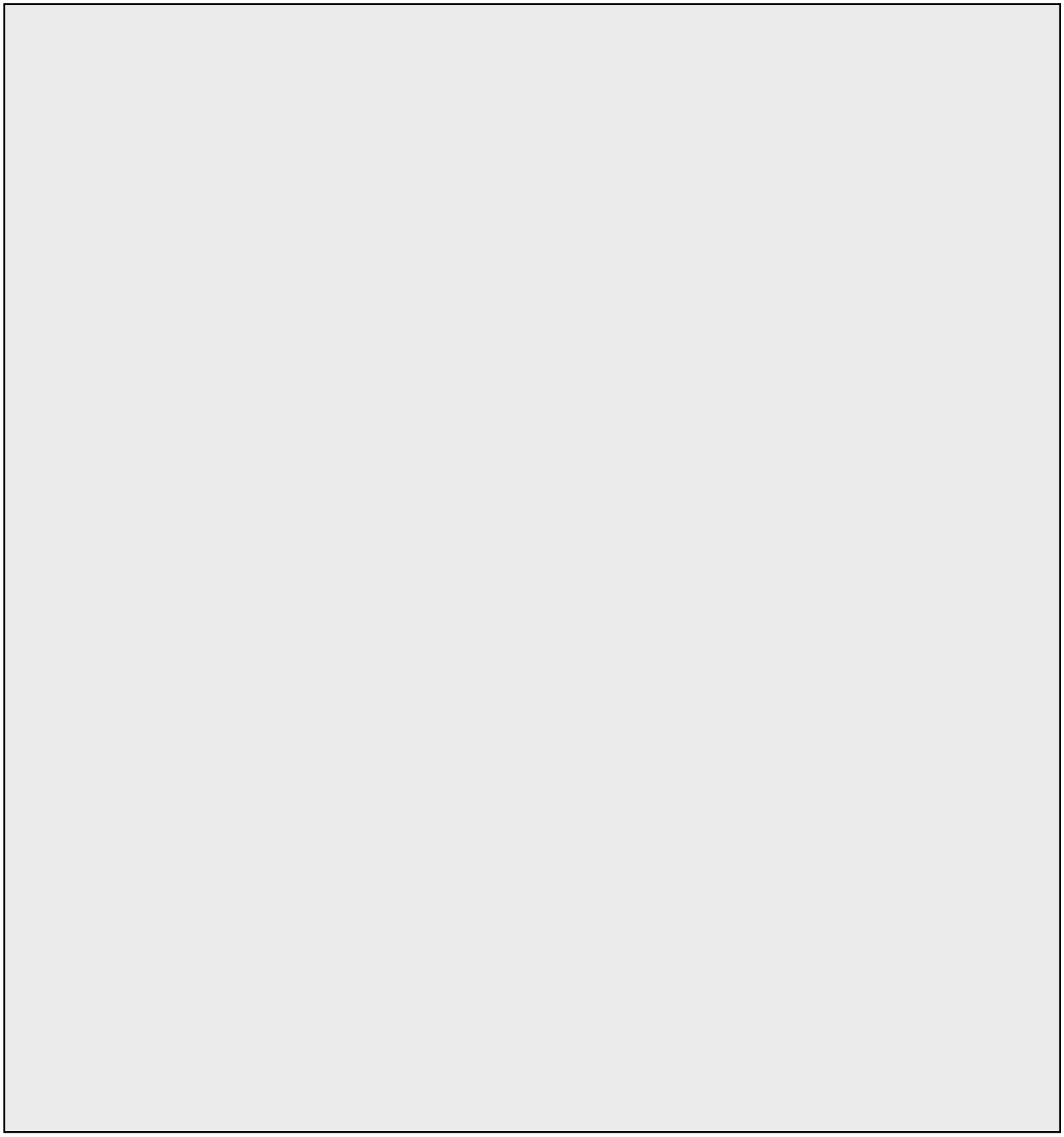

page 357

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 54 B.C. 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, 129 B.C., 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 analyzing and comparing the monarchical, aristocratic, and
page 358 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.

---

page 359

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 endeavors 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 favor of active life. Among Aristotle's disciples, a writer, singularly elegant and pure, had maintained the pre-eminence 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 favor of mixed monarchy to be found in all literature.

---

page 360

BOOK I.

I. [WITHOUT the virtue of patriotism], neither Caius Duilius, nor Aulus Atilius,[293] 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[294] 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 honors 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 amidst 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
page 361 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 philosophers discuss at every corner. For nothing is spoken by philosophers, so far as they speak correctly and honorably, 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 labors 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 endeavor 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
page 362 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 labors which must necessarily be sustained in maintaining the Commonwealth form but a slight impediment to the vigilant and 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,[295] the
page 363 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 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 honor 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 befell 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.

page 364 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 becoming to a man of liberal birth, say they, thus to contend with such vile and unrefined antagonists, or to subject one's self to the lashings of contumely, or to put one's self in the way of injuries which ought not to be borne by a wise man. As if to a virtuous, brave, and magnanimous man 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 learned, and never cared to know) profess themselves ready to assume the helm amidst the fiercest tempests. For those men are accustomed to say openly, and indeed to boast greatly, that they have never learned, and
page 365 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 oblige him to it, then he does not refuse the office, yet I think that this science of civil legislation should in no wise 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
page 366 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 recall 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.

