensus of the mss. when the words are too commonly paired.

inde Homeri tota νεκρία, inde ea, quae meus amicus Appius νεκρομαντεία faciebat, inde in uicinia nostra Auerni lacus,

óstium altae Acherúntis, salso sáanguine

únde animae excitántur obscura úmbra opertae, imáginēs
mórtuorum,

has tamen imagines loqui uolunt, quod fieri nec sine lingua nec sine palato nec sine faucium,

3-5. *Trag. fr. inc.* 76-77.

1 νεκρία] necyia GV^c: NECYia RK 1 νεκρομαντεία] NEPCYIO manτiα RPKEL: nepSYMANTIA G: psychomantia V^c, at psychio in litura: νεκρομαντεία dett. codd. 6 fieri nec sine lingua] fieri nec sine X: fieri sine dett. codd.

Homeri tota νεκρία: title of Hom. *Od.* 11 in which Odysseus approached the shades of the underworld and spoke with them, cf. *N. D.* 3.16.41, *Homerus apud inferos conveniri facit ab Ulixē sicut ceteros, qui excesserant vita.*

meus amicus Appius: Appius Claudius Pulcher, augur in 63 B.C., consul in 54 B.C., elder brother of Cicero's hated enemy Clodius. He was a nuisance and lost no opportunity for slighting Cicero when he was succeeded by him as governor of Cilicia, though befriended Cicero when he became enmeshed with difficulties from his unlawful acts. We should not find the remark *meus amicus* surprising; Cicero had a penchant for forgiving. Appius had also composed a book on augury which he dedicated to Cicero (*Fam.* 3.4.5, *Varr. L. L.* 3.2.2, *Brut.* 77, *Div.* 1.29, 105). We also have a book of letters between the two men (*Fam.* 3) in which Cicero frequently addresses him in friendly terms.

Appius was intensely superstitious with such divining rites, and Luc. 5.69 portrays him as pestering the oracle at Delphi, *Appius euentus, finemque expromere rerum sollicitat superos*, cf. Val. Max. 1.8.10.

Appius νεκρομαντεία faciebat: Giusta here prefers to take the reading ψυχομαντεία from V^c which was accepted by many of the older editors. Kühner (with TS) printed νεκρομαντεία; Dougan and Drexler however prefer νεκρομαντεία with the majority of the mss, and with Plu. *Cim.* 6 and Hdt. 5.92. There is a strong parallel at *Div.* 1.58.132, *ne psychomantia quidem, quibus Appius, amicus tuus, uti solebat* and 115 below but of all editors, Giusta is the only one to adopt the change to *psychomantia*. (A similar difficulty is found in Plin. *H. N.* 35.40.132 with the reading *sepulchrum, Athenis *necyomantea* Homeri).

νεκρομαντεία was a process of divination by which one can learn of future events through the evocation of ghosts assumed to have knowledge of things to come; these 'rites of separation' were associated with the places they were conducted, the νεκρομαντεία, where see HALLIDAY (Greek Divination, pp. 236-239). Clem. Al. *Protr.* 1.11 tells us that the art was popular and frequently practised by the Etruscans. SCHMEKEL (Mittleren Stoa, p. 256) observed that Posidonius asserted that the soul passes to higher regions explicitly to deny the possibility of evoking ghosts from the underworld.

in uicinia nostra: the Auernus was in Campania, southern Italy, in the fields of Phlegraean, near Puteoli and Cumae, where Cicero had a villa.

Auerni lacus: i.e., the lake at Avernus; the genitive is locative. According to Verg. *Aen.* 6.118, the cave used by Aeneas and the Sibyl was concealed by the darkness of the lake in the shady Avernian copse; the lake was sacred to Proserpina, its waters were putrid and birds, as it was alleged, fell dead if they flew over it, Lucr. 6.738-837 and see Munro's n. on the various spots called Avernus. There was thought to be a νεκρομαντείον there, as described by Maxim. Tyr. *Diss.* 14.2, ἦν δὲ που τῆς Ἰταλίας... περὶ λίμνην Ἄορνον... οὕτω καλούμενην μαντεῖον ἄντρον καὶ θεραπευτῆρες τοῦ ἄντρου ἄνδρες ψυχαγωγοί, οὕτως ὀνομαζόμενοι ἐκ τοῦ ἔργου;

and Strabo. 5.5.244, Ἐμύθειον δ' οἱ πρὸ ἡμῶν ἐν τῷ Ἀόρνῳ τὰ περὶ τὴν νεκρίαν τὴν Ὀμηρικὴν καὶ δὴ καὶ νεκρομαντεῖον ἱστοροῦσιν ἐνταῦθα γενέσθαι, καὶ Ὀδυσσεὺς εἰς τοῦτο ἀφικέσθαι. but editors have not noticed that Serv. 6.237 makes the sharp distinction between the catabatic cave at Avernus, and the oracular cave on the Cumae acropolis described at Verg. *Aen.* 6.10-11, and 42ff, on which see CLARK (Location of the Vergilian Underworld, pp. 262-263), fig. 1. The lake is painted in the background of Turner's *Bay of Baiae, with Apollo and the Sibyl*, currently in the Tate Gallery, London.

ostium... imagines mortuorum: These lines have been variously arranged and emended by editors, the better of which GRUSTA (Tusculanae, p. 29) lists in edition, though he misquotes Bentley's reading. Many suggestions do not need repeating. A number of older editors, with GUSTAFSSON (Coniecturae) and Ribbeck, have assigned *imagines mortuorum* to Cicero himself, though Reid has noted that it has a strong appearance of a marginal gloss, but this has not generally been accepted. Heine and Schiche gave them to the poet, as do all recent editors including Giusta who arranged them as trochaic tetrameter catalectic in two incomplete lines. The *imagines mortuorum* reflect Hom. *Od.* 10.476, βροτῶν εἶδωλα καμόντων. The source of the lines remains doubtful, but we have similar language in Lucr. 1.120-123, *etsi praeterea tamen esse Acherusia templa | Ennius aeternis exponit versibus edens | quo neque permaneant animae neque corpora nostra | sed quaedam simulacra modis pallentia miris*; the probable model is Ennius, and Levée, in his edition of the fragments, assigns them to his *Hecuba*.

salso sanguine: for the imagery, *Trag. fr. inc.* 127 (quoted by Macro. 6.2), *neque miserae lauere lacrimae salsum sanguinem*, and *Non.* 192, *salsum cruorem*. Dougan shows it is best taken with *excitantur*, 'raised forth by salty blood', cf. Hom. *Od.* 11.35-38, ῥέε δ' αἶμα κελαινεφές· αἱ δ' ἀγέροντο ψυχὰ ὑπὲς Ἐρέβους νεκύων κατατεθνηῶτων. We also have *Acc. trag.* 578, *salsis cruorem guttis lacrimarum lauit*; and *E. Supp.* 49, οἰκτρὸν δάκρυ (SKUTSCH: Notes on Ennian Tragedy, p. 141). TS. and other editors read *falso sanguine*, 'blood that is not blood'. Levée, in his edition of the fragments, finds that this phrase is excellent in describing a body to be opaque or pallid as these vain images would be. Alternately, 'magicians' who could excite these images would use a mix of honey, wine, milk and blood in their ritual. Their libation which raises the ghosts would then appear thick and red, but not be true blood.

obscura umbra: modal abl. which describes the *opertae*, 'souls buried within gross shadows'.

sine faucium, laterum, pulmonum: the better mss. leave this series as asyndeton whereas many of the lesser offer various combinations of *-que, -ue* or *aut*. The tone of the passage is given a heightened solemnity which Rath had first noticed *ad loc.* to be somewhat alien to the argument; further to this, Cicero had wrote in 17, 41 *in corde, cerebroue aut in sanguine*. However, there is no need here to abandon the best attested reading.

38 laterum, pulmonum ui et figura potest. nihil enim animo uidere poterant, ad oculos omnia
 39 referere. magni autem est ingenii seuocare mentem a sensibus et cogitationem ab consuetudine
 40 abducere. itaque credo equidem etiam alios tot saeculis, sed quod litteris exstet, Pherecydes Syrius
 41 primus dixit animos esse hominum sempiternos, antiquus sane; fuit enim meo regnante gentili.
 42 hanc opinionem discipulus eius Pythagoras maxime confirmauit, qui cum Superbo regnante in

2. Aug. Ep. 137.5 3. Aug. Ep. 137.12, D.-K. Pherecyd. 71a5; cf. Lact. Inst. 7.8.7.

1 laterum pulmonum] laterumue pulmonumque dett. codd. 2 seuocare] revocare Ω: seuocare ex August. ad Volus. Epist. 3 reposuit Dav. 3 syrius] syrus X: sirius dett. codd.: syrius August. 4 primus] primum Ω: primus Bent., s

nihil enim animo uidere poterant: i.e., they had no sense of abstract reasoning for the form of the soul, and so they gave it human shape.

ad oculos omnia referere: the phrase *referre ad* means to subject something to a frame of judgement or measurement, cf. Am. 9.32, *ad uoluptatem omnia referunt*, where Cicero means that the Epicureans measure all their philosophical judgements by the ruler or standard of pleasure, on which see Dougan's n. *ad loc.*

seuocare mentem a sensibus: the mss. *seuocare* cannot be right, as it means to recall from an action already begun, (Tusc. 3.46, *revocari igitur oportere a maerore ad cogitationem*); but here we want to mean 'abstract from', or 'separate from'. Orelli restored *seuocare* from a conjecture first by Davies which was later found so quoted in an epistle of Augustine. Moser compares 30, 72; N. D. 3.21, *non quod difficile sit mentem ab oculis seuocare*. The pervasive image of sleep as an early indication of death was also widely used by philosophy in attempting to describe the state of the soul after its departure from the body. Dreams were used as evidence by the ancients of a mind which could function separately from its senses, and this was at times discussed in medical tracts, ps.-Hippoc. *De Insomn.* 1 (ed. Kühn), *ἡ γὰρ ψυχὴ ἐγγρηγορότι μὲν τῷ σώματι ὑπερητέουσα, ἐπὶ πολλὰ μερίζονμένη, οὐ γίγνεται αὐτῇ ἑωαυτῆς κλτ.* (although modern medicine tells us this is quite untrue); also Arist. *De Phil.* fr. 10 tells us that the mind/soul is most in possession of itself when no longer subservient to the body during sleep, *ὅταν γὰρ, φησιν, ἐν τῷ ὕπνῳ καθ' ἑαυτὴν γένηται ἡ ψυχὴ, τότε τὴν ἴδιον ἀπολαβοῦσα φύσιν προμαντεύται τε καὶ προαγορεύει τὰ μέλλοντα*; Aristotle expands further by arguing that we can see where the mind grasps upon its truest nature, because this nature includes an ability to prophesise; and cf. *Div.* 1.63, *cum est seuocatus animus a contagione corporis*; and 113–115, particularly 114, *euolant atque excurrent* with Pease's n.

equidem: cf. MADVIC: *Opuscula*, vol. 1, p. 497, HAND: *Tursellinus*, vol. 2, pp. 341–342, 422 shows that this is not a compound of *ego-quidem*, but rather the syllable *e-* is in many ways like the Greek *ἦ*, which has a demonstrative force that intensifies the composition, as *enim* from *nam*; *ehem*, etc. The particle *equidem* = *e-quidem* is, as a general rule, joined to first person verbs to add affirmative force to the opinions of the speaker (Cicero must have thought it connected with *ego* as he never uses it except with the first person singular). REISIG/HAASE (Vorlesungen), 157, n. 302. It is only rarely used with other persons, Sall. *Cat.* 52.16, and see K.-S. 2.606–608.

alios: sc. *dixisse*, from the following *dixit*. Such ellipses maintain the feel of a dialogue.

quod litteris exstet: = *ita ut id exstet*, 'that which survives', the subjunctive being one of limitation, Madv. *Gram.* 364, obs. 2, K.-S. 146, 13; cf. *Brut.* 15.57, *quem uero exstet et de quo sit memoriae proditum eloquentem fuisse et ita esse habitum, primus est M. Cornelius Cethegus*.

Pherecydes Syrius: Pherecydes of Syrus, a philosopher who flourished around 540B.C., was known as one of the first writers of Greek prose, after Cadmus, D.-K. 66a6,

and 71a1 (D. L. 1.116), *τοῦτόν φησι Θεόπομπος πρῶτον περὶ φύσεως καὶ θεῶν γράψαι*, and Strabo. 1.18–20. He was known for speaking allegorically, *μυθικῶς πάντα λέγειν* (Arist. *Metaph.* 1091b5) and he was praised for his virtue and his modesty (Ion, fr. 30 West, D. L. 1.120). Many authors speak of him as a student of Thales, and the master of Pythagoras (though the latter is likely fictional) but known also to have had relations with other sages and *theologoi* of the time. For a detailed account of the controversy of his identification or misidentification with Pherecydes the 'Athenian' (who, according to the Suda was older, according to Strabo. 10.487 younger), see KIRK/RAVEN/SCHOFIELD (Presocratic Philosophers, pp. 50–56); JACOBY (The First Athenian Prose Writer); TOYE (Pherecydes of Syros); FOWLER (Authors Named Pherecydes).

syrius: the adjectival form is corrected from *Φερεκύδου τοῦ Συρίου*; *Syros*, the island: *Σῶρος νῆσος ἐπὶ Ἰωνικῇ, τὸ ἔθνικόν σύριος* in Strabo. 12, cf. Ov. *Met.* 7.463, though the form given in the mss. is *Syros*.

animos esse hominum sempiternos: we have his view of the soul expressed here, Lact. *Inst.* 7.8, Aug. *Acad.* 3.37; in Tatianus, *Or. ad Gr.* 41 (*ὁ Ἀριστοτέλης τῆς ψυχῆς διαβάλλει τὴν ἀθανασίαν* of Pherecydes, but I cannot find any reference to such a thing said in Aristotle); Ath. 11.507; and the fragment of Ion quoted by D. L. above (= D.-K. 36b4), *φθίμενος ψυχῇ τερπνὸν ἔχει βίωτον*. Some would attribute this view to Thales his master.

antiquus sane: the emphatic position recalls the authority which is given to more ancient opinions on the survival of the soul, cf. 12, 26.

meo regnante gentili: a jest of which kind Cicero was peculiarly fond, 'when my namesake was ruling', sc. *Servius Tullius*, cf. *Brut.* 16.62, *si ego me a M. Tullio esse dicerem* (the consul of 500B.C.) We have the elegy of Cicero in Sil. 8.404, *Tullius aeratas raptabat in agmina turmas, Regia progenies, et Tullo sanguis ab alto*.

Pythagoras: 9, 18 n. *alii semper*.

Superbo regnante: cf. *Rep.* 2.15.28, *nam quartum iam annum regnante Lucio Tarquinio Superbo Sybarim et Crotonem et in eas Italiae partis Pythagoras uenisse reperitur*; according to Cicero's (Polybian) chronology, Superbus began to reign 532B.C., and Pythagoras arrived in Italy in 529B.C.

in Italiam uenisset: Aristoxenus, fr. *Wehrli.* 16 (Porph. *VP.* 9), who reports that Pythagoras migrated to Italy when he was aged 40, fleeing the tyranny of Polycrates, is also likely the source for Porph. *VP.* 21 and Iambl. *VP.* 33–34 and their accounts of Pythagoras' marvelous arrival. They characterise him as a liberator who brought a sense of concord to the cities of Croton, Sybaris, Regium, among others through his philosophical pursuit of simplicity. He later helped shape the laws of Catania. But this report of Aristoxenus, who was a Pythagorean partisan, is rather favourable towards his master. Other historical reports show, on the other hand, that there was a steep decline in the cities of Magna Graeca. It began with the sack of Sybaris by the Crotoniates; later, in consequence of all their internal feuding and lack of peace, these cities were un-

Italiam uenisset, tenuit Magnam illam Graeciam cum disciplina, tum etiam auctoritate, multaque saecula postea sic uiguit Pythagoreorum nomen, ut nulli alii docti uiderentur.

XVII. Sed redeo ad antiquos. rationem illi sententiae suae non fere reddebant, nisi quid erat numeris aut descriptionibus explicandum. Platonem ferunt, ut Pythagoreos cognosceret, in Italiam uenisse et didicisse Pythagorea omnia primumque de animorum aeternitate, non solum sensisse

1. *Non.* 500.36–37

1 disciplina] honore disciplina X: disciplinae E: disciplina RVGKPSL 2 uiderentur] ~~uide~~^{puta}rentur V^c cf. 25, 60. 4 ut] ut X: ferunt ~~ut~~^{qui} V^c 5 uenisse] uenisse GRK: post uenisse inserunt multi et in ea cum alios multos, tum architam timeumque cognouit: *perpauci cognouisse pro cognouit: uenit V, sed t in rasura, post venit* ☉ *habet et ad caput paginae* ☉ & in ea cū alios multos. tū architā tymaeūq' cognouit: *nihil habent horum uerborum* KPSEL, cf. *Fin.* 5.87

able to resist the onset of the Sabellian peoples. For an account of Pythagoras' widespread travels (Dicaearchus fr. Wehrli. 33 called him πολύπλανος), see MORRISON (Pythagoras of Samos).

Magnam illam Graeciam: so Polyb. 2.154, κατὰ τὴν μεγάλην Ἑλλάδα τότε προσαγορευομένην, ἐνεπρήσθη τὰ συνέδρια τῶν Πυθαγορείων, κτλ.; Liv 8.26.15 speaks of Greece proper as *ulterior Graecia*. For the use of *illam*, Dougan compares, *Or.* 2.37.154, *tum cum erat in hac gente magna illa Graecia*. Add *Or.* 3.34.139, *totam illam ueterem Italiae Graeciam quae quondam magna uocitata est*. Contrary to his and Wilkins' claim *ad loc.*, *Tusc.* 4.2 and *Tusc.* 5.4.10, *eam Graeciam, quae magna dicta est* imply that the name *Magna Graecia* was still used in Cicero's day, as it undoubtedly was, cf. Strabo. 6.253, ὥστε τὴν μεγάλην Ἑλλάδα ταύτην ἔλεγον καὶ τὴν Σικελίαν. The phrase at *Am.* 4.13, of course, points only to the fact that the area languished, not that its name had gone out of use.

cum disciplina tum etiam auctoritate: Giusta reads *honore <diginta> disciplina*, comparing *Inu.* 2.114, and 161, though he admits this phrase is not quite consonant with the idea. Moser reads *honore et disciplina* as hendiadys = '*honore disciplinae*'. TS., Schiche, and other editors reject the word and I agree that the argument for cutting it out is strong. The meaning of *honor* here is weak in comparison to the significant meanings of *disciplina* and *auctoritate*, and Seyffert's arguments for the reading *honore disciplinae* instead point to a gloss. LUNDSTRÖM (Glosseme, pp. 93–103) defended the insertion by asking how it arose: for it could hardly be a gloss on *disciplina*. But WILLIAMS (Gnomon, 37, p. 681), I think, has ventured a likely scenario by suggesting that *honor* was meant to explain *viguit*... *nomen* below and then later moved upward in the text.

disciplina: his teachings

auctoritate: cf. his famous αὐτὸς ἔφα, 'ipse dixit', *N. D.* 1.10, *etiam sine ratione ualeret auctoritas*. The reverence accorded to the opinion of Pythagoras was widely recorded in ancient literature, cf. Val. Max. 8.15.1, *ad reddendam causam hoc solum respondebant, ipsum dixisse*; D. L. 8.46, τέταρτος... ἐφ' οὗ καὶ τὸ αὐτὸς ἔφα παρομιμακὸν εἰς τὸν βίον ἦλθεν; Clem. Al. *Strom.* 2.24.3, πίστιν ἠγείσθαι καὶ ταύτη ἀρκείσθαι μόνῃ τῇ φωνῇ πρὸς τὴν βεβαίωσιν ὧν ἀκηκόασιν; and if Jambl. *VP.* 82 tells us that all his disciples kept Pythagoras' words as if they came from the godhead, διαφυλάττειν ὡς θεῖα δόγματα; and see Clem. Al. *Strom.* 2.24.3, Theod. *Graec. affect. cur.* 1.56, πάσης ἀποδείξεως ἰσχυροτέραν τὴν Πυθαγόρου φωνήν; *Dox. Graec.* 655.16. Aristippus, in D. L. 8.21, says that Pythagoras gained his name from his ability to speak truth as infallibly as the Pythian oracle. S. E. M. 2 and Jambl. *VP.* 6.23, 19.78 speak of his essential deification. Though there are many allusions to the great honour paid to this master, our earliest reference to Pythagoras' authority is still Cicero who likely learned of its tradition from P. Nigidius Figulus, cf. 25, 62 below. Such reliance on authority did not find favour with the Academic Cicero, cf. *Ac.* 1.17; 2.8 with Reid's n.; *Tusc.* 5.83

and *Rep.* 1.70.

multaque saecula postea: i.e., its influence on Plato, and its current revival, see above 16, 36 n.

viguit nomen: for the use of the perfect *viguit*, cf. 2, 4 n. *flouruerunt*; at the time, there was widespread influence of Pythagoreanism in southern Italy, cf. D. L. 8.3.

XVII. redeo ad antiquos: i.e., the older Pythagoreans, not those who lived in the *saecula postea*. Cicero will trace the establishment of the doctrine of the immortal soul from its inception with Pherecydes to Plato.

rationem illi sententiae suae non fere reddebant: 'they did not give any account of their faith'; there was no need, such was the weight of Pythagoras' *auctoritas*.

numeris aut descriptionibus: for the view of Pythagoras that 'all is number', cf. 10, 20 above. *numerus* denotes arithmetical numbers, *descriptio* geometry, drawings, *διαγράμματα*, as Verg. *Aen.* 6.850, *caelique meatus descibent radio*; *Fin.* 5.19.50, *dum in puluere quaedam describit attentius*.

§39. Platonem in Italiam uenisse: a few mss. insert that he met *Achytam Timaeumque* (the Pythagoreans), but this is a gloss and not wanted here. They are either from *Fin.* 5.87, where Cicero gives a fuller list of philosophers Plato met on his travels, or from *Rep.* 1.16, which is our earliest evidence of Plato in Egypt, cf. D. S. 1.96.2., RIGINOS (Platonica, p. 64). Plato's travels were supposedly thought to have been inspired by Pythagoras' travels, and they are discussed variously by Val. Max. 8.7.3, Clem. Al. *Strom.* 1.15.69.2–3, Lact. *Inst.* 4.2.4, and Theod. *Graec. affect. cur.* 2.23–26. Philodemus, in his *Syntaxis* only knew of Plato's trips to Italy and Sicily, and not Egypt on which see Ind. Herc. p. 6 (ed. Dorandi); BOAS (Biography of Plato, p. 445); GROTE: Plato, vol. 1, pp. 120–129 lists the dates of his travels to Italy as 387B.C., 367B.C., and 360B.C.

Platonem: sc. uero, autem.

didicisse Pythagorea omnia: Arist. *Metaph.* 1.6.1, 987a ἢ Πλάτωνος ἐπεγένετο πραγματεία, τὰ μὲν πολλὰ τούτοις [i.e., Pythagoreans] ἀκολουθοῦσα, τὰ δὲ καὶ ἴδια παρὰ τὴν τῶν Ἰταλικῶν. We are not to assume that Plato only came to know the Pythagorean doctrine when he visited Italy; he had hoped to travel everywhere to add to his knowledge, if we are to believe Apu. *Dogm. Plat.* 1.6, *atque ad Indos et Magos intendisset animum, nisi tunc eum bella uetuissent*. But it was at this time that Italy was steeped in Pythagoreanism, Pl. *Ep.* 7.338c, Ἰταλικοί, καλούμενοι Πυθαγόρειοι.

Many facets of Pythagoras' ideas were tangled up with the development of Plato's thought. Most conspicuously were the numerological aspects, such as the concept of proportion (BURKERT: Ancient Pythagoreanism, 86ff); but Plato also took other interests in the Pythagorean idea of the Limited-Unlimited, which, as scholars generally agree, supplied source material for Pl. *Phlb.* TAYLOR (Philebus, 56ff). And there also the the belief of the soul's immortality which was featured in the seventh letter and which was not apparently open to any sceptical doubt, 335a and cf. Pl. *Rep.* 498d. Plato was said to have learned so much that

idem quod Pythagoram, sed rationem etiam attulisse. quam, nisi quid dicis, praetermittamus et hanc totam spem immortalitatis relinquamus.

An tu cum me in summam expectationem adduxeris, deseris? errare mehercule malo cum Platone, quem tu quanti facias scio et quem ex tuo ore admiror, quam cum istis uera sentire.

40 Macte uirtute! ego enim ipse cum eodem ipso non inuitus errauerim. num igitur dubitamus? — an sicut pleraque? quamquam hoc quidem minime; persuadent enim mathematici terram in 5

5. *Non.* 341, 37

1 rationem...quam] rationem^{ff}...quam^{ff} V^c 3 deseris] deseris X: deseris V^c 5 eodem ipso] ipso X, 'dictum ut ἀντὸς ἔφα?' (Drex.): isto de coni. Wesenberg receperunt Bai., Sff., Sch.; retinuerunt Doug., Drex., cf. cum istis 70: illo coni. Matthiae ad De. imp. Cn. Pomp. 16.14: eo de <hoc> Giu. cf. 31, 71 6 an sicut] an sicut X: del. an Bent., sqq. vet. edd.: an sit ut Giu. 6 pleraque] post pleraque add. sub dubitatione accipimus, sic et hec? dett. codd. et edd. pr.

it prompted the Pythagorean philosopher Timaeus from Magna Graeca (at least in a later tradition) to accuse Plato of plagiarising their philosophy, and to complain of his λογικλοπία, D. L. 3.54–55. Iambl. VP. 199 describes Plato's purchase of Philolaus' book which he supposedly used as a basis for his own *Republic*, cf. Gell. N. A. 3.17.6; D. L. 3.9, 8.15, and 85.

quod Pythagoram: Kühner understood this as an ellipse, sc. *ferunt sensisse*, K.–S. 1.719 (and see other examples there quoted); but Dougan pointed out that the ellipse is clumsy; for what we really expected was *quod Pythagoras sensisset*: what he thought himself rather than what he was reported to have thought. The attraction then is one from brevity in expression, cf. *Fin.* 2.27.88, *ne dolor quidem* where we have another example of an accommodation to the substantive, where see Madvig's n. ad loc.

nisi quid dicis: 'unless you object'.

an tu: cf. 2, 4 n. for *an* used rhetorically.

cum...adduxeris, deseris: 'whereas', 'although', *cum* with the subjunctive expressing contrast between the leading and subordinate propositions, cf. Madv. *Gram.* 358, obs. 3, *Ac.* 2.19.62, *an tu cum res occultissimas aperueris* etc. Kühner (after Moser) supposed that *adduxeris* was fut. perfect, and so emended the text to read *deseres*; but as Dougan notes ad loc., the speaker has already been led into the expectation, so there is no need to alter the mss. reading.

deseris: for a similar thought, cf. *Div.* 2.46, *cum ex te causas unius cuiusque divinationis exquirerem, multa uerba fecisti: te, cum res uideres, rationem causamque non quaerere*.

errare mehercule malo cum Platone: for the thought, cf. *Balb.* 64, *Or.* 12.42, *Quint. Inst.* 1.6.2, *uel error honestus est magnos duces sequentibus*.

quem tu quanti: the arrangement emphasises *scio*, cf. *Arch.* 1, *quod quam sit exiguum sentio*, where see Reid ad loc., and Stürenburg; in vulg. Eng. 'whom I know how much you rate him'

quem ex tuo ore admiror: 'je le trouve admirable dans la bouche'

cum istis: i.e., those who argue for the soul's mortality and hold opinions contrary to Plato, such as the Epicureans.

§40. **macte uirtute:** Orelli thought the expression derived from the archaic sacrificial *Iup. O. M. macte hac hostia esto*, which is generally agreed among scholars. (Madvig thought it an adverb with ἔ but this is unlikely). Conington, on Verg. *Aen.* 9.641, *macte noua uirtute puer*, explains it grammatically as a vocative participle, as did Serv. (schol. Dan.) who glosses *ueteres 'macte esto' dicebant, mactus ap. uet. etiam mactatus dicebatur*, cf. NEUE-WAGENER. 2, 178–81; REISIG–HASSE 537, n. 519a; *Antibarb. s. v.* WORDSWORTH (Early Latin) translates *macte esto* as 'be honoured with', a participle which was retained through religious conservatism from the obsolete frequentative verb (*mago) *macto*. This theory is supported by *Non.* 81.18, and *Fest.* 112 (Lindsay) who both connect it with *magis auctus*. This sense here in the *Tusc.* can be derived from an early fragment

we have from Pacuvius, *Trag. fr. inc.* 146, *macte uirtute esto operaque omen adproba*, 'Be now strengthened by your virile might', the first example of such a use with *uirtus* in its original meaning; Cicero may be punning on *uirtus* in the philosophical sense. For a discussion, see PALMER (*Macte, Mactare, Macula*, p. 61); JONKERS (*Macte uirtute esto*). It seems that any religious connotations of the phrase were largely ignored in Republican times; elsewhere, Cicero uses the phrase simply to mean 'bravo', *Att.* 12.6.3, 15.29.3.

eodem ipso: even though the mss. strongly favour *ipso*, there has been considerable discussion whether such a collocation does actually occur in Cicero. *Antibarb.* 444 denies this, though REISIG–HASSE 122, n. 387 points out that it in fact does occur in six places in the mss. of Cicero: *Verr.* 1.71, *haec eadem ipsa*; *Red. in Sen.* 33, *ipse ille animus idem*; *Or.* 255, *ipsa eadem condicione*; *Manil.* 46, *idem ipse Mithridates*; *Tusc.* 5.26, *nisi idem hoc ipsum*; and here. Editors have variously emended the passages; as regards our passage here, Matthiae proposed *eodem illo* (which is not so good), Wesenberg *eodem isto* (and adopted by Dougan), but as Kühner remarks ad loc., it is not easy to see how a copyist would change *isto* to *ipso* with *ipse* preceding by two words. Pohlenz retained *ipso*, and defended it only by reference to Aug. C. D. 29.21, *in eisdem ipsis libris*, but that does not show that Cicero used the idiom. All editors have somehow overlooked MEADER (Latin Philology, pp. 42–43, 85–87), who has shown by the passage in *Div.* 2.95, *quod uno et eodem temporis puncto nati dissimilis et naturas et uitas et casus habent, parumne declarat nihil ad agendam uitam nascenti tempus pertinere? Nisi forte putamus neminem eodem tempore ipso et conceptum et natum, quo Africanum* that the idiom is defensible. The degree of completeness or emotion would hardly have been as well expressed in that passage had Cicero instead used *eo ipso* or *illo ipso*. As such, here *ipse cum eodem ipso* is surely lively, and conveys excitement, 'For I myself would gladly go astray with that very same man!' Giusta's emendation is indelicate.

non inuitus errauerim: the potential perfect is rarely used by Cicero, cf. Madv. *Gram.* 350b and Hor. *Sat.* 1.5.44, *nil ego contulerim iucundo sanus amico*. For the thought, below 21, 49 *ipsa auctoritate me frangeret* [Plato].

an sicut pleraque: Giusta's emendation *an sit ut pleraque* is attractive, but there does seem to be any real need to abandon the consensus of the mss. Kühner notes that *num* = μὲν, i.e., μὴ οὐν, and though *an* has been struck out by Bentley and several, it does follow *num* in *Or.* 1.249, and *Rosc. Com.* 9.25, *num tabulas habet? an non?*. Cicero asks rhetorically whether they should consider this sceptically as he does in all other matters, referring to the practice of the New Academy.

minime: sc. *dubitemus*; an anacolouthon which arose from the interruption by *persuadent*: strictly, we ought to have expected *num igitur dubitamus quin terra...obtimeat*. A similar construction below, 36, 88.

terram in medio mundo sitam: the views of the an-

medio mundo sitam ad uniuersi caeli complexum quasi puncti instar obtinere, quod κέντρον illi uocant; eam porro naturam esse quattuor omnia gignentium corporum, ut, quasi partita habeant inter se ac diuisa momenta, terrena et umida suoapte nutu et suo pondere ad paris angulos in terram et in mare ferantur, reliquae duae partes, una ignea, altera animalis, ut illae superiores in medium locum mundi grauitate ferantur et pondere, sic hae rursus rectis lineis in caelestem locum subuolent, siue ipsa natura superiora adpetente siue quod a grauioribus leuiora natura repellantur. quae cum constant, perspicuum debet esse animos, cum e corpore excesserint, siue illi sint animales, id est spirabiles, siue ignei, sublime ferri. si uero aut numerus quidam sit 41

6. Non. 273, 7.

κέντρον] centron RGBKE: KENTPON S 5 ferantur] sic X: feruntur *edd. pr.* 5 rursus] rursus RGSE: rursu^u V^c 8 id est spirabiles] *an esset glossema dub. P. Manutius:* spirabiles K: spiratales G 8 sublime] sic X, cf. N. D. 2.101, 117 8 sit] sit *post* quidem RVGPE: est *Madv. ad Fin.* 3.58

cients: according to Pl. *Phd.* 180e–190a, εἴ ἔστιν ἐν μέσῳ τῷ οὐρανῷ περιφέρῃς ὄσα, μηδὲν αὐτῆ δέιν μήτε ἀέρος πρὸς τὸ μὴ πεσεῖν μήτε ἄλλης ἀνάγκης μηδεμῆς τοιαύτης, ἀλλὰ ἰκανὴν εἶναι αὐτῆν ἴσχειν τὴν ὁμοίότητα τοῦ οὐρανοῦ αὐτοῦ ἑαυτῷ πάντῃ καὶ τῆς γῆς αὐτῆς τὴν ἰσοροπλίαν; to Arist. *Cael.* 2.14.5, 297a, φανερόν τοίνυν ὅτι ἀνάγκη ἐπὶ τοῦ μέσου εἶναι τὴν γῆν καὶ ἀκίνητον; for the Stoics, the earth is suspended in the centre of the Universe (ἰσοκρατῶς, Stob. *Ecl.* 1.19.4), around it water and above it air, cf. Stob. *Flor.* 1.408, 446; for the Epicureans, though there is no centre in infinity (Lucr. 1.1083) the earth is still borne up by the air Lucr. 5.534, D. L. 10.74, καὶ ἡ γῆ τῷ ἀέρι ἐποχεῖται (though Plu. *De Plac. Phil.* 3.15 assigns this observation to Anaximenes), and cf. Plin. *H. N.* 2.10, *spiritus, quem Graeci nostrisque eodem vocabulo aera appellant, vitalem hunc et per cuncta rerum meabilem totoque consertum; huius vi suspensam cum quarto aquarum elemento. . . tellurem.*

ad uniuersi caeli complexum: *ad* = ‘in comparison with’, *πρὸς*, HAND: Tursellinus, vol. 1, p. 104, who cites Liv 22.22, Ter. *Eun.* 361, *at nil ad nostram hanc; De Or.* 2.6.25, *ad Persium; Madvig on Fin.* 3.16.52, Reid on *Ac.* 1.15.

quasi puncti instar obtinere: ‘Astronomers persuade us that the earth, in comparison to the encloser of the whole of heave, is situated in the middle of the cosmos and clings as it were to a single point which they call a *kentron*.’

κέντρον: cf. Rep. 6.18.18, *terra complexa medium mundi locum* and Aët. 3.13.3, ‘Ἡρακλείδης ὁ Ποντικὸς καὶ Ἐκφαντος ὁ Πυθαγόρειος κινῶσι μὲν τὴν γῆν οὐ μὴν γε μεταβατικῶς, ἀλλὰ τρεπτικῶς (στρεπτικῶς) τρόχου δίκην ἐνηξιοσιμένην, ἀπὸ δυσμῶν ἐπ’ ἀνατολὰς περὶ τὸ ἴδιον αὐτῆς κέντρον. Cicero *Ac.* 2.39 assigns the idea of the earth spinning on its axle to the Syrian Hicetas, who was later followed by Heracides Ponticus (S. E. M. 10.174 reports that Aristarchus the mathematician held the same doctrine), and it seems also to be found in Philolaus. Dougan notes *ad loc.* that Pliny used *centrum*, but the word had not yet been naturalised in Cicero’s time.

quattuor omnia gignentium corporum: 10, 22 n.

momenta: ‘laws of motion’, or some natural tendency to movement, cf. N. D. 2.46 and Hor. *Ep.* 1.6.3, *decedentia certis tempora momentis.* Doug.

suoapte nutu et suo pondere: ‘by their own natural bent and gravitation’, where *nutu* = *inclinatio*, both geometrically and metaphorically *νεύειν εἰς τι*, cf. *Fin.* 1.6.20, *atomi suo nutu recte feruntur.*

ad paris angulos: i.e., *recte*, at right angles to downward motion, perpendicularly, cf. Lucr. 4.323, *ad aequos flexus.*

animalis: i.e., of the nature of air (*anima*, or *spiritus*), 9, 19 n. and below *animales, id est spirabiles.*

illae superiores: i.e., terrena et umida
grauitate et pondere: ‘its heavy weight’, the hendiadys like *ratio et discipline*, 1, 1 n.

hae: sc. *duae partes*; after the interruption by *ut* it is desirable to recall the subject.

rursum: ‘on the other hand’, *ad*, 20, 45 below, *et habitabilis regiones et rursum omni cultu uacantis; Tusc.* 3.15.33,

Fin. 3.10.34. Older editors printed *sursus* with V^c but this is unneeded with *in caelestem locum* which follows.

ipsa natura: sc. *ipsa ignearum et animalium partium natura adpetente:* *natura superiora adpetentes = φύσει ἀνώφοιτα*, on which Bentley remarked “atqui illa haud magis *superiora* appetit quam inferiora siue media”.

a grauioribus leuiora natura: sc. *corporibus*, ‘the bodies lighter by their nature are driven away from those bodies which are heavier by their nature’. Stoics thought the elements of air light, fire lighter and moved away from the centre of the universe, Stob. *Flor.* 1.364 (= Plu. *De Plac. Phil.* 1.12.4), and 1.406, οὐ πάντως δὲ σῶμα βάρους ἔχειν, ἀλλ’ ἀβαρῆ εἶναι ἀέρα καὶ πῦρ. . . φύσει γὰρ ἀνώφοιτα ταῦτ’ ἀπὸ τοῦ μῆδενος μετέχειν βάρους. The heavier water and heaviest earth elements would be drawn downward — at least relatively, though all the elements seek the centre of the cosmos so that phenomena do not simply disperse, Zeno in Stob. *Flor.* 1.9.4, ἐπὶ τὸ μέσον τοῦ κόσμου τὴν φορὰν ἔχειν; the aether, though without weight, rises, but still continues to cling to the elements under it so as to prevent a vacuum and prevent the other elements from escaping; cf. Plu. *Comm. not.* 45, 1085c *πνευματικῆς δὲ μετοχῆ καὶ πυρόδους δωάμεως τὴν ἐνότητά διαφυλάττειν; Sen. Q. N.* 2.6, 7.16, *non esse terram sine spiritu palam est; non tantum illum dico, quo se tenet et partes sui iungit* etc.; Sen. *Vit. Beat.* 8.4, *mundus in totum undique in se redit; N. D.* 2.115, *omnes partes medium locum capessentes* and Rep. 6.16. The Stoic doctrine of this centripetal force is controverted by Lucr. 1.1052 (where see Munro’s n. *ad loc.*), Plu. *De Fac.* 7, and Plu. *De Stoic. Repug.* 44.6. Aristotle, on the other hand, has the earth and water elements centripetal if not moved by any outside force, descending into the centre and seeking out their ‘natural location’, cf. Arist. *Ph.* 8.4, καὶ τῶν ὑπ’ ἄλλου κινουμένων τὰ μὲν φύσει κινεῖται τὰ δὲ παρὰ φύσιν, παρὰ φύσιν μὲν οἶον τὰ γεηρὰ ἄνω καὶ τὸ πῦρ κάτω; fire is centrifugal and ascends if it does not encounter obstacles to its natural movement and this is how things come to be deemed light and heavy (αἴτιον δ’ ὅτι πέφυκέν ποι, καὶ τοῦτ’ ἔστιν τὸ κούφον καὶ βαρὲ εἶναι, τὸ μὲν τῷ ἄνω τὸ δὲ τῷ κάτω διωρισμένον). For a discussion of the movement of the elements, see COHEN (Aristotle on Elemental Motion, p. 154); SORABJI (Matter, Space, and Motion, p. 202).

animos e corpore: for the change from plural to singular, cf. below 30, 72.

animales: ‘gaseous’

sublime ferri: = *in sublime ferri*, the two phrases are used by Cicero interchangeably. For the adverb, N. D. 2.101, *aër fusus et extenuatus sublime fertur*. Ursinus pointed out the phrase above was *in caeleste locum*, and a few lesser mss. read here *in sublime*, which Ernesti received (Wolf explained the difference as ἢ ἀνα φέρεσθαι ἢ ἀνωφερῆς γένεσθαι); the latter reading would be a possibility but for the unanimous testimony in the better mss.

§41. **si numerus est animus:** 10, 20 n.

sit: mss. *sit*, but Madvig (on *Fin.* 3.17.58) suggested *est*

animus, quod subtiliter magis quam dilucide dicitur, aut quinta illa non nominata magis quam non intellecta natura, multo etiam integriora ac puriora sunt, ut a terra longissime se ecerant. horum igitur aliquid est animus — ne tam uegeta mens aut in corde cerebroue aut in Empedocleo sanguine demersa iaceat.

XVIII. Dicaearchum uero cum Aristoxeno aequali et condiscipulo suo, doctos sane homines, omittamus; quorum alter ne condoluisset quidem umquam uidetur, qui animum se habere non sentiat, alter ita delectatur suis cantibus, ut eos etiam ad haec transferre conetur. harmoniam

1. Aug. *Gen. ad lit.* 8.21, *init.* 5–7. Dicaearchus *fr. Wehrli.* 8d. Aristoxenus *fr. Wehrli.* 120b

2 integriora ac] integriora <haec> ac *Giu.* 2 ecerant] ecerant RG: ecerant B, *at litt. ante ec- erasa:* e^lferant P *alio atram. superscr.:* efferant VL 3 animus] animus (*omisso est*) RVP: est animus S: ἀ^ννιμ^ο K, ÷ *alio atram. superscr. vidit Doug., est animus K³P³ vid. Giu.:* *add. est B, dett. codd. adfirmat Drex:* animus esto *Bouh.:* animus sit *Wesenberg:* <putetur> (*vel <cogitetur>*) animus *mauult Pohlenz* 3 ne] nec K 7 harmoniam] harmonian RG, s: armonian VE, *at infra harmonias et harmoniam VG:* armonian S, *marg. harmoniam:* harmoniam K, *Doug.*

which Kühner did not approve. He retained the subjunctive arguing that Cicero is not adducing his own arguments but he instead represents those of another. All other editors have adopted Madvig's emendation. Any defence of retaining *sit* has been exploded by Dougan in his n. *ad loc.*

quod subtiliter magis quam dilucide dicitur: cf. *Ac.* 2.124, *numerus nullo corpore quod intellegi quale sit vix potest.*

subtiliter: Dougan renders it as 'slight', or 'over-refined'; Douglas' translation of 'subtle' hardly helps the understanding. There does not need to be a negative meaning attached to the word, cf. *Ac.* 2.43, *hanc ego subtilitatem philosophia quidem dignissimam iudico*, where it means 'accurate treatment'. Wilkins, in his note on *De Or.* 1.57, has traced the various meanings of this word in Cicero; from 'delicate and graceful', 'precise', to 'plain, unadorned'; the original meaning was as an epithet of *filum*, taken from weaving = 'finely woven' (where see Sandys' n. on *Or.* 5.20). Here it means a well-argued statement, or consideration of a problem from many sides, perhaps to the point of obscurity, hence *quam dilucide*. However, obscurity does not necessarily imply superficial treatment.

quinta natura: Cicero seems to imply here (with *concedat* below) that Aristotle derived mind (*animus*) from the fifth element (also at *Fin.* 4.12, *quinta quaedam natura videretur esse, ex qua ratio et intelligentia oriretur*) and has brought forth much undeserved contempt (cf. Madvig's n. *ad loc.*). But the statements of Aristotle himself are not very clear regarding the topic. Aristotle called his πεμπτον σώμα or πέμπτη ουσία by such names as ἀγενητον, ἄφθαρτον, ἀναξέες, ἀναλλοιώστον, but intended this fifth element to be a material substance. Yet in *Arist. De An.* 15 he argues that the soul is immaterial. ZELLER (Stoics, Epicureans, Sceptics, p. 483) claims that Aristotle makes it difficult not to identify as the same the αἰθήρ and his animal warmth he calls the ψυχή. Later Peripatetics maintain that the ψυχή came from the αἰθήρ, cf. *Stob. Ecl.* 870. Stoics argue similarly, but they did not consider the αἰθήρ to be any different from the πῦρ, and see below 27, 66 where Cicero derives gods from the fifth element.

non nominata magis quam non intellecta: i.e., "natura quae sine nomine (non nominata) magis est quam sine intellectu (non intellecta)", KLOTZ (*Questiones*, p. 88): it is well enough understood as a divine, heavenly, eternal force which forms the human soul; but how are we to name such a force? cf. above 10, 22, *uacans nomine.*

integriora ac puriora: sc. *quam ceteris elementis.* The idea is abstracted into the plural, hence the gender change, 'if the soul is the fifth element, then they will be even more pure and uncontaminated that they shall rise furthest from the earth', *Madv. Gram.* 221b, obs. 1.

est animus: *est* is missing from the better mss. Giusta's reading of *horum aliquid ani<um pute>mus ne* is doubtful;

no better is *Wesenberg's animus sit nec* (*ne* is the favoured form in RGV, B, and B²). The sentence would most naturally read *est animus ne* and Dougan is probably right to suspect that ē (= *est*) fell out before *a-nimus*.

ne...iaceat: "significare uult Cicero, nisi horum aliquid animum esse statuamus, uerendum esse ne tam uegeta mens iaceat," so Kühner after Madvig on *Fin.* 2.24.77, *ne id non pudeat sentire, quod pudeat dicere;* add *Sen.* 16.55, *ne ab omnibus eam uitiiis uidear uindicare.* For the brachylogy cf. *Madv. Gram.* 440b.

uegeta: cf. *Div.* 1.61, *tertia pars mentis praebeat se vegetam* and *Pl. Rep.* 9.572a, τὸ τρίτον δὲ κινήσας ἐν ᾧ τὸ φρονεῖν ἐγγίγνεται, and Adam's n. there.

mens: = *animus* from what precedes.

in corde cerebroue: cf. 9, 18–19.

iaceat: 'lie sunken in the Empedoclean blood', the use of *iacere* is strong, 'to lie prostrate and fallen'.

XVIII.: Dicaearchus: 10, 21 n. **Aristoxenus:** 10, 20 n.

aequali: i.e., ἡλιξ, of the same age.

condoluisset: cf. *Tusc.* 2.22.52, *si pes condoluit;* *De Or.* 3.2.6, *latus ei dicenti condoluisset.* When prefixed to simpler words *con-* (*cum*) often acts as an intensifier, e.g., *conticere, concalfacere* (Moser), *collaudare, conniti* (Kühner).

qui animum se habere non sentiat: a passage often mistranslated, as King did in the Loeb. *qui* here is causal with the subjunctive, and more elegant and compressed than could be achieved with a conjunction, cf. above 6, 12 n., *Tusc.* 3.27, *Tarquinio uero quid imprudentius qui bellum gereret,* *Madv. Gram.* 366. The remarks contains a slight against Dicaearchus, which stems from his conflation of body/soul in 10, 21. We must understand *condoluisset* to be emotional pain. 'Dicaearchus never appears to grieve since he does not feel he has a soul', and compare the English, 'That man has no heart'.

ne condoluisset quidem... non habere animum: for the idea, cf. *Ter. Ad.* 610, *discrucior animi;* *Hor. A. P.* 432, *dolentibus ex animo.*

haec: philosophical speculations, cf. below *haec concedat Aristoteli.*

harmoniam: Giusta's *harmonian* is unacceptable, and though it is the reading of RG cannot be left as such. The question is to decide if Cicero wrote here ἁρμονίαν (which Pohlenz adopted) or the naturalised *harmoniam* used at *Rep.* 1.16 and adopted by all other editors: in 10, 21 above, *armonia* is the consensus; not much later 11, 24 *harmonia* is read in GRK, but ἁρμονία, a correction which I think done wantonly by the copyist. It therefore seems certain to accept the naturalised form. Here, VE have *armonian*; RG *harmonian*, but *infra*, the readings *harmonias, harmoniam* are unanimous in the mss., and it is hardly Cicero's practice to use such terms in a confused fashion except when discussing the terminology itself.

autem ex interuallis sonorum nosse possumus, quorum uaria compositio etiam harmonias efficit pluris; membrorum uero situs et figura corporis uacans animo quam possit harmonian efficere, non uideo. sed hic quidem, quamuis eruditus sit, sicut est, haec magistro concedat Aristoteli, canere ipse doceat. bene enim illo Graecorum prouerbio praecipitur,

5 Quam quisque norit artem, in hac se exerceat.

illam uero funditus eiciamus indiuiduorum corporum leuium et rutundorum concursionem fortuitam, quam tamen Democritus concalectam et spirabilem, id est animalem, esse uolt. is autem animus, qui, si est horum quattuor generum, ex quibus omnia constare dicuntur, ex

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6. *August. Epist.* 118.28. 8. *Non.* 272, 29–30.

1 harmonias] armonias K 2 pluris] pluris RVGB 2 harmonian] harmoniam X: harmonian scripsit Giusta haud credens Ciceronem scripsisse eodem loco harmonian. . . harmoniam. 6 eiciamus] eitiamus K confirmat Guista, non ut Dougan: eiciamus SE 6 rutundorum] rutundorum RG, s: rotundorum S alia manu corr.: rotundorum VBKPE, Doug. 7 id est animalem] secl. Wolf 8 ex quibus] ex quibus X: unde Non.: uel unde V^c

harmoniam autem... efficit pluris: 'we can come to recognise a melody out of a sequence of notes which differ in pitch, and the varied arrangement of these tones can create further melodies.'

ex interuallis sonorum: by harmony, the ancients did not mean, as we do when we use the term, the simultaneous use of chords; instead they meant 'melody'. In Arist. *Pr.* 29, 39, we have boys and men singing in unison, their differing by an octave ('as the highest tone differs from the lowest tone'), ἢ καὶ τὸ μὲν ἀντίφωνον σύμφωνόν ἐστι διὰ πασῶν· ἐκ παιδῶν γὰρ νέων καὶ ἀνδρῶν γίνεται τὸ ἀντίφωνον· οἱ δὲ σπῆται τοῖς τόνοις, ὡς νῆτη πρὸς τὴν ὑπάτην. Further into the passage Aristotle indicates that any instrumental accompaniment would separate itself from the chorus, and cf. *Plu. De Mus.* 19.28. Curiously, Aristotle claims that the Greeks knew the effects of such consonances, which to our ears are quite enjoyable but such harmonies displeased them, ὅταν προσαυλῆ τις ἄμα καὶ κιθαρίῳ, διὰ τὸ συγχεῖσθαι τὰς φωνὰς ὑπὸ τῶν ἐτέρων. οὐχ ἥκιστα δὲ τοῦτο ἐπιτῶν συμφωνιῶν φανερόν ἐστιν. ἀμφοτέρους γὰρ ἀποκρύπτεισθαι συμβαίνει τοὺς ἤχους ὑπ' ἀλλήλων (HELMHOLTZ: Sensations of Tone, p. 237). Though the voices of the choirs sang in octaves, BARKER (Harmonics in Classical Greece, 7ff) has concluded that harmony and harmonic progression had little place in Greek music, and was peripherally studied by Greek theorists. For a full treatment of Aristoxenus' treatise on harmony, see BARKER (ibid., pp. 113–136).

The melody that came from the intervening distances of the sounds on a lyre (i.e., pitch) was discussed by *Pl. Phlb.* 17c, ἐπειδὴν λάβης τὰ διαστήματα [intervalla] ὅποσα ἐστὶ τὸν ἀριθμὸν τῆς φωνῆς ὀξύτητός τε πέρι καὶ βαρύτητος [i.e., high or low pitch] καὶ ὅποσα, καὶ τοὺς ὄρους τῶν διαστημάτων, καὶ τὰ ἐκ τούτων ὅσα συστήματα γέγονεν· ἂ κατιδόντες οἱ πρόσθεν παρέδοσαν ἡμῖν τοῖς ἐπομένοις ἐκείνοις καλεῖν αὐτὰ ἀρμονίας κτλ., a passage quoted by most editors to help illustrate Cicero's meaning here. A Greek lyre player set out to play *melody*, and for this it was a requirement that the strings of the instrument were arranged and tuned to a pattern of intervals which would make the melody possible. Pohlenz aptly cites *De Or.* 3.186, *distinctio et aequalium aut saepe variorum interuallorum percussio numerum conficit.*

pluris: i.e., *complures*.

situs: cf. *Ac.* 2.122, *corpora nostra non novimus: qui sint situs partium, quam vim quaeque pars habeat ignoramus*, where it means the physical arrangement of the body. But the term can also come to mean *θέσις*, an 'arrangement' used of meter in verse.

magistro concedat Aristoteli: the theory of the fifth element was originally Pythagorean, (ZELLER: Stoics, Epicureans, Sceptics, p. 337), and naturally recommended itself to Xenocrates and Speusippus. The πέμπτον σώμα was given much thought by Aristotle, though not invented

by him as Cicero seems to suggest here. (GROTE: Aristotle, 391ff).

quam quisque norit...: the Latin is iambic trimeter; for the thought, cf. *Ar. V.* 1431, Ἐρδοι τις ἦν ἕκαστος εἰδέειν τέχνην; *Hor. Ep.* 1.14.44 (Meinke); *Prop.* 2.1.46, *qua pote quisque, in ea conterat arte diem* (Moser); *Ath.* 8.44. Schuch (in Moser) cited before I could *Att.* 5.10.3, *O rem minime aptam meis moribus! O illud verum ἔρδοι τις!* where Cicero used the same quote, only half completed. (STEELE: The Greek in Cicero's Epistles, p. 397).

eiciamus: cf. *Fin.* 5.8.22, *iam explosae eiectaque sententiae.*

indiuiduorum corporum: 'indivisible bodies', atoms

leuium et rutundorum: 11, 22 n.

fortuitam: 11, 22 n. *foruito*

concalectam et spirabilem: D.–K. 68a101–106, KIRK/RAVEN/SCHOFIELD (Presocratics Philosophers, 427, n). 'fiery and airy', πῦρ καὶ ψυχὴν, i.e., the soul for Democritus is made of the smallest and finest atoms most capable of movements themselves (*Lucr.* 6.225–227, and 4.434, *mobiliior, minutiior*; *Arist. Cael.* 306b–307a), and so capable of moving the body (*Arist. De An.* 404a). Cicero slightly misrepresents Democritus' position by applying the term *spirabilem*. For Democritus believed that the soul atoms were spherical and fiery, but that respiration was required for maintaining a balance against our environment which would threaten to press out the lighter soul atoms from our body, *Arist. De An.* 404a16. According to the scholion on *Epicur. Ep. Hdt.* 66.5 (cf. *Lucr.* 2.456–463), Epicurus regarded these fiery atoms different from Democritus' round soul atoms (WINTERBOTTOM: Fiery Particles, p. 318).

spirabilem, id est animalem: but in 17, 40 *animales, id est spirabiles*. Dougan aptly remarks *ad loc.* that Cicero is following his own principle described in *Fin.* 3.4.13, *erit enim notius quale sit pluribus notatum uocabulis idem declarantibus* when he uses various Latin synonyms to impress upon his listeners what he means by the word *uirtus*.

autem: not adversative, but like the resumptive δέ, *HAND: Tursellinus*, vol. 1, pp. 562–564.

si est: Giusta wants to write *si <e duobus> est horum*, etc., explaining: "nam quid futurum esset, si quattuor ex generibus unum esset animus, dixit Cicero 17, 40; nunc uidelicet non quid futurum sit si e quattuor simul generibus constet, nec quid si ad quattuor genera pertineat (sic fere interpretes, quasi non 17, 40 hand eandem πρότασιν alia sequatur ἀποδοσις, ἄνιμυ αὐτ spirabilem αὐτ igneus esse), sed quid futurum sit quaeritur, si et spirabilis et igneus simul sit." But is this then not just a modern day gloss? *feliciter lege* and the meaning is clear enough with *inflammata anima* and *haec duo* below. There is no reason here to change the text.

inflammata anima constat, ut potissimum uidetur Panaetio, superiora capessat necesse est. nihil enim habent haec duo genera proni et supera semper petunt. ita, siue dissipantur, procul a terris id euenit, siue permanent et conseruant habitum suum, hoc etiam magis necesse est ferantur ad caelum et ab is perrumpatur et diuidatur crassus hic et concretus aër, qui est terrae proximus. calidior est enim uel potius ardentior animus quam est hic aër, quem modo dixi crassum atque concretum; quod ex eo sciri potest, quia corpora nostra terreno principiorum genere confecta ardore animi concalescunt.

43 XIX. Accedit ut eo facilius animus euadat ex hoc aëre, quem saepe iam appello, eumque perrumpat, quod nihil est animo uelocius, nulla est celeritas quae possit cum animi celeritate contendere. qui si permanet incorruptus suiue similis, necesse est ita feratur, ut penetret et diuidat omne caelum hoc, in quo nubes, imbres, uentique coguntur, quod et umidum et

5-7. Lact. *Inst.* 8.20. 9. Lact. *Opi. Dei.* 16.9 11. *Non.* 264, 32-33

1 uidetur] uideo *post* potissimum et *ante* Panaetio RG: uideo KP, *alio atram. superscr.:* uideri uideo B, Pohlenz, cf. *Fin.* 5.4: <probari> uideo *suppl. Giusta coll. Ac.* 2.117, N. D. 1.6: uideo <uideri> Drex.: uidetur *ox. mss. adfirmat Doug.* 4 is] his X: iis *Doug.* 5 est] *del. est* V^c 8 accedit] accidit X: accidit B: accidit V^c *alia manu rec.* 11 umidum] umidū K: humidum G, *sed h postea erasa:* umidum RV^c: humidum BS

inflammata anima: = the typical Stoic πνεῦμα ἐνθερμον, 9, 19 n., and cf. N. D. 3.36, *animum ex igni atque anima temperatum*, Gal. *De plac. Hipp. et Plat.* 283 (SVF. 1.135) reports Zeno as saying τρέφεσθαι μὲν ἐξ αἵματος τὴν ψυχὴν, οὐσίαν δὲ αὐτῆς ὑπάρχειν τὸ πνεῦμα; cf. SVF. 3, (*Ant.*) 49, and similarly Posidonius, D. L. 7.157 (= Ed.-Kidd. 139).

Panaetius: the celebrated Stoic philosopher from Rhodes, flourished around 130B.C.; he migrated to Rome and became friends with Laelius and Scipio Africanus. Cicero describes his attitude towards Stoic doctrines at *Fin.* 4.28.79.

superiora capessat: cf. N. D. 2.45.115, *medium locum capessentes*.

nihil habent proni: 'these two elements never sink downwards', cf. Hor. *Carm.* 3.27.18, *pronus Orion*. The word is somewhat hardworked.

haec duo genera: = *igneae et aerea*

siue dissipantur: this represents the Stoic view, and indeed the idea is also found ascribed to Posidonius and Panaetius, D. L. 7.157. From the Democritean viewpoint, the fiery soul atoms, once escaped from the body, will of course disperse quickly and painlessly and in all directions, as also thought by the Epicureans cf. S. E. M. 9.72, ἀπολυθεῖσθαι τῶν σωμάτων καπνοῦ δίκην σκίνδνανται. The Stoics generally thought that the soul would survive as an individual until consumed by the final ἐκπύρωσις; cf. 9, 18 n.

dissipantur: note the change again to the plural though *animus* preceded, cf. 17, 40 n.

procul a terris: since it is made of material far lighter than air.

habitum suum: the Stoic ἕξις, that particular quality which gives it both its unity in structure and its own individuality as separate from other individualities, for which we have Euseb. *Praep. Euang.* 15.20.6, *Plu. Comm. not.* 1077c-e (= SVF. 2.112); Philo *Leg. alleg.* 2.22-3 (= SVF. 2.458); and particularly *Simpl. In Cat.* 214, 24-37 (= SVF 2.391). We also have evidence in Gal. *Intr.* 14.726, 7-11 (= SVF. 2.716) that some Stoics called this a πνεῦμα τὸ ἐκτίον. For a discussion of this, see LEWIS (Stoics on Identity and Individuation, pp. 98-100) and for a critique of the Stoic position, see IRWIN (Stoic Individuals, pp. 471-472); SEDLEY (The Stoic Criterion of Identity, pp. 260-262).

crassus hic et concretus aër: the earth's atomospheric air; further elaborated in 19, 43; and 25, 60 below; cf. N. D. 2.17, *terram autem esse infimam, quam crassissimus circumfundat aer*, and Chyrsippus, SVF. 2.429, who calls it τὸν ἀέρα ζοφέρον.

concretus: 'thickly packed', cf. Verg. *Ecl.* 6.34, *ipse tener mundi concreuit orbis*.

qui est terrae proximus: Posidonius thought that turbulent atomsphere extended about 40 stades (about 7.5km) from the earth, beyond which was a pure, clear and bright air, Plin. *H. N.* 2.21 (= Ed.-Kidd. 120).

quia: *quia* and not *quod* here to avoid the repetition.

ardore animi concalescunt: cf. D. L. 8.157, *Nem. De Nat. Hom.* 2.33.

