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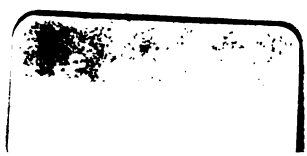

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CICERO'S TREATISE

OF

THE NATURE OF THE GODS.

BOOK I.

I. THERE are many things in philosophy, my dear Brutus, which are not as yet fully explained to us, and particularly (as you very well know) that most obscure and difficult question concerning the Nature of the Gods, so extremely necessary both towards a knowledge of the human mind, and the practice of true religion: concerning which the opinions of men are so various and so different from each other, as to lead strongly to the inference that ignorance[1] is the cause, or origin of philosophy; and that the Academic philosophers have been prudent in refusing their assent to things uncertain: for what is more unbecoming to a wise man than to judge rashly? or what rashness is so unworthy of the gravity and stability of a philosopher, as either to maintain false opinions, or without the least hesitation to support and defend what he has not thoroughly examined, and does not clearly comprehend?

In the question now before us, the greater part of mankind have united to acknowledge that which is most probable, and which we are all by nature led to suppose, namely, that there are Gods. Protagoras[2] doubted whether there were any. Diagoras the Melian and Theodorus of Cyrene entirely believed

[1] Some read *scientiam* and some *inscientiam;* the latter of which is preferred by some of the best editors and commentators.

[2] For a short account of these ancient Greek philosophers, see the sketch prefixed to the Academics (*Classical Library*).

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there were no such beings. But they who have affirmed that there are Gods, have expressed such a variety of sentiments on the subject, and the disagreement between them is so great, that it would be tiresome to enumerate their opinions; for they give us many statements respecting the forms of the Gods, and their places of abode, and the employment of their lives. And these are matters on which the philosophers differ with the most exceeding earnestness. But the most considerable part of the dispute is, whether they are wholly inactive; totally unemployed, and free from all care and administration of affairs: or, on the contrary, whether all things were made and constituted by them from the beginning; and whether they will continue to be actuated and governed by them to eternity. This is one of the greatest points in debate, and unless this is decided, mankind must necessarily remain in the greatest of errors, and ignorant of what is most important to be known.

II. For there are some philosophers, both ancient and modern, who have conceived that the Gods take not the least cognisance of human affairs. But if their doctrine be true, of what avail is piety, sanctity, or religion? for these are feelings and marks of devotion which are offered to the Gods by men with uprightness and holiness, on the ground that men are the objects of the attention of the Gods, and that many benefits are conferred by the immortal Gods on the human race. But if the Gods have neither the power nor the inclination to help us; if they take no care of us, and pay no regard to our actions; and if there is no single advantage which can possibly accrue to the life of man; then what reason can we have to pay any adoration, or any honour, or to prefer any prayers to them? Piety, like the other virtues, cannot have any connexion with vain show or dissimulation; and without piety, neither sanctity nor religion can be supported; the total subversion of which must be attended with great confusion and disturbance in life.

I do not even know, if we cast off piety towards the Gods, but that faith, and all the associations of human life, and that most excellent of all virtues, justice, may perish with it.

There are other philosophers, and those too very great and illustrious men, who conceive the whole world to be directed

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N. P. Hallowell.
Cambridge.
1860

THE

TREATISES OF M. T. CICERO

ON

THE NATURE OF THE GODS;

ON DIVINATION; ON FATE; ON THE REPUBLIC;

ON THE LAWS;

AND ON STANDING FOR THE CONSULSHIP.

LITERALLY TRANSLATED, CHIEFLY BY THE EDITOR,

C. D. YONGE, B.A.

LONDON:
HENRY G. BOHN, YORK STREET, COVENT GARDEN.
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PREFACE.

THE greater portion of the present volume (*i.e.* Divination, Fate, Laws, and Republic) was previously translated by Francis Barham, Esq., and published, in two volumes, 8vo, in 1841. Although ably performed, it was not sufficiently close for the purpose of the "CLASSICAL LIBRARY," and was therefore placed in the hands of the present Editor, for revision, as well as for collation with recent texts. This has occasioned material alterations and additions.

The treatise "On the Nature of the Gods" is a revision of that by Dr. Thomas Francklin, first printed in 1741.

The letter "On Standing for the Consulship" is presented to the English public for the first time, and is exclusively the work of the Editor.

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and governed by the will and wisdom of the Gods; nor do they stop here, but conceive likewise that the Deities consult and provide for the preservation of mankind. For they think that the fruits, and the other produce of the earth, and the seasons, and the variety of weather, and the change of climates, by which all the productions of the earth are brought to maturity, are designed by the immortal Gods for the use of man. They instance many other things, which shall be related in these books; and which would almost induce us to believe that the immortal Gods had made them all expressly and solely for the benefit and advantage of men. Against these opinions Carneades has advanced so much, that what he has said should excite a desire in men who are not naturally slothful, to search after truth; for there is no subject on which the learned, as well as the unlearned, differ so strenuously as in this; and since their opinions are so various, and so repugnant one to another, it is possible that none of them may be, and absolutely impossible that more than one should be right.

III. Now in a cause like this, I may be able to pacify well-meaning opposers, and to confute invidious censurers; so as to induce the latter to repent of their unreasonable contradiction, and the former to be glad to learn; for they who admonish one in a friendly spirit should be instructed, they who attack one like enemies should be repelled. But I observe that the several books, which I have lately published,[1] have occasioned much noise, and various discourse about them; some people wondering what the reason has been why I have applied myself so suddenly to the study of philosophy, and others desirous of knowing what my opinion is on such subjects. I likewise perceive that many people wonder at my following that philosophy[2] chiefly, which seems to take away the light, and to bury and envelop things in a kind of artificial night; and that I should so unexpectedly have taken up the defence of a school that has been long neglected and forsaken. But it is a mistake to suppose that this application to philosophical studies has been sudden on my part. I have applied

[1] Cicero wrote his philosophical works in the last three years of his life. When he wrote this piece, he was in the sixty-third year of his age, in the year of Rome 709.

[2] The Academic.

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myself to them from my youth, at no small expense of time and trouble; and I have been in the habit of philosophising a great deal, when I least seemed to think about it: for the truth of which I appeal to my orations, which are filled with quotations from philosophers, and to my intimacy with those very learned men, who frequented my house and conversed daily with me; particularly Diodorus, Philo, Antiochus, and Posidonius,[1] under whom I was bred; and, if all the precepts of philosophy are to have reference to the conduct of life, I am inclined to think that I have advanced, both in public and private affairs, only such principles as may be supported by reason and authority.

IV. But if any one should ask, what has induced me, in the decline of life, to write on these subjects, nothing is more easily answered; for, when I found myself entirely disengaged from business, and the commonwealth reduced to the necessity of being governed by the direction and care of one man,[2] I thought it becoming for the sake of the public, to instruct my countrymen in philosophy; and that it would be of importance, and much to the honour and commendation of our city, to have such great and excellent subjects introduced in the Latin tongue. I the less repent of my undertaking, since I plainly see that I have excited in many a desire, not only of learning, but of writing; for we have had several Romans well grounded in the learning of the Greeks, who were unable to communicate to their countrymen what they had learned, because they looked upon it as impossible to express that in Latin, which they had received from the Greeks. In this point I think I have succeeded so well, that what I have done is not, even in copiousness of expression, inferior to that language.

Another inducement to it was a melancholy disposition of mind and the great and heavy oppression of fortune that was upon me; from which, if I could have found any surer remedy, I would not have sought relief in this pursuit. But I could procure ease by no means better than by not only applying myself to books, but by devoting myself to the examination of the whole body of philosophy. And every

[1] Diodorus and Posidonius were Stoics; Philo and Antiochus were Academics; but the latter afterwards inclined to the doctrine of the Stoics.

[2] Julius Cæsar.

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part and branch of this is readily discovered, when every question is propounded in writing; for there is such an admirable continuation and series of things, that each seems connected with the other, and all appear linked together and united.

V. Now those men who desire to know my own private opinion on every particular subject, have more curiosity than is necessary. For the force of reason in disputation is to be sought after rather than authority; since the authority of the teacher is often a disadvantage to those who are willing to learn; as they refuse to use their own judgment, and rely implicitly on him whom they make choice of for a preceptor. Nor could I ever approve this custom of the Pythagoreans, who, when they affirmed anything in disputation, and were asked why it was so, used to give this answer, "He himself has said it;" and this "he himself," it seems, was Pythagoras. Such was the force of prejudice and opinion, that his authority was to prevail even without argument or reason.

They who wonder at my being a follower of this sect in particular, may find a satisfactory answer in my four books of Academical Questions. But I deny that I have undertaken the protection of what is neglected and forsaken; for the opinions of men do not die with them, though they may perhaps want the author's explanation. This manner of philosophising, of disputing all things and assuming nothing certainly, was begun by Socrates, revived by Arcesilaus, confirmed by Carneades, and has descended with all its power even to the present age; but I am informed that it is now almost exploded even in Greece. However, I do not impute that to any fault in the institution of the Academy, but to the negligence of mankind. If it is difficult to know all the doctrines of any one sect, how much more is it to know those of every sect? which, however, must necessarily be known to those, who resolve, for the sake of discovering truth, to dispute for or against all philosophers without partiality.

I do not profess myself to be master of this difficult and noble faculty; but I do assert that I have endeavoured to make myself so; and it is impossible that they, who choose this manner of philosophising, should not meet at least with

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something worthy their pursuit. I have spoken more fully on this head in another place. But as some are too slow of apprehension, and some too careless, men stand in perpetual need of caution. For we are not people who believe that there is nothing whatever which is true; but we say that some falsehoods are so blended with all truths, and have so great a resemblance to them, that there is no certain rule for judging of, or assenting to propositions; from which this maxim also follows, that many things are probable, which, though they are not evident to the senses, have still so persuasive and beautiful an aspect, that a wise man chooses to direct his conduct by them.

VI. Now, to free myself from the reproach of partiality, I propose to lay before you the opinions of various philosophers concerning the nature of the Gods; by which means all men may judge which of them are consistent with truth; and if all agree together, or if any one shall be found to have discovered what may be absolutely called truth, I will then give up the Academy as vain and arrogant. So I may cry out, in the words of Statius, in the Synephebi,—

"Ye gods, I call upon, require, pray, beseech, entreat, and implore the attention of my countrymen all, both young and old;"

yet not on so trifling an occasion, as when the person in the play complains that,

"In this city we have discovered a most flagrant iniquity; here is a professed courtezan, who refuses money from her lover;"

but that they may attend, know, and consider what sentiments they ought to preserve concerning religion, piety, sanctity, ceremonies, faith, oaths, temples, shrines, and solemn sacrifices; what they ought to think of the auspices, over which I preside;[1] for all these have relation to the present question. The manifest disagreement among the most learned on this subject creates doubts in those who imagine they have some certain knowledge of the subject.

Which fact I have often taken notice of elsewhere, and I did so more especially at the discussion that was held at my friend C. Cotta's, concerning the immortal Gods, and which was carried on with the greatest care, accuracy, and precision:

[1] Cicero was one of the College of Augurs.

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for coming to him at the time of the Latin holidays,[1] according to his own invitation and message from him, I found him sitting in his study,[2] and in a discourse with C. Velleius the senator, who was then reputed by the Epicureans the ablest of our countrymen. Q. Lucilius Balbus was likewise there, a great proficient in the doctrine of the Stoics, and esteemed equal to the most eminent of the Greeks in that part of knowledge. As soon as Cotta saw me, You are come, says he, very seasonably; for I am having a dispute with Velleius on an important subject, which, considering the nature of your studies, is not improper for you to join in.

VII. Indeed, says I, I think I am come very seasonably, as you say; for here are three chiefs of three principal sects met together. If M. Piso[3] was present, no sect of philosophy that is in any esteem, would want an advocate. If Antiochus's book, replies Cotta, which he lately sent to Balbus, says true, you have no occasion to wish for your friend Piso; for Antiochus is of the opinion that the Stoics do not differ from the Peripatetics in fact, though they do in words; and I should be glad to know what you think of that book, Balbus? I? says he. I wonder that Antiochus, a man of the clearest apprehension, should not see what a vast difference there is between the Stoics, who distinguish the honest and the profitable, not only in name but absolutely in kind; and the Peripatetics, who blend the honest with the profitable in such a manner that they differ only in degrees and proportion, and not in kind. This is not a little difference in words, but a great one in things: but of this hereafter. Now, if you think fit, let us return to what we began with.

With all my heart, says Cotta. But that this visitor (looking at me), who is just come in, may not be ignorant of what we are upon, I will inform him that we were discoursing on the nature of the Gods; concerning which, as it is a subject

[1] The Latinæ Feriæ was originally a festival of the Latins, altered by Tarquinius Superbus into a Roman one. It was held in the Alban Mount in honour of Jupiter Latiaris. This holiday lasted six days: it was not held at any fixed time; but the consul was never allowed to take the field till he had held them.—*V.* Smith, Dict. Gr. Rom. Ant. p. 414.

[2] *Exhedra*, the word used by Cicero, means a study, or place where disputes were held.

[3] M. Piso was a Peripatetic. The four great sects were the Stoics, the Peripatetics, the Academics, and the Epicureans.

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that always appeared very obscure to me, I prevailed on Velleius to give us the sentiments of Epicurus. Therefore, continues he, if it is not troublesome, Velleius, repeat what you have already stated to us. I will, says he; though this new comer will be no advocate for me, but for you; for you have both, adds he, with a smile, learned from the same Philo to be certain of nothing.[1] What we have learned from him, replied I, Cotta will discover; but I would not have you think I am come as an assistant to him, but as an auditor, with an impartial and unbiassed mind, and not bound by any obligation to defend any particular principle, whether I like or dislike it.

VIII. After this Velleius, with the confidence peculiar to his sect, dreading nothing so much as to seem to doubt of anything, began as if he had just then descended from the council of the Gods, and Epicurus's intervals of worlds. Do not attend, says he, to these idle and imaginary tales; nor to the operator and builder of the World, the God of Plato's Timæus; nor to the old prophetic dame, the Πρόνοια of the Stoics, which the Latins call Providence; nor to that round, that burning, revolving deity, the World, endowed with sense and understanding; the prodigies and wonders, not of inquisitive philosophers, but of dreamers!

For with what eyes of the mind was your Plato able to see that workhouse of such stupendous toil, in which he makes the world to be modelled and built by God? What materials, what tools, what bars, what machines, what servants, were employed in so vast a work? How could the air, fire, water, and earth, pay obedience and submit to the will of the architect? From whence arose those five forms,[2] of which the rest were composed, so aptly contributing to frame the mind and produce the senses? It is tedious to go through all, as they are of such a sort that they look more like things to be desired than to be discovered.

But, what is most remarkable, he gives us a world, which has been not only created, but, if I may so say, in a manner formed with hands, and yet he says it is eternal. Do you conceive him to have the least skill in natural philosophy

[1] It was a prevailing tenet of the Academics, that there is no certain knowledge.

[2] The five forms of Plato are these, οὐσία, ταὐτὸν, ἕτερον, στάσις, κίνησις.

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who is capable of thinking anything to be everlasting that had a beginning? For what can possibly ever have been put together which cannot be dissolved again? Or what is there that had a beginning which will not have an end? If your Providence, Lucilius, is the same as Plato's God, I ask you, as before, who were the assistants, what were the engines, what was the plan and preparation of the whole work? If it is not the same, then why did she make the world mortal, and not everlasting, like Plato's God?

IX. But I would demand of you both, why these world-builders started up so suddenly, and lay dormant for so many ages? For we are not to conclude, that if there was no world there were therefore no ages. I do not now speak of such ages as are finished by a certain number of days and nights in annual courses; for I acknowledge that those could not be without the revolution of the world; but there was a certain eternity from infinite time, not measured by any circumscription of seasons; but how that was in space we cannot understand, because we cannot possibly have even the slightest idea of time before time was. I desire, therefore, to know, Balbus, why this Providence of yours was idle for such an immense space of time? Did she avoid labour? But that could have no effect on the Deity; nor could there be any labour, since all nature, air, fire, earth, and water, would obey the divine essence. What was it that incited the Deity to act the part of an ædile, to illuminate and decorate the world? If it was in order that God might be the better accommodated in his habitation, then he must have been dwelling an infinite length of time before in darkness as in a dungeon. But do we imagine that he was afterwards delighted with that variety with which we see the heaven and earth adorned? What entertainment could that be to the Deity? If it was any, he would not have been without it so long.

Or were these things made, as you almost assert, by God, for the sake of men? Was it for the wise? If so, then this great design was adopted for the sake of a very small number. Or for the sake of fools? First of all, there was no reason why God should consult the advantage of the wicked; and, further, what could be his object in doing so, since all fools are, without doubt, the most miserable of men, chiefly because they are fools? For what can we pronounce more deplorable

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than folly? Besides, there are many inconveniences in life which the wise can learn to think lightly of, by dwelling rather on the advantages which they receive; but which fools are unable to avoid when they are coming, or to bear when they are come.

X. They who affirm the world to be an animated and intelligent being, have by no means discovered the nature of the mind, nor are able to conceive in what form that essence can exist; but of that I shall speak more hereafter. At present, I must express my surprise at the weakness of those, who endeavour to make it out to be not only animated and immortal, but likewise happy, and round, because Plato says that is the most beautiful form; whereas I think a cylinder, a square, a cone, or a pyramid, more beautiful. But what life do they attribute to that round Deity? Truly it is a being whirled about with a celerity to which nothing can be even conceived by the imagination as equal; nor can I imagine how a settled mind and happy life can consist in such motion, the least degree of which would be troublesome to us. Why therefore should it not be considered troublesome also to the Deity? For the earth itself, as it is part of the world, is part also of the Deity. We see vast tracts of land barren and uninhabitable; some, because they are scorched by the too near approach of the sun; others, because they are bound up with frost and snow, through the great distance which the sun is from them. Therefore, if the world is a Deity, as these are parts of the world, some of the Deity's limbs must be said to be scorched, and some frozen.

These are your doctrines, Lucilius; but what those of others are, I will endeavour to ascertain by tracing them back from the earliest of ancient philosophers. Thales the Milesian, who first inquired after such subjects, asserted water to be the origin of things; and that God was that mind, which formed all things from water. If the Gods can exist without corporeal sense, and if there can be a mind without a body, why did he annex a mind to water?

It was Anaximander's opinion that the Gods were born; that after a great length of time they died; and that they are innumerable worlds. But what conception can we possibly have of a Deity who is not eternal?

Anaximenes, after him, taught that the air is God; and

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that he was generated; and that he is immense, infinite, and always in motion; as if air, which has no form, could possibly be God; for the Deity must necessarily be not only of some form or other, but of the most beautiful form; besides, is not everything that had a beginning, subject to mortality?

XI. Anaxagoras, who received his learning from Anaximenes, was the first who affirmed the system and disposition of all things to be contrived and perfected by the power and reason of an infinite mind; in which infinity he did not perceive that there could be no conjunction of sense and motion, nor any sense, in the least degree, where nature herself could feel no impulse. If he would have this mind to be a sort of animal, then there must be some more internal principle, from whence that animal should receive its appellation. But what can be more internal than the mind? Let it therefore be clothed with an external body. But this is not agreeable to his doctrine; but we are utterly unable to conceive how a pure simple mind can exist without any substance annexed to it.

Alcmæon of Crotona, in attributing a divinity to the sun, the moon, and the rest of the stars, and also to the mind, did not perceive that he was ascribing immortality to mortal beings.

Pythagoras, who supposed the Deity to be one soul, mixing with and pervading all nature, from which our souls are taken, did not consider that the Deity himself must, in consequence of this doctrine, be maimed and torn with the rending every human soul from it; nor that, when the human mind is afflicted, (as is the case in many instances,) that part of the Deity must likewise be afflicted; which cannot be. If the human mind were a Deity, how could it be ignorant of any thing? Besides, how could that Deity, if it is nothing but soul, be mixed with, or infused into, the world?

Then Xenophanes, who said that everything in the world which had any existence, with the addition of intellect, was God, is as liable to exception as the rest, especially in relation to the infinity of it, in which there can be nothing sentient, nothing composite.

Parmenides formed a conceit to himself of something circular like a crown. (He names it Stephane.) It is an orb of constant light and heat around the heavens; this he calls

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God; in which there is no room to imagine any divine form or sense. And he uttered many other absurdities on the same subject; for he ascribed a divinity to war, to discord, to lust, and other passions of the same kind; which are destroyed by disease, or sleep, or oblivion, or age. The same honour he gives to the stars; but I shall forbear making any objections to his system here, having already done it in another place.

XII. Empedocles, who erred in many things, is most grossly mistaken in his notion of the Gods. He lays down four natures[1] as divine, from which he thinks that all things were made. Yet it is evident that they have a beginning, that they decay, and that they are void of all sense.

Protagoras did not seem to have any idea of the real nature of the Gods; for he acknowledged that he was altogether ignorant whether there are or are not any, or what they are.

What shall I say of Democritus, who classes our images of objects, and their orbs, in the number of the Gods; as he does that principle through which those images appear and have their influence? He deifies likewise our knowledge and understanding. Is he not involved in a very great error? And because nothing continues always in the same state, he denies that anything is everlasting; does he not thereby entirely destroy the Deity, and make it impossible to form any opinion of him?

Diogenes of Apollonia looks upon the air to be a Deity. But what sense can the air have? or what divine form can be attributed to it?

It would be tedious to show the uncertainty of Plato's opinion; for, in his Timæus, he denies the propriety of asserting that there is one great father or creator of the world; and, in his book of Laws, he thinks we ought not to make too strict an inquiry into the nature of the Deity. And as for his statement when he asserts that God is a being without any body, what the Greeks call ἀσώματος, it is certainly quite unintelligible, how that theory can possibly be true; for such a God must then necessarily be destitute of sense, prudence, and pleasure; all which things are comprehended in our

[1] The four natures here to be understood, are the four elements, fire, water, air, and earth; which are mentioned as the four principles of Empedocles by Diogenes Laertius.

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notion of the Gods. He likewise asserts in his Timæus, and in his Laws, that the world, the heavens, the stars, the mind, and those Gods which are delivered down to us from our ancestors, constitute the Deity. These opinions, taken separately, are apparently false; and, together, are directly inconsistent with each other.

Xenophon has committed almost the same mistakes, but in fewer words. In those sayings which he has related of Socrates, he introduces him disputing the lawfulness of inquiring into the form of the Deity; and makes him assert the sun and the mind to be Deities: he represents him likewise as affirming the being of one God only; and at another time of many; which are errors of almost the same kind which I before took notice of in Plato.

XIII. Antisthenes, in his book called the Natural Philosopher, says that there are many national, and one natural Deity; but by this saying he destroys the power and nature of the Gods. Speusippus is not much less in the wrong; who, following his uncle Plato, says that a certain incorporeal power governs everything; by which he endeavours to root out of our minds the knowledge of the Gods.

Aristotle, in his third book of Philosophy, confounds many things together, as the rest have done; but he does not differ from his master Plato. At one time he attributes all divinity to the mind, at another he asserts that the world is God. Soon afterwards he makes some other essence preside over the world, and gives it those faculties by which, with certain revolutions, he may govern and preserve the motion of it. Then he asserts the heat of the firmament to be God; not perceiving the firmament to be part of the world, which in another place he had described as God. How can that divine sense of the firmament be preserved in so rapid a motion? And where do the multitude of Gods dwell, if heaven itself is a Deity? But when this philosopher says that God is without a body, he makes him an irrational and insensible being. Besides, how can the world move itself, if it wants a body? Or how, if it is in perpetual self-motion, can it be easy and happy?

Xenocrates, his fellow-pupil, does not appear much wiser on this head; for in his books concerning the nature of the Gods, no divine form is described; but he says the number of

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them is eight. Five are moving planets,[1] the sixth is contained in all the fixed stars; which, dispersed, are so many several members, but, considered together, are one single Deity. The seventh is the sun; and the eighth the moon. But in what sense they can possibly be happy, is not easy to be understood.

From the same school of Plato, Heraclides of Pontus stuffed his books with puerile tales. Sometimes he thinks the world a Deity, at other times the mind. He attributes divinity likewise to the wandering stars. He deprives the Deity of sense, and makes his form mutable; and, in the same book again, he makes Earth and Heaven Deities.

The unsteadiness of Theophrastus is equally intolerable. At one time he attributes a divine prerogative to the mind; at another, to the firmament; at another, to the stars and celestial constellations.

Nor is his disciple Strato, who is called the naturalist, any more worthy to be regarded; for he thinks that the divine power is diffused through nature, which is the cause of birth, increase, and diminution; but that it has no sense nor form.

XIV. Zeno (to come to your sect, Balbus,) thinks the law of nature to be the divinity; and that it has the power to force us to what is right, and to restrain us from what is wrong. How this law can be an animated being I cannot conceive; but that God is so, we would certainly maintain. The same person says, in another place, that the sky is God; but can we possibly conceive that God is a being insensible, deaf to our prayers, our wishes, and our vows, and wholly unconnected with us? In other books he thinks there is a certain rational essence, pervading all nature, indued with divine efficacy. He attributes the same power to the stars, to the years, to the months, and to the seasons. In his interpretation of Hesiod's Theogony,[2] he entirely destroys the established notions of the Gods; for he excludes Jupiter, Juno, and Vesta, and those esteemed divine, from the number of them; but his doctrine is that these are names which by some kind of allusion are given to mute and inanimate beings. The sentiments of his disciple Aristo are not less erroneous. He thought it

[1] These five moving stars are Saturn, Jupiter, Mars, Mercury and Venus. Their revolutions are considered in the next book.

[2] Or, Generation of the Gods.

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impossible to conceive the form of the Deity; and asserts that the Gods are destitute of sense; and he is entirely dubious whether the Deity is an animated being or not.

Cleanthes, who next comes under my notice, a disciple of Zeno at the same time with Aristo, in one place says that the world is God; in another, he attributes divinity to the mind and spirit of universal nature; then he asserts that the most remote, the highest, the all-surrounding, the all-enclosing and embracing heat, which is called the sky, is most certainly the Deity. In the books he wrote against pleasure, in which he seems to be raving, he imagines the Gods to have a certain form and shape; then he ascribes all divinity to the stars; and lastly, he thinks nothing more divine than reason. So that this God, whom we know mentally and in the speculations of our minds, from which traces we receive our impression, has at last actually no visible form at all.

XV. Perseus, another disciple of Zeno, says that they who have made discoveries advantageous to the life of man, should be esteemed as Gods; and the very things, he says, which are healthful and beneficial, have derived their names from those of the Gods; so that he thinks it not sufficient to call them the discoveries of Gods, but he urges that they themselves should be deemed divine. What can be more absurd than to ascribe divine honours to sordid and deformed things; or to place among the Gods men who are dead, and mixed with the dust; to whose memory all the respect that could be paid would be but mourning for their loss?

Chrysippus, who is looked upon as the most subtle interpreter of the dreams of the Stoics, has mustered up a numerous band of unknown Gods; and so unknown, that we are not able to form any idea about them, though our mind seems capable of framing any image to itself in its thoughts. For he says that the divine power is placed in reason, and in the spirit and mind of universal nature; that the world, with an universal effusion of its spirit, is God; that the superior part of that spirit, which is the mind and reason, is the great principle of nature, containing and preserving the chain of all things; that the divinity is the power of fate, and the necessity of future events. He deifies fire also, and what I before called the etherial spirit, and those elements which naturally proceed from it, water, earth, and air. He attributes divinity

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to the sun, moon, stars, and universal space, the grand container of all things; and to those men likewise, who have obtained immortality. He maintains the sky to be what men call Jupiter; the air, which pervades the sea, to be Neptune; and the earth, Ceres. In like manner he goes through the names of the other deities. He says that Jupiter is that immutable and eternal law, which guides and directs us in our manners; and this he calls fatal necessity, the everlasting verity of future events. But none of these are of such a nature as to seem to carry any indication of divine virtue in them. These are the doctrines contained in his first book of the Nature of the Gods. In the second, he endeavours to accommodate the fables of Orpheus, Musæus, Hesiod, and Homer, to what he has advanced in the first; in order that the most ancient poets, who never dreamed of these things, may seem to have been Stoics. Diogenes the Babylonian was a follower of the doctrine of Chrysippus; and in that book which he wrote, entitled, "A Treatise concerning Minerva," he separates the account of Jupiter's bringing forth, and the birth of that virgin, from the fabulous, and reduces it to a natural construction.

XVI. Thus far have I been rather exposing the dreams of dotards, than giving the opinions of philosophers. Not much more absurd than these are the fables of the poets, who owe all their power of doing harm to the sweetness of their language; who have represented the Gods as enraged with anger and inflamed with lust; who have brought before our eyes their wars, battles, combats, wounds; their hatreds, dissensions, discords, births, deaths, complaints, and lamentations; their indulgences in all kinds of intemperance; their adulteries; their chains; their amours with mortals, and mortals begotten by immortals. To these idle and ridiculous flights of the poets, we may add the prodigious stories invented by the Magi, and by the Egyptians also, which were of the same nature, together with the extravagant notions of the multitude at all times, who, from total ignorance of the truth, are always fluctuating in uncertainty.

Now whoever reflects on the rashness and absurdity of these tenets, must inevitably entertain the highest respect and veneration for Epicurus, and perhaps even rank him in the number of those beings who are the subject of this dispute;

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for he alone first founded the idea of the existence of the Gods on the impression which nature herself hath made on the minds of all men. For what nation, what people are there, who have not, without any learning, a natural idea, or pre-notion of a Deity? Epicurus calls this πρόληψις; that is, an antecedent conception of the fact in the mind, without which nothing can be understood, inquired after, or discoursed on; the force and advantage of which reasoning we receive from that celestial volume of Epicurus, concerning the Rule and Judgment of things.

XVII. Here, then, you see the foundation of this question clearly laid; for since it is the constant and universal opinion of mankind, independent of education, custom, or law, that there are Gods; it must necessarily follow that this knowledge is implanted in our minds, or rather innate in us. That opinion respecting which there is a general agreement in universal nature, must infallibly be true; therefore it must be allowed that there are Gods; for in this we have the concurrence, not only of almost all philosophers, but likewise of the ignorant and illiterate. It must be also confessed that the point is established, that we have naturally this idea, as I said before, or pre-notion of the existence of the Gods. As new things require new names, so that pre-notion was called πρόληψις by Epicurus; an appellation never used before. On the same principle of reasoning we think that the Gods are happy and immortal; for that nature, which hath assured us that there are Gods, has likewise imprinted in our minds the knowledge of their immortality and felicity; and if so, what Epicurus hath declared in these words, is true: "That which is eternally happy, cannot be burdened with any labour itself, nor can it impose any labour on another; nor can it be influenced by resentment or favour; because things which are liable to such feelings must be weak and frail." We have said enough to prove that we should worship the Gods with piety, and without superstition, if that were the only question.

For the superior and excellent nature of the Gods requires a pious adoration from men, because it is possessed of immortality and the most exalted felicity; for whatever excels has a right to veneration; and all fear of the power and anger of the Gods should be banished; for we must understand that anger

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and affection are inconsistent with the nature of a happy and immortal being. These apprehensions being removed, no dread of the superior powers remains. To confirm this opinion, our curiosity leads us to inquire into the form, and life, and action of the intellect and spirit of the Deity.

XVIII. With regard to his form, we are directed partly by nature, and partly by reason. All men are told by nature that none but a human form can be ascribed to the Gods; for under what other image did it ever appear to any one either sleeping or waking? and without having recourse to our first notions,[1] reason itself declares the same; for as it is easy to conceive that the most excellent nature, either because of its happiness or immortality, should be the most beautiful, what composition of limbs, what conformation of lineaments, what form, what aspect, can be more beautiful than the human? Your sect, Lucilius, (not like my friend Cotta, who sometimes says one thing and sometimes another) when they represent the divine art and workmanship in the human body, are used to describe how very completely each member is formed, not only for convenience but also for beauty. Therefore if the human form excels that of all other animal beings, as God himself is an animated being, he must surely be of that form which is the most beautiful. Besides, the Gods are granted to be perfectly happy; and nobody can be happy without virtue, nor can virtue exist where reason is not; and reason can reside in none but the human form; the Gods, therefore, must be acknowledged to be of human form; yet that form is not body, but something like body; nor does it contain any blood, but something like blood. Though these distinctions were more acutely devised and more artfully expressed by Epicurus than any common capacity can comprehend; yet, depending on your understanding, I shall be more brief on the subject than otherwise I should be. Epicurus, who not only discovered and understood the occult and almost hidden secrets of nature, but explained them with ease, teaches that the power and nature of the Gods is not to discerned by the senses, but by the mind; nor are they to be considered as bodies of any solidity, or reduceable to number, like those things which, because of their firmness, he calls

[1] The προλήψις of Epicurus, before mentioned, is what he here means.

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Στερέμνια;[1] but as images, perceived by similitude and transition. As infinite kinds of those images result from innumerable individuals, and centre in the Gods, our minds and understanding are directed towards and fixed with the greatest delight on them, in order to comprehend what that happy and eternal essence is.

XIX. Surely the mighty power of the Infinite Being is most worthy our great and earnest contemplation; the nature of which we must necessarily understand to be such that everything in it is made to correspond completely to some other answering part. This is called by Epicurus *ἰσονομία*; that is to say, an equal distribution or even disposition of things. From hence he draws this inference; that, as there is such a vast multitude of mortals, there cannot be a less number of immortals; and if those which perish are innumerable, those which are preserved ought also to be countless. Your sect, Balbus, frequently ask us how the Gods live, and how they pass their time? Their life is the most happy, and the most abounding with all kinds of blessings, which can be conceived. They do nothing. They are embarrassed with no business; nor do they perform any work. They rejoice in the possession of their own wisdom and virtue. They are satisfied that they shall ever enjoy the fulness of eternal pleasures.

XX. Such a Deity may properly be called happy; but yours is a most laborious God. For let us suppose the world a Deity;—what can be a more uneasy state than, without the least cessation, to be whirled about the axle-tree of heaven with a surprising celerity? But nothing can be happy that is not at ease. Or let us suppose a Deity residing in the world, who directs and governs it, who preserves the courses of the stars, the changes of the seasons, and the vicissitudes and orders of things, surveying the earth and the sea, and accommodating them to the advantage and necessities of man. Truly this Deity is embarrassed with a very troublesome and laborious office. We make a happy life to consist in a tranquillity of mind, a perfect freedom from care, and an exemption from all employment. The philosopher, from whom we

[1] *Στερέμνια* is the word which Epicurus used to distinguish betwixt those objects which are perceptible to sense, and those which are imperceptible; as the essence of the Divine Being, and the various operations of the divine power.

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received all our knowledge, has taught us that the world was made by nature; that there was no occasion for a work-house to frame it in; and that, though you deny the possibility of such a work without divine skill, it is so easy to her, that she has made, does make, and will make innumerable worlds. But, because you do not conceive that nature is able to produce such effects without some rational aid, you are forced, like the tragic poets, when you cannot wind up your argument in any other way, to have recourse to a Deity, whose assistance you would not seek, if you could view that vast and unbounded magnitude of regions in all parts; where the mind, extending and spreading itself, travels so far and wide that it can find no end, no extremity to stop at. In this immensity of breadth, length, and height, a most boundless company of innumerable atoms are fluttering about, which, notwithstanding the interposition of a void space, meet and cohere, and continue clinging to one another; and by this union these modifications and forms of things arise, which, in your opinions, could not possibly be made without the help of bellows and anvils. Thus you have imposed on us an eternal master, whom we must dread day and night. For who can be free from fear of a Deity, who foresees, regards, and takes notice of everything; one who thinks all things his own: a curious, ever-busy God?

Hence first arose your Εἱμαρμένη, as you call it, your fatal necessity; so that, whatever happens, you affirm that it flows from an eternal chain and continuance of causes. Of what value is this philosophy, which, like old women and illiterate men, attributes everything to fate? Then follows your μαντικὴ, in Latin called *divinatio*, divination; which, if we would listen to you, would plunge us into such superstition, that we should fall down and worship your inspectors into sacrifices, your augurs, your soothsayers, your prophets, and your fortune-tellers.

Epicurus having freed us from these terrors and restored us to liberty, we have no dread of those beings, whom we have reason to think entirely free from all trouble themselves, and who do not impose any on others. We pay our adoration, indeed, with piety and reverence to that essence, which is above all excellence and perfection. But I fear my zeal for this doctrine has made me too prolix. However, I could not

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easily leave so eminent and important a subject unfinished, though I must confess I should rather endeavour to hear than speak so long.

XXI. Cotta, with his usual courtesy, then began. Velleius, says he, were it not for something which you have advanced, I should have remained silent; for I have often observed, as I did just now upon hearing you, that I cannot so easily conceive why a proposition is true, as why it is false. Should you ask me what I take the nature of the Gods to be, I should perhaps make no answer. But if you should ask whether I think it to be of that nature which you have described, I should answer that I was as far as possible from agreeing with you. However, before I enter on the subject of your discourse and what you have advanced upon it, I will give you my opinion of yourself. Your intimate friend, L. Crassus, has been often heard by me to say, that you were beyond all question superior to all our learned Romans; and that few Epicureans in Greece were to be compared to you. But, as I knew what a wonderful esteem he had for you, I imagined that might make him the more lavish in commendation of you. Now, however, though I do not choose to praise any one when present, yet I must confess that I think you have delivered your thoughts clearly on an obscure and very intricate subject; that you are not only copious in your sentiments, but more elegant in your language than your sect generally are. When I was at Athens, I went often to hear Zeno, by the advice of Philo, who used to call him the chief of the Epicureans; partly, probably, in order to judge more easily how completely those principles could be refuted after I had heard them stated by the most learned of the Epicureans. And indeed he did not speak in any ordinary manner; but, like you, with clearness, gravity, and elegance; yet what frequently gave me great uneasiness when I heard him, as it did while I attended to you, was to see so excellent a genius falling into such frivolous (excuse my freedom) not to say foolish doctrines. However, I shall not at present offer anything better; for, as I said before, we can, in most subjects, especially in physics, sooner discover what is not true, than what is.

XXII. If you should ask me what God is, or what his character and nature are, I should follow the example of Simonides; who, when Hiero the tyrant proposed the same

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question to him, desired a day to consider of it. When he required his answer the next day, Simonides begged two days more; and as he kept constantly desiring double the number which he had required before instead of giving his answer, Hiero, with surprise, asked him his meaning in doing so: "Because," says he, "the longer I meditate on it, the more obscure it appears to me." Simonides, who was not only a delightful poet, but reputed a wise and learned man in other branches of knowledge, found, I suppose, so many acute and refined arguments occurring to him, that he was doubtful which was the truest, and therefore despaired of discovering any truth.

But does your Epicurus (for I had rather contend with him than with you,) say anything that is worthy the name of philosophy, or even of common sense?

In the question, concerning the nature of the Gods, his first inquiry is, whether there are Gods or not. It would be dangerous, I believe, to take the negative side before a public auditory; but it is very safe in a discourse of this kind, and in this company. I, who am a priest, and who think that religions and ceremonies ought sacredly to be maintained, am certainly desirous to have the existence of the Gods, which is the principal point in debate, not only fixed in opinion, but proved to a demonstration; for many notions flow into and disturb the mind, which sometimes seem to convince us that there are none. But see how candidly I will behave to you: as I shall not touch upon those tenets you hold in common with other philosophers, consequently I shall not dispute the existence of the Gods, for that doctrine is agreeable to almost all men, and to myself in particular; but I am still at liberty to find fault with the reasons you give for it, which I think are very insufficient.

XXIII. You have said that the general assent of men of all nations and all degrees, is an argument strong enough to induce us to acknowledge the being of the Gods. This is not only a weak, but a false argument; for, first of all, how do you know the opinions of all nations? I really believe there are many people so savage that they have no thoughts of a Deity. What think you of Diagoras, who was called the atheist; and of Theodorus, after him? Did not they plainly deny the very essence of a Deity? Protagoras, of Abdera,

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whom you just now mentioned, the greatest sophist of his age, was banished by order of the Athenians from their city and territories, and his books were publicly burnt, because these words were in the beginning of his treatise concerning the Gods, "I am unable to arrive at any knowledge whether there are, or are not, any Gods." This treatment of him, I imagine, restrained many from professing their disbelief of a Deity; since the doubt of it only could not escape punishment. What shall we say of the sacrilegious, the impious, and the perjured? If Tubulus Lucius, Lupus, or Carbo the son of Neptune, as Lucilius says, had believed that there were Gods, would either of them have carried his perjuries and impieties to such excess? Your reasoning, therefore, to confirm your assertion is not so conclusive as you think it is. But, as this is the manner in which other philosophers have argued on the same subject, I will take no further notice of it at present; I rather choose to proceed to what is properly your own.

I allow that there are Gods. Instruct me, then, concerning their origin; inform me where they are, what sort of body, what mind they have, and what is their course of life; for these I am desirous of knowing. You attribute the most absolute power and efficacy to atoms. Out of them you pretend that everything is made. But there are no atoms, for there is nothing without body; every place is occupied by body, therefore there can be no such thing as a vacuum, or an atom.

XXIV. I advance these principles of the naturalists, without knowing whether they are true or false; yet they are more like truth than those statements of yours; for they are the absurdities in which Democritus, or before him Leucippus, used to indulge, saying, that there are certain light corpuscles, some smooth, some rough, some round, some square, some crooked and bent as bows; which by a fortuitous concourse made heaven and earth, without the influence of any natural power. This opinion, C. Velleius, you have brought down to these our times; and you would sooner be deprived of the greatest advantages of life than of that authority; for before you were acquainted with those tenets, you thought that you ought to profess yourself an Epicurean; so that it was necessary that you should either embrace these absurdities, or lose the

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philosophical character which you had taken upon you; and what could bribe you to renounce the Epicurean opinion? Nothing, you say, can prevail on you to forsake the truth, and the sure means of a happy life. But is that the truth? for I shall not contest your happy life, which you think the Deity himself does not enjoy unless he languishes in idleness. But where is truth? Is it in your innumerable worlds; some of which are rising, some falling, at every moment of time? Or is it in your atomical corpuscles, which form such excellent works, without the direction of any natural power, or reason? But I was forgetting my liberality, which I had promised to exert in your case, and exceeding the bounds which I at first proposed to myself. Granting, then, everything to be made of atoms, what advantage is that to your argument? For we are searching after the nature of the Gods; and allowing them to be made of atoms, they cannot be eternal; because whatever is made of atoms must have had a beginning; if so, there were no Gods till there was this beginning; and if the Gods have had a beginning they must necessarily have an end; as you have before contended when you were discussing Plato's world. Where, then, is your beatitude and immortality, in which two words you say that God is expressed, the endeavour to prove which reduces you to the greatest perplexities? For you said that God had no body, but something like body; and no blood, but something like blood.

XXV. It is a frequent practice among you, when you assert anything that has no resemblance to truth, and wish to avoid reprehension, to advance something else which is absolutely and utterly impossible, in order that it may seem to your adversaries better to grant that point which has been a matter of doubt, than to keep on pertinaciously contradicting you on every point: like Epicurus, who, when he found that if his atoms were allowed to descend by their own weight, our actions could not be in our own power, because their motions would be certain and necessary, invented an expedient, which escaped Democritus, to avoid necessity. He says, that when the atoms descend by their own weight and gravity, they move a little obliquely. Surely, to make such an assertion as this is what one ought more to be ashamed of than the acknowledging ourselves unable to defend the proposition. His practice is the same against the logicians, who say that in all

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propositions, in which yes or no is required, one of them must be true; he was afraid that if this were granted, then, in such a proposition, as "Epicurus will be alive or dead to-morrow," either one or the other must necessarily be admitted; therefore he absolutely denied the necessity of yes or no.—Can anything show stupidity in a greater degree? Zeno,[1] being pressed by Arcesilas, who pronounced all things to be false which are perceived by the senses, said that some things were false, but not all. Epicurus was afraid that, if any one thing seen should be false, nothing could be true; and therefore he asserted all the senses to be infallible directors of truth. Nothing can be more rash than this; for by endeavouring to repel a light stroke, he receives a heavy blow. On the subject of the nature of the Gods, he falls into the same errors. Whilst he would avoid the concretion of individual bodies, lest death and dissolution should be the consequence, he denies that the Gods have body, but says they have something like body; and says they have no blood, but something like blood.

XXVI. It seems an unaccountable thing how one soothsayer can refrain from laughing when he sees another. It is yet a greater wonder that you can refrain from laughing amongst yourselves. It is no body, but something like body! I could understand this if it was applied to statues made of wax or clay; but in regard to the Deity I am not able to discover what is meant by a quasi body or quasi blood. Nor indeed are you, Velleius, though you will not confess so much. For those precepts are delivered to you as dictates, which Epicurus carelessly blundered out; for he boasted, as we see in his writings, that he had no instructor; which I could easily believe without his public declaration of it, for the same reason that I could believe the master of a very bad edifice, if he were to boast that he had no architect but himself: for there is nothing of the Academy, nothing of the Lyceum, in his doctrine; nothing but puerilities. He might have been a pupil of Xenocrates. Oh, ye immortal Gods, what a teacher was he! And there are those who believe that he actually was his pupil: but he says

[1] Zeno here mentioned is not the same that Cotta spoke of before. This was the founder of the Stoics. The other was an Epicurean philosopher, whom he had heard at Athens.

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otherwise; and I shall give more credit to his word than to another's. He confesses that he was a pupil of a certain disciple of Plato, one Pamphilus, at Samos; for he lived there, when he was young, with his father and his brothers. His father, Neocles, was a farmer in those parts; but as the farm, I suppose, was not sufficient to maintain him, he turned school-master; yet Epicurus treats this Platonic philosopher with wonderful contempt, so fearful was he that it should be thought he had ever had any instruction. But it is well known he had been a pupil of Nausiphanes, the follower of Democritus; and since he could not deny it, he loaded him with insults in abundance. If he never heard a lecture on these Democritean principles, what lectures did he ever hear? What is there in Epicurus's physics that is not taken from Democritus? For though he altered some things, as what I mentioned before of the oblique motions of the atoms, yet most of his doctrines are the same; his atoms—his vacuum—his images—infinity of space—innumerable worlds, their rise and decay—and almost every part of natural learning that he treats of.

Now do you understand what is meant by quasi body and quasi blood? For I not only acknowledge that you are a better judge of it than I am, but I can bear it without envy. If any sentiments, indeed, are communicated without obscurity, what is there that Velleius can understand, and Cotta not? I know what body is, and what blood is; but I cannot possibly find out the meaning of quasi body and quasi blood. Not that you intentionally conceal your principles from me, as Pythagoras did his from those who were not his disciples; or that you are intentionally obscure like Heraclitus. But the truth is, (which I may venture to say in this company,) you do not understand them yourself.

XXVII. This, I perceive is what you contend for, that the Gods have a certain figure that has nothing concrete, nothing solid, nothing of express substance, nothing prominent in it; but that it is pure, smooth, and transparent. Let us suppose the same with the Venus of Cos, which is not a body, but the representation of a body; nor is the red, which is drawn there and mixed with the white, real blood, but a certain resemblance of blood; so in Epicurus's deity there is no real substance, but the resemblance of substance.

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Let me take for granted that which is perfectly unintelligible; then tell me what are the lineaments and figures of these sketched out Deities. Here you have plenty of arguments, by which you would show the Gods to be in human form. The first is, that our minds are so anticipated and prepossessed, that whenever we think of a Deity the human shape occurs to us. The next is, that as the divine nature excels all things, so it ought to be of the most beautiful form, and there is no form more beautiful than the human; and the third is, that reason cannot reside in any other shape.

First, let us consider each argument separately. You seem to me to assume a principle, despotically I may say, that has no manner of probability in it. Who was ever so blind, in contemplating these subjects, as not to see that the Gods were represented in human form, either by the particular advice of wise men, who thought by those means the more easily to turn the minds of the ignorant from a depravity of manners, to the worship of the Gods; or through superstition, which was the cause of their believing that when they were paying adoration to these images they were approaching the Gods themselves. These conceits were not a little improved by the poets, painters, and artificers: for it would not have been very easy to represent the Gods planning and executing any work in another form; and perhaps this opinion arose from the idea which mankind have of their own beauty. But do not you, who are so great an adept in physics, see what a soothing flatterer, what a sort of procuress nature is to herself? Do you think there is any creature on the land or in the sea, that is not highly delighted with its own form? If it were not so, why would not a bull become enamoured of a mare, or a horse of a cow? Do you believe an eagle, a lion, or a dolphin, prefer any shape to their own? If nature, therefore, has instructed us in the same manner, that nothing is more beautiful than man, what wonder is it that we, for that reason, should imagine the Gods are of the human form? Do you suppose, if beasts were endowed with reason, that every one would not give the prize of beauty to his own species?

XXVIII. Yet, by Hercules, (I speak as I think,) though I am fond enough of myself, I dare not say that I excel in beauty that bull which carried Europa. For the question

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here is not concerning our genius and elocution, but our species and figure. If we could make and assume to ourselves any form, would you be unwilling to resemble the sea-triton, as he is painted supported swimming on sea-monsters whose bodies are partly human? Here I touch on a difficult point; for, so great is the force of nature, that there is no man who would not choose to be like a man; nor, indeed, any ant that would not be like an ant. But like what man? For how few can pretend to beauty! When I was at Athens, the whole flock of youths afforded scarcely one. You laugh, I see; but what I tell you is the truth. Nay, to us, who, after the examples of ancient philosophers, delight in boys, defects are often pleasing. Alcæus was charmed with a wart on a boy's knuckle; but a wart is a blemish on the body; yet it seemed a beauty to him. Q. Catulus, my friend and colleague's father, was enamoured with your fellow-citizen Roscius, on whom he wrote these verses:

> "As once I stood to hail the rising day,
> Roscius, appearing on the left I spied:
> Forgive me, Gods, if I presume to say,
> The mortal's beauty with th' immortal vied."

Roscius more beautiful than a God! yet he was then, as he now is, squint-eyed. But what signifies that, if his defects were beauties to Catulus?

XXIX. I return to the Gods. Can we suppose any of them to be squint-eyed, or even to have a cast in the eye? Have they any warts? Are any of them hook-nosed, flap-eared, beetle-browed, or jolt-headed, as some of us are? Or are they free from imperfections? Let us grant you that. Are they all alike in the face? For if they are many, then one must necessarily be more beautiful than another, and then there must be some Deity not absolutely most beautiful. Or if their faces are all alike, there would be an Academy[1] in heaven; for if one God does not differ from another, there is no possibility of knowing or distinguishing them.

What if your assertion, Velleius, proves absolutely false, that no form occurs to us, in our contemplations on the Deity, but the human? Will you, notwithstanding that, persist in the defence of such an absurdity? Supposing that

[1] That is, there would be the same uncertainty in heaven as is among the Academics.

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form occurs to us, as you say it does, and we know Jupiter, Juno, Minerva, Neptune, Vulcan, Apollo, and the other deities, by the countenance which painters and statuaries have given them; and not only by their countenances, but by their decorations, their age, and attire, yet the Egyptians, the Syrians, and almost all barbarous nations,[1] are without such distinctions. You may see a greater regard paid by them to certain beasts, than by us to the most sacred temples and images of the Gods; for many shrines have been rifled, and images of the deities have been carried from their most sacred places by us; but we never heard that an Egyptian offered any violence to a crocodile, an ibis, or a cat. What do you think, then? Do not the Egyptians esteem their sacred bull, their Apis, as a deity? Yes, by Hercules, as certainly as you do our protectress Juno, whom you never behold, even in your dreams, without a goatskin, a spear, a shield, and broad sandals. But the Grecian Juno of Argos, and the Roman Juno, are not represented in this manner; so that the Grecians, the Lanuvinians, and we, ascribe different forms to Juno; and our Capitoline Jupiter is not the same with the Jupiter Ammon of the Africans.

XXX. Therefore, ought not a natural philosopher, that is, an inquirer into the secrets of nature, to be ashamed of seeking a testimony to truth from minds prepossessed by custom. According to the rule you have laid down, it may be said that Jupiter is always bearded, Apollo always beardless; that Minerva has gray, and Neptune azure eyes; and, indeed, we must then honour that Vulcan at Athens, made by Alcamenes, whose lameness through his thin robes appears to be no deformity. Shall we, therefore, receive a lame deity, because we have such an account of him?

Consider, likewise, that the Gods go by what names we give them. Now, in the first place, they have as many names as men have languages; for Vulcan is not called Vulcan in Italy, Africa, or Spain; as you are called Velleius in all countries. Besides, the Gods are innumerable, though the list of their names is of no great length even in the records of our priests. Have they no names? You must necessarily confess, indeed, they have none; for what occasion is there for different names, if their persons are alike?

[1] Those nations which were neither Greek nor Roman.

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How much more laudable would it be, Velleius, to acknowledge that you do not know what you do not know, than to follow a man whom you must despise? Do you think the Deity is like either me or you? You do not really think he is like either of us. What is to be done then? Shall I call the sun, the moon, or the sky a Deity? If so, they are consequently happy. But what pleasures can they enjoy? And they are wise too. But how can wisdom reside in such shapes? These are your own principles. Therefore, if they are not of human form, as I have proved, and if you cannot persuade yourself that they are of any other, why are you cautious of denying absolutely the being of any Gods? You dare not deny it; which is very prudent in you, though here you are not afraid of the people, but of the Gods themselves. I have known Epicureans who reverence[1] even the least images of the Gods, though I perceive it to be the opinion of some that Epicurus, through fear of offending against the Athenian laws, has allowed a Deity in words and destroyed him in fact; so in those his select and short sentences, which are called by you κυρίαι δόξαι,[2] this, I think, is the first; "that being which is happy and immortal, is not burdened with any labour, and does not impose any on any one else."

XXXI. In his statement of this sentence, some think that he avoided speaking clearly on purpose, though it was manifestly without design. But they judge ill of a man who had not the least art. It is doubtful whether he means that there is any being happy and immortal, or that if there is any being happy, he must likewise be immortal. They do not consider that he speaks here, indeed, ambiguously; but in many other places, both he and Metrodorus explain themselves as clearly as you have done. But he believed there are Gods; nor have I ever seen any one who was more exceedingly afraid of what he declared ought to be no objects of fear—namely, death and the Gods; with the apprehensions of which the common rank of people are very little affected; but he says that the minds of all mortals are terrified by them. Many thousands of men commit robberies in the face

[1] *Sigilla numerantes* is the common reading; but P. Manucius proposes *venerantes*, which I choose as the better of the two; and in which sense I have translated it.

[2] Fundamental doctrines.

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of death; others rifle all the temples they can get into: such as these, no doubt, must be greatly terrified, the one by the fears of death, and the others by the fear of the Gods.

But since you dare not (for I am now addressing my discourse to Epicurus himself) absolutely deny the existence of the Gods, what hinders you from ascribing a divine nature to the sun, the world, or some eternal mind? I never, says he, saw wisdom and a rational soul in any but a human form. What! did you ever observe anything like the sun, the moon, or the five moving planets? The sun, terminating his course in two extreme parts of one circle,[1] finishes his annual revolutions. The moon, receiving her light from the sun, completes the same course in the space of a month.[2] The five planets in the same circle, some nearer, others more remote from the earth, begin the same courses together, and finish them in different spaces of time. Did you ever observe anything like this, Epicurus? So that according to you there can be neither sun, moon, nor stars, because nothing can exist but what we have touched or seen.[3] What! have you ever seen the Deity himself? Why else do you believe there is any? If this doctrine prevails, we must reject all that history relates or reason discovers; and the people who inhabit inland countries must not believe there is such a thing as the sea. This is so narrow a way of thinking, that if you had been born in Seriphus, and never had been from out of that island, where you had frequently been in the habit of seeing little hares and foxes, you would not, therefore, believe that there are such beasts as lions and panthers; and if any one should describe an elephant to you, you would think that he designed to laugh at you.

XXXII. You indeed, Velleius, have concluded your argument, not after the manner of your own sect, but of the logicians, to which your people are utter strangers. You have taken it for granted that the Gods are happy. I allow it. You say that without virtue no one can be happy. I willingly concur with you in this also. You likewise say that

[1] That is, the zodiac.

[2] The moon, as well as the sun, is indeed in the zodiac, but she does not measure the same course in a month. She moves in another line of the zodiac nearer the earth.

[3] According to the doctrines of Epicurus, none of these bodies themselves are clearly seen, but *simulacra ex corporibus effluentia*.

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virtue cannot reside where reason is not. That I must necessarily allow. You add, moreover, that reason cannot exist but in a human form. Who, do you think, will admit that? If it were true, what occasion was there to come so gradually to it? And to what purpose? You might have answered at once on your own authority. I perceive your gradations from happiness to virtue, and from virtue to reason; but how do you come from reason to human form? There, indeed, you do not descend by degrees, but precipitately.

Nor can I conceive why Epicurus should rather say the Gods are like men, than that men are like the Gods. You ask what is the difference; for, say you, if this is like that, that is like this. I grant it; but this I assert, that the Gods could not take their form from men; for the Gods always existed, and never had a beginning, if they are to exist eternally; but men had a beginning; therefore that form, of which the immortal Gods are, must have had existence before mankind; consequently the Gods should not be said to be of human form, but our form should be called divine. However, let this be as you will. I now inquire how this extraordinary good fortune came about; for you deny that reason had any share in the formation of things. But still what was this extraordinary fortune? Whence proceeded that happy concourse of atoms, which gave so sudden a rise to men in the form of Gods? Are we to suppose the divine seed fell from heaven upon earth, and that men sprung up in the likeness of their celestial sires? I wish you would assert it; for I should not be unwilling to acknowledge my relation to the Gods. But you say nothing like it; no, our resemblance to the Gods, it seems, was by chance. Must I now seek for arguments to refute this doctrine seriously? I wish I could as easily discover what is true, as I can overthrow what is false.

XXXIII. You have enumerated with so ready a memory, and so copiously, the opinions of philosophers, from Thales the Milesian, concerning the nature of the Gods, that I am surprised to see so much learning in a Roman. But do you think they were all madmen, who thought that a Deity could by some possibility exist without hands and feet. Does not even this consideration have weight with you when you consider what is the use and advantage of limbs in men, and lead you to admit that the Gods have no need of them? what

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necessity can there be of feet, without walking; or of hands, if there is nothing to be grasped? The same may be asked of the other parts of the body, in which nothing is vain, nothing useless, nothing superfluous; therefore we may infer, that no art can imitate the skill of nature. Shall the Deity, then, have a tongue, and not speak; teeth, palate, and jaws, though he will have no use for them. Shall the members, which nature has given to the body for the sake of generation, be useless to the Deity! Nor would the internal parts be less superfluous than the external. What comeliness is there in the heart, the lungs, the liver, and the rest of them, abstracted from their use? I mention these because you place them in the Deity on account of the beauty of the human form.

Depending on these dreams, not only Epicurus, Metrodorus, and Hermachus, declaimed against Pythagoras, Plato, and Empedocles, but that little harlot Leontium presumed to write against Theophrastus; indeed, she had a neat Attic style; but yet, to think of her arguing against Theophrastus! So much did the garden of Epicurus[1] abound with these liberties, and indeed, you are always complaining against them. Zeno wrangled. Why need I mention Albutius? Nothing could be more elegant or humane than Phædrus; yet a sharp expression would disgust the old man. Epicurus treated Aristotle with great contumely. He foully slandered Phædo, the disciple of Socrates. He pelted Timocrates, the brother of his companion Metrodorus, with whole volumes, because he disagreed with him in some trifling point of philosophy. He was ungrateful even to Democritus, whose follower he was; and his master Nausiphanes, from whom he learned nothing, had no better treatment from him.

XXXIV. Zeno gave abusive language not only to those who were then living, as Apollodorus, Syllus, and the rest; but he called Socrates, who was the father of philosophy, the Attic buffoon; using the Latin word *Scurra*. He never called Chrysippus by any name but Chesippus. And you yourself a little before, when you were numbering up a senate, as we may call them, of philosophers, scrupled not to say that the most eminent men talked like foolish visionary dotards. Certainly, therefore, if they have all erred in regard to the nature

[1] Epicurus taught his disciples in a garden.

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of the Gods, it is to be feared there are no such beings. What you deliver on that head are all whimsical notions, and not worthy the consideration even of old women. For you do not seem to be in the least aware what a task you draw on yourselves, if you should prevail on us to grant that the same form is common to Gods and Men. The deity would then require the same trouble in dressing, and the same care of the body that mankind does. He must walk, run, lie down, lean, sit, hold, speak, and discourse. You need not be told the consequence of making the Gods male and female.

Therefore I cannot sufficiently wonder how this chief of yours came to entertain these strange opinions. But you constantly insist on the certainty of this tenet, that the Deity is both happy and immortal. Supposing he is so, would his happiness be less perfect if he had not two feet? Or cannot that blessedness or beatitude, call it which you will (they are both harsh terms, but we must molify them by use), can it not, I say, exist in that sun, or in this world, or in some eternal mind, that has not human shape or limbs? All you say against it is, that you never saw any happiness in the sun or the world. What then? Did you ever see any world but this? No, you will say. Why, therefore, do you presume to assert that there are not only six hundred thousand worlds, but that they are innumerable. Reason tells you so. Will not reason tell you likewise, that as, in our inquiries into the most excellent nature, we find none but the divine nature can be happy and eternal, so the same divine nature surpasses us in excellence of mind; and, as in mind, so in body? Why, therefore, as we are inferior in all other respects, should we be equal in form? For human virtue approaches nearer to the divinity than human form.

XXXV. To return to the subject I was upon; what can be more childish than to assert that there are no such creatures as are generated in the Red Sea or in India? The most curious inquirer cannot arrive at the knowledge of all those creatures, which inhabit the earth, sea, fens, and rivers; and shall we deny the existence of them, because we never saw them? That similitude, which you are so very fond of, is nothing to the purpose. Is not a dog like a wolf? And, as Ennius says,

The monkey, filthiest beast, how like to man!

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Yet they differ in nature. No beast has more sagacity than an elephant; yet where can you find any of a larger size? I am speaking here of beasts. But among men, do we not see a disparity of manners in persons very much alike, and a similitude of manners in persons unlike? If this sort of argument were once to prevail, Velleius, observe what it would lead to. You have laid it down as certain that reason cannot possibly reside in any but the human form. Another may affirm that it can exist in none but a terrestrial being; in none but a being that is born, that grows up, and receives instruction, and that consists of a soul and an infirm and perishable body; in short, in none but a mortal man. But if you decline those opinions, why should a single form disturb you? You perceive that man is possessed of reason and understanding, with all the infirmities which I have mentioned interwoven with his being; abstracted from which, you nevertheless know God, you say, if the lineaments do but remain. This is not talking considerately, but at a venture; for surely you did not think what an incumbrance anything superfluous or useless is, not only in a man, but a tree. How troublesome it is to have a finger too much! And why so? Because neither use nor ornament requires more than five; but your Deity has not only a finger more than he wants, but a head, a neck, shoulders, sides, a paunch, back, hams, hands, feet, thighs, and legs. Are these parts necessary to immortality? Are they conducive to the existence of the Deity? Is the face itself of use? One would rather say so of the brain, the heart, the lights, and the liver; for these are the seats of life. The features of the face contribute nothing to the preservation of it.

XXXVI. You censured those, who, beholding those excellent and stupendous works, the world, and its respective parts; the heaven, the earth, the seas, and the splendour with which they are adorned; who, contemplating the sun, moon, and stars; and who, observing the maturity and changes of the seasons, and vicissitudes of times, inferred from thence that there must be some excellent and eminent essence, that originally made, and still moves, directs, and governs them. Suppose they should mistake in their conjecture, yet I see what they aim at. But what is that great and noble work, which appears to you to be the effect of a divine mind,

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and from which you conclude that there are Gods? "I have," say you, "a certain information of a Deity imprinted in my mind." Of a bearded Jupiter, I suppose, and a helmeted Minerva.

But do you really imagine them to be such? How much better are the notions of the ignorant vulgar, who not only believe the Deities have members like ours, but that they make use of them; and therefore they assign them a bow and arrows, a spear, a shield, a trident, and lightning; and though they do not behold the actions of the Gods, yet they cannot entertain a thought of a Deity doing nothing. The Egyptians (so much ridiculed) held no beasts to be sacred, except on account of some advantage which they had received from them. The Ibis, a very large bird, with strong legs and a horny long beak, destroys a great number of serpents. These birds keep Egypt from pestilential diseases, by killing and devouring the flying serpents, brought from the deserts of Lybia by the south-west wind; which prevents the mischief that may attend their biting while alive, or any infection when dead. I could speak of the advantage of the ichneumon, the crocodile, and the cat; but I am unwilling to be tedious: yet I will conclude with observing that the barbarians paid divine honours to beasts, because of the benefits they received from them; whereas your Gods not only confer no benefit, but are idle, and do no single act of any description whatever.

XXXVII. "They have nothing to do," your teacher says. Epicurus truly, like indolent boys, thinks nothing preferable to idleness; yet those very boys, when they have an holiday, entertain themselves in some sportive exercise. But we are to suppose the Deity in such an inactive state, that if he should move, we may justly fear he would be no longer happy. This doctrine divests the Gods of motion and operation; besides, it encourages men to be lazy, as they are by this taught to believe that the least labour is incompatible even with divine felicity.

But let it be as you would have it, that the Deity is in the form and image of a man. Where is his abode? Where is his habitation? Where is the place where he is to be found? What is his course of life? And what is it that constitutes the happiness which you assert that he enjoys?

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For it seems necessary that a being who is to be happy, must use and enjoy what belongs to him. And with regard to place, even those natures which are inanimate have each their proper stations assigned to them: so that the earth is the lowest; then water is next above the earth; the air is above the water; and fire has the highest situation of all allotted to it. Some creatures inhabit the earth, some the water, and some, of an amphibious nature, live in both. There are some, also, which are thought to be born in fire, and which often appear fluttering in burning furnaces.

In the first place, therefore, I ask you, Where is the habitation of your deity? Secondly, What motive is it that stirs him from his place, supposing he ever moves? And lastly, since it is peculiar to animated beings to have an inclination to something that is agreeable to their several natures, what is it that the Deity affects, and to what purpose does he exert the motion of his mind and reason? In short, how is he happy, how eternal? Whichever of these points you touch upon, I am afraid you will come lamely off. For there is never a proper end to reasoning which proceeds on a false foundation; for you asserted likewise that the form of the Deity is perceptible by the mind, but not by sense; that it is neither solid, nor invariable in number; that it is to be discerned by similitude and transition, and that a constant supply of images is perpetually flowing on from innumerable atoms, on which our minds are intent; so that we from that conclude that divine nature to be happy and everlasting.

XXXVIII. What, in the name of those Deities, concerning whom we are now disputing, is the meaning of all this? For if they exist only in thought, and have no solidity nor substance, what difference can there be between thinking of a Hippocentaur, and thinking of a Deity? Other philosophers call every such conformation of the mind a vain motion; but you term it "the approach and entrance of images into the mind." Thus, when I imagine that I behold T. Gracchus haranguing the people in the capitol, and collecting their suffrages concerning M. Octavius, I call that a vain motion of the mind; but you affirm that the images of Gracchus and Octavius are present, which are only conveyed to my mind when they have arrived at the capitol. The case is the same, you say, in regard to the Deity, with the frequent representation

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of which the mind is so affected, that from thence it may be clearly understood that the Gods[1] are happy and eternal.

Let it be granted that there are images by which the mind is affected, yet it is only a certain form that occurs; and why must that form be pronounced happy, why eternal? But what are those images you talk of, or whence do they proceed? This loose manner of arguing is taken from Democritus; but he is reproved by many people for it; nor can you derive any conclusions from it; the whole system is weak and imperfect. For what can be more improbable than that the images of Homer, Archilochus, Romulus, Numa, Pythagoras, and Plato, should come into my mind; and yet not in the form in which they existed? How therefore can they be those persons? And whose images are they? Aristotle tells us that there never was such a person as Orpheus the poet;[2] and it is said that the verse, called Orphic verse, was the invention of Cercops, a Pythagorean; yet Orpheus, that is to say, the image of him, as you will have it, often runs in my head. What is the reason that I entertain one idea of the figure of the same person, and you another? Why do we image to ourselves such things as never had any existence, and which never can have, such as Scyllas and Chimæras? Why do we frame ideas of men, countries, and cities, which we never saw? How is it that the very first moment that I choose I can form representations of them in my mind? How is it that they come to me, even in my sleep, without being called or sought after?

XXXIX. The whole affair, Velleius, is ridiculous. You do not impose images on our eyes only, but on our minds. Such is the privilege which you have assumed of talking nonsense with impunity. But there is, you say, a transition of images flowing on in great crowds in such a way, that out of many some one at least must be perceived! I should be ashamed of my incapacity to understand this if

[1] By the word *Deus*, as often used by our author, we are to understand all the Gods in that theology then treated of, and not a single personal Deity.

[2] The best commentators on this passage agree, that Cicero does not mean that Aristotle affirmed that there was no such person as Orpheus, but that there was no such poet, and that the verse called Orphic was said to be the invention of another. The passage of Aristotle to which Cicero here alludes, has, as Dr. Davis observes, been long lost.

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you, who assert it, could comprehend it yourselves; for how do you prove that these images are continued in uninterrupted motion? Or, if uninterrupted, still how do you prove them to be eternal? There is a constant supply, you say, of innumerable atoms. But must they, for that reason, be all eternal? To elude this, you have recourse to equilibration, (for so, with your leave, I will call your Ἰσονομία,)[1] and say, that as there is a sort of nature mortal, so there must also be a sort which is immortal; by the same rule, as there are men mortal, there are men immortal; and as some arise from the earth, some must arise from the water also; and as there are causes which destroy, there must likewise be causes which preserve. Be it as you say; but let those causes preserve, which have existence themselves; I cannot conceive these your Gods to have any. But how does all this face of things arise from atomic corpuscles? Were there any such atoms (as there are not), they might perhaps impel one another, and be jumbled together in their motion; but they could never be able to impart form, or figure, or colour, or animation, so that you by no means demonstrate the immortality of your Deity.

XL. Let us now inquire into his happiness. It is certain, that without virtue there can be no happiness; but virtue consists in action: now your Deity does nothing; therefore he is void of virtue, and consequently cannot be happy. What sort of life does he lead? He has a constant supply, you say, of good things without any intermixture of bad. What are those good things? Sensual pleasures, no doubt; for you know no delight of the mind, but what arises from the body, and returns to it. I do not suppose, Velleius, that you are like some of the Epicureans, who are ashamed of those expressions of Epicurus,[2] in which he openly avows that he has no idea of any good separate from wanton and obscene pleasures; which, without a blush, he names distinctly. What food, therefore, what drink, what variety of music or flowers, what kind of pleasures of touch, what odours, will you offer to the Gods to fill them with pleasures? The poets indeed provide them with banquets of nectar and

[1] A just proportion between the different sorts of beings.

[2] Some give *quos non pudeat earum Epicuri vocum;* but the best copies have not *non;* nor would it be consistent with Cotta to say *quos non pudeat,* for he throughout represents Velleius as a perfect Epicurean in every article.

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ambrosia, and a Hebe or a Ganymede to serve up the cup. But what is it, Epicurus, that you do for them? For I do not see from whence your Deity should have those things, nor how he could use them. Therefore the nature of man is better constituted for a happy life, than the nature of the Gods, because men enjoy various kinds of pleasures; but you look on all those pleasures as superficial, which delight the senses only by a titillation, as Epicurus calls it. Where is to be the end of this trifling? Even Philo, who followed the Academy, could not bear to hear the soft and luscious delights of the Epicureans despised; for with his admirable memory he perfectly remembered and used to repeat many sentences of Epicurus in the very words in which they were written. He likewise used to quote many, which were more gross, from Metrodorus, the sage colleague of Epicurus, who blamed his brother Timocrates, because he would not allow that everything which had any reference to a happy life was to be measured by the belly; nor has he said this once only, but often. You grant what I say, I perceive; for you know it to be true. I can produce the books, if you should deny it; but I am not now reproving you for referring all things to the standard of pleasure; that is another question. What I am now showing is, that your Gods are destitute of pleasure; and therefore, according to your own manner of reasoning, they are not happy.

XLI. But they are free from pain. Is that sufficient for beings, who are supposed to enjoy all good things and the most supreme felicity? The Deity, they say, is constantly meditating on his own happiness, for he has no other idea which can possibly occupy his mind. Consider a little; reflect what a figure the Deity would make, if he were to be idly thinking of nothing through all eternity but, "it is very well with me, and I am happy;" nor do I see why this happy Deity should not fear being destroyed, since without any intermission he is driven and agitated by an everlasting incursion of atoms, and since images are constantly flowing off from him. Your Deity therefore is neither happy nor eternal.

Epicurus, it seems, has written books concerning sanctity and piety towards the Gods. But how does he speak on these subjects? You would say that you were listening to Coruncanius or Scævola, the high priests, and not to a man who

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tore up all religion by the roots, and who overthrew the temples and altars of the immortal Gods; not, indeed, with hands, like Xerxes, but with arguments; for, what reason is there for your saying that men ought to worship the Gods, when the Gods not only do not regard men, but are entirely careless of everything, and absolutely do nothing at all?

But they are, you say, of so glorious and excellent a nature, that a wise man is induced by their excellence to adore them. Can there be any glory or excellence in that nature, which only contemplates its own happiness, and neither will do, nor does, nor ever did anything? Besides, what piety is due to a being from whom you receive nothing? Or how can you, or any one else, be indebted to him who bestows no benefits? For piety is only justice towards the Gods; but what right have they to it, when there is no communication whatever between the Gods and men? And sanctity is the knowledge of how we ought to worship them; but I do not understand why they are to be worshipped, if we are neither to receive or expect any good from them.

XLII. And why should we worship them from an admiration only of that nature, in which we can behold nothing excellent? and as for that freedom from superstition, which you are in the habit of boasting of so much, it is easy to be free from that feeling when you have renounced all belief in the power of the Gods. Unless, indeed, you imagine that Diagoras or Theodorus, who absolutely denied the being of the Gods, could possibly be superstitious. I do not suppose that even Protagoras could, who doubted whether there were Gods or not. The opinions of these philosophers are not only destructive of superstition, which arises from a vain fear of the Gods, but of religion also, which consists in a pious adoration of them.

What think you of those, who have asserted that the whole doctrine concerning the immortal Gods was the invention of politicians, whose view was to govern that part of the community by religion, which reason could not influence? Are not their opinions subversive of all religion? Or what religion did Prodicus the Chian leave to men, who held that everything beneficial to human life should be numbered amongst the Gods? Were not they likewise void of religion, who taught that the Deities, at present the object of our prayers

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and adoration, were valiant, illustrious and mighty men, who arose to divinity after death? Euhemerus, whom our Ennius translated, and followed more than other authors, has particularly advanced this doctrine, and treated of the deaths and burials of the Gods; can he then be said to have confirmed religion, or rather to have totally subverted it? I shall say nothing of that sacred and august Eleusina, into whose mysteries the most distant nations were initiated, nor of the solemnities in Samothrace, or in Lemnos, secretly resorted to by night, and surrounded by thick and shady groves; which, if they were properly explained, and reduced to reasonable principles, would rather explain the nature of things, than discover the knowledge of the Gods.

XLIII. Even that great man Democritus, from whose fountains Epicurus watered his little garden, seems to me to be very inferior to his usual acuteness when speaking about the nature of the Gods. For at one time he thinks, that there are images endowed with divinity, inherent in the universality of things; at another, that the principles and minds contained in the universe are Gods; then he attributes divinity to animated images, employing themselves in doing us good or harm; and lastly, he speaks of certain images of such vast extent that they encompass the whole outside of the universe; all which opinions are more worthy of the country[1] of Democritus than of Democritus himself; for who can frame in his mind any ideas of such images? Who can admire them? Who can think they merit a religious adoration?

But Epicurus, when he divests the Gods of the power of doing good, extirpates all religion from the minds of men; for though he says the divine nature is the best and the most excellent of all natures, he will not allow it to be susceptible of any benevolence; by which he destroys the chief and peculiar attribute of the most perfect being; for what is better and more excellent than goodness and beneficence? To refuse your Gods that quality, is to say that no man is any object of their favour, and no Gods either; that they neither love nor esteem any one; in short, that they not only give themselves no trouble about us, but even look on each other with the greatest indifference.

[1] His country was Abdera, the natives of which were remarkable for their stupidity.

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XLIV. How much more reasonable is the doctrine of the Stoics, whom you censure? It is one of their maxims, that the wise are friends to the wise, though unknown to each other; for as nothing is more amiable than virtue, he who possesses it is worthy our love, to whatever country he belongs. But what evils do your principles bring, when you make good actions and benevolence the marks of imbecility? For, not to mention the power and nature of the Gods, you hold that even men, if they had no need of mutual assistance, would be neither courteous nor beneficent. Is there no natural charity in the dispositions of good men? The very name of love, from which friendship is derived, is dear to men;[1] and if friendship is to centre in our own advantage only, without regard to him whom we esteem a friend, it cannot be called friendship, but a sort of traffic for our own profit. Pastures, lands, and herds of cattle, are valued in the same manner on account of the profit we gather from them; but charity and friendship expect no return. How much more reason have we to think that the Gods, who want nothing, should love each other, and employ themselves about us! If it were not so, why should we pray to, or adore them? Why do the priests preside over the altars, and the augurs over the auspices? What have we to ask of the Gods, and why do we prefer our vows to them?

But Epicurus, you say, has written a book concerning sanctity. A trifling performance by a man whose wit is not so remarkable in it, as the unrestrained licence of writing which he has permitted himself; for what sanctity can there be if the Gods take no care of human affairs? Or how can that nature be called animated, which neither regards nor performs anything? Therefore our friend Posidonius has well observed, in his fifth book of the Nature of the Gods, that Epicurus believed there were no Gods, and that what he had said about the immortal Gods was only said from a desire to avoid unpopularity. He could not be so weak as to imagine that the Deity has only the outward features of a simple mortal, without any real solidity; that he has all the members of a man, without the least power to use them; a certain

[1] This passage will not admit of a translation answerable to the sense of the original. Cicero says the word *amicitia* (friendship) is derived from *amor* (love or affection).

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unsubstantial pellucid being, neither favourable nor beneficial to any one, neither regarding nor doing anything: there can be no such being in nature; and as Epicurus said this plainly, he allows the Gods in words, and destroys them in fact; and if the Deity is truly such a being that he shows no favour, no benevolence to mankind, away with him! For why should I entreat him to be propitious? He can be propitious to none, since, as you say, all his favour and benevolence are the effects of imbecility.

BOOK II.

I. When Cotta had thus concluded, Velleius replied, I certainly was inconsiderate to engage in argument with an Academician who is likewise a rhetorician; I should not have feared an Academician without eloquence, nor a rhetorician without that philosophy, however eloquent he might be; for I am never puzzled by an empty flow of words, nor by the most subtle reasonings delivered without any grace of oratory. But you, Cotta, have excelled in both. You only wanted the assembly and the judges. However, enough of this at present. Now let us hear what Lucilius has to say, if it is agreeable to him.

I had much rather, says Balbus, hear Cotta resume his discourse, and demonstrate the true Gods with the same eloquence which he made use of to explode the false; for on such a subject the loose, unsettled doctrine of the Academy does not become a philosopher, a priest, a Cotta, whose opinions should be, like those we hold, firm and certain. Epicurus has been more than sufficiently refuted; but I would willingly hear your own sentiments, Cotta.

Do you forget, replies Cotta, what I at first said, that it is easier for me, especially on this point, to explain what opinions those are which I do not hold, rather than what those are which I do? Nay, even if I did feel some certainty on any particular point, yet, after having been so diffuse myself already, I would prefer now hearing you speak in your turn. I submit, says Balbus, and will be as brief as I possibly can; for as you have confuted the

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errors of Epicurus, my part in the dispute will be the shorter. Our sect divide the whole question concerning the immortal Gods into four parts. First, they prove that there are Gods; secondly, of what character and nature they are; thirdly, that the universe is governed by them; and lastly, that they exercise a superintendence over human affairs. But in this present discussion let us confine ourselves to the first two articles, and defer the third and fourth till another opportunity, as they require more time to discuss. By no means, says Cotta; for we have time enough on our hands, besides that we are now discussing a subject which should be preferred even to serious business.

II. The first point then, says Lucilius, I think needs no discourse to prove it; for what can be so plain and evident, when we behold the heavens, and contemplate the celestial bodies, as the existence of some supreme, divine intelligence, by which all these things are governed? Were it otherwise, Ennius would not, with an universal approbation, have said,

> Look up to the refulgent heaven above,
> Which all men call, unanimously, Jove.

This is Jupiter, the governor of the world, who rules all things with his nod, and is, as the same Ennius adds,

> ——of Gods and men the sire,[1]

an omnipresent and omnipotent God. And if any one doubts this, I really do not understand why the same man may not also doubt whether there is a sun or not. For what can possibly be more evident than this? And if it were not a truth universally impressed on the minds of men, the belief in it would never have been so firm; nor would it have been, as it is, increased by length of years, nor would it have gathered strength and stability through every age. And in truth we see that other opinions, being false and groundless, have already fallen into oblivion by lapse of time. Who now believes in Hippocentaurs and Chimeras? Or what old woman is now to be found so weak and ignorant, as to stand in fear of those infernal monsters which once so terrified mankind? For time destroys the fictions of error

[1] This manner of speaking of Jupiter frequently occurs in Homer,
—— πατὴρ ἀνδρῶν τε θεῶν τε,
and has been used by Virgil and other poets since Ennius.

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and opinion, while it confirms the determinations of nature and of truth. And therefore it is that, both amongst us and amongst other nations, sacred institutions and the divine worship of the Gods have been strengthened and improved from time to time. And this is not to be imputed to chance or folly, but to the frequent appearance of the Gods themselves. In the war with the Latins, when A. Posthumius the dictator attacked Octavius Mamilius the Tusculan at Regillus, Castor and Pollux were seen fighting in our army on horseback; and since that the same offspring of Tyndarus gave notice of the defeat of Perses; for as P. Vatienus, the grandfather of the present young man of that name, was coming in the night to Rome from his government of Reate, two young men on white horses appeared to him, and told him that king[1] Perses was that day taken prisoner. This news he carried to the senate, who immediately threw him into prison for speaking inconsiderately on a state affair; but when it was confirmed by letters from Paullus, he was recompensed by the senate with land and immunities.[2] Nor do we forget when the Locrians defeated the people of Crotone, in a great battle on the banks of the river Sagra, that it was known the same day at the Olympic Games. The voices of the Fauns have been often heard, and Deities have appeared in forms so visible, that they have compelled every one who is not senseless or hardened in impiety to confess the presence of the Gods.

III. What do predictions and foreknowledge of future events indicate, but that such future events are shown, pointed out, portended, and foretold to men? From whence they are called omens, signs, portents, prodigies. But though we should esteem fabulous what is said of Mopsus,[3] Tiresias,[4]

[1] Perses, or Perseus, the last king of Macedonia, was taken by Cnæus Octavius the prætor, and brought as prisoner to Paullus Æmilius, B.C. 167.

[2] An exemption from serving in the wars, and from paying public taxes.

[3] Mopsus. There were two soothsayers of this name: the first was one of the Lapithæ, son of Ampycus and Chloris; called also the son of Apollo and Hienantis; the other a son of Apollo and Manto, who is said to have founded Mallus in Asia Minor, where his oracle existed as late as the time of Strabo.

[4] Tiresias was the great Theban prophet at the time of the war of the Seven against Thebes.

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Amphiaraus,[1] Calchas,[2] and Helenus,[3] (who would not have been delivered down to us as augurs even in fable, if their art had been despised,) may we not be sufficiently apprised of the power of the Gods by domestic examples? Will not the temerity of P. Claudius, in the first Punic war, affect us? who, when the poultry were let out of the coop and would not feed, ordered them to be thrown into the water, and, joking even upon the Gods, said, with a sneer, Let them drink, since they will not eat; which piece of ridicule, being followed by a victory over his fleet, cost him many tears, and brought great calamity on the Roman people. Did not his colleague Junius, in the same war, lose his fleet in a tempest by disregarding the auspices? Claudius therefore was condemned by the people; and Junius killed himself. Cœlius says, that P. Flaminius, from his neglect of religion, fell at Thrasimenus; a loss which the public severely felt. By these instances of calamity we may be assured that Rome owes her grandeur and success to the conduct of those who were tenacious of their religious duties; and if we compare ourselves to our neighbours, we shall find that we are infinitely distinguished above foreign nations by our zeal for religious ceremonies, though in other things we may be only equal to them, and in other respects even inferior to them.

Ought we to contemn Attius Navius's staff, with which he divided the regions of the vine to find his sow?[4] I should despise it, if I were not aware that king Hostilius had carried on most important wars in deference to his auguries; but by

[1] Amphiaraus was king of Argos; (he had been one of the Argonauts also.) He was killed after the war of the Seven against Thebes, which he was compelled to join in by the treachery of his wife Eriphyle, by the earth opening and swallowing him up as he was fleeing from Periclymenus.

[2] Calchas was the prophet of the Grecian army at the siege of Troy.

[3] Helenus was a son of Priam and Hecuba. He is represented as a prophet in the Philoctetes of Sophocles. And in the Æneid he is also represented as king of part of Epirus, and as predicting to Æneas the dangers and fortunes which awaited him.

[4] This short passage would be very obscure to the reader without an explanation from another of Cicero's treatises. The expression here, *ad investigandum suem regiones vineæ terminavit*, which is a metaphor too bold, if it was not a sort of augural language, seems to me to have been the effect of carelessness in our great author; for Navius did not divide the regions, as he calls them, of the vine to find his sow, but to find a grape.

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the negligence of our nobility the discipline of the augury is now omitted, the truth of the auspices despised, and only a mere form observed; so that the most important affairs of the commonwealth, even the wars, on which the public safety depends, are conducted without any auspices; the Peremnia[1] are discussed; no part of the Acumina[2] performed; no select men are called to witness to the military testaments;[3] our generals now begin their wars as soon as they have arranged the Auspicia. The force of religion was so great amongst our ancestors that some of their commanders have, with their faces veiled, and with the solemn formal expressions of religion, sacrificed themselves to the immortal Gods to save their country.[4] I could mention many of the Sibylline prophecies, and many answers of the haruspices, to confirm those things, which ought not to be doubted.

IV. For example; our augurs and the Etrurian haruspices saw the truth of their art established when P. Scipio and C. Figulus were consuls; for as Tiberius Gracchus, who was a second time consul, wished to proceed to a fresh election, the first Rogator,[5] as he was collecting the suffrages, fell down dead on the spot. Gracchus nevertheless went on with the assembly, but perceiving that this accident had a religious influence on the people, he brought the affair before the senate. The senate thought fit to refer it to those who usually took cognizance of such things. The haruspices were called, and declared that the man who had acted as Rogator of the assembly, had no right to do so; to which, as I have

[1] The Peremnia were a sort of auspices performed just before the passing a river.

[2] The Acumina were a military auspices, and were partly performed on the point of a spear, from which they were called Acumina.

[3] Those were called *testamenta in procinctu*, which were made by soldiers just before an engagement, in the presence of men called as witnesses.

[4] This especially refers to the Decii, one of whom devoted himself for his country in the war with the Latins, B.C. 340, and his son imitated the action in the war with the Samnites, B.C. 295. Cicero (Tusc. i. 37) says that his son did the same thing in the war with Pyrrhus, at the battle of Asculum, though in other places (De Off. iii. 4) he speaks of only two Decii as having signalized themselves in this manner.

[5] The Rogator, who collected the votes, and pronounced who was the person chosen. There were two sorts of Rogators; one was the officer here mentioned, and the other was the Rogator, or speaker of the whole assembly.

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heard my father say, he replied with great warmth, Have I no right, who am consul, and augur, and favoured by the Auspicia? And shall you, who are Tuscans and Barbarians, pretend that you have authority over the Roman Auspicia, and a right to give judgment in matters respecting the formality of our assemblies? Therefore, he then commanded them to withdraw; but not long afterwards he wrote from his province[1] to the college of augurs, acknowledging that in reading the books[2] he remembered that he had illegally chosen a place for his tent in the gardens of Scipio, and had afterwards entered the Pomœrium, in order to hold a senate, but that in repassing the same Pomœrium he had forgotten to take the auspices; and that, therefore, the consuls had been created informally. The augurs laid the case before the senate. The senate decreed that they should resign their charge, and so they accordingly abdicated. What greater example need we seek for? The wisest, perhaps the most excellent of men, chose to confess his fault, which he might have concealed, rather than leave the public the least atom of religious guilt; and the consuls chose to quit the highest office in the state, rather than fill it for a moment in defiance of religion. How great is the reputation of the augurs!

And is not the art of the soothsayers divine? And must not every one who sees what innumerable instances of the same kind there are, confess the existence of the Gods? For they who have interpreters, must certainly exist themselves; now, there are interpreters of the Gods; therefore we must allow there are Gods. But it may be said, perhaps, that all predictions are not accomplished. We may as well conclude there is no art of physic, because all sick persons do not recover. The Gods show us signs of future events; if we are occasionally deceived in the results it is not to be imputed to the nature of the Gods, but to the conjectures of men. All nations agree that there are Gods; the opinion is innate, and as it were engraved in the minds of all men. The only point in dispute amongst us is, what they are.

V. Their existence no one denies. Cleanthes, one of our sect, imputes the way in which the idea of the Gods is

[1] Which was Sardinia, as appears from one of Cicero's epistles to his brother Quintus.

[2] Their sacred books of ceremonies.

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implanted in the minds of men, to four causes. The first is that which I just now mentioned, the foreknowledge of future things. The second is, the great advantages which we enjoy from the temperature of the air, the fertility of the earth, and the abundance of various benefits of other kinds. The third cause is deduced from the terror with which the mind is affected by thunder, tempests, storms, snow, hail, devastation, pestilence, earthquakes often attended with hideous noises, showers of stones, and rain like drops of blood; by rocks and sudden openings of the earth; by monstrous births of men and beasts; by meteors in the air, and blazing stars, by the Greeks called *cometæ*, by us *crinitæ*, the appearance of which, in the late Octavian war,[1] were foreboders of great calamities; by two suns, which, as I have heard my father say, happened in the consulate of Tuditanus and Aquillius, and in which year also another sun (P. Africanus) was extinguished. These things terrified mankind, and raised in them a firm belief of the existence of some celestial and divine power.

His fourth cause, and that the strongest, is drawn from the regularity of the motion and revolution of the heavens, the distinctness, variety, beauty, and order of the sun, moon, and all the stars, the appearance only of which is sufficient to convince us they are not the effects of chance; as when we enter into a house, or school, or court, and observe the exact order, discipline, and method of it, we cannot suppose that it is so regulated without a cause, but must conclude that there is some one who commands, and to whom obedience is paid; it is quite impossible for us to avoid thinking that the wonderful motions, revolutions, and order of those many and great bodies, no part of which is impaired by the countless and infinite succession of ages, must be governed and directed by some supreme intelligent being.

VI. Chrysippus, indeed, had a very penetrating genius; yet such is the doctrine which he delivers, that he seems rather to have been instructed by nature, than to owe it to any discovery of his own. "If," says he, "there is anything in the universe which no human reason, ability, or power can make, the being who produced it must certainly be preferable to man; now celestial bodies, and all those things which proceed

[1] The war between Octavius and Cinna, the consuls.

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in any eternal order, cannot be made by man; the being who made them is therefore preferable to man. What then is that being but a God? If there be no such thing as a Deity, what is there better than man, since he only is possessed of reason, the most excellent of all things? But it is a foolish piece of vanity in man to think there is nothing preferable to him; there is therefore something preferable; consequently there is certainly a God."

When you behold a large and beautiful house, surely no one can persuade you it was built for mice and weasels, though you do not see the master; and would it not, therefore, be most manifest folly to imagine that a world so magnificently adorned, with such an immense variety of celestial bodies of such exquisite beauty, and that the vast sizes and magnitude of the sea and land, were intended as the abode of man, and not as the mansion of the immortal Gods? Do we not also plainly see this, that all the most elevated regions are the best, and that the earth is the lowest region, and is surrounded with the grossest air? so that as we perceive that in some cities and countries, the capacities of men are naturally duller from the thickness of the climate, so mankind in general are affected by the heaviness of the air which surrounds the earth, the grossest region of the world.

Yet even from this inferior intelligence of man we may discover the existence of some intelligent agent that is divine, and wiser than ourselves; for, as Socrates says, in Xenophon, from whence had man his portion of understanding? And, indeed, if any one were to push his inquiries about the moisture and heat which is diffused through the human body, and the earthy kind of solidity existing in our entrails, and that soul by which we breathe, and to ask whence we derived them, it would be plain that we have received one thing from the earth, another from liquid, another from fire, and another from that air which we inhale every time that we breathe.

VII. But where did we find that which excels all these things, I mean reason, or (if you please, in other terms) the mind, understanding, thought, prudence? and from whence did we receive it? Shall the world be possessed of every other perfection, and be destitute of this one, which is the most important and valuable of all? But certainly there is nothing

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better, or more excellent, or more beautiful than the world, and not only there is nothing better, but we cannot even conceive anything superior to it; and if reason and wisdom are the greatest of all perfections, they must necessarily be a part of what we all allow to be the most excellent.

Who is not compelled to admit the truth of what I assert by that agreeable, uniform, and continued agreement of things in the universe? Could the earth at one season be adorned with flowers, at another be covered with snow? Or, if such a number of things regulated their own changes, could the approach and retreat of the sun in the summer and winter solstices be so regularly known and calculated? Could the flux and reflux of the sea and the height of the tides be affected by the increase or wane of the moon? Could the different courses of the stars be preserved by the uniform movement of the whole heaven? Could these things subsist, I say, in such a harmony of all the parts of the universe, without the continued influence of a divine spirit?

If these points are handled in a free and copious manner, as I purpose to do, they will be less liable to the cavils of the Academics; but the narrow, confined way in which Zeno reasoned upon them, laid them more open to objection; for as running streams are seldom or never tainted, while standing waters easily grow corrupt, so a fluency of expression washes away the censures of the caviller, while the narrow limits of a discourse which is too concise is almost defenceless; for the arguments which I am enlarging upon are thus briefly laid down by Zeno:—

VIII. "That which reasons, is superior to that which does not; nothing is superior to the world; the world, therefore, reasons." By the same rule the world may be proved to be wise, happy, and eternal; for the possession of all these qualities is superior to the want of them; and nothing is superior to the world; the inevitable consequence of which argument is, that the world therefore is a Deity. He goes on, "No part of anything void of sense is capable of perception; some parts of the world have perception; the world therefore has sense." He proceeds, and pursues the argument closely. "Nothing," says he, "that is destitute itself of life and reason, can generate a being possessed of life and reason; but the world does generate beings possessed of life and

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reason; the world therefore is not itself destitute of life and reason."

He concludes his argument in his usual manner with a simile: "If well-tuned pipes should spring out of the olive, would you have the slightest doubt that there was in the olive-tree itself some kind of skill and knowledge? or if the plane-tree could produce harmonious lutes, surely you would infer on the same principle that music was contained in the plane-tree. Why, then, should we not believe the world is a living and wise being, since it produces living and wise beings out of itself?"

IX. But as I have been insensibly led into a length of discourse beyond my first design, (for I said that as the existence of the Gods was evident to all, there was no need of any long oration to prove it,) I will demonstrate it by reasons deduced from the nature of things. For it is a fact, that all beings which take nourishment and increase, contain in themselves a power of natural heat, without which they could neither be nourished nor increase. For everything which is of a warm and fiery character is agitated and stirred up by its own motion. But that which is nourished and grows is influenced by a certain regular and equable motion. And as long as this motion remains in us, so long does sense and life remain; but the moment that it abates and is extinguished, we ourselves decay and perish.

By arguments like these, Cleanthes shows how great is the power of heat in all bodies. He observes, that there is no food so gross as not to be digested in a night and a day; and that even in the excrementitious parts, which nature rejects, there remains a heat. The veins and arteries seem, by their continual quivering, to resemble the agitation of fire; and it has often been observed when the heart of an animal is just plucked from the body, that it palpitates with such visible motion as to resemble the rapidity of fire. Everything, therefore, that has life, whether it be animal or vegetable, owes that life to the heat inherent in it; it is this nature of heat which contains in itself the vital power which extends throughout the whole world. This will appear more clearly on a more close explanation of this fiery quality, which pervades all things.

Every division, then, of the world, (and I shall touch upon

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the most considerable,) is sustained by heat; and first it may be observed in earthly substances, that fire is produced from stones, by striking or rubbing one against another; that "the warm earth smokes"[1] when just turned up, and that water is drawn warm from well-springs; and this is most especially the case in the winter season, because there is a great quantity of heat contained in the caverns of the earth; and this becomes more dense in the winter, and on that account confines more closely the innate heat which is discoverable in the earth.

X. It would require a long dissertation, and many reasons would require to be adduced, to show that all the seeds which the earth conceives, and all those which it contains having been generated from itself, and fixed in roots and trunks, derive all their origin and increase from the temperature and regulation of heat. And that even every liquor has a mixture of heat in it is plainly demonstrated by the effusion of water; for it would not congeal by cold, nor become solid, as ice or snow, and return again to its natural state, if it were not that, when heat is applied to it, it again becomes liquefied and dissolved, and so diffuses itself. Therefore by northern and other cold winds it is frozen and hardened, and in turn it dissolves and melts again by heat. The seas likewise, we find, when agitated by winds, grow warm, so that from this fact we may understand that there is heat included in that vast body of water; for we cannot imagine it to be external and adventitious heat, but such as is stirred up by agitation from the deep recesses of the seas; and the same thing takes place with respect to our bodies, which grow warm with motion and exercise.

And the very air itself, which indeed is the coldest element, is by no means void of heat; for there is a great quantity, arising from the exhalations of water, which appears to be a sort of steam occasioned by its internal heat, like that of boiling liquors. The fourth part of the universe is entirely fire, and is the source of the salutary and vital heat which is found in the rest. From hence we may conclude, that, as all parts of the world are sustained by heat, the world itself also has such a great length of time subsisted from the same

[1] This, in the original, is a fragment of an old Latin verse,

——— *Terram fumare calentem.*

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cause; and so much the more because we ought to understand that that hot and fiery principle is so diffused over universal nature, that there is contained in it a power and cause of generation and procreation, from which all animate beings and all those creatures of the vegetable world, the roots of which are contained in the earth, must inevitably derive their origin and their increase.

XI. It is nature consequently that continues and preserves the world; and that, too, a nature which is not destitute of sense and reason; for in every essence that is not simple, but composed of several parts, there must be some predominant quality; as for instance, the mind in man, and in beasts something resembling it; from which arise all the appetites and desires for anything. As for trees, and all the vegetable produce of the earth, it is thought to be in their roots. I call that the predominant quality,[1] which the Greeks call ἡγεμονικόν; which must and ought to be the most excellent quality, wherever it is found. That, therefore, in which the prevailing quality of all nature resides, must be the most excellent of all things and most worthy of the power and preeminence over all things.

Now we see that there is nothing in being that is not a part of the universe, and as there are sense and reason in the parts of it, there must therefore be these qualities, and these too in a more energetic and powerful degree, in that part in which the predominant quality of the world is found. The world, therefore, must necessarily be possessed of wisdom; and that element, which embraces all things, must excel in perfection of reason. The world, therefore, is a God, and the whole power of the world is contained in that divine element.

The heat also of the world is more pure, clear, and lively, and consequently better adapted to move the senses, than the heat allotted to us; and it vivifies and preserves all things within the compass of our knowledge.

It is absurd, therefore, to say that the world, which is endued with a perfect, free, pure, spirituous and active heat, is not sensitive, since by this heat men and beasts are preserved, and move, and think; more especially since this heat of the

[1] The Latin word is *principatus*, which exactly corresponds with the Greek word here used by Cicero; by which is to be understood the superior, the most prevailing excellence in every kind and species of things through the universe.

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world is itself the sole principle of agitation, and has no external impulse, but is moved spontaneously; for what can be more powerful than the world, which moves and raises that heat by which it subsists?

XII. For let us listen to Plato, who is regarded as a God amongst philosophers. He says that there are two sorts of motion, one innate and the other external; and that that which is moved spontaneously, is more divine than that which is moved by another power. This self-motion he places in the mind alone, and concludes that the first principle of motion is derived from the mind. Therefore, since all motion arises from the heat of the world, and that heat is not moved by the effect of any external impulse, but of its own accord, it must necessarily be a mind; from whence it follows, that the world is animated.

On such reasoning is founded this opinion, that the world is possessed of understanding, because it certainly has more perfections in itself than any other nature; for as there is no part of our bodies so considerable as the whole of us, so it is clear that there is no particular portion of the universe equal in magnitude to the whole of it; from whence it follows, that wisdom must be an attribute of the world; otherwise, man, who is a part of it, and possessed of reason, would be superior to the entire world.

And thus if we proceed from the first rude unfinished natures, to the most superior and perfect ones, we shall inevitably come at last to the nature of the Gods. For, in the first place, we observe that those vegetables which are produced out of the earth are supported by nature, and she gives them no further supply than is sufficient to preserve them, by nourishing them and making them grow. To beasts she has given sense and motion, and a faculty which directs them to what is wholesome, and prompts them to shun what is noxious to them. On man she has conferred a greater portion of her favour; inasmuch as she has added reason, by which he is enabled to command his passions, to moderate some, and to subdue others.

XIII. In the fourth and highest degree are those beings, which are naturally wise and good, who from the first moment of their existence are possessed of right and consistent reason, which we must consider superior to man and deserving to be

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attributed to a God; that is to say, to the world: in which it is inevitable that that perfect and complete reason should be inherent. Nor is it possible that it should be said with justice, that there is any arrangement of things in which there cannot be something entire and perfect. For as in a vine or in beasts we see that nature, if not prevented by some superior violence, proceeds by her own appropriate path to her destined end; and as in painting, architecture, and the other arts, there is a point of perfection, which is attainable, and occasionally attained; so it is even much more necessary that in universal nature there must be some complete and perfect result arrived at. Many external accidents may happen to all other natures which may impede their progress to perfection, but nothing can hinder universal nature, because she is herself the ruler and governor of all other natures. That therefore must be the fourth and most elevated degree, to which no other power can approach.

But this degree is that on which the nature of all things is placed; and since she is possessed of this, and she presides over all things, and is subject to no possible impediment, the world must necessarily be an intelligent, and even a wise being. But how marvellously great is the ignorance of those men, who dispute the perfection of that nature which encircles all things; or who, allowing it to be infinitely perfect, yet deny it to be in the first place animated, then reasonable, and lastly, prudent and wise! For how without these qualities could it be infinitely perfect? If it were like vegetables, or even like beasts, there would be no more reason for thinking it extremely good than extremely bad; and if it were possessed of reason, and had not wisdom from the beginning, the world would be in a worse condition than man; for man may grow wise, but the world, if it were destitute of wisdom through an infinite space of time past, could never acquire it. Thus it would be worse than man. But as that is absurd to imagine, the world must be esteemed wise from all eternity, and consequently a Deity; since there is nothing existing that is not defective, except the universe, which is well provided and fully complete and perfect in all its numbers and parts.

XIV. For Chrysippus says, very acutely, that as the case is made for the buckler, and the scabbard for the sword, so all things, except the universe, were made for the sake of

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something else. As for instance, all those crops and fruits which the earth produces were made for the sake of animals, and animals for man; as the horse for carrying, the ox for the plough, the dog for hunting and for a guard. But man himself was born to contemplate and imitate the world; being in nowise perfect, but, if I may so express myself, a particle of perfection; but the world, as it comprehends all, and as nothing exists that is not contained in it, is entirely perfect. In what, therefore, can it be defective, since it is perfect? It cannot want understanding and reason, for they are the most desirable of all qualities. The same Chrysippus observes also, by the use of similitudes, that everything in its kind, when arrived at maturity and perfection, is superior to that which is not; as a horse to a colt, a dog to a puppy, and a man to a boy; so whatever is best in the whole universe must exist in some complete and perfect being. But nothing is more perfect than the world, and nothing better than virtue. Virtue, therefore, is an attribute of the world. But human nature is not perfect, and nevertheless virtue is produced in it: with how much greater reason, then, do we conceive it to be inherent in the world? Therefore, the world has virtue, and it is also wise, and consequently a Deity.

XV. The divinity of the world being now clearly perceived, we must acknowledge the same divinity to be likewise in the stars, which are formed from the lightest and purest part of the æther, without a mixture of any other matter; and, being altogether hot and transparent, we may justly say they have life, sense, and understanding. And Cleanthes thinks that it may be established by the evidence of two of our senses, feeling and seeing, that they are entirely fiery bodies; for the heat and brightness of the sun far exceed any other fire, inasmuch as it enlightens the whole universe, covering such a vast extent of space, and its power is such that we perceive that it not only warms, but often even burns: neither of which it could do, if it were not of a fiery quality. Since, then, says he, the sun is a fiery body, and is nourished by the vapours of the ocean, (for no fire can continue without some sustenance,) it must be either like that fire which we use to warm us and dress our food, or like that which is contained in the bodies of animals.

And this fire, which the convenience of life requires, is the

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devourer and consumer of everything, and throws into confusion and destroys whatever it reaches. On the contrary, the corporeal heat is full of life, and salutary; and vivifies, preserves, cherishes, increases, and sustains all things, and is productive of sense; therefore, says he, there can be no doubt which of these fires the sun is like, since it causes all things in their respective kinds to flourish and arrive to maturity; and as the fire of the sun is like that which is contained in the bodies of animated beings, the sun itself must likewise be animated, and so must the other stars also, which arise out of the celestial ardour that we call the sky or firmament.

As, then, some animals are generated in the earth, some in the water, and some in the air, Aristotle[1] thinks it ridiculous to imagine that no animal is formed in that part of the universe which is the most capable to produce them. But the stars are situated in the ethereal space; and as this is an element the most subtle, whose motion is continual, and whose force does not decay, it follows of necessity, that every animated being which is produced in it must be endowed with the quickest sense and the swiftest motion. The stars therefore being there generated, it is a natural inference to suppose them endued with such a degree of sense and understanding as places them in the rank of Gods.

XVI. For it may be observed, that they who inhabit countries of a pure clear air, have a quicker apprehension, and a readier genius, than those who live in a thick foggy climate. It is thought likewise, that the nature of a man's diet has an effect on the mind; therefore it is probable that the stars are possessed of an excellent understanding, inasmuch as they are situated in the ethereal part of the universe, and are nourished by the vapours of the earth and sea, which are purified by their long passage to the heavens. But the invariable order and regular motion of the stars plainly manifest their sense and understanding; for all motion which seems to be conducted with reason and harmony, supposes an intelligent principle, that does not act blindly, or inconsistently, or at random. And this regularity and consistent course of the stars from all eternity indicates not any natural order, for it is pregnant with sound reason, not fortune (for fortune being a friend to change, despises consistency). It follows,

[1] The passage of Aristotle, to which Cicero here refers, is lost.

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therefore, that they move spontaneously by their own sense and divinity.

Aristotle also deserves high commendation for his observation, that everything that moves is either put in motion by natural impulse, or by some external force, or of its own accord. And that the sun, and moon, and all the stars move; but that those things which are moved by natural impulse, are either borne downwards by their weight, or upwards by their lightness; neither of which things could be the case with the stars, because they move in a regular circle and orbit. Nor can it be said, that there is some superior force which causes the stars to be moved in a manner contrary to nature. For what superior force can there be? It follows, therefore, that their motion must be voluntary. And whoever is convinced of this must discover not only great ignorance, but great impiety likewise, if he denies the existence of the Gods; nor is the difference great whether a man denies their existence, or deprives them of all design and action; for whatever is wholly inactive seems to me not to exist at all. Their existence, therefore, appears so plain, that I can scarcely think that man in his senses who denies it.

XVII. It now remains that we consider what is the character of the Gods. Nothing is more difficult than to divert our thoughts and judgment from the information of our corporeal sight, and the view of objects which our eyes are accustomed to: and it is this difficulty which has had such an influence on the unlearned, and on philosophers[1] also who resembled the unlearned multitude, that they have been unable to form any idea of the immortal Gods except under the clothing of the human figure; the weakness of which opinion Cotta has so well confuted, that I need not add my thoughts upon it. But as the previous idea which we have of the Deity comprehends two things,—first of all, that he is an animated being; secondly, that there is nothing in all nature superior to him,—I do not see what can be more consistent with this idea and preconception, than to attribute a mind and divinity to the world,[2] the most excellent of all beings.

[1] He means the Epicureans.

[2] Here the Stoic speaks too plain to be misunderstood. His world, his *mundus*, is the universe, and that universe is his great Deity, *in quo sit totius naturæ principatus*, in which the superior excellence of universal nature consists.

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Epicurus may be as merry with this notion as he pleases; a man not the best qualified for a joker, as not having the wit and sense of his country.[1] Let him say that a voluble round Deity is to him incomprehensible; yet he shall never dissuade me from a principle, which he himself approves; for he is of opinion there are Gods, when he allows that there must be a nature most excellently perfect. But it is certain that the world is most excellently perfect: nor is it to be doubted, that whatever has life, sense, reason, and understanding, must excel that which is destitute of these things. It follows then that the world has life, sense, reason, and understanding, and is consequently a Deity. But this shall soon be made more manifest by the operation of these very things which the world causes.

XVIII. In the meanwhile, Velleius, let me entreat you not to be always saying that we are utterly destitute of every sort of learning. The cone, you say, the cylinder, and the pyramid, are more beautiful to you than the sphere. This is to have different eyes from other men. But suppose they are more beautiful to the sight only, which does not appear to me, for I can see nothing more beautiful than that figure which contains all others, and which has nothing rough in it, nothing offensive, nothing cut into angles, nothing broken, nothing swelling, and nothing hollow; yet as there are two forms most esteemed,[2] the globe in solids, (for so the Greek word σφαῖρα, I think, should be construed,) and the circle, or orb, in planes, (in Greek κύκλος;) and as they only have an exact similitude of parts, in which every extreme is equally distant from the centre, what can we imagine in nature to be more just and proper? But if you have never raked into this learned dust,[3] to find out these things, surely at all events you natural philosophers must know that equality of motion and invariable order could not be preserved in any other figure. Nothing therefore can be more illiterate than to assert, as you are in the habit of doing, that it is doubtful whether the world is round or not, because it may possibly be of another shape, and that there are innumerable worlds of

[1] Athens, the seat of learning and politeness, of which Balbus will not allow Epicurus to be worthy.

[2] This is Pythagoras's doctrine, as appears in Diogenes Laertius.

[3] He here alludes to mathematical and geometrical instruments.

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different forms; which Epicurus, if he ever had learned that two and two are equal to four, would not have said. But while he judges of what is best by his palate, he does not look up to the "palace of heaven," as Ennius calls it.