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 favorite 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.[296]

page 367

Ah! said Scipio, I wish we had our friend Panætius with us, who is fond of investigating all things of this kind, but especially all celestial phenomena. As for my opinion, Tubero, for I always tell you just what I think, I hardly 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 endeavors 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
page 368 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 we 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 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.[297]

When he had saluted them all, he returned through the portico, placing Lælius in the
page 369 middle; for there was in their friendship a sort of law of reciprocal courtesy, so that in the camp Lælius paid Scipio almost divine honors, 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 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
page 370 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 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
page 371 globe was a very ancient invention, and that the first model had been originally made by Thales of Miletus. That afterward 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.[298] * * *

XV. * * *[299] 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.

page 372

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 fact they say that Thales of Miletus was the first to discover. Afterward my friend Ennius appears to have been acquainted with the same theory, who, writing about 350[300] 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.

page 373

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,[301] * * * 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 learned 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 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
page 374 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 symbols of science. For this reason, Tubero, learning and learned men, and these your favorite 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.[302] * * *

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.

page 375

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[303]:

> 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 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

page 376

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[304] 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 endeavoring 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 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.

page 377

XXI. When Philus, Manilius, and Mummius had all expressed their great approbation of this idea[305] * * * 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 ardor 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 labors 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 labor 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 pre-eminence over our own; but rather to 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

page 378 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 favor 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; 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
page 379 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 school-master; 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 headquarters 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 grand first principle which established the Commonwealth. It must be deposited in the hands of one supreme person, or
page 380 intrusted 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 government, not looking on them in
page 381 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, along-side 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 license which ruined their State.[306] * * *

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.

page 382

XXX. *Lælius*. I am not ignorant, Scipio, that such is your opinion, for I have often heard you say so. But I do 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[307] * * *

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[308] * * *

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
page 383 nobles; while, on the other hand, kings are not sought for among free peoples, nor are the power and wealth of aristocracies. They deny, moreover, 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 ascendency, 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?[309] * * *

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
page 384 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 own votes? For how is such a one judged to be best either in learning, sciences, or arts?[310] * * *

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.

page 385

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 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 intrusted 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 honor is given to the most noble and the most infamous, some of whom must exist in every State, then the equity which they eulogize 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,

page 386

and endeavors 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 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 recognized, by the decrees of their chiefs, that nothing is better than a king, since they think that all the Gods are governed by
page 387 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[311]. * * *

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.

page 388

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?

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 ascendency 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.

page 389 *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, 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?

page 390 *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 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 license 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 license. 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.[312] * * *

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!

page 391

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 honor and glory had arisen to them from the justice of their king. The same good-will would doubtless have remained in their descendants, 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
page 392
whole Commonwealth to its own license, 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 license, then the magistrates and chiefs, if they are not utterly subservient and remiss, and 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 labor to abolish all distinctions between their own class and the magistrates, are extolled with acclamations and overwhelmed with honors, 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
page 393 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 license, 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 in the weather, the soil, and the animal constitution the most favorable 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 neighbor'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
page 394 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 pre-eminent 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 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
page 395 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 endeavor to explain its true character and excellence. Thus keeping my eye fixed on the model of our Roman Commonwealth, I shall endeavor 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 forever?

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.

---

page 396

INTRODUCTION TO THE SECOND BOOK,

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.

BOOK II.

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 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

page 397 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, afterward 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 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
page 398 was suckled by a wild beast; that he was afterward educated by the shepherds, and brought up in the rough way of living and labors of the countrymen; and that he acquired, when he grew up, such superiority over the rest by the vigor 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 favorable 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 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.

page 399

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, besides the Phliasians, are there any whose lands do not touch the sea; and beyond the Peloponnesus, the Ænianes, 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 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

page 400

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 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
page 401 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 honorable 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[313] 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 Locumo, 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 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
page 402 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 neighboring 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 afterward 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 honor which no mortal man ever was able to attain to but by a glorious pre-eminence 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 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
page 403 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[314] * * * 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 did not merely establish the constitution of a new people, and then leave them, as it were, crying in their cradle; but he
page 404 still continued to superintend their education till they had arrived at an adult and wellnigh 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, amidst 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
page 405 prolonged enjoyment of power, should become 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 recognized 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 intrusted 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.

page 406

He also established the Flamines and the Salian priests and the Vestal Virgins, and regulated all departments of our 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.

page 407

O 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 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 unfavorable.

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 curias 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[315] * * *

XVIII. * * * [*Manilius*.] This Commonwealth of Rome, which you are so eloquently describing, did not creep towards perfection; it rather flew at once to the maturity of its grandeur.

page 408

[*Scipio*.] After Tullus, Ancus Martius, a descendant of Numa by his daughter, was appointed king by the people. He also procured the passing of a law[316] 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 Cælian 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, honor, 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.[317] * * *

page 409

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 favorite of our king Ancus to such a degree that he was a partner in all 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,
page 410 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 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 good-will 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[318]
* * *

XXII. * * * he enrolled eighteen centuries of knights of the first order. Afterward, having
page 411 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. 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[319]—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 succor[320] to the State. As to those whoso fortune did not exceed 1500 pence, or those who had nothing but their labor, he called them *proletarii* classes, as if the State should expect from them a hardy progeny[321] 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, hornblowers, proletarii[322]

* * *

XXIII. * * * That that republic is arranged in the best manner which, being composed in
page 412 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 law-giver Lycurgus made nearly the same arrangements. Thus the system of regular 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 endeavor 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 pre-eminent; 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[323] * * *

page 413 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 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
page 414
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, 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 choose 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].[324] * * *

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
page 415
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 pre-eminent.

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 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 recognize 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.][325] * * *

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
page 416 be desired than expected; and he has made out not such a 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 two hundred and forty 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, 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.[326] * * *

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 humor, 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 humor, 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 pre-eminently deserved the name of Publicola, who carried in favor 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
page 417 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 favor of appeal to the people, immediately ordered the axes to be removed from the fasces, which the lictors carried before the 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
page 418 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 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
page 419 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 forgotten 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 honor 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 the quæstor impeached Spurius Cassius of being so much emboldened by the excessive favor of the people as to endeavor 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 afterward, 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
page 420 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, 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, or they added two tables of very tyrannical laws, and though matrimonial alliances had always been permitted, even with foreigners, they forbade, by the most abominable and inhuman edict, that any marriages should take place between the nobles and the commons—an order which was afterward 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
page 421 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.[327] 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.

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
page 422 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[328] * * *

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 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[329] * * *

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.

page 423 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," etc., 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.[330]

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 splendor 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 amidst the distinctive tones, which cannot be broken or violated without offending experienced ears; and as this concord 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.

page 424

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.

INTRODUCTION TO THE THIRD BOOK,

BY THE ORIGINAL TRANSLATOR.

CICERO here enters on the grand question of Political Justice, and endeavors 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. Augustine, 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 endeavors 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
page 425
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.