XIX. §43. accedit ut... euadat: = *praetera fit ut*, so Madv. *Gram.* 373, obs. 3; 398b; K.-S. 144, 1 and Kühner *ad loc.* There is a difference between *accedit ut* and *accedit quod*; the former with the subjunctive is used to state a fact, but one which requires further deliberation or is open to doubt; the latter with the indicative *may* be used simply to relate a fact as a fact, cf. *Tusc.* 5.21.62, where *ne integrum quidem erat ut = ne fieri quidem poterat ut*.

aëre, quem saepe iam appello: cf. N. D. 2.36.91, *cui nomen est aer, Graecum illud quidem, sed perceptum iam tamen usu a nostris*; *Ac.* 1.7.26, *itaque aër utimur enim pro Latin*.

nihil est animo uelocius: cf. Hom. *Od.* 7.36, τῶν νέες ὀκείαι, ὡσεὶ πτερόν ἢ νόημα, and Thales also affirmed that nothing was swifter than thought, τάχιστον νοῦς, D.-K. 1a35. DOEDERLEIN: *Lat. Syn. et Etym*, vol. 2, pp. 129-135 explained the difference between *celeritas animi* (which is more usual in classical prose) as 'via leaps and bounds', (the √*cel* = to push); whereas *uelocitas* contains the idea of a 'smooth, even speed'. I suspect that this may be an over-subtle treatment, cf. Moser n. *ad loc.*

nulla est celeritas: the tautology was displeasing to Seyffert, who wished to read *nulla est <certe>* (= γοῶν) *celeritas*; Kühner thought Cicero would have obliterated it upon revision (indeed, Keil and Wolf even thought it a gloss!) But this is harsh condemnation, for these little rhetorical flourishes give colour to the dialogue and emotional colour. The language swells as the soul is described arising to heaven. Cicero enjoys such oratorical epexegetis.

si permanet incorruptus suiue similis: 'if it will remain there, uncorrupted and unchanged', *sui similis* here takes the place of *immutatus, integer*, cf. *Ac.* 2.7, *incorruptum et integrum, Brut.* 35, *incorrupta integritate*. The phrase hints that the souls of the corrupt may not possess sufficient lightness to ascend to such heights.

omne caelum hoc: i.e., the atmosphere where the clouds are in its most literal sense, (ἀτμοσφαῖρα = 'sphere of vapour'), cf. 25, 60 below *nebuloso et caliginoso caelo*.

coguntur: = *congregantur*, 'massed together'.

caliginosum est propter exhalationes terrae. quam regionem cum superavit animus naturamque sui similem contigit et adgnouit, iunctis ex anima tenui et ex ardore solis temperato ignibus, insistit et finem altius se eferendi facit. cum enim sui similem et leuitatem et calorem est adeptus, tamquam paribus examinatus ponderibus nullam in partem mouetur, eaque ei demum naturalis est sedes, cum ad sui simile penetrauit; in quo nulla re egens aletur et sustentabitur iisdem rebus, quibus astra sustentantur et aluntur. cumque corporis facibus inflammari soleamus ad omnis fere

2 adgnouit] adgnouit X: agnouit V^c 2 iunctis] iunctus VG: iunctis R: iunct^u, h. e., iunctus 3 eferendi] eferendi RG: eferendi K: efferendi V^c: efferendi B, in marg. ecfe: efferendi SLM 3 est] non habent X: 5 sui simile] sui similem <caelum> ins. mauult Giusta. 5 iisdem] hisdem GRK: isdem BV^c: iisdem S, dett. codd.

exhalationes: = ἀναθυμώσεις Plu. *De Def. Or.* 433d–e, a Stoic term, cf. Plin. *H. N.* 31.28.44, *nebulosa exhalatione*.

quam regionem cum superavit animus: after rising above the sphere of vapor, the soul finally comes to a rest, but still (seemingly) below the sun, n. below. This is a slightly altered version from *Rep.* 6.16, where the soul ascends higher than these sublunar/subsolar regions and can reach the milky way. This ‘milky way’, at least according to the eschatological view of Empedotimus, in the dialogue written by Heraclides of Ponticus, is placed (as here) above the moon and beneath the sun in the order of the spheres, on which see fr. *Wehrli.* 96–97, SCHÜTRUMPF/STORK/VAN ORHUIJSEN (Heraclides of Pontus, pp. 93–101); GOTTSCHALK (Heraclides of Pontus, pp. 100, 149–154). Cicero seems to place the souls both near to and at the same time beyond the sun and nearer the regions of the stars. For other possible influences, see JONES (Posidonius and the Flight, p. 100).

naturam: = οὐσίαν, its substance or being, cf. 25, 62 n.

iunctis...ignis insistit: the terminology is Stoic, cf. *N. D.* 3.14.36, *ex igni at anima temperatum*, ‘a proper mixture out of both fire and breath’. Gal. *De plac. Hipp. et Plat.* 283 represents Zeno’s view that the soul was a mixture of breath (*anima*) and fire, οὐσίαν δὲ τῆς ψυχῆς ὑπάρχειν τὸ πνεῦμα; the Epicurean view was much the same, *D. L.* 10.83, ἡ ψυχὴ προσεμφερέστατον πνεύματι θερμοῦ τινα κρᾶσιν ἔχουσι. Cicero represents the same mixture as the soul to exist in the highest atmosphere compounded of rarer air and heated by the sun. This shows that here the construction is abl. absolute, not *insistere* with the dat. Translate, ‘when it reaches a height where it can be united with that fiery substance made of rarified air and the sun’s blended heat, the soul comes at last to a rest and makes an end of its rising higher’.

ardore solis temperato: the sun seems to be conceived as still a greater altitude, a position which was probably influenced by Posidonius’ own view of an ‘intermediate’ nature which is sublunar, cf. *S. E. M.* 9.71 (attributed to Posidonius by Corssen, to Chrysippus by von Arnim). He believed that the soul inhabits a place under the moon, and there they would live just like the other stars which are nourished by the earth’s exhalation (ἀναθυμώσεις). The souls would spend their time there and suffer no dissolution. However, that the soul should stop here and ascend no higher is not necessarily in conflict with Cicero’s other portrayals of the flight heavenwards. *Plu. De Fac.* 28–30 explains that there is a distinction made between the *animus* (ψυχὴ) and the *mens* (νοῦς). The moon was the origin of the soul, the sun of the mind and therefore upon death, each returns to its origin: πᾶσαν ψυχὴν, ἄνουν τε καὶ σὺν νῶ, σώματος ἐκπεσοῦσαν, εἰμαρμένον ἐστὶ τῶ μεταξὺ γῆς καὶ σελήνης χωρίῳ πλανθῆναι χρόνον οὐκ ἴσον., cf. *N. D.* 2.46.118 (quoted below) and *Luc.* 9.6. Such a separation of the two concepts is also likely Posidonius’ own view which was in turn founded upon *Pl. Ti.* 42b. For a discussion of this, see VOGEL: Greek philosophy, vol. 3, pp. 97, 266–267, and POHLENZ: Die Stoa, vol. 1, p. 229. It is contrary to Panaetius’

view below, cf. 32, 79 n.

ignibus: sc. ‘caelestibus’, the aetherial stars.

se eferendi: the gerundive *sui eferendi* would be more usual, but Cicero uses the gerund at *Phil.* 9.3.6, *reficiendi se et curandi potestas*, *De Or.* 2.4.6, *cupidus te in disputatione audiendi*.

cum enim...cognosendi cupiditatem dabunt: a highly wrought section of Ciceronian oratory designed more for the ear than the eye. The sentence extends from l. 3 to below l. 7, and its structure is imposing. Grammatically, the main thought and culmination is *beati erimus* (as is always the focus for the arguments) which is found in the centre of this lengthy period. There is chiasmic arrangement of *cupiditates corporis* and *cupiditatem cognoscendi* so as to heighten their opposition.

cum enim...est adeptus: the better mss. lack *est*, and so Bentley proposed to emend *tum enim*, but he is alone. Kühner thinks that in the original reading ADEPTUST TAMQUAM, the *-t* fell out before *tamquam* (so he prints *adeptus est*); however, GIUSTA (Testo, p. 147) agrees with Dougan’s suspicion that the more likely error was *caloreēadeptus*, where *est* (ē) fell out after the ligature *-em* of *calorem* and before *a*. Both read *est adeptus*.

sui similem et leuitatem et calorem: ‘a substance as light and warm as itself’

tamquam paribus examinatus ponderibus: i.e., ‘liberatus aequa lance’ (Beroaldus). The literal meaning of *ex-amino* ‘to weigh’ in its passive form is rare, used by Cicero only here.

The imagery is evocative, ‘as if placed in a scale with commensurate weights, perfectly balanced, and its beam centered’.

sui simile: GIUSTA (ibid., p. 147) wished to insert *caelum* here which would be parallel to p. 75, l. 3. He complains that the following *in quo* could not refer to *sui simile*. Of course, the ambiguity is something Cicero aimed for, and the insertion is not necessary.

aletur et sustentabitur...sustentantur et aluntur: note the chiasmic and highly rhetorical structure of the structure.

iisdem rebus, quibus astra sustentantur et aluntur: that celestial objects were nurtured by fire fed by the vapoury exhalations of the earth is argued in *N. D.* 2.46.118, *sunt autem stellae natura flammearum; quocirca terrae maris aquarum vaporibus aluntur eis, qui a sole ex agris tepefactis et ex aquis excitantur, quibus altae renovataeque stellae atque omnis aether refundunt*, and Pease’s n. *ad loc.* The Stoics also held such a view, cf. *D. L.* 7.139, and 145, τρέφεσθαι δὲ τὰ ἔμπυρα πάντα καὶ τὰ ἄλλα ἄστρα κλιτ; *Serv.* 1.612, *pasci aquis marinis sidera*; so Cleanthes *Aët.* 2.20.4 (= *SVF.* 1.501), ἀναμμο νοερόν τὸ ἐκ θαλάττης τὸν ἥλιον; and Posidonius, *Macr. Sat.* 1.23.2 (= Ed.–Kidd. F118).

astra: according to the Stoics, stars were divine and intelligent beings, *N. D.* 2.45–49.

§44. **facibus:** = *incitamentis corporis*, ‘the natural lusts and promptings of our body’, *Tusc.* 2.61, 5.76, and cf. *De Or.* 3.1.4, *uerborum facies*.

cupiditates eoque magis incendi, quod iis aemulemur, qui ea habeant quae nos habere cupiamus, profecto beati erimus, cum corporibus relictis et cupiditatum et aemulationum erimus expertes; quodque nunc facimus, cum laxati curis sumus, ut spectare aliquid uelimus et uisere, id multo tum faciemus liberius totosque nos in contemplandis rebus perspiciendisque ponemus, propterea quod et natura inest in mentibus nostris insatiabilis quaedam cupiditas ueri uidendi et orae ipsae locorum illorum, quo peruenerimus, quo faciliorem nobis cognitionem rerum caelestium, eo maiorem cognoscendi cupiditatem dabunt. haec enim pulchritudo etiam in terris 'patritam' illam et 'auitam', ut ait Theophrastus, philosophiam cognitionis cupiditate incensam excitauit. praecipue uero fruuntur ea, qui tum etiam, cum has terras incolentes circumfusi erant caligine, tamen acie mentis dispicere cupiebant.

45a

45b

XX. Etenim si nunc aliquid adsequi se putant, qui ostium Ponti uiderunt et eas angustias, per quas penetrauit ea quae est nominata

Argó, quia Argiui ín ea delectí uiri
Vectí petébant péllem inauratam árietis,

7-8. *Non.* 161, 7-8 13-14. *Enn. trag.* 209-210, cf. *Auct. ad Her.* 2.22.34.

1 iis] his X 7 patritam] patriam X: patritam *dett. codd.* 11 se] *omm.* G 13 delecti] delecti V^cK: dilecti GR

aemulemur: *aemulari*, in a bad sense, not ζηλοτυπεῖν = *obtrectatio* (i.e., envy garnered from seeing another obtain what they desired) but rather like *Tusc.* 4.17, *eo quod concupierit alius potiat, ipse careat*, 'to vie for something with greed and envy', for pain in lacking what another has, see *L.&S.* 2, s. v.; the dative is used in classical Latin.

habeant...cupiamus: subj. by attraction, cf. 11, 23 n.

cum laxati curis sumus: cf. 1, 1 *liberatus* and Sophocles' famous phrase on the boon of old age, *Plu. Mor.* 12.1094e, ἀσμένως ἐκφυγόντι τὴν ἡδονὴν ταύτην ὥσπερ ἄγριον καὶ λυτῶντα δεσπότην..

uisere: in place of *uidere*, its intensive form *uisere* is used to mean 'survey with exactness' (Kühner). We find the meaning 'to visit' stems from the idea of travelling to see at first hand, with attention, cf. *Manil.* 21.61, *eam rem populus Romanus non modo uidit, sed etiam omni studio uisendam* and the Greek θεωρεῖν *Fest.* 5, 9 (Lindsay). The contemplation of the heavens as a philosophical endeavour is here indicative of Platonic thought.

orae ipsae locorum: a poetic turn for the simpler *loci* or *regiones*. Moser cites *N. D.* 1.20.54, *nullam tamen oram ultimi uideat* which = *loci extremi*.

dabunt: strictly we should want *reddunt nobis cognitionem*, but we have *dabunt* by zeugma.

haec pulchritudo: = *harum rerum caelestium pulchritudo* (Kühner), a common attraction of a demonstrative or relative pronoun which points to a preceding substantive, cf. *Mil.* 36.108, where *quae obliuio = cuius rei obliuio*.

patritam: the majority of mss. have *patriam*. Nonius has in his quotation *patritam* (which he says was used by Varro in two places), and this is the reading found in the inferior mss. P. Manutius and Fabricius had accepted the reading early, but their work was undone by Bentley, Davies, and Ernesti but later restored by Bouhier. All recent editors, including Giusta, adopt *patritam*. Wolf in his note *ad loc.* explains that Cicero was adumbrating Theophrastus' own words, perhaps πατρώος καὶ παππῶος, cf. *TLL* 1, 753, 25, and *Dem. Phil.* 4.73. The reference is to Thales, or generally early Ionic philosophy with its inclination to astronomical and natural studies.

Theophrastus: of Lesbos, 370B.C.–285B.C., Peripatetic naturalist and philosopher, was a student of both Plato and Aristotle. He succeeded to the headship of the Lyceum.

incensam: cf. *Tusc.* 5.24.70, *uagi motus rata tamen et certa sui cursus spatia definiant horum nimirum aspectus impulit illos ueteres et admonuit, ut plura quaerent* and *Dox. Graec.* 275 (Pohlenz).

praecipue uero: looks ahead to 30, 72.

dispicere: 'pierce the gloom' (Dougan); the verb *dispicere* means to strain the eyes to see, or to see imperfectly, *Fin.* 4.64, *catuli, qui iam dispecturi sunt, caeci*, where the verb is used to describe the squinting of new-born pups; *Div.* 2.81, *verum dispicere* to peep through to the truth, as if through a keyhole or mist; cf. *Sen. Ben.* 5.4.4, *ad dispiciendam veritatem non erat offusa caligo*; *Suet. Ner.* 19, *Pl. Phd.* 86d uses διαβλέπειν.

XX. §45b: There is a slight change of argument here, where Cicero leaves behind a discussion of heightened mental perceptions possible without the intrusion of the body's senses to a more formal analysis of the physical senses. Cicero's change here caused Giusta to wish to transpose 45b before 45a, stating that *non enim tu nunc quidem oculis cernimus*, which begins 46, much more readily follows on 45a (*acie mentis*), and further that 45a no more readily follows upon 44 than 45b, though it does pertain to viewing the heavens, cf. *Rep.* 6.17.

aliquid adsequi se putant: 'they think that we do something', i.e., 'something special', used ironically. The use of the *aliquid* in this way is similar to 29, 49 below, *praecclare autem nescio quid adepti sunt*. Kühner shows that the same idiom exists in Greek, *Pl. Symp.* 1.4, *οἰεσθὲ τι ποιεῖν, οὐδὲν ποιοῦντες*. Cicero would have spoken more accurately had he written *adsecutos*; but note the force of the present *adsequi* in contrast to the perfect *uiderunt* which aims to emphasis the continued delusion of accomplishment by these vagabonds, cf. *K.-S.* 2, 31.5.

angustias: i.e., the mouths of the Hellespont (Dardanelles), and the Bosphorus in Thace, the gate to the Euxine sea.

ea: sc. *nauis*.

delecti uiri: the form *dilecti* is retained by GR, but all recent editors read *delecti* with V^c (over which Dougan voiced suspicions of tampering); the line translates *E. Med.* 5, *ἀνδρῶν ἀριστέων*, which would favour the reading of GR. Pohlenz notes *ad loc.* that *Verg. Ecl.* 4.35 has *delectos heroas*.

Argo...inauratam arietis: iambis trimeter acatalectic, from Ennius' *Med.* Nine lines (including these) are quoted in *Auct. ad Her.* 2.34 and by *Prisc. Met. Com.* 1325. Ennius seems to have understood the derivation of the name *Argos* as coming from the inhabitants of Argos; differently from A. R. 1.18-19 who derived it from the builder (as does the article in *RE.* 1.723). The lines were favourite ones of Cicero, and he quotes them as a young man in *Inu.* 1.91, later in *N. D.* 3.75; *Top.* 61; *Fin.* 1.5, and *Fat.* 35; in each case they are adjusted to make them suitable to the context, which is Cicero's practice.

aut ii qui Oceani freta illa uiderunt,

Europam Libyamque rapax ubi diuidit unda,
quod tandem spectaculum fore putamus, cum totam terram contueri licebit eiusque cum situm,
formam, circumscriptionem, tum et habitabiles regiones omni cultu propter uim frigoris aut
5 caloris uacantis? et rursus nos enim ne nunc quidem oculis cernimus ea quae uidemus; neque 46
est enim ullus sensus in corpore, sed, ut non physici solum docent uerum etiam medici, qui ista
aperta et patefacta uiderunt, uiae quasi quaedam sunt ad oculos, ad auris, ad naris a sede animi

2. Enn. Ann. 302

1 ii] aut hi RVB: aut ii *dett. codd.* 4 circumscriptionem] circumspectionem mss. in Verb. 5–6 neque est enim] neque enim est *dett. codd.* 7 auris] auris X: aures V^c i in e mut. 7 naris] naris X: nares V^c i in e mut.

Europam Libyamque: ‘where the swallowing sea divides Europe from Libya’, i.e. the straits of Gibraltar, as Skutsch thinks comparing Liv. 28.30.6, *urbs ea in ora Oceani sita est, ubi primum e faucibus angustis panditur mare*, and cf. 18, 28 n. Cicero quotes this line again at *N. D.* 3.10.24. Though Cicero claims that in relative terms those who traverse such great distances see nothing when compared to the grandeur the soul will observe *sub specie aeternitatis*, nevertheless some philosophers did in fact set out on such travels in order to study natural phenomena, most notably Posidonius who went to Gibraltar to study the tides, Strabo. 3.5.7–8 (= Ed.–Kidd. 217, F85 Jac.).

The term *rapax* is a common epithet of the sea particularly surrounding Sicily (Scylla) likely used here to suggest the clashing rocks of the promontory, cf. Sen. *Thyest.* 476, *Siculi rapax consistet aestus unda*.

formam, circumscriptionem: ‘shape and circumference’ (geometrically), but perhaps ‘form and outline’ from the plastic arts. The visual element of this passage is heightened by the use of vocabulary often used in the description of painting, cf. Quint. *Inst.* 12.10.5, *Zeuxis plus membris corporis dedit, id amplius aut augustius ratus atque, ut existimant, Homerum secutus, cui validissima quaeque forma etiam in feminis placet; ille [i.e. Parrhasius] vero ita circumscripsit omnia ut eum legum latorem uocent etc.*

habitabiles regiones... aut cultu uacantis: cf. below 28, 69 and *N. D.* 1.10. In *Rep.* 6.19.20–21, the earth is divided into five ‘zones’, of which two are temperate, *habitabiles*; these are separated by an impassable zone scorched with heat (*uim caloris*); and the two zones at the poles, uninhabitable from their frigidty. The theory of such separation goes back to Parmenides (Strabo. 2.2.2), and found in Arist. *Met.* 2.5, *τὸν αὐτὸν δὲ τρόπον πρὸς τὸν κάτω πόλον ἕτεροι δύο κῶνοι τῆς γῆς ἐκτμήματα [i.e., regiones] ποιοῦσι. ταῦτα δ’ οἰκείσθαι μόνᾳ δυνατὸν κτλ*; Cicero is more precise in *Rep.* when he uses the term *cingulus*, ‘belts’ to translate the Greek *ζώναι* (‘girdle’).

This evidence speaks against several scholars, including Pohlenz, who believe that Posidonius was the source for many of Cicero’s remarks in the *Tusc.*, particularly in 18–71. For we know that Posidonius argued that the temperate zones were in fact inhabited, Cleomedes, *De Mot. Cael.* 1.6.31–3 (= Ed.–Kidd. 210). Instead, Cicero’s source was likely Alexander of Ephesus, a contemporary of his (Strabo. 14.1.25). Cicero had collected his works and was copying them out in order to prepare material to be used in his own proposed Geography (*Att.* 2.4, 2.20, 2.22).

rursus: 17, 40 n.

§46. **cernimus... uidemus:** ‘distinguish and identify the things we see’, i.e., to perceive the differences between the objects we see (*diiudicare*), cf. *Ac.* 2.25.80, *Cumanam regionem uideo, Pompeianum non cerno*, where see Reid’s n. The root of *cernere* in **cribum* originates in *κρίνειν*, ‘to be able to pick out’, often in the sense of consideration with

the understanding, cf. *Or.* 18, *cernebat animo*.

neque est enim: for the order of the words, cf. *De Or.* 2.28.124.

physici... etiam medici docent: a strange quirk in terminology. The *physici* (‘physicists’) were the ‘natural philosophers’ who argued mostly by analogy; whereas the term *medici* (‘physicians’, as later = *φυσικός* ILLRP. 799) in antiquity could encompass ‘experimental philosophers’. Diogenes of Apollonia, who considered himself a doctor — if we trust [Gal]. *Med. Expr.* (ed. Walzer). 23.3 and [Gal]. *De Humor.* 29.495 (= D.–K. 64a29) — placed the seat of understanding in the brain with the senses connected to it via ‘ducts’ (Thphr. *Sens.* 39), *τὸν γὰρ ἐγκέφαλον αὐτὸν μανὸν καὶ τὰ φλεβία*. He probably derived his doctrines from the earlier anatomist Alcmaeon of Croton. Parmenides too dissected small animals to locate the seat of sense in the brain via nerves, and later Empedocles, whose own language suggested his title as a doctor, *Emped. fr.* 12, GOTTSCALK (Heraclides of Pontus, p. 13), believed in pathways to the brain, Arist. *G. C.* 1.7, 324b26, *πάσχειν ἕκαστον διὰ τινων πόρων εἰσιόντος τοῦ ποιούντος ἐσχάτου καὶ κυριωτάτου, καὶ τοῦτον τὸν τρόπον καὶ ὄραν καὶ ἀκούειν ἡμᾶς φάσι καὶ τὰς ἄλλας αἰσθήσεις αἰσθάνεσθαι πάσας* (= D.–K. 31a87); Thphr. *Sens.* 7 (= D.–K. 31a86); and *Pl. Men.* 76. For an overview of the earlier medical philosophers, see LONGRIGG (Philosophy and Medicine). Davies on this passage cites Theod. *Graec. affect. cur.* 1.15, who has Epicharmas (not Menander as Ursinus thought, cf. Tz. *Chil.* 5.52, 12.440) sing a doctrine that the mind, rather than the sense-organs, is the agent which perceives, *νοῦς ὄρα καὶ νοῦς ἀκούει· πᾶλλα κωφὰ καὶ τυφλά* (Epich. fr. 249). This thought is found as well in *Pl. Tht.* 184b–d, *εἶτε ψυχὴν εἶτε ὅτι δεῖ καλεῖν, πάντα ταῦτα συντείνει, ἢ διὰ τούτων οἶον ὀργάνων αἰσθανόμεθα ὅσα αἰσθητά*. Arist. *De An.* 415b15–21 felt the body existed for the sake of the soul, but that sight was still a physiological process (SORABJI: Body and Soul in Aristotle, p. 88), cf. Arist. *M. A.* 6, 700b18–24; so the Stoics (Chrysipp. ap. Gal. *De plac. Hipp. et Plat.* 7.5.622); and Plin. *H. N.* 11.145, *in oculis animus habitat*. The Epicureans opposed the position, Lucr. 3.359–361, *dicere porro oculos nullam rem cernere posse | sed per eos animum ut foribus spectar reclusis | difficilist etc.*

aperta et patefacta uiderunt: dissectors of bodies and the anatomists, on which see Reid on *Ac.* 2.39.122 where Cicero uses similar language to describe the doctors who open us up to see how our parts work, *medici ipsi, quorum intererat ea nosse, aperuerunt, ut uiderentur*. Orelli compares Cels. *praef.* 45, where such men are labelled ‘medical murderers’, *latrocinantis medici*. Vivisection was generally disapproved by Celsus, though he thought it perfectly fine to train in medicine by examining the organs of maimed gladiators or those murdered on the highway.

quasi quaedam: cf. 12, 24 n., ‘quandam quasi migrationem’. Here, *quasi* (*quaedam uiae perforatae*) hints at a translation.

perforatae. itaque saepe aut cogitatione aut aliqua ui morbi impediti apertis atque integris et oculis et auribus nec uidemus, nec audimus, ut facile intellegi possit animum et uidere et audire, non eas partis quae quasi fenestrae sint animi, quibus tamen sentire nihil queat mens, nisi id agat et adsit. quid, quod eadem mente res dissimillimas comprehendimus, ut colorem, saporem, calorem, odorem, sonum? quae numquam quinque nuntiis animus cognosceret, nisi ad eum omnia referrentur et is omnium iudex solus esset. atque ea profecto tum multo puriora et dilucidiora cernentur, cum, quo natura fert, liber animus peruenerit. nam nunc quidem, quamquam foramina illa, quae patent ad animum a corpore, callidissimo artificio natura fabricata est, tamen terrenis concretisque corporibus sunt intersaepta quodam modo: cum autem nihil erit praeter animum, nulla res obiecta impedit, quo minus percipiat, quale quidque sit.

XXI. Quamuis copiose haec diceremus, si res postularet, quam multa, quam uaria, quanta

2-3. Non. 36, 12-13. 7. Non. 35, 26-28

2 intellegi] intelligi X: intellegi B 3 sint] sint RBKPEL: sunt S, Nonius 4 quid quod] qui quod RG: ^{id} q qd K d (post i) alio atram. superscr.: ^{d d} qui q B: quid cū V at fuerat alia litt. post ū: quid quod J 5 et is] ut idem dett. codd., Or. 8 animum] animos Nonius 8 fabricata est] fabricata est GRK: fabricata sit V^c: fabricatur Nonius

uiaae perforatae: 'there are pathways, as if bored out from the seat of the soul through to the eyes, ears, and nose', and below *fenestra*; for the language, cf. N. D. 3.4.9, *duo lumina ab animo ad oculos perforata*.

The position in general that there were pathways to the brain were assigned to Aenesidemus 'the doctor', and earlier to Strato, S. E. M. 7.350, οἱ δὲ αὐτὴν (τὴν διάνοιαν) εἶναι τὰς αἰσθήσεις, καθάπερ διὰ τινων ὀπῶν τῶν ἀσθητηρίων προκίπτουσιν, ἧς στάσεις ἤρξε Στράτων τε ὁ φυσικός καὶ Αἰνῆσιδης; *ibid.* 1.130 (on Heraclitus' view), ἐν δὲ ἐγγρηγοροῖσι πάλιν διὰ τῶν αἰσθητικῶν πόρων ὥσπερ διὰ τινων θυρίδων προκίπτει (i.e. the *animus*, νοῦς) καὶ τῷ περιέχοντι συμβάλλων λογικὴν ἐνδύεται δύναμιν; Philo of Alexandria, MANGEY/PFEIFFER (Philonis Opera, p. 665), αἱ αἰσθήσεις θυρίσι ἰσοκασί, διὰ γὰρ τούτων ὡσανεὶ θυρίδων ἐπιεσέρχεται τῷ νῷ ἢ κατὰληψις τῶν αἰσθητῶν καὶ πάλιν ὁ νοῦς ἐκκύπτει δι' αὐτῶν. We also have the curious piece of testimony from [Arist]. *Sens.* 5, 443a21 (= D.-K. 37b), fr. 7 KIRK (Heraclitus, p. 232) which claims that Heraclitus' soul had a sense of smell, even in Hades.

The Stoics argued similarly, and though they continued to maintain the unity of the soul, nevertheless distinguished functions of the soul which were assigned to control the five senses. Two others parts were designated for the faculties of procreation and speech (Gal. *De plac. Hipp. et Plat.* 3.1; Plu. *De Plac. Phil.* 4.4.2). See MANSFELD (Doxography and Dialectic, p. 3067).

cogitatione: i.e., preoccupation or distraction.

aliqua ui morbi: a poetic turn to *morbo*, as often; cf. Accius' *uis uulneris, ulcers aestus* in *Tusc.* 2.19.

animum et uidere et audire: as held by Epicharmus (quoted above); Parmenides; and the 'doctors'. For a general overview, see KIRK (Sense in the Development of Greek Philosophy, 112ff).

quasi fenestrae: cf. Lact. *Opi. Dei.* 8.11, *mentem quae per oculos ea quae sunt opposita transpiciat quasi per fenestras*; and for the Epicurean objection to this concept, Lucr. 359-69.

sint: *sunt* would be acceptable, but the subjunctive is likely due to attraction, cf. 11, 23 n.

nisi id agat: 'unless the soul is engaged upon its business', cf. the formula *hoc age*, 'pay attention'. Ruhnken on Ter. *And.* 1.2.15 notes it is a sacrificial phrase used by priests to call people's attention to the sacrifice so as to avoid any illicit sound during the ritual, cf. Plu. *Num.* 14, βῶσι ὄκ ἄγε'.

quinque nuntiis: cf. N. D. 2.56.140, *sensus autem, interpretes ac nuntii rerum*; Leg. 1.26, *sensus satellites ac nuntios rerum plurimarum*; S. E. P. 1.128, τὰ ὑπὸ τῶν αἰσθήσεων ἀναγγελλόμενα.

referrentur: 'that all things should be brought before it

for measure'; cf. *Deiot.* 2.7, *ad te ipsum referre* (i.e., Caesar); and the Epicureans who weighed things according to the pleasure, *Am.* 19.32, *ad uoluptatem omnia referunt*.

et is omnium iudex solus: cf. *Ac.* 1.32, *mentem volebant rerum esse iudicem, solam censebant idoneam cui crederetur*. Cicero is somewhat blurring the distinction between the idealist and the empiricist theories, though they all give a major role to the mind. It is generally true of both the doctrine of Plato and Aristotle to whom the truth lies in *ἐπιστήμη*, which is apprehended through *νοῦς*, Arist. *APo.* 88b36, λέγω νοῦν ἀρχὴν ἐπιστήμης; as well as of theories of Epicureans and Stoics.

et is: the better mss. read *et is* so there is no need to abandon them. However, Orelli's *ut idem* is rather elegant, and often stands in place of *et is idem*, cf. *Fin.* 2.5, *nunc idem*.

ea: the objects of our perception, i.e., *quae animus cognosceret*.

quo natura fert: 'to where natura leads'; cf. *Fam.* 2.5, *meae enim rationes ita tulerunt*.

foramina...intersaepta: Douglas *ad loc.* thought that there may be an allusion to the theory of Cicero's contemporary Asclepiades of Prusa who believed that bodily health depends on the free flow of 'juices'. But the idea in itself is hardly elaborated in such a way as to make it identifiable as the idea of any one philosopher. RAWSON (Asclepiades of Bithynia, pp. 368-369) is correct in finding it improbable that many Romans were reading medical texts in Rome at this time, *contra* GOTTSCHALK (Heraclides of Pontus, pp. 56, 146). However such 'medical' references are quite likely to be perpetuated through the philosophical texts rather than medical texts explicitly. For example, we know that Empedocles thought that the keenest sense of smell would be found where the air was able to move at its swiftest, Thphr. *Sens.* 9 (= D.-K. 31a86), διὸ καὶ μάλιστα ὀσφραίνεσθαι τούτους, οἷς σφοδροτάτη τοῦ ἄσματος ἢ κίνησις; Aët. 5.22.1 (= D.-K. 31a78). These views were later filtered through Plato, Pl. *Ti.* 82a-82d, ἐπειδὴ γένη πλείονα [i.e., τεττάρων γὰρ ὄντων γενῶν ἐξ ἧς ἀν συμπέπηγεν τὸ σῶμα] ἐνὸς ὄντα τυγχάνει, τὸ μὴ προσήκον ἕκαστον ἑαυτῷ προσλαμβάνειν, καὶ πάνθ' ὅσα τοιαῦτα, στάσεις καὶ νόσους παρέχει.

terrenis concretisque corporibus: 'by amassed particles of earth'.

quale quidque sit: 'what kind of thing each thing really is'; 10, 20 n.

XXI. **quamuis copiose:** not concessive, but adverbial in its original sense, *tam copiose quam uis*, as Beroaldus explained correctly. It comes to have the force of a superlative *uel copissime*, cf. *Tusc.* 2.38, *quamuis leui ictu*; *Verr.* 2.5.5.11, *expectate facinus quam uultis improbum*.

spectacula animus in locis caelestibus esset habiturus. quae quidem cogitans soleo saepe mirari non nullorum insolentiam philosophorum, qui naturae cognitionem admirantur eiusque inuentori et principi gratias exultantes agunt eumque uenerantur ut deum; liberatos enim se per eum dicunt grauissimis dominis, terrore sempiterno, et diurno ac nocturno metu. quo terrore? quo metu? quae est anus tam delira quae timeat ista, quae uos uidelicet, si physica non didicissetis, timeretis,

Acherunsia templa alta Orci —

7–1. Enn. *trag* 70–71.

7 acherunsia] acherunsia X: acherusia V^c

spectacula: one Oxford ms. has the curious (though happy) slip *spectanda*.

esset habiturus: subj. by attraction, though *est* would be acceptable, Madv. *Gram.* 383.

§48. **non nullorum philosophorum**: placed emphatically at the end but the thought is digressive. The philosophers which Cicero speaks about here in guarded terms are the Epicureans. After a detailed discussion of how and why the soul rises to fiery aether to remain forever in blissful contemplation, he turns to attack these philosophers who, though professing to be students of nature, offer doctrines that dispel the myths and fears of Hades held only by fools. That Cicero should be involved on such a digression on his least favorite philosophers should cause no amazement. It gave him no pleasure to see rising Epicureanism spread throughout Italy, on which see 3, 6 above and LONG (Hellenistic Philosophy, p. 17). Fine examples of Cicero's hateful invective against the sect can be seen *Pis.*, cf. DELACY (Cicero's Invective against Piso, 56ff).

insolentiam: possibly with the meaning 'offensiveness', but can also come to mean 'unusual attitude' or 'peculiar-ity'. Cf. Sall. *Cat.* 23.3 where Fulvia discovered the plans of Curius on account of his strange behaviour *coepit ferocius agitare quam solitus erat; Fuluius, insolentia Curi causa cognita* etc.

inuentori et principi: i.e., Epicurus, cf. *Ac.* 2.43, *Zeno inuentor Stoicorum*; the term has connotations of praise, Quint. *Inst.* 3.7.18, L.&S. s. v.

eumque uenerantur ut deum: cf. Lucr. 5.8, *deus ille fuit, ... qui princeps uitae rationem inuenit eam, quae nunc appellatur sapientia*; N. D. 1.16.43, *uenerari Epicurum et in eorum ipsorum numero*, (i.e., *deorum*) and see Mayor's n. *ad loc*; also *Fin.* 1.14.32; *Pis.* 59. Metrodorus in Plu. *Adv. Colot.* 17 praised τὰ Ἐπικούρου ὡς ἀληθῶς θεόφαντα ὄργια and Colotes kneeled to worship Epicurus. Epicurus' birthday was celebrated by the school, and on the 20th of every month a festival was held in his honour (D. L. 10.18), and Epicurus does not seem to have wished to prevent such things. In a fragment of a letter to Idomeneus (fr. 27 Bailey, fr. 130 Usener) he himself wrote *πέμπε δὲν ἀπαρχὰς ἡμῖν εἰς τὴν τοῦ ἱεροῦ σώματος θεραπείαν*. Voluntary contributions were frequently made for the support of their master, and though the religious language is perhaps used playfully, Bailey remarks that early Epicureans did indeed give such veneration.

liberatos per eum dominis: Epicur. *Ep. Hdt.* 83, Epicur. *Ep. Pyth.* 104, *μόνον ὁ μῦθος ἀπέστω*; Epicur. *Sent.* 12, *οὐκ ἦν τὸ φοβοῦμενον λύνει ὑπὲρ τῶν κυριωτάτων μὴ κατειδόμενα τίς ἢ τοῦ σύμπαντος φύσις, ἀλλ' ὑποπτευόμενον τι τῶν κατὰ τοὺς μύθους*; Epicurus thought that there was no need to study nature or natural phenomenon except to the end that it frees us from suspicions and allays our fears about the Gods and death.

grauissimis dominis: note the lack of *a/ab* in the phrase, which is on account of the understood inanimate nature of the things, cf. *Fam.* 12.1.1, *non regno, sed rege liberati uidemur*.

terrore: Bentley, on the grounds that *terror* and *metus* are a unified idea, wished to read *error* against the mss,

but Kühner rejected the idea both by quoting *Fin.* 1.5.14, *maximis erroribus animos liberauit*. There are also arguments against Bentley's reading on the grounds that it is more comprehensible that dread can have mastery over the mind than can error. MUNRO: T. Lucretii Cari De Rerum Natura, vol. 2, pp. 18–19 (and in his n. on Lucr. 2.1090–1092, *natura libera continuo, dominis priuata superbis*), remarks that, though Cicero only rarely quotes from the works of his contemporaries, he was still familiar with the language of Lucretius' poem, which was published a few years earlier. Here in the *Tusc.* we can see its influence.

quo terrore?: = ποῖος φόβος, in a rhetorical strain, below 44, 105, *quem Hectorem?*. Pohlenz quotes Plaut. *Curc.* 546, *quos Summanos somnias?*

quae est anus tam delira...: similar language in *Div.* 2.141, *an tu censes ullam anum tam deliram*; *Dom.* 48; *Har. Resp.* 19; *Phil.* 5.5; and *N. D.* 2.5, *quaeue anus tam excors* where see Pease's n. *ad loc*. Of course the popular superstition of Hades was widespread in antiquity: Tantalus, Tityus and Sisyphus are already in *Hom. Od.* 11.576–600; Ixion in *ps.-Pl. Ax.* 371e; and artistic representations of such myths by Polygnotus could be found at Delphi (Paus. 10.28.1) as well as by other painters who were well enough known to be referenced by *Dem. Adv. Aristog.* 1.53, *μὲθ' ὧν δ' οἱ ζωγράφοι τοὺς ἀσεβεῖς ἐν Ἄιδου γράφουσιν*. See above 12, 27 n. and the quote from Plautus. In addition to artistic or literary allusions, we also start to see early philosophical discussion of the underworld. We have ascribed to Democritus a books entitled *περὶ τῶν ἐν Αἰῶν* (D.–K. 55b1); later, to Antisthenes (D. L. 6.17), and to Heraclides Ponticus (D. L. 5.87); and Cicero himself makes references elsewhere, *Cat.* 4.8; *Phil.* 14.32, etc. Polyb. 6.56 argue that such myths were introduced to keep people pious and law-abiding, and that they were foolish who advanced arguments against such invisible terrors which keep the people restrained. Intellectuals, however, were less credulous about such eternal punishments.

uidelicet: 'doubtless', often used in clauses of derision, as do other like particles (*scilicet*, etc).

Acherunsia templa: from Enn. *trag.* 70–71, his *Andromacha Aechmolatis*, which Ribbeck *Trag. fr. inc.* restored as Aristophanic anapests, Vahlen as trochaic septenarii. Cicero had seen this tragedy acted in 54B.C. (*Att.* 4.20). The line is also cited in Varr. *L. L.* 7.6 where he finishes the line *Acherunia t. a. O. saluete infera*, which shows again that Cicero often abandons or otherwise modifies poetry to fit his purpose.

templa: cf. Munro on Lucr. 1.221, *Archerusia templa*. Not a building, but the term *templa* originally meant an area marked out in the sky by the augurus, *Serv.* 1.446; it then eventually came to mean simply 'regions', cf. *Tac. Ann.* 1.54 where Ennius calls heaven *caerulea caeli templa*; and *Plaut. Mil.* 414, *in locis Neptuniis templisque turbulentis*. It was only afterwards that it came to signify the building itself. In these verses, note the vowels which give the lines a deep, sonorous forboding.

Orci: there is an ambiguity in the term *Orcus*. WALDE/

— pallida leto, nubila tenebris loca?

non pudet philosophum in eo gloriari, quod haec non timeat et quod falsa esse cognouerit?
 e quo intellegi potest, quam acuti natura sint, quoniam haec sine doctrina credituri fuerunt.
 49 praeclarum autem nescio quid adepti sunt, quod didicerunt se, cum tempus mortis uenisset,
 totos esse perituros. quod ut ita sit — nihil enim pugno — quid habet ista res aut laetabile aut
 gloriosum? Nec tamen mihi sane quicquam occurrit, cur non Pythagorae sit et Platonis uera
 sententia. ut enim rationem Plato nullam adferret — uide, quid homini tribuam — ipsa auctoritate
 me frangeret: tot autem rationes attulit, ut uelle ceteris, sibi certe persuasisse uideatur.

50 XXII. Sed plurimi contra nituntur animosque quasi capite damnatos morte multant, neque

1 leto nubila] letio nubila GPE: lecio nubila L: leti ob nubila P: letionubila K ^b alio atram. superscr. 3 e quo] e quo
 GVBL: ^x e PS alio atram. superscr. 3 intellegi] intelligi GK: intellegi B 3 quoniam] quoniam VK: qui dett. codd.
 3 fuerunt] fueŕ BK: fuerunt V^c: fuerint dett. codd. 4 quod didicerunt] quod KPSL: qui V^c 5 laetabile] lo&tabile
 R: lætabile G: lætabile BS 6 Pythagorae] pythagorae R: pithagorae V

HOFFMAN (Lateinisches Etymologisches), s. v., states that *Orcus* can be used in the sense of 'underworld' (Unterwelt); but according to MEILLET/VENDRYES (Grammaire Comparée) it is the name of God of the infernal regions, synonymous with death itself. The same distinction is made in RE. 1.908 where *Orcus* is first the kingdom of the dead and equivalent to Hades-Pluto. Only later did its Roman conception arise which was afterwards replaced by the better known *Dis Pater*. It therefore seems to me that the original meaning was the person and not the place. We have Plaut. *Bacch.* 368, *aperite propere ianuam hanc Orci*; Plaut. *Most.* 499, *me Accheruntem recipere Orcus noluit*; and Plaut. *Poen.* 344, *quo die Orcus Accherunte mortuos amiserit*, which has a proverbial ring to it (KNAPP: Literature in Plautus). A curious parallel not mentioned by scholars is *Verr.* 2.4.111, *Verres alter Orcus uenisse* which, however, lends itself to an interpretation as = Pluto. *Orcus* though likely was of Etruscan origin (cf. Plaut. *Capt.* 998a *picta Accherunti* are reminiscent of Etruscan tomb paintings) and later found favour among the Latins. That it eventually came to signify the 'underworld' was probably due to development which paralleled the Greek concept. Its use recalls of Homer's "Αἰδὶ προΐαμβεν, inimicum Orco inmittere. The lines here quoted from Ennius have a striking 'Italian' flavour, its language is archaic and would be proper to these arcane verses. For a discussion on the topic, see SHIPP (*Orcus*).

in eo gloriari: i.e., *in eo collocatam habere gloria*, 'to put all his pride in this' (Moser). For the construction with *in* cf. N. D. 3.36.87, *in uirtute gloriamur*; add *Off.* 2.59 and *Lig.* 25; the idiom is similar to *laetari in* and *delectari in*, where Madvig's n. on *Fin.* 1.39.

quod timeat... cognouerit: subj. from reported thought, refers to the *philosophum*.

e quo: the mss. favour the reading *e quo*, though it is Cicero's usual practice to write *ex* before *q*. We have the same at *Fin.* 2.5.15 where the better class read *e quo*, see Beier on *Am.* 78 and HAND: Tursellinus, vol. 2, p. 614.

sine doctrina: 'since they would have come to believe such had they been without their teachings', where *sine doctrina* almost comes to = *nisi didicissent*.

§49. autem: the *autem* resumes the thought on why they should treat Epicurus like god; the words *liberatos enim se... credituri fuerunt* are parenthetical. Zumpt (in Holden) shows the same with *sed* in *Off.* 1.4 where *sed cum statuissim scribere* which recalls the digression of the preceding chapter again to the proper introduction of the work.

quod didicerunt: the vulgate reading *qui* would leave 'they have obtained something wonderful who learned that...' — but we do not need any further exposition of who 'they' are and further *quod* (the reading of the better mss) gives the phrase a sardonic irony (with *praeclarum*) which is very Ciceronian, 'they have obtained something wonderful, the fact that they have learned...' which seems

both to place emphasis on the shallowness of their teachings (or at least places them on the same level as the *falsa*) as well as giving a new turn to the *quam acuti sint*. It hints that these Epicureans have perhaps been hoodwinked.

uenisset, totos esse perituros: the pluperfect represents the future perfect had it been in *oratio obliqua* and indicates that one action was completed before the other, i.e., *cum uenerit tempus, toti peribimus*, cf. *Madv. Gram.* 379

quod ut ita sit: 'but though it should as they say', i.e., that we all perish and dissolve in death. *ut* is concessive, cf. 8, 16 n.

nihil enim pugno: I am inclined (with Moser and Sorof) to read this ironically, rather than simply as a statement of a New Academic deliberating his choices, i.e., 'But if it is true that Epicureans are wholly destroyed in death, I don't object.'

nec mihi occurrit: we have adopted this Latin idiom into English, 'nothing occurs to me' in the sense 'I cannot think why'.

Pythagorae: 9, 18 n.

ut enim: 'for if'.

quid homini tribuam: a sense of gravity is conveyed by the added *homini* in place of the simpler *ei*. The same can be seen in *Fam.* 1.2.3, *ut mihi uiderer animum hominis*.

ipsa auctoritate me frangeret: 'Est-il homme, en nostre siecle, si impudent qui pense leur estre comparable, soit en vertu et piet, soit en sçavoir, jugement et suffisance?' Montaigne, *Essais*, 1.27, who quotes this passage. The New Academic places even his own scepticism under scrutiny. If we cannot be sure of our own powers of reasoning and mental abilities, then we should turn to those who have authority in the subject. But how can we judge them if we cannot understand them? I find it interesting that Cicero is astounded by the number (*quot*) of reasons and not their weight. This seems to suggest that Cicero was in doubt as to whether Plato himself was convinced by his own arguments.

ipsa auctoritate: = *sola auctoritate* (Moser). Cicero is very much a φιλοπλάτων and the foremost position of Plato is thematic in the *Tusc.*, at 17, 39 n., here, and below 32, 70; and cf. what Cicero says of Plato elsewhere, *Div.* 1.62, *ut rationem non rederet, auctoritate tamen philosophos uinceret*; N. D. 2.32, *Platonem quasi deum philosophorum*; *Leg.* 3.1, *diuinum uirum Platonem*; DEGRAFF (Plato in Cicero).

uelle: sc. *persuadere*. The following *persuasisse* would seem to need *uoluisse*, but Moser explains that *uelle* can be viewed as aoristic, and that the reader can conceive of the author as being present. This is the same reason for *uideatur* which expresses the continuing result, though we could have expected *uideretur*, *Madv. Gram.* 383, obs. 3.

XXII. §50. capite damnatos: *capitis damnare* is more usual, the gen. being one of penalty, but cf. below 49, 98

aliud est quicquam cur incredibilis eis animorum uideatur aeternitas, nisi quod nequeunt qualis animus sit uacans corpore intellegere et cogitatione comprehendere. quasi uero intellegant, qualis sit in ipso corpore, quae conformatio, quae magnitudo, qui locus. ut si iam possent in homine uiuo cerni omnia quae nunc tecta sunt, casurusne in conspectum uideatur animus, an tanta sit eius tenuitas, ut fugiat aciem? haec reputent isti qui negant animum sine corpore se intellegere posse: uidebunt, quem in ipso corpore intellegant. mihi quidem naturam animi intuenti multo difficilior occurrit cogitatio, multo obscurior, qualis animus in corpore sit tamquam alienae domui quam qualis, cum exierit et in liberum caelum quasi domum suam uenerit. nisi enim, quod numquam

3 ut] ut X: aut Lamb.: et Ern.: at Pearcius, Doug., Giu. 3 uiuo] uno X: uiuo Bent. 4 casurusne] ante casurusne addere uoluit Giusta <quaero>, cf. Har. Resp. 2. 6 uidebunt... intellegant] secl. Drexler ut glossema 7 domui] domui Q: domi s 8 nisi] nisi X: si dett. codd., Sey., et Pohl.

where we have *capite dammarer*. Reid explains that the ablative might be through assimilation to *morte multare*, which is a common enough expression. I find this more likely than understanding *capite* as abl. of price, a construction which is generally only used of definite fines. Justin. Dig. 4.5.11 explains the *capitis deminutio maxima* as the loss of one's liberty, citizenship and family. Gai. Inst. 1.16.4 tells us that *seruus manumissus... nullum caput habet*, a law which expresses the absolute privation of all legal rights since a slave was not considered to have his own *persona* or *status*. I find the phrase *capite puniri* is common in the legal digests, for which see BERGER (Dictionary of Roman Law, p. 380), s. v.

cogitatione comprehendere: 'to grasp with abstract speculation', i.e., imagine, cf. Off. 1.157.

quasi uero: this expression is particularly used in ironic jesting, though sometimes in simple correction in order to state something is not, in fact, the case, cf. Madv. Gram. 444, obs. 1. In this case *uero* does not have an adversative but an assertive force as it does in answers to questions in combination with *ita* or *minime*. The verb *intellegant* is in the present subj. even though the proposition is inadmissible because the preceding *nequent* is also in the present, cf. Kühner's n. here and Holden on Off. 3.39. Translate, 'indeed!, as if they should understand that...!', cf. Mil. 31.84, *quasi nostram mentam qualis aut ubi sit sentire possimus*.

qui locus: 10, 20 n.

ut si iam possent: the emendation by Pearce *at* in place of the mss. *ut* adopted by Dougan and recently Giusta is not to be accepted. Pohlenz tried to defend the interpretation as = *ἄσπερε*, which is not nearly so harsh a construction as Dougan was led to believe. However, the parallels which he adduces, among which is Div. 2.99, do not successfully support the Latin idiom. Nevertheless, I find that De Or. 3.165, *ut si olim diceret... sin...* , which has a secure mss. testimony, can confirm our reading here. The conjecture *aut* of Lambinus and Seyffert is possible, but leaves an anacolouthon after the *quasi uero* exclamation.

si iam: a formation often used with the pres. subj., but not always as here. It 'grants for the moment'; or supposes something for the sake of argument only for a short time, cf. Madvig n. on Fin. 3.66, *ut iam*. Many examples of this type of logical reasoning can be found in Lucretius, 1.396, *si iam posset, sine inani posset*; 2.967, *si iam est sensus*; 3.540, *si iam libeat*; 5.195, *quod si iam primordia quae sint*; etc.

in homine uiuo: Klotz felt that *omnia* and the mss. reading *in homine uno* were well placed in opposition, and that Cicero was asking us whether we could catch sight of the soul if we were once capable of seeing uncovered all the material which resides in a man while he is still unified. However, that arrangement would beg the question of whether the soul is corporeal; but this is, in fact, now under scrutiny: assuming the soul is material, as did the Epicureans, then if we open up a man, will we see his soul? Or is it made of such a fine material that it escapes our ability to see it? — Now this reasoning assumes the man is

still alive, for upon death his soul escapes: it caused Bentley to emend *in homine uiuo*, 'quippe in homine mortuo iam excessit animus ex corpore neque ibi quaerendus est'. All editors after Bentley, Moser excepted, have adopted this emendation, cf. below 36, 88 where the mss. have *sed in uiuo*.

casurusne...: anacolouthon. Cicero had been about to write *ita quidem ut casurus in conspectu uideatur animus*, 'if we peek inside the body, would not the soul come to light in this way?'; but he changed the construction instead to a direct disjunctive question: 'if we looked inside — would we see the soul or would it escape us?'

uideatur: somewhat weakened form of *sit* but perhaps Cicero is playing upon the visual element.

fugiat aciem: the simpler form of the verb is used poetically. This has not been much discussed by the Latin grammarians, but its use is often enough employed and in the same fashion as in Greek, e.g., where *φεύγειν* is placed for *ἐκφεύγειν*. Klotz compares *nihil pungo*, above 21, 49 where we understand *repugno* and see WILSON (Use of the Simple for the Compound Verb).

§51. **haec reputent... uidebunt:** *uidebunt* looks toward the result of their action implied by the imperative force of the subjunctive *reputent*. The future is often used in this way, cf. above 13, 30 n., 'tolle... sustuleris'.

animum sine corpore: i.e., *is animus qui corpus effugisset*; Dougan remarks that the attributive use of this preposition is rare in Latin of the classical period; where any such cases occur, the noun modified has a coordinate adjective, Tusc. 2.7, *lectionem sine delectione*; Tusc. 5.48, *uir temperatus sine metu*; Att. 1.18.5, *ignauus ac sine animo miles*.

quem in ipso corpore: really means *qualem in ipso...*, as it does often. In a similar fashion demonstratives can sometimes take the place of *talis*. Plaut. Men. 402 plays humorously on this idiom when he asked *quam tu mihi nunc nauem narras?* which is answered by *ligneam*.

multo difficilior occurrit cogitatio: 'indeed, when I look into the nature of the soul, I find it rather difficult to imagine...'

qualis animus in corpore sit: Plin. H. N. 7.55.118 has this to say, *omnibus a supremo die eadem quae ante primum, nec magis a morte sensus ullus aut corpori aut animae quam ante natalem. eadem enim uanitas in futurum etiam se propagat et in mortis quoque tempora ipsa sibi vitam mentitur, alias immortalitatem animae, alias transfigurationem*, etc. Here, Cicero's scoffings seem somewhat ill-mannered. There is a difficulty; that by looking for the philosophical background and inspiration we may come to doubt Cicero's sincerity here without real ground for it.

domui: the old form of the locative is given here by the mss., though some editors have preferred *domi*. For the orthography, see K.-S. 1.89, and NEUE-WAGENER. 1, 117.

quasi domum suam: 11, 24 n. *quasi in domicilium suum*.

nisi enim... diuinum animum: 'for we are able to comprehend that our soul free of its body is something divine,

uidimus, id quale sit intellegere non possumus, certe et deum ipsum et diuinum animum corpore liberatum cogitatione complecti possumus. Dicaearchus quidem et Aristoxenus, quia difficilis erat animi quid aut qualis esset intellegentia, nullum omnino animum esse dixerunt. est illud quidem uel maximum animo ipso animum uidere, et nimirum hanc habet uim praeceptum Apollinis,

2. Dicaearchus *fr. Wehrli*. 8e 2. Aristoxenus *fr. Wehrli* 118, cf. Lact. *Inst.* 8.13.9, Lact. *Opi. Dei.* 16.13–14

2 complecti possumus] complecti possumus VK: complecti possumus *spatio ante complecti relicto* RS: complectiⁿ possi^umus P *alio atram. superscr.*

and even contemplate god himself, unless it so happens that we cannot come to understand what a thing is which we have never seen'. But Epicurus held that all knowledge of the soul and of the gods comes through the soul's faculty of *προλήψις* and not through the senses themselves (D. L. 10.123). If Cicero is hinting at the position of Epicurus in this passage, then there is a need to emend *nisi* to *si* as with Seyyfert and Pohlenz. Since, though, this passage stresses the 'native' soul as a substance whose powers of understanding are enlarged when freed of the body, i.e., its physical senses which only act to cloud its thoughts, we can construe *uidimus* as 'sensory input'. If we affirm that the soul can not contemplate anything *unless* we have such input, then we will be unable to form any idea of god once released from this body. This is the mss. reading, and gives us a comprehensible meaning and I think should therefore be retained, cf. N. D. 1.88, *nilil esse potest nisi quod attigimus aut uidimus*, and Pl. *Th.* 155e, εἰσὶν δὲ οὐδοὶ [i.e., οἱ ἀμύητοι] οἱ οὐδὲν ἄλλο οἰόμενοι εἶναι ἢ οὐδ' ἂν δύνωνται ἀπριξ τοῖν χερσῶν λαβέσθαι, πράξεις δὲ καὶ γενέσεις καὶ πᾶν τὸ ἀόρατον οὐκ ἀποδεχόμενοι ὡς ἐν οὐσίας μέρει.

diuinum animum: cf. 18, 24 n. *dissipantur*. The Stoics claimed that the soul was divine insofar as it found its root in and was composed of like material as the universal soul, or 'World' soul. All individual souls then are considered as one single soul which is divine, cf. Sen. *Ep.* 41.2, *in uno, quis deus incertum est, habitat deus*. Similar in fashion is the use of *deus* here, a stronger assertion which precedes the somewhat weaker *diuinum*. It can be claimed that insofar as the soul takes part of the eternal/universal soul, it itself can also be named as a 'god' or 'divine'.

Dicaearchus quidem: cf. 10, 20 n; for the emphasis of *quidem*, used to mean *ueluti*, or *exempli causa*, cf. 48, 116.

Aristoxenus: cf. 11, 24 above.

animi: proleptic for emphasis.

quid aut qualis: *quid* looks toward what it is made of and constitutes its existence, whereas *qualis*, like *ποιότης*, looks toward its appearance or *species*, cf. Ac. 1.7.26.

intellegentia: = *difficile erat intellegere*

nullum esse: emphatic for *non esse*, which tends to be used more in colloquial writing, cf. *Att.* 11.24.4; it gives a conversational turn to the work.

§52. **animo ipso animum uidere:** We now have a discussion on the meaning of the apophthegm 'know thyself'. Its true meaning is to contemplate the soul and not the body in which it resides, i.e., your mental, moral, and virtuous qualities, not your physical ones. Whether the body constituted a part of the 'real' person was long debated by ancient philosophers, cf. Sen. 9.27, *Rep.* 6.26. Cicero favoured the Platonic position and identified the person with the soul and not the body, Pl. *Phd.* 115c–3, ἐγὼ εἶμι οὐτός Σωκράτης, ὁ νυνὶ διαλεγόμενος καὶ διατάττων ἑκάστον τῶν λεγομένων, ἀλλ' οἷεται με ἐκείνον εἶναι ὃν ὄβεται ὀλίγον ὑπερον νεκρόν, Pl. *Lg.* 12.959a–b. Cicero is here almost certainly drawing on Pl. *Alc. I.* 128e–133c (BOYANCÉ: Cicéron et le Premier Alcibiade), perhaps also ps.-Pl. *Ax.* 365e, 370b–c (JONES: Posidonius and Cicero's *Tusc.* p. 270), and Pl. *Ti.* 89–90, where there is an equation between *θεῖον* and

ἀθάνατον. But where Boyancé is inclined to see Posidonius as the source for Cicero's material, I am at least hesitant to accept such views. There is nothing in these passages, 52–57, which is particular to Posidonius though he may have accepted or exhorted their position. Certainly the claim of the soul's divinity was commonplace. It was frequent in Plato (as I have shown), as well as in *Arist. De Phil. fr.* 11, Cratippus in *Div.* 1.70 expounded the views, and it was a doctrine held by the Stoics. For a discussion of Cicero's sources, see BOYANCÉ (*Études*, pp. 121–4).

est illud uel maximum: *uel* intensifies the superlative, 'indeed, the most important is the principle that the soul sees by the soul itself'.

nimirum: i.e., its literal meaning of 'mirum ni', cf. *Reisig-Hasse.* 271 and *Ter. And.* 3.4.19. It contains a thought in itself and is commonly used in ironical statements. 'It would be strange if Apollo's aphorism did not have this meaning!'

There may be a pun being played here by Cicero on the choice of *nimirum*. The Apolline phrase had many different interpretations by philosophers: from 'Know your own measure' (found earliest in Heraclitus, *Stob. Flor.* 5.119, fr. 106 Bywater, omm. Kirk, *ἀνθρώποισι πᾶσι μέτεστι γινώσκειν ἑωτοῦς καὶ σωφρονεῖν*, and cf. A. *Pr.* 330); 'Know what you can do' (*Xen. Mem.* 2.26, Pl. *Chrm.* 164a–c, *Arist. Rh.* 2.21.13); 'Know your place' (*σωφροσύνη*); 'Know the limits of your wisdom' (i.e., the opposite of Plato's *ἀμαθία*); 'Know your faults' (as one of the key maxims of the Pythagorean school, *Stob. Flor.* 108.81, *Iamb. VP.* 18.83); 'Know you are mortal' (*Archilochus*, fr. 62, *γίγνωσκε δ' οἶδος ῥυσμὸς ἀνθρώπου σ' ἔχει*); and 'Know your soul' (as here); but we must also recall that paired with this phrase was its counter-measure found on the exit of the temple, 'Not too much', *οὐκ ἀγάν*; there seems a nice pairing here when Cicero says that Apollo's saying (with regard to the soul) has 'too much' force.

praeceptum Apollinis: Plu. *E apud Delph.* 2 (= Plu. *Mor.* 384C) says that the precept 'know thyself' was a seed that gave rise to countless philosophical discussions in all eras; but of this purported volume of writings, we have now very little, cf. *Stob. Flor.* 21. [Plu]. *Consol. ad Apoll.* 28 made great use of it in this work, where he there takes it to mean 'know that you are mortal'. There should be no doubt that Cicero also maintained this position and probably had worked it into his own *Consolatio*. But here in *Tusc.* as in the Pl. *Alc. I.* it means 'Know your soul'. The somewhat cursory treatment here of the statement misrepresents the energy with which the Platonic school treated the aphorism. For them, self-knowledge was one of the bases for their psychological holism, cf. Pl. *Alc. I.* 344a, GLL (*The Structured Self*, 29ff). Proclus, in his commentary on Pl. *Alc. I.* called it the *φιλοσοφίας ἀρχή*, and claimed that Iamblichus placed that dialogue first among Plato's works and considered it to contain his whole philosophy. Its identification of body and soul, *ἡ ψυχὴ ἐστὶν ἄνθρωπος*, was considered by ancient commentators as the foundation for the Stoic philosophy (as did Cicero, cf. *Fin.* 5.16.44, *Leg.* 1.22.58, and *Tusc.* 5.25.70).

quo monet ut se quisque noscat non enim, credo, id praecipit, ut membra nostra aut staturam figuramue noscamus; neque nos corpora sumus, nec ego tibi haec dicens corpori tuo dico. cum igitur 'nosce te' dicit, hoc dicit: 'nosce animum tuum.' nam corpus quidem quasi uas est aut aliquod animi receptaculum; ab animo tuo quidquid agitur, id agitur a te. hunc igitur nosse nisi diuinum esset, non esset hoc acrioris cuiusdam animi praeceptum tributum †deo. sit hoc ipsum posse cognoscere.†

Sed si, qualis sit animus, ipse animus nesciet, dic quaeso, ne esse quidem se sciet, ne moueri quidem se? ex quo illa ratio nata est Platonis, quae a Socrate est in Phaedro explicata, a me autem posita est in sexto libro de re publica: 53

1–3. Pl. *Alc. I.* 131a, ψυχὴν ἄρα ἡμᾶς κελεύει γνωρίσαι ὁ ἐπιτάττων γινῶναι ἑαυτόν. 4. Plu. *Dem.* 3.2; *Leg.* 1.58

5–6 non esset...cognoscere] non esset hoc praeceptum tributum adeo. sit hoc acrioris cuiusdam animi seipsū posse cognoscere in ras. V^c: non esset hoc acrioris cuiusdam animi praeceptum tributum adeo sit hoc se ipsum posse cognoscere X: tributum <deo. Num ergo dubium est, quin> a deo sit hoc *Lundstöm* 5 deo] adeo GRK: a deo S: deo PV², s

quo monet: for the idiom with the ablative, cf. *Sen.* 73, *elogium quo se negat*; though it can be found more rarely with indirect speech dependent on a substantive, cf. *Flac.* 65, *hoc prouerbiū Phrygem plagis fieri solere meliorem* (Dougan).

se quisque noscat: γινῶθι σεαυτόν, and cf. *Juv.* 11.27, and Mayor's n. and the thorough dissertation by WILKINS (Know Thyself in Greek and Latin Literature) which covers the varied use of the proverb.

non enim, credo: as above, *nimirum*; this particle connotes a degree of irony, just as *opinor, puto, spero, οἶμαι*.

neque nos corpora sumus: cf. *Rep.* 6.24, *mens cuiusque est quisque, non ea figura quae digito demonstrari potest*.

quasi uas est aut aliquod animi receptaculum: the idea that the body is a vessel (ἀγγεῖον) is not unplatonic, and many expressions are found in later philosophers, cf. *M. Ant.* 10.38, τὸ περιεκείμενον ἀγγεῖωδες καὶ τὰ ὄργανα ταῦτα τὰ περιπεπασμένα, and cf. 3.3 where he calls the whole body a vessel. Mayor quotes Synesius Calvitiae, 6, who termed the head a νοῦ δοχεῖον. For the use of quasi to combine two words in translation, cf. above 12, 27 n.

ab animo tuo quidquid agitur, id agitur a te: Bouhier complained that his mss. were somewhat jumbled in this passage, and it does seem like the thought runs backwards. I would have expected the more logical *ab te quidquid agitur, id agitur ab animo tuo*. Notice **ab** and **a** are used to emphasise that the soul is fully equated to the person and gives to each an identical agency, further balanced by the chiasmus.

hunc igitur nosse...: 'therefore, if the capacity or faculty for knowing oneself was not itself divine, then this precept discovered by some penetrating soul would not be attributed to a god.'

non esset...cognoscere: a somewhat confused passage and the mss. offer a variety of readings. Lundström tried to emend the passage, but in a unconvincing fashion. Wesenberg deleted *sit...cognoscere* as a gloss and has been followed by most editors including Kühner and Dougan. Though I am inclined myself toward this interpretation, I have retained the archetype reading which was restored by GIUSTA (Tusculanae, p. lx) and have decided it best to obelise. Drexler however preferred the reading found in V^c and prints *non esset hoc praeceptum tributum deo*. [*Sit hoc acrioris cuiusdam animi se ipsum posse cognoscere*], bracketing the final clause as a gloss. But this order does not seem to be right. Cicero is arguing that from its divine source we must understand the phrase to mean 'to know one's [divine] soul': that is to say, from the simple fact that the aphorism was put in the god's mouth shows there was

either divine inspiration (in which case, it really did belong to the god), or else the soul has shown such profound intelligence as to be practically equal to god. Drexler's order appears to undermine the stress Cicero is placing on this connection by bringing its inventor too much into the foreground, whereas what is needed is to leave *deo* last in the clause.

cuiusdam animi: variously assigned to the seven sages of Greece, the canon of which was generally established by Pl. *Prt.* Paus. 10.24.1 and Demetrius Phalereus (*Stob. Flor.* 3.79) follow it closely with a few substitutions of names. D. L. 1.9.35 assigns the saying to Thales; the scholiast on Pi. *Od.* 3.59 specifically to Chilon, as does D. S. 10.10 though Aristotle claims it was there before his time.

praeceptum tributum deo: for the attribution of this saying to Apollo, cf. Dyck n. on *Leg.* 1.22.58, *docuit, ut nosmet ipsos nosceremus, cuius praecepti tanta uis et tanta sententia est, ut ea non homini quoipiam, sed Delphico deo tribueretur*; and also expressed *Fin.* 5.16.44, *aliter enim nosmet ipsos nosse non possumus. quod praeceptum quia maius erat, quam ut ab homine videretur, idcirco assignatum est deo. iubet igitur nos Pythius Apollo noscere nosmet ipsos*, which clarifies our mss. reading here.

deo: Wesenberg, and most editors I think are correct in reading *deo* in place of *adeo*. Dougan explains that the preposition *a* found in some of the best mss. arose from an insertion by an early copyist who misunderstood the passage and took god to be the giver and not the recipient of the precept. I have placed a full stop after *deo*. Translate as, 'The precept of that penetrating spirit, to know the soul, would not have been assigned to the mouth of God unless the soul was something divine. Let this then be what it means to be able to know oneself.' [It has been pointed out that the *diuinum esset* does not necessarily refer to the *hunc*, but could be consider a neuter adjective, in which case the actual faculty of 'knowing thyself' would be considered divine; the result of which would be that the soul is defined precisely by its capacity for consciousness of self. If this interpretation is true, then the following statement *sit hoc...cognoscere* would likely be a gloss on this rather confused statement.

nesciet...sciet: cf. 15, 35 n. 'will the soul prove not to know that...?'

illa ratio: *ratiocinatio, argumentatio*, 'line of reasoning' as often; cf. *Div.* 1.71; *N. D.* 2.22; *Fin.* 1.22; *Fat.* 31.

in Phaedro explicata: Pl. *Phdr.* 245c–e.

in sexto libro de re publica: *Rep.* 6.25; arguments found also in *Sen.* 21, and *N. D.* 2.12.32.