XIX. For as there are two sorts of stars;[1] one kind of which measure their journey from east to west by immutable stages, never in the least varying from their usual course; while the other completes a double revolution with an equally constant regularity; from each of these facts we demonstrate the volubility of the world (which could not possibly take place in any but a globular form), and the circular orbits of the stars. And first of all the sun, which has the chief rank among all the stars, is moved in such a manner that it fills the whole earth with its light, and illuminates alternately one part of the earth, while it leaves the other in darkness. The shadow of the earth interposing, causes night; and the intervals of night are equal to those of day. And it is the regular approaches and retreats of the sun from which arise the regulated degrees of cold and heat. His annual circuit is in three hundred and sixty-five days, and nearly six hours more.[2] At one time he bends his course to the north, at another to the south, and thus produces summer and winter, with the other two seasons, one of which succeeds the decline of winter, and the other that of summer. And so to these four changes of the seasons we attribute the origin and cause of all the productions both of sea and land.

The moon completes the same course every month, which the sun does in a year. The nearer she approaches to the sun the dimmer light does she yield, and when most remote from

[1] Balbus here speaks of the fixed stars, and of the motions of the orbs of the planets. He here alludes, says M. Bouhier, to the different and diurnal motions of these stars; one sort from east to west, the other from one tropic to the other: and this is the construction which our learned and great geometrician and astronomer Dr. Halley made of this passage.

[2] This mensuration of the year into three hundred and sixty-five days and near six hours (by the odd hours and minutes of which, in every fifth year, the *dies intercalaris*, or leap-year, is made) could not but be known, Dr. Halley states, by Hipparchus, as appears from the remains of that great astronomer of the ancients. We are inclined to think that Julius Cæsar had divided the year, according to what we call the Julian year, before Cicero wrote this book; for we see, in the beginning of it, how pathetically he speaks of Cæsar's usurpation.

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it she shines with the fullest brilliancy; nor are her figure and form only changed in her increase and in her wane, but her situation likewise, which is sometimes in the north and sometimes in the south. By this course she has a sort of summer and winter solstices; and by her influence she contributes to the nourishment and increase of animated beings, and to the ripeness and maturity of all vegetables.

XX. But most worthy our admiration is the motion of those five stars, which are falsely called wandering stars; for they cannot be said to wander, which keep from all eternity their approaches and retreats, and have all the rest of their motions in one regular constant and established order. What is yet more wonderful in these stars which we are speaking of is, that sometimes they appear, and sometimes they disappear; sometimes they advance towards the sun, and sometimes they retreat; sometimes they precede him, and sometimes follow him; sometimes they move faster, sometimes slower, and sometimes they do not stir in the least, but for a while stand still. From these unequal motions of the planets, mathematicians have called that the "great year,"[1] in which the sun, moon, and five wandering stars, having finished their revolutions, are found in their original situation. In how long a time this is effected is much disputed, but it must be a certain and definite period. For the planet Saturn (called by the Greeks Φαίνων), which is farthest from the earth, finishes his course in about thirty years; and in his course there is something very singular; for sometimes he moves before the sun, sometimes he keeps behind it, at one time lying hid in the night, at another again appearing in the morning, and ever performing the same motions in the same space of time, without any alteration, so as to be for infinite ages regular in these courses. Beneath this planet, and nearer the earth, is Jupiter, called Φαέθων; which passes the same orbit of the twelve signs[2] in twelve years, and goes through exactly the same variety in its course that the star of Saturn does. Next to Jupiter is the planet Mars (in Greek Πυρόεις), which finishes its revolution through the same orbit as the two

[1] The words of Censorinus, on this occasion, are to the same effect. The opinions of philosophers concerning this great year are very different; but the institution of it is ascribed to Democritus.

[2] The zodiac.

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previously mentioned,[1] in twenty-four months, wanting six days, as I imagine. Below this is Mercury (called by the Greeks Στιλβων), which performs the same course in little less than a year, and is never further distant from the sun than the space of one sign, whether it precedes or follows it. The lowest of the five planets, and nearest the earth, is that of Venus (called in Greek Φωσφόρος). Before the rising of the sun it is called the morning star, and after the setting, the evening star. It has the same revolution through the zodiac, both as to latitude and longitude, with the other planets, in a year, and never is more than two[2] signs from the sun, whether it precedes or follows it.

XXI. I cannot therefore conceive that this constant course of the planets, this just agreement in such various motions, through all eternity, can be preserved without a mind, reason, and consideration; and since we may perceive these qualities in the stars, we cannot but place them in the rank of Gods. Those which are called the fixed stars, have the same indications of reason and prudence. Their motion is daily, regular, and constant. They do not move with the sky, nor have they an adhesion to the firmament, as they who are ignorant of natural philosophy affirm. For the sky, which is thin, transparent, and suffused with an equal heat, does not seem by its nature to have power to whirl about the stars, or to be proper to contain them. The fixed stars, therefore, have their own sphere, separate and free from any conjunction with the sky. Their perpetual courses, with that admirable and incredible regularity of theirs, so plainly declare a divine power and mind to be in them, that he who cannot perceive that they also are endowed with divine power, must be incapable of all perception whatever.

In the heavens, therefore, there is nothing fortuitous, unadvised, inconstant, or variable; all there is order, truth, reason, and constancy; and all the things which are destitute of these qualities are counterfeit, deceitful, and erroneous,—and have

[1] Though Mars is said to hold his orbit in the zodiac with the rest, and to finish his revolution through the same orbit (that is, the zodiac) with the other two, yet Balbus means in a different line of the zodiac.

[2] According to late observations, it never goes but a sign and a half from the sun.

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their residence about the earth[1] beneath the moon, the lowest of all the planets. He, therefore, who believes that this admirable order and almost incredible regularity of the heavenly bodies, by which the preservation and entire safety of all things is secured, is destitute of intelligence, must be considered to be himself wholly destitute of all intellect whatever.

I think, then, I shall not deceive myself in maintaining this dispute upon the principle of Zeno, who went the farthest in his search after truth.

XXII. Zeno then defines nature to be "an artificial fire, proceeding in a regular way to generation;" for he thinks that to create and beget are especial properties of art, and that whatever may be wrought by the hands of our artificers is much more skilfully performed by nature; that is, by this artificial fire, which is the master of all other arts.

According to this manner of reasoning, every particular nature is artificial, as it operates agreeably to a certain method peculiar to itself; but that universal nature, which embraces all things, is said by Zeno to be not only artificial, but absolutely the artificer, ever thinking and providing all things useful and proper; and as every particular nature owes its rise and increase to its own proper seed, so universal nature has all her motions voluntary, has affections and desires (by the Greeks called ὁρμὰς) productive of actions agreeable to them, like us, who have sense and understanding to direct us. Such then is the intelligence of the universe; for which reason it may be properly termed prudence or providence (in Greek πρόνοια), since her chiefest care and employment is to provide all things fit for its duration; that it may want nothing; and, above all, that it may be adorned with all perfection of beauty and ornament.

XXIII. Thus far have I spoken concerning the universe, and also of the stars; from whence it is apparent that there is almost an infinite number of Gods, always in action, but without labour or fatigue. For they are not composed of veins, nerves, and bones. Their food and drink are not such as cause humours, too gross or too subtle. Nor are their bodies such as to be subject to the fear of falls or blows, or in

[1] These, Dr. Davis says, are "aerial fires;" concerning which he refers to the second book of Pliny.

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danger of diseases from a weariness of limbs. Epicurus, to secure his Gods from such accidents, has made them only outlines of Deities, void of action; but our Gods being of the most beautiful form, and situated in the purest region of the heavens, dispose and rule their course in such a manner, that they seem to contribute to the support and preservation of all things.

Besides these, there are many other natures, which have with reason been deified by the wisest Grecians, and by our ancestors, in consideration of the benefits derived from them; for they were persuaded that whatever was of great utility to human kind, must proceed from divine goodness, and the name of the Deity was applied to that which the Deity produced, as when we call corn Ceres, and wine Bacchus; whence that saying of Terence,[1]

Without Ceres and Bacchus, Venus starves.

And any quality also, in which there was any singular virtue, was nominated a Deity, such as Faith, and Wisdom, which are placed amongst the divinities in the Capitol; the last by Æmilius Scaurus; but Faith was consecrated before by Atilius Calatinus. You see the temple of Virtue and that of Honour repaired by M. Marcellus, erected formerly, in the Ligurian war, by Q. Maximus. Need I mention those dedicated to Help, Safety, Concord, Liberty, and Victory, which have been called Deities, because their efficacy has been so great, that it could not have proceeded from any but from some divine power? In like manner are the names of Cupid, Voluptas, and of Lubentine Venus consecrated, though they were things vicious and not natural, whatever Velleius may think to the contrary, for they frequently stimulate nature in too violent a manner. Everything, then, from which any great utility proceeded, was deified; and indeed the names I have just now mentioned are declaratory of the particular virtue of each Deity.

XXIV. It has been a general custom likewise, that men who have done important service to the public, should be exalted to heaven by fame and universal consent. Thus Hercules, Castor and Pollux, Æsculapius, and Liber, became Gods; (I mean Liber[2] the son of Semele, and not him[3] whom

[1] In the Eunuch of Terence. [2] Bacchus. [3] The son of Ceres.

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our ancestors consecrated in such state and solemnity with Ceres and Libera; the difference in which may be seen in our Mysteries.[1] But because the offsprings of our bodies are called "Liberi" (children), therefore the offsprings of Ceres are called Liber and Libera; (Libera[2] is the feminine, and Liber the masculine;) thus likewise Romulus, or Quirinus, for they are thought to be the same, became a God.

They are justly esteemed as Deities, since their souls subsist and enjoy eternity, from whence they are perfect and *im*mortal beings.

There is another reason, too, and that founded on natural philosophy, which has greatly contributed to the number of Deities, namely, the custom of representing in human form a crowd of Gods who have supplied the poets with fables, and filled mankind with all sorts of superstition. Zeno has treated of this subject, but it has been discussed more at length by Cleanthes and Chrysippus. All Greece was of opinion that Cœlum was castrated by his son Saturn,[3] and that Saturn was chained by his son Jupiter. In these impious fables, a physical and not inelegant meaning is contained; for they would denote that the celestial, most exalted, and ethereal nature, that is, the fiery nature, which produces all things by itself, is destitute of that part of the body which is necessary for the act of generation by conjunction with another.

XXV. By Saturn they mean that which comprehends the course and revolution of times and seasons; the Greek name for which Deity implies as much; for he is called Κρόνος,

[1] The books of Ceremonies.

[2] This Libera is taken for Proserpine, who, with her brother Liber, was consecrated by the Romans; all which are parts of nature in Prosopopœias; Cicero, therefore, makes Balbus distinguish between the person Liber, or Bacchus, and the Liber which is a part of nature in Prosopopœia.

[3] These allegorical fables are largely related by Hesiod in his Theogony.

Horace says exactly the same thing:—

Hâc arte Pollux et vagus Hercules
Enisus arces attigit igneas:
Quos inter Augustus recumbens
Purpureo bibit ore nectar.
Hâc te merentem, Bacche pater, tuæ
Vexere tigres indocili jugum
Collo ferentes: hâc Quirinus
Martis equis Acheronta fugit.—Hor. iii. 3. 9.

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which is the same with Χρόνος, that is, a "space of time." But he is called Saturn, because he is filled (*saturatur*) with years; and he is usually feigned to have devoured his children, because time, ever insatiable, consumes the rolling years; but to restrain him from immoderate haste, Jupiter has confined him to the course of the stars, which are as chains to him. Jupiter (that is, *juvans patĕr*) signifies a "helping father," whom, by changing the cases, we call Jove,[1] *a juvando*. The poets call him "father of Gods and men;"[2] and our ancestors "the most good, the most great;" and as there is something more glorious in itself, and more agreeable to others, to be good, that is beneficent, than to be great, the title of "most good" precedes that of "most great." This, then, is he whom Ennius means in the following passage, before quoted—

> Look up to the refulgent heaven above,
> Which all men call, unanimously, Jove:

which is more plainly expressed than in this other passage[3] of the same poet—

> On whose account I'll curse that flood of light,
> Whate'er it is above that shines so bright.

Our augurs also mean the same, when, for the "thundering and lightning heaven," they say the "thundering and lightning Jove." Euripides, amongst many excellent things, has this—

> The vast, expanded, boundless sky behold,
> See it with soft embrace the earth enfold;
> This own the chief of deities above,
> And this acknowledge by the name of Jove.

XXVI. The air, according to the Stoics, which is between the sea and the heaven, is consecrated by the name of Juno, and is called the sister and wife of Jove, because it resembles the sky, and is in close conjunction with it. They have made it feminine, because there is nothing softer. But I believe it is called Juno, *a juvando*, "from helping."

[1] Cicero means by *conversis casibus*, varying the cases from the common rule of declension; that is, by departing from the true grammatical rules of speech; for if we would keep to it, we should decline the word *Jupiter, Jupiteris* in the second case, &c.

[2] *Pater divûmque hominumque.*

[3] The common reading is, *planiusque alio loco idem;* which, as Dr. Davis observes, is absurd; therefore, in his note, he prefers *planius quam alio loco idem*, from two copies, in which sense I have translated it.

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To make three separate kingdoms, by fable, there remained yet the water and the earth. The dominion of the sea is given, therefore, to Neptune, a brother, as he is called, of Jove; whose name Neptunus, (as *Portunus, a portu*, from a port,) is derived *a nando*, from swimming, the first letters being a little changed. The sovereignty and power over the earth is the portion of a God, to whom we, as well as the Greeks, have given a name that denotes riches, (in Latin *Dis*, in Greek Πλούτων,) because all things arise from the earth, and return to it. He forced away Proserpine (in Greek called Περσεφόνη), by which the poets mean the "seed of corn," from whence comes their fiction of Ceres, the mother of Proserpine, seeking for her daughter, who was hid from her. She is called Ceres, which is the same as Geres, *a gerendis frugibus*,[1] "from bearing fruit," the first letter of the word being altered after the manner of the Greeks, for by them she is called Δημήτηρ, the same as Γημήτηρ.[2] Again, he (*qui magna vorteret*) "who brings about mighty changes," is called Mavors; and Minerva is so called because (*minueret*, or *minaretur*) she diminishes or menaces.

XXVII. And as the beginnings and endings of all things are of the greatest importance, therefore they would have their sacrifices to begin with Janus.[3] His name is derived *ab eundo*, from passing; from whence thorough passages are called *jani;* and the outward doors of common houses are called *januæ*. The name of Vesta is, from the Greeks, the same with their Ἑστία. Her province is over altars and hearths; and in the name of this goddess, who is the keeper of all things within, prayers and sacrifices are concluded. The *Dii Penates*, "household gods," have some affinity with this power, and are so called either from *penus*, "all kind of human provisions," or because *penitus insident*, "they reside within," from which, by the poets, they are called *penetrales* also. Apollo, a Greek name, is called *Sol*, the sun; and Diana, *Luna*, the moon. The sun (*sol*) is so named either because he is *solus*, alone, so eminent above all the stars; or because he obscures all the stars, and appears alone as soon

[1] From the verb *gero*, to bear.

[2] That is, "mother earth."

[3] Janus is said to be the first who erected temples in Italy, and instituted religious rites, and from whom the first month in the Roman calendar is derived.

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as he rises. *Luna*, the moon, is so called *a lucendo*, from shining; she bears the name also of Lucina; and as in Greece the women in labour invoke Diana Lucifera, so here they invoke Juno Lucina. She is likewise called Diana *omnivaga*, not *a venando*, from hunting, but because she is reckoned one of the seven stars that seem to wander.[1] She is called Diana, because she makes a kind of day of the night;[2] and presides over births, because the delivery is effected sometimes in seven, or at most in nine courses of the moon; which, because they make *mensa spatia*, "measured spaces," are called *menses*, months. This occasioned a pleasant observation of Timæus (as he has many). Having said in his history, that "the same night in which Alexander was born, the temple of Diana at Ephesus was burned down," he adds, "it is not in the least to be wondered at, because Diana, being willing to assist at the labour of Olympias,[3] was absent from home." But to this Goddess, because *ad res omnes veniret*, "she has an influence upon all things," we have given the appellation of Venus,[4] from whom the word *venustas*, beauty, is rather derived, than Venus from *venustas*.

XXVIII. Do you not see, therefore, how from the productions of nature, and the useful inventions of men, have arisen fictitious and imaginary Deities; which have been the foundation of false opinions, pernicious errors, and wretched superstitions? For we know how the different forms of the Gods, their ages, apparel, ornaments, their pedigrees, marriages, relations, and everything belonging to them, are adapted to human weakness, and represented with our passions; with lust, sorrow, and anger, according to fabulous history, they have had wars and combats, not only, as Homer relates, when they have interested themselves in two different armies, but when they have fought battles in their own defence against the Titans and giants. These stories, of the greatest weakness

[1] *Stellæ vagantes.*

[2] *Noctu quasi diem efficeret.* Ben Jonson says the same thing,—

Thou that mak'st a day of night,
Goddess excellently bright.—*Ode to the Moon.*

[3] Olympias was the mother of Alexander.

[4] Venus is here said to be one of the names of Diana, because *ad res omnes veniret*; but she is not supposed to be the same as the mother of Cupid.

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and levity, are related and believed with the most implicit folly.

But, rejecting these fables with contempt, a Deity is diffused in every part of nature; in earth under the name of Ceres, in the sea under the name of Neptune, in other parts under other names. Yet whatever they are, and whatever characters and dispositions they have, and whatever name custom has given them, we are bound to worship and adore them. The best, the chastest, the most sacred and pious worship of the Gods, is to reverence them always with a pure, perfect, and unpolluted mind and voice; for our ancestors, as well as the philosophers, have separated superstition from religion. They, who prayed whole days and sacrificed, that their children might survive them, (*ut superstites essent,*) were called superstitious, which word became afterwards more general; but they who diligently perused, and, as we may say, read or practised over again, all the duties relating to the worship of the Gods, were called *religiosi*, religious, from *relegendo*, "reading over again, or practising;" as *elegantes*, elegant, *ex eligendo*, "from choosing, making a good choice;" *diligentes*, diligent, *ex diligendo*, "from attending on what we love;" *intelligentes*, intelligent, from understanding, for the signification is derived in the same manner. Thus are the words superstitious and religious understood; the one being a term of reproach, the other of commendation. I think I have now sufficiently demonstrated that there are Gods, and what they are.

XXIX. I am now to show that the world is governed by the providence of the Gods. This is an important point, which you Academics endeavour to confound; and, indeed, the whole contest is with you, Cotta; for your sect, Velleius, know very little of what is said on different subjects by other schools. You read and have a taste only for your own books, and condemn all others without examination. For instance, when you mentioned yesterday[1] that prophetic old dame Πρόνοια, Providence, invented by the Stoics, you were led into that error by imagining that Providence was made by them to be a particular Deity that governs the whole universe,

[1] Here is a mistake, as Fulvius Ursinus observes; for the discourse seems to be continued in one day, as appears from the beginning of this book. This may be an inadvertency of Cicero.

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whereas it is only spoken in a short manner; as when it is said, "the commonwealth of Athens is governed by the council," it is meant "of the Areopagus;"[1] so when we say "the world is governed by providence," we mean "by the providence of the Gods." To express ourselves, therefore, more fully and clearly, we say, "the world is governed by the providence of the Gods." Be not, therefore, lavish of your railleries, of which your sect has little to spare: if I may advise you, do not attempt it. It does not become you, it is not your talent, nor is it in your power. This is not applied to you in particular, who have the education and politeness of a Roman, but to all your sect in general, and especially to your leader,[2]—a man unpolished, illiterate, insulting, without wit, without reputation, without elegance.

XXX. I assert, then, that the universe, with all its parts, was originally constituted, and has, without any cessation, been ever governed by the providence of the Gods. This argument we Stoics commonly divide into three parts; the first of which is, that the existence of the Gods being once known, it must follow, that the world is governed by their wisdom; the second, that as everything is under the direction of an intelligent nature, which has produced that beautiful order in the world, it is evident that it is formed from animating principles; the third is deduced from those glorious works, which we behold in the heavens and the earth.

First, then, we must either deny the existence of the Gods (as Democritus and Epicurus by their doctrine of images in some sort do), or, if we acknowledge that there are Gods, we must believe they are employed, and that, too, in something excellent. Now nothing is so excellent as the administration of the universe. The universe, therefore, is governed by the wisdom of the Gods. Otherwise, we must imagine that there is some cause superior to the Deity, whether it be a nature inanimate, or a necessity agitated by a mighty force, that produces those beautiful works which we behold. The nature of the Gods would then be neither supreme nor excellent, if you subject it to that necessity or to that nature, by which you would make the heaven, the earth, and the seas to be governed. But there is nothing superior to the Deity; the

[1] The senate of Athens was so called from the words Ἄρειος Πάγος, the Village, some say the Hill of Mars. [2] Epicurus.

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world, therefore, must be governed by him; consequently, the Deity is under no obedience or subjection to nature, but does himself rule over all nature. In effect, if we allow the Gods have understanding, we allow also their providence, which regards the most important things; for, can they be ignorant of those important things, and how they are to be conducted and preserved, or do they want power to sustain and direct them? Ignorance is inconsistent with the nature of the Gods, and imbecility is repugnant to their majesty. From whence it follows, as we assert, that the world is governed by the providence of the Gods.

XXXI. But supposing, which is incontestable, that there are Gods, they must be animated, and not only animated, but endowed with reason, united, as we may say, in a civil agreement and society, and governing together one universe, as a republic or city. Thus the same reason, the same verity, the same law, which ordains good and prohibits evil, exists in the Gods as it does in men. From them, consequently, we have prudence and understanding, for which reason our ancestors erected temples to the Mind, Faith, Virtue, and Concord. Shall we not, then, allow the Gods to have these perfections, since we worship the sacred and august images of them? But if understanding, faith, virtue, and concord reside in human kind, how could they come on earth, unless from heaven? And if we are possessed of wisdom, reason, and prudence, the Gods must have the same qualities in a greater degree; and not only have them, but employ them in the best and greatest works. The universe is the best and greatest work, therefore it must be governed by the wisdom and providence of the Gods.

Lastly, as we have sufficiently shown that those glorious and luminous bodies which we behold are Deities, I mean the sun, the moon, the fixed and wandering stars, the firmament, and the world itself, and those other things also which have any singular virtue, and are of any great utility to human kind, it follows that all things are governed by providence and a divine mind. But enough has been said on the first part.

XXXII. It is now incumbent on me to prove that all things are subjected to nature, and most beautifully directed by her. But, first of all, it is proper to explain precisely

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what that nature is, in order to come to the more easy understanding of what I would demonstrate. Some think that nature is a certain irrational power exciting in bodies the necessary motions. Others, that it is an intelligent power, acting by order and method, designing some end in every cause, and always aiming at that end; whose works express such skill, as no art, no hand can imitate; for, they say, such is the virtue of its seed, that, however small it is, if it falls into a place proper for its reception, and meets with matter conducive to its nourishment and increase, it forms and produces everything in its respective kind; either vegetables, which receive their nourishment from their roots; or animals, endowed with motion, sense, appetite, and abilities to beget their likeness.

Some apply the word nature to everything; as Epicurus does, who acknowledges no cause, but atoms, a vacuum, and their accidents. But when we[1] say that nature forms and governs the world, we do not apply it to a clod of earth, or piece of stone, or anything of that sort, whose parts have not the necessary cohesion,[2] but to a tree, in which there is not the appearance of chance, but of order, and a resemblance of art.

XXXIII. But if the art of nature gives life and increase to vegetables, without doubt it supports the earth itself; for, being impregnated with seeds, she produces every kind of vegetable, and embracing their roots, she nourishes and increases them; while, in her turn, she receives her nourishment from the other elements, and by her exhalations gives proper sustenance to the air, the sky, and all the superior bodies. If nature gives vigour and support to the earth, by the same reason she has an influence over the rest of the world; for, as the earth gives nourishment to vegetables, so the air is the preservation of animals. The air sees with us, hears with us, and utters sounds with us; without it, there

[1] The Stoics.

[2] By *nulla cohærendi natura*, if it is the right, as it is the common reading, Cicero must mean the same as by *nulla crescendi natura*, or *coalescendi*, either of which Lambinus proposes; for, as the same learned critic well observes, is there not a cohesion of parts in a clod, or in a piece of stone? Our learned Walker proposes *sola cohærendi natura*, which mends the sense very much; and I wish he had the authority of any copy for it.

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would be no seeing, hearing, or sounding. It even moves with us; for wherever we go, whatever motion we make, it seems to retire and give place to us.

That which inclines to the centre, that which rises from it to the surface, and that which rolls about the centre, constitute the universal world, and make one entire nature; and as there are four sorts of bodies, the continuance of nature is caused by their reciprocal changes; for the water arises from the earth, the air from the water, and the fire from the air; and reversing this order, the air arises from fire, the water from the air, and from the water the earth, the lowest of the four elements, of which all beings are formed. Thus by their continual motions backwards and forwards, upwards and downwards, the conjunction of the several parts of the universe is preserved; an union which, in the beauty we now behold it, must be eternal, or at least of a very long duration, and almost for an infinite space of time; and, whichever it is, the universe must of consequence be governed by nature. For what art of navigating fleets, or of marshalling an army, and, to instance the produce of nature, what vine, what tree, what animated form and conformation of their members, give us so great an indication of skill as appears in the universe? Therefore we must either deny that there is the least trace of an intelligent nature, or acknowledge that the world is governed by it. But since the universe contains all particular beings, as well as their seeds, can we say that it is not itself governed by nature? That would be the same as saying that the teeth and the beard of man are the work of nature, but that the man himself is not. Thus the effect would be understood to be greater than the cause.

XXXIV. Now the universe sows, as I may say, plants, produces, raises, nourishes, and preserves, what nature administers, as members and parts of itself. If nature therefore governs them, she must also govern the universe. And lastly, in nature's administration there is nothing faulty. She produced the best possible effect out of those elements which existed. Let any one show how it could have been better. But that can never be; and whoever attempts to mend it, will either make it worse, or aim at impossibilities.

But if all the parts of the universe are so constituted that nothing could be better for use or beauty, let us consider

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whether this is the effect of chance, or whether, in such a state, they could possibly cohere, but by the direction of wisdom and divine providence. Nature therefore cannot be void of reason, if art can bring nothing to perfection without it, and if the works of nature exceed those of art. How is it consistent with common sense, that when you view an image or a picture, you imagine it is wrought by art; when you behold afar off a ship under sail, you judge it is steered by reason and art; when you see a dial or water-clock,[1] you believe the hours are shown by art, and not by chance; and yet that you should imagine that the universe, which contains all arts and the artificers, can be void of reason and understanding?

But if that sphere, which was lately made by our friend Posidonius, the regular revolutions of which show the course of the sun, moon, and five wandering stars, as it is every day and night performed, were carried into Scythia or Britain, who, in those barbarous countries, would doubt that that sphere had been made so perfect by the exertion of reason?

XXXV. Yet these people[2] doubt whether the universe, from whence all things arise and are made, is not the effect of chance, or some necessity, rather than the work of reason and a divine mind. According to them, Archimedes shows more knowledge in representing the motions of the celestial globe than nature does in causing them, though the copy is so infinitely beneath the original. The shepherd in Attius,[3] who had never seen a ship, when he perceived from a mountain afar off the divine vessel of the Argonauts, surprised and frighted at this new object, expressed himself in this manner:—

> What horrid bulk is that before my eyes,
> Which o'er the deep with noise and vigour flies:
> It turns the whirlpools up, its force so strong,
> And drives the billows as it rolls along.
> The ocean's violence it fiercely braves;
> Runs furious on, and throws about the waves.
> Swiftly impetuous in its course, and loud,
> Like the dire bursting of a show'ry cloud;

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[1] Nasica Scipio, the censor, is said to have been the first who made a water-clock in Rome.

[2] The Epicureans.

[3] An old Latin poet, commended by Quintilian for the gravity of his sense, and his loftiness of style.

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Or, like a rock, forced by the winds and rain,
Now whirl'd aloft, then plunged into the main.
But hold, perhaps the Earth and Neptune jar,
And fiercely wage an elemental war;
Or Triton with his trident has o'erthrown
His den, and loosen'd from the roots the stone;
The rocky fragment, from the bottom torn,
Is lifted up, and on the surface borne.

At first, he is in suspense at the sight of this unknown object; but on seeing the young mariners, and hearing their singing, he says,

Like sportive dolphins, with their snouts they roar;[1]

and afterwards goes on—

Loud in my ears methinks their voices ring,
As if I heard the god Sylvanus sing.

As at first view the shepherd thinks he sees something inanimate and insensible, but afterwards, judging by more trustworthy indications, he begins to figure to himself what it is; so philosophers, if they are surprised at first at the sight of the universe, ought, when they have considered the regular, uniform, and immutable motions of it, to conceive that there is some Being, that is not only an inhabitant of this celestial and divine mansion, but a ruler and a governor, as architect of this mighty fabric.

XXXVI. Now, in my opinion, they[2] do not seem to have even the least suspicion that the heavens and earth afford anything marvellous. For in the first place, the earth is situated in the middle part of the universe, and is surrounded on all sides by the air, which we breathe, and which is called "aer,"[3] which indeed is a Greek word, but by constant use it is well understood by our countrymen, for indeed it is employed as a Latin word. The air is encompassed by the boundless æther (sky), which consists of the fires above. This word we borrow also, for we use *æther* in Latin as well as *aer*; though Pacuvius thus expresses it,—

——— This, of which I speak,
In Latin 's *cœlum*, *æther* call'd in Greek.

[1] The shepherd is here supposed to take the stem or beak of the ship for the mouth, from which the roaring voices of the sailors came. *Rostrum* is here a lucky word to put in the mouth of one who never saw a ship before, as it is used for the beak of a bird, the snout of a beast or fish, and for the stem of a ship.

[2] The Epicureans.

[3] Greek, ἀήρ, Latin, *aer*.

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As though he were not a Greek into whose mouth he puts this sentence; but he is speaking in Latin, though we listen as if he were speaking Greek; for, as he says elsewhere,—

His speech discovers him a Grecian born.

But to return to more important matters. In the sky innumerable fiery stars exist, of which the sun is the chief, enlightening all with his refulgent splendour, and being by many degrees larger than the whole earth; and this multitude of vast fires are so far from hurting the earth, and things terrestrial, that they are of benefit to them; whereas, if they were moved from their stations, we should inevitably be burnt, through the want of a proper moderation and temperature of heat.

XXXVII. Is it possible for any man to behold these things, and yet imagine that certain solid and individual bodies move by their natural force and gravitation, and that a world so beautifully adorned was made by their fortuitous concourse? He who believes this, may as well believe, that if a great quantity of the one-and-twenty letters, composed either of gold, or any other matter, were thrown upon the ground, they would fall into such order as legibly to form the Annals of Ennius. I doubt whether fortune could make a single verse of them. How therefore can these people assert that the world was made by the fortuitous concourse of atoms, which have no colour, no quality, which the Greeks call ποιότης, no sense? or that there are innumerable worlds, some rising and some perishing, in every moment of time? But if a concourse of atoms can make a world, why not a porch, a temple, a house, a city, which are works of less labour and difficulty?

Certainly those men talk so idly and inconsiderately concerning this lower world, that they appear to me never to have contemplated the wonderful magnificence of the heavens; which is the next topic for our consideration.

Well, then, did Aristotle[1] observe: "If there were men whose habitations had been always under ground, in great and commodious houses, adorned with statues and pictures, furnished with everything which they who are reputed happy abound with; and if, without stirring from thence,

[1] The treatise of Aristotle, from whence this is taken, is lost.

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they should be informed of a certain divine power and majesty, and, after some time, the earth should open, and they should quit their dark abode to come to us; where they should immediately behold the earth, the seas, the heavens; should consider the vast extent of the clouds and force of the winds; should see the sun, and observe his grandeur and beauty, and also his generative power, inasmuch as day is occasioned by the diffusion of his light through the sky; and when night has obscured the earth, they should contemplate the heavens bespangled and adorned with stars; the surprising variety of the moon, in her increase and wane; the rising and setting of all the stars, and the inviolable regularity of their courses; when," says he, "they should see these things, they would undoubtedly conclude that there are Gods, and that these are their mighty works."

XXXVIII. Thus far Aristotle. Let us imagine also as great darkness as was formerly occasioned by the irruption of the fires of Mount Ætna, which are said to have obscured the adjacent countries for two days to such a degree that no man could recognise his fellow; but on the third, when the sun appeared, they seemed to be risen from the dead. Now, if we should be suddenly brought from a state of eternal darkness to see the light, how beautiful would the heavens seem! But our minds have become used to it from the daily practice and habituation of our eyes, nor do we take the trouble to search into the principles of what is always in view; as if the novelty, rather than the importance of things, ought to excite us to investigate their causes.

Is he worthy to be called a man, who attributes to chance, not to an intelligent cause, the constant motion of the heavens, the regular courses of the stars, the agreeable proportion and connexion of all things, conducted with so much reason, that our intellect itself is unable to estimate it rightly? When we see machines move artificially, as a sphere, a clock, or the like, do we doubt whether they are the productions of reason? And when we behold the heavens moving with a prodigious celerity, and causing an annual succession of the different seasons of the year, which vivify and preserve all things, can we doubt that this world is directed, I will not say only by reason, but by reason most excellent and divine? For without troubling ourselves with too refined a subtlety

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of discussion, we may use our eyes to contemplate the beauty of those things, which we assert have been arranged by divine providence.

XXXIX. First, let us examine the earth, whose situation is in the middle of the universe,[1] solid, round, and conglobular by its natural tendency; clothed with flowers, herbs, trees, and fruits; the whole in multitudes incredible, and with a variety suitable to every taste: Let us consider the ever cool and running springs, the clear waters of the rivers, the verdure of their banks, the hollow depths of caves, the cragginess of rocks, the heights of impending mountains, and the boundless extent of plains, the hidden veins of gold and silver, and the infinite quarries of marble.

What and how various are the kinds of animals, tame or wild? The flights and notes of birds? How do the beasts live in the fields, and in the forests? What shall I say of men, who being appointed, as we may say, to cultivate the earth, do not suffer its fertility to be choked with weeds, nor the ferocity of beasts to make it desolate; who, by the houses and cities which they build, adorn the fields, the isles, and the shores? If we could view these objects with the naked eye, as we can by the contemplation of the mind, nobody, at such a sight, would doubt there was a divine intelligence.

But how beautiful is the sea! How pleasant to see the extent of it! What a multitude and variety of islands! How delightful are the coasts! What numbers and what diversity of inhabitants does it contain; some within the bosom of it, some floating on the surface, and others by their shells cleaving to the rocks! While the sea itself, approaching to the land, sports so closely to its shores, that those two elements appear to be but one.

Next above the sea is the air, diversified by day and night; when rarified, it possesses the higher region; when condensed, it turns into clouds, and with the waters which it gathers enriches the earth by the rain. Its agitation produces the winds. It causes heat and cold according to the different seasons. It sustains birds in their flight; and, being inhaled, nourishes and preserves all animated beings.

[1] To the universe the Stoics certainly annexed the idea of a limited space, otherwise they could not have talked of a middle: for there can be no middle but of a limited space; infinite space can have no middle, there being infinite extension from every part.

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XL. Add to these, which alone remaineth to be mentioned, the firmament of heaven; a region the farthest from our abodes, which surrounds and contains all things. It is likewise called æther or sky, the extreme bounds and limits of the universe, in which the stars perform their appointed courses in a most wonderful manner. Amongst which, the sun, whose magnitude far surpasses the earth, makes his revolution round *it*; and by his rising and setting, causes day and night; sometimes coming near towards the earth, and sometimes going from it, he every year makes two contrary reversions[1] from the extreme point of its course. In his retreat the earth seems locked up in sadness; in his return it appears exhilarated with the heavens. The moon, which, as mathematicians demonstrate is bigger than half the earth, makes her revolutions through the same spaces[2] as the sun, but at one time approaching and at another receding from the sun, she diffuses the light which she has borrowed from him over the whole earth, and has herself also many various changes in her appearance. When she is found under the sun, and opposite to it, the brightness of her rays is lost; but when the earth directly interposes between the moon and sun, the moon is totally eclipsed. The other wandering stars have their courses round the earth in the same spaces,[3] and rise and set in the same manner; their motions are sometimes quick, sometimes slow, and often they stand still. There is nothing more wonderful, nothing more beautiful. There is a vast number of fixed stars, distinguished by the names of certain figures, to which we find they have some resemblance.

XLI. I will here, says Balbus, looking at me, make use of the verses, which, when you were young, you translated from Aratus,[4] and which, because they are in Latin, gave me so

[1] These two contrary reversions are from the tropics of Cancer and Capricorn. They are the extreme bounds of the sun's course. The reader must observe, that the astronomical parts of this book are introduced by the Stoic as proofs of design and reason in the universe; and notwithstanding the errors in his planetary system, his intent is well answered, because all he means is, that the regular motions of the heavenly bodies, and their dependencies, are demonstrations of a divine mind. The inference proposed to be drawn from his astronomical observations is as just as if his system was in every part unexceptionably right; the same may be said of his anatomical observations.

[2] In the zodiac. [3] Ibid.

[4] These verses of Cicero are a translation from a Greek poem of Aratus, called the *Phænomena*.

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much delight that I have many of them still in my memory. As then we daily see, without any change or variation—

the rest[1]
Swiftly pursue the course to which they're bound;
And with the heavens the days and nights go round;

the contemplation of which, to a mind desirous of observing the constancy of nature, is inexhaustible.

The extreme top of either point is call'd
The pole.[2]

About this the two Ἄρκτοι are turned, which never set;—

Of these, the Greeks one Cynosura call,
The other Helice.[3]

The brightest stars[4] indeed of Helice are discernible all night—

Which are by us Septentriones call'd.

Cynosura moves about the same pole, with a like number of stars, and ranged in the same order:—

This[5] the Phœnicians choose to make their guide,
When on the ocean in the night they ride.
Adorned with stars of more refulgent light,
The other[6] shines, and first appears at night.
Though this is small, sailors its use have found;
More inward is its course, and short its round.

XLII. The aspect of those stars is the more admirable because—

The Dragon grim betwixt them bends his way,
As through the winding banks the currents stray,
And up and down in sinuous bending rolls.[7]

His whole form is excellent; but the shape of his head and the ardour of his eyes are most remarkable.

[1] The fixed stars. [2] The arctic and antarctic poles.

[3] The two Arctoi are northern constellations. Cynosura is what we call the Lesser Bear; Helice the Greater Bear; in Latin *Ursa Minor* and *Ursa Major*.

[4] These stars in the Greater Bear are vulgarly called the "seven stars," or the "northern wain;" by the Latins "Septentriones."

[5] The Lesser Bear. [6] The Greater Bear.

[7] Exactly agreeable to this, and the following description of the Dragon, is the same northern constellation described in the map, by Flamsteed in his "Atlas Cœlestis;" and all the figures here described by Aratus nearly agree with the maps of the same constellations in the "Atlas Cœlestis," though they are not all placed precisely alike.

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Various the stars which deck his glittering head;
His temples are with double glory spread;
From his fierce eyes two fervid lights afar
Flash, and his chin shines with one radiant star;
Bow'd is his head; and his round neck he bends,
And to the tail of Helice[1] extends.

The rest of the Dragon's body we see[2] at every hour in the night.

Here[3] suddenly the head a little hides
Itself, where all its parts, which are in sight,
And those unseen in the same place unite.

Near to this head—

Is placed the figure of a man that moves
Weary and sad,

which the Greeks—

Engonasis do call, because he 's borne[4]
About with bended knee. Near him is placed
The crown with a refulgent lustre graced.

This indeed is at his back; but Anguitenens, the Snake-holder, is near his head;[5]—

The Greeks him Ophiuchus call, renown'd
The name. He strongly grasps the serpent round,
With both his hands; himself the serpent folds
Beneath his breast, and round his middle holds;
Yet gravely he, bright shinging in the skies,
Moves on, and treads on Nepa's[6] breast and eyes.

The Septentriones[7] are followed by—

Arctophylax,[8] that 's said to be the same
Which we Boötes call, who has the name,

---

[1] The tail of the Greater Bear.

[2] That is, in Macedon, where Aratus lived.

[3] The true interpretation of this passage is as follows. Here in Macedon, says Aratus, the head of the Dragon does not entirely immerge itself in the ocean, but only touches the superficies of it. By *ortus* and *obitus* I doubt not but Cicero meant, agreeable to Aratus, those parts which arise to view, and those which are removed from sight.

[4] These are two northern constellations. Engonasis, (in some catalogues called Hercules,) because he is figured kneeling ἐν γόνασιν, on his knees; Ἐνγόνασιν καλέουσ', as Aratus says, they call Engonasis.

[5] The crown is placed under the feet of Hercules in the "Atlas Cœlestis;" but Ophiuchus, (Ὀφιοῦχος) the Snake-holder, is placed in the map by Flamsteed as described here by Aratus; and their heads almost meet.

[6] The Scorpion. Ophiuchus, though a northern constellation, is not far from that part of the zodiac where the Scorpion is, which is one of the six southern signs.

[7] The wain of seven stars.

[8] The wain-driver. This northern constellation is, in our present maps, figured with a club in his right hand behind the Greater Bear.

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Because he drives the Greater Bear along
Yoked to a wain.

Besides, in Boötes,—

A star of glittering rays, about his waist,
Arcturus called, a name renown'd, is placed.[1]

Beneath which is

The Virgin of illustrious form, whose hand
Holds a bright spike.

XLIII. And truly these signs are so regularly disposed, that a divine wisdom evidently appears in them:—

Beneath the Bear's[2] head have the twins their seat,
Under his chest the Crab, beneath his feet
The mighty Lion darts a trembling flame.[3]

The Charioteer—

On the left side of Gemini we see,[4]
And at his head behold fierce Helice;
On his left shoulder the bright Goat appears.

But to proceed—

This is indeed a great and glorious star.
On th' other side the Kids, inferior far,
Yield but a slender light to mortal eyes.

Under his feet—

The horned Bull,[5] with sturdy limbs, is placed;

his head is spangled with a number of stars;

These by the Greeks are called the Hyades,

---

[1] In some modern maps Arcturus, a star of the first magnitude, is placed in the belt that is round the waist of Boötes. Cicero says *subter præcordia*, which is about the waist; and Aratus says ὑπὸ ζώνῃ, under the belt.

[2] *Sub caput Arcti*, under the head of the Greater Bear.

[3] The Crab is, by the ancients and moderns, placed in the zodiac, as here, betwixt the Twins and the Lion; and they are all three northern signs.

[4] The Twins are placed in the zodiac with the side of one to the northern hemisphere, and the side of the other to the southern hemisphere. Auriga, the Charioteer, is placed in the northern hemisphere near the zodiac, by the Twins; and at the head of the Charioteer, is Helice, the Greater Bear, placed; and the Goat is a bright star of the first magnitude placed on the left shoulder of this northern constellation, and called *Capra*, the Goat; *Hœdi*, the Kids, are two more stars of the same constellation.

[5] A constellation; one of the northern signs in the zodiac, in which the Hyades are placed.

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from raining, for ὕειν is to rain; therefore they are injudiciously called *Suculæ* by our people, as if they had their name from ὗς, a sow, and not from ὕω.

Behind the Lesser Bear, Cepheus[1] follows with extended hands,—

For close behind the Lesser Bear he comes.

Before him goes—

Cassiopea[2] with a faintish light;
But near her moves (fair and illustrious sight!)
Andromeda,[3] who with an eager pace,
Seems to avoid her parent's mournful face.[4]
With glittering mane the Horse[5] now seems to tread,
So near he comes, on her refulgent head;
With a fair star, that close to him appears,
A double form[6] and but one light he wears;
By which he seems ambitious in the sky
An everlasting knot of stars to tie.
Near him the Ram, with wreathed horns, is placed;

by whom—

The Fishes[7] are; of which one seems to haste
Somewhat before the other, to the blast
Of the north wind exposed.

XLIV. Perseus is described as placed at the feet of Andromeda:—

And him the sharp blasts of the north wind beat.
Near his left knee, but dim their light, their seat

---

[1] One of the feet of Cepheus, a northern constellation, is under the tail of the Lesser Bear.

[2] Grotius, and after him Dr. Davis, and other learned men, read *Cassiepea* after the Greek Κασσιεπεια, and reject the common reading, Cassiopea.

[3] These northern constellations here mentioned have been always placed together as one family with Cepheus and Perseus, as they are in our modern maps.

[4] This alludes to the fable of Perseus and Andromeda.

[5] Pegasus, who is one of Perseus and Andromeda's family.

[6] That is, with wings.

[7] *Aries*, the Ram, is the first northern sign in the zodiac: *Pisces*, the Fishes, the last southern sign; therefore they must be near one another, as they are in a circle or belt. In Flamsteed's "Atlas Coelestis" one of the Fishes is near the head of the Ram, and the other near the Urn of Aquarius.

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The small Pleiades[1] maintain. We find,
Not far from them, the Lyre[2] but slightly join'd.
Next is the winged Bird,[3] that seems to fly
Beneath the spacious covering of the sky.

Near the head of the Horse[4] lies the right hand of Aquarius, then all Aquarius himself.[5]

Then Capricorn, with half the form of beast,
Breathes chill and piercing colds from his strong breast,
And in a spacious circle takes his round;
When him, while in the winter solstice bound,
The sun has visited with constant light,
He turns his course, and shorter makes the night.[6]

Not far from hence is seen—

The Scorpion[7] rising lofty from below;
By him the Archer,[8] with his bended bow;
Near him the Bird, with gaudy feathers spread;
And the fierce Eagle[9] hovers o'er his head.

Next comes the Dolphin;[10]—

Then bright Orion,[11] who obliquely moves;

he is followed by—

The fervent Dog,[12] bright with refulgent stars:

next the Hare follows[13]—

[1] These are called Virgiliæ by Cicero, by Aratus the Pleiades, Πλειάδες; and they are placed at the neck of the Bull; and one of Perseus's feet touches the Bull in the "Atlas Cœlestis."

[2] This northern constellation is called Fides by Cicero; but it must be the same with Lyra; because Lyra is placed in our maps as Fides is here.

[3] This is called Ales Avis by Cicero; and I doubt not but the northern constellation Cygnus is here to be understood, for the description and place of the Swan in the "Atlas Cœlestis" are the same which Ales Avis has here.

[4] Pegasus.

[5] The Water-bearer, one of the six southern signs in the zodiac; he is described in our maps pouring water out of an urn, and leaning with one hand on the tail of Capricorn, another southern sign.

[6] When the sun is in Capricorn, the days are at the shortest; and when in Cancer, at the longest.

[7] One of the six southern signs.

[8] Sagittarius, another southern sign.

[9] A northern constellation.

[10] A northern constellation.

[11] A southern constellation.

[12] This is Canis Major, a southern constellation. Orion and the Dog are named together by Hesiod, who flourished many hundred years before Cicero or Aratus.

[13] A southern constellation, placed as here in the "Atlas Cœlestis."

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Unwearied in his course. At the Dog's tail
Argo [1] moves on, and moving seems to sail;
O'er her the Ram and Fishes have their place; [2]
The illustrious vessel touches, in her pace,
The river's banks; [3]

which you may see winding and extending itself to a great length.

The Fetters [4] at the Fishes' tails are hung.
By Nepa's [5] head behold the Altar stand,[6]
Which by the breath of southern winds is fann'd;

near which the Centaur [7]—

Hastens his mingled parts to join beneath
The Serpent,[8] there extending his right hand,
To where you see the monstrous Scorpion stand,
Which he at the bright Altar fiercely slays.
Here on her lower parts see Hydra [9] raise
Herself;

whose bulk is very far extended.

Amidst the winding of her body 's placed
The shining Goblet; [10] and the glossy Crow [11]
Plunges his beak into her parts below.
Antecanis beneath the Twins is seen,
Call'd Procyon by the Greeks.[12]

Can any one in his senses imagine that this disposition of the stars, and this heaven so beautifully adorned, could ever have been formed by a fortuitous concourse of atoms? Or what other nature, being destitute of intellect and reason, could possibly have produced these effects, which not only

[1] A southern constellation, so called from the ship Argo, in which Jason and the rest of the Argonauts sailed on their expedition to Colchos.

[2] The Ram is the first of the northern signs in the zodiac; and the last southern sign is the Fishes; which two signs, meeting in the zodiac, cover the constellation called Argo.

[3] The river Eridanus, a southern constellation.

[4] A southern constellation.

[5] This is called the Scorpion in the original of Aratus.

[6] A southern constellation. [7] A southern constellation.

[8] The Serpent is not mentioned in Cicero's translation; but it is in the original of Aratus.

[9] A southern constellation.

[10] The Goblet, or Cup, a southern constellation.

[11] A southern constellation.

[12] Antecanis, a southern constellation, is the Little Dog, and called *Antecanis* in Latin, and Προκύων in Greek, because he rises before the other Dog.

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required reason to bring them about, but the very character of which could not be understood and appreciated without the most strenuous exertions of well directed reason?

XLV. But our admiration is not limited to the objects here described. What is most wonderful is, that the world is so durable, and so perfectly made for lasting that it is not to be impaired by time; for all its parts tend equally to the centre, and are bound together by a sort of chain, which surrounds the elements; this chain is nature, which being diffused through the universe, and performing all things with judgment and reason, attracts the extremities to the centre.

If, then, the world is round, and if on that account all its parts, being of equal dimensions and relative proportions, mutually support and are supported by one another, it must follow that as all the parts incline to the centre (for that is the lowest place of a globe) there is nothing whatever which can put a stop to that propensity, in the case of such great weights. For the same reason, though the sea is higher than the earth, yet because it has the like tendency, it is collected everywhere, equally concentres, and never overflows, and is never wasted.

The air, which is contiguous, ascends by its lightness, but diffuses itself through the whole; therefore it is by nature joined and united to the sea, and at the same time borne by the same power towards the heaven, by the thinness and heat of which it is so tempered as to be made proper to supply life, and wholesome air for the support of animated beings. This is encompassed by the highest region of the heavens, which is called the sky, which is joined to the extremity of the air, but retains its own heat pure and unmixed.

XLVI. The stars have their revolutions in the sky, and are continued by the tendency of all parts towards the centre; their duration is perpetuated by their form and figure, for they are round; which form, as I think has been before observed, is the least liable to injury; and, as they are composed of fire, they are fed by the vapours which are exhaled by the sun from the earth, the sea, and other waters; but when these vapours have nourished and refreshed the stars, and the whole sky, they are sent back to be exhaled again; so that very little is lost or consumed by the fire of the stars and the flame

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of the sky. Hence we Stoics conclude, which Panætius[1] is said to have doubted of, that the whole world at last would be consumed by a general conflagration; when all moisture being exhausted, neither the earth could have any nourishment, nor the air return again, since water, of which it is formed, would then be all consumed; so that only fire would subsist; and from this fire, which is an animating power and a Deity, a new world would arise and be re-established in the same beauty.

I should be sorry to appear to you to dwell too long upon this subject of the stars, and more especially upon that of the planets; whose motions, though different, make a very just agreement. Saturn, the highest, chills; Mars, placed in the middle, burns; while Jupiter, interposing, moderates their excess, both of light and heat. The two planets beneath Mars[2] obey the sun. The sun himself fills the whole universe with his own genial light; and the moon, illuminated by him, influences conception, birth, and maturity. And who is there who is not moved by this union of things, and by this concurrence of nature agreeing together as it were for the safety of the world, and yet I feel sure that none of these reflections have ever been made by these men.

XLVII. Let us proceed from celestial to terrestrial things. What is there in them which does not prove the principle of an intelligent nature? First, as to vegetables; they have roots to sustain their stems, and to draw from the earth a nourishing moisture to support the vital principle which those roots contain. They are clothed with a rind or bark, to secure them more thoroughly from heat and cold. The vines, we see, take hold on props with their tendrils, as if with hands, and raise themselves as if they were animated; it is even said, that they shun cabbages and coleworts, as noxious and pestilential to them, and if planted by them, will not touch any part.

But what a vast variety is there of animals? and how wonderfully is every kind adapted to preserve itself! Some are covered with hides, some clothed with fleeces, and some guarded with bristles; some are sheltered with feathers, some with scales; some are armed with horns, and some are furnished with wings to escape from danger. Nature hath also

[1] **Panætius**, a Stoic philosopher. [2] Mercury and Venus.

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liberally and plentifully provided for all animals their proper food; I could expatiate on the judicious and curious formation and disposition of their bodies for the reception and digestion of it, for all their interior parts are so framed and disposed, that there is nothing superfluous, nothing that is not necessary for the preservation of life. Besides, nature has also given these beasts appetite and sense; in order that by the one they may be excited to procure sufficient sustenance, and by the other they may distinguish what is noxious from what is salutary. Some animals seek their food walking, some creeping, some flying, and some swimming; some take it with their mouth and teeth; some seize it with their claws, and some with their beaks; some suck, some graze, some bolt it whole, and some chew it. Some are so low, that they can with ease take such food as is to be found on the ground; but the taller, as geese, swans, cranes, and camels, are assisted by a length of neck. To the elephant is given a hand,[1] without which, from his unwieldiness of body, he would scarce have any means of attaining food.

XLVIII. But to those beasts which live by preying on others, nature has given either strength or swiftness. On some animals she has even bestowed artifice and cunning; as on spiders, some of which weave a sort of net to entrap and destroy whatever falls into it, others sit on the watch unobserved to fall on their prey and devour it. The naker, by the Greeks called *Pinna*, has a kind of confederacy with the prawn for procuring food. It has two large shells open, into which when the little fishes swim, the naker, having notice given by the bite of the prawn, closes them immediately. Thus, these little animals, though of different kinds, seek their food in common; in which it is matter of wonder whether they associate by any agreement, or are naturally joined together from their beginning.

There is some cause to admire also the provision of nature in the case of those aquatic animals which are generated on land, such as crocodiles, river-tortoises, and a certain kind of serpents, which seek the water as soon as they are able to

[1] The proboscis of the elephant is frequently called a hand, because it is as useful to him as one. "They breathe, drink, and smell, with what may not be improperly called a hand," says Pliny, b. viii. c. 10.—*Davis.*

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drag themselves along. We frequently put duck-eggs under hens, by which, as by their true mothers, the ducklings are at first hatched and nourished; but when they see the water, they forsake them and run to it, as to their natural abode; so strong is the impression of nature in animals for their own preservation.

XLIX. I have read that there is a bird called Platalea, the Shoveler, that lives by watching those fowls which dive into the sea for their prey, and when they return with it, he squeezes their heads with his beak, till they drop it, and then seizes on it himself; it is said likewise that he is in the habit of filling his stomach with shell-fish, and when they are digested by the heat which exists in the stomach, they cast them up, and then pick out what is proper nourishment. The sea-frogs, they say, are wont to cover themselves with sand, and moving near the water, the fishes strike at them, as at a bait, and are themselves taken and devoured by the frogs. Between the kite and the crow there is a kind of natural war, and wherever the one finds the eggs of the other, he breaks them.

But who is there who can avoid being struck with wonder at that which has been noticed by Aristotle, who has enriched us with so many valuable remarks. When the cranes[1] pass the sea in search of warmer climes, they fly in the form of a triangle. By the first angle they repel the resisting air; on each side, their wings serve as oars to facilitate their flight; and the basis of their triangle is assisted by the wind in their stern. Those which are behind, rest their necks and heads on those which precede; and as the leader has not the same relief, because he has none to lean upon, he at length flies behind that he may also rest, while one of those which have been eased, succeeds him; and through the whole flight each regularly takes his turn.

I could produce many instances of this kind, but these may suffice. Let us now proceed to things more familiar to us. The care of beasts for their own preservation, their circumspection while feeding, and their manner of taking rest in their lairs, are generally known, but still they are greatly to be admired.

[1] The passage of Aristotle's works, to which Cicero here alludes, is entirely lost; but Plutarch gives a similar account.

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L. Dogs cure themselves by a vomit, the Egyptian Ibis by a purge; from whence physicians have lately, I mean but few ages since, greatly improved their art. It is reported that panthers, which in barbarous countries are taken with poisoned flesh, have a certain remedy[1] that preserves them from dying; and that in Crete, the wild goats, when they are wounded with poisoned arrows, seek for an herb called dittany, which when they have tasted, the arrows (they say) drop from their bodies. It is said also that deer, before they fawn, purge themselves with a little herb called hartswort.[2] Beasts, when they receive any hurt, or fear it, have recourse to their natural arms: the bull to his horns, the boar to his tusks, and the lion to his teeth. Some take to flight, others hide themselves; the cuttle-fish vomits blood,[3] the cramp-fish benumbs; and there are many animals that, by their intolerable stink, oblige their pursuers to retire.

LI. But that the beauty of the world might be eternal, great care has been taken by the providence of the Gods to perpetuate the different kinds of animals, and vegetables, and trees, and all those things which sink deep into the earth, and are contained in it by their roots and trunks; in order to which, every individual has within itself such fertile seed that many are generated from one; and in vegetables this seed is inclosed in the heart of their fruit, but in such abundance, that men may plentifully feed on it, and the earth be always replanted.

With regard to animals, do we not see how aptly they are formed for the propagation of their species? Nature for this end created some males and some females. Their parts are perfectly framed for generation, and they have a wonderful propensity to copulation. When the seed has fallen on the matrix, it draws almost all the nourishment to itself, by which the fœtus is formed; but as soon as it is discharged from thence, if it is an animal that is nourished by milk, almost all the food of the mother turns into milk, and the animal,

[1] Balbus does not tell us the remedy which the panther makes use of; but Pliny is not quite so delicate; he says, *excrementis hominis sibi medetur.*

[2] Aristotle says, they purge themselves with this herb after they fawn; Pliny says both before and after.

[3] The cuttle-fish has a bag at its neck, the black blood of which the Romans used for ink; it was called *atramentum.*

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without any direction, but by the pure instinct of nature, immediately hunts for the teat, and is there fed with plenty. What makes it evidently appear that there is nothing in this fortuitous, but the work of a wise and foreseeing Nature, is, that those females which bring forth many young, as sows and bitches, have many teats, and those which bear a small number, have but few. What tenderness do beasts show in preserving and raising up their young till they are able to defend themselves! They say, indeed, that fish, when they have spawned, leave their eggs; but the water easily supports them, and produces the young fry in abundance.

LII. It is said, likewise, that tortoises and crocodiles, when they have laid their eggs on the land, only cover them with earth, and then leave them, so that their young are hatched and brought up without assistance; but fowls and other birds seek for quiet places to lay in, where they build their nests in the softest manner, for the surest preservation of their eggs; which, when they have hatched, they defend from the cold by the warmth of their wings, or screen them from the sultry heat of the sun. When their young begin to be able to use their wings, they attend and instruct them, and then their cares are at an end.

Human art and industry are indeed necessary towards the preservation and improvement of certain animals and vegetables; for there are several of both kinds, which would perish without that assistance. There are likewise innumerable facilities (being different in different places) supplied to man to aid him in his civilization, and in procuring abundantly what he requires. The Nile waters Egypt, and after having overflowed and covered it the whole summer, it retires, and leaves the fields softened and manured for the reception of seed. The Euphrates fertilizes Mesopotamia, into which, as we may say, it carries yearly new fields.[1] The Indus, which is the largest of all rivers,[2] not only improves and cultivates the ground, but sows it also; for it is said to carry with it a great quantity of grain. I could mention

[1] The Euphrates is said to carry into Mesopotamia a large quantity of citrons, with which it covers the fields.

[2] Q. Curtius, and some other authors, say the Ganges is the largest river in India; but Ammianus Marcellinus concurs with Cicero in calling the river Indus the largest of all rivers.

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many other countries remarkable for something singular, and many fields, which are, in their own natures, exceedingly fertile.

LIII. But how bountiful is nature, that has provided for us such an abundance of various and delicious food; and this varying with the different seasons, so that we may be constantly pleased with change, and satisfied with abundance! How seasonable and useful to man, to beasts, and even to vegetables, are the Etesian winds[1] she has bestowed, which moderate intemperate heat, and render navigation more sure and speedy! Many things must be omitted on a subject so copious; and still a great deal must be said; for it is impossible to relate the great utility of rivers, the flux and reflux of the sea, the mountains clothed with grass and trees, the salt-pits remote from the sea-coasts, the earth replete with salutary medicines, or, in short, the innumerable designs of nature necessary for sustenance and the enjoyment of life. We must not forget the vicissitudes of day and night, ordained for the health of animated beings, giving them a time to labour and a time to rest. Thus, if we every way examine the universe, it is apparent, from the greatest reason, that the whole is admirably governed by a divine providence, for the safety and preservation of all beings.

If it should be asked for whose sake this mighty fabric was raised, shall we say for trees and other vegetables, which, though destitute of sense, are supported by nature? That would be absurd. Is it for beasts? Nothing can be less probable than that the Gods should have taken such pains for beings void of speech and understanding. For whom, then, will any one presume to say that the world was made? Undoubtedly for reasonable beings; these are the Gods and men, who are certainly the most perfect of all beings, as nothing is equal to reason; it is therefore credible that the universe, and all things in it, were made for the Gods and for men.

But we may yet more easily comprehend that the Gods have taken great care of the interests and welfare of men, if we examine thoroughly into the structure of the body, and the form and perfection of human nature. There are three things absolutely necessary for the support of life; to eat, to

[1] These Etesian winds return periodically once a year, and blow at certain seasons, and for a certain time.

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drink, and to breathe; for these operations the mouth is most aptly framed, which, by the assistance of the nostrils, draws in the more air.

LIV. The teeth are there placed to divide and grind the food.[1] The fore-teeth, being sharp and opposite to each other, cut it asunder, and the hind-teeth (called the grinders) chew it; in which office the tongue seems to assist. At the root of the tongue is the gullet, which receives whatever is swallowed; it touches the tonsils on each side, and terminates at the interior extremity of the palate. When by the motions of the tongue the food is forced into this passage, it descends, and those parts of the gullet, which are below it, are dilated, and those above are contracted. There is another passage, called by physicians the rough artery,[2] which reaches to the lungs, for the entrance and return of the air we breathe; and as its orifice is joined to the roots of the tongue a little above the part to which the gullet is annexed, it is furnished with a sort of coverlid,[3] lest, by the accidental falling of any food into it, the respiration should be stopped.

As the stomach, which is beneath the gullet, receives the meat and drink, so the lungs and the heart draw in the air from without. The stomach is wonderfully composed, consisting almost wholly of nerves; it abounds with membranes and fibres, and detains what it receives, whether solid or *liquid*, till it is altered and digested. It sometimes contracts, sometimes dilates. It blends and mixes the food together, so that it is easily concocted and digested by its force of heat, and by the animal spirits is distributed into the other parts of the body.

LV. As to the lungs, they are of a soft and spongy substance, which renders them the most commodious for respiration; they alternately dilate and contract to receive and return the air, that what is the chief animal sustenance may be always fresh. The juice,[4] by which we are nourished, being

[1] Some read *mollitur*, and some *molitur;* the latter of which P. Manucius justly prefers, from the verb *molo, molis;* from whence, says he, *molares dentes*, the grinders.

[2] The weasand, or wind-pipe.

[3] The epiglottis, which is a cartilaginous flap in the shape of a tongue, and therefore called so.

[4] Cicero is here giving the opinion of the ancients concerning the passage of the chyle till it is converted to blood.

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separated from the rest of the food, passes the stomach and intestines to the liver, through open and direct passages, which lead from the mesentery to the gates of the liver (for so they call those vessels at the entrance of it). There are other passages from thence, through which the food has its course when it has passed the liver. When the bile, and those humours which proceed from the kidneys, are separated from the food, the remaining part turns to blood, and flows to those vessels at the entrance of the liver, to which all the passages adjoin. The chyle, being conveyed from this place through them into the vessel called the hollow vein, is mixed together, and, being already digested and distilled, passes into the heart; and from the heart it is communicated through a great number of veins to every part of the body.

It is not difficult to describe how the gross remains are detruded by the motion of the intestines, which contract and dilate; but that must be declined, as too indelicate for discourse. Let us rather explain that other wonder of nature, the air, which is drawn into the lungs, receives heat both by that already in and by the coagitation of the lungs; one part is turned back by respiration, and the other is received into a place called the ventricle of the heart.[1] There is another ventricle like it annexed to the heart, into which the blood flows from the liver through the hollow vein; thus by one ventricle the blood is diffused to the extremities through the veins, and by the other the breath is communicated through the arteries; and there are such numbers of both dispersed through the whole body that they manifest a divine art.

Why need I speak of the bones, those supports of the body, whose joints are so wonderfully contrived for stability, and to render the limbs complete with regard to motion and to every action of the body? Or need I mention the nerves, by which the limbs are governed,—their many interweavings, and their proceeding from the heart,[2] from whence, like the veins and arteries, they have their origin, and are distributed through the whole corporeal frame?

[1] What Cicero here calls the ventricles of the heart are likewise called auricles, of which there is the right and left.

[2] The Stoics and Peripatetics said that the nerves, veins, and arteries come directly from the heart. According to the anatomy of the moderns, they come from the brain.

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LVI. To this skill of nature, and this care of providence, so diligent and so ingenious, many reflections may be added, which show what valuable things the Deity has bestowed on man. He has made us of a stature tall and upright, in order that we might behold the heavens, and so arrive at the knowledge of the Gods; for men are not simply to dwell here as inhabitants of the earth, but to be, as it were, spectators of the heavens and the stars, which is a privilege not granted to any other kind of animated beings. The senses, which are the interpreters and messengers of things, are placed in the head, as in a tower, and wonderfully situated for their proper uses; for the eyes, being in the highest part, have the office of sentinels, in discovering to us objects; and the ears are conveniently placed in a high part of the person, being appointed to receive sound, which naturally ascends. The nostrils have the like situation, because all scent likewise ascends; and they have, with great reason, a near vicinity to the mouth, because they assist us in judging of meat and drink. The taste, which is to distinguish the quality of what we take, is in that part of the mouth where nature has laid open a passage for what we eat and drink; but the touch is equally diffused through the whole body, that we may not receive any blows, or the too rigid attacks of cold and heat, without feeling them: and as in building the architect averts from the eyes and nose of the master those things which must necessarily be offensive, so has nature removed far from our senses what is of the same kind in the human body.

LVII. What artificer but nature, whose direction is incomparable, could have exhibited so much ingenuity in the formation of the senses? In the first place, she has covered and invested the eyes with the finest membranes, which she hath made transparent, that we may see through them, and firm in their texture, to preserve the eyes. She has made them slippery and moveable, that they might avoid what would offend them, and easily direct the sight wherever they will. The actual organ of sight, which is called the pupil, is so small that it can easily shun whatever might be hurtful to it. The eyelids, which are their coverings, are soft and smooth, that they may not injure the eyes; and are made to shut at the apprehension of any accident, or to open at pleasure; and these movements nature has ordained to be made in

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an instant: they are fortified with a sort of palisade of hairs, to keep off what may be noxious to them when open, and to be a fence to their repose when sleep closes them, and allows them to rest as if they were wrapped up in a case. Besides, they are commodiously hidden and defended by eminences on every side; for on the upper part the eyebrows turn aside the perspiration which falls from the head and forehead; the cheeks beneath rise a little, so as to protect them on the lower side; and the nose is placed between them as a wall of separation.

The hearing is always open, for that is a sense of which we are in need even while we are sleeping; and the moment that any sound is admitted by it, we are awakened even from sleep. It has a winding passage, lest anything should slip into it, as it might if it were straight and simple. Nature also hath taken the same precaution in making there a viscous humour, that if any little creatures should endeavour to creep in, they might stick in it as in birdlime. The ears (by which we mean the outward part) are made prominent, to cover and preserve the hearing, lest the sound should be dissipated and escape before the sense is affected. Their entrances are hard and horny, and their form winding, because bodies of this kind better return and increase the sound. This appears in the harp, lute, or horn;[1] and from all tortuous and enclosed places sounds are returned stronger.

The nostrils, in like manner, are ever open, because we have a continual use for them; and their entrances also are rather narrow, lest anything noxious should enter them; and they have always an humidity necessary for the repelling dust, and many other extraneous bodies. The taste, having the mouth as an enclosure, is admirably situated, both in regard to the use we make of it and to its security.

LVIII. Besides, every human sense is much more exquisite than those of brutes; for our eyes, in those arts which come under their judgment, distinguish with great nicety; as in painting, sculpture, engraving, and in the gesture and motion of bodies. They understand the beauty, proportion, and, as I may so term it, the becomingness of colours and figures: they distinguish things of greater importance, even

[1] The author means all musical instruments, whether string or wind instruments, which are hollow and tortuous.

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virtues and vices: they know whether a man is angry or calm, cheerful or sad, courageous or cowardly, bold or timorous.

The judgment of the ears is not less admirably and scientifically contrived with regard to vocal and instrumental music. They distinguish the variety of sounds, the measure, the stops, the different sorts of voices, the treble and the bass, the soft and the harsh, the sharp and the flat, of which human ears only are capable to judge. There is likewise great judgment in the smell, the taste, and the touch; to indulge and gratify which senses more arts have been invented than I could wish: it is apparent to what excess we have arrived in the composition of our perfumes, the preparation of our food, and the enjoyment of corporeal pleasures.

LIX. Again, he who does not perceive the soul and mind of man, his reason, prudence, and discernment, to be the work of a divine providence, seems himself to be destitute of those faculties. While I am on this subject, Cotta, I wish I had your eloquence: how would you illustrate so fine a subject! You would show the great extent of the understanding; how we collect our ideas, and join those which follow to those which precede; establish principles, draw consequences, define things separately, and comprehend them with accuracy; from whence you demonstrate how great is the power of intelligence and knowledge, which is such that even God himself has no qualities more admirable. How valuable (though you Academics despise and even deny that we have it) is our knowledge of exterior objects, from the perception of the senses, joined to the application of the mind; by which we see in what relation one thing stands to another, and by the aid of which we have invented those arts which are necessary for the support and pleasure of life. How charming is eloquence! How divine that mistress of the universe, as you call it! It teaches us what we were ignorant of, and makes us capable of teaching what we have learned. By this we exhort others; by this we persuade them; by this we comfort the afflicted; by this we deliver the affrighted from their fear; by this we moderate excessive joy; by this we assuage the passions of lust and anger. This it is which bound men by the chains of right and law, formed the bonds of civil society, and made us quit a wild and savage life.

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And it will appear incredible, unless you carefully observe the facts, how complete the work of nature is in giving us the use of speech; for, first of all, there is an artery from the lungs to the bottom of the mouth, through which the voice, having its original principle in the mind, is transmitted. Then the tongue is placed in the mouth, bounded by the teeth. It softens and modulates the voice, which would otherwise be confusedly uttered; and, by pushing it to the teeth and other parts of the mouth, makes the sound distinct and articulate. We Stoics, therefore, compare the tongue to the bow of an instrument, the teeth to the strings, and the nostrils to the sounding-board.

LX. But how commodious are the hands which nature has given to man, and how beautifully do they minister to many arts! For, such is the flexibility of the joints, that our fingers are closed and opened without any difficulty. With their help, the hand is formed for painting, carving, and engraving; for playing on stringed instruments, and on the pipe. These are matters of pleasure; there are also works of necessity, such as tilling the ground, building houses, making cloth and habits, and working in brass and iron. It is the business of the mind to invent, the senses to perceive, and the hands to execute; so that if we have buildings, if we are clothed, if we live in safety, if we have cities, walls, habitations, and temples, it is to the hands we owe them.

By our labour, that is, by our hands, variety and plenty of food are provided; for, without culture, many fruits, which serve either for present or future consumption, would not be produced; besides, we feed on flesh, fish, and fowl, catching some, and bringing up others. We subdue four-footed beasts for our carriage, whose speed and strength supply our slowness and inability. On some we put burdens, on others yokes. We convert the sagacity of the elephant and the quick scent of the dog to our own advantage. Out of the caverns of the earth we dig iron, a thing entirely necessary for the cultivation of the ground. We discover the hidden veins of copper, silver, and gold, advantageous for our use and beautiful as ornaments. We cut down trees, and use every kind of wild and cultivated timber, not only to make fire to warm us and dress our meat, but also for building, that we may have houses to defend us from the heat and cold. With

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timber likewise we build ships, which bring us from all parts every commodity of life. We are the only animals who, from our knowledge of navigation, can manage, what nature has made the most violent, the sea and the winds. Thus we obtain from the ocean great numbers of profitable things. We are the absolute masters of what the earth produces. We enjoy the mountains and the plains. The rivers and the lakes are ours. We sow the seed, and plant the trees. We fertilize the earth by overflowing it. We stop, direct, and turn the rivers: in short, by our hands we endeavour, by our various operations in this world, to make as it were another nature.

LXI. But what shall I say of human reason? Has it not even entered the heavens? Man alone of all animals has observed the courses of the stars, their risings and settings. By man the day, the month, the year is determined. He foresees the eclipses of the sun and moon, and foretels them to futurity, marking their greatness, duration, and precise time. From the contemplation of these things, the mind extracts the knowledge of the Gods,—a knowledge which produces piety, with which is connected justice, and all the other virtues; from which arises a life of felicity, inferior to that of the Gods in no single particular, except in immortality, which is not absolutely necessary to happy living. In explaining these things, I think that I have sufficiently demonstrated the superiority of man to other animated beings; from whence we should infer, that neither the form and position of his limbs, nor that strength of mind and understanding, could possibly be the effect of chance.

LXII. I am now to prove, by way of conclusion, that everything in this world, of use to us, was made designedly for us.

First of all, the universe was made for the Gods and men, and all things therein were prepared and provided for our service. For the world is the common habitation or city of the Gods and men; for they are the only reasonable beings: they alone live by justice and law. As, therefore, it must be presumed the cities of Athens and Lacedæmon were built for the Athenians and Lacedæmonians, and as everything there is said to belong to those people, so everything in the universe may with propriety be said to belong to the Gods and men, and to them alone.

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In the next place, though the revolutions of the sun, moon, and all the stars, are necessary for the cohesion of the universe, yet may they be considered also as objects designed for the view and contemplation of man. There is no sight less apt to satiate the eye, none more beautiful, or more worthy to employ our reason and penetration. By measuring their courses we find the different seasons, their durations and vicissitudes, which, if they are known to men alone, we must believe were made only for their sake.

Does the earth bring forth fruit and grain, in such excessive abundance and variety, for men, or for brutes? The plentiful and exhilarating fruit of the vine and the olive-tree are entirely useless to beasts. They know not the time for sowing, tilling, or for reaping in season and gathering in the fruits of the earth, or for laying up and preserving their stores; man alone has the care and advantage of these things.

LXIII. Thus, as the lute and the pipe were made for those, and those only, who are capable of playing on them, so it must be allowed that the produce of the earth was designed for those only who make use of them; and though some beasts may rob us of a small part, it does not follow that the earth produced it also for them. Men do not store up corn for mice and ants, but for their wives, their children, and their families; beasts, therefore, as I said before, possess it by stealth, but their masters openly and freely; it is for us therefore that nature hath provided this abundance. Can there be any doubt that this plenty and variety of fruit, which delight not only the taste, but the smell and sight, was by nature intended for men only? Beasts are so far from being partakers of this design, that we see that even they themselves were made for man; for of what utility would sheep be, unless for their wool, which, when dressed and woven, serves us for clothing? for they are not capable of anything, not even of procuring their own food, without the care and assistance of man. The fidelity of the dog, his affectionate fawning on his master, his aversion to strangers, his sagacity in finding game, and his vivacity in pursuit of it, what do these qualities denote, but that he was created for our use? Why need I mention oxen? We perceive that their backs were not formed for carrying burdens, but their necks were naturally made for the yoke, and their strong

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broad shoulders to draw the plough. In the Golden age, which poets speak of, they were so greatly beneficial to the husbandman in tilling the fallow ground, that no violence was ever offered them, and it was even thought a crime to eat them:—

> The Iron age began the fatal trade
> Of blood, and hammer'd the destructive blade;
> Then men began to make the ox to bleed,
> And on the tamed and docile beast to feed.[1]

LXIV. It would take a long time to relate the advantages which we receive from mules and asses, which undoubtedly were designed for our use. What is the swine good for but to eat? whose life, Chrysippus says, was given it but as salt[2] to keep it from putrefying; and as it is proper food for man, nature hath made no animal more fruitful. What a multitude of birds and fishes are taken by the art and contrivance of man only, and which are so delicious to our taste, that one would be tempted sometimes to believe that this Providence which watches over us was an Epicurean! Though we think there are some birds, the Alites and Oscines,[3] as our augurs call them, which were made merely to foretel events.

The large savage beasts we take by hunting, partly for food, partly to exercise ourselves in imitation of martial discipline, and to use those we can tame and instruct, as elephants, or to extract remedies for our diseases and wounds, as we do from certain roots and herbs, the virtues of which are known by long use and experience. Represent to yourself the whole earth and seas as if before your eyes; you will see the vast and fertile plains, the thick shady mountains, the immense pasturage for cattle, and ships sailing over the deep with incredible celerity; nor are our discoveries only on the face of the earth, but in its secret recesses there are many useful things, which, being made for man, by man alone are discovered.

LXV. Another, and, in my opinion, the strongest proof,

[1] The Latin version of Cicero is a translation from the Greek of Aratus.

[2] Chrysippus's meaning is, that the swine is so inactive and slothful a beast, that life seems to be of no use to it but to keep it from putrefaction, as salt keeps dead flesh.

[3] *Ales*, in the general signification, is any large bird; and *oscinis* is any singing bird. But they here mean those birds which are used in augury; *alites* are the birds whose flight was observed by the augurs, and *oscines* the birds from whose voices they augured.

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that the providence of the Gods takes care of us, is divination, which both of you, perhaps, will attack; you, Cotta, because Carneades took pleasure in inveighing against the Stoics; and you, Velleius, because there is nothing Epicurus ridicules so much as the prediction of events: yet the truth of divination appears in many places, on many occasions, often in private, but particularly in public concerns. We receive many intimations from the foresight and presages of augurs and auspices; from oracles, prophecies, dreams, and prodigies; and it often happens, that by these means events have proved happy to men, and imminent dangers have been avoided. This knowledge therefore, call it either a kind of transport, or an art, or a natural faculty, is certainly found only in men, and is a gift from the immortal Gods. If these proofs, when taken separately, should make no impression upon your mind, yet when collected together, they must certainly affect you.

Besides, the Gods not only provide for mankind universally, but for particular men. You may bring this universality to gradually a smaller number, and again you may reduce that smaller number to individuals.

LXVI. For if the reasons which I have given prove to all of us that the Gods take care of all men, in every country, in every part of the world separate from our continent, they take care of those who dwell on the same land with us, from east to west; and if they regard those who inhabit this kind of great island, which we call the globe of the earth, they have the like regard for those who possess the parts of this island, Europe, Asia, and Africa; and therefore they favour the parts of these parts, as Rome, Athens, Sparta, and Rhodes; and particular men of these cities, separate from the whole; as Curius, Fabricius, Coruncanius, in the war with Pyrrhus; in the first Punic war, Calatinus, Duillius, Metellus, Lutatius; in the second, Maximus, Marcellus, Africanus; after these, Paullus, Gracchus, Cato; and in our fathers' times, Scipio, Lælius. Rome also and Greece have produced many illustrious men, who we cannot believe were so without the assistance of the Deity; which is the reason that the poets, Homer in particular, joined their chief heroes, Ulysses, Agamemnon, Diomedes, Achilles, to certain Deities, as companions in their adventures and dangers. Besides, the frequent appearances of the Gods, as I have before mentioned, demonstrate their

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regard for cities and particular men; this is also apparent indeed from the foreknowledge of events, which we receive either sleeping or waking. We are likewise forewarned of many things by the entrails of victims, by presages, and many other means, which have been long observed with such exactness, as to produce an art of divination.

There never, therefore, was a great man without divine inspiration. If a storm should damage the corn or vineyard of a person, or any accident should deprive him of some conveniences of life, we should not judge from thence that the Deity hates or neglects him. The Gods take care of great things, and disregard the small. But to truly great men all things ever happen prosperously; as has been sufficiently asserted and proved by us Stoics, as well as by Socrates, the prince of philosophers, in his discourses on the infinite advantages arising from virtue.

LXVII. This is almost the whole that hath occurred to my mind on the nature of the Gods, and what I thought proper to advance. Do you, Cotta, if I may advise, defend the same cause. Remember that in Rome you keep the first rank; remember that you are Pontifex; and as your school is at liberty to argue on which side you please,[1] do you rather take mine, and reason on it with that eloquence which you acquired by your rhetorical exercises, and which the Academy improved; for it is a pernicious and impious custom to argue against the Gods, whether it be done seriously, or only in pretence and out of sport.

BOOK III.

I. When Balbus had ended this discourse, then Cotta, with a smile, rejoined,—You direct me too late which side to defend; for during the course of your argument I was revolving in my mind what objections to make to what you were saying, not so much for the sake of opposition, as of obliging you to explain what I did not perfectly comprehend; and as every one may use his own judgment, it is scarcely possible for me to think in every instance exactly what you wish.

You have no idea, O Cotta, said Velleius, how impatient I

[1] As the Academics doubted everything, it was indifferent to them which side of a question they took.

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am to hear what you have to say. For since our friend Balbus was highly delighted with your discourse against Epicurus, I ought in my turn to be solicitous to hear what you can say against the Stoics; and I therefore will give you my best attention, for I believe you are, as usual, well prepared for the engagement.

I wish, by Hercules, I were, replies Cotta; for it is more difficult to dispute with Lucilius than it was with you. Why so? says Velleius. Because, replies Cotta, your Epicurus, in my opinion, does not contend strongly for the Gods; he only, for the sake of avoiding any unpopularity or punishment, is afraid to deny their existence; for when he asserts that the Gods are wholly inactive and regardless of everything, and that they have limbs like ours, but make no use of them, he seems to jest with us, and to think it sufficient if he allows that there are beings of any kind happy and eternal. But with regard to Balbus, I suppose you observed how many things were said by him, which, however false they may be, yet have a perfect coherence and connexion; therefore, my design, as I said, in opposing him, is not so much to confute his principles, as to induce him to explain what I do not clearly understand: for which reason, Balbus, I will give you the choice, either to answer me every particular as I go on, or permit me to proceed without interruption. If you want any explanation, replies Balbus, I would rather you would propose your doubts singly; but if your intention is rather to confute me than to seek instruction for yourself, it shall be as you please; I will either answer you immediately on every point, or stay till you have finished your discourse.

II. Very well, says Cotta, then let us proceed as our conversation shall direct. But before I enter on the subject, I have a word to say concerning myself; for I am greatly influenced by your authority, and your exhortation at the conclusion of your discourse, when you desired me to remember that I was Cotta and Pontifex; by which I presume you intimated that I should defend the sacred rites and religion and ceremonies which we received from our ancestors. Most undoubtedly I always have, and always shall defend them, nor shall the arguments either of the learned or unlearned ever remove the opinions which I have imbibed from them concerning the worship of the immortal Gods. In matters

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of religion I submit to the rules of the high priests, T. Coruncanius, P. Scipio, and P. Scævola; not to the sentiments of Zeno, Cleanthes, or Chrysippus; and I pay a greater regard to what C. Lælius, one of our augurs and wise men, has written concerning religion, in that noble oration of his, than to the most eminent of the Stoics: and as the whole religion of the Romans at first consisted in sacrifices and divination by birds, to which have since been added predictions, if the interpreters[1] of the Sibylline oracle or the aruspices have foretold any event from portents and prodigies, I have ever thought that there was no point of all these holy things which deserved to be despised: I have been even persuaded that Romulus, by instituting divination, and Numa, by establishing sacrifices, laid the foundation of Rome, which undoubtedly would never have risen to such an height of grandeur, if the Gods had not been made propitious by this worship. These, Balbus, are my sentiments both as a priest and as Cotta. But you must bring me to your opinion by the force of your reason; for I have a right to demand from you, as a philosopher, a reason for the religion which you would have me embrace; but I must believe the religion of our ancestors without any proof.

III. What proof, says Balbus, do you require of me? You have proposed, says Cotta, four articles. First of all, you undertook to prove that there "are Gods;" secondly, "of what kind and character they are;" thirdly, that "the universe is governed by them;" lastly, that "they provide for the welfare of mankind in particular." Thus, if I remember rightly, you divided your discourse. Exactly so, replies Balbus; but let us see what you require.

Let us examine, says Cotta, every proposition. The first one, that there are Gods, is never contested but by the most impious of men; nay, though it can never be rooted out of my mind, yet I believe it on the authority of our ancestors, and not on the proofs which you have brought. Why do you expect a proof from me, says Balbus, if you thoroughly believe it? Because, says Cotta, I come to this discussion as if I had never thought of the Gods, or heard anything concerning them. Take me as a disciple wholly ignorant and unbiassed, and prove to me all the points which I ask.

[1] The keepers and interpreters of the Sibylline oracles were the Quindecimviri.

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Begin, then, replies Balbus. I would first know, says Cotta, why you have been so long in proving the existence of the Gods, which you said was a point so very evident to all, that there was no need of any proof? In that, answers Balbus, I have followed your example, whom I have often observed, when pleading in the Forum, to load the judge with all the arguments which the nature of your cause would permit. This also is the practice of philosophers, and I have a right to follow it. Besides, you may as well ask me why I look upon you with two eyes, since I can see you with one.

IV. You shall judge then yourself, says Cotta, if this is a very just comparison; for, when I plead, I do not dwell upon any point agreed to be self-evident, because long reasoning only serves to confound the clearest matters; besides, though I might take this method in pleading, yet I should not make use of it in such a discourse as this, which requires the nicest distinction: and with regard to your making use of one eye only when you look on me, there is no reason for it, since together they have the same view; and since nature, to which you attribute wisdom, has been pleased to give us two passages by which we receive light. But the truth is, that it was because you did not think that the existence of the Gods was so evident as you could wish, that you therefore brought so many proofs. It was sufficient for me to believe it on the tradition of our ancestors; and since you disregard authorities, and appeal to reason, permit my reason to defend them against yours. The proofs on which you found the existence of the Gods, tend only to render a proposition doubtful, that, in my opinion, is not so; I have not only retained in my memory the whole of these proofs, but even the order in which you proposed them. The first was, that when we lift up our eyes towards the heavens, we immediately conceive that there is some divinity that governs those celestial bodies; on which you quoted this passage—

> Look up to the refulgent heaven above,
> Which all men call, unanimously, Jove;

intimating, that we should invoke that as Jupiter, rather than our Capitoline Jove,[1] or that it is evident to the whole world

[1] The popular name of Jupiter in Rome, being looked upon as defender of the Capitol, (in which he was placed,) and stayer of the state.

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that those bodies are Gods, which Velleius and many others do not place even in the rank of animated beings.

Another strong proof, in your opinion, was that the belief of the existence of the Gods was universal, and that mankind was daily more and more convinced of it. What! should an affair of such importance be left to the decision of fools, who, by your sect especially, are called madmen?

V. But the Gods have appeared to us, as to Posthumius at the lake Regillus, and to Vatienus in the Salarian Way; something you mentioned, too, I know not what, of a battle of the Locrians at Sagra. Do you believe that the Tyndaridæ, as you called them, that is, men sprung from men, and who were buried in Lacedæmon, as we learn from Homer, who lived in the next age,—do you believe, I say, that they appeared to Vatienus on the road mounted on white horses, without any servant to attend them, to tell the victory of the Romans to a country fellow rather than to M. Cato, who was at that time the chief person of the senate? Do you take that print of a horse's hoof, which is now to be seen on a stone at Regillus, to be made by Castor's horse? Should you not believe what is probable, that the souls of eminent men, such as the Tyndaridæ, are divine and immortal, rather than that those bodies, which had been reduced to ashes, should mount on horses, and fight in an army? If you say that was possible, you ought to show how it is so, and not amuse us with fabulous old women's stories.

Do you take these for fabulous stories? says Balbus. Is not the temple, built by Posthumius in honour of Castor and Pollux, to be seen in the forum? Is not the decree of the senate concerning Vatienus still subsisting? As to the affair of Sagra, it is a common proverb among the Greeks; when they would affirm anything strongly, they say "it is as certain as what passed at Sagra." Ought not such authorities to move you? You oppose me, replies Cotta, with stories, but I ask reasons of you.[1] * * *

VI. We are now to speak of predictions. No one can avoid what is to come, and indeed it is commonly useless to know it; for it is a miserable case to be afflicted to no purpose, and not to have even the last, the common comfort,

[1] Some passages of the original are here wanting. Cotta continues speaking against the doctrine of the Stoics.

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hope, which, according to your principles, none can have; for you say that fate governs all things, and call that fate, which has been true from all eternity. What advantage, then, is the knowledge of futurity to us, or how does it assist us to guard against impending evils, since it will come inevitably?

But whence comes that divination? To whom is owing that knowledge from the entrails of beasts? Who first made observations from the voice of the crow? Who invented the Lots?[1] Not that I give no credit to these things, or that I despise Attius Navius's staff, which you mentioned; but I ought to be informed how these things are understood by philosophers, especially as the diviners are often wrong in their conjectures. But physicians, you say, are likewise often mistaken. What comparison can there be between divination, of the origin of which we are ignorant, and physic, which proceeds on principles intelligible to every one? You believe that the Decii,[2] in devoting themselves to death, appeased the Gods. How great, then, was the iniquity of the Gods, that they could not be appeased but at the price of such noble blood! That was the stratagem of generals such as the Greeks call *στρατήγημα*, and it was a stratagem worthy such illustrious leaders, who consulted the public good even at the expense of their lives; they conceived rightly, what indeed happened, that if the general rode furiously upon the enemy, the whole army would follow his example. As to the voice of the Fauns, I never heard it; if you assure me that you have, I shall believe you, though I really know not what a Faun is.

VII. I do not, then, O Balbus, from anything that you have said, perceive as yet that it is proved that there are Gods. I believe it, indeed, but not from any arguments of the Stoics. Cleanthes, you have said, attributes the idea that men have of the Gods to four causes. In the first place (as I have already sufficiently mentioned), to a foreknowledge of future events; secondly, to tempests, and other shocks of nature; thirdly, to the utility and plenty of things we enjoy; fourthly, to the invariable order of the stars and the heavens.

[1] The word *sortes* is often used for the answers of the oracles, or rather for the rolls in which the answers were written.

[2] Three of this eminent family sacrificed themselves for their country; the father in the Latin war, the son in the Tuscan war, and the grandson in the war with Pyrrhus.

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The arguments drawn from foreknowledge I have already answered. With regard to tempests in the air, the sea, and the earth, I own that many people are affrighted by them, and imagine that the immortal Gods are the authors of them.

But the question is, not whether there are people who believe that there are Gods, but whether there are Gods or not. As to the two other causes of Cleanthes, one of which is derived from the great abundance of desirable things which we enjoy, the other from the invariable order of the seasons and the heavens, I shall treat on them when I answer your discourse concerning the providence of the Gods; a point, Balbus, upon which you have spoken at great length. I shall likewise defer till then examining the argument which you attribute to Chrysippus, that "if there is in nature anything which surpasses the power of man to produce, there must consequently be some being better than man." I shall also postpone till we come to that part of my argument your comparison of the world to a fine house, your observations on the proportion and harmony of the universe, and those smart short reasons of Zeno which you quote; and I shall examine at the same time your reasons drawn from natural philosophy, concerning that fiery force and that vital heat which you regard as the principle of all things; and I will investigate, in its proper place, all that you advanced the other day on the existence of the Gods, and on the sense and understanding which you attributed to the sun, the moon, and all the stars; and I shall ask you this question over and over again, By what proofs are you convinced yourself there are Gods?

VIII. I thought, says Balbus, that I had brought ample proofs to establish this point; but such is your manner of opposing, that, when you seem on the point of interrogating me, and when I am preparing to answer, you suddenly divert the discourse, and give me no opportunity to reply to you; and thus those most important points concerning divination and fate are neglected, which we Stoics have thoroughly examined, but which your school has only slightly touched upon. But they are not thought essential to the question in hand; therefore, if you think proper, do not confuse them together, that we in this discussion may come to a clear explanation of the subject of our present inquiry.

Very well, says Cotta; since, then, you have divided the

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whole question into four parts, and I have said all that I had to say on the first, I will take the second into consideration; in which, when you attempted to show what the character of the Gods was, you seemed to me rather to prove that there are none; for you said that it was the greatest difficulty to draw our minds from the prepossessions of the eyes; but that as nothing is more excellent than the Deity, you did not doubt that the world was God, because there is nothing better in nature than the world, and so we may reasonably think it animated, or rather perceive it in our minds as clearly as if it were obvious to our eyes.

Now, in what sense do you say there is nothing better than the world? If you mean that there is nothing more beautiful, I agree with you; that there is nothing more adapted to our wants, I likewise agree with you: but if you mean that nothing is wiser than the world, I am by no means of your opinion. Not that I find it difficult to conceive anything in my mind, independent of my eyes; on the contrary, the more I separate my mind from my eyes, the less I am able to comprehend your opinion.

IX. Nothing is better than the world, you say. Nor is there, indeed, anything on earth better than the city of Rome; do you think, therefore, that our city has a mind, that it thinks and reasons; or that this most beautiful city, being void of sense, is not preferable to an ant, because an ant has sense, understanding, reason, and memory? ' You should consider, Balbus, what ought to be allowed you, and not advance things because they please you.

For that old, concise, and, as it seemed to you, acute syllogism of Zeno, has been all which you have so much enlarged upon in handling this topic: "That which reasons is superior to that which does not; nothing is superior to the world; therefore the world reasons." If you would prove also that the world can very well read a book, follow the example of Zeno, and say, "That which can read is better than that which cannot; nothing is better than the world; the world therefore can read." After the same manner you may prove the world to be an orator, a mathematician, a musician, that it possesses all sciences, and, in short, is a philosopher. You have often said that God made all things, and that no cause can produce an effect unlike itself. From hence it will follow,

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not only that the world is animated, and is wise, but also plays upon the fiddle and the flute, because it produces men who play on those instruments. Zeno, therefore, the chief of your sect, advances no argument sufficient to induce us to think that the world reasons, or, indeed, that it is animated at all, and consequently none to think it a deity; though it may be said that there is nothing superior to it, as there is nothing more beautiful, nothing more useful to us, nothing more adorned, and nothing more regular in its motions. But if the world, considered as one great whole, is not God, you should not surely deify, as you have done, that infinite multitude of stars, which only form a part of it, and which so delight you with the regularity of their eternal courses; not but that there is something truly wonderful and incredible in their regularity, but this regularity of motion, Balbus, may as well be ascribed to a natural as to a divine cause.

X. What can be more regular than the flux and reflux of the Euripus at Chalcis, the Sicilian sea, and the violence of the ocean in those parts;[1]—

Where the rapid tide
Does Europe from the Libyan coast divide?

The same appears on the Spanish and British coasts. Must we conclude that some Deity appoints and directs these ebbings and flowings to certain fixed times? Consider, I pray, if everything which is regular in its motion is deemed divine, whether it will not follow that tertian and quartan agues must likewise be so, as their returns have the greatest regularity. These effects are to be explained by reason; but, because you are unable to assign any, you have recourse to a Deity as your last refuge.

The arguments of Chrysippus appeared to you of great weight; a man undoubtedly of great quickness and subtlety; (I call those quick, who have a sprightly turn of thought, and those subtle, whose minds are seasoned by use as their hands are by labour.) "If," says he, "there is anything which is beyond the power of man to produce, the being who produces it is better than man. Man is unable to make what is in the world; the being, therefore, that could do it is superior to man. What being is there but a God superior to man? Therefore there is a God."

[1] The Straits of Gibraltar.

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These arguments are founded on the same erroneous principles as Zeno's, for he does not define what is meant by being better or more excellent, or distinguish between an intelligent cause and a natural cause. Chrysippus adds, "If there are no Gods, there is nothing better than man; but we cannot, without the highest arrogance, have this idea of ourselves." Let us grant that it is arrogance in man to think himself better than the world; but to comprehend that he has understanding and reason, and that in Orion and Canicula there is neither, is no arrogance, but an indication of good sense. "Since we suppose," continues he, "when we see a beautiful house, that it was built for the master, and not for mice, we should likewise judge that the world is the mansion of the Gods." Yes, if I believed that the Gods built the world; but not if, as I believe, and intend to prove, it is the work of nature.

XI. Socrates, in Xenophon, asks, "Whence had man his understanding, if there was none in the world?" And I ask, Whence had we speech, harmony, singing; unless we think it is the sun conversing with the moon when she approaches near it, or that the world forms an harmonious concert, as Pythagoras imagines? This, Balbus, is the effect of nature; not of that nature which proceeds artificially, as Zeno says, and the character of which I shall presently examine into, but a nature which, by its own proper motions and mutations, modifies everything.

For I readily agree to what you said about the harmony and general agreement of nature, which you pronounced to be firmly bound and united together, as it were, by ties of blood; but I do not approve of what you added, that "it could not possibly be so, unless it were so united by one divine spirit." On the contrary, the whole subsists by the power of nature, independently of the Gods, and there is a kind of sympathy (as the Greeks call it) which joins together all the parts of the universe, and the greater that is in its own power, the less is it necessary to have recourse to a divine intelligence.

XII. But how will you get rid of the objections which Carneades made? "If," says he, "there is no body immortal, there is none eternal; but there is no body immortal, nor even indivisible, or that cannot be separated and disunited;

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and as every animal is in its nature passive, so there is not one which is not subject to the impressions of extraneous bodies; none, that is to say, which can avoid the necessity of enduring and suffering: and if every animal is mortal, there is none immortal; so likewise, if every animal may be cut up and divided, there is none indivisible, none eternal, but all are liable to be affected by, and compelled to submit to, external power: every animal, therefore, is necessarily mortal, dissoluble, and divisible."

For as there is no wax, no silver, no brass, which cannot be converted into something else, whatever is composed of wax, or silver, or brass, may cease to be what it is; by the same reason, if all the elements are mutable, every body is mutable.

Now, according to your doctrine, all the elements are mutable; all bodies, therefore, are mutable. But if there were any body immortal, then all bodies would not be mutable. Every body, then, is mortal; for every body is either water, air, fire, or earth, or composed of the four elements together, or of some of them. Now there is not one of all these elements that does not perish; for earthly bodies are fragile; water is so soft, that the least shock will separate its parts, and fire and air yield to the least impulse, and are subject to dissolution; besides, any of these elements perish when converted into another nature; as when water is formed from earth, the air from water, and the sky from air; and when they change in the same manner back again. Therefore, if there is nothing but what is perishable in the composition of all animals, there is no animal eternal.

XIII. But, not to insist on these arguments, there is no animal to be found that had not a beginning, and will not have an end; for every animal being sensitive, they are consequently all sensible of cold and heat, sweet and bitter; nor can they have pleasing sensations without being subject to the contrary. As, therefore, they receive pleasure, they likewise receive pain; and whatever being is subject to pain, must necessarily be subject to death; it must be allowed, therefore, that every animal is mortal.

Besides, a being that is not sensible of pleasure or pain, cannot have the essence of an animal; if then, on the one hand, every animal must be sensible of pleasure and pain, and if, on the other, every being that has these sensations cannot be

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immortal, we may conclude, that as there is no animal insensible, there is none immortal. Besides, there is no animal without inclination and aversion; an inclination to that which is agreeable to nature, and an aversion to the contrary: there are in the case of every animal some things which they covet, and others they reject; what they reject are repugnant to their nature, and consequently would destroy them. Every animal, therefore, is inevitably subject to be destroyed. There are innumerable arguments to prove, that whatever is sensitive is perishable; for cold, heat, pleasure, pain, and all that affects the sense, when they become excessive, cause destruction; since then there is no animal that is not sensitive, there is none immortal.

XIV. The substance of an animal is either simple or compound; simple, if it is composed only of earth, of fire, of air, or of water, (and of such a sort of being we can form no idea;) compound, if it is formed of different elements, which have each their proper situation, and have a natural tendency to it; this element tending towards the highest parts, that towards the lowest, and another towards the middle. This conjunction may for some time subsist, but not for ever; for every element must return to its first situation; no animal, therefore, is eternal.

But your school, Balbus, allows fire only to be the sole active principle; an opinion which I believe you derive from Heraclitus, whom some men understand in one sense, some in another; but since he seems unwilling to be understood, we will pass him by. You Stoics then say that fire is the universal principle of all things; that all living bodies cease to live on the extinction of that heat, and that throughout all nature whatever is sensible of that heat lives and flourishes. Now I cannot conceive that bodies should perish for want of heat, rather than for want of moisture or air, especially as they even die through excess of heat; so that the life of animals does not depend more on fire than on the other elements.

However, air and water have this quality in common with fire and heat; but let us see to what this tends. If I am not mistaken, you believe that in all nature there is nothing but fire, which is self-animated. Why fire rather than air, of which the life of animals consists, and which is called from

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thence *anima*,[1] the soul? But how is it that you take it for granted that life is nothing but fire? It seems more probable that it is a compound of fire and air. But if fire is self-animated, unmixed with any other element, it must be sensitive, because it renders our bodies sensitive; and the same objection which I just now made, will arise, that whatever is sensitive must necessarily be susceptible of pleasure and pain, and whatever is sensible of pain is likewise subject to the approach of death; therefore you cannot prove fire to be eternal.

You Stoics hold that all fire has need of nourishment, without which it cannot possibly subsist; that the sun, moon, and all the stars, are fed either with fresh or salt waters; and the reason that Cleanthes gives why the sun is retrograde, and does not go beyond the tropics in the summer or winter, is, that he may not be too far from his sustenance. This I shall fully examine hereafter; but at present we may conclude, that whatever may cease to be, cannot of its own nature be eternal; that if fire wants sustenance, it will cease to be, and that therefore fire is not of its own nature eternal.

XV. After all, what kind of a Deity must that be who is not graced with one single virtue, if we should succeed in forming this idea of such an one? Must we not attribute prudence to a Deity? a virtue, which consists in the knowledge of things good, bad, and indifferent. Yet what need has a being for the discernment of good and ill, who neither has nor can have any ill? Of what use is reason to him? of what use is understanding? We men, indeed, find them useful to aid us in finding out things which are obscure by those which are clear to us; but nothing can be obscure to a Deity. As to justice, which gives to every one his own, it is not the concern of the Gods; since that virtue, according to your doctrine, received its birth from men, and from civil society. Temperance consists in abstinence from corporeal pleasures, and if such abstinence hath a place in heaven, so also must the pleasures abstained from. Lastly, if fortitude is ascribed to the

[1] The common reading is, *ex quo anima dicitur;* but Dr. Davis and M. Bouhier prefer *animal*, though they keep *anima* in the text, because our author says elsewhere, *animum ex anima dictum*, Tusc. l. 1. Cicero is not here to be accused of contradictions; for we are to consider that he speaks in the characters of other persons; but there appears to be nothing in these two passages irreconcilable, and probably *anima* is the right word here.

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Deity, how does it appear? In afflictions, in labour, in danger? None of these things can affect a God. How then can we conceive this to be a Deity, that makes no use of reason, and is not endowed with any virtue?

However, when I consider what is advanced by the Stoics, my contempt for the ignorant multitude vanishes. For these are their divinities. The Syrians worshipped a fish. The Egyptians consecrated beasts of almost every kind. The Greeks deified many men; as Alabandus[1] at Alabandæ, Tenes at Tenedos; and all Greece pay divine honours to Leucothea, who was before called Ino, to her son Palæmon, to Hercules, to Æsculapius, and to the Tyndaridæ; our own people to Romulus, and to many others, who, as citizens newly admitted into the ancient body, they imagine have been received into heaven.

These are the Gods of the illiterate.

XVI. What are the notions of you philosophers? In what respect are they superior to these ideas? I shall pass them over; for they are certainly very admirable. Let the world then be a Deity, for that I conceive is what you mean by—

The refulgent heav'n above,
Which all men call, unanimously, Jove.

But why are we to add many more Gods? What a multitude of them there is! at least it seems so to me; for every constellation, according to you, is a Deity; to some you give the name of beasts, as the goat, the scorpion, the bull, the lion; to others the names of inanimate things, as the ship, the altar, the crown.

But supposing these were to be allowed, how can the rest be granted, or even so much as understood? When we call corn Ceres, and wine Bacchus, we make use of the common manner of speaking; but do you think any one so mad as to believe that his food is a Deity? With regard to those who, you say, from having been men became Gods, I should be very willing to learn of you, either how it was possible formerly, or, if it had ever been, why it is not so now? I do not conceive, as things are at present, how Hercules,

Burnt with fiery torches on Mount Œta,

[1] He is said to have led a colony from Greece into Caria in Asia, and to have built a town, and called it after his own name, for which his countrymen paid him divine honours after his death.

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as Accius says, should rise, with the flames,

To the eternal mansions of his father.

Besides, Homer also says that Ulysses[1] met him in the shades below, amongst the other dead.

But yet I should be glad to know which Hercules we should chiefly worship; for they who have searched into those histories, which are but little known, tell us of several. The most ancient is he who fought with Apollo about the Tripos of Delphi, and is son of Jupiter and Lisyto; and of the most ancient Jupiters too, for we find many Jupiters also in the Grecian chronicles. The second is the Egyptian Hercules, and is believed to be the son of Nilus, and to be the author of the Phrygian characters. The third, to whom they offered sacrifices, is one of the Idæi Dactyli.[2] The fourth is the son of Jupiter and Asteria, the sister of Latona, chiefly honoured by the Tyrians, who pretend that Carthago[3] is his daughter. The fifth, called Belus, is worshipped in India. The sixth is the son of Alcmena by Jupiter; but by the third Jupiter, for there are many Jupiters, as you shall soon see.

XVII. Since this examination has led me so far, I will convince you, that in matters of religion I have learnt more from the pontifical rites, the customs of our ancestors, and the vessels of Numa,[4] which Lælius mentions in his little "golden oration," than from all the learning of the Stoics; for tell me, if I were a disciple of your school, what answer could I make to these questions? If there are Gods, are nymphs also God-

[1] Our great author is under a mistake here. Homer does not say he met Hercules himself, but his εἴδωλον, his "visionary likeness;" and adds that he himself

μετ' ἀθανάτοισι θεοῖσι
τέρπεται ἐν θαλίῃς, καὶ ἔχει καλλίσφυρον Ἥβην,
παῖδα Διὸς μεγάλοιο καὶ Ἥρης χρυσοπεδίλου

which Pope translates,—

A shadowy form, for high in heav'n's abodes
Himself resides, a God among the Gods,
There, in the bright assemblies of the skies,
He nectar quaffs, and Hebe crowns his joys.

[2] They are said to have been the first workers in iron. They were called Idæi, because they inhabited about Mount Ida in Crete, and Dactyli, from δάκτυλοι (the fingers), their number being five.

[3] From whom, some say, the city of that name was called.

[4] Capeduncule seem to have been bowls or cups with handles on each side, set apart for the use of the altar.—*Davis.*

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desses? If they are Goddesses, are Pans and Satyrs in the same rank? But they are not, consequently nymphs are not Goddesses. Yet they have temples publicly dedicated to them. What do you conclude from thence? Others, who have temples, are not therefore Gods. But let us go on. You call Jupiter and Neptune Gods; their brother Pluto then is one; and if so, those rivers also are deities, which they say flow in the infernal regions, Acheron, Cocytus, Pyriphlegethon; Charon also, and Cerberus, are Gods; but that cannot be allowed; nor can Pluto be placed amongst the Deities;—what, then, will you say of his brothers?

Thus reasons Carneades; not with any design to destroy the existence of the Gods, (for what would less become a philosopher?) but to convince us, that, on that matter, the Stoics have said nothing plausible. If, then, Jupiter and Neptune are Gods, adds he, can that divinity be denied to their father Saturn, who is principally worshipped throughout the west? If Saturn is a God, then must his father, Cœlus, be one too, and so must the parents of Cœlus, which are the Sky and Day, as also their brothers and sisters, which by ancient genealogists are thus named, Love, Deceit, Fear, Labour, Envy, Fate, Old Age, Death, Darkness, Misery, Lamentation, Favour, Fraud, Obstinacy, the Destinies, the Hesperides, and Dreams; all which are the offspring of Erebus and Night. These monstrous deities, therefore, must be received, or else those from whom they sprung must be disallowed.

XVIII. If you say that Apollo, Vulcan, Mercury, and the rest of that sort, are Gods, can you doubt the divinity of Hercules and Æsculapius, Bacchus, Castor and Pollux? These are worshipped as much as those, and even more in some places. Therefore they must be numbered among the Gods, though on the mother's side they are only of mortal race. Aristæus, who is said to have been the son of Apollo, and to have found out the art of making oil from the olive; Theseus, the son of Neptune; and the rest, whose fathers were deities, shall they not be placed in the number of the Gods? But what think you of those, whose mothers were Goddesses? They surely have a better title to divinity; for, in the civil law, as he is a freeman who is born of a free-woman, so, in the law of nature, he whose mother is a Goddess, must be a God. The isle Astypalæa religiously honour

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Achilles; and if he is a Deity, Orpheus and Rhesus are so, who were born of one of the Muses; unless, perhaps, there may be a privilege belonging to sea-marriages, which land-marriages have not. Orpheus and Rhesus are nowhere worshipped; and if they are therefore not Gods, because they are nowhere worshipped as such, how can the others be deities? You, Balbus, seemed to agree with me, that the honours which they received were not from their being regarded as immortals, but as men richly endued with virtue.

But if you think Latona a Goddess, how can you avoid admitting Hecate to be one also, who was the daughter of Asteria, Latona's sister? Certainly she is one, if we may judge by the altars erected to her in Greece. And if Hecate is a Goddess, how can you refuse that rank to the Eumenides? for they also have a temple at Athens, and, if I understand right, the Romans have consecrated a grove to them. The Furies, too, whom we look upon as the inspectors into, and scourges of impiety, I suppose, must have their divinity too. As you hold that there is some divinity presides over every human affair, there is one who presides over the travail of matrons, whose name, *Natio*, is derived *a nascentibus*, from nativities, and to whom we used to sacrifice in our processions in the fields of Ardæa; but if she is a Deity, we must likewise acknowledge all those you mentioned, Honour, Faith, Intellect, Concord; by the same rule also Hope, Juno, Moneta,[1] and every idle phantom, every child of our imagination, are Deities. But as this consequence is quite inadmissible, do not you either defend the cause from which it flows.