BOOK III.

I. * * *[331] Cicero, in 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 labors, and exposed to passions. In this mind, however, there lies hidden, 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. * * *

page 426 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; 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. * * *[332] [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 amidst a variety of political events, or one discussed amidst 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
page 427 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 honor. But if we cannot combine both, and are compelled to select one of these two paths to 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 exertion our greatest men have reaped their honors, like the invincible Curius,

> Whom neither gold nor iron could subdue.

IV. * * *[333] 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 honor 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 masterpiece 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
page 428 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[334] * * *

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 favor 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 universally 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
page 429 man who was accustomed to express whatever [served his turn].[335] * * *[336]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 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 afterward 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
page 430 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 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 or 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 recognized 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
page 431 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 afterward 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 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 honorable. 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 labor, and go with arms in their hands, and mow down the harvests of neighboring 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,
page 432 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 favor 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 Crassus's 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.[337] * * *

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

page 433

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[338] * * *

XII. For when he[339] 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 every one his due, and 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, honors, 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[340] * * *

page 434

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, etc.? 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 favor 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 license. And when every man is a guard upon his neighbor, and every class is a guard upon every other class, then because no one trusts in

his own strength, a 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[341] * * *

page 435

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 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.[342] * * *

XVII. [Our philosophers, therefore, put a case. Suppose, say they, two men, one of whom is an excellent and admirable person, of high honor 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

page 436

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, burned, 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 honors, 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[343] * * *

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
page 437 neighbors. 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 neighbor, he will be an eminently honorable 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 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.

page 438

XXII.[344] 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 forever 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 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
page 439 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 license 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 recognized 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 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 hidden 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 honorable, 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 conection 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
page 440 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 honor, 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-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
page 441 speak with more energy than to-day, while pleading the cause of justice][345] * * *

* * * 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.

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 harbor of Piræus—did they constitute it a commonwealth?

Lælius. Certainly not, because these did not constitute the real welfare of the community.

page 442 *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 hinderance. 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 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][346] * * *

XXXIV. * * * [It is far more rational] to assert that a wise and virtuous aristocratical
page 443 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 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?

page 444 *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 * * *

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 endeavor 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 discussion, 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
page 445 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 insure 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 forever. 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 revolutionized, 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.

---

page 446

INTRODUCTION TO THE FOURTH BOOK,

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.

BOOK IV.

FRAGMENTS.

I. * * * Since mention has been made of the body and of the mind, I will endeavor 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, 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 labor.

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 burned 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.

page 447

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 endeavor 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 labor 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[347] * * *

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 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 labors 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 license 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.

page 448

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 favorite 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.

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, honorable, 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 neighbors 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.

page 449

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 honors 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.

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
page 450 dishonor 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.

INTRODUCTION TO THE FIFTH BOOK,

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.

BOOK V.

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
page 451 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 colors 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 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 connection 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 labor 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
page 452 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 labor.

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, 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
page 453
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 honor 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 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 honorable 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 afterward 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 honor 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.

page 454

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.

INTRODUCTION TO THE SIXTH BOOK.

In this last book of his Commonwealth, Cicero labors 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.

BOOK VI.

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
page 455 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.

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 harmonized 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
page 456 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 completed work, indicating whither they must come, or rather return, who have managed the republic with prudence, justice, fortitude, and moderation. But that Platonic relater 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

afterward was about to receive the honors 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 relater 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, etc. 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 connection 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.

page 457

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, 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, * * * etc." 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 reanimated; 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 daytime 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
page 458 frequently to think and speak.

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 honor 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 put 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
page 459 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, 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
page 460 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 labor 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 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 farthest 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,
page 461 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 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, everything is mortal, and tends to dissolution; but above the moon all is eternal. For the earth, which is 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
page 462 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 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[348], 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 steadfastly 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 forever 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
page 463 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 connection; 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 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?

page 464 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 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 splendor, 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, O 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
page 465 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 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
page 466
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 forever 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.

THE END.

FOOTNOTES:

[1] Archilochus was a native of Paros, and flourished about 714-676 B.C. His poems were chiefly Iambics of bitter satire. Horace speaks of him as the inventor of Iambics, and calls himself his pupil.

> Parios ego primus Iambos
> Ostendi Latio, numeros animosque secutus
> Archilochi, non res et agentia verba Lycamben.
>
> Epist. I. xix. 25.

And in another place he says,

> Archilochum proprio rabies armavit Iambo—A.P. 74.

[2] This was Livius Andronicus: he is supposed to have been a native of Tarentum, and he was made prisoner by the Romans, during their wars in Southern Italy; owing to which he became the slave of M. Livius Salinator. He wrote both comedies and tragedies, of which Cicero (Brutus 18) speaks very contemptuously, as "Livianæ fabulæ non satis dignæ quæ iterum legantur"—not worth reading a second time. He also wrote a Latin Odyssey, and some hymns, and died probably about 221 B.C.

[3] C. Fabius, surnamed Pictor, painted the temple of Salus, which the dictator C. Junius Brutus Bubulus dedicated 302 B.C. The temple was destroyed by fire in the reign of Claudius. The painting is highly praised by Dionysius, xvi. 6.

[4] For an account of the ancient Greek philosophers, see the sketch at the end of the Disputations.

[5] Isocrates was born at Athens 436 B.C. He was a pupil of Gorgias, Prodicus, and Socrates. He opened a school of rhetoric, at Athens, with great success. He died by his own hand at the age of ninety-eight.

[6] So Horace joins these two classes as inventors of all kinds of improbable fictions:

> Pictoribus atque poetis
> Quidlibet audendi semper fuit æqua potestas.—A. P. 9.

Which Roscommon translates:

> Painters and poets have been still allow'd
> Their pencil and their fancies unconfined.

[7] Epicharmus was a native of Cos, but lived at Megara, in Sicily, and when Megara was destroyed, removed to Syracuse, and lived at the court of Hiero, where he became the first writer of comedies, so that Horace ascribes the invention of comedy to him, and so does Theocritus. He lived to a great age.