XXIII. 'Quod semper mouetur, aeternum est; quod autem motum adfert alicui quodque ipsum agitatur alicunde, quando finem habet motus, uiuendi finem habeat necesse est. solum igitur, quod se ipsum mouet, quia numquam deseritur a se, numquam ne moueri quidem desinit; quin etiam ceteris quae mouentur hic fons, hoc principium est mouendi. principii autem nulla est origo; nam e principio oriuntur omnia, ipsum autem nulla ex re alia nasci potest; nec enim esset id principium, quod gigneretur aliunde. quod si numquam oritur, ne occidit quidem umquam; nam principium extinctum nec ipsum ab alio renascetur, nec ex se aliud creabit, siquidem necesse est a principio oriri omnia. ita fit, ut motus principium ex eo sit, quod ipsum a se mouetur; id autem nec nasci potest nec mori, uel concidat omne caelum omnisque natura et consistat necesse

84.1-85.5. Pl. *Phdr.* 245c-246c, cf. *Rep.* 6.27-28, *Macr. Somn. Scip.* 2.13, *Lact. Inst.* 7.8.4, *Serv.* 7.727.

1 aeternum] et aeternum RVG: & eternum P: id aeternum *dett. codd.* 2 alicunde] alicunde VSE: aliunde MH^c, cf. 54 aliunde X, *plerique* 3 se ipsum] ipsum se moueat *Macr.*: a se ipso moueatur *Somn.* 6 ne] ne X: nec *dett. codd.* 7 ex se] se X: ex se V^c S, *Somn.*, *Macr.* ἐξ ἐκείνης 9 natura] natura X, *Somn.*, *Macr.* (γένεσιν): terra *Lambinus et Muretus, Var. Lect.* 8.3 9 et consistat] consistat X: et consistat *Somn.*, *Macr.*

XXIII. §54.: On the whole, Cicero renders a very close translation, Pl. *Phdr.* 245c: τὸ γὰρ ἀεικίνητον ἀθάνατον· τὸ δ' ἄλλο κινουὶν καὶ ὑπ' ἄλλου (alicunde) κινούμενον, παῦλαν ἔχον κινήσεως, παῦλαν ἔχει ζωῆς. μόνον δὴ τὸ αὐτὸ κινουὶν, ἅτε οὐκ ἀπολείπον ἑαυτοῦ, οὔποτε λήγει κινούμενον, ἀλλὰ καὶ τοῖς ἄλλοις ὅσα κινεῖται τοῦτο πηγὴ καὶ ἀρχὴ κινήσεως. τοῦτο δὲ οὐτ' ἀπόλλυσθαι οὔτε γίνεσθαι δυνατὸν, ἢ πάντα τε οὐρανὸν πᾶσάν τε γῆν (μῦσις ἐπιπλάττει *γένεσιν) εἰς ἓν συμπεσοῦσαν στήναι (consistat) καὶ μήποτε αἰθῆς ἔχειν ὅθεν κινήθεντα γενήσεται. ἀθανάτου δὲ πεφασμένον τοῦ ὑφ' ἑαυτοῦ κινουμένου, ψυχῆς οὐσίαν τε καὶ λόγον τοῦτον αὐτὸν τις λέγων οὐκ αἰσχυνέται. πᾶν γὰρ σῶμα, ᾧ μὲν ἔξωθεν τὸ κινεῖσθαι, ἄψυχον, ᾧ δὲ ἐνδοθεν αὐτῷ ἐξ αὐτοῦ, ἐμψυχον, ὡς ταύτης οὔσης φύσεως ψυχῆς· εἰ δ' ἔστιν τοῦτο οὕτως ἔχον, μὴ ἄλλο τι εἶναι τὸ αὐτὸ ἑαυτὸ κινουὶν ἢ ψυχῆν, ἐξ ἀνάγκης ἀγένητόν τε καὶ ἀθάνατον ψυχῆ ἂν εἴη.

semper mouetur: *mouetur* is middle and with *semper* is used to help translate *ἀεικίνητον*; but this is a form that is one of the oldest errors in the mss. of Plato for *αὐτοκίνητον*, (WILLIAMS: *Gnomon*, 37, p. 684; LUNDSTRÖM: *Glosseme*, pp. 121-130).

alicunde: = ὑπ' ἄλλου in Plato. Some of the best mss. read the rarer form *alicunde*. In *Rep.* 2.27, we have *agitatur aliunde*, which is printed by Ziegler and Zetzler, but (as Kühner remarks) they also fluctuate in those mss. and are indeed generally confused. He argued that the opposed sources of movement were (*outside*), and internal (*sui*), cf. *N. D.* 2.32, *duo motus, unum suum, alterum externum*; if then one object lends movements to another, that movement comes from another source and another place than it is itself (*alicunde*). Dougan tried to reaffirm an argument dismissed earlier by Wesenberg that *adfert alicui* should be understood as *to another*, and so we should expect here *from another*, i.e., *aliunde*. But Cicero's terminology is not so consistent: *μηδ' ἐξ ἐνός* – *ἐκ του* – *ἐκ του* are variously translated as *nulla ex re alia* – *aliunde* – *ab alio*. As the best mss. offer the reading *alicunde*, a rarer but attested form in Cicero (*Fin.* 5.31) and one easily obliterated by copyists, it is better to retain it. It is supported by Bentley, Davies, Moser and Kühner.

finem motus... principium mouendi: cf. the *πηγὴ καὶ ἀρχὴ κινήσεως* of Plato. Pohlenz is one of many editors who wrongly thinks that the gerundive is passive; but in Cicero they always have an active and never a passive sense (in which case, as here, it is replaced with a verbal noun). In *Ac.* 2.101, Cicero writes *percipiendi notam* which translates *χαρακτήρα τῆς συγκτάσεως* (*S. E. P.* 1.191), and cf. *Ac.* 2.27; *Lucr.* 1.383, *initus mouendi*, *Madv. Gram.* 418. Therefore, we should understand *finem motus* = 'the end of its movement' ('the end of its being moved') while *principium mouendi* is the force of causing movement (and not just absolutely),

'the foundation of movement', i.e., 'the source of causing movement'. This is why for the sake of clarification there is an alteration of the active gerund (= *ἐνεργητικῶς τοῦ κινεῖν*) and verbal substantive noun (= *παθητικῶς κινεῖσθαι*) which often has a passive sense in Cicero.

numquam ne moueri quidem: 'in no way', an emphatic construction with the double negative, cf. 7, 14 n. and *Madv. Gram.* 460, obs. 2.

§54. quod gigneretur: = 'si gigneretur aliunde', according to the hypothesis already established. For the subjunctive, cf. 36, 87 n.

ne occidit quidem: 'neither', 'not either'. *Madvig*, in his *Fin. Excurs.* III, showed that *nec* never = *ne... quidem* in Cicero and that the idiom is generally avoided by the older writers. Copyists throughout the *Tusc.*, however, have a propensity to replace *ne... quidem* with the simpler *nec*. *Iordanus*, on *Caecin.* 68, unsuccessfully tried to defend the reading *nec hoc debent dicere* with the majority of mss., but the *Teubner* has the better *non hoc debent dicere*.

ex se: the mss. omit *ex*, but it is read in *Rep.* 6.25, and in Plato where we have *ἐξ ἐκείνης*. This is probably a case of haplography due to the similarities of *ε* and *ex*.

motus principium: 'the origin of motion comes from that which itself is moved by itself', i.e., *initium motus*. Earlier on in the passage Cicero uses the term *principium* to mean *causa motus* in the abstract sense.

concidat omne caelum omnisque natura et consistat: Plato writes *ἢ πάντα τε οὐρανὸν πᾶσάν τε γένεσιν εἰς ἓν συμπεσοῦσαν στήναι καὶ μήποτε αἰθῆς ἔχειν ὅθεν κινήθεντα γενήσεται*. In this version, all heaven and creation collapse first, and then come to a standstill: here, the mss. reading, without *et* before *consistat*, is more liberal in its translation but does not substantially differ. Cicero has the universe collapse, and then nature comes to a ruinous halt. *Schiche* inserts *et* and he has good mss. authority in *Rep.* 6.27, which reads *concidat et consistat*, as does the passage quoted in *Macrobius*. *Lambinus* at least felt a change necessary by suggesting *concidant*, as did *Gebhard* (in *Vergberius*) who read *et consistant*. The plural however is not wanted since Plato writes that it collapses into a unity. Therefore, I think *Schiche* was correct in restoring the reading from *Rep.* and have followed him against recent editors. Dougan rejects *Macrobius'* witness here, though he accepts him below for *qua a primo*.

natura: this reading shows that the correction by *Bekker* in *Pl. Phdr.* 245e, *γένεσιν* with the better mss. in place of *γῆν* is certain (against *Burnet's* reading). Some editors have wrongly read this backwards, and have altered Cicero's *natura* to read *terra* against the mss.

est nec uim ullam nanciscatur, qua a primo impulsam mouetur. cum pateat igitur aeternum id esse, quod se ipsum moueat, quis est qui hanc naturam animis esse tributam neget? inanimatum est enim omne, quod pulsus agitatur externo; quod autem est animal, id motu cietur interiore et suo; nam haec est propria natura animi atque uis. quae si est una ex omnibus quae se ipsa moueat, 5 neque nata certe est et aeterna est'. licet concurrant omnes plebei philosophi — sic enim ii, qui a Platone et Socrate et ab ea familia dissident, appellandi uidentur — non modo nihil umquam tam eleganter explicabunt, sed ne hoc quidem ipsum quam subtiliter conclusum sit intellegent. sentit igitur animus se moueri; quod cum sentit, illud una sentit, se ui sua, non aliena moueri, nec accidere posse ut ipse umquam a se deseratur. ex quo efficitur aeternitas, nisi quid habes ad haec. 10 Ego uero facile sim passus ne in mentem quidem mihi aliquid contra uenire; ita isti faueo sententiae.

XXIV. Quid? illa tandem num leuiores censes, quae declarant inesse in animis hominum diuina 56

1 a primo] primo X: qua^aprimo V^c, cf. *Att.* 9.6.5, *Macrob.* 3 cietur] cietur X: cietur *Somm.*, *Macr.*, s 4 se ipsa [semper] moueat] se ipsam semper moueat X, cf. §53: se ipsa K: quae se ipsa moueat (τὸ αὐτὸ ἑαυτοῦ κινεῖν) *Macr.*: semper V^c: quae sese moueat *Somm.* 8 illud] illum X: illum^d V^c B 10 sim] sim X, s: sū^ym S sic: sū^m dett. *codd.*

qua a primo: *a primo* is more correct = *a principio*, than the vulgar reading *primo*. The slip by a copyist was easy.

cum pateat... tributam negat: here, Cicero represents Plato's *ψυχῆς οὐσίαν τε καὶ λόγον* by *natura* alone to signify its 'property'. However, below he uses the hendiadys *propria natura atque uis* to render the same Greek phrase, though there it means 'its own essence and ability'.

natura animi atque uis: cf. 27, 66, n.

quae si est una ex omnibus: i.e., 'si una ex omnibus una animi natura hanc habet uim', etc. We were expecting a *qui* which would point back to *animus*, but instead we have *quae* which refers to the preceding *haec* (Dougan).

se ipsa [semper] moueat: *semper* is read in the good mss., but not found in *Rep.* 6.26 nor is it in Plato *ad loc.* Wesenberg bracketed the word as erroneously brought in from 53, and all recent editors follow. I think Seyffert is correct in deleting the word and I follow him since this seems to be a simple rephrasing of *quod ipsum a se mouetur*.

neque... et: 4, 7 n., and *Madv. Gram.* 458c. *et... neque* is also common.

est... est: when in such a short space *est* is repeated, it is done so for the sake of emphasis; cf. *Off.* 1.61, *mathematicorum est, non est philosophorum*.

§55. **plebei philosophi:** 'the entire rabble of philosophers'. The Epicureans are aimed at, cf. *Div.* 1.30.62, *Plato et Socrates auctoritate tamen hos minutos philosophos uincerent*; *Sen. Ep.* 85, *minuti philosophi censent* also likely refers to the Epicureans. The term, however, not only means more generally those not of the Platonic or Socratic school (i.e., and deny immortality, like Carneades), but also implies philosophers who are more akin to sophists and critics, cf. *Sen.* 85, *ut quidam minuti philosophi censent*; and *Ac.* 2.75, *minutos, Stilponem, Diodorum, Alexinum, quorum sunt contorta et aculeata quaedam σοφίσματα* with Reid's n.

familia: 'schools', as Wilkins's n. on *De Or.* 1.10.43; cf. *Fam.* 2.1.5, *familia Peripateticorum*; *Fin.* 4.18.49, *Aristoteles, Xenocrates, tota illa familia*, and the phrase *familiam ducere*, *L.&S.* 2b, s. v.

uidetur: the Epicureans are meant, the only school who did not claim any connection or descent from the Academy or Lyceum, *Div.* 1.62, *Epicurum igitur audiemus potius? namque Carneades concertationis studio modo ait hoc, modo illud; at ille quod sentit: sentit autem nihil unquam elegans, nihil decorum. hunc ergo antepones Platoni et Socrati?*

eleganter: from *eligere*, to pick out and offer the choicest portions of thought 'with discrimination'; and to offer an arrangement in rational and logical order, and so the term is not limited to 'grace', but encompasses 'clearness', cf. *Fin.* 2.2.6, *contemnit disserendi eloquentiam, confuse loquitur*; *Fin.* 2.9.26, *diuisit ineleganter*; *Or.* 29. The Epicureans con-

sidered the study of dialectic — the study of logical enquiries, definitions, theory of divisions — of little use; they held a similar opinion of the study of rhetoric, and their dismissal of it hardly endeared them to Cicero, *Fin.* 1.7.22, *D. L.* 10.31.

subtiliter: 'ingenious', cf. 17, 41 n. The word is often used synonymously with *eleganter*. Cicero seems to say in this passage that Plato's arguments are 'true' in a sense which lies beyond what can be rationally scrutinised (as a philosophy of idealism), though perhaps they may have some vulgar faults. The tone is religious in nature, cf. GÖRLER (From Athens to Tusculum, p. 226).

efficitur aeternitas: though more precisely we should say that the 'soul is proved eternal'.

nisi quid habes ad haec: for the compression, *Fin.* 1.8.28, *ad haec habeo quae uelim*.

sim: the best mss. have *sim passus*, which Orelli first altered to *sum*. Some editors since him have retained the indicative which has been defended on the ground that a dubitative subj. is here inadmissible and that Cicero never employs perf. subjunctives of deponent verbs in this sense. But there are arguments for *sim* and this reading has the approbation of Bentley and also Reid, who is certainly correct to think that we have an assumed hypothesis 'even if it should happen'. There is a similar force in *Ter. And.* 203, *ubivis faciliu' passu' sim quam in hac re me deludier*, cf. K.-S. 2.132. Translate, 'I would not easily allow anything to come into my mind (if it should happen) that would be contrary; so greatly am I inclined to this opinion.'

ita: a retrospective force explaining a fact already stated.

XXIV. §56: This is not a particularly lucid passage. Cicero begins with the argument that the soul is uncompounded and *simplex*; as this is its nature, it cannot be broken up, and is therefore immortal. As he proceeds, he recalls Plato's arguments about the *ἀλογος ψυχή*, and diverts into the argument of the 'ladder of existence' where he begins again by discussing the ascent from vegetative existence, to the crude animal, to rational name, and then to the divine being who exists with *ratio recta constansque*, *S. E. M.* 9.88. But this argument requires proof that man has the capacity for higher reason, and so Cicero again turns aside to show that such powerful mental faculties can only belong to something immortal. None of the arguments is presented with much conviction or rigour, but this should not present an obstacle for the reader. We must remember that Cicero in the *Tusc.* has not set out to prove the immortality of the soul, but only that in death there is no evil which we need to fear.

quid? illa tandem num...: beginning a new line of questioning, cf. 25, 61; *Div.* 1.27.56.

quaedam? quae si cernerem quem ad modum nasci possent, etiam quem ad modum interirent uiderem. nam sanguinem, bilem, pituitam, ossa, neruos, uenas, omnem denique membrorum et totius corporis figuram uideor posse dicere unde concreta et quo modo facta sint: animum ipsum — si nihil esset in eo nisi id, ut per eum uiueremus, tam natura putarem hominis uitam sustentari quam uitis, quam arboris; haec enim dicimus uiuere. item si nihil haberet animus 57 hominis nisi ut appeteret aut fugeret, id quoque esset ei commune cum bestiis. habet primum memoriam, et eam infinitam rerum innumerabilium. quam quidem Plato recordationem esse uolt

3-4 animum ipsum] animum ipsum X: per animum ipsum *dett. codd.*: animo ipso *Lamb.* 4 esset] esse et RPE: esseſ V^c: esseſ G: eet K: eſ ſ et S, ubi duae litterae ſ ſ trium litt. spatium implent 4 natura] natura VSP: naturam RGE: tā naturā 4 uitam] uitam X: <in> uitam *Giu.* 5 sustentari] sustentari X: sustentare K

quae si cernerem: *quae = quaedam diuina.* Since our soul shares similar ‘animative’ forces with plants and animals, we need to distinguish those faculties and abilities which share properties with the divinity in order to prove it will be immortal.

nam sanguinem...facta sint: though the nouns are properly the subject of the indirect question, through prolepsis they have been attracted into the accusative as if they were the objects of verbs of thought or declaration, *Madv. Gram.* 439, obs. 1. Such attraction occurred in everyday speech where discourse can often turn away from the thought as contemplated at first. It is frequent in the comic writers, *Ter. Hec.* 575, *uereor Pamphilum ne orata nostra nequeat diutius celare* (where we would expect *uereor ne Pamphilus etc.*); *Ter. Ad.* v.ii.20, *illum ut uiuat optant*; *Ter. Eun.* 610, *metuo fratrem ne intus sit*; and there are many examples also in Plautus. Though rarely found in good prose authors, it is used sparingly by Cicero in his letters, cf. *Fam.* 8.10.3 and has a natural place here in a dialogue where it lends a certain beauty to this passage above what would be achieved by more formal construction.

bilem, pituitam: *χολέρα, φλέγμα.*

figuram: ‘the extension of its whole body’, i.e., the components when aggregated which then constitutes its external shape.

concreta: 18, 42 n. That which is composite and has formed a whole of parts is subject to dissolution, cf. *Pl. Phd.* 78c, ἀρ’ ὄν τῷ μὲν συντεθέντι τε καὶ συνθέντῳ ὄντι φύσει προσήκει τοῦτο πάσχειν, διαίρεθῆναι ταύτη ἢ περ συνετέθη; εἰ δέ τι τυγχάνει ὄν ἀσύνητον, τούτῳ μόνῳ προσήκει μὴ πάσχειν ταῦτα, εἴπερ τῷ ἄλλῳ; and cf. *Sen.* 78, *cum simplex animi esset natura, neque haberet in se quicquam admixtum dispar sui atque dissimile, non posse eum diuidi.* The argument is later recalled by *Lact. Inst.* 7.22.9, and by *Ambrose de Excessu fratris*, 2.126.

animum ipsum: the lesser mss. read *per animum ipsum*, which led *Lambinus* to conjecture the *animo ipso*; but the *si* clause which follows points rather to an anacolouthon, where we understand *si nihil in animo ipso esset*. The accusative is retained to mirror the previous construction *sanguinem unde concreta sint etc.*

tam natura...quam uitis, quam arboris: cf. *Am.* 95, *se-cerni autem blandus amicus a uero et internosci tam potest adhibita diligentia quam omnia fucata et simulata a sinceris atque ueris.* The *tam...quam* structure places smaller limits on the term *natura* by comparing the vital force of a plant with that of a man (here the vital force = *φύσις*, not *ψυχή*), but with the leading *nihil nisi*, I think it is more natural to understand the passage as restrictive (as *Heine*). Translate, ‘If the soul is nothing more than that force by which we “live”, then I should think that a man is kept alive by no greater force than sustains the life of a vine or tree.’

natura: ablative.

uitam: “addidi in, nam non uita sed animi uis quae uitam adfert unde sit quaeritur. aliquid excidisse ἀνακόλου-θον indicat” (*GIUSTA: Testo*, pp. 150–152), whose arguments for emendation I have not accepted: (i) in this passage, Cicero is no longer speaking of the *uis animi* as the *ψυχή*,

but states that if the soul is nothing but that through which we live, then it is no more than a plant’s (i.e., not *ψυχή*, *animus*, but *φύσις*); (ii) I do not find the anacolouthon as harsh as *Giusta* believes, nor can I find that it has troubled any other commentator; (iii) the emendation would leave questionable Latin, i.e., *animum sustentari in uitam*, which *LUNDSTRÖM* (*Textkritik*, p. 100) recognised as unparalleled in Cicero, and the examples *Giusta* offers in defence of this reading are not relevant. I have kept the mss. reading, which is intelligible.

haec enim: *ταῦτα γάρ = haec et talia*, ‘things of that sort’, the neuter pronoun following two feminine nouns in order to generalise, cf. *N. D.* 2.79, *mens fides uirtus concordia, unde haec in terram nisi ab superis.*

uiuere: cf. *Fin.* 5.14.39, *itaque et ‘uivere’ uitam et ‘mori’ dicimus arboremque et ‘novellam’ et ‘uetulam’ et ‘uigere’ et ‘sensescere’.* The catachresis exists in English, for instance when we say that any abstract or even inanimate object ‘comes alive’. The passage in part resembles the earlier sophistic treatment of the word *esse* above at 5, 9.

ut appeteret aut fugeret: cf. *N. D.* 2.12.34, *bestiis autem sensum et motum dedit et cum quodam adpetitu accessum ad res salutare a pestiferis recessum, hoc homini amplius, quod addidit rationem*; and *Fin.* 5.42. Cicero here means the Stoic ‘adpetitus’, ὄρμη, and ‘recessus’ (i.e., *fugere*) ἀφορμή, where see *HIRZEL: Untersuchungen*, vol. 1, p. 213; and *Off.* 1.11, and *Plu. De Soll. An.* 3, 960 τὴν μὲν ὄν γινώσκον ἀμφοῖν ὁμοίως ἢ αἰσθησις ἐκάστῳ παρέχει τὰς δ’ ἐπομένους τῇ αἰσθησι εἰ τῶν μὲν ἀφελίμων λήψεις καὶ διώξεις, διακρούσεις δὲ καὶ φυγὰς τῶν ὀλεθρίων καὶ λυπηρῶν; *D. L.* 7.86, ἐκ περιτοῦ δὲ τῆς ὄρμης τοῖς ζώοις ἐπιγινωμένους, ἢ συγχρόμμενα πορεύεται πρὸς τὰ οἰκεία, τούτοις μὲν τὸ κατὰ φύσιν τῷ κατὰ τὴν ὄρμην διοικεῖσθαι.

§57. habet primum: this looks back to the *quaedam diuina* in 25, 61.

primum: though Cicero starts with *primum*, no *deinde* clause follows, probably owing to the length of the passage which follows, cf. 13, 30 n.

memoriam: the argument stems from Plato, but the division of mental faculties into gifts of nature and habits which are formed become popular after the time of Aristotle, who separates the *διανοητικὰ ἀρετὰ* from the *ἠθικὰ ἀρετὰ* (*Arist. E. N.* 1.13.20); *Arist. M. M.* 1.5. Compare Cicero’s *De Or.* 2.343; *Fin.* 5.36. Here, *memoriam* stands for *ἀναμνήσεις* or recollection of things once known before the soul enters the body. Later, in 59 he changes the meaning to *μνήμη*, where cf. *Ac.* 2.22, *memoriae quidem certe quae non modo philosophiam sed omnis uitae usus omnisque artis una maxime continet*; and cf. *S. E. M.* 7.373, ἀναμνήματα μὲν μνήμη, θησαυρισμὸς οὐσα φαντασιῶν, ἀναμνήματα δὲ πᾶσα τέχνη-σύστημα γὰρ ἦν καὶ ἄθροισμα καταλήψεων.

innumerabilium: cf. *Fin.* 2.113, *animi solum partibus, in quibus inest memoria rerum innumerabilium*; *Ac.* 2.32; *Epict. Gnom.* 1.14.8, *μνήμας ἀπὸ μυρίων πραγμάτων.*

Plato...uitae superioris: the proof that the process of learning is recollection from pre-natal existence is set out in *Pl. Men.* 82, and hinted at in *Sen.* 21.

uolt: 18, 42 n.

uitae superioris. nam in illo libro, qui inscribitur Menon, pusionem quendam Socrates interrogat quaedam geometrica de dimensione quadrati. ad ea sic ille respondet ut puer, et tamen ita faciles interrogationes sunt, ut gradatim respondens eodem perueniat, quo si geometrica didicisset. ex quo effici uolt Socrates, ut discere nihil aliud sit nisi recordari. quem locum multo etiam accuratius explicat in eo sermone, quem habuit eo ipso die, quo excessit e uita; docet enim quemuis, qui omnium rerum rudis esse uideatur, bene interroganti respondentem declarare se non tum illa discere, sed reminiscendo recognoscere, nec uero fieri ullo modo posse, ut a pueris tot rerum atque tantarum insitas et quasi consignatas in animis, notionem, quas ἐννοίας uocant, haberemus, nisi animus, ante quam in corpus intrauisset, in rerum cognitione uiguisset. cumque

1-4. Plat. *Men.* 81e sqq; libere reddit Boëth. in *Cic. Top.* 76 4-0. Pl. *Phd.* 72e sqq, Lact. *Inst.* 7.22.19. 7-0. cf. Boëth. in *Cic. Top.* 76 9-2. Pl. *Ti.* 27d-28a

1-4 menon] GRBPS: me non V: meñ E: Meno Lamb. 2 respondet] respondit X: respondet B^c, s 3 quo si] quo si X: quasi V^c, Boëth. 6 respondentem] respondem RG: respondē K alio atram. n inculcato et tē superscripto: respondens P: respondentem VBE 8 ἐννοίας] ennoias X: ennoeas V^c 87.9-88.1 cumque nihil esset] sic Ω: post esset lacunam ind. Pohlenz, suppl. fere: <eorum quae sensibus perciperentur>, cf. *Div.* 2.9, Pl. *Ti.* 28a.

inscribitur: the use of the present tense indicates the wider publication of the work, i.e., whenever a copy is made, the title Meno is inscribed, cf. *Ac.* 2.12, *librum qui Sosus inscribitur*, and Reid's n. and see Kühner on *Tusc.* 2.49.

Menon: the best mss. read *Menon*, and though copyists frequently reduce Greek names to the Latin alphabet (cf. *Λευκοθέα* above), Cicero only very rarely does so while retaining the Greek termination. We should therefore have expected *Meno* not *Menon*. Interestingly, we have the testimony of Prisc. G. L. 2, 221, 4 *de nomine*, that in his fragmentary speech *pro Fundanio* Cicero wrote 'essetne id, quod Meno nuntiasset', *Meno* in place of *Menon*, cf. 47, 113 n. on *Biton* below.

pusionem: in Plato, he was a *παῖς τῶν ἀκολούθων*, but Cicero chose to use this rare term in place *puer* presumably to give it an air of archaism, or endearment which does not quite exist in the Greek. Though *pusio* was rare, it was used by later by Juvenal, Martial and Apuleius often in a pejorative sense.

ita faciles interrogationes...: Cicero wants to say that such simple questions were designed to 'aid' the boy's memory and help him recollect; that thereby he arrives at the answer as if he had learned geometry. But by a looseness of expression, Cicero implies that the boy arrives at the answer because of the easiness of the questions, and not by recollection.

geometrica didicisset: cf. *Fin.* 1.20, *geometrica discere*, but *homini erudito in geometriacae perfectio*.

effici ut: 8, 16 n.

nisi recordari: Pl. *Men.* 81, *μεμαθηκίας τῆς ψυχῆς ἅπαντα, οὐδὲν κωλύει ἐν μόνον ἀναμνησθέντα (ὃ δὲ μάθησιν καλοῦσιν ἄνθρωποι) τὰλλα πάντα αὐτὸν ἀνευρεῖν*; Pl. *Phd.* 249; *Sen.* 78.

locum: 'topic', L.&S. 2a, cf. *Fin.* 1.2.6, *Theophrastus cum tractat locos ab Aristotele ante tractatos*, as often.

reminiscendo recognoscere: Erasmus, and some other early editors, printed *reminiscendo cognoscere* (a reading found in some lesser mss), for they thought that *recognoscere* was equivalent to *recensere* (to calculate again or examine), and so the form could not accurately represent Plato's rather playful *ὑπομνήσκων*. However, the term can indeed come to mean to 'refresh one's knowledge', cf. *Verr.* 2.1.32, *adulescentia sua quae qualis fuerit aut meministis, aut ex eo quem sui simillimum produxit recognoscere potestis*.

a pueris: the phrase means 'from childhood'; for the use of the ablative in this way, see HAND: *Tursellinus*, vol. 1, p. 22.

tot insitas... notionem quas ἐννοίας uocant: in *Ac.* 2.30, the term is translated by *notitiae*, but *notitio* is the more common form (and see Reid's n. *ad loc.*). Cicero here has been charged with muddling the Platonic and Stoic conceptions

of innate ideas. Plato's theory of reminiscence presupposes that all ideas are situated within our soul, and brought with us into life when we are born; and though they are forgotten when we resume life in our bodies, our process of learning is simply a matter of recalling what we already know. But the Stoics held that we were born *tabula rasa*, and in so far as 'ideas' were concerned, they were only acquired through sensory input, Plu. *De Plac. Phil.* 4.11.1-4 (= SVF. 2.83, where see L.-S. 39e commentary), *ὅταν γεννηθῆ ὁ ἄνθρωπος ἔχει τὸ ἡγγεμονικὸν μέρος τῆς ψυχῆς ὡσπερ χάρτης, ἐνεργῶν εἰς ἀπογραφὴν. εἰς τοῦτο μίαν ἐκάστην τῶν ἐννοϊῶν ἐναπογράφεται: πρῶτος δὲ ὁ τῆς ἀπογραφῆς τρόπος ὁ διὰ τῶν αἰσθήσεων*. It is through the *προλήψεις*, the 'preconceptions', which consist of a set of innate faculties (*insitas, ἐμφύτους*) common to the minds of all humans which allow us to develop both consciously and unconsciously ideas *a posteriori* from our sensations (examples of which are Kant's aesthetics of space and time, or Chomsky's universal grammar), cf. *Fin.* 3.33; 5.59, with Madvig's n., and see SELLARS (Stoicism, 76ff); JACKSON-MCCABE (Stoic Theory of Implanted Preconceptions, pp. 328-329).

I am not convinced by FERRARY (Laelius dans *De re publica*, p. 758) or DILLON (The Middle Platonists, p. 99) that Antiochus is necessarily the source upon whom Cicero was drawing (Madvig thought similarly on *Fin.* 5.21.59). Cicero carefully draws a distinction between the *ἐννοιαί* and *ἰδέαι* (SCHMEKEL: *Mittleren Stoa*, p. 142) and this would suggest that he is not relying on Antiochus' efforts to unify the two schools. I at first thought that we must assume that Plato himself was the source, and not that Cicero had simply stated his theories wrongly, but I found SANDBACH (Ennoia and Prolepsis in the Stoic Theory of Knowledge, p. 49) quite astutely remarked that, though Cicero is perhaps reproducing more properly Stoic ideas, he can not shake off the deeply influential Platonic metaphors in their exposition.

quasi consignatas in animis: 'as if these notions were fixed with a seal upon the soul', the term *consignatas* = *ἐναπεσφραγισμένας*, D. L. 7.45, where Zeno famously describes the reception of images in the mind as impressions upon wax.

§58. **cumque nihil esset:** Pohlenz felt that there was something missing here, but the words he supplies, though correct, amount only to a gloss upon *nihil enim putat esse quod...* which follow. (Previous editors wished to insert *nihil corpus*, which is not correct.) Wolf and Kühner have sufficiently defended the text as it stands, and there is no need to suspect a lacuna. The phrase turns on the meaning of *esset*, not in the vulgar sense but the Platonic

nihil esset, ut omnibus locis a Platone disseritur — nihil enim ille putat esse, quod oriatur et
intereat, idque solum esse, quod semper tale sit quale est; *ιδέα*v appellat ille, nos speciem —
non potuit animus haec in corpore inclusus adgnosceret, cognita attulit; ex quo tam multarum
rerum cognitionis admiratio tollitur. neque ea plane uidet animus, cum repente in tam insolitum
tamque perturbatum domicilium inmigravit, sed cum se collegit atque recreauit, tum adgnoscit
59 illa reminiscendo. ita nihil est aliud discere nisi recordari. ego autem maiore etiam quodam modo
memoriam admiror. quid est enim illud quo meminimus, aut quam habet uim aut unde naturam?
non quaero, quanta memoria Simonides fuisse dicatur, quanta Theodectes, quanta is, qui a Pyrrho

2. Ac. 1.30

1 ille putat] ille putat VSE: putat (omisso ille) RG 2 esse] esset X: esse s 2 *ιδέα*v] quale *EIDEAN* X: qualem
ideam *dett. codd.* 5 collegit] colligit VE: collegit S₅ 7 quo] quod VSE: qd K: quo M¹, s 7 naturam] naturam X:
natam *Lamb.*, cf. §60 8 Simonides] *CIMΩΝΙΑHC* GVR: *CIMΩΝΙΑEC* K

sense (Olivet), i.e., *uere esse, ὄντως εἶναι*, 'to have existence truly', which quality belongs only to Plato's *ιδέα*v. Plato was careful to separate *τὸ ὄντως ὄν* and *τὸ φαινόμενον*, the former which exists (*εἶναι*), the latter only happens (*γίγνεσθαι*); this is clarified by the clause that follows.

esset: the imperfect is explained by the rule of sequence of tenses after *potuit*, i.e., 'the soul was not able... since nothing was truly real'. Cicero could have written *cumque nihil sit... non potest animus* in the present, however the use of the past tense here implies that such reflection on the nature of things can only arise after the soul's apprehension of the forms.

quod oriatur et intereat: cf. Pl. *Ti.* 27d, *τί τὸ ὄν αἰεί, γένεσθαι δὲ οὐκ ἔχον, καὶ τί τὸ γιγνόμενον μὲν αἰεί, ὄν δὲ οὐδέποτε· τὸ μὲν δὴ νοήσει μετὰ λόγου περιληπτόν, αἰεὶ κατὰ ταῦτά ὄν, τὸ δ' αὖ δόξῃ μετ' αἰσθήσεως ἀλόγου δοξαστόν, γιγνόμενον καὶ ἀπολλύμενον, ὄντως δὲ οὐδέποτε ὄν*; also S. E. P. 3.5, *Πλάτων γενόμενα μὲν, ὄντα δὲ οὐδέποτε, καλεῖ σώματα*; S. E. M. 7.142, D. L. 3.10, Euseb. *Praep. Euang.* 11.9.

quod semper tale sit quale est: the compressed form of expression borrowed from Pl. *Ti.* is similar to Ac. 1.8.30, *id quod semper esset simplex et tale quale esset* where see Reid's n. *ad loc.*

ιδέαv appellat ille, nos speciem: cf. Or. 10, *has rerum formas appellat ιδέας*, with Sandys' n., and DEGRAFF (Plato in Cicero, p. 148). This passage continues to be mostly taken from the Platonic corpus, Pl. *Phd.* 78d, *αἰεὶ αὐτῶν ἕκαστον ὁ ἔστι, μονοειδὲς ὄν αὐτὸ καθ' αὐτό, ὡσαύτως κατὰ ταῦτά ἔχει καὶ οὐδέποτε οὐδαμῇ οὐδαμῶς ἀλλοίωσιν οὐδεμίαν ἐνδέχεται*; Pl. *Ti.* 35a, *αἰεὶ κατὰ ταῦτά ἐχούσης οὐσίας*, which Cicero translates in his own Timaeus as, *materia quae est unius modi*; Pl. *Ti.* 28a, *τὸ κατὰ ταῦτά ἔχον, ea species quae semper est eadem*. I would also add Pl. *Symp.* 211b, *αὐτὸ καθ' αὐτό μὲθ' αὐτοῦ μονοειδὲς αἰεὶ ὄν*, but we know that, though Cicero was well acquainted with the *Phaedo*, *Phaedrus*, *Republic*, and *Timaeus*, there does not seem to be any proof that Cicero ever read the *Symposium*. In this exceedingly Platonic section of the *Tusc.*, we do not come across the typical Academic scepticism over doctrine, in sharp contrast to Cicero's earlier works, cf. Ac. 1.34.

haec: *haec* and *cognita* are the *ιδέα*v, and though the antecedent is *id quod*, here we have the plural to express the fact that there are many Platonic examplars.

adgnosceret: 'to appreciate', 'to feel the force of', cf. N. D. 1.49, *haec quamquam et inventa sunt acutius et dicta subtilius ab Epicuro, quam ut quivis ea possit agnoscere* with Pease's n.

ex quo tollitur: 'on account of which our surprise at coming to know so many various things is done away with'. The profound implication is that our vast store of knowledge could not come about if the soul itself was a resultant 'phenomenon' or material of the perceptible

world.

neque: i.e., *neque uero, neque tamen*, 'and yet the soul does not see', the antithesis is left to the reader as often, cf. above 2, 4 *iacentque ea semper*; below 29, 71, *adhibuitque*.

plane uidet animus: this seeks to answer the objection why the soul simply does not recall everything when it enters its crude material body, cf. Pl. *Ti.* 44a–b, *καὶ διὰ δὴ ταῦτα πάντα τὰ παθήματα νῦν κατ' ἀρχάς τε ἄνους ψυχῇ γίγνεται τὸ πρότον, ὅταν εἰς σώμα ἐνδεθῇ θνητόν*; also 86c–d where there is the argument that the existence of pain and pleasure in the body, as well as its natural petition of the former and avoidance of the latter, bewilder the soul and distort its views, and even vitiate its ability to hear and see correctly, cf. Pl. *Phd.* 81c, 83c.

adgnoscit: in the more usual sense of this verb, 'to recognise', 'to recall'.

§59. **ego autem maiore etiam**: the argument now departs from Plato's concept of memory as recollection of things already known previously to the soul entering the body to the more conventional sense of simple 'remembering', or the capacity for memory, *μνήμη*, to store and recall learned information.

maiore quodam modo: Reid doubted whether this phrase could stand independently for *maiores in modum*; early correctors felt similarly and one Oxford ms. altered to *maiores quodam modo memoriam*. But this is not what Cicero is saying. Rather, Cicero claims that he admires the faculty of memory in another, more remarkable way — certainly not that the power memory is in some fashion greater to Plato's conception of it and so there is no need to suspect the reading, cf. *De Or.* 2.237, *maiores quodam ui.*

naturam: some editors have thought that the reading should be *natam* in place of *naturam* with a few of the lesser mss. The sense, however, at 25, 60, *quae sit illa uis, et unde sit* shows that there is nothing here to prevent the better supported reading of *naturam* which itself is commonly found to correspond with the term *uis*.

Simonides: the *ars memoriae* was said to be founded by Simonides of Ceos, the famous lyric poet who lived at Athens in the time of Hipparchus, cf. the epigram *μνήμην δ' οὐτινά φημι Συμωνίδην ἰσοφαρίζειν ὀγδοακονταέτει, παιδί Λεωπρέπος*. (fr. 14 West), *Callim. fr.* 64, and see BLUM (Die antike Mnemotechnik, pp. 41–46). The artform was supposedly completed later by Metrodorus of Scepsis, *De Or.* 2.360, cf. Ac. 1.2 (where it is Themistocles who has prowess of memory); *Fin.* 5.2; Plin. *H. N.* 7.89; Quint. *Inst.* 11.2; Xen. *Smp.* 4.62; and see *Sen.* 23 with Powell's n.

Theodectes: of Phaselis of Asia Minor. He was born around 375 B.C., later became a pupil of Isocrates and Aristotle, and was known both for his tragedies and his oratory. Quint. *Inst.* 11.2.51 said he could repeat any number of verses which were once read to him.

legatus ad senatum est missus, Cineas, quanta nuper Charmadas, quanta, qui modo fuit, Scepsius Metrodorus, quanta noster Hortensius: de communi hominum memoria loquor, et eorum maxime qui in aliquo maiore studio et arte uersantur, quorum quanta mens sit, difficile est existimare; ita multa meminerunt.

5 XXV. Quorsus igitur haec spectat oratio? quae sit illa uis et unde sit, intellegendum puto. 60 non est certe nec cordis, nec sanguinis, nec cerebri, nec atomorum; animae sit ignisne nescio, nec me pudet ut istos fateri nescire quod nesciam: illud, si ulla alia de re obscura adfirmare possem, siue anima siue ignis sit animus, eum iurarem esse diuinum. quid enim, obsecro te, e

2 hominum] omnium X: hominum s 6 animae] anima Ω: animae Bentley, s 6 ignisne] ignisue X, s: ignisne Sey., T.S., Dougan 8 possem] possem X: possum Sey. Giusta 8 eum iurarem esse diuinum] sic Ω: eam vim tamen esse diuinam, Giu. 89.8–90.1 e terrane] terrane Ω: <e> terrane add. Romana 1471, cf. 25, 62

Cineas: a distinguished orator; Sen. *Contr.* 1, *proem*, tells us he was sent by Pyrrhus as legate to the senate of Rome and whose prodigious memory allowed him after one day to salute the entire senate and most of the people by name, Plin. *H. N.* 7.24, *De Or.* 2.360

Charmadas: an Academic philosopher and pupil of Carneades for several years in Athens around 140B.C. He left to Asia where he prospered, but later returned to Athens and set up his own school. *De Or.* 1.45 says he was in the Academy with Clitomachus around 110B.C.

Metrodorus: of Scepsis in Troas, another pupil of Carneades. He is often mentioned as a mnemotechnic philosopher, *De Or.* 2.360, *diuina prope memoria*, and flourished later than Charmadas, hence the use of *modo*. He is called *Scepsius* to distinguish him from the Epicurean philosopher from Lampascus of the same name who is mentioned in *Tusc.* 2.3.8.

Hortensius: *Brut.* 301, *memoria tanta, quantam in nullo cognouisse me arbitror, ut quae secum commentatus esset, ea sine scripto uerbis eisdem redderet, quibus cogitauisset*; for other testimony to his remarkable powers of memory, Sen. *Contr.* 1. pr. 19; Quint. *Inst.* 10.6.4; 11.2.24; *De Or.* 3.230.

XXV. §60. **quorsus:** Cicero prefers *quorsus*, but at times writes *quorsum*. He wavers similarly between *rursus* and *rursum*; cf. *Leg.* 1.24, *sed quorsus haec pertinent*.

haec: i.e., Cicero asks rhetorically what the conclusion is which all this seems to be aimed at, cf. *Fin.* 1.6.19, *nec id cuius causa haec finxerat assecutus est*.

sit...sit: for the repetition of *sit*, cf. *Fin.* 4.29, *sint illa necne sint*, *N. D.* 3.17. Bouhier suggested we read *aut unde sit, sic intellegendum puto*, and it does feel that we need some form of adverb with *intellegendum*.

quae sit illa uis: by this phrase, Cicero means to encompass the whole force and power of the soul, not just its memory.

intellegendum puto: i.e., at least only from what has been said so far.

non est certe nec...nec: for the structure of these negatives, see Madv. *Gram.* 460, obs. 2.

ignisne: Kühner defended the mss. reading of *ignisue*, asserting that here, as below with *siue anima*, there is no need to understand it interrogatively, but this hardly seems good Latin. LUNDSTRÖM (*Textkritik*, p. 32) approved of the mss., and wished therefore to read *num animae* with Schiche. GIUSTA (*Testo*, p. 153), however, rightly points out that this is a formulation never found in Cicero. Seyffert, whom Dougan follows, reads *ignisne* which has only one tenuous parallel at *Fam.* 2.5.2, *unum illud nescio gratulerne tibi an timeam* but is nevertheless intelligible.

nec me pudet...fateri nescire: with *nescire*, supply *me*. Though seldom in Cicero, pronouns as subject acc. are sometimes omitted before an infinitive when it has already been used with the principal verb which is of speaking or

thinking, cf. Madv. *Gram.* 401, K.–S. 1.128, 4; *N. D.* 1.109, *puderet me dicere non intelligere, si uos ipsi intellexeretis*. Reid lists many others in his n. on *Fin.* 2.49. It regularly happens in the dramatists where both subject and object are to be left to the mind of the reader or hearer.

ut istos: = dogmatists, cf. *Ac.* 2.8, *eos qui se scire arbitrantur*, where *scire* means to express absolute knowledge (similar to *adfirmare* below). Cicero goes on to explain that in the very spirit of the New Academy, *nec ut omnia, quae praescripta a quibusdam et quasi imperata sint, defendamus necessitate ulla cogimur*, *Tusc.* 2.5.

quod nesciam: a class-subjunctive, ‘I happily admit ignorance of anything about which I am ignorant’, Madv. *Gram.* 364, and Reid’s n. *Ac.* 2.25.81.

illud, si ulla alia de re: *illud* creates an anacolouthon and is pleonastic. It points with some added emphasis forward to *iurarem*, rather than back to *adfirmare*. Translate, ‘And I would do it; if I could affirm it, I would swear the soul divine.’

adfirmare: i.e., to speak with certainty, 9, 17 above.

possem: Most editors retain the mss. reading of *possem*. Most recently Giusta has decided to follow Seyffert and so altered to *possum* but I do not think with good reason. Cicero would not say here that he is indeed able to assert positively that the soul is divine; on the contrary, as a New Academic, he would swear it something divine if his philosophical tenets allowed him to do so (but they do not). The parallels often cited in their defence cf. *Ac.* 2.3.8, *nos probabilia multa habemus quae adfirmare vix possumus*, and *Tusc.* 2.2.5, *nos qui sequimur probabilia nec ultra quam id quod veri simile occurrit progredi possumus* are categorical assertions and therefore parallel to our passage here. The subj. mss. *possem* is therefore correct.

siue anima siue ignis sit: subj. as depending on the *oratio obliqua*. As such we could have expected the imperfect *esset* through the rules of attraction, but these rules have many exceptions, cf. *Fin.* 1.25, *si concederetur, etiam si ad corpus nihil referatur*, and K.–S. 2.193 where there are listed many examples of a primary sequence depending on a condition contrary to fact. These irregularities are excusable in conversational style.

eum iurarem esse diuinum: ‘quae sit uis memoriae hoc loco quaeritur’, and so Giusta wished to alter to *eam*. But he is led astray: firstly, the gender is naturally attracted to *animus*, and secondly that the *uis animi* is naturally part of *animus* makes his emendation moot.

quid enim, obsecro te: *quid enim* often introduces a question with ironic force, as *quid ergo* and *quid igitur*.

e terrane: though no mss. have the preposition, I think that the more likely reading is *e terrane*, if we compare 25, 62 *ex hacine terrena*. It is very probable that *e* has fallen out after *obsecro te* and I have restored it following an early edition.

terrane tibi hoc nebuloso et caliginoso caelo aut sata aut concreta uidetur tanta uis memoriae? si
 quid sit hoc non uides, at quale sit uides; si ne id quidem, at quantum sit profecto uides. quid
 61 igitur? utrum capacitatem aliquam in animo putamus esse, quo tamquam in aliquod uas ea, quae
 meminimus, infundantur? absurdum id quidem; qui enim fundus aut quae talis animi figura
 intellegi potest aut quae tanta omnino capacitas? an inprimi quasi ceram animum putamus, et esse
 62 memoriam signatarum rerum in mente uestigia? quae possunt uerborum, quae rerum ipsarum
 esse uestigia, quae porro tam immensa magnitudo, quae illa tam multa possit effingere? quid? illa
 uis quae tandem est quae inuestigat occulta, quae inuentio atque excogitatio dicitur? ex hacine tibi
 terrena mortali que natura et caduca concreta ea uidetur, aut qui primus, quod summae sapientiae

5 animum] animum X: in animum V^c 7 esse uestigia] esse uestigia Ω: <tot> esse uestigia, *add. GIUSTA* (Testo, pp. 156–157) 8 hacine] hacne X: hacine *Baiter-Halm, et tacite Dougan*

hoc nebuloso et caliginoso caelo: abl. of attendant circumstances. It seems reasonable to accept that the heaviest element of earth did not make up the power of memory; Cicero rhetorically dismisses along with it the blustery air element, but it is not immediately apparent why air in itself was incapable of being memory, particularly given the mind's forgetfulness or its sometimes unexpected recollections. It is likely because the earth's *exhalationes* create the turbulent air which surrounds it, and if we throw out the one, we must throw out the other. Cicero rejects the earth and air element in favour of fire and the aether for the soul's composition. Translate, 'Could such a force of memory be created out of the earth element, with all its murky and impetuous atmosphere?', and for *caelo* see 19, 44 n.

si quid sit hoc non uides...: phrased somewhat confusingly in such a brief manner. Translate, 'if you do not see the argument, you at least see the kind of argument; and if you do not even see that, you at least see how important it is.' The repetition of *uides* creates a tone of incredulity.

capitatem: this term signifies the physical *size* of its space to hold things and is not to be confused with the metaphorical use of it to express *ability*.

absurdum id quidem: cf. 8, 17 n. *superbum id quidem est; N. D. 2.133, at id quidem absurdum est.*

talis animi figura: i.e., the physical composition and shape of the soul. See above, 23, 65 *figuram noscamus* and n.

inprimi quasi ceram animum: this instead of the expected *in animo uestigia impressa*. In this case, *inprimi* with the accusative is similar to the double construction of verbs *adspergo, inscribi*, though it is more regular with the dative. For the expression, Moser cites *Fam. 5.20, quae cum uiderem tot uestigiis impressa* etc.

In such a description, the Stoics Cleanthes and Zeno took a more literal view and thought that such impressions were very much like a seal-ring on wax, and the concept is easily to comprehend. Chrysippus' theory regarding this was more sophisticated, and was more accommodating to how colours and smell would be impressed upon the memory, S. E. M. 7.227 (= SVF. 2.56), and cf. Plu. *De Plac. Phil. 4.20* (= *Dox. Graec. 410*), ἀκούμεν γὰρ αὐτῆς καὶ αἰσθανόμεθα προσπιπτοῦσης τῆ ἀκοῆ καὶ ἐκτυπούσης καθάπερ δακτυλίου εἰς κηρόν. However, they all share the belief that such memories and impressions were physical changes in the body, on which see ANNAS (Hellenistic Philosophy of Mind, pp. 72–75); LESSES (Content, Cause, and Stoic Impressions, pp. 5–6).

quasi ceram: 24, 57 n. *quasi consignatas*. Pl. *Tht.* 191c had challenged the concept of wax impressions by arguing that *false* opinions would then be impossible to have in relation to things which one does not already know.

esse uestigia: Giusta wished to insert <tot> here and the best parallel for it (which Giusta does not himself notice) is the passage from *Fam.* cited above. However, I think *porro* is against this. Cicero first questions whether any such impressions can exist in the soul (not how many), then asks on the other hand, if they could exist, what could be so big as to hold as many impressions as there are things and words?

magnitudo: = *spatium et amplitudo*, referring to its size or capacity.

effingere: Davies originally suspected this verb because he felt that the capacity itself did not have the ability to form or fashion the memories, but Wolf showed that *effingere* really means *efficit continere*, cf. *Div. 2.94, formas et mores effingere a parentibus liberos*; HAND: Tursellinus, vol. 1, p. 30, and add perhaps *Tim. 34, impressa ab illis quae imitabatur ecfinxerat*. This presents a more vivid and active role for the mind in holding the impressions it receives in relief rather than only passively being impressed.

§62. quid? illa uis: 24, 57 n. *et primum*. Having finished with memory, Cicero now turns to the other powers of the *animus*.

quae inuestigat, quae inuentio: two relative clauses referring to the same antecedent can be found in Cicero, often when they are explanatory, see below 43, 103; and other examples at *Sen. 59*, and *Div. 2.92*.

hacine: for the spelling, cf. Madvig, on *Fin. 1.10.34*. It seems to be Cicero's practice that such vocalics, when joined with *ne*, have the vowel *i* joined to them in order to aid with the pronunciation. In this way, the older forms *hace* and *hice* are retained, though the *e* passed into the short *i*. (I think *Att. 9.7.3, hocne* should be *hocine*, as at *Sest. 17*).

caduca: a particularly happy choice of word; *caducus* means 'blind', which in this case suggests a 'stupidity' or 'dullness' in the material itself and almost comes to mean 'lifeless'.

aut qui primus... aut qui: the particle *aut*, very much like the Greek ἤ is often placed to recall what has preceded. In each case of *aut qui* which follows, we are to remember *animusne ex hac tibi terrene natura concretus uidetur*.

quod summae sapientiae Pythagorae uisum est: according to Iambl. *VP. 56*, and 83, it was not the greatest wisdom but the second greatest wisdom, τὸ σοφώτατον ἀριθμὸς· δεύτερον δέ, τὸ τοῖς πράγμασι τὰ ὀνόματα τιθέμενον; and Pythagoras argued that names of things came about by *θέσις*, that is arbitrary choice. However, Gell. *N. A. 10.4* quotes the learned Pythagorean P. Nigidius Figulus, a contemporary of Cicero's, who maintained the contrary view, *nomina uerbaque non positu fortuito, sed quadam vi et ratione naturae facta esse; quaeri enim solitum apud philosophos, φύσει τὰ ὀνόματα sint ἢ θέσει*.

Pythagorae uisum est, omnibus rebus imposuit nomina? aut qui dissipatos homines congregauit et ad societatem uitae conuocauit, aut qui sonos uocis, qui infiniti uidebantur, paucis litterarum notis terminauit, aut qui errantium stellarum cursus, praegressiones, institutiones notauit? omnes magni, etiam superiores, qui fruges, qui uestitum, qui tecta, qui cultum uitae, qui praesidia contra
 5 feras inuenerunt, a quibus mansuefacti et exculi a necessariis artificiis ad elegantiora defluximus. nam et auribus oblectatio magna parta est inuenta et temperata uarietate et natura sonorum, et astra suspeximus cum ea quae sunt infixae certis locis, tum illa non re sed uocabulo errantia, quorum conuersiones omnisque motus qui animo uidit, is docuit similem animum suum eius

3 praegressiones | praegressiones VG: p̄gressiones K: progressiones S 3 institutiones | institutiones Ω: institutiones
 Manut. in scholiis, institutionesque Cam. 8 animo | animum X: animo Man., s

omnibus rebus imposuit nomina: nevertheless, we find it argued that the names came about from their φύσις, as Pl. *Cra.*, as well according to the Stoics who held that there was an inherent connection forged between the thing and the fitness of its name. This was particularly stressed in the Stoic system of logic and grammar in which there was an intimate connection between the σημαίνον (word) and its σημαίνομενον (object), cf. M. Ant. 3.11, S. E. M. 8.11–13 and RIST (Stoic Philosophy, 77ff). Epicurus and Lucretius agreed with Plato and the Stoics in this respect, cf. D. L. 10.75, τὰ ὀνόματα ἐξ ἀρχῆς μὴ θέσει γενέσθαι, ἀλλ' αὐτὰς τὰς φύσεις τῶν ἀνθρώπων καθ' ἕκαστα ἔνθη ἴδια πασχούσας πάθη καὶ ἴδια λαμβανούσας φαντάσματα ἰδίως τὸν ἀέρα ἐκπέμπειν κλπ; Lucr. 5.1040, proinde putare aliquem tum nomina distribuisse | rebus et inde homines didicisse uocabula prima, | desiperest etc.; and cf. Clem. Al. *Strom.* 1.405.

dissipatos homines: cf. *Tusc.* 5.2.5, uirtus dissipatos homines in societatem uitae conuocasti. The Stoics held that the desire for society is immediately connected with reason; by its use, man feels that he is part of the whole, and so subordinates his own interests to the interests of the whole community (*Fin.* 3.19.64). Further, since like has attraction for like, men become conscious of their unity to one another and thus men with sound reason gather together to form a society, cf. Sen. *Ep.* 95.52. Epicurus contrarily held οὐκ ἔστι φυσικὴ κοινωνία τοῖς λογικοῖς πρὸς ἀλλήλους (Epict. *Gnom.* 2.20.7): for him civil society was created for the purpose of mutual protection from harm, a view similar to Thrasymachus' in Pl. *Rep.* 1. Lucretius' has a long description of the formation of the state at 5.1106. We find in Arist. *Pol.* 1.1.2, πλῆθει γὰρ καὶ ὀλιγότητι νομίζουσι διαφέρειν ἀλλ' οὐκ εἶδει τούτων ἕκαστον, οἷον ἂν μὲν ὀλίγων, δεσπότην, ἂν δὲ πλείωνων, οἰκονόμον, ἂν δ' ἔτι πλείωνων, πολιτικὸν ἢ βασιλικόν, ὡς οὐδὲν διαφέρουσιν μεγάλην οἰκίαν ἢ μικρὰν πόλιν; this is closer to our own modern conception of the development of the state from small family units, gradually increasing in size to the state.

notis: 'symbols', 'marks', cf. *notauit* below.

praegressiones: not *progressiones*, 'going ahead of each other', but *praegressiones* (found in the mss. VG), 'their passing by one another' with focus on alterations, cf. N. D. 2.20.51, tum adeunt, tum recedunt, tum antecedunt, tum autem subsequuntur.

institutiones: 'correctio cuius etsi ratio non explicatur, tamen cui iudicium est paulo subtilius, facile, cur facta sit ipsa per se intelligit' (Manutius). Lambinus, Sturmius, Fabricius, and all other older editors follow. The correction seems an obvious one, but leaves a form of the noun which occurs only here in Cicero. Reid suggested that perhaps *inter se motiones* should be read, but Manutius' change can be sufficiently defended by N. D. 2.20.51 (speaking of planets), tum omnino ne mouentur quidem sed ad quoddam tempus insistent. Add also Sen. *Q. N.* 7.25.6–7, opus hoc aeternum irreuocabiles habet motus, qui si quando constiterunt; Plin. *H. N.* 2.70, uisu nostro ideoque existimantur stare; and Censor. 8.2, nonnullae stationem faciunt. The earliest parallel and strongest defence of the word unnoticed by editors is

Varr. *L. L.* 6.8, solstitium quod sol eo die sistere uidebatur, the 'standing still of the sun'. Cicero here means that certain stars also 'come to a standstill', or at least appear to do so from our perspective.

superiores: 'men who existed in even earlier times'.

defluximus: 'flowed downward from the necessary to the more elegant and refined arts in life'. The prefix *de-* often conveys movement from the better to the worse, cf. *Am.* 100, and Lucretius who finds that we became worse off as we progress. Cicero, however, presents a positive view of the advance of society and the term he uses describes very nicely the passing of knowledge down to descendants. He uses the same form to express the power of the mental faculties as 'flowing down from the stars above' in N. D. 2.79, cf. *Rep.* 6.15.

inuenta et temperata uarietate et natura: arranged chiasmatically, *inuenta natura, temperata uarietate*, cf. 3, 5; and 34, 84. K.–S. 2.655 and HAND: Tursellinus, vol. 1, p. 364 take *natura et uarietate* as hendiadys, 'a great pleasure for the ears was born when the discovery of the natural variety of sounds became regulated and ordered', i.e., music.

natura sonorum et astra: the close placement of these two ideas leads us to suspect an allusion to the 'music of the heavenly spheres' in *Rep.* 6.18; in both cases, the underlying idea is 'harmony', where cf. N. D. 3.27, *ad harmoniam canere mundum*. The natural variety of sounds quite probably took into account the assumption that the sun, moon and planets produced at least some sound, and in a similar way as Archimedes reproduced the movement of the heavens in his planetarium, so human music imitated the natural sounds of the universe. Such a theory was probably not taken from Plato (Zetzel quotes *ad loc.* Pl. *Ti.* 37b, where the world soul is explicitly silent), but the Pythagoreans who report that αἰσθάνεσθαι τὸν Πυθαγόραν τοῦ ἑναρμονίου ψόφου τοῦ γινομένου ἐκ τῆς τῶν οὐρανίων σωματικῶν κινήσεως (Simpl. *In Cael.* 2.9).

non re sed uocabulo errantia: the stars (πλανῆται) of course did strictly wander off their regular course, but were only poetically said to do so, cf. N. D. 2.51, *falso uocantur errantes*, *Div.* 2.89, *sidera quae uocantur errantia*; *Rep.* 1.22, *stellarum quae errantes et quasi uagae nominantur*; Pl. *Lg.* 7.821b–822a, ἅττα ἄστρα μετὰ τούτων, ἐπονομάζοντες πλανῆτὰ αὐτὰ...οὐ γὰρ ἐστὶ τοῦτο...; Pl. *Ti.* 38c, ἄστρα ἐπὶ κληρὰ ἔχοντα πλανῆτὰ; Macr. *Somn. Scip.* 1.14.25, *uagantium stellarum error legitimus*.

qui animo: the mss. reading *animus*, as every editor observes, cannot be right with *animum* so closely following. A few have entirely ejected the word as introduced by a *glossator*, or perhaps a simple mistake of *animo* for *animus*, a usual ligature for *animus*. The phrase *animo uidere* is common enough for 'comprehend' (*Ac.* 2.125, *Div.* 2.91). Elsewhere one could (like Moser) object to its rather otiose use, but the parallel use of the word here accentuates the identity of the soul and the cosmic soul. Since the divine world soul was the force which ordered the astronomical motions, then the human soul which could understand them could be said to be involved in the work of the deity.

63 esse, qui ea fabricatus esset in caelo. nam cum Archimedes lunae, solis, quinque errantium motus in sphaeram inligauit, effecit idem quod ille, qui in Timaeo mundum aedificauit, Platonis deus, ut tarditate et celeritate dissimillimos motus una regeret conuersio. quod si in hoc mundo fieri sine deo non potest, ne in sphaera quidem eosdem motus Archimedes sine diuino ingenio potuisset imitari.