XIX. What say you to this? If these are Deities, which we worship and regard as such, why are not Serapis and Isis[2] placed in the same rank? And if they are admitted, what reason have we to reject the Gods of the barbarians? Thus we should deify oxen, horses, the ibis, hawks, asps, crocodiles, fishes, dogs, wolves, cats, and many other beasts. If we go back to the source of this superstition, we must

[1] See *Cicero de Divinatione*, and *Ovid. Fast.*

[2] In the consulship of Piso and Gabinius, sacrifices to Serapis and Isis were prohibited in Rome; but the Roman people afterwards placed them again in the number of their gods. See Tertullian's Apol. and his first book *Ad Nationes*, and Arnobius, lib. 2.—*Davis.*

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equally condemn all the deities from which they proceed. Shall Ino, whom the Greeks call Leucothea, and we Matuta, be reputed a Goddess, because she was the daughter of Cadmus, and shall that title be refused to Circe and Pasiphae,[1] who had the Sun for their father, and Perseis, daughter of the Ocean, for their mother? It is true, Circe has divine honours paid her by our colony of Circæum; therefore you call her a Goddess; but what will you say of Medea, the grand-daughter of the Sun and the Ocean, and daughter of Æetes and Idyia? What will you say of her brother Absyrtus, whom Pacuvius calls Ægialeus, though the other name is more frequent in the writings of the ancients? If you did not deify one as well as the other, what will become of Ino? for all these deities have the same origin.

Shall Amphiaraus and Tryphonius be called Gods? Our publicans, when some lands in Bœotia were exempted from the tax, as belonging to the immortal Gods, denied that any were immortal who had been men. But if you deify these, Erechtheus surely is a God, whose temple and priest we have seen at Athens. And can you then refuse to acknowledge also Codrus, and many others who shed their blood for the preservation of their country? And if it is not allowable to consider all these men as Gods, then, certainly, probabilities are not in favour of our acknowledging the *Divinity* of those previously-mentioned beings from whom these have proceeded.

It is easy to observe, likewise, that if in many countries people have paid divine honours to the memory of those who have signalized their courage, it was done in order to animate others to practise virtue, and to expose themselves the more willingly to dangers in their country's cause. From this motive the Athenians have deified Erechtheus and his daughters, and have erected also a temple called Leocorion to the daughters of Leus.[2] Alabandus is more honoured in the city which he founded, than any of the more illustrious deities; from thence Stratonicus had a pleasant turn, as he had many, when he was troubled with an impertinent fellow, who insisted that Alabandus was a God, but that Hercules

[1] In some copies Circe, Pasiphae, and Æa are mentioned together; but Æa is rejected by the most judicious editors.

[2] They were three, and are said to have averted a plague by offering themselves a sacrifice.

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was not; "Very well," says he, "then let the anger of Alabandus fall upon me, and that of Hercules upon you."

XX. Do you not consider, Balbus, to what lengths your arguments for the divinity of the heaven and the stars will carry you? You deify the sun and the moon, which the Greeks take to be Apollo and Diana. If the moon is a deity, the morning-star, the other planets, and all the fixed stars, are also deities; and why shall not the rainbow be placed in that number? for it is so wonderfully beautiful, that it is justly said to be the daughter of Thaumas.[1] But if you deify the rainbow, what regard will you pay to the clouds? for the colours which appear in the bow are only formed of the clouds, one of which is said to have brought forth the Centaurs; and if you deify the clouds, you cannot pay less regard to the seasons, which the Roman people have really consecrated; tempests, showers, storms, and whirlwinds, must then be deities. It is certain, at least, that our captains used to sacrifice a victim to the waves before they embarked on any voyage.

As you deify the earth under the name of Ceres,[2] because, as you said, she bears fruits (*a gerendo*), and the ocean under that of Neptune; rivers and fountains have the same right. Thus we see that Maso, the conqueror of Corsica, dedicated a temple to a fountain, and the names of the Tiber, Spino, Almo, Nodinus, and other neighbouring rivers, are in the prayers[3] of the augurs; therefore, either the number of such deities will be infinite, or we must admit none of them, and wholly disapprove of such an endless series of superstition.

XXI. None of all these assertions, then, are to be admitted. I must proceed now, Balbus, to answer those who say, that, with regard to those deified mortals, so religiously and devoutly reverenced, the public opinion should have the force of reality. To begin, then; they who are called theologists say that there are three Jupiters; the first and second of whom were born in Arcadia; one of whom was the son of Æther, and father of Proserpine and Bacchus; the other, the son of Cœlus, and father of Minerva, who is called the Goddess and inventress

[1] So called from the Greek word θαυμάζω, to wonder.

[2] She was first called Gerea, from *gero*, to bear.

[3] The word is *precatione*, which means the books or forms of prayers used by the augurs.

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of war; the third one born of Saturn in the isle of Crete,[1] where his sepulchre is shown. The sons of Jupiter (Διόσκουροι) also, among the Greeks, have many names; first, the three, who at Athens have the title of Anactes,[2] Tritopatreus, Eubuleus, and Dionysius, sons of the most ancient king Jupiter and Proserpine; the next are Castor and Pollux, sons of the third Jupiter and Leda; and lastly, three others, by some called Alco,[3] Melampus, and Emolus, sons of Atreus, the son of Pelops.

As to the Muses, there were at first four, Thelxiope, Acœde, Arche, and Melete, daughters of the second Jupiter; afterwards, there were nine, daughters of the third Jupiter and Mnemosyne; there were also nine others, having the same appellations, born of Pierus and Antiopa, by the poets usually called Pierides and Pieriæ. Though *Sol* (the sun) is so called, you say, because he is *solus*, single; yet how many suns do theologists mention? There is one, the son of Jupiter, and grandson of Æther; another, the son of Hyperion; a third, who, the Egyptians say, was of the city Heliopolis, sprung from Vulcan, the son of Nilus; a fourth is said to have been born at Rhodes of Acantho, in the times of the heroes, and was the grandfather of Jalysus, Camirus, and Lindus; a fifth, of whom, it is pretended, Aretes and Circe were born at Colchis.

XXII. There are likewise several Vulcans. The first, (who had of Minerva that Apollo, whom the ancient historians call the tutelary God of Athens,) was the son of Cœlus; the second, whom the Egyptians call Opas,[4] and whom they looked upon as the protector of Egypt, is the son of Nilus; the third, who is said to have been the master of the forges at Lemnos, was the son of the third Jupiter and of Juno; the fourth, who possessed the islands near Sicily, called Vulcaniæ,[5] was the son of Menalius. One Mercury had Cœlus

[1] Cotta's intent here, as well as in other places, is to show how unphilosophical their civil theology was, and with what confusions it was embarrassed; which design of the Academic the reader should carefully keep in view, or he will lose the chain of argument.

[2] Anactes, Ἄνακτες, was a general name for all kings, as we find in the oldest Greek writers, and particularly in Homer.

[3] The common reading is Aleo; but we follow Lambinus and Davis, who had the authority of the best manuscript copies.

[4] Some prefer Phthas to Opas. See Dr. Davis's edition; but Opas is the generally received reading.

[5] The Lipari isles.

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for his father, and Dies for his mother; another, who is said to dwell in a cavern, and is the same as Trophonius, is the son of Valens and Phoronis. A third, of whom, and of Penelope, Pan was the offspring, is the son of the third Jupiter and Maia. A fourth, whom the Egyptians think it a crime to name, is the son of Nilus. A fifth, whom we call, in their language, Thoth, as with them the first month of the year is called, is he whom the people of Pheneum[1] worship, and who is said to have killed Argus, to have fled for it into Egypt, and to have given laws and learning to the Egyptians. The first of the Æsculapii, the God of Arcadia, who is said to have invented the probe and to have been the first person who taught men to use bandages for wounds, is the son of Apollo. The second, who was killed with thunder, and is said to be buried in Cynosura,[2] is the brother of the second Mercury. The third, who is said to have found out the art of purging the stomach, and of drawing teeth, is the son of Arsippus and Arsinoe; and in Arcadia there is shown his tomb, and the wood which is consecrated to him, near the river Lusium.

XXIII. I have already spoken of the most ancient of the Apollos, who is the son of Vulcan, and tutelar God of Athens. There is another, son of Corybas, and native of Crete, for which island he is said to have contended with Jupiter himself. A third, who came from the regions of the Hyperborei[3] to Delphi, is the son of the third Jupiter and of Latona. A fourth was of Arcadia, whom the Arcadians called Nomio,[4] because they regarded him as their legislator. There are likewise many Dianas. The first, who is thought to be the mother of the winged Cupid, is the daughter of Jupiter and Proserpine. The second, who is more known, is daughter of the third Jupiter and of Latona. The third, whom the Greeks often call by her father's name, is the daughter of Upis[5] and Glauce. There are many also of the Dionysi. The first was the son of Jupiter and Proserpine. The second, who is said to have killed Nysa, was the son of Nilus. The third, who reigned in Asia, and for whom the Sabazia[6] were insti-

[1] A town in Arcadia. [2] In Arcadia. [3] A northern people.

[4] So called from the Greek word *νόμος*, *lex*, a law.

[5] He is called Ὦπις in some old Greek fragments, and Ὄπις by Callimachus in his hymn on Diana.

[6] Σαβάζιος, Sabazius, is one of the names used for Bacchus.

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tuted, was the son of Caprius. The fourth, for whom they celebrate the Orphic festivals, sprung from Jupiter and Luna. The fifth, who is supposed to have instituted the Trieterides, was the son of Nysus and Thyone.

The first Venus, who has a temple at Elis, was the daughter of Cœlus and Dies. The second arose out of the froth of the sea, and became, by Mercury, the mother of the second Cupid. The third, the daughter of Jupiter and Diana, was married to Vulcan, but is said to have had Anteros by Mars. The fourth was a Syrian, born of Tyro, who is called Astarte, and is said to have been married to Adonis. I have already mentioned one Minerva, mother of Apollo. Another, who is worshipped at Sais, a city in Egypt, sprung from Nilus. The third, whom I have also mentioned, was daughter of Jupiter. The fourth, sprung from Jupiter and Coryphe, the daughter of the Ocean; the Arcadians call her Coria, and make her the inventress of chariots. A fifth, whom they paint with wings at her heels, was daughter of Pallas, and is said to have killed her father, for endeavouring to violate her chastity. The first Cupid is said to be the son of Mercury and the first Diana; the second, of Mercury and the second Venus; the third, who is the same as Anteros, of Mars and the third Venus.

All these opinions arise from old stories, that were spread in Greece; the belief in which, Balbus, you well know, ought to be stopped, lest religion should suffer. But you Stoics, so far from refuting them, even give them authority, by the mysterious sense which you pretend to find in them. Can you then think, after this plain refutation, that there is need to employ more subtle reasonings? But to return from this digression.

XXIV. We see that the mind, faith, hope, virtue, honour, victory, health, concord, and things of such kind, are purely natural, and have nothing of divinity in them; for either they are inherent in us, as the mind, faith, hope, virtue, and concord are; or else they are to be desired, as honour, health, and victory. I know indeed that they are useful to us, and see that statues have been religiously erected for them; but as to their divinity, I shall begin to believe it when you have proved it for certain. Of this kind I may particularly mention Fortune, which is allowed to be ever inseparable from

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inconstancy and temerity, which are certainly qualities unworthy of a divine being.

But what delight do you take in the explication of fables, and in the etymology of names?—that Cœlus was castrated by his son, and that Saturn was bound in chains by his son! By your defence of these and such like fictions, you would make the authors of them appear not only not to be madmen, but to have been even very wise. But the pains which you take with your etymologies deserve our pity. That Saturn is so called, because *se saturat annis*, he is full of years; Mavors, Mars, because *magna vortit*, he brings about mighty changes; Minerva, because *minuit*, she diminishes, or because *minatur*, she threatens; Venus, because *venit ad omnia*, she comes to all; Ceres, *a gerendo*, from bearing. How dangerous is this method! for there are many names would puzzle you. From what would you derive Vejupiter and Vulcan? Though, indeed, if you can derive Neptune *a nando*, from swimming, in which you seem to me to flounder about yourself more than Neptune, you may easily find the origin of all names, since it is founded only upon the conformity of some one letter. Zeno first, and after him Cleanthes and Chrysippus, are put to the unnecessary trouble of explaining mere fables, and giving reasons for the several appellations of every deity; which is really owning that those whom we call Gods are not the representations of deities, but natural things, and that to judge otherwise is an error.

XXV. Yet this error has so much prevailed, that even pernicious things have not only the title of divinity ascribed to them, but have also sacrifices offered to them; for Fever has a temple on the Palatine hill, and Orbona another near that of the Lares, and we see on the Esquiline hill an altar consecrated to Ill-Fortune. Let all such errors be banished from philosophy, if we would advance, in our dispute concerning the immortal Gods, nothing unworthy of immortal beings. I know myself what I ought to believe; which is far different from what you have said. You take Neptune for an intelligence pervading the sea. You have the same opinion of Ceres with regard to the earth. I cannot, I own, find out, or in the least conjecture, what that intelligence of the sea or the earth is. To learn, therefore, the existence of the Gods,

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and of what description and character they are, I must apply elsewhere, not to the Stoics.

Let us proceed to the two other parts of our dispute: first, "whether there is a divine providence which governs the world;" and lastly, "whether that providence particularly regards mankind;" for these are the remaining propositions of your discourse; and I think that, if you approve of it, we should examine these more accurately. With all my heart, says Velleius, for I readily agree to what you have hitherto said, and expect still greater things from you.

I am unwilling to interrupt you, says Balbus to Cotta, but we shall take another opportunity, and I shall effectually convince you. But——[1]

XXVI. Shall I adore, and bend the suppliant knee,
Who scorn their power, and doubt their deity?

Does not Niobe here seem to reason, and by that reasoning to bring all her misfortunes upon herself? But what a subtle expression is the following!—

On strength of will alone depends success;

a maxim capable of leading us into all that is bad.

Though I'm confined, his malice yet is vain,
His tortured heart shall answer pain for pain;
His ruin soothe my soul with soft content,
Lighten my chains, and welcome banishment!

This now is reason; that reason, which you say the divine goodness has denied to the brute creation, kindly to bestow it on men alone. How great, how immense the favour! Observe the same Medea flying from her father and her country:—

The guilty wretch from her pursuer flies.
By her own hands the young Absyrtus slain,
His mangled limbs she scatters o'er the plain;
That the fond sire might sink beneath his woe,
And she to parricide her safety owe.

Reflection, as well as wickedness, must have been necessary to the preparation of such a fact; and did he too, who prepared that fatal repast for his brother, do it without reflection?—

Revenge, as great as Atreus' injury,
Shall sink his soul and crown his misery.

[1] Here is a wide chasm in the original. What is lost probably may have contained great part of Cotta's arguments against the providence of the Stoics.

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XXVII. Did not Thyestes himself, not content with having defiled his brother's bed, (of which Atreus with great justice thus complains,—

When faithless comforts in the lewd embrace,
With vile adultery stain a royal race,
The blood thus mixed in fouler currents flows,
Taints the rich soil, and breeds unnumber'd woes;)

did he not, I say, by that adultery, aim at the possession of the crown? Atreus thus continues:—

A lamb, fair gift of heaven, with golden fleece,
Promised in vain to fix my crown in peace;
But base Thyestes, eager for the prey,
Crept to my bed, and stole the gem away.

Do you not perceive that Thyestes must have had a share of reason proportionable to the greatness of his crimes; such crimes as are not only represented to us on the stage, but such as we see committed, nay often exceeded, in the common course of life? The private houses of individual citizens, the public courts, the senate, the camp, our allies, our provinces, all agree that reason is the author of all the ill, as well as of all the good which is done; that it makes few act well, and that but seldom, but many act ill, and that frequently; and that, in short, the Gods would have shown greater benevolence in denying us any reason at all, than in sending us that which is accompanied with so much mischief; for as wine is seldom wholesome, but often hurtful in diseases, we think it more prudent to deny it to the patient, than to run the risk of so uncertain a remedy; so I do not know whether it would not be better for mankind to be deprived of wit, thought, and penetration, or what we call reason, since it is a thing pernicious to many and very useful to few, than to have it bestowed upon them with so much liberality, and in such abundance. But if the divine will has really consulted the good of man in this gift of reason, the good of those men only was consulted on whom a well-regulated one is bestowed; how few those are, if any, is very apparent. We cannot admit, therefore, that the Gods consulted the good of a few only; the conclusion must be that they consulted the good of none.

XXVIII. You answer that the ill use which a great part of mankind make of reason, no more takes away the goodness of the Gods, who bestow it as a present of the greatest benefit to them, than the ill use which children make of their

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patrimony, diminishes the obligation which they have to their parents for it. We grant you this; but where is the similitude? It was far from Deianira's design to injure Hercules, when she made him a present of the shirt dipped in the blood of the Centaurs. Nor was it a regard to the welfare of Jason of Pheræ, that influenced the man who with his sword opened his imposthume, which the physicians had in vain attempted to cure. For it has often happened that people have served a man whom they intended to injure, and have injured one whom they designed to serve; so that the effect of the gift is by no means always a proof of the intention of the giver; neither does the benefit which may accrue from it prove that it came from the hands of a benefactor. For, in short, what debauchery, what avarice, what crime amongst men is there which does not owe its birth to thought and reflection, that is, to reason? For all opinion is reason; right reason, if men's thoughts are conformable to truth; wrong reason, if they are not. The Gods only give us the mere faculty of reason, if we have any; the use or abuse of it depends entirely upon ourselves; so that the comparison is not just between the present of reason given us by the Gods, and a patrimony left to a son by his father; for after all, if the injury of mankind had been the end proposed by the Gods, what could they have given them more pernicious than reason; for what seed could there be of injustice, intemperance and cowardice, if reason were not laid as the foundation of these vices.

XXIX. I mentioned just now Medea and Atreus, persons celebrated in heroic poems, who had used this reason only for the contrivance and practice of the most flagitious crimes; but even the trifling characters which appear in comedies, supply us with the like instances of this reasoning faculty; for example, does not he, in the Eunuch, reason with some subtilty,—

> What then must I resolve upon?——
> She turn'd me out of doors; she sends for me back again;
> Shall I go? no, not if she were to beg it of me.

Another in the Twins, making no scruple of opposing a received maxim, after the manner of the Academics, asserts, that when a man is in love and in want, it is pleasant

> To have a father covetous, crabb'd, and passionate,
> Who has no love or affection for his children.

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This unaccountable opinion he strengthens thus,—

> You may defraud him of his profits, or forge letters in his name,
> Or fright him by your servant into compliance;
> And what you take from such an old hunks,
> How much more pleasantly do you spend it!

On the contrary, he says that an easy, generous father, is an inconvenience to a son in love; for, says he,—

> I can't tell how to abuse so good, so prudent a parent,
> Who always foreruns my desires, and meets me purse in hand,
> To support me in my pleasures; this easy goodness and generosity
> Quite defeat all my frauds, tricks, and stratagems.[1]

What are these frauds, tricks, and stratagems, but the effects of reason? O excellent gift of the Gods! Without this Phormio could not have said,—

> Find me out the old man; I have something hatching for him in my head.

XXX. But let us pass from the stage to the bar. The prætor[2] takes his seat. To judge whom? The man who set fire to our archives. How secretly was that villainy conducted? Q. Sosius, an illustrious Roman knight, of the Picene field,[3] confessed the fact. Who else is to be tried? He who forged the public registers; Alenus, an artful fellow, who counterfeited the handwriting of the six officers.[4] Let us call to mind other trials; that on the subject of the gold of Tolosa, or the conspiracy of Jugurtha. Let us trace back the informations laid against Tubulus for bribery in his judicial office; and since that, the proceedings of the tribune Peduceus concerning the incest of the vestals. Let us reflect upon the trials which daily happen for assassinations, poisonings, embezzlement of public money, frauds in wills, against

[1] Here is one expression in the quotation from Cæcilius that is not commonly met with, which is *præstigias præstrinxit*; Lambinus gives *præstinxit*, for the sake, I suppose, of playing on words; because it might then be translated, "he has deluded my delusions, or stratagems;" but *præstrinxit* is certainly the right reading.

[2] The ancient Romans had a judicial as well as a military prætor; and he sat, with inferior judges attending him, like one of our chief-justices. *Sessum it prætor*, which I doubt not is the right reading, Lambinus restored from an old copy. The common reading was *sessum ite precor*.

[3] Picenum was a region of Italy.

[4] The *sex primi* were general receivers of all taxes and tributes; and they were obliged to make good, out of their own fortunes, whatever deficiencies were in the public treasury.

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which we have a new law; then that action against the advisers or assisters of any theft; the many laws concerning frauds in guardianship, breaches of trust in partnerships and commissions in trade, and other violations of faith in buying, selling, borrowing, or lending; the public decree on a private affair by the Lætorian law;[1] and lastly, that scourge of all dishonesty, the law against fraud, proposed by our friend Aquillius; that sort of fraud, he says, by which one thing is pretended, and another done. Can we then think that this plentiful fountain of evil sprang from the immortal Gods? If they have given reason to man, they have likewise given him subtilty, for subtilty is only a deceitful manner of applying reason to do mischief. To them likewise we must owe deceit, and every other crime, which, without the help of reason, would neither have been thought of nor committed. As the old woman wished,—

> That to the fir, which on Mount Pelion grew,
> The axe had ne'er been laid——[2]

so we should wish that the Gods had never bestowed this ability on man; the abuse of which is so general, that the small number of those who make a good use of it are often oppressed by those who make a bad use of it; so that it seems to be given rather to help vice, than to promote virtue amongst us.

XXXI. This, you insist on it, is the fault of man, and not of the Gods. But should we not laugh at a physician or pilot, though they are weak mortals, if they were to lay the blame of their ill success on the violence of the disease, or the fury of the tempest? Had there not been danger, we should say, who would have applied to you? This reasoning has still greater force against the Deity. The fault, you say, is in man, if he commits crimes. But why was not man endued with a reason incapable of producing any crimes?

[1] The Lætorian law was a security for those under age against extortioners, &c. By this law all debts contracted under twenty-five years of age were void.

[2] This is from Ennius—

> Utinam ne in nemore Pelio securibus
> Cæsa cecidisset abiegna ad terram trabes.

Translated from the beginning of the Medea of Euripides—

> Μήδ' ἐν νάπαισι Πηλίου πεσεῖν ποτε
> τμηθεῖσα πεύκη.

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How could the Gods err? When we leave our effects to our children, it is in hopes that they may be well bestowed; in which we may be deceived; but how can the Deity be deceived? As Phœbus, when he trusted his chariot to his son Phaëthon, or as Neptune, when he indulged his son Theseus in granting him three wishes, the consequence of which was the destruction of Hippolitus? These are poetical fictions. But truth and not fables ought to proceed from philosophers. Yet, if those poetical Deities had foreseen that their indulgence would have proved fatal to their sons, they must have been thought blameable for it.

Aristo of Chios used often to say, that the philosophers do hurt to such of their disciples as take their good doctrine in a wrong sense; thus the lectures of Aristippus might produce debauchees, and those of Zeno pedants. If this be true, it were better that philosophers should be silent, than that their disciples should be corrupted by a misapprehension of their master's meaning; so if reason, which was bestowed on mankind by the Gods with a good design, tends only to make men more subtle and fraudulent, it had been better for them never to have received it. There could be no excuse for a physician, who prescribes wine to a patient, knowing that he will drink it, and immediately expire. Your Providence is no less blameable in giving reason to man, who, it foresaw, would make a bad use of it. Will you say that it did not foresee it? Nothing could please me more than such an acknowledgment. But you dare not. I know what a sublime idea you entertain of her.

XXXII. But to conclude. If folly, by the unanimous consent of philosophers, is allowed to be the greatest of all evils, and if no one ever attained to true wisdom, we, whom they say the immortal Gods take care of, are consequently in a state of the utmost misery. For that nobody is well, or that nobody can be well, is in effect the same thing; and, in my opinion, that no man is truly wise, or that no man can be truly wise, is likewise the same thing. But I will insist no farther on so self-evident a point. Telamon in one verse decides the question. If, says he, there is a Divine Providence,—

Good men would be happy, bad men miserable.

But it is not so. If the Gods had regarded mankind, they

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should have made them all virtuous. But if they did not regard the welfare of all mankind, at least they ought to have provided for the happiness of the virtuous. Why, therefore, was the Carthaginian in Spain suffered to destroy those best and bravest men, the two Scipios? Why did Maximus[1] lose his son the consul? Why did Hannibal kill Marcellus? Why did Cannæ deprive us of Paulus? Why was the body of Regulus delivered up to the cruelty of the Carthaginians? Why was not Africanus protected from violence in his own house? To these, and many more ancient instances, let us add some of later date. Why is Rutilius, my uncle, a man of the greatest virtue and learning, now in banishment? Why was my own friend and companion Drusus assassinated in his own house? Why was Scævola the high-priest, that pattern of moderation and prudence, massacred before the statue of Vesta? Why, before that, were so many illustrious citizens put to death by Cinna? Why had Marius, the most perfidious of men, the power to cause the death of Catulus, a man of the greatest dignity? But there would be no end of enumerating examples of good men made miserable, and wicked men prosperous. Why did that Marius live to an old age, and die so happily at his own house, in his seventh consulship? Why was that inhuman wretch Cinna permitted to enjoy so long a reign?

XXXIII. He indeed met with deserved punishment at last. But would it not have been better that these inhumanities had been prevented, than that the author of them should be punished afterwards? Varius, a most impious wretch, was tortured and put to death. If this was his punishment for the murdering Drusus by the sword, and Metellus by poison, would it not have been better to have preserved their lives, than to have their deaths avenged on Varius? Dionysius was thirty-eight years a tyrant over the most opulent and flourishing city; and, before him, how many years did Pisistratus tyrannize in the very flower of Greece! Phalaris and Apollodorus met with the fate they deserved; but not till after they had tortured and put to death multitudes. Many robbers have been executed; but the number of those who have suffered for their crimes is short of those whom

[1] Q. Fabius Maximus, surnamed Cunctator.

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they have robbed and murdered. Anaxarchus,[1] a scholar of Democritus, was cut to pieces by command of the tyrant of Cyprus; and Zeno of Elea[2] ended his life in tortures. What shall I say of Socrates,[3] whose death, as often as I read of it in Plato, draws fresh tears from my eyes? If, therefore, the Gods really see everything that happens to men, you must acknowledge they make no distinction between the good and the bad.

XXXIV. Diogenes the Cynic used to say of Harpalus, one of the most fortunate villains of his time, that the constant prosperity of such a man was a kind of witness against the Gods. Dionysius, of whom we have before spoken, after he had pillaged the temple of Proserpine at Locris, set sail for Syracuse, and, having a fair wind during his voyage, said, with a smile, "See, my friends, what favourable winds the immortal Gods bestow upon church-robbers." Encouraged by this prosperous event, he proceeded in his impiety. When he landed at Peloponnesus, he went into the temple of Jupiter Olympius, and disrobed his statue of a golden mantle of great weight, an ornament which the tyrant Gelo[4] had given out of the spoils of the Carthaginians, and at the same time, in a jesting manner, he said, "that a golden mantle was too heavy in summer, and too cold in winter;" and then, throwing a woollen cloak over the statue, added, "this will serve for all seasons." At another time, he ordered the golden beard of Æsculapius of Epidarus to be taken away, saying that "it was absurd for the son to have a beard, when his father had none." He likewise robbed the temples of the silver tables, which, according to the ancient custom of Greece, bore this inscription, "To the good Gods," saying, "he was willing to make use of their goodness;" and, without the least scruple, took away the little golden emblems of victory, the cups and coronets, which were in the stretched out hands of the statues, saying, "he did not take, but receive them; for it would be folly not to accept good things from the Gods, to whom we

[1] Diogenes Laertius says he was pounded to death in a stone mortar, by command of Nicocreon, tyrant of Cyprus.

[2] Elea, a city of Lucania, in Italy. The manner in which Zeno was put to death, is, according to Diogenes Laertius, uncertain.

[3] This great and good man was accused of destroying the divinity of the gods of his country; he was condemned, and died by drinking a glass of poison.

[4] Tyrant of Sicily.

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are constantly praying for favours, when they stretch out their hands towards us." And last of all, all the things which he had thus pillaged from the temples were, by his order, brought to the market-place, and sold by the common crier; and after he had received the money for them, he commanded every purchaser to restore what he had bought, within a limited time, to the temples from whence they came. Thus to his impiety towards the Gods, he added injustice to man.

XXXV. Yet neither did Olympian Jove strike him with his thunder, nor did Æsculapius cause him to die by tedious diseases and a lingering death. He died in his bed, had funeral honours[1] paid to him, and left his power, which he had wickedly obtained, as a just and lawful inheritance to his son.

It is not without concern that I maintain a doctrine which seems to authorize evil, and which might probably give a sanction to it, if conscience, without any Divine assistance, did not point out, in the clearest manner, the difference between virtue and vice. Without conscience man is contemptible. For as no family or state can be supposed to be formed with any reason or discipline, if there are no rewards for good actions, nor punishments for crimes, so we cannot believe that a Divine Providence regulates the world, if there is no distinction between the honest and the wicked.

But the Gods, you say, neglect trifling things; the little fields or vineyards of particular men are not worthy their attention; and if blasts or hail destroy their product, Jupiter does not regard it, nor do kings extend their care to the lower offices of government. This argument might have some weight, if, in bringing Rutilius as an instance, I had only complained of the loss of his farm at Formiæ; but I spoke of a personal misfortune, his banishment.[2]

[1] The common reading is, *in tympanidis rogum inlatus est.* This passage has been the occasion of as many different opinions, concerning both the reading and the sense, as any passage in the whole treatise. *Tympanum* is used for a timbrel or drum, *tympanidia* a diminutive of it. Lambinus says *tympana* "were sticks with which the tyrant used to beat the condemned." P. Victorius substitutes *tyrannidis* for *tympanidis.*

[2] The original is *de amissa salute;* which means the sentence of banishment amongst the Romans, in which was contained the loss of goods and estate, and the privileges of a Roman; and in this sense L'Abbé d'Olivet translates it.

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XXXVI. All men agree that external benefits, such as vineyards, corn, olives, plenty of fruit and grain, and, in short, every convenience and property of life, are derived from the Gods; and, indeed, with reason, since by our virtue we claim applause, and in virtue we justly glory, which we could have no right to do, if it was the gift of the Gods, and not a personal merit. When we are honoured with new dignities, or blessed with increase of riches; when we are favoured by fortune beyond our expectation, or luckily delivered from any approaching evil, we return thanks for it to the Gods, and assume no praise to ourselves. But who ever thanked the Gods that he was a good man? We thank them, indeed, for riches, health, and honour. For these we invoke the all-good and all-powerful Jupiter; but not for wisdom, temperance, and justice. No one ever offered a tenth of his estate to Hercules to be made wise. It is reported, indeed, of Pythagoras, that he sacrificed an ox to the Muses, upon having made some new discovery in geometry;[1] but for my part, I cannot believe it, because he refused to sacrifice even to Apollo at Delos, lest he should defile the altar with blood. But to return. It is universally agreed that good fortune we must ask of the Gods, but wisdom must arise from ourselves; and though temples have been consecrated to the Mind, to Virtue, and to Faith, yet that does not contradict their being inherent in us. In regard to hope, safety, assistance, and victory, we must rely upon the Gods for them; from whence it follows, as Diogenes said, that the prosperity of the wicked destroys the idea of a divine providence.

XXXVII. But good men have sometimes success. They have so; but we cannot, with any show of reason, attribute that success to the Gods. Diagoras, who is called the atheist, being at Samothrace, one of his friends showed him several pictures[2] of people who had endured very dangerous storms; "See," says he, "you who deny a providence, how many have been saved by their prayers to the Gods." "Aye," says

[1] The forty-seventh proposition of the first book of Euclid is unanimously ascribed to him by the ancients. Dr. Wotton, in his Reflections upon Ancient and Modern Learning, says, "it is indeed a very noble proposition, the foundation of trigonometry, of universal and various use in those curious speculations about incommensurable numbers."

[2] These votive tables, or pictures, were hung up in the temples.

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Diagoras, "I see those who were saved, but where are those painted who were shipwrecked?" At another time, he himself was in a storm, when the sailors, being greatly alarmed, told him they justly deserved that misfortune for admitting him into their ship; when he, pointing to others under the like distress, asked them "if they believed Diagoras was also aboard those ships?" In short, with regard to good or bad fortune, it matters not what you are, or how you have lived. The Gods, like kings, regard not everything. What similitude is there between them? If kings neglect anything, want of knowledge may be pleaded in their defence; but ignorance cannot be brought as an excuse for the Gods.

XXXVIII. Your manner of justifying them is somewhat extraordinary, when you say, that if a wicked man dies without suffering for his crimes, the Gods inflict a punishment on his children, his children's children, and all his posterity. O wonderful equity of the Gods! What city would endure the maker of a law, which should condemn a son or a grandson for a crime committed by the father or the grandfather?

> Shall Tantalus' unhappy offspring know
> No end, no close, of this long scene of woe?
> When will the dire reward of guilt be o'er,
> And Myrtilus demand revenge no more?[1]

Whether the poets have corrupted the Stoics, or the Stoics given authority to the poets, I cannot easily determine. Both alike are to be condemned. If those persons whose names have been branded in the satires of Hipponax or Archilochus,[2] were driven to despair, it did not proceed from the Gods, but had its origin in their own minds. When we see Ægistus and Paris lost in the heat of an impure passion, why are we to attribute it to a Deity, when the crime, as it were, speaks for itself? I believe that those who recover from illness are

[1] This passage is a fragment from a tragedy of Attius.

[2] Hipponax was a poet at Ephesus, and so deformed, that Bupalus drew a picture of him to provoke laughter; for which Hipponax is said to have written such keen iambics on the painter, that he hanged himself.

Lycambes had promised Archilochus the poet, to marry his daughter to him, but afterwards retracted his promise, and refused her; upon which Archilochus is said to have published a satire in iambic verse, that provoked him to hang himself.

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more indebted to the care of Hippocrates than to the power of Æsculapius; that Sparta received her laws from Lycurgus[1] rather than from Apollo; that those eyes of the maritime coast, Corinth and Carthage, were plucked out, the one by Critolaus, the other by Hasdrubal, without the assistance of any divine anger, since you yourselves confess, that a Deity cannot possibly be angry on any provocation.

XXXIX. But could not the Deity have assisted and preserved those eminent cities?—Undoubtedly he could; for, according to your doctrine, his power is infinite, and without the least labour; and as nothing but the will is necessary to the motion of our bodies, so the divine will of the Gods, with the like ease, can create, move, and change all things. This you hold, not from a mere phantom of superstition, but on natural and settled principles of reason; for matter, you say, of which all things are composed and consist, is susceptible of all forms and changes, and there is nothing which cannot be, or cease to be, in an instant; and that divine providence has the command and disposal of this universal matter, and consequently can, in any part of the universe, do whatever she pleases: from whence I conclude, that this providence either knows not the extent of her power, or neglects human affairs, or cannot judge what is best for us. Providence, you say, does not extend her care to particular men; there is no wonder in that, since she does not extend it to cities, or even to nations, or people. If, therefore, she neglects whole nations, is it not very probable that she neglects all mankind? But how can you assert that the Gods do not enter into all the little circumstances of life, and yet hold that they distribute dreams among men? Since you believe in dreams, it is your part to solve this difficulty. Besides, you say we ought to call upon the Gods. Those who call upon the Gods are individuals. Divine providence, therefore, regards individuals; which consequently proves that they are more at leisure than you imagine. Let us suppose the divine providence to be greatly busied; that it causes the revolutions of the heavens, supports the earth, and rules the seas; why does it suffer so many Gods to be unemployed? Why is not the superin-

[1] Cicero refers here to an oracle approving of his laws, and promising Sparta prosperity as long as they were obeyed, which Lycurgus procured from Delphi.

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tendence of human affairs given to some of those idle Deities, which you say are innumerable?

This is the purport of what I had to say concerning "the Nature of the Gods;" not with a design to destroy their existence, but merely to show what an obscure point it is, and with what difficulties an explanation of it is attended.

XL. Balbus, observing that Cotta had finished his discourse, —You have been very severe, says he, against a divine providence, a doctrine established by the Stoics with piety and wisdom; but as it grows too late, I shall defer my answer to another day. Our argument is of the greatest importance; it concerns our altars,[1] our hearths, our temples, nay, even the walls of our city, which you priests hold sacred; you, who by religion defend Rome better than she is defended by her ramparts. This is a cause which, whilst I have life, I think I cannot abandon without impiety.

There is nothing, replied Cotta, which I desire more than to be confuted. I have not pretended to decide this point, but to give you my private sentiments upon it; and am very sensible of your great superiority in argument. No doubt of it, says Velleius; we have much to fear from one who believes that our dreams are sent from Jupiter, which, though they are of little weight, are yet of more importance than the discourse of the Stoics concerning the nature of the Gods. The conversation ended here, and we parted. Velleius judged that the arguments of Cotta were truest; but those of Balbus seemed to me to have the greater probability.[2]

[1] *Pro aris et focis* is a proverbial expression. The Romans, when they would say their all was at stake, could not express it stronger than by saying they contended *pro aris et focis*, for religion and their firesides, or, as we express it, for religion and property.

[2] Cicero, who was an Academic, gives his opinion according to the manner of the Academics; who looked upon probability, and a resemblance of truth, as the utmost they could arrive at.

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ON DIVINATION.

[Cicero composed this treatise immediately after that on the Nature of the Gods; the two subjects being indeed very closely connected. In the first book all kinds of Divination are represented as maintained by his brother Quintus, on the principles of the Stoics.]

I. It is an old opinion, derived as far back as from the heroic times, and confirmed by the unanimous agreement of the Roman people, and indeed of all nations, that there is a species of divination in existence among men, which the Greeks call μαντικὴ, that is to say, a presentiment, and foreknowledge of future events. A truly splendid and serviceable gift, if it only exists in reality; and one by which our mortal nature makes its nearest approach to the power of the Gods. Therefore, as we have done many other things better than the Greeks, so, most especially have we excelled them in giving a name to this most admirable endowment, since our nation derives the name which it gives to it, Divination, from the Gods (*Divis*), while the Greeks derived the title which they gave it, namely, μαντικὴ, from madness (μανία). For that is Plato's interpretation of the word.

Now, as far as I know, there is no nation whatever, however polished and learned, or however barbarous and uncivilized, which does not believe it possible that future events may be indicated, and understood, and predicted by certain persons.

In the first place the Assyrians, that I may trace back the authority for this belief to the most remote ages and countries, as a natural consequence of the champaign country in which they lived, and of the vast extent of their territories, which led them to observe the heavens which lay open to their view in every direction, began to take notice also of the paths and motions of the stars; and having taken these observations for some time, they handed down to their posterity information as to what was indicated by their various positions and

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revolutions. And among the Assyrians, the Chaldæans, a tribe who had this name not from any art which they professed, but from the district which they inhabited, by a very long course of observation of the stars are considered to have established a complete science, so that it became possible to predict what would happen to each individual, and with what destiny each separate person was born. The Egyptians also are believed to have acquired the knowledge of the same art by a continued practice of it extending through countless ages. But the nature of the Cilicians and Pisidians, and the Pamphylians, who border on them, nations which we ourselves have had under our government,[1] think that future events are pointed out by the flight and voices of birds as the surest of all indications. And when was there ever an instance of Greece sending any colony into Æolia, Ionia, Asia, Sicily or Italy, without consulting the Pythian or Dodonæan oracle, or that of Jupiter Hammon? or when did that nation ever undertake a war without first asking counsel of the Gods?

II. Nor is there only one kind of divination celebrated both in public and private. For, (to say nothing of the practice of other nations,) how many different kinds have been adopted by our own people. In the first place, the founder of this city, Romulus, is said not only to have founded the city in obedience to the auspices; but also to have been himself an augur of the highest reputation. After him the other kings also had recourse to soothsayers; and after the kings were driven out, no public business was ever transacted, either at home or in war, without reference to the auspices. And as there appeared to be great power and usefulness in the system of the soothsayers (*haruspices*),[2] in reference to the people's succeeding in their objects, and consulting the Gods, and arriving at an understanding of the meaning of prodigies and averting evil omens; they introduced the whole of their science from Etruria, to prevent the appearance

[1] Cicero had been proconsul of Cilicia, and had gained a very high reputation by the integrity and energy which he displayed in that government.

[2] *Aruspex* is derived from the Greek word *ἱερὸν*, and *specio*, to behold, because the Aruspex prophesied from the omens which he drew from an inspection of the entrails of the victims. *Augur*, from *avis*, and *garrio*, to chatter; because the omens were drawn from the noise made by the birds in their flight.

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of allowing any kind of divination to be neglected. And as men's minds were often seen to be excited in two manners, without any rules of reason or science, by their own mere uncontrolled and free motion, being sometimes under the influence of frenzy, and at others under that of dreams, our ancestors, thinking that the divination which proceeded from frenzy was contained chiefly in verses of the Sibyl, ordained that there should be ten citizens chosen as interpreters of these compositions. And in the same spirit they have also, at times, thought the frantic predictions of conjurors and prophets worthy attending to; as they did in the Octavian[1] war in the case of Cornelius Culleolus. Nor indeed have men of the greatest wisdom thought it beneath them to attend to the warnings of important dreams, if at any time any such appeared to have reference to the interests of the republic. Moreover, even in our own time, Lucius Junius, who was consul, as colleague of Publius Rutilius, was ordered by a vote of the senate to erect a temple to Juno Sospita, in compliance with a dream seen by Cæcilia, the daughter of Balearicus.[2]

III. And, as I apprehend, our ancestors were induced to establish this custom more because they had been warned, by the events which they saw, to do so, than from any previous conclusion of reason. But some exquisite arguments of philosophers have been collected to prove why divination may well be a true science. Now of these philosophers, to go back to the most ancient ones, Xenophanes the Colophonian appears to have been the only one who admitted the existence of Gods, and yet utterly denied the efficacy of divination. But every other philosopher except Epicurus, who talks so childishly about the nature of the Gods, has sanctioned a belief in divination; though they have not all spoken in the same manner. For, though Socrates, and all his followers, and Zeno, and all those of his school, adhered to the opinion of the ancient philosophers, and the Old Academy and the

[1] This was the civil war in the consulship of Cinna and Octavius, A.U.C. 666, which ended in Octavius being put to death by the orders of Cinna and Marius.

[2] This was Quintus Cæcilius Metellus (the eldest son of Metellus Macedonicus), who was consul, B.C. 123, with T. Quinctius Flamininus; in which consulship he cleared the Balearic Isles of pirates, and founded several cities in the islands.

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Peripatetics agreed with them; and though Pythagoras, who lived some time before these men, had added a great weight of authority to this belief—and indeed he himself wished to acquire the skill of an augur,—and though that most important authority, Democritus, had in very many passages of his writings sanctioned a belief in the foreknowledge of future events; yet Dicæarchus the Peripatetic, on the other hand, denied all other kinds of divination, and left none except those which proceed from frenzy or from dreams. And my own friend Cratippus, whom I consider equal to the most ancient among the Peripatetics, confined his belief to the same matters, and denied the correctness of any other kind of divination.

But as the Stoics defended nearly every kind, because Zeno in his Commentaries had scattered some seeds of such a belief, and Cleanthes had amplified and extended his predecessor's observations; Chrysippus succeeded them, a man of the most acute and vivid genius; who discussed the whole belief in, and question about divination in two books on that subject, and a third on oracles, and a fourth on dreams. And he was followed by Diogenes the Babylonian, a pupil of his own, who published one treatise on the same subject; by Antipater, who wrote two books, and our friend Posidonius, who wrote five. But Panætius, the tutor of Posidonius and pupil of Antipater, has degenerated in some degree from the Stoics, or at least from the most eminent men of that school; and yet he did not dare absolutely to deny that there was a power of divination, but said that he had doubts on the subject. Now if he, a Stoic, was allowed to express a doubt on a matter very much against the inclination of the rest of that school, shall we not obtain leave from the Stoics to behave in a similar manner with respect to other subjects? especially when that very question which is a matter of doubt to Panætius, is generally considered a thing as clear as day to the other philosophers of that sect. However, this praise of the Academy has been confirmed by the testimony and deliberate judgment of a most admirable philosopher.

IV. Indeed, since we are ourselves inquiring what we are to think of divination, because Carneades maintained a very long argument against the Stoics with great acuteness and variety of resource, and as we wish to be on our guard against

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admitting rashly any assertion which is incorrect, or the truth of which is not sufficiently ascertained, it appears necessary for us to compare over and over again the arguments on one side with those on the other, as we have done in the three books which we have written on the Nature of the Gods. For, as in every discussion, rashness in assenting to propositions of others, and error in asserting such ourselves, is very discreditable, so above all is it in a discussion where the question for our decision is how much weight we are to attribute to auspices, and to divine ceremonies, and to religion. For there is danger lest, if we neglect these things, we may become involved in the guilt of blasphemous impiety, or if we embrace them, we may become liable to the reproach of old women's superstition.

V. Now these topics I have often discussed, and I did so lately with more than usual minuteness, when I was with my brother Quintus, in my villa at Tusculum. For when, for the purpose of taking walking exercise, we had come into the Lyceum, (for that is the name of the upper Gymnasium)—I read, said he, a little while ago your third book on the Nature of the Gods; in which, although the arguments of Cotta have not wholly changed my previous opinions, they have undoubtedly a good deal shaken them. You are very right to say so, I replied; for, indeed, Cotta himself argues rather with a view to confute the arguments of the Stoics, than to eradicate religion from men's minds. Then, said Quintus, that is what Cotta himself says, and indeed he repeats it very often; I imagine, because he does not wish to seem to depart from the ordinary opinions; but still the zeal with which he argues against the Stoics seems to carry him on to the extent of wholly denying the existence of the Gods. I do not indeed think it necessary to reply to all he says, for religion has been sufficiently defended in your second book by Lucilius; whose arguments, as you say at the end of the third book, appear to you yourself to be much nearer to the truth. But with reference to the point which has been passed over in those books, because, I presume, you considered that the inquiry into it could be carried on, and an argument held upon it with more convenience if it were taken separately, I mean Divination—which is a foreknowledge and a foretelling of those events which are usually considered

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fortuitous,—I should like very much at this moment, if you please, to examine what power that science really has, and what its character is. For my own opinion is this; that if those kinds of divination which we have been in the habit of hearing of and respecting, are real, then there are Gods; and on the other hand that, if there really are Gods, then there certainly are men who are possessed of the art of divination.

VI. You are defending, I reply, the very citadel of the Stoics, O Quintus, by asserting the reciprocal dependence of these two conditions on one another; so that if there be such an art as divination, then there are Gods, and if there be such beings as Gods, then there is such an art as divination. But neither of these points is admitted as easily as you imagine. For future events may possibly be indicated by nature without the intervention of any God; and, even although there may be such beings as Gods, still it is possible that no such art as divination may be given by them to the human race.

He replied,—But to me it is quite proof enough, both that there are Gods and that they have a regard for the welfare of mankind, that I perceive that there are manifest and undeniable kinds of divination. With respect to which, I will, if you please, recount to you my own sentiments, provided at least that you have leisure and inclination to hear me, and have nothing which you would like in preference to this discussion. But I, said I, my dear Quintus, have always leisure for philosophical discussion; but at this moment, when I have actually nothing whatever which I wish to do, I shall be all the more glad to hear your sentiments on divination.

You will hear, said he, nothing new from me, nor do I entertain any ideas on the subject different from the rest of the world. For the opinion which I follow is not only the most ancient, but that which has been sanctioned by the unanimous consent of all nations and countries. For there are two methods of divining; one dependent on art, the other on nature. But what nation is there, or what state, which is not influenced by the omens derived from the entrails of victims, or by the predictions of those who interpret prodigies, or strange lights, or of augurs, or astrologers, or by those who expound lots (for these are about what come under the head of art); or, again, by the prophecies derived from

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dreams, or soothsayers (for these two are considered natural kinds of divination)? And I think it more desirable to examine into the results of these things than into the causes. For there is a certain power and nature, which, by means of indications which have been observed a long time, and also by some instinct and divine inspiration, pronounces a judgment on future events.

VII. So that Carneades may well give up pressing what Panætius used also to insist upon, when he asked whether it was Jupiter who had ordained the crow to croak on the right-hand, or the raven on the left. For these occurrences have been observed for an immense series of time, and have been remarked and noted from the signification given to them by subsequent events. But there is nothing which a great length of time may not effect and establish by the use of memory retaining the different events, and handing them down in durable monuments. We may wonder at the way in which the different kinds of herbs and roots have been observed by physicians as good for the bites of beasts, for complaints of the eyes, and for wounds, the power and nature of which reason has never explained, but yet both the art and inventor of these medicines have gained universal approval from their utility. Let us also look at those things which, though of another kind, still have a resemblance to divination.

> And often, too, the agitated sea
> Gives certain tokens of impending storms,
> When through the deep with sudden rage it swells,
> And the fierce rocks, white with the briny foam,
> Vie with hoarse Neptune in their sullen roar,
> While the sad whistling o'er the mountain's brow
> Adds horror to the crash of the iron coast.

VIII. And all your prognostics are full of presentiments derived from occurrences of this sort. Who, then, can trace back the causes of these presentiments? Though, indeed, I am aware that Boëthus the Stoic has endeavoured to do so. And indeed he has done some good to this extent, that he has explained the principle of those occurrences which take place in the sea, or in the heaven. But still, who has ever explained, with any appearance of probability, why they take place at all?

> And the white gull, uprising from the waves,
> With horrid scream foretells th' impending storm,
> Straining its trembling throat in ceaseless cry.
> Oft, too, the woodlark from his chest pours forth

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Notes of unusual sadness, waking up
The morn with grievous fear and endless plaint.
When first Aurora routs the nightly dew,
Sometimes the dusky crow runs o'er the shore,
Dipping its head beneath the rising surf.[1]

IX. And we see that these signs of the weather scarcely ever deceive us, though we certainly do not understand why they are so correct.

You too perceive the signs of future times,
Children of sweetest waters; and prepare
To utter warnings loud and salutary,
Rousing the springs and marshes with your cries.

Yet who could ever have suspected frogs of having such perception? However, there is in rivulets, and in frogs too, a certain nature indicating something which is clear enough by itself, but more obscure to the knowledge of men.

And cloven-footed oxen gazing up
To heaven's expense, have often inhaled the air
Laden with moisture.

I do not inquire why all this takes place, since I am acquainted with the fact that it does take place—

The mastic, ever green and ever laden
With its rich fruit, which thrice in every year
Doth swell to ripeness, by its triple crop
Points out three times when men should till the earth.

Here too, again, I do not ask why this one tree should bloom three times a year, or why it should adapt the proper season for ploughing the land to the token given by its bloom. I am content with this, that, even if I do not know how everything is done, I nevertheless do know what is done. And so in respect of every kind of divination I will answer as I have done in the cases which I have already mentioned.

X. Now I know what effect the root of the scammony has as a purgative, and what the efficacy of the aristolochia is in the case of bites of serpents, (and this herb has derived its name from its discoverer, who discovered it in consequence of a dream,) and that knowledge is quite enough. I do not know why these herbs are so efficacious; and in the same way I do not know on what principle the omens which we draw from the signs furnished to us by the winds and storms proceed; but I do know, and am certain of, and thankful for their power, and the results which flow from it. Again, in

[1] All these predictions are translated by Cicero from Aratus.

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the same way I know what is indicated by a fissure in the entrails of a victim, or by the appearance of the fibres; but what the cause is that these appearances have this meaning I know not. And life is full of such things; for nearly every one has recourse to the entrails of animals. Need I say more? Is it possible for any one to doubt about the power of thunder-storms? Is not this too one of the most marvellous of marvellous things? When Summanus,[1] which was a figure made of clay, standing on the top of the temple of the all-powerful and all-good Jupiter, was struck by lightning, and the head of the statue could not be found anywhere, the soothsayers said that it had been thrown down into the Tiber, and it was found in that very place which had been pointed out by the soothsayers.

XI. But who is there to whom I may more fitly appeal as an authority and as a witness than you yourself? For I have learnt the verses, and that with great pleasure, which the muse Urania pronounces in the second book of your "Consulship"—

See how almighty Jove, inflamed and bright,
With heavenly fire fills the spacious world,
And lights up heaven and earth with wondrous rays
Of his divine intelligence and mind;
Which pierces all the inmost sense of men,
And vivifies their souls, held fast within
The boundless caverns of eternal air.
And would you know the high sublimest paths
And ever revolving orbits of the stars,
And in what constellations they abide,—
Stars which the Greeks erratic falsely call,
For certain order and fixed laws direct
Their onward course; then shall you learn that all
Is by divinest wisdom fitly ruled.
For when you ruled the state, a consul wise,
You noted, and with victims due approach'd,
Propitiating the rapid stars, and strange
Concurrence of the fiery constellations.
Then, when you purified the Alban[2] mount,
And celebrated the great Latin feast,
Bringing pure milk, meet offering for the gods,
You saw fierce comets bright and quivering
With light unheard of. In the sky you saw

[1] This is usually understood to have been a statue of Pluto.

[2] The new consuls used to celebrate the Feriæ Latinæ on the Albanus Mons.

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Fierce wars and dread nocturnal massacre;
That Latin feast on mournful days did fall,
When the pale moon with dim and muffled light
Conceal'd her head, and fled, and in the midst
Of starry night became invisible.
Why should I say how Phœbus' fiery beam,
Sure herald of sad war, in mid-day set,
Hastening at undue season to its rest,
Or how a citizen struck with th' awful bolt,
Hurl'd by high Jove from out a cloudless sky,
Left the glad light of life; or how the earth
Quaked with affright and shook in every part?
Then dreadful forms, strange visions stalk'd abroad,
Scarce shrouded by the darkness of the night,
And warn'd the nations and the land of war.
Then many an oracle and augury,
Pregnant with evil fate, the soothsayers
Pour'd from their agitated breasts. And e'en
The Father of the Gods fill'd heaven and earth
With signs, and tokens, and presages sure
Of all the things which have befallen us since.

XII. So now the year when you are at the helm,
Collects upon itself each omen dire,
Which when Torquatus, with his colleague Cotta,
Sat in the curule chairs, the Lydian seer
Of Tuscan blood breathed to affrighted Rome.
For the great Father of the Gods, whose home
Is on Olympus' height, with glowing hand
Himself attack'd his sacred shrines and temples,
And hurl'd his darts against the Capitol.
Then fell the brazen statue, honour'd long,
Of noble Natta; then fell down the laws
Graved on the sacred tablets; while the bolts
Spared not the images of the immortal gods.
Here was that noble nurse o' the Roman name,
The Wolf of Mars, who from her kindly breast
Fed the immortal children of her god
With the life-giving dew of sweetest milk.
E'en her the lightning spared not; down she fell.
Bearing the royal babes in her descent,
Leaving her footmarks on the pedestal.[1]

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[1] Great interest is attached to this passage by antiquaries, from the fact of there being a bronze statue still at Rome of a wolf suckling two children, with manifest marks of lightning on it, which is believed to be the very statue here mentioned by Cicero, and also in his third Oration against Catiline, c. viii.; it is described by Virgil too:—

Fecerat et viridi fœtam Mavortis in antro
Procubuisse lupam; geminos huic ubera circum.

[Ludere

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And who, unfolding records of old time,
Has found no words of sad prediction
In the dark pages of Etruscan books?—
All men, all writings, all events combined,
To warn the citizens of freeborn race

Ludere pendentes pueros, et lambere matrem
Impavidos; illam tereti cervice reflexam
Mulcere alternos et corpora fingere linguâ.—*Æn.* viii. 630.

The cave of Mars was dress'd with mossy grecas;
There by the wolf were laid the martial twins;
Intrepid, on her swelling dugs they hung,
The foster-dam loll'd out her fawning tongue;
They suck'd secure, while bending back her head,
She lick'd their tender limbs, and form'd them as they fed.
Dryden, Æn. viii. 835.

The statue in its present state is beautifully described by Byron:—

LXXXVIII.

And thou the thunder-stricken nurse of Rome,
She-wolf! whose brazen imaged dugs impart
The milk of conquest yet within the dome,
Where, as a monument of antique art,
Thou standest, mother of the mighty heart,
Which the great founder suck'd from thy wild teat,
Scorch'd by the Roman Jove's ethereal dart,
And thy limbs black with lightning,—dost thou yet
Guard thy immortal cubs, nor thy fond charge forget?

LXXXIX.

Thou dost—but all thy foster-babes are dead,
The men of iron; and the world hath rear'd
Cities from out their sepulchres.—*Childe Harold*, book iv.

It may not be out of place here, to set before the reader the beautiful description, in the first Georgic, of the prodigies which happened at Rome on the death of Cæsar:—

Denique quid vesper serus vehat, unde serenas
Ventus agat nubes, quid cogitet humidus Auster,
Sol tibi signa dabit: Solem quis dicere falsum
Audeat? ille etiam cæcos instare tumultus
Sæpe monet, fraudemque, et aperta tumescere bella;
Ille etiam extincto miseratus Cæsare Romam
Cum caput obscurâ nitidum ferrugine texit
Impiaque æternam timuerunt sæcula noctem,
Tempore quanquam illo tellus quoque et æquora ponti,
Obscœnique canes, importunæque volucres
Signa dabant: quoties Cyclopum effervere in auras
Vidimus undantem ruptis fornacibus Ætnam,
Flammarumque globos liquefactaque volvere saxa.
Armorum sonitus toto Germania cœlo
Audiit; insolitis tremuerunt motibus Alpes.

[Vox

To dread impending wars of civil strife,
And wicked bloodshed; when the laws should fall
In one dark rain, trampled and o'erthrown:
Then men were warn'd to save their holy shrines,
The statues of the gods, their city and lands,

Vox quoque per lucos vulgo exaudita recentes
Ingens, et simulacra modis pallentia miris
Visa sub obscurum noctis; pecudesque locutæ,
Infandum! sistunt amnes terræque dehiscunt
Et mœstum illacrymat templis ebur, æraque sudant:
Proluit insano contorquens vertice sylvas
Fluviorum Rex Eridanus; camposque per omnes
Cum stabulis armenta trahit; nec tempore eodem
Tristibus aut extis fibræ apparere minaces
Aut puteis manare cruor cessavit, et alte
Per noctem resonare lupis ululantibus urbes;
Non alias cœlo ceciderunt plura sereno
Fulgura, nec diri toties arsere cometæ;
Ergo, etc.—*Virgil, Georg.* i. 488.

Which is translated by Dryden:—

The Sun reveals the secrets of the sky,
And who dares give the source of light the lie?
The change of empires he oft declares,
Fierce tumults, hidden treasons, open wars;
He first the fate of Cæsar did foretell,
And pitied Rome when Rome in Cæsar fell:
In iron clouds conceal'd the public light,
And impious mortals fear'd eternal night.
Nor was the fact foretold by him alone,
Nature herself stood forth and seconded the Sun.
Earth, air, and seas with prodigies were sign'd,
And birds obscene and howling dogs divin'd.
What rocks did Ætna's bellowing mouth expire
From her torn entrails, and what floods of fire!
What clanks were heard in German skies afar,
Of arms and armies rushing to the war!
Dire earthquakes rent the solid Alps below,
And from their summits shook th' eternal snow;
Pale spectres in the close of night were seen,
And voices heard of more than mortal men.
In silent groves dumb sheep and oxen spoke;
And streams ran backward, and their beds forsook;
The yawning earth disclosed th' abyss of hell,
The weeping statues did the wars foretell,
And holy sweat from brazen idols fell.
Then rising in his might the king of floods
Rush'd through the forests, tore the lofty woods;
And rolling onward with a sweepy sway,
Bore houses, herds, and labouring hinds away.

Blood

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From slaughter and destruction, and preserve
Their ancient customs unimpair'd and free.
And this kind hint of safety was subjoin'd,
That when a splendid statue of great Jove,[1]
In godlike beauty, on its base was raised,
With eyes directed to Sol's eastern gate;
Then both the senate and the people's bands,
Duly forewarn'd, should see the secret plots
Of wicked men, and disappoint their spite.
This statue, slowly form'd and long delay'd,
At length by you, when consul, has been placed
Upon its holy pedestal;—'tis now
That the great sceptred Jupiter has graced
His column, on a well-appointed hour:
And at the self-same moment faction's crimes

Blood sprang from wells; wolves howl'd in towns by night;
And boding victims did the priests affright.
Such peals of thunder never pour'd from high,
Nor forky lightnings flash'd from such a sullen sky:
Red meteors ran across the ethereal space;
Stars disappear'd, and comets took their place.

Which Shakspeare has imitated with reference to the same event:—

Cal. Cæsar, I never stood on ceremonies,
Yet now they fright me: there is one within,
Besides the things that we have heard and seen,
Recounts most horrid sights seen by the watch:
A lioness hath whelped in the streets,
And graves have yawn'd and yielded up their dead.
Fierce, fiery warriors fight upon the clouds,
In ranks and squadrons and right form of war,
Which drizzled blood upon the Capitol:
The noise of battle hurtled in the air;
Horses did neigh, and dying men did groan;
And ghosts did shriek and squeak about the streets.
O Cæsar, these things are beyond all use,
And I do fear them . . . . .

. . . . . .

When beggars die there are no comets seen;
The heavens themselves blaze forth the death of princes.

. . . . . .

Cæs. What say the augurers?
Serv. They would not have you to stir forth to-day.
Plucking the entrails of an offering forth,
They could not find a heart within the beast.

[1] This refers to the column meant to serve as a pedestal for the statue of Jupiter, mentioned in the second book of this treatise, and also in the second oration against Catiline, as having been ordered in the consulship of Torquatus and Cotta, but not completed till the year of Cicero's consulship.

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Were by the loyal Gauls reveal'd and shown
To the astonish'd multitude and senate.

XIII. Well then did ancient men, whose monuments
You keep among you,—they who will maintain
Virtue and moderation; by these arts
Ruling the lands and people subject to them:
Well, too, your holy sires, whose spotless faith,
And piety, and deep sagacity
Have far surpass'd the men of other lands,
Worshipp'd in every age the mighty Gods.
They with sagacious care these things foresaw,
Spending in virtuous studies all their leisure,
And in the shady Academic groves,
And fair Lyceum; where they well pour'd forth
The treasures of their pure and learned hearts.
And, like them, you have been by virtue placed,
To save your country, in the imminent breach;
Still with philosophy you soothe your cares,
With prudent care dividing all your hours
Between the Muses and your country's claims.

Will you then be able to persuade your mind to speak against the arguments which I adduce on the subject of divination, you being a man who have performed such exploits as you have done, and who have so admirably composed those verses which I have just recited? What—do you ask me, Carneades, why these things take place in this manner, or by what art it is possible for them to be brought about? I confess that I do not know; but that they do happen, I assert that you yourself are a witness. Yes, they happen by chance, you say. Is it so? Can anything be done by chance which has in itself all the features of reality? Four dice when thrown may by chance come up sixes. Do you think that if you were to throw four hundred dice it would be possible for them all to come up sixes by any chance in the world? Paints scattered at random on a canvass may by chance represent the features of a human face; but do you think that you could by any chance scattering of colours represent the beauty of the Coan Venus?[1] Suppose a pig by burrowing in the ground with his snout were to make the letter A, would you on that account think it possible that the animal should by chance write out the Andromache of Ennius? Carneades used to tell a story that

[1] This refers to the celebrated picture of Venus Anadyomene, painted by Apelles, who was a native of Cos.

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in cutting stones in the stone-quarries at Chios, there was once discovered a natural head of a Pan. I dare say there may have been a figure not wholly unlike such a head, but still certainly it was not such that you could fancy it wrought by Scopas.[1] For this is the nature of things, that chance can never imitate reality to perfection.

XIV. But, you will say, things which have been predicted sometimes fail to happen. What act is not liable to this observation? I mean of those acts which proceed on conjecture, and are founded on opinion. Is not medicine to be considered a real art? And yet how often is it deceived! Need I say more? Are not pilots of ships often deceived? Did not the army of the Greeks, and the captains of all that numerous fleet, depart from Troy, as Pacuvius says—

> So glad at their departure, that they gazed
> In idle mirth upon the wanton fish,
> And never ceased from laughing at their gambols;
> Meanwhile at sunset the vast sea grows rough,
> The darkness lowers, black night and clouds surround them.

Did, however, the shipwreck of so many illustrious generals and sovereigns prove that there was no such art as navigation? Or is the science of generals good for nothing because a most illustrious general was lately put to flight, after the total loss of his army? Or are we to say that there is no room for the display of sound principles of politics, or wisdom in the administration of affairs of state, because Cnæus Pompeius was often deceived, and even Cato and you yourself have been deceived in more instances than one? The same rule applies to the answers of soothsayers, and to all divination which rests on opinion: for it depends wholly on conjecture, and has no means of advancing further. And that perhaps sometimes deceives us, but still it more frequently directs us to the truth. For it is traced back to all eternity. And as in the infinite duration of time, things have happened in an almost countless number of ways with the self-same indications preceding each occurrence, an art has

[1] Scopas was a Parian, flourishing about 360 B.C. He was one of the greatest architects and sculptors of antiquity, and is mentioned as such by Horace, who says:—

> Divite me scilicet artium
> Quas aut Parrhasius protulit aut Scopas,
> Hic saxo, liquidis ille coloribus
> Solers nunc hominem ponere nunc Deum.—*Od.* iv. 9. 6.

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been concocted and reduced to rules from a frequent observation and notice of the same circumstances.

XV. But your auspices, how clear—how sure they are! which at this time are known nothing of by the Roman augurs, (excuse me for saying this so plainly,) though they are maintained by the Cilicians, Pamphylians, Pisidians, and Lycians. For why should I mention that man connected with us in ties of hospitality, that most illustrious and excellent man, king Deiotarus? He never does anything whatever without taking the auspices. And it happened once that he had started on a journey which he had arranged and determined some time before; but, being warned by the flight of an eagle, he returned back again, and the very next night the house in which he would have been lodging if he had persisted in his journey, fell to the ground. And he was so moved by this occurrence, that, as he himself used to tell me, he often turned back in the same way in a journey, even when he had advanced many days on it. And what is most remarkable in his conduct is, that after he had been deprived by Cæsar of his tetrarchy, his kingdom, and his property, he still asserted that he did not repent of obeying those auspices which had promised success to him when he was setting out to join Pompey; for he considered that the authority of the senate, and the liberty of the Roman people, and the dignity of the empire had been upheld by his arms; and that those birds had taken good care of his honour and real interests, inasmuch as they had been his counsellors in adhering to the claims of good faith and duty; for that character was a thing dearer to him than his possessions. And in saying this he seems to me to form a very just estimate. For our magistrates at times use compulsion. For it is quite impossible, if a cake is thrown down before a chicken, but what some crumbs must fall out of his mouth when he feeds. And as you have it set down in your books that a *tripudium* takes place if any of the food falls on the ground, so you also call this compulsory augury which I have spoken of *tripudium solistimum*.[1] And so, as that wise Cato complains, owing to

[1] "*Tripudium*, from *terripavium* (see Cic. Div. ii. 34), a stamping on the ground. In divination, *tripudium*, or *tripudium solistimum*, when the birds (*pulli*) ate so greedily that the food fell from their mouths, and so rebounded on the ground, which was regarded as a good omen." —*Riddle and Arnold, Lat. Dict.*

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the negligence of the college, many auguries and many auspices have been wholly lost and abandoned.

XVI. Formerly there was, I may almost say, no affair of importance, not even if it only related to private business, which was transacted without taking the auspices. And this is proved even now by the *Auspices Nuptiarum*, who, though the custom has fallen into disuse, still preserve the name. For just as we now consult the entrails of victims, though even that very practice is observed less now than it used to be, so in ancient times, before all transactions of importance, men used to consult birds; and, therefore, from want of paying proper regard to ill omens, we often run into alarming and destructive dangers:—as Publius Claudius, the son of Appius Cæcus, and his colleague Lucius Junius, lost a fine fleet, because they had put to sea in defiance of the omens. And, indeed, something of the same kind befel Agamemnon; for he, when the Grecians had begun

> To murmur loudly, and with open scorn
> T' asperse the skill of th' holy soothsayers,
> Bade the crew bend the sails and put to sea,
> Choosing the people's voice before the omens.

But why need we look for old examples of this? We have ourselves seen what happened to Marcus Crassus, because he neglected the notice which was given to him that the omens were unfavourable. On which occasion, Appius, your colleague, a good augur, as I have often heard you say, branded, when he was censor, an excellent man and a most illustrious citizen, Caius Ateius, without sufficient consideration, because he had cooperated in falsifying the auspices. However, let that pass. It may have been the duty of the censor to do so, if he thought that the auspices were falsified. But it certainly was not the duty of an augur to set down in the books that this was the cause of a fearful calamity befalling the Roman people. For even if that was the cause of the calamity, still the fault was not in the man who announced the state of the auspices, but in him who disregarded the announcement. For that the announcement was a correct one, as the same augur and censor bears witness, was proved by the event; for if the announcement had been false, it could not possibly have caused any calamity at all. In truth,

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prognostics of calamity, like other auspices, and omens, and tokens, do not produce causes why anything should happen, but merely give notice of what will happen unless you provide against it. It was not, therefore, the announcement of unfavourable omens, made by Ateius, which was the cause of calamity; all that he did was, by declaring to him what signs had been seen, to warn him what would happen if he did not take precautions against it. Accordingly, either that announcement had no effect at all, or else if, as Appius thinks, it had an effect, the effect was this, that guilt was attached, not to the man who gave the warning, but to him who did not attend to it.

XVII. What shall I say more? From whence have you received that staff (*lituus*) of yours, which is the most celebrated ensign of your augurship? That is the staff with which Romulus parted out the several districts, when he founded the city. And that staff of Romulus, (that is to say, a stick curved and slightly bent forward at the top, which has derived its name from its resemblance to the trumpet (*lituus*) used in sounding signals,) having been laid up in the meeting-house of the Salii, which was in the Palatine-hill, when that house was burnt to the ground, was found unhurt. What more need I say? Who of the ancient authors is there who does not relate what an arrangement of the districts of the city was made, many years after the time of Romulus, in the reign of Tarquinius Priscus, by Attius Navius, who employed his staff in this manner? And it is said that he, when a boy, was forced through poverty to act as a swineherd; and one day, having lost one of his pigs, he made a vow that if he recovered it, he would give the god the finest grape which there was in the whole vineyard. Accordingly, when he had found the pig, he placed himself in the middle of the vineyard, with his eyes directed towards the south; and after he had divided the vineyard into four divisions, and had been directed by the birds to disregard three of the portions, in the fourth division, which remained, he found a grape of most wonderful size, as we find recorded in our books. And when this fact became known, all the neighbours used to consult him on all their affairs, until he gained a great name and reputation; in consequence of which king Priscus sent for him.

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And when he had come to the king, he, wishing to make proof of his skill in augury, told him that he was thinking of something, and asked him whether it could possibly be done. He, having taken an augury, answered that it could. But Tarquin said that he had been thinking that it was possible that a whetstone might be cut through by a razor. On this Attius bade him try; and accordingly a whetstone was brought into the assembly, and, in the sight of king and people, cut through with a razor. And in consequence of this, it happened that Tarquinius always consulted Attius Navius as an augur, and that the people also were used to refer their private affairs to him. And we are told that that whetstone and that razor were buried in the comitium, and that the puteal was built over it.

Let us deny everything; let us burn our annals; let us say that all these statements are false; let us, in short, confess everything rather than that the Gods regard the affairs of mankind. What? do not even your writings about Tiberius Gracchus sanction the theories of augurs and haruspices? For when he had unintentionally erected a tent to take the auspices informally, because he had crossed the pomœrium without taking the auspices, he held there the comitia for the election of the consuls. (The matter is one of notoriety, and committed to writing by you yourself.) However, Tiberius Gracchus, who was himself an augur, ratified the authority of the auspices by a confession of his error, and added great authority to the system of the haruspices; who, having at the recent comitia been introduced into the senate, asserted that the person who proposed the candidates to the comitia had no right to do so.

XVIII. I therefore agree with those authors who have asserted that there are two kinds of divination; one partaking of art, and the other wholly devoid of it. For art is visible in those persons who pursue anything new by conjecture, and have learnt to judge of what is old by observation. But those men, on the other hand, are devoid of art, who give way to presentiments of future events, not proceeding by reason or conjecture, nor on the observation and consideration of particular signs, but yielding to some excitement of mind, or to some unknown influence subject to no precise rules or restraint, (as is often the case with men who dream,

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and sometimes with those who deliver predictions in a frenzied manner,) as Bacis[1] of Bœotia, Epimenides[2] the Cretan, and the Erythrean Sibyl. And under this head we ought also to rank oracles; not those which are drawn by lot, but those which are uttered under the influence of some divine instinct and inspiration. Although even lots are not to be despised where they are sanctioned by the authority of antiquity, like those which we are told used to rise out of the earth; which, however, are drawn in such a manner as to be apposite to the subject under consideration, which, indeed, is a thing that I conceive to be very possible by divine management. The interpreters of all of which appear to me to come very near to the divining power of those whose interpreters they are (just as those grammarians do who are the interpreters of poets). What proof of sagacity is it, then, to wish to disparage things sanctioned by antiquity, by vile calumnies? I admit that I cannot discover the cause. Perhaps it lies hid, involved in the obscurity of nature. For God has not intended me to understand these matters, but only to use them. I will use them, then; nor will I be persuaded to think, either that all Etruria is mad on the subject of the entrails of victims, or that the same nation is all wrong about lightnings, or that it interprets prodigies fallaciously, when it has often happened that subterranean noises and crashes, often that earthquakes, have predicted, with terrible truth, many of the evils which have befallen our own republic and other states.

Why should I say more? The fact of a mule having brought forth is much ridiculed by some people; but because this parturition did take place in the case of an animal of natural barrenness, was there not an incredible crop of evils predicted by the soothsayers? Need I go further? Did not Tiberius Gracchus, the son of Publius Gracchus, who had been twice consul and censor, and who was also an augur of the

[1] Bacis was believed to have lived and prophesied at Heleon, in Bœotia, being inspired by the nymphs of the Corycian cave. Some of his prophecies are given us by Herodotus, viii. 20, 77; ix. 43. (See also Aristophanes, Eq. 123; Pax, 1009.)

[2] Epimenides was a poet and prophet of Crete, who lived about 590 B. C. He was sent for by the Athenians to purify Athens when it was visited by a plague, in consequence of the sacrilege of Cylon. He is said to have lived to a great age.

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highest skill and reputation, and a wise man, and a most virtuous citizen,—did not he (as Caius Gracchus, his son, has left recorded in his writings), when two snakes were caught in his house, convoke the soothsayers? And the answer which they gave him was, that if he let the male escape, his wife would die in a short time; but if he let the female escape, he would die himself: on which he thought it more becoming to encounter an early death himself, than to expose the youthful daughter of Publius Africanus to it. Accordingly, he released the female snake, and died himself a few days afterwards.

XIX. Let us, after this, laugh at the soothsayers; let us call them useless and trifers, and despise those men whose principles the wisest men, and subsequent events and occurrences, have often proved. Let us despise also the Babylonians, and those who on mount Caucasus observe the stars of heaven, and follow all their revolutions in regular number and motion. Let us, say I, condemn all those people for folly, or vanity, or impudence, who, as they themselves assert, have exact records for four hundred and seventy thousand years carefully noted down, and let us decide that they are telling lies, and have no regard as to what the judgment of future ages concerning them will be. Come, then, you vain and deceitful barbarians, has the history of the Greeks likewise spoken falsely? Who is ignorant of the answer (that I may speak at present of natural divination) which the Pythian Apollo gave to Crœsus, to the Athenians, the Lacedæmonians, the Tegeans, the Argives, and the Corinthians? Chrysippus has collected a countless list of oracles—not one without a witness and authority of sufficient weight; but as they are known to you, I will pass them over. This one I will mention and defend. Would that oracle at Delphi have ever been so celebrated and illustrious, and so loaded with such splendid gifts from all nations and kings, if all ages had not had experience of the truth of its predictions? At present, you will say, it has no such reputation. Granted, then, that it has a lower reputation now, because the truth of oracles is less notorious; still I affirm that it would not have had such a reputation then, if it had not been distinguished for extraordinary accuracy. But it is possible that that power in the earth, which excited the mind of the Pythian priestess by divine inspiration, may have

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disappeared through old age, just as we know that some rivers have dried up, or become changed and diverted into another channel. However, let it be owing to whatever you please; for it is a great question: only let this fact remain—which cannot be denied, unless we will overthrow all history—that that oracle told the truth for many ages.

XX. However, let us pass over the oracles; let us come to dreams. And Chrysippus discussing them, after collecting many minute instances, does the same that Antipater does when he investigates this subject, and those dreams which were explained according to the interpretation of Antipho, which indeed prove the acuteness of the interpreter, but still are not examples of such importance as to have been worthy of being brought forward.

The mother of Dionysius—of that Dionysius, I mean, who was the tyrant of Syracuse, as it is recorded by Philistus, a man of learning and diligence, and who was a contemporary of the tyrant—when she was pregnant with this very Dionysius, dreamt that she had become the mother of a little Satyr. The interpreters of prodigies, who at that time were in Sicily called Galeotæ, gave her for answer when she consulted them about it, (according to the story told by Philistus,) that the child whom she was about to bring forth would be the most illustrious man of Greece, with very lasting good fortune. Am I recalling you to the fables of the Greek poets and those of our country? For the Vestal Virgin, in Ennius, says—

> The agitated dame with trembling limbs
> Brings in a lamp, and with unbridled tears,
> Starting from broken sleep, pours forth these words:—
> O daughter of the fair Eurydice,
> You whom my father loved, see strength and life
> Desert my limbs, and leave me helpless all.
> I thought I saw a man of handsome form
> Seize me, and bear me through the willow groves,
> Along the river banks and places yet unknown.
> And then alone,—I tell you true, my sister,—
> I seem'd to wander, and with tardy steps
> To seek to trace you, but my efforts fail'd;
> While no clear path did guide my doubtful feet.
> And then, I thought, my father thus address'd me,
> With evil-boding voice:—Alas! my daughter,
> What numerous woes by you must be endured;
> Though fortune shall in after times arise

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From out of the waters of this river here.
Thus, sister, spake my father, and then vanish'd;
Nor, though much wish'd for, did he once return.
In vain, with many tears, I raised my hands
Up to the azure vault of the highest heaven,
And with caressing voice invoked his name,
Or seem'd to do so. And 'twas long ere sleep,
Freighted with such sad dreams, did quit my breast.

XXI. Now these accounts, though they perhaps may be the mere inventions of the poets, still are not inconsistent with the general character of dreams. We may grant that that is a fictitious one by which Priam is represented to have been disturbed:—

Queen Hecuba dream'd—an ominous dream of fate—
That she did bear no human child of flesh,
But a fierce blazing torch. Priam, alarm'd,
Ponder'd with anxious fear the fatal dream;
And sought the gods with smoking sacrifice.
Then the diviner's aid he did entreat,
With many a prayer to the prophetic god,
If haply he might learn the dream's intent.
Thus spake Apollo with all-knowing mind:—
"The queen shall have a son, who, if he grew
To man's estate, shall set all Troy in flames—
The ruin of his city and his land."

Let us grant, then, that these dreams are, as I have said, merely poetic fictions, and let us add the dream of Æneas, which Numerius Fabius Pictor relates in his Annals, as one of the same kind; in which Æneas is represented as foreseeing, in his trance, all his future exploits and adventures.

XXII. But let us come nearer home. What kind of dream was that of Tarquin the Proud, which the poet Accius, in his Tragedy of Brutus, puts into the mouth of Tarquin himself?—

Sleep closed my weary eyelids, when a shepherd
Brought me two rams. The one I sacrificed;
The other rushing at me with wild force
Hurl'd me upon the ground. Prostrate I gazed
Upon the heavens, when a new prodigy
Dazzled my eyes. The flashing orb of day
Took a new course, diverging to the right,
With all his kindling beams strangely transversed.

Of this dream the diviners gave the following interpretation—

Dreams are in general reflex images
Of things that men in waking hours have known;
But sometimes dreams of loftier character

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Rise in the trancèd soul, inspired by Jove,
Prophetic of the future. Then beware
Of him, whom thou dost think as stupid as
The ram thou dreamest of. For in his breast
Dwells manliest wisdom. He may yet expel
Thee from thy kingdom. Mark the prophecy:
That change in the sun's course thou didst behold,
Betoken'd revolution in the state,
And as the sun did turn from left to right, we predict
So shall that revolution meet success.

XXIII. Let us again return to foreign events. Heraclides of Pontus, an intelligent man, who was one of Plato's disciples and followers, writes that the mother of Phalaris fancied that she saw in a dream the statues of the gods whom Phalaris had consecrated in his house. Among them it appeared to her that Mercury held a cup in his right hand, from which he poured blood, which as soon as it touched the earth gushed forth like a fresh fountain, and filled the house with streaming gore. The dream of the mother was too fatally realized by the cruelty of the son.

Why need I also relate, out of the history of Persia by Dinon, the interpretations which the Magi gave to the celebrated prince, Cyrus? For he dreamed that beholding the sun at his feet, he thrice endeavoured to grasp it in his hands, but the sun rolled away and departed, and escaped from him. The Magi (who were accounted sages and teachers in Persia) thus interpreted the dream, saying, that the three attempts of Cyrus to catch the sun in his hands, signified that he would reign thirty years; and what they predicted really came to pass; for he was forty years old when he began to reign, and he reached the age of seventy. Among all barbarous nations, indeed, we meet with proof that they likewise possess the gift of divination and presentiment. The Indian Calanus, when led to execution, said, while ascending the funeral pile, "O what a glorious departure from life! when, as happened to Hercules, after my body has been consumed by fire, my soul shall depart to a world of light." And when Alexander asked him if he had anything to say to him; "Yes," replied he, "we shall soon meet again;" and this prophecy was soon fulfilled, for a few days afterwards Alexander died in Babylon.

I will quit the subject of dreams for awhile, and return to them presently. On the very night that Olympias was

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delivered of Alexander, the temple of Diana of the Ephesians was burned; and when the morning dawned, the Magi declared that the ruin and destroyer of Asia had been born that night. So much for the Magi and the Indians. Now let us return to dreams.

XXIV. Cœlius relates that Hannibal, wishing to remove a golden column from the temple of Juno Lacinia, and not knowing whether it was solid gold or merely gilt, bored a hole in it; and as he had found it solid, he determined to take it away. But the following night Juno appeared to him in a dream, and warned him against doing so, and threatened him that if he did, she would take care that he should lose an eye with which he could see well. He was too prudent a man to neglect this threat; and therefore, of the gold which had been abstracted from the column in boring it, he made a little heifer, which he fixed on the capital.

And the same story is told in the Grecian history of Silenus, whom Cœlius follows. And he was an author who was particularly diligent in relating the exploits of Hannibal. He says that when Hannibal had taken Saguntum, he dreamed in his sleep that he was summoned to a council of the gods, and that when he arrived at it, Jupiter commanded him to carry the war into Italy, and one of the deities in council was appointed to be his conductor in the enterprise. He therefore began his march under the direction of this divine protector, who enjoined him not to look behind him. Hannibal, however, could not long keep in his obedience, but yielded to a great desire to look back, when he immediately beheld a huge and terrible monster, surrounded with serpents, which, wherever it advanced, destroyed all the trees, and shrubs, and buildings. He then, marvelling at this, inquired of the god what this monster might mean; and the god replied, that it signified the desolation of Italy; and commanded him to advance without delay, and not to concern himself with the evils that lay behind him and in his rear.

In the history of Agathocles it is said, that Hamilcar the Carthaginian, when he was besieging Syracuse, dreamed that he heard a voice announcing to him, that he should sup on the succeeding day in Syracuse. When the morning dawned a great sedition arose in his camp between the Carthaginian and Sicilian soldiers. And when the Syracusans found this

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out, they made a vigorous sally and attacked the camp unexpectedly, and succeeded in making Hamilcar prisoner while alive, and thus his dream was verified. All history is full of similar accounts; and the experience of real life is equally rich in them.

That illustrious man, Publius Decius, the son of Quintus Decius, the first of the Decii who was a consul, being a military tribune in the consulship of Marcus Valerius and Aulus Cornelius, when our army was sorely pressed by the Samnites, and being accustomed to expose himself to great personal danger in battle, was warned to take greater care of himself; on which he replied (as our annals report), that he had had a dream, which informed him that he should die with the greatest glory, while engaged in the midst of the enemy. For that time he succeeded in happily rescuing our army from the perils that surrounded it. But three years after, when he was consul, he devoted himself to death for his country, and threw himself armed among the ranks of the Latins; by which gallant action the Latins were defeated and destroyed: and his death was so glorious that his son desired a similar fate.

XXV. But let us now come, if you please, to the dreams of philosophers. We read in Plato that Socrates, when he was in the public prison at Athens, said to his friend Crito that he should die in three days, for that he had seen in a dream a woman of extreme beauty who called him by his name, and quoted in his presence this verse of Homer—

On the third day you'll reach the fruitful Phthia." [1]

And it is said that it happened just as it had been foretold.

Again, what a man, and how great a man, is Xenophon the pupil of Socrates! He, too, in his account of that war in which he accompanied the younger Cyrus, relates the dreams which he saw, the accomplishment of which was marvellous. Shall we then say that Xenophon was a liar or dotard? What shall we say, too, of Aristotle, a man of singular and almost divine genius? Was he deceived himself, or does he wish others to be deceived, when he informs us that Eudemus of Cyprus, his own intimate friend, on his way to Macedonia, came to Pheræ, a celebrated city of Thessaly,

[1] Hom. Il. ix. 363:—

Ἤματί κεν τριτάτῳ Φθίην ἐρίβωλον ἱκοίμην.

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which was then under the cruel sway of the tyrant Alexander. In that town he was seized with a severe illness, so that he was given over by all the physicians, when he beheld in a dream a young man of extreme beauty, who informed him that in a short time he should recover, and also the tyrant Alexander would die in a few days; and that Eudemus himself would, after five years' absence, at length return home. Aristotle relates that the first two predictions of this dream were immediately accomplished; for Eudemus speedily recovered, and the tyrant perished at the hands of his wife's brother; and that towards the end of the fifth year, when, in consequence of that dream, there was a hope that he would return into Cyprus from Sicily, they heard that he had been slain in a battle near Syracuse; from which it appeared that his dream was susceptible of being interpreted as meaning, that when the soul of Eudemus had quitted his body, it would then appear to have signified the return home.

To the philosophers we may add the testimony of Sophocles, a most learned man, and as a poet quite divine, who, when a golden goblet of great weight had been stolen from the temple of Hercules, saw in a dream the god himself appearing to him, and declaring who was the robber. Sophocles paid no attention to this vision, though it was repeated more than once. When it had presented itself to him several times, he proceeded up to the court of Areopagus, and laid the matter before them. On this, the judges issued an order for the arrest of the offender nominated by Sophocles. On the application of the torture the criminal confessed his guilt, and restored the goblet; from which event this temple of Hercules was afterwards called the temple of Hercules the Indicator.

XXVI. But why do I continue to cite the Greeks? when, somehow or other, I feel more interest in the examples of my fellow-countrymen. All our historians,—the Fabii, the Gellii, and, more recently, Cœlius, bear witness to similar facts. In the Latin war, when they first celebrated the votive games in honour of the gods, the city was suddenly roused to arms, and the games being thus interrupted, it was necessary to appoint new ones. Before their commencement, however, just as the people had taken their places in the circus, a slave who had been beaten with rods was led through the circus,

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bearing a gibbet. After this event, a certain Roman rustic had a dream, in which an apparition informed him that he had been displeased with the president of the games, and the rustic was ordered to apprise the senate of that fact. He, however, did not dare to do so; on which the apparition appeared a second time, and warned him not to provoke him to exert his power. Even then he could not summon courage to obey, and presently his son died. After this, the same admonition was repeated in his dreams for the third time. Then the peasant himself became extremely ill, and related the cause of his trouble to his friends, by whose advice he was carried on a litter to the senate-house; and as soon as he had related his dreams to the senate, he recovered his health and strength, and returned home on foot perfectly cured. Thereupon, the truth of his dreams being admitted by the senate, it is related that these games were repeated a second time.

It is recorded in the history of the same Cœlius, that Caius Gracchus informed many persons that during the time that he was soliciting the quæstorship, his brother Tiberius Gracchus appeared to him in a dream, and said to him, that he might delay as much as he pleased, but that nevertheless he was fated to die by the same death which he himself had suffered. Cœlius asserts that he heard this fact, and related it to many persons, before Caius Gracchus had become tribune of the people. And what can be more certain than such a dream as this?

XXVII. Who, again, can despise those two dreams, which are so frequently dwelt upon by the Stoics?—one concerning Simonides, who, having found the dead body of a man who was a stranger to him lying in the road, buried it. Having performed this office, he was about to embark in a ship, when the man whom he had buried appeared to him in a dream at night, and warned him not to undertake the voyage, for that if he did he would perish by shipwreck. Therefore, he returned home again, but all the other people who sailed in that vessel were lost.

The other dream, which is a very celebrated one, is related in the following manner:—Two Arcadians, who were intimate friends, were travelling together, and arriving at Megara, one of them took up his quarters at an inn, the

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other at a friend's house. After supper, when they had both gone to bed, the Arcadian, who was staying at his friend's house, saw an apparition of his fellow-traveller at the inn, who prayed him to come to his assistance immediately, as the innkeeper was going to murder him. Alarmed at this intimation, he started from his sleep; but on recollection, thinking it nothing but an idle dream, he lay down again. Presently, the apparition appeared to him again in his sleep, and entreated him, though he would not come to his assistance while yet alive, at least not to leave his death unavenged. He told him further, that the innkeeper had first murdered him, and then cast him into a dungcart, where he lay covered with filth; and begged him to go early to the gate of the town, before any cart could leave the town. Much excited by this second vision, he went early next morning to the gate of the town, and met with the driver of the cart, and asked him what he had in his waggon. The driver, upon this question, ran away in a fright. The dead body was then discovered, and the innkeeper, the evidence being clear against him, was brought to punishment.

XXVIII. What can be more akin to divination than such a dream as this?

But why do I relate any more ancient instances of similar things, when such dreams have occurred to ourselves? for I have often told you mine, and I have as often heard you talk of yours.

When I was proconsul in Asia, it appeared to me as I slept, that I saw you riding on horseback till you reached the banks of a great river, and that you were suddenly thrown off and precipitated into the waters, and so disappeared. At this I trembled exceedingly, being overcome with fear and apprehension. But suddenly you reappeared before me with a joyful countenance, and, with the same horse, ascended the opposite bank, and then we embraced each other. It is easy to conjecture the signification of such a dream as this; and hence the learned interpreters of Asia predicted to me that those events would take place which afterwards did come to pass.

I now come to your own dream, which I have sometimes heard from yourself, but more often from our friend Sallust. He used to say, that in that flight and exile of yours, which was

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so glorious for you, so calamitous for our country, you stayed awhile in a certain villa of the territory of Atina, when, having sat up a great part of the night, you fell into a deep and heavy slumber towards the morning. And from this slumber your attendants would not awake you, as you had given orders that you were not to be disturbed, though your journey was sufficiently urgent.

When at length you awoke about the second hour of the day, you related to Sallust the following dream:—That it had seemed to you that, as you were wandering sorrowfully through some solitary district, Caius Marius appeared to you with his fasces covered with laurel, and that he asked you why you were afflicted. And when you informed him that you had been driven from your country by the violence of the disaffected, he seized your right hand, and urged you to be of good cheer, and ordered the lictor nearest to him to lead you to his monument, saying, that there you should find security. Sallust told me, that upon hearing this dream he himself exclaimed at once that your return would be speedy and glorious; and that you also appeared to be delighted with your dream. A short time afterwards I was informed, as you well know, that it was in the monument of Marius that, on the instance of that excellent and famous consul Lentulus, that most honourable decree of the senate was passed for your recal, which was applauded with shouts of incredible exultation in a very full assembly; so that, as you yourself observed, no dream could have a higher character of divination than this which occurred to you at Atina.

XXIX. But you will say that there are likewise many false dreams. No doubt there are some which are perhaps obscure to us; but, even allow that there are some which are actually false, what argument is that against those which are true?—of which, indeed, there would be a great many more if we went to bed in perfect health; but as it is, from our being overcharged with wine and luxuries, all our perceptions become troubled and confused. Consider what Socrates, in the Republic of Plato, says on this subject.

"When," says he, "that part of the soul which is capable of intelligence and reason is subdued and reduced to languor, then that part in which there is a species of ferocity and

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uncivilised savageness being excited by immoderate eating and drinking, exults in our sleep and wantons about unrestrainedly; and therefore all kinds of visions present themselves to it, such as are destitute of all sense or reason, in which we appear to be giving ourselves up to incest and all kinds of bestiality, or to be committing bloody murders, and massacres, and all kinds of execrable deeds, with a triumphant defiance of all prudence and decency. But in the case of a man who is accustomed to a sober and regular life, when he commits himself to sleep, then that part of his soul which is the seat of intellect and reason is still active and awake, being replenished with a banquet of virtuous thoughts; and that portion which is nourished by pleasure, is neither destroyed by exhaustion nor swollen by satiety, either of which is accustomed to impair the vigour of the soul, whether nature is deficient in anything, or superabundant or overstocked; and that third division also, in which the vehemence of anger is situated, is lulled and restrained; so, consequently, it happens, that owing to the due regulation of the two more violent portions of the soul, the third, or intellectual part, shines forth conspicuously, and is fresh and active for the admission of dreams; and therefore the visions of sleep which present themselves before it are tranquil and true."

XXX. Such are the very words of Plato. Shall we, then, prefer listening to the doctrine of Epicurus on this point? As for Carneades, he sometimes says one thing and sometimes another, from his mere fondness for discussion. And yet, what are the sentiments which he utters? At all events, they are never expressed either with elegance or propriety. And will you prefer such a man as this to Plato and Socrates? men who, even if they were to give no reason for their tenets, should, by the mere authority of their names, outweigh these minute philosophers.

Plato then asserts that we should bring our bodies into such a disposition before we go to sleep as to leave nothing which may occasion error or perturbation in our dreams. For this reason, perhaps, Pythagoras laid it down as a rule, that his disciples should not eat beans, because this food is very flatulent, and contrary to that tranquillity of mind which a truth-seeking spirit should possess.

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When, therefore, the mind is thus separated from the society and contagion of the body, it recollects things past, examines things present, and anticipates things to come. For the body of one who is asleep lies like that of one who is dead, while the spirit is full of vitality and vigour. And it will be yet more so after death, when it will have got rid of the body altogether; and therefore we see that even on the approach of death it becomes much more divine. For it often happens that those who are attacked by a severe and mortal malady, foresee that their death is at hand. And in this state they often behold ghosts and phantoms of the dead. Then they are more than ever anxious about their reputations; and they who have lived otherwise than as they ought, then most especially repent of their sins.

And that the dying are often possessed of the gift of divination, Posidonius confirms by that notorious example of a certain Rhodian who, being on his death-bed, named six of his contemporaries, saying which of them would die first, which second, which next to him, and so on.

There are, he imagines, besides this, three ways in which men dream under the immediate impulse of the Gods: one, when the mind intuitively perceives things by the relation which it bears to the Gods; the second, arising from the fact of the air being full of immortal spirits, in whom all the signs of truth are, as it were, stamped and visible; the third, when the Gods themselves converse with sleepers,—and that, as I have said before, takes place more especially at the approach of death, enabling the minds of the dying to anticipate future events. An instance of this is the prediction of Calanus, of whom I have already spoken. Another is that of Hector, in Homer, who, when dying himself, foretels the approaching death of Achilles.

XXXI. If there were no such thing as divination, Plautus would not have been so much applauded for the following line:—

> My mind presaged (*præsagibat*), when I first went out,
> That I was going on a fruitless journey:—

for the verb *sagio* means, to feel shrewdly. Hence old women are sometimes called *sagæ* (witches), because they are ambitious of knowing many things; and dogs are called *sagacious*. Whoever, therefore, *sagit* (knows) before the event has come

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to pass, is said *præsagire* (to have the power of knowing the future beforehand).

There exists, therefore, in the mind a presentiment, which strikes the soul from without, and which is enclosed in the soul by divine operation. If this becomes very vivid, it is termed frenzy, as happens when the soul, being abstracted from the body, is stirred up by a divine inspiration.

> What sudden transport fires my virgin soul!
> My mother, oh, my mother!—dearest name
> Of all dear names! But oh, my breast is full
> Of divination and impending fates,
> While dread Apollo with his mighty impulse
> Urges me onward. Sisters, my sweet sisters!
> I grieve to anticipate the coming fate
> Of our most royal parents. You are all
> More filial and more dutiful than I.
> I only am enjoin'd this cruel task,
> To utter imminent ruin. You do serve them;
> I injure them; and your obedience
> Shines well, set-off by my disloyal rage.[1]

O what a tender, moral, and delicate poem! though the beauty of it does not affect the question. What I wish to prove is, that that frenzy often predicts what is true and real.

> I see the blazing torch of Troy's last doom,
> Fire, and massacre, and death. Arm, citizens!
> Bring aid and quench the flames.

In the following lines, it is not so much Cassandra who speaks, as the Deity enclosed in human form:—

> Already is the fleet prepared to sail;
> It bears destruction—rapidly it speeds:
> A dreadful army traverses the shores,
> Destined to slaughter.

I seem to be doing nothing but quoting tragedies and fables.

XXXII. I would mention a story I have heard from yourself, and that not an imaginary, but a real circumstance, and closely related to our present discussion. Caius Coponius, a skilful general, and a man of the highest character for learning and wisdom, who commanded the fleet of the Rhodians, with the appointment of prætor, came to you at Dyrrhachium, and informed you that a certain sailor in a Rhodian galley had predicted that, in less than a month, Greece would

[1] This is a quotation from Pacuvius's play of Hercules; the speaker is Cassandra.

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be deluged with blood, that Dyrrhachium would be pillaged, and that the people would flee and take to their ships; that, looking back in their flight, they would see a terrible conflagration. He added, moreover, that the fleet of the Rhodians would soon return, and retire to Rhodes. You told me that you yourself were surprised at this intelligence, and that Marcus Varro and Marcus Cato, both men of great learning, who were with you, were exceedingly alarmed. A few days afterwards, Labienus, having escaped from the battle of Pharsalia, arrived and brought an account of the defeat of the army: and the rest of the prediction was soon accomplished; for the corn was dragged out of the granaries, and strewed about all the streets and alleys, and destroyed. You all embarked on board the ships in haste and alarm; and at night, when you looked back towards the town, you beheld the barges on fire, which were burned by the soldiers because they would not follow. At last you were deserted by the fleet of the Rhodians, and then you found that the prophet had been a true one.

I have explained as concisely as possible the forewarnings of dreams and frenzy, with which I said that art had nothing to do; for both these kinds of prediction arise from the same cause, which our friend Cratippus adopts as the true explanation—namely, that the souls of men are partly inspired and agitated from without. By which he meant to say, that there is in the exterior world a sort of divine soul, whence the human soul is derived; and that that portion of the human soul which is the fountain of sensation, motion, and appetite, is not separate from the action of the body; but that portion which partakes of reason and intelligence is then most energetic, when it is most completely abstracted from the body.

Therefore, after having recounted veritable instances of presentiments and dreams, Cratippus used to sum up his conclusions in this manner:—"If," he would say, "the existence of the eyes is necessary to the existence and operation of the function of sight, though the eyes may not be always exercising that function, still he who has once made use of his eyes so as to see correctly, is possessed of eyes capable of the sensation of correct sight: just so if the function and gift of divination cannot exist without the exercise of divination, and yet a man who has this gift may sometimes err in its

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exercise, and not foresee correctly; then it is sufficient to prove the existence of divination, that some event should have been once so correctly divined that none of its circumstances appear to have happened fortuitously. And as a multitude of such events have occurred, the existence of divination ought not to be doubted.

XXXIII. But as to those divinations which are explained by conjecture, or by the observation of events; these, as I have said before, are not of the natural, but artificial order; in which artificial class are the haruspices, and augurs, and interpreters. These are discredited by the Peripatetics, and defended by the Stoics. Some of them are established by certain monuments and systems, as is evident from the ritual books of the ancient Etruscans respecting electrical interpretation of the omens conveyed by the entrails of victims and by lightning, and by our own books on the discipline of the augurs. Other divinations are explained at once by conjecture, without reference to any written authorities; such as the prophecy of Calchas in Homer, who, by a certain number of flying sparrows, predicted the number of years which would be occupied in the siege of Troy; and as an event which we read recorded in the history of Sylla, which happened under your own eyes. For when Sylla was in the territory of Nola, and was sacrificing in front of his tent, a serpent suddenly glided out from beneath the altar; and when, upon this, the soothsayer Posthumius exhorted him to give orders for the immediate march of the army, Sylla obeyed the injunction, and entirely defeated the Samnites, who lay before Nola, and took possession of their richly-provided camp.

It was by this kind of conjectural divination that the fortune of the tyrant Dionysius was announced a little before the commencement of his reign; for when he was travelling through the territory of Leontini, he dismounted and drove his horse into a river; but the horse was carried away by the current, and Dionysius, not being able with all his efforts to extricate him, departed, as Philistus reports, lamenting his loss. Some time afterwards, as he was journeying further down the river, he suddenly heard a neighing, and to his great joy found his horse in very comfortable condition, with a swarm of bees hanging on his mane. And this prodigy

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intimated the event which took place a few days after this, when Dionysius was called to the throne.

XXXIV. Need I say more? How many intimations were given to the Lacedæmonians a short time before the disaster of Leuctra, when arms rattled in the temple of Hercules, and his statue streamed with profuse sweat! At the same time, at Thebes (as Callisthenes relates), the folding-doors in the temple of Hercules, which were closed with bars, opened of their own accord, and the armour which was suspended on the walls was found fallen to the ground. And at the same period, at Lebadia, where divine rites were being performed in honour of Trophonius, all the cocks in the neighbourhood began to crow so incessantly as never to leave off at all; and the Bœotian augurs affirmed that this was a sign of victory to the Thebans, because these birds crow only on occasions of victory, and maintain silence in case of defeat.

Many other signs, at this time, announced to the Spartans the calamities of the battle of Leuctra; for, at Delphi, on the head of the statue of Lysander, who was the most famous of the Lacedæmonians, there suddenly appeared a garland of wild prickly herbs. And the golden stars which the Lacedæmonians had set up as symbols of Castor and Pollux, in the temple of Delphi, after the famous naval victory of Lysander, in which the power of Athens was broken, because those divinities were reported to have appeared in the Lacedæmonian fleet during that engagement, fell down, and were seen no more.

And the greatest of all the prodigies which were sent as warnings to those same Lacedæmonians, happened when they sent to consult the oracle of Jupiter at Dodona on the success of the combat; and when the ambassadors had cast their questions into the urn from which the responses were to be drawn, an ape, whom the king of Molossus kept as a pet, disturbed and confounded all the lots, and everything else which had been prepared for the purpose of giving a reply in due form. Upon which the priestess who presided at the oracular rites, declared that the Lacedæmonians must rather look to their safety than expect a victory.

XXXV. Must I say more? In the second Punic war, when Flaminius, being consul for the second time, despised the signs of future events, did he not by such conduct occasion

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great disasters to the state? For when, after having reviewed the troops, he was moving his camp towards Arezzo, and leading his legions against Hannibal, his horse suddenly fell with him before the statue of Jupiter Stator, without any apparent cause. But though those who were skilful in divination declared it was an evident sign from the Gods that he should not engage in battle, he paid no attention to it. Afterwards, when it was proposed to consult the auspices by the consecrated chickens, the augur indicated the propriety of deferring the battle. Flaminius asked him what was to be done the next day, if the chickens still refused to feed? He replied that in that case he must still rest quiet. "Fine auspices, indeed," replied Flaminius, "if we may only fight when the chickens are hungry, but must do nothing if they are full." And so he commanded the standards to be moved forward, and the army to follow him; on which occasion, the standard-bearer of the first battalion could not extricate his standard from the ground in which it was pitched, and several soldiers who endeavoured to assist him were foiled in the attempt. Flaminius, to whom they related this incident, despised the warning, as was usual with him; and in the course of three hours from that time, the whole of his army was routed, and he himself slain.

And it is a wonderful story, too, that is told by Cœlius, as having happened at this very time, that such great earthquakes took place in Liguria, Gallia, and many of the islands, and throughout all Italy, that many cities were destroyed, and the earth was broken into chasms in many places, and rivers rolled backwards, while the waters of the sea rushed into their channels.

XXXVI. Skilful diviners can certainly derive correct presentiments from slight circumstances. When Midas, who became king of Phrygia, was yet an infant, some ants crammed some grains of wheat into his mouth while he was sleeping. On this the diviners predicted that he would become exceedingly rich, as indeed afterwards happened. While Plato was an infant in his cradle, a swarm of bees settled on his lips during his slumbers; and the diviners answered that he would become extremely eloquent; and this prediction of his future eloquence was made before he even knew how to speak.

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Why should I speak of your dear and delightful friend, Roscius? Did he tell lies himself, or did the whole city of Lanuvium tell lies for him? When he was in his cradle at Solonium, where he was being brought up,—(a place which belongs to the Lanuvian territory,)—the story goes, that one night, there being a light in the room, his nurse arose and found a serpent coiled around him, and in her alarm at this sight she made a great outcry. The father of Roscius related the circumstance to the soothsayers, and they answered that the child would become preeminently distinguished and illustrious. This adventure was afterwards engraved by Praxiteles in silver, and our friend Archias celebrated it in verse.

What, then, are we waiting for? Are we to wait till the Gods are conversant with us and our affairs, while we are in the forum, and on our journeys, and when we are at home? yet though they do not openly discover themselves to us, they diffuse their divine influence far and wide—an influence which they not only inclose in the caverns of the earth, but sometimes extend to the constitutions of men. For it was this divine influence of the earth which inspired the Pythia at Delphi, while the Sibyl received her power of divination from nature. Why should we wonder at this? Do we not see how various are the species and specific properties of earths? —of which some parts are injurious, as the earth of Ampsanctus in Hirpinum, and the Plutonian land in Asia: and some portions of the soil of the fields are pestilential, others salubrious; some spots produce acute capacities, others heavy characters. All which things depend on the varieties of atmosphere, and are inequalities of the exhalations of the different soils.

It likewise often happens that minds are affected more or less powerfully by certain expressions of countenance, and certain tones of voice and modulations,—often also by fits of anxiety and terror—a condition indicated in these lines of the poet:—

> Madden'd in heart, and weeping like as one
> By the mysterious rites of Bacchus wrought
> Into wild ecstasy, she wanders lone
> Amid the tombs, and mourns her Teucer lost.

XXXVII. And this state of excitement also proves that there is a divine energy in human souls. And so Democritus

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asserts, that without something of this ecstasy no man can become a great poet; and Plato utters the same sentiment: and he may call this poetic inspiration an ecstasy or madness as much as he pleases, so long as he eulogizes it as eloquently as he does in his Phædon.

What is your art of oratory in pleading causes? What is your action? Can it be forcible, commanding, and copious, unless your mind and heart are in some degree animated by a kind of inspiration? I have often beheld in yourself, and, to descend to a less dignified example, even in your friend Æsop, such fire and splendour of expression and action, that it seemed as if some potent inspiration had altogether abstracted him from all present sensation and thought.

Besides this, forms often come across us which have no real existence, but which nevertheless have a distinct appearance. Such an apparition is said to have occurred to Brennus, and to his Gallic troops, when he was waging an impious war upon the temple of Apollo at Delphi. For on that occasion it is reported that the Pythian priestess pronounced these words:—"I and the white virgins will provide for the future." In accordance with which, it happened that the Gauls fancied that they saw white virgins bearing arms against them, and that their entire army was overwhelmed in the snow.

Aristotle thinks that those who become ecstatic or furious through some disease, especially melancholy persons, possess a divine gift of presentiment in their minds.

XXXVIII. But I know not whether it is right to attribute anything of this kind to men with diseases of the stomach, or to persons in a frenzy, for true divination rather appertains to a sound mind than to a sick body.

The Stoics attempt to prove the reality of divination in this way:—If there are Gods, and they do not intimate future events to men, they either do not love men, or they are ignorant of the future; or else they conceive that knowledge of the future can be of no service to men; or they conceive that it does not become their majesty to condescend to intimate beforehand what must be hereafter; or lastly, we must say that even the Gods themselves cannot tell how to forewarn us of them.

But it is not true that the Gods do not love men, for they

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are essentially benevolent and philanthropic; and they cannot be ignorant of those events which take place by their own direction and appointment. Again, it cannot be a matter of indifference to us to be apprised of what is about to happen, for we shall become more cautious if we do know such things. Nor do they think it beneath their dignity to give such intimations, for nothing is more excellent than beneficence. And lastly, the Gods cannot be ignorant of future events. Therefore there are no Gods, and they do not give intimations of the future. But there are Gods: so therefore they do give such intimations; and if they do give such intimations, they must have given us the means of understanding them, or else they would give their information to no purpose. And if they do give us such means, divination must needs exist; therefore divination does exist.

XXXIX. Such is the argument in favour of divination by which Chrysippus, Diogenes, and Antipater endeavour to demonstrate their side of the question. Why, then, should any doubt be entertained that the arguments that I have advanced are entirely true? If both reason and fact are on my side,—if whole nations and peoples, Greeks and barbarians, and our own ancestors also, confirm all my assertions,—if also it has always been maintained by the greatest philosophers and poets, and by the wisest legislators who have framed constitutions and founded cities, must we wait till the very animals give their verdict? and may not we be content with the unanimous authority of all mankind? Nor indeed is any other argument brought forward to prove that all these kinds of divination which I uphold have no existence, than that it appears difficult to explain what are the different principles and causes of each kind of divination. For what reason can the soothsayer allege why an injury in the lungs of otherwise favourable entrails should compel us to alter a day previously appointed, and defer an enterprise? How can an augur explain why the croak of a raven on the right hand, and a crow on the left, should be reckoned a good omen? What can an astrologer say by way of explaining why a conjunction of the planet Jupiter or Venus with the moon is propitious at the birth of a child, and why the conjunction of Saturn or Mars is injurious? or why God should warn us during sleep, and neglect us when we are awake? or lastly, what is the reason

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why the frantic Cassandra could foresee future events, while the sage Priam remained ignorant of them?

Do you ask why everything takes place as it does? Very right; but that is not the question now; what we are trying to find out is whether such is the case or not. As, if I were to assert that the magnet is a kind of stone which attracts and draws iron to itself, but were unable to give the reason why that is the case, would you deny the fact altogether? And you treat the subject of divination in the same way, though we see it, and hear of it, and read of it, and have received it as a tradition from our ancestors. Nor did the world in general ever doubt of it before the introduction of that philosophy which has recently been invented, and even since the appearance of philosophy, no philosopher who was of any authority at all has been of a contrary opinion. I have already quoted in its favour Pythagoras, Democritus, and Socrates. There is no exception but Xenophanes among the ancients. I have likewise added the old Academicians, the Peripatetics, and the Stoics: all supported divination; Epicurus alone was of the opposite opinion. But what can be more shameless than such a man as he, who asserted that there was no gratuitous and disinterested virtue in the world?