[8] Pherecydes was a native of Scyros, one of the Cyclades; and is said to have obtained his knowledge from the secret books of the Phœnicians. He is said also to have been a pupil of

Pittacus, the rival of Thales, and the master of Pythagoras. His doctrine was that there were three principles (Ζεὺς, or Æther; Χθὼν, or Chaos; and Χρόνος, or Time) and four elements (Fire, Earth, Air, and Water), from which everything that exists was formed. —*Vide* Smith's Dict. Gr. and Rom. Biog.

[9] Archytas was a native of Tarentum, and is said to have saved the life of Plato by his influence with the tyrant Dionysius. He was especially great as a mathematician and geometrician, so that Horace calls him

> Maris et terra numeroque carentis arenæ
> Mensorem.
>
> Od. i. 28.1.

Plato is supposed to have learned some of his views from him, and Aristotle to have borrowed from him every idea of the Categories.

[10] This was not Timæus the historian, but a native of Locri, who is said also in the De Finibus (c. 29) to have been a teacher of Plato. There is a treatise extant bearing his name, which is, however, probably spurious, and only an abridgment of Plato's dialogue Timæus.

[11] Dicæarchus was a native of Messana, in Sicily, though he lived chiefly in Greece. He was one of the later disciples of Aristotle. He was a great geographer, politician, historian, and philosopher, and died about 285 B.C.

[12] Aristoxenus was a native of Tarentum, and also a pupil of Aristotle. We know nothing of his opinions except that he held the soul to be a *harmony* of the body; a doctrine which had been already discussed by Plato in the Phædo, and combated by Aristotle. He was a great musician, and the chief portions of his works which have come down to us are fragments of some musical treatises.—Smith's Dict. Gr. and Rom. Biog.; to which source I must acknowledge my obligation for nearly the whole of these biographical notes.

[13] The Simonides here meant is the celebrated poet of Ceos, the perfecter of elegiac poetry among the Greeks. He flourished about the time of the Persian war. Besides his poetry, he is said to have been the inventor of some method of aiding the memory. He died at the court of Hiero, 467 B.C.

[14] Theodectes was a native of Phaselis, in Pamphylia, a distinguished rhetorician and tragic poet, and flourished in the time of Philip of Macedon. He was a pupil of Isocrates, and lived at Athens, and died there at the age of forty-one.

[15] Cineas was a Thessalian, and (as is said in the text) came to Rome as ambassador from Pyrrhus after the battle of Heraclea, 280 B.C., and his memory is said to have been so great that on the day after his arrival he was able to address all the senators and knights by name. He probably died before Pyrrhus returned to Italy, 276 B.C.

[16] Charmadas, called also Charmides, was a fellow-pupil with Philo, the Larissæan of Clitomachus, the Carthaginian. He is said by some authors to have founded a fourth academy.

[17] Metrodorus was a minister of Mithridates the Great; and employed by him as supreme judge in Pontus, and afterward as an ambassador. Cicero speaks of him in other places (De Orat. ii. 88) as a man of wonderful memory.

[18] Quintus Hortensius was eight years older than Cicero; and, till Cicero's fame surpassed his, he was accounted the most eloquent of all the Romans. He was Verres's counsel in the prosecution conducted against him by Cicero. Seneca relates that his memory was so great that he could come out of an auction and repeat the catalogue backward. He died 50 B.C.

[19] This treatise is one which has not come down to us, but which had been lately composed by Cicero in order to comfort himself for the loss of his daughter.

[20] The epigram is,

> Εἶπας Ἅλιε χαῖρε, Κλεόμβροτος Ὠμβρακιώτης
> ἅλατ' ἀφ' ὑψηλοῦ τείχεος εἰς Ἀΐδην,
> ἄξιον οὐδὲν ἰδὼν θανάτου κακὸν, ἀλλὰ Πλάτωνος
> ἓν τὸ περὶ ψύχης γράμμ' ἀναλεξάμενος.

Which may be translated, perhaps,

> Farewell, O sun, Cleombrotus exclaim'd,
> Then plunged from off a height beneath the sea;
> Stung by pain, of no disgrace ashamed,
> But moved by Plato's high philosophy.

[21] This is alluded to by Juvenal:

> Provida Pompeio dederat Campania febres
> Optandas: sed multæ urbes et publica vota
> Vicerunt. Igitur Fortuna ipsius et Urbis,
> Servatum victo caput abstulit.—Sat. x. 283.

[22] Pompey's second wife was Julia, the daughter of Julius Cæsar, she died the year before the death of Crassus, in Parthia. Virgil speaks of Cæsar and Pompey as relations, using the same expression (socer) as Cicero:

> Aggeribus socer Alpinis atque arce Monœci
> Descendens, gener adversis instructus Eois.—Æn. vi. 830.

[23] This idea is beautifully expanded by Byron:

> Yet if, as holiest men have deem'd, there be
> A land of souls beyond that sable shore
> To shame the doctrine of the Sadducee
> And sophist, madly vain or dubious lore,
> How sweet it were in concert to adore
> With those who made our mortal labors light,

To hear each voice we fear'd to hear no more.
Behold each mighty shade reveal'd to sight,
The Bactrian, Samian sage, and all who taught the right!

Childe Harold, ii.

[24] The epitaph in the original is:

Ὦ ξεῖν' ἀγγεῖλον Λακεδαιμονίοις ὅτι τῇδε
κείμεθα, τοῖς κείνων πειθόμενοι νομίμοις.

[25] This was expressed in the Greek verses,

Ἀρχὴς μὲν μὴ φῦναι ἐπιχθονίοισιν ἄριστον,
φύντα δ' ὅπως ὤκιστα πύλας Ἀΐδϋο περῆσαι

which by some authors are attributed to Homer.

[26] This is the first fragment of the Cresphontes.—Ed. Var. vii., p. 594.