64 XXVI. Mihi uero ne haec quidem notiora et inlustriora carere ui diuina uidentur, ut ego aut poetam graue plenumque carmen sine caelesti aliquo mentis instinctu putem fundere, aut eloquentiam sine maiore quadam ui fluere abundantem sonantibus uerbis uberibusque sententiis. philosophia uero, omnium mater artium, quid est aliud nisi, ut Plato, donum, ut ego, inuentum deorum? haec nos primum ad illorum cultum, deinde ad ius hominum, quod situm est in generis 10
65 prorsus haec diuina mihi uidetur uis, quae tot res efficiat et tantas. quid est enim memoria rerum et uerborum? quid porro inuentio? profecto id, quo ne in deo quidem quicquam maius intellegi

1–2. cf. *Rep.* 1.22

2 timaeo] timeo X 7 aut] haud *dett. codd.* 14 ne] ne X: nec PB² 14 quidem] *omm.* X: *add.* V^c

fabricatus esset: not its *existence* as objective reality (which would require *fabricatus est*), but the *kind* of soul which it finds similar to itself, i.e., one of reason. Hence the subjunctive *esset*.

cum inligauit, effecit: ‘when’ *cum*-clauses with the indicative virtually unite the two actions, ‘by the act of doing this, this is done’, cf. *Cat.* 1.8, *cum quiescunt, probant*. The use of this grammar again reinforces by its simultaneity the identity of the soul, who is capable of reproducing with its reason the movements of the heaven, with the creator of those heavens.

quinque errantium motus: Mercury, Venus, Mars, Jupiter, Saturn.

§63. **in sphaeram:** this mechanical ‘planetarium’ or ‘orrery’ of Archimedes was captured by M. Marcellus at the taking of Syracuse. There was a second, older sphere (this other one described as *solida*) which was placed by the same Marcellus in the Temple of Virtus, cf. *Rep.* 1.21–22, and *Ov. Fast.* 6.227, *arte Syracosia suspensa in aëre clauso | stat globus immensi parua figura poli*. We have a similar passage in *N. D.* 2.88, *sphaeram aliquis hanc quam nuper familiars noster effecit Posidonius*, etc. which would seem to suggest that Cicero had seen a simplified version first hand, built by Posidonius perhaps at Rhodes. However, we have no other evidence for this. D. L. 7.142 says that Posidonius had written a book *περὶ κόσμου* and had rejected a heliocentric universe so it is possible that he built such an object to aid his study of astral phenomena. On the ancient planetarium, see GISINGER (*Der Globus*), and for a treatment of the influence of this sphere on the Romans, see JAEGER (*Archimedes and the Roman Imagination*, 51ff).

inligauit: ‘fashioned onto’ so that within the sphere each orb would move according to its witnessed motion.

Timaeo: *Pl. Ti.* 28b–42c

quod si non fieri potest, ... potuisset imitari: the construction of the apodosis is curious and unique. Kühner explains that *sine diuino ingenio* is tantamount to *nisi diuinum ingenium habuisset*, and so the combination of *nisi habuisset* and *ne quidem potuisset* creates a positive assertion that balances the indicative *potest* in the protasis.

imitari: ‘reproduce’, or to accomplish anything by imitation.

XXVI. §64. **mihi uero ne haec quidem... fluere:** the sentence is loosely given. The negative force of *ne quidem* is also applied to the result which follows, cf. above 17, 41 *ne tam uegeta mens*. This form of expression allows for the denial of the hypothesis, as well as the conclusion even if the theory were true. Some later copyists were muddled

by this and changed *aut* to *haud*.

haec: oratory, poetry.

inlustriora: not ‘more famous’ (Dougan), but ‘fresher’, ‘brighter’, ‘current, and in our hands’, cf. *De Or.* 3.150, where the term is opposed to *obsoleta*.

poetam fundere: the theme that a poet is the mouth-piece of divine inspiration is developed at length by *Pl. Ion.* 553e–534a (after the famous simile of the ring magnets), ή Μοῦσα ἐνθέους μὲν ποιεῖ αὐτή, διὰ δὲ τῶν ἐνθέων τούτων ἄλλων ἐνθουσιαζόντων ὁρμαθὸς ἐξαρτᾶται. πάντες γὰρ οἱ τε τῶν ἐπῶν ποιηταὶ οἱ ἀγαθοὶ οὐκ ἐκ τέχνης ἀλλ’ ἐνθεοὶ ὄντες καὶ κατεχόμενοι πάντα ταῦτα τὰ καλὰ λέγουσι ποιήματα κλιτ; cf. *Pl. Ap.* 22b–c, where Socrates says that poets forge their poems by nature and enthusiasm, not by any wisdom; *Pl. Phdr.* 245a, where he speaks of the ‘madden and raving soul of the poet’; *Pl. Lg.* 682a, and *Pl. Men.* 99c–d. Aristotle seems to admit the theory in part at *Arist. Po.* 17, 1455a22, διὸ εὐφροῦς ἢ ποιητικὴ ἐστὶν ἢ μαυκοῦ τούτων γὰρ οἱ μὲν εὐπλαστοὶ οἱ δὲ ἐκστατικοὶ εἰσιν; *Arch.* 18, *excitari et quasi diuino quodam spiritu inflari* (where Reid quotes *Ov. Fast.* 6.5, *deus in nobis, agitante calescimus illo*).

grauē plenumque carmen: ‘a song, weighty and full sounding’, cf. *Hor. Carm.* 2.13.26, *sonantem plenius aureo*.

instinctu: cf. *Div.* 1.12, *instinctu diuinoque adflatu*; *Div.* 1.66, *a corpore animus abstratus diuino instinctu concitatur*; it is of course not surprising to see a fair amount of correlation between these passages and those where Cicero considers divination.

fundere: commonly used of verses, below 44, 106 *bonos septenarios fundat ad tibiam*.

maiore quadam ui: cf. above 17, 27 n.

ut Plato: *ait* is often omitted.

donum...deorum: cf. *Pl. Ti.* 47a–b, τῶ θνητῶ γένει δωρηθὲν ἐκ θεῶν, and *Lact. Inst.* 3.14.7. Cicero had previously translated this *philosophiam adepti sumus, quo bono nullum optabilius nullum praestantius neque datum est mortalium generi deorum concessu atque munere neque dabitur*; see also *Leg.* 1.58; *Am.* 57; *Sen.* 40; *Off.* 2.5; *Fam.* 15.4.16.

ius hominum: moral law that arises from nature (so *Pl. Rep.* 4.441c) and opposed to the laws of society, *ius ciuile*.

eademque: *-que* here = *denique*, ‘and in short’, cf. below 34, 82; 43, 104; 49, 118.

ab animo tamquam ab oculis: i.e., ‘the mind’s eye’.

supera, infera, prima, ultima, media: asyndeton is common in comparisons of classes of objects, *Madv. Gram.* 434.

ne in deo quidem: cf. 23, 54 n. *ne*. The insertion of *quidem* found in V^c, though absent from most MSS., is necessary here, and likely to fall out before *quicquam*.

potest. non enim ambrosia deos aut nectare aut Iuuentate pocula ministrante laetari arbitror, nec Homerum audio, qui Ganymeden ab dis raptum ait propter formam, ut Ioui bibere ministraret; non iusta causa, cur Laomedonti tanta fieret iniuria fingebat haec Homerus et humana ad deos transferebat: diuina mallet ad nos quae autem diuina? uigere, sapere, inuenire, meminisse. ergo animus, ut ego dico, diuinus est, ut Euripides dicere audet, deus; et quidem, si deus aut anima aut ignis est, idem est animus hominis. nam ut illa natura caelestis et terra uacat et umore, sic utriusque harum rerum humanus animus est expers; sin autem est quinta quaedam natura, ab Aristotele inducta primum, haec et deorum est et animorum. Hanc nos sententiam secuti his ipsis uerbis in Consolatione hoc expressimus:

2. Hom. *Il.* 20.232–235 3–4. Aug. *C. D.* 4.26, Aug. *Conf.* 1.16.25

1 potest] potest VK: potes G 1 laetari] laetari KR: laetare GV^c 2 ganymeden] ganymeden BE: ganymeden RV: ganimedem P: ganimedē S 3 fieret] fieret X: fieret V^c 4–5 ergo animus] qui post animus VSEB²: d:u^h K alio atram. superscript: qui <uiget, qui sapit, qui inuenit, qui meminit> Giu, cf. *Rep.* 6.26: qui <uiget, sapit, inuenit, meminit> Lundström, antea Pohlenz 9 hoc] hoc post consolatione VPE: hoc marg. S: h^{oc} K alio atram. superscr: haec dett. codd: consolatione locum Giu.: del. hoc Wesenburg, Küh., T.S.

Iuuentas: = "Hβη, daughter of Zeus and Hera, who was the cupbearer before Ganymede, Hom. *Il.* 4.1–3, νέκταρ ἐρωνοῖ, Hom. *Od.* 11.603, καλλίσφυρον "Hβην; Schol. Dan. Verg. *Aen.* 5.134, *Hebe Graece est Iuuentas*.

Ganymeden: but at *N. D.* 1.112, *Ganymedem*. Cicero's practice seems to be to use the form *-en*, and only rarely *-em*, cf. *Tusc.* 3.8, *Socraten*, and *Tusc.* 4.5, *Diogenem*, but *Sen.* 23, *Diogenem*. The rule is muddled: Reid claims that Cicero solely used the form *-en*, while HOUSEMAN: *Papers*, vol. 2, p. 817 demonstrated Augustan poets used *-em* on Greek third-declension names. Powell, in his n. on *Sen.* 23, thought Cicero's practice was not likely any different, but I find that the quantity of examples and weight of mss. allow in these cases only a most tentative assertion. In the *Tusc.* the preference seems to be for termination *-en*.

ab dis raptum. . . : Ganymede, the son of Tros, was stolen by Zeus because of his beauty, Hom. *Il.* 20.232, ἀντίθεος Γανυμήδης, | ὅς δὲ κάλλιστος γένετο θνητῶν ἀνθρώπων | τὸν καὶ ἀνθρώπων θεοὶ Διὶ οἰνοχοεῖν | κάλλεος εἶνεκα; Hor. *Carm.* 3.3.3; Euseb. *Praep. Euang.* 5.34.6; but cf. Xen. *Smp.* 8.30 who claims he was taken up not for his beauty, but for his spirit. The myth was commonly treated in Greek art, and Plin. *H. N.* 34.79 says Leochares sculpted in bronze a remarkable scene of an eagle soaring into the air with a young boy, which was said to have been the model for numerous marble sculptures now in the Vatican (inv. 2445).

bibere ministraret: a Graecism, where the infinitive is used as a substantive for want of a supine in the verb *bibere*. Reid, citing *Fin.* 2.23, *pueri qui ministrent*, suspects the verb to be a gloss on *ministraret*. Davies found in the earliest editions *pocula ministraret*, and the reading *bibere* was received first by Gebhard who found it in some of the earlier mss. I find no parallel case in Cicero for using the infinitive in this way, but there is no reason *per se* for ejecting the word, cf. Liv. 40.47, *ut bibere sibi iuberet dari*, Serv. 1.32, *Hebe quae Ioui bibere ministrabat*; and Charis. *Gramm. Lat.* 1.99 shows the ancients adopted the word *biber* from this phrase.

non iusta causa cur. . . : a common ellipse of *est* in these short clauses, cf. below 35, 86 *ineptum sane negotium*.

Laomedonti tanta fieret iniuria: in making Ganymedes the son of Laomedon, Cicero differs from the account given by Homer at Hom. *Il.* 20.231ff, which names him as a son of Tros, along with Ilus and Assaracus. But there are various accounts which were sometimes modified. The scholiast on E. *Or.* 1392 confirms that he was the son of Laomedon; while Hyginus, *Fab.* 124 names him the son of Assaracus; and Lucianus in Charidemus claims he was the son of Dardanus.

diuina mallet ad nos: all editors quote Longin. 19 who

says that Homer made gods of men, and men of gods; τοὺς μὲν ἐπὶ τῶν Ἰλιακῶν ἀνθρώπους θεοὺς πεποιηκέναι, τοὺς θεοὺς δὲ ἀνθρώπους; and Xenophanes, D. L. 9.18 speaks similarly. I think it is more probable that Cicero is thinking of Pl. *Rep.* 2.337a, where Plato criticises both Homer and Hesiod for misrepresenting both gods and heroes as quarrelling like humans, ὅταν εἰκάζη τις κακῶς οὐσίαν τῷ λόγῳ, περὶ θεῶν τε καὶ ἡρώων οἳ εἰσιν, ὥσπερ γραφεὺς μηδὲν εὐκότα γράφωσιν οἷς ἂν ὁμοία βουληθῆ γράψαι, etc.

ergo animus: there has not yet been a satisfactory reason given for the intrusion of *qui* here. The most recent suggestions by Giusta and Lundström, to supply *qui uiget, sapit, inuenit*, I can hardly accept as it would suggest that Cicero was then differentiating between souls capable and incapable of these abilities (and therefore not divine). Giusta tried to defend the insertion with *Rep.* 6.26, but this passage can only confirm the application of the infinitives to *diuina*, but cannot support such a set of relative clauses for *animus* itself. I thought *qui* much more likely to have arisen from the following *quidem* (and this, I find, was the view of Seyffert and Schiche). Orelli omitted it from his text and this is best. Kühner suggested that Cicero began his thought with *animus qui* and then changed his construction as the thought progressed.

ut Euripides: cf. Eurip. fr. 1018 (Nauck²), θεὸς γὰρ τις ἐν ἡνί. We have Platonic antecedents at Pl. *Ti.* 34b, 40a, 40d, 41c (where the soul is called *θεῖος* and not *θεός*), 92c; and Pl. *Lg.* 10.897b, 10.899b; 12.959b; and cf. *N. D.* 1.30, *mundum deum esse et caelum et astra et terram et animos*; Tert. *Anim.* 12; Sen. *Ep.* 41, *sacer intra nos spiritus sedet*. Hermotinus or Anaxagoras is said to have also declared that ὁ νοῦς γὰρ ἡμῶν ἐστιν ἐν ἐκάστῳ θεός (Arist. *G. A.* 2.3, 736b28, Arist. *E. N.* 10.7, 1177b30; and cf. Arist. *Metaph.* 1.3, 984b15–20).

terra uacat et umore: 17, 40; and cf. 18, 42 n.

quinta quaedam natura: cf. 10, 22 n. for this term, and the thought that it was first brought in by Aristotle.

his ipsis uerbis: 'in these very words'. The word *ipsis* perplexed Dougan and Moser (who wished to omit it) but the collocation is frequent enough in Cicero when quoting, cf. *Or.* 41, *his ipsis uerbis loquens Socrates*; *Fin.* 2.48, *his enim ipsis uerbis utitur*.

Consolatione: the name of Cicero's lost work of consolation, composed around Feb. 45B.C. principally with a view to assuage his own grief at the death of his daughter Tullia, cf. 48, 115 n.

hoc: older editors delete *hoc* arguing that *exprimere* is never used by Cicero to mean *dicere*, which is true enough, but hardly grounds for ejecting the word. Giusta offers an ingenious reading of *locum*, thinking that the mss. read-

66 XXVII. 'Animorum nulla in terris origo inueniri potest; nihil enim est in animis mixtum atque
 concretum aut quod ex terra natum atque fictum esse uideatur, nihil ne aut umidum quidem
 aut flabile aut igneum. his enim in naturis nihil inest, quod uim memoriae, mentis, cogitationis
 habeat, quod et praeterita teneat et futura prouideat et complecti possit praesentia. quae sola
 diuina sunt nec inuenietur umquam unde ad hominem uenire possint nisi a deo. singularis est
 5 igitur quaedam natura atque uis animi seiuncta ab his usitatis notisque naturis. ita, quidquid
 est illud, quod sentit, quod sapit, quod uiuit, quod uiget, caeleste et diuinum ob eamque rem
 aeternum sit necesse est. nec uero deus ipse, qui intellegitur a nobis, alio modo intellegi potest
 nisi mens soluta quaedam et libera, segregata ab omni concretione mortali, omnia sentiens et
 mouens ipsaque praedita motu sempiterno. hoc e genere atque eadem e natura est humana
 10 mens.' ubi igitur aut qualis est ista mens? — ubi tua aut qualis? potesne dicere? an, si omnia ad
 67 intellegendum non habeo quae habere uellem, ne eis quidem quae habeo mihi per te uti licebit? —
 non ualet tantum animus, ut se ipsum ipse uideat, at ut oculus, sic animus se non uidens, alia
 cernit. non uidet autem, quod minimum est, formam suam (quamquam fortasse id quoque, sed
 relinquamus); uim certe, sagacitatem, memoriam, motum, celeritatem uidet. haec magna, haec
 15 diuina, haec sempiterna sunt; qua facie quidem sit aut ubi habitet, ne quaerendum quidem est.

1-5. Lact. *De Ira*. 10.45-46, Lact. *Inst.* 7.8.6 8-10. Lact. *Inst.* 1.5.25, 7.3.4 10. Aug. *C. D.* 22.20.

1 nihil enim est] nihil enim est X: nihil est enim Lact. 5 unde] 1^ande RGB: unde V^c, olim inde: unde E quod fuerat
 inde: unde K 10 praedita] praedita GK: praedicta V^c 12 per te] per te X: certe V 13 se ipsum ipse] seipsum
 ipse KPSE: se ipsum ipse V^c: se ipse V^{c2}: [ipsum] ipse uideat. . . animus se <ipsum> transposuit Giu. 14 quamquam
 fortasse id] fortasse quamquam X, corr. Wolf: quamquam id quod forte V^c manu antiqua superscr. 15 motum] motum X:
 motus Bent., an recte? cf. 28, 70

ing perhaps arose from *locum* → *loc* → *hoc*. He compares *Leg.* 1.27, *hunc locum satis in eis libris quos legistis expressit Scipio*, and *Off.* 2.74 (I add *Off.* 1.160). The difficulty with Giusta's emendation is that here *locus* = *sedes rei* ('the essential point'), which feels redundant after *hanc sententiam secuti*. I find a very close parallel at *Rep.* 1.65, *tum fit illud quod apud Platonem est luculente dictum, si modo id exprimere Latine potuero*, which defends both idiom and the singular *hoc*. Pohlenz and LUNDSTRÖM (Glosseme, pp. 109-113) defended the reading of the MSS, and NISBET (*CR*, 16, p. 58) points out the it gives a superior clausula.

XXVII. §66 **animorum nulla in terris...**: *Cic. Consol. fr.* 21 (= 10 Müller).

nihil enim est: for the position of *enim*, see K.-S. 2.133ff, and also WATT (*Enim Tullianum*, p. 120) for the usual word order. In *Sen.* 28 we have *quid enim est*, cf. *Antibarb.* 520, HAND: Tursellinus, vol. 1, p. 578, and Madvig on *Fin.* 1.13.43, and below 6, 11; 36, 87; 39, 94 with the best MSS.

flabile: = *spirabile*, cf. 18, 42 n.

naturis: cf. 19, 43. Here *natura* is equivalent to *elementa*.

memoriae, mentis, cogitationis: 'memory, mental acuity, imagination', cf. 22, 50.

quae sola diuina sunt: to me the clause has the appearance of a marginal comment. If it is genuine, it shows want of careful expression and so if we retain it, we should probably understand it best by *quae sola* together, 'which things, and no others, are divine' (so Reid). Nissen does not seem right to take *sola diuina*, i.e., *quae nonnisi deorum diuina sunt*, cf. *Tusc.* 5.45, *ex bonis quae sola honesta sunt*.

singularis quaedam: for *quaedam* adding a sense of vagueness, cf. 12, 27 n.

natura atque uis: cf. 23, 54 *propria natura atque vis*. Here, *natura* = *οὐσία*, almost equivalent to *στοιχεῖα* or *ἀρχαί*, as in *N. D.* 2.84, *naturis his ex quibus omnia constant*, where cf. *N. D.* 1.29; 2.144; 3.34; *Ac.* 1.39.

usitatis notisque naturis: the four elements which were generally known.

quod sentit, sapit, uiuit, uiget: 'who feels, has wisdom, lives and grows'. The two verbs *uiuere* and *uigere* are often

joined together as an alliterative pair, the former with the meaning of 'having life', the second of 'growing out', 'thriving' commonly with plants, cf. *N. D.* 2.83, *a terra stirpibus continentur arte naturae uiuunt et uigent*; *Div.* 1.33, *uiget autem et uiuit animus*; *Sen. Q. N.* 6.16.1, *illo spiritu, dico, uitali et uegeto et alente omnia* and see DOEDERLEIN: *Lat. Syn. et Etym.*, vol. 4, p. 527.

qui intellegitur a nobis: i.e., comprehended intellectually. The passage is quite Platonic.

§67. **ubi igitur...**: a few editors had given this question to the interlocutor, but the question is rhetorical and Cicero is anticipating possible objections.

potesne: = *num potes*, cf. *Sen.* 56, *poteratne tantus animus non efficere iucundam senectutem?*

uellem: the imperfect *uellem* (instead of the present *uelim*) in such conditional statements implies that he cannot, in fact, have all that he would wish, cf. above 11, 23 *cuperem equidem, si posset*.

se ipsum ipse: this is the reading of the best MSS. Giusta wished to move *ipsum* forward to *se uidens*, but I think that the unusual expression *se ipsum ipse* emphasises the proposition that, though the soul has such broad powers, nevertheless for all its strengths, it is impossible that it should ever see itself.

quamquam fortasse id: sc. *uidet*. The direction of the argument seemed inconclusive and so Cicero drops the line of reasoning with *relinquamus*. For the form, cf. *Off.* 3.9.39, *negant id fieri posse. quamquam potest id quidem; sed quaero...*

motum: expresses general 'movement', while **celeritatem** expresses its velocity, cf. *Lucr.* 3.184, *ocius ergo animus quam res se perciet ulla*.

diuina: cf. 17, 41.

qua facie quidem sit...: cf. *N. D.* 1.32, *Socratem disputantem formam dei quareri non oportere*, and with the thought, cf. *Philemon*, fr. 166 (Kock), *τί ἐστιν ὁ Θεός οὐ θέλει σε μανθάνειν ἀσεβείς τὸν οὐ θέλοντα μανθάνειν θέλων*.

quidem: for the peculiar aduersative force of this particle, cf. 41, 119 *dii immortales sciunt; hominem quidem scire arbor neminem*.

XXVIII. Vt cum uidemus speciem primum candoremque caeli, dein conuersionis celeritatem tantam quantam cogitare non possumus, tum uicissitudines dierum ac noctium commutationesque temporum quadrupertitas ad maturitatem frugum et ad temperationem corporum aptas eorumque omnium moderatorem et ducem solem, lunamque adcretionem et deminutionem luminis quasi fastorum notantem et significantem dies, tum in eodem orbe in duodecim partes distributo, quinque stellas ferri eosdem cursus constantissime seruantis disparibus inter se motibus, nocturnamque caeli formam undique sideribus ornatam, tum globum terrae eminentem e mari, fixum in medio mundi uniuersi loco, duabus oris distantibus habitabilem et cultum, quarum altera, quam nos incolimus,

Sub áxe posita ad stéllas septem, unde hórrifer,

Aquilónis stridor gélidas molitúr niues,

altera australis, ignota nobis, quam uocant Graeci ἀντίχθονα, ceteras partis incultas, quod aut frigore rigeant aut urantur calore; hic autem, ubi habitamus, non intermittit suo tempore,

10–11. *Non.* 346, 20–21

1 dein] dein RKPE: deinde *S, dett. codd.* 2 tum] tum GVR: tunc K 7 nocturnamque] nocturaque RG: nocturamque V: noctūaque K: nocturāque P, *alia manu a in ā mut.* 8 cultum] cultam X: cultum *Girardengus, s* 10 unde] unde X: ubi *Nonius* 12 ἀντίχθονα] antixooona RVSE: antichona V^c: ἀντίχθονα *Erasmus.*

XXVIII. §68: In order to persuade us of the divinity of the soul, Cicero extols the splendour of the universe and raises the tone of his language to match the lofty topic. The argument is ‘just as we behold the beauty of the universe and, in doing so, cannot imagine that there is no god who commands their order; in the same way when we reflect upon the power of the soul can we confirm that it must be divine’. The vast sentence creates an anacolouthon, and is resumed in 70 with *haec igitur*. The command of language is indeed impressive.

candoremque caeli: cf. *N. D.* 2.4, *aspice hoc sublime candens quem invocant omnes louem* (Cicero quoting Ennius’ *Thyestes*, *Enn. Ann.* 345); also *Enn. Ann.* 280 (his *Medea*), *sol qui candentem in caelo sublimat facem* and the phrase *πανκρατὲς γάμους* in the hymn to Dictaeon Zeus.

quadrupertitas: cf. *N. D.* 2.19, *haec ita fieri omnibus inter se concinentibus mundi partibus profecto non possent, nisi ea uno diuino et continuato spiritu continerentur.*

maturitatem: ‘ripening’.

ad temperationem corporum: ‘for the regulation of our bodies’, cf. 10, 21 n. and *Tusc.* 4.13.30, *corporis temperatio, cum ea congruunt inter se e quibus constamus, sanitas.*

moderatorem et ducem solem: cf. *Rep.* 6.17, *dux et princeps et moderator luminum reliquorum*; *N. D.* 2.49, *sol, qui astrorum tenet principatum*. Cicero seems to be following Cleanthes who identified the universal ἡγεμονικόν with the sun, *Ac.* 2.126, Euseb. *Praep. Euang.* 15.15.7 (= SVF. 1.499), *τὸν ἥλιον εἶναι, διὰ τὸ μέγιστον τῶν ἀστρον ὑπάρχειν καὶ πλεῖστα συμβάλλεσθαι πρὸς τὴν τῶν ὄλων διοίκησιν, ἡμέραν καὶ ἐνιαυτὸν ποῖντα καὶ τὰς ἄλλας ὥρας*, and *Plin. H. N.* 2.12.

lunamque adcretionem et deminutionem luminis: ‘... and the moon by its waxing and waning marks out the calendar’.

quasi fastorum notantem et significantem dies: editors who think that *quasi* can only go with *fastorum* emend the passage. Giusta wanted to read *quasi fastorum <modo>* etc., thinking *quasi fastorum* alone is itself unneeded and impedes the thought.

orbe in duodecim partes distributo: the twelve signs of the Zodiac, cf. *Div.* 2.89, *signifero in orbe, qui Graece ζωδιακὸς dicitur*; and *N. D.* 2.52, *signorum orbem*; *Lucr.* 5.691, *signiferi orbis*; *Verg. Geor.* 1.239, *signorum ordo*, and Cicero’s own *Arat.* 317, *zodiacum hunc Graecis uocitant nostrisque Latini Orbem signiferum perhibebunt nomine uero.*

quinque stellas: cf. 25, 63 n.

globum terrae: *Prisc. G. L.* 1.8.44 links *globus* with *glomus*, and so it originally just meant an unformed lump,

but cf. *N. D.* 2.47, *ex solidis globus, sic enim sphaeram interpretari placet*, and *TLL* 3, 1184.7–27. Cicero uses *globus* to speak of the heavenly spheres at *Rep.* 6.16–17. The spherical shape of the world was maintained by the Pythagoreans, as well as by Parmenides and Empedocles; as it was also for *Pl. Phd.* 108e–109a, and *Pl. Ti.* 33; so also Aristotle and the Stoics, *Stob. Ecl.* 15.6, *D. L.* 7.140.

in medio mundi loco: cf. 17, 40.

duabus oris distantibus: refers to the two temperate zones, cf. above 20, 45. Kühner cites *Ov. Met.* 1.48, *quarum quae media est, non est habitabilis aestu | nix tegit alta duas; totidem inter utramque locavit | temperiemque dedit mixta cum frigore flamma.*

sub axe posita... the verse is iambic trimeter, from Accius’s *Philocteta*, as quoted in *Non.* 346, *s. v. moliri*. Translate, ‘whence the dreadful hiss of north wind heaps the icy snow’.

stellas septem: Ursa Minor, cf. *N. D.* 2.106, *nostris Septem soliti uocitare Triones*. For the derivation, cf. *Fest.* 467 (Lindsay), *Gell. N. A.* 2.21.8–10, and *Varr. L. L.* 7.74, *nostris eas septem stellas <t>r<i>ones et temonem et prope eas axem; triones enim et boues appellantur a bubulcis etiam nunc, maxime cum arant terram... qui terram arabant a terra terriones, unde triones, etc.*

ἀντίχθονα: the antipodes, which was the term Cicero used in *Ac.* 2.123. However, cf. *Plu. De Plac. Phil.* 3.11 (= *D.–K.* 44a) where the Pythagorean Philolaus uses the word *ἀντίχθονα* to describe the opposite earth or the ‘counter-earth’. He did not consider the earth spherical, but supposed that there existed another earth, ἄλλην γῆν, which was identical to earth in its revolution and orbit (*Arist. Cael.* 293a, *Simpl. In Cael.* 511.28 = *D.–K.* 58b37) that was placed on the opposite side of a central fire (*D.–K.* 44a17, 21). For a discussion of the terminology of this word, see BURCH (The Counter-Earth). Other Pythagoreans, however, thought that the earth was symmetrical. *D. L.* 8.26 claims that Pythagoreans used the term in their theory, but at *D. L.* 3.24 says Plato was first to employ the word; and cf. *Arist. Cael.* 2.13, 293b, who criticises the Pythagorean position, ἔτι δ’ ἐναντίαν ἄλλην ταύτη κατασκευάζουσι γῆν, ἣν ἀντίχθονα ὄνομα καλοῦσιν, οὐ πρὸς τὰ φαινόμενα τοὺς λόγους καὶ τὰς αἰτίας ζητοῦντες, ἀλλὰ πρὸς τινὰς λόγους καὶ δόξας αὐτῶν τὰ φαινόμενα προσέλκοντες καὶ πειρώμενοι συγκομῆν (cf. *D.–K.* 58b36). The idea of a symmetrical earth is also attacked by *Lucr.* 1.1052ff when he confutes the Stoic idea of things tending towards a center.

§69. incultas: 20, 45 n.

Caelúm nitescere, árbores frondéscere,
 Vítés laetificae pámpinis pubéscere,
 Ramí bacarum ubértate incuruéscece,
 Segetés largiri frúges, florere ómnia,
 Fontés scatere, herbis práta conuestírier,

70 tum multitudinem pecudum partim ad uescendum, partim ad cultus agrorum, partim ad uehendum, partim ad corpora uestienda, hominemque ipsum quasi contemplatorem caeli ac deorum cultorem atque hominis utilitati agros omnis et maria parentia —: haec igitur et alia innumerabilia cum cernimus, possumusne dubitare quin iis praesit aliquis uel effector, si haec nata sunt, ut

1–5. cf. *De Or.* 3.154 3. Non. 122.18 9. Pl. Ti. 28b

3 incuruéscece] inuruescere K: incuruiscere Nonius. 7 deorum] deorum eorum RG: eorum^q:cultorem KP: del. eorum Bouhier: terrarum Bentley: argorumque Klotz: duarum orarum Giusta

caelum nitescere. . . : iambic trimeter, but the author is unknown. Hermann conjectured that they were possibly from Ennius' *Eumenides*, but they do not closely resemble A. Eu. 904ff, and JOCELYN (Tragedies of Ennius, p. 285) is doubtful of their attribution. Beier thinks they may come from Accius' *Philoctetes*. For the language, cf. Lucr. 1.11, *placatumque nitet diffuso lumine caelum*.

nitescere, frondescere, . . . : older Latin authors had a peculiar fondness for such alliteration which was often used for poetic effect, cf. 35, 85 *ui uitam uitari* and 44, 105 *saxa spargens tabo, sanie et sanguine*. Even Cicero did not despise its use in prose.

uites laetificae : = *uites laetae*, cf. Lucr. 2.1157, *uineta laeta*. The adjective *ficus* gives it archaic sound and was later dropped in favour of the simpler forms; cf. *Div.* 1.13, *tristificus*; *Tusc.* 2.22, *vastificus*; *De Or.* 3.157, *largificus*.

pubescere : 'to put forth young shoots', cf. *Ov. Tr.* 3.12.7, *prataque pubescunt uariorum flore colorum*.

bacarum : the term *bacae* is used often of any sort of fruit produced by trees.

scatère : in Classical latin *scatère* is in the second conjugation, but here it is short so that the second foot of the line is an anapest, *scätër' hēr*—, cf. Lucr. 5.597. Many of these kinds of verbs were in the third conjugation among the old writers.

conuestírier : for the form, see 44, 105 n. on *raptarier*.

pecudum ad uescendum. . . : cf. *N. D.* 2.37, *aliorum causa omnia generata*, cf. Xen. *Mem.* 4.3.10, Arist. *Pol.* 1.8, 1256b, 15–17, *οἰητέον τά τε φυτὰ τῶν ζῴων ἕνεκεν εἶναι καὶ τὰλλα ζῶα τῶν ἀνθρώπων χάριν*, *Fin.* 2.40, *ad arandum bouem, ad indagandum canem* (of Aristotle's position); but more prominently, this theory was held by the Stoics who viewed *natura* as a thing in which all parts were adapted with an end in mind, cf. *N. D.* 2.82–83; and Porph. *De Abst.* 3.20, *τοῦ Χρυσίππου πιθανὸν ἦν, ὡς ἡμᾶς αὐτῶν καὶ ἀλλήλων οἱ θεοὶ χάριν ἐποιήσαντο, ἡμῶν δὲ τὰ ζῶα, συμπολεμεῖν μὲν ἵππους καὶ συνθηρέειν κύνες*. If, therefore, all things in nature are so designed, then there must be government in the world and this was one of the Stoics' strongest arguments for the existence of god. Generally, plants existed to support animals, and animals existed to support man, *SVF.* 2.1152–1167, *Nem. De Nat. Hom.* 1.21–28, *N. D.* 2.37, *Off.* 1.22, *placet Stoicis, quae in terris gignantur, ad usum hominum omnia creari*; and further that the world was created for the benefit of man, *Fin.* 3.67, *N. D.* 2.133.

contemplatorem caeli : cf. *N. D.* 2.140, *deorum cognitionem capere*, and 2.153 where one of the convincing arguments for the existence of beings superior to man was the regularity of the heavenly bodies; also *Fin.* 4.11, *Rep.* 3.3, and 6.15, *Sen.* 77, *caelestium ordinem contemplantes*; *Leg.* 1.26. The idea that the contemplation of heaven is the whole end of mankind recurs frequently, and is perhaps found earliest in Anaxagoras, Arist. *E. E.* 1216a (cf. *D. L.* 1.3.10), *ἀποκρίνασθαι πρὸς τινα. . . διερωτῶντα τίνος*

ἕνεκ' ἂν τις ἔλοιτο γενέσθαι μᾶλλον ἢ μὴ γενέσθαι, 'ποῦ, φάναι, θεωρώσαι τὸν οὐρανὸν καὶ τὴν περὶ τὸν ὅλον κόσμον τάξιν', similarly Posidonius, Clem. Al. *Strom.* 2.21.129 (= Ed.–Kidd. 186) who defended the *τέλος* as *ζῆν θεωροῦντα τὴν τῶν ὄλων ἀλήθειαν καὶ τάξιν*, on which see Nock (Posidonius, p. 7); also *Arist. De Phil. fr.* 10; *Sen. Ep.* 65.16; *Sen. Cons. Marc.* 18. If man had reason and could therefore contemplate the heavens, he was therefore the only religious animal, *Leg.* 1.24, *nullum est animal praeter hominem quod habeat notitiam aliquam dei*; *Lact. Inst.* 2.3.14, 2.9.26; and Dyck's n. on *Off.* 1.59.

Seyffert recalled that numerous philosophers, including Posidonius (*D. L.* 7.148, *Dox. Graec.* 466, 18) thought that both the stars were and indeed heaven itself was a god; but this does not seem to be what Cicero is implying here. Rather, he is tracing out the origin of religious sentiment from the contemplation of nature to the worship of the gods. The line of argument backwards from effects to causes is similar to Cicero's earlier arguments about the origin of funerary practices.

deorum cultorem : GIUSTA (Testo, pp. 161–162) tried to defend his correction to *duarum orarum cultorem* but I am not convinced. He misunderstands the passage at *N. D.* 2.99, *homines quasi cultores terrae constituti*. Here, *terrae* is not genitive but dative and means 'men were placed upon the earth as if they were its caretakers', for certainly the passage does not mean that men were set upon the earth to worship it, cf. *Agr.* 2.7.17, *legibus agrariis curatores constituti* and *Sen.* 77, *qui terras contuerentur*, where it means 'to watch over', 'guard'. Additionally (as shown in the note above) the world was for man's benefit, as this is again stressed here with *hominis utilitati parentia*. Giusta's change reverses the argument of the passage and implies that man existed for the sake of plants. Surely not: he is placed on the earth to remove cruelty and wildness (i.e., to bring justice) and any cultivation of agriculture is for his own sake or that of his fellow man, not for the sake of the plants he tends. Further, the *ac* firmly joins both *contemplator caeli* with *cultor*; if Cicero wrote *duarum orarum*, he would have written instead *c. caeli et d. cultorem atque* etc. As Cicero has already argued for the divinity of the soul, then it seems perfectly reasonable that the purpose of man on the earth is to contemplate the gods. Therefore, I retain *deorum cultorem*.

§70. **haec igitur** : this phrase ties the thread of the argument together.

possumusne dubitare : instead of *non possumus dubitare*, we have this construction on account of the anacolouthon which follows such a lengthy exposition of the heavens.

ut Platoni uidetur : cf. *Ac.* 2.118, *Plato ex materia in se omnia recipiente mundum factum esse censet a deo sempiternum*, *Pl. Ti.* 31–33 and see BROADIE/KENNY (The Creation of the World).

Platoni uidetur, uel, si semper fuerunt, ut Aristoteli placet, moderator tanti operis et muneris? sic mentem hominis, quamuis eam non uideas, ut deum non uides, tamen, ut deum adgnoscis ex operibus eius, sic ex memoria rerum et inuentione et celeritate motus omnique pulchritudine uirtutis uim diuinam mentis adgnosco.

5 XXIX. In quo igitur loco est? — credo equidem in capite, et cur credam adferre possum. sed alias, ubi sit animus; certe quidem in te est. quae est eius natura? propria, puto, et sua. sed fac igneam, fac spirabilem: nihil ad id de quo agimus. illud modo uideto, ut deum noris, etsi eius ignores et locum et faciem, sic animum tibi tuum notum esse oportere, etiamsi ignores et locum et formam. in animi autem cognitione dubitare non possumus, nisi plane in physicis plumbei
10 sumus, quin nihil sit animis admixtum, nihil concretum, nihil copulatum, nihil coagmentatum, nihil duplex: quod cum ita sit, certe nec secerni, nec diuidi, nec discerpi, nec distrahi potest, ne interire quidem igitur. est enim interitus quasi discessus et secretio ac diremptus earum partium, quae ante interitum iunctione aliqua tenebantur. his et talibus rationibus adductus Socrates nec patronum quaesiuit ad iudicium capitis nec iudicibus supplex fuit adhibuitque

71

2 eam] eam X: ita *Giu.* 3 omnique] omniaque RGE: omni que V^c, *litt. erasa*: omnique S: summaque *Giu.* 6 est eius] est et GRKS: est eī V^c, *h. e.*, in *rasura* = eius, s 7 spirabilem] spirabilem X: spirabilem V 10 animis] animis X: <in> animis *Ernesti*, cf. 27, 66; *Sen.* 78 12 quidem] *omni*. X: *add.* quidem *Madvig* 13 iunctione] coniunctione *Madvig*.

ut Aristoteli: cf. *Arist. Cael.* 1.10, δῆλον γὰρ ὅτι καὶ εἰς ἄλλα τῶν στοιχείων συνιόντων οὐχ ἡ τυχοῦσα τάξις γίνε-ται καὶ σύστασις, ἀλλ' ἡ αὐτῆ, ἄλλως τε καὶ κατὰ τοὺς τοῦτον τὸν λόγον εἰρηκότας, οἱ τῆς διαθέσεως ἐκατέρας αἰτιῶνται τὸ ἐναντίον; and *Arist. Cael.* 2.1.

muneris: 'the governor of such a great work and building', cf. *N. D.* 2.90, *moderatore tantum operis tantumque muneris*, as often said of a public structure, cf. *Vell. Pat.* 2.48, and 2.130 where *Pompei munus* means his theatre. *munus* was originally a spectacle, usually gladiatorial, put on by the aediles during festival days and later came to be associated with the buildings. In this metaphor god is made to be the aedile our universal spectacle. In *N. D.* 1.22, the stars of heaven are equated to the lights which the aediles hung on public buildings and temples during the celebrations, and cf. *Pl. Ti.* 37c, τῶν ἀδίων θεῶν γερονὸς ἄγαλμα.

eam: the idiom with *eam* is Ciceronian and there is no need, with *Giusta*, to alter to *ita*.

XXIX. in capite: cf. 10, 20 n. for the Stoic views of this position, and *D. L.* 7.159.

adferre: the verb is used absolutely, sc. *rationem adferre*, or *multa adferre*, cf. *Fin.* 5.27. The best parallel is cited by *Dougan*, *Lucr.* 3.354, *quid sit enim corpus sentire quis adfert unquam*.

sed alias, ubi sit animus: sc. *dicam, exponam*, etc.

natura: 'substance', cf. 19, 43 n. and 25, 61 n.

propria, sua: *propria* means that the soul's nature is unique to it and has nothing in common with other objects, whereas by *sua* Cicero means that its nature is appropriate to the function or role of the soul as an entity.

spirabilem: cf. 17, 40 n.

nihil ad id de quo agimus: cf. *D. L.* 2.21, τὴν φυσικὴν θεωρίαν μηδὲν εἶναι πρὸς ἡμᾶς, where the theoretical does not seem to impair the ethical reasonings at hand, and cf. 2.45, similarly of *Aristo Chius*. Grammatically, the ellipse of a verb like *attinere*, i.e., *nihil ad id attinet*, is common enough, cf. *Ac.* 1.15, *nihil tamen ad bene uiuendum*.

§71. **plumbei sumus:** 'unless we are quite dull'. The metaphor of the lead dagger to mean a blunt dull implement is used by Cicero when he was fooled by the acquittal of *Clodius*, *Att.* 1.16.2, *cum illum plumbeo gladio iugulatum iri tamen diceret*, i.e., *Clodius* was in such a weak position that he could have had his neck slit with a butterknife. It is also used to describe a weak argument, *plumbeum pugionem*.

For the metaphorical use of it to mean 'dullard', cf. *Ter. Heaut.* 877, *quae sunt dicta in stulto, caudex stipes asinu'*

plumbeus. It seems to be a pun, meaning both 'unless we are foolish in the natural sciences', and 'unless we are made up of heavy material'.

nihil admixtum... concretum: 'that which has nothing added or united with it'. **nihil copulatum...:** 'nothing connected'. Both these phrases look toward the *duplex*. Each of the words corresponds to one of *secerni, diuidi, discerpi, distrahi* which follow; cf. *Sen.* 72, *eadem quae coagmentauit, natura dissoluit*.

animis: *Ernesti* wished to insert <in> based on the similar passage at *Sen.* 78, *neque haberet* [i.e., *animus*] *in se quidquam admixtum dispar sui atque dissimile*, but the idiom here does not require *in*.

coagmentatum: meaning 'joined', a metaphor taken from carpentry, and cf. *Cicero's coagmentatio = σύστατον σώμα* at *Tim.* 17 (= *Pl. Ti.* 33a). According to *D. L.* 4.64, just before he died, *Carneades* repeated over to himself ἡ συστήσασα φύσις καὶ διαλύσει, cf. *Sen. Ep.* 30.11, *quidquid composuit resoluit, et quidquid resoluit componit iterum*.

ne interire quidem igitur: for the reading and final position of *igitur*, cf. 26, 65 n. and *N. D.* 3.44, *ne Orcus quidem igitur*, which confirms *Madvig's* conjecture.

diremptus: *ac* can join synonyms, often with the effect of emphasis or elaboration, 'and even'. The hendiadys means 'its destruction is a separation, and a tearing asunder'.

iunctione: *Wilkin's* on *De Or.* 3.191, *iunctio uerborum* asserts that the word is very rare, occurring there and here in the *Tusc.* *Laminibus* and *Madvig* would read *coniunctio*.

nec patronum: i.e., *Lysias*. According to the popular account, *Lysias* wrote a defence speech for *Socrates* but he refused to use it as unmanly, *D. L.* 2.40, *De Or.* 1.231, *Quint. Inst.* 2.15.80, *Val. Max.* 6.4.2, *Stob. Flor.* 7.56. There is nothing inherently improbable about this story since we know that *Celphalus* and his son *Lysias* were close friends with *Socrates*; but we have some evidence that there was an epideictic speech written by the sophist *Polycrates* against *Socrates* after his death, and that *Lysias* wrote his defence of the philosopher in response to this speech, *Schol. ad Aristid.* 113.16, οἶδε τὸν Σωκράτην πρὸς τοὺς νέους αἰετὸν Ὀδυσσεῖα θαυμάζοντα...ὡς Πολυκράτης ἐν τῷ κατ' αὐτοῦ λόγῳ φησὶ καὶ Λυσίας ἐν τῷ πρὸς Πολυκράτην ὑπὲρ αὐτοῦ. It is possible that this latter story gave rise to the former.

adhibuitque: 'but he displayed', as the particle *-que* often has an adversative force after a negative, *Madvig Gram.* 433, obs. 2 and above cf. 2, 4 n. *iacentque*.

liberam contumaciam a magnitudine animi ductam, non a superbia, et supremo uitae die de hoc ipso multa disseruit et paucis ante diebus, cum facile posset educi e custodia, noluit, et tum, paene in manu iam mortiferum illud tenens poculum, locutus ita est, ut non ad mortem trudi, uerum in caelum uideretur escendere.

72 XXX. Ita enim censebat itaque disseruit, duas esse uias duplicesque cursus animorum e corpore 5
excedentium. nam qui se humanis uitiis contaminauissent et se totos libidinibus deditissent, quibus caecati uel domesticis uitiis atque flagitiis se inquinauissent uel, re publica uiolanda, fraudes inexpliabilis concepissent, eis deuium quoddam iter esse, seclusum a concilio deorum;

98.5–99.3. Pl. *Phd.* 80d sqq. 6–8. Lact. *Inst.* 7.10.10.

2 et tum] et tum RG: et tū S, in marg. quom: ettum V: et cum KP 3 tenens] tenens VK: tenens S, in marg. teneret 4 escendere] escendere RG: aescendere V^c, æ ex e mut: ascendere KS 5 ita enim] ita Socrates enim *Fohlen.* 6 humanis] humanis X, cf. Pl. *Phd.* 81a: immanibus *Bent.*: huius *Giu.*, cf. *Rep.* 6.29, Pl. *Phd.* 81b. 6 totos] totos K: toto G: tot B 6 deditissent] deditisset X: deditisset *dett. codd.* 7 uel] uelut RGBE: uel ut V^c, *Bentley.* 7 re publica uiolanda] re publica uiolanda RGBPE: republicae uiolanda V^c 8 concepissent] concepissent V^c: concoepissent GR

liberam contumaciam: ‘a noble disdain’; *contumax*, though often a negative quality in an individual, it can at times (though rarely) be considered positive, cf. Tac. *Hist.* 1.3, *contumax aduersus tormenta seruiorum fides*, DOEDERLEIN: Lat. Syn. et Etym, vol. 4, p. 180. Wolf compared Xen. *Ap.* 1, ἀλλ’ ὅτι ἦδη ἑαυτῷ ἡγέιτο αἰρετώτερον εἶναι τοῦ βίου θάνατον, τοῦτο οὐ διεσαφήνισαν ὥστε ἀφρονεστέρα αὐτοῦ φαίνεται εἶναι ἢ μεγαληγορία.

de hoc ipso: Socrates spoke about the immortality of the soul in *Phaedo*.

paucis ante diebus: in the *Crito*, passim.

cum facile posset: for the subjunctive, cf. 17, 39 n. *cum adduxeris*.

in caelum escendere: in Pl. *Phd.* 117c, just before he drinks the poison, Socrates does not actually say that his soul will mount to heaven, but only that it will become happy by changing its abode from one place to another, ἀλλ’ εὐχεσθαί γέ που τοῖς θεοῖς ἔξεστί τε καὶ χρῆ, τὴν μετοίκησιν τὴν ἐνθένδε ἐκέισε εὐτυχῆ γενέσθαι.

The orthography is not certain. At *Leg.* 2.8, we read in *caelum adscensus* with unambiguous mss. authority; also at *Am.* 88, in *caelum ascendisset*. *Parad.* 1.2.11, *ascendit in caelum* is dubious, and the Teubner reads *escendit in caelum*. It would appear that *adscendere* is the more usual idiom. Past editors variously read *adscendere* and *escendere*, though there is likely little difference in the meaning. Both are equally used for mounting the rostra before addressing a crowd.

XXX. §72. **ita enim censebat...**: the following sections are thoroughly Platonic in nature, and I list below the various passages which reflect Pl. *Phd.* in the notes. Much of what is here discussed was treated earlier in Cicero’s *Rep.* Those souls which have indulged too much in the delights of the body and have acted as its ministers have contravened the laws of both man and god; they are trapped on the earth, and only escape after many years, cf. 12, 27 n. on *permaneret*, and Pl. *Rep.* 10.614ff, the myth of Er.

censebat... disseruit: Moser thought that the imperfect here signified that this was Socrates’ typical view, and the perfect reflected that he spoke it once (in the dialogue of the *Phaedo*). But see 2, 4 n. on *floruerunt, discebant*; and cf. 35, 86 *fuertunt, gratulabantur*.

animorum e corpore: note again the frequent change from the single above to the plural, cf. 17, 40 n.

humanis uitiis: this = ἀνθρωπίνους κακοῖς, Pl. *Phd.* 84b, and *Hortens.* fr. 88.

humanis: GIUSTA (Tusculanae, p. xxxix) believed the real reading was *huius*, and that the mss. reading came about by a scribe misunderstanding an abbreviation and inserting intervocalic letters (i.e., here in place of *huius*, reading

hūais = humanis). He compared *Rep.* 6.29, *eorum animi qui se corporis uoluptatibus dederunt earumque se quasi ministros praebuerunt*; Pl. *Phd.* 81b, ἄτε τῷ σώματι ἀεὶ συνοῦσα καὶ τοῦτο θεραπεύουσα καὶ ἐρώσα καὶ γοητευομένη ὑπ’ αὐτοῦ ὑπό τε τῶν ἐπιθυμιῶν καὶ ἡδονῶν. But there is no doubt that in *humanis uitiis* Cicero is referring those vices of the body and particularly attacking Epicurean hedonism. The authority of the mss. reading is overwhelming, and the change to *huius* is weak. The Latin vocabulary on this point is particularly effective since *humanus* originally stemmed from *humi* (earth); also cf. Aug. C. D. 2.7, *mirum nimium, si ullus ibi erat pudor mortalium, quo humana flagitia non libere homines committerent quae apud deos etiam religiose discerent*; Aug. *Ep.* 19.29. If we are able to conduct ourself in a heavenly fashion while trapped in our earthen containers and to refuse indulgence to that which is mortal, then we will keep our immortal parts clean.

deditissent: the vulgate reading *deditissent* would have been more forceful, ‘they had given themselves wholly up’, with the idea of abandoning other pursuits, cf. *Off.* 1.71, *Q. Fr.* 3.5.4, *TLL* 5, 1, 267–8; 5, 1, 1698. The mss. reading simply means to ‘betake oneself to an activity’ and though the testimony are in strong agreement, in matters like this, the mss. cannot be trusted too far, cf. *Rep.* 6.26, *se uoluptatibus deditissent* and *Sen.* 43, *se uoluptatibus deditissent* where Powell mused about accepting *deditissent*. I have thought it better to take the vulgate reading with Orelli against the mss.

domesticis uitiis atque flagitiis se inquinauissent: a good example in Cicero of a final word which by itself would constitute a rhythmic unit is directly preceded by what looks like a rhythmic close (the unemphatic *se* makes little difference), see HUTCHINSON (Rhythm, Style, and Meaning in Cicero’s Prose, p. 490).

domesticis uitiis: ‘domestic sins and crimes’, i.e., those vices we adopt which affect only our private lives and not the public good. The repetition of *uitiis* would be facile on its own, but it is reinforced somewhat by the opposition of *domesticis* to *republica*.

re publica uiolanda: ‘by their injury to the public good’, i.e., *eo quod uiolant rem publicam*: the gerundive serving to fill in for want of a present passive participle in Latin.

fraudes inexpliabilis concepissent: ‘had taken upon themselves such unpardonable guilt’, cf. *Sull.* 16, *flagitium concepit*, *Leg.* 3.32, *uitia concipiunt*. The term *fraus* came to signify not the commission of crime, but its resulting ‘guilt’, cf. *Leg.* 1.40, *fraudisque cruciati*, *Dir.* 1.7, *fraude obligemur*.

concilio deorum: the society of the gods, instead of *consilium deorum*, which would be the council or assembly of the gods. Cicero is thinking of his earlier *Rep.* 6.16, in

qui autem se integros castosque seruauissent, quibusque fuisset minima cum corporibus contagio seseque ab iis semper seuocauissent essentque in corporibus humanis uitam imitati deorum, iis ad illos a quibus essent profecti reditum facilem patere. itaque commemorat, ut cygni, qui non sine causa Apollini dicati sint, sed quod ab eo diuinationem habere uideantur, qua prouidentes quid in morte boni sit cum cantu et uoluptate moriantur, sic omnibus bonis et doctis esse faciendum. nec uero de hoc quisquam dubitare posset, nisi idem nobis accideret diligenter de animo cogitantibus, quod iis saepe usu uenit, qui cum acriter oculis deficientem solem intuerentur, ut aspectum omnino amitterent — sic mentis acies se ipsa intuens non numquam hebescit, ob eamque causam contemplandi diligentiam amittimus. itaque dubitans, circumspectans, haesitans, multa aduersa

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3–5. Serv. 1.393. 7–9. Pl. *Phd.* 99d–e

1 contagio] contagiose seque RV^c(corr. V^{c2}) 3 cygni] cygni GVR, cf. *De Or.* 2.123: cigni KE: cynnis *Lambinus*: cynni *Seruius*, cf. *De Or.* 3.6, quod retinuit *Giu.* 4 sint] sint GKE: sint VS: sunt P 4 qua] qua X: quasi *Dav.* 7 quod iis] quo iis X: quod iis RKPE: quō V: quō B *alio atram. superscr.*: quod S 7 qui cum] quicum RV: qui cum KEB²: cum *del. Man., def. Küh.*: aut cum aut ut *del. Bent.*: qui contra *Lundström* 7 intuerentur] intuerentur X: intuentur *Vaucher, Mül., Drex., KURFESS* (Adnotationes criticae). 9 diligentiam] diligentiam X: licentiam *Giu.*

which the souls of the departed were said to fly to their final habitation in the Milky Way, cf. Heraclides, *fr. Wehrli*. 97; GOTTSCALK (Heraclides of Pontus, 98ff); *Sen.* 84, *diuinum animorum concilium*; *Sen. Cons. Marc.* 25, *excepit illum coetus sacer*, Pl. *Phd.* 81a, μετὰ θεῶν διάγουσα.

castosque: ‘clean’, *puddicus*, in the same sense as the Greek καθαρός, cf. DOEDERLEIN (Lat. Syn. et Etym, p. 35).

seseque ab iis: loosely expressed for *quique sese ab iis*. . . K.–S. 2.145, 14.

seuocauissent: 16, 38 n.

in corporibus humanis. . . deorum: cf. 6, 11 n. *disserentium philosophorum* where the order of the words are so arranged to bring focus upon the one last in the clause.

iis ad illos: cf. *Am.* 13, *animos hominum esse diuinos, iisque, cum ex corpore excessissent, reditum in caelum patere, optimoque et iustissimo cuique expeditissimum*.

ut cygni. . .: this involves an anacolouthon; the clause is interrupted by *sed quod. . . boni sit* similar to above 17, 40. We should have expected *qua prouideant*, K.–S. 2.164.

qua prouidentes quid in morte boni sit: cf. Pl. *Phd.* 85b, *μαντικοί τέ εἰσι καὶ προειδότες τὰ ἐν ᾿Αἰδου ἀγαθὰ*.

ut cygni cum cantu moriantur: cf. Pl. *Phd.* 84e–85b, καί, ὡς ἔοικε, τῶν κύκνων δοκῶ φαυλότερος ὑμῖν εἶναι τὴν μαντικὴν, οἱ ἐπειδὴν αἰσθωνται ὅτι δεῖ αὐτοὺς ἀποθανεῖν, ἄδοντες καὶ ἐν τῷ πρόσθεν χρόνῳ. . . τοῦ Ἀπόλλωνος ὄντες, μαντικοί τέ εἰσι καὶ προειδότες τὰ ἐν ᾿Αἰδου ἀγαθὰ ἄδουσι. The myth that the swan would sing at its death is first found in A. A. 1444, κύκνου δίκη] τὸν ὕστατον μέλαψασα θανάσιμον γόον] κείται φιλήτωρ τοῦδε; later in the Platonic corpus, as above and also Pl. *Rep.* 620a. [Arist]. *H. A.* 10, 615b2–5 confirmed that sailors along the Libyan coast had come across many of these birds which were seen flying out to sea with a mournful voice. By the third century B.C., a swan’s parting dirge had already become proverbial, cf. *Porph. De Abst.* 3.286 and *Chrysippus* in *Ath.* 14.616b, φιλοσκοπῆτης, μέλων ἀπὸ τοῦ δημίῳ σφάττεσθαι εἰπεῖν ἔφη θέλει ὡς περ τὸ κύκνειον ἄσος ἀποθανεῖν; *Plu. Mor.* 161c, ἐξῆσαι δὲ καὶ τὸν βίου τελευτῶν καὶ μὴ γενέσθαι κατὰ τοῦτο τῶν κύκνων ἀγεννέστερος; and *Polyb.* 30.4.7, 31.12.1. Other ancient authors dismissed this as mere invention or falsehood, such as *Plin. H. N.* 10.23, and *Alexander of Myndos* in *Ath.* 9.393d–e. There are two types of swan: the mute and the whooper swan, the latter being described as sounding ‘like a man who cannot play the bugle’ and as the ancients often failed to distinguish between the two, it is unlikely the story arose from natural observations and in all probability originated in some old mythology, see ARNOTT (Swan Songs).

doctis: i.e., *philosophis*.

usu uenit: cf. *Fin.* 1.8, 5.4; *Off.* 3.15; *Sen.* 7, *Verr.* 2.14, and

for its formation see *Kühner* n. *ad loc.* and K.–S. 2.345, n. 3. *uenit* is perfect (with the following *amitterent*), and is best translated by the use of the word which means ‘happen to’. *Orelli* has an exhaustive note on its use *ad loc.*

qui cum acriter. . . intuerentur ut. . .: the subj. *intuerentur* follows the *cum* temporal clause because the order in time is also the same as the order of cause and effect, cf. *Madv. Gram.* 358. *Reid*, in *Dougan’s* n. suggested the true reading may have been *quicumque. . . ut* and I am inclined to think he is right. Our passage here is taken almost word for word from Pl. *Phd.* 99d, μὴ πάθοιμι ὅπερ οἱ τὸν ἥλιον ἐκλείποντα θεωροῦντες καὶ σκοποῦμενοι πάσχουσιν· διαφθείρονται γάρ που ἔνιοι τὰ ὄμματα, ἐὰν μὴ ἐν ὕδατι ἢ τινι τοιούτῳ σκοπῶνται τὴν εἰκόνα αὐτοῦ.

quod iis. . . omnino amitterent: this anacolouthon gave rise to suspicions of a lacuna and spurious conjectures by editors, many of whom demonstrate that they understand the passage without any need to insert words or alter the passage. Translate, ‘a thing which happens to those as such when they look at the setting sun with their eyes, that they wholly lose their vision.’ If emendation is needed, *Davies’ qui tam* is the simplest and best.

acriter: this means ‘with sharp focus’, *Planc.* 66, *auris hebetiores, oculos autem esse acris atque acutos*, i.e., with glaring or squinting, cf. *Lucr.* 3.290, *ex oculis micat acribus ardor*; *Verg. Aen.* 12.102, *oculis micat acribus ignis*.

aspectum: for the phrase, cf. *Tusc.* 5.114, *inpediri animi aciem aspectu oculorum*.

sic mentis acies: marks another anacolouthon, frequent in this part of the text. With the *sic*, *Cicero* resumes the analogy as if it were a comparative that clause which *ut* corresponded to. Though not grammatically true, nevertheless, the idea does carry with it a sense of comparison.

se ipsa intuens: this topic was touched upon at 23, 54 n. For the confusion between these phrases with *ipsa* and *ipsam*, cf. 11, 24 n. Generally, the nominative form is the more emphatic of the two, *Sull.* 39, *de se ipse confessus esset*; *Fam.* 1.1.1, *ceteris satisfacio omnibus, mihi ipsa numquam satisfacio*; K.–S. 2.122 and *Madvig’s* n. on *Fin.* 5.28.

diligentiam: ‘sed diligenter cogitantes non diligentiam, sed facultatem contemplandi amittimus’, so *Giusta* who wished to read *licentiam*, but this is hardly good grounds for changing the mss. reading. He assumed that *omnino* is to be understood with *amittimus*, but since we have *non numquam hebescit*, we can assume that *diligentia* here = *attentio animi*, an ability of the soul to acquire all details. Its opposite *tarditas*, was a dullness or stupidity but not a complete failure of the faculties. An excellent explanation is *De Or.* 2.35.149–151.

74 reuerens tamquam ratis in mari inmenso nostra uehitur oratio. sed haec et uetera et a Graecis. Cato autem sic abiit e uita, ut causam moriendi nactum se esse gauderet. uetat enim dominans ille in nobis deus iniussu hinc nos suo demigrare; cum uero causam iustam deus ipse dederit, ut

1. Pl. *Phd.* 85d. 100.2–101.3. Pl. *Phd.* 61c sqq.

1 reuerens] reuertens X: reuerens expung. t V, s 1 ratis] in rate KPS: ~~ut~~ ratis^{is} V^c: *crucem hic adposuit Giu.* 1 oratio] oratio X: *ratio Camer., Sff., Giu.*

tamquam ratis nostra uehitur oratio: cf. Pl. *Phd.* 86d, τὸν γοῦν βέλτιστον τῶν ἀνθρωπίνων λόγων λαβόντα καὶ δυσεξελεγκτότατον, ἐπὶ τούτου ὀχούμενον ὥσπερ ἐπὶ σχεδίας κινδυνεύοντα διαπλεύσαι τὸν βίον. Although the imagery is borrowed from Plato, there have been some editors who thought that there might have been a line from an old Roman poet lying hidden somewhere here on account of the colourful exuberance of the passage. Quietus in an early edition arranged the participles *dubitans*, *circumspectans*, *haesitans*, *multa aduersa reuerens* as anapests.

oratio: Giusta wished to restore the old *ratio* (= Plato's λόγος) in place of *oratio*, a view that had numerous previous exponents. Indeed, these two words are often confused even in the best mss. G and R, twice at 47, 112 and again 48, 116. The previous *contemplandi* would seem to favour understanding *ratio* here. Cicero would then imply that the difficulty of the subject matter of the *Tusc.* has led him to consider many and various lines of reasoning in a wandering fashion; but this could be equally said of an *oratio*. The participles do not help clarify either as they can all be construed intelligently with either *oratio* or *ratio*. The metaphor of the raft is found at Pl. *Rep.* 3.394d, ὅπη ἂν ὁ λόγος ὥσπερ πνεῦμα φέρη, ταύτη ἰτέον and Pl. *Lg.* 10, 893b. Dougan noted that it was not the 'utterance' which is born upon the sea but we ourselves who have embarked upon the λόγος as if a raft. It would be a difficult matter to decide which to read, but we read at *Tusc.* 4.33, *tamquam ex scrupulosis cotibus enavigavit oratio* where the mss. there are on more solid ground. So not only do we have a strong parallel in the same work, but, additionally, the rhythm also favours *oratio*. Therefore, there seems to be no substantial reason for abandoning the majority of the mss.

§74. a **Graecis:** sc. *ducta*, and for the preposition cf. *De Or.* 2.285, *ab hoc uero Crasso nihil facetius*, and HAND: Tursellinus, vol. 1, p. 16. Cicero turns to Roman and away from Greek *exempla*. Cato was a fierce example and a man whom not many had the strength to follow. Nevertheless, Cicero picks the most vivid example to inspire his readers as well as strike at their conceptions of fearing death. The philosophical and historical account of Cato was not yet solidified in Roman literature. Cicero here is as much structuring and creating the myth of Cato as he is simply recalling it, see Fox (*Phil. Hist.* Pp. 157–176).