XL. But what man is there who is not moved by the testimony and declarations of antiquity? Homer writes that Calchas was a most excellent augur, and that he conducted the fleet of the Greeks to Troy,—more, I imagine, by his knowledge of the auspices than of the country. Amphilochus and Mopsus were kings of the Argives, and also augurs, and built the Greek cities on the coast of Cilicia. And before them lived Amphiaraus and Tiresias, men of no lowly rank or obscure fame, not like those men of whom Ennius says—

> They hire out their prophecies for gold:

no; they were renowned and first rate men, who predicted the future by means of the knowledge which they derived from birds and omens; and Homer, speaking of the latter even in the infernal regions, says that he alone was consistently wise, while others were wandering about like shadows. As to Amphiaraus, he was so honoured by the general praise of all Greece, that he was accounted a god, and oracles were established at the spot where he was buried.

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Why need I speak of Priam king of Asia? had not he two children possessed of this gift of divination, namely a son named Helenus, and a daughter named Cassandra, who both prophesied, one by means of auspices, the other through an excited state of mind and divine inspiration? of which description likewise were two brothers of the noble family of the Marcii, who are recorded as having lived in the days of our ancestors. Does not Homer inform us, too, that Polyidus the Corinthian predicted the various fates of many persons, and the death of his son when he was going to the siege of Troy? And as a general rule, among the ancients, those who were possessed of authority usually also possessed the knowledge of auguries; for, as they thought wisdom a regal attribute, so also did they esteem divination. And of this our state of Rome is an instance, in which several of our kings were also augurs, and afterwards even private persons, endued with the same sacerdotal office, ruled the commonwealth by the authority of religion.

XLI. And this kind of divination has not been neglected even by barbarous nations; for the Druids in Gaul are diviners, among whom I myself have been acquainted with Divitiacus Æduus, your own friend and panegyrist, who pretends to the science of nature which the Greeks call physiology, and who asserts that, partly by auguries and partly by conjecture, he foresees future events. Among the Persians they have augurs and diviners, called magi, who at certain seasons all assemble in a temple for mutual conference and consultation; as your college also used once to do on the nones of the month. And no man can become a king of Persia who is not previously initiated in the doctrine of the magi.

There are even whole families and nations devoted to divination. The entire city of Telmessus in Caria is such. Likewise in Elis, a city of Peloponnesus, there are two families, called Iamidæ and Clutidæ, distinguished for their proficiency in divination. And in Syria the Chaldeans have become famous for their astrological predictions, and the subtlety of their genius. Etruria is especially famous for possessing an intimate acquaintance with omens connected with thunderbolts and things of that kind, and the art of explaining the signification of prodigies and portents. This is the reason why our ancestors, during the flourishing days of the empire,

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enacted that six of the children of the principal senators should be sent, one to each of the Etrurian tribes, to be instructed in the divination of the Etrurians, in order that this science of divination, so intimately connected with religion, might not, owing to the poverty of its professors, be cultivated for merely mercenary motives, and falsified by bribery.

The Phrygians, the Pisidians, the Cilicians, and Arabians are accustomed to regulate many of their affairs by the omens which they derive from birds. And the Umbrians do the same, according to report.

XLII. It appears to me that the different characteristics of divination have originated in the nature of the localities themselves in which they have been cultivated. For as the Egyptians and Babylonians, who reside in vast plains, where no mountains obstruct their view of the entire hemisphere, have applied themselves principally to that kind of divination called astrology, the Etrurians, on the other hand, because they, as men more devoted to the rites of religion, were used to sacrifice victims with more zeal and frequency, have especially applied themselves to the examination of the entrails of animals; and as, from the character of their climate and the denseness of their atmosphere, they are accustomed to witness many meteorological phenomena, and because for the same reason many singular prodigies take place among them, arising alike from heaven or from earth, and even from the conceptions or offspring of men or cattle, they have become wonderfully skilful in the interpretation of such curiosities, the force of which, as you often say, is clearly declared by the very names given to them by our ancestors, for because they point out (*ostendunt*), portend, show (*monstrant*), and predict, they are called ostents, portents, monsters, and prodigies.

Again, the Arabians, the Phrygians, and Cilicians, because they rear large herds of cattle, and, both in summer and winter, traverse the plains and mountainous districts, have on that account taken especial notice of the songs and flight of birds. The Pisidians, and in our country the Umbrians, have applied themselves to the same art for the same reason. The whole nation of the Carians, and most especially the Telmessians, who reside in the most productive and fertile plains, in which the exuberance of nature gives birth to many extraordinary

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productions, have been very careful in the observation of prodigies.

XLIII. But who can shut his eyes to the fact that in every well constituted state auspices, and other kinds of divination, have been much esteemed? What monarch or what people has ever neglected to make use of them in the transactions of peace, and still more especially in time of war, when the safety or welfare of the commonwealth is implicated in a greater degree? I do not speak merely of our own countrymen,—who have never undertaken any martial enterprise without inspection of the entrails, and who never conduct the affairs of the city without consulting the auspices,—I rather allude to foreign nations. The Athenians, for example, always consulted certain divining priests, (whom they called μάντεις,) when they convoked their public assemblies. The Spartans always appointed an augur as the assessor of their king, and also they ordained that an augur should be present at the council of their Elders, which was the name they gave to their public council; and in every important transaction they invariably consulted the oracle of Apollo at Delphi, or that of Jupiter Hammon, or that of Dodona. Lycurgus, who formed the Lacedæmonian commonwealth, desired that his code of laws should receive confirmation from the authority of Apollo at Delphi; and when Lysander sought to change them, the same authority forbade his innovations. Moreover, the Spartan magistrates, not content with a careful superintendence of the state affairs, went occasionally to spend a night in the temple of Pasiphae, which is in the country in the neighbourhood of their city, for the sake of dreaming there, because they considered the oracles received in sleep to be true.

But I return to the divination of the Romans. How often has our senate enjoined the decemvirs to consult the books of the Sibyls! For instance, when two suns had been seen, or when three moons had appeared, and when flames of fire were noticed in the sky; or on that other occasion, when the sun was beheld in the night, when noises were heard in the sky, and the heaven itself seemed to burst open, and strange globes were remarked in it. Again, information was laid before the senate, that a portion of the territory of Privernum had been swallowed up, and that the land had sunk down to

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an incredible depth, and that Apulia had been convulsed by terrific earthquakes; which portentous events announced to the Romans terrible wars and disastrous seditions. On all these occasions the diviners and their auspices were in perfect accordance with the prophetic verses of the Sibyl.

Again, when the statue of Apollo at Cuma was covered with a miraculous sweat, and that of Victory was found in the same condition at Capua, and when the hermaphrodite was born,—were not these things significant of horrible disasters? Or again, when the Tiber was discoloured with blood, or when, as has often happened, showers of stones, or sometimes of blood, or of mud, or of milk, have fallen,—when the thunderbolt fell on the Centaur of the Capitol, and struck the gates of Mount Aventine, and slew some of the inhabitants; or again, when it struck the temple of Castor and Pollux at Tusculum, and the temple of Piety at Rome,—did not the soothsayers in reply announce the events which subsequently took place, and were not similar predictions found in the Sibylline volumes?

XLIV. How often has the senate commanded the decemvirs to consult the Sibylline books! In what important affairs, and how often has it not been guided wholly by the answers of the soothsayers! In the Marsic war, not long ago, the temple of Juno the Protectress was restored by the senate, which was excited to this holy act by a dream of Cæcilia, the daughter of Quintus Metellus. But after Sisenna, who mentions this dream, had related the wonderful correspondence of the event with the prediction, he nevertheless (being influenced, I suppose, by some Epicurean) proceeded to argue that dreams should never be trusted: however, he states nothing against the credit of the prodigies which took place, and which he reports, at the beginning of the Marsic war, when the images of the gods were seen to sweat, and blood flowed in the streams, and the heavens opened, and voices were heard from secret places, which foretold the dangers of the combat; and at Lanuvium the sacred bucklers were found to have been gnawed by mice, which appeared to the augurs the worst presage of all.

Shall I add further what we read recorded in our annals, that in the war against the Veientes, when the Alban lake had risen enormously, one of their most distinguished nobles

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came over to us and said, that it was predicted in the sacred books concerning the destinies of the Veientes, which they had in their own possession, that their city could never be captured while the lake remained full; and that if, when the lake was opened, its waters were allowed to run into the sea, the Romans would suffer loss,—if, on the contrary, they were so drawn off that they did not reach the sea, then we should have good success? And from this circumstance arose the series of immense labours, subsequently undertaken by our ancestors in conducting away the waters of the Alban lake. But when the Veientes, being weary of war, sent ambassadors to the Roman senate, one of them exclaimed that that deserter had not ventured to tell them all he knew, for that in those same sacred books it was predicted that Rome should soon be ravaged by the Gauls,—an event which happened six years after the city of Veii surrendered.

XLV. The cry of the fauns, too, has often been heard in battle; and prophetic voices have often sounded from secret places in periods of trouble; of which, among others, we have two notable examples,—for shortly before the capture of Rome a voice was heard which proceeded from the grove of Vesta, which skirts the new road at the foot of the Palatine Hill, exhorting the citizens to repair the walls and gates, for that if they were not taken care of the city would be taken. The injunction was neglected till it was too late, and it afterwards was awfully confirmed by the fact. After the disaster had occurred, our citizens erected an altar to Aius the Speaker, which we may still see carefully fenced round, opposite the spot where the warning was uttered. Many authors have reported that once, after a great earthquake had happened, they heard a voice from the temple of Juno, commanding that expiation should be made by the sacrifice of a pregnant sow, and hence it was afterwards called the temple of Juno the Admonitress. Shall we then despise these oracular intimations, which the Gods themselves vouchsafed us, and which our ancestors have confirmed by their testimony?

The Pythagoreans had not only high reverence for the voice of the Gods, but they likewise respected the warnings of men (*hominum*), which they call *omina*. And our ancestors were persuaded that much virtue resides in certain words, and therefore prefaced their various enterprises with certain

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auspicious phrases, such as, "May good and prosperous and happy fortune attend." They commenced all the public ceremonies of religion with these words,—"Keep silence;" and when they announced any holidays, they commanded that all lawsuits and quarrels should be suspended. Likewise, when the chief who forms a colony makes a lustration and review of it, or when a general musters an army, or a censor the people, they always choose those who have lucky names to prepare the sacrifices. The consuls in their military enrolments likewise take care that the first soldier enrolled shall be one with a fortunate name; and you know that you yourself were very attentive to these ceremonial observances when you were consul and imperator. Our ancestors have likewise enjoined that the name of the tribe which had the precedence should be regarded as the presage of a legitimate assembly of the Comitia.

XLVI. And of presages of this kind I can relate to you several celebrated examples. Under the second consulship of Lucius Paulus, when the charge of making war against the king Perses had been allotted to him, it happened that on the evening of that very same day, when he returned home and kissed his little daughter Tertia, he noticed that she was very sorrowful. "What is the matter, my Tertia," said he, "why are you so sad?" "My father," replied she, "Perses has perished." Upon which he caught her in his arms, and caressing her, exclaimed, "I embrace the omen, my daughter." But the real truth was, that her dog, who happened to be called Perses, had died.

I have heard Lucius Flaccus, a priest of Mars, say, that Cæcilia, the daughter of Metellus, intending to make a matrimonial engagement for her sister's daughter, went to a certain temple, in order to procure an omen, according to the ancient custom. Here the maiden stood, and Cæcilia sat for a long time without hearing any sound, till the girl, who grew tired of standing, begged her aunt to allow her to occupy her seat for a short period, in order to rest herself. Cæcilia replied, "Yes, my child, I willingly resign my seat to you." And this reply of hers was an omen, confirmed by the event, for Cæcilia died soon after, and her niece married her aunt's husband. I know that men may despise such stories, or even laugh at them, but such conduct amounts to a disbelief in the

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existence of the Gods themselves, and to a contempt of their revealed will.

XLVII. Why need I speak of the augurs?—that part of the question concerns you. The defence of the auguries, I say, belongs peculiarly to you. When you were a consul, Publius Claudius, who was one of the augurs, announced to you, when the augury of the Goddess Salus was doubted, that a disastrous domestic and civil war would take place, which happened a few months afterwards, but was suppressed by your exertions in still fewer days. And I highly approve of this augur, who alone for a long period remained constant to the study of divination, without making a parade of his auguries, while his colleagues and yours persisted in laughing at him, sometimes terming him an augur of Pisidia or Sora by way of ridicule.

Those who assert that neither auguries nor auspices can give us any insight into or foreknowledge of the future, say that they are mere superstitious practices, wisely invented to impose on the ignorant; which, however, is far from being the case: for our pastoral ancestors under Romulus were not, nor indeed was Romulus himself, so crafty and cunning as to invent religious impositions for the purpose of deceiving the multitude. But the difficulty of acquiring a thorough knowledge of the auspices renders many who are indifferent to them eloquent in their disparagement, for they would rather deny that there is anything in the auspices than take the pains of studying what there really is. What can be more divine than that prediction, which you cite in your poem of Marius, that I may quote your own authority in favour of my argument?—

> Jove's eagle, wounded by a serpent's bite,
> In his strong talons caught the writhing snake,
> And with his goring beak tortured his foe
> And slaked his vengeance in his blood. At last
> He let the venomous reptile from on high
> Fall in the whelming flood, then wing'd his flight
> To the far east. Marius beheld, and mark'd
> The augury divine, and inly smiled
> To view the presage of his coming fame;
> Meanwhile the thunder sounded on the left,
> And thus confirm'd the omen.

XLVIII. Moreover, the augurial system of Romulus was

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a pastoral rather than a civic institution. Nor was it framed to suit the opinions of the ignorant, but derived from men of approved skill, and so handed down to posterity by tradition. Therefore Romulus was himself an augur as well as his brother Remus, if we may trust the authority of Ennius,—

> Both wish'd to reign, and both agreed to abide
> The fair decision of the augury
> Here Remus sat alone, and watch'd for signs
> Of fav'ring omen, while fair Romulus
> On the Aventine summit raised his eyes
> To see what lofty flying birds should pass.
> A goodly contest which should rule, and which
> With his own name should stamp the future city.
> Now like spectators in the circus, till
> The consul's signal looses from the goal
> The eager chariots, so the obedient crowd
> Awaited the strife's victor and their king.
> The golden sun departed into night,
> And the pale moon shone with reflected ray,
> When on the left a joyful bird appear'd,
> And golden Sol brought back the radiant day.
> Twelve holy forms of Jove-directed birds
> Wing'd their propitious flight. Great Romulus
> The omen hail'd, for now to him was given
> The power to found and name th' eternal city.

XLIX. Now, however, let us return to the original point from which we have been digressing. Though I cannot give you a reason for all these separate facts, and can only distinctly assert that those things which I have spoken of did really happen, yet have I not sufficiently answered Epicurus and Carneades by proving the facts themselves? Why may I not admit, that though it may be easy to find principles on which to explain artificial presages, the subject of divine intimations is more obscure? for the presages which we deduce from an examination of a victim's entrails, from thunder and lightning, from prodigies, and from the stars, are founded on the accurate observation of many centuries. Now it is certain, that a long course of careful observation, thus carefully conducted for a series of ages, usually brings with it an incredible accuracy of knowledge; and this can exist even without the inspiration of the Gods, when it has been once ascertained by constant observation what follows after each omen, and what is indicated by each prodigy.

The other kind of divination is natural, as I have said

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before, and may by physical subtlety of reasoning appear referable to the nature of the Gods, from which, as the wisest men acknowledge, we derive and enjoy the energies of our souls; and as everything is filled and pervaded by a divine intelligence and eternal sense, it follows of necessity that the soul of man must be influenced by its kindred with the soul of the Deity. But when we are not asleep, our faculties are employed on the necessary affairs of life, and so are hindered from communication with the Deity by the bondage of the body.

There are, however, a small number of persons, who, as it were, detach their souls from the body, and addict themselves, with the utmost anxiety and diligence, to the study of the nature of the Gods. The presentiments of men like these are derived not from divine inspiration, but from human reason; for from a contemplation of nature, they anticipate things to come,—as deluges of water, and the future deflagration, at some time or other, of heaven and earth.

There are others who, being concerned in the government of states, as we have heard of the Athenian Solon, foresee the rise of new tyrannies. Such we usually term prudent men; like Thales the Milesian, who, wishing to convict his slanderers, and to show that even a philosopher could make money, if he should be so inclined, bought up all the olive-trees in Miletus before they were in flower; for he had probably, by some knowledge of his own, calculated that there would be a heavy crop of olives. And Thales is said to have been the first man by whom an eclipse of the sun was ever predicted, which happened under the reign of Astyages.

L. Physicians, pilots, and husbandmen have likewise presentiments of many events: but I do not choose to call this divination; as neither do I call that warning which was given by the natural philosopher Anaximander to the Lacedæmonians, when he forewarned them to quit their city and their homes, and to spend the whole night in arms on the plain, because he foresaw the approach of a great earthquake, which took place that very night, and demolished the whole town; and even the lower part of Mount Taygetus was torn away from the rest, like the stern of a ship might be. In the same way, it is not so much as a diviner, as a natural philosopher that we should esteem Pherecydes, the master of Pythagoras

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who, when he beheld the water exhausted in a running spring, predicted that an earthquake was nigh at hand.

The mind of man, however, never exerts the power of natural divination, unless when it is so free and disengaged as to be wholly disentangled from the body, as happens in the case of prophets and sleepers.

Therefore, as I have said before, Dicæarchus and our friend Cratippus approve of these two sorts of divination, as long as it is understood that, inasmuch as they proceed from nature, though they may be the highest, they are not the only kind. But if they deny that there is any force in observation, then by such denial they exclude many things which are connected with the common experience and institutions of mankind. However, since they grant us some, and those not insignificant things, namely, prophecies and dreams, there is no reason why we should consider these as very formidable antagonists, especially when there are some who deny the existence of divination altogether.

Those, therefore, whose minds, as it were, despising their bodies, fly forth, and wander freely through the universe, being inspired and influenced by a certain divine ardour, doubtless perceive those things which those who prophecy predict. And spirits like these are excited by many influences that have no connexion with the body, as those which are excited by certain intonations of voice, and by Phrygian melodies, or by the silence of groves and forests, or the murmur of torrents, or the roar of the sea. Such are the minds which are susceptible of ecstasies, and which long beforehand foresee the events of futurity; to which the following lines refer:—

> Ah, see you not the vengeance apt to come,
> Because a mortal has presumed to judge
> Between three rival goddesses?—he 's doom'd
> To fall a victim to the Spartan dame,
> More dreadful than all furies.

Many things have in the same way been predicted by prophets, and not only in ordinary language, but also

> In verses which the fauns of olden times
> And white-hair'd prophets chanted.

It was thus that the diviners, Marcius and Publicius, are said to have sung their predictions. The mysterious responses of Apollo were of the same nature. I believe also that there were certain exhalations of certain earths, by which gifted

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minds were inspired to utter oracles. These, then, are the views which we must entertain of prophets.

LI. Divinations by dreams are of a similar order, because presentiments which happen to diviners when awake, happen to ourselves during sleep. For in sleep the soul is vigorous, and free from the senses, and the obstruction of the cares of the body, which lies prostrate and deathlike; and, since the soul has lived from all eternity, and is engaged with spirits innumerable, it therefore beholds all things in the universe, if it only preserves a watchful attitude, unencumbered by excess of food or drinking, so that the mind is awake during the slumber of the body,—this is the divination of dreamers.

Here, then, comes in an important, and far from natural, but a very artificial interpretation of dreams by Antiphon: and he interprets oracles and prophecies in the same way; for there are explainers of these things just as grammarians are expounders of poets. For, as it would have been in vain for nature to have produced gold, silver, iron, and copper, if she had not taught us the means of extracting them from her bosom for our use and benefit; and as it would have been in vain for her to have bestowed seeds and fruits upon men, if she had not taught them to distinguish and cultivate them, —for what use would any materials whatsoever be to us, if we had no means of working them up?—thus with every useful thing which the Gods have bestowed on us, they have vouchsafed us the sagacity by which its utility may be appreciated; and so, because in dreams, oracles, and prophecies there are many things necessarily obscure and ambiguous, some have received the gift of interpretation of them.

But by what means prophets and sleepers behold those things, which do not at the time exist in sensible reality, is a great question. But when we have once cleared up those points which ought to be investigated first, then the other subjects of our examination will be easier. For the discussion about the Nature of the Gods, which you have so clearly explained in your second book on that subject, embraces the whole question; for if we grant that there are Gods, and that their providence governs the universe, and that they consult for the best management of all human affairs, and that not only in general, but in particular,—if we grant this, which indeed appears to me to be undeniable, then we must hold it

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as a necessary consequence that these Gods have bestowed on men the signs and indications of futurity.

The mode, however, by which the Gods endue us with the gift and power of divination requires some notice.

LII. The Stoics will not allow that the Deity can be interested in each cleft in entrails, or in the chirping of birds. They affirm that such interference is altogether indecorous—unworthy of the majesty of the Gods, and an incredible impossibility. They maintain that from the beginning of the world it has been ordained that certain signs must needs precede certain events, some of which are drawn from the entrails of animals, some from the note and flight of birds, some from the sight of lightning, some from prodigies, some from stars, some from visions of dreamers, and some from exclamations of men in frenzy: and those who have a clear perception of these things are not often deceived. Bad conjectures and incorrect interpretations are false, not because of any imposture in the signs themselves, but because of the ignorance of their expounders.

It being, therefore, granted and conceded that there exists a certain divine energy, by which human life is supported and surrounded, it is not hard to conceive how all that happens to men may happen by the direction of heaven; for this divine and sentient energy, which expands throughout the universe, may select a victim for sacrifice, and may, by exterior agency, effect any change in the condition of its entrails at the period of its immolation: so that any given characteristic may be found excessive or defective in the animal's body. For by very trifling exertions nature can alter, or new-model, or diminish many things. And the prodigies which happened a little before Cæsar's death are of great weight in preventing us from doubting this,—when on that very day on which he first sat on the golden throne and went forth clad in a purple robe, when he was sacrificing, no heart was found in the intestines of the fat ox. Do you then suppose that any warm-blooded animal, unless by divine interference, can live an instant without a heart? He was himself surprised at the novelty of the phenomenon; on which Spurinna observed that he had reason to fear that he would lose both sense and life, since both of these proceed from the heart. The next day the liver of the victim was

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found defective in the upper extremity. Doubtless the immortal Gods vouchsafed Cæsar these signs to apprize him of his approaching death, though not to enable him to guard against it.

When, therefore, we cannot discover in the entrails of the victim those organs without which the animal cannot live, we must necessarily suppose that they have been annihilated by a superintending Providence at the very instant that the sacrifice is offered.

LIII. And the same divine influence may likewise be the cause why birds fly in different directions on different occasions, why they hide themselves sometimes in one place and sometimes in another, and why they sing on the right hand or on the left. For if every animal according to its own will can direct the motions of its body, so as to stoop, to look on one side, or to look up, and can bend, twist, contract, or extend its limbs as it pleases, and does those things almost before thinking of doing them, how much more easy is it for a God to do so, whose deity governs and regulates all things.

It is the Deity, too, which presents various signs to us, many of which history has recorded for us; as for instance, we find it stated that if the moon was eclipsed a little before sunrise in the sign of Leo, it was a sign that Darius should be slain and the Persians be defeated by Alexander and the Macedonians. And if a girl was born with two heads, it was a sign that there was to be a sedition among the people and corruption and adultery at home. If a woman should dream that she was delivered of a lion, the country in which such an occurrence took place would soon be subjected to foreign domination. Of the same kind is the fact mentioned by Herodotus, that the son of Crœsus spoke, though the gift of speech was by nature denied him; which prodigy was an indication that his father's kingdom and family would be utterly destroyed. And all our histories relate that the head of Servius Tullius while sleeping appeared to be on fire, which was a sign of the extraordinary events which followed.

As, therefore, a man who falls asleep while his mind is full of pure meditations, and all circumstances around him adapted to tranquillity, will experience in his dreams true and certain presentiments; so also the chaste and pure

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mind of a waking man is better suited to the observation of the course of the stars, or the flight of birds, and the intimations of the truth to be collected from entrails.

LIV. And connected with this principle is the tradition which we have received concerning Socrates, which is often affirmed by himself in the books of his disciples—that he possessed a certain divinity, which he called a demon, and to which he was always obedient,—a genius which never compelled him to action, but often deterred him from it. The same Socrates (and where can we find a better authority?) being consulted by Xenophon, whether he should follow Cyrus to the wars, gave him his counsel, and then added these words,—"The advice I give you is merely human: in such obscure and uncertain cases, it is best to consult the oracle of Apollo, to whom the Athenians have always publicly appealed in questions of importance."

It is likewise written of Socrates, that having once seen his friend Crito with his eye bandaged, and having asked him what was the matter with it, he received for answer, that as he was walking in the fields, a branch of a tree he had attempted to bend sprang back, and hit him in the eye. Upon this, Socrates replied, "This is the consequence of your not having obeyed me when I recalled you, following the divine presentiment, according to my custom."

Another remarkable story is told of Socrates. After the battle in which the Athenians were defeated at Delium, under the command of Laches, he was obliged to fly with that unfortunate general. At length reaching a spot where three ways met, he refused to pursue the same track as the rest. When they inquired the cause of his behaviour, he said that he was restrained by a God. The others, who left Socrates, fell in with the enemy's cavalry.

Antipater has collected many other instances of the admirable divination of Socrates, which I omit, for they are quite familiar to you, and I need not further enumerate them. I cannot, however, avoid mentioning one fact in the history of this philosopher, which strikes me as magnificent, and almost divine;—namely, that when he had been condemned by the sentence of impious men, he said, he was prepared to die with the most perfect equanimity; because the God within him had not suffered him to be afflicted with any idea of

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impending evil, either when he left his home, or when he appeared before the court.

LV. I think, therefore, that true divination exists, although those men are often deceived who appear to proceed on conjecture, or on artificial rules. For men are fallible in all arts, and we cannot suppose they are infallible here. It may happen that some sign, which has an ambiguous signification, is received in a certain one. It may happen that some particular has escaped the notice of the inquirer, or is purposely concealed by him, because opposed to his interest.

I should, however, consider my plea for divination sufficiently established, if only a few well-authenticated cases of presentiment and prophecies could be discovered; whereas, in truth, there are many. I will even declare without hesitation, that a single instance of presage and prediction, all the points of which are borne out by subsequent events—and that definitely and regularly, not casually and fortuitously—would suffice to compel an admission of the reality of divination from all reasonable minds.

It appears to me, moreover, that we should refer all the virtue and power of divination to the Divinity, as Posidonius has done, as before observed; in the next place to Fate, and afterwards to the nature of things. For reason compels us to admit that by Fate all things take place. By Fate I mean that which the Greeks call εἱμαρμένη, that is, a certain order and series of causes—for cause linked to cause produces all things: and in this connexion of cause consists the constant truth which flows through all eternity. From whence it follows that nothing happens which is not predestined to happen; and in the same way nothing is predestined to happen, the nature of which does not contain the efficient causes of its happening.

From which it must be understood that fate is not a mere superstitious imagination, but is what is called, in the language of natural philosophy, the eternal cause of things; the cause why past things have happened, why present things do happen, and why future things will happen. And thus we are taught by exact observation, what consequences are usually produced, by what causes, though not invariably. And thus the causes of future events may truly be discerned by those who behold them in states of ecstasy or quiet.

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LVI. Since, then, all things happen by a certain fate, (as will be shown in another place,) if any man could exist who could comprehend this succession of causes in his intellectual view, such a man would be infallible. For being in possession of a knowledge of the causes of all events, he would necessarily foresee how and when all events would take place.

But as no being except the Deity alone can do this, man can attain no more than a kind of presentiment of futurity, by observing the events which are the usual consequences of certain signs. For those events that are to happen in future do not start into existence on a sudden. But the regular course of time resembles the untwisting of a cable, producing nothing absolutely new, but all things in a grand concatenation or series of repetitions.

And this has been observed by those who possess the gift of natural divination, and by those who study the regular successions of certain things. For though they do not always apprehend the causes, yet they clearly discern the signs and marks of the causes. And by diligently investigating and committing to memory all such signs, and the traditions of our ancestors concerning them, they produce an elaborate system of that divination which is termed technical respecting the entrails of victims, thunder and lightning, prodigies, and celestial phenomena.

We must not, therefore, be astonished that those who addict themselves to divination foresee many events which have no place of existence. For all things do even now exist, though they are removed in point of time. And as the vital embryo of all vegetation exists in seeds, from which they afterwards germinate, so are all things even now hidden in their causes, and perceived as hereafter to happen by the mind when it is thrown into an ecstasy, or relaxed in sleep, and cool reason and calculation is often granted a presentiment of them. And as the astrologers who watch the risings, settings, and various courses of the sun, moon, and other stars, can predict long before all their revolutions and phenomena; so those who have noted the series and consequence of events, with constant and indefatigable attention, during a very long period, do generally, or (if that is too difficult) at least occasionally, foresee with certainty the things that are to come to pass.

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Such are some of the arguments derived from the nature of fate, by which the reality of divination may be proved.

LVII. Another powerful plea in favour of divination, may be drawn from Nature herself, which teaches us how great is the energy of the mind when abstracted from the bodily senses, as it is most especially in ecstasy and sleep. For even as the Gods know what passes in our minds without the aid of eyes, ears or tongues, (on which divine omniscience is founded the feeling of men, that when they wish in silence for, or offer up a prayer for anything, the Gods hear them,) so when the soul of man is disengaged from corporeal impediments, and set at freedom, either from being relaxed in sleep, or in a state of mental excitement, it beholds those wonders which, when entangled beneath the veil of the flesh, it is unable to see.

It may be difficult, perhaps, to connect this principle of nature with that kind of divination which we have stated to result from study and art. Posidonius, however, thinks that there are in nature certain signs and symbols of future events. We are informed that the inhabitants of Cea, according to the report of Heraclides of Pontus, are accustomed carefully to observe the circumstances attending the rising of the Dog Star, in order to know the character of the ensuing season, and how far it will prove salubrious or pestilential. For if the star rose with an obscure and dim appearance, it proved that the atmosphere was gross and foggy, and its respiration would be heavy and unwholesome. But if it appeared bright and lucid, then that was a sign that the air was light and pure, and therefore healthful.

Democritus believed that the ancients had wisely enjoined the inspection of the entrails of animals which had been sacrificed, because by their condition and colour it is possible to determine the salubrity or pestilential state of the atmosphere, and sometimes even what is likely to be the fertility or sterility of the earth. And if careful observation and practice recognise these rules as proceeding from nature, then every day might bring us many examples which might deserve notice and remark; so that the natural philosopher whom Pacuvius introduces in his Chryses, seems to me very ignorant of the nature of things, when he says,—

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All those who understand the speech of birds
And hearts of victims better than their own,
May be just listen'd to, but not obey'd.

Why should he make such a remark here, when a little after he speaks thus plainly in a contrary sense?—

Whatever God may be, 'tis he who forms,
Preserves and nurtures all. Unto himself
He back absorbs all beings,—evermore
The universal Sire,—at once the source
And end of nature.

Why, then, since the universe is the sole and common home of all creatures, and since the minds of men always have existed, and will exist, why, I say, should they not be able to perceive the consequences, and what is the result indicated by each sign, and what events each sign foreshows?

These are the arguments which I had to bring forward on the subject of divination. For the rest, I in nowise believe in those who predict by lots, or those who tell fortunes for the sake of gain, nor those necromancers who evoke the manes, whom your friend Appius consulted.

Of little service are the Morsian prophet,
The Haruspi of the village, the astrologer
Of the throng'd circus, or the priest of Isis,
Or the imposturous interpreter
Of dreams. All these are but false conjurors,
Who have no skill to read futurity,
They are but hypocrites, urged on by hunger;
Ignorant of themselves, they would teach others,
To whom they promise boundless wealth, and beg
A penny in return, paid in advance.

Such is the style in which Ennius speaks of those pretenders of divination; and a few verses before, he has affirmed that though the Gods exist, they take no care of the human race. I am of a contrary opinion, and approve of divination, because I believe that the Gods do watch over men, and admonish them, and presignify many things to them, all levity, vanity, and malice being excluded.

And when Quintus had said this, You are, indeed, said I, admirably prepared.

[*The rest of this Book is lost.*]

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BOOK II.

I. When I have been considering, as I frequently have, with deep and prolonged cogitation, by what means I might serve as many persons as possible, so as never to cease from doing service to my country, no better method has occurred to me than that of instructing my fellow-citizens in the noblest arts. And this I flatter myself that I have already in some degree effected in the numerous works which I have written. In the treatise which I have entitled "Hortensius," I have earnestly recommended them to the study of philosophy; and in the four books of Academic Questions, I have laid open that species of philosophy which I think the least arrogant, and at the same time the most consistent and elegant.

Again, as the foundation of all philosophy is the knowledge of the chief good and evil which we should seek or shun, I have thoroughly discussed these topics in five books, in order to explain the different arguments and objections of the various schools in relation thereto.[1] In five other books of Tusculan Questions, I have explained what most conduces to render life happy. In the first, I treat of the contempt of death; in the second, of the endurance of pain and sorrow; in the third, of mitigating melancholy; in the fourth, of the other perturbations of the mind; and in the fifth, I elaborate that most glorious of all philosophic doctrines—the all-sufficiency of virtue; and prove that virtue can secure our perpetual bliss without foreign appliances and assistances.

When these works were completed, I wrote three books on the Nature of the Gods. I have discussed all the different bearings and topics of that subject, and now I proceed in the composition of a treatise on Divination, in order to give

[1] He is here referring to the treatise De Finibus.

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that subject the amplest development. And if, when this is finished, I add another on Fate, I shall have abundantly examined the whole of that question.

To this catalogue of my writings, I must likewise add my six books on the Republic, which I composed when I was directing the government of the State. A grand subject, indeed, and peculiarly connected with philosophy, and one which has been richly elaborated by Plato, Aristotle, Theophrastus, and the whole tribe of the Peripatetics.

I must not forget to mention my Essay on Consolation, which afforded me myself no inconsiderable comfort, and will, I trust, be of some benefit to others. Besides this, I lately wrote a work on Old Age, which I addressed to Atticus; and since it is owing to philosophy that our friend Cato is the good and brave man that he is, he is well entitled to an honourable place in the list of my writings.

Moreover, as Aristotle and Theophrastus, two authors eminently distinguished both for the penetration and fertility of their genius, have united with their philosophy precepts likewise for eloquence, so I think that I too may class among my philosophical writings my treatise on the Oratorical Art. So there are three books on Oratory, a fourth Essay entitled Brutus, and a fifth named the Orator.

II. Such are the works I have already written, and I am girding myself up to what remains, with the desire (if I am not hindered by weightier business) of leaving no philosophical topic otherwise than fully explained and illustrated in the Latin language. For what greater or better service can we render to our country, than by thus educating and instructing the rising generation, especially in times like these, and in the present state of morality, when society has fallen into such disorders as to require every one to use his best exertions to check and restrain it?

Not that I expect to succeed (for that, indeed, cannot be even hoped) in winning all the young to the study of philosophy. I shall be glad to gain even a few, the fruits of whose industry may have an extended effect on the republic.

Indeed, I already begin to gather some fruit of my labour, from those of more advanced years, who are pleased with my various books. By their eagerness for reading what I write, my ambition for writing is from day to day more vehe-

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mently excited. And indeed such individuals are far more numerous than I could have imagined. A magnificent thing it will be, and glorious indeed for the Romans, when they shall no longer find it necessary to resort to the Greeks for philosophical literature. And this desideratum I shall certainly effect for them, if I do but succeed in accomplishing my design.

To the undertaking of explaining philosophy I was originally prompted by disastrous circumstances of the state. For during the civil wars I could not defend the commonwealth by professional exertions; while at the same time I could not remain inactive. And yet I could not find anything worthy of myself for me to undertake. My fellow-citizens, therefore, will pardon me, or rather will thank me; because when Rome had become the property of one man, I neither concealed myself, nor deserted them, nor yielded to grief, nor conducted myself like a politician indignant at either an individual or the times,—nor played the part of a flatterer of, or courtier to, the power of another, so as to be ashamed of myself. For from Plato and philosophy I had learnt this lesson, that certain revolutions are natural to all republics, which alternately come under the power of monarchs, and democracies, and aristocracies.

And when this fate had befallen our own Commonwealth, then, being deprived of my customary employments, I applied myself anew to the study of philosophy, doing so both to alleviate my own sorrow for the calamities of the state, and also in the hope of serving my fellow-countrymen by my writings. And thus in my books I continued to plead and to harangue, and took the same care to advance the interests of philosophy as I had before to promote the cause of the Republic. Now, however, since I am again engaged in the affairs of government, I must devote my attention to the state, or I should rather say, all my labours and cares must be occupied about that; and I shall only be able to give to philosophy whatever little leisure I can steal from public business and public employments. Of these matters, however, I shall find a better occasion to speak; let me now return to the subject of divination. For when my brother Quintus had concluded his arguments on the subject of divination, contained in the preceding book, and we had walked enough to

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satisfy us, we sat down in my library, which, as I before noticed, is in my Lyceum.

III. Then I said,—Quintus, you have defended the doctrine of the Stoics, respecting divination, with great accuracy, and on the strictest Stoical principles. And what particularly pleased me was, that you supported your cause chiefly by authorities, and those, too, of great force and dignity, borrowed from our own countrymen. It is now my part to notice what you have advanced. But I shall do so without offering anything absolutely on one side or the other, examining all your arguments, often expressing doubts and distrusting myself. For if I assumed anything I could say on this subject as certain, I should play the part of a diviner even while denying divination.

I am, no doubt, greatly influenced by that preliminary question which Carneades used to raise,—namely, What is the subject matter of divination? Is it things perceived by the senses, or not? Such things we see, or hear, or taste, or smell, or touch. Is there, then, among such, anything which we perceive more by some foreseeing power, or agitation of the mind, than through nature herself? Or could a diviner, if he were blind as Tiresias, somehow or other distinguish between white and black? or if he were deaf, could he distinguish between the articulations and modulations of voices? Divination, therefore, cannot be applied to those objects which come under the cognisance of the senses.

Nor is it of much use, even in matters of art and science. In medicine for instance, if a person is sick we do not call in the diviner or the conjuror, but the physician; and in music, if we wish to learn the flute or the harp, we do not take lessons from the soothsayer, but from the musician.

It is the same in literature, and in all those sciences which are matters of education and discipline. Do you think that those who addict themselves to the art of divination can thereby inform us whether the sun is larger than the earth or of the same size as it appears, or whether the moon shines by her own light or by a radiance borrowed from the sun, or what are the laws of motion obeyed by these orbs, or by those other five stars which are termed the planets?

None of those who pass for diviners pretend to be able to instruct mankind in these matters, nor can they prove the

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truth or falsehood of the problems of geometry. Such matters belong to the mathematician, not to conjurors.

IV. And in those questions which are agitated in moral philosophy, is there any one with respect to which any diviner ever gives an answer, or is ever consulted as to what is good, bad, or indifferent? For such topics properly belong to philosophers. As to duties, who ever consulted a diviner how to regulate his behaviour to his parents, his brethren, or his friends? or in what light he should regard wealth, and honour, and authority? These things are referred to sages, not diviners.

Again, as to the subjects which belong to dialecticians, or natural philosophers. What diviner can tell whether there is one world or more than one? what are the principles of things from which all things derive their being? That is the science of the natural philosopher. Or who asks a diviner how to solve the difficulty of a fallacy, or disentangle the perplexity of a *sorites*, which we may render by the Latin word *acervalem* (an accumulation), though it is unnecessary; for just as the word philosophy, and many other Grecian terms, have become naturalized in our language, so this word *sorites* is already sufficiently familiar among us. These subjects belong to the logician, not to the diviner.

Again, if the question be, which is the best form of government, what are the relative advantages or disadvantages of such and such laws and moral regulations, should we dream of advising with a soothsayer from Etruria, or with princes and chosen men experienced in political matters?

Now, if divination regards neither those things which are perceived by the senses, nor those which are taught by art, nor those which are discussed by philosophy, nor those which affect the politics of the state, I scarcely understand what can be its object. It must either bear upon all topics, or else some particular one must be allotted to it in which it may be exercised. Now common sense certifies us that it does not bear on all topics, and we are at a loss to discover what particular topic, or subject matter, it can embrace. It follows, therefore, that divination does not exist.

V. There is a common Greek proverb to this effect:—

The wisest prophet 's he who guesses best.

Will, then, a soothsayer conjecture what sort of weather is

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coming better than a pilot? or will he divine the character of an illness more acutely than a doctor? or the proper way to carry on a war better than a general?

But I observe, O Quintus, that you have prudently distinguished the topics of divination from those matters which lie within the sphere of art and skill, and from those which are perceived by the observation of the senses, or by any system. You have defined it thus:—Divination is the presentiment and power of foretelling or predicting those things which are fortuitous. But, in the first place, you are only arguing in a circle. For does not a pilot, or a physician, or a general foresee the probabilities of things fortuitous as well as your diviner? Can, then, any augur whatsoever, or soothsayer, or diviner, conjecture better whether a patient will escape from sickness, or a ship from peril, or the army from the manœuvres of the enemy, than a physician, or pilot, or general?

But you said that these matters did not belong to the diviner; but that men could foresee impending winds or showers by certain signs; and to confirm this argument, you have cited certain verses of my translation of Aratus. And yet these atmospheric phenomena are fortuitous; for they only happen occasionally, and not always. What, then, is this presentiment of things fortuitous, which you call divination, and to what can it be applied? For those things of which we can have a previous notion by some art or reason, you speak of as belonging not to diviners, but to men of skill in them. Thus you have left divination nothing but the power of predicting those fortuitous things which cannot be foreseen by any art or any prudence.

If, for example, any one had, many years before, predicted that Marcus Marcellus, who was thrice consul, was to perish by a shipwreck, he would, doubtless, have been a true diviner, because such a fact could not have been foreseen by any other means than that of divination. Divination, therefore, is a foreknowledge of events which depend on fortune.

VI. But can there be a just presentiment of those things which do not admit of any rational conjecture to explain why they will happen? For what do we mean when we say a thing happens by chance, or fortune, or hazard, or accident, but that something has happened or taken place which might

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never have happened or taken place at all, or which might have happened or taken place in a different manner? Now how can that be fairly foreseen or predicted which thus takes place by chance, and the mere caprice of fortune?

It is by reason that the physician foresees that a malady will increase, a pilot that a tempest will descend, and a general that the enemy will make certain diversions. And yet these men, who have generally good reasons on which their opinions respecting relative probabilities are founded, are themselves often deceived. As when the husbandman sees his olive-trees in blossom, he ventures to expect that they will also bear fruit; nevertheless, he is sometimes mistaken.

Now, if those who never assert anything but from some probable conjecture founded on reason, are often mistaken, what are we to think of the conjectures of those men who derive their presages of futurity from the entrails of victims, or birds, or prodigies, or oracles, or dreams. I have not as yet come to show how utterly null and vain such signs are, as the cleft of a liver, the note of a crow, the flight of an eagle, the shooting of a star, the voices of people in frenzy, lots and dreams, of each of which I shall speak in its turn; at present I dwell only on the general argument. How can it be foreseen that anything will happen which has neither any assignable cause, or mark, to show why it will happen?

The eclipses of the sun and moon are predicted for a series of many years before they happen, by those who make regular calculations of the courses and motions of the stars. They only foretell that which the invariable order of nature will necessarily bring about. For they perceive that in the undeviating course of the moon's motions, she will arrive at a given period at a point opposite the sun, and become so exactly under the shadow of the earth, which is the boundary of night, that she must be eclipsed. They likewise know, that when the same moon comes between the earth and the sun, the latter must appear eclipsed to the eyes of men. They know in what sign each of the wandering stars will be at a future period, and when each sign will rise and set on any specific day. So that you know on what principles those men proceed who predict these things.

VII. But what rational rule can guide those men who

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predict the discovery of a treasure, or the accession to an estate? And by what series of cause and effect are the approach of events of this kind indicated? If these events, and others of the same kind, happen by any kind of necessity, then what is there that we can suppose to be brought about by chance or fortune? For nothing is so opposite to regularity and reason as this same fortune; so that it seems to me that God himself cannot foreknow absolutely those things which are to happen by chance and fortune. For if he knows it, then it will certainly happen; and if it will certainly happen, there is no chance in the matter. But there is chance; therefore there is no such thing as a presentiment of the future.

If, however, you maintain that there is no such thing as fortune, and that all things which happen, and which are about to happen, are determined by fate from all eternity, then you must change your definition of divination, which you have termed the presentiment of things fortuitous. For if nothing can happen, or come to pass, or take place, unless it has been determined from all eternity that it shall happen at a certain time what, chance can there be in anything? And if there is no such thing as chance, what becomes of your definition of divination, which you have called "a presentiment of fortuitous events?" although you said that everything which happened, or which was about to happen, depended on fate. Nevertheless, a great deal is said on this subject of fate by the Stoics. But of this elsewhere.

To return to the question at issue. If all things happen by fate, what is the use of divination?

VIII. For that which he who divines predicts, will truly come to pass; so that I do not know what character to affix to that circumstance of an eagle making our friend King Deiotaris renounce his journey; when, if he had not turned back, he would have slept in a chamber which fell down in the ensuing night, and have been crushed to death in the ruins. For if his death had been decreed by fate, he could not have avoided it by divination; and if it was not decreed by fate, he could not have experienced it.

What, then, is the use of divination, or what reason is there why I should be moved by lots, or entrails, or any kind of prediction? For if in the first Punic war it had been

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settled by fate, that one of the Roman fleets, commanded by the consuls Lucius Junius and Publius Clodius, should perish by a tempest, and that the other should be defeated by the Carthaginians, then even if the chickens had eaten ever so greedily, still the fleets must have been lost. But if the fleets would not have perished, if the auspices had been obeyed, then they were not destroyed by fate. But you say that everything is owing to fate; therefore there is no such thing as divination.

If fate had determined, that in the second Punic war the army of the Romans should be defeated near the lake Thrasimenus, then could this event have been avoided, even if Flaminius the consul had been obedient to those signs and those auspices which forbade him to engage in battle? Certainly it might. Either, then, the army did not perish by fate—for the fates cannot be changed,—or if it did perish by fate (as you are bound to assert), then, even if Flaminius had obeyed the auspices, he must still have been defeated.

Where, then, is the divination of the Stoics? which is of no use to us whatever to warn us to be more prudent, if all things happen by destiny. For do what we will, that which is fated to happen, must happen. On the other hand, whatever event may be averted is not fated. There is, therefore, no divination, since this appertains to things which are certain to happen; and nothing is certain to happen, which may by any means be frustrated.

IX. Moreover, I do not even think that the knowledge of futurity would be useful to us. How miserable would have been the life of King Priam if from his youth he could have foreseen the calamities which awaited his old age! Let us, however, leave alone fables, and come to facts that are more near to us. I have recounted, in my essay entitled "Consolation," the misfortunes which have happened to the greatest men of our commonwealth. Omitting, therefore, the ancients, do you think that it would have been any advantage to Marcus Crassus, when he was flourishing with the amplest riches and gifts of fortune, to have foreknown that he should behold his son Publius slain, his forces defeated, and lose his own life beyond the Euphrates with ignominy and disgrace? Or do you think that Pompey would have experienced much satisfaction in being thrice made consul, and having received

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three triumphs, and having attained the summit of glory by his heroic actions, if he could have foreseen that he should be assassinated in the deserts of Egypt after the defeat of his army, and that after his death those disasters should happen which we cannot mention without tears?

What do we think of Cæsar? Would it have been any pleasure to Cæsar to have anticipated by divination, that one day, in the midst of the throng of senators whom he himself had elected, in the temple of Victory built by Pompey, and before that general's statue, and before the eyes of so many of his own centurions, he should be slain by the noblest citizens, some of whom were indebted to him for their dignities,—aye, slain under such circumstances that not one of his friends, or even of his servants, would venture to approach him? Could he have foreseen all this, in what wretchedness would he have passed his life?

It is, therefore, certainly more advantageous for man to be ignorant of future evils than to know them. For it cannot be said, at least not by the Stoics, that Pompey would not have taken up arms, nor Crassus passed the Euphrates, nor Cæsar engaged in the civil war, if they had foreseen the future; therefore the end which they met with was not inevitably ordained by fate. For you insist upon it that all things happen by fate, therefore divination would have availed them nothing. It would even have deprived them of all enjoyment in the earlier part of their lives; for what gratification could they have enjoyed if they had been always thinking of their end?

Therefore, to whatever argument the Stoics resort in defence of divination, their ingenuity is always baffled. For if that which is to happen may happen in different modes, then, indeed, fortune may have great power; but that which is fortuitous cannot be certain. If, on the other hand, every event is absolutely determined by fate, and the time and circumstance in connexion with which it is to take place, what service can diviners render us by informing us that very sad events are portended for us?

X. They add, moreover, that when we are duly attentive to religious ceremonies, all things will fall more lightly on us. But if everything happens by fate, no religious ceremonies can lighten the event. Homer acknowledges this, when he

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introduces Jupiter uttering complaints that he cannot save the life of his son Sarpedon against the order of fate; and the same sentiment is expressed in the Greek verse—

Great Destiny o'ermaster's Jove himself.

It appears to me that such a fate as this is justly ridiculed by the Atellane plays; but on such a serious subject we must not allow ourselves to be facetious.

I therefore conclude with this observation. If we cannot foresee anything which happens by chance, since that thing is necessarily uncertain, therefore there is no divination; and if, on the contrary, things that are to happen can be foreseen because they happen by an infallible fatality, there is no divination, because you say divination only relates to fortuitous events.

But what I have hitherto said respecting divination may be looked upon as a mere slight skirmishing of oratory. I must now enter on the contest in good earnest, and prepare to encounter the most formidable arguments of your cause.

XI. For you say that there exist two kinds of divination, —one artificial, the other natural. The artificial consists partly in conjecture, partly in continued observation.

The natural, on the other hand, is what the mind lays hold of or receives externally from the divinity, from which we all derive the origin, and fashioning, and preservation of our minds. Under the artificial divination you enumerate several varieties of divination connected with the inspection of entrails, the observation of thunderstorms and prodigies, and the auguries of those who deal in signs and omens. And under this artificial class you include all kinds of conjectural divination.

As to the natural species of divination, it appears to be sent forth and to issue either from a certain ecstasy of the spirit, or to be conceived by the mind when disengaged from the senses and from cares by sleep. But you suppose that all divination is derived from three things—God, Fate, and Nature. But as you could give no sound explanation, you laboured to confirm it by a wonderful multitude of imaginary examples, concerning which you must permit me to say, that a philosopher ought not to use evidences which may be true through accident, or false and fictitious through malice. It behoves you to show, by reason and argument, why each circum-

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stance happens as it does, rather than by the events, especially when they are such as I am quite unable to give credit to.

XII. To begin then with the Soothsayers, whose science I believe that the interest of Religion and the State requires to be upheld. But as we are alone, it behoves us, and myself more especially, to examine the truth without partiality, since I am in doubt on many points.

Let us proceed, if you please, first to consider the inspection of the entrails of victims. Can you then persuade any man in his senses, that those events which are said to be signified by the entrails, are known by the augurs in consequence of a long series of observations? How long, I wonder! For what period of time can such observations have been continued? What conferences must the augurs hold among themselves to determine which part of the victim's entrails represents the enemy, and which the people; what sort of cleft in the liver denoted danger, and what sort presaged advantage? Have the augurs of the Etrurians, the Eleans, the Egyptians, and the Carthaginians arranged these matters with one another? But that, besides that it is quite impossible, cannot be imagined. For we see that some interpret the auspices in one way, and some in another, and no common rule of discipline is acknowledged among the professors of the art; and certainly if some secret virtue existed in the victim's entrails which clearly declared the future, it must either belong to the universal nature of things, or be connected in some way or other with the Deity himself. But what communication can there exist between so great and so divine a nature of things, one so beautiful, and so admirably diffused throughout every part and motion, and (I will not say) the gall of the cock, (though that, indeed, is said by many to be the most significant of all signs,) but the liver, or heart, or lungs of a fat bullock? Can such things possibly teach us the hidden mysteries of futurity?

XIII. Democritus, speaking as a natural philosopher, than which no class of men are more arrogant, on this subject, trifles ingeniously enough.

> Man, who knows not the common facts of earth,
> Must waste his time in star-gazing.

He remarks, that the colour and condition of the victim's entrails may indicate the nature of the pasturage, and the

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abundance or scarcity of those things which the earth brings forth. He even supposes they may guide our opinions respecting the wholesomeness or pestilential state of the atmosphere. O happy man! such a person can certainly never want amusement. The idea of any one being so enchanted with such trifling, as not to see that this theory might be plausible, if, indeed, the entrails of all animals assumed the same appearance and colour at one and the same time! But if we discover that the liver of one animal is sound and healthy, and that of another withered and diseased at the same moment, what indication can we draw from the state and colour of the entrails?

Does this at all resemble the indications from which that Pherecydes, in a case which you have cited, predicted the approach of an earthquake from the drying up of a spring? It required a little confidence, I think, after the earthquake had taken place, to presume to say what power had produced it; [but] could they even foresee that it would take place at all from the appearance of a running spring? Many such stories are recounted in the schools, but we are not obliged to believe the whole of them. But even supposing that what Democritus says is true, when do we seek to know the general phenomena of nature by an examination of entrails; or when did soothsayers ever tell us anything of the sort from such an inspection? They warn us of danger from fire or water. Sometimes they predict that inheritances will be added to our fortunes, and sometimes that we shall lose what we already possess. They regard the cleft in the lungs as a matter of vital importance to our property and our very life; they investigate the top of the liver on all sides with the most scrupulous exactness, and if by any chance they cannot discover it, they affirm that nothing more disastrous could have happened.

XIV. It is impossible, as I have before observed, that such a system of observation can have any certainty about it; such divination as this flourished not among the ancients; it is the invention of mere art, if, indeed, there can be any art, properly so called, of things unknown. But what connexion has it with the nature of things? And even if it were united and joined therewith, so as to form one harmonious whole, which I see is the opinion of the natural philosophers,

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and especially of those who say that all things that exist are but one whole; still what correspondence can there be between the order of the universe and the discovery of a treasure? For if an increase of my wealth is indicated by the entrails of a victim, and this fact is a necessary link in the chain of nature, then it follows, in the first place, that we must suppose that the entrails themselves form other links; and secondly, that my private gain is connected with the nature of things. Are not the natural philosophers ashamed to say such things as these? For, although there may be some connexion in the nature of things, which I admit to be possible,—(for the Stoics have collected many cases which they think confirm the notion, as when they assert that the little livers of little mice increase in winter, and that dry pennyroyal flourishes in the coldest weather, and that the distended vesicles, in which the seeds of its berries are contained, then burst asunder; that the chords of a stringed instrument at times give notes different from their usual ones; that oysters and other shell-fish increase and decrease with the growth and waning of the moon; and that trees lose their vitality as the moon declines, just as they dry up in winter, and that this is the time to cut them. Why need I speak of the seas, and the tides of the ocean, the flow and ebb of which are said to be governed by the moon? and many other examples might be related to prove that some natural connexion subsists between objects apparently remote and incongruous.

XV. Let us grant this, for it does not in the least make against our argument;)—granting, I say, that there is a cleft of some kind in a liver, does that indicate gain to any one? By what natural affinity, by what harmony, by what secret accord of nature, or, to use the Greek term, by what *sympathy* can you discern a necessary relation between a cleft liver and my gain, or between my gain and heaven and earth, and the universal nature of things?

I may even grant you this, though I shall be greatly damaging my argument if I allow that there is any connexion between nature and entrails.

But suppose I make this concession, how does it happen that he who would obtain some benefit from the Gods can discover, just when he wishes, a victim exactly adapted to his

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purpose? I had thought this objection was unanswerable, but see how cleverly you get over it. I do not blame you for this, I rather commend your memory. But I am ashamed of Antipater, Chrysippus, and Posidonius, who all assert the same proposition—namely, that the divine and sentient energy which extends through the universe, directs us even in the choice of the victim by whose entrails we are to frame our divinations. And to improve upon this theory, you agree with them in asserting that at the very instant that the sacrifice is offered, a certain appropriate change takes place in the victim's entrails, so that we can therein discover some significant addition or deficiency, since all things are obedient to the will of the Gods.

Believe me, there is not an old woman in the world so superstitious as gravely to believe these things. Can you imagine that the same bullock, if chosen by one man, will have the head of the liver, and if chosen by another will not have it? Can this same head come and go at the instant just to accommodate the individual who offers the sacrifice? Do you not perceive that there must be considerable chance in the choice of the victim? and in fact the thing speaks for itself, that this must be the case. For when one ill-omened victim is discovered to have had no head to its liver, it often happens that the one which is offered immediately afterwards has the most perfect entrails imaginable. What then becomes of the menaces of the first victim's entrails, or how have the Gods been so suddenly appeased?

XVI. But you will say, that in the entrails of the fat bull which Cæsar offered, there was no heart, and since it was not possible that this animal could have lived without a heart, we must suppose that the heart was annihilated at the instant of immolation. How is it that you think it impossible that an animal can live without a heart, and yet do not think it impossible that its heart could vanish so suddenly, nobody knows whither? For myself, I know not how much vigour in a heart is necessary to carry on the vital function, and suspect that if afflicted by any disease, the heart of a victim may be found so withered, and wasted, and small, as to be quite unlike a heart. But on what argument can you build an opinion that the heart of this same fat bullock, if it existed in him before, disappeared at the instant of immola-

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tion? Did the bullock behold Cæsar in a heartless condition even while arrayed in the purple, and thus lose its own heart by mere force of sympathy?

Believe me, you are betraying the city of philosophy while defending its castles. In trying to prove the truth of the auguries, you are overturning the whole system of physics. A victim has a heart, and head of the liver: the moment that you sprinkle him with meal and wine they depart, some God carries them off, some power destroys or consumes them. It is not nature alone, therefore, which causes the decay and destruction of everything; and there are some things which arise out of nothing, and some which suddenly perish and become nothing. What natural philosopher ever said such a thing as this? The soothsayers affirm it. Do you then think that you are to believe them rather than the natural philosophers?

XVII. Again, when you sacrifice to several Gods at the same time, how is it that the sacrifice is favourably received by some, and is rejected by others? And what inconsistency must there be among the Gods, if they threaten by the first entrails, and promise good fortune by the second! Or is there such strong dissension among the Deities, even when they are nearly related to each other, that certain entrails bode good when offered to Apollo, and evil when offered to his sister Diana? It is clear that since the victims are brought by chance, the entrails must in the case of each sacrificer depend upon what victim falls to his share, and that very thing requires some divination to know what victim falls to each person's share, as, in the case of lots, what is drawn by each person.

Then you will speak of lots, though you are not strengthening the authority of sacrifices by comparing them to lots, but weakening that of lots by comparing them to sacrifices.

Do you think, when we send a messenger to Æquimelium to bring us a lamb to sacrifice, and the lamb which is brought to me possesses entrails peculiarly accommodated to the circumstances of the case, that the messenger has been guided to him not by chance, but by divine direction? For if you wish to signify that in this case chance interferes, as being some lot connected with the will of the Gods, I am sorry that your friends the Stoics should give the Epicureans

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affirmed that those soothsayers had no skill! What I deny is only their divination. For the distribution of the firmament, which we have just mentioned, and their various observations, enable them to note the direction from which the lightning has proceeded, and where it falls. But no reason can inform us of its signification.

XX. You will, however, urge against me my own verses—

> The father of the Gods who reigns supreme
> On high Olympus, smote his proper fane,
> And hurl'd his lightnings through the heart of Rome.

At the same time the statue of Natta and the images of the Gods, and Romulus and Remus, with that of the beast who was nursing them, were struck by the thunderbolt and thrown down; and the answers of the soothsayers, with reference to these prodigies, were found perfectly correct. That also was a surprising thing, that the statue of Jupiter was placed in the Capitol, two years later than it had been contracted for, at the very time that information of the conspiracy was being laid before the senate. Will you, then, (for this is the way you are used to argue with me,) bring yourself to uphold that side of the question in opposition to your own actions and writings?

You are my brother, and all you say is entitled to my respect. Yet what is there here that offends you? Is it the thing itself, which is of such and such a character, or I myself, who only wish to get at the truth? I therefore say nothing upon it for the sake of contradiction, and only seek from you yourself information respecting all the principles of the art of soothsaying.

But you have involved yourself in an inextricable dilemma; for foreseeing that you would be hard pressed, when I should urge you to explain the cause of every divination, you made many excuses to show why, when you were sure of the fact, you did not inquire into its principles and causes,—that the question was, what was done, and not why it was done; as if I granted that it was done at all, or as if it were not the duty of a philosopher to inquire into the reason why everything takes place. At the same time you quoted my prognostics, and spoke of the scammony, the aristoloch, and other herbs, whose virtues were evident to you from their effects, though the law of their operation was unknown to you.

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XXI. All this is, however, beside the main question. For the Stoic Boethus, whose name you have cited, and even our friend Posidonius have investigated the causes of prognostics, and though it is not easy to discover the cause of such occult mysteries, yet the facts themselves may be observed and animadverted upon.

But as to the statue of Natta and the tables of the law which were struck by lightning, what observations were made, or what was there ancient connected with the matter? The Pinarii Nattæ are noble, therefore danger was to be feared from the nobility. This was a very cunning device of Jupiter! Romulus, represented by the sculptor as sucking a she-wolf, was likewise smitten by the lightning. Hence, according to you, some danger to the city of Rome was threatened. How cleverly does Jupiter make us acquainted with future events by such signs as these! Again, his statue was being erected at the very same time that the conspiracy was being discovered in the senate, and you conceive this coincidence happened rather by the providence of God than by any chance of fortune. And you think that the statuary who had contracted for the making of that column with Torquatus and Cotta, was not so long delayed in accomplishing his work by idleness or poverty, but by the special interposition of the immortal Gods.

Now I do not absolutely deny that such might possibly be the case; but I do not know that it was, and wish to be instructed by you. For when some things appeared to me to have happened by chance in the way in which the soothsayers had predicted, you launched out into a long discourse on the doctrine of chances, saying that four dice thrown at hazard may produce Venus by accident, but that four hundred dice cannot produce a hundred Venuses. In the first place, I know no reason in the nature of things why they should not do even this; but I will not argue that point, for you have plenty of similar examples, and talk about a chance dashing of colours, the snout of a pig, and many other similar instances. You say that Carneades argued in the same way about the head of a little Pan; as if that might not have happened by chance, and as if there must not be in all marble the raw material of even such a head as Praxiteles would have made. For a perfect head is only formed by

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cutting away. Praxiteles adds nothing to the marble, but when much that was superfluous is removed, and the features are arrived at, then you learn that that which is now polished up was always contained within.

Such a figure, therefore, may have spontaneously existed in the quarries of Chios. But grant that this is a fiction, have you never fancied that you could discover in the clouds the figures of lions and centaurs? Accident may, therefore, sometimes imitate nature, though you denied that just now.

XXII. But as we have sufficiently discussed divination by entrails and lightning, we must now consider portents and prodigies, in order that we may leave no branch of the system of the soothsayers untouched.

You have mentioned a wonderful story of a mule that was delivered of a colt; a strange event, because of its extreme rarity. But if such a thing were impossible, it would never happen at all; and this may be said against all sorts of prodigies, that those things which are impossible never happened at all; and if they are possible, it need not surprise us that they happen occasionally.

Besides, in extraordinary events, ignorance of their causes produces astonishment; but in ordinary events such ignorance occasions no such result. The man who is astonished if a mule brings forth a colt, does not know how it is that a mare brings forth a foal, or indeed how, in any case, nature effects the birth of a living animal; but he is not surprised at what he sees frequently, even if he does not know why it happens; but if that which he never beheld before happens, then he calls it a prodigy. In this case, is it a prodigy when the mule conceives, or when she brings forth? Perhaps the conception may have been contrary to nature, but after that her delivery is almost necessary.

But we have spoken enough on this topic: let us examine the origin of the establishment of soothsayers. For when we are acquainted with it, we shall be better able to judge what degree of credit it is entitled to.

XXIII. They tell us that as a labourer one day was ploughing in a field in the territory of Tarquinium, and his ploughshare made a deeper furrow than usual, all of a sudden there sprung out of this same furrow a certain Tages, who, as it is recorded in the books of the Etrurians, possessed the

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visage of a child, but the prudence of a sage. When the labourer was surprised at seeing him, and in his astonishment made a great outcry, a number of people assembled round him, and before long all the Etrurians came together at the spot. Tages then discoursed in the presence of an immense crowd, who treasured up his words with the greatest care, and afterwards committed them to writing. The information they derived from this Tages was the foundation of the science of the soothsayers, and was subsequently improved by the accession of many new facts, all of which confirmed the same principles.

Here is the story that the Etrurians give out to the world. This record is preserved in their sacred books, and from it their augurial discipline is deduced.

Now do you imagine that we need a Carneades or Epicurus to refute such a fable as this? Lives there any one so absurd as to believe that this (shall I say god, or man?) was thus ploughed up out of the earth? If he was a god, why did he conceal himself under the earth against the order of nature, so as not to behold the light till he was ploughed up? Could not that same god have instructed mankind from a station somewhat more elevated? And if this Tages was a man, how could he have lived thus buried and smothered in the earth? and how could he have learnt the wonders he taught to others?

But I am even more foolish than those who believe such nonsense, for thus wasting so much time in refuting them.

XXIV. There is an old saying of Cato, familiar enough to everybody, that "he wondered that when one soothsayer met another, he could help laughing." For of all the events predicted by them, how very few actually happen? And when one of them does take place, where is the proof that it does not take place by mere accident?

When Hannibal fled to king Prusias, and was eager to wage war with the enemy, that monarch replied that he dared not do so, because the entrails of the sacrifice wore an unfavourable aspect. "Would you, then," said Hannibal, "rather trust a bit of calf's flesh than a veteran general?" And as to Cæsar, when he was warned by the chief soothsayer not to venture into Africa before the winter, did he not cross? If he had not done so, all the forces of the enemy would have assembled in one place.

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Why need I enumerate the responses of the soothsayers, of which I could cite an infinite number, which have either received no accomplishment at all, or an accomplishment exactly the reverse of the prediction? In this last Civil War, for instance—good Heavens! how often were their responses utterly falsified by the result! How many false prophecies were sent to us from Rome into Greece! How many oracles in favour of Pompey! For that general was not a little affected by entrails and prodigies. I have no wish to recount these things to you, nor indeed is it necessary, for you were present. But you see that nearly all the events took place in the manner exactly contrary to the predictions. So much for responses. Let us now say a word or two on prodigies.

XXV. You have mentioned several things on this topic which I wrote during my consulship. You have brought up many of those anecdotes collected by Sisenna before the Marsian War, and many recorded by Callisthenes before the unfortunate battle of the Spartans at Leuctra, of each of which I will speak separately, as far as seems necessary; but at present we must discuss of prodigies in general.

For what is the meaning of this kind of divination—this dreadful denouncing of impending calamities—derived from the Gods? In the first place, what is the object of the Gods, in giving us prodigies and signs which we cannot understand without interpreters, and in advertising us of disasters which we cannot avoid? But even honest men do not act thus, giving notice to their friends of impending misfortune which they cannot possibly avoid; and physicians, though they are often aware of the fact, yet never tell their patients that they must needs die of the complaint from which they are suffering. For the prediction of an evil is only beneficial when we can point out some means of avoiding it or mitigating it.

What good, then, did these prodigies, or their interpreters, do to the Spartans, or more recently to the Romans? If they are to be considered as the signs of the Gods, why were they so obscure? For if they were sent in order that we might understand what was about to happen, then it ought to have been declared intelligibly; and if we were not intended to know, then they should not have been given even obscurely.

XXVI. As for all conjectures on which this kind of divina-

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tion depends, the opinions of men differ so much from each other that they often make very opposite deductions from the same thing. For as in legal suits, the plea of the plaintiff is contrary to that of the defendant, and yet both are within the limits of credibility,—so in all those affairs which only admit of conjectural interpretation, the reasoning must be extremely uncertain. And as for those things which are caused at times by nature, and at others by chance, (sometimes, too, likeness gives rise to mistakes,) it is very foolish to attribute all these things to the interpositions of the Gods, without examining their proximate causes.

You believe that the Bœotian diviners of Lebadia foreknew by the crowing of the cocks that the victory belonged to the Thebans, because these birds only crow when they are victorious, and hold their peace when they are beaten. Did, then, Jupiter give a signal to so important a city by the means of hens? But do cocks only crow when they are victorious? At that time they were crowing, and they had not conquered. You say that this was a prodigy. It would have been a prodigy, and a very great one, if the crowing had proceeded from fishes instead of birds. But what hour is there of day, or of night, when cocks do not crow? and if they are sometimes excited to crow by their joy in victory, they may likewise be excited to do the same by some other kind of joy.

Democritus, indeed, states a very good reason why cocks crow before the dawn; for, as the food is then driven out of their stomachs, and distributed over their whole body and digested, they utter a crowing, being satiated with rest. But in the silence of the night, says Ennius, "they indulge their throats, which are hoarse with crowing, and give their wings repose." As, then, this animal is so much inclined to crow of its own accord, what made it occur to Callisthenes to assert that the Gods had given the cocks a signal to crow; since either nature or chance might have done it?

XXVII. It was announced to the senate that it had rained blood, that the river had become blackened with blood, and that the statues of the immortal gods were covered with sweat. Do you imagine that Thales or Anaxagoras, or any other natural philosopher, would have given credence to such news? Blood and sweat only proceed from the animal body; there might have been some discoloration caused by some

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contagion of earth very like blood, and some moisture may have fallen on the statues from without, resembling perspiration, as we see sometimes in plaster during the prevalence of a south wind; and in time of war such phenomena appear more numerous and more important than usual, as men are then in a state of alarm, while they are not noticed in peace. Besides, in such periods of fear and peril, such stories are more easily believed, and invented with more impunity.

We are, however, so silly and inconsiderate, that if mice, which are always at that work, happen to gnaw anything, we immediately regard it as a prodigy. So because, a little before the Marsian war, the mice gnawed the shields at Lanuvium, the soothsayers declared it to be a most important prodigy; as if it could make any difference whether mice, who day and night are gnawing something, had gnawed bucklers or sieves. For if we are to be guided by such things, I ought to tremble for the safety of the commonwealth, because the mice lately gnawed Plato's Republic in my library; and if they had eaten the book of Epicurus on Pleasure, I ought to have expected that corn would rise in the market.

XXVIII. Are we, then, alarmed if at any time any unnatural productions are reported as having proceeded from man or beast? One of which occurrences, to be brief, may be accounted for on one principle. Whatever is born, of whatever kind it may be, must have some cause in nature, so that even though it may be contrary to custom, it cannot possibly be contrary to nature. Investigate, if you can, the natural cause of every novel and extraordinary circumstance:—even if you cannot discover the cause, still you may feel sure that nothing can have taken place without a cause; and, by the principles of nature, drive away that terror which the novelty of the thing may have occasioned you. Then neither earthquakes, nor thunderstorms, nor showers of blood and stones, nor shooting stars, nor glancing torches will alarm you any more.

If you ask Chrysippus to explain the laws hat govern these phenomena, though he is a great defender of divination, he will never tell you that they have happened by chance, but he will give you a natural explanation of all of them. For, as it has been before stated, nothing can happen without a cause, and nothing happens which is

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impossible; nor, if that has happened which could happen, ought it to be regarded as a prodigy. Therefore there are no such things as prodigies. For if we place in the rank of prodigies every rare occurrence, it follows that a wise man is one of the greatest prodigies. For I believe there are fewer instances of wise men in the world, than of mules which have brought forth young.

So this principle concludes that that which cannot take place in the nature of things never does take place; and that that which can take place in the nature of things, is not a prodigy, and therefore there are no prodigies at all. Therefore a diviner and interpreter of prodigies being consulted by a man who informed him, as a great prodigy, that he had discovered in his house a serpent coiled around a bar, answered very discreetly, that there was nothing very wonderful in this, but if he had found the bar coiled around the serpent, this would have been a prodigy indeed. By this reply, he plainly indicated that nothing can be a prodigy which is consistent with the nature of things.

XXIX. Caius Gracchus wrote to Marcus Pomponius, that his father having caught two serpents in his house, sent to consult the soothsayers. Why were two serpents entitled to such an honour more than two lizards or two mice? Because these are every day occurrences, you would reply, while serpents were comparatively rare; as if it signified how often a thing which was possible took place. But I marvel, if the release of the female snake caused the death of Tiberius Gracchus, and that of the male was to be fatal to Cornelia, why he let either of them escape. For he does not record that the soothsayers had told him what would happen if he let either of the snakes escape. But it seems T. Gracchus died soon after, doubtless of some natural malady which destroyed his constitution, and not because he had saved the life of a viper.

Not that the infelicity of the haruspices is so great that their predictions are never fulfilled by any chance whatever. And, I must confess, if I could but believe it, I should exceedingly wonder at the story which you have cited from Homer respecting the prediction of Calchas, who, from observing the number of a flock of sparrows, foretold the number of years that would be expended in the siege of Troy.

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Of which conjecture Homer makes Agamemnon[1] speak thus, if I may repeat you a translation of the passage which I made in a leisure hour:—

XXX. Not for their grief the Grecian host I blame;
But vanquish'd! baffled! oh, eternal shame!
Expect the time to Troy's destruction giv'n,
And try the faith of Calchas and of heav'n.
What pass'd at Aulis, Greece can witness bear,
And all who live to breathe this Phrygian air,
Beside a fountain's sacred brink was raised
Our verdant altars, and the victims blazed;
('Twas where the plane-tree spreads its shades around)
The altars heaved; and from the crumbling ground
A mighty dragon shot, of dire portent;
From Jove himself the dreadful sign was sent:
Straight to the tree his sanguine spires he roll'd,
And curl'd around in many a winding fold.
The topmost branch a mother-bird possest;
Eight callow infants fill'd the mossy nest;
Herself the ninth: the serpent as he hung,
Stretch'd his black jaws, and crush'd the crying young;
While hov'ring near, with miserable moan,
The drooping mother wail'd her children gone.
The mother last, as round the nest she flew,
Seized by the beating wing, the monster slew;
Nor long survived, to marble turn'd he stands
A lasting prodigy on Aulis' sands.
Such was the will of Jove; and hence we dare
Trust in his omen and support the war.
For while around we gazed with wond'ring eyes,
And trembling sought the Pow'rs with sacrifice,
Full of his god, the rev'rend Calchas cried:
Ye Grecian warriors, lay your fears aside,
This wondrous signal Jove himself displays,
Of long, long labours, but eternal praise.
As many birds as by the snake were slain,
So many years the toils of Greece remain;
But wait the tenth, for Ilion's fall decreed.
Thus spoke the prophet, thus the fates succeed.

Now is not this a curious mode of augury?—to conjecture by the number of sparrows eaten by a serpent, the number of years expended in the Trojan war. Why years rather than months or days? And how was it that Calchas selected sparrows, in which there is nothing supernatural, for the signs of his prophecy? while he is silent about the serpent, which

[1] This is a mistake of Cicero's. It is Ulysses who speaks. The passage occurs Iliad ii. 299—330.

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was changed, as it is said, into stone (an event which is impossible). Lastly, what analogy or relation can subsist between the sparrows seen and the years predicted?

As to what you have said respecting the serpent which appeared to Sylla while he was sacrificing, I recollect the whole circumstance; and remember that just as Sylla was about to attack the enemy at Nola, he made a sacrifice, and that at the moment the victim was offered, a serpent issued from beneath the altar, and that the same day a glorious victory was gained, —not owing to the advice of the soothsayers, but to the skill of the general.

XXXI. And prodigies of this kind have nothing miraculous in them; which, when they have taken place, are brought under conjecture by some particular interpretation, as in the case of the grain of wheat found in the mouth of Midas while an infant, or that of the bees, which are said to have settled on the lips of the infant Plato. Such things are less admirable for themselves than for the conjectures they gave rise to; for they may either not have taken place at the time specified, or have been fulfilled by mere accident.

I likewise suspect the truth of the report which you have related respecting Roscius—namely, that a serpent was found coiled round him when he was in his cradle. But even if it be a fact that a serpent was thus in the cradle, it is not very wonderful, especially in Solonium, where snakes are in the habit of basking before the fire. As to the interpretation which the soothsayers gave of the circumstance, that the child would become most illustrious and most celebrated, I am astonished that the immortal Gods should have announced such great glory to a comedian, and preserved such an obstinate silence respecting Scipio Africanus.

You have related several prodigies which happened to Flaminius; for instance, that his horse suddenly fell with him,—there is surely nothing very astonishing in that. Also, that the standard of the first centurion could not easily be pulled out of the earth. Perhaps the standard-bearer was pulling but timidly at the stick which he had fixed in the ground with confident resolution. What is the wonder in the horse of Dionysius having escaped out of the river, and in his afterwards having had a swarm of bees cluster on his mane? But because Dionysius happened to ascend the

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throne of Syracuse soon after this event, what had happened by chance was regarded as an extraordinary prodigy and prognostic.

You go on to say, that at Lacedæmon, the armour in the temple of Hercules rattled. At Thebes the closed gates of the temple of the same God suddenly burst open of their own accord, and the bucklers which had been suspended on the walls fell to the ground. Certainly nothing of this kind could have happened without some motion or impulse; but why need we impute such motion to the Gods rather than call it an accident?

XXXII. At Delphi, you say, that a chaplet of wild herbs suddenly appeared growing on the head of Lysander's statue. Do you think then that the chaplet of herbs existed before any seed was ripened? These seeds were probably carried there by birds, not by human agency, and whatever is on a head may seem to resemble a crown. And as to the circumstance which you add, that about the same time the golden stars of Castor and Pollux, placed in the temple of Delphi, suddenly vanished, and could nowhere be discovered; this seems to me not so much the work of the Gods, as the sacrilege of thieves.

I certainly do wonder at the roguery of the Ape of Dodona being recorded in the Greek histories. For what is less strange than that a most mischievous animal should have upset the urn, and scattered the oracular lots? The historians, however, deny that this prodigy was followed by any disastrous event occurring among the Lacedæmonians.

Now to come to what you have reported respecting the citizen of Veii, who declared to the Senate that if the Lake Albanus overflowed, and ran into the sea, Rome would perish, and that if its course were diverted elsewhere, Veii must fall. Accordingly the water of the Alban lake was subsequently drained away by new channels, not for the safety of the citadel and the city, but solely for the benefit of the suburban district.

A short time afterwards, a voice was heard, warning certain individuals to beware lest Rome should be taken by the Gauls; and upon this they consecrated an altar on the New Road, to Aius the Speaker. What, then, did this Aius the Speaker speak and talk, and derive his name from that cir-

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cumstance, when no one knew him; and has he been silent ever since he has had an habitation, an altar, and a name? And the same remark will apply to Juno the Admonitress; for what warning has she ever given us, except the one respecting the full sow?

XXXIII. This is enough to say about prodigies. Let me now speak of auspices and of lots—those, I mean, which are thrown at hazard, not those which are announced by vaticination, which we more properly call oracles, and which we shall discuss when we investigate divination of the natural order; and after this we will consider the astrology of the Chaldeans. But first let us consider the question of auspices. It is a very delicate matter for an augur to speak against them. Yes, to a Marsian perhaps, but not to a Roman. For we are not like those who attempt to predict the future by the flight of birds, and the observation of other signs; and yet I believe that Romulus, who founded our city by the auspices, considered the augural science of great utility in foreseeing matters. For antiquity was deceived in many things, which time, custom, and enlarged experience have corrected. And the custom of reverence for, and discipline and rights of, the augurs, and the authority of the college, are still retained for the sake of their influence on the minds of the common people.

And certainly the consuls P. Claudius and L. Junius deserved severe punishment, who set sail in defiance of the auspices; for they ought to have been obedient to the established religion, and not to have rejected so obstinately the national ceremonials. Justly, therefore, was one of them condemned by the judgment of the people, while the other perished by his own hand. Flaminius, likewise, was not duly submissive to the auspices; and that was the reason, you say, why he was defeated. But, the year afterwards, Paullus was guided by them. Did he the less for that perish with his army in the battle of Cannæ?

Even allowing the existence of auspices, which I do not, certainly those at present in use, whether by means of birds or celestial signs, are but mere semblances of auspices, and not real ones.

XXXIV. "Quintus Fabius, I pray thee, assist me in the auspices." He answers, "I have heard." The augurial officer

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among our forefathers was a skilful and learned man; now they take the first that offers. For a man must needs be skilful and learned who understands the meaning of silence. For in auspices we call that silence which is free from all irregularity. To understand this, belongs to a perfect augur.

It sometimes happens, however, that when he who wishes to consult the auspices has said to the augur whom he has chosen to assist him, "Say, if silence is observed," the augur, without looking above or around him, answers immediately, "Silence appears to be observed." On this the consulter rejoins, "Tell me whether the chickens are eating." The augur replies, "They are eating." But when the consulter further demands, "What kind of fowls are they, and whence do they come?" the augur answers, "The chickens were brought in a cage by a person who is termed a poulterer."

Such, then, are the illustrious birds whom we call, forsooth, the messengers of Jupiter; and whether they eat or not, what does it signify? Certainly nothing to the auspices. But since, if they eat at all, some portion of food must inevitably fall on the ground and strike (*pavire*) the earth, this was at first called *terripavium*, then *terripudium*, and is now called *tripudium*. When, therefore, the chicken lets fall from its beak a particle of its food, the augur declares that the *tripudium solistimum* is consummated.

XXXV. What true divination can there be in an auspice of this nature, so artificially forced and tortured? which, we have a proof, was not used among the most ancient augurs; for we have an ancient decree of the college of augurs, that any bird may make the tripudium. So that, then, there would be an auspice if the bird was free to show itself, and the bird might appear to be the messenger and interpreter of Jupiter. But when a miserable bird is kept in a cage, and ready to die of hunger,—if such an one, when pecking up its food, happens to let some particle fall, can you think this an auspice, or do you believe that Romulus consulted the gods in this manner?

Do you imagine that those who pretend to augury apply themselves at the present day to discern the signs of heaven? No; they give their orders to the poulterer. He makes his report.

It has been reckoned an excellent auspice on all occasions;

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among the Romans, when it thunders on the left hand, except in reference to the Comitia; and this exception was doubtless contrived for the benefit of the commonwealth, in order that the chiefs of the state might be the interpreters of the Comitia in whatever concerns the judgments of the people, the rights of the laws, and the creation of the magistrates. "But," you argue, "in consequence of the letters of Tiberius Gracchus, Scipio Nasica and Caius Martius Figulus resigned the consulship, because the augurs determined that they had been irregularly created." Well, who denies that there is a school of Augurs? What I deny is, that there is any such thing as divination.

"But the soothsayers are diviners; and after Tiberius Gracchus had introduced them into the senate, on account of the sudden death of the individual whose office it was to report the order of the elections, they said that the Comitia had not been legally constituted."

Now, in reference to this case, observe that they could not speak by authority of the summoner of the president of the centuries, for he was dead; and conjecture without divination could say that. Or perhaps what they said was no better than the result of chance, which prevails to a considerable extent in all affairs of this nature. For what could the soothsayers of Etruria know as to whether the tent they observed was as it should be, and whether the regulations of the pomœrium, or circumvallation, were exactly obeyed.

For myself, I agree with the sentiments of Caius Marcellus rather than with those of Appius Claudius, who were both of them my colleagues; and I think that, although the college and law of augurs were first instituted on account of the reverence entertained for divination in ancient times, they were afterwards maintained and preserved for the sake of the state.

XXXVI. Of this, however, more elsewhere. At present, let us examine the auguries of other nations who have evinced therein more superstition than art. They make use of all kinds of birds for their auspices; we confine ourselves to few: and one set of omens are reckoned unfavourable by them, and a different set by us.

King Deiotarus often asked me for an account of our discipline and system of divination, and I asked him for

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information about his. Good heavens! how different were the two methods, in some instances, so much so as to be downright contradictory to one another. And he had recourse to augurs on all occasions; but how very seldom do we apply to them unless the auspices are required by the people!

Our ancestors were unwilling to wage any war without consulting the auspices. But how many years have elapsed since this ceremony has been neglected by our proconsuls and proprætors? They never take auspices; they do not pass over rivers by the encouragement of omens; nor do they wait for the intimation of the sacred chickens.

As to that divination which consists in observing the flight of birds from some elevated spot—once considered of so much consequence in military expeditions,—Marcus Marcellus, who was consul five times, as well as imperator and chief augur too, omitted it altogether. What is become, then, of divination by birds, which (as wars are carried on by people who take no care about any auspices) seems to be retained by the city magistrates, while it is renounced by our military commanders? So much did Marcellus despise auspices, that when he was proceeding on any enterprise, he was accustomed to travel in a closed litter, that he might not be liable to be hindered by them. And we augurs now-a-days act much in the same way, when, for fear of what is called a joint auspice, we order the sacrificial cattle to be separated from each other. Not that I commend conduct like this; for to make these contrivances, either that an auspice should not happen at all, or that if it happens it should not be seen,—what is it but an attempt to avoid the admonitions of Jupiter?

XXXVII. It is ridiculous enough for you to assert that this king Deiotarus did not repent of having believed the auspices which he experienced when he went in search of Pompey, because he had, by doing his duty, thus secured the fidelity and friendship of the Romans; for that praise and glory were dearer to him than his kingdom and possessions. I dare say they were; but this has nothing to do with the auspices. Surely no crow could inform him that it was a piece of magnanimity to defend the liberty of the Roman people. It was he himself who felt spontaneously what he did feel; and

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birds can do no more than signify bare events, be they fortunate or disastrous.

Thus, I conceive that Deiotarus in this affair followed no other auspices than those of conscience, which taught him to prefer his duty to his interest. But if the birds showed him that the result would be prosperous, they certainly deceived him; for he fled from the battle, together with Pompey, and a grievous time it was for him. From this general he was compelled to separate—another affliction; and, to crown his troubles, he soon had Cæsar quartered upon him, both as a guest and an enemy. What could be more painful than this? Lastly, Cæsar, after having deprived him of the tetrarchy of the Trogini, and bestowed it on a certain Pergamenian of his train,—after having likewise deprived him of Armenia, which had been granted him by the senate,—after having been entertained by him with most princely hospitality, left his entertainer the king wholly stripped of his possessions.

It is needless to add more. I will return to my original subject. If we seek to know events by those auspices which are sought from birds, it appears by this argument that no birds could truly have predicted prosperity to king Deiotarus. If we want to know our duty, that is not to be sought from augury, but from virtue.

XXXVIII. I say nothing, then, of the augural staff of Romulus, which you declare to have remained unconsumed by fire in the midst of a general conflagration; and pass over the razor of Attius Navius, which is reported to have cut through a whetstone. Such fables as these should not be admitted into philosophical discussions.

What a philosopher has to do is, first, to examine the nature of the augural science, to investigate its origin, and to pursue its history. But how pitiful is the nature of a science which pretends that the eccentric motions of birds are full of ominous import, and that all manner of things must be done, or left undone, as their flights and songs may indicate! How can their inclinations to the right or left determine the power of auspices? and how, when, and by whom were such absurd regulations as these invented?

The Etrurian soothsayers hold as the author of their discipline a child whom a ploughshare suddenly dug up from a clod of the earth. Whom do we Romans look upon as the

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author of ours? Is it Attius Navius? But Romulus and Remus lived several years before him, and they were both augurs, as we are informed. Shall we call our system the invention of the Pisidians, the Cilicians, or the Phrygians? Shall we, by speaking thus, call men devoid of all civilization the authors of divination?

XXXIX. "But," you say, "all kings, people, and nations use auspices;" as if there was anything in the world so very common as error is, or as if you yourself, in judging, were guided by the opinion of the multitude.

How few, for instance, are there who deny that pleasure is a good: most people even think it the chief good. But is the Stoic frightened from his creed by their numbers? or does the multitude follow their authority in many things? What wonder is there, then, if in respect of auspices, and all kinds of divinations, weak spirits are affected by those popular superstitions, though they cannot overturn the truth?

And what uniformity or settled agreement exists between augurs? The poet Ennius, referring to our Roman augurs, says—

> When on the left it thunders, all goes well.

In Homer, on the contrary, Ajax,[1] making some complaint or other to Achilles about the ferocity of the Trojans, speaks in this manner—

> For them the father of the Gods declares,
> His omens on the right, his thunder theirs.

So that omens on the left appear fortunate to us, while the Greeks and barbarians prefer those on the right. Although I am not unaware that our Romans call prosperous signs *sinistra*, even if they are in fact *dextra*. But certainly our countrymen used the term *sinistra*, and foreigners the word *dextra*, because that usually appeared the best. How great, however, is this contrariety! Why need I stop to mention that they use different birds and different signs from ourselves? they take their observations in a different way, and give answers in a different way; and it is superfluous to admit that some of these modes are adopted through error, some through superstition, and that they often mislead.

XL. To this catalogue of superstitions you have not hesi-

[1] This is another piece of forgetfulness on the part of Cicero.—See Iliad, ix. 236.

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tated to add a number of omens and presages. For instance, you have quoted the words which Æmilia addressed to Paulus, that Perses had perished; which Paulus received as an omen of success. You quote likewise the speech that Cecilia made to her sister's daughter—"I yield my place to you." Nor is this all: you cite the phrase, *favete linguis* (keep silence); and you extol the prerogative presage derived from the name of the person who takes precedence in the elections of the comitia. I call this being ingenious and eloquent against yourself; for how, if you attend to things like these, can your mind be free and calm enough to follow, not superstition, but reason, as your guide in action? Is it not so? If any one, while speaking on his own affairs, in the course of his common conversation, drops a word that may seem to you to bear on anything which you are thinking or doing, shall that circumstance inspire you with either fear or energy?

When Marcus Crassus was embarking his army at Brundusium, a certain itinerant vender of figs from Caunus cried out in the harbour, "Will you buy any *cauneas!*" Let us say, if you please, that this was an omen against Crassus's expedition; for that it was as much as to say, *Cave ne eas* (Beware how you go), and that if Crassus had obeyed the omen he would not have perished. But if we regard such omens as these, we shall have to take notice of sneezes, the breaking of a shoe-tie, or the tripping over a pebble in walking.

It now remains for us to speak of the lots, and the Chaldean astrologers, vaticinations, and dreams. And first let us speak of lots.

XLI. What, now, is a lot? Much the same as the game of mora, or dice,[1] and other games of chance, in which luck and fortune are all in all, and reason and skill avail nothing. These games are full of trick and deceit, invented for the object of gain, superstition, or error.

But let us examine the imputed origin of the lots, as we did that of the system of the soothsayers.

We read in the records of the Prænestines, that Numerius Suffucius, a man of high reputation and rank, had often been commanded by dreams (which at last became very threaten-

[1] The Latin has *quod talos jacere, quod tesseras,—tali* being dice with four flat and two round sides, and *tesseræ* dice with six flat sides.

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ing) to cut a flint-stone in two, at a particular spot. Being extremely alarmed at the vision, he began to act in obedience to it, in spite of the derision of his fellow-citizens; and he had no sooner divided the stone, than he found therein certain lots, engraved in ancient characters on oak. The spot in which this discovery took place is now religiously guarded, being consecrated to the infant Jupiter, who is represented with Juno as sitting in the lap of Fortune, and sucking her breasts, and is most chastely worshipped by all mothers.

At the same time and place in which the Temple of Fortune is now situated, they report that honey flowed out of an olive. Upon this the augurs declared that the lots there instituted would be held in the highest honour; and, at their command, a chest was forthwith made out of this same olive-tree, and therein those lots are kept by which the oracles of Fortune are still delivered. But how can there be the least degree of sure and certain information in lots like these, which, under Fortune's direction, are shuffled and drawn by the hands of a child? How were the lots conveyed to this particular spot, and who cut and carved the oak of which they are composed?

"Oh," say they, "there is nothing which God cannot do." I wish that he had made these Stoical sages a little less inclined to believe every idle tale, out of a superstitious and miserable solicitude.

The common sense of men in real life has happily succeeded in exploding this kind of divination. It is only the antiquity and beauty of the Temple of Fortune that any longer preserves the Prænestine lots from contempt even among the vulgar. For what magistrate, or man of any reputation, ever resorts to them now? And in all other places they are wholly disregarded; so that Clitomachus informs us, that with reference to this, Carneades was wont to say that he had never been so fortunate as when he saw Fortune at Prænestе. So we will say no more on this topic.

XLII. Let us now consider the prodigies of the Chaldeans. Eudoxus, who was a disciple of Plato, and, in the judgment of the greatest men, the first astronomer of his time, formed the opinion, and committed it to writing, that no credence should be given to the predictions of the Chaldeans in their calculation of a man's life from the day of his nativity.

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Panætius, who is almost the only Stoic who rejects astrological prophecies, says that Archelaus and Cassander, the two principal astronomers of the age in which he himself lived, set no value on judicial astrology, though they were very celebrated for their learning in other parts of astronomy. Scylax of Halicarnassus, a great friend of Panætius, and a first-rate astronomer, and chief magistrate of his own city, likewise rejected all the predictions of the Chaldeans.

But to proceed merely on reason, omitting for the present the testimony of these witnesses.

Those who put faith in the Chaldeans, and their calculations of nativities, and their various predictions, argue in *this* manner: they affirm that in that circle of constellations which the Greeks term the Zodiac there resides a certain energy, of such a character that each portion of its circumference influences and modifies the surrounding heavens according to what stars are in those and the neighbouring parts at each season; and that this energy is variously affected by those wandering stars which we call planets. But when they come into that portion of the circle in which is situated the rise of that star which appears anew, or into that which has anything in conjunction or harmony with it, they term it the true or quadrate aspect.

And moreover, as there happen at every season of the year *several* astronomical revolutions, owing to approximations and retirements of the stars which we see, which are affected by the power of the sun,—they think it not merely probable, but true, that according to the temperature of the atmosphere at the time must be the animation and formation of children from their mother's womb; and that their genius, disposition, temper, constitution, behaviour, fortune, and destiny through life depend upon that.

XLIII. What an incredible insanity is this! for every error does not deserve the mere name of folly. The Stoic Diogenes grants, that the Chaldeans possess the power of foreseeing certain events; to the limit, that is, of predicting what a child's disposition and his particular talent and ability are likely to be. But he denies that the other things which they profess can possibly be known. For instance; two twins may resemble each other in appearance, and yet their lives and fortunes may be entirely dissimilar.

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Procles and Eurysthenes, kings of the Lacedæmonians, were twin-brethren. But they did not live the same number of years; for Procles died a year before his brother, and much excelled him in the glory of his actions.

But I question whether even that portion of proplietic power which the worthy Diogenes concedes to the Chaldeans, by a sort of prevarication in argument, can be fairly ascribed to them. For, as according to them the birth of infants is regulated by the moon, and as the Chaldeans observe and take notice of the natal stars with which the moon happens to be in conjunction at the moment of a nativity, they are founding their judgment on the most fallacious evidence of their eyes, as to matters which they ought to behold by reason and intellect. For the science of Mathematics, with which they ought to be acquainted, should teach them the comparative proximity of the moon to the earth, and its relative remoteness from the planets Venus and Mercury, and especially from the sun, whose light it is supposed to borrow. And the other three intervals, those, namely, which separate the sun from Mars and from Jupiter and from Saturn, and the distance also between that and the heaven, which is the bound and limit of our universe, are infinite and immense. What influence, then, can such distant orbs transmit to the moon, or rather to the earth?

XLIV. Moreover, when these astrologers maintain, as they are bound to maintain, that all children that are born on the earth under the same planet and constellation, having the same signs of nativity, must experience the same destinies, they make an assertion which evinces the greatest ignorance of astronomy. For those circles which divide the heaven into hemispheres—circles which the Greeks call horizons, and the Latins *finientes*—perpetually vary according to the spot from which they are drawn; and, therefore, the risings and settings of the stars appear to take place at different seasons to different races of men.

If, then, the condition of the atmosphere is affected by the energy and virtue of the stars, sometimes in one way and sometimes in another, how can those children who are born at the same time in different climates be subject to the same starry influences in various quarters of the globe? For instance, in the country which we Romans inhabit, the dog-

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star rises some days after the summer solstice, while among the Troglodytæ, a people of Africa, it is said to rise before it. So that if I were to grant that the heavenly influences have an effect upon all the children who are born upon the earth, it would follow, that all who are born at the same time in different regions of the earth, must be born not with the same but with different inclinations according to the different conditions of climate; which, however, they by no means admit. For they persist in maintaining that all children who are born at the same period, have at their nativity the same astrological destinies allotted to them, whatever their native country may be.

XLV. But what folly is it to imagine, that while attending to the swift motions and revolutions of heaven, we should take no notice of the changes of the atmosphere immediately around us,—its weather, its winds, and rains—when weather differs so much even in places which are nearest to one another, that there is often one weather at Tusculum and another at Rome; as is especially remarked by sailors, who, after having doubled a cape, often find the greatest possible change in the wind.

When the calmness or disturbed state of the weather is so variable, is it the part of a man in his senses to say that these circumstances have no effect on the births of children happening at that moment, (as, indeed, they have not,) and yet to affirm, that that subtle and indefinable thing, which cannot be felt at all, and can scarcely be comprehended,—namely, the conjuncture which arises from the moon and other stars, does affect the birth of children?—What? is it a slight error, not to understand that by this system that energy of seminal principles which is of so much influence in begetting and procreating the child is utterly put out of sight?—for who can help observing that the parents impress on their children, to a great extent, their own forms, manners, features, and gestures. Now this could hardly happen if it were not the power and nature of the parents which was the efficient cause, but the condition of the moon and the temperature of the heavens.

Why need I press the argument that those who are born at one and the same moment, are dissimilar in their nature, their lives, and their circumstances?

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XLVI. Besides, is there any doubt that many persons, though they were born with great bodily defects, are nevertheless afterwards cured of them, and set right by the self-corrective power of their nature, or by the attention of their nurses, or the skill of their physicians? or that many children have been born so tongue-tied that they could not speak, and yet have been cured by the application of the knife? Many likewise by meditation or exercise have removed their natural infirmities. Thus Phalereus records that Demosthenes when young could not pronounce the letter R; but afterwards by constant practice he learnt to articulate it perfectly. Now, if such defects had been occasioned by the influence of the stars, nothing could have altered them.

Need I say more? Does not difference of situation make races of men different? It is easy enough to give a list of such instances; and to point out what differences exist between the Indians and Persians, the Æthiopians and Syrians, in respect both of their persons and characters, so as to present an incredible variety and dissimilarity. And this fact proves, that the climate influences the nativities of men far more than the aspect of the moon and stars. For though some pretend that the Chaldean astrologers have verified the nativities of children by calculations and experiments in the cases of all the children who have been born for 470,000 years, this is a mistake. For had they been in the habit of doing so, they would never have given up the practice. But, as it is, no author remains who knows of such a thing being done now, or ever having been done.

XLVII. You see that I am not using the arguments of Carneades, but those rather of Panætius, the chief of the Stoics. But answer me now this question. Were all those persons who were slain in the battle of Cannæ born under the same constellation, as they met with one and the same end? Again, have those men who are singular in their genius and courage, a separate, some peculiar star of their own too? For what moment is there in which a multitude of persons are not born? and yet no one has ever been like Homer.

And if the aspect of the stars and the state of the firmament influenced the birth of every being, it should, by parity of reasoning, influence inanimate substances; yet what can be more absurd than such an idea?

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I grant, indeed, that Lucius Tarutius of Firma, my own personal friend, and a man particularly well acquainted with the Chaldean astrology, traced back the nativity of our own city, Rome, to those equinoctial days of the feast of Pales in which Romulus is reported to have begun its foundations, and asserted that the moon was at that period in Libra, and on this discovery, he hesitated not to pronounce the destinies of Rome.

Oh, the mighty power of delusion! Is even the birth-day of a city subject to the influence of the stars and moon? Granting even that the condition of the heavens, when he draws his first breath, may influence the life of a child, does it follow that it can have any effect on brick or cement, of which a city is composed?

Why need I say more? Such ideas as these are refuted every day. How many of these Chaldean prophecies do I remember being repeated to Pompey, Crassus, and to Cæsar himself! according to which, not one of these heroes was to die except in old age, in domestic felicity, and perfect renown; so that I wonder that any living man can yet believe in these impostors, whose predictions they see falsified daily by facts and results.

XLVIII. It only remains for us now to examine those two sorts of divination which you term natural, as distinguished from artificial—namely, vaticinations and dreams. With your permission, brother Quintus, we will now treat of these.

I shall be very well pleased to hear you, (answered Quintus,) for I entirely agree with all you have hitherto advanced, and, to tell you the truth, although I have had my feelings on the subject strengthened by your arguments, yet of my own accord I looked upon the opinion of the Stoics respecting divination as rather too superstitious, and was more inclined to favour the arguments which have been adduced by the Peripatetics, and the ancient Dicæarchus, and Cratippus, who now flourishes, who all maintain that there exists in the minds of men a certain oracular and prophetic power of presentiment, whereby they anticipate future events, whether they are inspired with a divine ecstasy, or are as it were disengaged from the body, and act freely and easily during sleep. I wish therefore to know what is your opinion

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respecting these vaticinations and dreams, and by what ingenious devices you mean to invalidate them.

When Quintus had thus spoken, I proceeded again to speak, starting afresh, as it were, from a new beginning.

I am very well aware, brother Quintus, I replied, that you have always entertained doubts respecting the other kinds of divination; but that you are very favourable to the two natural kinds—namely, ecstasy and dreams, which appear to proceed from the mind when at liberty.

XLIX. I will therefore tell you my idea very candidly respecting these two species of divination, after I have examined a little the sentiment of the Stoics, and especially of our friend Cratippus, on this subject. For you said that Cratippus, Diogenes, and Antipater summed up the question in this manner:—"If there are Gods, and they do not inform men beforehand respecting future events, either they do not love men, or do not know what is going to happen; or they think that the knowledge of the future would be of no service to mankind; or they believe it inconsistent with the majesty of Gods to reveal to men the things that must come to pass; or, lastly, we must believe that even the Gods themselves are incapable of declaring them. But we cannot say that the Gods do not love man, for they are essentially benevolent and philanthropic. And they cannot be ignorant of those things, which they themselves have appointed and designed: neither can it be uninteresting or unimportant to us to know what must happen to us, for we should be more prudent if we did know. Nor can the Gods think it inconsistent with their dignity to advertise men of future events, for nothing can be more sublime than doing good. Nor are they unable to perceive the future beforehand. If, therefore, there are no Gods, they do not declare the future to us; but there are Gods, therefore they do declare. And if the Gods declare future events to us, they must have furnished us with means whereby we may apprehend them, otherwise they would declare them in vain; and if they have given us the means of apprehending divination, then there is a divination for us to apprehend—therefore there is a divination."

O acutest of men, in what concise terms do they think that they have settled the question for ever! They assume

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premises to draw their conclusion from, not one of which is granted to them. But the only conclusion of an argument which can be approved, is one in which the point doubted of is established by facts which are not doubtful.

L. Do you not see how Epicurus, whom the Stoics forsooth term a blunderer, reasons in order to prove that the universe is infinite in the very nature of things? That which is finite, says he, has an end. Every one will concede this. Whatever has an end, may be seen externally from something else. This also may be granted him. Now that which includes all, cannot be discerned externally from anything else. This proposition likewise appears undeniable. Therefore that *which* includes all, having no end, is necessarily infinite. Thus by the proposition which we are compelled to admit, he clearly proves the point in question.

Now this is just what you dialecticians have not yet done in favour of divination; and you not only bring forward no proposition as your premises, so self-evident as to be universally admitted; but you assume such premises as, even if they be granted, your desired conclusion would be as far as ever from following. For instance, your first proposition is this: If there are Gods they must needs be benevolent. Who will grant you this? Will Epicurus, who asserts that the Gods do not care about any business of their own or of others? or will our own countryman Ennius, who was applauded by all the Romans, when he said—

> I've always argued that the Gods exist,
> But that they care for mortals I deny;

and then gives reasons for his opinion; but it is not necessary to quote him further. I have said enough to show that your friends assume as certain, propositions which are matters of doubt and controversy.

LI. The next proposition is this, That the Gods must needs know all things, because they have made all things. But how great a dispute is there as to this fact among the most learned men, several of whom deny that all things were created by the immortal Gods!

Again, they assert, that it is the interest of man to know those things which are about to come to pass. But Dicæarchus has written a great book to prove that ignorance of futurity is better than knowledge of futurity.

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They deny that it is inconsistent with the majesty of the Gods to look into every man's house, forsooth, so as to see what is expedient for each individual. Nor is it possible, say they, for them to be ignorant of the future. This is denied by those who will not allow that what is future can be certain. Do not you see, therefore, that they have assumed as certain and admitted axioms, things which are doubtful?

After which, they twist the argument about and sum it up thus: "Therefore, there are no Gods; and they do not grant men intimations of the future." And, having settled the question thus, to their own satisfaction, they add, "But there are Gods;" a fact which is not admitted by all men; "therefore, they do grant intimations." Even that consequence I cannot see; for they may grant no intimations of the future and yet exist as Gods.

Again, it is asserted; If the Gods grant intimations to men respecting future events, they must grant some means of explaining these intimations. But surely the contrary may be the case; for the Gods may keep to themselves the meaning of the signs which they impart to men; for else, why should they teach it to the Etrurians rather than to the Romans?

Again, they argue, that if the Gods have given men the means of understanding the signs they impart, then the existence of divination is manifest. But grant that the Gods do give such means, what does it avail, if we happen to be incapable of receiving them?

Last of all, their conclusion is; Therefore, there certainly is such a thing as divination. It may be their conclusion, but it is not proved; for, as they themselves have taught us, "false premises cannot produce a true result." Therefore, the whole conclusion falls to the ground.

LII. Let us now consider the arguments of that most excellent man, our friend Cratippus. As, says he, the use and function of sight cannot exist without the eyes—and yet the eyes do not always perform their office,—and, as he who has once enjoyed correct sight, so as to see what truly exists, is conscious of the reality of vision;—so, if the practice of divination cannot exist without the power of divination—and though in the exercise of this power of divination some errors may occur, and the diviner may be misled so as not to foresee

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the truth; yet the existence of divination is sufficiently attested by the fact that some true divinations have been made, containing such exact predictions of all the particulars of future events, that they can never have been made by chance, —of which numerous instances might be cited. The existence of divination must therefore be admitted.

The argument is neatly and concisely stated. But Cratippus twice assumes what he wishes to prove; and even if we were willing to grant him very large concessions, we could not possibly agree with his conclusions.

His argument is this: Though the eyes should sometimes possess very imperfect sight, yet, provided they sometimes see clearly, it is evident that the power of vision is in them. On the same principle, if any one has ever once uttered a true divination, he must always be considered as possessing the faculty of divining, even when he blunders.

LIII. Now I entreat you, my dear Cratippus, to consider how little is the resemblance between these two cases. To me there is none at all. The eyes which see clearly exert no more than their natural faculty of sight. But minds, if they have sometimes truly foreseen future events, either in ecstasies or dreams, have done so by fortune and accident; unless, indeed, you imagine those who believe that dreams are but dreams, will grant you that when they happen to dream anything that is true, it is no longer the effect of chance.

But we may concede for the present these two assumptions of Cratippus, which the Greek dialecticians would call *lemmata*. But we prefer speaking in Latin; still the presumption, which they term *prolepsis*, cannot be granted.

Cratippus goes on assuming premises in this manner: There are, says he, presentiments innumerable which are not fortuitous. Now this we absolutely deny. See how great is the magnitude of the difference between us. Not being able to agree with his premises, I assert that he has drawn no conclusion. Oh, but perhaps it is very impudent of us not to concede a point which is so clear! But what is clear? "Why," he replies, "that many predictions are fulfilled." Yes; but are there not many more which are not fulfilled? Does not this very variation, which is the peculiar property of fortune, teach us that fortune, not nature, regulates such predictions?

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Moreover, if your conclusion is true, O renowned Cratippus!—for to you I address myself—do not you perceive that the soothsayers, and those who predict by thunder and lightning, and the interpreters of prodigies, and the augurs, and the Chaldean astrologers, and those who tell fortunes by drawing lots, will all bring forward the same argument as yourself in their own favour? Not one of these men has been so unfortunate as never on any occasion to find his predictions verified. This being the case, you must either admit all the other kinds of divination which you now most properly reject; or, if you absolutely condemn them, I do not see how you will be able to defend those two which you retain as favourable exceptions. For on the same principle that you maintain these, the others also may be true which you discard.

LIV. But what authority has this same ecstasy, which you choose to call divine, that enables the madman to foresee things inscrutable to the sage, and which invests with divine senses a man who has lost all his human ones?

We Romans preserve with solicitude the verses which the Sibyl is reported to have uttered when in an ecstasy,—the interpreter of which is by common report believed to have recently uttered certain falsities in the senate, to the effect that he whom we did really treat as king should also be called king, if we would be safe. If such a prediction is indeed contained in the books of the Sibyl, to what particular person or period does it refer? For, whoever was the author of these Sibylline oracles, they are very ingeniously composed; since, as all specific definition of person and period is omitted, they in some way or other appear to predict everything that happens. Besides this, the Sibylline oracles are involved in such profound obscurity, that the same verses might seem at different times to refer to different subjects.

It is evident, however, that they are not a song composed by any one in a prophetic ecstasy, as the poem itself evinces, being far less remarkable for enthusiasm and inspiration than for technicality and labour; and as is especially proved by that arrangement which the Greeks call acrostics—where, from the first letter of each verse in order, words are formed which express some particular meaning; as is the case with

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some of Ennius's verses, the initial letters of which make, "Which Ennius wrote." But such verses indicate rather attention than ecstasy in those who write them.

Now, in the verses of the Sibyl, the whole of the paragraph on each subject is contained in the initial letters of every verse of that same paragraph. This is evidently the artifice of a practised writer, not of one in a frenzy; and rather of a diligent mind than of an insane one. Therefore, let us consider the Sibyl as so distinct and isolated a character, that, according to the ordinance of our ancestors, the Sibylline books shall not even be read except by decree of the senate, and be used rather for the putting down than the taking up of religious fancies. And let us so arrange matters with the priests under whose custody they remain, that they may prophesy anything rather than a king from these mysterious volumes; for neither Gods nor men any longer tolerate the notion of restoring kingly government at Rome.

LV. But many people, you say, have in repeated instances uttered true predictions; as, for example, Cassandra, when she said, "Already is the fleet,"[1] &c.; and in a subsequent prophecy, "Ah! see you not?" &c. Do you then expect me to give credence to these fables? I will grant that they are as delightful as you please to call them,—that they are polished up with every conceivable beauty of language, sentiment, music, and rhythm. But we are not bound to invest fictions of this kind with any authority, or to give them any belief.