Ἔδει γὰρ ἡμᾶς σύλλογον ποιουμένους
Τὸν φύντα θρηνεῖν, εἰς ὅσ' ἔρχεται κακά.
Τὸν δ' αὖ θανόντα καὶ πόνων πεπαυμένον
χαίροντας εὐφημοῖντας ἐκπέμειν δόμων

[27] The Greek verses are quoted by Plutarch:

Ἥπου νήπιε, ἠλίθιοι φρένες ἀνδρῶν
Εὐθύνοος κεῖται μοιριδίῳ θανάτῳ
Οὐκ ἦν γὰρ ζώειν καλὸν αὐτῷ οὔτε γονεῦσι.

[28] This refers to the story that when Eumolpus, the son of Neptune, whose assistance the Eleusinians had called in against the Athenians, had been slain by the Athenians, an oracle demanded the sacrifice of one of the daughters of Erechtheus, the King of Athens. And when one was drawn by lot, the others voluntarily accompanied her to death.

[29] Menœceus was son of Creon, and in the war of the Argives against Thebes, Teresias declared that the Thebans should conquer if Menœceus would sacrifice himself for his country; and accordingly he killed himself outside the gates of Thebes.

[30] The Greek is,

μήδε μοι ἄκλαυστος θάνατος μόλοι, ἀλλὰ φίλοισι
ποιήσαιμι θανὼν ἄλγεα καὶ στοναχάς.

[31] Soph. Trach. 1047.

[32] The lines quoted by Cicero here appear to have come from the Latin play of Prometheus by Accius; the ideas are borrowed, rather than translated, from the Prometheus

of Æschylus.

[33] From *exerceo*.

[34] Each soldier carried a stake, to help form a palisade in front of the camp.

[35] Insania—from *in*, a particle of negative force in composition, and *sanus*, healthy, sound.

[36] The man who first received this surname was L. Calpurnius Piso, who was consul, 133 B.C., in the Servile War.

[37] The Greek is,

> Ἀλλά μοι οἰδάνεται κραδίη χόλῳ ὅπποτ' ἐκείνου
> Μνήσομαι ὅς μ' ἀσύφηλον ἐν Ἀργείοισιν ἔρεξεν.—Il. ix. 642.

I have given Pope's translation in the text.

[38] This is from the Theseus:

> Ἐγὼ δὲ τοῦτο παρὰ σοφοῦ τινος μαθὼν
> εἰς φροντίδας νοῦν συμφορᾶς τ' ἐβαλλόμην
> φυγάς τ' ἐμαυτῷ προστιθεὶς πάτρας ἐμῆς.
> θανάτους τ' ἀώρους, καὶ κακῶν ἄλλας ὁδοὺς
> ὡς, εἴ τι πάσχοιμ' ὧν ἐδόξαζόν ποτε
> Μή μοι νέορτον προσπεσὸν μᾶλλον δάκοι.

[39] Ter. Phorm. II. i. 11.

[40] This refers to the speech of Agamemnon in Euripides, in the Iphigenia in Aulis,

> Ζηλῶ σε, γέρον,
> ζηλῶ δ' ἀνδρῶν ὃς ἀκίνδυνον
> βίον ἐξεπέρασ', ἀγνὼς, ἀκλεής.—v. 15.

[41] This is a fragment from the Hypsipyle:

> Εφυ μὲν οὐδεὶς ὅστις οὐ πονεῖ βροτῶν
> θάπτει τε τέκνα χἄτερ' αὖ κτᾶται νεὰ,
> αὐτός τε θνήσκει. καὶ τάδ' ἄχθονται βροτοὶ
> εἰς γῆν φέροντες γῆν ἀναγκαίως δ' ἔχει
> βίον θερίζειν ὥστε κάρπιμον στάχυν.

[42]

> Πολλὰς ἐκ κεφαλῆς προθελύμνους ἕλκετο χαίτας.—Il. x. 15.

[43]

> Ἤτοι ὁ καππέδιον τὸ Ἀληΐον οἷος ἀλᾶτο

ὅν θυμὸν κατεδὼν, πάτον ἀνθρώπων ἀλεείνων.—Il. vi. 201.

[44] This is a translation from Euripides:

Ὥσθ' ἵμερος μ' ὑπῆλθε γῆ τε κ' οὐρανῷ
λέξαι μολούσῃ δεῦρο Μηδείας τύχας.—Med. 57.

[45]

Λίην γὰρ πολλοὶ καὶ ἐπήτριμοι ἤματα πάντα
πίπτουσιν, πότε κέν τις ἀναπνεύσειε πόνοιο;
ἀλλὰ χρὴ τὸν μὲν καταθαπτέμεν, ὅς κε θάνησι,
νηλέα θυμὸν ἔχοντας, ἔπ' ἤματι δακρυσάντας.—

Hom. Il. xix. 226.

[46] This is one of the fragments of Euripides which we are unable to assign to any play in particular; it occurs Var. Ed. Tr. Inc. 167.

Εἰ μεν τόδ' ἦμαρ πρῶτον ἦν κακουμένῳ
καὶ μὴ μακρὰν δὴ διὰ πόνων ἐναυστόλουν
εἰκὸς σφαδάζειν ἦν ἂν, ὡς νεόζυγα
πῶλον, χάλινον ἀρτίως δεδεγμένον
νῦν δ' ἀμβλύς εἰμι, καὶ κατηρτυκὼς κακῶν.

[47] This is only a fragment, preserved by Stobæus:

Τοὺς δ' ἂν μεγίστους καὶ σοφωτάτους φρενὶ
τοιούσδ' ἴδοις ἂν, οἷός ἐστι νῦν ὅδε,
καλῶς κακῶς πράσσοντι συμπαραινέσαι
ὅταν δὲ δαίμων ἀνδρὸς εὐτυχοῦς τὸ πρὶν
μάστιγ' ἐπίσῃ τοῦ βίου παλίντροπον,
τὰ πολλὰ φροῦδα καὶ κακῶς εἰρημένα.

[48]

Ωκ. Οὐκοῦν Προμηθεῦ τοῦτο γιγνώσκεις ὅτι
ὀργῆς νοσούσης εἰσὶν ἰατροὶ λόγοι.
Πρ. ἐάν τις ἐν καιρῷ γε μαλθάσσῃ κεάρ
καὶ μὴ σφριγῶντα θυμὸν ἰσχναίνῃ βιᾳ.—

Æsch. Prom. v. 378.