Cato: M. Porcius Cato of Utica was known for his staunch Stoic ways which earned him gentle mockery from Cicero in his *Mur.* Cato committed suicide in 46 B.C. after the battle of Thapsus, having supposedly read Plato's *Phaedo* the night before. It is a curious fact that the characterisation of Cato changed drastically. Though Cicero knew of Cato's suicide while he wrote *Fin.* 3, he still vibrantly and gently portrayed Cato as a glutton of Stoic books, and eager to discuss the nuances of the *summum bonum*. But in the *Tusc.* that living character is now dead, a martyr, and we have here the first presentation in extant Latin literature of him as a Roman 'Socrates' and the one Plutarch had in mind when he wrote his life (ZADOROJNYI: Cato's Suicide in Plutarch). I think this change can be best explained by Cicero's now lost *Cato* which had been published early (March, 45 *Att.* 12.21.3), and Caesar's response to it which I think had probably come to be circulated enough by the time Cicero came to write the *Tusc.*

Plutarch tells us that Brutus, who was an adherent of the Old Academy and not a Stoic, had criticised the death of Cato as impious (Plu. *Brut.* 40.4, μὴ ὄσιον, cf. Pl. *Phd.* 62a), but later changed his mind after the assassination of Caesar. If Brutus did in fact invite Cicero to write his *Cato* (as Cicero claimed at *Or.* 35), then as the *Tusc.* are dedicated to Brutus, they may represent here a reply to some of the arguments Brutus had used to reprove Cato's self-murder, on which see MOLES (Some 'Last Words' of M. Junius Brutus, 767ff); GRIFFIN (Cato and Roman Suicide: II, p. 195); or perhaps also a reply to Caesar himself.

sic abiit e uita: this passage is often taken to be representative of 'Cicero's' real position on suicide, though we should really ask whether this was Cato's position, for which RIST (*The Stoics*, pp. 231–41); DROGE/TABOR (*Noble Death*, pp. 32–4). According to Olyp. *In Phd.* 1.8 (= SVF. 2.768, D. L. 7.130) the Stoics held that suicide was advisable should tyrants force us into shameful position or acts (αἰσχυρρημοσύνην χρεῖαν). As Cato was in no way about to acknowledge the legitimacy of Caesar's rule, he felt justified in taking his own life. cf. *Off.* 1.112, *moriendum potius quam tyranni vultus aspiciendum fuit*.

uetat enim... : in the Pl. *Phd.* 61c and following, Socrates says a man must not kill himself unless the gods send some great necessity (ἀνάγκη) to him. One of the authorities quoted is Philolaus the Pythagorean. Cicero speaks of the Pythagorean prohibition of the act elsewhere, at *Rep.* 6.15 and *Sen.* 73. We also have Euxitheus (quoted by Clearchus of Soli), *Ath.* 4.157c (= *fr. Wehrli.* 38, D.–K. 44b14), and see Burnet's n. on Pl. *Phd.* *ad loc.*

Though in this work suicide is explicitly forbidden except in situations where the god can be seen to call you from life, Plato in his later works, Pl. *Lg.* 9.873c–d, was more prepared to consider painful misfortunate or intolerable shame as justifying suicide. Aristotle also allowed a man to lay his life down for his country, but he considered it cowardly to use suicide as a means of escape from things as poverty, desire or pain (*Arist. E. N.* 3.1116a12); and generally considered suicide to be an injustice against the political state (*Arist. E. N.* 5.1138a4ff). The Epicureans allowed the practice for those whose pain outweighed their pleasure in life, *Fin.* 1.49, 2.95 but such a solution was despised, *Epicur. Sent. Vat.* fr. 9 (GRIFFIN: Cato, and Roman Suicide: I, p. 72). The Stoic theory of suicide was more elaborate, on which see BENZ (*Das Todesproblem in der stoischen Philosophie*, 48ff); RIST (*Stoic Philosophy*, 233ff). They required a rational justification for departing from life. D. L. 7.28 says that Zeno, its founder, gave the best example. For having fallen down and broken one of his fingers, took this as a divine hint and so committed suicide by holding his breath.

iniussu: 'without orders', i.e., 'without permission', cf. *Balb.* 34, *populus Romanus iniussu suo nullo pacto potest obligari*.

causam iustam: the εὐλογος ἐξαγωγή of the Stoics.

dedit...excesserit: the future perfect is used to express a completed action in the future and often is used to imply the *speed* with which it will be finished. When the two are joined in following sentences, the clauses are often to be construed as almost contemporaneous action.

tunc Socrati, nunc Catoni, saepe multis, ne ille me dius fidius uir sapiens laetus ex his tenebris in lucem illam excesserit, nec tamen illa uincla carceris ruperit — leges enim uetant — sed tamquam a magistratu aut ab aliqua potestate legitima, sic a deo euocatus atque emissus exierit. *tota enim philosophorum uita, ut ait idem, commentatio mortis est.*

5 XXXI. Nam quid aliud agimus, cum a uoluptate, id est a corpore, cum a re familiari, quae est ministra et famula corporis, cum a re publica, cum a negotio omni seuocamus animum, quid, inquam, tum agimus nisi animum ad se ipsum aduocamus, secum esse cogimus maximeque a corpore abducimus? discernere autem a corpore animum, nec quicquam aliud, est mori discere. quare hoc commentemur, mihi crede, disiungamusque nos a corporibus, id est consuescamus mori. hoc, et dum erimus in terris, erit illi caelesti uitae simile, et cum illuc ex his uinclis emissi

5–8. Pl. *Phd.* 80e–81a 8. Pl. *Phd.* 67d

1 tunc] tum GV: tunc R: tē K 2 illa] illa X: ille *Lambinus*: ulla *Lundström* 5 nam quid] nam quid X: ~~nam~~
quid aliud V^c 6 omni seuocamus] omni seuocamus KVR: omnis euocamus GV^c 7 inquam] inquantum G 7 aduocamus] auocamus GVRK²: ~~ad~~uocamus S: aduocamus *dett. codd.*, s 8 nec quicquam aliud] nec quicquam aliud emori G: ē
mori R: nequicquam aluid emori K: nec quicquam aliud nisi V^c, in *marg. add. manu recentiore*: nec quicquam aluid emori P: quam emori (*ante*) *dett. codd.* 9 crede] credidisti iungamusque G

saepe multis: cf. the Greek πολλά πολλάκις. Strictly this phrase means ‘to many others at different times’, but the Romans did not distribute in this fashion.

ne: the affirmative *ne* is almost always in the better writers followed by a pronoun, as here.

ille uir sapiens: ‘the ideal good man’, or ‘the typical good man’, as *ille* often conveys this sense, cf. *Tusc.* 5.36, *hic est ille moderatus*; *Ac.* 2.23. The praise that Cicero puts on Cato resembles that of which he used for Regulus who was for the Romans the example of a man who could undergo suffering for an ideal, cf. *Fin.* 2.65; *Parad.* 17.

me dius fidius: the shortened form of *ita me dius fidius adiuuat*, a popular exclamation, *Reisig-Hasse.* 132.

sapiens: Giusta thinks there is a lacuna here after *sapiens*, and wishes to fill it with *<erit habendus qui Socratis praecepta sequens>*. He argued that, without an intervening mention of Socrates, Cicero would be implying that Cato was not wise, but this is hardly a natural reading of the text and the following *ait idem* can obviously point to no other than Socrates in the *Phaedo* whom Cicero is here paraphrasing. There is no reason to suspect the text.

uincla carceris: Bentley wanted to alter the reading to *uincla corporis* which is found in *Div.* 1.110, *Am.* 14. However, cf. *Rep.* 6.15, *qui ex corporum uinclis tamquam e carcere euolauerunt*. The ‘prison’ imagery is from Pl. *Phd.* 81e, *ὡς ἂν πάλιν ἐνδεθῶσαν εἰς σώμα*; 92a, *πρὶν ἐν τῷ σώματι ἐνδεθῆναι*; Pl. *Ti.* 43a, *ἐνέδουν εἰς ἐπίρρυτον σώμα καὶ ἀπορρυτον*; 44b, *ὄταν (ψυχῇ) εἰς σώμα ἐνδεθῆθι θηητόν*.

leges enim uetant: the νόμοι ἄγραφοι. Soroff bracketed this phrase as a gloss, Schiche ejected it, on which see LUNDSTRÖM (Glosseme, pp. 354–359). NUTTING (Classical Philology, 19, p. 352) thought that a careless copyist added the words when he read *uincla carceris* which caused him to think of Socrates’ refusal to leave the prison in the *Crito*, (viz., the laws were against it). Though the words do have a strong appearance of a marginal interpolation, there is no reason *per se* to condemn them as they seem to be explicable. Cicero at times adds these small explanatory clauses, cf. 38, 92 *qui est mons Cariae*.

tota enim...: the words are from Pl. *Phd.* 67d, τὸ μελέτημα αὐτὸ τοῦτό ἐστι τῶν φιλοσόφων, λύσις καὶ χωρισμὸς ψυχῆς ἀπὸ σώματος; Theod. *Graec. affect. cur.* 8.118, Πλάτων τὴν φιλοσοφίαν θανάτου μελέτην ἐκάλεσεν; Sen. *Ep.* 26.10, *meditare mortem. qui enim hoc dicit, meditari libertatem iubet*; Sen. *Cons. Marc.* 23.2.

XXXI. §75. a uoluptate, id est a corpore: Madvig n. *Fin.* 1.33 showed that Cicero’s usual custom with *id est* is to place any new term first, and its explanation as the second

item in the sequence. Cicero’s ordering of the words here prompted Kühner to remark that the reverse should have been expected, *a corpore, id est, a uoluptate*. But I find that this order rather gives added emphasis to the intimate connection between the distraction of pleasure and the body, as if the body were nothing more than a senseless cause of occupation to the soul.

seuocamus: 16, 38 n.

animum ad se ipsum aduocamus: for the idiom, cf. *Fam.* 5.5, *animum ad cogitationem tuam auoca*.

secum esse: cf. *Sen.* 49, *secum esse secumque, ut dicitur, uiuere*; *Sen. Ep.* 58.32, *iucundum est secum esse quam diutissime*; and 9.13; 104.7; D. L. 6.6 (on Antisthenes), ἐρωτηθεὶς τί αὐτῷ περιγέγονεν ἐκ φιλοσοφίας, ἔφη τὸ δύνασθαι ἑαυτῷ ὀμιλεῖν; and Cato’s own words preserved in Plu. *Aprophth. Rom.* 198 (= Cato fr. 19), *μάλιστα δὲ ἐνόμιζε δεῖν ἕκαστον ἑαυτὸν αἰδεῖσθαι μηδένα γὰρ ἑαυτοῦ μηδέποτε χωρὶς εἶναι*. This passage could possibly, at least in part, be based upon Pl. *Phd.* 65–66, where we read τὴν ψυχὴν αὐτὴν καθ’ αὐτὴν γίνεσθαι.

nec quicquam aliud...: the best mss. read *nec quicquam aliud emori discere*, while a later corrector of R writes *quam above mori* with a ligature and V has *nisi* written in the margin. Various emendations have been ventured for this passage. Seyffert conjectured *ecquidnam aliud est mori discere*, comparing *Phil.* 2.4.7, and *Pis.* 20.47 but these Dougan correctly noted are not parallel. Heine read *ecquidnam aliud est nisi mori discere* by comparing Pl. *Phd.* 80e. Bentley first saw that *emori* was corrupted from *ē mori*, i.e., *est mori*. This reading has the support of K, and was approved by CLARK (CR, 20, p. 21). Orelli and now most recent editors adopt it, cf. Lact. *Epit.* 41, *nam deum uerum colere, id est, nec aliud quicquam, sapientia*. Giusta prints [n]ecquid [quam] aliud e<st quam> mori discere and I think that there is something to be said for his repetition of *quam*, where see TLL 1, 1634, 44 and 64. However, Bentley’s reading gives good sense and departs least from the mss.

For the thought, see 9, 18 n. on *discessum animi* with the quote from Pl. *Phd.* 64c.

mihi crede: the usual confirmatory expression. Kühner said that Cicero always retains this order probably to avoid the dactylic rhythm, but *crede mihi* is attested several times in his letters to Atticus and is a colloquialism, cf. Ter. *Phorm.* 494, *crede mihi*; see Reid on *Ac.* 2.117 and *Antibar.* 27ff.

hoc, et, dum erimus... simile et: the prolepsis of the first et emphasises *hoc* which is the *commentatio mortis*.

feremur, minus tardabitur cursus animorum. nam qui in compedibus corporis semper fuerunt, etiam cum soluti sunt, tardius ingrediuntur, ut ii qui ferro uincti multos annos fuerunt. quo cum uenerimus, tum denique uiuemus. nam haec quidem uita mors est quam lamentari possem, si liberet.

76 Satis tu quidem in Consolatione es lamentatus; quam cum lego, nihil malo quam has res relinquare, his uero modo auditis, multo magis. 5

Veniet tempus, et quidem celeriter, siue retractabis, siue properabis; uolat enim aetas. tantum autem abest ab eo ut malum mors sit, quod tibi dudum uidebatur, ut uerear ne homini nihil sit non malum aliud certe, sed, nihil bonum aliud potius, si quidem uel di ipsi uel cum dis futuri sumus. [sed] quid refert? adsunt enim, qui haec non probent. ego autem numquam ita te in hoc 10

3-4. Aug. Ep. 155.4

4 liberet] liberetur X: liberet corr. e V^c, August. 7 siue] et siue X: & siue V^c 9 certe sed] certe sed X, Giusta: certe ~~sed~~ V^c: certe sit Wesenberg, King: aliud certius emend. Jeep, quem sqq. Küh., Doug. 10 sumus] sumus X: simus V^c 10 in] in X: ex Lambinus

in compedibus corporis: though called *compedes* these ‘shackles’ were not just for the feet, cf. Varro in *Non.* 113, 28, *manus compedes conor reuellere*. For the thought of the stiffness of our soul upon its release from the cramped confines of the body, cf. Plu. *De Educ. Puer.* 9.17, ὡς περ οἱ πολλὸν χρόνον δεθέντες, κὰν λυθείεν ὑπερον, ὑπὸ τῆς πολυχρονίου τῶν δεσμῶν συνηθείας οὐ δυνάμενοι βαδίζειν, ὑποσκελίζονται. Pohlenz suggested that this may be reminiscent of the simile of the cave in Pl. *Rep.* 515c, but it seems more probable that Cicero is thinking of Pl. *Phd.* For the imagery of escaping from chains, cf. Pl. *Cra.* 400b-c; Pl. *Ti.* 79a; Pl. *Phd.* 67d, ὡς περ ἐκ δεσμῶν ἐκ τοῦ σώματος with Burnet’s n.; Pl. *Phdr.* 250c, ἐποπτεύοντες ἐν αὐγῇ καθαρῶ, καθαροὶ ὄντες καὶ ἀσήμαντοι τούτου ὁ νῦν δὴ τὸ σῶμα περιφέροντες ὀνομάζομεν, ὁσπρέον τρόπον δεδεσμευμένοι; *Div.* 1.111, *uinclis corporis inpediti*, where Pease finds a play upon *σῶμα σῆμα Dox. Graec.* 315.14. Pohlenz also quotes the fragment of Heraclitus, S. E. P. 3.230 (D.-K. 62b), ὅτε μὲν ἡμεῖς ζῶμεν, τὰς ψυχὰς ἡμῶν τεθνάναι... ὅτε δὲ ἡμεῖς ἀποθνήσκομεν, τὰς ψυχὰς ἀναβιοῦν καὶ ζῆν.

quo cum uenerimus, tum denique uiuemus: i.e., *il-luc, caelum*, the heavens above, when our soul has finally reached its proper divine resting spot. This whole section is drawn from Plato, cf. *Scaur.* 4, *animus uinclis corporis liberatus in eum se locum unde esset ortus rettulisset* (of Socrates), ps.-Pl. *Ax.* 365e, and Pl. *Grg.* 492e-493c (where Euripides fr. 638 is quoted), τίς δ’ οἶδεν, εἰ τὸ ζῆν μὲν ἔστι κατθανεῖν, | τὸ κατθανεῖν δὲ ζῆν. But such passages can in turn be attributable to the Pythagoreans (BURKERT: *Ancient Pythagoreanism*, 78 n. 157, 248).

haec quidem uita mors est: cf. Stob. *Flor.* 120.661, ὁ θάνατος ἀθλον μὲν εἰ φύσιν ἔχει τῆς ἀληθοῦς ζωῆς, τοῦ ζῆν ὑπὸ τινῶν ἀποτεθηκέναι λεγομένον.

quam lamentari possem: i.e., *uitam quam lamentari possem*.

§. 76. **in Consolatione:** 26, 65 n. *Cic. Consol. fr.* 4a-15 constitute what can be called a *lamentatio uitae*, where Cicero deplored life itself, and nearly half of these fragments come from the first book of the *Tusc.* In fr. 7 (= Lact. *Inst.* 3.8.18), Cicero supposedly railed against a man who thought life was not punishment; and in several fragments he reiterated the fact that the best thing for man to do was *citius mori*, cf. 48, 114 n.

es lamentatus: there is perhaps a gentle joke here, or a slight self-effacement of his own *Consolatio*.

has res: a ‘deictic’ use, i.e., ‘all these things here around me’. After a such a lengthy discussion, we almost forget that we are supposedly listening to a dialogue. This phrase is a fine way for Cicero to restore the visual setting of these disputations. We see these men sitting or walking about in Cicero’s villa.

retractabit: with a sense of unwillingness, i.e., (literally)

recalcitrant, a ‘kicking back’ to avoid going forward like a stubborn ox, cf. *numquam stimulo lacessat iuuentum, quod retractantem calcitrosamque eum reddit*. **properabis:** oppositely, used of desirous expectation and eagerness, *Prov. Cons.* 35, *si ad deos penates redire properaret*; Tac. *Ann.* 2.31, *nisi uoluntariam mortem properauisset*; Verg. *Aen.* 10.401, *pulchram properet per uulnera mortem*.

dudum: ‘a while back’, at 5, 9.

certe sed: there is no reason to emend here and Giusta is right to restore the mss. reading of *certe sed* in place of most other editors who adopt the suggestion of Jeep to read *certius*. The difficulty lies in judging how far Cicero wishes to push his claim. Would he really say that no other thing was *more* certain not to be an evil? But he is only striving to disprove the proposition, cf. 8, 16 *non modo malum non esse, sed bonum etiam esse*; and 11, 23 *aut malum non sit, aut sit bonus potius*. I retain the mss. reading, and translate, ‘it is so far from being true that death is an evil—which seemed true enough to you a while back—that I am afraid no other thing is so certainly not an evil; but it is rather a good thing, if indeed we shall either be gods, or be with the gods.’

di ipsi: 26, 65 n.

quid refert: there is a dispute over the question to whom to assign these lines. Many editors, including Wolf, Orelli, Kühner, Dougan, Pohlenz, and Drexler assign these two words to the second interlocutor ‘A’. But this has resulted in suspicions of a lacuna, and I think for no reason. The somewhat abrupt change in direction of the dialogue caused Pohlenz to wish to insert after *futuri sumus* <sed iam quid reliqui philosophi sentiant, circumspiciamus>. Indeed, this conveys the right sense but is inelegant. Giusta believed there to be a somewhat larger omission and would supply, ‘quid refert <igitur a te id nunc disputari, ne si intereant quidem animi, quidquam mali esse in morte?—certe refert;> adsunt enim’, etc. Against these views, Kühner had argued that the text itself is sound and that the *enim* after the interrogation is affirmative (like γάρ), cf. HAND: *Tursellinus*, vol. 2, p. 384. This, however, would make a connection to the previous sentence which is very strained and unconvincing. It seems to me that the older editors Lambinus, Bentley, and Davies are correct to assign everything from *ueniet tempus* down to *uideri malum posuit* to the first speaker ‘M’. Tischer objected to this: if the words were assigned to ‘M’ we would need *quamquam* or another adversative before *quid refert*. But while such an idiom is usual (*Att.* 9.19.2, *utinam in Volcaci sententiam! sed quid refert? est enim una sententia omnium*; and *Fam.* 11.14) it is by no means necessary (*Phil.* 7.4.14, *quamquam illa legatio non est, denuntiatio est paratum illi exitium, nisi paruerit huic ordini; quid refert? tamen opinio est grauior*).

adsunt: cf. 4, 7 *cum essent complures mecum familiares,*

sermone dimittam, ulla ut ratione mors tibi uideri malum possit.

Qui potest, cum ista cognouerim?

Qui possit, rogas? cateruae ueniunt contra dicentium, nec solum Epicureorum, quos equidem non despicio, sed nescio quo modo doctissimus quisque contemnit. acerrume autem deliciae
5 meae Dicaearchus contra hanc immortalitatem disseruit. is enim tris libros scripsit, qui 'Lesbiaci' uocantur quod Mytilenis sermo habetur, in quibus uult efficere animos esse mortalis. Stoici autem usuram nobis largiuntur tamquam cornicibus: diu mansuros aiunt animos, semper negant.

XXXII. Num non uis igitur audire, cur, etiamsi ita sit, mors tamen non sit in malis?

Vt uidetur, sed me nemo de immortalitate depellet.

10 Laudo id quidem, etsi nihil nimis oportet confidere; mouemur enim saepe aliquo acute 78

5-6. Dicaearchus fr. Wehrli. 9

1 ulla ut ratione] ulla uti ratione ut GRK: ulla uti ratione ~~ut~~ V^c: ulla uti ratione *Man. in scholiis*: ulla ullius ratione ut *Seyffert*: ulla una ratione *Giusta* 4 contemnit] contemnit RV: contempnit GK: *del. nonnulli edd.* 4 acerrume] acerrume X: acerrime S 7 mansuros] mansuros esse V^c 8 num non] num non RVE: num n̄ G, at n̄ in *rasura*: nū n̄ KS: num ne V^c 8 ita sit] ista sit X: ita sit *dett. codd., s* 10 nimis] animis X: ~~h~~imimis V^{c2}

though we are not told who exactly is present at this conversation. Curiously, after the oration begins, this is the only signal given in the whole book that would suggest that there are individuals present other than the two interlocutors.

ulla ut ratione: Manutius rejected the second *ut* which Bentley explained as 'ambigua dictio *uti*. . . librariis fraudi fuit', and most editors follow. However, the orthography of *ūtī* is rare in Cicero's philosophical works, occurring in the *Tusc.* only here, and that dubiously. Elsewhere, at *Fin.* 3.15.49, the lesser manuscripts read *ut in ea contineant* which Baiter and Madvig emended to *uti ea contineant*, though Ernesti read *ut ea contineant*. *Giusta* emended here *ulla una ratione ut* — attractive, but not keeping with Cicero's style. I think the change in V^c is most telling, though Drexler doubted the first erasure. I read *ulla ut ratione mors* etc., and cf. above 8, 16 *mors ut malum non sit*.

§77. **qui potest**: 11, 21 n., *fieri*. The *qui* here is the old ablative.

nec solum: for *nec solum* without a following *sed etiam*, cf. *Fin.* 2.113, and *Phil.* 12.14

quos equidem non despicio: the remark is of course ironic, cf. *Tusc.* 2.7, *quos non contemno equidem, quippe quos numquam legerim*.

nescio quo modo: 11, 24 n.

contemnit: several editors wish to eject *contemnit*, which was absent from one of the mss. used by Manutius. Kühner thinks there is an anacolouthon but he does not explain why this is so: if there was one, it would be rather harsh. Dougan believed it to be an interpolation by a glossator who did that see that *doctissimus quisque* could be taken with *disseruit*; but it is unlikely that Cicero is here claiming (even ironically) that the whole learned class discoursed against the philosophical position of Epicurus. LUNDSTRÖM (Glosseme, pp. 359-368) has rightly defended the reading; and *Giusta* saw that *acerrume. . . disseruit* is in opposition to *cateruae. . . dicentium*, and I follow his punctuation.

deliciae meae: Cicero tends to use extravagant language in his descriptions of Dicaearchus. In 60B.C., he wrote to Atticus that had 'piles of Dicaearchus at his feet' (*Att.* 2.2) and it seems that he was one of Cicero's favorite writers. There was much in him that would appeal to a Roman admirer, particularly to anyone who was practical and had no use for a philosopher who would refuse to take part in politics (Dicaearchus, fr. Wehrli. 25); and he was treated by Cicero as the finest example of a cultured man (*De Or.* 3.16.59). He is spoken of most frequently in the *Tusc.* out of all of Cicero's philosophical works. For Cicero's debt to him as an author who represented the popular style, see SMETHURST (Cicero and Dicaearchus, p. 225).

Dicaearchus: 10, 21 n., and cf. 11, 24; 18 *init.*; 22, 51.

Mytilenis: the main city of the island of Lesbos.

efficere: 8, 16 n. for *efficere* = *probare*.

Stoici autem aiunt: cf. above 9, 18 n., SVF. 2.822, and Theod. *Graec. affect. cur.* 5.72, οἱ δὲ Στωϊκοὶ τὰς χωρίζονμένας τῶν σωμάτων ψυχὰς διαρκεῖς μὲν καθ' ἑαυτὰς ζῆν ἔφασαν· ἀλλὰ τὴν μὲν ἀσθενεστέραν ἐπ' ὀλιγον, τὴν δὲ γε ἰσχυρὰν μέχρι τῆς τοῦ παντὸς ἐκπυρώσεως; as well as *op. cit.* 73-74.

usuram: the best explanation of this term is *Fam.* 7.29.1, when Curius wrote to Cicero saying, *sum enim χρήσει μὲν tuus, κτήσει δὲ Attici nostri; ergo fructus est tuus, mancipium illius*. To this Cicero replied *cuius* (Atticus) *quoniam proprium te esse scribis mancipio et nexo, meum autem usu et fructu, contentus isto sum. id est enim cuiusque proprium, quo quisque fruitur atque utitur*. Curiously missing from what Cicero says here in the *Tusc.* is the term *fructus*, the free enjoyment of what has been given to us (viz. life), though it is something which we can never claim as our own through length of use (*usucapio*), cf. E. *Supp.* 535, οὔτι γὰρ κεκτήμεθα | ἡμέτερον αὐτὸ πλὴν ἐνοικῆσαι βίον; as Lucil. 27.6, *nil esse in uita proprium mortali datum* | iam, *qua tempestate uiuo, chresin ad me recipio* (= *Non.* 407.28.)

largiuntur: 'they are overly generous with their giving'.

tamquam cornicibus: crows were thought to live up to nine generations of men, cf. *Ov. Met.* 7.274, *ora caputque nouem cornicis saecula passae*; *Hor. Carm.* 17.13, *annosa cornix*, *Hes. fr.* 304 ed. West (= *Plu. De Def. Or.* 415), ἐννεά τοι ζώει γενεάς λακέρυζα κορώνη ἀνδρῶν ἡβώντων; *Arat. Phaen.* 1022; *Plin. H. N.* 7.48.153 (who paraphrases Hesiod); *Lucr.* 5.1084; and see *Tusc.* 3.69 where Cicero is citing Theophrastus.

XXXII. §32. **num non uis**: the vulgate reading *num uis* cannot be right. Bentley, Davies adopted the reading found in V^c *numne* which, though, is very rare in Cicero and found elsewhere only in *N. D.* 1.88 and *Am.* 36. This is more emphatic than but differs little in meaning from *num non uis* (i.e., from *nolo*), the better attested reading, cf. K.-S. 2, 513-514.

de immortalitate: cf. 8, 16 n. The phrase is more compressed for *de opinione immortalitatis*.

nihil nimis oportet confidere: cf. *Tusc.* 5.93, *non nimis fortasse subtiliter*. I find the use of this phrase here remarkable. The preceding section had been rather dogmatic in nature and great stress had been placed on the certainty of the soul's survival which grew out of the Apolline dictum 'know thyself'. In the interlude before Cicero again takes up a sceptical view by considering conflicting theories, he concludes with *nihil nimis*, the translation of the other famous Greek Apolline dictum found on the temple of Delphi, μηδὲν ἄγαν 'not too much', quoted by *Pl. Chrm.* 165, *Paus.* 10.24, *Plu. Pyth. Or.* 29.

concluso labamus mutamusque sententiam clarioribus etiam in rebus; in his est enim aliqua obscuritas. id igitur si acciderit, simus armati.

Sane quidem, sed ne accidat, prouidebo.

Num quid igitur est causae, quin amicos nostros Stoicos dimittamus? eos dico, qui aiunt manere animos, cum e corpore excesserint, sed non semper.

Istos uero qui, quod tota in hac causa difficillimum est, suscipiant, posse animum manere corpore uacantem, illud autem, quod non modo facile ad credendum est, sed eo concesso, quod uolunt, consequens, id uero non dant, ut, cum diu permanserit, ne intereat.

79 Bene reprehendis, et se isto modo res habet. credamus igitur Panaetio a Platone suo dissen-

104.9–105.7. *Panaet. fr.* 56 and 83

2 simus] simus R: sim^o B: siminus G: simus V^c 6 suscipiant] suscipiant Ω, *Dougan, def. Poh.*: suscipiunt *Dav., Giusta* 8 id uero non] idcirco X: id uero *Klotz*: id non concedant, *postea* id circumcidant *Madvig* 9 igitur] igitur GVR: etiam K

concluso: here, the rarer substantive use of the participle, cf. *Top.* 55. Elsewhere Cicero uses *conclusio*, cf. *Fin.* 1.30, *conclusionem rationis*.

in his est enim: *enim* here indicates an ellipse of a sort, cf. 4, 8 and 27, 66 n. 'We waver and alter our opinion even in those matters which are clearer to us. (Then how much more easily will we do so when we discuss our soul!) For in this business there is a certain obscurity.'

It is a curious line of reasoning. The New Academic position was to abstain from considering anything certain, though Carneades did admit of degrees of probability. However, the theory that some things were more probable seemed to be applied generally to the physical impressions of our senses, S. E. M. 7.166–84 (= L.–S. 69d–e) which could range from the merely persuasive (*πιθανάι*), to the persuasive and examined (*διέξωδευμέναι*), to that which has been thoroughly examined and which is unimpeded (*περιωδευμένα, ἀπερίσπαστοι*). But the majority of the arguments on the soul so far has been and must be conducted *a priori* since we are unable to get any sensory information about the soul, cf. below 22, 51 *quod numquam uidimus id quale sit intellegere non possumus* and the quote from Pl. *Th.* We have no evidence, as far as I have found, that Carneades would have argued against using probabilities as a criterion in such cases or in the rationalist approach as here.

armati: i.e., to be unassailable from logical weapons, cf. *Hor. Sat.* 2.3.296, *haec mihi Stertinius, sapientum octavos, amico | arma dedit, posthac ne compellarer inultus*: or at least to be unassailable in the proposition of the soul's immortality in the New Academic sense, cf. *Ac.* 2.47, *esse armatos* and 2.87, *armatum esse Carneaden*; *Tusc.* 5.41, *volumus eum qui beatus sit esse saeptum atque munitum*. We also have the story in Plu. *De Stoic. Repug.* 1033f, and 1036d, where Aristocreon puts up a statue to Chrysippus with the inscription, *τόνδε νέον Χρύσιππον Ἀριστοκρέων ἀνέθηκε | τῶν Ἀκαδημαϊκῶν στραγγαλίδων κοπίδα*.

num quid...quin: *quin* regularly follows in clauses which have negative prohibitions, as here where the negative force is conveyed by *num*, cf. *Agr.* 3.1 and *Madv. Gram.* 375c.

amicos nostros Stoicos: Cicero readily embraced the Stoic position and favored their views in many places throughout his philosophical works, no doubt why he addresses them in such terms.

manere animos: for their position, cf. 31, 77 n.

istos uero: sc. *dimittamus*.

suscipiant: *Giusta* does not give his reasons for silently following *Davies* who, on the basis of *dant*, abandoned the mss. reading here for the indicative *suscipiunt*. But this is not sufficient reason for departing from the consensus. The subj. *suscipiant* with the rel. gives a reason (*qui = cum ii*), *Madv. Gram.* 366, and has been thoroughly defended by *Dougan* and *Pohlenz*. The indicative *dant* which follows, where we could have expected *dant*, can be explained on

the grounds of liveliness. Cicero began with an indirect report, but as he progressed he passed into direct speech.

id uero non: the mss. consensus of *idcirco* here presents an unparalleled use of the term. Kühner retained *idcirco* and simply remarked that the passage wanted polish. However, there have been various conjectures. The best has been of *Klotz*, who suggested *id uero* which repeats the earlier *illud autem* for greater clearness of the thought; in addition, *dare* used in this way with a consecutive clause always has a demonstrative pronoun, or is otherwise followed with an accusative and infinitive statement. *Pohlenz* cites the Greek idiom at Pl. *Phd.* 80d, ἡ δὲ ψυχὴ ἄρα... αὐτὴ δὲ δὴ... and *Giusta* explained the reading *idcirco* as having arisen from a misunderstanding of the compendium ἰδῦο 'id uero' for ἰδcco, 'id circo'.

ut ne intereat: cf. *Tusc.* 5.34, *demus hoc, Brute, ut sit beatus semper sapiens*; *Leg.* 2.50, *dant hoc Scaeuola ut sacris ne alligentur*; *Ac.* 1.24, *Madv. Gram.* 372a. The construction here of *ut ne* is difficult where we would have expected *ut non* since the clause must be consecutive. *Reid* (in *Dougan*) explains that *ne* in these cases seem to retain their original force of a pure negative. This seems better than Kühner who understands *ut* as explicative, viz., 'namely'.

Panaetio a Platone suo: cf. 18, 42 n. Cicero reports that Panaetius strove at times to tone down the rigidity of Stoic doctrine, cf. *Fin.* 4.79, *fuitque in altero genere* (among the Stoics) *mitior, in altero illustrior semperque habuit in ore Platonem*, and did not accept the view that the soul survived after death, at least for a period of time, (*SCHMEKEL: Mittleren Stoa*, pp. 195–197). It is difficult to gain a clear assessment of Panaetius' philosophical position as a whole since there is so little evidence and the majority of it comes from Cicero, on which see *LONG* (Hellenistic Philosophy, pp. 211–215); *RIST* (Stoic Philosophy, p. 173). This passage is important. Panaetius has been commonly thought to have differed from some orthodox Stoic tenets, and had in places revised some of Zeno's doctrines under the influence of Plato and Aristotle. We have further evidence for this in *Panaet. fr.* 57 (= *Ind. Herc.* col. 61 ed. *Dorandi*), ἦν γὰρ ἰσχυρῶς φιλοπλάτων καὶ φιλοαριστοτέλης, ἀλλὰ] [κ]αὶ παρε[νέδ]ω[κ]ε τ[ὴ]ν Ζηνων[ε]ίω[ν] [τι διὰ τῆ]ν Ἀκαδημαϊαν [καὶ τὸν Περ]ίπ[α]τον. However, the view that Panaetius was not an orthodox Stoic has recently been challenged by *TIELEMAN* (Panaetius' Place in the History of Stoicism). Here in the *Tusc.*, we find evidence that, although Panaetius was an admirer of Plato, this did not prevent him from accepting that the soul was not immortal contrary to a significant tenet in Plato's philosophy.

dissentienti: *Davies* quotes the *Anthologia*, 1.44 which seems to imply that Panaetius did not think Plato even wrote the *Phaedo*, εἴ με Πλάτων οὐ γράψε, δύο ἐγένοντο Πλάτωνε | Σωκρατικῶν ὁάρων ἄνθεα ταῦτα φέρω | ἀλλὰ νόθον μ' ἐτέλεσε Παναίτιος· ὅς β' ἐτάλασε | καὶ ψυχὴν θνητὴν κάμει νόθον τελέσαι.

tienti? quem enim omnibus locis diuinum, quem sapientissimum, quem sanctissimum, quem Homerum philosophorum appellat, huius hanc unam sententiam de immortalitate animorum non probat. uolt enim, quod nemo negat, quidquid natum sit interire; nasci autem animos, quod declaret eorum similitudo qui procreentur, quae etiam in ingeniis, non solum in corporibus
5 appareat. alteram autem adfert rationem, nihil esse quod doleat, quin id aegrum esse quoque possit; quod autem in morbum cadat, id etiam interiturum; dolere autem animos, ergo etiam interire.

XXXIII. Haec refelli possunt: sunt enim ignorantis, cum de aeternitate animorum dicatur, de mente dici, quae omni turbido motu semper uacet, non de partibus eis, in quibus aegritudines, irae, libidinesque uersentur, quas is, contra quem haec dicuntur, semotas a mente et disclusas putat.
10 iam similitudo magis apparet in bestiis, quarum animi sunt rationis expertes; hominum autem similitudo in corporum figura magis exstat, et ipsi animi magni refert quali in corpore locati sint.

4 declaret] declaret X: declarat *dett. codd.* 5 adfert] affert X: adfert *Dav.* 8 dicatur] dicantur X, B: dicatur *dett. codd.*, s 10 dicuntur] dicantur X: dicantur *V^c, s*

huius hanc: for the collocation, cf. *Sull.* 6.9, *quis his horum adfuit?*

uolt: 'maintains', as *dare* can sometimes signify.

declaret: the force of the subj. indicates that this is Panaetius' own opinion which is given.

aegrum esse: here, *aegrum esse* is one idea, *aegrotare*. The former expression, however, I think more forcibly emphasises the physical existence of the sickness and pain which is needed for the argument that if the soul can suffer injury in any way, then it can be destroyed. Panaetius is drawing an analogy between the soul and the physical body. As at 13, 30 n., *dolere* is used only of emotional pain; but since the Stoics held that the soul was a material body, then if the soul was able feel pain as the body does (in experiencing harm or destruction) then it too must be destructible, and therefore mortal. The connection between the soul's durability and the perception of pain was also considered (at least from a physical point of view) by Arist. *De An.* 2.2, 413b23, *ἴσθαι μὲν γὰρ αἰσθήσεις, καὶ λύπη τε καὶ ἥδονή;* S. E. M. 1.139, *πάν γὰρ ζῶον αἰσθήσεως μετοχήν νοεῖται ζῶον. εἰ δὲ αἰσθάνονται, καὶ πικράζονται καὶ γλυκάζονται* (where he does go on to argue that any pain is a change for the worse, and if that can happen, then destruction is a possibility.) We have similar phrasing in *N. D.* 3.32, *quod dolorem accipit, id accipiat etiam interitum*, cf. S. E. M. 1.70, *πάν τὸ ἀλογὸν θνητὸν ἐστίν;* and Tert. *Adv. Marc.* 2.16 who relates the argument that if god can be angry, then he can be corrupted; and if he can be corrupted, then he can die. According to Plu. *Adv. Colot.* 1113d, it was an argument as old as Empedocles, cf. *N. D.* 3.32.

dicatur: the subj. *dicatur* is used, though strictly temporal, because it is essentially connected with the dependent clause *de mente dici*, K.-S. 2.239.

turbido motu: where Plato saw that these *perturbationes* originated elsewhere in the soul than the rationale part, the Stoics held the soul completely unified and there that such emotions were only reason gone wrong, *Tusc.* 3.24–25, LONG (Hellenistic Philosophy, pp. 176–178), the cf. the Stoic *πρῶτα*, SVF. 1.206.

aegritudines: the plurals of the terms suggest that here *aegritudines* encompasses both *ira* and *libido* and is to be considered the *species* under which both fall, viz., it was as if Cicero had written *aegritudines uersentur, iras dico et libidines* (like the Platonic *ἔργα*, D. L. 3.67). Therefore, we only have the *-que* joining the latter two words.

is contra...: cf. 10, 20 n. Plato separated these two feelings apart from reason but Panaetius follows the Stoic tenets and argues from the position which considers the soul a single, unified whole. Cicero implies that only the rational part of the soul (as in Plato's concept of a divided soul) would survive since it would not be subject to the

pains of emotion, whereas the 'sensitive' parts would be subject to decay and death.

iam similitudo magis apparet: of course there is a similarity between parents and children as can also be seen among the animal world, and Aristotle had treated of this earlier in physical terms, Arist. *G. A.* 4.3.767a–769b. It cannot be denied that the 'mixing of bodies' which leads to procreation has a great influence on the form of both the body and mind in the children, but it does not necessarily follow that the soul is therefore 'born' and itself 'procreates'. The argument is also found in Plin. *H. N.* 7.12.52, *cogitatio etiam utriuslibet animum subito transvolans effingere similitudinem aut miscere existimatur, ideoque plures in homine quam in ceteris omnibus animalibus differentiae.*

We have evidence that other Stoics had things to say about the character and shape of the body and the fact that children resembled their parents. Cleanthes said that children reflected their parents both in the frame of their body (*corporis lineamentis*), but also in marks of their soul (*animae notis*), Tert. *Anim.* 5 (= SVF. 1.518). And Cleanthes said that children were like their parents both physically and psychologically, in their emotions (*πάθη*), character (*ἔθνη*) and in their disposition (*διάθεσις*), Nem. *De Nat. Hom.* 2.20.14–17. However, we have no evidence for how the Stoics explained the psychological resemblances. Presumably they explained that, since the soul takes its shape from the body, if the children resemble their parents physically (which was not difficult to account for), then they should also acquire psychological similarities as well. Some Stoics spoke of the child's soul as being a fragment (*ἀπόσπασμα*) of the father's (SVF. 1.128), though this does not constitute a soul as an 'embryo'. Chrysippus argued from the fact that children resemble their parents that the soul came into existence at birth, for which see Plu. *De Stoic. Repug.* 1053c (= SVF. 2.806, L.-S. 53c). This seems to point to the conclusion that the soul takes its shape from the body. For a discussion of the general Stoic position on this, see BOYS-STONES (Physiognomy and the Ancient Psychological Theory, pp. 80–82). It was Panaetius' innovation to ascribe to the *ψυχή* and not to *φύσις* its procreative and nutritive functions; at least it seems so from the evidence found in Nem. *De Nat. Hom.* 2.26.6–9 (= SVF. 2.711, L.-S. 531), and cf. STRAATEN (Panaetius fragm. 86, p. 233)[180–181]Rist1969[48]Long1982. Cicero takes up Panaetius' argument and assails the minor proposition of his syllogism.

rationis expertes: = *ἄλογοι*.

hominum autem: *autem* is often used in Latin to express such parallels in a rather simple fashion, as would *item* or *etiam*, cf. 18, 42 n.

exstat: *apparet*, cf. *De Or.* 1.72, *apparet atque exstat* (Moser).

multa enim e corpore existunt, quae acuant mentem, multa, quae obtundant. Aristoteles quidem ait omnis ingeniosos melancholicos esse, ut ego me tardiozem esse non moleste feram. enumerat multos, idque quasi constet, rationem cur ita fiat adfert. quod si tanta uis est ad habitum mentis in eis quae gignuntur in corpore, ea sunt autem, quaecumque sunt, quae similitudinem faciant
 81 nihil necessitatis adfert, cur nascantur animi, similitudo. omitto dissimilitudines. uellem adesse
 posset Panaetius — uixit cum Africano — quaererem ex eo, cuius suorum similis fuisset Africani
 fratris nepos, facie uel patris, uita omnium perditorum ita siimilis, ut esset facile deterrimus; cuius
 etiam similis P. Crassi, et sapientis et eloquentis et primi hominis, nepos multorumque aliorum
 clarorum uirorum, quos nihil attinet nominare, nepotes et filii. sed quid agimus? oblitine sumus
 hoc nunc nobis esse propositum, cum satis de aeternitate dixissemus, ne si interirent quidem
 animi, quicquam mali esse in morte?

Ego uero memineram, sed te de aeternitate dicentem aberrare a proposito facile patiebar.

82 XXXIV. Video te alte spectare et uelle in caelum migrare. spero fore ut contingat id nobis.

6. *Panaet. fr. 11*

4 faciant] faciant X: faciunt *Wesen.* 5 nascantur] nascatur X: nascantur *Lamb., s* 5 dissimilitudines] similitudines
 X: similitudines V^c 106.13–107.2 spero fore. . . uitae] *auditori haec uerba tribuit V³, edd. pr.*

Aristoteles quidem ait: ‘indeed, as Aristotle says’, with *quidem* as a confirmative, cf. 34, 83 n., and below 48, 116 *Alcidamas quidem*.

Aristotle famously argued that genius was often inspired by the anger and bile of the body at *Arist. Pr.* 30.1, 954b21–27, ὅσοι περιττοὶ γεγόνασιν ἄνδρες ἢ κατὰ φιλοσοφίαν ἢ πολιτικὴν ἢ ποιήσιν ἢ τέχνας φαίνονται μελαγχολικοὶ ὄντες; *Arist. E. E.* 7.14, 1248a39–40, διὸ οἱ μελαγχολικοὶ καὶ εὐθύνειροι; *Arist. Div. somn.* 2, 463b15, πάνυ γὰρ εὐτελεῖς ἄνθρωποι προορατικοὶ εἴσι καὶ εὐθύειροι, ὡς οὐ θεοῦ πέμποντος, ἀλλ’ ὅσων ὡσπερ ἂν εἰ λάλος ἡ φύσις ἐστὶ καὶ μελαγχολικὴ, παντοδαπὰς ὄψεις ὀρώσων; *Sen. Tranq.* 15, *nullum magnum ingenium sine mixtura dementiae fuit*; and *Favorinus in Gell. N. A.* 18.7, *intemperiem istam quae μελαγχολία dicitur, non paruis nec adiectis ingeniis addicere ἀλλὰ εἶναι σχεδόν τι τὸ πάθος τοῦτο ἡρωϊκόν*.

melancholicos: ‘have black bile’, *Div.* 1.81, *Aristoteles quidem eos etiam, qui valetudinis vitio furerent et melancholici dicerentur, secebat habere aliquid in animis praesagiens atque diuinum*; and *Tusc.* 3.11, *quem non furorem μελαγχολίαν Graeci uocant. quasi uero atra bili solum mens ac non saepe uel iracundia grauiore uel timore uel dolore*.

ut ego me tardiozem esse non moleste feram: the ἡ βραδύτης τῆς ψυχῆς of Theophrastus. ‘I do not bear it too badly that I have a rather mediocre genius’, said with irony. But there were many aspects of Cicero’s character that did have a very melancholic nature to them which were fully exhibited in his actions after the death of this daughter, and in the prodigious literary output in one of the most sorrowful years of his life. The ironic remark seems to be aimed at undermining Aristotle’s position by showing himself as an example which does not fit the theory; though perhaps Cicero was aware that he all too well matched Aristotle’s description.

quasi constet: = *ut adfert si constet*, cf. 22, 50 n.

faciant: the subj. is a class-subjunctive, i.e., *eiusmodi ut* where we assume that such material has certain nature or is so composed as to lead to similarity in procreation.

§81. **dissimilitudines:** the mss. *similitudines* cannot be right since Cicero immediately turns to examples in a loose form of *praeteritio* in which there was no similarity between parents and children. ‘I need not recall many instances of when there was no similarity between parents and children. I will only relate two examples.’

adesse: the metaphor seems to be from the courtroom, where *adesse* often means to appear as counsel or advocate for a litigant, cf. *Sull.* 14; *Clu.* 198; *Fin.* 3.1. and Reid’s n. on *Ac.* 2.38.

uixit cum: cf. *Vell. Pat.* 1.13. *uixit* implies that he was not just a contemporary, but that he an an intimate friend of

both Africanus the younger and of Laelius, cf. *Att.* 14.20.4, *uiuuit habitatque cum Balbo* and 18, 42 n.

Africani fratris nepos: Q. Fabius Maximus, son of Q. Fabius Maximus Allobrogicus (consul 121B.C.), and grandson of Q. Fabius Maximus Aemilianus (consul 145B.C.), who was the brother of Scipio Aemilianus Africanus Minor, the son of Paullus who was victor at Pydna in 168 B.C. This grandson was so profligate in his activities that the people wept to see the wealth and grandeur of the Fabii wasted to such a gross extent. The praetor Q. Pompeius confiscated the little that was left, cf. *Val. Max.* 3.5.2.

facie uel patris: sc. *ita similis*. Hermann conjectured *facie aui uel patris* which Kühner and Dougan thought quite likely because the *nepos* seemed to desire a reciprocal connection. But this to my mind is not needed since the force of *uel* is only intensive and seeks to challenge the argument of Panaetius by offering a firmly self-contradictory example in which one aspect (the physical) seems obviously inherited whereas the other aspect (the moral character) could in no way be considered as inherited, so dissimilar is it to its origins. Cicero asks rhetorically, ‘whose son could this young man be, Panaetius, who even looks like his father, but whose lifestyle resembles only that of corrupt and prodigious men, and so much so that he could easily be the worst of them.’

patris: for the genitive, cf. 15, 34 n.

P. Crassi: P. Licinius Crassus Dives, consul in 97B.C. He was distinguished as a statesman, jurist, orator, and was the father of the Triumvir.

Crassi nepos: the grandson was also named P. Licinius Crassus Dives. He squandered his wealth and earned himself the nickname *Decoctor*, but when later in poverty was hailed by his former title in derision, *Val. Max.* 6.9.12, cf. *RE.* 67 (Licinius).

sed quid agimus? . . . this begins the second part of the consideration begun at 12, 26.

aeternitate: 23, 55 n.

facile patiebar: has the signification of ‘readily’, ‘willingly’, similarly with *audire*, *De Or.* 2.229, *facile homines audituri*.

XXXIV. §82. **alte spectare:** ἄνω βλέπειν, ‘I see you have your eyes on the sky’, metaphorical for having high ambitions and a pun, cf. *Rep.* 6.23, *alte spectare si uoles atque hanc sedem et aeternam domum contueri*.

uelle in caelum migrare: as Beroaldus, ‘cupere ueram esse animi immortalitatem ut possis a morte remigrare ad caeleste domicilium unde ortus est et origo animarum’, and cf. 11, 24.

spero fore. . . uitae: these words were assigned by previ-

sed fac, ut isti uolunt, animos non remanere post mortem: uideo nos, si ita sit, priuari spe
 beatoris uitae; mali uero quid adfert ista sententia? fac enim sic animum interire ut corpus: num
 igitur aliquis dolor aut omnino post mortem sensus in corpore est? nemo id quidem dicit, etsi
 Democritum insimulat Epicurus, Democritei negant. ne in animo quidem igitur sensus remanet;
 ipse enim nusquam est. ubi igitur malum est, quoniam nihil tertium est? an quod ipse animi
 discessus a corpore non fit sine dolore? ut credam ita esse, quam est id exiguum! sed falsum
 esse arbitror, et fit plerumque sine sensu, non numquam etiam cum uoluptate, totumque hoc
 leue est, qualecumque est; fit enim ad punctum temporis. 'at illud angit uel potius excruciat,
 discessus ab omnibus eis quae sunt bona in uita'. uide ne 'a malis' dici uerius possit. quid ego
 nunc lugeam uitam hominum? uere et iure possum; sed quid necesse est, cum id agam ne post
 mortem miseros nos putemus fore, etiam uitam efficere deplorando miseriorem? fecimus hoc in
 eo libro, in quo nosmet ipsos, quantum potuimus, consolati sumus. a malis igitur mors abducit,
 non a bonis, uerum si quaerimus. et quidem hoc a Cyrenaico Hegesia sic copiose disputatur, ut

2-4. D.-K. a160, Epicurus fr. 17 107.12-108.2. Arist. et Cyren. fr. 247a, cf. Val. Max. 8.9 ext. 3

4 Democritei] democritici X: democritii Bent. 5 an quod] quoniam GSE: anquid ~~quod~~ V^c, postea restitutum: anqm K
 6 sed] et X: sed Wesen. 8 at illud] illud X: <at> illud Giu. 13 et quidem] ecquidem V: ἡ ἰδὲ K: hoc quidem P,
 edd. vett.: et quidem hoc s

ous editors to the second speaker, but Tredger had argued that the clauses bear a concessive relation to what follows. *sed fac* has the force of a conditional clause with two apodoses. Translate, 'Grant then, as they wish, that our souls do not survive after death: if this is so, then I see that we are robbed of our hope for a happier life, but what evil does this thought bring us?'

aliquis dolor: for the use of *aliquis* in place of *aliqui*, see 11, 23 n.

Democritum insimulat Epicurus: Epicurus argued against Democritus' who thought that the atoms of the soul alternate (one-by-one) with those of the body and that they were just as plentiful. However, Lucr. 3.370 tells us Epicurus held the atoms of the soul to be much smaller, much fewer, and not enough to awaken any sense through the body. For the Democritean view that the the soul can linger in the body after death for a short while and still retain its sense, see above 11, 24 n., and Plin. *H. N.* 7.56.190. For the Epicurean view that the soul instantly dissipates, cf. 9, 18 n.

Democritei: the mss. *Democritici* is rejected by all editors after Bentley who noted that Cicero's form is usually *Democritii* or *Democritei*, cf. *Fin.* 1.6.17, *Democritia*, and Madvig's n. on *Fin.* 5.6.16. In *N. D.* 1.73, in *Nausiphane Democriteo*, and it does appear that the termination *-ici* rose out of *-iei*, hence the change.

ne in animo quidem igitur: 'not either', cf. 6, 12 n. For the placement of *igitur*, cf. 29, 71 n.

nihil tertium: there is only body or soul, and therefore no third ground.

an quod: most mss. here read *quoniam* as a rather clumsy repetition by a copyist from the one preceding. It is probably a corruption from mistaking *quod* for a compendium.

sed falsum esse arbitror, et fit: the mss. *et falsum* could stand as emphatic, i.e., 'and moreover' (as it does *Leg.* 2.3.7), though *atque* is usually employed for this purpose. Wesenberg corrected to *sed* and argued that the original reading was *set* but later changed to conform to the following *et* which is in the place of a casual particle. His line of reasoning does not seem too likely; nevertheless, his emendation is adopted by most editors. Bouhier preferred to read *at*.

non numquam etiam cum uoluptate: a similar sentiment is later expressed in *Sen.* 71, *matura mors quae quidem mihi tam iucunda est*, and also by Pl. *Ti.* 81e, ὁ δὲ μετὰ γήρωσιν ἰὼν ἐπὶ τέλος κατὰ φύσιν ἀπονότατος τῶν θανάτων καὶ μᾶλλον μεθ' ἡδονῆς γιγνώμενος ἢ λύπης.

totumque hoc: the *-que* acts as *denique*, cf. 26, 64 n. on

eademque.

§83. at illud: the mss. reading *illud angit* continues the oration unbroken, but I agree with GIUSTA (Testo, p. 171) that the natural reading does seem to want an adversative, or other indication of a break (i.e., *illud angit, inquit*, etc.) I find most translators insert one. Curiously, Erhardus in the early editions gave this phrase to the *auditor*. The easiest change is Giusta's which is to insert *at* before *illud*, a favorite conjunction of Cicero when introducing a proposition he does not agree with (cf. 37, 90 below, *at id ipsum odiosum est*). Giusta notes that *illud* used in this way rarely starts a period in Cicero, and so he inserted *at* though it is difficult to show how it could have been omitted in the mss. Nevertheless, I think *at = ἀτάρ* is needed to show both the objection and convey the *emotional* disagreement that Cicero would feel at the statement that death deprives us of all good in life, for which sense see REBERT (Meaning of Latin *at*, p. 175).

uide ne: the expression is colloquial and friendly, and is often used for gentle warnings. Kühner has collected many examples in his n. *ad loc.*

uere et iure possum: note the force of the indicative here where a subjunctive would be normal. It implies that many of the painful memories of the past were still fresh in Cicero's mind. With *iure*, Cicero states that the misfortunes which befell him were undeserved.

fecimus hoc: sc. *lugere uitam hominum*.

in eo libro: i.e., the *Consolatio*, 31, 75-76.

uerum si quaerimus: cf. 47, 112 *uerum si loqui uolumus*.

a Cyrenaico Hegesia: Hegesias of the Cyrenaic school (as founded by Aristippus of Cyrene) lived around 280B.C. in Alexandria under Ptolemy Philadelphus. He denied that there was any possibility of happiness and that the body and soul were constantly afflicted by pain and other disturbances, cf. GIANNANTONI (Socratis et Socraticorum Reliquiae) 4F, D. L. 2.94, Val. Max. 8.9, ext.3 (apparently summarising Cicero), *qui sic mala uitae repraesentabat, ut eorum miseranda imagine audientium pectoribus inserta multis uoluntariae mortis oppetendae cupiditatem ingeneraret: ideoque a rege Ptolomaeo ulterius hac de re disserere prohibitus est*. According to Plu. *De Amor. Prol.* 497d, Hegesias was διαλεγόμενος πολλοὺς ἐποίησεν ἀποκαρτερῆσαι τῶν ἀκροωμένων; and D. L. 2.86 where he is nicknamed πεισιθάνατος, 'death-persuader'. Cicero, however, provides our best evidence in identifying this philosopher.

disputatur: cf. 18, 24 n. on *uolt*.

84 is a rege Ptolomaeo prohibitus esse dicatur illa in scholis dicere, quod multi is auditis mortem sibi ipsi consciscerent. Callimachi quidem epigramma in Ambraciotam Cleombrotum est, quem ait, cum ei nihil accidisset aduersi, e muro se in mare abiectis, lecto Platonis libro. eius autem, quem dixi, Hegesiae liber est Ἀποκαρτερῶν, quo a uita quidem per inedia[m] discedens reuocatur ab amicis; quibus respondens uitae humanae enumerat incommoda. possem idem facere, etsi minus quam ille, qui omnino uiuere expedire nemini putat. mitto alios: etiamne nobis expedit? qui et domesticis et forensibus solaciis ornamentisque priuati certe si ante occidissemus, mors nos a malis, non a bonis abstraxisset.

85 XXXV. Sit igitur aliquis, qui nihil mali habeat, nullum a fortuna uolnus acceperit: Metellus

2–3. Callim. *Ep.* 23, cf. *Scaur.* 4

1 quod] quo X: quod V^c, 5 2 Cleombrotum] theombrotom RVS, cf. *Scaur.* 4 theobrotum GKE: cleobrotū S, in marg 3 accidisset] accessisset GV 3 in mare] in morte *Binsfeld*, cf. Call. *εἰς ἀδην* 4 Hegesiae] helesiae X: hegesiae V^c 4 apokarteron] ΑΙΤΟΚΑΡΤΕΡΟΝ RK: ΑΙΟΚΑΡΤΕΡΟΝ in ΑΙΤΟΚΑΡΤΕΡΟΝ mut. G: ἀποκαρτερων V^c 4 quo a] quod a X: quo a *dett. codd.*, 5 idem] id X: idem *Ern.*

dicatur: the pres. tense is similar to *disputatur* and *uolt*, viz. the statement was apparently still extant at the time of Cicero's writing.

in scholis: cf. 4, 7.

epigramma in Ambraciotam: Callim. *Ep.* 23 (= Pfeiffer 52, *Anth. Pal.* 7.471), *Ἐπιγρ.* "Ἥλιε χαῖρε' Κλεόμβροτος Ὁμβρακιώτης | ἤλατ' ἀφ' ὑψηλοῦ τείχεος εἰς Ἀἶδην, | ἄξιον οὐδὲν ἰδὼν θανάτου κακόν, ἀλλὰ Πλάτωνος | ἐν τῷ περὶ ψυχῆς γράμμ' ἀναλεξάμενος.

Cleombrotum: Cleombrotus and his fate are fairly common and in most philosophical contexts had become proverbial. Cicero recounts his story in *Scaur.* 3.4, and here. Aug. *C. D.* 1.22 considers his suicide as a plausible paradigm and says that it was done from lofty motives (probably Augustine had this passage in mind since he also recounts the suicide of Cato immediately afterwards); Lact. *Inst.* 3.18.5–10 associates him with eminent philosophers but attacks his belief in the pagan philosophy, as do many later Christian apologists (WILLIAMS: Cleombrotus of Ambracia: Interpretations of a Suicide, p. 161). But his example here in the *Tusc.* clearly serves as one of philosophical acceptance of and even desire for death — though Cleombrotus suffered no misfortune. He draws a curious comparison to the consistently miserable Hegesias whose account his own interrupts, on which see WHITE (Callimachus on Plato and Cleombrotus).

It is quite possible that Cicero had read the epigram himself since Callimachus had been popular in Rome at least since Cicero's youth. We have translations of the Alexandrian poet by Catullus (*Gell. N. A.* 19.9.14); Cinna (dead in 44 B.C.) had rendered Callim. *Ep.* 27 (MOREL/BÜCHNER/BLÄNSDORF: FPL), Cinna fr. 11; and see CAMERON (The Greek Anthology from Meleager to Planudes, pp. 51–56). The tale of Cleombrotus was later borrowed from Callimachus by Ov. *Ibis.* 493–493, in which Ovid described the *Phaedo* not as a book *de animo*, but one *de nece*.

Platonis libro: i.e., the *Phaedo*.

Hegesiae liber est Ἀποκαρτερῶν: the title of the book, ἀποκαρτερῶν denotes fasting (*Phld Mort.* 6.10–14, *Plu. Per.* 16.8), not ἀποκαρτερήσας which in fact does signify starvation, (*Plu. De Amor. Prol.* 497d, *Plu. Lyc.* 29.8). The story does not appear too credible and curiously resembles the life of a tale told of Euripides who (supposedly) inspired widespread suicide — but this fable originated as a joke in *Ar. Ra.* 1049–55.

possem idem facere: i.e., 'but I do not want to', *si uellem* being the usual idiom, cf. 27, 67 *quae habere uellem*.

solaciis priuati: Cicero's *solaciis domesticis* was his daughter Tullia, having died either late January or early February 45 B.C. The *forensibus ornamentis* were the performance of public duties, no longer open to him once

Caesar gained autocratic power. In numerous letters to his friends, Cicero recounted the impassivity of other bereaved fathers, such as Q. Maximus, L. Paulus and the elder M. Cato who all lost sons. The use of such exemplars was to show, and not just emotionally, that his own scenario was unparalleled (HUTCHINSON: Cicero's Correspondence: A Literary Study, p. 76). In each of the cases, these men were able to console themselves for the loss of their son through their high public standing. In *Fam.* 4.6.1, Cicero claims his own prolonged and rather indecorous mourning for his daughter can be excused on the ground that he has been robbed of his *dignitas* which those earlier men could enjoy, and which he had earned from his service to the republic, *non enim, ut tum me a re publica maestum domus excipiebat, quae leuaret, sic nunc domo maerens ad rem publicam confugere possum, ut in eius bonis acquiescam. itaque et domo absum et foro, quod nec eum dolorem, quem ad re publica capio, domus iam consolari potest nec domesticum res publica;* also *Fam.* 5.15, and WILCOX (Paternal Grief and the Public Eye, p. 280).

XXXV. §85. sit igitur aliquis...acceperit: the subjunctives are of class, 'think of any man, then, who has never suffered at fortune's hand'. The argument by *exempla* is not as obscure as TS. or Dougan think, and is one of the most frequent in consolatory literature (KASSEL: Römischen Konsolationsliteratur, pp. 98–103). We know from *Cic. Consol. fr.* 19b that Cicero had in fact treated Metellus' case earlier in that previous work, and no doubt he works it into the *Tusc.* again. Cicero considered fully many Romans of distinction in his preparation for the work (*Att.* 12.20.2; 12.22; 12.23; 12.24). Hier. *Ep.* 60.5 tells us Cicero had considered the Maximus, Cato, Gallus, Piso, the Bruti, and Scaeuola, Scaurus, Martius, Crassi, Marcellus, and Aufidius in addition to many others. In each case he weighed whether fortune could be said to take them from the good in life any more than from the evils of life. When he asks us to consider any man at all, he asks already having considered a good many. Cicero explains his methodology in *Tusc.* 3.56. We are able to console ourselves in two ways, first by inquiring into the nature of death itself, and second by bringing examples to bear upon the matter, *cuius onus disputando levamus docentes, quam parua et quam pauca sint quae natura desideret, aut a disputando subtilitate orationem ad exempla traducimus.*

Metellus: Q. Caecilius Metellus Macedonicus, who conquered Andrisus 148 B.C., held the consulship in 143 B.C., and was also an augur. He had sons, three of whom he saw become consuls, one as censor who also triumphed; he had a fourth son who was standing for praetor when he died; but before his death he also saw his three daughters marry good men (*Fin.* 5.82). Metel-

ille ornatus quattuor filiis, at quinquaginta Priamus, e quibus septemdecim iusta uxore natis. in utroque eandem habuit fortuna potestatem, sed usa in altero est: Metellum enim multi filii, filiae, nepotes, neptes in rogam inposuerunt, Priamum tanta progenie orbatum, cum in aram confugisset, hostilis manus interemit. hic si uiuis filiis incolumi regno occidisset,

5 . . . astánte ope bárbarica,
Tectís caelatis láqueatis,

5–6. Enn. *trag.* 83–84, cf. *Tusc.* 3.44.