And, on the same principle, I do not think any one bound to pay any attention to such diviners as Publicius (whoever he may be), or Martius, or to the secret oracles of Apollo; of which some are notoriously false, and others uttered at random, so that they command little respect, I will not say from learned men, but even from any person of plain common sense.

"What!" you will say, "did not that old sailor of the fleet of Coponius predict truly the events which took place?" No doubt he did; but they happened to be those very things which at the time everybody thought most likely to ensue. For we were daily hearing that the two armies were situated near each other in Thessaly; and it appeared to us that Cæsar's army had the greater audacity, inasmuch as it was

[1] See book i. chap. 31. [2] See book i. chap. 50.

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waging war against its own country, and the greater strength, being composed of veteran soldiers. And as to the battle, there was not one of us who did not dread the result, though, as brave men should, we kept our anxiety to ourselves, and expressed no alarm.

What wonder, however, was it that this Greek sailor was forced from all self-possession and constancy, as is very common, by the greatness of his terror and affright; and that, being driven to distraction by his own cowardice, he uttered those convictions when raving mad which he had cherished when yet sane? Which, in the name of Gods and men, is most likely; that a mad sailor should have attained to a knowledge of the counsels of the immortal Gods, or that some one of us who were on the spot at the time—myself, for instance, or Cato, or Varro, or Coponius himself—could have done so?

LVI. I now come to you,

> Apollo, monarch of the sacred centre
> Of the great world, full of thy inspiration,
> The Pythian priestesses proclaim thy prophecies.

For Chrysippus has filled an entire volume with your oracles, many of which, as I said before, I consider utterly false, and many others only true by accident, as often happens in any common conversation. Others, again, are so obscure and involved, that their very interpreters have need of other interpreters; and the decisions of one lot have to be referred to other lots. Another portion of them are so ambiguous, that they require to be analysed by the logic of dialecticians. Thus, when Fortune uttered the following oracle respecting Crœsus, the richest king of Asia,—

> "When Crœsus has the Halys cross'd,
> A mighty kingdom will be lost;"

that monarch expected he should ruin the power of his enemies; but the empire that he ruined was his own. And whichever result had ensued the oracle would have been true.

But, in truth, what reason have I to believe that such an oracle was ever uttered respecting Crœsus? or why should I think Herodotus more veracious than Ennius? Is the one less full of fictions respecting Crœsus than the other is respecting Pyrrhus? For who now believes that the following answer was given to Pyrrhus by the oracle of Apollo?—

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"You ask your fate; O king, I answer you,
Æacides the Romans will subdue!"

For, in the first place, Apollo never uttered an oracle in Latin; secondly, this oracle is altogether unknown to the Greeks. Besides, in the days of Pyrrhus, Apollo had already left off composing verses. Lastly, although it was always the case, as is said in these lines of Ennius,—

"The Æacids were but a stupid race,
More warlike than sagacious,"—

yet even Pyrrhus might without much difficulty have perceived the ambiguity of the phrase,

"Æacides the Romans will subdue;"

and might have seen that it did not apply more to himself than it did to the Romans.

As to that ambiguity which deceived Crœsus, it might even have deceived Chrysippus. This one could not have deluded even Epicurus.

LVII. But the chief argument is, why are the Delphic oracles altered in such a way that—I do not mean only lately in our own time, but for a long time—nothing can have been more contemptible?

When we press our antagonists for a reason for this, they say that the peculiar virtue of the spot from which those exhalations of the earth arose, under the influence and excitement of which the Pythian priestess uttered her oracles, has disappeared by the lapse of time. You might suppose they were speaking of wine or salt, which do lose their flavour by lapse of time; but they are talking thus of the virtue of a place, and that not merely a natural, but a divine virtue; and how is that to have disappeared? By reason of age, is your reply. But what age can possibly destroy a divine virtue? and what virtue can be so divine as an exhalation of the earth which has the power of inspiring the mind, and rendering it so prophetic of things to come, that it can not only discern them long before they happen, but even declare them in verse and rhythm? And when did this magical virtue disappear? Was it not precisely at the time when men began to be less credulous?

Demosthenes, who lived nearly three hundred years ago, said that even in his time the Pythia Philippized—that is to

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say, supported Philip's influence; and his expression was meant to convey the imputation that she had been bribed by Philip. From which we may infer that other oracles besides those of Delphi were not quite immaculate. Somehow or other, certain philosophers who are very superstitious—not to say fanatical—appear to prefer anything to behaving with common sense themselves; and so you prefer asserting that that has vanished, and become extinct, which, if it ever had existed, must certainly have been eternal, rather than not believe what is wholly incredible.

LVIII. The error with regard to the divination of dreams is another of the same kind; their arguments for which are extremly far-fetched and obscure. They affirm that the minds of men are divine, that they came from God, and that the universe is full of these consenting intelligences. That, therefore, by this inherent divinity of the mind, and by its conjunction with other spirits, it may foresee future events. But Zeno and the Stoics supposed the mind to contract, to subside, to yield, and even to sleep, itself. And Pythagoras and Plato, authors of the greatest weight, advise men, with a view of seeing things more certainly in sleep, to go to bed after having gone through a certain preparatory course of food and other conduct. Pythagoras, for this reason, counselled his disciples to abstain from beans; with the idea that this species of food excited the mind, not the stomach. In short, somehow or other, I know nothing is so absurd as not to have found an advocate in one of the philosophers.

Do we then think that the minds of men during sleep move by an intrinsic internal energy, or that, as Democritus pretends, they are affected with external and adventitious visions? On either supposition we may mistake during our dreams many false things for true.

For to people sailing, those things appear to be in motion which are stationary, and by a certain ocular deception, the light of a candle sometimes seems double. Why need I instance the number of false appearances which are presented to the eyes of men, among those who labour under drunkenness, or maniacs?

Now, if we cannot trust such appearances as those, I know not why we are to place any absolute reliance on the visions of dreams; for you might as well, if you pleased, argue from

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these errors as from dreams. For instance, that if stationary objects appear to move, you might say that this appearance indicated the approach of an earthquake, or some sudden flight; and that lights seen double presage wars, and discords, and seditions.

LIX. From the visions of drunkards and madmen one might, doubtless, deduce innumerable consequences by conjecture, which might seem to be presages of future events. For what person who aims at a mark all day long will not sometimes hit it? We sleep every night; and there are very few on which we do not dream; can we wonder then that what we dream sometimes comes to pass?

What is so uncertain as the cast of dice? and yet no one plays dice often without at times casting the point of Venus, and sometimes even twice or thrice in succession. Shall we, then, be so absurd as to attribute such an event to the impulse of Venus, rather than to the doctrine of chances? If then, on ordinary occasions, we are not bound to give credit to false appearances, I do not see why sleep should enjoy this special privilege, that its false seemings should be honoured as true realities.

If it were an institution of nature that men when they sleep really did the things which they dream about, it would be necessary to bind all persons going to bed both hand and foot, for they would otherwise while dreaming perpetrate more outrages than maniacs. Now since we place no confidence in the visions of madmen, simply because they are delusions, I do not see why we should rely on those of dreamers, which are often the wilder of the two. Is it because madmen do not think it worth while to relate their visions to diviners, but those who dream do?

Once more I put this question. If I feel inclined to read or write anything, or to sing or play on an instrument, or to pursue the sciences of geometry, physics, or dialectics, am I to wait for information in these sciences from a dream, or shall I have recourse to study, without which none of those things can be either done or explained? Again, if I were to wish to take a voyage, I should never regulate my steering by my dreams. For such conduct would bring its own immediate punishment.

How, then, can it be reasonable for an invalid to apply for

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relief to an interpreter of dreams rather than to a physician? Can Esculapius or Serapis, by a dream, best prescribe to us the way to obtain a cure for weak health? And cannot Neptune do the same for a pilot in his art? Or will Minerva give us medicine without troubling the doctor? And still will the Muses refuse to impart to dreamers the art of writing, reading, and the other sciences? But if the blessing of health were conveyed to us in dreams, these other good things would certainly be so too. But unfortunately the science of medicine cannot be learnt in dreams, and the other arts are in a similar predicament. And if that be the case, then all the authority of dreams is at an end.

LX. But this is only a superficial argument. Let us now penetrate the heart of this question.

For either some divine energy which takes care of us, gives us presentiments in our dreams; or those who explain them do, by a certain harmony and conjunction of nature which they call *συμπάθεια* (sympathy), understand by means of dreams what is suitable for everything, and what is the consequence of everything; or, lastly, neither of these things is true; but there is a constant system of observation of long standing, by which it had been remarked, that after certain dreams certain events usually follow.

The first thing then for us to understand is, that there is no divine energy which inspires dreams; and this being granted, you must also grant that no visions of dreamers proceed from the agency of the Gods. For the Gods have for our own sake given us intellect sufficiently to provide for our future welfare. How few people then attend to dreams, or understand them, or remember them! How many, on the other hand, despise them, and think any superstitious observation of them a sign of a weak and imbecile mind!

Why then should God take the trouble to consult the interest of this man, or to warn that one by dreams, when he knows that they not only do not think them worth attending to, but they do not even condescend to remember them. For a God cannot be ignorant of the sentiments of every man, and it is unworthy of a God to do anything in vain, or without a cause; nay, that would be unworthy of even a wise man. If, therefore, dreams are for the most part disregarded, or despised, either God is ignorant of that being

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the fact, or employs the intimation by dreams in vain. Neither of these suppositions can properly apply to God, and therefore it must be confessed, that God gives men no intimations by means of dreams.

LXI. Again, let me ask you, if God gives us visions of a prophetic nature, in order to apprise us of future events, should we not rather expect them when we are awake than when we are asleep? For, whether it be some external and adventitious impulse which affects the minds of those who are asleep, or whether those minds are affected voluntarily by their own agency, or whether there is any other cause why we seem to see and hear or do anything during sleep, the same impulses might surely operate on them when awake. And if for our sakes the Gods effect this during sleep, they might do it for us while awake.

Especially as Chrysippus, wishing to refute the Academicians, makes this remark—That those inspirations, visions, and presentiments which occur to us awake, are much more distinct and certain than those which present themselves to dreamers. It would, therefore, have been more worthy of the divine beneficence while exerting its care for us, rather to favour us with clear visions when we are awake, than with the perplexed phantasms of dreams; and since that is not done, we must believe that these phantasms are not divine at all. Moreover, what is the use of such round-about and circuitous proceedings, as for it to be necessary to employ interpreters of dreams, rather than to proceed by a straightforward course? If God were indeed anxious for our interests, he would say, "Do this—do not that;" and he would give such intimations to a waking rather than to a sleeping man; but as it is, who would venture to assert that all dreams are true? Ennius says, that some dreams are prophetical; he adds also, that it does not follow that all are so.

LXII. Now whence arises this distinction between true dreams and false ones? and if true dreams come from God, from whence come the false ones? For if these last do likewise come from God, what can be more inconsistent than God? And what can be more ignorant conduct than to excite the minds of mortals by false and deceitful visions? But if only true dreams come from God, and the false and

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groundless ones are merely human delusions, what authority have you for making such a distinction as is implied in saying, God did this, and nature that? Why not rather say either that all dreams come from God (which you deny), or all from nature? which necessarily follows, since you deny that they proceed from God.

By nature I mean that essential activity of the mind owing to which it never stands still, and is never free from some agitation or motion or other. When in consequence of the weakness of the body it loses the use of both the limbs and the senses, it is still affected by various and uncertain visions arising (as Aristotle observes) from the relics of the several affairs which employed our thoughts and labours during our waking hours; owing to the disturbances of which, marvellous varieties of dreams and visions at times arise. If some of these are false, and others true, I shall be glad to be informed by what definite art we are to distinguish the true from the false. If there be no such art, why do we consult the interpreters? If there be any such art, then I wish to know what it is.

LXIII. But they will hesitate. For it is a matter of question, which is more probable; that the supreme and immortal Gods, who excel in every kind of superiority, employ themselves in visiting all night long not merely the beds, but the very pallets of men, and as soon as they find any person fairly snoring, entertain his imagination with perplexed dreams and obscure visions, which sends him in great alarm as soon as daylight dawns to consult the seer and interpreter; or whether these dreams are the result of natural causes, and the ever-active, ever-working mind having seen things when awake, seems to see them again when asleep. Which is the more philosophical course, to interpret these phenomena according to the superstitions of old women, or by natural explanations?

So that even if a true interpretation of dreams could exist, it is certainly not in the possession of those who profess it, for these people are the lowest and most ignorant of the people. And it is not without reason that your friends the Stoics affirm, that no one can ever be a diviner but a wise man.

Chrysippus, indeed, defines divination in these words: "It

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is," says he, "a power of apprehending, discerning, and explaining those signs which are given by the Gods to men as portents;" and he adds, that the proper office of a soothsayer is to know beforehand the disposition of the Gods in regard to men, and to declare what intimations they give, and by what means these prodigies are to be propitiated or averted. The interpretation of dreams he also defines in this manner. "It is," says he, "a power of beholding and revealing those things which the Gods signify to men in dreams." Well, then, does this require but a moderate degree of wisdom, or rather consummate sagacity, and perfect erudition?—and a man so endowed we have never known.

LXIV. Consider, therefore, whether even if I were to concede to you that there is such a thing as divination—which I never will concede—it would still not follow that a diviner could be found to exercise it truly. But what strange ideas must the Gods have, if the intimations which they give us in dreams are such as we cannot understand of ourselves, and such, too, as we cannot find interpreters of: acting almost as wisely as the Carthaginians and Spaniards would do if they were to harangue in their native languages in our Roman senate without an interpreter.

But what is the object of these enigmas and obscurities of dreamers? For the Gods ought to wish us to understand those things which they reveal to us for our own sake and benefit. What! is no poet, no natural philosopher obscure? Euphorion certainly is obscure enough, but Homer is not; which, then, is the best? Heraclitus is very puzzling, Democritus is very lucid; are they to be compared? You, for my own sake, give me advice that I do not understand!

What is it, then, that you are advising me to do? Suppose a medical man were to prescribe to a sick man an earth-born, grass-walking, house-carrying, unsanguineous animal, instead of simply saying, a snail; so Amphion in Pacuvius speaks of—

> A four-footed and slow-going beast,
> Rugged, debased, and harsh; his head is short,
> His neck is serpentine, his aspect stern;
> He has no blood, but is an animal
> Inanimate, not voiceless.

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When these obscure verses had been duly recited, the Greeks cried out, We do not understand you unless you tell us plainly what animal you mean? I mean, said Pacuvius, I mean in one word, a tortoise. Could you not, then, said the questioner, have told us so at first?

LXV. We read in that volume which Chrysippus has written concerning dreams, that some one having dreamed in the night that he saw an egg hanging on his bed-post, went to consult the interpreter about it. The interpreter informed him that the dream signified that a sum of money was concealed under his bed. He dug, and found a little gold surrounded by a heap of silver. Upon this, he sent the interpreter as much of the silver as he thought a fair reward. Then said the interpreter, "What! none of the yolk?" For that part of the egg appeared to have intimated gold, while the rest meant silver.

But did no one else ever dream of eggs; if others have, too, then why is this man the only one who ever found a treasure in consequence? How many poor people are there worthy of the help of the Gods, to whom they vouchsafe no such fortunate intimations! And, again, why did this individual receive such an obscure sign of a treasure as could be afforded by the resemblance of an egg, instead of being distinctly commanded at once to look for a treasure, in the same way as Simonides was expressly forbidden to put to sea? Therefore, obscure dreams are not at all consistent with the majesty of the Gods.

LXVI. But let us now treat of those dreams which you term clear and definite, such as that of the Arcadian whose friend was killed by the inn-keeper at Megara, or that of Simonides, who was warned not to set sail by an apparition of a man whose interment he had kindly superintended. The history of Alexander presents us with another instance of this kind, which I wonder you did not cite, who, after his friend Ptolemy had been wounded in battle by a poisoned arrow, and when he appeared to be dying of the wound, and was in great agony, fell asleep while sitting by his bed, and in his slumber is said to have seen a vision of the serpent which his mother Olympias cherished, bringing a root in his mouth, and telling him that it grew in a spot very near at hand, and that it possessed such medicinal virtue, that it would easily cure

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Ptolemy if applied to his wound. On awaking, Alexander elated his dream, and messengers were sent to look for that plant, which, when it was found, not only cured Ptolemy, but likewise several other soldiers, who during the engagement had been wounded by similar arrows.

You have related a number of dreams of this nature borrowed from history. For instance, that of the mother of Phalaris—that of King Cyrus—that of the mother of Dionysius—that of Hamilcar the Carthaginian—that of Hannibal—that of Publius Decius—that notorious one of the president—that of Caius Gracchus—and the recent one of Cæcilia, the daughter of Metellus Balearicus. But the main part of these dreams happened to strangers, and on that account we know little of their particular circumstances:—some of them may be mere fictions; for who are they vouched by?

As to those dreams that have occurred in our personal experience, what can we say about them,—about your dream respecting myself and my horse being submerged close to the bank; or mine, that Marius with the laurelled fasces ordered me to be conducted into his monument?

LXVII. All these dreams, my brother, are of the same character, and, by the immortal Gods, let us not make so poor use of our reason, as to subject it to our superstition and delusions. For what do you suppose the Marius was that appeared to me? His ghost or image, I suppose, as Democritus would call it. Whence, then, did his image come from? For images, according to him, flow from solid bodies and palpable forms. What body then of Marius was in existence? It came, he would say, from that body which had existed; for all things are full of images. It was, then, the image of Marius that haunted me on the Atinian territory, for no forms can be imagined except by the impulsion of images.

What are we to think then? Are those images so obedient to our word that they come before us at our bidding as soon as we wish them; and even images of things which have no reality whatsoever? For what form is there so preposterous and absurd that the mind cannot form to itself a picture of it? so much so indeed that we can bring before our minds even things which we have never seen; as, for instance, the situations of towns and the figures of men.

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When, then, I dream of the walls of Babylon, or the countenance of Homer, is it because some physical image of them strikes my mind? All things, then, which we desire to be so, can be known to us, for there is nothing of which we cannot think. Therefore, no images steal in upon the mind of the sleeper from without; nor indeed are such external images flowing about at all; and I never knew any one who talked nonsense with greater authority.

The energy and nature of human minds is so vigorous that they go on exerting themselves while awake by no adventitious impulse, but by a motion of their own, with a most incredible celerity. When these minds are duly supported by the physical organs and senses of the body, they see and conceive and discern all things with precision and certainty. But when this support is withdrawn, and the mind is deserted by the languor of the body, then it is put in motion by its own force. Therefore, forms and actions belong to it; and many things appear to be heard by, and said to it.

Then, when the mind is in a weak and relaxed state, many things present themselves to it commingled and varied in every kind of manner; and most especially do the reminiscences of those things flit before the mind and move about, which excited its interest or employed its active energies when awake. As, for instance, Marius at that time was often present to my mind while I recollected with what magnanimity and constancy he had borne his sad misfortunes; and this, I imagine, is the reason why I dreamed of him.

LXVIII. You also were thinking of me with great anxiety, when suddenly I appeared to you to have just escaped out of the river. For there were in both of our minds the traces of our waking thoughts. In both instances, however, there were certain additional circumstances; as in mine, the visit to the temple of Marius; and in yours, the reappearance of the horse on which I was riding, and who sunk at the same time with myself. Do you think then, you will say, that any old woman would be so doting as to believe dreams if they did not sometimes and at random turn out true? A dragon appeared to address Alexander. Doubtless this might be true, or it might be false; but whichever the case may have been, there is surely nothing very wonderful about it; for he did not hear this serpent speaking—he only

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dreamed that he heard him; and to make the story more remarkable, the serpent appeared with a branch in its mouth, and yet spoke: still nothing is difficult or impossible in a dream.

I would ask, however, how it was that Alexander had this one dream so remarkable and so certain, though he had no such dream on any other occasion, nor have other people seen many such. For myself, excepting that about Marius, I do not recollect having experienced one worth speaking of. I must, therefore, have wasted to no purpose as many nights, as I have slept during my long life.

Now, indeed, on account of the intermission of my forensic labours, I have diminished my evening studies, and added some noonday slumbers, in which I never indulged before. But yet, though I sleep so much more than formerly, I am never visited with a prophetic dream, which I should consider a singular favour now, though engaged in such weighty affairs. Nor do I seem ever to experience any more important dream than when I see the magistrates in the forum, and the senate in the senate-house.

LXIX. In truth, (and this is the second branch of your division,) what connexion and conjunction of nature (which, as I have said, the Greeks term *συμπάθεια*,) is there of such a character, that a treasure is to be understood by an egg? Physicians, indeed, know of certain facts by which they perceive the approaches and increase of diseases; there are also some indications of a return to health; so that the very fact whether we have plenty to eat or whether we are dying of hunger, is said to be indicated by some kinds of dreams. But by what rational connexion are treasures, and honours, and victories, and things of that kind, joined to dreams?

They tell us, that a certain individual dreaming of sexual coition, ejected calculi: I grant that sympathy may have had something to do in a case like this,—because, in sleeping, his imagination might have been so affected with sensual images, that such an emission took place by the force of nature, rather than by supernatural phantasms. But what sympathy could have presented to Simonides the image of the person, who in a dream warned him not to put to sea? Or what sympathy could have occasioned the vision of Alcibiades, who, a little before his death, is said to have dreamed that

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he was arrayed in the robes of Timandra his mistress? What relation could this have with the event which afterwards happened to him; when, being slain and cast naked into the street and abandoned by all the world, his mistress took off her mantle and covered his dead body with it? Was this then fixed as a piece of futurity, and had it natural causes, or was it mere accident that the dream was seen, and came true?

LXX. Do not the conjectures of the interpreters of dreams rather indicate the subtlety of their own talents, than any natural sympathy and correspondence in the nature of things?

A runner, who intended to run in the Olympic games, dreamed during the night that he was being driven in a chariot drawn by four horses. In the morning he applied to an interpreter. He replied to him, You will win: that is what is intimated by the strength and swiftness of the horses. He then applied to Antiphon, who said to him, By your dream it appears that you must lose the race; for do you not see that four reached the goal before you?

Here is another story respecting an athlete; and the books of Chrysippus and Antipater are full of such stories. However, I will return to the runner. He then went to a soothsayer and informed him that he had just dreamed that he was changed into an eagle. You have won your race (said the seer), for this eagle is the swiftest of all birds. He also went to Antiphon, who said to him, You will certainly be conquered; for the eagle chases and drives other birds which fly before it, and consequently is always behind the rest.

A certain matron, who was very anxious to have children, and who doubted whether she was pregnant or not, dreamed one night that her womb was sealed up; she, therefore, asked a soothsayer whether her dream signified her pregnancy? He said, No; for the sealing implied, that there could be no conception. But another whom she consulted said, that her dream plainly proved her pregnancy; for vessels that have nothing in them are never sealed at all. How delusive, then, is this conjectural art of those interpreters! Or do these stories that I have recited, and a host of similar ones which the Stoics have collected, prove anything else but the subtlety of men, who, from certain imaginary analogies of things, arrive at all sorts of opposite conclusions?

Physicians derive certain indications from the veins and

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breath of a sick man; and have many other symptoms by which they judge of the future. So, when pilots see the cuttlefish leaping, and the dolphins betaking themselves to the harbours, they recognise these indications as sure signs of an approaching storm. Such signs may be easily explained by reference to the laws of nature; but those which I was mentioning just now cannot possibly be accounted for in the same manner.

LXXI. But the defenders of divination reply, (and this is the last objection I shall answer,) that a long continuance of observations has created an art. Can, then, dreams be experimented on? And if so, how? for the varieties of them are innumerable. Nothing can be imagined so preposterous, so incredible, or so monstrous, as to be beyond our power of dreaming. And by what method can this infinite variety be either fixed in memory or analysed by reason?

Astrologers have observed the motion of the planets, for certain order and regularity in the course of these stars has been discovered which was not suspected. But tell me, what order or regularity can be discerned in dreams? How can true dreams be distinguished from false ones; since the same dreams are followed by different results to different people, and, indeed, are not always attended by the same events in the case of the same persons?

For this reason I am extremely surprised that, though people have wit enough to give no credit to a notorious liar, even when he speaks the truth, they still, if one single dream has turned out true, do not so much distrust one single case because of the numbers of instances in which they have been found false, as think multitudes of dreams established because of the ascertained truth of this one.

If, then, dreams do not come from God, and if there are no objects in nature with which they have a necessary sympathy and connexion, and if it is impossible by experiments and observations to arrive at a sure interpretation of them, the consequence is, that dreams are not entitled to any credit or respect whatever.

And this I say with the greater confidence, since those very persons who experience these dreams cannot by any means understand them, and those persons who pretend to interpret them, do so by conjecture, not by demonstration. And in

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the infinite series of ages, chance has produced many more extraordinary results in every kind of thing than it has in dreams; nor can anything be more uncertain than that conjectural interpretation of diviners, which admits not only of several, but often of absolutely contrary senses.

LXXII. Let us reject, therefore, this divination of dreams, as well as all other kinds. For, to speak truly, that superstition has extended itself through all nations, and has oppressed the intellectual energies of almost all men, and has betrayed them into endless imbecilities: as I argued in my treatise on the Nature of the Gods, and as I have especially laboured to prove in this dialogue on Divination. For I thought that I should be doing an immense benefit both to myself and to my countrymen if I could entirely eradicate all those superstitious errors.

Nor is there any fear that true religion can be endangered by the demolition of this superstition; for it is the part of a wise man to uphold the religious institutions of our ancestors, by the maintenance of their rites and ceremonies. And the beauty of the world and the order of all celestial things compels us to confess that there is an excellent and eternal nature which deserves to be worshipped and admired by all mankind.

Wherefore, as this religion which is united with the knowledge of nature is to be propagated, so also are all the roots of superstition to be destroyed. For it presses upon, and pursues, and persecutes you wherever you turn yourself,—whether you consult a diviner, or have heard an omen, or have immolated a victim, or beheld a flight of birds; whether you have seen a Chaldean or a soothsayer; if it lightens or thunders, or if anything is struck by lightning; if any kind of prodigy occurs; some of which events must be frequently coming to pass; so that you can never rest with a tranquil mind.

Sleep seems to be the universal refuge from all labours and anxieties. And yet even from this many cares and perturbations spring forth which, indeed, would of themselves have no influence, and would rather be despised, if certain philosophers had not taken dreams under their special patronage; and those, too, not philosophers of the lowest order, but men of vast learning, and remarkable penetration into the consequences and inconsistencies of things, men who are looked upon as absolute and perfect masters of all science. Nay, if

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Carneades had not resisted their extravagances, I hardly know whether they would not by this time have been reckoned the only philosophers worthy of the name. And it is with those men that nearly all our controversy and dispute respecting divination is mainly waged; not because we think meanly of their wisdom, but because they appear to defend their theories with the greatest acuteness and cautiousness.

But, as it is the peculiar property of the Academy to interpose no personal judgment of its own, but to admit those opinions which appear most probable, to compare arguments, and to set forth all that may be reasonably stated in favour of each proposition; and so, without putting forth any authority of its own, to leave the judgment of the hearers free and unprejudiced; we will retain this custom, which has been handed down from Socrates; and this method, dear brother Quintus, if you please, we will adopt as often as possible in all our dialogues together.

Indeed, said he, nothing can be more agreeable to me.

Having held these conversations we went away.

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ON FATE.

PREFACE BY THE ORIGINAL TRANSLATOR.

Of all the treatises on Fate which have come down to us from antiquity, this essay of Cicero's is the most valuable. Cicero regards Fate or Destiny as the decree of God, the dictum of Providence. But he supposes that it is essentially conditional, and it goes hand in hand with free-will, since free-will is one condition of Fate itself. He therefore agrees with the fathers of the first three centuries in their doctrine of free-will, so admirably explained by Erasmus and Leibnitz. While on one side he defends the decrees of Deity, on the other he defends the liberty of man in a qualified sense, and rescues his readers at once from impiety and fatalism. In this brief treatise will be found the germs of most of the arguments that have been so elaborately extended by more recent writers, who, while they have done much to elucidate the subject, have done yet more to obscure it.

[*The commencement of this treatise is lost.*]

I. * * * THAT branch of philosophy which, because it relates to manners, the Greeks usually term ethics,[1] the Latins have hitherto called the philosophy of manners. But it may be well for one who designs to enrich the Latin language, to call it moral science. And here we have to explain the nature and force of certain propositions which the Greeks term axioms (ἀξιώματα). When these propositions relate to the future, and speak of possibilities and impossibilities, it is difficult to determine their precise force. Such propositions necessarily refer to the amount of possibility, and are only resolvable by logic, which I call the art of reasoning. But I cannot avail myself in this essay on Fate of the method I employed in that other style of mine in which I discussed the Nature of the Gods, or in the book which I published on the doctrine of Divination: in which treatises the sentiments of each philosophic school are explained in a continuous discourse; in order that each reader might the more easily adopt that opinion which appeared to him the more probable. In the present work I am compelled to adopt another mode of argumentation, for the following reason.—For when I was spending some time at Puteoli, Hirtius

[1] From ἦθος.

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Pansa, the consul elect, and a most intimate friend of my own, who was greatly devoted to these studies, which have been my delight from childhood upwards, was there too, and we were a great deal together, and the principal topic of our conferences was the best method of establishing peace and concord among our fellow-citizens. For after Cæsar's death certain individuals sought every pretext to excite new disturbances, and we were extremely anxious to prevent and frustrate their machinations, and nearly all our conversations were devoted to those deliberations; and one day when I was more at leisure than usual, and less interrupted by visits, Hirtius called to see me, and our discourse turned on the daily, and I may almost say legitimate subject of peace and tranquillity.

II. And after some time, he said,—Since you have not, as I hope, abandoned your oratorical studies, my Cicero, and though you have no doubt preferred philosophy to them, I should like to hear you now illustrate some leading philosophical problem. You may, replied I, either hear me discuss such, or argue it yourself; for you are quite right in supposing that I have not abandoned my oratorical studies, for which I have also been the means of exciting your own inclination; although I partially found you originally very much attached to it; nor, in fact, do the philosophical studies in which I am now most interested, impair that faculty, but I may rather say that they increase it. For the orator has a great affinity to this system of philosophy which we follow; for he borrows subtlety from the Academy, and in return he imparts to it a certain richness of expression, and copiousness of ornament. Therefore, continued I, since we are equally possessed of oratory and philosophy, your choice shall determine the subject of our conversation. What you say, replied Hirtius, is very pleasing to me, and like everything that you utter, for your inclinations are never at variance with my desires. But as I have been already largely instructed in oratory, and have heard you often, and am likely again to hear you enlarge on the rhetorical art, and as I see by your Tusculan Disputations that you have adopted the Academic method of investigation, by arguing against all propositions; I will therefore now, if you have no objection, propose a subject on which I am

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eager to have your opinion. Can I, I replied, find any objection to anything which will give you pleasure? Do not, however, forget that I am a Roman, and as such naturally timid when approaching this kind of argument, and recurring to such studies only after a long interval, and discussing metaphysical topics. I will listen to you, replied he, while you speak on this intricate topic, with the same friendly disposition with which I read your writing; so begin.[1] * * *

III. Let us consider here * * * in some of which, as in the case of Antipater the poet, or of those who are born on the day of the winter solstice, or of two brothers who are ill at the same time, or as in the urine, or the nails, and other things of the same kind, the influence of nature prevails, which I am far from denying; I only say that there is here no appearance of fate. In other cases, some things may be purely fortuitous; as in that case of shipwreck in the adventures of Icadius and Daphitas. Some of these stories indeed (if I may thus speak without offence to my master) appear to be the invention of Posidonius, and some are downright absurd. For what shall I say?—if it was the fate of Daphitas to fall from a horse and to lose his life by the fall, still can he have been predestined to fall from this particular horse, which was no horse at all, but only a rock which was called "The Horse?" And when the oracle warned Philip to beware of a four-horsed chariot, did it signify that miniature chariot carved on the handle of the sword which slew him? Why should we be surprised that a certain nameless person after having escaped shipwreck was drowned in a river? When the oracle forewarned him that he should perish by water, did it indicate the particular stream which proved fatal to him? And in the adventure of the robbed Icadius, I see no trace of what you call destiny, for no special prediction was fulfilled in his death. It is nothing very wonderful that a piece of rock from the cavern should have fallen on his legs; for I suppose that this rock would still have fallen if Icadius had not been in the cavern just at that time. For either there is nothing whatever fortuitous, or else such an accident as this may have been such. I ask then—and this principle is capable of extensive application—if there were absolutely no such name, no such nature, and no such influence as that of

[1] A good deal of the original is lost here.

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Fate, and if, as a general rule, the majority of events, or every event, happened at random and by chance, would they happen otherwise than they do? Why then should we always resort to Fate, when without any such principle the cause of every event may be fairly referred to nature, or to fortune?

IV. Let us, however, as we fairly may, dismiss Posidonius, without any offence to him, and turn our attention to the sophisms of Chrysippus. And first let us answer those difficulties which he finds in the sympathy of things; and his other objections we will take afterwards. In the climates of different countries we observe a great variety; some are healthy, others unwholesome. In some, the animal constitution becomes phlegmatic, and as it were exuberant; in others, dry and arid. And there are a great many other very considerable differences between place and place. At Athens the air is delicate, which is supposed to render the Athenians clever. In Thebes it is gross and heavy, and the Boeotians are proverbially sturdy and stupid. Yet the subtle air of Attica cannot be the cause why some pupils follow Zeno, others Arcesilas, others Theophrastus. And the density of the Theban atmosphere can never cause a Theban athlete to aim at victory in the Nemean games rather than in the Isthmian. And to come nearer home,—what influence can the nature of our climate have to make me prefer a walk in the portico of Pompey, rather than in the field of Mars? and in your society, rather than that of another? or at the period of the ides, rather than the calends? As, then, the nature of the situations has some effect upon some things, and none upon others, so also the influence of the stars may, if you please, account for some phenomena, but certainly not for all. But, Chrysippus would reply, since there are dissimilarities in the natures of men, so that some persons like sweet things, others prefer what is bitter; some are libidinous, others irascible, or cruel, or proud, while others recoil from such faults; since, then, he would say, one constitution is so different from another, what is the wonder if these diversities result from different causes?

V. While he argues in this way, he shows that he does not understand the true question, nor its principal difficulties. For, allowing that different men have different inclinations,

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owing to anterior natural causes, yet it does not follow on that account that the causes of our wills and desires are also natural and anterior, for if that were the case nothing whatever would be in our own power. At present we confess that it does not depend upon ourselves to be clever or stupid, robust or weak; but he who thinks that it therefore follows that it does not depend upon our own will whether we shall sit or walk, is plainly ignorant of what consequences flow from what premises. For although it may be owing to antecedent causes that men are born clever or stupid, powerful or weak, still it does not follow that it is defined and settled by principal causes, whether they are to sit, or walk, or do any particular thing.

Stilpo, a philosopher of Megara, a particularly shrewd man, and famous enough in his day, was, according to the account of his friends, vehemently addicted to wine and women. Nor do they mention this to diminish his credit, but to illustrate his virtue; for they assert that his philosophy so tamed and subdued his vicious nature that no one ever saw in him the slightest trace of drunkenness or debauchery. Need I say more? Have we not all heard what judgment Zopyrus, the physiognomist, who had pretended to ascertain the dispositions and habits of men by the inspection of their bodies, countenances, foreheads, and eyes, pronounced upon Socrates, affirming that he was stupid and dull, because his throat was protuberant, saying that these parts were obstructed and blocked up? He added that Socrates was decidedly lascivious respecting women; at which Alcibiades is reported to have laughed heartily. But such vicious inclinations may arise from natural causes, and yet for them to be so extirpated and entirely eradicated, that a person who was originally inclined to them may have wholly repressed their influence, would not depend so much on natural causes as on energy of will, study and discipline; all which things are discarded if the power and nature of fate is to be confirmed on principles of divination.

VI. If you insist on the reality of divination, I once more ask, from what perceptions of art does it proceed? I call those things perceptions, which the Greeks call theorems (*θεωρήματα*). For I do not suppose that any other workmen employ no perceptions in their work, or that those who use

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divination can really predict futurity. The axioms of the astrologers, then, are something of this sort; "If any one," say they, "is born at the period when the dog-star rises, he will never be drowned in the sea." Take care, Chrysippus, and defend your cause as well as you can, for Diodorus, a powerful logician, will have a great contest with you on this subject. For if the argument thus connectedly stated be true—If any one is born at the rising of the dog-star, he shall not perish in the sea; then it is true—If Fabius was born at the rising of the dog-star, Fabius could not perish in the sea. There is, therefore, a contradiction between these two clauses, that Fabius was born at the rising of the dog-star, and that Fabius will die in the sea. This conjunction, then, consists of repugnant clauses,—Fabius does exist, and Fabius will die in the sea; which, in the way in which it was stated, is impossible: therefore, this statement, that Fabius will die in the sea, is of that kind which is impossible. Every proposition, then, relative to the future, which is false, in fact must be regarded as impossible.

VII. This consequence, however, is by no means agreeable to you, O Chrysippus, and this very point is your main dispute with Diodorus: for this philosopher only admits that to be possible which is either true or will be true; and whatever will be true, that he says is unavoidable; and whatever will not be true, that he says is impossible. You both regard as possible that which will never happen, as, for instance, that this precious stone may be broken, though it never will be; and you deny that it was inevitable that Cypselus should reign at Corinth, although Apollo's oracle had predicted such a fact a thousand years before. But if you approve of these divine predictions, then you will also look upon what are falsely predicted as future events, as things which it is impossible should come to pass—as, for instance, if it were said that Scipio Africanus shall conquer Africa, and if this statement is realized,—then you must assert that it was unavoidable; and this agrees with the opinion of Diodorus which is opposed to yours. But if that conditional proposition is true, If you are born at the rising of the dog-star, you can never be drowned in the sea; and if the first clause of this proposition is necessary (for in past propositions all statements which are true are necessary, according to Chrysippus, who disagrees with his master

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Cleanthes, because they are immutable, and because what is past cannot be changed from true to false)—if the first member of the conditional proposition be necessary, the consequent is also necessary: although Chrysippus denies the universal applicability of this principle. Still, however, if there is any natural cause why Fabius will not die in the sea, then Fabius cannot die in the sea.

VIII. On this topic Chrysippus exerts all his ingenuity. He pretends that the Chaldeans are deceived as much as other diviners; and that they cannot avail themselves of conditional propositions like the foregoing—"If any one is born under the dog-star he cannot be drowned in the sea." He would rather have them announce the prognostic in this fashion,—"It is not the case that if any one is born under the dog-star he will be drowned in the sea." What an excellent joke! Rather than agree with the rational Diodorus, he sets about instructing the Chaldeans how they should frame their responses. I ask, then, if the Chaldeans should allow themselves to change affirmative indefinites into negative indefinite conjunctives, why may not the professors of medicine and mathematics, and other sciences, do the same? Above all men the physician will no longer propose what he is certain of in his art in this fashion, "If any man's veins are agitated in this manner, he has a fever;" but thus, "This man's veins are not agitated in this way, and therefore, he has not a fever." Again, the mathematician will no longer say, "In the sphere, when we describe great circles, they divide themselves into equal parts in the centre;" but rather, "It is not the case that when we do describe great circles in the sphere, they do not divide themselves into equal parts in the centre." What proposition is there which, by the employment of such means, cannot be changed from a conditional affirmative into a negative conjunctive? And, indeed, we might bring out the same results in other manners. I said just now—"In the sphere great circles divide themselves equally in the centre:" I might say, "In the sphere great circles will be formed;" or I might say, "Because in the sphere great circles will be formed." There are many ways of enunciating a proposition, but there is no more distorted one than that which Chrysippus wishes the Chaldeans to put up with in order to please. But there is no

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danger of their adopting it; for it would be harder to understand these contortions of phraseology, than to learn with precision the rising and setting of every star in the heavens.

IX. But let us return to the question concerning *possibility*, so warmly contested by Diodorus, in which the question is examined, What is the signification of the term possible? Diodorus asserts that nothing is possible, except what either is true or is going to be so. This statement comes to this, that nothing happens which is not unavoidable; and that every thing which is possible either exists now, or will exist; and that things future, being certain, can no more be changed from true to false than things past; but that in things already past, the impossibility of change is very apparent; but that in things future, as they do not yet appear, we cannot equally discern that immutability. For instance, we may say with truth, of a person attacked by a mortal disease—This person will die of this malady; and if this same thing were to be said with equal truth of another person in whom the same violence of disease is not apparent, it will certainly happen as well as it will in the case of the other. Hence, we affirm that even in the case of future things, for instance, there cannot possibly be any change from true to false. This proposition, "Scipio will die," has such force, that although we announce a future event, it is still such an one that it cannot be converted into a false one, for it is said of a man, and all men are sure to die.

But if it were said, "Scipio will die in his bed during the night by the hand of his enemy," it might still be said with truth, as it might be about to happen; but it can only be known to have been about to happen from the fact that it has happened. Nor was it more true to say, Scipio will die, than to say, Scipio will die in such and such a manner; and his death itself was not less inevitable than the circumstances which attended it. Nor was it more possible to alter from true to false, the statement of, "Scipio has been slain," than this, "Scipio will be slain." Nor, since this is the case, do I see any reason why Epicurus has such a horror of Fate or Destiny, and why he flies for assistance to his atoms, and leads them out of the way, and why he endeavours to establish two inexplicable principles at the same time: first, that anything is

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produced without cause, from which it will follow that nothing can produce something; an opinion adopted neither by Epicurus himself nor by any other natural philosopher: secondly, that when two atoms move in empty space, one proceeds in a right line, and the other in an oblique.

For Epicurus, granting as he does that every proposition is either true or false, ought not to have hesitated to admit that everything eventually takes places in consequence of Fate. For there are no natural causes flowing from the necessity of things which determine the truth of this proposition. Carneades came down into the Academy. This fact was not without its causes; but we must distinguish between those antecedent causes which depend on chance, and those efficient causes which contain a physical energy and influence. Thus this proposition was always true and certain, "Epicurus will die at the age of seventy-two, in the Archonship of Pitharatus." And yet there were no fatal causes which determined this event: but since it took place we may be sure that it necessarily happened in the way it did. And those who affirm that things future are immutable, and that things true and certain cannot become false and uncertain, ought not to be regarded as the partisans of strict fatalism, since they are only explaining the meaning of words. But those philosophers who introduce a chain of eternal causes of absolute necessity, despoil the human soul of its free-will, and bind it hand and foot in the necessity of fate.

X. This is all that we need say concerning possibility. Let us pass on to other matters.

Chrysippus adopts this mode of reasoning. If any motion exists without a cause, then it is not the case that every proposition called an axiom by the logicians, is neither logically true nor false. For that which has not efficient causes, is neither true nor false. Now, every proposition is either true or false. If it be so, then all effects owe their existence to anterior causes. This once admitted, we must grant that all things are governed by fate. It follows therefore that everything which happens, happens by fate. Here let me take the liberty for a moment to agree with Epicurus, and deny that every proposition is either true or false. I would rather expose myself to criticism for this, than grant that fate governs all things. For this last opinion is entirely

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untenable, while the former is merely doubtful. Therefore Chrysippus strains all his energies to prove that every proposition must be true or false. For as Epicurus fears that by conceding this point, he may be obliged to admit that everything happens through fate, since the truth or falsehood of any given proposition existing from all eternity, must be certain in one sense or other, and if certain, then necessary according to the necessity of fate; and so he thinks that necessity and fate are established: so Chrysippus, on the other hand, fears that, if he cannot establish his point that every proposition is either true or false, then it will be impossible to prove that everything is done in consequence of fate, and of the eternal causes of all future events.

Epicurus, however, thinks that the necessity of fate is avoided by his fortuitous concourse of atoms. Hence arises a third motion beside those of gravity and percussion—attraction and repulsion, by which atoms pass through minute spaces. Epicurus calls it ἐλάχιστος or infinitesimal. And he is compelled in fact, if not in express words, to confess that this is an effect without a cause. For an atom moves not by the impulse impressed on it by another atom. For how can one atom be impelled by another, if they are all, as Epicurus asserts, borne perpendicularly downwards in straight lines by the force of gravity? For it follows, that if none of these bodies is ever impelled by another, then no contact can exist between them. From all which it appears that even if an atom exists, and varies from its straight course, it varies without a cause. Epicurus adopted this idea because he was afraid that if he granted that atoms always move by a natural and necessary attraction, he should deprive man of his liberty. The soul experiences no motions but those it might receive from the irresistible impulse of atoms. And from this consideration, Democritus, the author of the Atomic Philosophy, preferred admitting the necessity of fate to depriving indivisible bodies of their natural motions.

XI. Carneades argued more acutely when he taught that the Epicureans might defend their cause without this imaginary declination of atoms. For when he taught that the soul might possess free-will, and a voluntary original motion of its own, that was a proposition much wiser to maintain

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than to introduce an atomic declination, especially one for which no cause can be assigned. By means of this doctrine, these sages might easily parry all the arguments of Chrysippus. For in granting that there exists no motion without a cause, they need not grant that all which happens, does so by antecedent causes. Our will, for instance, is not submitted to antecedent and exterior causes. It is, therefore, an abuse of language to say that any one wills, or wills not, without cause. For in saying without cause, we mean without antecedent external cause, not without any cause whatever. As when we say that a vessel is empty, we do not mean empty in the sense of the natural philosopher, who denies the existence of absolute emptiness, but we merely mean that the vessel contains no water, wine, oil, or other liquor. So when we say that our soul is moved without cause, we mean without antecedent extrinsic cause, not independently of all cause whatever. As to an atom, when it moves through void space by its specific gravity, we may say that its motion has no cause, meaning no cause extrinsic to itself. Therefore not to expose ourselves to the ridicule of the natural philosophers by asserting that anything happens without a cause, we must distinctly propound that the nature of an atom is such that it may be moved by its own specific gravity, and that its intrinsic nature is the very cause of its motion. And in the same manner we need not seek for an external cause for the voluntary motions of the mind. For such is the nature of voluntary motion, that it must needs be in our own power, and depend on ourselves, otherwise it is not voluntary. And yet we cannot say that the motion of our free-will is an effect without a cause, for its proper nature is the cause of this effect. As, then, this is the case, why may not every proposition be either true or false, without our conceding that fate is the cause of all that happens? Because, says he, things certain to happen cannot be those which have no causes why they are certain to happen; they must, therefore, have causes in order that those things which are true, when they happen in that way, may so happen through fate.

XII. The dispute then is at an end, since you must needs grant either that all things happen by fate, or that some effects may exist without external causes. This proposition,

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"Scipio shall take Numantia," cannot be true unless we admit that in order to produce this effect there was a specific cause bound to an eternal series of causes. Could this fact have been rendered false by being predicted 600 years before? But if this proposition, "Scipio shall take Numantia," was not true, then, even now that it is taken, it is not true. Can anything, then, possibly happen which was not certain to happen? For as we call past events true, the existence of which has been certified by experience, so may we call future events true which will assuredly be realized in the time to come. And though every proposition is either true or false, it need not follow at once that there exist eternal and immutable causes which prevent anything from happening in any other manner than that in which it does happen. There are fortuitous causes which ensure the certainty of those predictions which are uttered in this manner—"Cato shall enter the senate;" these causes not necessarily subsisting in the nature of things, and in the world. And yet the future is just as immutable, inasmuch as it is true, as what has already taken place; nor does this fact give us any reason to fear either fate or necessity. In fact we must confess in all such propositions, that if this statement, "Hortensius will come to Tusculum," is not true, then it follows that it is false. But these men will not admit either of these alternatives, but that denial is impossible to be maintained. Nor need we be deterred from this line of reasoning by the argument called the inactive one, or, by some philosophers, ἀργὸς λόγος, which, if we were to be led by it, would induce us to remain inactive all our lives. This argument may be thus stated,—"If it be the will of fate that you should free yourself from this disease, then whether you take medicine or not, you will free yourself equally." Again, "If it is the will of fate that you should not escape from your malady, whether you take medicine or not, you will not escape." Fate, therefore, is the regulator of both alternatives, and any application to a physician will be useless.

XIII. Very properly, therefore, is this argument called inactive, for if we adopt it, we must remain in absolute idleness, and abstain from all action whatever. We may change the statement of this argument, and omit the word fate, but still it comes to the same result. "If from all eternity this

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proposition is true, You will escape from this malady; then whether you consult a physician or not, you will escape from it." Again; "If from all eternity this proposition is false, You will not recover from this disease; then you will not escape from it whether you consult a physician or not." This argument is rejected by Chrysippus. For, says he, we must distinguish between two kinds of propositions, the simple and the compound. For instance, this is a simple proposition, "Socrates shall die this day." Here, whether he does anything, or does not do so, the day of his death is definitively fixed. But if the fate spoken of is of this sort, "Laius shall beget Œdipus," then it cannot be said, whether Laius is with a woman or not, for it is a compound fact, and confatal, to use Chrysippus's expression, because it is fated, both that Laius will be with his wife, and that he will beget Œdipus. In the same way, if it is asserted, Milo will contend in the Olympic games, it would be absurd to reply that he must so contend whether he meets any antagonist or not; for the assertion, he will contend, is a copulative one, because there is no contest without an adversary. All sophisms of this nature are demolished in the same way. "Whether you consult a physician, or whether you do not, you will recover,' is captious; for it is as much fated that you shall consult a physician as that you shall recover.

XIV. Carneades, however, absolutely rejects this method of reasoning, and thinks that these conclusions are adopted too hastily. He therefore pushed his argument in a plainer manner, and avoided these subtleties. And his conclusions were formed in this way: "If everything happens by anterior causes, all these causes must be closely and compactly bound to each other by a natural connexion. Now if this is the case, necessity governs all things, we are no longer free agents, nothing is in our own power. But some things are in our own power: but if all things happen by fate, then all things happen by anterior causes: therefore all that happens does not happen by fate." This argument cannot be made more stringent. For if any one were to try to reply to it, and to argue thus: "If all which happens is true from all eternity, so that it must needs happen in a specific manner, then it follows inevitably that all things are closely and compactly bound together by a natural connexion:" he would

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be in effect saying nothing; for there is an essential difference, whether a natural cause from eternity makes what is future true, or whether even without a natural eternity those things which are future can be recognised as true. And therefore Carneades declares that Apollo himself cannot predict, as certain to take place, any things except those whose causes are so contained in nature that they must eventually take place. For what can the Deity himself have beheld to make him say that that Marcellus, who was thrice consul, would perish in the sea? This event was indeed true from all eternity, but it had no efficient cause. Neither could those past events, which leave no signs or vestiges, be known in his opinion even to Apollo himself. How then can he know events which are future? for it is only by an acquaintance with efficient causes that we can foreknow the particular events which result from them. Therefore (says he) Apollo could not predict in the case of Œdipus that he would certainly destroy his father, because there existed no antecedent cause for such an event in nature.

XV. Wherefore if the Stoics, who maintain that everything happens by fate, are obliged in consistence with their principle to admit the truth of oracles of this kind, and of other things which come under the head of divination; but those who assert that all things which must happen are certain from all eternity, may, if they please, reject such consequences; then consider whether they do not, in fact, agree with the Stoics. Indeed, they are driven even to worse difficulties, for the theory of the others is free and unembarrassed in comparison. But if it be admitted that nothing can happen without some anterior cause, what is gained by that if this cause is not said to be linked to an infinite series of causes? By a cause we mean that which produces the effect caused; as a wound is the cause of death, indigestion of disease, and fire of heat. Thus we do not understand by a cause a mere antecedent, but an effective antecedent. Nor was my visiting the Campus Martius the cause of my playing at ball; nor was Hecuba the cause of the ruin of Troy, by giving birth to Paris; nor Tyndarus the author of Agamemnon's murder, because he was Clytemnestra's father. For by such logic as this a traveller who wears a handsome dress may become the cause why the highway-

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man robs him of it. And here lies the sophism of Ennius, where he says:—

> Oh, that the pine in Pelion's leafy grove,
> Had never fall'n beneath the woodman's axe!

He should have gone a step further and said, "Oh, that no tree had ever grown on Mount Pelion!" Or further still, "Oh, that Mount Pelion had never existed!" And thus tracing backwards further and further he might have gone on for ever. Again, he says:—

> And that no ship from that too fatal tree
> Had e'er been built.

But why enumerate all those past events? Because the consequence is as follows:—

> Then would my wandering mistress ne'er have set
> Her foot across her threshold. Sad Medea,
> Who now with agonized heart, frenzied with love. . . .

Now surely none of the antecedent circumstances mentioned by Ennius was the efficient cause of Medea's love.

XVI. But there is a difference, say they, between a cause without which an effect cannot happen, and a cause which necessarily produces an effect. Then there is no efficient cause of such events as they allude to, because none produces them by its efficient energy; and a thing is not a cause when without it the effect could not have happened, but when by its specific action it necessarily produces the effect caused. Before the wound of the serpent who bit Philoctetes changed into an ulcer, what reason was there in the nature of things why the Greeks should leave this hero in the isle of Lemnos? Afterwards this cause existed, and in much closer connexion with the event—and the event itself declared and manifested the cause. Reason, therefore, points out the cause of the event. But from all eternity this proposition was true, "Philoctetes shall be left in an island," nor could it be altered into a false one. For two contrary propositions (when I say contrary, I mean such that one affirms a thing, and the other denies it) which oppose each other can never stand together, for, in spite of Epicurus, one must be true and one false. Thus this proposition, "Philoctetes shall be wounded," was true before all ages; and the contrary, "He shall not be wounded," was false; unless, indeed, we adopt the opinion of the Epicureans, who affirm that such propositions are neither true nor false, or, when they are ashamed of that,

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utter that still more impudent assertion, that disjunctive propositions composed of two contradictions are true, though neither of their component parts is true. Oh, marvellous licentiousness and miserable ignorance of logic! If anything in speech is so indifferent as to appear neither true nor false, that is certainly not true. That which is not true must of necessity be false, and that which is not false must be true. We must, therefore, maintain that doctrine which Chrysippus has proved, namely, that every proposition is either true or false. Reason itself will oblige us to grant, that there are things which are true from all eternity, that these things are not bound to eternal causes of necessity, and that they are free from the compulsion of fate.

XVII. It appears, indeed, to me, since the ancient philosophers are divided into two parties on the doctrine of fate; some of whom maintain that fate works all in all, and that it exerts a necessary and compulsive force over all agents; of which opinion were Democritus, Heraclitus, Empedocles and Aristotle; while others asserted that fate had no influence whatsoever over the voluntary acts of the soul; between these two opinions Chrysippus, as an honorary arbiter, holds a middle course; but he seems to approach nearest to those who believe the acts of the soul to be free from necessity. However, the expressions he employs throw him back into the very dilemma he seeks to avoid, so that in spite of himself he affirms the necessity of fate. Let us, therefore, return to the sentiments I formerly described. The acts of the soul, according to the opinion of those ancient philosophers who attributed all to fate, are the result of compulsion and necessity. Those who held the opposite system, believed the sentiments were free from the dominion of fate, and maintained that if we left the sentiments under the dominion of fate it would be impossible to preserve their freedom from the tyranny of necessity. They argue in this manner:—If all happens by fate, then every effect is determined by an anterior cause. If appetite be allowed, those things also must be allowed which follow appetite: and on the same principle thus it is with our sentiments. But if the cause of appetite does not depend on us, then, even the appetite itself is no longer in our own power. If the affair stands thus, the effects produced by appetite are no longer chargeable on ourselves.

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Thus we lose all command both of our sentiments and actions. From which it follows that all praise and blame must be equally unjust, and all honours and punishments. And as this consequence is absurd, they conclude with much probability that all the events which happen are not the effects of fate.

XVIII. But Chrysippus, rejecting necessity, yet believing that nothing can happen without antecedent causes, distinguishes causes into two kinds, in order to preserve the doctrine of fate, and yet avoid that of necessity. There are, says he, certain absolute principal causes, and certain auxiliary proximate causes. When, therefore, we assert that all things happen by anterior causes, we do not so much allude to these absolute or principal causes, as to the auxiliary and proximate ones. He therefore meets the consequence which I have just mentioned in this manner. If, says he, everything happens by fate, I grant that all happens by pre-existent causes; but these pre-existent causes are not principal, but auxiliary. And if these latter ones are not in our power, we can no longer maintain that appetite itself is in our power. But this must needs be the case, if we say, that all happens by principal causes, since these causes being beyond our control, appetite is likewise beyond our control.

Those, therefore, who thus introduce fate, and join necessity with it, rush wildly into this absurd consequence, namely, the destruction of free-will. But those who admit antecedent causes without supposing them principal, have no such error to fear. In fact, nothing is more natural, according to these philosophers, than the manner in which the sentiments are produced by pre-existent causes. They grant that sentiments cannot arise without some corresponding action of the sense, yet they say that this action, having a proximate cause, not a principal one, takes place as Chrysippus conjectures; not that this sentiment can arise without some extrinsic cause, (for sentiment and sensation are connected,) but the causal force is perpetuated, as in the case of a revolving wheel or top, which cannot begin to move till the final impulse be given to them. But after they have received it, they continue their gyrations according to their form.

XIX. As then, says he, a man who pushes a cylinder gives it a principle of motion, but not immediately that of

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revolution; so an object strikes our sense and conveys its image to our soul, yet leaves us free to form our specific sentiment concerning it; and, as has been said in the case of the cylinder which is set in motion from without, it will continue for the future to move according to its own proper force and nature. But if any effect were produced without an anterior cause, it would be true that all things happen by fate. If, however, it is probable that everything which happens has evidently an anterior cause, what reason can be given why we should not admit that all things happen by fate, provided it is understood what the distinction and dissimilarity of causes is? After this explanation of Chrysippus, if those who deny that our sentiments are the effects of fate were to concede that they are not produced without an anterior impression made on our senses, that would be one thing. But if they grant that an anterior impression is made on the sense, and yet that the sentiments are not the effects of fate, since the proximate cause does not excite them specifically, both parties will agree to such a statement. For Chrysippus, in granting that the proximate cause of sentiment is in the impression made on the sense, does not imply that this was the necessary cause of its specific character. So that though all happens by fate, he still denies that all happens by necessary and compulsory causes. And they who differ from him, granting that no sentiment arises without a corresponding motion of sense, declare that if all happens by fate in such a manner that nothing takes place without a pre-existent cause, we must needs admit that all things take place by fate. Thus we may understand how both these contending disputants, when they have fairly explained their systems, arrive at the same essential result, and only differ in terms. And since the main points are admitted by both sides, we may affirm with confidence that when certain causes precede certain effects we cannot hinder these effects from happening. In other cases, on the contrary, though certain causes pre-exist, we have the moulding of their effects in our own power. Such is the distinction recognised by both sides; but some imagine that those things whose causes so precede as to deprive us of the power of moulding the effect, are submitted to the empire of fate, but that those which depend on ourselves are free from it. . . . . .

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XX. It is according to these principles that we should examine the question concerning fate, and not rush with Epicurus to a fortuitous concourse of atoms to help us out of our difficulty. Every atom has a motion of its own, says he. In the first place, why is it so? It possesses a peculiar energy; that force, for example, of Democritus, which this philosopher terms an impulse, and which Epicurus calls gravity or weight. But you have not yet discovered that primitive power in nature from which your atoms derive their motion. Do they cast lots with one another which shall move this way and which that way? If they can thus move through small spaces, they may move through great ones, and the spaces of their movements may be multiplied to infinity. To make such assertions as these, is rather to beg the question than to discuss it. You have not yet revealed to us any extrinsic cause which impresses each atom with that impulse which gives it its proper direction. In the empty space which your atom occupies, I see nothing to prevent it from precipitating itself for ever in a perpendicular line; and in the atom itself I discover no quality which can counteract its specific gravity, or rescue it from falling. However, though Epicurus refuses to assign any cause for his atomic motion, he thinks he has started a very noble theory, when he has thrown out that sophism, which all men of sense despise and reject. Nor do I think it possible for any one to give greater support to the arguments of fate and necessity and universal compulsion, or more completely to deprive the soul of all freedom of volition, than Epicurus has done, when he confesses that he could never otherwise have resisted fate if he had not taken refuge in these imaginary declinations. For even though there were such things as atoms, which he can never prove to me, those declinations could never be explained. For if these atoms are moved and agitated by their specific gravity according to the necessity of nature, since it is the law of all heavy bodies to move and proceed till they meet some opposing obstacle, this also follows inevitably, that these atoms, some, if not all of them. . . . . .

[*The rest of this treatise is lost.*]

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ON THE COMMONWEALTH.

PREFACE BY THE EDITOR.

THIS work was one of Cicero's earlier treatises; though one of those which was most admired by his contemporaries, and one of which he himself was most proud. It was composed B.C. 54. It was originally in two books: then it was altered and enlarged into nine; and finally reduced to six. With the exception of the dream of Scipio, in the last book, the whole treatise was lost till the year 1822, when the librarian of the Vatican discovered a portion of them among the palimpsests in that library. What he discovered is translated here; but it is in a most imperfect and mutilated state.

The form selected was that of a dialogue, in imitation of those of Plato: and the several conferences were supposed to have taken place during the Latin holidays, B.C. 129, in the consulship of Caius Sempronius, Tuditanus and Marcus Aquilius. The speakers are Scipio Africanus the younger, in whose garden the scene is laid; Caius Lælius, Lucius Furius Philus, Marcus Manilius, Spurius Mummius, the brother of the taker of Corinth, a Stoic; Quintus Ælius Tubero, a nephew of Africanus; Publius Rutilius Rufus; Quintus Mucius Scævola, the tutor of Cicero, and Caius Fannius, who was absent however on the second day of the conference.

In the first book, the first thirty-three pages are wanting, and there are chasms amounting to thirty-eight pages more. In this book Scipio asserts the superiority of an active over a speculative career; and after analysing and comparing the monarchical, aristocratic, and democratic forms of government, gives a preference to the first; although his idea of a perfect constitution would be one compounded of three kinds in due proportion.

There are a few chasms in the earlier part of the second book, and the latter part of it is wholly lost. In it Scipio was led on to give an account of the rise and progress of the Roman Constitution, from which he passed on to the examination of the great moral obligations which are the foundations of all political union.

Of the remaining books, we have only a few disjointed fragments, with the exception, as has been before mentioned, of the dream of Scipio in the sixth.

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INTRODUCTION TO THE FIRST BOOK,

BY THE ORIGINAL TRANSLATOR.

Cicero introduces his subject, by showing that men were not born for the mere abstract study of philosophy, but that the study of philosophic truth should always be made as practical as possible, and applicable to the great interests of philanthropy and patriotism. Cicero endeavours to show the benefit of mingling the contemplative or philosophic, with the political and active life, according to that maxim of Plato,—"Happy is the nation whose philosophers are kings, and whose kings are philosophers."

This kind of introduction was the more necessary, because many of the ancient philosophers, too warmly attached to transcendental metaphysics and sequestered speculations, had affirmed that true philosophers ought not to interest themselves in the management of public affairs. Thus, as M. Villemain observes, it was a maxim of the Epicureans, "Sapiens ne accedat ad rempublicam,"—Let no wise man meddle in politics. The Pythagoreans had enforced the same principle with more gravity. Aristotle examines the question on both sides, and concludes in favour of active life. Among Aristotle's disciples, a writer, singularly elegant and pure, had maintained the preeminence of the contemplative life over the political or active one, in a work which Cicero cites with admiration, and to which he seems to have applied for relief, whenever he felt harassed and discouraged in public business. But here, this great man was interested by the subject he discusses, and by the whole course of his experience and conduct, to refute the dogmas of that pusillanimous sophistry and selfish indulgence, by bringing forward the most glorious examples and achievements of patriotism. In this strain he had doubtless commenced his exordium, and in this strain we find him continuing it, at the point in which the palimpsest becomes legible. He then proceeds to introduce his illustrious Interlocutors, and leads them at first to discourse on the astronomical laws that regulate the revolutions of our planet. From this, by a very graceful and beautiful transition, he passes on to the consideration of the best forms of political constitutions that had prevailed in different nations, and those modes of government which had produced the greatest benefits in the Commonwealths of antiquity.

This first book is, in fact, a splendid epitome of the political science of the age of Cicero; and probably the most eloquent plea in favour of mixed monarchy to be found in all literature.

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BOOK I.

I. [WITHOUT the virtue of patriotism], neither Caius Duilius, nor Aulus Atilius,[1] nor Lucius Metellus, could have delivered Rome by their courage from the terror of Carthage; nor could the two Scipios, when the fire of the second Punic War was kindled, have quenched it in their blood; nor, when it revived in greater force, could either Quintus Maximus[2] have enervated it, or Marcus Marcellus have crushed it; nor, when it was repulsed from the gates of our own city, would Scipio have confined it within the walls of our enemies.

But Cato, at first a new and unknown man, whom all we who aspire to the same honours consider as a pattern to lead us on to industry and virtue, was undoubtedly at liberty to enjoy his repose at Tusculum, a most salubrious and convenient retreat. But he,—mad as some people think him,—though no necessity compelled him, preferred being tossed about amid the tempestuous waves of politics, even till extreme old age, to living with all imaginable luxury in that tranquillity and relaxation. I omit innumerable men who have separately devoted themselves to the protection of our Commonwealth; and those whose lives are within the memory of the present generation, I will not mention, lest any one should complain that I had invidiously forgotten himself or some one of his family. This only I insist on—that so great is the necessity of this virtue which nature has implanted in man, and so great is the desire to defend the common safety of our country, that its energy has continually overcome all the blandishments of pleasure and repose.

II. Nor is it sufficient to possess this virtue as if it were some kind of art, unless we put it in practice. An art, indeed, though not exercised, may still be retained in knowledge; but virtue consists wholly in its proper use and action. Now, the noblest use of virtue is the government of the Commonwealth, and the carrying out in real action, not in words only, of all those identical theories which those philo-

[1] *i.e.* Regulus. [2] *i.e.* Fabius.

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sophers discuss at every corner. For nothing is spoken by philosophers, so far as they speak correctly and honourably, which has not been discovered and confirmed by those persons who have been the founders of the laws of states. For whence comes piety, or from whom has religion been derived?—whence comes law, either that of nations, or that which is called the civil law?—whence comes justice, faith, equity?—whence modesty, continence, the horror of baseness, the desire of praise and renown?—whence fortitude in labours and perils? Doubtless, from those who have instilled some of these moral principles into men by education, and confirmed others by custom, and sanctioned others by laws.

Moreover, it is reported of Xenocrates, one of the sublimest philosophers, that when some one asked him what his disciples learned, he replied, "To do that of their own accord which they might be compelled to do by law." That citizen, therefore, who obliges all men to those virtuous actions, by the authority of laws and penalties, to which the philosophers can scarcely persuade a few by the force of their eloquence, is certainly to be preferred to the sagest of the doctors who spend their lives in such discussions. For which of their exquisite orations is so admirable as to be entitled to be preferred to a well-constituted government, public justice, and good customs? Certainly, just as I think that magnificent and imperious cities (as Ennius says) are superior to castles and villages; so I imagine that those who regulate such cities by their counsel and authority are far preferable, with respect to real wisdom, to men who are unacquainted with any kind of political knowledge. And since we are strongly prompted to augment the prosperity of the human race,—and since we do endeavour by our counsels and exertions to render the life of man safer and wealthier,—and since we are incited to this blessing by the spur of nature herself,—let us hold on that course which has always been pursued by all the best men, and not listen for a moment to the signals of those who sound a retreat so loudly, that they sometimes call back even those who have made considerable progress.

III. These reasons, so certain and so evident, are opposed by those who, on the other side, argue that the labours which must necessarily be sustained in maintaining the Commonwealth, form but a slight impediment to the vigilant and

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industrious, and are only a contemptible obstacle in such important affairs, and even in common studies, offices, and employments. They add, the peril of life, that base fear of death, which has ever been opposed by brave men, to whom it appears far more miserable to die by the decay of nature and old age, than to be allowed an opportunity of gallantly sacrificing that life for their country, which must otherwise be yielded up to nature.

On this point, however, our antagonists esteem themselves copious and eloquent when they collect all the calamities of heroic men, and the injuries inflicted on them by their ungrateful countrymen. For on this subject they bring forward those notable examples among the Greeks; and tell us that Miltiades, the vanquisher and conqueror of the Persians, before even those wounds were healed which he had received in that most glorious victory, wasted away in the chains of his fellow-citizens that life which had been preserved from the weapons of the enemy. They cite Themistocles, expelled and proscribed by the country which he had rescued, and forced to flee, not to the Grecian ports which he had preserved, but to the bosom of the barbarous power which he had defeated. There is, indeed, no deficiency of examples to illustrate the levity and cruelty of the Athenians to their noblest citizens—examples which, originating and multiplying among them, are said at different times to have abounded in our own most august empire. For we are told of the exile of Camillus, the disgrace of Ahala, the unpopularity of Nasica, the expulsion of Lænas,[1] the condemnation of Opimius, the flight of Metellus, the cruel destruction of Caius Marius, the massacre of our chieftains, and the many atrocious crimes which followed. My own history is by no means free from such calamities; and I imagine, that when they recollect that by my counsel and perils they were preserved in life and liberty, they are led by that consideration to bewail my misfortunes more deeply and affectionately. But I cannot

[1] It is unnecessary to give an account of the other names here mentioned; but that of Lænas is probably less known. He was Publius Popillius Lænas, consul, B.C. 132, the year after the death of Tiberius Gracchus, and it became his duty to prosecute the accomplices of Gracchus, for which he was afterwards attacked by Caius Gracchus with such animosity, that he withdrew into voluntary exile. Cicero pays a tribute to the energy of Opimius, in the first Oration against Catiline, c. iii.

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tell why those who sail over the seas for the sake of knowledge and experience [should wonder at seeing still greater hazards braved in the service of the Commonwealth].

IV. [Since], on my quitting the consulship, I swore in the assembly of the Roman people, who re-echoed my words, that I had saved the Commonwealth, I console myself with this remembrance for all my cares, troubles, and injuries. Although my misfortune had more of honour than misfortune, and more of glory than disaster; and I derive greater pleasure from the regrets of good men than sorrow from the exultation of the worthless. But even if it had happened otherwise, how could I have complained, as nothing befel me which was either unforeseen, or more painful than I expected, as a return for my illustrious actions? For I was one who, though it was in my power to reap more profit from leisure than most men, on account of the diversified sweetness of my studies, in which I had lived from boyhood,—or, if any public calamity had happened, to have borne no more than an equal share with the rest of my countrymen in the misfortune,—I nevertheless did not hesitate to oppose myself to the most formidable tempests and torrents of sedition, for the sake of saving my countrymen, and at my own proper danger to secure the common safety of all the rest. For our country did not beget and educate us with the expectation of receiving no support, as I may call it, from us; nor for the purpose of consulting nothing but our convenience, to supply us with a secure refuge for idleness and a tranquil spot for rest; but rather with a view of turning to her own advantage the nobler portion of our genius, heart, and counsel; giving us back for our private service only what she can spare from the public interests.

V. Those apologies, therefore, in which men take refuge as an excuse for their devoting themselves with more plausibility to mere inactivity, do certainly not deserve to be listened to. When, for instance, they tell us that those who meddle with public affairs are generally good-for-nothing men, with whom it is discreditable to be compared, and miserable and dangerous to contend, especially when the multitude is in an excited state. On which account, it is not the part of a wise man to take the reins, since he cannot restrain the insane and unregulated movements of the common people. Nor is it

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becoming to a man of liberal birth, say they, thus to contend with such vile and unrefined antagonists, or to subject oneself to the lashings of contumely, or to put oneself in the way of injuries which ought not to be borne by a wise man. As if to virtuous, brave, and magnanimous men there could be a juster reason for seeking the government than this,—to avoid being subjected to worthless men, and to prevent the commonwealth from being torn to pieces by them; when, even if they were then desirous to save her, they would not have the power.

VI. But this restriction who can approve, which would interdict the wise man from taking any share in the government beyond such as the occasion and necessity may compel him to? As if any greater necessity could possibly happen to any man than happened to me. In which, how could I have acted if I had not been consul at the time? and how could I have been a consul, unless I had maintained that course of life from my childhood which raised me from the order of knights, in which I was born, to the very highest station? You cannot produce *extempore*, and just when you please, the power of assisting a commonwealth, although it may be severely pressed by dangers, unless you have attained the position which enables you legally to do so. And what most surprises me in the discourses of learned men is to hear those persons, who confess themselves incapable of steering the vessel of the state in smooth seas, (which, indeed, they never learnt, and never cared to know,) profess themselves ready to assume the helm amid the fiercest tempests. For those men are accustomed to say openly, and indeed to boast greatly, that they have never learnt, and have never taken the least pains to explain, the principles of either establishing or maintaining a commonwealth; and they look on this practical science as one which belongs not to men of learning and wisdom, but to those who have made it their especial study. How, then, can it be reasonable for such men to promise their assistance to the state, when they shall be compelled to it by necessity, while they are ignorant how to govern the republic when no necessity presses upon it, which is a much more easy task? Indeed, though it were true that the wise man loves not to thrust himself of his own accord into the administration of public affairs, but that, if circumstances

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oblige him to it, then he does not refuse the office; yet I think that this science of civil legislation should in nowise be neglected by the philosopher, because all resources ought to be ready to his hand, which he knows not how soon he may be called on to use.

VII. I have spoken thus at large for this reason, because in this work I have proposed to myself and undertaken a discussion on the government of a state; and in order to render it useful, I was bound in the first place to do away with this pusillanimous hesitation to mingle in public affairs. If there be any, therefore, who are too much influenced by the authority of the philosophers, let them consider the subject for a moment, and be guided by the opinions of those men whose authority and credit are greatest among learned men; whom I look upon, though some of them have not personally governed any state, as men who have nevertheless discharged a kind of office in the republic, inasmuch as they have made many investigations into, and left many writings concerning, state affairs. As to those whom the Greeks entitle "the seven wise men," I find that they almost all lived in the middle of public business. Nor indeed is there anything in which human virtue can more closely resemble the divine powers, than in establishing new states, or in preserving those already established.

VIII. And concerning these affairs, since it has been our good fortune to achieve something worthy of memorial in the government of our country, and also to have acquired some facility of explaining the powers and resources of politics, we can treat of this subject with the weight of personal experience and the habit of instruction and illustration. Whereas before us many have been skilful in theory, though no exploits of theirs are recorded; and many others have been men of consideration in action, but unfamiliar with the arts of exposition. Nor indeed is it at all our intention to establish a new and self-invented system of government; but our purpose is rather to recal to memory a discussion of the most illustrious men of their age in our commonwealth, which you and I, in our youth, when at Smyrna, heard mentioned by Publius Rutilius Rufus, who reported to us a conference of many days, in which, in my opinion, there was nothing omitted that could throw light on political affairs.

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IX. For when, in the year of the consulship of Tuditanus and Aquilius, Scipio Africanus, the son of Paulus Æmilius, formed the project of spending the Latin holidays at his country seat, where his most intimate friends had promised him frequent visits during this season of relaxation; on the first morning of the festival, his nephew, Quintus Tubero, made his appearance; and when Scipio had greeted him heartily and embraced him,—How is it, my dear Tubero, said he, that I see you so early? For these holidays must afford you a capital opportunity of pursuing your favourite studies. Ah! replied Tubero, I can study my books at any time, for they are always disengaged; but it is a great privilege, my Scipio, to find you at leisure, especially in this restless period of public affairs. You certainly have found me so, said Scipio, but, to speak truth, I am rather relaxing from business than from study. Nay, said Tubero, you must try to relax from your studies too, for here are several of us, as we have appointed, all ready, if it suits your convenience, to aid you in getting through this leisure time of yours. I am very willing to consent, answered Scipio, and we may be able to compare notes respecting the several topics that interest us.

X. Be it so, said Tubero; and since you invite me to discussion, and present the opportunity, let us first examine, before any one else arrives, what can be the nature of the parhelion, or double sun, which was mentioned in the senate. Those that affirm they witnessed this prodigy are neither few nor unworthy of credit, so that there is more reason for investigation than incredulity.[1]

Ah! said Scipio, I wish we had our friend Pansetius with us, who is fond of investigating all things of this kind, but especially all celestial phænomena. As for my opinion, Tubero, for I always tell you just what I think, I hardly

[1] This phenomenon of the parhelion, or mock sun, which so puzzled Cicero's interlocutors, has been very satisfactorily explained by modern science. The parhelia are formed by the reflection of the sunbeams on a cloud properly situated. They usually accompany the coronæ or luminous circles, and are placed in the same circumference, and at the same height. Their colours resemble that of the rainbow; the red and yellow are towards the side of the sun, and the blue and violet on the other. There are, however, coronæ sometimes seen without parhelia, and *vice versâ*. Pharhelia are double, triple, &c., and in 1629, a parhelion of five suns was seen at Rome, and another of six suns at Arles, 1666.

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agree in these subjects with that friend of mine, since, respecting things of which we can scarcely form a conjecture as to their character, he is as positive as if he had seen them with his own eyes, and felt them with his own hands. And I cannot but the more admire the wisdom of Socrates, who discarded all anxiety respecting things of this kind, and affirmed that these inquiries concerning the secrets of nature were either above the efforts of human reason, or were absolutely of no consequence at all to human life.

But then, my Africanus, replied Tubero, of what credit is the tradition which states that Socrates rejected all these physical investigations, and confined his whole attention to men and manners? For with respect to him, what better authority can we cite than Plato? in many passages of whose works, Socrates speaks in such a manner, that even when he is discussing morals, and virtues, and even public affairs and politics, he endeavours to interweave, after the fashion of Pythagoras, the doctrines of arithmetic, geometry, and harmonic proportions with them.

That is true, replied Scipio; but you are aware, I believe, that Plato, after the death of Socrates, was induced to visit Egypt by his love of science, and that after that he proceeded to Italy and Sicily, from his desire of understanding the Pythagorean dogmas; that he conversed much with Archytas of Tarentum and Timæus of Locris; that he collected the works of Philolaus; and that, finding in these places the renown of Pythagoras flourishing, he addicted himself exceedingly to the disciples of Pythagoras, and their studies; therefore, as he loved Socrates with his whole heart, and wished to attribute all great discoveries to him, he interwove the Socratic elegance and subtlety of eloquence, with somewhat of the obscurity of Pythagoras, and with that notorious gravity of his diversified arts.

XI. When Scipio had spoken thus, he suddenly saw Lucius Furius approaching, and saluting him, and embracing him most affectionately, he gave him a seat on his own couch. And as soon as Publius Rutilius, the worthy reporter of the conference to us, had arrived, when he had saluted him, he placed him by the side of Tubero. Then said Furius, What is it that you are about? Has our entrance at all interrupted any conversation of yours? By no means, said Scipio, for

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you yourself too are in the habit of investigating carefully the subject which Tubero was a little before proposing to examine, and our friend Rutilius, even under the walls of Numantia, was in the habit at times of conversing with me on questions of the same kind. What, then, was the subject of your discussion? said Philus. We were talking, said Scipio, of the double suns that recently appeared, and I wish, Philus, to hear what you think of them.

XII. Just as he was speaking, a boy announced that Lælius was coming to call on him, and that he had already left his house. Then Scipio, putting on his sandals and robes, immediately went forth from his chamber, and when he had walked a little time in the portico, he met Lælius, and welcomed him and those that accompanied him, namely, Spurius Mummius, to whom he was greatly attached, and C. Fannius and Quintus Scævola, sons-in-law of Lælius, two very intelligent young men, and now of the quæstorian age.[1]

When he had saluted them all he returned through the portico, placing Lælius in the middle; for there was in their friendship a sort of law of reciprocal courtesy, so that in the camp Lælius paid Scipio almost divine honours, on account of his eminent renown in war, and in private life; in his turn Scipio reverenced Lælius, even as a father, because he was older than himself.

Then after they had exchanged a few words, as they walked up and down, Scipio, to whom their visit was extremely welcome and agreeable, wished to assemble them in a sunny corner of the gardens, because it was still winter; and when they had agreed to this, there came in another friend, a learned man, much beloved and esteemed by all of them, M. Manilius, who, after having been most warmly welcomed by Scipio and the rest, seated himself next to Lælius.

XIII. Then Philus, commencing the conversation, said—It does not appear to me that the presence of our new guests need alter the subject of our discussion, but only that it should induce us to treat it more philosophically, and in a manner more worthy of our increased audience. What do you allude to? said Lælius; or what was the discussion we broke in upon? Scipio was asking me, replied Philus, what

[1] There is a little uncertainty as to what this age was; but it was probably about twenty-five.

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I thought of the parhelion, or mock sun, whose recent apparition was so strongly attested.

Lælius.—Do you say then, my Philus, that we have sufficiently examined those questions which concern our own houses and the Commonwealth, that we begin to investigate the celestial mysteries?

And Philus replied—Do you think, then, that it does not concern our houses to know what happens in that vast home, which is not included in walls of human fabrication, but which embraces the entire universe—a home which the Gods share with us, as the common country of all intelligent beings? Especially when, if we are ignorant of these things, there are also many great practical truths which result from them, and which bear directly on the welfare of our race, of which we must be also ignorant. And here I can speak for myself, as well as for you, Lælius, and all men who are ambitious of wisdom, that the knowledge and consideration of the facts of nature are by themselves very delightful.

Lælius.—I have no objection to the discussion, especially as it is holiday time with us. But cannot we have the pleasure of hearing you resume it, or are we come too late?

Philus.—We have not yet commenced the discussion, and since the question remains entire and unbroken, I shall have the greatest pleasure, my Lælius, in handing over the argument to you.

Lælius.—No, I had much rather hear you, unless, indeed, Manilius thinks himself able to compromise the suit between the two suns, that they may possess heaven as joint sovereigns without intruding on each other's empire.

Then Manilius said—Are you going, Lælius, to ridicule a science in which, in the first place, I myself excel; and secondly, without which no one can distinguish what is his own, and what is another's? But to return to the point. Let us now at present listen to Philus, who seems to me to have started a greater question than any of those that have engaged the attention of either Publius Mucius or myself.

XIV. Then Philus said—I am not about to bring you anything new, or anything which has been thought over or discovered by me myself. But I recollect that Caius Sulpicius Gallus, who was a man of profound learning, as you

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are aware, when this same thing was reported to have taken place in his time, while he was staying in the house of Marcus Marcellus, who had been his colleague in the consulship, asked to see a celestial globe, which Marcellus's grandfather had saved after the capture of Syracuse, from that magnificent and opulent city, without bringing to his own home any other memorial out of so great a booty; which I had often heard mentioned on account of the great fame of Archimedes; but its appearance, however, did not seem to me particularly striking. For that other is more elegant in form, and more generally known, which was made by the same Archimedes, and deposited by the same Marcellus in the Temple of Virtue at Rome. But as soon as Gallus had begun to explain, in a most scientific manner, the principle of this machine, I felt that the Sicilian geometrician must have possessed a genius superior to anything we usually conceive to belong to our nature. For Gallus assured us that that other solid and compact globe was a very ancient invention, and that the first model had been originally made by Thales of Miletus. That afterwards Eudoxus of Cnidus, a disciple of Plato, had traced on its surface the stars that appear in the sky, and that many years subsequently, borrowing from Eudoxus this beautiful design and representation, Aratus had illustrated it in his verses, not by any science of astronomy, but by the ornament of poetic description. He added, that the figure of the globe, which displayed the motions of the sun and moon, and the five planets, or wandering stars, could not be represented by the primitive solid globe; and that in this, the invention of Archimedes was admirable, because he had calculated how a single revolution should maintain unequal and diversified progressions in dissimilar motions. In fact, when Gallus moved this globe, we observed that the moon succeeded the sun by as many turns of the wheel in the machine, as days in the heavens. From whence it resulted, that the progress of the sun was marked as in the heavens, and that the moon touched the point where she is obscured by the earth's shadow at the instant the sun appears opposite.[1] * * * * *

[1] Cicero here gives a very exact and correct account of the planetarium of Archimedes, which is so often noticed by the ancient astronomers. It no doubt corresponded in a great measure to our modern Planetarium

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XV. * * * [1] I had myself a great affection for this Gallus, and I know that he was very much beloved and esteemed by my father Paulus. I recollect that when I was very young, when my father, as consul, commanded in Macedonia, and we were in the camp, our army was seized with a pious terror; because suddenly, in a clear night, the bright and full moon became eclipsed. And Gallus, who was then our lieutenant, the year before that in which he was elected consul, hesitated not, next morning, to state in the camp that it was no prodigy, and that the phenomenon which had then appeared would always appear at certain periods, when the sun was so placed that he could not affect the moon with his light.

But do you mean, said Tubero, that he dared to speak thus to men almost entirely uneducated and ignorant?

Scipio.—He did, and with great * * * for his opinion was no result of insolent ostentation, nor was his language unbecoming the dignity of so wise a man,—indeed, he performed a very noble action in thus freeing his countrymen from the terrors of an idle superstition.

XVI. And they relate that in a similar way, in the great war in which the Athenians and Lacedæmonians contended with such violent resentment, the famous Pericles, the first man of his country in credit, eloquence, and political genius, observing the Athenians overwhelmed with an excessive alarm, during an eclipse of the sun, which caused a sudden darkness, told them what he had learned in the school of Anaxagoras,—that these phenomena necessarily happened at precise and regular periods when the body of the moon was interposed between the sun and the earth, and that if they happened not before every new moon, still they could not possibly happen except at the exact time of the new moon. And when he had proved this truth by his reasonings, he freed the people from their alarms; for, at that period, the doctrine was new and unfamiliar, that the sun was accustomed to be eclipsed by the interposition of the moon, which

or Orrery, invented by the earl of that name. This elaborate machine, whose manufacture requires the most exact and critical science, is of the greatest service to those who study the revolutions of the stars, for astronomic, astrologic, or meteorologic purposes.

[1] The end of the fourteenth chapter and the first words of the fifteenth are lost; but it is plain that in the fifteenth it is Scipio who is speaking.

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fact they say that Thales of Miletus was the first to discover. Afterwards my friend Ennius appears to have been acquainted with the same theory, who, writing about 350[1] years after the foundation of Rome, says, "In the nones of June the sun was covered by the moon and night." The calculations in the astronomical art have attained such perfection, that from that day, thus described to us by Ennius, and recorded in the pontifical registers, the anterior eclipses of the sun have been computed as far back as the nones of July in the reign of Romulus, when that eclipse took place, in the obscurity of which it was affirmed that Virtue bore Romulus to heaven, in spite of the perishable nature which carried him off by the common fate of humanity.

XVII. Then said Tubero—Do not you think, Scipio, that this astronomical science, which every day proves so useful, just now appeared in a different light to you,[2] * * which the rest may see. Moreover, who can think anything in human affairs of brilliant importance, who has penetrated this starry empire of the gods? or, who can think anything connected with mankind long, who has learnt to estimate the nature of eternity? or glorious, who is aware of the insignificance of the size of the earth, even in its whole extent, and especially in the portion which men inhabit? and when we consider that almost imperceptible point which we ourselves occupy, unknown to the majority of nations, can we still hope that our name and reputation can be widely circulated? And then our estates and edifices, our cattle, and the enormous treasures of our gold and silver, can they be esteemed or denominated as desirable goods by him who observes their perishable profit, and their contemptible use, and their uncertain domination, often falling into the possession of the very worst men? How happy then ought we to esteem that man, who alone has it in his power, not by the law of the Romans, but by the privilege of philosophers, to enjoy all things as his own; not by any civil bond, but by the common right of nature, which denies that anything can really be possessed

[1] There is evidently some error in the text here, for Ennius was born A.U.C. 515, was a personal friend of the elder Africanus, and died about 575 A.U.C., so that it is plain that we ought to read in the text 550, not 350.

[2] Two pages are lost here. Afterwards it is again Scipio who is speaking.

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by any one but him who understands its true nature and use; who reckons our dictatorships and consulships rather in the rank of necessary offices than desirable employments, and thinks they must be endured rather as acquittances of our debt to our country, than sought for the sake of emolument or glory,—the man, in short, who can apply to himself the sentence which Cato tells us my ancestor Africanus loved to repeat, "that he was never so busy as when he did nothing, and never less solitary than when alone."

For who can believe that Dionysius, when after every possible effort he ravished from his fellow-citizens their liberty, had performed a nobler work than Archimedes, when, without appearing to be doing anything, he manufactured the globe which we have just been describing? Who does not see that those men are in reality more solitary, who, in the midst of a crowd, find no one with whom they can converse congenially, than those who, without witnesses, hold communion with themselves, and enter into the secret counsels of the sagest philosophers, while they delight themselves in their writings and discoveries? And who would think any one richer than the man who is in want of nothing which nature requires; or more powerful than he who has attained all that she has need of; or happier than he who is free from all mental perturbation; or more secure in future than he who carries all his property in himself, which is thus secured from shipwreck? And what power, what magistracy, what royalty can be preferred to a wisdom which, looking down on all terrestrial objects as low and transitory things, incessantly directs its attention to eternal and immutable verities, and which is persuaded that though others are called men, none are really so but those who are refined by the appropriate acts of humanity?

In this sense an expression of Plato, or some other philosopher, appears to me exceedingly elegant; who, when a tempest had driven his ship on an unknown country and a desolate shore, during the alarms with which their ignorance of the region inspired his companions, observed, they say, geometrical figures traced in the sand, on which he immediately told them to be of good cheer, for he had observed the indications of Man. A conjecture he deduced, not from the cultivation of the soil which he beheld, but from the

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symbols of science. For this reason, Tubero, learning and learned men, and these your favourite studies, have always particularly pleased me.

XVIII. Then Lælius replied—I cannot venture, Scipio, to answer your arguments, or to [maintain the discussion either against] you, Philus, or Manilius.[1] * * *

We had a friend in Tubero's father's family, who in these respects may serve him as a model.

Sextus so wise, and ever on his guard.

Wise and cautious indeed he was, as Ennius justly describes him—not because he searched for what he could never find, but because he knew how to answer those who prayed for deliverance from cares and difficulties. It is he who, reasoning against the astronomical studies of Gallus, used frequently to repeat these words of Achilles in the Iphigenia:[2]—

They note the astrologic signs of heaven,
Whene'er the goats or scorpions of great Jove,
Or other monstrous names of brutal forms,
Rise in the zodiac; but not one regards
The sensible facts of earth, on which we tread,
While gazing on the starry prodigies.

He used, however, to say (and I have often listened to him with pleasure), that for his part he thought that Zethus, in the piece of Pacuvius, was too inimical to learning. He much preferred the Neoptolemus of Ennius, who professes himself desirous of philosophizing, only in moderation; for that he did not think it right to be wholly devoted to it. But though the studies of the Greeks have so many charms for you, there are others, perhaps, nobler and more extensive, which we may be better able to apply to the service of real life, and even to political affairs. As to these abstract sciences, their utility, if they possess any, lies principally in exciting and stimulating the abilities of youth, so that they more easily acquire more important accomplishments.

XIX. Then Tubero said—I do not mean to disagree with you, Lælius; but pray, what do you call more important studies?

Lælius.—I will tell you, frankly, though perhaps you will

[1] Two pages are lost here.

[2] Both Ennius and Nævius wrote tragedies called "Iphigenia." Mai thinks the text here corrupt, and expresses some doubt whether there is a quotation here at all.

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think lightly of my opinion, since you appeared so eager in interrogating Scipio respecting the celestial phenomena; but I happen to think that those things which are every day before our eyes, are more particularly deserving of our attention. Why should the child of Paulus Æmilius, the nephew of Æmilius, the descendant of such a noble family and so glorious a Republic, inquire how there can be two suns in heaven, and not ask how there can be two senates in one Commonwealth, and, as it were, two distinct peoples? For, as you see, the death of Tiberius Gracchus, and the whole system of his tribuneship, has divided one people into two parties. But the slanderers and the enemies of Scipio, encouraged by P. Crassus and Appius Claudius, maintained, after the death of these two chiefs, a division of nearly half the senate, under the influence of Metellus and Mucius. Nor would they permit the man[1] who alone could have been of service, to help us out of our difficulties during the movement of the Latins and their allies towards rebellion, violating all our treaties in the presence of factious triumvirs, and creating every day some fresh intrigue, to the disturbance of the worthier and wealthier citizens.—This is the reason, young men, if you will listen to me, why you should regard this new sun with less alarm; for, whether it does exist, or whether it does not exist, it is, as you see, quite harmless to us. As to the manner of its existence, we can know little or nothing; and even if we obtained the most perfect understanding of it, this knowledge would make us but little wiser or happier. But that there should exist a united people and a united senate, is a thing which actually may be brought about, and it will be a great evil if it is not,—and that it does not exist at present we are aware; and we see that if it can be effected, our lives will be both better and happier.

XX. Then Mucius said—What, then, do you consider, my Lælius, should be our best arguments, in endeavouring to bring about the object of your wishes?

Lælius.—Those sciences and arts which teach us how we may be most useful to the state; for I consider that the most glorious office of wisdom, and the noblest proof and business of virtue. In order, therefore, that we may consecrate these holidays as much as possible to conversations

[1] He means Scipio himself.

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which may be profitable to the Commonwealth, let us beg Scipio to explain to us what in his estimation appears to be the best form of government. Then let us pass on to other points, the knowledge of which may lead us, as I hope, to sound political views, and unfold the causes of the dangers which now threaten us.

XXI. When Philus, Manilius, and Mummius had all expressed their great approbation of this idea[1] * * * * * * * * * * * I have ventured [to open our discussion] in this way, not only because it is but just that on state politics the chief man in the state should be the principal speaker, but also because I recollect that you, Scipio, were formerly very much in the habit of conversing with Panætius and Polybius, two Greeks, exceedingly learned in political questions, and that you are master of many arguments by which you prove that by far the best condition of government is that which our ancestors have handed down to us. And as you, therefore, are familiar with this subject, if you will explain to us your views respecting the general principles of a state, (I speak for my friends as well as myself,) we shall feel exceedingly obliged to you.

XXII. Then Scipio said—I must acknowledge that there is no subject of meditation to which my mind naturally turns with more ardour and intensity than this very one which Lælius has proposed to us. And indeed, as I see that in every profession, every artist who would distinguish himself, thinks of, and aims at, and labours for no other object but that of attaining perfection in his art,—should not I, whose main business, according to the example of my father and my ancestors, is the advancement and right administration of government, be confessing myself more indolent than any common mechanic, if I were to bestow on this noblest of sciences less attention and labour than they devote to their insignificant trades? However, I am neither entirely satisfied with the decisions which the greatest and wisest men of Greece have left us; nor, on the other hand, do I venture to prefer my own opinions to theirs. Therefore, I must request you not to consider me either entirely ignorant of the Grecian literature, nor yet disposed, especially in political questions, to yield it the preeminence over our own; but rather to

[1] There is again a hiatus. What follows is spoken by Lælius.

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regard me as a true-born Roman, not illiberally instructed by the care of my father, and inflamed with the desire of knowledge, even from my boyhood, but still even more familiar with domestic precepts and practices than the literature of books.

XXIII. On this Philus said—I have no doubt, my Scipio, that no one is superior to you in natural genius, and that you are very far superior to every one in the practical experience of national government and of important business. We are also acquainted with the course which your studies have at all times taken; and if, as you say, you have given so much attention to this science and art of politics, we cannot be too much obliged to Lælius for introducing the subject: for I trust that what we shall hear from you will be far more useful and available than all the writings put together which the Greeks have written for us.

Then Scipio replied—You are raising a very high expectation of my discourse, such as is a most oppressive burden to a man who is required to discuss grave subjects.

And Philus said—Although that may be a difficulty, my Scipio, still you will be sure to conquer it, as you always do; nor is there any danger of eloquence failing you, when you begin to speak on the affairs of a commonwealth.

XXIV. Then Scipio proceeded—I will do what you wish, as far as I can; and I shall enter into the discussion under favour of that rule which, I think, should be adopted by all persons in disputations of this kind, if they wish to avoid being misunderstood; namely, that when men have agreed respecting the proper name of the matter under discussion, it should be stated what that name exactly means, and what it legitimately includes. And when that point is settled, then it is fit to enter on the discussion; for it will never be possible to arrive at an understanding of what the character of the subject of the discussion is, unless one first understands exactly what it is. Since, then, our investigations relate to a commonwealth, we must first examine what this name properly signifies.

And when Lælius had intimated his approbation of this course, Scipio continued:—

I shall not adopt, said he, in so clear and simple a manner that system of discussion which goes back to first principles;

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as learned men often do in this sort of discussion, so as to go back to the first meeting of male and female, and then to the first birth and formation of the first family, and define over and over again what there is in words, and in how many manners each thing is stated. For, as I am speaking to men of prudence, who have acted with the greatest glory in the commonwealth, both in peace and war, I will take care not to allow the subject of the discussion itself to be clearer than my explanation of it. Nor have I undertaken this task with the design of examining all its minuter points, like a schoolmaster; nor will I promise you in the following discourse not to omit any single particular.

Then Lælius said—For my part, I am impatient for exactly that kind of disquisition which you promise us.

XXV. Well, then, said Africanus, a commonwealth is a constitution of the entire people. But the people is not every association of men, however congregated, but the association of the entire number, bound together by the compact of justice, and the communication of utility. The first cause of this association is not so much the weakness of man, as a certain spirit of congregation which naturally belongs to him. For the human race is not a race of isolated individuals, wandering and solitary; but it is so constituted, that even in the affluence of all things, [and without any need of reciprocal assistance, it spontaneously seeks society].

XXVI. [It is necessary to presuppose] these original seeds, as it were, since we cannot discover any primary establishment of the other virtues, or even of a commonwealth itself. These unions, then, formed by the principle which I have mentioned, established their head-quarters originally in certain central positions, for the convenience of the whole population; and having fortified them by natural and artificial means, they called this collection of houses a city or town, distinguished by temples and public squares. Every people, therefore, which consists of such an association of the entire multitude as I have described,—every city which consists of an assemblage of the people,—and every commonwealth which embraces every member of these associations,—must be regulated by a certain authority, in order to be permanent.

This intelligent authority should always refer itself to that

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grand first principle which established the commonwealth. It must be deposited in the hands of one supreme person, or entrusted to the administration of certain delegated rulers, or undertaken by the whole multitude. When the direction of all depends on one person, we call this individual a king; and this form of political constitution, a kingdom. When it is in the power of privileged delegates, the state is said to be ruled by an aristocracy; and when the people are all in all, they call it a democracy, or popular constitution. And if the tie of social affection, which originally united men in political associations for the sake of public interest, maintains its force, each of these forms of government is, I will not say perfect, nor, in my opinion, essentially good, but tolerable, and such that one may accidentally be better than another: either a just and wise king, or a selection of the most eminent citizens, or even the populace itself (though this is the least commendable form), may, if there be no interference of crime and cupidity, form a constitution sufficiently secure.

XXVII. But in a monarchy, the other members of the state are often too much deprived of public counsel and jurisdiction; and under the rule of an aristocracy, the multitude can hardly possess its due share of liberty, since it is allowed no share in the public deliberation, and no power. And when all things are carried by a democracy, although it be just and moderate, yet its very equality is a culpable levelling, inasmuch as it allows no gradations of rank. Therefore, even if Cyrus, the king of the Persians, was a most righteous and wise monarch, I should still think that the interest of the people (for this is, as I have said before, the same as the commonwealth) could not be very effectually promoted when all things depended on the beck and nod of one individual. And though at present the people of Marseilles, our clients, are governed with the greatest justice by elected magistrates of the highest rank, still there is always in this condition of the people a certain appearance of servitude; and when the Athenians, at a certain period, having demolished their Areopagus, conducted all public affairs by the acts and decrees of the democracy alone, their state, as it no longer contained a distinct gradation of ranks, was no longer able to retain its original fair appearance.

XXVIII. I have reasoned thus on the three forms of

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government, not looking on them in their disorganized and confused conditions, but in their proper and regular administration. These three particular forms, however, contained in themselves, from the first, the faults and defects I have mentioned; but they have also other dangerous vices, for there is not one of these three forms of government which has not a precipitous and slippery passage down to some proximate abuse. For, after thinking of that endurable, or, as you will have it, most amiable king, Cyrus,—to name him in preference to any one else,—then, to produce a change in our minds, we behold the barbarous Phalaris, that model of tyranny, to which the monarchical authority is easily abused by a facile and natural inclination. And, in like manner, alongside of the wise aristocracy of Marseilles, we might exhibit the oligarchical faction of the thirty tyrants, which once existed at Athens. And, not to seek for other instances, among the same Athenians, we can show you, that when unlimited power was cast into the hands of the people, it inflamed the fury of the multitude, and aggravated that universal licence which ruined their state.[1] * * *

XXIX. The worst condition of things sometimes results from a confusion of those factious tyrannies into which kings, aristocrats, and democrats are apt to degenerate. For thus, from these diverse elements, there occasionally arises (as I have said before) a new kind of government. And wonderful indeed are the revolutions and periodical returns in natural constitutions of such alternations and vicissitudes; which it is the part of the wise politician to investigate with the closest attention. But to calculate their approach, and to join to this foresight the skill which moderates the course of events, and retains in a steady hand the reins of that authority which safely conducts the people through all the dangers to which they expose themselves, is the work of a most illustrious citizen, and of almost divine genius.

There is a fourth kind of government, therefore, which, in my opinion, is preferable to all these: it is that mixed and moderate government, which is composed of the three particular forms which I have already noticed.

XXX. *Lælius.*—I am not ignorant, Scipio, that such is your opinion, for I have often heard you say so. But I do

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not the less desire, if it is not giving you too much trouble, to hear which you consider the best of these three forms of commonwealths. For it may be of some use in considering[1]

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XXXI. * * * And each commonwealth corresponds to the nature and will of him who governs it. Therefore, in no other constitution than that in which the people exercise sovereign power has liberty any sure abode, than which there certainly is no more desirable blessing. And if it be not equally established for every one, it is not even liberty at all. And how can there be this character of equality, I do not say under a monarchy, where slavery is least disguised or doubtful, but even in those constitutions in which the people are free indeed in words, for they give their suffrages, they elect officers, they are canvassed and solicited for magistracies; but yet they only grant those things which they are obliged to grant whether they will or not, and which are not really in their free power, though others ask them for them? For they are not themselves admitted to the government, to the exercise of public authority, or to offices of select judges, which are permitted to those only of ancient families and large fortunes. But in a free people, as among the Rhodians and Athenians, there is no citizen who[2] * * *

XXXII. * * * No sooner is one man, or several, elevated by wealth and power, than they say that * * * arise from their pride and arrogance, when the idle and the timid give way, and bow down to the insolence of riches. But if the people knew how to maintain its rights, then they say that nothing could be more glorious and prosperous than democracy; inasmuch as they themselves would be the sovereign dispensers of laws, judgments, war, peace, public treaties, and finally of the fortune and life of each individual citizen; and this condition of things is the only one which, in their opinion, can be really called a commonwealth, that is to say, a constitution of the people. It is on this principle that, according to them, a people often vindicates its liberty from the domination of kings and nobles, while, on the other hand, kings are not sought for among free peoples, nor are the power and wealth of aristocracies. They deny, more-

[1] Again two pages are lost. It is evident that Scipio is speaking again in cap. xxxi.

[2] Again two pages are lost.

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over, that it is fair to reject this general constitution of freemen, on account of the vices of the unbridled populace; but that if the people be united and inclined, and directs all its efforts to the safety and freedom of the community, nothing can be stronger or more unchangeable; and they assert that this necessary union is easily obtained in a republic so constituted, that the good of all classes is the same; while the conflicting interests that prevail in other constitutions inevitably produce dissensions; therefore, say they, when the senate had the ascendancy, the republic had no stability; and when kings possess the power, this blessing is still more rare, since, as Ennius expresses it—

In kingdoms there's no faith, and little love.

Wherefore, since the law is the bond of civil society, and the justice of the law equal, by what rule can the association of citizens be held together, if the condition of the citizens be not equal? For if the fortunes of men cannot be reduced to this equality—if genius cannot be equally the property of all—rights, at least, should be equal, among those who are citizens of the same republic. For what is a republic, but an association of rights?[1] * * * *

XXXIII. But as to the other political constitutions, these democratical advocates do not think they are worthy of being distinguished by the name which they claim. For why, say they, should we apply the name of king, the title of Jupiter the Beneficent, and not rather the title of tyrant, to a man ambitious of sole authority and power, lording it over a degraded multitude? For a tyrant may be as merciful as a king may be oppressive; so that the whole difference to the people is, whether they serve an indulgent master or a cruel one, since serve some one they must. But how could Sparta, at the period of the boasted superiority of her political institution, obtain a constant enjoyment of just and virtuous kings, when they necessarily received an hereditary monarch, good, bad, or indifferent, because he happened to be of the blood royal? As to aristocrats, Who will endure, say they, that men should distinguish themselves by such a title, and that not by the voice of the people, but by their

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own votes? For how is such an one judged to be best either in learning, sciences, or arts? * * * *

XXXIV. * * * If it does so by hap-hazard, it will be as easily upset as a vessel, if the pilot were chosen by lot from among the passengers. But if a people, being free, chooses those to whom it can trust itself—and, if it desires its own preservation, it will always choose the noblest—then certainly it is in the counsels of the aristocracy that the safety of the state consists, especially as nature has not only appointed that these superior men should excel the inferior sort in high virtue and courage, but has inspired the people also with the desire of obedience towards these, their natural lords. But they say this aristocratical state is destroyed by the depraved opinions of men, who, through ignorance of virtue, (which, as it belongs to few, can be discerned and appreciated by few,) imagine that not only rich and powerful men, but also those who are nobly born, are necessarily the best. And so when, through this popular error, the riches, and not the virtue of a few men, has taken possession of the state, these chiefs obstinately retain the title of nobles though they want the essence of nobility. For riches, fame, and power, without wisdom, and a just method of regulating ourselves and commanding others, are full of discredit and insolent arrogance; nor is there any kind of government more deformed than that in which the wealthiest are regarded as the noblest.

But when virtue governs the commonwealth, what can be more glorious? When he who commands the rest is himself enslaved by no lust or passion—when he himself exhibits all the virtues to which he incites and educates the citizens—when he imposes no law on the people which he does not himself observe, but presents his life as a living law to his fellow-countrymen; if a single individual could thus suffice for all, there would be no need of more; and if the community could find a chief ruler thus worthy of all their suffrages, none would require elected magistrates.

It was the difficulty of forming plans, which transferred the government from a king into the hands of many; and the error and temerity of the people likewise transferred it from the hands of the many into those of the few. Thus, between the weakness of the monarch, and the rashness of

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the multitude, the aristocrats have occupied the middle place, than which nothing can be better arranged: and while they superintend the public interest, the people necessarily enjoy the greatest possible prosperity, being free from all care and anxiety, having entrusted their security to others, who ought sedulously to defend it, and not allow the people to suspect that their advantage is neglected by their rulers.

For as to that equality of rights which democracies so loudly boast of, it can never be maintained; for the people themselves, so dissolute and so unbridled, are always inclined to flatter a number of demagogues; and there is in them a very great partiality for certain men and dignities, so that their equality, so called, becomes most unfair and iniquitous. For as equal honour is given to the most noble and the most infamous, some of whom must exist in every state, then the equity which they eulogise becomes most inequitable,—an evil which never can happen in those states which are governed by aristocracies. These reasonings, my Lælius, and some others of the same kind, are usually brought forward by those that so highly extol this form of political constitution.

XXXV. Then Lælius said—But you have not told us, Scipio, which of these three forms of government you yourself most approve.

Scipio.—You are right to shape your question, which of the three I most approve, for there is not one of them which I approve at all by itself, since, as I told you, I prefer that government which is mixed and composed of all these forms, to any one of them taken separately. But if I must confine myself to one of these particular forms simply and exclusively, I must confess I prefer the royal one, and praise that as the first and best. In this, which I here choose to call the primitive form of government, I find the title of *father* attached to that of king, to express that he watches over the citizens as over his children, and endeavours rather to preserve them in freedom than reduce them to slavery. So that it is more advantageous for those who are insignificant in property and capacity to be supported by the care of one excellent and eminently powerful man. The nobles here present themselves, who profess that they can do all this in much better style; for they say that there is much more wisdom in many than in one, and at least as much faith and

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equity. And, last of all, come the people, who cry with a loud voice, that they will render obedience neither to the one nor the few; that even to brute beasts nothing is so dear as liberty; and that all men who serve either kings or nobles are deprived of it. Thus, the kings attract us by affection, the nobles by talent, the people by liberty; and in the comparison it is hard to choose the best.

Lælius.—I think so too, but yet it is impossible to despatch the other branches of the question, if you leave this primary point undetermined.

XXXVI. *Scipio.*—We must then, I suppose, imitate Aratus, who, when he prepared himself to treat of great things, thought himself in duty bound to begin with Jupiter.

Lælius.—Wherefore Jupiter? and what is there in this discussion which resembles that poem?

Scipio.—Why, it serves to teach us that we cannot better commence our investigations than by invoking him, whom, with one voice, both learned and unlearned extol as the universal king of all gods and men.

How so? said Lælius.

Do you, then, asked Scipio, believe in nothing which is not before your eyes? whether these ideas have been established by the chiefs of states for the benefit of society, that there might be believed to exist one Universal Monarch in heaven, at whose nod (as Homer expresses it) all Olympus trembles, and that he might be accounted both king and father of all creatures; for there is great authority, and there are many witnesses, if you choose to call all many, who attest that all nations have unanimously recognised, by the decrees of their chiefs, that nothing is better than a king, since they think that all the gods are governed by the divine power of one sovereign; or if we suspect that this opinion rests on the error of the ignorant, and should be classed among the fables, let us listen to those universal testimonies of erudite men, who have, as it were, seen with their eyes those things to the knowledge of which we can hardly attain by report.

What men do you mean? said Lælius.

Those, replied Scipio, who, by the investigation of nature, have arrived at the opinion that the whole universe [is animated] by a single Mind.[1] * * * * *

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XXXVII. But if you please, my Lælius, I will bring forward evidences, which are neither too ancient, nor in any respect barbarous.

Those, said Lælius, are what I want.

Scipio.—You are aware, that it is now not four centuries since this city of ours has been without kings.

Lælius.—You are correct, it is less than four centuries.

Scipio.—Well, then, what are four centuries in the age of a state or city; is it a long time?

Lælius.—It hardly amounts to the age of maturity.

Scipio.—You say truly, and yet not four centuries have elapsed since there was a king in Rome.

Lælius.—And he was a proud king.

Scipio.—But who was his predecessor?

Lælius.—He was an admirably just one; and, indeed, we must bestow the same praise on all his predecessors, as far back as Romulus, who reigned about six centuries ago.

Scipio.—Even he, then, is not very ancient.

Lælius.—No, he reigned when Greece was already becoming old.

Scipio.—Agreed. Was Romulus, then, think you, king of a barbarous people?