[49] Cicero alludes here to Il. vii. 211, which is thus translated by Pope:

His massy javelin quivering in his hand,
He stood the bulwark of the Grecian band;
Through every Argive heart new transport ran,
All Troy stood trembling at the mighty man:
E'en Hector paused, and with new doubt oppress'd,
Felt his great heart suspended in his breast;
'Twas vain to seek retreat, and vain to fear,
Himself had challenged, and the foe drew near.

But Melmoth (Note on the Familiar Letters of Cicero, book ii. Let. 23) rightly accuses Cicero of having misunderstood Homer, who "by no means represents Hector as being thus totally dismayed at the approach of his adversary; and, indeed, it would have been inconsistent with the general character of that hero to have described him under such circumstances of terror."

> Τὸν δὲ καὶ Ἀργεῖοι μέγ' ἐγήθεον εἰσορόωντες,
> Τρωὰς δὲ τρόμος αἶνος ὑπήλυθε γυῖα ἕκαστον,
> Ἕκτορι δ' αὐτῷ θυμὸς ἐνὶ στήθεσσι πάτασσεν.

But there is a great difference, as Dr. Clarke remarks, between θυμὸς ἐνὶ στήθεσσι πάτασσεν and καρδέη ἔξω στηθέων ἔθρωσκεν, or τρόμος αἶνος ὑπήλυθε γυῖα.—*The Trojans*, says Homer, *trembled* at the sight of Ajax, and even Hector himself felt some emotion in his breast.

[50] Cicero means Scipio Nasica, who, in the riots consequent on the reelection of Tiberius Gracchus to the tribunate, 133 B.C., having called in vain on the consul, Mucius Scævola, to save the republic, attacked Gracchus himself, who was slain in the tumult.

[51] *Morosus* is evidently derived from *mores*—"*Morosus*, *mos*, stubbornness, self-will, etc."—Riddle and Arnold, Lat. Dict.

[52] In the original they run thus:

> Οὔκ ἐστιν οὐδὲν δεινὸν ὧδ' εἰπεῖν ἔπος,
> Οὐδὲ πάθος, οὐδὲ ξυμφορὰ θεήλατος
> ἧς οὐκ ἂν ἀροιτ' ἄχθος ἀνθρώπον φύσις.

[53] This passage is from the Eunuch of Terence, act i., sc. 1, 14.

[54] These verses are from the Atreus of Accius.

[55] This was Marcus Atilius Regulus, the story of whose treatment by the Carthaginians in the first Punic War is well known to everybody.

[56] This was Quintus Servilius Cæpio, who, 105 B.C., was destroyed, with his army, by the Cimbri, it was believed as a judgment for the covetousness which he had displayed in the plunder of Tolosa.

[57] This was Marcus Aquilius, who, in the year 88 B.C., was sent against Mithridates as one of the consular legates; and, being defeated, was delivered up to the king by the inhabitants of Mitylene. Mithridates put him to death by pouring molten gold down his throat.

[58] This was the elder brother of the triumvir Marcus Crassus, 87 B.C. He was put to death by Fimbria, who was in command of some of the troops of Marius.

[59] Lucius Cæsar and Caius Cæsar were relations (it is uncertain in what degree) of the

great Cæsar, and were killed by Fimbria on the same occasion as Octavius.

[60] M. Antonius was the grandfather of the triumvir; he was murdered the same year, 87 B.C., by Annius, when Marius and Cinna took Rome.

[61] This story is alluded to by Horace:

> Districtus ensis cui super impiâ
> Cervice pendet non Siculæ dapes
> Dulcem elaborabunt saporem,
> Non avium citharæve cantus
> Somnum reducent.—iii. 1. 17.

[62] Hieronymus was a Rhodian, and a pupil of Aristotle, flourishing about 300 B.C. He is frequently mentioned by Cicero.

[63] We know very little of Dinomachus. Some MSS. have Clitomachus.

[64] Callipho was in all probability a pupil of Epicurus, but we have no certain information about him.

[65] Diodorus was a Syrian, and succeeded Critolaus as the head of the Peripatetic School at Athens.

[66] Aristo was a native of Ceos, and a pupil of Lycon, who succeeded Straton as the head of the Peripatetic School, 270 B.C. He afterward himself succeeded Lycon.

[67] Pyrrho was a native of Elis, and the originator of the sceptical theories of some of the ancient philosophers. He was a contemporary of Alexander.

[68] Herillus was a disciple of Zeno of Cittium, and therefore a Stoic. He did not, however, follow all the opinions of his master: he held that knowledge was the chief good. Some of the treatises of Cleanthes were written expressly to confute him.

[69] Anacharsis was (Herod., iv., 76) son of Gnurus and brother of Saulius, King of Thrace. He came to Athens while Solon was occupied in framing laws for his people; and by the simplicity of his way of living, and his acute observations on the manners of the Greeks, he excited such general admiration that he was reckoned by some writers among the Seven Wise Men of Greece.

[70] This was Appius Claudius Cæcus, who was censor 310 B.C., and who, according to Livy, was afflicted with blindness by the Gods for persuading the Potitii to instruct the public servants in the way of sacrificing to Hercules. He it was who made the Via Appia.

[71] The fact of Homer's blindness rests on a passage in the Hymn to Apollo, quoted by Thucydides as a genuine work of Homer, and which is thus spoken of by one of the most accomplished scholars that this country or this age has ever produced: "They are indeed beautiful verses; and if none worse had ever been attributed to Homer, the Prince of Poets

would have had little reason to complain.