1 ille] ille X: ill<is> e<st> scripsit Giu. 1 ornatus] honoratus X, def. Drex.: honoratis V^c, coniect. Bent. et s: ornatus Schlenger, quod retinuit Giu. 1 at] at GVR: aut K 1 e] omm. X: add. V^c 2 sed usa] sed usa GVR: seclusa V^c: elusa edd. pr.

lus was an example commonly quoted by ancient authors of a man with unsurpassable human happiness (cf. Plin. *H. N.* 7.44.139ff, Val. Max. 8.5.1, Vell. Pat. 1.11.6). He was covered with honours himself, and was carried to his funeral pyre by his honoured sons. He is placed in sharp contrast to Priam who was at one time similarly considered a man most blessed by fortune (though perhaps this comparison is less apt than Metellus' comparison to Regulus in the passage from *Fin.*). The argument is that death did not take Metellus away from his happiness, but rather secured it, for he could no longer suffer any future woe that could assail him. Curiously, here, where we would expect Cicero to mention Solon's famous dictum to Croesus (recounted earlier in *Fin.* 2.87), it is passed over. A different story of Solon is told below, 49, 117.

ille: The mss. reading of *ille honoratus* is suspected, rightly I think. Giusta had conjectured *ill<is> e<st> ornatus*, but this is only partially defensible. He remembered the mss. reading in *Tusc.* 2.18 where Halm conjectured *si forte est* in place of *si forte*, i.e., *siforjē* of the mss., and, believing a similar error here, printed *ill<is> e<st>*. But this is hardly Ciceronian (and I find Shackleton-Bailey agrees). Nor can it be defended by *Phil.* 13.27 which I find is not parallel. The mss. *ille* ought to be retained and we do not need to suspect the ellipse here of *est*, an idiom too frequent in these types of short laconic statements commonly used in colloquial writing. We have examples of such usage at *ad Brut.* 2.5.4, *itaque ille dies silentio*; *Att.* 13.28.4, *ille de ingenio nihil nimis, modestum et frugi*, and there are many others. The collocation is rare, since it is Cicero's normal usage to place *ille* before proper names (of which there are many examples), but this practice is not without exception, *Att.* 2.5.1, *Cato ille noster qui mihi unus est pro centum milibus* (but cf. *Att.* 4.16.3, *ille noster Plato*). I retain the unanimous reading of the mss.

ornatus: DREXLER (Text der Tusculanen, p. 72) defended the mss. reading *honoratus* by comparing Gaius, *Instit.* 3.50, 53, *duobus liberis honoratae ingenuae matronae* which does demonstrate the Latinity of the expression but fails to withstand the criticisms of Moser since it is never found in Cicero. If we read *honoratus*, we would understand that Metellus' distinction depended on his sons' — but it did not. And in what way can Priam be said to have gained 'honour' (in this sense) from his fifty sons? Bentley instead conjectured reading *honoratis* (which is also found in V^c) understanding the expression *honoratus = honoribus functus*, cf. Val. Max. 7.1.1, *quattuor filios sustulit. . . omnes superstites et honoratissimos*. This is the reading which Lündström calls 'indispensible', and which most editors retain — but if I may say, non modo non Priamus honoratis filiis dici poterat sed ne honoratus quidem filiis! And so I think something is to be said for Giusta's conjecture of *ornatus*. He finds a good parallel at *ad Brut.* 1.18.2, *imperator. . . liberis ornatus*, though I disagree with him that *est* is required here, cf. *Brut.* 81 cited by LUNDSTRÖM (Textkritik, p. 17). Giusta says nothing about the fact that his conjecture does make an elegant contrast between *ornatus filiis* and *orbatum*

progenie.

at: Pohlenz retained the reading of the K *aut* and defended it with *Fat.* 5, *magnum aut naufragum illum sine nomine in rivo esse lapsum* but the parallel is not exact. With the focus on numbers, it seems that Cicero is forging a link between how happy Metellus was with his large family and how much happier and prosperous Priam would be expected to be with his even larger family. As such, we would expect *at* to give extra force to the quantity of children Priam had, — and so lost.

quinquaginta: sc. *filiis*, for the number cf. Hom. *Il.* 6.244, Verg. *Aen.* 2.503.

septemdecim iusta uxore natis: from his proper wife Hecuba, the others were from concubines. Hom. *Il.* 24.496 gives their number at nineteen, but Theoc. *Id.* 15.139 makes them twenty.

in utroque. . .: translate, 'Over both did Fortune hold the same power, but in each case she used it differently.'

in rogam inposuerunt: for a Roman, it was the final touch of good fortune to depart with a prosperous and unbroken family, cf. Tac. *Agr.* 44, *filia atque uxore superstibus, salvis adfinitatibus et amicitiiis futura effugisse*.

Priamum orbatum: Priam's tale was also one common among philosophers, cf. Arist. *E. N.* 1.10.14, *ἂν Πριαμικαῖς τύχαις περιπέσει*.

in aram: of Zeus Herceus, cf. Verg. *Aen.* 2.513, Ov. *Ibis.* 510, Luc. 9.979.

hostilis manus: his murderer was Pyrrhus, the son of Achilles and for a description of his death, cf. Verg. *Aen.* 2.550ff, Juv. 10.258ff.

adstante. . .: these lines are also quoted more in their context in *Tusc.* 3.19.44, here the missing words are *uidi ego te*. They are from Ennius' *Andromacha Aechmalotis* which employed anapestic dimeter (90 ed. Jocelyn) Compare also Sen. *Troad.* 44ff (with Keulen's n. *ad loc.*), E. *Andr.* 397ff, and SCHÖNBERGER (Zum Klage lied der Andromache, p. 255).

ope barbarica: 'his foreign strength (i.e., allies) standing firm'. Forcellini quotes Verg. *Aen.* 2.22, *Priami dum regna manebant* has having the same meaning. For *barbaricus*, cf. Verg. *Aen.* 2.504, *barbarico postes auro spoliisque superbi*, i.e., Phrygian whom even Hecuba calls *βάρβαρος* (E. *Hec.* 1200) and which Serv. *ad loc.* explains as *πᾶς μὴ Ἑλλην βάρβαρος*. Therefore, it is not unnatural that Andromache, who speaks these lines, refers to her own Trojans as *barbarici*.

tectis caelatis laqueatis: the roof of the palace was both carved with images (*caelatus*) as well as spaced out and so fretted as panels to form a coffered ceiling. We have such examples as the marble ceiling of the Hephaestion, the Parthenon, and the Temple of Apollo at Bassai. Slabs (*πλαίσια*) were carefully cut into square lacunaria (*δπαῖα*), smoothed on the visible lower surface and an astragal (or torus) was carved into it in order to frame each of these coffers and so as to mask each joint. For literary descriptions of the practice, cf. Leg. 2.2, *magnificasque villas et pavimenta marmorea et laqueata tecta*, and Vit. *De Arch.* 8.2. Such pan-

utrum tandem a bonis an a malis discessisset? tum profecto uideretur a bonis. at certe ei melius euenisset nec tam flebiliter illa canerentur,

Haec ómnia uidi inflámmari,
Priamó ui uitam euitari,
Iouis áram sanguine túrpari.

86 quasi uero ista ui quicquam tum potuerit ei melius accidere! quod si ante occidisset, talem euentum omnino non habuisset; hoc autem tempore sensum amisit malorum. Pompeio nostro familiari, cum grauiter aegrotaret Neapoli, melius est factum. coronati Neapolitani fuerunt, nimirum etiam Puteolani; uolgo ex oppidis publice gratulabantur: ineptum sane negotium et Graeculum, sed tamen fortunatum. utrum igitur, si tum esset extinctus, a bonis rebus an a

5

10

110.7–111.5. cf. Sen. Cons. Marc. 20.4

6 ui] uel RGPS: u^u (= uel) E: þ (= uel) K: ui *Pet. Crassus, teste Manutius* 6 occidisset] accidisset X: occidisset V^c 6–7 talem euentum] tamen euentum X: talem euentum *coniect. Stephanus, Bentl., Dav.*: tum *det. cod.*: <ui>tam eo euentu[m] *fortasse scribendum putat Giusta, alii alia minus eleganter* 7 non habuisset] amisisset GVK: non uidisset *Bouhier*: non habuisset *Hottinger*: dimisisset *Reid*: *del. Schütz*: *hic crucem posuit Giu.* 110.10–111.1 an a malis] animalis R *sic*: anamalis KPE

elled ceilings were signs of great wealth and luxury, and was a target of the Epicurean Diongenes of Oinoanda found in a recent fragment, *περίεργον οἰκίαν, τετορεθμένας ἔχουσαν ὀροφὰς καὶ χρυσοπάστους κλπ.* (SMITH: New Fragment of Diogenes of Oinoanda, p. 39).

ui uitam euitari: note the parachesis of the *-ui-* sound, a poetic device which the older poets which peculiarly fond. We have many examples throughout the *Tusc.*, 2.17.39 (Accius) *paratam pestum ut participet parent*; 3.19.44 (Ennius) *fana flamma deflagrata*, 4.36.77 *maior mihi moles, maius miscendum malum*.

euitari: an old word, meaning *uitam eripi*, found only here and Apu. *Met.* 3, *validos euitasse iuvenes*, cf. DOEDERLEIN: *Lat. Syn. et Etym.*, vol. 3, p. 192. The same lines are repeated in *De Or.* 3.218, but with the older diphthong spellings *uidei*, *inflammari*, and *euitarei*.

ui: the mss. *uel* cannot be sufficiently explained here since *ista uel quicquam* would be too obscure as a conclusion for the argument Cicero is trying to make and the phrase itself is not in his style. KLOTZ (Questiones, p. 98) tried to defend the reading explaining that ‘gleich als ob dieses [i.e., what the poets lament] oder auch nur das Geringste damals hätte können für ihn einen bessern Ausgang nehmen’ (i.e., he understands *quicquam tum*). But here Cicero is focused on the fact that death removed him from his present evils; it is afterwards that he turns to consider what death would have saved him from. Petrus Crassus’ emendation to *ui* is quite likely, and moreover old scribes often wrote *UEI* in place of *UI* and so the error easily arose, cf. *ui uitam*, etc.

potuerit: for the tense, 22, 50 n.

quod si ante...: cf. [Plu]. *Consol. ad Apoll.* 113e, *μείον γὰρ ὄντως ἐδάκρυσε Τρωίλος ἢ Πρίαμος κἄν Πρίαμος αὐτος, εἰ προετέλευτῃσεν ἔτ’ ἀκμαζούσης αὐτῷ τῆς βασιλείας καὶ τῆς τοσαύτης τύχης, ἣν ἐθρήνει*.

non habuisset: if the mss. reading of *amisisset* is correct, then (as Billerbeck) we must understand an ‘improprie quidem sed iocose dictum’ — which is adopted by Kühner! But what is said here, to be sure, is wholly applicable to Pompey and I find it hard to believe that Cicero is jovial here who soon after paints a touching scene of Pompey in the description of his sufferings. At any rate, *euentum amittere* is hardly possible. Hottinger is probably right who conjectured *talem euentum omnino non habuisset*. He thought that *non* (*nō*) easily fell out after *omnino*, after

which *habuisset* would have been meaningless and altered to *amisisset* to parallel *amisit* which follows, cf. *Div.* 2.22, *quae enim uita fuisset Priamo, si ab adulescentia scisset quos euentus senectutis esset habiturus?*

§86. Pompeio nostro: Pompey is conspicuously joined with Priam to give illustrations of such suffering, one Roman and one Greek, one recent and the other legendary. Cf. *Div.* 2.22 where there are also joined.

cum grauiter aegrotaret: for the imperfect, cf. 2, 4 on *cum recusaret*.

melius est factum: i.e., he recovered, cf. Plaut. *Cist.* 73, *erit isti morbo melius*.

fuerunt... gratulabantur: for the sequence of tenses, cf. 2, 4 n. on *floruerunt, discebant*.

nimirum etiam Puteolani: for the ironic meaning of *nimirum*, cf. 22, 52 n. ‘It was not a wonder, then, that the people of Puteoli came as well’, so Cicero mocks their imitation of the residents of Neapolis.

uolgo: adverbial, i.e., *ex magna parte* meaning from nearly all the other towns in the outlying areas, cf. 46, 111 n.

publice: i.e., chosen to represent the cities from which they came.

gratulabantur: cf. Plu. *Pompr.* 57, *ἐκ τούτου δὲ Πομπήσιος ἐν Νεαπόλει νοσήσας ἐπισφαλῶς ἀνέρρωσε: Πραξαγόρου δὲ πείσαντες τοὺς Νεαπολίτας ἔθυσαν ὑπὲρ αὐτοῦ σωτήρια κλπ.* Other historical accounts, App. *B. C.* 2.28, D. C. 41.6, *Att.* 8.16.1, 9.5.4; Vell. *Pat.* 2.48 suggest that the rejoicing which followed Pompey’s recovery from his illness in 50B.C. was thought to have done more than anything to bring about a war as it made Pompey over-confident of his own power and contemptuous of Caesar’s. Pompey was in the city attempting to recruit for the Republican cause.

ineptum sane negotium et Graeculum: ‘silly and thoroughly Greek’. *ineptum* is used for want of due regard to time and place, cf. *De Or.* 1.221; or of want of taste, cf. *De Or.* 2.18. Along with their garrulity (Sen. *Ep.* 40.40, *in Graecis hanc licentiam*), Cicero also at times accuses the Greeks of their inclination to such foolish and obsequious behaviour, cf. *Q. Fr.* 1.5.16, *Graeci diuturna seruitute ad nimiam assentationem eruditi*. However, he did not seem to mind the behaviour too much when he was greeted with cheers on his return from exile, cf. *Pis.* 51, *neque enim regio fuit ulla ex qua non publice ad me uenerint gratulatum*.

malis discessisset? certe a miseris. non enim cum socero bellum gessisset, non inparatus arma
sumpsisset, non domum reliquisset, non ex Italia fugisset, non exercitu amisso nudus in seruorum
ferrum et manus incidisset, [non liberi defleti], non fortunae omnes a uictoribus possiderentur.
qui, si mortem tum obisset, in amplissimis fortunis occidisset, is propagatione uitae quot, quantas,
5 quam incredibilis hausit calamitates!

XXXVI. Haec morte effugiuntur, etiamsi non euenerunt, tamen, quia possunt euenire; sed
homines ea sibi accidere posse non cogitant: Metelli sperat sibi quisque fortunam, proinde quasi
aut plures fortunati sint quam infelices aut certi quicquam sit in rebus humanis aut sperare sit
prudentius quam timere. sed hoc ipsum concedatur, bonis rebus homines morte priuari: ergo
10 etiam carere mortuos uitae commodis idque esse miserum? certe ita dicant necesse est. an potest
is, qui non est, re ulla carere? triste enim est nomen ipsum carendi, quia subicitur haec uis: habuit,
non habet; desiderat, requirit, indiget. haec, opinor, incommoda sunt carentis: caret oculis, odiosa
caecitas; liberis, orbitas. ualet hoc in uiuis, mortuorum autem non modo uitae commodis, sed ne
uita quidem ipsa quisquam caret. de mortuis loquor, qui nulli sunt: nos, qui sumus, num aut sic

1 a miseris] a miseris RKV^c: a miseris *edd. pr.* 3 non liberi... fortunis occidisset] *haec uerba non habet in proprio loco P*
sed subscripta ad calcem paginae 3 uictoribus] auctoribus RG: auctoribus VKE: a uictoribus S 7 proinde] proinde X:
perinde *dett. codd.* 8 aut] ut X: ut S *in marg.*: a ut V^cP 8 certi] certe RG: certe K²PV^c 14 sic] si X: *del. si V^c:*
aut si *mut. in etsi dett. codd.*: aut sic *Seyffert*

discessisset: for the thought, cf. Prop. 3.11.37, *issent Phlegraeo melius tibi funera campo*, and Juv. 10.283–286, *provida Pompeio dederat Campania febres optandas* etc.

a miseris: Davies and Giusta rightly objected to the weakness of *miseris* and remark that it is extremely rare (I can find only two instances, at *Att.* 1.14.1, and *Prov. Cons.* 3.5, neither which are neuter). The reading *miseris* is found in only one minor Oxford mss. but the correction to *miseris* is easy. Such errors in spelling are also found at *Tusc.* 2.20, *trachiniis*, and 3.45, *regiis* (not *regis*).

socero: he married Julia, Caesar's daughter, in 59B.C.

non inparatus: the tone is bitter, and despite the many years separating Pompey's defeat and the writing of this work, Cicero cannot refrain from recalling Pompey's arrogance with fresh acrimony; the first series of pluperfect subjunctives, *gessisset, sumpsisset, fugisset, incidisset* is plaintive and sorrowful, and heightened by the furthered continuation of more in the conditional.

nudus: 'unarmed'.

defleti: Pohlenz thought a lacuna existed after *non* and supplied *non <essent ab omnibus bonis> liberi*. LUNDSTRÖM (Glosseme, pp. 184–188), however, tried to defend *non liberi defleti* by comparing Plaut. *Capt.* 139, but this is unconvincing. The omission of *essent* is quite against Cicero's style. Further, Magnus' son Sextus Pompey was certainly alive in 45B.C., and though *defleti* does not necessarily imply the sons were dead, it is doubtful Cicero would use a rhetorical plural to describe such metaphorical mourning. What follows, *non fortunae possiderentur*, however, forms a good clausula and does make sense in the context: had Pompey died in 50B.C., there would have been testamentary disposition of his property, unlike what happened afterwards to his belongings in 45B.C. I think there is good reason, with Halm-Baiter, simply to delete *non liberi defleti* as a marginal gloss. Both NUTTING (Classical Philology, 19, p. 351) and WILLIAMS (Gnomon, 37, p. 680) believe that the gloss crept in from a commentator who was drawing a comparison between Pompey's sons and those of Priam which Cicero had previously mentioned. It would easily have entered the text from the anaphora.

si mortem tum obisset: cf. *Div.* 2.22, *Cn. Pompeium censes*

laetaturum fuisse, si sciret se in solitudine Aegyptiorum trucidatum iri amisso exercitu.

hausit calamitates: 'he drank his calamities down to the dregs'; the metaphor is a common one. Editors compare *Dom.* 30, *si utile rei publicae fuit haurire me unum pro omnibus illam indignissimam calamitatem* etc.; *Sest.* 63, *luctum nos hausimus maiorem*; and below 49, 118 *exanclauisset omnes labores*. Serv. 3.693 says *ueteres dicebant "cladem hausit", id est, pertuli*; cf. Tac. *Hist.* 3.84, 4.32; and E. *Cyc.* 110, *παπαί τὸν αὐτὸν δαίμον ἐξαντλεῖς ἐμοί*.

Metelli: the emphatic position reveals the proverbial nature of the name, on which see n. 35, 91.

XXXVI. proinde quasi sint: the force of *proinde* is properly *idcirco*, the sense wanted when we consider that hope has so often deceived us. A few of the lesser mss. have *perinde* (i.e., *haud aliter ac si*) but the two forms are frequently confused. For the use here of *quasi*, cf. 22, 50 n.

§87. carere vitae commodis: 'to lose the advantages of life'. The expression *vitae commoda* is common. In our passage it means *adiuncta vitae* or *ἐκτὸν ἀγαθὰ*, external advantages one makes use of while living, such as friends, wealth, etc, cf. *Ac.* 1.23; *N. D.* 1.23; *Lucr.* 3.2

certe ita dicant necesse est: FREDERKING (Zu Cicero, p. 636) would delete these words as a gloss, but LUNDSTRÖM (Glosseme, p. 23) I think has defended them successfully. Even if we do retain them, there is no reason to suspect *an* with NISBET (CR, 16, p. 58), see 2.4 n. above.

nomen ipsum carendi: *nomen* here has the meaning of *ὄνομα*, the gerund is a gen. of definition, 4, 8 n.; 15, 34 n.; and 23, 53 n. *principium mouendi*.

ualet hoc in uiuis: 'but this is only valid for the living'.

non modo... sed ne quidem: i.e., *non modo non*. When the two clauses share a common verb which stands in the second, the negative implied in the second clause is implied in both, *Madv. Gram.* 461b and cf. *Tusc.* 5.93, *neque necessitatem modo, sed ne naturam quidem*.

qui nulli sunt: cf. 6, 11; 38, 91.

sic: 'in the same way as the dead are said to go without life'. V^c erased the word entirely (a possibility), but I think Seyffert's correction of *sic* for the mss. *si* is more likely, the consonant falling out easily before *cornibus*.

88 cornibus caremus aut pinnis? ecquis id dixerit? certe nemo. quid ita? quia, cum id non habeas
 etiam atque etiam est et urguendum argumentum confirmato illo, de quo, si mortales animi sunt,
 dubitare non possumus, quin tantus interitus in morte sit, ut ne minima quidem suspicio sensus
 88a relinquatur — hoc igitur probe stabilito et fixo illud excutiendum est, ut sciatur, quid sit carere,
 88b id facili patiare.] [carere in morte non dicitur; nec enim esset dolendum; dicitur illud: ‘bono

1 ecquis id] sit qui id R: sit quid GE: sit qui^d S: sit quid P: ecquis id *Dav.*, (*Madvig?*) 3 urguendum] arguendum
 KPSE: &urguendum V^c, s 9 carere in morte] carere in morte X: carere enim in morte (*aut*) in malo *dett. codd.*:
 carere enim malo *Manutius*: carere autem in malo *Ern.*: malo carere in morte *Madvig*: ita carere in morte *Sauppe*:
 carere... quod est malum *del. Heine*

cornibus: I think Reid is right to see an allusion here to the *κερατίνης λόγος* of Eubulides, D. L. 2.118 and 7.187. Cicero must have been familiar with the paradoxes as he criticises them in his *Ac.* 2.49, *uitiosum sane et captiosum genus*. The paradox causes a problem in trying to account for intuitions about presuppositions in two-valued logic. Given the argument, ‘You still have what you have not lost; you have not lost your horns, therefore you have horns’, Eubulides denied that ‘your horns’ was a meaningful statement by accepting Parmenides’ dictum that τὸ γὰρ αὐτο νοεῖν ἐστὶν τε καὶ εἶναι, *Dox. Graec.* b3 (PHILLIPS: Parmenides on Thought and Being). His conclusion then was that we cannot represent in any logical fashion what is not (i.e., truly in existence). In this passage Cicero again grapples with the problem of ‘being’ and the logical fallacies which surround the predication of what is said not to exist. For the argument, Davies cited *Plu. De Stoic. Repug.* 1068c, *καράτων γοῦν καὶ πτερῶν οὐδεὶς ἐνδεὴς ἀνθρώπος ἐστίν, ὅτι μηδὲ δέεται τούτων*.

cum id non habeas: i.e., *si id non habeas*, where the subj. is conditional, cf. 41, 98 *cum Palamedem conuenirem* and K.-S. 2.956. Many other examples of this idiom are listed in HALE (Second Person Singular Subjunctives in General Statements of Fact, p. 21).

aptum: i.e., = *cohaerens, connexum*; cf. N. D. 3.4, *apta et cohaerentia*; *Fat.* 34, *si ea causa non ex aeternis causis apta dicitur*; *Or.* 235, *facilius apta dissoluere, quam dissipata connectere*.

§88. **hoc premendum**: cf. 7, 13 *uero premis*. In *Ac.* 2.29, Antiochus proceeds *pressius*, strongly fixating upon a certain *topos*. The Academic representative in the dialogue ridicules the manner of such argumentation later in 2.109. The term *premere* also occurs at *Fin.* 4.24; *Tusc.* 4.14; N. D. 2.20, where it is Zeno who *premebat alio modo*; *Div.* 2.46; *Fin.* 4.78; *Fat.* 31.

The argument that it is impossible to lack (*carere*) anything which is not part of natural existence can only apply to the soul which has fully perished and dispersed. Cicero has already treated the case of the fully cognitive soul which rises to the aether after it leaves the body, and so his focus is now unrelentingly upon the other thesis that the soul, if it is destroyed, cannot sense any want.

confirmato illo: we would have expected to read below *tantum interitus in morte esse* as *oratio obliqua* depending on this clause. However, the construction changes instead to follow *dubitare non possumus* — a shift which is quite natural in Latin, cf. 30, 73 n. *ut cygni*. This parenthetical statement is resumed by the *hoc igitur* below, cf. *Fin.* 3.5.17.

suspicio sensus: ‘not even the least stay or support for perception is left’.

excutiendum est ... quid sit carere: Cicero carefully defines his terminology, as he did before going on to examine exactly what death was in 9, 18. ‘We must fully explain what it means to lack something’, cf. *Part. Or.* 124, *non enim*

argumentando hoc genus tractatur sed tamquam explicando excutiendoque uerbo.

carere hoc significat...: the argument may have some relation to Aristotle’s analysis of *στέρησις*, *Arist. Cat.* 12a26, *Arist. Metaph.* 4.22, 1022b22, and also cf. *Sen.* 48, *Sen. Ep.* 78.11, *desideria ipsa moriuntur; non est autem acerbum carere eo quod cupere desieris*; *Lucr.* 3.900.

carere... in facile patiare: Dougan argued that an early copyist missed the clause beginning with *carere* and went down to *carere igitur hoc significat*. When he had written down *facile patiare* he noticed his error and inserted *carere in malo* out of place. A later corrector then altered *malo* to *morte* (the mss. reading) on account of the *at in mortuo* which followed in order to give the text some sense. Dougan therefore wished to transpose 88a and 88b.

uelis: the subj. is indefinite, as *habeas, sentias, and patiare* are below, *Madv. Gram.* 370.

inest enim uelle in carendo: ‘for a sense of desire is in the word “lacking”’.

tamquam in febris: cf. *Fam.* 16.15, *mihi nuntiauit te plene febris carere*; *Fin.* 1.11, *carere dolore*, *Gell. N. A.* 19.8, *morbo quidem, inquit, cares, sed uerbi uitio non cares*, and *DOEDERLEIN*: *Lat. Syn. et Etym.*, vol. 3, p. 114. One scholiast in S failed to see the meaning and commented *quae carere iucundum est*.

tamquam: the rarer ‘for example’, cf. 10, 20 *tamquam in cantu sonos*.

carere in morte: Bentley confessed that he did not understand the words *carere in morte... quod est malum*, Heine similarly who deleted them. The passage is indeed obscure. Kühner explained *in morte* as *si quis mortuus est* and this is how I understood it. Many emendations have been proposed, but the one commonly accepted, *carere in malo non dicitur* found in the mss. S and E and adopted by Dougan, is to my mind more baffling. On the other hand, we can extract at least some sense from *in morte*. The argument turns upon the logical problem of assigning to the dead something that is not apart of its nature. I find that Kernius (in Wolf *ad loc.*) translated with *Vermissten*, and English translators, who mar this passage by needlessly clinging to the definition ‘to lack’, should take note. Our own versatile ‘to miss’ is quite fit for purpose in this regard and is commonly punned upon by humourists: ‘You missed work!’, ‘Yes, but I would not say I missed it!’, where the first denotes absence, the second desire. The former meaning is found in *carere* when Cicero earlier stated *morte carere omni sensu*, that ‘death lacks any sense’ both above 12, 36 and in *Tusc.* 5.88, in which he applies the term to an inanimate object in the sense of ‘free from’, ‘absent’. So we should find no trouble with the phrase *carere in morte*, ‘a dead man is missing life’, though it is not one generally used except perhaps comically. But Cicero now explicitly states that ‘to lack’ implies a feeling of something

carere', quod est malum.] sed ne uiuus quidem bono caret, si eo non indiget; sed in uiuo intellegi tamen potest regno carere — dici autem hoc in te satis subtiliter non potest; posset in Tarquinio, cum regno esset expulsus — at in mortuo ne intellegi quidem. carere enim sentientis est, nec sensus in mortuo: ne carere quidem igitur in mortuo est.

5 XXXVII. Quamquam quid opus est in hoc philosophari, cum rem non magnopere philosophia egere uideamus? quotiens non modo ductores nostri, sed uniuersi etiam exercitus ad non dubiam mortem concurrerunt! quae quidem si timeretur, non L. Brutus arcens eum reditu tyrannum, quem ipse expulerat, in proelio concidisset; non cum Latinis decertans pater Decius, cum Etruscis filius, cum Pyrrho nepos se hostium telis obiecissent; non uno bello pro patria cadentis Scipiones
10 Hispania uidisset, Paulum et Geminum Cannae, Venusia Marcellum, Litana Albinum, Lucani

2 regno carere] regno te carere SEL: *omm. te dett. codd., et edd. pr. recte ut uidi; retinuit Davisius et post eum edd. prope omnes* 3 nec] nec X: nec ÷ V^c 4 ne carere] nec carere GRK: necarere V 7 concurrerunt] concurrerint VGRSE: concurrerint P *at in marg. rūt:* concurrerunt V^c 9 pyrrho nepos se] pirrhone posse V: pirrho neposse G 10 Litana] Latina GRK: hirpinⁱ V: Litana Menke, Lindemannⁱ cf. Liv. 28.24

missing and this is not attributable to the dead because they cannot feel any anguish (13, 30 n. *dolere*). And so we can translate the whole passage thus (changing the fever idiom accordingly): 'And so "to miss" signifies this: to be without something you wish to have — for there is a sense of desire in "missing", unless it is used in a different sense, as "to miss being caught". For there is also another way in which "to miss" is used, when you do not have something and you are aware you do not have it, even though you can easily bear that. But not even a living person can be said "to miss" something for which he has no desire etc.' This, I think, gives sense but the brevity of Cicero's passage make it obscure.

sed ne uiuus... sed in uiuo: for the recurrence of *sed*, cf. *Fin.* 5.89 and *Off.* 1.60.

regno carere: Dougan claims that *te* is abundantly supported by the mss. and would translate 'you, i.e., any living person', but this deviates from the Latin. Lundström also tried to defend it but I do not think successfully. The second person impersonal pronoun makes little sense here, particularly in the face of the qualification which follows. I have ejected *te* based on the arguments of GIUSTA (*Tusculanae*, p. xlviij); GIUSTA (Testo, pp. 59–60), who clearly demonstrates that the *te* arose from a copyists' eyes which run ahead to the line with *in te satis*, which followed in the archetype.

subtiliter: cf. 23, 55 n.

posset: for the imperf. subj., cf. 12, 27 n. on *haereret*. It is used here because the person intended is conceived of only in the mind.

Tarquinio: Tarquin Superbus, seventh king of Rome was driven out from his kingdom in 509B.C. by the possibly mythical L. Brutus.

cum regno esset expulsus: the subj. is likely causal, and not simply so by attraction, i.e., 'we could say Tarquin "misses" his kingdom because he was driven out from it', i.e., he once had it, and now lacks it.

The historical event is mentioned at *Tusc.* 4.2, perhaps with a hint to Brutus his addressee, *L. Brutus patriam liberavit, praeclarus auctor nobilitatis tuae*; however, at *Brut.* 331, *tibi optamus eam rem publicam in qua duorum generum amplissimorum renovare memoriam atque augere possis*, there is an even less guarded exhortation. It is difficult to say with certainty why Cicero chose Tarquin and the example of a kingdom in place of a more common example when making his point about 'lacking'. I only remark that Tarquin does come chronologically first in the list of examples Cicero recalls where Romans die nobly for their republic (as L. Brutus does below). The examples are poignant.

XXXVII. §89. **cum uideamus:** the subj. is causal.

quotiens...: there are numerous passages where such a series of heroes occur, below 46, 100; *Sen.* 75; *Rep.* 1.1;

Off. 1.61; *Parad.* 1.12; *N. D.* 3.80, cf. *Sen. Ep.* 82.22.

si timeretur... concidisset: for the tense, cf. 12, 27 n. *nisi haereret*.

L. Brutus: traditionally said to have fallen in battle against Arruns Tarquinius, Liv. 2.2–6.

Decius: Decius the father was slain at Verseris 340B.C. in the great Latin war; his son P. Decius similarly 'devoted' himself to the *Di Manes* and *Tellus* at Sentinum in 295 B.C. in his fourth consulate. Both of the stories are described by Liv. 8.9, *Fin.* 2.61, *Tusc.* 2.59, *Parad.* 1.12, *Off.* 3.16, Liv. 10.28.13, *Sen. Ep.* 67.9, *Sen. Ben.* 4.27.2, 6.36.2, D. S. 21.6.2, and see RE. 5.2279ff. For a study on this type of *deuotio ducis*, see VERSNEL (Two Types of Roman *deuotio*); JANSSEN (*Deuotio Deciana*, pp. 378–379).

The grandson P. Decius supposedly perished at Asculum in 279B.C. in a similar fashion, as Cicero states *Fin.* 2.61, *consul cecidisset in proelio seque e continenti genere tertiam victimam rei publicae praeuisset* though Zon. *Ann.* 8.5 indicates that this Decius did not in fact dedicate himself and lost the battle to Pyrrhus, cf. MRR 1.202, n. 2. The grandson is excluded from the passages cited earlier, where the only the father and son feature. Cicero probably came to know about the grandson through Enn. *Ann.* 6.191–194, cf. SKUTSCH/CORNELL (Book VI of Ennius' *Annals*, pp. 514–515).

It is a curious feature that all three men who 'devoted' themselves bore the cognomen *Mus*, which was a name never used again.

Scipiones: P. Cornelius Scipio, the father, and Cn. Cornelius Scipio Calvus, uncle to the elder Africanus, both defeated and slain in Spain 212B.C., Gnaeus a few days after Publius, cf. the passages mentioned above and *Balb.* 34, *cum duo fulmina nostri imperi subito in Hispania, Cn. et P. Scipiones, extincti occidissent*. For the campaign and deaths, cf. Polyb. 8.1.4; 10.36.3; Liv. 28.28.13; Val. Max. 1.6.2; 2.7.15; 9.11, ext. 4 *oppressos in Hispania Scipiones*. **Cn. Servilius Geminus:** consul 217B.C., fell at Cannae. **L. Aemilius Paulus:** consul second time in 216B.C., whose foolhardy colleague C. Terentius Varro led him into battle at Cannae, App. B. C. 7.19. On his death, cf. *Div.* 2.71, *num minus cecidit in Cannensi pugna cum exercitu*; *Sen.* 75, Val. Max. 3.4.4. We know much about him from Plutarch's life. **M. Claudius Marcellus:** five times consul who fell at Venusia in 208B.C. against the Carthaginians. Hannibal (according to tradition) sent his ashes back to Rome, cf. *N. D.* 2.165, 3.80; *Div.* 2.77, Liv. 27.26, Plu. *Marc.* 30, Verg. *Aen.* 6.856.

Litana: Litāna was a forest in the Apennines in Cisalpine Gaul, where L. Postumius Albinus was destroyed by the Boii 216B.C. along with his entire army, cf. Liv. 23.24, *Silua erat uasta (Litanam Galli uocabant)... ibi Postumius omni uine caperetur dimicans occubuit*. Livy tells us that he was

90 Gracchum. num quis horum miser hodie? ne tum quidem post spiritum extremum; nec enim potest esse miser quisquam, sensu perempto. 'at id ipsum odiosum est, sine sensu esse.' odiosum, si id esset carere cum uero perspicuum sit nihil posse in eo esse, qui ipse non sit, quid potest esse in eo odiosum, qui nec careat nec sentiat? quamquam hoc quidem nimis saepe, sed eo, quod in hoc inest omnis animi contractio ex metu mortis. qui enim satis uiderit, id quod est luce clarius, animo et corpore consumpto totoque animante deleto et facto interitu uniuerso illud animal, quod fuerit, factum esse nihil, is plane perspiciet inter Hippocentaurum, qui numquam fuerit, et regem Agamemnonem nihil interesse, nec pluris nunc facere M. Camillum hoc ciuile bellum, quam ego illo uiuo fecerim Romam captam. cur igitur et Camillus doleret, si haec post trecentos et quinquaginta fere annos euentura putaret, et ego doleam, si ad decem milia annorum gentem aliquam urbem nostram potituram putem? quia tanta caritas patriae est, ut eam non sensu nostro, sed salute ipsius metiamur.

91 XXXVIII. Itaque non deterret sapientem mors, quae propter incertos casus cotidie imminet, propter breuitatem uitae numquam potest longe abesse, quo minus in omne tempus rei publicae

4 sed eo] sedeo GVR 7 esse] esse GVR: est K 9 illo uiuo] uiuo illo RG 11 urbem nostram] urbe nostra s: urbem nostram GVR: urbem nostrā S: urbē n̄rām BP: urbem n̄rām K: urbe n̄rām E 13 non] non ante deterret VGL: non n̄ R: non modo K fort. ead. manu superscr.: non modo ante non in marg. add. V^c 13 imminet] imminet X: uel impendent V^c

decapitated, and his skull was covered over with beaten gold and turned into a drinking cup used for libations, cf. Vell. Pat. 14.2.8.

Gracchum: Ti. Sempronius Gracchus, distinguished general of the second Punic war was slain 212B.C. in Lucania having been ambushed by Mago, Liv. Per. 25.

§90. odiosum, si id esset carere: i.e., *odiosum esset*, the ellipse of the verb being common, cf. *Fin.* 2.93, and K.-S. 2.162 1a.

quamquam hoc quidem: sc. *mortuos nihil sentire*.

nimis saepe: sc. *a me dicitur*. For the ellipse, cf. 17, 40 *igitur dubitamus? an sic, ut pleraque? quamquam hoc quidem minime*.

sed eo: another ellipse, sc. *hoc facimus*. The particles *quamquam... sed* are often joined in this way.

in hoc: i.e., the belief that the soul, even after death, continues to perceive the world as we do now.

animi contractio: for the term, cf. *TLL* 4, 752, 55 and *Tusc.* 4.66, *effusio animi in laetitia quo in dolore contractio*, anguish or dejection.

fuerit... fuerit... fuerim: the use of the perf. subj. is for reported thought, dependent upon *uiderit* and *perspiciet*.

Hippocentaurum: though Cicero uses both term, *centaurus* is sometimes used without any specifications to mean a creature formed of man and horse, while the term *hippocentaurus* is used in distinction from the other types such as *onocentaurs*, *ichthyocentaurs*, and the strange *nephelocentaurs*. Philosophers used the animal as a typical example of a non-existent being, *Div.* 2.5, *quis enim hippocentaurum fuisse aut Chimaeram putat*, *Div.* 2.49, *N. D.* 1.105 and frequently argued and rationalised over the origins, particularly as stemming from the confusion of ideas between men and horses, *D. L.* 7.53, *Pl. Rep.* 9.588c, *S. E. M.* 2.60, and the *Suida s. v. νοῦς*. We have many instances of philosophical scepticism, Xenophanes (*Dox. Graec.* 11b1, 22) *κένταυρων, πλάσματα τῶν προτέρων*; ps.-*Pl. Ax.* 396c; *Arist. APr.* 2.1, 89b32 *οἶον εἶ ἔστιν ἢ μὴ ἔστι κένταυρος ἢ θεός* (and Aristotle was said to have written books *ὑπὲρ τῶν συνθέτων ζώων* and *ὑπὲρ τῶν μυθολογουμένων ζώων*, *D. L.* 5.25); also see *Lucr.* 4.739–740; *Sen. Ep.* 58.15; *S. E. P.* 1.162, *ἀνπαρέξιας παράδειγμα τὸν ἵπποκένταυρον ἡμῶν φέροντες*.

Agamemnonem: sc. *qui olim re uera fuerit*. Editors here assume that Cicero believes in the historical authenticity of the Homeric account, however cf. *Off.* 3.94, *omittamus et fabulas et externa; ad rem factam nostramque veniamus* where he dismisses the Homeric heroes Odysseus, Agamemnon and Theseus as stories. For the purpose, it does not really

matter as he is simply conceived as being long dead, and so there is no difference between him or something which never existed. Cicero follows his usual practice and follows a Greek by a Roman example.

nec pluris nunc facere: i.e., *nec magis Camillo curae esse* etc. The genitive is one of price as *floci facere*.

M. Camillum: recalled from exile by the Romans to take command after the Gauls seized upon their city in 390B.C.

hoc ciuile bellum: though we know from *Att.* 15.2.4, *quod prima disputatio Tusculana te confirmat sane gaudeo* Atticus was reading this around 44B.C., the civil war here referred to was likely the battle of Munda, fought on March 17, 45B.C. Cicero was writing the *Tusc.* probably in mid-July of this year, and no doubt expected another triumph to be held upon Caesar's return as had occurred in 46B.C. upon his return from Africa. Cicero perhaps did not perceive the civil war as over while Sextus Pompey remained alive and active, as he was at this time.

Camillus doleret... et ego doleam: cf. 12, 27 n. on *haereret*. It seems best to take the imperfect subjunctives as denoting continuous states of mind, and the present *doleam* and *putem* as hypothesis, cf. K.-S. 2.46, 3b and *Madv. Gram.* 350a. Translate, 'Why would Camillus mourn if he thought that all this would happen 350 years after him, and why shall I mourn now if in another ten thousand some city comes to control Rome?'

ad decem milia: cf. *HAND: Tursellinus*, vol. 1, p. 88, though not a common construction, nevertheless the usage is the same as *ad diem* or *ad extremum*, cf. *De Or.* 3.92, *faciendum est ad annum*, 'done in a year's time'; *Att.* 5.2.1 and *Att.* 12.46.

urbem nostram: it is not clear why Giusta in his latest edition abandoned the mss. *nostram urbem*. The accusative is found with the verb *potiri* in Plautus and Terence, and the authors of the *B. Hisp.* and *B. Afr.* use it for the storming of towns and forts. Kühner complained that too many editors think the idiom foreign to Cicero and so needlessly correct many instances of it in his works. We have *urbem est potitus* at *Off.* 2.81 (with good mss. authority) though altered to *urbe* by Winterbottom. In our passage, there does not seem to be reason to abandon the rarer reading.

quia tanta caritas...: Cicero seems to have raised a possible objection in the mind of his reader who was not quite convinced of the soul's annihilation at death — why would we care then what happens to our posterity? Cicero's reply undermines his earlier argument that such care is evidence of an immortal soul, 14, 31.

suisque consulat, ut posteritatem ipsam, cuius sensum habiturus non sit, ad se putet pertinere. quare licet etiam mortalem esse animum iudicantem aeterna moliri, non gloriae cupiditate, quam sensurus non sit, sed uirtutis, quam necessario gloria, etiamsi tu id non agas, consequatur. natura uero <si> se sic habet, ut, quo modo initium nobis rerum omnium ortus noster adferat, sic exitum mors, ut nihil pertinuit ad nos ante ortum, sic nihil post mortem pertinebit. in quo quid potest esse mali, cum mors nec ad uiuos pertineat nec ad mortuos? alteri nulli sunt, alteros non attinget. 92
quam qui leuiorem faciunt, somni simillimam uolunt esse: quasi uero quisquam ita nonaginta annos uelit uiuere, ut, cum saxaginta confecerit, reliquos dormiat; ne sues quidem id uelint, non 3–6. [Plu]. *Consol. ad Apoll.* 109e.

1 ut] ut Ω quod def. Kühner: ac Deiter: cum Sey., retinuit Drex.: aut Müll., recte?: utpote qui praetulit Marinone, qui conf. Phil. 5.30, Att. 2.24.4: utpote cum Giu., cf. Fam. 10.32.4, Att. 5.8.1 2 animum] animam X (cf. 13, 29): animum H:

anima K alio atram. superscr. 3 sit] sit X: sis V^c 4 si] omm. Ω : add. Bake, sqq. Küh., Hei., T.S., Sc. 4 se sic] se sic X: sic se s: si hoc habet Sey. 6 attinget] attinget GVR: adting& K: attingit M, Giu. 8 sues] sui Keil, sqq. s: senes Muther: serui Müll., sqq. Giusta: sues X, def. Doug.

XXXVIII. §91. ut...se putet: if the construction is sound, *ut...se putet* is compressed for *ut inde adpareat eum posteritatem...ad se pertinere* (so Kühner understood it), but Reid points out that in all such cases, the statement preceding the *ut* clause is never general, implying something like *ut putem* or *ut credam esse*. Drexler, following Seyffert, altered to *cum* citing Tac. *Ann.* 13.26 but such a passage is thought corrupt by most editors and we would want something there like *cum is*. Müller's conjecture of *aut* is possible but rather weak, and the emendations of Marione and Giusta are improbable since Cicero prefers *quippe cum* or *quippe qui* to *utpote*. It is best simply to retain the mss. reading in these cases.

licet animum iudicantem: the construction of *licet* is common enough in Cicero with the accusative participle when the subject, as here, is definite, cf. *Tusc.* 5.44, *abundantem licet esse miserimum*; *Fat.* 15.35, *superiora repetentem regredi infinite licet*; *Off.* 1.92, *praescripta seruantem licet magnifice uiuere*, K.–S. 2.129, 12.

animum: mss. have *anima* but throughout this discussion Cicero only uses *animum* to mean the soul, cf. 9, 19.

gloriae: cf. *Fin.* 3.57, *de bona autem fama — quam enim appellant eūdoxias, aptius est bonam famam hoc loco appellare quam gloriam — Chrysippus quidem et Diogenes detracta utilitate ne dignum quidem eius causa porrigendum esse dicebant*, i.e., 'good reputation'.

sensurus non sit: the subject is to be supplied from *iudicantem* (Wolf). The indefinite pronoun *aliquis* is frequently omitted by Cicero, cf. *De Or.* 1.8; Moser quotes *Am.* 59, *ita amare oportere, ut si aliquando esset osurus*.

gloria consequatur: the concept of a virtuous 'glory' was stressed by Cicero after the ravages of the civil war and under Caesar who thought he acquired glory through his victories. He once wrote to Cato (*Fam.* 15.4.13) that he never himself pursued glory for its own sake, but only conduct which brought glory as a true reward. In both the *Fin.* and the *Tusc.* Cicero stressed a connection between *uirtus* and *gloria*, whereas the *cupiditas gloriae* was a disease, a dangerous and vain passion like greed or desire for tyranny, cf. *Tusc.* 3.2–4, *Tusc.* 4.79, *Fin.* 1.59 and JAL (Cicero et la gloire en temps de guerre civile, p. 49). For the former was true glory, *εὐκλεία*; whatever happened to the soul, Cicero held fast to this nobler immortality, one that was difficult to conceive but nonetheless for good men was very real (SULLIVAN: Cicero and Gloria, p. 388; BRUWAENE: La Théologie de Cicéron, p. 79; ALLEN: Cicero's Conceit, p. 126). The latter was an empty ghost, only a popular glory. However, for the oratorical hypocrisy of Cicero regarding distinction between the two, cf. *Marcell.* 26–27.

id agas: cf. 20, 46 n.

consequatur: cf. 16, 36 n.

adferat: cf. 4, 8 *uellet*. The subj. is due to attraction

because *adferat* is to be understood with *sic exitum mors*.

§92. alteros non attinget: Dougan is right to explain the tense as noting not only what in fact is true, but also what will prove to be so in the future, cf. ps.-Pl. *Ax.* 369b (where this sentiment is perhaps falsely assigned to Prodicus), *θάνατος περὶ τοὺς ζῶντας οὐκ ἔστιν, οἱ δὲ ἀποθανόντες οὐκ ἔσιν· ὥστε οὔτε περὶ σε νῦν ἔστιν, οὐ γὰρ τέθνηκας· οὔτε, εἴ τι πάθῃς, ἔσται περὶ σε, σὺ γὰρ οὐκ ἔση;* [Plu]. *Consol. ad Apoll.* 109–110; importantly Epicur. *Ep. Men.* 125, who uses the same line of reasoning, *ὅταν μὲν ἡμεῖς ὄμνεν, ὁ θάνατος οὐ πάρεσται· ὅταν δ' ὁ θάνατος παρή, τότε ἡμεῖς οὐκ ἔσμεν* and *Lucr.* 3.830. *mors* in this passage of the *Tusc.* refers not to the moment of dissolution, but the resulting state of death.

qui leuiorem: = *minus altam*, cf. *Lucr.* 5.864.

somni simillimam: cf. the old poets who called Sleep and Death brothers, and cf. *Sen.* 81, and *Hom. Il.* 11.242, *κομησάτο χάλκεον ὕπνον*; 14.234, *ὑπνω κασιγνήτω θανάτῳ*; *Hom. Od.* 13.80; *Hes. Theog.* 212, 756; *Pl. Ap.* 40c–41b; *Mnesimachus*, fr. 11 (ed. Kock); *Sen. Herc. Fur.* 1065; *Verg. Aen.* 6.278, 522; [Plu]. *Consol. ad Apoll.* 107d; *Stob. Flor.* 4.52.39 (of Anaxagoras).

sues: Giusta notes that Müller's emendation of *serui* works well in opposition to *ipse* = *dominus*, and compares *Plaut. Cas.* 790, *Catull.* 3.6; but it is not clear why his slaves would refuse such a thing. On the other hand, it is difficult to say how *sues* could form a proper antithesis to *ipse*. As a result, many editors adopt Kiel's conjecture of *sui*, 'his relatives', but this, then, would imply that they would not prefer that their relative stay alive, even though in a permanent sleep. This does not seem to be the conclusion that Cicero is aiming at.

The mss. reading *sues* was defended by Kühner on the analogy that a pig was as a proverbially stupid and sleepy beast (*Pl. La.* 196d, *Plaut. Rud.* 660, *Tac. Ann.* 105). In *Fin.* 5.55, the tale of Endymion is used to illustrate the fact that the soul is naturally active and would not welcome perpetual sleep as being against its nature. Here then, Cicero argues *a fortiori*, that if even pigs would refuse such sleep, then surely men would refuse it. This may also be an oblique reference to the Epicureans, who as *οἱ ἡδονικοί*, were often abused by the term *σῦες*; but they were not alone since the term was frequently applied to any opposing philosopher, cf. *N. D.* 2.160, *Clem. Al. Strom.* 7.6.33, *Aug. Ep.* 118, *Aug. Acad.* 3.18.41, *Lact. Inst.* 2.3.22, *Theod. Graec. affect. cur.* 12.1038, *S. E. M.* 9.97.

non modo ipse: *ipse* here must refer to the previous *quisquam*, though it does so rather awkwardly. *non modo* is used after a leading clause which is in the negative to more strongly deny the clause which follows, i.e., 'much less he himself', cf. *Madv. Gram.* 461, obs. 3.

modo ipse. Endymion uero, si fabulas audire uolumus, ut nescio quando in Latmo obdormiuit, qui est mons Cariae, nondum, opinor, est experrectus. num igitur eum curare censes, cum Luna laboret, a qua consopitus putatur, ut eum dormientem oscularetur? quid curet autem, qui ne sentit quidem? habes somnum imaginem mortis eamque cotidie induis: et dubitas quin sensus in morte nullus sit, cum in eius simulacro uideas esse nullum sensum?

93 XXXIX. Pellantur ergo istae ineptiae paene aniles, ante tempus mori miserum esse. quod tandem tempus? naturaene? at ea quidem dedit usuram tamquam pecuniae nulla praestituta die. quid est igitur quod querare, si repetit cum uolt? ea enim condicione acceperas. idem, si puer paruus occidit, aequo animo ferendum putant, si uero in cunis, ne querendum quidem. atqui ab hoc acerbius exegit natura quod dederat. 'nondum gustauerat', inquit, 'uitae suauitatem; hic autem iam sperabat magna, quibus frui coeperat.' at id quidem in ceteris rebus melius putatur, aliquam partem quam nullam attingere: cur in uita secus? quamquam non male ait Callimachus

2 qui est mons Cariae] *del. Antonius Augstinus, teste Ursino* 4 cotidie] cotidie RVG: ^{quo} ~~66~~tidie S 5 in] *ins. V^c, s: omni. X 5 esse nullum sensum] esse nullum sensum X: nullum esse sensum Giu. 7 at] ad X: at V^c 9 querendum] quaerendum KG: querendum RV: querendum PE 11 at] ad GRK: at V^c 11 ceteris] ceteris X: certis V^c(ert- in ras.)*

Endymion: cf. Pl. *Phd.* 72c, *Fin.* 5.55, *Endymionis somnum nobis uelimus dari, idque si accidat, mortis instar putemus*; as well as Plin. *H. N.* 2.6.43.

opinor: ironic.

cum Luna laboret: 'when the moon is in trouble', i.e., during an eclipse, cf. Verg. *Geor.* 2.478, *defectus solis uarios lunaque labores*.

et dubitas: cf. 3, 6 n. *et* is sometimes placed so to express a lively question. Wolf compares Verg. *Aen.* 6.807, *et dubitamus adhuc uirtutem extendere factis?*

sensus in morte nullus sit: at *Sen.* 81, Cicero uses dreams as evidence that the mind (*animus*) continues to function even in sleep and so is immortal. It would seem that the existence of dreams (and in particular, bad dreams) would speak against the analogy between sleep and death.

esse nullum sensum: Giusta alters the order of the words here and notes that *esse nullum* is rare in Cicero and never used without a preceding noun, cf. *De Or.* 1.183, *Verr.* 5.28, *Sull.* 43, *Dom.* 13, 69, *Phil.* 13.23.

XXXIX. §93. **istae ineptiae:** 'such foolishness', for the plural cf. 6, 12. For the idea that women and children were most susceptible to such things, cf. 16, 37 *mulierculae* and *N. D.* 2.70, *superstitiones paene aniles*; *N. D.* 3.12, *fabellas aniles, Dom.* 105, *anili superstitione... mulierbribus religionibus*; *Sen. Ben.* 1.6, *anilibus argumentis*; *Serv.* 8.187; such superstition was also proverbial to Pl. *Rep.* 1.350; Pl. *Grg.* 527a; Pl. *Th.* 176b.

quod tandem tempus: sc. *ante*. There are many examples in Cicero where the preposition is carried forward from a preceding clause, cf. *Pis.* 91, *fateris ab hostibus esse captas. quibus autem hostibus? nempe eis quos...* Kühner cites other examples in his n. *ad loc.* noting that the idiom also occurs frequently in Greek.

usuram: cf. 31, 77 n.

praestituta die: but the ms. G reads *praefinita die*, and both idioms were in use in Cicero's day, cf. *Prov. Cons.* 36, *praefinit enim successori diem*; *Rosc. Am.* 130, *quae dies in lege praefinita est*; *Fam.* 6.8; but at *Att.* 13.49, *dies praestitutus fuisse, Verr.* 2.1.148, *diem praestituit operi faciundo*.

The argument is that nature, in lending us our life, did not stipulate the day on which she would reclaim the loan, cf. *Sen. Cons. Polyb.* 29, *si quis pecuniam creditam soluisset se moleste ferat, eam praesertim, cuius usum gratuitum acceperit, nonne iniustus habebitur? dedit natura fratri tuo uitam, dedit et tibi; quae suo iure usa a quo uoluit, debitum suum citius exegit*; and again at *Sen. Cons. Marc.* 10; [Plu]. *Consol. ad Apoll.* 106, 116b, *διὸ καὶ μοιρίδιον χρέος εἶναι λέγεται τὸ ζῆν, ὡς ἀποδοθησόμενον, ὃ ἐδανείσαντο ἡμῶν οἱ πρόπατορες. ἔχομεν γὰρ τὸ ζῆν, ὥσπερ παρακαταθεμένου θεοῖς ἐξ ἀνάγκης, καὶ τούτου χρόνος οὐδέεις ἐστὶν ὠρισμένος τῆς ἀποδόσεως, ὥσπερ οὐδὲ τοῖς τραπέζιταις τῆς τῶν θεμάτων, ἀλλ' ἄδηλω, πότε ὁ*

δοὺς ἀπατήσσει.

querare: i.e., *tale ut*, 'what kind of thing is it, then, that you may complain when she asks for it back?', and so the subj. is concessive, cf. *Madv. Gram.* 363.

ea enim condicione: i.e., we received life under the condition that we would have no choice when she asks for it back. Though this is true, Seneca would say that we are also quite capable of paying nature back whenever we should see fit, cf. *Sen. Ep.* 70.19, *cumque e commodo mori non licuisset nec ad arbitrium suum instrumenta mortis eligere, obuia quaeque rapuerunt et quae natura non erant noxia vi sua tela fecerunt*. But Cicero avoids the topic of suicide here.

idem, si...: Cicero emulates the tactics of a lawcourt here with the short, staccatoed sentences and the imaginary dialogue posed in order to demonstrate a position of illogicality, cf. *Sull.* 38.

si uero: *uero* is intensive, cf. 41, 98 n. *ut uero*.

atqui: cf. *HAND: Tursellinus*, vol. 1, p. 513 for its replacement of *atque*.

acerbis: there seems to be a double meaning to the word. *acerbis* can mean bitter, or simply unripe (like *πικρός*), cf. *TLL.* 1, 367, 65 and *Plaut. Truc.* 179, *Lucr.* 4.661; and this meaning contrasts nicely to the following *nondum gustauerat suauitatem*. On the other hand, the term can also be used of a harsh creditor seeking his principal, *Att.* 6.1.6, *acerbissimis feneratoribus*; *Rep.* 3.40, *merces quam tamen illa accipit facile, exigit non acerbe*; *Off.* 2.64, *in dando munificum esse, tum in exigendo non acerbum*.

nondum gustauerat suauitatem: cf. *Lucr.* 5.179, *qui numquam uero uitae gustauit amorem* similarly.

inquit: Nobbe wished to read *inquunt* but the sing. is far more commonly used to suggest an imaginary opponent, i.e., *aliquis*, cf. *Tusc.* 2.29.

at id quidem... Troilum: the supposed adversary proposes a somewhat vague argument that would likely be agreeable to a Roman audience; that it is better to die in the prime of life and in manhood than to die in the cradle (i.e., something is better than nothing), while on the other hand, the longer one lives, the greater the chance one will suffer adversity.

ait Callimachus: cf. [Plu]. *Consol. ad Apoll.* 113e (= *Calim. fr.* 491), *μείον γὰρ ὄντως Τρώϊλος ἐδάκρυεν ἢ Πρίαμος*, and for the possible reconstructions of the Greek metre see Moser's n. *ad loc.* Troilus, a son of Priam, who fell by the hands of Achilles at a young age, cf. Verg. *Aen.* 1.475, *infelix puer atque impar congressus Achilli*; and cf. the 3rd cent. inscription BÜCHELER/LOMMATZSCH (CLE), 1165, 9 *perpetuo talis gemitu lacrymisque colenda | infelix aeuo tam cito quae caruit | an felix aegrae potius subducta senectae | sic Hecuba fleuit Penthesilea minus*.

multo saepius lacrimasse Priamum quam Troilum. eorum autem, qui exacta aetate moriuntur, fortuna laudatur. cur? nam, reor, nullis, si uita longior daretur, posset esse iucundior; nihil enim est profecto homini prudentia dulcius, quam, ut cetera auferat, adfert certe senectus. quae uero aetas longa est, aut quid omnino homini longum? nonne

5 Μόδο πueros, modo ádulescentes ín cursu a tergo ínsequens
Néc opinantis ádsecuta est.

senectus? sed quia ultra nihil habemus, hoc longum dicimus. omnia ista, perinde ut cuique data sunt pro rata parte, ita aut longa aut breuia dicuntur. apud Hypanim fluuium, qui ab Europae parte in Pontum influit, Aristoteles ait bestiolas quasdam nasci, quae unum diem uiuant. ex his igitur hora VIII quae mortua est, prouecta aetate mortua est; quae uero occidente sole, decrepita, 10 eo magis, si etiam solstitiali die. confer nostram longissimam aetatem cum aeternitate: in eadem

2. *Menand. fr.* 643 5–6. Ribbeck, com. pall. inc. 43–44 8–9. [Arist]. *H. A.* 552b, 17–23

1 qui exacta] qui &act RV (ex per ligaturam): qui et acta G: quia &acta E 2 nullis] nullis X: non ullis P: non illis M 2 iucundior] iucundior (scil. quam senibus) X: iucundior K (h.e. u in o mut): iocundior BS 3 homini] hominis X: homini *Victorius* 5 pueros modo] modo pueros GRK: pueros modo *metri causa corr. Fleckeisen apud Ribbeck*: modo pueri (-i in ras.) V^c 7 senectus] *Giu. tribuit poetae* 7 dicimus] ducimus K 8 ita aut] ita aut *Man. in scholiis, sqq. Lam:* auita (ex aut ita) GRK: aut (ras. ante et post t) V^c: aut ita longa H 10 viii] viii X: octava s 11 confer] confert X: confer V^c

acta aetate: cf. *Sen.* 60, *acta iam aetate* where Marcus Valerius Corvinus was said to have spent the greater portion of his vigorous period in life working the fields as a dutiful farmer, and so *aetas* often comes to mean the ‘energetic’ period of life. For the idiom, Pohlenz cited *Plaut. Capt.* 720, *quicum una a puero aetatem exegeram*.

§94. cur?... Cicero argues ironically (*reor*) that any suggestion of an untimely or a timely death are inconsistent, and that in each case death is no evil. We need not praise the good fortune of a man who lived a long time, because there are many times we can praise the good fortune of someone who died young (for he has not suffered misfortunes which may come). *nam* implies an ellipse.

auferat, adfert certe senectus: Davies compared *Menander fr.* 676 (= *Stob. Flor.* 114), *εἰ τᾶλλ’ ἀφαιρῆν ὁ πολὺς εἰωθεν χρόνος | ἡμῶν, τό γε φρονεῖν ἀσφαλῆστερον ποιεῖ;* add *Plu. De Educ. Puer.* 8.18, *ὁ χρόνος τᾶλλα πάντ’ ἀφαιρῶν τῷ γήρᾳ προστίθισι τὴν ἐπιστήμην.* *Verg. Ecl.* 9.51, *omnia fert aetas, animum quoque.*

auferat, adfert: for the chiasmus, cf. 1, 5 n. and for the different compounds cf. 22, 52 *esset... non esset*; *Sull.* 47, *amissum... remissum*.

quae uero aetas longa est, aut quid omnino homini longum?: cf. *Iambl. Protr.* 47.21, *τί δ’ ἐστὶ μακρὸν ἢ τί πολυχρόνιον τῶν ἀνθρωπίνων* (thought to be from Aristotle’s *Protrepticus*, fr. 10a Walzer); *Sen.* 69, *quid est in hominis natura diu?*; and also Crantor in [Plu]. *Consol. ad Apoll.* 111c, who says *τό τε πολὺ δὴπουθεν ἢ μικρὸν οὐδὲν διαφέρειν δοκεῖ πρὸς τὸν ἄπειρον ἀφορώσιν αἰῶνα κλτ.*, before continuing his argument by adducing the same ephemeral insects as below.

modo...: trochaic tetrameter catalectic, the source is unknown. The lines are labelled in Ribbeck as *com. pall. inc.*, though what makes him think it is either comic or from a *palliata* I am unsure. They were uncovered as poetry by Bentley. The sense of the lines is fairly easy to discern, that boys and young men grow old quickly enough that no human life is very long; still, there are some difficulties which arise, see n. below.

pueros: i.e., *pueros*, two syllables, cf. *Lucr.* 2.991.

modo: this can either mean ‘just now’, or ‘sometimes’; the latter, of course, would make nonsense of the passage and so its best to translate *modo* as ‘just a little while ago’. We could possibly have expected *et... et*. ROSE (Some Passages of Latin Poets, p. 8) suggested that the original lines had *mors* in place of *senectus* which Cicero here followed with. He believed something fell out along the lines of

mors uerum, ut et pueri et adulescentes morte uitemus, quam paucis post annis adsequetur etc. However, I find this rather fanciful: with *in cursu* and the metaphor of the race, I think the lines are stressing the speed by which life passes by, not the shortness of its duration.

nec opinantis: = *non opinantis*, as often in old Latin, cf. *negotium = nec otium*, etc.

senectus: cf. *Sen.* 4, *citius adoscentiae senectus quam puertitiae adolescentia obrepit*; and *ps.-Pl. Ax.* 367b, *λαθὼν ὑπῆλθε τὸ γήρας*; *Sen. Ep.* 108.28; *Juv.* 9.129. An *adolescens* means a man of any age up to his early forties, *senex* as any man over sixty.

omnia ista: ‘all the spans of life (childhood, youth, adulthood, and old age) are measured in each their own terms, and so are called either short or long’, viz. in terms relative to the normal duration of the life of the species: the flies live a long life at three days, but that measurement in a man’s life is very short.

perinde: 36, 86 n.