Lælius.—Why, as to that, if we were to follow the example of the Greeks, who say that all people are either Greeks or barbarians, I am afraid that we must confess that he was a king of barbarians; but if this name belongs rather to manners than to languages, then I believe the Greeks were just as barbarous as the Romans.

Then Scipio said—But with respect to the present question, we do not so much need to inquire into the nation as into the disposition. For if intelligent men, at a period so little remote, desired the government of kings, you will confess that I am producing authorities that are neither antiquated, rude, nor insignificant.

XXXVIII. Then Lælius said—I see, Scipio, that you are very sufficiently provided with authorities; but with me, as with every fair judge, authorities are worth less than arguments.

Scipio replied—Then, Lælius, you shall yourself make use of an argument derived from your own senses.

Lælius.—What senses do you mean?

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Scipio.—The feelings which you experience when at any time you happen to feel angry with any one.

Lælius.—That happens rather oftener than I could wish.

Scipio.—Well, then, when you are angry, do you permit your anger to triumph over your judgment?

No, by Hercules! said Lælius, I imitate the famous Archytas of Tarentum, who, when he came to his villa, and found all its arrangements were contrary to his orders, said to his steward—"Ah! you unlucky scoundrel, I would flog you to death, if it were not that I am in a rage with you."

Capital, said Scipio. Archytas, then, regarded unreasonable anger as a kind of sedition and rebellion of nature, which he sought to appease by reflection. And so, if we examine avarice, the ambition of power or of glory, or the lusts of concupiscence and licentiousness, we shall find a certain conscience in the mind of man, which, like a king, sways by the force of counsel all the inferior faculties and propensities; and this, in truth, is the noblest portion of our nature; for when conscience reigns, it allows no resting place to lust, violence, or temerity.

Lælius.—You have spoken the truth.

Scipio.—Well then, does a mind thus governed and regulated meet your approbation?

Lælius.—More than anything upon earth.

Scipio.—Then you would not approve that the evil passions, which are innumerable, should expel conscience, and that lusts and animal propensities should assume an ascendancy over us?

Lælius.—For my part, I can conceive nothing more wretched than a mind thus degraded, or a man animated by a soul so licentious.

Scipio.—You desire, then, that all the faculties of the mind should submit to a ruling power, and that conscience should reign over them all?

Lælius.—Certainly, that is my wish.

Scipio.—How then can you doubt what opinion to form on the subject of the commonwealth? in which, if the state is thrown into many hands, it is very plain that there will be no presiding authority: for if power be not united, it soon comes to nothing.

XXXIX. Then Lælius asked—But what difference is there,

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I should like to know, between the one and the many, if justice exists equally in many?

And Scipio said—Since I see, my Lælius, that the authorities I have adduced have no great influence on you, I must continue to employ you yourself as my witness in proof of what I am saying.

In what way, said Lælius, are you going to make me again support your argument?

Scipio.—Why thus. I recollect when we were lately at Formiæ, that you told your servants repeatedly to obey the orders of ~~more than~~ one master only.

Lælius.—To be sure, those of my steward.

Scipio.—What do you at home? do you commit your affairs to the hands of many persons?

Lælius.—No, I trust them to myself alone.

Scipio.—Well, in your whole establishment, is there any other master but yourself?

Lælius.—Not one.

Scipio.—Then I think you must grant me that as respects the state, the government of single individuals, provided they are just, is superior to any other.

Lælius.—You have conducted me to this conclusion, and I entertain very nearly that opinion.

XL. And Scipio said—You would still further agree with me, my Lælius, if, omitting the common comparisons, that one pilot is better fitted to steer a ship, and a physician to treat an invalid, provided they be competent men in their respective professions, than many could be, I should come at once to more illustrious examples.

Lælius.—What examples do you mean?

Scipio.—Do not you observe that it was the cruelty and pride of one single Tarquin only, that made the title of king unpopular among the Romans?

Lælius.—Yes, I acknowledge that.

Scipio.—You are also aware of this fact, on which I think I shall debate in the course of the coming discussion, that after the expulsion of King Tarquin, the people was transported by a wonderful excess of liberty. Then, innocent men were driven into banishment; then the estates of many individuals were pillaged, consulships were made annual, public authorities were overawed by mobs, popular appeals took

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place in all cases imaginable; then secessions of the lower orders ensued; and lastly, those proceedings which tended to place all powers in the hands of the populace.

Lælius.—I must confess this is all too true.

All these things now, said Scipio, happened during periods of peace and tranquillity, for licence is wont to prevail when there is little to fear, as in a calm voyage, or a trifling disease. But as we observe the voyager and the invalid implore the aid of some one competent director, as soon as the sea grows stormy and the disease alarming; so our nation in peace and security commands, threatens, resists, appeals from, and insults its magistrates, but in war obeys them as strictly as kings; for public safety is after all rather more valuable than popular licence. And in the most serious wars, our countrymen have even chosen the entire command to be deposited in the hands of some single chief, without a colleague; the very name of which magistrate indicates the absolute character of his power. For though he is evidently called dictator because he is appointed (*dicitur*), yet do we still observe him, my Lælius, in our sacred books entitled (Magister Populi), the master of the people.

This is certainly the case, said Lælius.

Our ancestors, therefore, said Scipio, acted wisely.[1] * * *

XLI. When the people is deprived of a just king, as Ennius says, after the death of one of the best of monarchs—

> They hold his memory dear, and in the warmth
> Of their discourse, they cry—O Romulus!
> O prince divine, sprung from the might of Mars
> To be thy country's guardian! O our sire!
> Be our protector still, O heaven-begot.

Not heroes, nor lords alone, did they call those whom they lawfully obeyed; nor merely as kings did they proclaim them; but they pronounced them their country's guardians, their fathers, and their gods. Nor indeed without cause, for they added—

> Thou, Prince, hast brought us to the gates of light.

And truly they believed that life and honour and glory had arisen to them from the justice of their king. The same good-will would doubtless have remained in their descendants,

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if the same virtues had been preserved on the throne, but, as you see, by the injustice of one man the whole of that kind of constitution fell into ruin.

I see it indeed, said Lælius, and I long to know the history of these political revolutions both in our own Commonwealth, and in every other.

XLII. And Scipio said—When I shall have explained my opinion respecting the form of government which I prefer, I shall be able to speak to you more accurately respecting the revolutions of states, though I think that such will not take place so easily in the mixed form of government which I recommend. With respect, however, to absolute monarchy, it presents an inherent and invincible tendency to revolution. No sooner does a king begin to be unjust, than this entire form of government is demolished, and he at once becomes a tyrant, which is the worst of all governments, and one very closely related to monarchy. If this state falls into the hands of the nobles, which is the usual course of events, it becomes an aristocracy, or the second of the three kinds of constitutions which I have described. For it is, as it were, a royal, that is to say, a paternal council of the chief men of the state consulting for the public benefit. Or if the people by itself has expelled or slain a tyrant, it is moderate in its conduct as long as it has sense and wisdom, and while it rejoices in its exploit, and applies itself to maintaining the constitution which it has established. But if ever the people has raised its forces against a just king, and robbed him of his throne, or, as has frequently happened, has tasted the blood of its legitimate nobles, and subjected the whole commonwealth to its own licence, you can imagine no flood or conflagration so terrible, or any whose violence is harder to appease, than this unbridled insolence of the populace.

XLIII. Then we see realized that which Plato so vividly describes, if I can but express it in our language. It is by no means easy to do it justice in translation: however, I will try.

When, says Plato, the insatiate jaws of the populace are fired with the thirst of liberty, and when the people, urged on by evil ministers, drains in its thirst the cup, not of tempered liberty, but unmitigated licence; then the magistrates and chiefs, if they are not utterly subservient and remiss, and

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shameless promoters of the popular licentiousness, are pursued, incriminated, accused, and cried down under the title of despots and tyrants. I dare say you recollect the passage.

Yes, said Lælius, it is familiar to me.

Scipio.—Plato thus proceeds: Then those who feel in duty bound to obey the chiefs of the state, are persecuted by the insensate populace, who call them voluntary slaves. But those who, though invested with magistracies, wish to be considered on an equality with private individuals, and those private individuals who labour to abolish all distinctions between their own class and the magistrates, are extolled with acclamations and overwhelmed with honours, so that it inevitably happens in a commonwealth thus revolutionized, that liberalism abounds in all directions, due authority is found wanting even in private families, and misrule seems to extend even to the animals that witness it. Then the father fears the son, and the son neglects the father. All modesty is banished; they become far too liberal for that. No difference is made between the citizen and the alien; the master dreads and cajoles his scholars, and the scholars despise their masters. The young men assume the gravity of sages, and sages must stoop to the follies of children, lest they should be hated and oppressed by them. The very slaves even are under but little restraint; wives boast the same rights as their husbands; dogs, horses, and asses, are emancipated in this outrageous excess of freedom, and run about so violently that they frighten the passengers from the road. At length the termination of all this infinite licentiousness is, that the minds of the citizens become so fastidious and effeminate, that when they observe even the slightest exertion of authority they grow angry and seditious, and thus the laws begin to be neglected, so that the people are absolutely without any master at all.

Then Lælius said—You have very accurately rendered the opinions which he expressed.

XLIV. *Scipio.*—Now to return to the argument of my discourse. It appears that this extreme licence, which is the only liberty in the eyes of the vulgar, is, according to Plato, such that from it as a sort of root tyrants naturally arise and spring up. For as the excessive power of an aristocracy occasions the destruction of the nobles, so this excessive liberalism of democracies brings after it the slavery of the people. Thus we find

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in the weather, the soil, and the animal constitution, the most favourable conditions are sometimes suddenly converted by their excess into the contrary, and this fact is especially observable in political governments; and this excessive liberty soon brings the people collectively and individually to an excessive servitude. For, as I said, this extreme liberty easily introduces the reign of tyranny, the severest of all unjust slaveries. In fact, from the midst of this unbridled and capricious populace, they elect some one as a leader in opposition to their afflicted and expelled nobles: some new chief, forsooth, audacious and impure, often insolently persecuting those who have deserved well of the state, and ready to gratify the populace at his neighbour's expense as well as his own. Then since the private condition is naturally exposed to fears and alarms, the people invest him with many powers, and these are continued in his hands. Such men, like Pisistratus of Athens, will soon find an excuse for surrounding themselves with body-guards, and they will conclude by becoming tyrants over the very persons who raised them to dignity. If such despots perish by the vengeance of the better citizens, as is generally the case, the constitution is re-established. But if they fall by the hands of bold insurgents, then the same faction succeeds them, which is only another species of tyranny. And the same revolution arises from the fair system of aristocracy, when any corruption has betrayed the nobles from the path of rectitude. Thus the power is like the ball, which is flung from hand to hand: it passes from kings to tyrants, from tyrants to the aristocracy, from them to democracy, and from these back again to tyrants and to factions; and thus the same kind of government is seldom long maintained.

XLV. Since these are the facts of experience, royalty is, in my opinion, very far preferable to the three other kinds of political constitutions. But it is itself inferior to that which is composed of an equal mixture of the three best forms of government, united and modified by one another. I wish to establish in a commonwealth a royal and preëminent chief. Another portion of power should be deposited in the hands of the aristocracy, and certain things should be reserved to the judgment and wish of the multitude. This constitution, in the first place, possesses that great equality, without which

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men cannot long maintain their freedom;—secondly, it offers a great stability, while the particular separate and isolated forms easily fall into their contraries; so that a king is succeeded by a despot,—an aristocracy by a faction,—a democracy by a mob and confusion;—and all these forms are frequently sacrificed to new revolutions. In this united and mixed constitution, however, similar disasters cannot happen without the greatest vices in public men. For there can be little to occasion revolution in a state, in which every person is firmly established in his appropriate rank, and there are but few modes of corruption into which we can fall.

XLVI. But I fear, Lælius, and you, my amiable and learned friends, that if I were to dwell any longer on this argument, my words would seem rather like the lessons of a master, and not like the free conversation of one who is uniting with you in the consideration of truth. I shall therefore pass on to those things which are familiar to all, and which I have long studied. And in these matters I believe, I feel, and I affirm, that of all governments, there is none which, either in its entire constitution, or the distribution of its parts, or in the discipline of its manners, is comparable to that which our fathers received from our earliest ancestors, and which they have handed down to us. And since you wish to hear from me a development of this constitution, with which you are all acquainted, I shall endeavour to explain its true character and excellence. Thus keeping my eye fixed on the model of our Roman Commonwealth, I shall endeavour to accommodate to it all that I have to say on the best form of government. And by treating the subject in this way, I think I shall be able to accomplish most satisfactorily the task which Lælius has imposed on me.

XLVII. *Lælius.*—It is a task most properly and peculiarly your own, my Scipio; for who can speak so well as you either on the subject of the institutions of our ancestors, since you yourself are descended from most illustrious ancestors, or on that of the best form of a constitution which, if we possess, (though at this moment we do not, still,) when we do possess such a thing, who will be more flourishing in it than you? or on that of providing counsels for the future, as you, who by dispelling two mighty perils from our city, have provided for its safety for ever?

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FRAGMENTS.

XLVIII. As our country is the source of the greatest benefits, and is a parent dearer than those who have given us life, we owe her still warmer gratitude than belongs to our human relations. * * * * * *

Nor would Carthage have continued to flourish during six centuries without wisdom and good institutions. * * *

In truth, says Cicero, although the reasonings of those men may contain most abundant fountains of science and virtue; still, if we compare them with the achievements and complete actions of statesmen, they will seem not to have been of so much service in the actual business of men as of amusement for their leisure.

BOOK II.

INTRODUCTION BY THE ORIGINAL TRANSLATOR.

In this second Book of his Commonwealth, Cicero gives us a spirited and eloquent review of the history and successive developments of the Roman constitution. He bestows the warmest praises on its early kings—points out the great advantages which had resulted from its primitive monarchical system, and explains how that system had been gradually broken up. In order to prove the importance of reviving it, he gives a glowing picture of the evils and disasters that had befallen the Roman state in consequence of that overcharge of democratic folly and violence, which had gradually gained an alarming preponderance, and describes, with a kind of prophetic sagacity, the fruit of his political experience, the subsequent revolutions of the Roman state, which such a state of things would necessarily bring about.

I. [WHEN therefore he observed all his friends kindled with the de]sire of hearing him, Scipio thus opened the discussion. I will commence, said Scipio, with a sentiment of old Cato, whom, as you know, I singularly loved and exceedingly admired, and to whom, in compliance with the judgment of

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both my parents, and also by my own desire, I was entirely devoted during my youth; of whose discourse, indeed, I could never have enough; so much experience did he possess as a statesman respecting the republic which he had so long governed, both in peace and war, with so much success. There was also an admirable propriety in his style of conversation, in which wit was tempered with gravity; a wonderful aptitude for acquiring, and at the same time communicating information,—and his life was in perfect correspondence and unison with his language. He used to say that the government of Rome was superior to that of other states; for this reason, because in nearly all of them there had been single individuals, each of whom had regulated their commonwealth according to their own laws and their own ordinances. So Minos had done in Crete, and Lycurgus in Sparta; and in Athens, which experienced so many revolutions, first Theseus, then Draco, then Solon, then Clisthenes, afterwards many others; and lastly, when it was almost lifeless and quite prostrate, that great and wise man, Demetrius Phalereus, supported it. But our Roman constitution, on the contrary, did not spring from the genius of one individual, but from that of many; and it was established, not in the lifetime of one man, but in the course of several ages and centuries. For, added he, there never yet existed any genius so vast and comprehensive as to allow nothing at any time to escape its attention, and all the geniuses in the world united in a single mind, could never, within the limits of a single life, exert a foresight sufficiently extensive to embrace and harmonize all, without the aid of experience and practice.

Thus, according to Cato's usual habit, I now ascend in my discourse to the "Origin of the People," for I like to adopt the expression of Cato. I shall also more easily execute my proposed task, if I thus exhibit to you our political constitution in its infancy, progress, and maturity, now so firm and fully established, than if, after the example of Socrates in the books of Plato, I were to delineate a mere imaginary republic.

II. When all had signified their approbation, Scipio resumed:—What commencement of a political constitution can we conceive more brilliant, or more universally known, than the foundation of Rome by the hand of Romulus? and he was

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the son of Mars: for we may grant this much to the common report existing among men, especially as it is not merely ancient, but one also which has been wisely maintained by our ancestors, in order that those who have done great service to communities, may enjoy the reputation of having received from the gods, not only their genius, but their very birth.

It is related, then, that soon after the birth of Romulus and his brother Remus, Amulius, king of Alba, fearing that they might one day undermine his authority, ordered that they should be exposed on the banks of the Tiber; and that in this situation, the infant Romulus was suckled by a wild beast; that he was afterwards educated by the shepherds, and brought up in the rough way of living and labours of the countrymen; and that he acquired, when he grew up, such superiority over the rest by the vigour of his body and the courage of his soul, that all the people who at that time inhabited the plains in the midst of which Rome now stands, tranquilly and willingly submitted to his government. And when he had made himself the chief of those bands, to come from fables to facts, he took Alba Longa, a powerful and strong city at that time, and slew its king, Amulius.

III. Having acquired this glory, he conceived the design (as they tell us) of founding a new city and establishing a new state. As respected the site of his new city, a point which requires the greatest foresight in him who would lay the foundation of a durable commonwealth, he chose the most convenient possible position. For he did not advance too near the sea, which he might easily have done with the forces under his command, either by entering the territory of the Rutuli and Aborigines; or by founding his citadel at the mouth of the Tiber, where many years after Ancus Martius established a colony. But Romulus, with admirable genius and foresight, observed and perceived that sites very near the sea are not the most favourable positions for cities which would attain a durable prosperity and dominion. And this, first, because maritime cities are always exposed, not only to many attacks, but to perils they cannot provide against. For the continued land gives notice, by many indications, not only of any regular approaches, but also of any sudden surprises of an enemy, and announces them beforehand by the mere

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sound. There is no adversary who, on an inland territory, can arrive so swiftly as to prevent our knowing not only his existence, but his character too, and where he comes from. But a maritime and naval enemy can fall upon a town on the sea coast before any one suspects that he is about to come; and when he does come, nothing exterior indicates who he is, or whence he comes, or what he wishes; nor can it even be determined and distinguished on all occasions whether he is a friend or a foe.

IV. But maritime cities are likewise naturally exposed to corrupt influences, and revolutions of manners. Their civilization is more or less adulterated by new languages and customs, and they import not only foreign merchandise, but foreign fashions, to such a degree that nothing can continue unalloyed in the national institutions. Those who inhabit these maritime towns do not remain in their native place, but are urged afar from their homes by winged hope and speculation. And even when they do not desert their country in person, still their minds are always expatiating and voyaging round the world.

Nor, indeed, was there any cause which more deeply undermined Corinth and Carthage, and at last overthrew them both, than this wandering and dispersion of their citizens, whom the passion of commerce and navigation had induced to abandon the cultivation of their lands and their attention to military pursuits.

The proximity of the sea likewise administers to maritime cities a multitude of pernicious incentives to luxury, which are either acquired by victory or imported by commerce; and the very agreeableness of their position nourishes many expensive and deceitful gratifications of the passions. And what I have spoken of Corinth may be applied, for aught I know, without incorrectness to the whole of Greece. For the Peloponnesus itself is almost wholly on the sea coast; nor, beside the Phliasians, are there any whose lands do not touch the sea; and beyond the Peloponnesus, the Æniaues, the Dorians, and the Dolopes, are the only inland people. Why should I speak of the Grecian islands, which, girded by the waves, seem all afloat, as it were, together with the institutions and manners of their cities? And these things, I have before noticed, do not respect ancient Greece only; for which

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of all those colonies, which have been led from Greece into Asia, Thracia, Italy, Sicily, and Africa, with the single exception of Magnesia, is there that is not washed by the sea? Thus it seems as if a sort of Grecian coast had been annexed to territories of the barbarians. For among the barbarians themselves none were heretofore a maritime people, if we except the Carthaginians and Etruscans; one for the sake of commerce, the other of pillage. And this is one evident reason of the calamities and revolutions of Greece, because she became infected with the vices which belong to maritime cities, which I just now briefly enumerated. But yet, notwithstanding these vices, they have one great advantage, and one which is of universal application, namely, that there is a great facility for new inhabitants flocking to them. And again, that the inhabitants are enabled to export and send abroad the produce of their native lands to any nation they please, which offers them a market for their goods.

V. By what divine wisdom then could Romulus embrace all the benefits that could belong to maritime cities, and at the same time avoid the dangers to which they are exposed, except, as he did, by building his city on the bank of an inexhaustible river, whose equal current discharges itself into the sea by a vast mouth, so that the city could receive all it wanted from the sea, and discharge its superabundant commodities by the same channel? and, in the same river, a communication is found by which it not only receives from the sea all the productions necessary to the conveniences and elegances of life, but those also which are brought from the inland districts. So that Romulus seems to me to have divined and anticipated that this city would one day become the centre and abode of a powerful and opulent empire. For there is no other part of Italy in which a city could be situated so as to be able to maintain so wide a dominion with so much ease.

VI. As to the natural fortifications of Rome, who is so negligent and unobservant as not to have them depicted and deeply stamped on his memory? Such is the plan and direction of the walls, which, by the prudence of Romulus and his royal successors, are bounded on all sides by steep and rugged hills. And the only aperture between the Esquiline and Quirinal mountains is enclosed by a formidable rampart, and surrounded by an immense fosse. And as for our fortified

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citadel, it is so secured by a precipitous barrier and enclosure of rocks, that, even in that horrible attack and invasion of the Gauls, it remained impregnable and inviolable. Moreover, the site which he selected had also an abundance of fountains, and was healthy though it was in the midst of a pestilential region; for there are hills which at once create a current of fresh air, and fling an agreeable shade over the valleys.

VII. These things he effected with wonderful rapidity, and thus established the city, which, from his own name Romulus, he determined to call Rome. And in order to strengthen his new city, he conceived a design, singular enough, and even a little rude, yet worthy of a great man, and of a genius which discerned far away in futurity the means of strengthening his power and his people. The young Sabine females of honourable birth, who had come to Rome, attracted by the public games and spectacles which Romulus then, for the first time, established as annual games in the circus, were suddenly carried off at the feast of Consus[1] by his orders, and were given in marriage to the men of the noblest families in Rome. And when, on this account, the Sabines had declared war against Rome, the issue of the battle being doubtful and undecided, Romulus made an alliance with Tatius, king of the Sabines, at the intercession of the matrons themselves who had been carried off. By this compact, he admitted the Sabines into the city, gave them a participation in the religious ceremonies, and divided his power with their king.

VIII. But after the death of Tatius, the entire government was again vested in the hands of Romulus, although, besides making Tatius his own partner, he had also elected some of the chiefs of the Sabines into the royal council, who on account of their affectionate regard for the people were called *Patres*, or Fathers. He also divided the people into three tribes, called after the name of Tatius, and his own name, and that of Lucumo, who had fallen as his ally in the Sabine war. And also into thirty curiæ, designated by the names of those Sabine virgins, who, after being carried off at the festivals, generously offered themselves as the mediators of peace and coalition.

But though these orders were established in the life of

[1] A name of Neptune.

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Tatius, yet after his death, Romulus reigned with still greater power by the counsel and authority of the senate.

IX. In this respect, he approved and adopted the principle which Lycurgus but little before had applied to the government of Lacedæmon; namely, that the monarchical authority, and the royal power, operate best in the government of states, when to this supreme authority is joined the influence of the noblest of the citizens.

Therefore, thus supported and, as it were, propped up by this council or senate, Romulus conducted many wars with the neighbouring nations, in a most successful manner, and, while he refused to take any portion of the booty to his own palace, he did not cease to enrich the citizens. He also cherished the greatest respect for that institution of hierarchical and ecclesiastical ordinances, which we still retain to the great benefit of the commonwealth; for in the very commencement of his government he founded the city with religious rites, and in the institution of all public establishments he was equally careful in attending to these sacred ceremonials; and associated with himself on these occasions priests that were selected from each of the tribes. He also enacted that the nobles should act as patrons and protectors to the inferior citizens, their natural clients and dependants, in their respective districts; a measure the utility of which I shall afterwards notice.—The judicial punishments were mostly fines of sheep and oxen; for the property of the people at that time consisted in their fields and cattle, and this circumstance has given rise to the expressions which still designate real and personal wealth. Thus the people were kept in order rather by mulctations than by bodily inflictions.

X. After Romulus had thus reigned thirty-seven years, and established these two great supports of government, the hierarchy and the senate, having disappeared in a sudden eclipse of the sun, he was thought worthy of being added to the number of the Gods,—an honour which no mortal man ever was able to attain to but by a glorious preeminence of virtue. And this circumstance was the more to be admired in the case of Romulus, because most of the great men that have been deified, were so exalted to celestial dignities by the people, in periods very little enlightened, when fiction was easy, and ignorance went hand in hand with credulity. But

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with respect to Romulus, we know that he lived less than six centuries ago, at a time when science and literature were already advanced, and had got rid of many of the ancient errors that had prevailed among less civilized peoples. For if, as we consider proved by the Grecian annals, Rome was founded in the seventh Olympiad, the life of Romulus was contemporary with that period in which Greece already abounded in poets and musicians,—an age when fables, except those concerning ancient matters, received little credit.

For, one hundred and eight years after the promulgation of the laws of Lycurgus, the first Olympiad was established, which indeed, through a mistake of names, some authors have supposed constituted by Lycurgus likewise. And Homer himself, according to the best computation, lived about thirty years before the time of Lycurgus. We must conclude, therefore, that Homer flourished very many years before the date of Romulus. So that, as men had now become learned, and as the times themselves were not destitute of knowledge, there was not much room left for the success of mere fictions. Antiquity indeed has received fables that have at times been sufficiently improbable: but this epoch, which was already so cultivated, disdaining every fiction that was impossible, rejected[1] * * * * * * We may, therefore, perhaps attach some credit to this story of Romulus's immortality, since human life was at that time experienced, cultivated, and instructed. And doubtless there was in him such energy of genius and virtue, that it is not altogether impossible to believe the report of Proculus Julius, the husbandman, of that glorification having befallen Romulus, which for many ages we have denied to less illustrious men. At all events, Proculus is reported to have stated in the council, at the instigation of the senators, who wished to free themselves from all suspicion of having been accessaries to the death of Romulus, that he had seen him on that hill which is now called the Quirinal, and that he had commanded him to inform the people, that they should build him a temple on that same hill, and offer him sacrifices, under the name of Quirinus.

XI. You see, therefore, that the genius of this great man

[1] About seven lines are lost here, and there is a great deal of corruption and imperfection in the next few sentences.

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did not merely establish the constitution of a new people, and then leave them, as it were, crying in their cradle; but he still continued to superintend their education till they had arrived at an adult, and well nigh a mature age.

Then Lælius said—We now see, my Scipio, what you meant when you said that you would adopt a new method of discussing the science of government, different from any found in the writings of the Greeks. For that prime master of philosophy, whom none ever surpassed in eloquence, I mean Plato, chose an open plain on which to build an imaginary city after his own taste,—a city admirably conceived, as none can deny, but remote enough from the real life and manners of men. Others, without proposing to themselves any model or type of government whatever, have argued on the constitutions and forms of states. You, on the contrary, appear to be about to unite these two methods; for, as far as you have gone, you seem to prefer attributing to others your discoveries, rather than start new theories under your own name and authority, as Socrates has done in the writings of Plato. Thus, in speaking of the site of Rome, you refer to a systematic policy, to the acts of Romulus, which were many of them the result of necessity or chance; and you do not allow your discourse to run riot over many states, but you fix and concentrate it on our own commonwealth; proceed, then, in the course you have adopted, for I see that you intend to examine our other kings, in your pursuit of a perfect republic as it were.

XII. Therefore, said Scipio, when that senate of Romulus which was composed of the nobles, whom the king himself respected so highly that he designated them *patres*, or fathers, and their children patricians, attempted, after the death of Romulus, to conduct the government without a king, the people would not suffer it, but amid their regret for Romulus, desisted not from demanding a fresh monarch. The nobles then prudently resolved to establish an interregnum, a new political form, unknown to other nations. It was not without its use, however, since, during the interval which elapsed before the definitive nomination of the new king, the state was not left without a ruler, nor subjected too long to the same governor, nor exposed to the fear lest some one, in consequence of the prolonged enjoyment of power, should become

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more unwilling to lay it aside, or more powerful if he wished to secure it permanently for himself. At which time this new nation discovered a political provision which had escaped the Spartan Lycurgus, who conceived that the monarch ought not to be elective—if indeed it is true that this depended on Lycurgus—but that it was better for the Lacedæmonians to acknowledge as their sovereign the next heir of the race of Hercules, whoever he might be: but our Romans, rude as they were, saw the importance of appointing a king, not for his family, but for his virtue and experience.

XIII. And fame having recognised these eminent qualities in Numa Pompilius, the Roman people, without partiality for their own citizens, committed itself, by the counsel of the senators, to a king of foreign origin, and summoned this Sabine from the city of Cures to Rome, that he might reign over them. Numa, although the people had proclaimed him king in their Comitia Curiata, did nevertheless himself pass a Lex Curiata respecting his own authority; and observing that the institutions of Romulus had too much excited the military propensities of the people, he judged it expedient to recall them from this habit of warfare by other employments.

XIV. And in the first place, he divided severally among the citizens the lands which Romulus had conquered, and taught them that even without the aid of pillage and devastation they could, by the cultivation of their own territories, procure themselves all kinds of commodities. And he inspired them with the love of peace and tranquillity, in which faith and justice are likeliest to flourish, and extended the most powerful protection to the people in the cultivation of their fields, and the enjoyment of their produce. Pompilius likewise having created hierarchical institutions of the highest class, added two augurs to the old number. He entrusted the superintendence of the sacred rites to five pontiffs, selected from the body of the nobles; and by those laws which we still preserve on our monuments, he mitigated by religious ceremonials the minds that had been too long inflamed by military enthusiasm and enterprise.

He also established the Flamines and the Salian priests and the Vestal Virgins, and regulated all departments of our

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ecclesiastical policy with the most pious care. In the ordinance of sacrifices, he wished that the ceremonial should be very arduous, and the expenditure very light. He thus appointed many observances, whose knowledge is extremely important, and whose expense far from burdensome. Thus in religious worship he added devotion, and removed costliness. He was also the first to introduce markets, games, and the other usual methods of assembling and uniting men. By these establishments, he inclined to benevolence and amiability spirits whom the passion for war had rendered savage and ferocious. Having thus reigned in the greatest peace and concord thirty-nine years—for in dates we mainly follow our Polybius, than whom no one ever gave more attention to the investigation of the history of the times—he departed this life, having corroborated the two grand principles of political stability, religion and clemency.

XV. When Scipio had concluded these remarks,—Is it not, said Manilius, a true tradition which is current, that our king Numa was a disciple of Pythagoras himself, or that at least he was a Pythagorean in his doctrines? For I have often heard this from my elders, and we know that it is the popular opinion; but it does not seem to be clearly proved by the testimony of our public annals.

Then Scipio replied—The supposition is false, my Manilius; it is not merely a fiction, but a ridiculous and bungling one too; and we should not tolerate those statements, even in fiction, relating to facts which not only did not happen, but which never could have happened. For it was not till the fourth year of the reign of Tarquinius Superbus, that Pythagoras is ascertained to have come to Sybaris, Crotona, and this part of Italy. And the sixty-second Olympiad is the common date of the elevation of Tarquin to the throne, and of the arrival of Pythagoras. From which it appears, when we calculate the duration of the reigns of the kings, that about one hundred and forty years must have elapsed after the death of Numa before Pythagoras first arrived in Italy. And this fact, in the minds of men who have carefully studied the annals of time, has never been at all doubted.

Oh, ye immortal gods! said Manilius, how deep and how inveterate is this error in the minds of men! However, it costs me no effort to concede that our Roman sciences were

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not imported from beyond the seas, but that they sprung from our own indigenous and domestic virtues.

XVI. You will become still more convinced of this fact, said Africanus, when tracing the progress of our commonwealth, as it became gradually developed to its best and maturest condition. And you will find yet further occasion to admire the wisdom of our ancestors on this very account, since you will perceive that even those things which they borrowed from foreigners received a much higher improvement among us than they possessed in the countries from whence they were imported among us; and you will learn that the Roman people was aggrandized, not by chance or hazard, but rather by counsel and discipline, to which fortune indeed was by no means unfavourable.

XVII. After the death of King Pompilius, the people, after a short period of interregnum, chose Tullus Hostilius for their king, in the Comitia Curiata; and Tullus, after Numa's example, consulted the people in their curies to procure a sanction for his government. His excellence chiefly appeared in his military glory and great achievements in war. He likewise, out of his military spoils, constructed and decorated the House of Comitia, and the Senate House. He also settled the ceremonies of the proclamation of hostilities, and consecrated their righteous institution by the religious sanction of the Fetial priests, so that every war which was not duly announced and declared, might be adjudged illegal, unjust, and impious. And observe how wisely our kings at that time perceived that certain rights ought to be allowed to the people, of which we shall have a good deal to say hereafter. Tullus did not even assume the ensigns of royalty without the approbation of the people; and when he appointed twelve lictors, with their axes, to go before him,[1]

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XVIII. * * * [*Manilius.*]—This commonwealth of Rome, which you are so eloquently describing, did not creep toward perfection, it rather flew at once to the maturity of its grandeur.

[*Scipio.*]—After Tullus, Ancus Martius, a descendant of Numa by his daughter, was appointed king by the people.

[1] Two pages are lost here.

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He also procured the passing of a law [1] through the Comitia Curiata respecting his government. This king having conquered the Latins, admitted them to the rights of citizens of Rome. He added to the city the Aventine and Cœlian hills; he distributed the lands he had taken in war; he bestowed on the public all the maritime forests he had acquired; and he built the city Ostia, at the mouth of the Tiber, and colonized it. When he had thus reigned twenty-three years, he died.

Then said Lælius—Doubtless this king deserves our praises, but the Roman history is obscure. We possess indeed the name of this monarch's mother, but we know nothing of his father.

It is so, said Scipio; but in those ages little more than the names of the kings were recorded.

XIX. For the first time at this period, Rome appears to have become more learned by the study of foreign literature; for it was no longer a little rivulet, flowing from Greece towards the walls of our city, but an overflowing river of Grecian sciences and arts. This is generally attributed to Demaratus, a Corinthian, the first man of his country in reputation, honour, and wealth; who, not being able to bear the despotism of Cypselus, tyrant of Corinth, fled with large treasures, and arrived at Tarquinii, the most flourishing city in Etruria. There, understanding that the domination of Cypselus was thoroughly established, he, like a free and bold-hearted man, renounced his country, and was admitted into the number of the citizens of Tarquinii, and fixed his residence in that city. And having married a woman of the city, he instructed his two sons, according to the method of Greek education, in all kinds of sciences and arts. [2] * * * * *

XX. * * * [One of these sons] was easily admitted to the rights of citizenship at Rome; and on account of his accomplished manners and learning, he became a favourite of our king Ancus to such a degree, that he was a partner in all

[1] The *Lex curiata de Imperio*, so often mentioned here, was the same as the *Auctoritas Patrum*, and was necessary in order to confer upon the dictator, consuls, and other magistrates, the *imperium* or military command; without this they had only a *potestas*, or civil authority, and could not meddle with military affairs.

[2] Two pages are missing here.

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his counsels, and was looked upon almost as his associate in the government. He, besides, possessed wonderful affability, and was very kind in assistance, support, protection, and even gifts of money to the citizens.

When, therefore, Ancus died, the people by their unanimous suffrages chose for their king this Lucius Tarquinius (for he had thus transformed the Greek name of his family, that he might seem in all respects to imitate the customs of his adopted countrymen). And when he, too, had procured the passing of a law respecting his authority, he commenced his reign by doubling the original number of the senators. The ancient senators he called patricians of the major families (*patres majorum gentium*), and he asked their votes first; and those new senators whom he himself had added, he entitled patricians of minor families. After this, he established the order of knights, on the plan which we maintain to this day. He would not, however, change the denomination of the Tatian, Rhamnensian, and Lucerian orders, though he wished to do so, because Attus Nævius, an augur of the highest reputation, would not sanction it. And, indeed, I am aware that the Corinthians were remarkably attentive to provide for the maintenance and good condition of their cavalry, by taxes levied on the inheritance of widows and orphans. To the first equestrian orders Lucius also added new ones, composing a body of three hundred knights. And this number he doubled, after having conquered the Æquicoli, a large and ferocious people, and dangerous enemies of the Roman state. Having likewise repulsed from our walls an invasion of the Sabines, he routed them by the aid of his cavalry and subdued them. He also was the first person who instituted the grand games, which are now called the Roman Games. He fulfilled his vow to build a temple to the all-good and all-powerful Jupiter, in the Capitol,—a vow which he made during a battle in the Sabine war,—and died after a reign of thirty-eight years.

XXI. Then Lælius said—All that you have been relating corroborates the saying of Cato, that the constitution of the Roman commonwealth is not the work of one man, or one age; for we can clearly see what a great progress in excellent and useful institutions was continued under each successive king. But we are now arrived at the reign of a monarch

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who appears to me to have been of all our kings he who had the greatest foresight in matters of political government.

So it appears to me, said Scipio; for after Tarquinius Priscus comes Servius Sulpicius, who was the first who is reported to have reigned without an order from the people. He is supposed to have been the son of a female slave at Tarquinii, by one of the soldiers or clients of king Priscus; and as he was educated among the servants of this prince, and waiting on him at table, the king soon observed the fire of his genius, which shone forth even from his childhood, so skilful was he in all his words and actions. Therefore, Tarquin, whose own children were then very young, so loved Servius, that he was very commonly believed to be his own son, and he instructed him with the greatest care in all the sciences with which he was acquainted, according to the most exact discipline of the Greeks.

But when Tarquin had perished by the plots of the sons of Ancus, and Servius (as I have said) had begun to reign, not by the order, but yet with the goodwill and consent of the citizens,—because, as it was falsely reported that Priscus was recovering from his wounds, Servius, arrayed in the royal robes, delivered judgment, freed the debtors at his own expense, and, exhibiting the greatest affability, announced that he delivered judgment at the command of Priscus,—he did not commit himself to the senate; but after Priscus was buried, he consulted the people respecting his authority, and being authorized by them to assume the dominion, he procured a law to be passed through the Comitia Curiata, confirming his government.

He then, in the first place, avenged the injuries of the Etruscans by arms. After which * * * *[1]

XXII. * * * he enrolled eighteen centuries of knights of the first order. Afterwards, having created a great number of knights from the common mass of the people, he divided the rest of the people into five classes, distinguishing between the seniors and the juniors. These he so constituted as to place the suffrages, not in the hands of the multitude, but in the power of the men of property. And he took care to make it a rule of ours, as it ought to be in every government, that the greatest number should not have the greatest weight,

[1] Here two pages are missing.

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You are well acquainted with this institution, otherwise I would explain it to you; but you are familiar with the whole system, and know how the centuries of knights, with six suffrages, and the first class, comprising eighty centuries, besides one other century which was allotted to the artificers, on account of their utility to the state, produce eighty-nine centuries. If to these there are added twelve centuries—for that is the number of the centuries of the knights which remain[1]—the entire force of the state is summed up; and the arrangement is such that the remaining and far more numerous multitude, which is distributed through the ninety-six last centuries, is not deprived of a right of suffrage, which would be an arrogant measure; nor, on the other hand, permitted to exert too great a preponderance in the government, which would be dangerous.

In this arrangement, Servius was very cautious in his choice of terms and denominations. He called the rich *assidui*, because they afforded pecuniary succour[2] to the state. As to those whose fortune did not exceed 1500 pence, or those who had nothing but their labour, he called them *proletarii* classes, as if the state should expect from them a hardy progeny[3] and population.

Even a single one of the ninety-six last centuries contained numerically more citizens than the entire first class. Thus no one was excluded from his right of voting, yet the preponderance of votes was secured to those who had the deepest stake in the welfare of the state. Moreover, with reference to the accensi, velati, trumpeters, horn-blowers, proletarii * * *[4].

XXIII. * * * That that republic is arranged in the best manner which, being composed in due proportions of those three elements, the monarchical, the aristocratical, and the democratic, does not by punishment irritate a fierce and savage mind. * * * [A similar institution prevailed at Carthage], which was sixty-five years more ancient than Rome, since it was founded thirty-nine years before the first Olympiad; and that most ancient lawgiver Lycurgus made nearly the same arrangements. Thus the system of regular

[1] I have translated this very corrupt passage according to Niebuhr's emendation.

[2] Assiduus, ab ære dando.

[3] Proletarii, a prole.

[4] Here four pages are missing.

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subordination, and this mixture of the three principal forms of government, appear to me common alike to us and them. But there is a peculiar advantage in our commonwealth, than which nothing can be more excellent, which I shall endeavour to describe as accurately as possible, because it is of such a character that nothing analogous can be discovered in ancient states: for these political elements which I have noticed were so united in the constitutions of Rome, of Sparta, and of Carthage, that they were not counterbalanced by any modifying power. For in a state in which one man is invested with a perpetual domination, especially of the monarchical character, although there be a senate in it, as there was in Rome under the kings, and in Sparta, by the laws of Lycurgus, or even where the people exercise a sort of jurisdiction, as they used in the days of our monarchy, the title of king must still be preeminent; nor can such a state avoid being, and being called, a kingdom. And this kind of government is especially subject to frequent revolutions, because the fault of a single individual is sufficient to precipitate it into the most pernicious disasters.

In itself, however, royalty is not only not a reprehensible form of government, but I do not know whether it is not far preferable to all other simple constitutions, if I approved of any simple constitution whatever. But this preference applies to royalty so long only as it maintains its appropriate character; and this character provides that one individual's perpetual power, and justice, and universal wisdom, should regulate the safety, equality, and tranquillity of the whole people. But many privileges must be wanting to communities that live under a king; and, in the first place, liberty, which does not consist in slavery to a just master, but in slavery to no master at all * * * * *[1]

XXIV. * * * [Let us now pass on to the reign of the seventh and last king of Rome, Tarquinius Superbus.] And even this unjust and cruel master had good fortune for his companion for some time in all his enterprises. For he subdued all Latium; he captured Suessa Pometia, a powerful and wealthy city, and becoming possessed of an immense spoil of gold and silver, he accomplished his father's vow by the building of the Capitol. He established colonies, and, faithful to

[1] Two pages are missing here.

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the institutions of those from whom he sprung, he sent magnificent presents as tokens of gratitude for his victories, to Apollo at Delphi.

XXV. Here begins the revolution of our political system of government, and I must beg your attention to its natural course and progression. For the grand point of political science, the object of our discourses, is to know the march and the deviations of governments, that when we are acquainted with the particular courses and inclinations of constitutions, we may be able to restrain them from their fatal tendencies, or to oppose adequate obstacles to their decline and fall.

For this Tarquinius Superbus, of whom I am speaking, being first of all stained with the blood of his admirable predecessor on the throne, could not be a man of sound conscience and mind; and as he feared himself the severest punishment for his enormous crime, he sought his protection in making himself feared. Then, in the glory of his victories and his treasures, he exulted in insolent pride, and could neither regulate his own manners nor the passions of the members of his family.

When, therefore, his eldest son had offered violence to Lucretia, daughter of Tricipitinus and wife of Collatinus, and this chaste and noble lady had stabbed herself to death on account of the injury she could not survive—then a man eminent for his genius and virtue, Lucius Brutus, dashed from his fellow-citizens this unjust yoke of odious servitude; and though he was but a private man, he sustained the government of the entire commonwealth, and was the first that taught the people in this state that no one was a private man when the preservation of our liberties was concerned. Beneath his authority and command our city rose against tyranny, and, stirred by the recent grief of the father and relatives of Lucretia, and with the recollections of Tarquin's haughtiness, and the numberless crimes of himself and his sons, they pronounced sentence of banishment against him and his children, and the whole race of the Tarquins.

XXVI. Do you not observe, then, how the king sometimes degenerates into the despot, and how, by the fault of one individual, a form of government originally good, is abused to the worst of purposes? Here is a specimen of that despot over the people, whom the Greeks denominate a tyrant. For,

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according to them, a king is he who, like a father, consults the interests of his people, and who preserves those whom he is set over in the very best condition of life. This indeed is, as I have said, an excellent form of government, yet still liable, and as it were inclined, to a pernicious abuse. For as soon as a king assumes an unjust and despotic power, he instantly becomes a tyrant, than which nothing baser or fouler—than which no imaginable animal can be more detestable to gods or men—for though in form a man, he surpasses the most savage monsters in ferocious cruelty. For who can justly call him a human being, who admits not between himself and his fellow-countrymen, between himself and the whole human race, any communication of justice,—any association of kindness? But we shall find some fitter occasion of speaking of the evils of tyranny, when the subject itself prompts us to declare against them, who, even in a state already liberated, have affected these despotic insolencies.

XXVII. Such is the first origin and rise of a tyrant. For this was the name by which the Greeks chose to designate an unjust king; and by the title king, our Romans universally understand every man who exercises over the people a perpetual and undivided domination. Thus Spurius Cassius, and Marcus Manlius, and Spurius Mælius, are said to have wished to seize upon the kingly power, and lately [Tiberius Gracchus incurred the same accusation.] [1] * * * * *

XXVIII. . . . . [Lycurgus in Sparta, formed, under the name of Elders,] a small council consisting of twenty-eight members only; to these he allotted the supreme legislative authority, while the king held the supreme executive authority. Our Romans, emulating his example, and translating his terms, entitled those whom he had called Elders, Senators, which, as we have said, was done by Romulus in reference to the elect patricians. In this constitution, however, the power, the influence, and name of the king, is still preeminent. You may distribute, indeed, some show of power to the people, as Lycurgus and Romulus did, but you inflame them with the thirst of liberty by allowing them even the slightest taste of its sweetness, and still their hearts will be overcast with alarm, lest their king, as often happens, should become unjust. The prosperity of the people, therefore, can

[1] Two pages are missing here.

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be little better than fragile, when placed at the disposal of any one individual, and subjected to his will and caprices.

XXIX. Thus the first example, prototype, and original of tyranny, has been discovered by us in the history of our own Roman state, religiously founded by Romulus, without applying to the theoretical commonwealth which, according to Plato's recital, Socrates was accustomed to describe in his peripatetic dialogues. We have observed Tarquin, not by the usurpation of any new power, but by the unjust abuse of the power which he already possessed, overturn the whole system of our monarchical constitution.

Let us oppose to this example of the tyrant another, a virtuous king—wise, experienced, and well informed respecting the true interest and dignity of the citizens—a guardian, as it were, and superintendent of the commonwealth; for that is a proper name for every ruler and governor of a state. And take you care to recognise such a man when you meet him, for he is the man who, by counsel and exertion, can best protect the nation. And as the name of this man has not yet been often mentioned in our discourse, and as the character of such a man must be often alluded to in our future conversations, [I shall take an early opportunity of describing it.][1]

* * * * * * *

XXX. .... [Plato has chosen to suppose a territory and establishments of citizens, whose fortunes] were precisely equal. And he has given us a description of a city, rather to be desired than expected; and he has made out not such an one as can really exist, but one in which the principles of political affairs may be discerned. But for me, if I can in any way accomplish it, while I adopt the same general principles as Plato, I am seeking to reduce them to experience and practice, not in the shadow and picture of a state, but in a real and actual commonwealth, of unrivalled amplitude and power; in order to be able to point out, with the most graphic precision, the causes of every political good and social evil.

For after Rome had flourished more than 240 years under her kings and interreges, and after Tarquin was sent into banishment, the Roman people conceived as much detestation of the name of king as they had once experienced regret at the death, or rather disappearance, of Romulus. Therefore,

[1] Here twelve pages are missing.

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as in the first instance they could hardly bear the idea of losing a king, so in the latter, after the expulsion of Tarquin, they could not endure to hear the name of a king.[1] * * * * * * * * *

XXXI. . . . Therefore, when that admirable constitution of Romulus had lasted steadily about two hundred and forty years. * * * * * * * * The whole of that law was abolished. In this humour, our ancestors banished Collatinus, in spite of his innocence, because of the suspicion that attached to his family, and all the rest of the Tarquins, on account of the unpopularity of their name. In the same humour, Valerius Publicola was the first to lower the fasces before the people, when he spoke in the assembly of the people. He also had the materials of his house conveyed to the foot of Mount Velia, having observed that the commencement of his edifice on the summit of this hill, where king Tullius had once dwelt, excited the suspicions of the people.

It was the same man, who in this respect preeminently deserved the name of Publicola, who carried in favour of the people the first law received in the Comitia Centuriata, that no magistrate should sentence to death or scourging a Roman citizen who appealed from his authority to the people. And the pontifical books attest that the right of appeal had existed, even against the decision of the kings. Our augural books affirm the same thing. And the Twelve Tables prove, by a multitude of laws, that there was a right of appeal from every judgment and penalty. Besides, the historical fact that the decemviri who compiled the laws were created with the privilege of judging without appeal, sufficiently proves that the other magistrates had not the same power. And a consular law, passed by Lucius Valerius Politus and Marcus Horatius Barbatus, men justly popular for promoting union and concord, enacted that no magistrate should thenceforth be appointed with authority to judge without appeal; and the Portian laws, the work of three citizens of the name of Portius, as you are aware, added nothing new to this edict but a penal sanction.

Therefore Publicola, having promulgated this law in favour of appeal to the people, immediately ordered the axes to be removed from the fasces, which the lictors carried before the

[1] Sixteen pages are missing here.

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consuls, and the next day appointed Spurius Lucretius for his colleague. And as the new consul was the oldest of the two, Publicola ordered his lictors to pass over to him; and he was the first to establish the rule, that each of the consuls should be preceded by the lictors in alternate months, that there should be no greater appearance of imperial insignia among the free people than they had witnessed in the days of their kings. Thus, in my opinion, he proved himself no ordinary man, as, by so granting the people a moderate degree of liberty, he more easily maintained the authority of the nobles.

Nor is it without reason that I have related to you these ancient and almost obsolete events; but I wished to adduce my instances of men and circumstances from illustrious persons and times, as it is to such events that the rest of my discourse will be directed.

XXXII. At that period, then, the senate preserved the commonwealth in such a condition, that though the people were really free, yet few acts were passed by the people, but almost all, on the contrary, by the authority, customs, and traditions of the senate. And over all the consuls exercised a power—in time, indeed, only annual, but in nature and prerogative completely royal.

The consuls maintained, with the greatest energy, that rule which so much conduces to the power of our nobles and great men, that the acts of the commons of the people shall not be binding, unless the authority of the patricians has approved them. About the same period, and scarcely ten years after the first consuls, we find the appointment of the dictator in the person of Titus Lartius. And this new kind of power, namely, the dictatorship, appears exceedingly similar to the monarchical royalty. All his power, however, was vested in the supreme authority of the senate, to which the people deferred; and in these times great exploits were performed in war by brave men invested with the supreme command, whether dictators or consuls.

XXXIII. But as the nature of things necessarily brought it to pass that the people, once freed from its kings, should arrogate to itself more and more authority, we observe that after a short interval of only sixteen years, in the consulship of Postumus Cominius and Spurius Cassius, they attained their object; an event explicable, perhaps, on no distinct

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principle, but nevertheless, in a manner, independent of any distinct principle. For, recollect what I said, in commencing our discourse, that if there exists not in the state a just distribution and subordination of rights, offices, and prerogatives, so as to give sufficient domination to the chiefs, sufficient authority to the counsel of the senators, and sufficient liberty to the people, this form of the government cannot be durable.

For when the excessive debts of the citizens had thrown the state into disorder, the people first retired to Mount Sacer, and next occupied Mount Aventine. And even the rigid discipline of Lycurgus could not maintain those restraints in the case of the Greeks. For in Sparta itself, under the reign of Theopompus, the five magistrates whom they term Ephori, and in Crete, ten whom they entitle Cosmi, were established in opposition to the royal power, just as tribunes were added among us to counterbalance the consular authority.

XXXIV. There might have been a method, indeed, by which our ancestors could have been relieved from the pressure of debt, a method with which Solon the Athenian, who lived at no very distant period before, was acquainted, and which our senate did not neglect when, in the indignation which the odious avarice of one individual excited, all the bonds of the citizens were cancelled, and the right of arrest for a while suspended. In the same way, when the plebeians were oppressed by the weight of the expenses occasioned by public misfortunes, a cure and remedy were sought for the sake of public security. The senate, however, having forgot their former decision, gave an advantage to the democracy; for, by the creation of two tribunes to appease the sedition of the people, the power and authority of the senate were diminished; which, however, still remained dignified and august, inasmuch as it was still composed of the wisest and bravest men, who protected their country both with their arms and with their counsels; whose authority was exceedingly strong and flourishing, because in honour they were as much before their fellow-citizens, as they were inferior in luxuriousness, and, as a general rule, not superior to them in wealth. And their public virtues were the more agreeable to the people, because even in private matters they were ready to serve every citizen, by their exertions, their counsels, and their liberality.

XXXV. Such was the situation of the commonwealth, when

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the quæstor impeached Spurius Cassius of being so much emboldened by the excessive favour of the people, as to endeavour to make himself master of monarchical power. And, as you have heard, his own father, having said that he had found that his son was really guilty of this crime, condemned him to death at the instance of the people. About fifty-four years after the first consulate, Spurius Tarpeius and Aulus Aternius very much gratified the people by proposing, in the Comitia Centuriata, the substitution of fines instead of corporal punishments. Twenty years afterwards, Lucius Papirius and Publius Pinarius, the censors, having by a strict levy of fines confiscated to the state the entire flocks and herds of many private individuals, a light tax on the cattle was substituted for the law of fines in the consulship of Caius Julius and Publius Papirius.

XXXVI. But, some years previous to this, at a period when the senate possessed the supreme influence, and the people were submissive and obedient, a new system was adopted. At that time both the consuls and tribunes of the people abdicated their magistracies, and the decemviri were appointed, who were invested with great authority, from which there was no appeal whatever, so as to exercise the chief domination, and to compile the laws. After having composed, with much wisdom and equity, the Ten Tables of laws, they nominated as their successors in the ensuing year other decemviri, whose good faith and justice do not deserve equal praise. One member of this college, however, merits our highest commendation. I allude to Caius Julius, who declared respecting the nobleman, Lucius Sestius, in whose chamber a dead body had been exhumed under his own eyes, that though as decemvir he held the highest power without appeal, he still required bail, because he was unwilling to neglect that admirable law which permitted no court but the Comitia Centuriata to pronounce final sentence on the life of a Roman citizen.

XXXVII. A third year followed under the authority of the same decemvirs, and still they were not disposed to appoint their successors. In a situation of the commonwealth like this, which, as I have often repeated, could not be durable, because it had not an equal operation with respect to all the ranks of the citizens, the whole public power was lodged in the hands of the chiefs and decemvirs of the highest nobility,

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without the counterbalancing authority of the tribunes of the people, without the sanction of any other magistracies, and without appeal to the people in the case of a sentence of death or scourging.

Thus, out of the injustice of these men, there was suddenly produced a great revolution, which changed the entire condition of the government; for they added two tables of very tyrannical laws, and though matrimonial alliances had always been permitted, even with foreigners, they forbad, by the most abominable and inhuman edict, that any marriages should take place between the nobles and the commons—an order which was afterwards abrogated by the decree of Canuleius. Besides, they introduced into all their political measures corruption, cruelty, and avarice. And indeed the story is well known, and celebrated in many literary compositions, that a certain Decimus Virginius was obliged, on account of the libidinous violence of one of these decemvirs, to stab his virgin daughter in the midst of the forum. Then, when he in his desperation had fled to the Roman army which was encamped on Mount Algidum, the soldiers abandoned the war in which they were engaged, and took possession of the Sacred Mount, as they had done before on a similar occasion, and next invested Mount Aventine in their arms. . . . .[1] Our ancestors knew how to prove most thoroughly, and to retain most wisely. * * * * * * *

XXXVIII. And when Scipio had spoken in this manner, and all his friends were awaiting in silence the rest of his discourse, then said Tubero: Since these men who are older than I, my Scipio, make no fresh demands on you, I shall take the liberty to tell you what I particularly wish you would explain in your subsequent remarks.

Do so, said Scipio, and I shall be glad to hear.

Then Tubero said: You appear to me to have spoken a panegyric on our commonwealth of Rome exclusively, though Lælius requested your views not only of the government of our own state, but of the policy of states in general. I have not, therefore, yet sufficiently learned from your discourse, with respect to that mixed form of government you most approve, by what discipline, moral and legal, we may be best able to establish and maintain it.

[1] Here eight pages are missing.

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XXXIX. Africanus replied: I think that we shall soon find an occasion better adapted to the discussion you have proposed, respecting the constitution and conservatism of states. As to the best form of government, I think on this point I have sufficiently answered the question of Lælius. For in answering him, I, in the first place, specifically noticed the three simple forms of government—monarchy, aristocracy, and democracy; and the three vicious constitutions contrary to them, into which they often degenerate; and I said that none of these forms, taken separately, was absolutely good; but I described as preferable to either of them that mixed government which is composed of a proper amalgamation of these simple ingredients. If I have since depicted our own Roman constitution as an example, it was not in order to define the very best form of government, for that may be understood without an example; but I wished, in the exhibition of a mighty commonwealth actually in existence, to render distinct and visible what reason and discourse would vainly attempt to display without the assistance of experimental illustration. Yet, if you still require me to describe the best form of government, independent of all particular examples, we must consult that exactly proportioned and graduated image of government which nature herself presents to her investigators. Since you. . . . . this model of a city and people. . . . . [1]

XL. . . . . which I also am searching for, and which I am anxious to arrive at.

Lælius.—You mean the model that would be approved by the truly accomplished politician?

Scipio.—The same.

Lælius.—You have plenty of fair patterns even now before you, if you would but begin with yourself.

Then Scipio said, I wish I could find even one such, even in the entire senate. For he is really a wise politician who, as we have often seen in Africa, while seated on a huge and unsightly elephant, can guide and rule the monster, and turn him whichever way he likes by a slight admonition, without any actual exertion.

Lælius.—I recollect, and when I was your lieutenant, I often saw one of these drivers.

Scipio.—Thus an Indian or Carthaginian regulates one of

[1] A great many pages are missing here.

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these huge animals, and renders him docile and familiar with human manners. But the genius which resides in the mind of man, by whatever name it may be called, is required to rein and tame a monster far more multiform and intractable, whenever it can accomplish it, which indeed is seldom. It is necessary to hold in with a strong hand that ferocious[1] * *

XLI. * * * * [beast, denominated the mob, which thirsts after blood] to such a degree that it can scarcely be sated with the most hideous massacres of men. * * *

But to a man who is greedy, and grasping, and lustful, and fond of wallowing in voluptuousness.

The fourth kind of anxiety is that which is prone to mourning and melancholy, and which is constantly worrying itself.

[*The next paragraph, "Esse autem angores," &c., is wholly unintelligible without the context.*]

As an unskilful charioteer is dragged from his chariot, covered with dirt, bruised, and lacerated.

The excitements of men's minds are like a chariot, with horses harnessed to it; in the proper management of which, the chief duty of the driver consists in knowing his road: and if he keeps the road, then, however rapidly he proceeds, he will encounter no obstacles; but if he quits the proper track, then, although he may be going gently and slowly, he will either be perplexed on rugged ground, or fall over some steep place, or at least he will be carried where he has no need to go.[2]

XLII. .... can be said.

Then Lælius said: I now see the sort of politician you require, on whom you would impose the office and task of government, which is what I wished to understand.

He must be an almost unique specimen, said Africanus, for the task which I set him comprises all others. He must never cease from cultivating and studying himself, that he may excite others to imitate him, and become, through the splendour of his talents and enterprises, a living mirror to his countrymen. For as in flutes and harps, and in all vocal performances, a certain unison and harmony must be preserved amid the distinctive tones, which cannot be broken or violated without offending experienced ears; and as this con-

[1] Several pages are lost here; the passage in brackets is found in Nonius under the word "exulto."

[2] This and other chapters, printed in smaller type, are generally presumed to be of doubtful authenticity.

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cord and delicious harmony is produced by the exact gradation and modulation of dissimilar notes; even so, by means of the just apportionment of the highest, middle, and lower classes, the state is maintained in concord and peace by the harmonic subordination of its discordant elements: and thus, that which is by musicians called harmony in song, answers and corresponds to what we call concord in the state—concord, the strongest and loveliest bond of security in every commonwealth, being always accompanied by justice and equity.

XLIII. And after this, when Scipio had discussed with considerable breadth of principle and felicity of illustration, the great advantage that justice is to a state, and the great injury which would arise if it were wanting, Pilus, one of those who were present at the discussion, took up the matter and demanded that this question should be argued more carefully, and that something more should be said about justice, on account of a sentiment that was now obtaining among people in general, that political affairs could not be wholly carried on without some disregard of justice.

XLIV. . . . . to be full of justice.

Then Scipio replied: I certainly think so. And I declare to you, that I consider that all I have spoken respecting the government of the state is worth nothing, and that it will be useless to proceed further, unless I can prove that it is a false assertion that political business cannot be conducted without injustice and corruption; and, on the other hand, establish as a most indisputable fact, that without the strictest justice, no government whatever can last long.

But with your permission, we have had discussion enough for the day. The rest—and much remains for our consideration—we will defer till to-morrow. When they had all agreed to this, the debate of the day was closed.

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INTRODUCTION TO THE THIRD BOOK,

BY THE ORIGINAL TRANSLATOR.

CICERO here enters on the grand question of Political Justice, and endeavours to evince throughout the absolute verity of that inestimable proverb—"Honesty is the best policy"—in all public, as well as in all private affairs. St. Augustin, in his "City of God," has given the following analysis of this magnificent disquisition:—

"In the third book of Cicero's Commonwealth (says he), the question of Political Justice is most earnestly discussed. Philus is appointed to support, as well as he can, the sophistical arguments of those who think that political government cannot be carried on without the aid of injustice and chicanery. He denies holding any such opinion himself; yet, in order to exhibit the truth more vividly through the force of contrast, he pleads with the utmost ingenuity the cause of injustice against justice; and endeavours to show, by plausible examples and specious dialectics, that injustice is as useful to a statesman as justice would be injurious. Then Lælius, at the general request, takes up the plea for justice, and maintains with all his eloquence that nothing could be so ruinous to states as injustice and dishonesty, and that without a supreme justice, no political government could expect a long duration. This point being sufficiently proved, Scipio returns to the principal discussion. He reproduces and enforces the short definition that he had given of a Commonwealth,—that it consisted in the welfare of the entire people, by which word 'people' he does not mean the mob, but the community, bound together by the sense of common rights and mutual benefits. He notices how important such just definitions are in all debates whatever, and draws this conclusion from the preceding arguments,—that the Commonwealth is the common welfare, whenever it is swayed with justice and wisdom, whether it be subordinated to a king, an aristocracy, or a democracy. But if the king be unjust, and so becomes a tyrant, and the aristocracy unjust, which makes them a faction, or the democrats unjust, and so degenerate into revolutionists and destructives—then not only the commonwealth is corrupted, but in fact annihilated. For it can be no longer the common welfare, when a tyrant or a faction abuse it; and the people itself is no longer the people when it becomes unjust, since it is no longer a community associated by a sense of right and utility, according to the definition."—*Aug. Civ. Dei.* 3—21.

This book is of the utmost importance to statesmen, as it serves to neutralize the sophistries of Machiavelli, which are still repeated in many cabinets.

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BOOK III.

I. * * * * *[1] Cicero, in the the third book of his treatise "On a Commonwealth" says that nature has treated man less like a mother than a step-dame, for she has cast him into mortal life with a body naked, fragile, and infirm; and with a mind agitated by troubles, depressed by fears, broken by labours, and exposed to passions. In this mind, however, there lies hid, and as it were buried, a certain divine spark of genius and intellect.

Though man is born a frail and powerless being, nevertheless he is safe from all animals destitute of voice; and at the same time those other animals of greater strength, although they bravely endure the violence of weather, cannot be safe from man. And the result is, that reason does more for man than nature does for brutes; since, in the latter, neither the greatness of their strength, nor the firmness of their bodies, can save them from being oppressed by us, and made subject to our power. . . . . .

Plato returned thanks to nature that he had been born a man.

II. . . . . aiding our slowness by carriages, and when it had taught men to utter the elementary and confused sounds of unpolished expression, articulated and distinguished them into their proper classes, and, as their appropriate signs, attached certain words to certain things, and thus associated, by the most delightful bond of speech, the once divided races of men.

And by a similar intelligence, the inflections of the voice, which appeared infinite, are, by the discovery of a few alphabetic characters, all designated and expressed; by which we maintain converse with our absent friends, by which also indications of our wishes, and monuments of past events are preserved. Then came the use of numbers—a thing necessary to human life, and at the same time immutable and eternal;

[1] The beginning of this book is lost. The two first paragraphs come, the one from St. Augustin, the other from Lactantius.

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a science which first urged us to raise our views to heaven, and not gaze without an object on the motions of the stars, and the distribution of days and nights.

III. . . . . .[1] [Then appeared the sages of philosophy], whose minds took a higher flight, and who were able to conceive and to execute designs worthy of the gifts of the gods. Wherefore let those men who have left us sublime essays on the principles of living be regarded as great men—which indeed they are—as learned men, as masters of truth and virtue; provided that these principles of civil government, this system of governing people—whether it be a thing discovered by men who have lived amid a variety of political events, or one discussed amid their opportunities of literary tranquillity—is remembered to be, as indeed it is, a thing by no means to be despised, being one which causes in first-rate minds, as we not unfrequently see, an incredible and almost divine virtue. And when to these high faculties of soul, received from nature, and expanded by social institutions, a politician adds learning and extensive information concerning things in general, like those illustrious personages who conduct the dialogue in the present treatise, none will refuse to confess the superiority of such persons to all others; for, in fact, what can be more admirable than the study and practice of the grand affairs of state, united to a literary taste, and a familiarity with the liberal arts? or what can we imagine more perfect than a Scipio, a Lælius, or a Philus, who, not to omit anything which belonged to the most perfect excellence of the greatest men, joined to the examples of our ancestors and the traditions of our countrymen the foreign philosophy of Socrates?

Wherefore, he who had both the desire and the power to acquaint himself thoroughly both with the customs and the learning of his ancestors, appears to me to have attained to the very highest glory and honour. But if we cannot combine both, and are compelled to select one of these two paths of wisdom, though to some people the tranquil life spent in the research of literature and arts may appear to be the most happy and delectable; yet, doubtless, the science of politics is more laudable and illustrious, for in this political field of

[1] Eight or nine pages are lost here.

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exertion our greatest men have reaped their honours, like the invincible Curius—

Whom neither gold nor iron could subdue.

IV. * * *[1] that wisdom existed still. There existed this general difference between these two classes, that among the one, the development of the principles of nature is the subject of their study and eloquence; and among the other, national laws and institutions form the principal topics of investigation.

In honour of our country, we may assert that she has produced within herself a great number, I will not say, of sages, (since philosophy is so jealous of this name,) but of men worthy of the highest celebrity, because by them the precepts and discoveries of the sages have been carried out into actual practice. And, moreover, though there have existed, and still do exist, many great and glorious empires, yet since the noblest master-piece of genius in the world is the establishment of a state and commonwealth which shall be a lasting one, even if we reckon but a single legislator for each empire, the number of these excellent men will appear very numerous. To be convinced of this, we have only to turn our eyes on any nation of Italy, Latium, the Sabines, the Volscians, the Samnites, or the Etrurians, and then direct our attention to that mighty nation of the Greeks, and then to the Assyrians, Persians, and Carthaginians, and * * * * * *[2]

V. * * * [Scipio and his friends having again assembled, Scipio spoke as follows:—In our last conversation, I promised to prove that honesty is the best policy in all states and commonwealths whatsoever. But if I am to plead in favour of strict honesty and justice in all public affairs, no less than in private, I must request Philus, or some one else, to take up the advocacy of the other side; the truth will then become more manifest, from the collision of opposite arguments, as we see every day exemplified at the Bar.]

And Philus replied: In good truth you have allotted me a very creditable cause, when you wish me to undertake the defence of vice.

Perhaps, said Lælius, you are afraid, lest, in reproducing the ordinary objections made to justice in politics, you should seem to express your own sentiments; though you are univer-

[1] Here six pages are lost. [2] Here twelve pages are missing.

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sally respected as an almost unique example of the ancient probity and good faith; nor is it unknown how familiar you are with the lawyer-like habit of disputing on both sides of a question, because you think that this is the best way of getting at the truth.

And Philus said: Very well; I obey you, and wilfully with my eyes open, I will undertake this dirty business; because, since those who seek for gold do not flinch at the sight of the mud, so we who are searching for justice, which is far more precious than gold, are bound to shrink from no annoyance. And I wish, as I am about to make use of the antagonist arguments of a foreigner, I might also employ a foreign language. The pleas, therefore, now to be urged by Lucius Furius Philus, are those [once employed by] the Greek Carneades, a man who was accustomed to express whatever [served his turn].[1] * * * * * *[2] Let it be understood, therefore, that I by no means express my own sentiments, but those of Carneades, in order that you may refute this philosopher, who was wont to turn the best causes into joke, through the mere wantonness of wit.

VI. He was a philosopher of the Academic School, and if any one is ignorant of his great power, and eloquence, and acuteness in arguing, he may learn it from the mention made of him by Cicero or by Lucilius, when Neptune, discoursing on a very difficult subject, declares that it cannot be explained, not even if hell were to restore

[1] We have been obliged to insert two or three of these sentences between brackets, which are not found in the original, for the sake of showing the drift of the arguments of Philus. He himself was fully convinced that justice and morality were of eternal and immutable obligation, and that the best interests of all beings lie in their perpetual development and application. This eternity of Justice is beautifully illustrated by Montesquieu. "Long," says he, "before positive laws were instituted, the moral relations of justice were absolute and universal. To say that there were no justice or injustice, but that which depends on the injunctions or prohibitions of positive laws, is to say that the radii which spring from a centre, are not equal till we have formed a circle to illustrate the proposition. We must, therefore, acknowledge that the relations of equity were antecedent to the positive laws which corroborated them." But though Philus was fully convinced of this, in order to give his friends Scipio and Lælius an opportunity of proving it, he frankly brings forward every argument for injustice that sophistry had ever cast in the teeth of reason.—*By the original Translator.*

[2] Here four pages are missing. The following sentence is preserved in Nonius.

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Carneades himself for the purpose. This philosopher, having been sent by the Athenians to Rome as an ambassador, discussed the subject of justice very amply in the hearing of Galba and Cato the censor, who were the greatest orators of the day. And the next day he overturned all his arguments by others of a contrary tendency, and disparaged justice, which the day before he had extolled; speaking not indeed with the gravity of a philosopher whose wisdom ought to be steady, and whose opinions unchangeable, but in a kind of rhetorical exercise of arguing on each side—a practice which he was accustomed to adopt, in order to be able to refute others who were asserting anything. The arguments by which he disparaged justice are mentioned by Lucius Furius in Cicero; I suppose, since he was discussing the Commonwealth, in order to introduce a defence and panegyric of that quality without which he did not think a Commonwealth could be administered. But Carneades, in order to refute Aristotle and Plato, the advocates of justice, collected in his first argument everything that was in the habit of being advanced on behalf of justice, in order afterwards to be able to overturn it, as he did.

VII. Many philosophers indeed, and especially Plato and Aristotle, have spoken a great deal of justice, inculcating that virtue, and extolling it with the highest praise, as giving to every one what belongs to him, as preserving equity in all things, and urging that while the other virtues are as it were silent and shut up, justice is the only one which is not absorbed in considerations of self-interest, and which is not secret, but finds its whole field for exercise out of doors, and is desirous of doing good and serving as many people as possible; as if, forsooth, justice ought to exist in judges only, and in men invested with a certain authority, and not in every one! But there is no one, not even a man of the lowest class, or a beggar, who is destitute of opportunities of displaying justice. But because these philosophers knew not what its essence was, or whence it proceeded, or what its employment was, they attributed that first of all virtues, which is the common good of all men, to a few only, and asserted that it aimed at no advantage of its own, but was anxious only for that of others. So it was well that Carneades, a man of the greatest genius and acuteness, refuted their assertions, and overthrew that justice which had no firm foundation; not because he thought justice itself deserving of blame, but in order to show that those its defenders had brought forward no trustworthy or strong arguments in its behalf.

Justice looks out of doors and is prominent and conspicuous in its whole essence.

Which virtue, beyond all others, wholly devotes and dedicates itself to the advantage of others.

VIII. * * * * Both to discover and maintain. While

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the other, Aristotle, has filled four large volumes with a discussion on abstract justice. For I did not expect anything grand or magnificent from Chrysippus, who, after his usual fashion, examines everything rather by the signification of words, than the reality of things. But it was surely worthy of those heroes of philosophy, to ennoble by their genius a virtue so eminently beneficent and liberal, which everywhere exalts the social interests above the selfish, and teaches us to love others rather than ourselves. It was worthy of their genius, we say, to elevate this virtue to a divine throne, not far from that of Wisdom. And certainly they neither wanted the will to accomplish this; for what else could be the cause of their writing on the subject, or what could have been their design? nor the genius, in which they excelled all men. But the weakness of their cause was too great for either their intention and their eloquence to make it popular. In fact, this justice on which we reason is a civil right, but no natural one; for if it were natural and universal, then justice and injustice would be recognised similarly by all men, just as the heat and cold, sweetness and bitterness.

IX. Now if any one, carried in that chariot of winged serpents, of which the poet Pacuvius makes mention, could take his flight over all nations and cities, and accurately observe their proceedings, he would see that the sense of justice and right varies in different regions. In the first place, he would behold among the unchangeable people of Egypt, which preserves in its archives the memory of so many ages and events, a bull adored as a deity, under the name of Apis, and a multitude of other monsters, and all kinds of animals admitted by the same nation into the number of the gods.

In the next place, he would see in Greece, as among ourselves, magnificent temples consecrated by images in human form, which the Persians regarded as impious; and it is affirmed that the sole motive of Xerxes for commanding the conflagration of the Athenian temples, was the belief that it was a superstitious sacrilege to keep confined within narrow walls the gods, whose proper home was the entire universe. But afterwards Philip, in his hostile projects against the Persians, and Alexander, who carried them into execution, alleged this plea for war, that they were desirous to avenge the temples

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of Greece, which the Greeks had thought proper never to rebuild, that this monument of the impiety of the Persians might always remain before the eyes of their posterity.

How many, such as the inhabitants of Taurica along the Euxine Sea—as the king of Egypt, Busiris—as the Gauls and the Carthaginians—have thought it exceedingly pious and agreeable to the gods to sacrifice men! And, besides, the customs of life are so various, that the Cretans and Ætolians regard robbery as honourable. And the Lacedæmonians say that their territory extends to all places which they can touch with a lance. The Athenians had a custom of swearing by a public proclamation, that all the lands which produced olives and corn were their own. The Gauls consider it a base employment to raise corn by agricultural labour, and go with arms in their hands, and mow down the harvests of neighbouring peoples. But we ourselves, the most equitable of all nations, who, in order to raise the value of our vines and olives, do not permit the races beyond the Alps to cultivate either vineyards or oliveyards, are said in this matter to act with prudence, but not with justice. You see, then, that wisdom and policy are not always the same as equity. And Lycurgus, that famous inventor of a most admirable jurisprudence, and most wholesome laws, gave the lands of the rich to be cultivated by the common people, who were reduced to slavery.

X. If I were to describe the diverse kinds of laws, institutions, manners, and customs, not only as they vary in the numerous nations, but as they vary likewise in single cities—in this one of ours, for example—I could prove that they have had a thousand revolutions. For instance, that eminent expositor of our laws who sits in the present company—I mean Manilius—if you were to consult him relative to the legacies and inheritances of women, he would tell you that the present law is quite different from that he was accustomed to plead in his youth, before the Voconian enactment came into force—an edict which was passed in favour of the interests of the men, but which is evidently full of injustice with regard to women. For why should a woman be disabled from inheriting property? Why can a vestal virgin become an heir, while her mother cannot? And why, admitting that it is necessary to set some limit to the wealth of women, should

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Crassus' daughter, if she be his only child, inherit thousands without offending the law, while my daughter can only receive a small share in a bequest?[1] * * * * *

XI. * * * [If this justice were natural, innate, and universal, all men would admit the same] law and right, and the same men would not enact different laws at different times. If a just man and a virtuous man is bound to obey the laws, I ask, what laws do you mean? Do you intend all the laws indifferently? But neither does virtue permit this inconstancy in moral obligation, nor is such a variation compatible with natural conscience. The laws are, therefore, based not on our sense of justice, but on our fear of punishment. There is, therefore, no natural justice: and hence it follows that men cannot be just by nature.

Are men then to say, that variations indeed do exist in the laws, but that men who are virtuous through natural conscience follow that which is really justice, and not a mere semblance and disguise, and that it is the distinguishing characteristic of the truly just and virtuous man to render every one his due rights? Are we, then, to attribute the first of these characteristics to animals? For not only men of moderate abilities, but even first-rate sages and philosophers, as Pythagoras and Empedocles, declare that all kinds of living creatures have a right to the same justice. They declare that inexpiable penalties impend over those who have done violence to any animal whatsoever. It is, therefore, a crime to injure an animal, and the perpetrator of such crime[1] * *

XII. For when he[2] inquired of a pirate by what right he dared to infest the sea with his little brigantine: "By the same right," he replied, "which is your warrant for conquering the world." * * * * Wisdom and prudence instruct us by all means to increase our power, riches, and estates. For by what means could this same Alexander, that illustrious general, who extended his empire over all Asia, without violating the property of other men, have acquired such universal dominion, enjoyed so many pleasures, such great power, and reigned without bound or limit?

But justice commands us to have mercy upon all men, to consult the interests of the whole human race, to give to

[1] Two pages are missing here. [1] Several pages are missing here.
[2] He means Alexander the Great.

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every one his due, and to injure no sacred, public, or foreign rights, and to forbear touching what does not belong to us. What is the result, then? If you obey the dictates of wisdom, then wealth, power, riches, honours, provinces, and kingdoms, from all classes, peoples, and nations, are to be aimed at.

However, as we are discussing public matters, those examples are more illustrious which refer to what is done publicly. And since the question between justice and policy applies equally to private and public affairs, I think it well to speak of the wisdom of the people. I will not, however, mention other nations, but come at once to our own Roman people, whom Africanus, in his discourse yesterday, traced from the cradle, and whose empire now embraces the whole world.—Justice is[1] * * * * * *

XIII. How far utility is at variance with justice we may learn from the Roman people itself, which, declaring war by means of the fecials, and committing injustice with all legal formality, always coveting and laying violent hands on the property of others, acquired the possession of the whole world.

What is the advantage of one's own country, but the disadvantage of another state or nation, by extending one's dominions by territories evidently wrested from others, increasing one's power, improving one's revenues, &c.? Therefore, whoever has obtained these advantages for his country,—that is to say, whoever has overthrown cities, subdued nations, and by these means filled the treasury with money, taken lands, and enriched his fellow-citizens,—such a man is extolled to the skies; is believed to be endowed with consummate and perfect virtue; and this mistake is fallen into not only by the populace and the ignorant, but by philosophers, who even give rules for injustice.

XIV. * * * * For all those who have the right of life and death over the people are in fact tyrants; but they prefer being called by the title of king, which belongs to the all-good Jupiter. But when certain men, by favour of wealth, birth, or any other means, get possession of the entire government, it is a faction; but they choose to denominate themselves an aristocracy.—If the people gets the upper hand, and rules everything after its capricious will, they call it liberty, but it is in fact licence.—And when every man is a guard upon his neighbour, and every class is a guard upon every other class, then because no one trusts in his own strength, a

[1] Six or eight pages are lost here.

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kind of compact is formed between the great and the little, from whence arises that mixed kind of government which Scipio has been commending. Thus justice, according to these facts, is not the daughter of nature or conscience, but of human imbecility. For when it becomes necessary to choose between these three predicaments, either to do wrong without retribution, or to do wrong with retribution, or to do no wrong at all; it is best to do wrong with impunity; next, neither to do wrong, nor to suffer for it; but nothing is more wretched than to struggle incessantly between the wrong we inflict and that we receive. Therefore, he who attains to that first end.[1] * * * * *

XV. This was the sum of the argument of Carneades: that men had established laws among themselves from considerations of advantage, varying them according to their different customs, and altering them often so as to adapt them to the times; but that there was no such thing as natural law; that all men and all other animals are led to their own advantage by the guidance of nature; that there is no such thing as justice, or if there be, that it is extreme folly, since a man would injure himself while consulting the interests of others. And he added these arguments, that all nations who were flourishing and dominant, and even the Romans themselves, who were the masters of the whole world, if they wished to be just, that is to say, if they restored all that belonged to others, would have to return to their cottages, and to lie down in want and misery.

Except, perhaps, of the Arcadians and Athenians, who, I presume, dreading that this great act of retribution might one day arrive, pretend that they were sprung from the earth, like so many field mice.

XVI. In reply to these statements, the following arguments are often adduced by those who are not unskilful in discussions, and who, in this question, have all the greater weight of authority, because, when we inquire, who is a good man? understanding by that term a frank and single-minded man, we have little need of captious casuists, quibblers, and slanderers. For those men assert, that the wise man does not seek virtue because of the personal gratification which the practice of justice and beneficence procures him, but rather because the life of the good man is free from fear, care, solicitude, and peril; while, on the other hand, the wicked always feel in their souls a certain suspicion, and

[1] A great many pages are missing here.

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always behold before their eyes images of judgment and punishment. Do not you think, therefore, that there is any benefit or that there is any advantage which can be procured by injustice, precious enough to counterbalance the constant pressure of remorse, and the haunting consciousness that retribution awaits the sinner, and hangs over his devoted head.[1] * * * * *

XVII. [Our philosophers, therefore, put a case. Suppose, say they, two men, one of whom is an excellent and admirable person, of high honour and remarkable integrity; the latter is distinguished by nothing but his vice and audacity. And suppose that their city has so mistaken their characters, as to imagine the good man to be a scandalous, impious, and audacious criminal, and to esteem the wicked man, on the contrary, as a pattern of probity and fidelity. On account of this error of their fellow-citizens, the good man is arrested and tormented, his hands are cut off, his eyes are plucked out, he is condemned, bound, burnt, exterminated, reduced to want, and to the last appears to all men to be most deservedly the most miserable of men. On the other hand, the flagitious wretch is exalted, worshipped, loved by all, and honours, offices, riches, and emoluments, are all conferred on him, and he shall be reckoned by his fellow-citizens the best and worthiest of mortals, and in the highest degree deserving of all manner of prosperity. Yet, for all this, who is so mad as to doubt which of these two men he would rather be?

XVIII. What happens among individuals, happens also among nations. There is no state so absurd and ridiculous, as not to prefer unjust dominion to just subordination. I need not go far for examples. During my own consulship, when you were my fellow-counsellors, we consulted respecting the treaty of Numantia. No one was ignorant that Quintus Pompey had signed a treaty, and that Mancinus had done the same. The latter, being a virtuous man, supported the proposition which I laid before the people, after the decree of the senate. The former, on the other side, opposed it vehemently. If modesty, probity, or faith had been regarded, Mancinus would have carried his point; but in reason, counsel, and prudence, Pompey surpassed him. Whether[2] * * *

[1] Six or eight pages are missing here. [2] Several pages are lost here.

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XIX. If a man should have a faithless slave, or an unwholesome house, with whose defect he alone was acquainted, and he advertised them for sale, would he state the fact that his servant was infected with knavery, and his house with malaria, or would he conceal these objections from the buyer? If he stated those facts he would be honest, no doubt, because he would deceive nobody; but still he would be thought a fool, because he would either get very little for his property, or else fail to sell it at all. By concealing these defects, on the other hand, he will be called a shrewd man—as one who has taken care of his own interest; but he will be a rogue, notwithstanding, because he will be deceiving his neighbours. Again, let us suppose that one man meets another, who sells gold and silver, conceiving them to be *copper* or *lead*; shall he hold his peace that he may make a capital bargain, or correct the mistake, and purchase at a fair rate? He would evidently be a fool in the world's opinion, if he preferred the latter.

XX. It is justice, beyond all question, neither to commit murder nor robbery. What then would your just man do, if, in a case of shipwreck, he saw a weaker man than himself get possession of a plank? Would he not thrust him off, get hold of the timber himself, and escape by his exertions, especially as no human witness could be present in the mid-sea? If he acted like a wise man of the world, he would certainly do so, for to act in any other way would cost him his life. If, on the other hand, he prefers death to inflicting unjustifiable injury on his neighbour, he will be an eminently honourable and just man, but not the less a fool, because he saved another's life at the expense of his own. Again, if in case of a defeat and rout, when the enemy were pressing in the rear, this just man should find a wounded comrade mounted on a horse, shall he respect his right at the risk of being killed himself, or shall he fling him from the horse in order to preserve his own life from the pursuers? If he does so he is a wise man, but at the same time a wicked one; if he does not he is admirably just, but at the same time stupid.

XXI. *Scipio.*—I might reply at great length to these sophistical objections of Philus, if it were not, my Lælius, that all our friends are no less anxious than myself to hear you take a leading part in the present debate, especially as you

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promised yesterday that you would plead at large on my side of the argument. If you cannot spare time for this, at any rate do not desert us; we all ask it of you.

Lælius.—This Carneades ought not to be even listened to by our young men. I think all the while that I am hearing him, that he must be a very impure person; if he be not, as I would fain believe, his discourse is not less pernicious.

XXII.[1] True law is right reason conformable to nature, universal, unchangeable, eternal, whose commands urge us to duty, and whose prohibitions restrain us from evil. Whether it enjoins or forbids, the good respect its injunctions, and the wicked treat them with indifference. This law cannot be contradicted by any other law, and is not liable either to derogation or abrogation. Neither the senate nor the people can give us any dispensation for not obeying this universal law of justice. It needs no other expositor and interpreter than our own conscience. It is not one thing at Rome, and another at Athens; one thing to-day, and another to-morrow; but in all times and nations this universal law must for ever reign, eternal and imperishable. It is the sovereign master and emperor of all beings. God himself is its author, its promulgator, its enforcer. And he who does not obey it flies from himself, and does violence to the very nature of man. And by so doing he will endure the severest penalties even if he avoid the other evils which are usually accounted punishments.

XXIII. I am aware that in the third book of Cicero's treatise on the Commonwealth (unless I am mistaken), it is argued that no war is ever undertaken by a well-regulated commonwealth, unless it be one either for the sake of keeping faith, or for safety; and what he means by a war for safety, and what safety he wishes us to understand, he points out in another passage, where he says, "But private men often escape from these penalties, which even the most stupid persons feel—want, exile, imprisonment, and stripes, by embracing the opportunity of a speedy death; but to states death itself is a penalty, though it appears to deliver individuals from punishment. For a state ought to be established so as to be eternal: therefore, there is no natural decease for a state, as there is for a man, in whose case death is not only inevitable, but often even desirable; but when

[1] This and the following chapters are not the actual words of Cicero, but quotations by Lactantius and Augustine, of what they affirm that he said.

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a state is put an end to, it is destroyed, extinguished. It is in some degree, to compare small things with great, as if this whole world were to perish and fall to pieces."

In his treatise on the Commonwealth, Cicero says those wars are unjust which are undertaken without reason. Again, after a few sentences, he adds, No war is considered just unless it be formally announced and declared, and unless it be to obtain restitution of what has been taken away.

But our nation, by defending its allies, has now become the master of all the whole world.

XXIV. Also, in that same treatise on the Commonwealth, he argues most strenuously and vigorously in the cause of justice against injustice. And since when a little time before the part of injustice was upheld against justice, and the doctrine was urged that a republic could not prosper and flourish except by injustice, this was put forward as the strongest argument, that it was unjust for men to serve other men as their masters; but that unless a dominant state, such as a great republic, acted on this injustice, it could not govern its provinces; answer was made on behalf of justice, that it was just that it should be so, because slavery is advantageous to such men, and their interests are consulted by a right course of conduct,—that is, by the licence of doing injury being taken from the wicked,—and they will fare better when subjugated, because when not subjugated they fared worse: and to confirm this reasoning, a noble instance, taken as it were from nature, was added, and it was said, Why then does God govern man, and why does the mind govern the body, and reason govern lust, and the other vicious parts of the mind?

XXV. Hear what Tully says more plainly still in the third book of his treatise on the Commonwealth, when discussing the reasons for government. Do we not, says he, see that nature herself has given the power of dominion to everything that is best, to the extreme advantage of what is subjected to it? Why then does God govern man, and why does the mind govern the body, and reason govern lust and passion and the other vicious parts of the same mind? Listen thus far; for presently he adds, But still there are dissimilarities to be recognised in governing and in obeying. For as the mind is said to govern the body, and also to govern lust, still it governs the body as a king governs his subjects, or a parent his children; but it governs lust as a master governs his slaves, because it restrains and breaks it. The authority of kings, of generals, of magistrates, of fathers, and of nations, rules their subjects and allies as the mind rules bodies; but masters control their slaves, as the best part of the mind—that is to say, wisdom controls the vicious and weak parts of itself, such as lust, passion, and the other perturbations.

For there is a kind of unjust slavery when those belong to some

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Aristotle - natural slavery

one else who might be their own masters; but when those are slaves who cannot govern themselves, there is no injury done.

XXVI. If, says Carneades, you were to know that an asp was lying hid anywhere, and that some one who did not know it was going to sit upon it, whose death would be a gain to you, you would act wickedly if you did not warn him not to sit down. Still you would not be liable to punishment. For who could prove that you had known? But we are bringing forward too many instances; for it is plain that unless equity, good faith, and justice proceed from nature; and if all these things are referred to interest, a good man cannot be found. And on these topics a great deal is said by Lælius, in our treatise on the Republic.

If, as we are reminded by you, we have spoken well in that treatise, when we said that nothing is good excepting what is honourable, and nothing bad excepting what is disgraceful. * * * *

XXVII. I am glad that you approve of the doctrine, that the affection borne to our children is implanted by nature; indeed, if it be not, there can be no connexion between man and man which has its origin in nature. And if there be not, then there is an end of all society in life. May it turn out well, says Carneades, speaking shamelessly, but still more sensibly than my friend Lucius or Patro: for, as they refer everything to themselves, do they think that anything is ever done for the sake of another? And when they say, that a man ought to be good, in order to avoid misfortune, not because it is right by nature, they do not perceive that they are speaking of a cunning man, not of a good one. But these arguments are argued, I think, in those books, by praising which you have given me spirits.

In which I agree that an anxious and hazardous justice is not that of a wise man.

XXVIII. And again, in Cicero, that same advocate of justice, Lælius, says, Virtue is clearly eager for honour, nor has she any other reward; which, however, she accepts easily, and exacts without bitterness. And in another place the same Lælius says:

When a man is inspired by virtue such as this, what bribes can you offer him, what treasures, what thrones, what empires? He considers these but mortal goods, and esteems his own divine. And if the ingratitude of the people, and the envy of his competitors, or the violence of powerful enemies, despoil his virtue of its earthly recompense, he still enjoys a thousand consolations in the approbation of conscience, and sustains himself by contemplating the beauty of moral rectitude.

XXIX. * * * This virtue, in order to be true, must be universal. Tiberius Gracchus continued faithful to his fellow-

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citizens, but he violated the rights and treaties guaranteed to our allies and the Latin peoples. But if this habit of arbitrary violence begins to extend itself further, and perverts our authority, leading it from right to violence, so that those who had voluntarily obeyed us are only restrained by fear; then although we, during our days, may escape the peril, yet am I solicitous respecting the safety of our posterity, and the immortality of the commonwealth itself, which, doubtless, might become perpetual and invincible, if our people would maintain their ancient institutions and manners.

XXX. When Lælius had ceased to speak, all those that were present expressed the extreme pleasure they found in his discourse. But Scipio, more affected than the rest, and ravished with the delight of sympathy, exclaimed—You have pleaded, my Lælius, many causes with an eloquence superior to that of Servius Galba, our colleague, whom you used during his life to prefer to all others, even to the Attic orators, [and never did I hear you speak with more energy than to-day, while pleading the cause of justice.][1]

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* * * * That two things were wanting to enable him to speak in public and in the forum, confidence and voice.

XXXI. * * * This justice, continued Scipio, is the very foundation of lawful government in political constitutions. Can we call the state of Agrigentum a commonwealth, where all men are oppressed by the cruelty of a single tyrant—where there is no universal bond of right, nor social consent and fellowship, which should belong to every people, properly so named? It is the same in Syracuse,—that illustrious city which Timæus calls the greatest of the Grecian towns. It was indeed a most beautiful city; and its admirable citadel, its canals distributed through all its districts, its broad streets, its porticoes, its temples, and its walls, gave Syracuse the appearance of a most flourishing state. But while Dionysius its tyrant reigned there, nothing of all its wealth belonged to the people, and the people were nothing better than the slaves of one master. Thus, wherever I behold a tyrant, I know that the social constitution must be not merely vicious and corrupt, as I stated yesterday, but in strict truth no social constitution at all.

[1] Twelve pages are missing here.

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XXXII. *Lælius.*—You have spoken admirably, my Scipio, and I see the point of your observations.

Scipio.—You grant, then, that a state which is entirely in the power of a faction, cannot justly be entitled a political community?

Lælius.—That is evident.

Scipio.—You judge most correctly. For what was the state of Athens when, during the great Peloponnesian war, she fell under the unjust domination of the thirty tyrants? The antique glory of that city, the imposing aspect of its edifices, its theatre, its gymnasium, its porticoes, its temples, its citadel, the admirable sculptures of Phidias, and the magnificent harbour of Piræus,—did they constitute it a commonwealth?

Lælius.—Certainly not, because these did not constitute the real welfare of the community.

Scipio.—And at Rome, when the decemvirs ruled without appeal from their decisions, in the third year of their power, had not liberty lost all its securities and all its blessings?

Lælius.—Yes; the welfare of the community was no longer consulted, and the people soon roused themselves, and recovered their appropriate rights.

XXXIII. *Scipio.*—I now come to the third, or democratical, form of government, in which a considerable difficulty presents itself, because all things are there said to lie at the disposition of the people, and are carried into execution just as they please. Here the populace inflict punishments at their pleasure, and act, and seize, and keep possession, and distribute property, without let or hindrance. Can you deny, my Lælius, that this is a fair definition of a democracy, where the people are all in all, and where the people constitute the state?

Lælius.—There is no political constitution to which I more absolutely deny the name of a *commonwealth*, than that in which all things lie in the power of the multitude. If a commonwealth, which implies the welfare of the entire community, could not exist in Agrigentum, Syracuse, or Athens, when tyrants reigned over them,—if it could not exist in Rome, when under the oligarchy of the decemvirs,—neither do I see how this sacred name of commonwealth can be applied to a democracy, and the sway of the mob; because, in the first place, my Scipio, I build on your own admirable definition, that there can be no community, properly so

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called, unless it be regulated by a combination of rights. And, by this definition, it appears that a multitude of men may be just as tyrannical as a single despot; and it is so much the worse, since no monster can be more barbarous than the mob, which assumes the name and appearance of the people. Nor is it at all reasonable, since the laws place the property of madmen in the hands of their sane relations, that we should do the [very reverse in politics, and throw the property of the sane into the hands of the mad multitude].[1] * * * * *

XXXIV. * * * [It is far more rational] to assert that a wise and virtuous aristocratical government deserves the title of a commonwealth, as it approaches to the nature of a kingdom.

And much more so in my opinion, said Mummius. For the unity of power often exposes a king to become a despot; but when an aristocracy, consisting of many virtuous men, exercise power, that is the most fortunate circumstance possible for any state. However this be, I much prefer royalty to democracy; for that is the third kind of government which you have remaining, and a most vicious one it is.

XXXV. Scipio replied—I am well acquainted, my Mummius, with your decided antipathy to the democratical system. And, although we may speak of it with rather more indulgence than you are accustomed to accord it, I must certainly agree with you, that of all the three particular forms of government, none is less commendable than democracy.

I do not agree with you, however, when you would imply that aristocracy is preferable to royalty. If you suppose that wisdom governs the state, is it not as well that this wisdom should reside in one monarch, as in many nobles?

But we are led away by a certain incorrectness of terms in a discussion like the present. When we pronounce the word "aristocracy," which, in Greek, signifies the government of the best men, what can be conceived more excellent—for what can be thought better than the best? But when, on the other hand, the title "king" is mentioned, we begin to imagine a tyrant; as if a king must be necessarily unjust. But we are not speaking of an unjust king, when we are examining the true nature of royal authority. To this name of king, therefore, do but attach the idea of a Romulus, a

[1] Eight pages are missing here.

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Numa, a Tullus, and perhaps you will be less severe to the monarchical form of constitution.

Mummius.—Have you, then, no commendation at all for any kind of democratical government?

Scipio.—Why, I think some democratical forms less objectionable than others; and by way of illustration, I will ask you what you thought of the government in the Isle of Rhodes, where we were lately together; did it appear to you a legitimate and rational constitution?

Mummius.—It did, and not much liable to abuse.

Scipio.—You say truly. But if you recollect, it was a very extraordinary experiment. All the inhabitants were alternately senators and citizens. Some months they spent in their senatorial functions, and some months they spent in their civil employments. In both they exercised judicial powers; and in the theatre and the court, the same men judged all causes, capital and not capital. And they had as much influence, and were of as much importance as * *

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FRAGMENTS.

XXXVI. There is therefore some unquiet feeling in individuals, which either exults in pleasure, or is crushed by annoyance.

[*The next is an incomplete sentence, and, as such, unintelligible.*]

The Phœnicians were the first who by their commerce, and by the merchandise which they carried, brought avarice and magnificence and insatiable degrees of everything into Greece.

Sardanapalus, the luxurious king of Assyria, of whom Tully, in the third book of his treatise on the Republic, says "the notorious Sardanapalus, far more deformed by his vices than even by his name."

What is the meaning, then, of this absurd acceptation, unless some one wishes to make the whole of Athos a monument? For what is Athos or the vast Olympus? * * * *

XXXVII. I will endeavour in the proper place to show it, according to the definitions of Cicero himself, in which, putting forth Scipio as the speaker, he has briefly explained what a commonwealth and what a republic is; adducing also many assertions of his own, and of those whom he has represented as taking part in that discus-

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sion, to the effect that the state of Rome was not such a commonwealth, because there has never been genuine justice in it. However, according to definitions which are more reasonable, it was a commonwealth in some degree, and it was better regulated by the more ancient than by the later Romans.

It is now fitting that I should explain, as briefly and as clearly as I can, what, in the second book of this work, I promised to prove, according to the definitions which Cicero, in his books on the Commonwealth, puts into the mouth of Scipio, arguing that the Roman state was never a commonwealth; for he briefly defines a commonwealth as a state of the people: the people as an assembly of the multitude, united by a common feeling of right, and a community of interests. What he calls a common feeling of right he explains by discussion, showing in this way that a commonwealth cannot proceed without justice: where, therefore, there is no genuine justice, there can be no right; for that which is done according to right is done justly. And what is done unjustly, cannot be done according to right, for the unjust regulations of men are not to be called or thought rights; since they themselves call that right (*jus*) which flows from the source of justice: and they say that that assertion which is often made by some persons of erroneous sentiments, namely, that that is right which is advantageous to the most powerful, is false. Wherefore, where there is no true justice, there can be no company of men united by a common feeling of right; therefore there can be no people (*populus*), according to that definition of Scipio or Cicero: and if there be no people, there can be no state of the people, but only of a mob such as it may be, which is not worthy of the name of a people. And thus, if a commonwealth is a state of a people, and if that is not a people which is not united by a common feeling of right, and if there is no right where there is no justice, then the undoubted inference is, that where there is no justice there is no commonwealth. Moreover, justice is that virtue which gives every one his own.

No war can be undertaken by a just and wise state, unless for faith or self-defence. This self-defence of the state is enough to ensure its perpetuity, and this perpetuity is what all patriots desire. Those afflictions which even the hardiest spirits smart under—poverty, exile, prison, and torment—private individuals seek to escape from by an instantaneous death. But for states, the greatest calamity of all is that of death, which to individuals appears a refuge. A state should be so constituted as to live for ever. For a commonwealth, there is no natural dissolution, as there is for a man, to whom death not only becomes necessary, but often desirable. And when a state once decays and falls, it is so utterly revolu-

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tionized, that if we may compare great things with small, it resembles the final wreck of the universe.

All wars, undertaken without a proper motive, are unjust. And no war can be reputed just, unless it be duly announced and proclaimed, and if it be not preceded by a rational demand for restitution.

Our Roman commonwealth, by defending its allies, has got possession of the world.

BOOK IV.

INTRODUCTION BY THE ORIGINAL TRANSLATOR.

In this Fourth Book Cicero treats of morals and education, and the use and abuse of stage entertainments. We retain nothing of this important book, save a few scattered fragments, the beauty of which fills us with the greater regret for the passages we have lost.

FRAGMENTS.

I. * * * * * Since mention has been made of the body and of the mind, I will endeavour to explain the theory of each as well as the weakness of my understanding is able to comprehend it—a duty which I think it the more becoming in me to undertake, because Marcus Tullius, a man of singular genius, after having attempted to perform it in the fourth book of his treatise on the Commonwealth, compressed a subject of wide extent within narrow limits, only touching lightly on all the principal points. And that there might be no excuse alleged for his not having followed out this topic, he himself has assured us that he was 'not wanting either in inclination or in anxiety to do so; for, in the first book of his treatise on Laws, when he was touching briefly on the same subject, he speaks thus: "This topic Scipio, in my opinion, has sufficiently discussed in those books which you have read."

And the mind itself, which sees the future, remembers the past.

Well did Marcus Tullius say, In truth, if there is no one who would not prefer death to being changed into the form of some beast,

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although he were still to retain the mind of a man, how much more wretched is it to have the mind of a beast in the form of a man? To me this fate appears as much worse than the other, as the mind is superior to the body.

Tullius says somewhere that he does not think the good of a ram and of Publius Africanus identical.

And also by its being interposed, it causes shade and night, which is adapted both to the numbering of days, and to rest from labour.

And as in the autumn he has opened the earth to receive seeds, in winter relaxed it that it may digest them, and by the ripening powers of summer softened some, and burnt up others.

When the shepherds use * * * * for cattle.

Cicero, in the fourth book of his Commonwealth, uses the word "Armentum," and Armentarius, derived from it.

II. The great law of just and regular subordination is the basis of political prosperity. There is much advantage in the harmonious succession of ranks, and orders, and classes, in which the suffrages of the knights and the senators have their due weight. Too many have foolishly desired to destroy this institution, in the vain hope of receiving some new largess by a public decree, out of a distribution of the property of the nobility.

III. Consider, now, how wisely the other provisions have been adopted, in order to secure to the citizens the benefits of an honest and happy life; for that is, indeed, the grand object of all political association, and that which every government should endeavour to procure for the people, partly by its institutions, and partly by its laws.

Consider, in the first place, the national education of the people—a matter on which the Greeks have expended much labour in vain, and which is the only point on which Polybius, who settled among us, accuses the negligence of our institutions. For our countrymen have thought that education ought not to be fixed, nor regulated by laws, nor be given publicly and uniformly to all classes of society. For

* * * * * * [1]

According to Tully, who says, that men going to serve in the army have guardians assigned to them by whom they are governed the first year.

IV. [In our ancient laws, young men were prohibited from appearing] naked in the public baths—so far back were

[1] Six or eight pages are missing here.

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the principles of modesty traced by our ancestors. Among the Greeks, on the contrary, what an absurd system of training youth is exhibited in their gymnasia! What a frivolous preparation for the labours and hazards of war! what indecent spectacles, what impure and licentious amours are permitted! I do not speak only of the Eleans and Thebans, among whom, in all love affairs, passion is allowed to run into shameless excesses; but the Spartans, while they permit every kind of licence to their young men, save that of violation, fence off by a very slight wall the very exception on which they insist, besides other crimes which I will not mention.

Then Lælius said—I see, my Scipio, that on the subject of the Greek institutions, which you censure, you prefer attacking the customs of the most renowned peoples, to contending with your favourite Plato, whose name you have avoided citing, especially as * * * *

V. So that Cicero, in his treatise on the Commonwealth, says that it was a reproach to young men if they had no lovers.

Not only as at Sparta, where boys learn to steal and plunder.

And our master Plato, even more than Lycurgus; who would have everything to be common, so that no one should be able to call anything his own property.

I would send him to the same place whither he sends Homer, crowned with chaplets and anointed with perfumes, banishing him from the city which he is describing.

VI. The judgment of the censor inflicts scarcely anything more than a blush on the man whom he condemns. Therefore as all that adjudication turns solely on the name (*nomen*), the punishment is called ignominy.

Nor should a prefect be set over women, an officer who is created among the Greeks; but there should be a censor to teach husbands to manage their wives.

So the discipline of modesty has great power. All women abstain from wine.

And also if any woman was of bad character, her relations used not to kiss her.

So petulance is derived from asking (*petendo*). Wantonness (*Procacitas*) from *procando*, that is, from demanding.

VII. For I do not approve of the same nation being the ruler and the farmer of lands. But both in private families and in the affairs of the Commonwealth I look upon economy as a revenue.

Faith (*Fides*) appears to me to derive its name from that being done (*fit*) which is said.

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In a citizen of rank and noble birth, caressing manners, display, and ambition are marks of levity.

Examine for a while the books on the Republic, and learn that good men know no bound or limit in consulting the interests of their country. See in that treatise with what praises frugality, and continency, and fidelity to the marriage tie, and chaste, honourable, and virtuous manners are extolled.

VIII. I marvel at the elegant choice, not only of the facts, but of the language. If they dispute (*jurgant*). It is a contest between well-wishers, not a quarrel between enemies, that is called a dispute (*jurgium*).

Therefore the law considers that neighbours dispute (*jurgare*), rather than quarrel (*litigare*) with one another.

The bounds of man's care and of man's life are the same; so by the pontifical law the sanctity of burial * * * *

They put them to death, though innocent, because they had left those men unburied whom they could not rescue from the sea because of the violence of the storm.

Nor in this discussion have I advocated the cause of the populace, but of the good.

For one cannot easily resist a powerful people if one gives them either no rights at all, or very little.

In which case I wish I could augur first with truth and fidelity * * * *

IX. Cicero saying this in vain, when speaking of poets,—"and when the shouts and approval of the people, as of some great and wise teacher, has reached them, what darkness do they bring on; what alarms do they cause; what desires do they excite."

Cicero says that if his life were extended to twice its length he should not have time to read the lyric poets.

X. As Scipio says in Cicero, "As they thought the whole histrionic art, and everything connected with the theatre, discreditable, they thought fit that all men of that description should not only be deprived of the honours belonging to the rest of the citizens, but should also be deprived of their franchise by the sentence of the censors.

And what the ancient Romans thought on this subject Cicero informs us, in those books which he wrote on the Commonwealth, where Scipio argues and says * * * * *

Comedies could never (if it had not been authorized by the common customs of life) have made theatres approve of their scandalous exhibitions. And the more ancient Greeks provided a certain correction for the vicious taste of the people, by making a law that it should be expressly defined by a censorship what subjects comedy should treat, and how she should treat them.

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Whom has it not attacked? or rather, whom has it not wounded? and whom has it spared? In this, no doubt, it sometimes took the right side, and lashed the popular demagogues and seditious agitators, such as Cleon, Cleophon, and Hyperbolus. We may tolerate that; though indeed the censure of the magistrate would, in these cases, have been more efficacious than the satire of the poet. But when Pericles, who governed the Athenian Commonwealth for so many years with the highest authority, both in peace and war, was outraged by verses, and these were acted on the stage, it was hardly more decent than if, among us, Plautus and Nævius had attacked Publius and Cnæus, or Cæcilius had ventured to revile Marcus Cato.

Our laws of the Twelve Tables, on the contrary—so careful to attach capital punishment to a very few crimes only—have included in this class of capital offences, the offence of composing or publicly reciting verses of libel, slander, and defamation, in order to cast dishonour and infamy on a fellow-citizen. And they have decided wisely; for our life and character should, if suspected, be submitted to the sentence of judicial tribunals, and the legal investigations of our magistrates, and not to the whims and fancies of poets. Nor should we be exposed to any charge of disgrace which we cannot meet by legal process, and openly refute at the bar.

In our laws, I admire the justice of their expressions, as well as their decisions. Thus the word *pleading*, signifies rather an amicable suit between friends, than a quarrel between enemies.

It is not easy to resist a powerful people, if you allow them no rights, or next to none.

The old Romans would not allow any living man to be either praised or blamed on the stage.

XI. Cicero says that comedy is an imitation of life; a mirror of customs, an image of truth.

Since, as is mentioned in that book on the Commonwealth, not only did Æschines the Athenian, a man of the greatest eloquence, who, when a young man, had been an actor of tragedies, concern himself in public affairs, but the Athenians often sent Aristodemus, who was also a tragic actor, to Philip as an ambassador, to treat of the most important affairs of peace and war.

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BOOK V.

INTRODUCTION BY THE ORIGINAL TRANSLATOR.

In this Fifth Book Cicero explains and enforces the duties of magistrates, and the importance of practical experience to all who undertake their important functions. Only a few fragments have survived the wreck of ages, and descended to us.

FRAGMENTS.

I. Ennius has told us—

> Of men and customs mighty Rome consists;

which verse, both for its precision and its verity, appears to me as if it had issued from an oracle; for neither the men, unless the state had adopted a certain system of manners—nor the manners, unless they had been illustrated by the men—could ever have established or maintained for so many ages so vast a republic, or one of such righteous and extensive sway.

Thus, long before our own times, the force of hereditary manners of itself moulded most eminent men, and admirable citizens in return gave new weight to the ancient customs and institutions of our ancestors. But our age, on the contrary, having received the commonwealth as a finished picture of another century, but one already beginning to fade through the lapse of years, has not only neglected to renew the colours of the original painting, but has not even cared to preserve its general form and prominent lineaments.

For what now remains of those antique manners, of which the poet said that our commonwealth consisted? They have now become so obsolete and forgotten, that they are not only

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not cultivated, but they are not even known. And as to the men, what shall I say? For the manners themselves have only perished, through a scarcity of men; of which great misfortune we are not only called to give an account, but even, as men accused of capital offences, to a certain degree to plead our own cause in connexion with it. For it is owing to our vices, rather than to any accident, that we have retained the name of republic when we have long since lost the reality.

II. * * * There is no employment so essentially royal as the exposition of equity, which comprises the true interpretation of all laws. This justice, subjects used generally to expect from their kings. For this reason, lands, fields, woods, and pastures, were reserved as the property of kings, and cultivated for them, without any labour on their part, in order that no anxiety on account of their personal interests might distract their attention from the welfare of the state. Nor was any private man allowed to be the judge or arbitrator in any suit; but all disputes were terminated by the royal sentence.