"He has been describing the Delian festival in honor of Apollo and Diana, and concludes this part of the poem with an address to the women of that island, to whom it is to be supposed that he had become familiarly known by his frequent recitations:

> Χαίρετε δ' ὑμεῖς πᾶσαι, ἐμεῖο δὲ καὶ μετόπισθε
> μνήσασθ', ὅπποτέ κέν τις ἐπιχθονίων ἀνθρώπων
> ἐνθάδ' ἀνείρηται ξεῖνος ταλαπείριος ἐλθὼν
> ὦ κοῦραι, τίς δ' ὔμμιν ἀνὴρ ἥδιστος ἀοιδῶν
> ἐνθάδε πωλεῖται καὶ τέῳ τέρπεσθε μάλιστα;
> ὑμεῖς δ' εὖ μάλα πᾶσαι ὑποκρίνασθε ἀφ' ἡμῶν,
> Τυφλὸς ἀνὴρ, οἰκεῖ δὲ Χίῳ ἐνὶ παιπαλοέσσῃ,
> τοῦ πᾶσαι μετόπισθεν ἀριστεύουσιν ἀοιδαί.
>
> Virgins, farewell—and oh! remember me
> Hereafter, when some stranger from the sea,
> A hapless wanderer, may your isle explore,
> And ask you, 'Maids, of all the bards you boast,
> Who sings the sweetest, and delights you most?'
> Oh! answer all, 'A blind old man, and poor,
> Sweetest he sings, and dwells on Chios' rocky shore.'"

Coleridge's Introduction to the Study of the Greek Classic Poets.

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

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

[74] 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.

[75] The Academic.

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

[77] Julius Cæsar.

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

[79] 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 honor 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.—*Vide* Smith, Dict. Gr. and Rom. Ant., p. 414.

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

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

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

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

[84] 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.

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

[86] Or, Generation of the Gods.

[87] The πρόληψις of Epicurus, before mentioned, is what he here means.

[88] Στερέμνια is the word which Epicurus used to distinguish between 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.

[89] 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.

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

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

[92] *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.

[93] Fundamental doctrines.

[94] That is, the zodiac.

[95] 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.

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

[97] Epicurus taught his disciples in a garden.

[98] 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.

[99] 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.

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

[101] 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.

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

[103] 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).

[104] 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.

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

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

[107] 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.

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

[109] 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.

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

[111] 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.

[112] 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.

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

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

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

[116] This especially refers to the Decii, one of whom devoted himself for his country in the war with the Latins, 340 B.C., and his son imitated the action in the war with the Samnites, 295 B.C. 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.

[117] 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.

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

[119] Their sacred books of ceremonies.

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

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

——*Terram fumare calentem*.

[122] 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.

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

[124] He means the Epicureans.

[125] 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.

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

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

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

[129] Balbus here speaks of the fixed stars, and of the motions of the orbs of the planets. He here alludes, says M. Bonhier, 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.

[130] 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.

[131] 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.

[132] The zodiac.

[133] 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.

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

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

[136] In the Eunuch of Terence.

[137] Bacchus.

[138] The son of Ceres.

[139] The books of Ceremonies.

[140] 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.

[141] 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.

[142] 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, etc.

[143] *Pater divûmque hominumque*.

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

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

[146] That is, "mother earth."

[147] 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.

[148] *Stellæ vagantes*.

[149] *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*.

[150] Olympias was the mother of Alexander.

[151] 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.

[152] 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.

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

[154] Epicurus.

[155] The Stoics.

[156] 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.

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

[158] The Epicureans.

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

[160] 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.

[161] The Epicureans.

[162] Greek, ἀὴρ; Latin, *aer*.

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

[164] 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.

[165] 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.

[166] In the zodiac.

[167] Ibid.

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

[169] The fixed stars.

[170] The arctic and antarctic poles.

[171] 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*.

[172] These stars in the Greater Bear are vulgarly called the "Seven Stars," or the "Northern Wain;" by the Latins, "Septentriones."

[173] The Lesser Bear.

[174] The Greater Bear.

[175] 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.

[176] The tail of the Greater Bear.

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

[178] 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.

[179] 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.

[180] 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.

[181] 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.

[182] The Wain of seven stars.

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

[184] 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.

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

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

[187] 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.

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

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

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

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

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

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

[194] That is, with wings.

[195] *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 Cœlestis one of the Fishes is near the head of the Ram, and the other near the Urn of Aquarius.

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

[197] 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.

[198] 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.

[199] Pegasus.

[200] 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.

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

[202] One of the six southern signs.

[203] Sagittarius, another southern sign.

[204] A northern constellation.

[205] A northern constellation.

[206] A southern constellation.

[207] 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.

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

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

[210] 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.

[211] The river Eridanus, a southern constellation.

[212] A southern constellation.

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

[214] A southern constellation.

[215] A southern constellation.

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

[217] A southern constellation.

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

[219] A southern constellation.

[220] Antecanis, a southern constellation, is the Little Dog, and called *Antecanis* in Latin,

and Προκύων in Greek, because he rises before the other Dog.

[221] Pansætius, a Stoic philosopher.

[222] Mercury and Venus.

[223] 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, bk. viii. c. 10.—Davis.

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

[225] 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*.

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

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

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

[229] 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.

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

[231] 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.

[232] The weasand, or windpipe.

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

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

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

[236] 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.

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

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

[239] 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.

[240] *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.

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

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

[243] 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.

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

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

[246] 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.

[247] The Straits of Gibraltar.

[248] 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. I. 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.

[249] 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 honors after his death.

[250] 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 heaven'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.

[251] 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.

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

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

[254] See Cicero de Divinatione, and Ovid. Fast.

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

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

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

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

[259] She was first called Geres, from *gero*, to bear.

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

[261] 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.

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

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

[264] Some prefer Phthas to Opas (see Dr. Davis's edition); but Opas is the generally received reading.

[265] The Lipari Isles.

[266] A town in Arcadia.

[267] In Arcadia.

[268] A northern people.

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

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

[271] Σαβάζίος, Sabazius, is one of the names used for Bacchus.

[272] 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.

[273] 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.

[274] 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*.

[275] Picenum was a region of Italy.

[276] 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.

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

[278] 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 Πηλίον πεσεῖν ποτε
> τμηθεῖσα πεύκη.

[279] Q. Fabius Maximus, surnamed Cunctator.

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

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

[282] 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.

[283] Tyrant of Sicily.

[284] 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*.

[285] The original is *de amissa salute;* which means the sentence of banishment among 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.

[286] 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."

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

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

[289] 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 afterward 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.

[290] 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.

[291] *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.

[292] 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.

[293] *I.e.*, Regulus.