Hypanim fluuium: the Southern Buh (or Bug) in Ukraine, which flows southwesterly into the Black sea.

bestiolas quasdam nasci, quae unum diem uiuant: cf. [Arist]. *H. A.* 5.19, 553a, *περὶ δὲ τὸν Ὑπανὶν ποταμὸν τὸν περὶ Βόσπορον τὸν Κιμμέριον ὑπὸ τροπᾶς θερινᾶς καταφέρονται ὑπὸ τοῦ ποταμοῦ οἶον θύλακοι μείζους βγαῶν, ἐξ ὧν ῥηγνυμένων ἐξέρχεται ζῶον περωτὸν τετράπουν· ζῆ δὲ καὶ πέτεται μέγχι δέλης, καταφερομένου δὲ τοῦ ἡλίου ἀπομαρίνεται, καὶ ἅμα δυομένου ἀποθνήσκει βιώσαν ἡμέραν μίαν, διὸ καὶ καλεῖται ἐφήμερον*, which *Plin. H. N.* 11.36 translates quite literally but calls them not *ἐφήμερον* but *ἡμερόβιον*, while *Ael. H. A.* 5.43 uses the term *μονήμερον*.

prouecta aetate: here, *prouectā* agreeing with *quae*, and not *prouetā* with *aetate*, i.e., ‘the little fly died well advanced in his age’, as opposed to ‘the little fly died, his age having well-advanced’, the latter I think erroneously listed in *L.&S. s. v.*, cf. *TLL* 10.2, 2308, 5; *Sen.* 10, *aetate prouectum* and n. below.

decrepita: found only here in Cicero. Again, *decriptus* seems only applied to people and so we should understand here *decrepitā* with *quae*.

solstitiali die: i.e., the longest day of the year, summer solstice opposed to the *bruma* or winter solstice.

confer... reperiemur: 13, 30 n.

in eadem propemodum breuitate: the prepositional phrase is quite elegant and used in place of the *non minus breues quam nos*, *HAND: Tursellinus*, vol. 3, p. 259 and see *Madvig’s n.* on *Fin.* 2.47, *in eadem pulchritudine*.

propemodum breuitate, qua illae bestiolae, reperiemur.

95 XL. Contemnamus igitur omnis ineptias — quod enim leuius huic leuitati nomen inponam? —
totamque uim bene uiuendi in animi robore ac magnitudine et in omnium rerum humanarum
contemptione ac despicientia et in omni uirtute ponamus. nam nunc quidem cogitationibus
molestissimis effeminamur, ut, si ante mors aduentet quam Chaldaeorum promissa consecuti
96 sumus, spoliati magnis quibusdam bonis, inlusi destitutique uideamur. quodsi exspectando et
desiderando pendemus animis, cruciamur, angimur, pro di immortales, quam illud iter iucundum
esse debet, quo confecto nulla reliqua cura, nulla sollicitudo futura sit! quam me delectat Thera-
menes! quam elato animo est! etsi enim flemus cum legimus tamen non miserabiliter uir clarus

3. *Non.* 203, 12–14 (cf. 202, 2) 8–4. *Xen. Hel.* 2.3.56, *Val. Max.* 3.2. ext 6.

2 leuius] leuius GK: laeuius VR: lenius *Bent.* 4 ponamus iussu tyrannorum] iussu tyrannorum GRK (cf. 40, 96):
non habet iussu tyrannorum (*post* ponamus) V, *neque rasura est neque satis spatii in quo haec duo uerba scribantur relictum est*
5 molestissimis] molestissimis X, *retin. Giusta*, cf. 40, 96: mollissimis M, ed. HP, *retinuit Doug.* 6 sumus] sumus VRK:
simus M 7 animis] animis X: animis V^c, *sed cf. Küh.* 4.35, *et Poh. ad loc. sed Gui. legit animo*

qua: for *qua* without the repeated preposition *in*, cf. above 39, 93 n. *quod tandem tempus.*

XL. §95. leuius huic leuitati: a typical Ciceronian pun, and so the change to *lenius* by Bentley is unwarranted. Tischer compared *Am.* 87, *quis tam esset ferreus qui eam uitam ferre posset.* Here, a *leuis nomen* is a ‘charitable term’, cf. *Sest.* 69, *ut leuissime dicam;* and *Rosc. Am.* 93, *qui leuiore nomine appellant.*

totamque uim bene uiuendi in animi robore ac magnitudine et: for *-que, ac* and *et*, cf. *Madv. Gram.* 433, K.–S. 2.135, 2. Generally, *-que* joins, *ac* (or *atque*) augments the sense, while *et* joins but keeps separate two things. Here, the *totamque* joins its statement to *contemnamus*; the first *ac* joins (i) *robore* with *magnitudine*, while the second *ac* joins (ii) *contemptione* with *despicientia*; while the final *et* (iii) appends *in uirtute* to the forgoing (i) and (ii).

totamque uim bene uiuendi: cf. *Tusc.* 5.33, *totum hoc bene uiuere.*

in omni uirtute: = *omnino in uirtute*, cf. *Tusc.* 4.34, ‘for the most part in virtue’ and cf. 27, 66 *sola diuina.*

molestissimis: ‘sed quae mox adfertur cogitatio, si ante mors, molesta est, non mollis, et ad molestiam pertinent’, so Giusta who retained the reading of the better mss. However, he did not reply to Bentley’s objection that such a strong word as *molestissimis* makes little sense with *effeminamur*. Most editors after Bentley have accepted his changes to *mollissimis*, which is indeed found in a few later mss. though notably V^c makes no mention of any other reading. However, I find that *Fin.* 2.92, *quae effeminari uirum uentant in dolore* sufficiently shows that the verb can be construed with such terms of pain and understood not as ‘made soft’ (Bentley), but ‘weakened’, or ‘enervated’. As such, it is better to retain the overwhelming mss. testimony.

aduentet: the verb *aduentare* is often used to signify the approach of difficulties or evils, cf. *Sen.* 2, *urgentis aut certe aduentantis senectutis* (Moser).

Chaldaeorum promissa: ‘the forecasts of the astrologers’. The Chaldeans were one of many thought to have been the inventors of divination; *Plin. H. N.* 7.203 claims that the practice of augury began in Car and astrology among the Egyptians or Assyrians; as did *Clem. Al. Strom.* 1.16.74, *Αἰγύπτιοι γοῦν πρῶτοι ἀστρολογίαν εἰς ἀνθρώπους ἐξήνεγκαν, ὁμοίως δὲ καὶ Χαλδαῖοι.* *Serv. Ecl.* 6.42 thought the practice to have given by Prometheus (i.e., ἀπὸ τῆς προμηθείας) to the Assyrians. The Babylonian origins are quite old, but they have to do only with universal predictions. Despite a widely spread belief, astrology itself (or what is meant here, the calculation of individual horoscopes, *genethliology*, *Manil.* 1.809–926) was not very old, going back to the third century B.C. Its first Greek teacher was apparently Berosus who opened a school in Cos in

the time of Alexander the Great (*Vitr. De Arch.* 9.6.2). The term *Chaldaei* was often derogatory but had lost its original force of ‘Babylonian’ and in Cicero’s time simply meant ‘huckster’, ‘fraudster’: most of those practicing the art in Rome were Greek. These ‘astrologers’ were expelled from Rome in 139B.C. because they were exploiting a bogus art for profit, cf. *Val. Max.* 1.3.2 and *BEARD/NORTH/PRICE: Religions of Rome: A History*, vol. 1, p. 231.

consecuti: cf. 16, 36 n.

magnis quibusdam: for the *quibusdam* as disparaging, cf. 12, 27 n.

§96. exspectando: with *desiderando*, are abl. of attendant circumstances.

animis: Giusta thought that *animo* and not *animi* is the true reading in V^c (if the original reading was *animi*, why would the copyist then not just add an *-s* without deleting *i*?) Ursinus read *animi* in his mss., and Bentley approved, as did Wesenberg; cf. *Tusc.* 4.35, *exanimatusque pendet animi* and *Plaut. Epid.* 138, *desipiebam mentis.* Possibly the correct reading in our passage is the locative *animi*, as is usual in Cicero with the verbs *pendere* and *angere*. It seems to me that the plural *animis* in this sense is used almost exclusively with a preposition or with a compound verb by Cicero, and I have collected numerous instances: *Ac.* 2.42, *in animis imprimerentur; Balb.* 4, *in animis insederit; Fin.* 1.31, *insitam in animis nostris inesse notionem; Fin.* 2.114, *quid tandem in animis censes?; Fin.* 5.60, *ita in animis sunt aut ita geruntur, Sest.* 17, *incessum animis intuemini*, etc. The passage at *N. D.* 2.5, *comprehensum animis haberemus* is not similar, being the instrumental ablative, K.–S. 2.763. We have a similar problem in *De Or.* 1.89, *sic adficerentur animis* where the lesser mss. read *animi*. Nevertheless, I have found *Phil.* 2.39, *interdum animis relaxantur* to be a good parallel, and though rare, the idiom *animis pendere* seems acceptable in Cicero, cf. *Lucr.* 6.50, *pauidis cum pendunt mentibus saepe.*

Theramenes: a leading member of the Thirty Tyrants in the oligarchical government in 404B.C. He was later put to death by his own party for opposing their cruelty, particularly that of Critias whose inspired detestation and hatred in those who were part of the restored democracy. Theramenes at least seemed to show himself more than just a time-serving politician upon his death (*Arist. Pol.* 28.5), and its manner lent to him the aura of a martyr. Before he died he displayed fortitude and even a sense of humour which made Xenophon, who was unsympathetic, a reluctant admirer (*HARDING: The Theramenes Myth*, p. 101; *PERRIN: The Rehabilitation of Theramenes*, 649ff).

legimus: in *Xen. Hel.* 2.3.56, *καὶ ἐπεὶ γε ἀποθνήσκων ἀνακαζόμενος τὸ κόνειον ἔπιε, τὸ λειπόμενον ἔφασαν ἀποκοταβίσαντα εἰπεῖν αὐτόν· Κριτία τοῦτ' ἔστω τῷ καλῷ.*

miserabiliter: i.e., not with lamentation.

emoritur. qui cum coniectus in carcerem triginta iussu tyrannorum uenenum ut sitiens obduxisset, reliquum sic e poculo eiecit, ut id resonaret, quo sonitu reddito adridens 'propino' inquit, 'hoc pulchro Critiae,' qui in eum fuerat taeterrimus. Graeci enim in conuiuuis solent nominare, cui poculum tradituri sint. lusit uir egregius extremo spiritu, cum iam praecordiis conceptam mortem
5 contineret, uereque ei, cui uenenum praebiberat, mortem eam est auguratus, quae breui consecuta est. quis hanc maximi animi aequitatem in ipsa morte laudaret, si mortem malum iudicaret? uadit in eundem carcerem atque in eundem paucis post annis scyphum Socrates, eodem scelere iudicum quo tyrannorum Theramenes. quae est igitur eius oratio, qua facit eum Plato usum apud iudices iam morte multatum?

10 **XLI.** 'Magna me,' inquit, 'spes tenet, iudices, bene mihi euenire, quod mittar ad mortem. necesse est enim sit alterum de duobus, ut aut sensus omnino omnes mors auferat aut in alium quendam locum ex his locis migretur. quam ob rem, siue sensus extinguitur morsque ei somno

119.10–121.6. Pl. *Ap.* 40c–41d. Lact. *Inst.* 7.2.10.

3 taeterrimus] teterrimus K: taeterrimus G: deterrimus V^c(d- in ras.) 3 Graeci... sint] *ut glossema secul.* Hottinger
3 in] conuiuuis RVK: enim conuiuuis PBS 5 ei cui] ei qui X: ei cui *e. corr.* V 5 praebiberat] praebiberat GK:
prebiberat VP *alio atram. superscr.* praebuerat *dett. codd.* 6 hanc aequitatem lauderet] *sic X:* hac... aequitate... luderet
Ebert, adp. Giu. 7 uadit] uadit X, *Müll:* uadit enim in RVGBH, *sed enim del. Dau., Mo., Sey., Hei., T.S.; retinuit Küh.,*
Giu.; etiam corr. Ströbel: uadit enī in EL: traditur *Nissen*, cf. *Q. Fr.* 1.2.14: cadit *Ern. in adnot.:* uenit *Deiter:* traditur
Gustafsson, cf. 29, 71. 11 omnes] omnis K: omnes GVR

ut sitiens: 'he drank it down, as if he were thirsty'. *obduco*, like *obsorbeo*, only means to 'drink' (not 'gulp down') where it is the participle which brings forward a sense of eagerness (Küh).

sic e poculo eiecit, ut id resonaret: cf. ἀποκοτταβίσαντα the passage from Xen. *Hel. loc cit.* above. The κότταβος was a drinking game among the Greeks where wine lees were flung at a statuette (πλάστιγγ) atop a candelabrum stand (ράβδος κοτταβική). The goal was to knock the statuette off in such a way as it would strike a disc (μάνης) half way down the stand and make it ring. For the details of its configuration and the evidence, see HAYLEY (The κότταβος κατακτός); ROSEN (Euboulos' Ankylion and the Game of Kottabos, p. 355), and *RE.* 11.2, 1528–41. The game apparently required a great amount of skill and those who were adept at the game were held in high honour.

propino hoc: 'I drink this to fair Critias', for the idiom cf. *Mart.* 2.15.1, *nulli calicem tuum propinas.*

pulchro Critiae: we have an inscription on a drinking vessel (Louvre, G114, Copenhagen Painter, 480B.C.) which shows that these 'toasts' were usually directed towards someone other than the person about whom the kottabos player is speaking, and so Theramenes probably spoke these words to his gaoler. CSAPO/MILLER (The Kottabos-Toast, p. 377) argued that the phrase inscribed on this drinking vessel was τῷ τάνδε λατάσσω: a question was posed, 'for whom shall I toss the wine?' and then the answer was shouted out with humorous anticipation, often with complimentary terms. The anticipation was due to the oracular nature of a successful throw. It was thought that you shouted out a name of a lover and if you hit the mark and it made a sound, you were assured that your love was requited, cf. scholiast to *Ar. Pax.* 343, κοτταβίζειν εἰ ἐγένετο μείζων φόφος, ἔδοκουν ὑπὸ τῶν ἐραστῶν ἐρᾶσθαι κλιτ. And so, if, therefore, Theramenes threw the wine and was not expecting to hit the mark on account of the difficulty of the attempt, he would have been surprised and so laughed at his discovery that fortune had given him a sign; he told the man nearby (likely the one who gave him the poison) that he would requite Critias for the love he bore him (rather than simply toast to his health ironically, as most editors). At least as I understand the passage, the *ut* is a result clause and not purpose.

taeterrimus: Critias took the lead in the prosecution of Theramenes.

Graeci poculum tradituri: cf. *Hom. Il.* 9.223, πλησάμενος δ' οἶνιο δέπας δειδέκτ' Ἀχιλλῆα | πληροῦντες γὰρ προέπινον

ἀλλήλοις μετὰ προσαγορεύσεως.

extremo spiritu: cf. 5, 10 *maxima corona.* In this passage it is an abl. abs. of accompanying circumstances, not of means and so not 'with his last breath', but 'at the end of his life'.

praecordiis: here, simply 'stomach', cf. *Fin.* 5.92, *anulus in praecordiis piscis inuentus est.*

praebiberat: = *propinauerat*, to toast and found in Cicero only here and nowhere else in Classical Latin. Davies quotes *Apu. Met.* 10.334 and Bentley found this entry in *Stephanus' Glossarium Graeco-Latinum:* προπίνω, propino, prohibo, after which he writes 'corrigere praebibo'. See Dougan *ad loc.*

consecuta est: 16, 36 n. Critias was dead not shortly after, falling at the battle of Munychia in March, 403B.C.

§97. quis hanc... iudicaret: Camerarius objected to the logic; the fortitude that Theramenes showed was not necessarily due to the fact that he judged death no evil, but perhaps was a result of his virtue which manifested itself, as it often does, during calamity and misfortune.

uadit: 'uadere uolentis est, non eius qui iudicium scelere in carcerem ac supplicium mittitur; praeterea illud uadit... in scyphum... Socrates a multis est ut zeugma defensum, sed a ridiculo nequaquam liberatum. Vt uidi, -ret traditur → -ret radit' → -ret uadit' (Giusta). But surely this is over-refinement. *uadere* simply means to go somewhere with bold resolution and does not necessarily imply any force of willingness as Giusta would believe. Joined with Socrates, Cicero is saying plainly that Theramenes went to his death without consternation, cf. *Verg. Aen.* 2.359, *uadimus haud dubiam in mortem* and Dougan's n. *ad loc.*

in scyphum: sc. *uadit* by zeugma though Giusta protests. Reid (in Dougan) explains it as 'Socrates faced that cup, as he faced prison.'

paucis post annis: *post* is adverbial, *annis* is abl. of measurement.

Plato: *Pl. Ap.* 40c.

XLI. magna me spes tenet: i.e., *cum magna spe credo* (Kühner), and so the infinitive follows.

mittar: subj. from reported thought as these are Socrates' statements.

§98. siue sensus... sin uera sunt: the change of construction also happens in *Ac.* 1.7, *siue enim... si uero*, where we would have expected, as in our passage, either *siue... siue* or *si... sin*. The change is owing to the length of the clause which intervenes.

98 similis est, qui non numquam etiam sine uisis somniorum placatissimam quietem adfert, di boni, quid lucri est emori! aut quam multi dies reperiri possunt, qui tali nocti antepnantur! cui si
 5 similis est perpetuitas omnis consequentis temporis, quis me beator? sin uera sunt quae dicuntur, migrationem esse mortem in eas oras, quas qui e uita excesserunt incolunt, id multo iam beatus
 10 est. tene, cum ab his, qui se iudicum numero haberi uolunt, euaseris, ad eos uenire, qui uere iudices appellentur, Minoem, Rhadamanthum, Aeacum, Triptolemum, conuenireque eos qui iuste et cum fide uixerint — haec peregrinatio mediocris uobis uideri potest? ut uero conloqui cum Orpheo Musaeo Homero Hesiodo liceat, quanti tandem aestimatis? equidem saepe emori, si fieri posset, uellem, ut ea quae dico mihi liceret inuisere. quanta delectatione autem adficerer, cum Palamedem, cum Aiace, cum alios iudicio iniquo circumuentos conuenirem! temptarem 10

2 si] *omm.* si X (*h. e.* cui similis): *add. cui^fsimilis V^c, alio atram. superscr., et sqq. s 5 tene*] tene cum X: te enim *Bou.*: te cum S 5 his] is *Dre.*: iis *Doug. et alii:* his X et *Gui. recte confert τρωωνί Plato.* 6 aeacum] aiacem X: aiacen E 7 et] *omm.* X: et *add. Ms 9 inuisere*] inuenire X: inuisere V^c *sed multa in ras.* 10 iniquo circumuentos] iniquorum ventos GRL: iniquo circumuentos V² (*iniquo in initio versus V¹ post ras. circum in fine versus V², ventos in initio uersus seq. V¹*), et cf. *Pl. Ap. 41b, δὲ κριῶν ἄδικον (Bentley)*

emori: this is the reading of most mss., though two Oxford mss. read *mori*, adopted by Ernesti. There is no reason to depart from the best authority here, and it is likely that Cicero avoided the iambic *mori* at the end of his clause. The difference in meaning between the two is often slight, such as *De Or.* 1.243, *nasci et emori* and *Off.* 3.111, *uiuere et emori*; but cf. my n. 8, 15 and DOEDERLEIN: *Lat. Syn. et Etym.* vol. 3, p. 183.

migrationem: = ἀποδημίησαι, *Pl. Ap.* 40e. Cicero does not use any *quasi* or *quidam* to soften the term, as he did previously in 12, 27; this is likely because it is a free-flowing translation rather than the a simply borrowing of a term.

qui e uita excesserunt incolunt: the verbs are in the indicative similar to the Greek, though Ernesti and Bouhier wished to alter to *excesserint*; but it is the factual statement of whether souls do ‘inhabit those remote shores’ after death which is under evaluation. Below, however, the subj. *appellentur* is correct and supported by the following *uixerint*; not, as Dougan says, because of their hypothetical character (though this is expressed through *sin uera*), but because they are referred to in the judgement of Socrates, i.e., ‘those who would be rightly called judges’, and ‘they who would have lived justly and with honour’, contrary to his immediate and corrupt judges. Cicero’s translation of this passage from Plato is somewhat looser.

id multo iam: *iam* placed elegantly for *tum certe* or *sine dubio* and signifies that the statement is immediately evident on its own accord. ‘And so it is actually all the more blessed.’

tene uenire, conuenireque: rather than placing a full-stop after *beatius*, the older editors before Davies placed a comma and construed with it the infinitives which follow; however, later editors like Davies, Kühner, TS., place a full stop after *beatius* and understand the indirect speech to be taken with *uideri potest*, i.e., ‘This peregrination, that you should meet such men, does it seem to you only a mediocre thing?’ But the Latinity would require us to read *te* (not *tene*), an emendation adopted by Moser. I think it best (with Dougan) to understand *tene* as *nonne mirum est* so that the accusative with the infinitive expresses exclamation, as we must also understand at *Tusc.* 2.21, *uirginalem me ore ploratum edere* (with *nonne est indignum*).

iudicum numero haberi uolunt: for the *se* accusative in such forceful constructions, cf. *Tusc.* 2.7, *qui se philosophos appellari uolunt*. The emphasis is placed more upon their own consideration than on their desire. For the subtle difference, cf. K.–S. 1.229, 4 and *Off.* 1.65, *quisque animi magnitudine maxime excellet, ita maxime uult princeps omnium uel potius solus esse. . . principemque se esse mavult quam uideri*.

Minos, Rhadamanthus: Minos and Rhadamanthus

were said to have judged justly upon earth and so to have become judges in the underworld after their death. They are frequently mentioned in Greek and Roman literature.

Aeacum, Triptolemum: note the pairing of all the names, including those below *Orpheo, Musaeo*, and *Homero, Hesiodo*. Along with Minos and Rhadamanthus (cf. 5, 10), Aeacus, the mythical king of Aegina and famed for his justice was the third judge of the underworld according to Plato, though nowhere else so referred to. Both he and Triptolemus, called θεσμοφόρος for wisdom in the laws and revered for his invention of argicultural practices, were considered just judges while they lived.

conuenireque: *conuenirēque*, the use of *-que* after *ē* is avoided by Cicero in his speeches, but used twice in the *Tusc.* 1.28 *indēque* above and *Tusc.* 5.119, *omnēque*. For the force of *-que*, cf. abvoe 40, 95 *totamque*.

peregrinatio: the term in Cicero is more frequent in his letters than in his formal speeches. Dougan thinks that it is often used of travelling for pleasure, but I do not find this to be the case. It simply means journey, cf. *Phil.* 2.101 (ironically of Antony) *quam nobilis est tua illa peregrinatio!* and *TLL* 10.1, 1301, 55.

ut uero: the particle *uero* often has an affirmative force. The force of *ut* seems to be final.

Orpheo: son of the Muse Calliope, generally taken to be representative of primaeval poetry. It is disputed whether he or Amphion first discovered the use of the lyre.

Musaeo: son of either Orpheus, Linus or Eumopolus and Selene (some accounts make him only the follower of Orpheus). *Verg. Aen.* 6.667 addresses him in Hades as *tuque optime uates* with a crowd of disciples. Both he and Orpheus were classed among the *theologi poetae* by Aug. C. D. 18. Marius Plotinus *Sacerdos Art. Gramm.* 6.502 (ed. Keil) said that the hexameter was called the *metrum theologicum* from its use by these men.

quanti tandem aestimatis: cf. the phrasing used by *Pl. Ap.* 41a, ἐπὶ πόσῳ ἂν τις δέξαιτ’ ἂν ὑμῶν etc.

Palamedem: son of Nauplius, king of Euboea, went with the Greeks on their expedition against Troy. Envious of his fame, Odysseus connived against him and brought false accusations that led Palamedes to be stoned to death, cf. *Ov. Met.* 13.56–60. According to Philostratus 33.38, his final words were to have been ‘I pity you, Truth, for you have died even before me.’

Aiace: the Telamonian Ajax contended with Odysseus for the armour of Achilles but lost; and so driven to madness, he put an end to his life. Socrates considered him, like himself, to be surrounded by unfair judges because Ajax was thought to have lost his suit from an unjust decision by the judges who were themselves deceived by Odysseus.

etiam summi regis, qui maximas copias duxit ad Troiam, et Vlixī Sisyphique prudentiam, nec ob eam rem, cum haec exquirerem sicut hic faciebam, capite damnarer — ne uos quidem, iudices ii qui me absoluistis, mortem timueritis. nec enim cuiquam bono mali quicquam euenire potest nec uiuo nec mortuo, nec umquam eius res a dis immortalibus neglegentur, nec mihi ipsi hoc accidit fortuito. nec uero ego is, a quibus accusatus aut a quibus condemnatus sum, habeo quod suscenseam, nisi quod mihi nocere se crediderunt.’ et haec quidem hoc modo; nihil autem melius extremo: ‘Sed tempus est,’ inquit, ‘iam hinc abire, me, ut moriar, uos, ut uitam agatis. utrum autem sit melius, di immortales sciunt, hominem quidem scire arbitror neminem.’

XLII. Ne ego haud paulo hunc animum malim quam eorum omnium fortunas, qui de hoc iudicauerunt. etsi, quod praeter deos negat scire quemquam, id scit ipse utrum sit melius — nam dixit ante — sed suum illud, nihil ut adfirmet, tenet ad extemum; nos autem teneamus, ut nihil censeamus esse malum, quod sit a natura datum omnibus, intellegamusque, si mors malum sit, esse sempiternum malum. nam uitae miserae mors finis esse uidetur; mors si est misera, finis esse nullus potest. sed quid ego Socratem aut Theramenem, praestantis uiros uirtutis et sapientiae gloria, commemoro, cum Lacedaemonius quidam, cuius ne nomen quidem proditum est, mortem tantopere contempserit, ut, cum ad eam duceretur damnatus ab ephoris et esset uoltu hilari atque laeto dixissetque ei quidam inimicus: ‘contemnisne leges Lycurgi?’ responderit:

7–8. Lact. *Inst.* 7.2.10 7–8. Pl. *Ap.* 42.

1 ulixi] ulixi RGKE: ulixis S: ulixi^M M isyphique VP *alio atram. superscr.* 3 ii] hi X: hī qui me V^c *manu antiqua:* ii s 4 neglegentur] *Bentley coll.* Pl. *Ap.* 41d ἀμελείται. 5 is] his X: iis *Doug.:* is *Drex., Giu.* 6 suscenseam] suscenseam X: succenseam V^c *sed c post u in ras.* 8 di] dii X: 9 ne ego haud] ne ego aut X: ne ego haud B³: ne^h ego aut V^c *manu antiqua:* ne ego huius haud *scripsit Giu. suspicatus ante haud excidere h', h.e., huius, manu antiqua superscr.* 14 aut] & aut KGPE: aut V^c

Ulixi: for the spelling, NEUE-WAGENER. 1.508.9.

Sisyphi: cf. Hom. *Il.* 6.153–154. He was notorious for his cunning.

nec ob eam rem...: cf. 27, 66 and Pl. *Ap.* 41b–c, ἐπὶ πόσω δ' ἂν τις, ὃ ἄνδρες δικασταί, δέξαιτο ἐξετάσαι τὸν ἐπὶ Τροίαν ἀγαγόντα τὴν πολλὴν στρατιάν ἢ Ὀδυσσεῖα ἢ Σίσυφον ἢ ἄλλους μυρίους ἂν τις εἴποι καὶ ἄνδρας καὶ γυναῖκας, οἷς ἐκεῖ διαλέγεσθαι καὶ συνείναι καὶ ἐξετάζειν ἀμήχανον ἂν εἴη εὐδαιμονίας· πάντως οὐ δῆπου τούτου γὰρ ἔνεκα οἱ ἐκεῖ ἀποκτείνουσι.

capite damnarer: 22, 50 n.

qui me absoluistis: editors note that Socrates does not say this here in the dialogue, but it is implied at Pl. *Ap.* 39e, τοῖς ἀποψηφισαμένοις.

ne timueritis: cf. K.–S. 2.47, 9 where it is classified as a prohibition, but ELMER (The Latin Prohibitive II, p. 320) argues that such examples of a perfect subjective should be taken as a potential optative similar to the force of *χρῆ* and the infinitive in Plato's original. Translate, ‘not even you should fear death’.

§99. suscenseam: the force of the subj. is final with *quod* as an accusative of respect. Translate, ‘Nor do I have any reason to be angry’ etc. Often the form *suscensere* means to grow angry at a just cause.

nisi quod mihi nocere se crediderunt: cf. Pl. *Ap.* 41d–e, καίτοι οὐ ταύτη τῇ διανοίᾳ κατεψηφίζοντό μου καὶ κατηγοροῦν, ἀλλ' οἰόμενοι βλέπτεν· τοῦτο αὐτοῖς ἄξιον μέμφεσθαι. Both Plato and Xenophon in their defense of Socrates almost ignore the question of Socrates' guilt. Both authors strive to show that his appearance in court was not a failure and that he led an enviable life and did not suffer in death; Xenophon thought that Socrates had no reason to get angry because the outcome was the one he desired most. On the topic of Socrates' self-presentation in court, see DANZIG (Apologizing for Socrates, pp. 187, 308–309).

tempus est abire: for the use of the infinitive after such abstract substantives (i.e., *tempestiuum est*), cf. K.–S. 2.132.

XLII. ne ego haud: GIUSTA (Testo, pp. 15–16) wished to read *ne ego huius haud paulo hunc animum malim*, a pleonasm of the demonstrative common in Cicero for the

sake of emphasis or parallelism. However, I must reject this correction as Cicero never uses such construction with reference to the same object, cf. *De Or.* 2.45.178, *hunc statum esse huius totius mundi atque naturae*.

esti...sed: more usual with *quamquam* with a later corrective *sed*, cf. 37, 90.

suum illud: i.e., ‘that well known principle of his’.

nihil ut adfirmet: for the emphatic position of *nihil* before *ut*, cf. 8, 16 n.

§100. teneamus ut: Reid (in Dougan) has suggested that *nostrum* (either *n̄r̄m* or *n̄m*) has fallen out after *autem*. But this would suggest that the two interlocutors shared the same New Academic principles, and it is not clear that this is true from our dialogue. We must instead compare (with Kühner) *Tusc.* 5.34, *nos tamen teneamus ut sit idem beatissimus* and so translate as, ‘and so let us hold the opinion, then, that...’.

a natura: with the passive verb, *natura* is strongly personified and hence the preposition. We find other examples of this, *Tim.* 1, *in natura involui*; *Fin.* 3.11, *institui*; *Off.* 1.315, *interdidi*; *De Or.* 1.215, *tribui*; 2.126, *denegari*; *Off.* 1.13, *informari*; 1.103 *generari*; here, *dari*, and *Tusc.* 4.44. The simple ablative *natura* = φύσις is often found with adjectives and verb such as *esse*, and *inesse*, *Tusc.* 1.44, and see Reid's n. on *Ac.* 1.15.

finis: sc. *miseriae*.

mors misera: i.e., the miserable state in which the dead exist.

sed quid...: in passing from the more famous examples to the less illustrious, cf. below 42, 101.

ne nomen quidem: Cicero was not using the same source as Plutarch, who named him as Thektamenes; Davies quoted Plu. *Apophth.* Lac. 221, Θεκταμένης, καταγόντων αὐτοῦ θάνατον τῶν ἐφόρων, ἀπῆι μειδιῶν καὶ τινος τῶν παρόντων ἐρωτήσαντος, εἰ καὶ καταφρονεῖ τῶν τῆς Σπάρτης νομίμων, Οὐχι, εἶπεν, ἀλλὰ γέγηθα, ὅτι δεῖ με τὴν ζημίαν ἐκτίσαι ταύτην, παρ' οὐδενὸς οὔτε δαιτήσαντά με, οὔτε δαιεσάμενον.

Lycurgi: 46, 110 n.

‘ego uero illi maximam gratiam habeo, qui me ea poena multauerit, quam sine mutuatione et sine uersura possem dissoluere.’ o uirum Sparta dignum! ut mihi quidem, qui tam magno animo fuerit, innocens damnatus esse uideatur. talis innumerabilis nostra ciuitas tulit. sed quid duces et principes nominem, cum legiones scribat Cato saepe alacris in eum locum profectas, unde redituras se non arbitrarentur? pari animo Lacedaemonii in Thermopylis occiderunt, in quos Simonides:

Dic, hospes, Sparta nos te hic uidisse iacentis,

Dum sanctis patriae legibus obsequimur.

quid ille dux? ‘<prandere> pergite animo forti, Lacedaemonii, hodie apud inferos fortasse cenabimus.’ fuit haec gens fortis, dum Lycurgi leges uigebant. e quibus unus, cum Perses hostis in conloquio dixisset glorians: ‘solem prae iaculorum multitudine et sagittarum non uidebitis’, ‘in umbra igitur’ inquit ‘pugnabimus.’ uiros commemoro: qualis tandem Lacaena? quae cum filium in proelium misisset et interfectum audisset, ‘idcirco,’ inquit ‘genueram, ut esset, qui pro patria mortem non dubitaret occumbere’.

XLIII. Esto: fortes et duri Spartiatae; magnam habet uim rei publicae disciplina. quid? Cyren-

3-5. Cato, *HRR* fr. 83, cf. *Sen.* 75 10-12. Hdt. 8.226. 15. cf. 42, 100; *Hortens.* fr. 13. 122.15-123.3. *Arist. et Cyren.* fr. 258a, Val. Max. 6.2 ext. 3, *Sen. Tranq.* 14.3

9 dux] dux semidam dicit X: leonidas *dett. codd. et s* 14 mortem non] morte non X: mortem V^c 15 rei publicae] rei.p. X: [rei] publica *Bentl.*

qui multauerit: subj. with relative clause indicating reason, cf. 6, 12 n.

multauerit...possem: for the sequence, cf. 4, 7 n.

sine mutuacione et sine uersura: a *mutuatio* is the borrowing of money *gratuito*, whereas the technical phrase *uersura dissoluere* meant to borrow money in order to pay off another debt (i.e., transfer the debt, but this was usually at higher interest), see L.&S. s. v.

§101. principes: cf. 15, 34 n.

Cato: in the *Origines*, cf. 2, 3 n. The anecdote is also found in *Sen.* 75, *legiones in eum locum saepe profectas alacri animo et erecto, unde se redituras numquam arbitrarentur*, and cf. *Sen. Ep.* 82.22, who quotes a Roman general *ire illo necesse est, unde redire non est necesse*. Cicero speaks about the courage of the Roman armies also at *Off.* 1.61.

in Thermopylis: cf. *Fin.* 2.97; but the construction is *apud Thermopylas* at *Sen.* 32.

in quos: for the use of *in* and the accusative in the positive sense, cf. *HAND:* Tursellinus, vol. 3, p. 331 and *Sen.* 61. *in quem illud elogium.*

Simonides: his words are given in Hdt. 7.228, ὁ ξείν', ἀγγέλλειν Λακεδαιμονίοις, ὅτι τῆδε | Κείμεθα τοῖς κείνων ῥήμασι πειθόμενοι; but Cicero seems to be following the version recorded in *Anth. Pal.* 3.5, in the oration of Lycurgus and in Strabo. 9.16, which preserves the last line as πειθόμενοι νομόμοις.

dux: this passage of the *Tusc.* is thought to be quite corrupt, and as Kühner remarked, it has certainly exercised the ingenuity of all editors, most of whom simply bracket the text. Dougan objected to Leonidas here as it would associate him with the rank and file (cf. *legiones* above); he would take the drastic measure of deleting *quid ille...leges uigebant*. LUNDSTRÖM (*Glosseme*, pp. 305-337) discussed the passage at length, and suggested we read *quid ille semideus*, a word entirely without precedent in Cicero and rightly ignored by Giusta who offers what I think is the simplest solution. He suspected that the corrupt mss. reading *dux semidam dicit* arose from a gloss of *Leonidam dicit* on the original *ille dux* which then crept into the text and supplanted *prandere* obviously needed here, cf. *Isidorus Etym.* 20.2.11, *proprie autem ueteres prandium uocabant omnium militum cibum ante pugnam; unde est illud ducis adloquium: prandeamus tamquam ad inferos cenaturi*. We then have *e quibus*, which though strictly referring to *haec gens*, is narrowed by the following *cum* clause to refer to

only those men specifically at Thermopylae. The story is also given by Stob. *Flor.* 3.7.65, D. S. 11.9.4; Plu. *Apophth.* *Lac.* 225d, τοῖς δὲ στρατιώταις παρήγγειλεν ἀριστοποιεῖσθαι, ὡς ἐν ἄδου δειπνησομένους; Val. Max. 3.2 ext. 3; Liv. 9.32.4; 21.54.5; 28.14.7. Erasmus wanted to read *prandete animo forti*; Bentley, *prandete, ait, o fortes*.

leges uigebant: numerous editors wished to reject this clause as spurious, but the clausula does lend its support to retaining it as NISBET (*CR*, 16, p. 58) showed.

e quibus unus: his name was Dienece according to Hdt. 7.226; Plu. *Apophth.* *Lac.* 225d assigns it to Leonidas.

§102. Lacaena: her story is recounted by Plu. *Apophth.* *Lac.* 241, and Stob. *Flor.* 106, 576 γυνὴ Λακωνική, ἀπαγγέλλαντος αὐτῆ τοῦ κήρυκος· ὁ υἱὸς ἐν τῇ παρατάξει τετελεύτηκε· ποῖός τις, ἔφη, γενόμενος; ἀνὴρ ἀγαθός, ὃ μῆτερ. εὐ γε ὃ τέκνον, φησι· τούτου γὰρ ἕνεκά σε, φησίν, ἐγέννησα, ἵνα χρήσιμος καὶ βοηθὸς ἦσθα τῇ Σπάρτῃ.

genueram: a somewhat rare word when speaking of women in place of *parere*, but is exemplified in Cicero at *N. D.* 2.129, *pisces, ut aiunt, ova quum genuerunt, relinquunt*.

morte occumbere: the phrase has been doubted and is certainly unexemplified in Cicero. The only other example is Liv. 1.7.7 where *mortem occumbere* is read in a conjecture by Wesenberg. The phrase is also questionable in Lact. *Inst.* 5.19.25. The mss. strongly support *morte* but there seems to be no consensus which of the forms is correct, cf. *TLL.* 9.2, 380, 45; *Antibarb.* 790 and L.&S. *occumbo*, 2b. Reid denied the use of *occumbere* by Cicero and thought that the true reading here was *oppetere* which is the usual verb. It is unlikely a copyist would insert the rarer word.

XLIII. esto: ‘granted that those Spartans were strong, and used to hardship’. *esto*, like the Greek εἶεν, concedes some point. The same difficulty arises in taking the example of the Spartans; just as Cato, they are too iron hearted to be convincing. And so Cicero grants this, and turns to examples of similar resolution but which are more within our own grasp.

Spartiatae: Kühner noted that Cicero never uses the form *Spartani*, but always either *Spartiatae* or *Lacedaemonii*, the former referring only to the Σπαρτιάται, or the ruling-class of Laconia, whereas the latter encompasses everyone, including the Helots and Perioichoi.

rei publicae disciplina: the term can be translated as ‘national training’ (Dougan), or ‘Staatswissenschaft’ (Kraft).

Cyrenaeum: three Latin adjectives are formed from

aeum Theodorum, philosophum non ignobilem, nonne miramur? cui cum Lysimachus rex crucem minaretur, 'istis, quaeso,' inquit, 'ista horribilia minitare purpuratis tuis: Theodori quidem nihil interest, humine an sublime putescat.' cuius hoc dicto admoneor, ut aliquid etiam de humatione et sepultura dicendum existimem, rem non difficilem, eis praesertim cognitis, quae de nihil
 5 sentiendo paulo ante dicta sunt. de qua Socrates quidem quid senserit, apparet in eo libro in quo moritur, de quo iam tam multa diximus. cum enim de immortalitate animorum disputauiisset et iam moriendi tempus urgeret, rogatus a Critone, quem ad modum sepeliri uellet, 'multam uero,'
 10 inquit, 'operam, amici, frustra consumpsi; Critoni enim nostro non persuasi me hinc auolaturum neque mei quicquam relicturum. uerum tamen, Crito, si me adsequi potueris aut sicubi nactus eris, ut tibi uidebitur, sepelito. sed, mihi crede, nemo me uestrum, cum hinc excessero, consequetur.' praeclare is quidem, qui et amico permiserit et se ostenderit de hoc toto genere nihil

7–11. Pl. *Phd.* 115c–116a

7 sepeliri] se sepeliri V 9 neque mei] neque me VKPSL: neque mei *Bent.*, et *codd. dett.*: neque mei me Moser
 9 nactus] ναῖctus R: ναῖctus V: natus G: nactus KSL 10 uidebitur] uidetur X: uidebitur s 11 is] id X: is
Heine, Pohlenz qui notauit Socratem esse oppositum Diogeni.

Cyrene: *Cyrenaeus*, *Cyrenaeicus*, and *Cyrenensis*, the first two being borrowed from the Greek. The *-icus* termination in an adjective or as a substantive is frequently used for the member of the philosophical school of Cyrene, *De Or.* 3.62; *Off.* 3.116; *Ac.* 2.20; and below 34, 83. The adjective in our passage, like *Tusc.* 4.5, only suggests the fact that Theodorus was born in Cyrene.

Theodorum: Theodorus of Cyrene (as distinguished from Theodorus of Cyrene the geometer, *RE.* 5a, 1811–1825) was a notorious atheist; *N. D.* 1.63, 1.117; Philo *Quod omni. Prob. lib.* 127, τὸν ἐπικληθέντα ἄθεον; Plu. *Phoc.* 38.2, τῷ ἄθῳ; Ath. 13.661b; Clem. Al. *Protr.* 2.24.2; S. E. P. 3.218; and *Dox. Graec.* 591, Θεόδωρος ὁ ἄθεος ἐπικληθεὶς ἔφη λήρον εἶναι τοὺς περὶ τοῦ θεοῦ λόγους. ἤετο γὰρ μὴ εἶναι θεῖον καὶ τοῦτου ἕνεκεν προδτρέπετο πάντας κλέπτειν ἐπιορκεῖν ἀρπάζειν καὶ μὴ ὑπεραποθνήσκειν πατριδος κλτ. Fritz, in the *RE.* article places him around 340B.C. Theodorus was a pupil of Aristippus and Anniceris (*D. L.* 2.98) who, forced from Cyrene for political reasons, came to Athens where he was again forced to leave on account of the extremity of his moral and religious views (O'SULLIVAN: Athenian Impiety Trials, pp. 141–145). *D. L.* 2.99 says he stole, committed adultery and robbed from temples always declaring that μηδὲν τούτων φύσει αἰσχρὸν εἶναι. He was also famous for his outspoken and bold expressions. He later stayed at the court of Ptolemy who sent him as an ambassador to Lysimachus. The story is recounted again at *Tusc.* 5.177, where Theodorus boasts, *magnum uero effecisti si cantharidis uim consecutus es*, cf. Val. Max. 3.6, ext. 2.

cui: attracted into the rel. clause, cf. 34, 84 *qui... si ante.*

Lysimachus rex: at this time, king of Thrace and Macedonia around 286B.C. He was one of the generals of Alexander, who later fell against Seleucus.

minaretur: subj. refers to the *nonne miramur* and our state of surprise that Lysimachus should threaten him.

ista horribilia: perhaps 'such frightening things'. But it is not usual for Cicero to use such adjectives as substantives; it may be better to construe *ista* as such here, in which case, 'such things as are frightening to those men'.

purpuratis tuis: cf. *Cat.* 4.6.12, *regnantem Lentulum, purpuratum esse huic Gabinium*, 'purpled folk', i.e., courtiers.

Theodori nihil interest: for the thought, cf. Plu. *Mor.* 499d, καὶ τί Θεοδώρω μέλει πότερον ὑπὲρ γῆς ἢ ὑπὸ γῆς σήπεται. The paranomasia of *humine* and *sublime* is curious.

sublime: an adverb, cf. 17, 40 n.

putescat: here, the better mss. have *putescat* though others have *putrescat*; the former means to 'rot or grow putrid', the latter means more precisely 'to moulder'.

cuius hoc dicto: a good example of how Latin prefers to

bring the person to the forefront, where we would have expected *quo huius dicto*. Whereas earlier in the *Tusc.*, Cicero had argued that the historic and religious rituals surrounding burial constituted evidence for the existence of the soul; after arguing that the soul has no feeling after death, he now turns to give numerous examples of how such funerary practices can be erroneous or superstitious. The contrast between the arguments would seem odd if Cicero was truly arguing for either side — but we must always remember that he is only seeking to show that there is no need to fear death.

humatione et sepultura: cf. *Leg.* 2.57, *iniecta gleba tum et ille humatus est et sepulcrum vocatur, ac tum denique multa religiosa iura complectitur*. There does not seem to be much difference between the two terms, the former probably only the particular, the latter the general term.

rem non difficilem: an accusative in apposition, see Madvig n. on *Fin.* 2.75 for a list of these in Cicero. The accusative is governed by some idea of *facere* supplied, i.e., 'it would not be a difficult thing to do'.

de nihil sentiendo: Bouhier was offended by the Latinity of the phrase and denied that it was worthy of the Golden period, and Ernesti too was baffled by the phrase. However, Wolf showed that although only occurring six times in Cicero it is acceptable, cf. *Fin.* 1.2, *de bene beateque uiuendo*; *Fam.* 8.6, *de inter calando*; *Att.* 9.1, *de transeundo in Epirum*, and see his n. *ad loc.* The intervening accusative should be construed as a single idea, K.–S. 1.131, 11b where the Greek *περὶ τοῦ μηδὲν αἰσθάνεσθαι* demonstrates the idea.

in eo libro: Pl. *Phd.* 115c–e.

in quo moritur: cf. 39, 93 n. on *quod tempus*, but in this case the preposition cannot be omitted since it means *in quo moriens inducitur* (Pohlenz).

§103. **multam uero**: cf. 11, 24.

adsequi, nactus, consequetur: the three verbs differ in their sense of intention. *nancisci* is to overtake by chance, *adsequi* with a notion of desire (*notio desiderii*), while *consequi* generally means a 'hot pursuit', from zeal.

nactus: for trouble on deciding the correct orthography between *nactus* and *nactus*, cf. NEUE–WAGENER. 2.580.

praeclare is: sc. *dixit*. I adopt Heine's suggestion that *is* be preferred over the mss. *id* because *durior Diogenes* which follows suggests that the individuals and their manner of speaking are compared, not the ideas.

hoc toto genere: sc. *rerum*, that is, death. The defining genitive with *genus* is frequent, cf. *Ac.* 1.3; 2.20–21; also in *Att.* 1.8.2; 16.5.2; *Balb.* 54; *Tusc.* 1.3 above, and 2.5; 3.57; 4.48.

104 laborare. durior Diogenes, et eadem is quidem sentiens, sed ut Cynicus asperius, proici se iussit inhumatum. tum amici: 'uolucribusne et feris?' 'minime uero,' inquit, 'sed bacillum propter me, quo abigam, ponitote.' 'qui poteris?' illi, 'non enim senties.' 'quid igitur mihi ferarum laniatus oberit nihil sentienti?' praeclare Anaxagoras, qui cum Lampsaci moreretur, quaerentibus amicis, uelletne Clazomenas in patriam, si quid accidisset, auferri, 'nihil necesse est,' inquit, 'undique enim ad inferos tantundem uiae est.' totaque de ratione humationis unum tenendum est, ad corpus illam pertinere, siue occiderit animus siue uigeat. in corpore autem perspicuum est uel extincto animo uel elapso nullum residere sensum.

105 XLIV. Sed plena errorum sunt omnia. trahit Hectorem ad currum religatum Achilles: lacerari eum et sentire, credo, putat. ergo hic ulciscitur, ut quidem sibi uidetur; at illa sicut acerbissimam rem maeret:

Vidí, uidere quód me passa aegérrume,
Hectórem curro quádriugo raptárie.

quem Hectorem, aut quam diu ille erit Hector? melius Accius et aliquando sapiens Achilles:

4–6. *Anaxagoras*, D.–K. A34 12–13. *Enn. trag.* 91–92

1 is quidem eadem sentiens] is quidem sentiens X: et his quidem P: is quidem <idem> sentiens *corr.* Wolf *sqq.* s: is^{eadē} V^c, cf. 37, 82, 116, *Pohlenz et Giusta*. 2 sed bacillum] sed bacillum X: sed bacillum enī V^c, *in marg.*, cf. ἀλλὰ βάκτρον γὰρ κλτ. 3 quo] quo GVK: quod R 4 Lampsaci] lamsaci X 4 moreretur] moreretur KSEV: moretur GR 11 maeret] meret X: maeret V^c

§104. **Diogenes**: of Sinope, founder of the Cynic school of philosophy.

is quidem eadem sentiens: the mss. *is quidem sentiens* leaves the participle without an object and so Wolf conjectured to read *is quidem idem sentiens*, thinking it was a case of haplography: I find it could be supported with *Flac.* 53 *cum quidem idem hic mihi Maeandrius subiciens*. However, *et eadem is quidem* is the reading by the second corrector of V, and *Giusta* argued that *et* was left un erased accidentally. For the phrase, cf. *Pis.* 32.78, *non eadem de re publica sensisse*. I have adopted *Pohlenz's* reading which was supported by *Giusta*. Translate, 'Diogenes rather roughly, and indeed thinking the same thing, but as a Cynic quite brusquely, ordered himself to be left unburied.'

ut Cynicus: 8, 15 n. *ut Siculi*.

asperius: sc. *exprimens*.

proici se iussit inhumatum: cf. D. L. 6.79, ἐνοι δὲ φασι τελευτῶντα αὐτὸν (Διογένη) καὶ ἐντείλασθαι ἄταφον ῥέαψαι, ὡς πᾶν θηρίον αὐτοῦ μετώσχοι: ἢ εἰς γε βόθρον συνῶσαι καὶ ὀλίγην κόνιν ἐπαμύησαι· οἱ δὲ εἰς τὸν Ἰλισσον ἐμβαλεῖν, ἵνα τοῖς ἀδελφοῖς χρήσιμος γένηται.

bacillum propter me: *Davies* quotes an apocryphal letter from Diogenes to Hippius found in the old Aldine *Diuersorum Philosophorum Epistulae* (pub. 1499), in which Diogenes writes, ἐγὼ γοῶν ἐγνωκα ἐποπνεύσαντί μοι παρατεθῆναι τὸ βάκτρον, ἵνα τὰ δοκοῦντα λυμαινεσθαι ζῶα ἀπελαύνομι.

nihil sentienti: for the thought, cf. the funeral inscription KAIBEL (*Epigrammata Graeca ex lapidibus collecta*), 646, ἡμεῖς δὲ πάντες οἱ κάτω τεθνηκότες, ὁστέα, τέφρα γεγόναμεν, ἄλλο δὲ οὐδὲ ἔν and ILS 8156.

Anaxagoras: the first philosopher to settle at Athens. *Clem. Al. Strom.* 1.63 (= *Dox. Graec.* 59a7) says that he transplanted philosophy from Ionia to Athens, οὗτος μετήγαγεν ἀπὸ τῆς Ἰωνίας Ἀθήναζε τὴν διατριβήν. For a chronology of his life at Athens, see *MANSFELD* (*Chronology of Anaxagoras' Athenian Period*, 53ff); *WOODBURY* (*Anaxagoras and Athens*, p. 301). He befriended Pericles, and owing to that man's enemies, was later prosecuted for Medism and for impiety (his charge was that he believed the heavens to be made of stone, D.–K. 59a20). After his acquittal, he fled to Lampsacus where he set up a school and flourished for a few years until his death.

moreretur: the imperfect suggests he was just about to die, cf. *Div.* 2.135, *cum Ptolemeus summo cum dolore moreretur*.

Clazomenas in patriam: for the idiom with the preposi-

tion between two nouns in apposition, cf. K.–S. 1.116, 2.

si quid accidisset: cf. *Pl. Mx.* 246c, εἰ τι πάσχοιεν, said to avoid uttering anything ill-omened, and Cicero's famous *uixerunt*. The Romans curiously avoided speaking *moriendi*, and tended to favour such euphemisms as *uita excedere*, *decedere*; *uita fungi*, etc.

undique ad inferos...: cf. D. L. 2.11 (= D.–K. A34), πανταχόθεν, ἔφη, ὁμοία ἐστὶν ἢ εἰς ἄδου κατάβασις.

totaque: for the summarising use of *-que* see 34, 82 n.

XLIV. §105. omnia: 'but all these things are filled with errors', i.e., the whole topic. The force of *omnia* is limited by its context. Cicero now broadly surveys many and variegated examples of inane superstitions surrounding the burial of the body.

Achilles: cf. *Hom. Il.* 22.395–404, *Verg. Aen.* 1.403–4, 2.270–273.

credo: 38, 92 n. *opinor*.

illa: 'she' is likely either Hecuba his mother or Andromache his wife, cf. *Hom. Il.* 22.395ff. For the simple use of *illa* in reference to a character well-known, Moser cites *N. D.* 3.72, *ille in Eunucho*.

acerbissimam rem maeret: with the acc. here and below 48, 115 *grauiter filii mortem maereret*, but with the abl. at 13, 30 *maeret suo commodo*, K.–S. 1.112, 5.

uidi uidere: for the parachesis, cf. 28, 69 n. The verses are iambic senarii.

me passa: sc. *sum*.

Hectorem: for the lengthened *ō*, cf. *Quint. Inst.* 1.5.60, *NEUE–WAGENER*. 1.268, and *Varr. L. L.* 8.72, 10.70, *non modo poetae, sed etiam plerique ac primo omnes, qui soluta oratione loquuntur, dicebant, ut quaeetorem, praetorem, sic Hectorem, Nestorem. itaque Ennius ait 'Hectoris natum de Troiano muro iactarier'*. *Ribbeck* supposed the line given by Varro to have followed these line in our passage, which is why we presume them to be from Ennius. They close resemble *Enn. trag.* 399–400, cf. *JOCelyn* (*Tragedies of Ennius*, pp. 85, 236).

quem Hectorem: = ποῖος Ἕκτορ, echo with contempt 'but what Hector?' i.e., how could this body be a Hector?

quam diu ille erit Hector?: Moser wished to read *erat*, found in a few of the less mss. But if Cicero wished to place this in the past, he would have surely written *fuit*, with the implication that Hector was no more (Klotz). But the future is an exquisite choice to represent graphically Cicero addressing the Hecuba or Andromache herself.

aliquando sapiens: cf. 1, 1 n. He at least returned to

Ímmo enim uero córpus Priamo réddidi, Hectora ábstuli.
non igitur Hectora traxisti, sed corpus quod fuerat Hectoris. ecce alius exoritur e terra, qui matrem 106
dormire non sinat:

Matér, te appello, tú, quae curam sómno suspensám leuas,
5 Neque té mei miseret, súrge et sepeli nátum —
haec cum pressis et flebilibus modis, qui totis theatris maestitiam inferant, concinuntur, difficile
est non eos qui inhumati sint miseros iudicare.

Prius quám ferae uolucrésque —
metuit, ne laceratis membris minus bene utatur; ne combustis, non extimescit.
10 Neu réliquias semésas sireis dénudatis óssibus
Per térram sanie délibutas foéde diuexárier —
non intellego, quid metuat, cum tam bonos septenarios fundat ad tibiam. tenendum est igitur 107

1. *Acc. trag.* 667 4–11. *Pacuu.* 197–201. cf. *Sest.* 126, *Acron. et Porphy. ad Hor. Serm.* 2.3.60 10–11. cf. *Apu. Met.* 8.15. 12–1. *Non.* 479, 26–28 (sc. *lemmate* 'poeniuntur'); *Non.* 471, 27–28.

1 Hectora] hectorem GRV^c: hectora s 4 suspensam] suspensio X: suspensam *Porphy. ad Hor. Serm.* 6 pressis et]
præssisset R: praæssisset G: p̄siss& V: pressisset S 7 sint] sint RVG: sunt K, *dett. codd.* 10 semesas sireis] semias
sireis E: semiassireis V^c: semi assi reis R: semiassi reis KPS 12 septenarios] octonarios *Lambinus*

sanity when he realised that it was not Hector, but only the body of Hector that he hope to destroy since all sense had long left the *corpus*.

enim uero: the verses are trochaic tetrameter catalectic. The quantity is *enim uerō* in old Latin before two consonants, K.–S. 2.115, cf. Ter. *And.* 91, *quicquam ad|tine|ro enimuē|ro spec|tatúm| satis*, or Ter. *Hec.* 673, *enimvē|ro pror|su' iam tace|re nōn queo*.

Hectora: Varr. *L. L.* 10.70 tells us that Accius frequently archaised and reintroduced Greek forms into his tragedies, *Accius Hectorem nolet facere, Hectora malet*. Given this, and the fact that Cicero writes *Hectora* immediately below in an obvious sarcastic reference to Accius' own words, most editors have adopted this spelling in place of the mss. *Hectorem*, likely due to the frequency of this version in the lines above.

§106. **ecce alius**: thought to be Deiphilus (or Deipylus) in the tragedy of Pacuvius, though ERNOUÏ (Recueil de textes latins archaïques, p. 200) thinks that the speaker was Polydorus.

The story of Deiphilus is preserved in Hygin. *Fab.* 109. According to that mythographer, when Polydorus was born to Hecuba and Priam, he was given to Iliona their daughter and wife Polymestor, king of Thrace. Iliona raised her brother as if he were her own son, and her own son, Polydorus, she instead raised as if it were her brother. After the fall of Troy, the Greeks wished to destroy the line of Priam by killing all male offspring. They sent messengers to Polymestor, offering him gold and Electra in marriage. Polymestor accepted the offer but, mistaking Deiphilus for Polymestor, killed his own son. The real Polydorus had gone to the oracle of Apollo seeking information about his real parents. We have further support that the ghost was Deiphilus in *Ac.* 2.88 (= WARMINGTON: Remains of Old Latin, vol. 2, p. 240, fr. 221) where we find the question, *quid Iliona somno illo 'mater te appello' nonne ita credit filium locutum ut experrecta etiam crederet?*; and cf. *Att.* 14.14.1, *Tusc.* 2.44, and *Sest.* 126, *cum sub tabulas subreperat ut, 'mater te appello', dicturus uideretur*. A comment preserved in Schol. Bob. states *de fabula Pacuiana, quae sub titulo Ilione fertur*; similar remarks are made by the scholiasts on *Hor. Sat.* 2.3.60–63, *cum Ilionam edorimt, Catienis mille ducentis*

'*mater te appello*' *clamantibus*; ps.-Acron on this passage of Horace gives the line as 'Mater te appello, exurge et sepeli me', giving a more compressed version of the quotation than in our passage here. For an analysis of myth and the Greek versions, see WALLACH (Deiphilus or Polydorus?).

mater te appello...: from Pacuvius' *Iliona*, iambic *octonarii* (trochaic tetrameter acatalectic), though Cicero calls them below 44, 107 *septenarii*. The second line breaks off in a parenthetical comment before being resumed by *prius quám ferae*; The second line breaks off in a parenthetical comment before being resumed by *prius quám ferae*, but the line is still short by a foot. Bentley suggested *natum tuum* to complete the septinarius; but if the line is an *octonarius*, we will need to read *me tuum* (in ps.-Acron).

suspensam: *suspensio* is read by most mss., and was likely altered by copyists to agreed with *somno*. The scholiasts on *Hor. Sat.* 2.3 (cited above) quote the line with *suspensam*.

pressis et flebilibus modis: 'slow and woeful measures', *modos* used to mean a musical accompaniment, cf. *De Or.* 3.102, *qui fecerunt modos*, i.e., *ἐμελοποιῶσαν*. The term *pressus*, 'clear and deliberate' is opposed to *citus* by Quint. *Inst.* 11.111, cf. *N. D.* 2.159, *sonos uocis distinctos et pressos efficit*; *De Or.* 3.45, *presse et aequabiliter et leniter*, and *Ac.* 1.19, with Reid's n.

qui inferant: i.e., *tales qui... inferant*, the subj. being one of quality.

totis theatris: i.e., the spectators by transference common in Latin, cf. *De Or.* 3.195, *tota theatra reclamant*.

concinuntur: 'are recited to the sound of', lit. 'sung along to the tune of'.

combustis: sc. *utatur*. Note the chiasmus.

neu reliquias...: trochaic tetrameter catalectic, but see n. above on the meter.

sireis: = *siris* = *siueris* (optative in sense). The corrupt mss. reading of *semiassi regis* which could not be scanned was restored to *semiasas sireis* through Bentley's ingenious emendation. Kühner enjoined his students to study the elegance of the example again and again to acquire the proper taste for restoring corrupt passages.

§107. **fundat**: cf. 24, 64 *carmen fundere*.

ad tibiam: cf. 2, 5 *ad tibicinem*.

nihil curandum esse post mortem, cum multi inimicos etiam mortuos poeniuntur. exsecratur luculentis sane uersibus apud Ennium Thyestes, primum ut naufragio pereat Atreus: durum hoc sane; talis enim interitus non est sine graui sensu. illa inania:

Ípse summis sáxis fixus ásp̄eris, euísc̄eratus,

Lát̄ere pendens, sáxa spargens tábo, sanie et sánguine atro —

non ipsa saxa magis sensu omni uocabunt quam ille 'latere pendens', cui se hic cruciatum censet optare. quam essent dura, si sentiret, nulla sine sensu!

illud uero perquam inane:

Néque sepulcrum, quó recipiat, hábeat, portum córporis,

Úbi remissa húmána uita córpus requiescát malis.

uides quanto haec in errore uersentur: portum esse corporis et requiescere in sepulcro putat mortuum; magna culpa Pelopis, qui non erudierit filium nec docuerit, quatenus esset quidque curandum.

108 XLV. Sed quid animaduertam singulorum opiniones animaduertam, nationum uarios errores perspicere cum liceat? condiunt Aegyptii mortuos et eos seruant domi; Persae etiam cera circumlitos condunt, ut quam maxime permaneant diuturna corpora. Magorum mos est non humare

4–5. Enn. *trag.* 309–310, cf. *Pis.* 43. 9–10. Enn. *trag.* 311–312 126.14–127.4. SVF. 3.322; cf. *Off.* 1.159

1 cum] cum X: quo *Non.* 1 etiam] etiam X: et *Non.* 1 poeniuntur] poeiuntur GBE: p̄eniuntur V^c: paeniuntur R: puniūt S 6 omni] omnia RVSEL: om̄a K: omni V^c 7 quam] quam X: quāem V^c, Pohlenz 7 sentiret] sentirent X: sentirentur *dett. codd.* 7 nulla] nulla X, sunt *non habent*: sunt nulla *dett. codd.*: nulla <autem> *Giusta*: <sed> nulla *Seyffert*: nulla sunt *King.* 15 Persae] paerse K: perse V^c

poeniuntur: both *poeniri* and *puniri* occur as deponents in Cicero, *Mil.* 33, *Phil.* 8.2, K.–S. 1.62; and for the form of *poeniuntur* here, cf. *Leg.* 3.4. We could have expected the subj. here to mean 'whereas', or 'although' (cf. 17, 39 n.) but the indicative was explained by Orelli as: 'When you see men take revenge upon the empty bodies of their fallen enemies, do not fear or take notice of it; for you should be persuaded now that there is nothing to worry about after death.'

exsecratur: Thyestes curses his brother Atreus upon discovering that he had murdered his children and fed them to him, cf. A. A. 160off, Enn. *Ann.* 309, *Pis.* 43, and of course Sen. *Thyest.*

sensu: cf. 34, 82; *Am.* 12, *moriendi autem sensum celeritas abstulit*; *Sen.* 74; *Sen. Ep.* 30; *Arist. sen. et iuu.* 23.

ipse summis...: trochaic tetrameter acatalectic.

quam essent dura, si sentiret, nulla sine sensu!: 'how painful would they be, if Atreus could feel such things, <but> how vain they are without sensation!' *quam* appeared as a rather bland exclamation to several editors. They emended to *quae*, in which case *sunt* must be inserted either before *sine* (TS), or after *sensu* (Orelli). The mss. G R read *sentirent*, and so Bentley proposed *quae ut essent dura si sentirentur, nulla sine sine sensu sunt*. The force of the exclamation does feel cloistered; *Giusta*'s insertion of *autem* is not strong enough for the contrast and I would insert *sed* after *Seyffert*.

neque sepulcrum...: trochaic tetrameter catalectic.

recipiat: a few mss. read *recipiatur*, but this would be against the meter. Here, *recipiat* = *se recipere*, common enough in the older idiom, cf. Plaut. *Rud.* 800, *ad nos abeant potius, dum recipis*; Plaut. *Bacch.* 291, *rursum in portum recipimus*. Similar idioms occur in classical Latin in *uertere* in place of *uertī*, and *mutare* for *mutari*; Kühner says the general rule is that active verbs containing a sense of *motion* are often used intransitively or reflexively, K.–S. 1.105, 2.

haec in errore uersentur: for the plural here, cf. 39, 93 *ista ineptiae*. Manutius noted that we should have expected to read *hic* to represent the speaker, but the change from the person to the thing said is common in Latin, cf. *N. D.* 3.25, 'si aliquid est', *inquit...* *haec omnia in errore versantur*.