And of all our Roman monarchs, Numa appears to me to have best preserved this ancient custom of the kings of Greece. For the others, though they also discharged this duty, were for the main part employed in conducting military enterprises, and in attending to those rights which belonged to war. But the long peace of Numa's reign was the mother of law and religion in this city. And he was himself the author of those admirable laws which, as you are aware, are still extant. And this character is precisely what belongs to the man of whom we are speaking * * * * *

III. [*Scipio.*—Ought not a farmer] to be acquainted with the nature of plants and seeds?

Manilius.—Certainly, provided he attends to his practical business also.

Scipio.—Do you think that knowledge only fit for a steward?

Manilius.—Certainly not, inasmuch as the cultivation of land often fails for want of agricultural labour.

Scipio.—Therefore, as the steward knows the nature of a field, and the scribe knows penmanship; and as both of them seek, in their respective sciences, not mere amusement only,

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but practical utility: so this statesman of ours should have studied the science of jurisprudence and legislation; he should have investigated their original sources; but he should not embarrass himself in debating and arguing, reading and scribbling. He should rather employ himself in the actual administration of government, and become a sort of steward of it, being perfectly conversant with the principles of universal law and equity, without which no man can be just: not unfamiliar with the civil laws of states; but he will use them for practical purposes, even as a pilot uses astronomy, and a physician natural philosophy. For both these men bring their theoretical science to bear on the practice of their arts; and our statesman [should do the same with the science of politics, and make it subservient to the actual interests of philanthropy and patriotism]. * * *

IV. * * * * In states in which good men desire glory and approbation, and shun disgrace and ignominy. Nor are such men so much alarmed by the threats and penalties of the law, as by that sentiment of shame with which nature has endowed man, which is nothing else than a certain fear of deserved censure. The wise director of a government strengthens this natural instinct by the force of public opinion, and perfects it by education and manners. And thus the citizens are preserved from vice and corruption rather by honour and shame, than by fear of punishment. But this argument will be better illustrated, when we treat of the love of glory and praise, which we shall discuss on another occasion.

V. As respects the private life and the manners of the citizens, they are intimately connected with the laws that constitute just marriages and legitimate offspring, under the protection of the guardian deities, around the domestic hearths. By these laws, all men should be maintained in their rights of public and private property. It is only under a good government like this, that men can live happily—for nothing can be more delightful than a well-constituted state.

On which account, it appears to me a very strange thing what this * * * * * * * *

VI. I therefore consume all my time in considering what is the power of that man, whom, as you think, we have described carefully enough in our books. Do you, then, admit our idea of that governor

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of a commonwealth to whom we wish to refer everything? For thus, I imagine, does Scipio speak in the fifth book, "For as a fair voyage is the object of the master of a ship, the health of his patient the aim of a physician, and victory that of a general, so the happiness of his fellow-citizens is the proper study of the ruler of a commonwealth; that they may be stable in power, rich in resources, widely known in reputation, and honourable through their virtue. For a ruler ought to be one who can perfect this, which is the best and most important employment among mankind.

And works in your literature rightly praise that ruler of a country who consults the welfare of his people more than their inclinations.

VII. Tully, in those books which he wrote upon the Commonwealth, could not conceal his opinions, when he speaks of appointing a chief of the state, who, he says, must be maintained by glory; and afterwards he relates that his ancestors did many admirable and noble actions from a desire of glory.

Tully, in his treatise on the Commonwealth, wrote that the chief of a state must be maintained by glory, and that a commonwealth would last as long as honour was paid by every one to the chief.

[*The next paragraph is unintelligible.*]

Which virtue is called fortitude, which consists of magnanimity, and a great contempt of death and pain.

VIII. As Marcellus was fierce, and eager to fight, Maximus prudent and cautious.

Who discovered his violence and unbridled ferocity.

Which has often happened not only to individuals, but also to most powerful nations.

In the whole world.

Because he inflicted the annoyances of his old age on your families.

IX. Cicero, in his treatise on the Commonwealth, says, "As Menelaus of Lacedæmon had a certain agreeable sweetness of eloquence." And in another place he says, "Let him cultivate brevity in speaking."

By the evidence of which arts, as Tully says, it is a shame for the conscience of the judge to be misled. For he says, "And as nothing in a commonwealth ought to be so uncorrupt as a suffrage and a sentence, I do not see why the man who perverts them by money is worthy of punishment, while he who does so by eloquence is even praised. Indeed, I myself think that he who corrupts the judge by his speech, does more harm than he who does so by money, because no one can corrupt a sensible man by money, though he may by speaking."

And when Scipio had said this, Mummius praised him greatly, for he was extravagantly imbued with a hatred of orators.

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BOOK VI.

In this last book of his Commonwealth, Cicero labours to show that truly pious philanthropical and patriotic statesmen will not only be rewarded on earth by the approval of conscience, and the applause of all good citizens, but that they may expect hereafter immortal glory in new forms of being. To illustrate this, he introduces the "Dream of Scipio," in which he explains the resplendent doctrines of Plato respecting the immortality of the soul with inimitable dignity and elegance. This Somnium Scipionis, for which we are indebted to the citation of Macrobius, is the most beautiful thing of the kind ever written. It has been intensely admired by all European scholars, and will be still more so. There are two translations of it in our language; one attached to Oliver's edition of Cicero's Thoughts, the other by Mr. Danby, published in 1829. Of these we have freely availed ourselves, and as freely we express our acknowledgments.

SCIPIO'S DREAM.

I. Therefore you rely upon all the prudence of this rule, which has derived its very name (*prudentia*) from foreseeing (*a providendo*). Wherefore the citizen must so prepare himself as to be always armed against those things which trouble the constitution of a state. And that dissension of the citizens, when one party separates from and attacks another, is called sedition.

And in truth in civil dissensions, as the good are of more importance than the many, I think that we should regard the weight of the citizens, and not their number.

For the lusts, being severe mistresses of the thoughts, command and compel many an unbridled action. And as they cannot be satisfied or appeased by any means, they urge those whom they have inflamed with their allurements to every kind of atrocity.

II. Which indeed was so much the greater in him, because though the cause of the colleagues was identical, not only was their unpopularity not equal, but the influence of Gracchus was employed in mitigating the hatred borne to Claudius.

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Who encountered the number of the chiefs and nobles with these words, and left behind him that mournful and dignified expression of his gravity and influence.

That, as he writes, a thousand men might every day descend into the forum with cloaks dyed in purple.

[*The next paragraph is unintelligible.*]

For our ancestors wished marriages to be firmly established.

There is a speech extant of Lælius with which we are all acquainted, expressing how pleasing to the immortal gods are the * * * and of the priests.

III. Cicero, writing about the Commonwealth, in imitation of Plato, has related the story of the return of Er the Pamphylian to life; who, as he says, had come to life again after he had been placed on the funeral pile, and related many secrets about the shades below; not speaking like Plato in a fabulous imitation of truth, but using a certain reasonable invention of an ingenious dream, cleverly intimating that these things which were uttered about the immortality of the soul, and about heaven, are not the inventions of dreaming philosophers, nor the incredible fables which the Epicureans ridicule, but the conjectures of wise men. He insinuates that that Scipio, who by the subjugation of Carthage obtained Africanus as a surname for his family, gave notice to Scipio the son of Paulus of the treachery which threatened him from his relations, and the course of fate, because by the necessity of numbers he was confined in the period of a perfect life, and he says that he in the fifty-sixth year of his age * * *

IV. Some of our religion who love Plato, on account of his admirable kind of eloquence, and of some correct opinions which he held, say, that he had some opinions similar to my own touching the resurrection of the dead—which subject Tully touches on in his treatise on the Commonwealth, and says, that he was rather jesting than intending to say that was true. For he asserts, that a man returned to life, and related some stories which harmonised with the discussions of the Platonists.

V. In this point the imitation has especially preserved the likeness of the work, because, as Plato, in the conclusion of his volume, represents a certain person who had returned to life, which he appeared to have quitted, as indicating what is the condition of souls when stripped of the body, with the addition of a certain not unnecessary description of the spheres and stars, an appearance of circumstances indicating things of the same kind is related by the Scipio of Cicero, as having been brought before him in sleep.

VI. Tully is found to have preserved this arrangement with no less judgment than genius. After, in every condition of the Commonwealth, whether of leisure or business, he has given the palm to justice, he has placed the sacred abodes of the immortal souls, and the secrets of the heavenly regions, on the very summit of his com-

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pleted work; indicating whither they must come or rather return, who have managed the republic with prudence, justice, fortitude, and moderation. But that Platonic relator of secrets was a man of the name of Er, a Pamphylian by nation, a soldier by profession, who, after he appeared to have died from wounds received in battle, and twelve days afterwards was about to receive the honours of the funeral pile with the others who were slain at the same time, suddenly either recovering his life, (or else never having lost it,) as if he were giving a public testimony, related to all men all that he had done or seen in the days that he had thus passed between life and death. Although Cicero, as if himself conscious of the truth, grieves that this story has been ridiculed by the ignorant, still, avoiding giving an example of foolish reproach, he preferred speaking of the relator as of one awakened from a swoon rather than restored to life.

VII. And before we look at the words of the dream we must explain what kind of persons they are by whom Cicero says that even the account of Plato was ridiculed, who are not apprehensive that the same thing may happen to them. Nor, by this expression, does he wish the ignorant mob to be understood, but a kind of men who are ignorant of the truth, though pretending to be philosophers, with a display of learning; who it was notorious had read such things, and were eager to find faults. We will say, therefore, who they are whom he reports as having levelled light reproaches against so great a philosopher, and who of them has even left an accusation of him committed to writing, &c. The whole faction of the Epicureans, always wandering at an equal distance from truth, and thinking everything ridiculous which they do not understand, has ridiculed the sacred volume, and the most venerable mysteries of nature. But Colotes, who is somewhat celebrated and remarkable for his loquacity among the pupils of Epicurus, has even recorded in a book the bitter reproaches which he aims at him. But since the other arguments which he foolishly urges have no connexion with the dream of which we are now talking, we will pass them over at present, and attend only to the calumny which will stick both to Cicero and Plato, unless it is silenced. He says that a fable ought not to have been invented by a philosopher, since no kind of falsehood is suitable to professors of truth. For why, says he, if you wish to give us a notion of heavenly things, and to teach us the nature of souls, did you not do so by a simple and plain explanation? why was a character invented, and circumstances, and strange events, and a scene of cunningly adduced falsehood arranged, to pollute the very door of the investigation of truth by a lie? Since these things, though they are said of the Platonic Er, do also attack the rest of our dreaming Africanus.

VIII. This occasion incited Scipio to relate his dream, which he declares that he had buried in silence for a long time. For when Lælius was complaining that there were no statues of Nasica erected in any public place, as a reward for his having slain the tyrant,

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Scipio replied in these words, "But, although the consciousness itself of great deeds is to wise men the most ample reward of virtue, yet that divine nature ought to have, not statues fixed in lead, nor triumphs with withering laurels, but some more stable and lasting kinds of rewards." "What are they?" said Lælius. "Then," said Scipio, "suffer me, since we have now been keeping holiday for three days, * * * * &c." By which preface he came to the relation of his dream; pointing out that those were the more stable and lasting kinds of rewards which he himself had seen in heaven reserved for good governors of commonwealths.

IX. When I had arrived in Africa, where I was, as you are aware, military tribune of the fourth legion under the consul Manilius, there was nothing of which I was more earnestly desirous than to see king Masinissa, who, for very just reasons, had been always the especial friend of our family. When I was introduced to him, the old man embraced me, shed tears, and then, looking up to heaven, exclaimed—I thank thee, O supreme Sun, and ye also, ye other celestial beings, that before I depart from this life I behold in my kingdom, and in this my palace, Publius Cornelius Scipio, by whose mere name I seem to be re-animated; so completely and indelibly is the recollection of that best and most invincible of men, Africanus, imprinted in my mind.

After this, I inquired of him concerning the affairs of his kingdom. He, on the other hand, questioned me about the condition of our commonwealth, and in this mutual interchange of conversation we passed the whole of that day.

X. In the evening, we were entertained in a manner worthy the magnificence of a king, and carried on our discourse for a considerable part of the night. And during all this time the old man spoke of nothing but Africanus, all whose actions, and even remarkable sayings, he remembered distinctly. At last, when we retired to bed, I fell into a more profound sleep than usual, both because I was fatigued with my journey, and because I had sat up the greatest part of the night.

Here I had the following dream, occasioned, as I verily believe, by our preceding conversation—for it frequently happens that the thoughts and discourses which have employed us in the day time, produce in our sleep an effect somewhat similar to that which Ennius writes happened to him about Homer, of whom, in his waking hours, he used frequently to think and speak.

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Africanus, I thought, appeared to me in that shape, with which I was better acquainted from his picture, than from any personal knowledge of him. When I perceived it was he, I confess I trembled with consternation; but he addressed me, saying, Take courage, my Scipio, be not afraid, and carefully remember what I shall say to you.

XI. Do you see that city Carthage, which, though brought under the Roman yoke by me, is now renewing former wars, and cannot live in peace? (and he pointed to Carthage from a lofty spot, full of stars, and brilliant, and glittering;) to attack which city you are this day arrived in a station not much superior to that of a private soldier. Before two years, however, are elapsed, you shall be consul, and complete its overthrow; and you shall obtain, by your own merit, the surname of Africanus, which, as yet, belongs to you no otherwise than as derived from me. And when you have destroyed Carthage, and received the honour of a triumph, and been made censor, and, in quality of ambassador, visited Egypt, Syria, Asia, and Greece, you shall be elected a second time consul in your absence, and, by utterly destroying Numantia, put an end to a most dangerous war.

But when you have entered the Capitol in your triumphal car, you shall find the Roman commonwealth all in a ferment, through the intrigues of my grandson Tiberius Gracchus.

XII. It is on this occasion, my dear Africanus, that you show your country the greatness of your understanding, capacity, and prudence. But I see that the destiny, however, of that time is, as it were, uncertain; for when your age shall have accomplished seven times eight revolutions of the sun, and your fatal hours shall be marked out by the natural product of these two numbers, each of which is esteemed a perfect one, but for different reasons,—then shall the whole city have recourse to you alone, and place its hopes in your auspicious name. On you the senate, all good citizens, the allies, the people of Latium, shall cast their eyes; on you the preservation of the state shall entirely depend. In a word, *if you escape the impious machinations of your relatives*, you will, in quality of dictator, establish order and tranquillity in the commonwealth.

When on this Lælius made an exclamation, and the rest of the company groaned loudly, Scipio, with a gentle smile, said

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—I entreat you, do not wake me out of my dream, but have patience, and hear the rest.

XIII. Now, in order to encourage you, my dear Africanus, continued the shade of my ancestor, to defend the state with the greater cheerfulness, be assured that for all those who have in any way conduced to the preservation, defence, and enlargement of their native country, there is a certain place in heaven, where they shall enjoy an eternity of happiness. For nothing on earth is more agreeable to God, the Supreme Governor of the universe, than the assemblies and societies of men united together by laws, which are called States. It is from heaven their rulers and preservers came, and thither they return.

XIV. Though at these words I was extremely troubled, not so much at the fear of death, as at the perfidy of my own relations; yet I recollected myself enough to inquire, whether he himself, my father Paulus, and others whom we look upon as dead, were really living.

Yes, truly, replied he, they all enjoy life who have escaped from the chains of the body as from a prison. But as to what you call life on earth, that is no more than one form of death. But see, here comes your father Paulus towards you! And as soon as I observed him, my eyes burst out into a flood of tears; but he took me in his arms, embraced me, and bade me not weep.

XV. When my first transports subsided, and I regained the liberty of speech, I addressed my father thus:—Thou best and most venerable of parents, since this, as I am informed by Africanus, is the only substantial life, why do I linger on earth, and not rather haste to come hither where you are?

That, replied he, is impossible; unless that God, whose temple is all that vast expanse you behold, shall free you from the fetters of the body, you can have no admission into this place. Mankind have received their being on this very condition, that they should labour for the preservation of that globe, which is situated, as you see, in the midst of this temple, and is called earth.

Men are likewise endowed with a soul, which is a portion of the eternal fires, which you call stars and constellations; and which, being round spherical bodies, animated by divine

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intelligences, perform their cycles and revolutions with amazing rapidity. It is your duty, therefore, my Publius, and that of all who have any veneration for the Gods, to preserve this wonderful union of soul and body; nor without the express command of him who gave you a soul, should the least thought be entertained of quitting human life, lest you seem to desert the post assigned you by God himself.

But rather follow the examples of your grandfather here, and of me, your father, in paying a strict regard to justice and piety; which is due in a great degree to parents and relations, but most of all to our country. Such a life as this is the true way to heaven, and to the company of those, who, after having lived on earth and escaped from the body, inhabit the place which you now behold.

XVI. This was the shining circle, or zone, whose remarkable brightness distinguishes it among the constellations, and which, after the Greeks, you call the Milky Way.

From thence, as I took a view of the universe, everything appeared beautiful and admirable; for there, those stars are to be seen that are never visible from our globe, and everything appears of such magnitude as we could not have imagined. The least of all the stars, was that removed furthest from heaven, and situated next to the earth; I mean our moon, which shines with a borrowed light. Now the globes of the stars far surpass the magnitude of our earth, which at that distance appeared so exceedingly small, that I could not but be sensibly affected on seeing our whole empire no larger than if we touched the earth as it were at a single point.

XVII. And as I continued to observe the earth with great attention, How long, I pray you, said Africanus, will your mind be fixed on that object; why don't you rather take a view of the magnificent temples among which you have arrived? The universe is composed of nine circles, or rather spheres, one of which is the heavenly one, and is exterior to all the rest, which it embraces; being itself the Supreme God, and bounding and containing the whole. In it are fixed those stars which revolve with never varying courses. Below this are seven other spheres, which revolve in a contrary direction to that of the heavens. One of these is occupied by the globe which on earth they call Saturn. Next

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to that is the star of Jupiter, so benign and salutary to mankind. The third in order, is that fiery and terrible planet called Mars. Below this again, almost in the middle region, is the Sun,—the leader, governor, and prince of the other luminaries; the soul of the world, which it regulates and illumines, being of such vast size that it pervades and gives light to all places. Then follow Venus and Mercury, which attend, as it were, on the Sun. Lastly, the Moon, which shines only in the reflected beams of the Sun, moves in the lowest sphere of all. Below this, if we except that gift of the Gods, the soul, which has been given by the liberality of the Gods to the human race, every thing is mortal, and tends to dissolution, but above the moon all is eternal. For the Earth, which is in the ninth globe, and occupies the centre, is immovable, and being the lowest, all others gravitate towards it.

XVIII. When I had recovered myself from the astonishment occasioned by such a wonderful prospect, I thus addressed Africanus—Pray what is this sound that strikes my ears in so loud and agreeable a manner? To which he replied—It is that which is called the *music of the spheres*, being produced by their motion and impulse; and being formed by unequal intervals, but such as are divided according to the justest proportion, it produces, by duly tempering acute with grave sounds, various concerts of harmony. For it is impossible that motions so great should be performed without any noise; and it is agreeable to nature that the extremes on one side should produce sharp, and on the other flat sounds. For which reason the sphere of the fixed stars, being the highest, and being carried with a more rapid velocity, moves with a shrill and acute sound; whereas that of the moon, being the lowest, moves with a very flat one. As to the Earth, which makes the ninth sphere, it remains immovably fixed in the middle or lowest part of the universe. But those eight revolving circles, in which both Mercury and Venus are moved with the same celerity, give out sounds that are divided by seven distinct intervals, which is generally the regulating number of all things.

This celestial harmony has been imitated by learned musicians, both on stringed instruments and with the voice, whereby they have opened to themselves a way to return to the celestial regions, as have likewise many others who have

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employed their sublime genius while on earth in cultivating the divine sciences.

By the amazing noise of this sound, the ears of mankind have been in some degree deafened, and indeed, hearing is the dullest of all the human senses. Thus, the people who dwell near the cataracts of the Nile, which are called Catadupa,[1] are, by the excessive roar which that river makes in precipitating itself from those lofty mountains, entirely deprived of the sense of hearing. And so inconceivably great is this sound which is produced by the rapid motion of the whole universe, that the human ear is no more capable of receiving it, than the eye is able to look stedfastly and directly on the sun, whose beams easily dazzle the strongest sight.

While I was busied in admiring the scene of wonders, I could not help casting my eyes every now and then on the earth.

XIX. On which Africanus said—I perceive that you are still employed in contemplating the seat and residence of mankind. But if it appears to you so small, as in fact it really is, despise its vanities, and fix your attention for ever on these heavenly objects. Is it possible that you should attain any human applause or glory that is worth the contending for? The earth, you see, is peopled but in a very few places, and those too of small extent; and they appear like so many little spots of green scattered through vast uncultivated deserts. And those who inhabit the earth are not only so remote from each other as to be cut off from all mutual correspondence, but their situation being in oblique or contrary parts of the globe, or perhaps in those diametrically opposite to yours, all expectation of universal fame must fall to the ground.

XX. You may likewise observe that the same globe of the earth is girt and surrounded with certain zones, whereof those two that are most remote from each other, and lie under the opposite poles of heaven, are congealed with frost; but that one in the middle, which is far the largest, is scorched with the intense heat of the sun. The other two are habitable, one towards the south—the inhabitants of which are your Antipodes, with whom you have no connexion,—the other, towards the north, is that which you inhabit, whereof a very small part, as you may see, falls to your share. For the whole extent of what you see, is as it were but a little

[1] Catadupa from κατά and δοῦπος, noise.

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island, narrow at both ends and wide in the middle, which is surrounded by the sea which on earth you call the great Atlantic ocean, and which, notwithstanding this magnificent name, you see is very insignificant. And even in these cultivated and well-known countries, has yours, or any of our names, ever passed the heights of the Caucasus, or the currents of the Ganges? In what other parts to the north or the south, or where the sun rises and sets, will your names ever be heard? And if we leave these out of the question, how small a space is there left for your glory to spread itself abroad? and how long will it remain in the memory of those whose minds are now full of it?

XXI. Besides all this, if the progeny of any future generation should wish to transmit to their posterity the praises of any one of us which they have heard from their forefathers, yet the deluges and combustions of the earth which must necessarily happen at their destined periods will prevent our obtaining, not only an eternal, but even a durable glory. And after all, what does it signify, whether those who shall hereafter be born talk of you, when those who have lived before you, whose number was perhaps not less, and whose merit certainly greater, were not so much as acquainted with your name?

XXII. Especially since not one of those who shall hear of us is able to retain in his memory the transactions of a single year. The bulk of mankind, indeed, measure their year by the return of the sun, which is only one star. But, when all the stars shall have returned to the place whence they set out, and after long periods shall again exhibit the same aspect of the whole heavens, that is what ought properly to be called the revolution of a year, though I scarcely dare attempt to enumerate the vast multitude of ages contained in it. For as the sun in old time was eclipsed, and seemed to be extinguished, at the time when the soul of Romulus penetrated into these eternal mansions, so, when all the constellations and stars shall revert to their primary position, and the sun shall at the same point and time be again eclipsed, then you may consider that the grand year is completed. Be assured, however, that the twentieth part of it is not yet elapsed.

XXIII. Wherefore, if you have no hopes of returning to this place, where great and good men enjoy all that their souls

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can wish for, of what value, pray, is all that human glory, which can hardly endure for a small portion of one year?

If, then, you wish to elevate your views to the contemplation of this eternal seat of splendour, you will not be satisfied with the praises of your fellow-mortals, nor with any human rewards that your exploits can obtain: but Virtue herself must point out to you the true and only object worthy of your pursuit. Leave to others to speak of you as they may, for speak they will. Their discourses will be confined to the narrow limits of the countries you see, nor will their duration be very extensive, for they will perish like those who utter them, and will be no more remembered by their posterity."

XXIV. When he had ceased to speak in this manner, I said —Oh, Africanus, if indeed the door of heaven is open to those who have deserved well of their country, although, indeed, from my childhood, I have always followed yours and my father's steps, and have not neglected to imitate your glory, still I will from henceforth strive to follow them more closely.

Follow them, then, said he, and consider your body only, not yourself, as mortal. For it is not your outward form which constitutes your being, but your mind; not that substance which is palpable to the senses, but your spiritual nature. *Know, then, that you are a god*—for a god it must be which flourishes, and feels, and recollects, and foresees, and governs, regulates and moves the body over which it is set, as the Supreme Ruler does the world which is subject to him. For as that Eternal Being moves whatever is mortal in this world, so the immortal mind of man moves the frail body with which it is connected.

XXV. For whatever is always moving must be eternal, but that which derives its motion from a power which is foreign to itself, when that motion ceases must itself lose its animation.

That alone, then, which moves itself can never cease to be moved, because it can never desert itself. Moreover, it must be the source, and origin, and principle of motion in all the rest. There can be nothing prior to a principle, for all things must originate from it, and it cannot itself derive its existence from any other source, for if it did it would no longer be a principle. And if it had no beginning it can have no end, for a beginning that is put an end to will neither be

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renewed by any other cause, nor will it produce anything else of itself. All things, therefore, must originate from one source. Thus it follows, that motion must have its source in something which is moved by itself, and which can neither have a beginning nor an end. Otherwise all the heavens and all nature must perish, for it is impossible that they can of themselves acquire any power of producing motion in themselves.

XXVI. As, therefore, it is plain that what is moved by itself must be eternal, who will deny that this is the general condition and nature of minds? For, as everything is inanimate which is moved by an impulse exterior to itself, so what is animated is moved by an interior impulse of its own; for this is the peculiar nature and power of mind. And if that alone has the power of self-motion, it can neither have had a beginning, nor can it have an end.

Do you, therefore, exercise this mind of yours in the best pursuits. And the best pursuits are those which consist in promoting the good of your country. Such employments will speed the flight of your mind to this its proper abode; and its flight will be still more rapid, if, even while it is enclosed in the body, it will look abroad, and disengage itself as much as possible from its bodily dwelling, by the contemplation of things which are external to itself.

This it should do to the utmost of its power. For the minds of those who have given themselves up to the pleasures of the body, paying as it were a servile obedience to their lustful impulses, have violated the laws of God and man; and therefore, when they are separated from their bodies, flutter continually round the earth on which they lived, and are not allowed to return to this celestial region, till they have been purified by the revolution of many ages.

Thus saying he vanished, and I awoke from my dream.

A FRAGMENT.

And although it is most desirable that fortune should remain for ever in the most brilliant possible condition, nevertheless, the equability of life excites less interest than those changeable conditions, wherein prosperity suddenly revives out of the most desperate and ruinous circumstances.

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A REVIEW OF THE HISTORY OF CICERO'S TREATISE ON THE LAWS.

BY FRANCIS BARHAM, ESQ.

CICERO'S Treatise on the Laws, which is now for the first time translated into the English language, was composed by its illustrious author in his fifty-sixth year, about two years after the publication of his Commonwealth, to which it forms a supplement.

In order to introduce it to the reader's acquaintance, we shall quote a few passages from Middleton, Morabin, and other authors who have criticized the work.

"Soon after the death of Clodius," says Middleton, "Cicero seems to have written his Treatise on Laws, after the example of Plato, whom of all writers he most loved to imitate. For as Plato, after he had written on government in general, drew up a body of laws adapted to that particular form of it which he had been delineating, so Cicero chose to deliver his political sentiments in the same method, not by translating Plato, but imitating his manner in the explication of them. This work being designed, then, as a supplement or second volume to his other, upon the Commonwealth, was distributed probably as the other was, into six books, for we meet with some quotations among the ancients from the fourth and fifth, though there are but three now remaining, and those in some places imperfect. In the first of these he lays open the origin of laws, and the source of obligations, which he derives from the universal nature of things, or, as he explains it, from the consummate reason and will of the Supreme God. In the other two books, he gives a body of laws, conformable to his own plan and idea of a well-ordered state. First, those which relate to religion, and the worship of the Gods. Secondly, those which prescribe the duties and powers of the several magistrates, from which the peculiar form of each government is denominated. These laws are generally taken from the old constitution or custom of Rome, with some little variation and temperament, contrived to obviate the disorders to which that commonwealth was liable, and to give a stronger turn toward the aristocratic side. In the other books, which are lost, he treated, as he tells us, of the particular

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rights and privileges of the Roman people." (Vide Middleton's Life of Cicero.)

A larger explanation of the history and nature of this work is given by M. Morabin, its French translator. Morabin deserves the gratitude of all the lovers of Cicero, for he not only wrote a biography of him, almost equal in merit to Middleton's, but translated his greatest works into his native language. His preface to the De Legibus is so just and comprehensive that we choose to translate it almost entire.

"This Treatise of Laws," says Morabin, "composed by Cicero, is one of the most valuable monuments which antiquity has bequeathed to us. And if among those works of Tully, which the barbarous ravages of time have destroyed, we regret especially the loss of a large portion of his Commonwealth, we must likewise feel disappointed that only three books of his Laws still survive, which form the natural supplement to the admirable politics of the preceding masterpiece.

"Cicero was not merely an orator and philosopher: he was also a statesman. Being perfectly acquainted with the interests of the Roman government, and conversant with all branches of natural, national, and civil law, he added to the grand speculations of jurisprudence a practical intimacy with public affairs, in which he was deeply engaged during the most critical periods.

"Thus, we cannot doubt, that, as the students of eloquence emulated the rhetoric of this great master of oratory, so likewise did statesmen and lawyers derive from these his political and legal writings, maxims of inestimable value, inasmuch as they were adapted to prove, as St. Augustine expresses it, that all true state policy must be perfectly harmonious with the principles of justice.

"The general design of Cicero's books on the Commonwealth and the Laws is taken from those works of Plato which bear the same titles. But Cicero executed this design in a very original and yet practical manner, according to the lessons of his personal experience. Far from seeking to change the ancient Roman constitution, I conceive his main object was to reform the abuses of the new one.

"In a period when the ambition of the nobles and the spirit of independence and faction among the people were hastening on that terrible tragedy whose last act could only terminate in the loss of liberty, Cicero depicted before the eyes of his fellow-citizens the image of the Roman Commonwealth in its best conceivable state, when laws, morals, discipline, subordination, patriotism, justice, disinterestedness, frugality, and the other virtues were encouraged and patronized.

"He therefore sought to convince all his fellow-citizens who retained the sentiment of national honour, that the integrity and excellence of the state must consist in the integrity and excellence of their lives and manners. To feel convinced of this, it is only neces-

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sary to read a passage in the fifth book of his Commonwealth, which St. Augustine has preserved, in which Cicero, after having quoted this verse of Ennius,

The wealth of Rome in men and manners lies,

thus continues:—

"'What remains to us of ancient manners and discipline? Alas! their traces are so much effaced, that they are not even to be recognised, where it is most desirable they should be practised. What shall we say of the men of our times? The true reason why our manners are corrupted, is because our men are degenerated. A strange predicament! in which we are impleaded in the court of conscience, and are obliged to exculpate ourselves as well as we can from the charge of being accomplices in those political abuses, which have left us little more than the phantom of our glorious commonwealth, the vain name and shadow of a blessing, whose reality we have long since lost.'

"The reader may very reasonably expect to find this same spirit of high-toned patriotism, which is so conspicuous in Cicero's Commonwealth, prevalent in his Treatise on Laws, which we now translate for the public benefit. Indeed, the main object of these books is to prove that justice and law are the only secure foundations of all rational societies.

"In the First Book, Cicero endeavours to establish the correct principles of that justice and law whose names are vulgarly employed to signify the regulations of legislators, and the decisions of judges; and which, understood in this current popular sense, do not impress the mind with that sublime veneration which justice and law in their higher relations necessarily inspire.

"Cicero therefore insists in his present treatise, that both justice and law derive their origin from God himself; that they have therefore an eternal and immutable morality; that they are institutions of universal nature, or rather nature itself; the bond of affinity that attaches all moral beings to the Gods, and the mainspring of that sociality which binds men to each other; the principle which elicits gratitude to our Creator, and sympathy for our fellow-creatures; the invariable rule of all equity, honour, and happiness; the universal light common to all men, which at once irradiates the reason of the philosopher, and which reveals to the unstudious multitude the loveliness of the virtues which constitute the honest man and the good citizen.

"In the first part of the Second Book, Cicero discusses those laws which concern religion, the worship of God, the sacred festivals, ministrations, and ceremonials. In the second, he illustrates them, and shows their wisdom and propriety.

"He pursues the same order in the Third Book, which treats of the laws respecting public rights, the duties of magistrates, their authorities, powers, functions, and personal qualities.

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"A fragment quoted from the Fifth Book of Cicero's Laws by Macrobius, convinces us that we have lost at least two of these books of laws. I say at least two, for from the manner in which the interlocutors employ the time, and the distribution of days in their dialogue, it appears highly probable that the original work was composed in six books, answerable to those of the Commonwealth. This, however, is merely a conjecture, and we have still to determine, whether the following fragment is quoted from the beginning or end of a book. The words are these—

"'Would it not be more agreeable, since the sun has only just past his meridian line, and these young shrubs do not yet afford sufficient shadow to protect us from his beams,—would it not be more agreeable that we should descend to the banks of the Liris, and conclude our conversation under the elm-trees?'

"But besides this loss, which is irreparable, the first of those books which are extant is interrupted by lacunes and gaps in three or four places, and there is a gap in the Third Book which absorbs the expositions of more than half the magisterial laws therein discussed.

"Besides this misfortune, whether the MSS. were corrupted from which the editions of these books on the Laws were printed, or whether they wanted the last polish of Cicero's hand,—for they were probably posthumous publications,—they contain many passages which appear unfinished and broken. This circumstance, added to the difficulty of the subject-matter, has deterred scholars from attempting to translate this treatise De Legibus, and very few versions of it exist in modern languages.

"This fact, which I could not suppress, and which I cannot confess without trembling, would have altogether deterred me from this perilous undertaking, if I had looked merely to the difficulties of the case. But I did not stay to consider all the objections that might be urged, and entirely occupied by the pleasure of giving the first translation of a work of Cicero in my native language, I was more gratified at finding that no one had undertaken my task before me, than if some ingenious scholar had forestalled my labours, and left me nothing but the honour of following him, with the treacherous hope of a better success.

"I therefore set about studying the First Book, and translated it with a rapidity which fortified my former resolution. In the Second Book, however, the thorns began to make their appearance among the roses; and although encouraged by those to whom I showed my first essay, though sustained by the Commentary of Turnebus, so recommended by Scioppius and Casaubon, I should undoubtedly have stopped half way, had I not reflected that it was better to continue my work, even at the risk of never publishing it, in case my learned friends should think it unworthy, than abandon a labour which would then be labour lost, and for which no one would give me credit.

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"What occasions still further embarrassment to a translator of Cicero's Laws, is the use of certain terms referring to certain customs, which, being exceedingly remote from our own, have no equivalents in our language, and which cannot be well expressed in the technical phrases of scholars, whose erudition and researches have not yet precisely determined the ideas we should attach to some of the words in the original.

"A man's life is by no means long enough to read all the books, essays, and dissertations that have been composed on these points of criticism. But I thought that, though many of these difficult passages occur, especially in the Second and Third Books, there yet remain so many pieces of eloquence, so many grand sentiments, so many fine maxims, which may benefit persons of all ranks and orders, both in respect of public laws and private manners, that, after having won the recommendations of those whose opinions I most prized, I might risk the imprimatur.

"As respects this study of Public Law, the time we take in learning it is well spent, and no good reason can be alleged to excuse us from attending to it. We know that in the commerce of civil life,—in the management of military affairs,—at the bar, the court, and the mart,—whether we play an active part on the stage of life, or whether we are mere spectators,—this knowledge of public law is preeminently important and serviceable.

"The most casual glance at society will convince us that the majority of false measures and mistaken points of honour,—without reckoning the erroneous ideas and reasonings which disgrace those who use them, and fatigue those who listen to them,—are owing to voluntary ignorance of those great principles of law, which belong not merely to one particular profession, but affect the interests of all.

"Imperfect, therefore, as this Treatise of Cicero on the Laws may seem, I am persuaded that it is still a very important work, which may give rise to the most seasonable reflections.

"The First Book, which is full of the sublimest religion and morality, treats of the origin and essence of law, its causes, its objects, and its operations. It demonstrates the obligation which is imposed on every individual to obey its injunctions, and to contribute his appropriate part to the general good of the society of which he is a member. Cicero tells him that the respect he owes to law is not a mere human decency, but that the Author of nature has invested just laws with so much of his divine authority, that we cannot neglect or violate them without injuring and insulting the Deity, nor without contradicting our moral conscience, which no good man can fail to consult, and which no bad man can oppose without feeling remorse and compunction. He shows us that all the virtues which we ought to cultivate always tend to our own happiness, and that the best means of promoting them consists in living with men in

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that perfect union and charity which are cemented by mutual benefits. Lastly, he informs us that penal laws have been invented only to restrain those whose love of justice is not sufficient to keep them within reasonable bounds. And he concludes by depicting the character of the wise man, who illustrates these propositions in his life and conduct.

"In the Second Book,' which treats of religious worship, he discovers an infinity of facts, which serve to undeceive us on the false ideas which are entertained respecting the religion of the ancients. Cicero proves that they also believed and worshipped one true God, in all his wonderful Theophanies and developments, and that the astonishing multiplicity of divinities which, they venerated was originally the product of a pious fear, but augmented and often corrupted by the interest of certain parties. The religion, therefore, of the ancient philosophers and sages was only one form of the true theology; and it excites our admiration by showing us how frequently the grand doctrines of revelation are confirmed by the mythology of the heathens. Thus the great chain of divine truth was preserved entire, even in the midst of that confusion of gods, sacrifices, festivals, and religious ceremonials, so generally idle, ridiculous, or profane.

"The translation of the Third Book is rather a disappointing task, owing to the great lacune which has deprived us of the explanations of a part of the laws which relate to public order.

"Notwithstanding these defects, we conceive that Cicero's Treatise on Laws may be advantageously placed in the hands of young students. Those who conduct the education of young people have often been censured for not more extensively instructing them in those practical sciences which hold the closest connexion with real life and business. For want of this, as Petronius Arbiter justly observes, 'our students think themselves transported into another planet, when they draw their first breath in the world we live in.'"

We shall add to this preface of Morabin's the critical notice of this work on Laws contained in the "Cyclopædia Metropolitana:"— "In Cicero's Treatise de Legibus," say the editors, "which was written two years later than his Commonwealth, and shortly after the murder of Clodius, he represents himself as explaining to his brother Quintus and Attieus, in their walks through the woods of Arpinum, the nature and origin of the laws, and their actual state in Rome and other countries. Law, he pronounces to be the perfection of reason, the eternal mind, the divine energy, which, while it pervades and unites the whole universe, associates gods and men by the most intimate resemblance of reason and virtue; and still more closely men with men, by the participation of common faculties and affections. He then proves, at length, that justice is not merely created by civil institutions from the power of conscience, the imperfections of human law, the moral sense, and the disinterestedness of virtue. He next

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proceeds to unfold the principles, first, of religious law, under the heads of divine worship, the observance of festivals and games, the office of priests, augurs, and heralds, the punishment of sacrilege and perjury, the consecration of lands, and the rights of sepulchres; secondly, he proceeds to the investigation of the civil law, which gives him an opportunity of noticing the respective relations of magistrates and citizens."

The splendid panegyrics which Cicero has here pronounced on divine law and universal justice have given rise to many eulogies, scarcely less eloquent, with which the greatest divines, philosophers, and lawyers have adorned their works. A few of these are worth quoting, as they may serve to elevate our ideas of the importance of the subject, and induce us to study the topics of jurisprudence with more ardour and perseverance.

Thus, from one brilliant passage in this Book of Laws, has Hooker derived that well-known exordium in his Ecclesiastical Polity, which is indisputably the finest specimen of his eloquence:—"Of Law no less can be said, than that her seat is the bosom of God, and her voice the harmony of the universe. All things in heaven and earth do her homage, the very least as feeling her care, and the greatest as not exempted from her power. Both angels and men, and creatures of what creation soever, though each in different sort and manner, yet all with uniform consent, admiring her as the mother of their common peace and joy." Similar panegyrics on Law are found in Cumberland's Law of Nature and Nations, Cudworth's Treatise on Eternal and Immutable Morality, and in the imperishable works of the immortal Selden.

"This subject," says Williams, "has been treated with much dignity by a writer who is admired by all mankind for his eloquence, but who is, if possible, still more admired by all competent judges for his philosophy. I allude to Burke, of whom I may justly say that he was 'gravissimus et dicendi et intelligendi auctor et magister;' and I cannot refuse myself the gratification of quoting his words:—'The science of jurisprudence,' says he, 'is the pride of the human intellect; for, with all its defects, redundancies, and errors, it is the collected reason of ages, combining the principles of original justice with the infinite variety of human concerns.' Dr. Johnson's reply to a person who was foolishly abusing the profession of the law, was, 'Do you presume, sir, to find fault with that study which is the last effort of human intelligence acting upon human experience?'"

"Law," says Sir W. Blackstone, "is a science which distinguishes the criterions of right and wrong; which teaches us to establish the one, and prevent, punish, and redress the other; which employs in its theory the noblest faculties of the soul, and exerts in its practice the cardinal virtues of the heart. A science which is universal in its use and extent, accommodated to each individual, yet comprehending the whole community."

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"The science of jurisprudence," says Sir James Mackintosh, in his discourse on the Study of the Law of Nature and Nations, "is certainly the most honourable occupation of the understanding, because it is most immediately subservient to the general safety and comfort. There is not, in my opinion, in the whole compass of human affairs, so noble a spectacle as that which is displayed in the progress of jurisprudence; where we contemplate the cautious and unwearied exertions of a succession of wise men through a long course of ages, withdrawing every case as it arises from the dangerous power of discretion, and subjecting it to inflexible rules; extending the dominion of justice and reason, and gradually contracting, within the narrowest possible limits, the domain of brutal force and arbitrary will."

Granting the justice of these remarks, we cannot help lamenting that the science of jurisprudence or universal law, properly so called, should be so little studied in our British state at present. When we look into the history of literature, we find the times have been, in which men of the most consummate genius devoted that genius with the most ardent perseverance and the most mathematical precision, to the study of jurisprudence in its very loftiest and widest bearings. They hesitated not, through many years of incessant labour, like Grotius abroad and Selden at home, to study the vast system of moral obligations. In order to make themselves jurisconsults worthy of the name, they studied the divine laws handed down in Scripture, and developed in the ecclesiastical policy, ancient and modern. They studied the law of nature and nations, as explained by its oriental and classical commentators. They studied the civil laws of all states and commonwealths, and, by a kind of comparative analysis, elicited the *spirit of laws* among all peoples, and confirmed just regulations by examples derived from the catholic experience of men in all ages and countries, and defeated the blunders of legislation, by showing their pernicious consequences under every variety of circumstance.

Such men still appear occasionally in Europe and America. A few such may still grace the colleges, and the inns of court, or the open walks of literature; but their number has certainly become deplorably limited. We scarcely ever can find the man, now-a-days, who has studied jurisprudence in its loftier and broader relations,—a man who, like Grotius, Selden, Montesquieu, or Sir W. Jones, can establish the doctrines of a sage and philosophical legislation by an overwhelming accumulation of testimonies and facts calculated to inspire confidence and ensure success. In consequence, we meet with few who rise to those syncretic and universal maxims of equity and law, which throw a moral radiance through the long current of decisions, simplify the legal economy in its most important branches, and disperse the technical abuses that profane the sanctuary of Themis.

Such men are valuable in proportion to their rarity. They deserve the best patronage and promotion that the state can give them; for they are the true prophets and oracles of jurisprudence,—and they

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can speak with the force and precision of science, while others are proceeding through the perilous by-paths of quackery, pretence, and hap-hazard.

But such men are not encouraged, and consequently their number is insignificant. Legal philosophy is slighted and unrewarded; while legal practice, however erroneous, is profusely paid for. The consequence is so plain and palpable that it has struck most of the Italian, German, and French writers on the subject. They say, "Britain has no jurists, but she has lawyers in abundance." (See Filangieri, Savigny, Pastoret, Constant, Guizot, Sismondi, Chateaubriand, &c.)

This dangerous tendency of the age to sacrifice the higher doctrines of political and legal philosophy,—such as most tend to develop the national mind and national resources,—to a merely secular practice, which will take any form and impression for the sake of interest and emolument, is too much noted. "These lower studies," says the author of the Natural History of Enthusiasm, "fall in marvellously well with the frigid timidity of the times, and the love of practical utility. But that kind of discretion which can sacrifice truth for the sake of lucre, is always short-sighted and fraught with peril."

We do sincerely believe that a sound knowledge of jurisprudence is quite as necessary as a familiarity with the practice of our courts, for all those who would truly deserve the name of legal reformers. And we more strenuously insist on this indispensable combination of theory and practice in relation to legal reforms, because it affords us the only hope of those ameliorations which have become of the utmost importance to the welfare of the British empire.

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ON THE LAWS.

BOOK I.

INTRODUCTION TO THE FIRST BOOK.

MARCUS TULLIUS CICERO has composed this treatise in the form of a dialogue, in which himself, his brother Quintus, and Atticus, are the interlocutors. Cicero supposes this dialogue to take place near his villa at Arpinum, on the banks of the river Liris, and beneath the shade of a grove, in the midst of which grew an ancient oak. The sight of this tree reminds Atticus of the oak which Cicero had described in a poem which he once composed in honour of Marius. From this circumstance he takes occasion to compliment Cicero on his poetry. The conversation then turns upon history; and Quintus observes, that he knew no one better able than his brother to write the history of his country, and presses him to undertake it. This Cicero declines, and turns the discourse to the subject of universal justice, and the law of nature and nations.

I. *Atticus.*—I recognise this as the very grove, and this oak, too, as the oak of Arpinum, the description of which I have often read in your poem on Marius. If that oak still exists, this must certainly be it: and, indeed, it appears extremely old.

Quintus Cicero.—Yes, my Atticus, it does exist, and always will exist, for it is a nursling of genius. No such long-lived stock can be planted by the care of the agriculturist as may be sown by the verse of the poet.

Atticus.—How can that happen, my Quintus? And what sort of seed is that which poets can sow? For you seem to me, in eulogizing your brother, to be putting in a word for yourself.

Quintus.—You may say that if you please, but as long as the Latin language is spoken, an oak which will be called Marius's oak will never be wanting in this place; and as Scævola said of my brother's poem on Marius, it will

Extend its hoary age through countless years.

Unless, indeed, you believe that your Athenians have been able really to preserve the olive in their citadel free from

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death, or that tall and slender palm-tree which the people of Delos show to this day, is the same which Homer's Ulysses says that he had beheld at Delos; and there are many other things, in many places, the memorial of which endures beyond the term of any possible natural existence: this acorn-bearing oak, then, out of which there once did fly

Jove's golden eagle, dazzling as the sun,

is at present the genuine tree. But when storms and the lapse of ages shall have wasted it, there will still be found an oak on this sacred spot, which will be called the Oak of Marius.

Atticus.—I do not doubt it; but there is one question which I would ask, not of you, but of the poet Marcus himself; whether the tree is indebted for its celebrity to his verses alone, or whether the circumstance which they record really happened in the history of Marius?

Marcus Cicero.—I will answer you frankly; but not till you have first informed me what you think of the tradition which asserts, that not far from your house at Rome, Proculus Julius beheld our first king Romulus walking after his decease, and that Romulus told him that he had become a god, and that his name was Quirinus; and he ordered a temple to be dedicated to him on that spot. Tell me also what you think of the tradition of the Athenians, who maintain that not far from your Athenian villa, Boreas made a stolen match with Orithya, for so runs the story.

Atticus.—For what purpose do you ask me such questions as these?

Marcus.—For no purpose at all, unless it be to convince you that we had better not inquire too critically into those remarkable accounts which have been thus handed down by tradition.

Atticus.—But there are many statements in your Marius which are the subjects of inquiry as to whether they are true or false; and some people expect the strictest accuracy from you, because the events of which you speak are fresh in men's memory, and because you are speaking of one who, like yourself, was a native of Arpinum.

Marcus.—I myself, also, should be unwilling to gain the reputation of a liar. But yet some of these inquisitors, my

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Atticus, show great ignorance of the subject, who expect an exact statement of matters of fact in a work of this nature, as if the author were not a poet, but a witness. And yet, I doubt not that these critics really believe that Numa did converse with Egeria, and that the Eagle did really replace his cap on the head of the first Tarquin.

Quintus.—I understand you, my brother; you think that the laws which ought to bind a historian are quite different from those which require to be observed in a poem.

Marcus.—Certainly; inasmuch as the main object of the former is truth in all its relations, while that of the latter is amusement; although in Herodotus,[1] the father of Greek history, and in Theopompus, we find fables in great numbers.

II. *Atticus.*—I have now found the opportunity which I wanted, and I shall not let it slip.

Marcus.—What opportunity, Atticus?

Atticus.—Men have long ago asked, or rather implored you, to write a history; for they conceive that if you undertook this literary enterprise, the result would be that, even in the historical department, we should be nowise inferior to Greece. And if you will listen to my opinion, it seems to me that you owe this gift, not only to the affection of those who are delighted with literature, but to your country too, in order that, since you have saved her, you should endeavour likewise to adorn her. For a good history is a desideratum in our national literature, as I know by my own experience, and as I have often heard you declare. Now, there is no man more likely than yourself to give general satisfaction in a work of this kind, since by your own avowal, it is of all the

[1] There is nothing more unjust and false, than the charges made by the Romans against the truthfulness of Herodotus and the Greek historians in general. As for Herodotus, in particular, there is no historian in any language more scrupulous to relate nothing which he does not believe to be true. He also considered it not inconsistent with the province of a historian, to record such reports as were communicated to him by the priests and other natives of the countries of which he was speaking. But he not only gives his authorities, so as to enable us to judge for ourselves how much trust may be reposed in them, but he often even states expressly that he does not believe the story which has been told him. In fact, the Greek historians were as a body very scrupulous lovers of truth. And the first author who ever undertook to write a history utterly regardless of the truth of his statements, and too careless to make the slightest inquiry, was Livy.

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forms of composition that which most demands the eloquence of the orator.

Wherefore, I entreat you, undertake this work, and devote your time to this employment, which has been hitherto unknown to our fellow-citizens, or at least neglected by them. For after the annals of the chief Pontiffs, than which nothing can be more interesting,[1] we come to the book of Fabius, or of Cato, whom you are always eulogizing, or to the treatises of Piso, Fannius, and Venonius; though perhaps one of them may be more vigorous than another, still are they not all extremely defective? The contemporary of Fannius, Cœlius Antipater, adopted a bolder style of expression. He had, indeed, some energy, was rude and rough, without much polish or skill, but he served as a sort of warning to his successors, to write with more accuracy and eloquence. But unfortunately he had for his successors a Gellius, a Claudius, an Asellio, who, far from improving on him, relapsed into the dulness and insipidity of earlier writers.

I scarcely need to mention Attius. His garrulity is not without neatness, though he has derived it not so much from the learned Grecian authors, as from the petty Latin scribblers. In his style he is prolix, and full of conceits, which he indulges in the most shameless manner. His friend Sisenna far surpasses all our historical writers, unless there be any whose compositions have not yet been published, and of whom we cannot judge. He, however, has never gained a name as an orator among those of your rank; and in his history he betrays a sort of puerility. He seems to have read no Greek author but Clitarchus, and he is content to imitate him; but even if he were to succeed in his imitation, he would still be far enough from the best style. Therefore the task of historian of right belongs to you, and we shall expect you to accomplish it, unless Quintus can bring forward any reasonable objections.

III. *Quintus.*—I have nothing to say against it. Indeed we have often talked over the subject together, and I have made the same request as yourself; but there is a slight disagreement between us on the subject.

[1] The reading of MSS. is *jucundius*. But many critics propose to read *jejunius*, more scanty; which would certainly make better sense.

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Atticus.—How so?

Quintus.—Why, respecting the epoch from whence he should commence his history. For, in my opinion, he ought to go back to the most distant ages, since the accounts that have hitherto been published respecting those times are so written as never to be read. But he himself, on the other hand, wishes to confine himself to the events that have happened within the recollection of his own age, so as only to describe those public affairs in which he himself bore a part.

Atticus.—In this respect I rather agree with him. For the grandest events in Roman history are probably those that have taken place within our own recollection. And then, too, he will be able to illustrate the praises of our noble friend Pompey, and describe the memorable year of his own consulship, which I would much rather have related by him than anything about Romulus and Remus, as the saying is.

Marcus.—I know, my Atticus, that you and other friends have long urged me to this undertaking, nor should I be at all unwilling to attempt it, if I could find any free and leisure time. But it is vain to enter on so extensive a work while my mind is harassed with cares, and my hands are full of business. Such an undertaking requires a perfect freedom from care and political business.

Atticus.—What can you mean? What leisure time did you ever find for those other works of which you have written more than any other of our Roman authors?

Marcus.—Why, certain spare times occur to every man, and these I make a rule not to lose. For instance, if I spend a few days in rusticating at my country seat, I employ them in composing a part of those essays which I may have determined to write. But an historical work cannot be begun at all unless one has leisure time prepared beforehand, nor can it be completed in a short time. And my mind is thrown into a miserable state of suspense when, after having fairly commenced some work, I am drawn away in some other direction; nor do I find it as easy to recover the train of ideas in works so interrupted, as to bring works when begun at once to a conclusion.

Atticus.—Your argument, then, would show that you require an appointment as ambassador, or some similar free and unoccupied holiday, for your purpose.

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Marcus.—I would rather trust to the holiday to which I am entitled by my age, especially as I do not refuse, after the method of our ancestors, to continue the custom of giving magisterial advice to my clients, and thus to discharge the offices of old age gracefully and honourably. And in such a situation, I should be able to give as much time as I might choose, not only to the work which you require, but to others still more extensive and important.

IV. *Atticus.*—I fear that few will accept such an apology for your retirement, and that you will be obliged to speak in public as long as you live. And I regret this the more, as you have already changed your manner of delivery, and have instituted another style of eloquence. So that as your friend Roscius the actor, in his old age, was forced to give up his most brilliant modulations, and to adapt the instrumental accompaniments to a slower measure; so you also, my Cicero, find it necessary daily to relax from those lofty conflicts of oratory to which you have been accustomed, so that your eloquence is already not much removed from the gentle conversation of philosophers. And since the extremest old age is still capable of undergoing that amount of exertion, I see that your retirement will never be allowed to excuse you from pleading causes.

Quintus.—But I indeed think that the citizens of Rome might be induced to sanction your retirement from public life, if you still consented to plead in legal matters. So, whenever you please, I think you ought to try.

Marcus.—Your advice, my Quintus, would be excellent if there were no danger in taking such a step. But I fear that in thus seeking to diminish my labours, I should rather increase them; and that I might find that I had united to the toil of public causes and prosecutions (which I never attempt to plead without full preparation and meditation) the addition of this professional interpretation of the laws, which would not distress me so much by its labour, as by its tendency to deprive me of that time for deliberation as to what I should speak, without which I never ventured to enter on any considerable pleadings.

Atticus.—Why should you not then, in this spare time, as you call it, at present, explain these very points to us, and write us a treatise on the civil law with more accuracy than others have

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hitherto employed. For even from your earliest youth, I remember that you used to study the laws, when I used to go, like yourself, to hear the lectures of Scævola; nor did I ever find you so addicted to oratorical pursuits as to neglect your legal studies.

Marcus.—You seek to engage me in a long discussion, my Atticus. However, I will not hesitate to undertake it, unless Quintus prefers some other subject. If not, I will tell you all I know about it, since at present we seem to be at leisure.

Quintus.—I shall listen to you with the greatest pleasure, for what better subject can be discussed, or how can the day be spent more profitably?

Marcus.—Let us go, then, to our accustomed promenade, and to the benches, where, after we have had walking enough, we may lie down. Nor shall we want for entertainment while asking different questions of one another.

Atticus.—Let us go, then, and enter on our investigations, as we walk along the bank of the river under the shadow of its foliage. And now begin, I beg of you, to explain to us your opinion respecting the nature of Civil Law.

Marcus.—My opinion? Why, that we have had many great men in Rome, who have made it their profession to expound it to the people, and explain its doctrines and practice. But though they professed to be acquainted with its great principles, they were in reality familiar rather with its minuter technicalities. For what can be grander or nobler than the jurisprudence of a state? or what can be so insignificant as the office of those men who are consulted as advocates, necessary as it is for the people? Not that I think that those who adopt this profession have been altogether ignorant of the principles of universal legislation, but they have united their practice of this civil law, as they call it, to just so much as gives them a hold on the interests of the people. But the great principles of jurisprudence are unknown, and less necessary in practice. What, then, is it that you invite me to? or what are you exhorting me to? to write treatises on the rights of common sewers and partition walls? or to compose formulas of stipulations and judgments? These have been already most diligently prepared by many persons, and are lower than the topics which, I suppose, you expect me to discuss.

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V. *Atticus.*—But, if you ask what I expect, I should reply, that after having given us a treatise on the Commonwealth, it appears a natural consequence that you should also write one on the Laws. For this is what I see was done by your illustrious favourite Plato, the philosopher whom you admire and prefer to all others, and love with an especial affection.

Marcus.—Do you wish, then, that, as he conversed at Crete with Clinias, and Megillus of Lacedæmon, on that summer's day, as he describes it, in the cypress groves and sylvan avenues of Cnossus, often objecting to, and at times approving of, the established laws and customs of commonwealths, and discussed what were the best laws; so we also, walking beneath these lofty poplars, along these green and umbrageous banks, and sometimes sitting down, should investigate the same subjects somewhat more copiously than is required by the practice of the courts of law?

Atticus.—I should like to hear such a discussion.

Marcus.—But what says Quintus?

Quintus.—There is no subject which I would rather hear argued.

Marcus.—And you are quite right. For, take my word for it, in no kind of discussion can it be more advantageously displayed how much has been bestowed upon man by nature, and how great a capacity for the noblest enterprises is implanted in the mind of man, for the sake of cultivating and perfecting which we were born and sent into the world, and what beautiful association, what natural fellowship, binds men together by reciprocal charities: and when we have explained these grand and universal principles of morals, then the true fountain of laws and rights can be discovered.

Atticus.—In your opinion, then, it is not in the edict of the magistrate, as the majority of our modern lawyers pretend, nor in the Twelve Tables, as the ancients maintained, but in the sublimest doctrines of philosophy, that we must seek for the true source and obligation of jurisprudence.

Marcus.—For in this discussion of ours, my Atticus, we are not inquiring how we may take proper caution in law, or what we are to answer in each consultation,—that may indeed be an important affair, as in truth it is; and at one time it was supported by many great men, and is at present ex-

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pounded by one most eminent lawyer with admirable ability and skill.

But the whole subject of universal law and jurisprudence must be comprehended in this discussion, in order that this which we call civil law, may be confined in some one small and narrow space of nature. For we shall have to explain the true nature of moral justice, which must be traced back from the nature of man. And laws will have to be considered by which all political states should be governed. And last of all, shall we have to speak of those laws and customs of nations, which are framed for the use and convenience of particular countries, (in which even our own people will not be omitted,) which are known by the title of civil laws.

VI. *Quintus.*—You take a noble view of the subject, my brother, and go to the fountain-head, in order to throw light on the subject of our consideration; and those who treat civil law in any other manner, are not so much pointing out the paths of justice as those of litigation.

Marcus.—That is not quite the case, my Quintus. It is not so much the science of law that produces litigation, as the ignorance of it. But more of this by-and-by. At present let us examine the first principles of Right.

Now, many learned men have maintained that it springs from law. I hardly know if their opinion be not correct, at least according to their own definition; for "law," say they, "is the highest reason implanted in nature, which prescribes those things which ought to be done, and forbids the contrary." And when this same reason is confirmed and established in men's minds, it is then law.

They therefore conceive that prudence is a law, whose operation is to urge us to good actions, and restrain us from evil ones. And they think, too, that the Greek name for law (*νόμος*), which is derived from *νέμω*, to distribute, implies the very nature of the thing, that is, to give every man his due. The Latin name, *lex*, conveys the idea of selection, *a legendo*. According to the Greeks, therefore, the name of law implies an equitable distribution: according to the Romans, an equitable selection. And, indeed, both characteristics belong peculiarly to law.

And if this be a correct statement, which it seems to me for the most part to be, then the origin of right is to be

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sought in the law. For this is the true energy of nature,—this is the very soul and reason of a wise man, and the test of virtue and vice. But since all this discussion of ours relates to a subject, the terms of which are of frequent occurrence in the popular language of the citizens, we shall be sometimes obliged to use the same terms as the vulgar, and to call that law, which in its written enactments sanctions what it thinks fit by special commands or prohibitions.

Let us begin, then, to establish the principles of justice on that supreme law, which has existed from all ages before any legislative enactments were drawn up in writing, or any political governments constituted.

Quintus.—That will be more convenient, and more sensible with reference to the subject of the discussion which we have determined on.

Marcus.—Shall we, then, seek for the origin of justice at its fountain-head? when we have discovered which, we shall be in no doubt to what these questions which we are examining ought to be referred.

Quintus.—Such is the course I would advise.

Atticus.—I also subscribe to your brother's opinion.

Marcus.—Since, then, we wish to maintain and preserve the constitution of that republic which Scipio, in those six books which I have written under that title, has proved to be the best, and since all our laws are to be accommodated to the kind of political government there described, we must also treat of the general principles of morals and manners, and not limit ourselves on all occasions to written laws; but I purpose to trace back the origin of right from nature itself, who will be our best guide in conducting the whole discussion.

Atticus.—You will do right, and when she is our guide it is absolutely impossible for us to err.

VII. *Marcus.*—Do you then grant, my Atticus, (for I know my brother's opinion already,) that the entire universe is regulated by the power of the immortal Gods, that by their nature, reason, energy, mind, divinity, or some other word of clearer signification, if there be such, all things are governed and directed? for if you will not grant me this, that is what I must begin by establishing.

Atticus.—I grant you all you can desire. But owing to

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this singing of birds and babbling of waters, I fear my fellow-learners can scarcely hear me.

Marcus.—You are quite right to be on your guard; for even the best men occasionally fall into a passion, and they will be very indignant if they hear you denying the first article of that notable book, entitled "The Chief Doctrines of Epicurus," in which he says "that God takes care of nothing, neither of himself nor of any other being!"

Atticus.—Pray proceed, for I am waiting to know what advantage you mean to take of the concession I have made you.

Marcus.—I will not detain you long. This is the bearing which they have on our subject. This animal—prescient, sagacious, complex, acute, full of memory, reason, and counsel, which we call man—has been generated by the supreme God in a most transcendent condition. For he is the only creature among all the races and descriptions of animated beings who is endued with superior reason and thought, in which the rest are deficient. And what is there, I do not say in man alone, but in all heaven and earth, more divine than reason, which, when it becomes right and perfect, is justly termed wisdom?

There exists, therefore, since nothing is better than reason, and since this is the common property of God and man, a certain aboriginal rational intercourse between divine and human natures. But where reason is common, there right reason must also be common to the same parties; and since this right reason is what we call law, God and men must be considered as associated by law. Again, there must also be a communion of right where there is a communion of law. And those who have law and right thus in common, must be considered members of the same commonwealth.

And if they are obedient to the same rule and the same authority, they are even much more so to this one celestial regency, this divine mind and omnipotent deity. So that the entire universe may be looked upon as forming one vast commonwealth of gods and men. And, as in earthly states certain ranks are distinguished with reference to the relationships of families, according to a certain principle which will be discussed in its proper place, that principle, in the nature of things, is far more magnificent and splendid by which men

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are connected with the Gods, as belonging to their kindred and nation.

VIII. For when we are reasoning on universal nature, we are accustomed to argue (and indeed the truth is just as it is stated in that argument) that in the long course of ages, and the uninterrupted succession of celestial revolutions, there arrived a certain ripe time for the sowing of the human race; and when it was sown and scattered over the earth, it was animated by the divine gift of souls. And as men retained from their terrestrial origin those other particulars by which they cohere together, which are frail and perishable, their immortal spirits were ingenerated by the Deity. From which circumstance it may be truly said, that we possess a certain consanguinity, and kindred, and fellowship with the heavenly powers. And among all the varieties of animals, there is not one except man which retains any idea of the Divinity. And among men themselves, there is no nation so savage and ferocious as not to admit the necessity of believing in a God, however ignorant they may be what sort of God they ought to believe in. From whence we conclude that every man must recognise a Deity, who has any recollection and knowledge of his own origin.

Now, the law of virtue is the same in God and man, and in no other disposition besides them. This virtue is nothing else than a nature perfect in itself, and wrought up to the most consummate excellence. There exists, therefore, a similitude between God and man. And as this is the case, what connexion can there be which concerns us more nearly, and is more certain?

Therefore, nature has supplied such an abundance of supplies suited to the convenience and use of men, that the things which are thus produced appear to be designedly bestowed on us, and not fortuitous productions. Nor does this observation apply only to the fruits and vegetables which gush from the bosom of the earth, but likewise to cattle and the beasts of the field, some of which, it is clear, were intended for the use of mankind, others for propagation, and others for the food of man. Innumerable arts have likewise been discovered by the teaching of nature, whom reason has imitated, and thus skilfully discovered all things necessary to the happiness of life.

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IX. With respect to man, this same bountiful nature hath not merely allotted him a subtle and active spirit, but also physical senses, like so many servants and messengers. And she has laid bare before him the obscure but necessary explanation of many things, which are, as it were, the foundation of practical knowledge; and in all respects she has given him a convenient figure of body, suited to the bent of the human character. For while she has kept down the countenances of other animals, and fixed their eyes on their food, she has bestowed on man alone an erect stature,[1] and prompted him to the contemplation of heaven, the ancient home of his kindred immortals. So exquisitely, too, has she fashioned the features of the human face, as to make them indicate the most recondite thoughts and sentiments. For our eloquent eyes speak forth every impulse and passion of our souls; and that which we call *expression*, which cannot exist in any other animal but man, betrays all our feelings, the power of which was well known to the Greeks, though they have no name for it.

I will not enlarge on the wonderful faculties and qualities of the rest of the body, the modulation of the voice, and the power of oratory, which is the greatest instrument of influence upon human society. For these matters do not all belong to the present occasion or the present subject, and I think that Scipio has already sufficiently explained them in those books of mine which you have read.

Since, then, the Deity has been pleased to create and adorn man to be the chief and president of all terrestrial creatures, so it is evident, without further argument, that human nature has also made very great advances by its own intrinsic energy; that nature, which without any other instruction than her own, has developed the first rude principles of the

[1] Ovid has versified this idea:

> Pronaque cum spectent animalia cætera terram,
> Os homini sublime dedit; cœlumque tueri
> Jussit et erectos ad sidera tollere vultus.—Met. i. 86.

Which may be translated—

> And while all other creatures from their birth
> With downcast eyes gaze on their kindred earth;
> He bids man walk erect, and scan the heaven
> From whence his soul has sprung, to which his hopes are given.

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understanding, and strengthened and perfected reason to all the appliances of science and art.

X. *Atticus.*—Oh ye immortal Gods! to what a distance back are you tracing the principles of justice! However, you are discoursing in such a style that I will not show any impatience to hear what I expect you to say on the Civil Law. But I will listen patiently, even if you spend the whole day in this kind of discourse; for assuredly these, which perhaps you are embracing in your argument for the sake of others, are grander topics than even the subject itself for which they prepare the way.

Marcus.—You may well describe these topics as grand, which we are now briefly discussing. But of all the questions which are ever the subject of discussion among learned men, there is none which it is more important thoroughly to understand than this, that man is born for justice, and that law and equity have not been established by opinion, but by nature. This truth will become still more apparent if we investigate the nature of human association and society.

For there is no one thing so like or so equal to another, as in every instance man is to man. And if the corruption of customs, and the variation of opinions, did not induce an imbecility of minds, and turn them aside from the course of nature, no one would more nearly resemble himself than all men would resemble all men. Therefore, whatever definition we give of man, will be applicable to the whole human race. And this is a good argument that there is no dissimilarity of kind among men; because if this were the case, one definition could not include all men.

In fact, reason, which alone gives us so many advantages over beasts, by means of which we conjecture, argue, refute, discourse, and accomplish and conclude our designs, is assuredly common to all men; for the faculty of acquiring knowledge is similar in all human minds, though the knowledge itself may be endlessly diversified. By the same senses we all perceive the same objects, and those things which move the senses at all, do move in the same way the senses of all men. And those first rude elements of intelligence which, as I before observed, are the earliest developments of thought, are similarly impressed upon all men; and that faculty of

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speech which is the interpreter of the mind, agrees in the ideas which it conveys, though it may differ in the words by which it expresses them. And therefore there exists not a man in any nation, who, if he adopts nature for his guide, may not arrive at virtue.

XI. Nor is this resemblance which all men bear to each other remarkable in those things only which are in accordance with right reason, but also in errors. For all men alike are captivated by pleasure, which, although it is a temptation to what is disgraceful, nevertheless bears some resemblance to natural good; for, as by its delicacy and sweetness it is delightful, it is through a mistake of the intellect adopted as something salutary.

And by an error scarcely less universal, we shun death as if it were a dissolution of nature, and cling to life because it keeps us in that existence in which we were born. Thus, likewise, we consider pain as one of the greatest evils, not only on account of its present asperity, but also because it seems the precursor of mortality. Again, on account of the apparent resemblance between renown with honour, those men appear to us happy who are honoured, and miserable who happen to be inglorious. In like manner our minds are all similarly susceptible of inquietudes, joys, desires, and fears; nor if different men have different opinions, does it follow that those who deify dogs and cats, do not labour under superstition equally with other nations, though they may differ from them in the forms of its manifestation.

Again, what nation is there which has not a regard for kindness, benignity, gratitude, and mindfulness of benefits? What nation is there in which arrogance, malice, cruelty, and unthankfulness, are not reprobated and detested? And while this uniformity of opinions proves that the whole race of mankind is united together, the last point is that a system of living properly makes men better. If what I have said meets your approbation, I will proceed; or if any doubts occur to you, we had better clear them up first.

Atticus.—There is nothing which strikes us, if I may reply for both of us.

XII. *Marcus.*—It follows, then, that nature made us just that we might share our goods with each other, and supply each other's wants. You observe in this discussion, whenever

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I speak of nature, I mean nature in its genuine purity, but that there is, in fact, such corruption engendered by evil customs, that the sparks, as it were, of virtue which have been given by nature are extinguished, and that antagonist vices arise around it and become strengthened.

But if, as nature prompts them to, men would with deliberate judgment, in the words of the poet, "being men, think nothing that concerns mankind indifferent to them," then would justice be cultivated equally by all. For to those to whom nature has given reason, she has also given right reason, and therefore also law, which is nothing else than right reason enjoining what is good, and forbidding what is evil. And if nature has given us law, she hath also given us right. But she has bestowed reason on all, therefore right has been bestowed on all. And therefore did Socrates deservedly execrate the man who first drew a distinction between utility and nature, for he used to complain that this error was the source of all human vices, to which this sentence of Pythagoras refers—"The things belonging to friends are common"—and that other, "Friendly equality." From whence it appears, that when a wise man has displayed this benevolence which is so extensively and widely diffused towards one who is endowed with equal virtue, then that phenonemon takes place which is altogether incredible to some people, but which is a necessary consequence, that he loves himself not more dearly than he loves his friend. For how can a difference of interests arise where all interests are similar? If there could be ever so minute a difference of interests, then there would be an end of even the nature of friendship, the real meaning of which is such, that there is no friendship at all the moment that a person prefers anything happening to himself rather than to his friend.

Now, these preliminary remarks have been put forward as a preparation for the rest of our discourse and argument, in order that you may more easily understand that nature herself is the foundation of justice. And when I have explained this a little more at large, then I will proceed to the consideration of that civil law from which all these arguments of mine are derived.

XIII. *Quintus.*—Then you have not much to add, my brother, for the arguments you have already used have suf-

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ficiently proved to Atticus, or at all events to me, that nature is the fountain of justice.

Atticus.—How could I maintain any other opinion, since you have now established these points—first, that we have been provided as we are and adorned by the gifts of the Gods; secondly, that all mankind have but one similar and common principle of living together; and, lastly, that all men are bound together by a certain natural indulgence and affection, as well as social rights? And as we have, rightly as I think, admitted the truth of these principles, how can we, with any consistency, separate from nature that law and justice which are her moral developments?

Marcus.—You are quite right, and that is the proper view of the case. But in conformity with the method of philosophers, (I do not mean the older sages of philosophy, but those modern ones, who have erected a magazine, as it were, of wisdom,) those questions which were formerly discussed loosely and unconstrainedly, are now examined with strictness and distinctness. Nor will these men allow that we have done justice to the subject which we have now before us, unless we demonstrate in a distinct discussion that right is a part of nature.

Atticus.—You seem to have renounced your liberty in debate, my Cicero; or are you become a man who, in discussion, rather follows the authority of others, than develops his individual sentiments?

Marcus.—Not always, Atticus. But you see what the line of this present conversation is, and how the main object of this whole discussion is to strengthen the foundation of commonwealths, to establish their forces, and to benefit their population. I am, therefore, particularly anxious to avoid arguments which have not been thoroughly examined and carefully considered. Not that I expect to demonstrate my doctrine to the satisfaction of all men, for that is impossible; but I hope to do so to that of those who think that all just and honourable things deserve to be cultivated even for their own sake, and that nothing whatever can be properly called a good which is not intrinsically praiseworthy, or at least that there can exist no great good whatever which is truly laudable on its own account.

All the philosophers who flourished in the old academy

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with Speusippus, Xenocrates, and Polemon, or those that followed Aristotle and Theophrastus, agreeing with them in doctrine, though they might differ in their method of explaining it—whether, like Zeno, they preserved the same principles, while they changed the terms of exposition,—or whether, like Ariston, they supported that difficult and arduous sect now generally scattered and confuted, which supposed that, with the exception of virtue and vice, all other things were completely equal and indifferent: all these have adopted the principles which I have been explaining.

But those who indulge their appetites and pamper their passions, and who estimate all the objects of their pursuit or avoidance in life by pleasure and pain, even if they speak truth, (for there is no need of raising the question here,) we may still desire to be content with talking in their own gardens, and entreat them to retire for a while from all connexion with the state, of which they know nothing, and have never wished to know anything. As to that new academy, of which Arcesilas and Carneades are the leaders, and who attack all sects and parties, we will implore them not to interrupt us in our present discussion; for if they enter upon these subjects, which to us appear to be settled and arranged with sufficient accuracy and learning, they will do great mischief. But I would rather pacify them, and do not dare to order them off.[1] * * * *

XIV. For in questions of this nature, we have made expiation without such fumigations as theirs.

But there is no expiation for the crimes and impieties of men. The guilty therefore must pay the penalty, and bear the punishment; not so much those punishments inflicted by courts of justice, which were not always in being, do not exist at present in many places, and even where established are frequently biassed and partial, but those of *conscience;* while the furies pursue and torment them, not with burning torches, as the poets feign, but with remorse of conscience, and the tortures arising from guilt.

But were it the fear of punishment, and not the nature of the thing itself, that ought to restrain mankind from wickedness, what, I would ask, could give villains the least uneasiness, abstracting from all fears of this kind? And yet none

[1] There is a hiatus here.

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of them was ever so audaciously impudent, but what he either denied that the action in question had been committed by him, or pretended some cause or other for his just indignation, or sought a defence of his deed in some right of nature. And if the wicked dare to appeal to this principle, with what respect ought not good men to treat them?

But if either direct punishment, or the fear of it, be what deters men from a vicious and criminal course of life, and not the turpitude of the thing itself, then none can be guilty of injustice, and the greatest offenders ought rather to be called imprudent than wicked.

On the other hand, those among us who are determined to the practice of goodness, not by its own intrinsic excellence, but for the sake of some private advantage, are cunning rather than good men. For what will not that man do in the dark who fears nothing but a witness and a judge? Should he meet a solitary individual in a desert place, whom he can rob of a large sum of money, and altogether unable to defend himself from being robbed, how will he behave? In such a case our man, who is just and honourable from principle and the nature of the thing itself, will converse with the stranger, assist him, and show him the way. But he who does nothing for the sake of another, and measures everything by the advantage it brings to itself, it is obvious, I suppose, how such a one will act; and should he deny that he would kill the man, or rob him of his treasure, his reason for this cannot be that he apprehends there is any moral turpitude in such actions, but only because he is afraid of a discovery, that is to say, that bad consequences will thence ensue—a sentiment this at which not only learned men but even clowns must blush.

XV. It is therefore an absurd extravagance in some philosophers to assert, that all things are necessarily just which are established by the civil laws and the institutions of nations. Are then the laws of tyrants just, simply because they are laws? Suppose the thirty tyrants of Athens had imposed certain laws on the Athenians? or, suppose again that these Athenians were delighted with these tyrannical laws, would these laws on that account have been considered just? For my own part, I do not think such laws deserve any greater estimation than that passed during our own inter-

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regnum, which ordained that the dictator should be empowered to put to death with impunity whatever citizens he pleased, without hearing them in their own defence.

For there is but one essential justice which cements society, and one law which establishes this justice. This law is right reason, which is the true rule of all commandments and prohibitions. Whoever neglects this law, whether written or unwritten, is necessarily unjust and wicked.

But if justice consists in submission to written laws and national customs, and if, as the same school affirms, everything must be measured by utility alone, he who thinks that such conduct will be advantageous to him will neglect the laws, and break them if it is in his power. And the consequence is, that real justice has really no existence if it have not one by nature, and if that which is established as such on account of utility is overturned by some other utility.

But if nature does not ratify law, then all the virtues may lose their sway. For what becomes of generosity, patriotism, or friendship? Where will the desire of benefitting our neighbours, or the gratitude that acknowledges kindness, be able to exist at all? For all these virtues proceed from our natural inclination to love mankind. And this is the true basis of justice, and without this not only the mutual charities of men, but the religious services of the Gods, would be at an end; for these are preserved, as I imagine, rather by the natural sympathy which subsists between divine and human beings, than by mere fear and timidity.

XVI. But if the will of the people, the decrees of the senate, the adjudications of magistrates, were sufficient to establish rights, then it might become right to rob, right to commit adultery, right to substitute forged wills, if such conduct were sanctioned by the votes or decrees of the multitude. But if the opinions and suffrages of foolish men had sufficient weight to outbalance the nature of things, then why should they not determine among them, that what is essentially bad and pernicious should henceforth pass for good and beneficial? Or why, since law can make right out of injustice, should it not also be able to change evil into good?

But we have no other rule by which we may be capable of distinguishing between a good or a bad law than that of

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nature. Nor is it only right and wrong which are discriminated by nature, but generally all that is honourable is by this means distinguished from all that is shameful; for common sense has impressed in our minds the first principles of things, and has given us a general acquaintance with them, by which we connect with virtue every honourable quality, and with vice all that is disgraceful.

But to think that these differences exist only in opinion, and not in nature, is the part of an idiot. For even the virtue of a tree or a horse, in which expression there is an abuse of terms, does not exist in our opinion only, but in nature; and if that is the case, then what is honourable and disgraceful, must also be discriminated by nature.

For if opinion could determine respecting the character of universal virtue, it might also decide respecting particular or partial virtues. But who will dare to determine that a man is prudent and cautious, not from his general conduct, but from some external appearances? For virtue evidently consists in perfect reason, and this certainly resides in nature. Therefore so does all honour and honesty in the same way.

XVII. For as what is true and false, creditable and discreditable, is judged of rather by their essential qualities than their external relations; so the consistent and perpetual course of life, which is virtue, and the inconsistency of life, which is vice, are judged of according to their own nature, —and that inconstancy must necessarily be vicious.

We form an estimate of the opinions of youths, but not by their opinions. Those virtues and vices which reside in their moral natures must not be measured by opinions. And so of all moral qualities, we must discriminate between honourable and dishonourable by reference to the essential nature of the things themselves.

The good we commend, must needs contain in itself something commendable; for as I before stated, goodness is not a mode of opinion, but of nature. For if it were otherwise, opinion alone might constitute virtue and happiness, which is the most absurd of suppositions. And since we judge of good and evil by their nature, and since good and evil are the first principles of nature, certainly we should judge in the same manner of all honourable and all shameful things, referring them all to the law of nature.

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But we are often too much disturbed by the dissensions of men and the variation of opinions. And because the same thing does not happen with reference to our senses, we look upon them as certain by nature. Those objects, indeed, which sometimes present to us one appearance, sometimes another, and which do not always appear to the same people in the same way, we term fictions of the senses; but it is far otherwise. For neither parent, nor nurse, nor master, nor poet, nor drama, deceive our senses; nor do popular prejudices seduce them from the truth. But all kinds of snares are laid for the mind, either by those errors which I have just enumerated, which, taking possession of the young and uneducated, imbue them deeply, and bend them any way they please; or by that pleasure which is the imitator of goodness, being thoroughly and closely implicated with all our senses—the prolific mother of all evils. For she so corrupts us by her blandishments, that we no longer perceive some things which are essentially excellent, because they have none of this deliciousness and pruriency.

XVIII. It follows that I may now sum up the whole of this argument by asserting, as is plain to every one from these positions which have been already laid down, that all right and all that is honourable is to be sought for its own sake. In truth, all virtuous men love justice and equity for what they are in themselves; nor is it like a good man to make a mistake, and love that which does not deserve their affection. Right, therefore, is desirable and deserving to be cultivated for its own sake; and if this be true of right, it must be true also of justice. What then shall we say of liberality? Is it exercised gratuitously, or does it covet some reward and recompense? If a man does good without expecting any recompense for his kindness, then it is gratuitous: if he does expect compensation, it is a mere matter of traffic. Nor is there any doubt that he who truly deserves the reputation of a generous and kind-hearted man, is thinking of his duty, not of his interest. In the same way the virtue of justice demands neither emolument nor salary, and therefore we desire it for its own sake. And the case of all the moral virtues is the same, and so is the opinion formed of them.

Besides this, if we weigh virtue by the mere utility and profit that attend it, and not by its own merit, the one virtue

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which results from such an estimate will be in fact a species of vice. For the more a man refers all his actions especially to his own advantage, the further he recedes from probity; so that they who measure virtue by profit, acknowledge no other virtue than this, which is a kind of vice. For who can be called benevolent, if no one ever acts kindly for the sake of another? And where are we to find a grateful person, if those who are disposed to be so can find no benefactor to whom they can show gratitude? What will become of sacred friendship, if we are not to love our friend for his own sake with all our heart and soul, as people say? if we are even to desert and discard him, as soon as we despair of deriving any further assistance or advantage from him. What can be imagined more inhuman than this conduct? But if friendship ought rather to be cultivated on its own account, so also for the same reason are society, equality, and justice, desirable for their own sakes. If this be not so, then there can be no such thing as justice at all; for the most unjust thing of all is to seek a reward for one's just conduct.

XIX. What then shall we say of temperance, sobriety, continence, modesty, bashfulness, and chastity? Is it the fear of infamy, or the dread of judgments and penalties, which prevent men from being intemperate and dissolute? Do men then live in innocence and moderation, only to be well spoken of, and to acquire a certain fair reputation? Modest men blush even to speak of indelicacy. And I am greatly ashamed of those philosophers, who assert that there are no vices to be avoided but those which the laws have branded with infamy. For what shall I say? Can we call those persons truly chaste, who abstain from adultery merely for the fear of public exposure, and that disgrace which is only one of its many evil consequences? For what can be either praised or blamed with reason, if you depart from that great law and rule of nature, which makes the difference between right and wrong? Shall corporal defects, if they are remarkable, shock our sensibilities, and shall those of the soul make no impression on us?—of the soul, I say, whose turpitude is so evidently proved by its vices. For what is there more hideous than avarice, more brutal than lust, more contemptible than cowardice, more base than stupidity and

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folly? Well, then, are we to call those persons unhappy, who are conspicuous for one or more of these, on account of some injuries, or disgraces, or sufferings to which they are exposed, or on account of the moral baseness of their sins? And we may apply the same test in the opposite way to those who are distinguished for their virtue.

Lastly, if virtue be sought for on account of some other things, it necessarily follows that there is something better than virtue. Is it money, then? is it fame, or beauty, or health? all of which appear of little value to us when we possess them; nor can it be by any possibility certainly known how long they will last. Or is it (what it is shameful even to utter) that basest of all, pleasure? Surely not; for it is in the contempt and disdain of pleasure that virtue is most conspicuous.

Do not you see what a long series of facts and arguments I have brought forward, and how perfect is the connexion between one and another? I should have proceeded further still, if I had not kept myself in check.

XX. *Quintus.*—To what point do your arguments tend, my brother?—for I would willingly go hand in hand with you through this discussion.

Marcus.—The point they bear on is the *moral end* of our actions, to which all things are to be referred, and for the sake of which all things are to be undertaken. This subject is, however, one of great controversy, and full of question among the learned, yet one that must some day or other be decided.

Atticus.—How can that be done, since Gellius is no longer alive?

Quintus.—What is that to the purpose?

Atticus.—Because when I was at Athens, I recollect hearing from my friend Phædrus that your friend Gellius, when he came as Pro-Consul into Greece, after his prætorship, assembled all the philosophers who were at that time at Athens in one spot, and very earnestly pressed upon them his advice that they should endeavour to come to some unanimous agreement in their controversies; urging that if they were so disposed as to be unwilling to spend their whole lives in discord, an agreement might be made; and, at the same time, he promised them his best assistance, if this scheme of mutual conciliation and concession met their views.

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Marcus.—Your story is amusing enough, my Atticus, and it has often excited much merriment; but, indeed, I should very gladly be appointed mediator between the ancient Academy and the Stoics.

Atticus.—How can you think of such a thing?

Marcus.—Because they differ on one point only, and agree to admiration in all the rest.

Atticus.—What! do they contend about one point of debate only?

Marcus.—Yes. I think they have only a single issue, so far as concerns this question of morals; inasmuch as the ancient Academicians are unanimously agreed that the true good is that which is in accordance with nature, and is such that we may be assisted in life by it. The Stoics, on the other hand, allow of no good but what is honourable.

Atticus.—This is indeed a very insignificant controversy, and not such as to account for their general opposition.

Marcus.—You are quite right if it were the thing itself on which they differed, rather than the terms.

XXI. *Atticus.*—You then rather agree with my friend Antiochus, with whom I was living, for I will not venture to call him my master. It was he who at one time almost persuaded me to desert my Epicurean gardens, and led me by gentle steps to the Academy.

Marcus.—This Antiochus was a wise and clever man, and highly accomplished in his way. He was, as you know, a great friend of mine; and I shall presently examine whether I agree with him in all respects or not. This I am sure of, that the whole of that controversy might easily be settled.

Atticus.—Why do you prosecute this inquiry?

Marcus.—Because if, as Ariston of Chios pretended, he were to say that there is no other good than the honourable, and no other evil than the dishonourable; that all other things are altogether indifferent, and that their presence or absence are of no kind of consequence; then Zeno would be departing very far from Xenocrates, Aristotle, and all the school of Plato, and there would be an entire difference between them respecting a principle of the greatest importance, and about the whole course of life. But now, when he affirms that to be the only good which the ancients asserted to be the chief good, namely honour, and its opposite dis-

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grace, which they called the chief evil—the only evil; and when he calls riches, health, and beauty, only advantages, not goods,—and poverty, grief, and pain, only inconveniences, not evils; he in fact agrees in opinion with Xenocrates and Aristotle, though he expresses himself in different terms. From this difference, not respecting things, but words, the controversy concerning *moral ends* arose; in relation to which, inasmuch as our Roman Law of the Twelve Tables has granted a neutral space of five feet wide between the territories of different landlords, we will not allow the venerable estate of the Academy to be trespassed on by this crafty Stoic; and though the Mamilian law appointed but one surveyor to determine the rights of these neutral spaces, in this ethical question all three of us will undertake to arbitrate respecting the moral ends of philosophy.

Quintus.—What, then, shall be the decision which we pronounce?

Marcus.—I think we should seek the boundaries which Socrates has laid down in relation to this question, and abide by them.

Quintus.—There cannot be a better proposal, my brother. And now you are employing the terms of civil justice and laws, on which topics I am waiting for a lecture from you, for the subject is particularly important, as I have often heard you say. And certainly we have sufficiently established the principle we have been discussing, and proved that to live according to nature, is the highest good; that is, to lead a life regulated by conscience, and conformed to virtue and temperance. And to follow nature, and to live according to her law, that is to say, as far as depends on the person himself, to omit nothing to secure nature in the attainment of those things which she requires, this surely is the most lawful and virtuous mode of living. As to the discussions of philosophers, I know not whether we shall ever arrive at a decision, but we certainly shall not do so in our present conference, at least, if we prosecute our original design, and come to the practical investigation of the civil law, as established in our country.

XXII. *Atticus.*—I, however, turned aside to this digression very willingly.

Quintus.—We shall have an opportunity of renewing this

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subject on some future occasion; let us at present keep to what we began with, as especially since this discussion respecting the chief good and evil has no reference to our present subject.

Marcus.—What you say, my Quintus, is most wise and excellent, for what has hitherto been said by me[1] is derived from the very heart of philosophy. But you perhaps wish to have the laws of some particular state discussed.

Quintus.—I am not anxious to hear of the laws of Lycurgus, or of Solon, or of Charondas, or Zaleucus, nor of our Roman Twelve Tables, nor of popular decrees; but I expect you to describe in this day's conversation, not only the laws fitted for all nations, but also the rules and maxims of conduct that may apply to individuals.

Marcus.—And indeed what you expect, my Quintus, harmonizes very well with the subjects of our present discussion. And I wish that it were within my abilities to do justice to it. But the real state of the case is, that since law ought to be both a correctress of vice and a recommender of virtue, the principles on which we direct our conduct ought to be drawn from her. And, thus it comes to pass wisdom is the mother of all the virtuous arts, from the love of which the Greeks have composed the word Philosophy; and which is beyond all contradiction the richest, the brightest, and the most excellent of the gifts which the Gods have bestowed on the life of mankind. For wisdom alone has taught us, among other things, the most difficult of all lessons, namely, *to know ourselves*, a precept so forcible and so comprehensive, that it has been attributed not to a man, but to the God of Delphi himself.

For he who knows himself must in the first place be conscious that he is inspired by a divine principle. And he will look upon his rational part as a resemblance to some divinity consecrated within him, and will always be careful that his sentiments as well as his external behaviour be worthy of so inestimable a gift of God. And after he has thoroughly examined himself and tested himself in every way, he will become aware what signal advantages he has received from nature at his entrance into life, and with what infinite means

[1] In the original the text breaks off here. The remainder of the sentence has been restored in its present form by Lamberius.

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and appliances he is furnished for the attainment and acquisition of wisdom; since, in the very beginning of all things, he has, as it were, the intelligible principles of things delineated, as it were, on his mind and soul, by the enlightening assistance of which, and the guidance of wisdom, he sees that he shall become a good and consequently a happy man.

XXIII. For what can be described or conceived more truly happy than the state of that man, whose mind having attained to an exact knowledge and perception of virtue, has entirely discarded all obedience to and indulgence of the body, and has trampled on voluptuousness as a thing unbecoming the dignity of his nature, and has raised himself above all fear of death or pain; who maintains a benevolent intercourse with his friends, and has learnt to look upon all who are united to him by nature as his kindred; who has learnt to preserve piety and reverence towards the Gods and pure religion; and who has sharpened and improved the perceptions of his mind, as well as of his eyesight, to choose the good and reject the evil, which virtue from its foreseeing things is called Prudence?[1]

When this man shall have surveyed the heavens, the earth, and the seas, and studied the nature of all things, and informed himself from whence they have been generated, to what state they will return, and of the time and manner of their dissolution, and has learnt to distinguish what parts of them are mortal and perishable, and what divine and eternal—when he shall have almost attained to a knowledge of that Being who superintends and governs these things, and shall look on himself as not confined within the walls of one city, or as the member of any particular community, but as a citizen of the whole universe, considered as a single Commonwealth: amid such a grand magnificence of things as this, and such a prospect and knowledge of nature, what a knowledge of himself, O ye immortal Gods, will a man arrive at! That is the warning of the Pythian Apollo. And how insignificant will he then esteem, how thoroughly will he contemn and despise, those things which by vulgar minds are held in the highest admiration!

XXIV. And all these acquirements he will secure and guard as by a sort of fence, by the knowledge how to dis-

[1] From *providendo*; prudentia being a contracted form of providentia.

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tinguish truth from falsehood, and by a certain science and art of reasoning which teaches him to know what consequences follow from premises, and what proposition is contrary to another. And when such a person feels that nature has designed him for civil society, he will not rest contented with these subtle disquisitions alone, but will put in practice that more comprehensive and continuous eloquence by which he may be able to govern nations, to establish laws, to punish malefactors, to defend the honest part of mankind, and publish the praises of great men: by which also he may fitly put forth precepts of safety, and panegyrics of virtue, in a way suited to persuade his countrymen: by which also he may be able to rouse them to the practice of virtue, and turn them from wickedness, to comfort the afflicted, and, in fine, to immortalize the wise consultations and noble actions of the brave and wise, and to punish the shame and infamy of wicked men by handing them down in undying records. And of all these important things which are perceived to be in man by those who wish to attain a knowledge of themselves, the parent and nurse is wisdom.

Atticus.—You have given us a very dignified and just eulogium on her. But on what do you mean your remarks to bear?

Marcus.—In the first place, my Atticus, I mean them to bear on those jurisprudential topics which we shall hereafter discuss, which are well nigh as important as the preceding. For these moral principles we have already developed, would not be so grand and so interesting, if the sources from which they arise were not also full of sublimity and beauty. And for the rest, I prosecute this inquiry with pleasure, and I trust with justice; for I cannot with any conscience pass over in silence that study to which I am devoted, and which has made me all that I am.

Atticus.—You speak truly, and as that study deserves; and it was, as you say, proper to do so in this discussion.

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BOOK II.

INTRODUCTION TO THE SECOND BOOK.

In this Second Book Cicero treats of hierarchical and ecclesiastical laws, and lays down a number of ecclesiastical canons or maxims, which he subsequently expounds at large.

I. *Atticus.*—Do you feel inclined, since we have had walking enough for the present, and since you must now take up a fresh part of the subject for discussion, to vary our situation; if you do, let us pass over to the island which is surrounded by the Fibrenus,—for such, I believe, is the name of the other river,—and sit down, while we prosecute the remainder of our discourse?

Marcus.—I like your proposal; for that is the very spot which I generally select when I want a place for undisturbed meditation, or uninterrupted reading or writing.

Atticus.—In truth, now I am come to this delicious retreat, I cannot see too much of it. Would you believe, that the pleasure I find here makes me almost despise magnificent villas, marble pavements, and sculptured palaces? Who would not smile at the artificial canals which our great folks call their Niles and Euripi, after he had seen these beautiful streams? Therefore, as you just now, in our conversation on Justice and Law, referred all things to Nature, so you seek to preserve her domination even in those things which are constructed to recreate and amuse the mind. I therefore used to wonder before, as I expected nothing better in this neighbourhood than hills and rocks (and, indeed, I had been led to form these ideas by your own speeches and verses)—I used to wonder, I say, that you were so exceedingly delighted with this place. But my present wonder, on the contrary, is, how, when you retire from Rome, you condescend to rusticate in any other spot.

Marcus.—But when I can escape for a few days, especially at this season of the year, I usually do come here, on account of the beauty of the scenery and the salubrity of the air; but

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it is but seldom that I have it in my power to do so. There is one reason, however, why I am so fond of this Arpinum, which does not apply to you.

Atticus.—What reason is that?

Marcus.—Because, to confess the truth, it is the native place of myself and my brother here; for here indeed, descended from a very ancient race, we first saw the day. Here is our altar, here are our ancestors, and here still remain many vestiges of our family. Besides, this villa which you behold in its present form, was originally constructed, at considerable expense, under my father's superintendence; for having very infirm health, he spent the later years of his life here, engaged in literary pursuits. And on this very place, too, while my grandfather was alive, and while the villa, according to the olden custom, was but a little one, like that one of Curius in the Sabine district, I myself was born. There is, therefore, an indescribable feeling insensibly pervading my soul and sense which causes me, perhaps, to find a more than usual pleasure in this place. And even the wisest of men, Ulysses, is related to have renounced immortality, that he might once more revisit his beloved Ithaca.

II. *Atticus.*—I indeed think what you have mentioned a very sufficient reason for your feelings, and for your coming hither with pleasure, and being attached to this place. Moreover, I myself, to say the truth, feel that my love for this house and all this neighbourhood increases, when I remember that you were born and bred up here; for, somehow or other, we certainly cannot behold without emotion the spots in which we find traces of those who possess our esteem or admiration. And for my own part, even in the case of Athens itself, which I love so greatly, it is not so much the magnificent works, and exquisite specimens of art of the ancients, which delight me, as the remembrance of her great men, and the thought where each of them used to live, and sit down and discourse. Even their very tombs do I contemplate with deep attention. And with the same feelings, I shall for the future love the place the more where you were born.

Marcus.—That being the case, I am very glad that I have brought you here, and shown you what I may almost call my cradle.

Atticus.—And I am greatly pleased at having seen it. But

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what were you going to say just now, when you called this Arpinum the true country of yourself and your brother Quintus? Have you more than one country, or any other than that Roman commonwealth in which we have a similar interest? Unless, indeed, you mean to say, that the true country of the philosophic Cato was not Rome, but Tusculum.

Marcus.—I indeed should say that Cato, and all municipal citizens like him, have two countries,—the one, that of their birth, and the other, that of their citizenship. As in the case of Cato, who, having been born at Tusculum, was elected a citizen of Rome; so that, as he was a Tusculan by extraction, and a Roman by citizenship, he had one country as his native place, and another as his country in law. So among your Athenians, before Theseus urged them to quit their rural territories, and assembled them at Athens, those that were natives of Sunium, were reckoned as Sunians and Athenians at the same time; and, in the same way, we justly consider as our country, both the place from where we originated and that in which we have been received. It is necessary, however, that we should attach ourselves by a preference of affection to the latter, which, under the name of the Commonwealth, is the common country of us all. For this country it is that we ought to sacrifice our lives; it is to her that we ought to devote ourselves without reserve; and it is for her that we ought to risk all our riches and consecrate all our hopes. But still that land which produced us is not much less dear to us than that which has received us. Therefore I will never disown Arpinum as my country, at the same time acknowledging that Rome is the greater of the two, and that the other is contained in her.

III. *Atticus.*—It was not, then, without reason that Pompey said in my hearing, when he pleaded conjointly with you the cause of Ambius, that our commonwealth owed great gratitude to this municipality for having given it two of its preservers. For my part, I quite agree with you, that your native place may be called your country, no less correctly than the commonwealth of Rome. But here we are arrived in your favourite island. How beautiful it appears! How bravely it stems the waves of the Fibrenus, whose divided waters lave its verdant sides, and soon rejoin their rapid cur-

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rents! The river just embraces space enough for a moderate walk; and having discharged this office, and secured us an arena for disputation, it immediately precipitates itself into the Liris; and then, like those who ally themselves to patrician families, it loses its more obscure name, and gives the waters of the Liris a greater degree of coolness. For I have never found water much colder than this, although I have seen a great number of rivers; and I can hardly bear my foot in it, when I wish to do what Socrates did in Plato's Phædrus.

Marcus.—You are quite right; but my brother Quintus often tells me that your river Thyamis in Epirus is nothing inferior to even this delightful spot in beauty.

Quintus.—And that is the truth, too; and I would have you believe that nothing on earth can surpass the beauties of our friend Atticus's Amaltheum, and its plane-trees. But if you have no objection, let us repose here in the shade, and return to that part of our subject from which we have digressed.

Marcus.—You are very persevering in your demands, my Quintus! I thought that we had done with the question; but you are not a man to allow any one to remain in your debt.

Quintus.—Pray begin, then; for all this day is devoted to hearing you.

Marcus.—"With Jupiter the Muses shall begin," as I said in my translation of Aratus.

Atticus.—Wherefore this exordium?

Marcus.—Because on this occasion we cannot do better than commence by invoking him and the other immortal gods.

Quintus.—There can be no objection to this: it is but decent and proper.

IV. *Marcus.*—Let us, then, once more examine, before we come to the consideration of particular laws, what is the power and nature of law in general; lest, when we come to refer everything to it, we occasionally make mistakes from the employment of incorrect language, and show ourselves ignorant of the force of those terms which we ought to employ in the definition of laws.

Quintus.—This is a very necessary caution, and the proper method of seeking truth.

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Marcus.—This, then, as it appears to me, has been the decision of the wisest philosophers,—that law was neither a thing contrived by the genius of man, nor established by any decree of the people, but a certain eternal principle, which governs the entire universe, wisely commanding what is right, and prohibiting what is wrong. Therefore they called that aboriginal and supreme law the mind of God, enjoining or forbidding each separate thing in accordance with reason. On which account it is, that this law, which the Gods have bestowed on the human race, is so justly applauded. For it is the reason and mind of a wise Being equally able to urge us to good and to deter us from evil.

Quintus.—You have, on more than one occasion, already touched on this topic. But before you come to treat of the laws of nations, I wish you would endeavour to explain the force and power of this divine and celestial law, lest the torrent of custom should overwhelm our understanding, and betray us into the vulgar method of expression.

Marcus.—From our childhood we have learned, my Quintus, to call such phrases as this, "that a man appeals to justice, and goes to law," and many similar expressions, law; but, nevertheless, we should understand that these, and other similar commandments and prohibitions, have sufficient power to lead us on to virtuous actions and to call us away from vicious ones. Which power is not only far more ancient than any existence of states and peoples, but is coeval with God himself, who beholds and governs both heaven and earth. For it is impossible that the divine mind can exist in a state devoid of reason; and divine reason must necessarily be possessed of a power to determine what is virtuous and what is vicious. Nor, because it was nowhere written, that one man should maintain the pass of a bridge against the enemy's whole army, and that he should order the bridge behind him to be cut down, are we therefore to imagine that the valiant Cocles did not perform this great exploit agreeably to the laws of nature and the dictates of true bravery. Again, though in the reign of Tarquin there was no written law concerning adultery, it does not therefore follow that Sextus Tarquinius did not offend against the eternal law when he committed a rape on Lucretia, daughter of Tricipitinus. For, even then he had the light of reason deduced from the nature

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of things, that incites to good actions and dissuades from evil ones; and which does not begin for the first time to be a law when it is drawn up in writing, but from the first moment that it exists. And this existence of moral obligation is co-eternal with that of the divine mind. Therefore, the true and supreme law, whose commands and prohibitions are equally authoritative, is the right reason of the Sovereign Jupiter.

V. *Quintus.*—I grant you, my brother, that whatever is just is also at all times the true law; nor can this true law either be originated or abrogated by the written forms in which decrees are drawn up.

Marcus.—Therefore, as that Divine Mind, or reason, is the supreme law, so it exists in the mind of the sage, so far as it can be perfected in man. But with respect to civil laws, which are drawn up in various forms, and framed to meet the occasional requirements of the people, the name of law belongs to them not so much by right as by the favour of the people. For men prove by some such arguments as the following, that every law which deserves the name of a law, ought to be morally good and laudable. It is clear, say they, that laws were originally made for the security of the people, for the preservation of states, for the peace and happiness of society; and that they who first framed enactments of that kind, persuaded the people that they would write and publish such laws only as should conduce to the general morality and happiness, if they would receive and obey them. And then such regulations, being thus settled and sanctioned, they justly entitled *Laws.* From which we may reasonably conclude, that those who made unjustifiable and pernicious enactments for the people, acted in a manner contrary to their own promises and professions, and established anything rather than *laws*, properly so called, since it is evident that the very signification of the word *law*, comprehends the whole essence and energy of justice and equity.

I would, therefore, interrogate you on this point, my Quintus, as those philosophers are in the habit of doing. If a state wants something for the want of which it is reckoned no state at all, must not that something be something good?

Quintus.—A very great good.

Marcus.—And if a state has no law, is it not for that reason to be reckoned no state at all?

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Quintus.—We must needs say so.

Marcus.—We must therefore reckon law among the very best things.

Quintus.—I entirely agree with you.

Marcus.—If, then, in the majority of nations, many pernicious and mischievous enactments are made, which have no more right to the name of law than the mutual engagements of robbers, are we bound to call them laws? For as we cannot call the recipes of ignorant and unskilful empirics, who give poisons instead of medicines, the prescriptions of a physician, so likewise we cannot call that the true law of a people, of whatever kind it may be, if it enjoins what is injurious, let the people receive it as they will. For law is the just distinction between right and wrong, made conformable to that most ancient nature of all, the original and principal regulator of all things, by which the laws of men should be measured, whether they punish the guilty or protect and preserve the innocent.

VI. *Quintus.*—I quite understand you, and think that no law but that of justice should either be proclaimed as one or enforced as one.

Marcus.—Then you regard as null and void the laws of Titius and Apuleius, because they are unjust.

Quintus.—Yes; and I would say the same of the laws of Livius.

Marcus.—You are right, and so much the more, since a single vote of the senate would be sufficient to abrogate them in an instant. But that law of justice, the power of which I have explained, can never be discarded or abrogated.

Quintus.—And, therefore, you will require such laws as can never be abrogated.

Marcus.—Certainly, if I could get you both to agree with me. But Plato, that wisest of all men, that most dignified of all philosophers, who was the first man who ever composed a treatise on a Commonwealth, and afterwards a separate one on Laws, induces me to follow his illustrious example, and to proclaim the praises of law, before I begin to recite its regulations. Such, likewise, was the practice of Zaleucus and Charondas, who wrote the laws which they gave their cities, not for the sake of study or amusement, but for the benefit of their country and their fellow-citizens.

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And imitating them, Plato considered that it was the property of law, to persuade in some instances, and not to compel everything by threats and violence.

Quintus.—What, do you venture to cite Zaleucus, when Timæus denies that he ever existed?

Marcus.—But Theophrastus, an author, in my opinion, quite as respectable, and as many think much more so, corroborates my statement. His fellow-citizens too, my clients, the Locrians, commemorate him; but whether he was a real man or not, is of no great consequence to our argument: we are only speaking according to tradition.

VII. Let this, therefore, be a fundamental principle in all societies, that the Gods are the supreme lords and governors of all things,—that all events are directed by their influence, and wisdom, and Divine power; that they deserve very well of the race of mankind; and that they likewise know what sort of person every one really is; that they observe his actions, whether good or bad; that they take notice with what feelings and with what piety he attends to his religious duties, and that they are sure to make a difference between the good and the wicked.

For when once our minds are confirmed in these views, it will not be difficult to inspire them with true and useful sentiments. For what can be more true than that no man should be so madly persumptuous as to believe that he has either reason or intelligence, while he does not believe that the heaven and the world possess them likewise, or to think that those things which he can scarcely comprehend by the greatest possible exertion of his intellect, are put in motion without the agency of reason?

In truth, we can scarcely reckon him a man, whom neither the regular courses of the stars, nor the alternations of day and night, nor the temperature of the seasons, nor the productions that nature displays for his use and enjoyment, urge to gratitude towards heaven.

And as those beings which are furnished with reason are incomparably superior to those which want it, and as we cannot say, without impiety, that anything is superior to the universal Nature, we must therefore confess that divine reason is contained within her. And who will dispute the utility of these sentiments, when he reflects how many cases

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of the greatest importance are decided by oaths; how much the sacred rites performed in making treaties tend to assure peace and tranquillity; and what numbers of people the fear of divine punishment has reclaimed from a vicious course of life; and how sacred the social rights must be in a society where a firm persuasion obtains the immediate intervention of the immortal gods, both as witnesses and judges of our actions? Such is the "preamble of the law," to use the expression of Plato.

Quintus.—I understand you, my brother; and I am greatly pleased to find that you take a different view of the subject, and dwell upon other points of it, than those which he selects, for nothing can less resemble his opinions, than what you have just now asserted, even in this preamble. The only matter in which you seem to me to imitate him, is his style and language.

Marcus.—I wish, indeed, I did, but who is, or who ever will be able to imitate that? As to his sentiments, it is easy enough to translate them, and, indeed, that is what I should do if I did not wish to be altogether original. For what difficulty is there in stating the same doctrines as he does, translated from him almost word for word?

Quintus.—I entirely agree with you; for as you have just remarked, your arguments ought to be entirely your own. Begin, then, if you will do us the favour, and expound the laws of religion.

Marcus.—I will explain them as well as I can; and since both the topic and the conversation is a familiar one, I shall begin by describing the laws of laws.

Quintus.—What laws do you mean?

Marcus.—There are certain terms in law, my Quintus, not so ancient as those in the primitive sacred laws, but still, in order to carry with them greater authority, being of a somewhat greater antiquity than the common parlance of the people. These legal terms, I shall mention with as much brevity as possible; and I shall endeavour to expound the laws, not indeed in their whole extent, for this would be a boundless subject, but those which involve the principles, and contain the sum and substance of the rest.

Quintus.—This appears a most desirable method: let us therefore hear the terms of the law.

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VIII. *Marcus.*—Such are the following:—Let men approach the gods with purity—let men appear before them in the spirit of devotion—let men remove riches from their temples; whoever doth otherwise shall suffer the vengeance of heaven—let no one have private gods—neither new gods nor strange gods, unless publicly acknowledged, are to be worshipped privately—let the temples which our fathers have constructed in the cities, be upheld—let the people maintain the groves in the country, and the abodes of the Lares—let men preserve the customs of their fathers and of their family—let the gods who have always been accounted celestial be worshipped, and those likewise who have merited celestial honours by their illustrious actions, such as Hercules, Bacchus, Æsculapius, Castor, Pollux, and Quirinus. Let due honour be likewise paid to those virtues, by which man is exalted to heaven,—as Intelligence, Valour, Piety, Fidelity; and let temples be consecrated to their honour—with regard to the vices, let no sacred sacrifices be paid to them.

Let men put aside all contentions of every kind on the sacred festivals, and let servants enjoy them, their toils being remitted, for therefore they were appointed at certain seasons.—Let the priests duly render the public thank-offerings to heaven, with herbs and fruits, on the sacrificial days. Also, on the appointed holidays, let them offer up the cream of milk, and the sucklings; and lest the priests should commit any mistakes in these sacrifices, or the reason of these sacrifices, let them carefully observe the calendar, and the revolutions of the stars.—Let them provide those particular victims which are most appropriate and agreeable to each particular deity.—Let the different gods have different orders of priests (sacerdotes).—Let them all have pontiffs in common; and let each separate god have his Flamen.

Let the Vestal Virgins in the city carefully keep the eternal fire of the public altar always burning; and, that this may be done both publicly and privately with all due form and ceremony, let those who are not instructed in the order of the ceremonials learn it from the public priests. Let there be two classes of these priests, one to preside over ceremonials and sacrifices, and the other to interpret the obscure predictions of the prophets and diviners, whenever the senate and the people require it. Let the public Augurs, who are the

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interpreters of the all-good and all-great Jupiter, likewise examine the presages and the auspices, according to the discipline of their art. Let the priests who are conversant in auguries implore prosperity for the vineyards and gardens, and pray for the general welfare of the people. Let those who give counsel in military or civic affairs attend to the auspices, and be guided by them. Let them guard against the anger of heaven, and appease it; and observe from what parts of heaven the lightnings burst forth. Let them declare what lands, cities, and temples, are to be held free and consecrated. Whatever things the augur declares to be unjust, ill-omened, vicious, and accursed, let them be forsaken as prohibited and disastrous, and whoever will not obey these divine indications, let him suffer capital punishment.