[294] *I.e.*, Fabius.

[295] 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 132 B.C., the year after the death of Tiberius Gracchus, and it became his duty to prosecute the accomplices of Gracchus, for which he was afterward 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.

[296] 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 colors 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*. Parhelia are double, triple, etc., and in 1629, a parhelion of five suns was seen at Rome, and another of six suns at Arles, 1666.

[297] There is a little uncertainty as to what this age was, but it was probably about twenty-five.

[298] 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, 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.

[299] 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.

[300] There is evidently some error in the text here, for Ennius was born 515 A.U.C., 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.

[301] Two pages are lost here. Afterward it is again Scipio who is speaking.

[302] Two pages are lost here.

[303] 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.

[304] He means Scipio himself.

[305] There is again a hiatus. What follows is spoken by Lælius.

[306] Again two pages are lost.

[307] Again two pages are lost. It is evident that Scipio is speaking again in cap. xxxi.

[308] Again two pages are lost.

[309] Again two pages are lost.

[310] Here four pages are lost.

[311] Here four pages are lost.

[312] Two pages are missing here.

[313] A name of Neptune.

[314] About seven lines are lost here, and there is a great deal of corruption and imperfection in the next few sentences.

[315] Two pages are lost here.

[316] 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.

[317] Two pages are missing here.

[318] Here two pages are missing.

[319] I have translated this very corrupt passage according to Niebuhr's emendation.

[320] Assiduus, ab ære dando.

[321] Proletarii, a prole.

[322] Here four pages are missing.

[323] Two pages are missing here.

[324] Two pages are missing here.

[325] Here twelve pages are missing.

[326] Sixteen pages are missing here.

[327] Here eight pages are missing.

[328] A great many pages are missing here.

[329] Several pages are lost here; the passage in brackets is found in Nonius under the word "exulto."

[330] This and other chapters printed in smaller type are generally presumed to be of doubtful authenticity.

[331] The beginning of this book is lost. The two first paragraphs come, the one from St. Augustine, the other from Lactantius.

[332] Eight or nine pages are lost here.

[333] Here six pages are lost.

[334] Here twelve pages are missing.

[335] 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*.

[336] Here four pages are missing. The following sentence is preserved in Nonius.

[337] Two pages are missing here.

[338] Several pages are missing here.

[339] He means Alexander the Great.

[340] Six or eight pages are lost here.

[341] A great many pages are missing here.

[342] Six or eight pages are missing here.

[343] Several pages are lost here.

[344] 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.

[345] Twelve pages are missing here.

[346] Eight pages are missing here.

[347] Six or eight pages are missing here.

[348] Catadupa, from κατὰ and δοῦπος, noise.

redistribution.

*** START: FULL LICENSE ***

THE FULL PROJECT GUTENBERG LICENSE
PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg-tm mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project Gutenberg-tm License (available with this file or online at http://gutenberg.net/license).

Section 1. General Terms of Use and Redistributing Project Gutenberg-tm electronic works

1.A. By reading or using any part of this Project Gutenberg-tm electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg-tm electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg-tm electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg-tm electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg-tm electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg-tm electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg-tm electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is in the public domain in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg-tm mission of promoting free access to electronic works by freely sharing Project Gutenberg-tm works in compliance with the terms of this agreement for keeping the Project Gutenberg-tm name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg-tm License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg-tm work. The Foundation makes no representations concerning the copyright status of any work in any country outside the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg-tm License must appear prominently whenever any copy of a Project Gutenberg-tm work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.net

1.E.2. If an individual Project Gutenberg-tm electronic work is derived from the public domain (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg-tm trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg-tm electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg-tm License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg-tm License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg-tm.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg-tm License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg-tm work in a format other than "Plain Vanilla ASCII" or other format used in the official version

posted on the official Project Gutenberg-tm web site (www.gutenberg.net), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project Gutenberg-tm License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg-tm works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg-tm electronic works provided that

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg-tm works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg-tm trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."

- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg-tm License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg-tm works.

- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.

- You comply with all other terms of this agreement for free distribution of Project Gutenberg-tm works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg-tm electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from both the Project Gutenberg Literary Archive Foundation and Michael Hart, the owner of the Project Gutenberg-tm trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread public domain works in creating the Project Gutenberg-tm collection. Despite these efforts, Project Gutenberg-tm electronic

works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg-tm trademark, and any other party distributing a Project Gutenberg-tm electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH F3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS' WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTIBILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg-tm electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg-tm electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg-tm work, (b) alteration, modification, or additions or deletions to any Project Gutenberg-tm work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg-tm

Project Gutenberg-tm is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need, is critical to reaching Project Gutenberg-tm's goals and ensuring that the Project Gutenberg-tm collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg-tm and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation web page at http://www.pglaf.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Its 501(c)(3) letter is posted at http://pglaf.org/fundraising. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's principal office is located at 4557 Melan Dr. S. Fairbanks, AK, 99712., but its volunteers and employees are scattered throughout numerous locations. Its business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887, email business@pglaf.org. Email contact links and up to date contact information can be found at the Foundation's web site and official page at http://pglaf.org

For additional contact information:
Dr. Gregory B. Newby
Chief Executive and Director
gbnewby@pglaf.org

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg-tm depends upon and cannot survive without wide spread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine readable form accessible by the widest array of equipment including outdated equipment. Many small donations ($1 to $5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit http://pglaf.org

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg Web pages for current donation methods and addresses. Donations are accepted in a number of other ways including including checks, online payments and credit card donations. To donate, please visit: http://pglaf.org/donate

Section 5. General Information About Project Gutenberg-tm electronic works.

Professor Michael S. Hart is the originator of the Project Gutenberg-tm concept of a library of electronic works that could be freely shared with anyone. For thirty years, he produced and distributed Project Gutenberg-tm eBooks with only a loose network of volunteer support.

Project Gutenberg-tm eBooks are often created from several printed editions, all of which are confirmed as Public Domain in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our Web site which has the main PG search facility:

http://www.gutenberg.net

This Web site includes information about Project Gutenberg-tm, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.