Pelopis: father of Thyestes and Atreus.

qui... erudierit, docuerit: subj. giving reason, cf. 6, 12 n. *qui dimiserit*; add *Fam.* 1.9, *nostrum consilium qui noluerim*.

XLV. §108. sed quid: 15, 34, n. For the difference between *quid animaduertam* and *quid animaduerto*, cf. Madvig n. *Fin.* 5.63. The subj. is used when the author turns to a new topic, but is unsure whether he should first say more on the current topic before proceeding.

condiunt: = S. E. P. 3.226, *Αἰγυπτιοὶ δὲ ταριχεύουσιν αὐτοὺς καὶ σὺν ἑαυτοῖς ὑπὲρ γῆς ἔχουσιν*, they 'embalm them', as described by Hdt. 2.86. Cicero seems to use burial practice as a way of demarcating ethnic groups, particularly as a way of distinguishing the Romans. The passage recalls Hdt. 3.38 where we are told of the Greeks' and Indians' reaction to the burial practice of the other: Greeks would never consider eating their dead. Cicero seems to be representing the typical late-Republican attitude towards Eastern practices; D. C. 40.73.2 records that the senate in 52 B.C. order the shrines of Isis and Serapis destroyed, and see COUNTS (Nature and Function of Embalming in Rome, p. 190).

As for the practice of embalming, Varro had ridiculed it in *Varr. Sat. Men.* 81, *quare Heraclides Ponticos plus sapit, qui praecepit ut comburerent quam Democritus qui ut in melle seruerent. quem si uulgus secutus esset, peream si centum denariis calicem mulsi emere possemus*. D. C. 50.24 says that on the eve of Antium, Octavian was supposed to have also dismissed the practice as well as 'barbaric', ὦ Ἡράκλειος, Αἰγύπτιοι καὶ τὰ μὲν ἐρπετὰ καὶ τὰλλα θηρία ὡσπερ θεοῦ θεραπεύοντες, τὰ δὲ σώματα τὰ σφέτερα ἐς δόξαν ἀθανασίας ταριχεύοντες... The Egyptians regarded burial with extreme horror, for it deprived the dead man of enjoying any offerings made by the living.

condunt: 'bury', cf. Hdt. 1.140 (quoted below).

quam maxime permaneant diuturna corpora: διαμένειν is particularly said of the soul or body surviving death, cf. S. E. M. 9.72, καὶ καθ' αὐτὰς δὲ διαμένουσιν [αἰ ψυχὰς] καὶ οὐχ ὡς ὁ Ἐπίκουρος κτλ. Also cf. 9, 18 above, *alii enim statim dissipari, alii diu permanere*; 16, 36, *permanere animos arbitramur consensu nationum omnium*, etc.

The bodies of Persian kings, after being embalmed in wax, were buried in elevated spots, and this custom was fol-

corpora suorum, nisi a feris sint ante laniata; in Hyrcania plebs publicos alit canes, optimates domesticos : nobile autem genus canum illud scimus esse, sed pro sua quisque facultate parat a quibus lanietur, eamque optumam illi esse censent sepulturam. permulta alia colligit Chrysippus, ut est in omni historia curiosus, sed ita taetra sunt quaedam, ut ea fugiat et reformidet oratio. totus
 5 igitur hic locus est contemnendus in nobis, non neglegendus in nostris, ita tamen, ut mortuorum corpora nihil sentire sentiamus; quantum autem consuetudini famaue dandum sit, id curent
 10a uiui, sed ita, ut intellegant nihil id ad mortuos pertinere. sed profecto mors tum aequissimo animo appetitur, cum suis se laudibus uita occidens consolari potest. nemo parum diu uiuit, qui uirtutis perfectae perfunctus est munere. multa mihi ipsi ad mortem tempestiua fuerunt. quam utinam
 10b potuissem obire! nihil enim iam adquirebatur, cumulata erant officia uitae, cum fortuna bella

1 Hyrcania] hyrcania GSE: hircania VRK 1 publicos] supplicos KS: sub/licos E: publicos V^c, at pu in rasura: publicos B, at pu in rasura et b ex p mut. 2 sed] sed X: sic Bouhier, Giusta 5 in nobis] in nobis X: nobis V^c 6 sentiamus] uiui sentiamus X: omni. uiui R³, Ern. quem sequor. 8-9 nemo...est munere] reiecit Ant. Augustinus apud Ursinum. 9 perfunctus] perfectio functus X, def. Poh. et Drex. dubitans: del. perfecto V^c: perfunctus Giu., cf. Sen. 77, Fam. 11.17.1. 9 quam] quae X: quam Dav., s

lowed by the kings of Pontus, Armenia, Commagene and Parthia. Lucian *On Mourning*, 21 says that the normal practice was to bury. We also have an epigram by Dioscorides of Alexandria (*Anth. Pal.* 7.1672) in which a dead man, who is a pure-born Persian and so would not wish to defile the elements of fire or water, asks ἀλλὰ περστείλας με δίδου χθονί (but this may be suspected since there is no mention of wax, similarly Xen. *Cyr.* 8.7.25 where Cyrus' dying words are τῆ γῆ ὡς τάχιστα ἀπόδοτε).

nisi a feris sint ante laniata: cf. Hdt. 1.140, ὡς οὐ πρότερον θάπτεται ἀνδρὸς Πέρσῃ οὐ νέκυσ πρὶν ἂν ὑπ' ὄρνιθος ἢ κυνὸς ἔλκυσθῆ. Μάγους μὲν γὰρ ἀτρεκέως οἶδα ταῦτα ποιέοντας: ἐμφανῶς γὰρ δὴ ποιῶσι. κατακηρώσαντες δὲ ὦν τὸν νέκυν Πέρσαι γῆ κρύπτουσι. In Persia, the practice of exposing the bodies of the dead to dogs and birds seemed to be confined only to the Magi, though we hear of it also in Bactrians who also left their sick and aged to be eaten, Strabo. 11.11.3, Euseb. *Praep. Euang.* 1.4.7, Theod. *Graec. affect. cur.* 9.128, Πέρσαι...κυσὶ καὶ οἰωνοῖς τοὺς νεκροὺς προτιθέναι παρ' ἐκείνου (Ζαράδου) μεμαθηκότες, νῦν τοῦτο δρῶν οἱ πιστεύοντες οὐκ ἀνεχονται.

a feris: Cicero usually treats his animals grammatically as persons (Reid).

sint: subj. of reported thought.

Hyrcania: a satrapy of Persia, located to the south of the Caspian sea; by the Romans it was a land of ferocity, Verg. *Aen.* 4.367, *Caucasus Hyrcanaeque admorunt ubera tigres* and Sil. 13.437.

publicos: 'as for the public good,' **domesticos:** 'as for the good of their family', the two terms in opposition. They called these dogs, which they kept for the express purpose of eating the weak and the infirm 'undertakers', Strabo. 11.11.3, τοὺς γὰρ ἀπειρηκότας διὰ γῆρας ἢ νόσον ζώντας παραβάλλεσθαι τρεφομένους κυσὶν ἐπίτηδες πρὸς τοῦτο, οὗς "ἐνταφιαστὰς" καλεῖσθαι τῆ πατρώα γλώττη.

pro sua quisque facultate: i.e. *quantum cuiusque facultates aut opes patiuntur*.

colligit: 18, 42 n. uolt.

Chrysippus: of Soli in Cilicia, Stoic philosopher who succeeded Cleanthes at the head of the school and was regarded as its second founder, cf. D. L. 7.183, εἰ μὴ γὰρ ἦν Χρύσιππος, οὐκ ἂν ἦ στοά.

historia: not the discipline of recording history, but here literally, *ιστορίας* as investigation, i.e., an *indagatio rerum*, cf. Att. 2.8.1, *si quid in ea epistula fuit historia dignum, scribe quam primum ne ignoremus* (Kühner).

curiosus: cf. Fin. 1.3, *curiosi quos offendit noster minime nobis iniucundus labor*; Suet. *Aug.* 27, *curiosus et speculator*, like the Greek πολυπράγμων.

ita taetra...reformidet oratio: cf. Off. 1.159, *Posidonius collegit multa sed ita taetra* etc. Chrysippus was apparently

well-known for his frank language, cf. D. L. 7.187-188.

locus: 'subject', cf. 24, 57 n.

in nobis, non neglegendus in nostris: *in* here means 'in the case of'.

ita tamen, ut mortuorum corpora nihil sentire sentiamus: these words are essentially repeated by the following sentence which led Reiske to conjecture that Cicero had revised the phrase, but then forgot to delete it from the text; GIUSTA (Tusculanae, p. lxi) believed it was evidence for a parallel recension of the text, but this is unlikely (POWELL: CR, 37, p. 31). We do know that the Cicero made corrections and changes to his texts even after they were published (*Att.* 16.3.1, *Att.* 13.21.4). Still, Seyffert noted that Cicero is frequently prolix in points he wishes to emphasize and so there is no reason *per se* for suspecting the text.

§109. ut intellegant: here, we see the stipulative force of the subjunctive 'on the understanding that' easily developing under the influence of the context into the meaning 'with the restriction that,' 'with the reservation that', where see BENNETT (The Stipulative Subjunctive in Latin, p. 229).

sed profecto...: cf. [Plu]. *Consol. ad Apoll.* 111a, οὐχ ὁ μακρότατος βίος ἀριστος ἀλλ' ὁ σπουδαιότατος; *Sen.* 70, *breue tempus aetatis satis longum est ad bene honesteque uiuendum*; *Sen. Ep.* 101.15, *quam bene uiuas referre, non quam diu*; *Sen. Ep.* 49.10; 13.13; 92.24; *Sen. Ben.* 5.17.6. There was a background debate between the Stoics and Peripatetics how long life should be to give it happiness; the former argued that happiness was not increased by possessing a longer life (SVF. 3.524, Plu. *Comm. not.* 1061, *Sen. Ep.* 70.5).

uirtutis...munere: cf. 39, 113 *geometriae munus*; *Rep.* 6.15, *munus assignatum a deo*; *Sen.* 77.

perfectae: according to Arist. *Metaph.* 1021b20, ἡ ἀρετὴ τελεώσις τις; cf. the Stoic *ratio perfecta uirtus uocatur*, SVF. 3.200a.

§109b: GIUSTA (Tusculanae, p. lvi) wished to transpose this passage beneath in 46, 111.

multa tempestiua: i.e., *multae opportunitates moriendi*. For the thought, Beroaldus compared *Phil.* 1.38, *mihi fere satis est quod uixi uel ad mortem uel ad gloriam*; and Davies, *Sen. Cons. Marc.* 20, *M. Cicero si illo tempore quo Catilinae sicca deuitauit, quibus pariter cum patria petitus est, concidisset, liberata re publica seruator eius, si denique filiae suae funus secutus esset, etiam tunc felix mori potuit*.

cumulata erant officia uitae: 'when the duties of life have been finally crowned', cf. *Att.* 6.3.3, *cumulate publicanis satisfactum*, the metaphor often having to do with the final coping stone on a building, cf. Liv. 30.32, *aut cumulaturo die aut euersuri* (Dougan).

cum fortuna bella: 'conflictandum adhuc erat cum fortuna' (Neidius).

restabant. quare si ipsa ratio minus perficiet, ut mortem neglegere possimus, at uita acta perficiat, ut satis superque uixisse uideamur. quamquam enim sensus abierit, tamen suis et propriis bonis laudis et gloriae, quamuis non sentiant, mortui non carent. etsi enim nihil habet in se gloria cur expetatur, tamen uirtutem tamquam umbra sequitur.

110 XLVI. Verum multitudinis iudicium de bonis si quando est, magis laudandum est quam illi ob eam rem beati. non possum autem dicere, quoquo modo hoc accipietur, Lycurgum, Solonem legum et publicae disciplinae carere gloria, Themistoclem, Epaminondam bellicae uirtutis. ante enim Salamina ipsam Neptunus obruet quam Salaminii tropaei memoriam, priusque e Boeotia Leuctra tollentur quam pugnae Leuctricae gloria. multo autem tardius fama deseret Curium Fabricium, Calatinum, duo Scipiones, duo Africanos, Maximum, Marcellum, Paulum, Catonem, 10

2 suis] summis X: suis *Lamb.* 3 quamuis non sentiant] *del. Bent.* 4 expetatur] expectatur X: expetatur V^c 5 uera] uerum X, s: <et> uerum *Bentley:* <at> uerum *Vaucher:* uerum <quidem> *Barigazzi:* <igitur> uerum *Seyffert* 7 epaminondam] &epaminondam V^c 8 salamina] salaminam X: salaminem *Wesenberg:* salamina *P. Manutius* 8 e boeotia] *omm.* e X, *add.* V^c 8 boeotia] bootia X: boetia V^c 9 quam] quae RG: quę in *quę mut.* V^c: quam E: quā KS 10 duo... duo] duo... duo RGBPE: duos... duos PMV^c

ipsa ratio: 'the arguments I have adduced to dispel the fear of death'.

abierit: here, likely a subj. (potential), 'though feeling may have departed' rather than future perfect (Heine), 'for although feeling will have departed' since Cicero has also discussed the possibility of the soul's survival.

suis et propriis: cf. 29, 70 n. *propria et sua.*

laudis et gloriae: i.e., 'the dead will not miss the those good things which are due and proper, founded in both praise and glory'. The genitives are of definition, *propria bona quae consistunt in laude et gloria*, K.-S. 1.111.

quamuis non sentiant: these were deleted by Bentley as a gloss, and if they are deleted they would not mar the sense. Kühner casually remarked that something so superfluous could only have been written by Cicero himself.

gloria uirtutem tamquam umbra sequitur: *Tusc.* 3.3, *incorrupta vox bene iudicantium de excellenti uirtute, ea uirtuti resonat tamquam imago. quae quia recte factorum plerumque comes est, non est bonis uiris repudianda.*

XLVI. §110. uera: editors differ on how to understand *uerum*: Wolf (and after him, Kühner) believed it was a conjunction (*jedoch*), and so understood *iudicium* as emphatic alone, i.e., = 'right judgement', a meaning which occurs in *Tac. Hist.* 1.12, and is not without example in Cicero, *Div.* 2.13.30. However, on his view, the following *est* seems weak (and the same objection may be brought most recently against Giusta); Pohlenz tried to improve this and read *de bonis* <bonum> *si quando est*, conjecturing *bonum* to have fallen out after *bonis*, but to this I object that such a collocation does not occur anywhere in Cicero. Dougan thought that *rectum* or *sanum* was left out after *quando* by a copyist who himself thought *uerum* was an adjective. If we take the mss. reading, we must understand: *multi iudicium de bonis* (i.e., *uiris*) *si quando est uerum*, which leaves an asyndeton many scholars find objectionable.

quoquo modo hoc accipietur: and not the vulgate *accipiat* as some early editors; the indicative is used in these kinds of expressions of introducing new aspects of argument, K.-S. 165, 2.

hoc: refers too all of what follows regarding Lycurgus and Solon. Cicero rhetorically plays on the double meaning of *carere* here. He earlier defined it as either *egere eo quod habere uelis*, or *cum aliquid non habeas et non habere te sentias, etiamsi id facile patiare*. But how could we say that these two great lawgivers and leaders of men went without glory and honour? For they did not seek it while alive as wisemen, but yet, as we have just learned, *uirtutem gloria tamquam umbra sequitur*.

Lycurgum, Solonem: the asyndeton suggests that Cicero had more names which he could have added, cf. 4, 7 n.

Lycurgum: Cicero refers to this famous *νομοθέτης* in

Div. 1.96, *Lycurgus quidem qui rem publicam temperauit; Rep.* 2.18, *Lycurgus leges scribere instituit; Leg.* 1.57; *Brut.* 40 *disciplina Lacedaemoniorum astricta legibus* (with Douglas' n.); cf. also *Hdt.* 1.65; *Pl. Rep.* 10.599d; *Xen. Mem.* 4.4.15.

publicae disciplinae: 'political system' (in the sense of education or training of a people which would bring about a political system); Moser compared *N. D.* 3.85, *res publica ratione quadam et disciplina dissignata*, like a well run house.

Salamina: for the spelling, see NEUE-WAGENER. 1.306, and my n. 26, 65 *Ganymeden*. Kühner held that the *-em* was the more usual ending, K.-S. 1.499. At *N. D.* 1.119, codex B read *Eleusinam*, which Pease rejected *ad loc.* in favour of the rare *Eleusinem* found in a few mss. The majority of mss. in our passage read *Salaminam* which Kühner retained. The *-am* ending does occur in Cicero, cf. *Fam.* 16.12.2, *Ancomam* (which is unanimous in the mss.) though this Latinised form is generally considered peculiar to those later. However, all the other parallels Kühner cites in his n. *ad loc.* are from writers of later ages. Dougan and Giusta prefer *Salamina*, the *-a* acc. ending for such nouns sometimes used by writers in the best period. The L and P mss. have the *lectio difficilior*.

tropaei: a poetic metonymy for *uictoriae*, the effect in place of the cause, cf. *Ar. Eq.* 1331, τὸ ἐν Μαραθῶνι τροπαίον.

memoriam: the force of *obruet* carries forward, but the logical subject of the verb becomes something like *tempus* or *obliuio*.

e Boeotia: most mss. lack the preposition, in which case *Boeotia* would be an adj. and so explanatory (like *qui est mons Cariae* in 38, 92). The meaning will be 'Boeotian Leuctra will sooner be wiped from the earth than its glory'. However, Reid notes (in Dougan *ad loc.*) that when Cicero speaks of the utter removal of locations, he usually indicates from where, or to where, cf. *Verr.* 2.2.4. Giusta noted that *e* was likely to fall out after *priusque* and that the second corrector of V has inserted it. The reading *e Boeotia* would mean, 'sooner would Leuctra be wiped from Boeotia than the glory of its battle'.

multo autem tardius fama desert...: for these men, see 37, 89.

Curium: M'. Curius Dentatus, consul in 290B.C. and again in 275B.C. He received triumphs for defeating the Samnites and the Sabines, and his stalemate with Pyhrrus forced the latter from Italy. Curius was one of Cicero's favorite examples of *continentia*, cf. *Rep.* 3.49 (*Non.* 66, 522), as well as *Rep.* 3.6 (quoting Ennius, *quem nemo ferro potuit superare neque auro*, *Val. Max.* 4.3.5, *Plin. H. N.* 19.87, *Plu. Cato.* 2.2, *Ath.* 10.419).

Calatinum: 7, 13 n.

Laelium, innumerabilis alios; quorum similitudinem aliquam qui arripuerit, non eam fama populari, sed uera bonorum laude metiens, fidenti animo, si ita res feret, gradietur ad mortem; in qua aut summum bonum aut nullum malum esse cognouimus. secundis uero suis rebus uolet etiam mori; non enim tum cumulus bonorum iucundus esse potest quam molesta decessio. 5 hanc sententiam significare uidetur Laconis illa uox, qui, cum Rhodius Diagoras, Olympionices nobilis, uno die duo suos filios uictores Olympiae uidsset, accessit ad senem et gratulatus: 'morere Diagora' inquit; 'non enim in caelum ascensurus es.' magna haec, et nimium fortasse, Graeci putant uel tum potius putabant, isque, qui hoc Diagorae dixit, permagnum existimans tris Olympionicas una e domo prodire cunctari illum diutius in uita fortunae obiectum inutile 10 putabat ipsi. ego autem tibi quidem quod satis esset, paucis uerbis, ut mihi uidebar, responderam — concesseras enim nullo in malo mortuos esse — sed ob eam causam contendi ut plura dicerem, quod in desiderio et luctu haec est consolatio maxima. nostrum enim et nostra causa susceptum [109b]

2–3. Lact. *Inst.* 7.10.9

2 res feret] refert X: res feret V^c, *Lactantius* 6 duo suos] duo suos X: duo^Msuos V^c: duos suos SL 10 ipsi] ipsi X: secl. Giusta. 10 uidebar] uidebatur V^c

arripuerit: like the Greek ἀρπάζειν, suggests a willing and readiness to seize upon something desirable.

non fama populari...: for the qualification of *gloria* by reference to the *optimates*, cf. 38, 91 n.

si ita res feret: the mss. *si refert* likely arose from the compendium SIRĒFERT. The impersonal phrase makes little sense here. The idiom *ita res fert* is common and has many variations, cf. *Phil.* 4.14, *si ita res tulisset*; *Verr.* 3.23.57, *uoluntas fert*; *Q. Fr.* 1.4, *ratio fert*; *Rep.* 6.11, *fortuna fert*.

aut summum bonum aut nullum malum: the whole aim of the *Tusc.* The perf. tense of *cognouimus* lends force to attaining conviction, 'as we have come to know in our conversation'.

aut...aut: cf. 1, 1 n.

secundis uero suis rebus uolet etiam mori: for the thought, cf. *Pub. Syr.*, *mori est felicitis, antequam mortem inuocet*; *Sen. Cons. Marc.* 20, *mors... de nullis melius merita quam de eis ad quos uenit antequam inuocaretur*; *E. Hec.* 497–499, *φεῖ φεῖ· γέρον μὲν εἰμ', ὅμως δέ μοι θανεῖν | εἴη πρὶν αἰσχρᾶ περιπεσεῖν τύχη τινί*; also Antisthenes in *D. L.* 6.5, *ἐρωτηθεὶς τί μακαριώτερον ἐν ἀνθρώποις; ἔφη εὐτυχοῦντα ἀποθανεῖν*.

esse potest: the mss. agree on this order of the words but Kühner thought that it was very rare in Cicero who preferred *esse potest* to avoid the pentameter. I find this not to be true, and count numerous examples in Cicero of *esse potest*, in both his philosophical works as well as his speeches.

decessio: i.e., *deminutio*, cf. *Div.* 2.36, *Off.* 3.12, *Tim.* 18.

Diagoras: son of Damagetus, famous for his size, fairness and modesty, was an Olympic victor in 464B.C. in boxing, and his victory was celebrated by *Pi. Od.* 7. He also won prizes at the Isthmian and Nemean games, and saw his one son Damagetos win the second of his two prizes in the pankration, and his other son Akousilaos win the prize in boxing in 446B.C., cf. *Plu. Pelop.* 34, *ὁ Δάκων τὸν Ὀλυμπιονίκην Διαγόραν ἐπιδόντα μὲν υἱὸς στρεφانوμένου Ὀλυμπεάσιν, ἐπιδόντα δ' υἱονοῦς καὶ θυγατριδούς, ἀσπασάμενος, κλπ.* *Paus.* 6.7, *Gell. N. A.* 3.15.

Olympiae: gen. locative.

morere Diagora...: cf. *Plu. Pelop.* 34, *κάθθανε, εἶπε, Διαγόρα· οὐκ εἰς τὸν Ὀλυμπον ἀναβήσῃ*; The meaning is that he had arrived at the highest eminence and happiness, and that he could hope for no more or better, since all else was reserved to the gods alone, cf. *Pi. Pyth.* 10.22. The Lacedaemonian Chilon was said to have died for a similar reason, *D. L.* 1.72–73; and Lucian, *De Gymnast.* 274 says that the among the Greeks, to hold Olympic victory was ὥστε τὸν νικήσαντα αὐτῶν ἰσὺθεον νομίζεσθαι, *Pl. Rep.* 5.366,

Ath. 2.145, and *Tusc.* 2.16.

nimium: sc. *magna*.

Graeci putant: cf. *Flac.* 13, 31, *pugil Olympionices apud Graecos maius et gloriosus quam Romae triumphasse*.

inutile: cf. *Off.* 2.49, *seditiosum et inutilem ciuem* show that this word by litotes can be used of something very harmful (Moser). However, here it is only the contrary of *utile*.

ipsi: GIUSTA (Tusculanae, p. lvi) brackets *ipsi* and thinks that it may be evidence of a serious transposition. He thinks a copyist skipped a page when reading the archetype, and only afterwards noticed his error. He then wrote out the portion which he omitted, passing over again the lines he already transcribed and resuming again from the place where he first noticed his omission. Giusta thinks that the text I have brackets as §109b above ought to be placed here, which he argues is more pertinent to Cicero's train of thought here than above: but I am not entirely convinced of this. Though the Greeks themselves thought athletic success in the Olympics the height of glory (cf. n. above), I do not believe a Roman *consularis* would compare his acme of political attainment to such contests, as they were generally held in scorn by the Romans. (*Tusc.* 4.70, *Tac. Ann.* 14.20.5–6, *Plin. H. N.* 15.19, etc.). Further, it seems more natural that Cicero progresses from a discussion of sons to considerations of the demise of his own daughter, as follows in §111, and not those of his political career. Giusta's suggestion to alter the text is ingenious, but not so defensible to warrant the redistribution.

tibi quidem: construe with *satis esset*, as indicated by the *quidem* and the *concesseras* beneath.

concesseras: 7, 14.

contendi ut: a self-reflective comment by Cicero, almost to himself, 'for this reason I sought to speak my mind on the subject, because this is the greatest consolation in times of mourning and longing.' *contendi* = *operam dedi* (Moser), 'I put effort into', the subj. is one of result.

haec: i.e., the idea that *nullo in malo mortuos esse*. We should have expected *hoc* but it was attracted into the gender of *consolatio*, cf. K.–S. 2.12, 7.

consolatio: *consolatio* is the third type of the *genus demonstratiuum*, cf. *N. D.* 2.59.148 where Cicero claims that force of eloquence was divine and was made first to teach, to persuade, and to console the afflicted; *De Or.* 2.12.50; *Leg.* 1.62, GRANT (Cicero on the Moral Character of the Orator, p. 474).

nostrum enim et nostra causa: cf. Servius' letter to Cicero, *Fam.* 4.5.2, as well as [Plu]. *Consol. ad Apoll.* 25.

dolorem modice ferre debemus, ne nosmet ipsos amare uideamur; illa suspicio intolerabili dolore cruciat, si opinamur eos quibus orbatu sumus esse cum aliquo sensu in eis malis quibus uolgo opinantur. hanc excutere opinionem mihi met uolui radicitus, eoque fui fortasse longior.

112 XLVII. Tu longior? non mihi quidem. prior enim pars orationis tuae faciebat, ut mori cuperem, posterior, ut modo non nollem, modo non laborarem; omni autem oratione illud certe perfectum est, ut mortem non ducerem in malis. 5

Num igitur etiam rhetorum epilogum desideramus? an hanc iam artem plane relinquimus?

Tu uero istam ne reliqueris, quam semper ornasti, et quidem iure; illa enim te, uerum si loqui uolumus, ornauerat. sed quinam est iste epilogus? aueo enim audire, quidquid est.

113 Deorum immortalium iudicia solent in scholis proferre de morte, nec uero ea fingere ipsi, sed Herodoto auctore aliisque pluribus. primum Argiae sacerdotis Cleobis et Biton filii praedicantur. 10

7. Lact. *De Ira*. 22.2 130.10–131.6. cf. Hdt. 1.31, [Plu]. *Consol. ad Apoll.* 180e–f.

5 oratione] ratione RGEL: oratione V^c: oratione KPS 7 relinquimus] relinquimus X: reliquimus, *dett. codd.*, et Giusta perperam 8 ne reliqueris] ne reliqueris KE: ne relinqueris V^c: ne relinqueris L 9 aueo] habeo X: aueo s, cf. §16 11 argiae] argiae X: argiuae Lambinus 11 Biton] binoto X: bito *edd. pr., Giusta*: biton *dett. codd.*

modice ferre: the thought is a commonplace enough, cf. *Am.* 10, *Brut.* 5, *Att.* 2.24.2, *De Or.* 3.8, Tac. *Agr.* 44–45.

ne nosmet ipsos amare: sc. *magis quam eos quos amamus*, cf. *Am.* 10, *suis commodis grauius angitur non amicis, sed se ipsum amantis est*, i.e., too egotistical; and *Brut.* 4, *ne id non ad amicitiam sed ad domesticam utilitatem referre uideamur*; cf. Plu. *Mor.* 65e, *παρακελευόμεθα τὸ φίλαντον ἐκκόπτειν ἑαυτῶν*; [Plu]. *Consol. ad Apoll.* 111e, *εἰ μὲν οὖν αὐτῶν (ἔνεκα πενθοῦσι τοὺς ἀποθανόντας) φίλαντος ἢ τῆς λύπης πρόφασις*.

in eis malis quibus: 39, 94 n. for the preposition assumed.

mihimet uolui radicitus: opposed to *tibi* above. The force behind the work (and his *Consolatio*) was the death of his daughter.

longior: sc. *iusto*, cf. Hor. *Sat.* 1.1.57.

prior pars: §§22–33. **posterior**: §§34–46.

faciebat: the imperfect is most suitable here to mean ‘while you were speaking’.

oratione: on the face of it, *ratio* may seem likely, but here it cannot stand and this was seen by the correct of V. For the interlocutor is not saying that he is convinced by *each* argument or every kind of series of arguments, but his is looking to the *whole* speech and its ability to persuade him that in death there is no evil, cf. *Verr.* 2.4.115, *totam huius generis orationem concludam*.

perfectum est... ducerem: cf. 4, 7 n. *dedimus, auderemus*. In English we would say ‘I will not’, but the imperfect here suggests that he had not only carefully learned the arguments but continues to hold the opinion.

rhetorum epilogum: ‘the kind of epilogue rhetoricians make’.

relinquimus: there is no reason to depart from the mss. *relinquimus* as Giusta; the present tense is more desirable with the preceding *desideramus*, and the perfect is almost never used in such questions after *an*.

ne reliqueris: there are in classical prose, from the beginning of the Ciceronian period up to near the end of the Augustan period, only seven instances of *ne* with the perfect in prohibition, and these are all in Cicero. Each of these occurs in dialogue where the tone descends to ordinary conversation, and in which some one is delivering himself of an earnest command, where it is natural to be more unceremonious in addressing a familiar friend than

in addressing a mere acquaintance. Here, Cicero falls more readily into energetic forms of expression, and assumes an offhand, imperious tone as a bit of pleasantry. This would be especially natural when he was urging his friend not to do what he feared that friend might do. (ELMER: *The Latin Prohibitive I*, p. 149). We can hardly fail to notice this tone at a talkative gathering of intimate friends such as supposedly here in the *Tusc.*

ornasti: sc. *laudibus*.

solent: sc. *rhetores*.

in scholis: cf. 4, 8 n.

Argiae sacerdotis: the woman’s name was Cydippe, Plu. *Mor.* 109, Stob. *Flor.* 18.32. She was priestess of the temple of Hera.

Argiae: the mss. read *Argiae* here, *Argiui* above in §45. Lambinus wished to correct this instance to *Argiuae*, Wesenberg approved, and the change was adopted by Kühner, Seyffert, and Dougan. Drexler and Giusta retain the vulgate reading as defended by Klotz, I think rightly, and cf. Müller on *N. D.* 1.82. (KREBS/SCHMALZ: *Antibarbarus*, vol. 1, p. 199)

Cleobis et Biton: for the story, cf. Hdt. 1.31, Stob. *Flor.* 109, *Κλέοβις καὶ Βίτων, Κυδίππης τῆς μητρὸς αὐτῶν εὐξαμένης τῇ Ἡρᾷ δοῦναι τοῖς παισίν, ὅπερ ἂν εἴν κάλλιστον, ὅτι ἑαυτοὺς ὑποζεύξαντες τὴν μητέρα εἰς ἱερὸν ἀνήγαγον, τὸν βίον παραχρῆμα κατέστρεψαν*; also add Serv. *ad Geo.* 3.532 and Tz. *Chil.* 1.31, *καὶ Κλέοβιν καὶ Βίτωνα τοὺς παῖδας τῆς Κυδίππης*; [Plu]. *Consol. ad Apoll.* 109, Val. Max. 5.4, ext. 4; S. E. P. 3.24; Hygin. *Fab.* 254.

Biton: the mss. reading *binoto*, as WESENBERG: *Emendationes*, vol. 1, 33 suggested and Kühner agrees, likely arose from an early transposition of the last three letters. Pohlenz (to whom Giusta reverts) thinks that *binoto* = *bino* (but possibly from a corruption from *nota* below?), in which case the termination of *-o* suggests that Cicero used the form *Bito*, as he sometimes does when rendering Greek names ending in *ων*, *ωνος*, and *ονος*, i.e., Plato (but cf. *Att.* 9.13, *Πλατων*, Platon in the mss.) However, we have far more examples of Cicero using the termination *-on*, cf. *Endymion*, 38 92; *Menon* 24, 57; and below *Aristigiton*, 47, 116. Most editors, except Pohlenz and Giusta, read *Biton*.

nota fabula est. cum enim illam ad sollemne et statum sacrificium curru uehi opus esset satis longe ab oppido ad fanum morarenturque iumenta, tum iuuenes ii, quos modo nominavi, ueste posita corpora oleo perunxerunt, ad iugum accesserunt. ita sacerdos aduecta in fanum, cum currus esset ductus a filiis, precata a dea dicitur, ut id illis praemii daret pro pietate, quod maximum homini dari posset a deo; post epulatos cum matre adulescentis somno se dedisse, mane inuentos esse mortuos.

simili precatione Trophonius et Agamedes usi dicuntur; qui cum Apollini Delphis templum exaedificauissent, uenerantes deum petiuerunt mercedem non paruam quidem operis et laboris sui: nihil certi, sed quod esset optimum homini. quibus Apollo se id daturum ostendit post eius diei diem tertium; qui ut inluxit, mortui sunt reperti. iudicauisse deum dicunt, et eum quidem deum, cui reliqui di concessissent, ut praeter ceteros diuinaret.

XLVIII. Adfertur etiam de Sileno fabella quaedam. qui cum a Mida captus esset, hoc ei muneris pro sua missione dedisse scribitur: docuisse regem *non nasci homini longe optimum esse*,

131.12–132.1. Cic. Consol. fr. 9

1 statum] statutum X: statum s 1 opus] ius X: ius h. e. = uel opus V^c: uis edd. pr. 2 tum] tunc RK 4 id] omm. X: id V^c s. lin. add.; Giusta 7 precatione] praecatione X 8 mercedem] mercedem X: mercedem V^c 11 di] dii RV

statum sacrificium: cf. Har. Resp. 18, *stata sollemnisque caerimoniae*. A *stata caerimonia*, or in this case a *statum sacrificium* was a ritual performed on a specific date every year; the *sollemnes* were those ceremonies or festivals which took place annually but had a date fixed for them on each occasion.

statum: for the reading *statum* in place of the mss. *statutum*, cf. Mil. 45, Har. Resp. 18, and Fest. 466, 22 (Lindsay).

opus: Kühner explains *ius* as *religionis caerimonia constitutum esset*, but as Drexler observes, 'ius non sine causa addubitatum.' Giusta approves of V^c, whose corrector (though not an emendation) suggested the alternate reading of *opus*. He may be right, as Herodotus wrote *τοῖσι Ἀργείοισι ἔδεε πάντως κλτ.* I am inclined to agree with that reading, since *opus* is more applicable to the mother (Val. Max. 5.4 ext 4 writes *ad sacra peragenda*), *ius* more to the duty of her sons.

satis longe ab oppido: Hdt. 1.31 gave the distance as 45 stades.

tum iuuenes: Kühner thought that *tum* needed here as being more emphatic than *tunc*, cf. Fam. 3.10.8, Div. 2.1.3.

perunxerunt, ad iugum accesserunt: the asyndeton emphasises the fact that the young men were prompt in their work.

ut id: *ut id* was conjectured by Rath and approved of by Wesenberg; Giusta has shown that this is the reading found in V^c and is certainly correct. Kühner defended the mss. by noting that the genitive *praemii* can depend on the *quod*, cf. Tusc. 2.3.9, *quod datum est temporis nobis in eo consumpsimus*.

quod maximum: cf. ps.-Pl. Ax. 367c.

homini... a deo: but just above it was a *dea*, the reference here now general. Herodotus similarly *loc cit.*, *ὁ θεός... τὴν θεόν*.

Trophonius et Agamedes: the chief builders of the fourth temple of Apollo. Trophonius and Agamedes were sons of Erginus, king of Orchomenus, the son of Poseidon. When they finished building his temple, they asked Apollo for a reward, and seven nights later they were found dead, cf. [Plu]. Consol. ad Apoll. 14, 109b, *περὶ Ἀγαμήδους καὶ Τροφωνίου φησὶ Πίνδαρος, τὸν νεὼν τὸν ἐν Δελφοῖς οἰκοδομήσαντας, αἰτεῖν παρὰ τοῦ Ἀπόλλωνος μισθόντων δὲ αὐτοῖς ἐπαγγείλασθαι εἰς ἑβδόμην ἡμέραν ἀποδώσειν... τοὺς δὲ... τῇ ἑβδόμῃ νυκτὶ κατακοιμηθέντας τελευτήσαι* though Stob. Flor. 119.603 instead places their death on the seventh day. The story is compared to that of Silenus and Midas below.

Apollini Delphis templum: the fourth temple, build of stone and destroyed by fire when Erxicleides was archon,

548B.C., cf. Paus. 10.5; this was the temple described by Hom. *Hymn to Apollo*. The god journeyed to various locations in search of a home, and found none until he reached the port of Delphi, Krissa (MIDDLETON: Temple of Apollo, p. 285).

esset: subj. from or. obl.

post eius diei diem tertium: cf. Madv. Gram. 230, obs. 1. The genitive is like *pridie eius diei*, Fam. 1.4.1.

tertium: but the on seventh in [Plu]. Consol. ad Apoll. and Stob. Flor. above. Cicero might have originally written VII which would have been easily confused with III.

mortui sunt reperti: but *inuentos mortuos* above, likely to avoid repetition and to vary the style. Dougan thought the change might be due to the fact that the former pair were not expecting a reward (*inueniendi = ueniendi in aliquid*, i.e., 'happen upon' often with a sense of chance) whereas the latter pair sought it out (*reperiendi* often with a sense of deliberate search), cf. Fin. 5.6, *fons reperiendus*.

iudicauisse deum: 'had given his judgement', i.e., that death was the best possible thing for man.

diuinaret: i.e., by knowing that the best thing for man was death.

XLVIII. Silenus: the constant companion of Dionysus whom it was said he brought up and educated. Though described as jovial, generally drunk, and always carrying his wine bag with him, his peculiar feature was his inspiration as a prophet. He enjoyed knowledge of everything past and future, and despised the gifts of fortune.

fabella quaedam: the diminutive is dismissive. For the story, cf. Hdt. 1.138 where it takes place in Macedonia, and for another version (thought to be inspired by Cicero's own) cf. Verg. Ecl. 6.13 and see HUBBARD (The Capture of Silenus).

non nasci...: Arist. De Phil. fr. 44 (= fr. 6 Walzer), and see DAVIES (Midas and Silenus, p. 269). The story, thought to have been influenced by Menelaus' encounter with Proteus at Hom. Od. 4.363ff., is quoted by [Plu]. Consol. ad Apoll. 115b–e who claims his source was Crantor's *περὶ πένθους*. Aristotles' words, *μετὰ τὴν θήραν ὡς ἔλαβε τὸν Σειληγιόν*, suggest that Silenus was captured during a hunting expedition, but not one for him in particular and his capture was a significant but unexpected event. Silence was at first very reluctant to speak and wished to keep the knowledge safe, *τί με βιάζεσθαι λέγειν ἃ ὑμῖν ἄρειον μὴ γινῶναι*; Scholars have argued that the story in Aristotle's work related to the Platonic doctrine of the forms (HUBBARD: The Capture of Silenus, p. 59). The world, at least as we know it, is one of mere seeming, and it is best to return

proximum autem quam primum mori

115 qua est sententia in Cresphonte usus Euripides:

Nam nōs decebat coētus celebrantīs domum
Lugére, ubi esset áliquis in lucem éditus,
Humánae uitae uária reputantīs mala;
At, quí labores mórte finissét grauis,
Hunc ómni amicos laúde et laetitia éxsequi.

simile quiddam est in Consolatione Crantoris: ait enim Terinaeum quendam Elysium, cum grauitur filii mortem maereret, uenisse in psychomantium quaerentem, quae fuisset tantae calamitatis causa; huic in tabellis tris huius modi uersiculos datos:

Ignaris homines in uita mentibus errant;
Euthynous potitur fatorum numine leto.
Sic fuit utilius finiri ipsique tibi que.

116 his et talibus auctoribus usi confirmant causam rebus a diis immortalibus iudicatam. Alcidamas

3-7. Cic. fr. poet. 37, Eurip. fr. 449 8-13. cf. [Plu]. Consol. ad Apoll. 109b-d 11-13. Cic. fr. poet. 48 132.14-133.4. Alcidam. fr. 3.4 Baiter-Sauppe

3 coetus] coetus X: coetu Lambinus 5 humana] humana GRK: humanae^V 7 omni] omnes X: omni metri causa Davies 9 psychomantium] sichomantium X 12 leto] leto M: laeto GVR: loeto K 14 rebus] rebus X: rebus <ac uerbis> Giusta

to the real world in which we began (i.e., by dying). It was a maxim popular among Greek poets and philosophers (ROHDE: Psyche, 219, n. 3), cf. Thgn. 425 (ed. Bergk), πάντων μὲν μὴ φῦναι ἐπιχθονίοισιν ἄριστον | μηδ' ἐσιδεῖν ἀνγὰς ὀξέος ἡελίου | φύντα δ' ὅπως ὄκιστα πύλας Αἰδαο περῆσαι | καὶ κείσθαι πολλὴν γῆν ἐπαμψάμενον; Dougan cites Bacchyl. 5.160-161, θνατοῖσι μὴ φῦναι φέριστον, | μηδ' ἀελίου προσιδεῖν φέγγος; add S. O. C. 1224, Anth. Pal. 1.13, Theod. Graec. affect. cur. 5.71, Clem. Al. Strom. 3.520, τὸ μὴ γενέσθαι κρείσσον ἢ φῦναι βροτοῖς; and Alexis in Ath. 3.124, τὸ πολλοῖς τῶν σοφῶν εἰρημένον, τὸ μὴ γενέσθαι μὲν κράτιστόν ἐστ' αἰεί κλτ. Epicurus of course refutes the argument, D. L. 10.126, πολὺ δὲ χεῖρον καὶ ὁ λέγων, κάλλιστον μὲν μὴ φῦναι, φύντα δ' ὅπως ὄκιστα πύλας Αἰδαο περῆσαι· εἰ μὲν γὰρ πεποιθῶς τοῦτο φησί, πῶς οὐκ ἀπέρχεται ἐκ τοῦ ζῆνι;

§115. in Cresphonte: according to Hygin. Fab. 184, Cresphontes, the Heraclid king of Messenia, was murdered along with his two sons by Polyphontes whom his wife Merope was then forced to marry. She managed to save their her youngest son (also named Cresphontes) and send him to Aetolia. When the boy grew up, he returned and killed Polyphontes with the collaboration of Merope, and he took revenge for the murder of his father and brothers. In Euripides' version, Cresphontes presented himself to Polyphontes disguised as his own killer who came to collect a reward. His mother did not recognise him and when the young man was later asleep in the palace, Merope, believing him to have killed her son, entered his room with axe and intended to kill him. The lines Cicero quotes were preserved in S. E. P. 3.230, ἐχρῆν γὰρ ἡμᾶς σύλλογον ποιουμένους τὸν φύντα θρηνεῖν εἰς ὅσ' ἔρχεται κακά, τὸν δ' αὖ θανόντα καὶ πόνων πεπαυμένον χαίροντας εὐφημοῦντας ἐκπέμπειν δόμων.

coetus: there is no need to alter the mss. coetus by correcting to coetu as Lambinus and Giusta who think the alteration better reflects Euripides' σύλλογον ποιουμένους; in such a case we would need in coetu, the ablative alone used with the passive. Davies defends the mss. reading with Verg. Aen. 1.735, coetum celebrate fauantes (Dougan misquotes). However, I think editors have been misled by the Greek. They mistake coetus as the object, and not subject of celebrantes, in which case domum is not an accusative end of motion, but the direct object, cf. Tac. Ann. 2.40, clandestini coetus celebrabant. Translate, 'For it befits us, a crowd thronging a house when a child is born to grieve, reflecting

upon human life's many ills etc.'

exsequi: in its literal sense, 'to follow out', i.e. to the grave, hence the term exsequiae, 'funeral procession'.

in Consolatione Crantoris: cf. 26, 65 n. Crantor of Soli, Academic philosopher, flourished around 300B.C., and his work, περὶ Πένθους written to his friend Hippocles on the death of his son, was heavily consulted for the third book of the Tusc. and in his Consol, cf. D. L. 3.24-27, Plin. H. N. praef. 22, in consolatione filiae Crantorem, inquit, sequor; St. Jerom. Ep. 9.5; and see BURESCH (Consolationum Historia Critica, pp. 94-108); KUIPER (De Crantoris fragmentis moralibus, pp. 360-363).

Terinaeum quendam Elysium: of Terina, a town on the west coast of Bruttium on the Golfo di Sant'Eufrasia, south Italy.

psychomantium: 16, 37 n.

uersiculos: we have the original lines given in [Plu]. Consol. ad Apoll. 109, ἦπου, νῆπιε Ἑλυσι', ἡλίθιοι φρένες ἀνδρῶν | Εὐθύνοος κείται μοιριδίω θανάτω, | οὐκ ἦν γὰρ ζῶειν καλὸν αὐτῷ οὔτε γονεῦσιν.

potitur: generally in prose \bar{i} but here scanned as *po \bar{t} itur*; cf. NEUE-WAGENER. 2.255, and for the construction with the ablative, cf. 37, 90 *urbem*.

fatorum numine: cf. Verg. Ecl. 4.47, concordēs stabili fatorum numine Parcae.

finiri: i.e. *mori*, cf. Val. Max. 9.12.4, Euripides finitus est; Plin. Ep. 1.12.2, qui morbo finiuntur.

§116. confirmant: 'they maintain', 'they strengthen'.

causam: 'the case', sc. 'whether death is an evil'.

rebus: Lambinus suspected that *rebus* was a repetition of the *-ribus* in *auctoribus*. But the term is too frequently employed in legal language to mean, 'by the facts', 'by action', so there is no need to delete it. Giusta, on the other hand, wished to add *ac uerbis*, claiming that of the four judgements listed by Cicero, two are giving through actions, and two by words, cf. Phil. 3.14, and Tusc. 3.46. (Schiche suggested *re et uerbis* similarly.) But a contrast is struck between authors and deeds; Dougan compares Ov. Fast. 2.734, non opus est uerbis, credite rebus. These two words are opposed and so, in our passage, the *rebus* or the actions of the gods in killing the men are emphasised as *confirming* their words.

Alcidamas: of Elaea, pupil of Gorgias and the last of the Sophists, flourished around 400B.C.

quidem, rhetor antiquus in primis nobilis, scripsit etima laudationem mortis, quae constat ex enumeratione humanorum malorum; cui rationes eae quae exquisitius a philosophis colliguntur defuerunt, ubertas orationis non defuit. clarae uero mortes pro patria oppetitae non solum gloriosae rhetoribus, sed etiam beatae uideri solent. repetunt ab Erectheo, cuius etiam filiae cupide mortem expetuerunt pro uita ciuium. <commemorant> Codrum, qui se in medios inmisit hostis ueste famulari, ne posset adgnosci, si esset ornatu regio, quod oraculum erat datum, si rex interfectus esset, uictrices Athenas fore. Menoeceus non praetermittitur, qui item oraculo edito largitus est patriae suum sanguinem. Iphigenia Aulide duci se immolendam iubet, ut hostium eliciat suo. ueniunt inde ad propiora.

10 **XLIX.** Harmodius in ore est et Aristogiton; Lacedaemonius Leonidas, Thebanus Epaminondas uiget. nostros non norunt, quos enumerare magnum est: ita sunt multi, quibus uidemus optabilis mortes fuisse cum gloria. quae cum ita sint, magna tamen eloquentia est utendum atque ita uelut superiore e loco uel certe timere desistant? nam si supremus ille dies non extinctionem,

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8–9. Enn. *trag.* 204

1 quidem] quidem VK: quidā: quidam M 1 constat] constat RV 3 orationis] rationis K: orationis V^cP 3 clarae] clare GVK 4 beatae] beate G 5 cupide] cupidae G 6 famulari] familiari K 7 qui item] quidem GRK: qui item V^c 8 iphigenia] <nam> iphigenia, VAHLEN (Opuscula academica, p. 101), et *Poh.*, *perperam*: <neque> iphigenia <nam>

Giusta 8 hostium] *non habent* sanguis X: hostium V^c 9 eliciat] eliciatur X: eliciat sanguinem L, *dett. codd.* 10 est] *omm.* X: *add. Rath, dett. codd.* 10 aristogiton] aristogiton X: aristogito *Orelli* 11 uiget] uiget X: uigent *dett. codd.* 12 tamen] tamen X: iam *Giusta* 13 extinctionem] extinctionem X: <nostris> extinctionem *Sff.*: <vitae> extinctionem *Giu.*

quidem: for the use of *quidem* confirming illustrative examples, cf. 22, 51 *Dicaearchus quidem*; 33, 80 *Aristoteles quidem*.

exquisitius: ‘reasons which were more searchingly and carefully selected’ etc., cf. *Fin.* 1.30, *exquisitis rationibus confirmare*.

mortes: for the use of the plural, ‘illustrious examples of patriotic self-sacrifice’, cf. *Tusc.* 4.3, *mentes suas*, *Juv.* 8.257.

repetunt ab Erectheo: ‘they reach back to Erectheus’, cf. *De Or.* 1.91, *cum repeteret usque a Corace*.

repetunt: sc. *exempla*.

Erectheo: for the orthography, see SCHULZE (Orthographica, liii, n. 1). Erectheus was an Athenian hero is frequently cited as an example of patriotism, often coupled with his daughters and with Codrus, cf. *N. D.* 3.49–50, *Fin.* 5.62, *Sest.* 48. In the war between the Eleusinians and the Athenians, Erectheus offered one of his daughters as a sacrifice to ensure victory. When Agraulos was chosen by lot, her sisters Pandrosos and Herse also killed themselves as the three had made a pact to die together. Cicero was likely familiar with the story from the *Erectheus* of Ennius (VAHLEN: *Ennianae Poesis Reliquiae*, pp. 135–140).

filiae: cf. *Sest.* 48, *mortem quam etiam uirgines Athenis, regis, opinor, Erecthei filiae, pro patria contempsisse dicuntur*.

Codrum: Codrus was the mythical last king of Athens and sacrificed himself in a form of *deutio* for the sake of his city, traditionally dated to have happened sometime in the 11th century B.C., *RE.* 11, 984–994; cf. *N. D.* 3.50, and *Aug. C. D.* 18–19 who says of Codrus, *hunc Athenienses tamquam deum sacrificiorum honore coluerunt*. According to one version, he wandered into the camp of his enemy and began a quarrel with the soldiers in which he was killed. Though his sacrifice was often lauded, his name later became a label for ‘simple-mindedness’, cf. *Hom. Od.* 1.58, *ἐποίησε Κόδρου καλεῖσθαι τοὺς δι’ ἀρχαιότητα εὐήθεις*.

We need to supply a verb here missing in the mss. in order to avoid a rather halting anacolouthon. *Rath* compared *Ac.* 2.13, *repetunt ii a P. Valerio...; commemorant reliquos*, and so most editors have inserted it here which an early copyist could easily fall out after *CODRUM*. Seyffert suggested reading *et Codro* (ē falling out before c) which would be construed with the earlier *repetunt ab*.

ornatu regio: abl. of accompanying circumstance, cf. 5, 10 n.

Menoceus: son of Creon. In the war of Seven against Thebes, Tiresias declared that the city would be preserved if the last of the descendents of Cadmus should devote himself to Ares. Menoeceus understood the oracle to refer to himself and immediately killed himself in front of one of the city gates, *Apollod.* 3.6.7, *E. Ph.* 911.

duci se: *E. I. A.* 1475, *ἀγετέ με τῶν Ἰλίων καὶ Φρυγῶν ἐλέπτολων*, and *Enn. trag.* 204, cf. JOCELYN (Tragedies of Ennius, pp. 107, 324).

eliciat: *Giusta* would restore the original line thus: *dūci me inmolādam iubeo, ut hōstium eliciām meo*, comparing *Eurip. Iphig. Aul.* 1475ff. The active *eliciat*, read in the vulgate, and supported by *Giusta*’s restoration thus gives a more forceful reading to the line quoted.

XLIX. Harmodius et Aristogiton: the slayers of Hipparchus, brother of the Athenian tyrant Hippias. For their murder (in vengeance) they gained a reputation of patriots and deliverers, *Th.* 6.54.

in ore: sc. *rhetoribus*.

uiget: ‘is celebrated’, cf. *De Or.* 3.110, *Philonem, quem in Academia uigere audio*; *Pohlenz* cites *Fam.* 8.1.4, *tui politici libri omnibus uigent* (VAHLEN: *Opuscula academica*, vol. 1, p. 158).

norunt: sc. *rhetores*.

magnum est: i.e., *difficile*, as in *magnum opus* etc., cf. *De Or.* 1.19; *Ac.* 2.6; *Phil.* 8.29; *Verg. Geor.* 3.289 and *Kühner*’s n. *ad loc.*

optabilis: the original meaning of *optare* was to ‘to choose’, eventually coming to mean ‘to wish for’.

cum gloria: this can be construed either with *mortes*, in which case is it attributive, i.e., *gloriosas mortes*, ‘glorious deaths are choiceworthy’; or else is can be taken with *optabilis* (with *Dougan*) which would then mean glory is a condition on which death is choiceworthy, i.e., *si gloria accederet*.

§117. tamen: cf. 17, 39 n. above; with *quae cum ita sint* = ‘although’, there is no need (with *Giusta*) to read *iam* in place of *tamen*, the adversative needed to contrast deaths gained with glory, and those without, which still not need to be feared.

superiore e loco: legal language. This phrase refers to a weighed opinion of a judge (as down from the bench, *pro tribunali*) instead of off-hand one given anywhere in a simple case (*de plano* or *ex aequo*); cf. *Verr.* 2.2.102, *Fam.* 3.8.2.

sed commutationem adfert loci, quid optabilius? sin autem perimit ac delet omnino, quid melius quam in mediis uitae laboribus obdormiscere et ita coniuentem somno consopiri sempiterno? quod si fiat, melior Enni quam Solonis oratio. hic enim noster:

‘Nemo me lacrimis decoret’ inquit ‘nec funera fletu Faxit!’

at uero ille sapiens:

Mors mea ne careat lacrimis: linquamus amicis
Maerorem, ut celebrent funera cum gemitu.

118 nos uero, si quid tale acciderit, ut a deo denuntiatum uideatur ut exeamus e uita, laeti et agentes gratias paremus emittique nos e custodia et leuari uinclis arbitremur, ut aut in aeternam et plane 10
nostram domum remigremus aut omni sensu molestiaque careamus; sin autem nihil denuntiabitur, eo tamen simus animo, ut horribilem illum diem aliis nobis faustum putemus nihilque in malis 15
ducamus, quod sit uel a dis immortalibus uel a natura parente omnium constitutum. non enim temere nec fortuito sati et creati sumus, sed profecto fuit quaedam uis, quae generi consuleret humano nec id gigneret aut aleret, quod cum exanclauisset omnes labores, tum incideret in 15
119 mortis malum sempiternum: portum potius paratum nobis et perfugium putemus. quo utinam uelis passis peruehi liceat! sin reflantibus uentis reiciemur, tamen eodem paulo tardius referamur

3–8. *Sen.* 73 4–5. cf. 15, 34. 7–8. *Cic. fr. poet.* 44 15–16. *Non.* 107, 24–25

1 perimit] perimit K: peremit GV 2 coniuentem] conib^uentem R: conibentem V: conhibentem G: cībentē V: cōniuentem *dett. codd.* 10–11 plane nostram] plene in nostram KSL: plene in nostram VP: plane in nostram *dett. codd.*: *del.* in Schütz 13 dis] diis X: dis S 17 sin reflantibus] sinere flantibus X: sinereflantibus V^c

coniuentem: ‘closing one’s eyes’. For the use of the participle to signify an assumed person, cf. 38, 91; *N. D.* 2.143, *Cacl.* 41. The phrase looks more at the picture of death presented in 38, 92 (as the brother of Sleep) than it is simply metaphorical for death itself.

melior Enni quam Solonis oratio: cf. *Sen.* 73 where Cicero draws the same contrast. However, there Cicero wrote what he thought was Solon’s motive, *uolt, credo, se esse carum suis*; this does not mean, therefore, that in our passage Solon thought that his friends should mourn him because he thought that death was an evil in itself as Dougan construes. *carum* (cf. the discussion of *carere* above) suggests only he only wanted his family and friends to miss his absence and show this by their tears. Both poets’ consideration of what happens after their death implies a continued existence, Ennius’ was preferred as more ‘manly’.

hic... ille: *hic* nearer in respect of time or nationality rather than order, K–S. 1.123, 3.

nemo me lacrimis...: cf., 15 34.

nec funera fletu faxit: cf. *Leg.* 2.23, 59, *tollit etiam nimiam lamentationem: mulieres genas ne radunto neque lessum funeris ergo habent*. It was thought by older editors that Ennius was recalling the XII tables forbidding excessive lamentation at the funeral by women (Scaliger even supposed to take *funera* not as plural object, i.e., ‘funeral’ but a feminine nominative for *praefica!*) But of course *funera* is everywhere plural; Ennius means ‘weep not for me at my parting’.

mors mea...: fr. 21 (Bergk), West: Iambi et Elegi, vol. 2, p. 133, quoted in Stob. *Flor.* 4.45.3, Plut. *Solon et Publ.* 1, μηδέ μοι ἄκλαυτος θάνατος μῶλοι, ἀλλὰ φίλοισι | καλλείπομι θανάων ἄλγεια καὶ στοναχάς. Plutarch tells us that this couplet belonged to a poem addressed to Mimnermus in which he said that he would rather die at eighty than at sixty (as Mimnermus had written, fr. 6).

§118. **nos uero, si quid tale...**: cf. Pl. *Phd.* 117e, καὶ γὰρ ἀκηκοα, ὅτι ἐν εὐφημίᾳ χρῆ τελευτᾶν in which Socrates looks back to the Pythagorean precept, Iambl. *VP.* 257, κατὰ τὸν ὕστατον καιρὸν παρήγγελλε μὴ βλασφημεῖν, ἀλλ’ ὥσπερ ἐν ταῖς ἀναγωγαῖς οἰωνίζεσθαι μετὰ τῆς εὐφημίας (Moser).

a deo denuntiatum: cf. 30, 74 n. *uetat enim*.

in aeternam: cf. *Rep.* 6.29, *animus uelocius in hanc sedem*

et domum suam peruolabit; and cf. 30, 72.

horribilem illum diem aliis: with *aliis*, it seems attributive, ‘that day, terrible to others’, cf. *Tusc.* 2.11.

a natura parente omnium: the strong personification of nature suggests the Stoic view that the deity pervades the universe, cf. *N. D.* 2.75, *omnes res subiectas esse naturae sentienti*; *N. D.* 1.39 (stating Chrysippus’ position) *uim diuinam in ratione esse positam et in uniuersae naturae animo atque mente*; *Div.* 1.118, *uis quaedam sentiens quae est tot confusa mundo*, and see EDELSTEIN (The Philosophical System of Posidonius, 299, n. 55). Kern (in Kühner’s n. *ad loc.*) suggested that Cicero is passing by cursorily another proof of immortality, the argument from the divine love and wisdom of God, cf. Ar. Didymus in Euseb. *Praep. Euang.* 15.15.2.

temere: = *sine causa*, ‘without design’.

exanclauisset: for the metaphor, cf. 35, 86 n. and *Non.* 104, *exanclare est perpeti uel superare*. Kühner thought the word derived from the Greek ξαντλεῖν which was harsh to the Roman ear and thus changed into *ancl*; but Reid in his n. on *Ac.* 2.108 thinks *exanclare* a genuine Latin word.

portum: a common image, cf. *Sen.* 72, *Att.* 14.19.1 (written May 44B.C.), *nos autem alium portum propriorem huic aetati uidebamus*; *Sen. Ep.* 70.3; *Plin. H. N.* 25.24; *Epict. Gnom.* 4.10; *M. Ant.* 3.3.2; *Ael. H. A.* 4.7, Sotades in Stob. *Flor.* 4.52.31, *Anth. Pal.* 9.49, and see BONNER (Desired Haven, 49ff). Compare Cowper’s famous lines, *On the Receipt of my Mother’s Picture* (1790), 997–999, *Where tempests never beat nor billows roar, | And thy lov’d consort on the dang’rous tide | Of life, long since, has anchor’d at thy side.*

sin reflantibus: *sin* usually looks back to a preceding *si* clause, but here a condition is implied in the *utinam* clause which is equivalent to ‘if only I was allowed to come to that harbour readied for us’ etc., cf. K–S. 2.220.

reflantibus: used of contrary winds, cf. *Off.* 2.19, *nam et cum prospero flatu fortunae utimur, ad exitus peruehimur optatos, et cum reflauit, adfligimur*; *Att.* 6.7.2, *Att.* 12.2.1; add also Antonius’ description of his forensic practice *De Or.* 2.187, *quod datur et ad id unde aliquis flatus ostenditur, uela do*. The intransitive *reflo* in both its literal and metaphorical applications is first attested in Cicero.

necesse est. quod autem omnibus necesse est, idne miserum esse uni potest? habes epilogum, ne quid preatermissum aut relictum putes.

Ego uero, et quidem fecit etiam iste me epilogus firmiorem.

Optime, inquam. sed nunc quidem ualetudini tribuamus aliquid, cras autem et quot dies
5 erimus in Tusculano, agamus haec et ea potissimum, quae leuationem habeant aegritudinum
formidinum cupiditatum, qui omnis e philosophia est fructus uberrimus.

4 et quot dies] et quos dies VBK: et quot dies *dett. codd.* 6 e philosophia] e philosophia GK: philosophiae V^c: <e>
philosophia *Doug., Poh.*: <in> philosophia *Reid.*

ego uero: cf. 11, 24 n. *me uero*.

optime: the expression is of polite thanks, often found in comedy and colloquial. With the word *optime*, the verb *facere* is often omitted, as here. It has been translated by Dougan, 'Capital, I say', and Douglas 'Splendid.' cf. *Hor. Sat.* 1.4.17, *di bene fecerunt*, 'Thank heaven!'; and *Div.* 1.47; *Brut.* 52. 'A' is complimenting 'M' on his successful persuasion.

et quot dies: i.e., *quotdei quoad erimus in Tusculano* (Klotz); the mss. often confuse *quos* and *quot*; Cicero had written above *quinqui scholas in totidem libros contuli* and so it is

better with most editors to read *quot* found in the lesser mss.

agamus haec: cf. 20, 46 n. *id agere*.

leuationem habeant: an elegant use of *habere* to mean *secum ferre*, cf. *Div.* 2.96, *dissimilitudo locorum nonne dissimiles hominum procreationes habet?*. This refers to the topics of the following books of the *Tusc.*

e philosophia: Pohlenz preferred the reading *e philosophia*, and compared *ad Brut.* 1.3.2, *si est aliquis fructus ex solida ueraque gloria*. But it is difficult to decide between this and the reading of V^c which has *omnis philosophiae*.

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