IX. As to alliances, peace, war, truces, and the rights of ambassadors, let the two Feciales be the appropriate judges, and let them determine all questions relating to military affairs. Let them report all prodigies and portents to the Etruscans and soothsayers, if the senate orders it; and let the chiefs of Etruria explain their system. Then will they learn what deities it behoves them to propitiate, and deprecate the fury of the thunderbolt against the object of its vengeance.

Let there be no nocturnal sacrifices performed by women, except those which they offer according to custom on behalf of the people; and let none be initiated in the mysteries except by the usual forms consecrated to Ceres, according to the Grecian ceremonials.

A crime which has been committed and cannot be expiated has been an act of impiety; as to the faults which can be expiated, let the public priests expiate them.

Let men temper the public hilarity with song, and harp, and flute at the public games, as far as can be done without the games of the race-course and the wrestling-matches, and let them unite these amusements with the honours of the gods. Let them retain whatever is best and purest in the ancient form of worship. Except the devotees of Cybele, to whom this privilege is allowed on certain days, let no one presume to levy rates for private emolument. Whoever purloins or robs any temple, or steals any property deposited in a temple, shall be accounted a parricide. The divine punishment of perjury is destruction,—the human penalty is infamy.

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With regard to incest, let the chief priests sentence it to the extremest penalty of the law.

Let not the impious man attempt to appease the gods by gifts and offerings. Let vows be carefully performed. Wherever law is violated let its punishments be executed. Let no private person presume to consecrate his land; and let his consecration of gold, silver, and ivory, be made within the limits of moderation. Let the sacred actions of private persons be preserved inviolate for ever. Let the rights of the Deities of the dead be considered sacred. Let those who have passed into the world of souls be considered as deified; but let men diminish the unnecessary expense and sorrow which is lavished on them.

X. *Atticus.*—You have managed to include a great deal of law in a very small compass; but it seems to me, that this class of religious maxims does not much differ from the laws of Numa and our national regulations.

Marcus.—Do you suppose, then, that when, in my Treatise on the Commonwealth, Scipio appears to be arguing that our ancient Roman Commonwealth was the best of all republics, it was not indispensable that I should give laws of corresponding excellence to that best of all republics.

Atticus.—Undoubtedly I think you should.

Marcus.—Well, then, you may expect such laws as may embrace that most perfect kind of republic. And if any others should haply be demanded of me this day, which are not to be found, and never have existed, in our Roman Commonwealth, yet even these formed a portion of the customs of our ancestors, which at that time were maintained as religiously as the laws themselves.

Atticus.—Proceed, then, if you please, to propose these laws, that I may have the pleasure of ratifying them by my vote.

Marcus.—Are you sure, my Atticus, that when you hear them, you will not say something very different?

Atticus.—I do not think so! I believe I shall entirely agree with you respecting the greater laws. And as for the minor ones, I shall concede them to you, and pass sentence accordingly.

Marcus.—And that is my opinion, too. However, take care that it does not turn out a long business.

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Atticus.—I wish it might. For what could we find to do which could be more delightful!

Marcus.—One of the legal maxims I have mentioned, states, that we should approach the gods with purity,—that is to say, with purity of mind, for this is everything. Not that the law dispenses with purity of body; but this must be understood, inasmuch as the mind is far superior to the body; and it may be observed, that if we are to be attentive to the purity of our persons, we ought to be still more so to the purity of our souls. For the pollutions of the body may indeed be removed by a few ablutions of water, or in a few days; but the stains of the conscience cannot be obliterated by any lapse of time, and all the rivers in the world cannot wash them out.

The next legal maxim commands us to cultivate piety, and to banish costliness from our temples; which signifies that piety is grateful to God, and that all extravagance is displeasing to him. For if in our social relations we desire that distinctions of wealth and poverty should not induce us to forget the fraternal equality of men, why should we throw a stumbling-block in the approaches of mortals to their Maker, by requiring costly sacrifices and offerings. Especially since nothing could be less agreeable to the Deity than to see that the way to propitiate and worship him was not open to all men.

And with respect to the statement that God is not merely a judge, but an avenger, the sense of religion appears to be strengthened by the fear of immediate punishment which awaits the offender.

And for individuals to worship private gods, or new gods, or strange gods, would introduce a confusion of religions, and all kinds of unknown ceremonies. This is not the way in which gods accepted by the priests and by the senate should be worshipped, even if they approved of such regulations.

I think the temples of our ancestors should be maintained in our cities. In which respect I do not agree with the doctrine of the Persian Magi, by whose advice, they say, Xerxes set fire to the temples of the Greeks, because they enclosed between the walls the Gods, to whom all things are free and open, and whose appropriate temple and dwelling-place is the boundless universe.

XI. The Greeks, and the Romans after them, have adopted

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a more rational opinion, who, in order to confirm the devotion which we entertain for the gods, have wished them to inhabit the same cities which we abide in ourselves. For this opinion promotes a religion which has a useful influence on society. For, according to the noble sentence of Pythagoras, "then chiefly do piety and religion flourish in our souls, when we are occupied in divine services." And according to Thales, the most renowned of the seven sages of Greece, "men ought to be persuaded that all things which are seen are full of the gods." For that all men will be the more pure and holy when they frequent the temples of the gods, for there, in a certain sense, they have the divine images, not only impressed on their minds, but actually presented before their eyes. The same argument applies to the preservation of the sylvan fanes and sacred groves.

Nor are the religious honours, which, according to ancestral custom, masters and servants pay to the *lares*, in the courts of our villas and farms, to be abated.

The rights of ancestors are likewise to be preserved in their families, for since the ancients approached nearest to the gods, that religion which the gods handed down to them is a tradition most worthy of memorial.

And when the law commands us to render divine honours to those of the human race who have been consecrated as deities, such as Hercules, and the rest of the demi-gods, it indicates that the souls of all men indeed are immortal, but that those of saints and heroes are divine.

It is right, also, that Intelligence, Piety, Valour, and Fidelity should be formally consecrated; all of whom possess temples which have been publicly dedicated to them at Rome, so that those who cultivate these admirable virtues, as indeed all worthy men do, may think that they have the gods themselves seated in their souls.

But what is scarcely to be tolerated is, that at Athens they should have raised a temple to Insolence and Impudence, as they did at the instigation of Epimenides of Crete, after the expiation of the crime of Cylon. For it is the Virtues, and not the Vices, which it is becoming to consecrate. Now there is an ancient altar on the Palatine hill dedicated to Fever, and another on the Esquiline hill sacred to Misfortune, which is detestable, for all things of this kind should be repudiated.

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But when we forge titles according to the fancy of the poets, and call Jove Vicepota, from his power of conquering,[1] and taking possession; and speak, too, of Stata,[2] and Stator,[3] and the invincible Jupiter, and consecrate the names of desirable things, such as Safety, Honour, Wealth, and Victory, we perhaps do little harm; and, since our minds are supported by the expectation of excellent things, it was not amiss for Calatinus to consecrate Hope. And Fortune may be either this day's fortune, for she embraces all days, or retrospective fortune, as bringing assistance; and we may worship her as Chance, as presiding over irregular accidents, or under the name of *primé genia*, from producing.[4] * * *[5]

XII. Then comes the order of Festivals and Holidays, in which all men should be free, and spend their time without strife or litigation, and which afford the slaves periods of rest and cessation from labour, which the arranger of the calendar ought to appoint, with a just reference to the seasons of the year, so that their distribution may rather facilitate than interrupt the useful labours of agriculture. And with respect to the time when the rites of sacrifice are to be offered, with the young animals appointed by law, the exact intervals of intercalation are to be accurately observed, an institution which, originating with Numa, was impaired by the negligence of subsequent pontiffs.

It is not desirable to change the regulations which the pontiffs and soothsayers have made respecting what sacrifices are to be offered to each god, as to whether they are to be full-grown victims or sucklings, or males or females.

With respect to the priests, the great number of those who serve all the gods, and those, too, who are attached to a single deity, ought to be ready to answer all questions about law, and to explain all the ordinances and duties of religion.

Now as Vesta, according to the meaning of the Greek word, which the Latins have retained, is as it were the perpetual fire of the city, the vestal virgins preside over it with the greatest propriety, that they may the more easily keep the sacred flame ever burning and inviolable, and that women

[1] Vincendi, et potiendi. [2] Probably the same as Vesta.
[3] A name given to Jupiter as stopping the flight of armies.
[4] From *primus*, first, and *gigno*, to produce.
[5] Here some of the original is lost.

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may learn that the purest chastity constitutes the perfection of their nature.

What follows concerns not religion only, but the general order of the state; namely, the prohibition which restrains private individuals from offering sacrifices without the superintendence of the public ministers of religion. For it amounts to this, that under a sound government the people have always need of the counsel and authority of the chief men; and the order of priests should take cognizance of every kind of orthodox religion.

For there is one class appointed to propitiate the gods, when offended, who preside over solemn sacrifices; others are ordained to interpret the predictions of the prophets, not indeed of many prophets, lest their tasks should be infinite, and lest any one out of the college should know those matters which were decided on for the public good.

One of the greatest and most important offices in the Commonwealth is that of the augurs, conjoined as it is with the highest authority. I do not say this because I am an augur myself, but because we are bound to be of this opinion. For what can be more important in respect of official dignity, than the power of dismissing the assemblies of the people, and the councils, though convoked by the chief rulers, or of annulling their enactments? What, I say, can be more absolute power than that by which even a single augur can adjourn any political proceeding to another day? What can be more transcendent than that authority which may command even consuls to lay down their office? What more sacred than their power of granting or refusing permission to form treaties and compacts? or their power of abrogating laws which have not been legitimately enacted, as in the case of the Titian law, which was annulled by a decree of the pontifical college; and the Livian law, which was likewise annulled by the advice of Philippus, who was at once consul and augur. What can be more honourable than the fact that there is no edict of the magistrates, relating either to domestic or foreign affairs, which can be ratified without the augur's authority.

XIII. *Atticus.*—I know all that, and I confess that their authority is very great; but there is a warm dispute in your colleges between Marcellus and Appius, two of your best

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augurs. For I have met with the books of both, and I find that one of them affirms that auspices are merely got up for the interests of the state, and the other seems to think that they really are supernatural divinations. Now, I ask, what is your opinion on this point?

Marcus.—For myself, I sincerely believe that there exists an art which the Greeks call Μαντικὴ, or divination; and that the flight of birds and other signs, which the augurs profess to observe, form a part of this divination. For when we grant the existence of the supreme gods, and their intellectual government of the universe, and their benignant consideration for the interests of the human race, and their power of granting us intimations of future events, I know not why we should deny the art of divination. And the signs which they give are such as I have already mentioned, by which the truth of my position is conclusively proved.

Besides this, not only does the history of our Commonwealth afford us an infinite number of examples which confirm this truth, but all kingdoms, peoples, and nations, bear testimony that in many instances the predictions of augurs have been wonderfully fulfilled. Thus the traditions of Polyidus,[1] Melampus,[2] Mopsus,[3] Amphiaraus,[4] Calchas,[5] and Helenus,[6] would not have made so much noise in the world, nor would they at this time be accredited by so many nations, —Arabians, Phrygians, Lycaonians, Cilicians and Pisidians— unless antiquity had handed them down as true and indisputable. Nor would our Romulus have consulted the auspices before he founded Rome, nor would the name of Accius Navius have so long flourished in the memory of our citizens, if events had not justified their wonderful predictions. But,

[1] Polyidus is mentioned in the Iliad, xiii. 663, as the father of Euchenor. He was a soothsayer of Corinth.

[2] Melampus is mentioned in the Odyssey, xv. 225, as a soothsayer in Pylos. He was looked upon by the ancients as the first mortal who practised divination, and as the introducer of the worship of Bacchus into Greece. In the latter part of his life he ruled over a part of Argos.

[3] Mopsus was one of the Lapithæ.

[4] Amphiaraus was a descendant of Melampus, king of Argos, and one of the seven chiefs who besieged Thebes.

[5] Calchas was, as is universally known, the soothsayer of the Greek army in the Trojan war.

[6] Helenus was a son of Priam, and very eminent as a prophet. See Virg. Æn. iii. 245—374.

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doubtless, this science and art of augury has to some extent vanished away by age and negligence. Therefore, for my part, I neither agree with Marcellus, who maintains that our college of augurs never was in possession of this science; nor do I agree with Claudius, who asserts that we still preserve it. And, indeed, it appears to me, among our ancestors to have been of a twofold nature, so that it was sometimes used for political convenience, though very often as a real guide and director in counsel and action.

XIV. *Atticus.*—I think that that was the case, and I very much agree with these views of yours on the subject,—but proceed.

Marcus.—I will, and as concisely as possible. What follows relates to the rights of war; in commencing, conducting, and concluding which, justice and good faith are of the greatest importance. By our law we have, therefore, appointed public interpeters of these rights.

As to the religious duties of the soothsayers, and their expiations and sacrifices, I think that enough, and more than enough, is said in the law itself.

Atticus.—I think so too, since that branch of the law relates exclusively to religious ceremonials.

Marcus.—As to what follows, my Atticus, I scarcely know in what terms it becomes me to animadvert upon it, or you to assent to it.

Atticus.—What is that?

Marcus.—The law respecting the nocturnal sacrifices of women.

Atticus.—Oh! I assent to their suppression by all means, with the exception of those solemn and public sacrifices contained in the law itself.

Marcus.—But if we suppress the nocturnal sacrifices, what will become of the august mysteries of Iacchus and the Eumolpidæ? For we are constructing laws, not for the Romans only, but for all just and valiant nations.

Atticus.—I think it but courteous to except those mysteries likewise, in which we ourselves have been initiated.

Marcus.—With all my heart let us except them. For it seems to me that among the many admirable and divine things your Athenians have established to the advantage of human society, there is nothing better than the mysteries by

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which we are polished and softened into politeness from the rude austerities of barbarism. Justly indeed are they called initiations, for by them we especially learn the grand principles of life, and gain, not only the art of living agreeably, but even that too of dying with a better hope.

But the comic poets are sufficient to show what displeases me in the nocturnal mysteries. If such licence was allowed at Rome, what abominations might not be committed by the man who should carry premeditated debauchery into the mysteries, in which even a stolen glance was in ancient times a crime?

Atticus.—Content yourself with proposing this law for Rome: do not rob the Greeks of their customs.

XV. *Marcus.*—Well, then, let us return to our laws, in which it is most diligently ordained that the clear daylight should be the safeguard of female virtue in the eyes of the multitude; and that they should only be initiated in the mysteries of Ceres, according to the Roman custom.

In reference to this topic, we have an extraordinary instance of the severity of our ancestors in the public prosecution and punishment of the Bacchanals by the senate, supported by the consular armies. And this severity of the Roman government is not singular, since Diagondas of Thebes, in the middle of Greece, suppressed all nocturnal mysteries by a perpetual prohibition. And Aristophanes, the most facetious of the old Greek comedians, so satirized the new gods and the nocturnal rites of their worship, that he represents Sabazius and other foreign deities condemned as aliens, and obliged to pack off from the city.

But the public priest shall acquit of guilt those irregularities committed by imprudence, and which have been carefully expiated. But he shall judge as scandalous and impious the audacity which would introduce impure religious customs.

With respect to public shows and amusements, since they are generally divided into those of the circus and of the theatre, let corporeal contests, such as running, boxing, wrestling, and chariot-races for the palm of victory, be confined to the circus. And let dramatic recitations, with vocal music and singing, and lyres and flutes, be practised in the theatre as by law prescribed, as long as they are kept within the bounds of

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moderation. For I think with Plato that nothing more readily influences tender and susceptible minds, than the varied melodies of music; whose power of raising both good and evil passions is almost beyond expression; for music can excite the depressed, and depress the excited, and augment our energies, or contract them. It would have been well for many of the Greek cities, if they had maintained the spirited and invigorating character of their ancient music; for since their music has been changed, their morals and manners have lapsed into voluptuousness and effeminacy: either because, as some people think, their dispositions have been depraved by this seducing and enervating music; or because, after severity of virtue had yielded to the temptation of other vices, there was then found room, both in their ears and inclinations, for this change also.

Therefore it was that Plato, that wisest and by far the most learned philosopher of Greece, so much dreaded the effects of music on his fellow-countrymen: for he denied that it was possible to change the laws of music, without likewise changing the public laws. But though I am not quite so apprehensive as he with respect to the influence of music, I by no means believe that it deserves to be slighted. Without going further, let me observe the effect of that influence among our Romans. The verses of Livius and Nævius, which used to be sung with a manly simplicity and energy, are now chanted forth with all sorts of grimaces and contortions of the eyes and head, according to the variation of the airs. Ancient Greece never permitted this sort of conduct, wisely foreseeing, how gradually this kind of effeminacy, if it once got possession of the citizens, would ruin all their cities with false arts and evil principles. And therefore the stern Lacedæmon ordained that the harp of Timotheus should possess but seven chords, and that the rest should be taken away.

XVI. Our next legal maxim is, that we should retain whatever is best in our ancient customs. When the Athenians consulted the Pythian Apollo what religious observances they should chiefly cultivate, the oracle answered, "Those which were in accordance with the customs of their ancestors." And when the Athenians came to consult the oracle again, alleging that the customs of their ancestors had been often changed, and desired to know which custom they should select from

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the variety, the oracle replied, The best. And indeed the truth is, that for the most part that is to be accounted the most ancient and the nearest the gods which is the best.

We have by another legal maxim prohibited the levy of rates for private emoluments, with the exception of those that are made during a few days in honour of Cybele. Such a custom fills men's mind with superstition, and impoverishes their families.

We have awarded a due punishment for all sacrilegious persons, not those only who rob a temple, but also those who steal anything which has been entrusted to a temple, a custom which exists in many temples. Thus Alexander is said to have consigned a sum of money in the temple of Soli in Cilicia, and Clisthenes the Athenian, a very worthy citizen, when he thought his fortune was in danger, consigned his daughters' dowries to the care of Juno, in her temple at Samos.

We must now come to the question of perjury; with regard to the laws against incest, this is not the place to say anything.

Let impious criminals listen to Plato, that they may not dare to attempt to propitiate the Gods with gifts; for he forbids us to doubt what feelings God must entertain towards such when even a good man is not willing to receive presents from a wicked one. Diligence in paying our vows, and care in making them as obligations to God, is sufficiently enjoined in the law; but the punishment of those who violate the sacred rites of religion, cannot reasonably be objected to.

Why need I here cite the examples of those impious wretches of whose crimes and punishments the tragedies are full? Let us rather speak of those things which come under our own observation. And though I am apprehensive lest the following may seem to have surpassed the usual fortune of men, yet as our present conversation is so familiar and confidential between ourselves, I will hide nothing; and I trust that what I shall say may be looked upon rather as a mark of my gratitude towards the immortal gods, than as a piece of offensive boasting.

* * * * * * * [1]

XVII. At that time all the laws of religion were polluted

[1] There is a hiatus here.

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by the wickedness of abandoned citizens, during the period of my banishment. My domestic gods and lares were violated, and a temple to licentiousness built on the ruins of their edifice; while he who alone could defend them was driven from their altars. Consider, then, a moment, (for I need not mention names,) what was the termination of such proceedings. I, who suffered not the statue of Minerva, the guardian of our city, to be polluted by impious hands during the universal ruin of my house and property, and who conveyed her safely from my home to the temple of her own Father; did I not by thus acting obtain the suffrage of the senate, and Italy, and in short of all nations of the earth, as the preserver of my country?—than which what more glorious thing could happen to mortal man?

And of my enemies, on the other hand, who had abominably violated the sacred rites of religion, some were put to confusion and banished into different countries; but those who were their chiefs, and who headed them in all their crimes and impieties, not only suffered degradation during life, but were denied the privilege of sepulture and funeral ceremonies.

Quintus.—Yes, my brother, you have described these events as they occurred, and we cannot feel too grateful to the Gods; but we too often see conduct of this kind meet with a very different requital.

Marcus.—That is because we judge not as we ought to judge, respecting divine punishments; but we are carried by the tide of public opinion into error, and do not discern the true nature of things. We estimate the miseries of man by death, pain of body, sorrow of mind, or judicial punishments, which, I grant, are accidents to which mankind is liable, and are such as have befallen many good men; and there is a grievous punishment of guilt, which is in itself an evil of infinite magnitude, even exclusive of the external results which attend it. I have seen those, who, had they not been enemies to their country, would never have been foes to me, tormented beyond description by their own bad passions; racked with concupiscence, and with terror and evil conscience: at one time through fear not knowing what to do; at another contemning religion, breaking down all the enactments of justice, and corrupting the judgments of men, though they could not corrupt the Gods. But I must restrain myself, and

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go no further in invective; and I have the less occasion to do so, because my vengeance has already been carried beyond my desire. I would only lay it down that thus much is proved, that the divine punishment is of a twofold nature, inasmuch as it consists in the pangs of conscience while they live, and in such a character of them after they are dead that their destruction is approved of by the judgment and satisfaction of the living.

XVIII. I entirely agree with Plato, that private estates ought not to be consecrated, who, if I can but translate them correctly, uses nearly these words: "The earth, therefore, is consecrated to all the gods, as the grand altar of all homes. Therefore, let no one consecrate a second time what is already consecrated. As to gold and silver, in cities, or in private houses, or in temples, this sort of property is but a hateful thing to be consecrated. As to ivory, which is extracted from a lifeless body, it is scarcely pure enough to be a gift for the Gods. Brass and iron are the instruments of war, not of a temple. With regard to wood, if any one wishes to dedicate a statue of wood to a divinity, let it be formed from a single tree. The same remark applies to the statues of stone in common temples. As to the airy woven work, it should not be more elaborate than a woman can make it in a month. And the colour white is most agreeable to God, in general, and especially so in woven fabrics. And let there be no dyed colours, excepting on military decorations. And the most suitable offerings which we can offer to the Gods are birds, and other simple figures, such as one painter may draw in one day; and let the other gifts have the same character of simplicity."

Such is the opinion of Plato. For my part, I am not quite so strict in my limitations, having to regard both the present tone of public morals, and the luxurious habits of the times. Besides, I suspect that agricultural industry would languish, if superstitious ceremonials were allowed unduly to interfere with the cultivation of the ground by the instruments of husbandry.

Atticus.—I understand you; it remains for you to speak on the perpetual sacrifices and the rights of the Manes.

Marcus.—What a wonderful memory you possess, my Atticus! I had forgotten that point.

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Atticus.—Very likely. Nevertheless, I recollect these things the better, and expect them with more anxiety, because they are associated both with the pontifical and civil law.

Marcus—Very true; and on these points our statutes and written enactments are very clear and distinct. And for my part, throughout all this familiar conversation, to whatever kind of law our discussion may conduct me, I will treat of our civil jurisprudence with as much simplicity as possible—in such a manner, that you may easily distinguish on what principle every legal case depends; so that it will not be difficult for any one possessed of a moderate share of intelligence to find the rights of the question, whatever new cause or consultation shall arise, when he shall know how to refer the points of debate to their appropriate maxim.

XIX. But unhappily our lawyers, either for the sake of raising casuistical objections in order that they may seem to know more difficult points than they really understand—or, as is most likely, through ignorance of the art of teaching and conveying instruction (for not only is art shown in knowing a thing, but there is also a certain art in teaching it)—our lawyers, I say, often divide a legal doctrine, which is essentially simple, into an infinite variety of technical distinctions. With relation to our present topic, for instance, what a wonderful cloud of sophistries has been raised by the two Scævolas, both pontiffs, and both equally skilful in the law! "Often," says Publius the son, "have I heard from my father, that no one can make a good pontiff, unless he understands the civil law." What, the whole of it? Why so? What in the world has a pontiff to do with the rights of partition walls, aqueducts, &c.? Or does he mean only that part of the civil law which is connected with ecclesiastical polity? But how inconsiderable is this, with the exception of certain sacrifices, vows, holidays, burials, and things of that kind. Why, then, should we make these of so much importance, when the others are so insignificant?

Concerning those sacrifices however, which topic is a more extensive one, this should be our only opinion: that they should be preserved perpetually,—and pass in succession through families, so that, as I have stated in my account of the law, the sacred rites may be constant. On this principle, the pontiffs have decided that these rites should be handed

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down through all generations, so that their memorial should not fail with the life of the ancestor, and that their obligations should devolve on those who inherit the family estates. On this principle alone, which might suffice for the regulation of all relative cases, have our lawyers raised innumerable quibbles, which fill their books. They demand, forsooth, who are bound to administer these sacred rites? Common justice evidently points out the heir of the deceased; for there is no other person who more appropriately occupies the position of him who has departed. Next to the heir, stands the legatee, who by the death of the deceased, or by virtue of his will, sometimes takes as much as all the heirs. All this is implied in the maxim, and perfectly corresponds to its design. Thirdly, if there be no heir, the obligation attaches to him who takes the largest share of the goods which belonged to the deceased. Fourthly, if there be no heir or legatee who receives anything, it binds the chief creditor, who gains the largest share of the estate. The last person on whom the obligation of discharging the sacred rites can fall, is the debtor of the defunct, who not having discharged the debts he owed him, will stand in the same position as if he had received a legacy to an equivalent amount.

XX. It is thus that Scævola instructed us in many points of law, which were not so defined by our forefathers. For they regulated the whole business in the following simple terms:—"A person may become liable to the obligation of discharging the sacred rites of the deceased in three ways; first, as the heir; secondly, as the legatee, who takes the greater part of the property; thirdly, as the largest creditor, in case the estate is encumbered. But we learn one thing from Scævola the pontiff, namely, that all the new arrangements depend on a single principle, which is the wish of the priests to attach the money to the sacred rites; and they judge all festivals and ceremonies by the same rule.

The Scævolas likewise establish this regulation, when there is a division of the inheritance; namely, that if a due allowance is not set down in the legacy, and the legatees receive less than all the heirs, they should not be bound to discharge the sacred rites. In donations, however, they interpret the same thing in quite a different manner, and ratify whatever the ancestor shall approve in the donation of a person under

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his superintendence; and do not ratify whatever has been done without his approbation and participation.

On such topics, a thousand little questions arise, which any one who does not at once understand them may solve by himself, by referring them to their proper maxim and principle. For instance,—if through fear of being charged with the sacred rites, a legatee took less than his legacy, and afterwards one of the heirs of this legatee claimed on his own account that portion which the legatee had relinquished, and these two sums, joined together, equal that which was bequeathed to all the heirs; then he who claimed this relinquished portion would be bound to perform the sacred rites, without encumbering his co-heirs. They determine, however, with regard to the legatee, that where the legacy is too great to be lawfully exempted from these rites, he may pay a part by weight and balance to the testamentary heir, so that in this case, the heir being charged, the money of the legatee is no further liable.

XXI. On this point, as on many others, I should be glad if you two Scævolas, supreme pontiffs, and shrewd and able men, as I confess you to be, would inform me why you seek to perplex the pontifical law with the subtleties of the civil law? For you, in fact, supersede the simple maxims of ecclesiastical jurisprudence, by the endless technicalities of the civil legislation. If the sacred rites are thus conjoined with pecuniary interests, they are so by your authority as pontiffs, rather than by any law of national obligation. So long, indeed, as you remain pontiffs, your pontifical jurisdiction will continue; but as you happen to be exceedingly knowing in the civil law, you may be able to elude the plainest maxims of the ecclesiastical. For instance, Publius Scævola, Coruncanius, and other chief pontiffs, have determined that those legatees who take as much as all the heirs, should be bound to discharge the sacred rites.

Such is the pontifical law. Now what has been added to it by the civil law?—a rule of distributions, composed with the utmost caution, in favour of the legatee; for by the deduction of a hundred sesterces, they have discovered a method of delivering the legatee from this troublesome duty. If, however, the testator omitted to make this proviso for the legatee, then this very Mucius the pontiff, who is also a

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lawyer, has contrived a new expedient in his favour: he has but to take less than all the heirs, and he gets a release. Our forefathers had stated, with admirable good sense, that those to whom the property came should discharge the sacred rites; but these pontiffs have rid them of all such obligations.

As to the other quibble, it had no place in the pontifical law, and existed only in the civil code. I mean the sale by weight and balance, in order to discharge the testamentary heirs, and place the business in the same condition as if the legacy had not been granted, the legatee stipulating with respect to his legacy, that he should pay over a certain sum by stipulation, and so * * * * *[1]

[I now come to the rights of the Manes, or ghosts of the dead—which our ancestors most wisely instituted, and most religiously observed. They therefore ordained that the people should sacrifice for the ghosts of the dead, in the month of February, then the last month in the year by the ecclesiastical calendar. Decius Brutus, however, according to the writings of Sisenna, usually discharged these ceremonials in December. When I consult my own knowledge for the reason of this proceeding, I think I discover the cause which induced Brutus to depart from the ancestorial custom. The cause that Sisenna assigns for Brutus's non-observance of this ancient institution, was his ignorance of its obligation; but it does not seem to me likely that Brutus would have so rashly neglected an institution of our ancestors, for he was] a learned man, and a great friend of Accius. I therefore conclude that Brutus considered December to be the last month in the year, as the ancients did February, which was so called when the institution was originated. He likewise conceived that it was a part of piety to offer the most important victims.

XXII. With regard to the rite of sepulture, it is so sacred a thing that all confess it should be discharged in consecrated ground, and if possible in the land belonging to the family. Thus, in the times of our ancestors, Torquatus decided respecting the Popilian family. And certainly the Denicale feasts, so called from the Latin words *de nece*, (implying

[1] There is a hiatus here: the translation in the text is that of the conjectural restoration of Lambinus.

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deliverance *from death*,) would not have been appointed as holidays in honour of the dead, as well as other celestials, unless our ancestors who have departed this life, were believed to have passed into the number of deified beings. The privilege of fixing these among those when there are no peculiar festivals or public holidays, and the whole composition of the pontifical law on this subject, proves the great sanctity and importance of this religious custom and of these ceremonials.

It is unnecessary for us at present to explain the proceedings of families in funeral ceremonies, what kind of sacrifice should be offered to the lares, from the rams of the flock—how the bone which remains unconsumed must be covered with earth—how in some cases it is necessary to sacrifice a sow, when the sepulchre is to be considered as consecrated, and such minute details.

It appears to me, however, that the kind of sepulture which Cyrus, according to Xenophon, solicited for himself, is the most ancient of all, for it is a kind of restitution which we make to the earth of a body, which, as a mother, she produced, and as a mother takes back to her protecting bosom. In the same manner we are told that our ancient king Numa was interred in that sepulchre which is near the altar of the fountain. And we know that the Cornelian family has likewise used this form of burial, till a period within our own recollection. The conqueror Sylla, however, ordered the corpse of Marius to be disinterred from his grave on the banks of the Anio, impelled to this barbarous brutality by an implacable resentment, which he would not have indulged if he had been as wise as he was vehement. Perhaps it was through fear that the same accident might happen to himself, that he ordered that his body should be burned after his death,—a custom he was the first to introduce in the patrician family of the Cornelii. For in the epitaph of Scipio Africanus, Ennius says,

Here lies the body, &c.

And the word *lies* is only applied in this way to them who are buried in sepulchres; though perhaps tombs should not be entitled sepulchres till the last rites have been consummated, and the corpse consumed by fire.

The verb *to inhume*, which is now commonly applied to

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the burial of the deceased, is most appropriate to those corpses that are interred after being burned. The pontifical law proves this usage, for before the ground is thrown over them, the spot where the body is burned has no religious reverence attached to it. When the earth is thrown over the corpse, then it is inhumed, and the tomb is called a sepulchre, and many religious rites are performed in order to consecrate it. So Publius Mucius determined with regard to a person who had been killed in a ship, and then cast into the sea, that his family was pure from any charge of neglect to the deceased, inasmuch as no bone remained on the earth, in which case his heir must have sacrificed a sow to his manes. If, on the contrary, a bone had remained on the earth, he considered that fasts should have been appointed to last three days, and that a sow should likewise have been sacrificed, if the deceased had died in the sea. And all the same ceremonies should have been observed with the exception of the expiation and the holidays.

XXIII. *Atticus.*—I am well aware of these rules of the pontifical statutes; but what do our civil laws say?

Marcus.—Little enough on this subject, my Atticus, and nothing which I do not suppose that you are acquainted with already. And what they say has less regard to the religious ceremonials than to the rights of sepulchres. A law of the Twelve Tables orders that a dead person shall neither be buried nor burned within the city, I suppose on account of the danger of fire. But the addition of this expression, "nor burned," indicates, that the corpse which is burned is not so properly said to be buried as one which is put underground.

Atticus.—How is it, that, notwithstanding this law of the Twelve Tables, so many of our great men have been buried in the city?

Marcus.—I believe, my Atticus, that those who have been so buried, have been either those to whom this privilege was granted before the law was made, such as Publicola and Tubertus, on account of their virtue, and that their descendants have rightfully succeeded to it; or those who, like Caius Fabricius, have been discharged of their obligations to this law because of their virtue. But the civil law does forbid burials in the city, and in the same spirit the pon-

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tifical college has decreed that it is unlawful to raise a sepulchre in the public places.

You know the Temple of Honour, outside the Collinian gate. We learn from tradition, that there was in ancient times an altar on the spot; and it appears from a medal discovered there, on which was inscribed, "the Mistress of Honour;" and this was the reason why that temple was so dedicated. But as there were many sepulchres in the neighbourhood, they were ploughed up when the city was enlarged. For the pontifical college ordained that public places could not be bound by private consecrations.

Another provision we find in the Twelve Tables intended to obviate the superfluous expenses and extravagant mournings at funerals, almost literally translated from the laws of Solon. "Never carve or polish a funeral pile." You recollect what follows, for we learned the Twelve Tables when schoolboys, as an indispensable lesson, which, however, no one learns now. Let extravagance, therefore, be diminished to three suits of mourning, with purple bands, and ten flute-players. Excessive lamentations are also to be prohibited by this rule—"Let not the women tear their cheeks or make the *lessus* or funeral wailings."

Those ancient interpreters of our laws, Sextus Ælius, and Lucius Acilius, have said they could not understand this regulation, but that they suspected it referred to some peculiar funeral ceremonials. Ælius defines the word "lessus" to be a kind of lugubrious ejaculation, or shriek, which I think likely enough, since Solon's law likewise forbids such lamentations. These rules are very commendable, and equally practicable by the rich and poor; and they are eminently conformable to nature, who sweeps away by mortality all the distinctions of fortune.

XXIV. The Twelve Tables have likewise abridged those other funeral pomps which tend to augment sorrow. For they thus declare,—"Do not collect the bones of the dead, when their funerals are over." An exception is made with regard to those who die in battle, or in a foreign land.

Besides these laws, there are others with regard to unction, which forbid a servile embalmment of the corpse, and all kinds of funeral banquets, which are justly abrogated, but which would not have been so had they not been abuses.

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"There shall likewise be no expensive respersions, no large crowns, or censers of perfume."

It is certain, however, that the ornaments gained by merit do belong to the dead, because the law enjoins that such a crown should be placed on the deceased, who has deserved it by his virtue, and on his nearest relation, without any wrong being done thereby; and because, I suppose, it had got to be a custom that many funeral ceremonies were celebrated for one man, or many funeral processions arranged for any one deceased;—

And since in the law there was this clause, that gold should not be buried with the dead, how humane is the exception made by another law, that if the teeth of the deceased were fastened with gold, the corpse might be buried or burned without taking it away, and no wrong be done. From which expression we might deduce another argument, that burial and burning were considered different things.

Beside these, there are two laws respecting sepulchres, one of which relates to the houses of private persons, and the other to the family vaults themselves. For one prohibits the erection of a funeral pile or pyre nearer than sixty feet to a neighbour's house, without its proprietor's consent, for fear of conflagration. The other ordained, that the sepulchre and its vestibule should not be subject to usucaption, and thus defends the rights of sepulchres.

These regulations we find in the Twelve Tables, and indeed they are very conformable to nature, which is the principle of law. The other portion relates to customs—how funerals should be announced; whether any games should be allowed; whether the master of the ceremonies shall employ a herald and lictors; it permits the praises of the honourable dead to be commemorated in a panegyric, and accompanied by songs to the music of flutes, of which dirges are called *nœniæ*, a name which the Greeks gave also to funeral lamentations.

XXV. *Quintus.*—I am delighted that our laws are conformable to nature, and I am above measure pleased with the wisdom of our ancestors.

Marcus.—Yet I believe, my Quintus, that as in the case of other expenses, so a moderation in those of funeral pomps and ceremonials is very properly required. For you may see in the funeral of Figulus to what an excess these extravagances

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were carried. But I think that there was formerly far less ambition for this kind of extravagance than at present prevails, otherwise there would be many examples of it in the records of our ancestors. And indeed the interpreters of our law understand that in the chapter of the law which forbids profuse and excessive mourning and expense in honour of the manes, the superfluous magnificence of sepulchres is also especially commanded to be curtailed. Nor has this important subject escaped the attention of the wisest legislators. For they say that the custom of interring the dead in the Greek mode, has continued at Athens ever since the time of Cecrops: and that immediately after such interments, the next relatives, when they had cast the earth over the dead, scattered the seeds of vegetables over the spot, in order that the earth might, like a mother, take her lifeless son to her bosom, and then, by the expiation of seed, might again be restored to the living. Then followed a banquet which the relatives attended crowned with flowers; and at this banquet they pronounced eulogiums on the deceased, when anything could be truly said in his favour; for it was reckoned impious to lie on such occasions; and thus the ceremony terminated.

In process of time, as Demetrius Phalereus assures us, the funerals began to become sumptuous, and the mourning lamentations were extravagantly multiplied. These abuses were prohibited by Solon's law, which our Decemvirs have translated almost word for word in our Twelve Tables. For our rule respecting the three suits of mourning, and other customs, were thus derived from Solon's regulation; and that edict respecting the mourning is expressed in his precise words: "Let not the women tear their cheeks, nor indulge their wailing at funerals."

XXVI. In Solon's law respecting funerals, there are no further directions than that he forbids any one injuring sepulchres, and all introduction of any other body into them. He makes it penal for any one to violate, throw down, or break any tomb, for that is what I suppose he means by τύμβος, or funeral monument or column. But after a short time, the extravagance of the mausoleums which we see built in the ceramicus and cemetery, gave occasion to that law which prohibits private persons from erecting any sepulchre more elaborate than ten men can construct in three days:

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and even those it was not permitted to adorn with sculpture, nor to place the statues they call Mercuries around them; nor to pronounce any panegyric of the dead excepting in the case of a public funeral, nor might such panegyric be delivered by any one else except the man who was publicly appointed to perform that duty. Eulogiums of men and women were likewise forbidden, that the lamentations might be diminished; for such collections of people on melancholy occasions tend to augment unavailing sorrow. On which account Pittacus expressly forbade any one from attending the funerals of those that were strangers to him.

But the same Demetrius also informs us that the magnificence of funeral processions and ceremonials grew to such a height as nearly to equal our fashions at present existing at Rome; these, Demetrius restrained by a wholesome law; for he was not only, as you are aware, a very learned man, but a most experienced citizen, devoted to the preservation of the state. He therefore diminished the expense of funerals, not only by penalties, but by a limitation of time; as he commanded that they should be performed before sunrise. He also established a rule of moderation for all new sepulchres—for he would not allow any erection on the mound of earth, save a little column, three cubits high, or a tomb-stone, or tablet; and he appointed a regular magistrate to superintend these observances.

XXVII. Such, my Atticus, were the laws enforced among your Athenians. But let us see what Plato says, who allots to the ministers of religion the charge of regulating funerals, a custom which we also observe. These are his words respecting sepulchres:—

"Do not use as a burial-place any portion of land which is either cultivated, or which may be so; but such a soil as by nature is only suitable for receiving the bodies of the dead, without detriment to the interests of the living. As to a field which is capable of bearing fruit, and, as a mother, supplying us with food, let no one by any means injure it, whether he be living or dead. And let no sepulchre be built to a greater elevation than five men can raise in five days; nor let a tablet be made any larger than is required for the reception of an epitaph on the deceased, in four heroic verses;" which Ennius calls long verses.

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We have, therefore, the authority of the illustrious Plato also in our favour on the subject of sepulchres. He likewise regulates the funeral expenses by the fortune of the family, from one mina to five. He then repeats what he had before said respecting the immortality of the soul, and the tranquillity of the good after death, and the punishment of the wicked.

I have now, I believe, sufficiently explained all the laws which relate to religious rites.

Quintus.—You have, my brother, and most copiously too; but now proceed to the other branch of our subject.

Marcus.—It is my intention to do so; and since you urge me to these discussions, I will endeavour to bring our argument to a conclusion, and if possible, in the course of the day. For I find that Plato did the same, and that the whole of his disquisition on the laws was completed in one summer day. I will, therefore, try to imitate him, and will next speak of magistrates; for after religion is once established, that is the part of the next greatest importance with reference to keeping together the republic.

Atticus.—Proceed, then, and preserve the same method in which you have begun.

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BOOK III.

INTRODUCTION TO THE THIRD BOOK.

In this Third Book Cicero treats of the civil laws, and the offices and duties of the civil magistrates by whom they are enforced. On these topics he lays down a series of legal maxims, and then proceeds to give an ample exposition of their several provisions.

I. *Marcus.*—I shall, therefore, imitate that divine man, who has inspired me with such admiration that I eulogise him perhaps oftener than is necessary.

Atticus.—You mean Plato.

Marcus.—The very man, my Atticus.

Atticus.—Indeed you do not exaggerate your compliments, nor bestow them too frequently, for even my Epicurean friends, who do not like any one to be praised but their own master, still allow me to love Plato as much as I like.

Marcus.—They do well to grant you this indulgence, for what can be so suitable to the elegance of your taste as the writings of Plato?—who in his life and manners appears to me to have succeeded in that most difficult combination of gravity and politeness.

Atticus.—I am glad I interrupted you, since you have availed yourself of an opportunity of giving this splendid testimonial of your judgment respecting him; but pursue the subject as you began.

Marcus.—Let us begin, then, with praising the law itself, with those commendations which are both deserved and appropriate to the subject.

Atticus.—That is but fair, since you did the same in the case of our ecclesiastical jurisprudence.

Marcus.—You see, then, that this is the duty of magistrates, to superintend and prescribe all things which are just and useful, and in accordance with the law. For as the law is set over the magistrate, even so are the magistrates set

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over the people. And, therefore, it may be truly said, "that the magistrate is a speaking law, and the law a silent magistrate."

Moreover, nothing is so conformable to justice and to the condition of nature (and when I use that expression, I wish it to be understood that I mean the law, and nothing else,) as sovereign power; without which, neither house, nor commonwealth, nor nation, nor mankind itself, nor the entire nature of things, nor the universe itself, could exist. For this universe is obedient to God, and land and sea are submissive to the universe; and human life depends on the just administration of the laws of order.

II. But to come to considerations nearer home, and more familiar to us, all ancient nations have been at one time or other under the dominion of kings. Which kind of authority was at first conferred on the wisest and justest men. (And this rule mainly prevailed in our own commonwealth, as long as the regal power lasted.) Afterward, the authority of kings was handed down in succession to their descendants, and this practice remains to this day in those which are governed by kings. And even those to whom the regal domination was distasteful, did not desire to be obedient to no one, but only not to be always under the authority of the same person.

For ourselves, then, as we are proposing laws for a free people, and as we have already set forth in six books all our own opinions about the best kind of commonwealth, we shall on the present occasion endeavour to accommodate our laws to that constitutional government of which we have expressed our approval.

It is clear, then, that magistrates are absolutely necessary; since, without their prudence and diligence, a state cannot exist; and since it is by their regulations that the whole commonwealth is kept within the bounds of moderation. But it is not enough to prescribe them a rule of domination, unless we likewise prescribe the citizens a rule of obedience. For he who commands well, must at some time or other have obeyed; and he who obeys with modesty appears worthy of some day or other being allowed to command. It is desirable, therefore, that he who obeys should expect that some day he will come to command, and that he who commands should

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bear in mind that ere long he may be called to the duty of submission.

We would not, however, limit ourselves to requiring from the citizens submission and obedience towards their magistrates; we would also enjoin them by all means to honour and love their rulers, as Charondas prescribes in his code. Our Plato likewise declares that they are of the race of the Titans, who, as they rebelled against the heavenly deities, do in like manner oppose their magistrates. These points being granted, we will, if you please, advance to the examination of the laws themselves.

Atticus.—I certainly do please, and the arrangement seems advisable.

III. *Marcus.*—"Let all authorities be just, and let them be honestly obeyed by the people with modesty and without opposition. Let the magistrate restrain the disobedient and mischievous citizen, by fine, imprisonment, and corporal chastisement; unless some equal or greater power, or the people forbid it; for there should be an appeal thereto. If the magistrate shall have decided, and inflicted a penalty, let there be a public appeal to the people respecting the penalty and fine imposed.

"With respect to the army, and the general that commands it by martial law, there should be no appeal from his authority. And whatever he who conducts the war commands, shall be absolute law, and ratified as such.

"As to the minor magistrates, let there be such a distribution of their legal duties, that each may more effectively superintend his own department of justice. In the army let those who are appointed command, and let them have tribunes. In the city, let men be appointed as superintendents of the public treasury. Let some devote their attention to the prison discipline, and capital punishments. Let others supervise the public coinage of gold, and silver, and copper. Let others judge of suits and arbitrations; and let others carry the orders of the senate into execution.

"Let there likewise be sediles, curators of the city, the provisions, and the public games, and let these offices be the first steps to higher promotions of honour.

"Let the censors take a census of the people, according to age, offspring, family, and property. Let them have the

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inspection of the temples, the streets, the aqueducts, the rates, and the customs. Let them distribute the citizens, according to their tribes: after that let them divide them with reference to their fortunes, ages, and ranks. Let them keep a register of the families of those of the equestrian and plebeian orders. Let them impose a tax on celibates. Let them guard the morals of the people. Let them permit no scandal in the senate. Let the number of such censors be two. Let their magistracy continue five years. Let the other magistrates be annual, but their offices themselves should be perpetual.

"Let the judge of the law who shall decide private actions, or send them for decision to the prætor—let him be the proper guardian of civil jurisprudence. Let him have as many colleagues, of equal power, as the senate think necessary, and the people allows him.

"Let two magistrates be invested with sovereign authority; from their presiding,[1] judging, and counselling, let them be called prætors, judges, or consuls. Let them have supreme authority over the army, and let them be subject to none; for the safety of the people is the supreme law; and no one should succeed to this magistracy till it has been held ten years—regulating the duration by an annual law.

"When a considerable war is undertaken, or discord is likely to ensue among the citizens, let a single supreme magistrate be appointed, who shall unite in his own person the authority of both consuls, if the senate so decrees, for six months only. And when such a magistrate has been proclaimed under favourable auspices, let him be the master of the people. Let him have for a colleague, with equal powers with himself, a knight whomsoever he may choose to appoint, as a judge of the law. And when such a dictator or master of the people is created the other magistracies shall be suppressed.

"Let the auspices be observed by the senate, and let them authorize persons of their own body to elect the consuls in the comitia, according to the established ceremonials.

"Let the commanders, generals, and lieutenants, leave the city whenever the senate decrees or the people orders that they shall do so. Let them properly prosecute all just wars. Let them spare our allies, and restrain themselves and their

[1] Prætores, a præeundo; judices, a judicando; consules, a consulendo.

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subordinates. Let them increase the glory of our country. Let them return home with honour. Let no one be made an ambassador with a view to his own interest.

"Let the ten officers whom the people elect to protect them against oppression be their tribunes; and let all their prohibitions and adjudications be established, and their persons considered inviolable, so that tribunes may never be wanting to the people.

"Let all magistrates possess their auspices and jurisdictions, and let the senate be composed of these legitimate authorities. Let its ordinances be absolute, and let its enactments be written and ratified, unless an equal or greater authority disannul them. Let the order of the senators be free from reproach and scandal, and let them be an example of virtue to all.

"In the creation of magistrates, the judgment of the accused, and the reception or rejection of laws, when suffrages are employed, let the suffrages be at once notorious to the nobles, and free to the people.

IV. "If any question occur out of the established jurisdiction of the magistrates, let another magistrate be appointed by the people, whose jurisdiction shall expressly extend thereto. Let the consul, the prætor, the censor, the master of the people and of the knights, and he to whom the senate has committed the election of consuls, have full liberty to treat both with the senate and the people, and endeavour to reconcile the interests of all parties. Let the tribunes of the people likewise have free access to the senate, and advocate the interests of the people in all their deliberations. Let a just moderation predominate in the opinions and declarations of those who would thus act as mediators between the senate and the people. Let a senator who does not attend the senate, either show cause of his non-attendance, or submit to an appropriate fine. Let a senator speak in his turn, with all moderation, and let him be thoroughly acquainted with the interests of the people.

"By all means avoid violence among the people. Let the greatest authority have the greatest weight in decisions. If any one shall disturb the public harmony, and foment party quarrels, let him be punished as a criminal. To act the intercessor in cases of offence should be considered the part of a good citizen. Let those who act observe the auspices;

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obey the public augur; and carry into effect all proclamations, taking care that they are exhibited in the treasury, and generally known. Let the public consultations be concentrated in one point at a time, let them instruct the people in the nature of the question, and let all the magistrates and the people be permitted to advise on the subject.

"Let them permit no monopolies, or privileges. With respect to the capital punishment of any citizen, let it not take place, unless by the adjudication of the high courts of justice, and the ministry of those whom the censors have placed over the popular orders. Let no bribes be given or received, either in soliciting, discharging, or resigning an official situation.

"If any one shall infringe any of these laws, let him be liable to a penalty. Let these regulations be committed to the charge of the censors. Let public officers, on their retiring from their posts, give these censors an account of their conduct, but let them not by this means escape from legal prosecution if they have been guilty of corruption."

I have here recited the whole law; now, consider the question, and give your votes.

V. *Quintus.*—With what conciseness, my brother, have you brought before our eyes the duties and offices of all magistrates! But your system of laws is almost that of our own commonwealth, although a little that is new has also been added by you.

Marcus.—Your observation is very just, my Quintus, for this is the very system of a commonwealth which Scipio eulogises in my treatise, and which he mainly approves—and which cannot be kept in operation but by a successive order of magistrates, such as we have described. For you may take it for granted that it is the establishment of magistrates that gives its form to a commonwealth, and it is exactly by their distribution and subordination that we must determine the nature of the constitution. Which establishment being very wisely and discreetly settled by our ancestors, there is nothing, or at all events very little alteration that I think necessary in the laws.

Atticus.—Tell us, then, as you did at my request respecting the ecclesiastical laws, so also now in regard to these magisterial and civil laws, the reasons why you prefer the maxims you have stated.

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Marcus.—I will do as you desire, my Atticus, and I will explain how much of this topic has been investigated and illustrated by the disputations of the most learned philosophers of Greece, and then, as I proposed at first, I will touch on your own laws.

Atticus.—I am impatient to hear this dissertation of yours.

Marcus.—And indeed, I have already stated a large part of the doctrines relating to this inquiry, in the books which I composed respecting the best sort of Commonwealth. On this topic, however, there have been some peculiar questions with respect to the duties and offices of magistrates, treated with considerable subtlety, first by Theophrastus, and next by Dion the Stoic.

VI. *Atticus.*—A Stoic, say you? were such questions ever discussed by the Stoics?

Marcus.—Certainly not, with the exception of the philosopher I have just cited; and, after him, of Panætius, a great man and one of singular erudition. Indeed, the ancient Stoics were not so deficient in their speculative dissertations respecting politics and laws, as they were in the practical application of them to the service of the people. The greatest light was shed on this part of the subject by this School under the guidance of Plato. Afterwards, Aristotle illustrated all matters of civil jurisprudence in his elaborate essays, as did also Heraclides of Pontus, another of Plato's disciples. And Theophrastus, who was instructed by Aristotle, was wholly devoted, as you are aware, to disquisitions of this kind; and Dicæarchus, a disciple of the same master, was by no means deficient in the principles of this science. After these, Demetrius Phalereus, before mentioned, drew legal learning by his admirable talents from the shade and inactivity of the Schools, into the open daylight of civil life, and gave it a practical point and efficacy, which are of the greatest service in all critical emergencies and conflicts. For we often find that men of the greatest weight in the republic are deficient in philosophy, and that those who are very learned in philosophy are remarkably ignorant in legal affairs. And I hardly know where we could find any besides him, who has excelled both in the theory and practice of jurisprudence, so as to be at once a prince of learning and of political economy.

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VII. *Atticus.*—I think I could show you such a man, and one of us three too; but pray continue your discourse, as you have begun.

Marcus.—These Greek philosophers made it a grand point of inquiry whether one magistrate should be appointed in each commonwealth, to whom all the rest should be subordinate; which system, as I understand, was what was decided on by our ancestors, after the expulsion of the kings. But since the monarchical constitution which was at first preferred was changed, not so much through any fault in the monarchy, as through the vices of a monarch, it should seem that the monarchy itself still subsists, and that nothing but the name of king has been repudiated, if one magistrate is still to have authority over all the rest.

It was not without reason, therefore, that Theopompus in Lacedæmon qualified the power of the Spartan kings by the ephori, or that we Romans qualify the power of our consuls by tribunes. For our consuls are invested with such authority by law, that they command all the other magistrates, except the tribunes, who were created some time after, in order to hinder those events from recurring which had taken place before. For the first diminution of the power of the consuls was the creation of a magistrate who was not subject to it. The next was, when this new magistrate gave his aid not only to other magistrates, but even to private citizens, who refused obedience to the consuls.

Quintus.—You speak of a great evil; for since the office of the tribunes of the people was established, the authority of the nobles has declined, and the rule of the mob has gained strength.

Marcus.—The case is not quite so bad as you think, my Quintus; for that power of the consuls inevitably appeared to the people not only something too arrogant, but also too violent. But since wise and moderate limitation has been imposed upon it, it diffuses law and justice to all the citizens.[1]

* * * * * * *

VIII. [Let us now come to the exposition of our legal maxims, before stated; and, to pass over that earlier portion whose propriety is almost self-evident, let us notice that maxim

[1] There is a great hiatus here in the Latin text. I do not know whence Mr. Barham has derived the sentence within brackets.

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which declares that soldiers should endeavour to return home with unblemished honour. For to good and innocent men, no prize so valuable as honour can be derived either from our enemies or our friends.

That maxim is also plainly just, that nothing can be baser than for a man to sue for an appointment as a legate, for any other interest than that of his country. I say nothing of how those men conduct and have conducted themselves, who, in their office of legate, pursue inheritances for themselves, and bonds, and deeds. This is a fault which must, perhaps, exist in mankind; but I ask if anything can be more scandalous than to see senators without commissions, and legates without instructions, or any public business of a patriotic kind? This sort of legation I should have abolished when consul, with the approbation of a full senate, though apparently its continuance would have been for the interest of the senate, had not a certain capricious tribune of the people opposed me. I succeeded, however, in shortening the duration of such, and, what was of great importance, made such appointments merely annual; and thus, though the scandal still remains, it has lost its perpetuity.

But now, if you please, we will quit the provinces, and once more return to Rome.

Atticus.—It pleases me, certainly; but it would not at all please those who are in the provinces.

Marcus.—But if they, my Atticus, were content to obey the just laws of their country, they would like nothing better than Rome, and their Roman villas; and would hold nothing more laborious and troublesome than their provincial appointments.

A law follows, which confirms to the tribunes of the people the power they possess in our commonwealth, on which I need not enlarge.

Quintus.—I beg your pardon, my brother, but I particularly wish to know your opinion of this power of the tribunes. To me it appears extremely mischievous, at once the child and parent of endless seditions. If we look back to the origin of the tribunate, we find that it originally sprang up at a time of civil disturbances, when all the chief places of the city were either occupied or besieged. After this, being soon stifled, as one of those monstrous abortions which, by a

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law of the Twelve Tables, are not suffered to live, it again recovered its existence, only to become baser and viler than ever.

IX. For what kind of atrocity did it leave undone? Its first act was a piece of villany well worthy of its impious character, namely, the abrogation of the honours of the senate and patricians. It reduced the highest ranks to an equality with the meanest, agitating and confounding all things. When it had thus insulted and violated the gravity of our nobles, it was still as insane and insensate as before. Not to mention a Flaminius and others, which you may call antiquated instances, what laws or rights did the tribune Tiberius Gracchus leave to the best and worthiest citizens? And, five years before, did not the tribune Caius Curiatius, the basest and foulest of mortals, cast into prison the consuls Decimus Brutus and Publius Scipio, men of the greatest eminence?—a thing which was wholly unprecedented. And did not C. Gracchus endeavour to overturn and revolutionize our whole commonwealth, by throwing darts and daggers into the forum, as he himself avowed, in order to excite the citizens to mutual slaughter, as if they were so many gladiators? Why need I speak of the crimes of Saturninus and others, whose violences the commonwealth could scarcely repel without civil war? But why should we mention these antique instances, belonging to other ages, when so many have occurred within our own memory? Who was ever so audacious and so inimical to us, as to nourish a thought of destroying our state, without he had first sharpened some sword of a tribune against us? And when infamous and profligate men could not find, not only in any house, but not even in any nation, any such instrument, they endeavoured to create disturbances among the people in the darkest places of the republic.

And what does us infinite honour, and secures us immortal renown, is the fact, that no tribune could be engaged to appear against us by any bribe whatever, except that one who could not legally be a tribune at all,[1] who used the tribunate as a cloak of villany. As for this monster, what crimes did he

[1] He means Clodius, who as he was a patrician, could only appear to be eligible by procuring his adoption into a plebeian family; all the circumstances of which adoption were such as to make it wholly illegal.

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not perpetrate—crimes which, without reason or plausible hope, he committed with the fury of some savage beast, maddened with the violence of the brutal mob. I therefore highly approve of the conduct of Sylla in this particular, inasmuch as by his law he rendered the tribunes of the people comparatively impotent for mischief, though he left them the power of giving assistance. As for our friend Pompey, in all other respects I extol him with the amplest and warmest praises,—I say nothing of his views relating to the power of the tribunes; for here I cannot praise him, and yet I would not censure him.

X. *Marcus.*—You have very clearly unfolded, my Quintus, the defects and abuses of the tribunate; but it is unfair, with respect to any matter which one is impeaching, to state all its faults, dwell upon all its evils, and omit its merits. For in this way you might make out the consulate itself to be a very culpable and objectionable institution, if you were to reckon up all the sins of some consuls, whom I am willing to pass in silence. For even in this power, I confess there are some stains of evil; but we can never obtain the good which we aimed at in its establishment without those particles of evil. That the authority of the tribunes of the people is too great, none will deny; but the power of the people themselves is much more cruel, and much more violent; and by having a leader, therefore, such as a tribune, they often behave more temperately than if they had no one at all. For a leader remembers that he is advancing at his own risk, whereas the violence of the people has no consideration for its own danger; sometimes it is suddenly excited, and again it is often tranquillized. For what body of men can be so insane, that not one in ten of its members preserves his senses? And as to T. Gracchus himself, his power was destroyed by preventing his colleague from acting, and then deposing him; for what else was it that ruined him but the fact of his having deprived[1] his colleague of the power of interposing his veto? In this matter, however, observe the wisdom of our ancestors. When this office of tribuneship was granted by the senate to the people, wars ceased, seditions were extinguished, and that wholesome liberty was secured by which meritorious com-

[1] This was Marcus Octavius Cæcina: who opposed the designs of Gracchus, and on his motion was deposed by a vote of the tribes.

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moners think themselves placed on a level with the chief men of the state, which is one great principle of the welfare of the state. But there were two Gracchi. Yes; and, besides them, whatever number you may choose to enumerate. You will find it to be the case, as ten are created, that at all times some have been mischievous, and still more capricious, and far from virtuous. The highest order of the state is, indeed, far above envy, and the people never enter into perilous contentions concerning their rights.

Therefore we must acknowledge, either that the expulsion of our kings was unnecessary, or that liberty of the people must be guaranteed in fact as well as in profession. And as it is, their liberty is such that they have been obliged to sue for the protection of many most illustrious men, and compelled to yield to the authority of the senate.

XI. In regard to our private cause, my best and dearest brother, though it fell under the tribunitial power, we had no contention with the tribuneship. For it was not the people who had been stirred up to wish to injure us, but a pack of miscreants, whom they let out of prison on purpose to attack us, and reprobate slaves; and the terror of the soldiery, too, was added. And, to confess the truth, we had less to struggle against in our private enemies than in the grievous disorders of the state; and if I had not yielded in some measure to the tempest, my country would not now enjoy the continued benefit of my services. And this the event testified,—for what freeman is there, or what slave worthy of emancipation, to whom our escape was not a subject of congratulation?

But if all the labours which I underwent on behalf of the safety of the commonwealth had been so unfortunate as not to give universal satisfaction—if the rage of an infuriated mob had driven me away by the hurricane of their evil passions—if some tribune had stirred up the populace against me, as Gracchus did against Lænas,[1] and Saturninus against Metellus,—I should still have borne it, my Quintus, with fortitude, and have been comforted not less by the counsel of the philosophers of Athens, who ought to have this power, than by the

[1] Publius Popilius Lænas, who was consul the year after the death of Tiberius Gracchus, in which capacity he was charged with the prosecution of Gracchus' partisans, for which Caius Gracchus persecuted him afterwards.

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example of the illustrious men who, having been expelled from their country, have preferred losing an ungrateful city than remaining in a wicked one.

But when you say that in this one point you do not greatly approve of the conduct of Pompey, you scarcely seem to me sufficiently to recollect that he had to consider, not only what was best, but also what was necessary. For he knew that a certain share of civic authority must needs be granted to the citizens, which, as the people so ardently desired before they attained it, they would be especially loth to relinquish when once acquired. It was, therefore, the part of a wise statesman not to refuse a privilege to the people, which was not essentially mischievous, and which also was so highly popular that it could not be denied. You know, my brother, that in discourses of this kind, it is customary to express your assent, in order that the speaker may pass on to another branch of the subject.

XII. *Atticus.*—Exactly so.

Quintus.—I do not entirely agree with you respecting Pompey; but still I should like you to go on to the remainder of the subject.

Marcus.—Do you then still persist in and abide by your former opinion?

Quintus.—I do at present.

Atticus.—I however disagree with my friend Quintus. But let us by all means hear what remains more to be said.

Marcus.—The following maxim allots to all magistrates their auspices and jurisdictions. Their jurisdictions, in such a manner that there should still be a supreme court of justice, to which appeals may be made by the people. And the auspices, in order that there may be furnished a plausible method of adjourning useless or mischievous assemblies. For in this way it has often happened that the Gods have suppressed by means of auspices the unjust impetuosity of the mob.

Again, the law that the senate shall be composed of those who have exercised magistracies, is undoubtedly one for the interest of the people, since it permits none to arrive at high authority without the approbation of the people, taking away the power of appointment from the censors. But by way of moderating this effect, which might be a pernicious one,

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another provision immediately follows, by which the authority of the senate is confirmed.

For the words are these,—Let the decrees of the senate be ratified as laws. For the whole result is, that if it so happen that the senate becomes the master of public politics, and if all men defend whatever it decrees; and if all the other orders agree that the commonwealth shall be governed by this superior order; there will arise from this amalgamation of rights, when the power is in the people, and the authority in the senate, that modified and harmonious kind of constitution which I have so highly extolled.

Especially, if the following law be also observed. For the next law is,—"Let the senatorial order be free from corruption, and let it be a pattern to others."

Quintus.—An admirable law that is, my brother, and one of extensive application, to the end that this order be free from corruption, and have a censor for its interpreter.

Atticus.—But although the senatorial order is wholly devoted to your interests, my Marcus, and retains a most grateful recollection of your consulship, I would say, if you will give me leave, that it would be enough to weary not only the censors, but all the judges also.

XIII. *Marcus.*—But let us leave this question for the present, my Atticus; for our present business is not so much with the senate of to-day, nor with the statesmen who exist at this moment, as with future generations, if any of them are willing to obey these laws. For as the law enjoins that the senatorial order shall be exempt from all corruption, no one who is tainted with any vice will even seek to enter that order. And that is an event most difficult to be realized, except by a certain education and discipline, on which we may perhaps say something if there should arise a suitable place and opportunity.

Atticus.—A suitable place will certainly not be wanting, since you are now laying down a system of laws. And as to time, the length of the days at present will give you that. But even if you omit this topic now, I shall at a future time demand your views on education and discipline.

Marcus.—You shall have them, my Atticus, on that topic, and on any other which I may have omitted. I will therefore enlarge a little on this legal maxim before cited, "Let the

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senator be a pattern to others." If this is observed, all will go well. For as a whole city is infected by the licentious passions and vices of great men, so it is often reformed by their virtue and moderation. L. Lucullus, a great man, and a great friend of all of us, being rallied for the magnificence of his seat at Tusculum, is said to have made the following extremely suitable answer—that he had two neighbours, the greater of whom was only a Roman knight, and the other a freedman; and as each of them had magnificent villas, that could not be thought extravagance in himself, a consul, which was lawful for those of inferior rank. But do not you see, Lucullus, that it was owing to you that they had these desires? Had it not been for your example, such an action in them would have been looked on as criminal. For who would have borne people of this sort, when he saw their villas crowded with statues and pictures, relating either to public, or what is more, to sacred and religious subjects? Who would not have joined in demolishing the monuments of their vanity and pride, if those who ought to exert themselves on such occasions were not guilty of the same extravagance?

XIV. For it is not so great an evil that the chiefs of the city should do wrong, though that must be allowed to be very considerable of itself, as the fact that there are a great many imitators of those chiefs.

Would you but look into the history of former ages, you might plainly see that such as the chief men of the state have been, such has also been the state in general; and that whatever change of manners took place in the former, the same always followed it in the latter. Now, this observation is much more certain than that of Plato, who pretends that a change in the songs of musicians is able to alter the manners of a nation; whereas my opinion is, that the manners of the people in general change with the manners and fashions of the nobles. On which account, great men of a vicious life are doubly pernicious to the state, as being not only guilty of immoral practices themselves, but likewise of spreading them far and wide among their fellow-citizens. Nor are they mischievous to it inasmuch as they cherish vices themselves, but also because they corrupt others; and they do more harm by their example than by the crimes which they commit.

And this maxim, though we would wish to extend its influ-

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ence to the whole body of senators, may also be contracted. For even a few, aye, even a very few men, illustrious in fame and fortune, may either corrupt or correct the manners of the state. But we have said enough on this topic, not only now, but also in those other books of ours. Let us therefore proceed to what follows.

The next law relates to suffrages and votes, which, as I have said, should be notorious to the nobles, and free to the people.

Atticus.—I have given much attention to this maxim, but I do not well understand its spirit or its exact meaning.

XV. *Marcus.*—I will tell you, my Atticus, and we shall have now to treat on a very difficult question, and one which has already been much and repeatedly discussed,—the question, namely, whether, in case of suffrages at the election of magistrates, or in the trial of criminals, or in the enacting of laws, it is better that the votes should be given openly by poll, or secretly by ballot?

Atticus.—Is it indeed a doubtful question?

Quintus.—I fear we shall again differ in opinion.

Marcus.—I do not think so, my Quintus; for here I hold that doctrine, which I know you always maintained, that in giving suffrages and votes, nothing can be better than an open *vivâ voce* declaration. But whether that can be obtained is a question to be examined.

Quintus.—If you will excuse me, my brother, I should say that that opinion which you here imply is one which greatly misleads the inexperienced, and which is also often hurtful to the state. I mean that which pronounces a regulation true and proper in itself, but at the same time asserts that it cannot be obtained, because it cannot be carried without opposing the people. For I say, in the first place, that the people ought to be opposed whenever strict propriety requires it; and, secondly, that it is better to be oppressed by violence in a good cause, than to yield to a bad one. Now, who does not perceive that all authority has been taken away from the nobility by the present law of balloting?—a law which the people, when free, never desired, but which they claimed when oppressed by the domination and power of the chief men of the state; therefore, those judgments which are passed upon the most powerful men of the state by *vivâ voce* votes, are more frequent

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than those which are given by ballot. Therefore, it had been far better to have restrained the excessive influence of the great for unjustifiable objects in elective suffrages, than to have given the people a mask and veil by which, while the more honourable citizens were kept in ignorance of their individual sentiments, they might thus make the ballot a mere cover for corrupt and hypocritical votes.

XVI. For this reason it is that no good man was ever a proposer or supporter of the system of balloting.

For there are four laws of ballots; the first of which, concerning the election of magistrates, was proposed by a certain Gabinius, an unknown and sordid agitator. The second, respecting the adjudications of the people, was proposed two years afterwards by Cassius, who was a nobleman; but without meaning any offence to his family, I venture to say, a nobleman at variance with all good men, and one who was driven to and fro by the idlest rumours of the populace. The third, regarding the ratification and nullification of laws, was carried by Carbo, a seditious and profligate citizen, whose return to the better classes of society never secured him the approbation of those better classes.

There remained only the crime of treason, which Cassius himself excepted, in the judgment of which, open *vivâ voce* votes were permitted. But Cœlius soon after thought proper to give traitors also the chance of the ballot; but as long as he lived he repented of having injured the republic, for the purpose of oppressing Caius Popilius.

Our grandfather, a man of singular virtue in this town of Arpinum, as long as he lived opposed Gratidius, whose sister, our grandmother, he had married, when he wanted to introduce the law of ballot. For Gratidius was raising a storm in a ladle, as the proverb is, as his son Marius afterwards did in the Ægean sea. To such a length did the quarrel proceed, that the consul Scaurus, when he was informed of what had happened, made this remark to our grandfather: "Would to heaven, Cicero, that a man of your courage and honour had better loved to live in the capital of our commonwealth, than to bury yourself in a municipal town!"

Therefore, since our design is not so much to give a regular list of the Roman laws, but rather to revive those good laws that have become obsolete, and to propose new regulations, I do

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not think that we ought here to discuss what can be obtained by our people, but what is the best; for your friend Scipio bears all the responsibility of the Cassian law; and, indeed, he is said to have been its original promoter. And if you pass a law of ballot, you will incur a similar responsibility. For in truth I do not like it at all, nor does our friend Atticus either, if I may judge by his countenance.

XVII. *Atticus.*—For me, I never admired anything that pleased the mob, and I regard that as the best state of the commonwealth which our friend here, when consul, promoted, when the chief power in the hands of the aristocracy prevailed over that of the populace.

Marcus.—I see that you would repeal my law respecting suffrages, without any ballot whatsoever. But for myself, though in those books of mine Scipio has said quite enough in his own behalf, am nevertheless willing to grant so much liberty to the people as will leave virtuous citizens in possession of, and at liberty to exert, their due influence. For these are the very words of my law respecting elections: "Let the votes be notorious to the nobles, and free to the people." Which law was meant to have the effect of abrogating all those laws which were passed subsequently, and which in any way mask or conceal the vote; such as those which hinder full inspection of any ballot, or examination and appeal thereupon, and that law of Marius, which makes the passages to the hustings narrow.

If these rules are opposed, as they generally are, to the ambitious, I do not find fault with them. And indeed, if they could but hinder canvassing and intrigue, then the people might be allowed the ballot as a vindicator of liberty, provided it were so laid open and freely exposed to all honourable and worthy citizens, that their authority might be blended with this popular privilege, thus leaving the people the power of expressing their deference for the aristocracy.

But why is it, Quintus, as you just now observed, that there were more condemnations passed by the open suffrages of the poll, than by the silent, secret votes of the ballot? It is because the people are contented with having the power; and if this be preserved to them, then they give up everything else to influence or popularity. And, therefore, to pass over those votes which are corruptly given for bribes,

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do you not see if we could but get rid of canvassing, the question in giving votes would be, what are the wishes and opinions of the best men? By our law, therefore, the appearance of liberty is conceded, the influence of the aristocracy is retained, and the cause of contention banished.

XVIII. The next law is one which relates to those magistrates, whose right it is to treat with the senate and the people. It is an important, and, as I think, an admirable regulation, that in every transaction with the people or with the senate, the utmost moderation should be observed. For the advocate of any measure regulates and moulds to his will, not merely the opinions and inclination, but I may almost say the very features, of his audience. And this is not difficult in the senate, however; for the senator is not a man whose attention is wholly fixed upon his hearers, but he rather desires to be considered on his own account.

We therefore require three duties from the senator. First, that his attendance in the senate be regular; for the multitude of senators lends weight to the arguments of policy.

Secondly, that he should speak in his turn, that is, when his counsel is demanded.

Thirdly, that he should speak concisely, lest he should become infinitely wearisome; for brevity is the best recommendation of a speech, not only in the case of a senator, but in that too of an orator.

Lengthy speeches, therefore, are never to be employed, except when the senate is precipitating some rash measure, as it does far too often through ambition. It may be desirable for a speaker, if there is no aid to be obtained from any magistrate, to occupy a whole day, or when the subject of debate is so important as to demand all the copiousness of the orator, both in exhortation and explanation, in both which kinds of oratory our friend Cato is remarkably distinguished.

And as to the addition, that he should uphold the interests of the people, it is clearly necessary for a senator to be acquainted with the general state of the republic. And this is a subject of very extensive application; since it comprehends a knowledge of the military affairs, the state of the treasury, the foreign alliances, the friends and stipendiaries of the republic; an acquaintance with the regulations, the resources, and the engagements of each people; a sufficient knowledge

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of the practices of deliberations to maintain them; and a familiarity with the precedents of our ancestors. You therefore see that the science of politics taxes every power of intellect, diligence, and memory, in order to acquire and maintain that elaborate information, without which no one can be called an accomplished senator.

The next law relates to the public deliberations of the people, in which it is especially enjoined that all violence be avoided. For nothing is more destructive in states, nothing so contrary to law and right, nothing less civil and humane, than to carry anything by violence and agitation in a sound and constitutional government. It commands that respect be paid to any magistrate who interposes his veto; than which injunction nothing can be more admirable, since it is better that a good measure be sometimes impeded, than that a bad one should be carried.

XIX. When I say that in all cases of fraud it is necessary to go before a pleader, I follow the opinion of Crassus, one of our wisest men, whose counsel was adopted by the senate, which decreed when the consul Claudius made a motion respecting Carbo's sedition, that they could not take cognisance of sedition, except through the medium of an official pleader, who should lay the case before the people; since it was allowable for him who made a proposition to abandon it as soon as it began to occasion disturbance; while a man who persists when he can do no good, is seeking for violence, which is by this law deprived of all impunity.

Then follows the law, which states that he who acts as a preventer of evil measures by the interposition of his veto, is a good citizen. And who would not zealously come to the assistance of the commonwealth, when stimulated by the hope of acquiring a character so glorious?

Next succeed certain regulations, which we likewise find in the public institutions and laws—that the auspices be observed, and the augurs obeyed. It is the duty of a good augur to remember, that it is his duty to stand by the republic at the time of its greatest emergency; that he is appointed as the minister and prophet of the all-good and all-great Jupiter, just as those men are his to whom he has entrusted the auspices; and that definite portions of the heavens are

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committed to him, in order that by them he may often be able to succour the state in her hour of danger and necessity.

Then follow provisions respecting the promulgation of laws, respecting the proposing their successive counts and clauses separately, and the duty of listening to the remonstrances and objections, not of the magistrates only, but of private individuals.

After this, we find two excellent laws selected from the Twelve Tables. One of which forbids unfair privileges: the other will not permit sentence of death to be passed on any citizen, except in the supreme court of the comitia centuriata. It is a marvellous thing, that, before such magistrates as seditious tribunes of the people were known or ever thought of, our ancestors should have provided so carefully for posterity. They forbade laws to be enacted against particular individuals, for that is what we call "privilege," than which nothing can be more inequitable; since it is the plain meaning of the word law, that what has been decreed should be equally enjoined to all. And they refused to sanction any enactments respecting particular individuals which were not openly proposed in the centuriata comitia. For when the people are summoned by rank, order, and age, they use much more consideration in giving their suffrages, than when they are promiscuously convoked by tribes.

It was therefore very truly observed in my own particular cause, by Lucius Cotta, a man of vast genius and consummate prudence, that no sentence whatever had been legally pronounced against us; for, besides the fact that that comitia was held under the fear of an armed mob of slaves, and comitia tributa could neither pass capital sentence nor any adjudications of privilege, there was, therefore, no need of a law for the recal of a person against whom no sentence whatever had been legally pronounced. But it appeared both to ourselves, and to other most illustrious men, to be more proper, seeing that slaves and vagabonds persisted in declaring that they had passed some sentence upon me, that all Italy should manifest as openly as possible what it thought on the subject.

XX. Next follow those laws which relate to pecuniary bribes and canvassing. And since these cannot be so well chastised by censures as by penalties, it is added, let all such

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abuses be visited with equivalent penalty and punishment, so that every one may be duly punished for his fault: violence being corrected by death, avarice by fines, and ambition by ignominy.

The last laws which we have cited are not in use among us, though very necessary to the state. We have no proper registration of laws. Our laws, therefore, are such as the apparitors declare them to be, and we are forced to take the word of their copyists as our security. We have no public legal registry, in which our laws may lie open to the notice of the people. The Greeks are more careful than ourselves in this matter, as they have instituted legal registrars, whom they call *νομοφύλακες*. Their office is not only to preserve the original copies of the laws, as was the custom among our ancestors, but also to take notice of the conduct of men, and to recall them to their obedience to the law.

This care may be entrusted to the censors, since we wish at all times to maintain their functions in the state. It is likewise to the censors, according to our legal maxim, that those who retire from magisterial offices should report and explain their proceedings when in office, in order to enable the censors to pronounce upon them fairly. This is done in Greece by publicly constituted accusers, who, however, could never have much weight unless their functions were voluntary and honorary. It is therefore better, that the case should be stated to, and the accounts laid before, the censors, reserving intact all their rights to the accuser and the law.

But we have now sufficiently discussed the offices and duties of magistrates, unless you demand further information on any point.

Atticus.—Why, if we held our peace, the very subject itself would admonish you what you ought further to say.

Marcus.—Would it? I suppose you want me next to treat of judgments, as that is a kindred subject to that of magistrates.

Atticus.—What then! do you think nothing remains to be said on the rights of the Romans, which you proposed to investigate?

Marcus.—What would you have me say on such a topic?

Atticus.—I would have you treat of those regulations, of which I think it most disgraceful to those who live in a

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republic to be ignorant: for as you remarked just now, I can only read our laws by favour of the copyists; and so I observe that many of our magistrates are so ignorant of their own laws, that they know no more about them than their clerks choose to tell them. Since, therefore, when you had proposed to explain the laws of religion, you thought it became you to treat of the alienation of sacred things, in like manner, now that you have described the laws of our magistrates, you must discuss their power and their rights.

Marcus.—I will endeavour to do so briefly, if I can; for your father's friend, M. Junius, addressed to him a copious treatise on this subject, which, in my opinion, is extremely well and ingeniously written. But, on the subject of the law of nature, we ought to think to ourselves, and to speak from our own hearts; but when we are considering the rights of the Roman people, we must then repeat what has been bequeathed and handed down to us.

Atticus.—Such, indeed, appears to me the right method of proceeding, and I shall listen with pleasure to all you may choose to say on these topics.

[How many books of this treatise originally existed is not known. It is certain that there were five, and Davies thinks there were eight; but we have nothing beyond the first three.]

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FRAGMENTS.

As one and the same universal nature unites and corroborates all the parts of the world, so did she unite into one harmonious family all mankind. But men through their depravity disagreed and quarrelled, not recollecting that they are all consanguineous and akin, and equally subject to the same paternal providence. If this fact, indeed, were but kept in mind, all men might live the amiable life of the gods.

It was a very bold and hazardous measure of the Greek government, to consecrate the images of Love and Cupid in the public theatres.

Let us congratulate ourselves, since death gives us something better than we enjoy in life, and not a worse condition of things; for that immortality may truly be termed divine, wherein the mind flourishes, emancipated from the body, and being delivered from sensualism, is free from evil,

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ON STANDING FOR THE CONSULSHIP

ADDRESSED BY

QUINTUS CICERO TO HIS BROTHER, M. T. CICERO.

I. Although you have everything which man can attain to, either by natural genius, or by experience, or by industry, still, out of my affection for you, I have not thought it unbecoming to write you an account of those things which have occurred to me, who day and night can think of nothing but your canvass: not with the idea of being able to suggest to you anything new beyond what you already know, but in order that those things which at present seem scattered and unlimited, might by method and arrangement be presented under one aspect. Although, therefore, nature is of the greatest possible weight, still it seems possible that in a business lasting only a few months, art might prove superior to nature. Consider what the city is, what is that you are seeking for, and who you yourself are. Think almost every day as you descend to the forum, I am a new man—I am seeking the consulship—and the city where I am doing so is Rome. The novelty of your name you will, to a great extent, take off by your reputation as a speaker. That is an accomplishment which has always carried with it a great deal of dignity. The man who is considered a worthy advocate for men of consular dignity, cannot be reckoned unworthy of the consulship. Wherefore, since you start from this glory, and since whatever you are, you are in consequence of your reputation in this act, you must come so prepared to speak,

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as if in each individual case the trial would be one calling for every possible kind of ability. Take care that everything which can be an aid to the display of that ability (and of which I know you have an ample store) is always ready and available, and constantly recollect what Demetrius has recorded of the study and practice of Demosthenes.

In the next place, let the number of your friends, and the description of which they are, be seen. For you have all those classes in your favour which such men usually have had: namely, all the publicans: nearly all the equestrian order, also many municipal towns, many individuals of every order in the state who have been defended by you: some colleges, also many young men who have been won over by their taste for eloquence: and the diligent daily attendance of your personal friends. Take care to preserve all these friends by recommending them, by asking them, and by making them by every means possible to understand, those who are under obligations to you, that there will never be any other opportunity of showing their gratitude; and those who wish for your services, that there will never be any other opportunity of laying you under an obligation to them.

There is another thing, also, which appears to me calculated to be of great assistance to a new man: I mean the good-will of the nobles, and especially of those of consular rank. It is well that they unto whose rank and number you wish to come, should themselves consider you worthy to be one of that rank and number. All these men must be carefully asked for their votes, and you must assure them, and persuade them, that we have always held the same sentiments concerning the state that the chief nobles have; and that we have never been inclined to the popular party; that if we have ever given utterance to any popular sentiments, we have done so either with the view of uniting Cnæus Pompey to our party, in order to have him who was the most powerful man in the state either a friend to our canvass, or at all events not an enemy to it. Moreover, take pains with the young nobles, so as to turn them over, and to retain the affections of all those who are favourable to you. They will bring you much dignity. You have many such friends. Take care that they know of what great importance you consider them. If you can gain those who at present have only no objection

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to you, to be eager for you, they will be of the greatest service.

II. And it is of great service to your canvass as a new man, that the nobles who are standing with you are of such characters, that there is no one who can say that their high birth ought to be more in their favour than your virtue ought to be in yours. For who is there who fancies that Publius Galba or Lucius Cassius, men of the highest rank, are standing for the consulship? You see, then, that men of the most distinguished families are not equal to you, because they are destitute of energy. But Antonius and Catiline are troublesome. I say that they are very desirable competitors for one who is a new man, industrious, innocent, eloquent, and popular among the judges. They are both assassins from their childhood, both men of lascivious character, both needy men.[1] We have seen the property of the one put up to auction; we have heard his voice, when he swore that he could not have a fair trial at Rome against a man of Greek extraction. And we know that he has been expelled the senate. And by the admirable discrimination of the censor, we had him as competitor for the quæstorship, with Sabillius and Panthera for his friends, when he had no sureties whom he could produce at the table. In which magistracy he bought that mistress whom he had openly at home, for a hundred and fifty drachms. And in his canvass for the consulship, he has preferred pillaging all the innkeepers by the most infamous exercise of his powers as lieutenant, to being present and canvassing the Roman people.

As for the other, O ye Gods, how splendid he is! In the first place, he is as noble as the other: is he more so? No, but he is more virtuous, on which account the one fears his own shadow, the other does not fear even the laws, being born in his father's beggary, educated in his sister's immodesty, and strengthened in the slaughter of the citizens; a man whose first entrance into public affairs was by the murder of Roman knights. For Sylla had appointed Catiline alone to command those Gauls who then were mowing off the heads of the Titinii, the Nannii, and the Tanusii, among whom he murdered, with his own hand, that most excellent man, Quintus

[1] See note at the end.

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Cæcilius, his own sister's husband, a Roman knight, of no party, always quiet by nature, and now also by his age.

III. Why should I say that he now seeks the consulship; he who, in the sight of the Roman people, beat a man most beloved by the Roman people, Marcus Marius, with rods made of iron, through the whole city? and drove him to the tomb of Catulus, and there tore his living body with every kind of torture: and while he was standing there, beheaded him with his sword and with his own right-hand, while his left-hand was holding his hair away from his neck, and bore away his head in his own hand, while streams of blood were flowing between his fingers? Who afterwards lived in such a way with actors and gladiators that he employed, the one as the assistants of his lusts, and the others as accomplices in his crimes. A man who never came to any place of such holiness and purity, that (though it had no fault in any other respect) still he did not leave some suspicion and discredit attaching to it, owing to his own wickedness. A man who has made his greatest friends of the Curii and Annii in the senate-house, of the Sapalæ and Carvilii in the auction-rooms, and the Pompilii and Veltii in the equestrian order. Who has so much boldness and so much wickedness, so much art in his lust, and so much resolution to effect his purpose, that he has isolated noble children almost in the very bosoms of their parents? Why should I mention Africa to you, why the evidence of the witnesses? These things you know, and I advise you to read them often.

However, I think I ought not to pass over this—that, first of all, he came off from that trial in as indigent a condition as some of his judges were in before that trial; and, in the second place, so overwhelmed with unpopularity, that another trial was daily demanded against him. He is in such a state, that he has more to fear if he remains quiet, than to despise if he excites any disturbance. How much better fortune have you in your canvass than that new man, Caius Cælius, lately had? He was a candidate at the same time with two men of the noblest birth, and of such character that all their other qualifications were superior to their nobility,—men of the greatest ability, the greatest modesty, the most distinguished services, the most excellent reasons for canvassing, and the greatest diligence in prosecuting their canvass. And yet,

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while one was absent,[1] Cælius, although he was far inferior in birth, and superior in hardly any point, defeated the other. Wherefore, if you act as nature and the studies which you have always pursued enable you to, as the occasion and your own interest require, as you can, and as you ought, you will not have a hard contest with those competitors, who are not nearly so illustrious by birth as they are notorious for their vices. For what citizen can be found so unprincipled, as to be willing by one vote to draw two daggers against the republic?

IV. Since I have explained what aids to your newness you have, and may have, I think I must next speak of the importance of the honour for which you are standing. You are seeking for the consulship, an honour of which there is no one who does not think you worthy; but there are many who will grudge it to you. For you, being a man of equestrian rank, are aiming at the chief rank in the state,—and at a rank the chief in such a sense, that that honour will confer much more dignity on a brave, eloquent, and innocent man, than on any one else. Do not believe that those who have enjoyed this honour fail to see how much dignity you will have when you have attained it too. But I suspect that those men envy you (except, indeed, such as may be your own especial friends), who, though born of consular families, have not obtained the same honour as their ancestors. I think that even new men of prætorian rank, with the exception of such as are under personal obligations to you, are not inclined to be surpassed in honour by you. And I well know that you are aware how many envious persons there are among the people, and how many, in consequence of the events of late years, are alienated from the new men; and some, too, must inevitably be personally angry with you yourself, on account of the causes which you have pleaded. Recollect this circumstance, too,—do you think that you have made any friends by the great zeal with which you have devoted yourself to increasing the glory of Cnæus Pompeius? Wherefore, as you are seeking the highest office in the state, and as you see that

[1] The Latin is *cum decesset altu;* which is very obscure, if it is not corrupt. Palermus proposes to read *decessit* for *decessisset*, had died; but this can hardly be, for if one was dead, Cælius had no competitor left.

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there are motions in operation which will be adverse to you, you must exert all your reason, and care, and labour, and diligence.

V. And the standing for offices is divided into diligence of two kinds; one of which must depend on the zeal of your friends, the other on the inclinations of the people. The zeal of your friends must be gained by kindnesses and services done by you, by length of friendship, by the affability and pleasantness of your own nature. But the name of friends is one used more extensively in a canvass for offices than in any other occasion in life; for now, every one who shows you any goodwill whatever, every one who is civil to you, or who comes to your house, must be ranked in the number of your friends. But still it is the most advantageous thing of all to be beloved by and agreeable to those who are our friends from any more honourable cause, such as relationship, affinity, or companionship, or any other connexion. In the next place, you must labour diligently to make every one, in proportion as he is familiar and intimate with you, love you, and wish your honour to be advanced as much as possible; then all those of your tribe, your neighbours, your clients, your freedmen, and, lastly, even your slaves; for nearly all the conversation with reference to a man's forensic fame emanates from persons connected with his house. Then you must make friends of every sort;—friends for show, men illustrious from their rank and reputation, who, even if they are not very effective as voters or canvassers, nevertheless add some dignity to the candidate;—and magistrates, for the purpose of obtaining your rights, among whom, the consuls especially, and next to them the tribunes of the people, are men of preeminent influence in bringing over the centuries to your interests. Those who have ever gained the votes of a tribe or of a century through your influence, or who hope to do so, or who have ever received, or who expect to receive, any kindness from you, conciliate and make sure of by every means in your power. For, for many years, ambitious men have been labouring vigorously, with all their zeal and energy, to obtain the objects of their ambition from the men of their own tribe. And do you take pains with these men, by all imaginable means, to cause them to be eager in your cause with all their hearts and all their inclinations. And if men were only

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grateful, then all these things ought to be ready done to your hand, as, in fact, I trust that they are. For the last two years you have laid under obligations four companies of citizens, who may be of the greatest influence in aiding you in the object of your ambition; those, namely, of Marcus Fundænius, of Quintus Galbus, of Caius Cornelius, and of Caius Orcininus. And I know what these companies, when they brought their consent to you, promised you and assured you of most positively; for I was present. Wherefore you must take care that, on this occasion, you exact of them a requital for your services, by continually reminding them, by asking them, by renewing your kindnesses, by cultivating their goodwill; so as to let them understand that they will never have any other opportunity of showing their gratitude. And, indeed, these men will be excited to zeal in your behalf, both by hopes of your services in future, and by a recollection of your recent exertions in their cause. And altogether, since your canvass is abundantly fortified by that kind of friendship which you have gained by your defence of causes, take care that, of all those men who are under obligations to you, each man may have his part carefully marked out and allotted to him. And as you have never been troublesome to any one of them in any matter, take care that they understand that you have reserved the requital of all those obligations which you think that you are entitled to demand at their hands, to the present time.

VI. But since there are three things by which men are chiefly won over to benevolence, and to zealous canvassing and voting for another,—namely, by past service, or future hope, or pure inclination,—you must consider how you may most effectually act upon each of these motives. Men are won over by very slight services, to think them reason sufficient to be zealous in the cause of a candidate; so that there is little danger of persons whom you have actually saved,—and there are many such,—not understanding that, if they do not satisfy your expectations at the present time, they will never be esteemed by any one hereafter. But though this is the case, still they must be solicited for their votes, and carefully brought over to the opinion that, though they are at present under obligations to us, we shall now, in our turn, appear under obligations to them. But as to those who are

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bound to us by hope,—and that kind of men are far the most energetic and busy in one's service,—you must take care that your aid appears to be destined for and made ready for them, and hat they understand that you are an attentive spectator of their services; so that it may appear that you distinctly see and observe what proceeds from each individual.

The third kind is those who are a man's friends from pure inclination; and those men must be strengthened in their purpose by thanking them earnestly, by accommodating your discourse to those motives which lead each man to be zealous for you, by showing a corresponding inclination to be of service to them, and by holding them out hopes of close friendship, familiarity, and intimacy with you. And with reference to all these kinds of friends, you must estimate and consider what the power of each individual is; so that you may know both how to show your complaisance for each person, and what to expect and ask from each person. For there are some men of great influence in their own neighbourhoods or municipalities,—some men of general energy and authority, who, even if they have not previously taken pains to keep up their interest, still can easily at once exert themselves in the cause of that man to whom they are under obligations, or whom they wish to serve. This kind of men you must cultivate in such a way that they themselves may understand that you see what you have to expect from each of them, that you appreciate what you do receive, and that you recollect what you have received. But there are others who have either no influence at all, or are even unpopular among the people of their tribe, and who have not any energy or power to enable them to be of service on a sudden emergency. You must make a distinction with respect to these men; lest, while your hopes are placed on some great thing, you may in reality derive but little assistance from them.

VII. And although a candidate must have his strength in, and his main reliance on, friendships previously formed and established, nevertheless, in the course of the canvass, many very useful friendships are also formed; for amid its other annoyances, still a canvass has this one advantage,—that in the rest of your life you are not able to form friendships with whomsoever you please; for if you were at any other time to

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request men to form an intimacy with you, you would appear to be acting absurdly; but unless you act in this way while canvassing, and that in many instances and with eagerness, you would not be taken to be a candidate at all. But I assure you of this most positively, that there is no one, unless he is connected by some relationship with some one of your competitors, on whom, if you are inclined for it, you may not easily prevail, to wish by his service to you in this matter to gain your affections, and to lay you under an obligation. Only let him understand that you consider it one of great importance; that he should serve you with all his heart; and that he will be making a good use of his influence, and gain your friendship, which will not be a short-lived one—lasting till he has voted, and no longer—but firm and lasting. There will be no one, believe me, possessed of any virtue at all, who will let slip the opportunity that is now offered to him of contracting a friendship with you; especially as chance has given you this in your favour,—that men are standing against you whose friendship is to be despised or to be avoided, and who not only can never obtain what I am now urging you to, but who cannot even attempt it; for how can Antonius begin to conciliate men and invite them to friendship with him, whom he cannot address by himself in his own name? Nothing appears to be more nonsensical, than to fancy that man zealous for your interests with whom you have no acquaintance. There must be some extraordinary glory and dignity, some great amount of illustrious achievements, in that man whom strangers combine to honour, without any personal benefits having been received by them to influence their votes; so that it cannot happen, without great fault and great carelessness, that a man who is inactive, who has done no one any service, who has no ability to plead, and no character, and who is not supported by any friends, should defeat one who is fortified by the zeal of many friends, and the good opinion of all men.

VIII. Wherefore you must labour, by many friendships of various kinds, to secure all the centuries in your interest: and first of all, as indeed is clear, you must conciliate the senators and knights of Rome, and the active and influential men of the other orders. There are many men of the city very active, many freedmen influential and energetic in the forum; and all

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whom you can influence yourself, or whom you can get at by any common friends, you must take care to secure in your favour. Be diligent, solicit them, assure them, point out that they will be doing you the greatest possible service. In the next place, have a regard to the whole city, all the colleges and burghs, and all the neighbouring towns. If you can win over the chief men in these bodies to your friendship, you will by their means easily gain the rest of the multitude. After that take care to imprint on your mind and memory the whole of Italy, described and catalogued by tribes,—let there not be any municipality, or colony, or prefecture, not any single spot, in short, in all Italy, in which you have not sufficient strength and support. Moreover, seek out and discover men in every district, make acquaintance with them, solicit them, make them promises; take care that they canvass for you in their neighbourhoods, and become, as it were, candidates themselves for your sake. They will wish to have you for a friend, if they see that your friendship is sought for by them; and you must make them understand that abundantly by such language as bears upon that point; for men who live in the municipal towns and in the country, think themselves friends of ours if they are merely known by name to us; but if, besides this, they think that they can gain any protection to themselves by our means, then they lose no opportunity of earning a title to it. With these men the rest of the nobles, and especially your competitors, have no acquaintance at all; but you have some already, and will easily be able to improve it; and without acquaintance there can be no friendship: nor yet is that sufficient, though it is of great importance, if some hope of advantage and friendship does not also follow, so that you may appear to be not a mere nomenclator only, but also an active friend. And in this way, when you have both secured the zealous service, in the centuries, of those men who are of the greatest power and influence with the men of their tribes, on account of ambitious views of their own, and when you have rendered the rest who have any weight among any portion of the men of their tribe, through any considerations connected with their municipality, or the state, or any college, eager for your success, you will have a right to entertain the best possible hopes. The centuries of the knights appear to me to be much more easily retained in your interests

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by diligence. In the first place, you must make acquaintance with them all, for they are but few; then you must win their affections, for they are mostly young men, and that is the age which is the most easily gained over to friendship: and in the next place, you will have with you every one of the youth who is most virtuous, and most inclined to liberal studies and goodness; and also, as the equestrian rank is your own rank, those men will naturally be willing to promote the authority of their order, if they are courted by you with such care that you secure the centuries, not only by the goodwill of the order, but by the personal friendship of individuals. And the zeal of the young men in your behalf, as shown in voting, in canvassing, in spreading reports, and in attending you about the city, is of wonderful importance, and very honourable.

IX. And since I have mentioned the subject of attending you through the city, I may as well say, too, that care must be taken to avail yourself of a daily company of attendants, of every class, order, and age. For from the numbers of such a retinue a conjecture will be able to be formed as to how much power and support you are likely to have at the election itself. This may be arranged under three divisions: there is the company of saluters who come to your house; another, of those who escort you home again; a third, of those who accompany you in your walks through the city. In respect of the saluters, who are the most ordinary kind of attendants, and who, according to the fashion at present prevailing, come in considerable numbers, this must be taken care of,—that while it shall appear to be the slightest service that they are to render you, it shall likewise seem the one which is most acceptable to you yourself. Assure those who come to your house that you notice it, and point it out to their friends, who may tell them again, and often repeat it to themselves. And in this way men very often, in the case of there being several competitors, and of their seeing that there is one man who takes especial notice of these acts of attention, desert the others, and devote themselves to him alone, and by degrees, from having been common friends of all the candidates, become his alone, and from having been sham supporters, turn out his very firmest voters. Now, too, take especial care of this: if you either hear or become aware that one who has

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made you a promise is imposing on you, conceal the fact of your having heard this, or knowing it; and if any one wishes to clear himself to you, as thinking that he is suspected by you, assure him that you have never doubted, nor had any reason to doubt his good inclination towards you,—for the man who thinks that you are dissatisfied with him cannot possibly be a friend to you. But you must know of what disposition each man is, that you may be able to settle how much confidence you can place in each man.

Then as to the attention of those who escort you home, show them and assure them, that in proportion as their service is greater than that of those who come to salute you, it is also more acceptable to you: and, as far as possible, come down into the forum at regular times. A great company escorting you home every day is a thing which will excite a great belief of your success, and which will confer great dignity on you.

The third sort of supporters of this kind is the constant body of those who attend you in your walks. Among these men, take care that those who support you from mere inclination alone, understand that they are laying you under a perpetual obligation to them by the greatest service possible. As to those who are under obligations to you, from them you may plainly require this duty, of being constant in their attendance upon you, as far as their age and the claims of their business will allow; and those who cannot attend you themselves, must appoint their relations to discharge this duty. I am very anxious, and I think it of great importance to your success, that you should always be very numerously attended. Besides, it is a thing which brings with it great credit and dignity, if those men are in your retinue who have been defended by you, and saved and delivered from judicial prosecutions by your means. And you may expressly demand of such men, that since without any expense on their parts they have obtained, some property, others honour, and others preservation, and all their fortunes, and as there will never be any other opportunity for them to show their gratitude to you, they must now requite you by showing you this attention.

X. And since all this turns upon the zeal of one's friends, it seems well not to pass over a subject which in this kind

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of service seems to require to be guarded against. Everything is full of dishonesty, and treachery, and perfidy. There is no need, on the present occasion, of a long discussion on the subject of the means by which a real well-wisher and a pretender can be distinguished from one another. It is sufficient at this moment to point out the fact. Your exceeding virtue compels men at once to pretend to be friendly to you, and yet to envy you at the same time. Wherefore recollect that saying of Epicharmus, that the sinews and limbs of wisdom are the abstaining from precipitate confidence. And when you have come to a distinct certainty of the zeal of your friends, you must also acquire a knowledge of the numbers and different kinds of your detractors and adversaries. These are of three classes: one consisting of men whom you have injured; another of those who do not form attachments without some motive; and the third of those who are great friends of your adversaries. As to those whom you have injured by speaking against them in the cause of your own friends, to them you must clear yourself plainly: mention the connexion which bound you to them; give them hope that if they now contract friendship with you, you will hereafter show equal zeal in their service, and be of equal use to them,—make them promises. As to those who do not form attachments without some motive, propitiate them either by kindness, or by hope, or by an intimation that you will hereafter do them service; and labour to bring them over from their erroneous sentiments. Those whose inclinations are unfavourable to you, on acconnt of their friendship for your competitors, to those you must address the same arguments that you have used to the former classes, and, if you can convince them of it, urge that you shall have kindly feelings even towards your competitors themselves.

XI. As we have now said enough about contracting friendships, we must proceed to speak of that other branch of a canvasser's duty which concerns his popularity with the populace. That requires an ability to address every one by his name: a courteous and attentive manner, affability, kindness, a good character, and a hope that you will be of service to the republic. As to the first point, your diligence in acquainting yourself with men's names, take care that it is evident, and improve it so as to be more ready day by day. There is nothing

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which appears to me to be so popular or so acceptable. In the next place, if there is any quality which you have not by nature, bring your mind to adopt such a pretence that you may appear to have it naturally; for you are not devoid of that bland address which is worthy of a virtuous and pleasant man. But a caressing manner is especially necessary; for though it may be faulty and discreditable on other occasions of life, it is indispensable in a canvass. For it is only bad when, by flattering a man, it makes him worse; when it renders him more friendly it is not blameable; and it is necessary for a candidate, whose face, and countenance, and language must be constantly changed according to the feelings and inclinations of every one whom he meets.

For assiduity there is no rule requisite; the word itself shows what the thing is. It is of great service never to be deficient, but here the fruit of assiduity is not only to be at Rome and in the forum, but to solicit assiduously, to constantly address the same persons; not to allow any one to be able to say that you have his assistance, as far as it goes, without its being solicited by you, and that repeatedly and earnestly.

Courtesy is of extensive range; and it often turns upon a man's conduct in his family affairs: and although this cannot affect the multitude very extensively, still it is praised by the man's own friends, and is acceptable to the people. It is shown at banquets, which you should take care to have celebrated, both by yourself and by your friends, on many occasions, and in the people's tribes. It is shown in assisting people, in which you must be universal and ready: and take care that there is access to you night and day, and that not only by the doors of your house being open, but your face and countenance also, which is the door of your mind; and if this last shows that your inclinations are closed and shut against the people, it is of little use for your house-door to be open. For men not only like to have things promised to them, especially such things as they ask of a candidate, but to have them promised liberally and honourably; on which account this is an easy rule, that whatever you mean to do, you must appear to do eagerly and cheerfully. This is more difficult, and more suitable to the requirements of the occasion than to your own nature, I mean either pleasantly to give

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a hope of what you may not be able to perform, or to refuse it in a gentlemanlike manner; one of which actions is the conduct of a good man, the other of a good canvasser.

XII. For when a thing is asked of us which we cannot promise honourably or without injury to ourselves; as, for instance, if any one should ask us to undertake to conduct an action against a friend of our own; we must refuse that civilly, pointing out our connexion with our friend, showing how vexed we are to refuse, and persuading him that we will repair the damage some other way. I have heard some one say of some advocates whom he had sought to retain in his behalf, that the answer of the one who gave him a refusal was more agreeable than that of the one who undertook the case. In such a degree are men more influenced by manner and civil language, than by the kindness and reality itself. But this last position is easily proved; the other it is somewhat hard to advise a follower of Plato, such as you are. However, I will say what I think suitable for your present circumstances. For they, to whom you are forced to refuse some service by reason of some relationship or connexion, may nevertheless be so treated as to quit you with kindly feelings and equanimity. But those whom you refuse, because you say that you are hindered either by the fact of your having previously undertaken the cause of your own friends, or for some graver reason, depart in a hostile spirit. And all men have a feeling, that they would rather you told them a civil lie than give them a point blank refusal. Caius Cotta, a man of great experience and skill as a canvasser, used to say, that whenever a request made to him was not contrary to his duty, he made promises to every one; while he really gave his services only to those on whom he thought they were best bestowed; that, therefore, he refused no one, because it often happened that he to whom he had given a promise did not avail himself of it—often that he himself was more at leisure than he had expected to be. And that man's house would never be full of friends who only promised what he was sure that he could perform; that it often happened by chance that things were being done which one did not imagine; and that those things which one believed to be just at hand, for some reason or other never took place at all. And, besides, that the end of all could only be, that the man to whom one had given a

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false promise was angry at it. If you make a promise, the thing is still uncertain, depends on a future day, and concerns but few people; but if you refuse you alienate people to a certainty and at once, and many people too. For there are many more people who ask for the assistance of another than who really eventually require to use it; wherefore, it is better for some of them to be at times angry with you in the forum, than for every one to be at once offended with you at home; especially as men are much more indignant with one who gives them a refusal, than with one whom they see is really hindered by some sufficient reason, as thinking that he would desire to do what he has promised, if he possibly could. And that I may not appear to have digressed from my original arrangement, by discussing that part of the canvass which relates to the dealing with the people, I adopt this argument—that all these things have reference not so much to the zeal of one's friends, as to one's character with the people; for although something is derived from that kind of friendship which is displayed in answering kindly, and in carefully attending to the business and warding off the perils of one's friends, yet here I am speaking of the means by which you may be able to win over the multitude; to fill your house before daybreak, to engage numbers to rely on the hope of your protection, to make men leave you more cheerful than they were when they came to you: so that the ears of as many persons as possible may be filled with a favourable report of you.

XIII. The next thing for us to speak of is common rumour, which we must be very particular in attending to. But what has been said in all the earlier part of this letter, will bear also on the topic of rumour: I mean credit as an orator; the zeal in one's behalf of the publicans, and of the equestrian order; the inclination of the nobles; the attendance of the young men; the assiduity of those who have been defended by you; the multitude of men from the municipal cities who it is evident have come for your sake: so that men may both say and think that you are well acquainted with them, that you address them civilly, solicit them with assiduity and diligence, and that you are courteous and liberal; so that your house may be filled before dawn, that numbers of every class and rank may be present, that all men may be satisfied with your address, and many with your actions and assistance;

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and that that result may be brought about which cannot be without art and diligence: I do not mean the result of the fame of all these things reaching the people, but that of the people themselves being concerned in these studies. You already have the multitude of the city with you, and the favour of those persons who have the ear of the assembly, and which you won by adorning Pompey, by undertaking the cause of Manilius, and defending Cornelius; these must be roused to active exertion in your cause, and no one has ever had them, without having at the same time the influence and goodwill of all classes. You must also take care that all men know that Cnæus Pompey is exceedingly eager for your success, and that it is of very great consequence to his interest that you should obtain what you desire.

Lastly, take care that your whole canvass is splendid, illustrious, and full of pomp, pleasing to the people, set off with the greatest beauty and dignity, so that if possible your competitors may derive no advantage from the infamy of their wickedness, or lust, or bribery, being suited to the manners of the mob. And moreover, in this canvass, it is necessary to take especial care that people shall entertain a good hope and honourable opinion of you, on the ground that you may be able to serve the republic. Nor is the chief post in the republic to be attained by canvassing, nor by exertions in the senate, nor in the public assembly; but you must preserve this character, that the senate may judge that you will be a defender of its authority because you have been so hitherto; that the Roman knights, virtuous and wealthy men, may, from your past life, judge that you will be a lover of peace and tranquillity; that the multitude may, from the simple fact that both in the public assembly and in the courts of justice you have been a popular speaker, judge that you will not be unfriendly to their interests.

XIV. These are the things which occurred to me with respect to those two morning warnings to yourself, which I said ought to be meditated on by you every day as you were descending to the forum.—I am a new man: I am standing for the consulship. The third topic remains. The city is Rome, a state formed of an assemblage of all nations; a state in which there are many intrigues, much deceit, many vices of every kind; in which the arrogance of many men, the

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contumacy of many, the malevolence of many, the pride of many, the hatred of many, and the annoying tempers of many, must be endured. I see that it is a thing requiring great prudence and great tact for one, who is living amid so many vices of men of every sort, to avoid giving offence, to avoid becoming the talk of the town, to avoid treachery; that there is but one man who can adapt himself to such a variety of manners, and conversations, and inclinations. Wherefore again and again I beg of you, continue to walk in that path in which you have set out; distinguish yourself in speaking. This is the means by which men are won over at Rome, by which their affections are retained, by which they are prevented from opposing or injuring you. And since this is the point in which the state is most to blame, that in consequence of the intervention of corruption, it is apt to forget virtue and worth; in this I would have you know yourself well, so as to understand that you are a man who can give your competitors the greatest amount of alarm in the case of any danger from any judicial trial. Make them know that they are observed and watched by you: as they fear your diligence, your authority, and powerful eloquence, and also the zeal of the equestrian order in your behalf. And I wish you to put this before them, not in such a manner as to seem to be now meditating an accusation against them, but in order, by alarming them thus, to gain this object at which you are aiming more easily; and I would have you exert all your energies and faculties that we may obtain what we ask.

I see that some comitia have been polluted by corruption, in which some centuries (not without adequate inducement) have given up those who are most nearly connected with them. Wherefore if we are awake, as the dignity of the affair deserves, and if we excite our well-wishers to great zeal in our behalf, and if we assign his regular duty to each of those men who are inclined to favour and to interest themselves for us, and if we alarm our competitors with fears of judicial proceedings, and if we terrify their agents, and by some means or other check those who are bribing in their behalf, in that case we may either prevent any bribery from taking place, or at all events from having any effect.

These are the points which I wish to urge; being not what I thought that I knew better than you, but what in conse-

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quence of your occupations I could more easily collect together, and write out and send to you. And although they are so set down as not to be of use to all who are candidates for honours, but peculiarly to you in this your canvass, still if you think any point requires to be changed, or altogether omitted, or if you consider that anything has been passed over, I should be glad if you were to tell me; for I wish to make this little manual for canvassers entirely perfect.

Cicero's competitors were six in number:—Publius Sulpicius Galba, Lucius Sergius Catilina, Caius Antonius, Lucius Cassius Longinus, Quintus Cornificius, and Caius Licinius Sacerdos. Antonius and Catilina joined their interest to defeat Cicero, and practised every kind of corruption, and were the only competitors who were at all formidable to him; though Galba and Cornificius were men of great respectability. Cicero was chosen first, with Antonius for his colleague, "probably," says Middleton, "by Cicero's management, who considered him as the less dangerous and more tractable of the two."

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